

1 COUNCIL FOR THE CITY OF SCRANTON

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HELD:

Wednesday, July 3rd, 2019

LOCATION:

Council Chambers  
Scranton City Hall  
340 North Washington Avenue  
Scranton, Pennsylvania

Maria McCool, RPR  
Official Court Reporter

1 C O U N C I L M E M B E R S :

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3 PATRICK ROGAN, PRESIDENT

4 TIMOTHY PERRY, VICE PRESIDENT

5 WAYNE EVANS

6 WILLIAM GAUGHAN

7 KYLE DONAHUE

8

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10 LORI REED, CITY CLERK

11 KATHY CARRERA, ASSISTANT CITY CLERK

12 AMIL MINORA, ESQUIRE - SOLICITOR

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

3  
4 MR. ROGAN: Roll call, please.

5 MS. CARRERA: Mr. Perry.

6 MR. PERRY: Here.

7 MS. CARRERA: Mr. Donahue.

8 MR. DONAHUE: Here.

9 MS. CARRERA: Mr. Evans.

10 MR. EVANS: Here.

11 MS. CARRERA: Mr. Gaughan.

12 MR. GAUGHAN: Here.

13 MS. CARRERA: Mr. Rogan.

14 MR. ROGAN: Here. Please dispense  
15 with the reading of the minutes.

16 MS. REED: THIRD ORDER.

17 3-A. MINUTES OF THE  
18 SCRANTON-LACKAWANNA HEALTH & WELFARE AUTHORITY  
19 MEETING HELD MARCH 21, 2019.

20 3-B. SCRANTON-LACKAWANNA HEALTH &  
21 WELFARE AUTHORITY COMBINED FINANCIAL STATEMENTS  
22 FOR THE YEARS ENDED DECEMBER 31, 2018 AND  
23 2017 AND INDEPENDENT AUDITORS' REPORT.

24 3-C. TAX ASSESSOR'S REPORT FOR  
25 HEARING DATE TO BE HELD JULY 17,

1 2019.

2 3-D. SINGLE TAX OFFICE CITY FUNDS  
3 DISTRIBUTED COMPARISON REPORT  
4 2018-2019 YEAR TO DATE JUNE 30, 2019.

5 3-E. AGENDA FOR THE BOARD OF ZONING  
6 APPEALS MEETING TO BE HELD JULY  
7 10, 2019.

8 MR. ROGAN: Are there any comments?  
9 If not, received and filed.

10 MR. ROGAN: Do any Council members  
11 have announcements at this time? I have a few.  
12 The annual Scrantastic Spectacular celebration  
13 will be held this evening on Courthouse Square.

14 The event features music, food, and  
15 fireworks display. Please be mindful of road  
16 closures. The public will have access to the  
17 parking garage on Linden Street.

18 City Hall will be closed tomorrow in  
19 observation of Independence Day. DPW will also  
20 be off for the holiday. Refuse collection and  
21 blue recycling will be one day behind schedule.

22 Colts will be closed on Thursday in  
23 observation of the holiday. Regular bus and  
24 van service will resume on July 5th.

25 Council's next regularly scheduled

1 meeting will be Wednesday, July 10th at 12:30  
2 p.m., with a caucus at noon. We also did have  
3 an executive session prior to today's meeting  
4 regarding some potential litigation and a  
5 personnel matter.

6 Before we move on with our regular  
7 business and Fourth Order, obviously there are  
8 a lot of questions regarding the vacancy in the  
9 Mayor's Office and how that vacancy will be  
10 filled. I want to turn it over to our  
11 solicitor to discuss how things are spelled out  
12 in the Home Rule Charter and the Administrative  
13 Code. And then there will be more discussion  
14 following.

15 ATTY. MINORA: Thank you. As you  
16 could imagine, I've done a great deal of  
17 research and consulted with City Solicitor,  
18 Assistant City Solicitor and today also met  
19 with them and the solicitor for the Election  
20 Board in an effort to get as many views as  
21 possible of the way forward from this problem  
22 that's been created by the Mayor's vacancy.

23 There are as I could see it right  
24 now three options to -- going forward on an  
25 appointment process. There's -- Council could

1 do nothing theoretically and that would kick it  
2 to the Court of Common Pleas to appoint  
3 somebody.

4 And if the Court of Common Pleas  
5 appoints someone, that person would serve for  
6 the unexpired term of the Mayor who's leaving.  
7 If Council appointments someone, there is a  
8 dispute on that what the term would be.  
9 Council certainly has the right to appoint  
10 someone.

11 The question then becomes what would  
12 be the term of the appointment by Council to  
13 the Mayor's Office. There are two schools of  
14 thought on that. One is governed by the  
15 Administrative Code. And one is governed by  
16 another portion of the charter, which I'll try  
17 and un muddy as much as possible.

18 The charter in Section 602 deals  
19 with the election of Mayor and his term. It  
20 says that if a Mayor is an appointed position  
21 that he shall be appointed according to Section  
22 309 of the code.

23 And I'm sorry for getting into the  
24 weeds on this, but just so -- as much  
25 understanding can be made I will try. Section

1           309 of the charter actually deals with the  
2           replacement for vacancy on City Council.

3                       But it establishes a procedure by  
4           which someone is appointed. By virtue of that  
5           last sentence in Section 302, Section 309 gives  
6           a procedure for the appointment and it limits  
7           the term to the -- until the next municipal  
8           election. So that would be one interpretation.  
9           That's the interpretation of the solicitor for  
10          the Election Board.

11                      There is a separate opinion on what  
12          the term could be based on the Administrative  
13          Code. The Administrative Code is very clear.  
14          And it says that if a vacancy occurs in the  
15          office of Mayor, City Council shall fill such  
16          vacancy within 30 days thereafter by choosing a  
17          Mayor to serve for the portion of the unexpired  
18          term.

19                      So that makes that -- that is very  
20          clear in the Administration Code side. The  
21          Administrative Code clearly is in conflict with  
22          Section 309 of the charter. I'll be writing  
23          an opinion giving those options to Council and  
24          getting it to them hopefully by next Tuesday.  
25          And if I'm able to find more information for

1           them between now and then I will include that.

2                   MR. ROGAN: Council did discuss  
3 possibly having a public meeting next week  
4 outside of our regularly scheduled meeting to  
5 discuss how this process would play out. So  
6 that will be publically advertised. We did  
7 talk about a couple dates. I don't think we  
8 have a firm decision on that yet.

9                   But there will be a public meeting  
10 regarding how the process is going to be  
11 structured once we receive the memo from  
12 Attorney Minora.

13                   So there will be much more to come  
14 on how this process is going to play out. I  
15 hope that gives some background on what the  
16 Administrative Code states and what the Home  
17 Rule Charter states in terms of filling the  
18 vacancy.

19                   I'm sure residents will have  
20 opinions on how they believe the appointment  
21 should be filled. We're certainly open to  
22 hearing your opinions at the meeting here  
23 tonight. And I know we'll all have much more  
24 to say on this as things progress.

25                   MR. GAUGHAN: I just have one



1 question. Solicitor Minora, I don't know if  
2 you would know this offhand. But if it is a  
3 special election, do you know how the  
4 candidates would be chosen? Obviously it won't  
5 be a primary. It would be a general election.

6 So are they chosen by the two  
7 parties or how does that -- do you know how  
8 that works?

9 ATTY. MINORA: It would be governed  
10 by the Election Code, which I'm not familiar  
11 with. At least I'm not familiar enough to give  
12 you an opinion right here today. No, I don't  
13 know.

14 MR. EVANS: My understanding the  
15 parties would pick the candidates. But we'll  
16 --

17 ATTY. MINORA: I think that is  
18 correct.

19 MR. ROGAN: In Council vacancies in  
20 the past, the parties have selected candidates  
21 and there was a special election.

22 MS. REED: FOURTH ORDER. CITIZENS  
23 PARTICIPATION.

24

25 ((The following speakers offered

1 public comment as follows:

2 Joan Hodowanitz spoke on city  
3 business and matters of general concern.

4 Dave Dobrzyn spoke on matters of  
5 general concern.

6 Bob Bolus spoke on matters of  
7 general concern.

8 Fay Franus spoke on matters of  
9 general concern.

10 Ron Ellman spoke on matters of  
11 general concern.

12 Edwin Mix spoke on matters of  
13 general concern.

14 Glynis Johns spoke on matters of  
15 general concern.

16 Marie Schumacher spoke on city  
17 business and matters of general concern.)

18 MS. REED: FIFTH ORDER. 5-A.

19 MOTIONS.

20 MR. ROGAN: Mr. Perry, do you have  
21 any motions or comments?

22 MR. PERRY: Yeah, I'll make a couple  
23 comments here. Well, first, I want to  
24 apologize for our late start to our meeting  
25 today. As you could imagine, there was a lot

1 to discuss and cover.

2 You know, we're feeling a lot of  
3 things right now. I know I'm in the pool with  
4 most people. You know, I'm upset. I'm angry.  
5 I'm disappointed. But, you know, unfortunately  
6 this body is charged right now with finding the  
7 successor of the next Mayor.

8 And we have to make sure -- we're in  
9 a crucial part right now for the future of  
10 Scranton. We've accomplished a lot of great  
11 things the last couple of years. And we can't  
12 afford to have any setbacks right now. At the  
13 same time, we need to make sure we continue  
14 city services and we start to heal and regain  
15 the trust of the citizens of the city.

16 Right now if you're like me, you  
17 don't feel really great about yourself right  
18 now. And we need to start the process of  
19 taking care of that. And that's going to start  
20 with I believe our selection process and  
21 finding a leader of this city.

22 And we're going to do our due  
23 diligence to make sure we do the very, very  
24 best to make sure we have the very best leader  
25 of the city going forward.

1                   When I first realized -- and this  
2                   came to light that it would be this body, the  
3                   five of us to choose the next Mayor for the  
4                   remainder of the term, you know, I understood  
5                   that that's kind of what the, you know, the  
6                   anticipation of the event and how it was going  
7                   to work out.

8                   But it wasn't quite the best. I  
9                   thought maybe we could do things a little  
10                  better. And I'm 100 percent in the camp of a  
11                  special election coming up for the next Mayor.  
12                  I do not believe that a two and a half year  
13                  appointment would do our city due justice.

14                  I think we need to appoint someone  
15                  for six months and hold a special election.  
16                  This city needs an official that's been elected  
17                  by this city. That's the best way going  
18                  forward. That's my opinion. That is one of  
19                  the ways this may shake out.

20                  That's how I want it to shake out.  
21                  I want an election. And I want -- I think we  
22                  need to -- and we will. We'll be holding some  
23                  special meetings. One of them will be coming  
24                  up next week, next Tuesday where we'll talk  
25                  about more of the process and how we're going

1 to find our candidate.

2 Right now this candidate -- it  
3 hasn't been determined yet if it's going to be  
4 a six month appointment or two and a half year  
5 appointment. I already told you the way I  
6 feel. And, you know, we're going to go through  
7 that. And we're going to make sure that we  
8 appoint the very best person as a consensus.

9 We're at a -- like I said, we're at  
10 a really crucial part right now. And we have  
11 to make sure that we just stay forward. We  
12 keep the city moving. We don't miss a beat.  
13 And at the same time repair the damage that has  
14 been done. You know, I live here. I lived  
15 here my whole life. I'm not going anywhere.

16 I don't like this stigmatism  
17 attached to us, what people say. I know it  
18 only takes one or two actions or bad deeds and  
19 it kind of contaminates the whole pool. But  
20 I'll tell you what. There's a lot of great  
21 people in this city. And there's a lot of  
22 great people in this building right now that  
23 work really hard every day and are committed to  
24 doing what they have to do. And I don't want  
25 to change that.

1                   I just want to put more on top of  
2                   that and keep rolling forward. You know,  
3                   there's going to be a lot more said about it.  
4                   And I speak for myself right now. I'm not  
5                   speaking for anybody else. I'm sure everybody  
6                   else has their own feelings. It took a couple  
7                   days for me to, you know, calm down, get ahold  
8                   of everything and with a straight level head  
9                   figure out what's the best course of action and  
10                  what I think we need to do.

11                  We'll have some more debates coming  
12                  forward on what we're going to do. Some of  
13                  them will be calm. Some of them will be  
14                  heated. But they'll all be above the board.  
15                  They'll all be done in daylight. And that I  
16                  could promise you.

17                  I believe, Joan, you brought up the  
18                  bond rating. You know, we know what happened  
19                  last time with our bond rating when we had such  
20                  an influx in our city and such a lack of trust  
21                  in our city. And anybody in the financial  
22                  world knows, you know, anything, your bond  
23                  rating is a fickle being. It's a fickle  
24                  beast.

25                  And anything could affect it. And

1           this is something that very well could affect  
2           it. And that's something else that our  
3           decision and our process of making that  
4           decision is going to affect. You know, how  
5           smooth is this transaction done?

6                         And do we continue to have the faith  
7           of the financial world to continue a good bond  
8           rating which is one of the successes, one of  
9           the reasons why we had so many successes  
10          recently is because we haven't looked favored  
11          in the banking community. So we need to hold  
12          onto that as well.

13                        And Miss Schumacher brought up all  
14          the other things in the city that, guess what,  
15          they're not going away. We still have a City  
16          Hall issue. We still have rental registration  
17          issue. We still have stormwater coming down.  
18          There is -- nothing goes away because we're  
19          having a problem.

20                        That just means we all take a bigger  
21          piece of the pie to make sure everything is  
22          getting done. I spoke to Mr. Rogan the day of.  
23          And I let him know if there is anything he  
24          needed from me he could call me. I'm a phone  
25          call away.

1           You know, this was thrown in his lap  
2 taking over. And I'm sure -- and I know he's  
3 going to do the best job he possibly could.  
4 But he's going to need the support of everybody  
5 around him to make sure it happens.

6           It's not something he planned on --  
7 on taking on on Monday afternoon. But that  
8 doesn't change the fact that it's not on his  
9 plate now. So we all have things we're dealing  
10 with right now that we didn't think we'd have  
11 to deal with and we just have to for -- you  
12 know, that's why we were elected. That's why  
13 we here to make sure we're taking care of this.

14           So again, if that means meeting with  
15 department heads to see where they are on  
16 different issues that maybe we weren't  
17 really -- that was more of an administrative  
18 task.

19           As a legislation body, you know,  
20 we're more of a conduit from the citizens to  
21 the administrative body. We take issues and we  
22 bring them to, you know, we get them to where  
23 they need to go. The administration makes the  
24 call and kind of helps with the process of  
25 solving the problems.



1                   And, you know, of course, we have  
2                   our meetings which we take care of legislation  
3                   issues that come down. But, you know, we're  
4                   still elected. And we still work for the city.  
5                   We're representative of the City of Scranton.  
6                   So that might mean we might have to take more  
7                   of a hands-on approach when it comes to  
8                   department heads to get caught up.

9                   Like Edwin today with the corner of  
10                  Florida and Linwood, you know, we're all going  
11                  to have to be in the loop to see where  
12                  Mr. Gallagher and Mr. Pocius left that project  
13                  off on. We're going to have to come up to  
14                  speed on that. Maybe that is something Mr.  
15                  Gaughan can't get to, then maybe Mr. Donahue or  
16                  myself could help Edwin along the way.

17                  So there will be a lot of things  
18                  that we're going have to really get used to as  
19                  we get this whole process under way. Right now  
20                  it's kind of -- we're in a holding pattern and  
21                  then it went like that. So we have a good game  
22                  plan started.

23                  Tuesday we'll know better on what  
24                  we're going to do. And by our next meeting  
25                  next Wednesday we'll be well under way with the

1 process, with the game plan, the parameters and  
2 then we'll have more going forward because the  
3 sooner we can get a leader in place, the better  
4 we will be.

5 But we're not going to make haste  
6 and just -- and put someone in or put them in  
7 the wrong way without giving it adequate  
8 thought because, you know, this is going to be  
9 for lack of a better word, six month or two and  
10 a half year decision that we're going to have  
11 to make and it will affect a lot of people.

12 You know, there is 72, 76,000 of us  
13 out there that are going to depend on our  
14 decision that we're going to make in the next  
15 couple of days. While timing is of the  
16 essence, it makes absolutely no sense to hurry  
17 up to finish this process because it won't make  
18 any sense to anybody.

19 So we'll use up probably most of  
20 that time that we have, at least getting up to  
21 that date that we have the 30 days to get this  
22 problem and our issue solved. But, you know,  
23 there will be -- it will be like a duck on  
24 water. We'll look calm on the surface. But  
25 there will be things going constantly

1           underneath the water. That's all I have today.  
2           Thank you.

3                       MR. ROGAN: Thank you. Mr. Donahue,  
4           any motions or comments?

5                       MR. DONAHUE: Yes, just to start off  
6           by -- because it was brought up in public  
7           comment about Northeast Revenue Service, I  
8           believe their contract should be voided  
9           immediately and put out for RFQ as soon as  
10          possible.

11                      Tomorrow is the 4th of July, which  
12          is actually my favorite holiday. It's because  
13          it's a day where all Americans can come  
14          together to celebrate not only the birth of  
15          this nation but also the ideals that are set  
16          forth in the founding document.

17                      We haven't always lived up to those  
18          ideals. But we always come the closest when we  
19          are united when we collectively come to the  
20          conclusion that there is far more that unites  
21          us than divides us.

22                      The events and revelations over the  
23          last 48 hours quite frankly they are  
24          unfathomable. Since Monday afternoon, I've had  
25          this pit in my stomach that feeling you get

1           when you wrap disgust, sadness and anger in one  
2           big ball.

3                       I'm disgusted that from day one the  
4           former Mayor felt entitled to put his own  
5           interests above the interest of each and every  
6           citizen he was elected to represent. I'm sad  
7           for the city employees who come to work every  
8           day, do their job honorably and to the best of  
9           their ability and who now have to have this  
10          cloud of suspicion hanging over their heads.

11                      But most of all, I'm angry. I'm  
12          angry that the former Mayor chose to run the  
13          city like a mob boss instead of being  
14          responsible steward of this government. I'm  
15          angry that he did all of this while at the same  
16          time throughout the city we have citizens,  
17          especially senior citizens that are struggling  
18          to keep their homes.

19                      As we heard tonight, we have people  
20          whose homes are flooding, their property is  
21          being altered because the city doesn't have a  
22          system to adequately handle that while  
23          homeowners have to watch blighted properties in  
24          their neighborhoods become worse and worse and  
25          more frequent.

1                   When you put the struggle -- those  
2                   struggles plus many more of the residents  
3                   throughout this city face every day into the  
4                   context of what the former Mayor has admitted  
5                   to in Federal Court, that and all the problems  
6                   and investigations involving the school  
7                   district and the county, it all just quite  
8                   frankly just pisses me off because we're better  
9                   than that. I know we are.

10                   Throughout my time on this Council,  
11                   Councilman Gaughan and myself have continually  
12                   been called and labeled as obstructionists for  
13                   posing questions to and demanding answers from  
14                   this administration -- from the former  
15                   administration.

16                   But that is what we were elected to  
17                   do. That needs to end. We all need to tune  
18                   out the people who only want to tear people  
19                   down. Instead, we need to concentrate on  
20                   picking people up. That is what leadership is.  
21                   Moving forward, the status quo must change. We  
22                   must dramatically and fundamentally change the  
23                   way this city does business.

24                   But we must do it together. We all  
25                   need to be united in a common cause of

1 restoring faith in city government and working  
2 in the best interest in each and every  
3 resident. That's all I have.

4 MR. ROGAN: Thank you. Mr. Evans,  
5 any motions or comments?

6 MR. EVANS: Yes, I do. It's almost  
7 impossible to describe the range of emotions I  
8 felt since Monday afternoon. Emotions we all  
9 have felt from shock and sadness to rage and  
10 disgust.

11 When public officials betray the  
12 public trust to the degree that was described  
13 in detail by U.S. Attorney at his press  
14 conference yesterday, it should be  
15 disheartening to everyone who truly cares about  
16 this city.

17 The feelings I felt while listening  
18 to Mr. Freed's accounting of what was taking  
19 place in and around this very building will be  
20 with me for the rest of my life. And we can  
21 never let something like that happen in this  
22 city again.

23 You know, in so many ways we've come  
24 so far. We've made some great strides in the  
25 last five plus years since I have been on

1 Council. This City Council has done its very  
2 best to be vigilant, transparent, and open.

3 So, yes, condemn the actions of our  
4 former Mayor because his actions deserve your  
5 condemnation. But also remember the good work  
6 of this body and some key members of the  
7 administration as well as the many city  
8 employees who come to work each day and do  
9 their very, very best for all of us.

10 You know, we all have a lot of work  
11 to do to restore your trust. And we'll  
12 continue to do everything to do just that. You  
13 know, we really have no choice. It is our  
14 charge now. It is our responsibility. It is  
15 our mission because as elected officials at  
16 least for now, there is no one else to lead but  
17 the five of us.

18 We all love Scranton. We wouldn't  
19 be here if we didn't. In fact, you wouldn't be  
20 here if you didn't love the City of Scranton.  
21 It is our home. It is our city. So it begins  
22 today like every day is another chance to make  
23 this city a little better. So let's get to  
24 work. Thank you.

25 MR. ROGAN: Thank you. Mr. Gaughan,

1           any motions or comments?

2                   MR. GAUGHAN: Yes. This has been an  
3 absolutely devastating week for the City of  
4 Scranton, for Lackawanna County, and for I  
5 think the whole region. I am personally as my  
6 colleagues are as well, outraged, sickened, and  
7 repulsed by the facts brought forth from the  
8 FBI's investigation.

9                   I do want to thank the FBI, the  
10 Department of Justice, and the U.S. Attorney,  
11 Mr. Freed for their investigation. And I was  
12 pleased to hear yesterday that the  
13 investigation is ongoing. And I think they are  
14 forming some sort of task force to combat  
15 public corruption in Northeastern Pennsylvania.

16                   It's no secret when I first got  
17 involved in politics back in 2013 people assume  
18 and now rightly so that the city and this area  
19 is corrupt. It's a stench we could never get  
20 rid of. And that has always bothered me. And  
21 this just confirms that.

22                   The blatant corruption that occurred  
23 within these walls undermines the good public  
24 servants who honestly try to serve this city.  
25 And, yes, they do still exist in this building.



1 I feel very sorry for every taxpayer in this  
2 city who must feel cheated and outraged as  
3 well.

4 The actions have gone on over the  
5 last few years overshadow some of the good  
6 things that have actually occurred in this city  
7 since 2014. It's important now for this  
8 Council to reverse the damage that has been  
9 done.

10 At this point, it's my belief that  
11 there is a major crisis of confidence in the  
12 City of Scranton. While the results of the  
13 investigation are horrifying on every level and  
14 confidence in local government is at an all  
15 time low, I think that this situation actually  
16 presents an incredible opportunity to start  
17 doing things the right way once and for all.

18 We must restore people's faith that  
19 our government works for them that our public  
20 officials work for the people and aren't trying  
21 to live off of them. One of the first ways  
22 that I think we can do this is to ensure that  
23 the process for appointing a new Mayor is done  
24 openly and done fairly.

25 The appointment process and ultimate

1 selection of the new Mayor is the first step in  
2 restoring faith and confidence in this city.  
3 It's my belief that we should solicit letters  
4 of interest and resumes from the public and  
5 then conduct public interviews and put these  
6 candidates through a vetting process.

7 We all want continuity and stability  
8 for the city. And by the end of July, we  
9 should install a new Mayor to shepherd through  
10 a new era for the City of Scranton. In the  
11 caucus preceding this meeting we did hear from  
12 Solicitor Minora who laid out several options,  
13 whether or not we'll have to have a special  
14 election.

15 I did ask that Solicitor Minora put  
16 all of his comments into writing. I would like  
17 a legal interpretation of all of that before a  
18 decision is made. The charter gives us 30 days  
19 to appoint a new Mayor. And I do not think  
20 there is any reason not to utilize the next few  
21 weeks to be as democratic in this process as  
22 possible with the appointment.

23 Choosing someone for this job should  
24 not be rushed at all. We need to make sure  
25 that this is done the right way. And we need

1 to make sure that whoever this person is is  
2 qualified and could do the job. That is so  
3 important. We're talking about a city with  
4 over 100 million dollar budget every year and  
5 76,000 people. And we are the county seat.

6 I also want to add on that point  
7 that I will not be a candidate for this  
8 appointment. And I only bring that up because  
9 the speculation is driving -- quite frankly  
10 driving me nuts as I'm sure it is some other  
11 people as well because you have people that  
12 want to know what is going on.

13 So I entered a program last year to  
14 earn my educational administrative  
15 certification. And I'm still enrolled and  
16 currently taking classes. So that would  
17 preclude me from being a candidate or being a  
18 candidate for the appointment or candidate if  
19 there is a special election.

20 Finally, during this tumultuous  
21 time, we need to do everything in our power to  
22 ensure that the city government continues to  
23 operate to address the needs of our residents  
24 and keep the city on track.

25 Also on a secondary point about NRS

1 and I had mentioned this to the newspaper when  
2 they had called me the other day, I agree that  
3 this contract needs to be terminated.

4 Solicitor Minora, I would like you  
5 to please review the contract again to see in  
6 what way the city can terminate it at this  
7 point, what role Council can play in that.

8 I believe we have to give 90 days  
9 notice. But I think that should be reviewed if  
10 you wouldn't mind. Thank you. I do want to  
11 make a point because I had -- you know, when  
12 the NRS thing had come out and I read it in the  
13 documents provided by the U.S. Attorney, I  
14 remembered back to 2015.

15 We had a caucus with Ron Koldjeski  
16 who was the Lackawanna County Deputy Director  
17 for tax claims. And in that caucus, he  
18 discussed the collection of delinquent city  
19 taxes. And the point that he made was that the  
20 county would be willing -- the county Tax Claim  
21 Bureau would be willing to be the City of  
22 Scranton's collector of delinquent taxes.

23 And we sent a letter on June 30th to  
24 the Mayor asking him to give that -- his  
25 consideration and advise Council if he was

1 willing to proceed with that appointment  
2 because at that time it was my opinion that  
3 that would make total sense.

4 You would cut out the middle man.  
5 They were willing to do it. They have all  
6 the -- they had everything in place to do that  
7 and do it correctly. We did not hear from the  
8 Mayor. And we had to send a followup letter  
9 July 24th at my request.

10 July 29th we received the following  
11 letter from the Mayor.

12 "This letter is in response to your  
13 letter dated July 24th, 2015, wherein Council  
14 inquired into the collection of delinquent city  
15 taxes. The City Solicitor and the Business  
16 Administrator are still reviewing the viability  
17 of appointing the Lackawanna County Tax Claim  
18 Bureau as the city delinquent tax collector.

19 I will provide you with more  
20 information regarding this matter as it becomes  
21 available."

22 We never received anymore  
23 information regarding this matter. And I'm  
24 assuming it was never available.

25 Now, four years later this makes

1 sense on why you wouldn't want to take the  
2 common sense approach and appoint the county  
3 Tax Claim Bureau to do that because of all of  
4 the things that have gone on between the Mayor  
5 and Northeast Revenue Services.

6 But it goes without saying that we  
7 cannot in good conscience continue with the  
8 contract with NRS. I mean, we had concerns to  
9 begin with as it was without all of the facts  
10 that were presented. So I actually talked to  
11 the Business Administration this morning and he  
12 agreed with me on that point.

13 And he's also reviewing how we would  
14 get out of that contract. I also think as it  
15 relates to the coconspirators and  
16 intermediaries, I think any city employee, city  
17 official who had anything to do with what went  
18 on in this building and outside in regards to  
19 bribery, extortion, everything else -- and I  
20 don't know if we'll ever know their names, but  
21 they should do the right thing and resign  
22 immediately.

23 We need to clean house with anybody  
24 who had anything to do with what went on here  
25 the last four years. And I can't imagine that

1 a city employee or anyone else for that matter  
2 in business or other entity would have the  
3 conscience to come into this building to sign  
4 in or punch in or whatever and collect a  
5 paycheck and you were a part of that. That is  
6 an absolute disgrace.

7 So again, I don't know that we'll  
8 ever know who those people were. I know the  
9 investigation is ongoing. But I would just say  
10 as a matter of doing the right thing, those  
11 people should resign immediately. That's all I  
12 have. Thank you.

13 MR. ROGAN: Thank you. A couple  
14 comments. Obviously, as Council President I've  
15 been thrown into this more than others. So on  
16 Monday I did have -- and I think it's been well  
17 publicized the meeting with Attorney Minora and  
18 our City Solicitor regarding the process of  
19 filling this appointment for a permanent Mayor.

20 Tuesday, I did have a cabinet  
21 meeting with all the members of the cabinet  
22 just to be sure that everything continues to  
23 operate as normal within the departments. By  
24 and large we have great department heads in the  
25 City of Scranton. We have great employees I

1 think as all of our colleagues up here have  
2 mentioned.

3 And during this time it's critical  
4 that the residents don't have any disruptions.  
5 So obviously, that's a top priority at this  
6 time. Second priority is obviously appointing  
7 a permanent Mayor, whether it be an appointment  
8 for six months or an appointment for two and a  
9 half years depending on your interpretation of  
10 the City Charter and the Administrative Code.

11 Personally, I'm in favor of a  
12 short-term appointment and having a special  
13 election. If that can be allowed under the  
14 code, that's the preference that I have. I  
15 think at the end of the day when the voters get  
16 to decide who's going to serve the vast  
17 majority of the remainder of this term, that's  
18 a much better solution than the five of us  
19 making that determination.

20 Obviously, there are a lot of  
21 inconsistencies between the Home Rule Charter  
22 and the Administrative Code. There's different  
23 interpretations. I want to thank our  
24 solicitor, Attorney Minora and the City  
25 Solicitor, Jessica Eskra. Over the last two



1 days I have probably spent more time talking to  
2 the two of them than anyone else.

3 We want to make sure that this  
4 process is done right. We want to make sure  
5 it's done by the letter of the law. And at the  
6 end of the day if it comes down to a decision  
7 by Council personally, I want it done in a way  
8 where the citizens can have the most say in the  
9 process as possible.

10 So as a body, we are going to move  
11 forward on putting a process together to get a  
12 permanent Mayor appointed. In the meantime, I  
13 will be continuing to work with all of our  
14 department heads in the city on a 24/7 basis  
15 whenever needed as Acting Mayor.

16 And I do want to give a thank you to  
17 not only all my colleagues who we've had a good  
18 working relationship, especially during these  
19 last few days trying to come up with a plan on  
20 how to get through this, the city employees and  
21 also other elected officials from the county,  
22 other municipalities have all reached out to me  
23 offering any help that they could provide  
24 during this time of transition in the city.

25 So I want to thank everyone who has

1           offered their assistance. Residents, I've  
2           heard from probably more people in the last two  
3           days than I had in the last two years with  
4           suggestions and different ideas.

5                         And I definitely want to give a  
6           thank you to everyone who's offered up those  
7           suggestions and offered to help, whether it's  
8           serving on boards, commissions, I've had a lot  
9           of inquires.

10                        So in summary again, my colleagues  
11           have pretty much covered all the points. But  
12           in summary, Scranton is a resilient city.  
13           Despite what transpired the last two days, the  
14           city is going to get through this. We are  
15           going to select through an open process a  
16           permanent Mayor.

17                        There may also be a special  
18           election, which I'm hopeful that there will be.  
19           But during the meantime, the average Scranton  
20           resident is not going to see any change in  
21           their quality of life from our services in the  
22           city. Employees are still working. Department  
23           heads are still working.

24                        And during this time period, I will  
25           be spending quite a bit of time at City Hall as

1 Acting Mayor making sure that any issues that  
2 need to be addressed are addressed.

3 Any major decisions that need to be  
4 made during this time I think feel it's more  
5 appropriate the permanent Mayor makes those  
6 decisions, especially decisions regarding  
7 long-term contracts. I know the NRS contract  
8 came up. I did ask the solicitor to review  
9 that. I know our solicitor is going to review  
10 it as well.

11 That's certainly one of many big  
12 decisions that are going to be made during the  
13 course of the next few months. So again, I  
14 just want to give a thank you to everyone  
15 that's expressed their support and for my  
16 colleagues working through this process. And  
17 there will be more to come soon. Thank you.

18 MS. REED: 5-B, no business at this  
19 time. SIXTH ORDER. 6-A, no business at this  
20 time.

21 SEVENTH ORDER. 7-A. FOR  
22 CONSIDERATION BY THE COMMITTEE ON PUBLIC  
23 SAFETY – FOR ADOPTION - FILE OF THE COUNCIL NO.  
24 67, 2019 – AMENDING FILE OF THE COUNCIL NO. 41,  
25 2016, AMENDING FILE OF THE COUNCIL NO.

1           91, 2002 "AN ORDINANCE (AS AMENDED) PROVIDING  
2           FOR THE ESTABLISHMENT OF PARKING METER ZONES  
3           WITHIN THE CITY OF SCRANTON; ESTABLISHING HOURS  
4           OF OPERATION; PROVIDING FOR THE INSTALLATION OF  
5           METERS AND PARKING METER RATES; AUTHORIZING THE  
6           ENFORCEMENT OF PARKING ORDINANCES AND PROVIDING  
7           PENALTIES FOR VIOLATIONS THEREOF' BY AMENDING  
8           SECTION 3(A) TO REFLECT THE CHANGE IN HOURLY  
9           RATES" BY AMENDING SECTION 1 TO ADD A  
10          DEFINITION, SECTION 7 TO MODIFY THE USE,  
11          SECTION 14(a) AND (b) TO CHANGE THE TEMPORARY  
12          SUSPENSION, SECTION 15(a) AND (b) TO ADDRESS  
13          CHANGES FOR PERMIT PARKING, AND TO ADD SECTION  
14          21 ADOPTING THE MAP FOR ON-STREET PARKING,  
15          SECTION 22 TO ABOLISH TIME ZONE PARKING AND TO  
16          CREATE LOADING ZONES WITHIN THE DOWNTOWN.

17                   MR. ROGAN: What is the  
18                   recommendation of the Chairperson for the  
19                   Committee on Public Safety?

20                   MR. PERRY: As Chair for the  
21                   Committee on Public Safety, I recommend final  
22                   passage of Item 7-A.

23                   MR. EVANS: Second.

24                   MR. ROGAN: On the question.

25                   (No response.)

1 MR. ROGAN: Roll call, please.

2 MS. CARRERA: Mr. Perry.

3 MR. PERRY: Yes.

4 MS. CARRERA: Mr. Donahue.

5 MR. DONAHUE: Yes.

6 MS. CARRERA: Mr. Evans.

7 MR. EVANS: Yes.

8 MS. CARRERA: Mr. Gaughan.

9 MR. GAUGHAN: Yes.

10 MS. CARRERA: Mr. Rogan.

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

13 MS. REED: 7-B. FOR CONSIDERATION  
14 BY THE COMMITTEE ON RULES – FOR ADOPTION -  
15 FILE OF THE COUNCIL NO. 68, 2019 – AUTHORIZING  
16 THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS  
17 OF THE CITY OF SCRANTON TO APPROVE DOWNTOWN  
18 RESIDENTIAL PARKING RATES FOR THE DOWNTOWN  
19 SCRANTON RESIDENT PARKING PROGRAM.

20 MR. EVANS: I make a motion to amend  
21 Item 7-B per the following: In the now  
22 therefore clause, omit the bullet point in its  
23 entirety and insert the following: Parking is  
24 confined to the following areas and designated  
25 spaces on the levels above the ground floor and

1 below the uncovered roof of each of these  
2 garages.

3 MR. DONAHUE: Second.

4 MR. ROGAN: On the question?

5 MR. GAUGHAN: Yes, could we --

6 Mr. Evans, can you just explain this again and  
7 give a little bit --

8 MR. EVANS: The whole ordinance?

9 MR. GAUGHAN: No, not the whole  
10 ordinance, just the amendment.

11 MR. EVANS: Okay. Well, the  
12 original language stated that the discounted  
13 rate was for just areas below the roof. It  
14 didn't define exactly where. And I think that  
15 the attempt was to push people that were  
16 getting the discount all the way up to the  
17 upper floors.

18 So what this does is allow anyone  
19 that gets the \$72 rate to park anywhere from  
20 above the ground floor up to the roof level.  
21 So it opens up the entire garage, the  
22 underutilized areas of the garage.

23 MR. ROGAN: Anyone else?

24 (No response.)

25 MR. ROGAN: All those in favor

1 signify by saying aye.

2 MR. PERRY: Aye.

3 MR. DONAHUE: Aye.

4 MR. GAUGHAN: Aye.

5 MR. EVANS: Aye.

6 MR. ROGAN: Aye. Opposed?

7 (No response.)

8 MR. ROGAN: The ayes have it and so  
9 moved. As Chairperson for the Committee on  
10 Rules I recommend final passage of Item 7-B as  
11 amended.

12 MR. EVANS: Second.

13 MR. ROGAN: On the question?

14 (No response.)

15 MR. ROGAN: Roll call, please.

16 MS. CARRERA: Mr. Perry.

17 MR. PERRY: Yes.

18 MS. CARRERA: Mr. Donahue.

19 MR. DONAHUE: Yes.

20 MS. CARRERA: Mr. Evans.

21 MR. EVANS: Yes.

22 MS. CARRERA: Mr. Gaughan.

23 MR. GAUGHAN: Yes.

24 MS. CARRERA: Mr. Rogan.

25 MR. ROGAN: Yes. I hereby declare

1 Item 7-B legally and lawfully adopted.

2 MS. REED: 7-C. FOR CONSIDERATION  
3 BY THE COMMITTEE ON PUBLIC SAFETY – FOR  
4 ADOPTION – RESOLUTION NO. 130, 2019 –  
5 AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF  
6 PUBLIC WORKS OF THE CITY OF SCRANTON TO  
7 SIGN AND SUBMIT THE PENNSYLVANIA DEPARTMENT OF  
8 TRANSPORTATION (“PENNDOT”) APPLICATION FOR  
9 TRAFFIC SIGNAL APPROVAL FOR TRAFFIC  
10 SIGNAL PERMIT NO. 6685 AT MULBERRY STREET (SR  
11 3027) TO RELOCATE THE STOP BARS AND PERFORM  
12 LANE RE-STRIPING ON THE WESTERLY  
13 APPROACH OF MULBERRY STREET TO JEFFERSON  
14 AVENUE.

15 MR. ROGAN: What is the  
16 recommendation of the Chair for the Committee  
17 on Public Safety?

18 MR. PERRY: As Chair for the  
19 Committee on Public Safety, I recommend final  
20 passage of Item 7-C.

21 MR. EVANS: Second.

22 MR. ROGAN: On the question?

23 (No response.)

24 MR. ROGAN: Roll call, please.

25 MS. CARRERA: Mr. Perry.



1 MR. PERRY: Yes.

2 MS. CARRERA: Mr. Donahue.

3 MR. DONAHUE: Yes.

4 MS. CARRERA: Mr. Evans.

5 MR. EVANS: Yes.

6 MS. CARRERA: Mr. Gaughan.

7 MR. GAUGHAN: Yes.

8 MS. CARRERA: Mr. Rogan.

9 MR. ROGAN: Yes. I hereby declare  
10 Item 7-C legally and lawfully adopted.

11 MS. REED: 7-D. FOR CONSIDERATION  
12 BY THE COMMITTEE ON PUBLIC SAFETY - FOR  
13 3 ADOPTION - RESOLUTION NO. 131, 2019 -  
14 ACCEPTING A DONATION FROM THE BOARD OF AMOS  
15 TOWERS PRESENTED TO THE CITY OF SCRANTON FIRE  
16 DEPARTMENT IN AN AMOUNT NOT TO EXCEED TWO  
17 THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS FOR  
18 THE PURCHASE OF A 35MM CAMERA AND THREE  
19 (3) CORDLESS TOOL KITS TO BE USED IN FIRE  
20 INVESTIGATIONS.

21 MR. ROGAN: What is the  
22 recommendation of the Chairperson for the  
23 Committee on Public Safety?

24 MR. PERRY: As Chairperson for the  
25 Committee on Public Safety, I recommend final

1 passage of Item 7-D.

2 MR. EVANS: Second.

3 MR. ROGAN: On the question?

4 (No response.)

5 MR. ROGAN: Roll call, please.

6 MS. CARRERA: Mr. Perry.

7 MR. PERRY: Yes.

8 MS. CARRERA: Mr. Donahue.

9 MR. DONAHUE: Yes.

10 MS. CARRERA: Mr. Evans.

11 MR. EVANS: Yes.

12 MS. CARRERA: Mr. Gaughan.

13 MR. GAUGHAN: Yes.

14 MS. CARRERA: Mr. Rogan.

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

17 MS. REED: 7-E. FOR CONSIDERATION BY  
18 THE COMMITTEE ON FINANCE – FOR ADOPTION -  
19 RESOLUTION NO. 132, 2019 – AUTHORIZING THE  
20 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO  
21 EXECUTE AND ENTER INTO A CONTRACT  
22 WITH FIDELITY DEPOSIT AND DISCOUNT BANK TO  
23 PROVIDE PAYING AGENT SERVICES FOR THE CITY OF  
24 SCRANTON FROM AUGUST 1, 2019 THROUGH  
25 DECEMBER 31, 2024.

1 MR. ROGAN: What is the  
2 recommendation of the Chair for the Committee  
3 on Finance?

4 MR. EVANS: As Chairperson for the  
5 Committee on Finance, I recommend final passage  
6 of Item 7-E.

7 MR. DONAHUE: Second.

8 MR. ROGAN: On the question?  
9 (No response.)

10 MR. ROGAN: Roll call, please.

11 MS. CARRERA: Mr. Perry.

12 MR. PERRY: Yes.

13 MS. CARRERA: Mr. Donahue.

14 MR. DONAHUE: Yes.

15 MS. CARRERA: Mr. Evans.

16 MR. EVANS: Yes.

17 MS. CARRERA: Mr. Gaughan.

18 MR. GAUGHAN: Yes.

19 MS. CARRERA: Mr. Rogan.

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

22 MS. REED: 7-F. FOR CONSIDERATION  
23 BY THE COMMITTEE ON PUBLIC SAFETY - FOR  
24 ADOPTION - RESOLUTION NO. 133, 2109 -  
25 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

1 CITY OFFICIALS TO EXECUTE AND ENTER INTO A  
2 CONTRACT WITH MCCLURE COMPANY AS ENERGY  
3 SERVICES COMPANY (ESCO) FOR THE CITY OF  
4 SCRANTON TO PROVIDE THE MOST IMPACTFUL  
5 CITY-WIDE ENERGY SAVINGS STRATEGY TO IMPROVE  
6 THE EFFICIENCY OF CITY OWNED FACILITIES.

7 MR. ROGAN: What is the  
8 recommendation of the Chairperson for the  
9 Committee on Public Safety?

10 MR. PERRY: As Chairperson of the  
11 Committee on Public Safety, I recommend final  
12 passage of Item 7-F.

13 MR. EVANS: Second.

14 MR. ROGAN: On the question?

15 (No response.)

16 MR. ROGAN: Roll call, please.

17 MS. CARRERA: Mr. Perry.

18 MR. PERRY: Yes.

19 MS. CARRERA: Mr. Donahue.

20 MR. DONAHUE: Yes.

21 MS. CARRERA: Mr. Evans.

22 MR. EVANS: Yes.

23 MS. CARRERA: Mr. Gaughan.

24 MR. GAUGHAN: Yes.

25 MS. CARRERA: Mr. Rogan.

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MR. ROGAN: Yes. I hereby declare  
Item 7-F 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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2  
3 I hereby certify that the proceedings and  
4 evidence are contained fully and accurately in the  
5 notes taken by me of the above-cause and that this copy  
6 is a correct transcript of the same to the best of my  
7 ability.

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