

AGENDA
REGULAR MEETING OF COUNCIL
June 9, 2020
6:30 PM

1. ROLL CALL
2. READING OF MINUTES
3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS OF DEPARTMENTS AND INTERESTED PARTIES AND CITY CLERK'S NOTES
 - 3.A RECOMMENDATION RECEIVED FROM THE CITY ENGINEER DATED MAY 22, 2020 REGARDING A NEW STREET LIGHT TO BE INSTALLED AT 600 SEYMOUR AVENUE.

[Street Light Recommendation 600 Seymour Avenue 5-22-2020.pdf](#)
 - 3.B RECOMMENDATION RECEIVED FROM THE CITY ENGINEER DATED MAY 22, 2020 REGARDING A NEW STREET LIGHT TO BE INSTALLED AT NORTHERLY END OF EARTH COURT.

[Street Light Recommendation Earth Court 5-22-2020.pdf](#)
 - 3.C PROCLAMATION RECEIVED FROM MAYOR PAIGE G. COGNETTI DECLARING JUNE 1, 2020 A DAY OF MOURNING AND LAMENT FOR ALL THOSE OUR CITY AND OUR NATION HAVE LOST TO COVID-19.
[Proclamation issued by Mayor Cognetti declaring 6-1-2020 Day of Mourning COVID-19.pdf](#)
 - 3.D MINUTES OF THE SCRANTON POLICE PENSION COMMISSION MEETING HELD APRIL 15, 2020.

[Scranton Police Pension Commission Meeting 04-15-2020.pdf](#)
 - 3.E SINGLE TAX OFFICE CITY FUNDS DISTRIBUTED COMPARISON REPORT 2019-2020 YEAR TO DATE MAY 31, 2020 CORRECTED COPY.

Single Tax Office City Funds Distributed May 2019-2020
Corrected Copy.pdf

- 3.F CORRESPONDENCE RECEIVED FROM MAYOR PAIGE G. COGNETTI AND CHIEF OF POLICE CARL R. GRAZIANO DATED JUNE 4, 2020 REGARDING OUTLINE OF CURRENT SCRANTON POLICE DEPARTMENT POLICIES.

Correspondence received from Mayor and Chief of Police
6-4-2020.pdf

4. CITIZENS PARTICIPATION

5. INTRODUCTION OF ORDINANCES, RESOLUTIONS, APPOINTMENT AND/OR RE-APPOINTMENTS TO BOARDS & COMMISSIONS MOTIONS & REPORTS OF COMMITTEES

- 5.A MOTIONS.

- 5.B NO BUSINESS AT THIS TIME.

6. CONSIDERATION OF ORDINANCES - READING BY TITLE

- 6.A NO BUSINESS AT THIS TIME.

7. FINAL READING OF RESOLUTIONS AND ORDINANCES

- 7.A FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF THE COUNCIL NO. 9, 2020 - AMENDING SECTION 13 (AS AMENDED BY ORDINANCE NO. 29, 1994 AND ORDINANCE NO. 195, 2003) OF THE ADMINISTRATIVE CODE ENTITLED "APPROPRIATION" IN ORDER TO REQUIRE COUNCIL'S APPROVAL PRIOR TO THE TRANSFER OF AN UNEXPENDED BALANCE OF AN APPROPRIATION ITEM TO FUND A NEW JOB CLASSIFICATION OR INCREASE THE BUDGETED SALARY OF A JOB CLASSIFICATION.

[Ordinance-2020 Amend Administrative Code entitled Appropriation.pdf](#)

- 7.B FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 36, 2020 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO WAIVE THE RESIDENCY REQUIREMENTS FOR EILEEN CIPRIANI IN HER CAPACITY AS EXECUTIVE DIRECTOR OF THE OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE CITY OF SCRANTON SUBJECT TO CERTAIN CONDITIONS.

[Resolution-2020 Waive Residency Requirements for Eileen Cipriani.pdf](#)

8. ADJOURNMENT

Lori Reed

From: Pocius, John
Sent: Friday, May 22, 2020 1:28 PM
To: Lori Reed; Dennis Gallagher; Tom Preambo
Cc: Paige Cognetti; Stephanie Pisko
Subject: 600 Seymour Avenue Street Light Request
Attachments: 600 Seymour Avenue Street Light Request 04-24-2020.pdf

As requested in your letter dated April 24, 2020 we performed an onsite evaluation at 600 Seymour Avenue to determine if a street light is warranted. Based on our assessment and our professional engineering experience and judgement, in the interest of public safety, we recommend that a new street light be installed on pole #58079/N45543 (formerly SCR. 1469). Please coordinate this installation with the appropriate parties. If there are any questions on this matter, do not hesitate to contact our office

John J Pocius, PE, PLS
LaBella Associates | Consultant



RECEIVED

MAY 22 2020

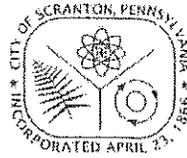
OFFICE OF CITY
COUNCIL/CITY CLERK

Council of the City of Scranton

340 No. Washington Avenue • Scranton, Pennsylvania 18503 • Telephone 570-348-4113 • Fax 570-348-4207

Lori Reed
City Clerk

Kevin C. Hayes, Esq.
Counsel



William Gaughan, President
Kyle Donahue, Vice President
Jessica Rothchild, PT, DPT
Mark McAndrew
Thomas S. Schuster

April 24, 2020

Mr. John J. Pocius, P.E., P.L.S.
City Engineer
LaBella Associates
1000 Dunham Drive, Suite B
Dunmore, PA 18512

Dear Mr. Pocius:

Enclosed please find a petition from residents living in the vicinity Snook Street, Seymour Avenue and Roosevelt Street who are requesting to have a street light installed at 600 Seymour Avenue on PPL Pole No. SCR1469.

Please evaluate this area to see if lighting is warranted and advise Council's office and DPW Director Dennis Gallagher of your findings and recommendation.

Thank you for your assistance in this matter. If you have any questions, please feel free to contact me at 570-348-4113.

Sincerely,

Lori Reed
City Clerk

Enclosure

cc: David Osborne, P.E. w/enclosure
Dennis Gallagher, DPW Director w/o enclosure
Scranton City Council

Lori Reed

From: Pocius, John
Sent: Friday, May 29, 2020 1:44 PM
To: Lori Reed; Tom Preambo
Cc: Dennis Gallagher; Leslie Izak; Paige Cognetti; Stephanie Pisko; Don King
Subject: Hiller Avenue/Earth Court Street Light Request
Attachments: Earth Court Street light Petition.pdf

As requested in your letter dated May 22, 2020 we performed an onsite evaluation at the northerly end of Earth Court (Egli Court) to determine if a street light is warranted. Based on our assessment and our professional engineering experience and judgement, in the interest of public safety, we recommend that a street light be installed on pole #57659/N45392 near HK Jones & Sons Tile & Marble. Please coordinate this installation with the appropriate parties. If there are any questions on this matter, do not hesitate to contact our office.

John J Pocius, PE, PLS

LaBella Associates | Consultant



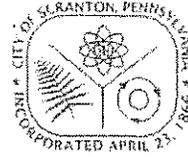
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MAY 29 2020
OFFICE OF CITY
COUNCIL/CITY CLERK

Council of the City of Scranton

340 No. Washington Avenue • Scranton, Pennsylvania 18503 • Telephone 570-348-4113 • Fax 570-348-4207

Lori Reed
City Clerk

Kevin C. Hayes, Esq.
Counsel



William Gaughan, President
Kyle Donahue, Vice President
Jessica Rothchild, PT, DPT
Mark McAndrew
Thomas S. Schuster

May 22, 2020

Mr. John J. Pocius, P.E., P.L.S.
City Engineer
LaBella Associates
1000 Dunham Drive, Suite B
Dunmore, PA 18512

Dear Mr. Pocius:

Enclosed please find a petition from residents living in the vicinity of Hiller Avenue/Earth Court who are requesting to have a new installation of a street light at the northeast end of Earth Court.

Please evaluate this area to see if lighting is warranted and advise Council's office and DPW Director Thomas Preambo of your findings and recommendation.

Thank you for your assistance in this matter. If you have any questions, please feel free to contact me at 570-348-4113.

Sincerely,

Lori Reed
City Clerk

Enclosure

cc: David Osborne, P.E. w/enclosure
Thomas Preambo, DPW Director w/o enclosure
Scranton City Council

Earth Court

Request May 5, 2020

People are dumping televisions, etc in the field at end of Earth Court. A homeless guy living out of his car was parking in the field overnight. The field has been trashed and a hole cut in a fence by ATV groups racing down the court and the old railroad bed.

The installation of a new street light at the far end of the court would be a welcome improvement and hopefully, a security measure for those of us whose homes back up to Earth Court.

Thank you.
Mark + Mary Rusticus



RECEIVED
MAY 31 2020
OFFICE OF CITY
COUNCIL/CITY CLERK

**MAYORAL PROCLAMATION DECLARING JUNE 1, 2020 A DAY OF MOURNING
AND LAMENT FOR ALL THOSE OUR CITY AND OUR NATION HAVE LOST TO
COVID-19**

Whereas, our nation has passed a grim point in our history: 100,000 Americans have died from COVID-19; and

Whereas, with the rapid spread of the virus, the scope of its impact, and its mitigation through “social distancing,” we have not been given the time or space to mourn, lament, and remember those whose lives have been taken by the virus; and

Whereas, it has been impossible to bury our dead as people have for thousands of years—communally and intimately with friends, family, and neighbors; and

Whereas, as individuals, residents of our city, and collectively as a nation, we need time to stop, reflect, pray, mourn, and honor the dead; and

Whereas, to meet this need, religious communities across faiths are acting in unity, gathering together safely to mourn, memorialize, and remember the lives of those we have lost, both in our diverse faith traditions and in our public squares, and to pray for the healing of our nation; and

Whereas, mayors are joining with faith leaders in their cities and across the nation through the United States Conference of Mayors to declare June 1, 2020 a National Day of Mourning and Lament and, at 12:00 noon local time on that day, to pause, reflect, pray, mourn and honor all those we have lost and, looking forward, to focus on repairing the injustices the pandemic has so painfully revealed,

Now, therefore,

I, Paige Gebhardt Cognetti, Mayor of the City of Scranton, declare June 1, 2020, a National Day of Mourning and Lament in our City and urge faith and community leaders and all of our residents to join us on that day and, to the extent possible, at 12:00 Noon, to pause, reflect, pray, mourn and honor all those we have lost and to comfort all those they have left behind.

Paige Gebhardt Cognetti

Mayor

**SCRANTON POLICE PENSION
COMMISSION MEETING**

SCRANTON CITY COUNCIL CHAMBERS

APRIL 15, 2020

BOARD MEMBERS

1. THOMAS TOLAN- ABSENT
2. JUSTIN BUTLER- PRESENT
3. NANCY KRAKE- PRESENT
4. JOHN MURRAY-PRESENT
5. PAUL HELRING- PRESENT
6. MICHAEL CAMMEROTA- PRESENT

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JUN 05 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

MINUTES FROM WEDNESDAY MARCH 18, 2020 MEETING OF THE SCRANTON POLICE PENSION COMMISSION MEETING, WERE REVIEWED. MOTION MADE BY BUTLER TO APPROVE THE MINUTES AND SECONDED BY CAMMEROTA. MOTION PASSED

BILLS:

A BILL FROM DURKIN MACDONALD LLC ATTORNEY AT LAW FOR SERVICES RENDERED FOR ONE MONTH. MARCH 17, 2020 THRU APRIL 13, 2020 TO THE AMOUNT OF \$1301.95

A MOTION MADE BY BUTLER TO PAY DURKIN MACDONALD LLC ATTORNEY AT LAW FOR SERVICES RENDERED FOR 1301.95 FROM MARCH 17, 2020 THRU APRIL 13, 2020. SECONDED BY MURRAY, ALL IN FAVOR MOTION PASSED.

THE BOARD RECEIVED A REQUEST FROM ELAINE MALINOWSKI TO REFUND HER PENSION CONTRIBUTIONS. THE AMOUNT IS 43,791.32. A MOTION WAS MADE BY CAMMEROTA TO REFUND THE MONEY. SECONDED BY BUTLER- ALL IN FAVOR.

COMMUNICATION:

. ATTORNEY DURKIN NOTIFIED THE BOARD THAT HE POSTED THE ZOOM MEETING IN THE SCRANTON TIMES AND THE PUBLIC HAD A CHANCE TO PARTICIPATE ALONG WITH THE MEDIA.

A MOTION WAS MADE TO ADJOURN BY BUTLER AND SECONDED BY CAMMEROTA. MEETING ADJOURNED AT 1008HRS.

SINGLE TAX OFFICE
CITY FUNDS DISTRIBUTED
COMPARISON 2020 - 2019

	YTD <u>5/31/2019</u>	YTD <u>5/31/2020</u>	Increase <u>(Decrease)</u>	<u>Pct.</u>
Real Estate	\$ 24,253,212.85	\$ 22,938,294.95	\$ (1,314,917.90)	-5.4%
Delinquent Real Estate	\$ 1,005,665.94	\$ 754,908.04	\$ (250,757.90)	-24.9%
LST/EMS	\$ 2,479,019.16	\$ 2,436,024.14	\$ (42,995.02)	-1.7%
Bus Priv/Merc	\$ 2,067,663.80	\$ 1,462,099.17	\$ (605,564.63)	-29.3%
	\$ 29,805,561.75	\$ 27,591,326.30	\$ (2,214,235.45)	

RECEIVED

JUN 04 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

RECEIVED

JUN 04 2020

OFFICE OF CITY
COUNCIL/CITY CLERK



OFFICE OF THE MAYOR

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4101

June 4, 2020

Dear Citizens of Scranton:

We have a responsibility to create an environment where citizens feel safe to express their views and free speech is encouraged. Scranton Police Chief Carl Graziano continues to reach out to community organizers to listen, and see how SPD can be helpful in their efforts.

No one should feel unsafe anywhere, let alone in their own community. No one should fear that they or their loved ones will be treated with disregard, disrespect, or violence.

Racial injustice is embedded in our country's history. It is our duty to acknowledge the truth of that history and eradicate the disparities in our current social structure. Violence like the horror we saw take place in Minneapolis last week feels like violence against our own community. Feelings of outrage, pain, and the need to take action are all valid. It is our job to listen to you and take action through better communication and continuously revisiting and revising policies and procedures.

The men and women in law enforcement who protect us every day are also hurting. I am grateful to Chief Graziano and the SPD for their dedication to policies to reduce use of force and maintain constant training for officers. We are – and have always been, through the Policy Review Committee – reviewing policies and training schedules to ensure that our Police Department has the most up-to-date training and our policies match best practices.

Please see the attached information outlining current SPD policies including use of force, duty to intervene, de-escalation, and use of body cameras. We are here to listen, act, and move forward with you.

Sincerely,

Paige Gebhardt Cognetti
Mayor, City of Scranton

Carl R. Graziano
Chief of Police, City of Scranton

Scranton Police Department: Listening to our community

Below are responses to the proposed “#8cantwait” proposed policy reforms to reduce violence. Each of these eight (8) policy elements exist within the policies and training within the Scranton Police Department. A few are defined differently, however, they mirror the context of these points:

1. Ban chokeholds & strangleholds: SPD policy already prohibits these.
2. Require de-escalation: In addition to Crisis Intervention Training (CIT de-escalation training) the use of force policy states, “The escalation in the use of force (force continuum) typically follows a pattern of increasing levels, as does the de-escalation of force as the threat diminishes”.
3. Require warning before shooting: Our policy states, “if possible officers shall first give a verbal warning”.
4. Exhaust all other means before shooting: This is already part of our “use of force continuum”.
5. Duty to intervene: This is inherent as it is a crime not to stop and/or report excessive force; our officers would be held criminally liable should they not intervene. However, we will add language reinforcing this to our existing policy. Policy requires mandatory reporting by all officers using any force.
6. Ban shooting at vehicles: Police cannot completely ban shooting at vehicles as there are exigent circumstances where this may be necessary (i.e.: police being actively shot at from occupants of a suspect vehicle or the vehicle is being utilized as a weapon to injure or kill civilians, such as a terrorist act, etc.). Our policy is very restrictive and requires “all other means of defense to be exhausted including moving out of the path of the moving vehicle”.
7. Require use of force continuum: This is already part of our policy.
8. Require comprehensive reporting: This is already part of our policy.

Biased Based Profiling Policy

SPD has various policies and procedures in place to prevent any type of bias based policing regardless of race, color, religion, etc., including, but not limited to, a Biased Based Profiling Policy which strictly identifies and prohibits any types of racial profiling or bias based profiling and mandates, at a minimum, all sworn members receive in-house training on this at least once every 3 years.

Use of Force

The Scranton Police Department has a comprehensive use of force policy and use of force reporting/investigating criteria. This policy specifically **prohibits officers from utilizing any type of neck restraint**. At a minimum, all officers must attend annual training on the proper use

of force which would review areas such as the law on the use of force, use of force continuum, moral and ethical uses of force and safety issues related to the use of force situations.

Incident Review

All use of force incidents, however slight, are reviewed for justification and policy compliance.

De-escalation Training

Beginning in 2011, SPD was the first department in the Northeast to adopt Crisis Intervention Training (CIT). We have officers who are “train the trainers” for this de-escalation training and they have been and are still currently are part of the NEPA CIT Team and help to train other officers throughout NEPA in this week-long de-escalation training. I teach the policy portion of this training to all of the CIT training classes within NEPA. Since CIT was introduced to SPD in 2011 our use of force incidents within the department dropped 60% from the 2009 (Pre-CIT) number of use of force incidents.

Duty to Intervene

This is inherent as it is a crime not to stop and/or report excessive force; our officers would be held criminally liable should they not intervene. However, we will add language reinforcing this to our existing policy. Policy requires mandatory reporting by all officers using any force

Body Worn Cameras

SPD has both Body Worn Cameras (BWCs) and mobile video recorders (MVRs). MVRs are installed in all of our patrol vehicles. Those recorders automatically turn on every time the vehicles emergency lights are activated and also every time the gun release switch is activated to remove a rifle and/or shotgun from these patrol vehicles. The forward facing cameras capture both video and audio as all officers, in addition to their BWCs (video & audio), wear a wireless microphone which Syncs with the vehicle MVR. For the past two years all uniformed patrol officers wear Body Worn Cameras. The BWC Policy mandates that at the beginning of all calls for service and/or proactive interactions with citizens that their BWCs must be activated and outside of privileged communications they cannot be tuned off until the incident has completely concluded. In addition to the officers being required to manually turn on the BWCs for all incidents we have automatic activation triggers which turn on these BWCs. For example, when a vehicle’s emergency lights or vehicle gun racks switches are activated (similar to an MVR) an officer’s BWC automatically turns on as does it automatically turn on all other officers BWCs that are within 30 feet of the vehicles sending unit. In addition we are in the trial stages (several officers have them currently installed right now) of testing out a new technology where a sensor is installed on an officers holster where every time he or she removes their firearm from the holster it automatically activates their BWC. If this trial stage is successful all patrol officers wearing BWCs will also have these sensors installed on their holsters. Again these automatic

BWC triggers (activated the camera) are in addition to the mandatory requirements of officers manually turning them on. It adds an extra layer to ensure they are turned on immediately as there can be an unexpected emergency situation where an officer cannot turn on a camera immediately and these automatic triggers will help account for those rare instances.

Citizen Review Boards (CRB)

If done correctly, Citizen Review Boards (CRBs) they can be very effective. Mostly they are in the larger metropolitan police departments because they are expensive to implement and maintain properly. We are open to exploring this option.

While no agency can confidently say that they are 100% certain that no officer will ever violate any protective policies, procedures, and standards of conduct that are put in place to prevent any type of adverse incident it is imperative that all agencies be as transparent as possible and proactively do as much as possible to prevent adverse conduct of their officers. That is something I and all the command staff are always evaluating to make sure that our officers are out in the field doing their jobs and interacting with our citizens the way they are trained to do.

FILE OF THE COUNCIL NO. _____

2020

AN ORDINANCE

AMENDING SECTION 13 (AS AMENDED BY ORDINANCE NO. 29, 1994 AND ORDINANCE NO. 195, 2003) OF THE ADMINISTRATIVE CODE ENTITLED "APPROPRIATION" IN ORDER TO REQUIRE COUNCIL'S APPROVAL PRIOR TO THE TRANSFER OF AN UNEXPENDED BALANCE OF AN APPROPRIATION ITEM TO FUND A NEW JOB CLASSIFICATION OR INCREASE THE BUDGETED SALARY OF A JOB CLASSIFICATION.

WHEREAS, the City of Scranton (the "City") is a duly organized municipality and political subdivision within the County of Lackawanna, Commonwealth of Pennsylvania with offices located at 340 North Washington Avenue, Scranton, Pennsylvania 18503; and

WHEREAS, the City is a Class 2A city which operates under a Home Rule Charter adopted by the City's residents and effective the first Monday of January, 1976 (the "Home Rule Charter"); and

WHEREAS, Section 202 of the Home Rule Charter provides that the powers of the City's government shall be divided among the executive and legislative branches and that said powers belonging to one branch of government shall not be exercised by the other branch, except as expressly provided in the Home Rule Charter; and

WHEREAS, Section 905 of the Home Rule Charter requires City Council to hold a public hearing regarding the annual budget submitted by the Mayor pursuant to Section 904 of the Home Rule Charter and to approve and adopt an annual budget no later than December 15 of the current fiscal year; and

WHEREAS, Article VI of the General Code of the City of Scranton is known as the "Administrative Code"; and

WHEREAS, Section 13 of the Administrative Code relates to "Appropriation" and provides, *inter alia*, that the Business Administrator shall have the power to authorize the transfer of any unexpected balance of any item appropriated in the budget within a department without the approval of Council; and

WHEREAS, the Business Administrator has invoked the authority provided under Section 13 of the Administrative Code to transfer the unexpended balance of appropriated items to increase the salary of job classifications which were approved by Council in the budget adopted after receiving the public's input; and

WHEREAS, the Council has determined that said practice of the Business Administrator transferring a department's unexpended balances to increase the salaries of certain job classifications without Council's approval or the public's input undermines the budget approval process established by the Home Rule Charter; and

WHEREAS, Section 502(9) of the Home Rule Charter provides that an Ordinance of the City may only be amended or repealed by passage of an Ordinance, unless proposed by initiative and referendum.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF SCRANTON that Article VI, Section 13 (as amended by Ordinance No. 29, 1994 and Ordinance No. 195, 2003) of the Code of the City of Scranton is further Amended to read as follows:

SECTION 1: Amendment of Section 6-13

§ 6-13. Appropriation

- A. No monies shall be paid out of the City Treasury except upon appropriation previously made by Council and upon warrant pursuant thereto, which warrant shall explicitly state the purpose for which the money is to be drawn. No work shall be hired to be done, no material purchased, no contracts made and no order issued for the payment of any monies in any amount which will cause the sums appropriated to specific purposes from funds on hand or estimated to be received within the fiscal year and not appropriated to any other purpose. Such supplemental appropriations shall be considered by Council as an Ordinance amending the annual budget.
- B. Except as provided herein, the Business Administrator shall have the power to authorize the transfer of any unexpended balance of any appropriation item, or any portion thereof, within a department, but if it is between departments, then the Business Administrator shall make such transfer with the approval of Council. Only with the prior approval of Council may the Business Administrator transfer any unexpended balance of any appropriation item, or any portion thereof, within a department or between departments, to:
- 1) fund a job classification or position of employment that is not identified in the annual budget for the current fiscal year; or
 - 2) increase the salary of a job classification from the salary appropriated in the annual budget for the current fiscal year.
- C. Expenditures from the contingency fund shall be made only upon the express approval of Council.

SECTION 2. Severability

If any sentence, clause, section or part of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of Council of the City of Scranton that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. Existing Ordinances, Resolutions and Policies

All relevant Ordinances of the City of Scranton not amended shall remain in full force and effect.

SECTION 4. Conflicting Ordinances, Resolutions and Policies

All ordinances of the City of Scranton or parts thereof conflicting with any provisions of this ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 5. Effective Date

This Ordinance shall be effective immediately upon passage and approved in the manner prescribed by Article V of the Home Rule Charter.

SECTION 6.

This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.

RESOLUTION NO. _____

2020

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO WAIVE THE RESIDENCY REQUIREMENTS FOR EILEEN CIPRIANI IN HER CAPACITY AS EXECUTIVE DIRECTOR OF THE OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE CITY OF SCRANTON SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Mayor Paige G. Cagnetti seeks to appoint Eileen Cipriani as Executive Director of the Office of Economic and Community Development ("OECD") for the City of Scranton (the "City"); and

WHEREAS, Ms. Cipriani's residence is located at 117 Washington Avenue, West Wyoming, Luzerne County, PA 18644, outside the territorial limits of the City of Scranton; and

WHEREAS, Mayor Cagnetti has determined that Ms. Cipriani's appointment to the position of Director of OECD would be in the best interest of the City and has requested that the Council of the City approve a waiver of the residency requirements pursuant to Section 6-6 (I)(4) of City's Code. The Mayor's request for a waiver being formalized in her appointment letter for Ms. Cipriani dated May 13, 2020. A copy of the Mayor's May 13, 2020 appointment letter is attached hereto as Exhibit "A" and incorporated herein by reference thereto; and

WHEREAS, Mayor Cagnetti has outlined the reasons she has determined that requesting a waiver of the residency requirement is in the City's best interests in a letter to Council dated May 14, 2020. A copy of the Mayor's May 14, 2020 letter to Council is attached hereto as Exhibit "B" and incorporated herein by reference thereto; and

WHEREAS, the Council of the City has determined that it will approve a waiver of the residency requirement for Ms. Cipriani's appointment to the position to Director of OECD subject the following conditions: (1) the City's withholding and payment of the earned income tax for Ms. Cipriani's salary be set at the same rate as is withheld and paid for employees who are residents of the City; and (2) waiver of the residency requirement provided herein expires on January 3, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that the residency requirements for Eileen Cipriani are waived until January 3, 2022. Ms. Cipriani may serve as Executive Director of the Office of Economic and Community Development for the City of Scranton while residing outside the municipal limits of the City of

Scranton, County Lackawanna, Pennsylvania, as long as the City withholds and pays the earned income tax for Ms. Cipriani's salary at the same rate as is withheld and paid for employees who are residents of the City.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and Intent of this Resolution and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable Law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

PENNSYLVANIA

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

May 13, 2020

Jessica Eskra, Esq.
City Solicitor
340 North Washington Avenue
Scranton, PA 18503

Dear Ms. Eskra,

Please be advised that I have appointed Eileen Cipriani, 117 Washington Ave. West Wyoming, PA 18644 to the position of *Executive Director* of the Office of Economic and Community Development effective May 18, 2020. Ms. Cipriani will be replacing Mary-Pat Ward as Executive Director. Ms. Cipriani is not a resident of Scranton and pursuant to §6-6 (I)(2) of the Administrative Code, I am hereby requesting a residency waiver in my sole discretion in the best interest of the City.

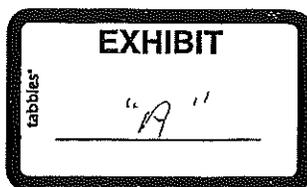
Ms. Cipriani's salary will be \$53,152.00 yearly with benefits.

Please adjust your records accordingly.

Sincerely,

Paige G. Cagnetti
Mayor, City of Scranton

CC: John Murray, City Controller
Patrick Sheridan, Business Administrator
Lindsey Manley, Payroll
Debbie Torba, Insurance





OFFICE OF THE MAYOR

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4261

May 14, 2020

Dear Council and President Gaughan,

I am pleased to present for your consideration the appointment of Eileen Cipriani as Executive Director of OECD, effective May 18, 2020.

Ms. Cipriani brings extensive economic development experience to Scranton. Most recently, Ms. Cipriani served as Deputy Secretary of Workforce Development at the Pennsylvania Department of Labor and Industry, where she oversaw a staff of 400 employees and a budget of \$228 million. Additionally, Ms. Cipriani has served as Acting Director for the State Workers Insurance Fund and as a member of the West Wyoming City Council.

Ms. Cipriani is a resident of West Wyoming in Luzerne County. I am formally requesting Council to provide a residency waiver for her appointment. Section 6-6 (I)(2) of the City Administrative Code requires that the "best interest of the City shall be the most important" in employing a person. The best interest of the City is the sole consideration in whether an appointment should receive a residency waiver; it is hard to imagine an appointment more worthy of one.

The City's Act 47 Exit Plan includes a recommendation to "bolster the City's internal economic development capacity". Ms. Cipriani is exactly the type of leader we have needed for some time.

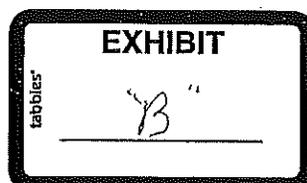
The challenges we face are unprecedented; unemployment has rapidly and dramatically increased, businesses have shuttered or reduced hours, transportation is limited, and social distancing mandates have changed the core of day-to-day life in innumerable ways.

As we look to begin the recovery process from the COVID-19 pandemic and navigate the growing economic crisis, Ms. Cipriani's economic development and workforce experience will be invaluable. She has the vision, expertise, and relationships in NEPA and statewide to hit the ground running as we continue to identify ways to assist small businesses teetering on bankruptcy, obtain critical aid dollars, and create long-term development plans.

I submit to you unequivocally that the best interests of the City will be served by Ms. Cipriani leading OECD, especially under these extraordinary circumstances.

Sincerely,

Paige G. Cagnetti
Mayor, City of Scranton





DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

May 27, 2020

RECEIVED

MAY 27 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO WAIVE THE RESIDENCY REQUIREMENTS FOR EILEEN CIPRIANI IN HER CAPACITY AS EXECUTIVE DIRECTOR OF THE OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE CITY OF SCRANTON SUBJECT TO CERTAIN CONDITIONS.

Respectfully,

Jessica Eskra (s)
Jessica L. Eskra, Esquire
City Solicitor

JLE/sl