

COUNCIL FOR THE CITY OF SCRANTON

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HELD:

Tuesday, March 2nd, 2021

LOCATION:

VIA ZOOM

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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WILLIAM GAUGHAN, PRESIDENT  
KYLE DONAHUE, VICE PRESIDENT  
MARK MCANDREW  
JESSICA ROTHCHILD  
THOMAS SCHUSTER  
  
LORI REED, CITY CLERK  
KATHY CARRERA, ASSISTANT CITY CLERK  
KEVIN HAYES, COUNCIL SOLICITOR

1 (Pledge of Allegiance.)

2  
3 MR. GAUGHAN: Please remain standing  
4 for a moment of silent reflection for our  
5 service men and women throughout the world and  
6 also for those who have passed away recently in  
7 our community.

8 And let us also take a moment of  
9 silence tonight for all of the people in our  
10 community, in our country and around the world  
11 who have passed away and are suffering from the  
12 coronavirus.

13 The pandemic as we know turned our  
14 world upside down. But we must remain hopeful  
15 and strong. We continue to pray for the  
16 doctors, nurses, and researchers and all the  
17 medical professionals who seek to heal and help  
18 those affected and who put themselves at risk  
19 in the process, may they have protection and  
20 peace.

21 Whether we are home or abroad,  
22 surrounded by many people suffering from this  
23 illness or only a few, let us stick together,  
24 endure together, mourn together and in place of  
25 our anxiety let us have hope and peace. Thank

1           you. Roll call, please.

2                   MS CARRERA: Mr. Schuster.

3                   MR. SCHUSTER: Present.

4                   MS. CARRERA: Mr. McAndrew.

5                   MR. MCANDREW: Present.

6                   MS. CARRERA: Dr. Rothchild.

7                   DR. ROTHCHILD: Here.

8                   MS. CARRERA: Mr. Donahue.

9                   MR. DONAHUE: Here.

10                  MS. CARRERA: Mr. Gaughan.

11                  MR. GAUGHAN: Here. Thank you.

12                  MR. DONAHUE: I'd like to make a  
13 motion to take from the table file of Council  
14 No. 50, 2021.

15                  MR. SCHUSTER: Second.

16                  MR. GAUGHAN: There's a motion on  
17 the floor and a second to take from the table  
18 file of the Council No. 50, 2021 and place it  
19 in Sixth Order for its second of three  
20 readings. This ordinance pertains to an  
21 amendment of a section of a zoning ordinance  
22 that was previously tabled to allow for a  
23 30-day review and comment period by the City  
24 and County Planning Commissions.

25                           This piece of legislation is

1 expected to be in position for a final vote on  
2 next weeks's agenda March 9th, 2021. On the  
3 question? All those in favor of introduction  
4 signify by saying aye.

5 MR. SCHUSTER: Aye.

6 MR. DONAHUE: Aye.

7 DR. ROTHCHILD: Aye.

8 MR. GAUGHAN: Aye. Opposed?

9 MR. MCANDREW: Nay.

10 MR. GAUGHAN: The ayes have it and  
11 so moved. Please dispense with the reading of  
12 the minutes.

13 MS. REED: Thank you. THIRD ORDER.

14 3-A. LETTER OF SUPPORT FOR THE  
15 AMERICAN RESCUE PLAN DATED FEBRUARY  
16 20, 2021 SENT ON BEHALF OF SCRANTON MAYOR PAIGE  
17 G. COGNETTI AND SCRANTON CITY COUNCIL.

18 3-B. AGENDA FOR THE CONTINUATION OF  
19 THE NON-UNIFORM MUNICIPAL PENSION BOARD MONTHLY  
20 MEETING OF FEBRUARY 17, 2021 HELD ON FEBRUARY  
21 26, 2021.

22 MR. GAUGHAN: Thank you. Are there  
23 any comments on any of the Third Order items?  
24 If not, received and filed. Do any Council  
25 members have any announcements at this time?

1 MR. MCANDREW: I got two of them.  
2 For the remainder of lent, St. Ann's Basilica  
3 Council will be hosting a fish fry up the  
4 street here at St. Ann's Basilica for the  
5 Knights of Columbus. It's a fundraiser. The  
6 fish fry is \$8.

7 It includes Alaskan beer battered  
8 cod, french fries, tarter sauce and a drink.  
9 And it's takeout only. It's going to be March  
10 12th and the 26th from five to eight.

11 You could place your orders on the  
12 Knights of Columbus website. And I think you  
13 could also call the basilica. And then  
14 secondly, our friends, Friend of the Poor,  
15 Family to Family and the Weinberg Food Bank  
16 will have a popup COVID-19 emergency drive-thru  
17 pantry tomorrow from one to three; four member  
18 family max. And it's at Scranton High. That  
19 is all I have. Thank you.

20 MR. GAUGHAN: Thank you. Anyone  
21 else?

22 MR. SCHUSTER: I would just like to  
23 wish a happy retirement to Christine and Marie  
24 Gallagher and Leslie Izak, Perry Brunori and  
25 Jack Liptai from the LIPS Department. Thanks

1 for the service to the City. Thank you.

2 DR. ROTHCHILD: And I just want to  
3 wish everyone a happy Women's History Month  
4 which it started yesterday. And the other  
5 thing I know they were in last week,  
6 NeighborWorks, but I just want to remind  
7 everyone the applications are open for the  
8 Beautiful Blocks Program.

9 So you could find out more through  
10 NeighborWorks of Northeastern Pennsylvania.  
11 And you could get a preapplication if you're  
12 considering being part of the program.

13 MR. GAUGHAN: Thank you. I just  
14 want to take a second -- and Councilman  
15 Schuster mentioned the employees who are  
16 retiring. I also want to take a second to  
17 recognize these employees. There was quite a  
18 few of them.

19 So one that kind of slipped by -- I  
20 think slipped by us last year was Nelson  
21 Ancherani, a juvenile officer for the police  
22 department.

23 He was hired October 13th, 1970. He  
24 retired in December last year, 50 years of  
25 service to the City of Scranton. So I want to

1 wish Officer Ancherani a good and healthy  
2 retirement. It's -- you just don't see that  
3 anymore, 50 years of working for -- and 50  
4 years towards public service. So that's  
5 just -- it's phenomenal.

6 Christine Gallagher who I know  
7 personally hired June 22nd, 1998. I want to  
8 thank Christine for her service to the City.  
9 She did a wonderful, wonderful job. Same with  
10 Marie Gallagher who I also know hired March  
11 11th, 1996. So thank you Marie for all of your  
12 dedication and your hard work.

13 I did not know Leslie Izak. But you  
14 only hear great things about Leslie. She's  
15 been a staple down at the DPW forever. And  
16 they're going to miss her. I know that --  
17 hired August 29th, 1998. So thanks for your  
18 dedication and your work, Leslie.

19 A friend of mine, Jack Liptai, hired  
20 September 25th, 1996. Jack has been an asset  
21 to the City, dedicated employee and a friend of  
22 mine. So thanks, Jack, for all that you've  
23 done.

24 And Perry Brunori was hired March  
25 11th, 1996. Perry has been a friend I think of



1 all of us. Well, Kyle and I especially just  
2 from being in chambers for the longest and when  
3 the pandemic hit, unfortunately we don't see  
4 Perry as much as we'd like.

5 But Perry is the maintenance man --  
6 one of the maintenance men down in City Hall.  
7 And I got to know Perry pretty well over the  
8 last seven years on Council. And you couldn't  
9 find a nicer, more dedicated employee in that  
10 building than Perry, always greeted you with a  
11 smile, conversation big Yankees fan. And he  
12 was just a really, really great guy. So I wish  
13 him the best retirement because he definitely  
14 deserves it.

15 There may be more retirements to  
16 come. And I would like to honor these  
17 employees who are taking their retirement.  
18 Because without these people, the City doesn't  
19 run. The building doesn't run. We're losing a  
20 lot of good people with a lot of experience.

21 And I think it's going to be very  
22 hard to replace these people with all the years  
23 that they've put in and the knowledge that they  
24 have. But again, I want to thank them for  
25 their dedication to the City and all that

1           they've given.

2                   A lot of these employees are often  
3 overlooked in the clerical union and such. But  
4 they really, you know, they're often the people  
5 that you don't hear about. But they're the  
6 people that get the job done. So again, I want  
7 to thank them so much and wish them the best of  
8 luck. Mrs. Reed.

9                   MS. REED: Thank you. FOURTH ORDER.  
10 CITIZENS PARTICIPATION.

11                   MR. GAUGHAN: At this time would  
12 someone please make a motion to accept public  
13 comment from the following individuals:  
14 Deborah Niehuus and Clifford Smith.

15                   MR. DONAHUE: I make a motion to  
16 accept public comment.

17                   MR. SCHUSTER: Second.

18                   MR. GAUGHAN: There's been a motion  
19 and second to accept public comment.  
20 Mrs. Reed, would you please read the comments  
21 into the record?

22                   MS. REED: Thank you. The first  
23 submission is from Deborah Niehuus as follows:  
24 Greetings! Quick questions:

25                   1) Overall does the city make a

1 profit, break even or lose money with its  
2 recycling.

3 2) Is anybody enforcing the  
4 recycling ordinances and or its fines?

5  
6 MS. REED: The second submission is  
7 from Clifford Smith as follows:

8 Hello, my name is Clifford Smith. I  
9 am a resident of North Scranton and homeowner.  
10 I would like to add a topic for the city  
11 council to put into the public. This topic is  
12 that of individuals who have relocated here due  
13 to the pandemic and have very loud car mufflers  
14 and play supper loud music with their windows  
15 down.

16 Even if these residents are now  
17 permit citizens, we need to address the problem  
18 of the noise level in our Neiborhood's due to  
19 these issues? The car mufflers are way to  
20 loud, and the music levels are as well when the  
21 weather is nice enough for them to roll down  
22 windows.

23 The biggest concern is the use of  
24 these loud car mufflers ? Can you please  
25 advise me on how to proceed with these issues

1 with our council.

2

3 (Concludes public comment letters as  
4 submitted to Council.)

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6 MS. REED: And that is all. Thank  
7 you.

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MR. GAUGHAN: Thank you. On the  
question?

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MR. DONAHUE: On the question, just  
regarding the recycling, I mean, those are good  
questions. I know we've asked those in the  
past, I believe. But it would be good to get  
some updated information on that considering  
that we're paying for recycling now where we  
weren't I think when we had asked those in the  
past.

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And on the noise, I know there is an  
ordinance on the books regarding decibel  
levels. But I believe the issue with that is  
to properly enforce it, the police department  
would need some sort of decibel reader. And I  
don't think they have that equipment or I don't  
believe they have that equipment.

25

So that's something that I think we

1           need to work on in terms of a grant to get that  
2           because I know that is a complaint all over the  
3           City.

4                       MR. GAUGHAN: Very good. Anyone  
5           else on the question? So we'll get these  
6           questions to the appropriate departments in the  
7           City. And we'll reach back out to Miss  
8           Niehuus. Sorry if I'm mispronouncing your  
9           name and Mr. Smith. Anyone else? All those in  
10          favor signify by saying aye.

11                      MR. SCHUSTER: Aye.

12                      MR. MCANDREW: Aye.

13                      MR. DONAHUE: Aye.

14                      DR. ROTHCHILD: Aye.

15                      MR. GAUGHAN: Aye. Opposed? The  
16          eyes have it and so moved.

17                      MS. REED: FIFTH ORDER. 5A.

18          MOTIONS.

19                      MR. GAUGHAN: Councilman Schuster,  
20          do you have any motions or comments at this  
21          time?

22                      MR. SCHUSTER: No, nothing at this  
23          time.

24                      MR. GAUGHAN: Thank you. Councilman  
25          McAndrew, any motions or comments?

1 MR. MCANDREW: I do. Back in  
2 January I think it was our January 9th meeting,  
3 I brought forth some concerns from residents on  
4 Rundle Street and Watson Street.

5 And these concerns are related to  
6 the Affordable Luxury Auto on 1218 South Main  
7 Avenue which are not contained to a lot.  
8 There's automobiles everywhere. Like we said  
9 they were parking everywhere. And then the  
10 next block down on 1350 South Main, there's a  
11 garage with no name on it that they also  
12 operate.

13 So I know that Mrs. Reed sent  
14 correspondence on the 21st and copied Chief  
15 Namiotka and as a request to follow up by  
16 parking enforcement personnel. So I believe  
17 the police went down and maybe ticketed  
18 vehicles.

19 But to me -- and I understand that  
20 we had a couple snowstorms since then. But I  
21 drove by there the other day. And there's  
22 still a ridiculous amount of cars on the car  
23 lot and in front of this garage, on the side of  
24 the garage and in the back of the garage.

25 So between then and now, a resident

1           who initially brought this to me actually  
2           messed me and it's pretty scary. So I'm  
3           going read the message she sent me.

4                        Hi Mark, I don't know if anything  
5           more is being done on our situation. I just  
6           want to let you know that the situation is  
7           escalating. My brother Jim had another  
8           confrontation with them. It almost came to an  
9           assault from a guy who had Tennessee plates.

10                      The threat of gunfire was thrown in  
11           by one of the car lot men. The owner stated  
12           they -- stated that they always did this in New  
13           York and never had a problem.

14                      So this isn't New York, all right.  
15           And it's just getting terribly bad. I'm really  
16           getting afraid living here now and very afraid  
17           that Jim could get hurt and killed. This is  
18           her husband.

19                      They had cars all over blocking the  
20           alley. And this alley is between Rundle and  
21           Reynolds and right next to this garage. All  
22           right.

23                      So -- and it's a busy part of Main  
24           Avenue near Walmart. It's where all the lanes  
25           change, right around there and Arcaro's Pizza.

1           So many times they try to pull up this alley  
2           and it's blocked. And the people in the garage  
3           say, hey, back up.

4                     And, you know, you can't back up  
5           into the middle of Main Avenue. You know,  
6           someone is going to get hurt. This is a very  
7           serious safety issue.

8                     What I would like, Mrs. Reed, can  
9           you please reach out -- first of all, there has  
10          to be something with zoning here. I drive by.  
11          It doesn't make any sense. You got -- I can't  
12          even explain the amount of cars.

13                    Nobody's selling cars down there.  
14          No one's working on cars. But they're all over  
15          the place. Mrs. Reed, if you could please  
16          reach out and get an update on this situation  
17          because it's escalating.

18                    You know, I don't know all the  
19          enforcement policies. I don't know the code.  
20          But it doesn't look right. If it doesn't look  
21          right, it's probably not right. So, Mrs. Reed,  
22          if you could please circle around and contact  
23          again the police, the LIPS Department, see what  
24          they've done, if anything, and please have them  
25          get back to us with regards to this.



1 MS. REED: I will. Thank you.

2 MR. MCANDREW: Thank you.

3 MR. GAUGHAN: Okay. Thank you,  
4 Councilman McAndrew. Dr. Rothchild, any  
5 motions or comments?

6 DR. ROTHCHILD: Yes, I had two  
7 things that I wanted to mention that I forgot  
8 about earlier. First, I just -- I don't think  
9 we've talked about the Scranton Porch Fest  
10 that's being planned for later this month.

11 Connor O'Brien from the French  
12 Festival, he has put this together as an idea  
13 instead of the St. Patrick's Day Parade that  
14 we're unable to have this year because of the  
15 pandemic. Instead residents and businesses are  
16 being encouraged to decorate their properties  
17 with, you know, as if it was like a float in  
18 the parade.

19 So I wanted to give a mention to  
20 that. I believe it's going to be happening --  
21 I forget the date here -- around March 20th.  
22 And I think that the decorations would stay up  
23 until March 28th. So if anyone is interested  
24 in being involved even if you're a business, I  
25 know there's several businesses that have

1 already signed up to be a part of it. You  
2 could visit [Scrantonporchfest.com](http://Scrantonporchfest.com).

3 And the other thing that I wanted to  
4 mention, I know with the storms last night --  
5 the storm last night we had a lot of high winds  
6 and, you know, a lot of downed trees and  
7 branches.

8 And I just wanted to thank the DPW  
9 for their quick cleanup. I saw them this  
10 morning on my street because a neighbor of ours  
11 had a very large branch fall down. And we were  
12 wondering, you know, how long it would stay  
13 there. And not very long because sure enough,  
14 they came by very quickly.

15 So I know they were hard at work  
16 around the City to help clean up after the  
17 storm. So those are the only things I wanted  
18 to mention. Thank you.

19 MR. GAUGHAN: Very good. Thank you.  
20 Councilman Donahue, any motions or comments?

21 MR. DONAHUE: Just a couple quick  
22 things. First, Miss Reed, we haven't received  
23 a response on my request from the Licensing and  
24 Inspections Department on 2208 Prospect,  
25 correct?

1 MS. REED: I don't believe so,  
2 Councilman Donahue. I'll follow up.

3 MR. DONAHUE: Would we be able to  
4 follow up with that and would we also be able  
5 to just copy the Mayor's office on that too?

6 MS. REED: Certainly. Thank you.

7 MR. DONAHUE: Thank you. Also, we  
8 had a meeting regarding the issues on Third  
9 Avenue with the truck traffic last week. We're  
10 trying to work through some alternatives there.  
11 We're going to have a followup meeting this  
12 week.

13 I know we've been in touch with  
14 State Representative Marty Flynn, Senator  
15 Blake's office regarding reaching out to  
16 PennDOT to try to see if there is any  
17 possibility to either accelerating the  
18 construction timeline for the Elm Street  
19 bridge, which would alleviate those issues or,  
20 you know, we even threw out there if there is  
21 any way we could reenforce it to allow some  
22 weight, you know, half loads, etc.

23 But we are working on that. I did  
24 reach out to American Water regarding Birch  
25 Street because in the beginning of December we

1 had sat down with them and they gave us a  
2 timeline of the end of February for Birch  
3 Street to be open to traffic.

4 It still is not open due to the snow  
5 in February. That deadline has now been pushed  
6 back to March 15th to open up Birch Street.  
7 But they still are on target for a full  
8 restoration by the end April. And we also had  
9 our Biden committee -- street naming committee  
10 yesterday.

11 We're just in the factfinding phase  
12 right now, I would say. So as we continue to  
13 just gain some information on the process and  
14 the impact we'll keep everybody updated.  
15 That's all I have this week.

16 MR. GAUGHAN: Okay. Great. Thank  
17 you. I just have two things -- actually three  
18 things. I received an e-mail from a gentleman  
19 on Ferdinand Street at the very top of  
20 Ferdinand Street about some pretty dangerous  
21 conditions up there.

22 So we forwarded that along to the  
23 DPW for them to take action. As I mentioned in  
24 the caucus, the 2019 audit is finally complete.  
25 It will be on our agenda next week for those in

1 the public who wanted to take a look at it and  
2 review it. And we also have hard copies that  
3 will be available to us if anyone on Council is  
4 interested.

5 I have asked in the past for an  
6 update on the status of several recommendations  
7 that were made in our Recovery Plan with our  
8 recovery coordinator, the Pennsylvania Economy  
9 League. The Business Administrator gave  
10 another report that we should receive a  
11 complete update on all of those very soon.

12 He had expressed to our City Clerk  
13 that he went through each one of those with the  
14 Pennsylvania Economy League. So we'll get that  
15 soon. And that's all I have this week. Thank  
16 you.

17 MS. REED: 5-B. FOR INTRODUCTION -  
18 AN ORDINANCE - ESTABLISHING A "NO PARKING"  
19 ZONE ALONG THE EASTERLY SIDE OF WYOMING AVENUE  
20 (S.R.3025) FROM SEGMENT 0000 OFFSET 1292 TO  
21 SEGMENT 0020 OFFSET 1417 TO ALLOW FOR SAFE  
22 SIGHT DISTANCES FOR A PARKING LOT PROPOSED BY  
23 MILLER LOFTS LOCATED AT 620 WYOMING AVENUE.

24 MR. GAUGHAN: At this time I'll  
25 entertain a motion that Item 5-B be introduced

1           into its proper committee.

2                   MR. DONAHUE:   So moved.

3                   DR. ROTHCHILD:   Second.

4                   MR. GAUGHAN:   On the question?

5                   MR. DONAHUE:   On the question, the  
6           only concern I might have with this, is just we  
7           approved the same sort of thing on the other  
8           side of this street.  So I just -- I was --  
9           Miss Reed was able to pull the previous  
10          location we approved for me this afternoon.

11                   So I just want to be able to compare  
12          those just to get an idea of how that affects  
13          that 600 block.

14                   MR. GAUGHAN:   Okay.  Very good.  
15          Anyone else on the question?  All those in  
16          favor of introduction signify by saying aye.

17                   MR. SCHUSTER:   Aye.

18                   MR. MCANDREW:   Aye.

19                   MR. DONAHUE:   Aye.

20                   DR. ROTHCHILD:   Aye.

21                   MR. GAUGHAN:   Aye.  Opposed?  The  
22          eyes have it and so moved.

23                   MS. REED:   5-C.  FOR INTRODUCTION -  
24          AN ORDINANCE - ESTABLISHING A "NO PARKING  
25          ZONE" ALONG THE WESTERLY SIDE OF THE 800 BLOCK

1 OF WYOMING AVENUE FROM NEW STREET SOUTH TO WEST  
2 GIBSON STREET AND PLACEMENT OF THE FOLLOWING  
3 SIGNS: FOUR (4) R8-3 NO PARKING  
4 SYMBOL SIGNS 12"X12", THREE (3) R-301 NO  
5 PARKING ARROW PLAQUE AND ONE (1) R-301 NO  
6 PARKING LEFT ARROW PLAQUE.

7 MR. GAUGHAN: At this time I'll  
8 entertain a motion that Item 5-C be introduced  
9 into its proper committee.

10 MR. DONAHUE: So moved.

11 MR. SCHUSTER: Second.

12 MR. GAUGHAN: On the question?

13 MR. DONAHUE: On the question, I  
14 just realized this when -- during our little  
15 break. But we're going to have to amend this  
16 before final passage to say East Gibbon Street  
17 instead of West Gibson Street. That might just  
18 be a typo. But West Gibson Street is over in  
19 West Side.

20 MR. GAUGHAN: Good catch, Kyle.  
21 Thank you.

22 DR. ROTHCHILD: I was thinking the  
23 same thing.

24 MR. DONAHUE: I caught it when I  
25 went to compare the previous one with the one

1           that Miss Reed sent this afternoon during our  
2           break and realized it.

3                   MR. GAUGHAN: Very good. Anyone  
4           else on the question? All those in favor of  
5           introduction signify by saying aye.

6                   MR. SCHUSTER: Aye.

7                   MR. MCANDREW: Aye.

8                   MR. DONAHUE: Aye.

9                   DR. ROTHCHILD: Aye.

10                  MR. GAUGHAN: Aye. Opposed? The  
11           eyes have it and so moved.

12                   MS. REED: 5-D. FOR INTRODUCTION -  
13           A RESOLUTION - AUTHORIZING THE MAYOR AND  
14           OTHER APPROPRIATE OFFICIALS OF THE CITY OF  
15           SCRANTON TO ADOPT THE CITIZENS' PARTICIPATION  
16           PLAN FOR THE OFFICE OF ECONOMIC AND  
17           COMMUNITY DEVELOPMENT.

18                  MR. GAUGHAN: At this time I'll  
19           entertain a motion that Item 5-D be introduced  
20           into its proper committee.

21                  MR. DONAHUE: Second.

22                  DR. ROTHCHILD: Second.

23                  MR. GAUGHAN: On the question? All  
24           those in favor of introduction signify by  
25           saying aye.



1 MR. SCHUSTER: Aye.

2 MR. MCANDREW: Aye.

3 MR. DONAHUE: Aye.

4 DR. ROTHCHILD: Aye.

5 MR. GAUGHAN: Aye. Opposed? The  
6 ayes have it and so moved.

7 MS. REED: 5-E. FOR INTRODUCTION -  
8 A RESOLUTION - APPOINTMENT OF LEONARD  
9 NAMIOTKA, 1130 PHILO STREET, SCRANTON,  
10 PENNSYLVANIA, 18508, TO THE POSITION OF  
11 SUPERINTENDENT OF POLICE FOR THE CITY OF  
12 SCRANTON EFFECTIVE FEBRUARY 17, 2021.

13 MR. GAUGHAN: At this time I'll  
14 entertain a motion that Item 5-E be introduced  
15 into its proper committee.

16 MR. DONAHUE: So moved.

17 MR. SCHUSTER: Second.

18 MR. GAUGHAN: On the question?

19 MR. MCANDREW: On the question, like  
20 I stated in caucus, I'm thrilled that he's  
21 being -- mister -- Chief Namiotka is being  
22 chosen as the Police Chief. I'm just sad to  
23 say that, you know, it took not only 35 days  
24 the poor guy had to wait, it's five months.

25 So I know that we're still waiting

1 to receive rationale or answers to why it took  
2 that long and possibly in the process violating  
3 an ordinance.

4 So like I said, I'm thrilled that  
5 had he got it. He's doing a great job already.  
6 And I look forward to voting for him again next  
7 week. Thank you.

8 MR. GAUGHAN: Thank you. Anyone  
9 else on the question? Yeah, I agree with  
10 Councilman McAndrew there. We've been asking  
11 about his now at least going back to January, I  
12 believe, if I'm not mistaken. We did have our  
13 Solicitor Attorney Hayes look into whether or  
14 not this violated the Administrative Code.

15 The language I think to all of us is  
16 pretty clear. It says that the Mayor is  
17 obviously allowed to appoint acting department  
18 directors for a period not to exceed 35 days.  
19 After the 35 days is up, the person must be  
20 either approved as permanent or dismissed.

21 This appointment of Mr. Namiotka as  
22 interim Police Chief was effective September  
23 12th, 2020. So that's over five months ago.  
24 The Administrative Code goes on to say that no  
25 acting director can be reappointed to that

1 classification for a period of six months.

2 So I think before we put our stamp  
3 of approval on this, we have to make sure that  
4 the rules are being followed and that by  
5 approving this, we're not making a mistake and  
6 violating -- continuing to violate the  
7 Administrative Code.

8 So, Kevin and Lori, if you could  
9 draft something up and we'll sign it and send  
10 it over to them as soon as possible so we could  
11 get a response before final passage next week.  
12 Anyone else have anything to add there? All  
13 those in favor of introduction signify by  
14 saying aye.

15 MR. SCHUSTER: Aye.

16 MR. MCANDREW: Aye.

17 MR. DONAHUE: Aye.

18 DR. ROTHCHILD: Aye.

19 MR. GAUGHAN: Aye. Opposed? The  
20 ayes have it and so moved.

21 MS. REED: SIXTH ORDER. 6-A.

22 PREVIOUSLY TABLED - READING BY TITLE FILE OF  
23 THE COUNCIL NO. 50, 2021 - AMENDING SECTION  
24 709.G OF THE CITY OF SCRANTON ZONING ORDINANCE  
25 PROHIBITING SIGNS OR DISPLAYS THAT INCLUDE

1 WORDS OR IMAGES THAT ARE OBSCENE, PORNOGRAPHIC,  
2 OR THAT AN AVERAGE REASONABLE PERSON WOULD FIND  
3 HIGHLY OFFENSIVE TO PUBLIC DECENCY.

4 MR. GAUGHAN: You've heard reading  
5 by title of Item 6-A. What is your pleasure?

6 MR. DONAHUE: I move that Item 6-A  
7 pass reading by title.

8 DR. ROTHCHILD: Second.

9 MR. GAUGHAN: On the question?

10 MR. MCANDREW: Yes, on the question,  
11 I'm going to be voting no. And I clearly  
12 stated my reasons in past meetings. And my no  
13 vote is one of principle. So that's all I have  
14 to say.

15 MR. GAUGHAN: Anyone else on the  
16 question? All those in favor of introduction  
17 signify by saying aye.

18 MR. SCHUSTER: Aye.

19 MR. DONAHUE: Aye.

20 DR. ROTHCHILD: Aye.

21 MR. GAUGHAN: Aye. Opposed?

22 MR. MCANDREW: No.

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

25 MS. REED: SEVENTH ORDER. 7-A.

1 FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC  
2 WORKS - FOR ADOPTION - RESOLUTION NO. 129,  
3 2021 - AUTHORIZING THE MAYOR AND OTHER  
4 APPROPRIATE CITY OFFICIALS TO EXECUTE THE  
5 PENNSYLVANIA DEPARTMENT OF TRANSPORTATION  
6 POLICY AND PROCEDURE FOR CONSULTANT SELECTION  
7 FORM AS IT RELATES TO WORKING WITH THE  
8 PENNSYLVANIA DEPARTMENT OF TRANSPORTATION TO  
9 SELECT AN APPROPRIATE ENGINEER CONSULTANT FOR  
10 THE MULTIMODAL TRANSPORTATION FUNDS GRANT FOR  
11 THE COMPLETE REPLACEMENT OF THE ASH STREET  
12 BRIDGE.

13 MR. GAUGHAN: What is recommendation  
14 of the Chairperson for the Committee on Public  
15 Works?

16 MR. DONAHUE: As Chairperson for  
17 Committee on Public Works, I recommend final  
18 passage of Item 7-A.

19 MR. SCHUSTER: Second.

20 MR. GAUGHAN: On the question? Roll  
21 call, please.

22 MS. CARRERA: Mr. Schuster.

23 MR SCHUSTER: Yes.

24 MS. CARRERA: Mr. McAndrew.

25 MR. MCANDREW: Yes.

1 MS. CARRERA: Dr. Rothchild.

2 DR. ROTHCHILD: Yes.

3 MS. CARRERA: Mr. Donahue.

4 MR. DONAHUE: Yes.

5 MS. CARRERA: Mr. Gaughan.

6 MR. GAUGHAN: Yes. I hereby declare  
7 Item 7-A legally and lawfully adopted.

8 MS. REED: 7-B. FOR CONSIDERATION  
9 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -  
10 RESOLUTION NO. 130, 2021 - AUTHORIZING THE  
11 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO  
12 EXECUTE AND ENTER INTO THE REVISED AGREEMENT  
13 FOR COLLECTION OF DELINQUENT MUNICIPAL CLAIMS  
14 ON BEHALF OF THE CITY OF SCRANTON WITH PORTNOFF  
15 LAW ASSOCIATES, LTD. FOR COLLECTION OF  
16 DELINQUENT MUNICIPAL CLAIMS.

17 MR. GAUGHAN: What is the  
18 recommendation of the Chairperson for the  
19 Committee on Finance?

20 MR. SCHUSTER: As the Chairperson  
21 for the Committee on Finance, I recommend final  
22 passage of 7-B.

23 MR. MCANDREW: Second.

24 MR. GAUGHAN: On the question?

25 MR. SCHUSTER: On the question, I

1           stated it earlier in caucus, I did wish that  
2           the administration discussed or at least looked  
3           at a period of amnesty. I think it could have  
4           been a benefit for the City to get that influx  
5           of money before the 15 percent fee was added to  
6           it by this -- by Portnoff and Associates.

7                     But I am happy to see that Council's  
8           suggestions were added to this agreement. And  
9           I think we got a better deal for the City.

10                    MR. GAUGHAN: Thank you. Anyone  
11           else on the question?

12                    MR. MCANDREW: Yeah, I'd like to  
13           echo what Councilman Schuster said. I know he  
14           made some recommendations. I'm glad that this  
15           was tweaked because look at the last company we  
16           had everybody keeps forgetting about it.

17                    I don't even know if we severed  
18           ties. We're told we have. So I'm glad we were  
19           able to, you know, tweak this deal for the  
20           betterment of our taxpayers.

21                    MR. GAUGHAN: Thank you. Anyone  
22           else on the question? Just a few things, I  
23           will be voting for this. The agreement that  
24           was originally sent down, the terms of the  
25           agreement were unacceptable for several

1 different reasons that we've gone over in  
2 detail here.

3 And Council performed its role as  
4 oversight and to make sure that, you know, the  
5 people of the City are getting the best deal,  
6 the best bang for their buck. And that's what  
7 we did. And I want to thank Solicitor Hayes  
8 for the work that he put in and all my fellow  
9 Council members for their input on this as  
10 well.

11 I agree with Councilman Schuster the  
12 idea of a grace period -- I've been talking  
13 about that now for quite some time. I'm very  
14 disappointed. I think we're leaving a lot of  
15 money on the table here, a lot of money. And I  
16 don't understand it because we are a City that  
17 every year is looking at the end of the year at  
18 potential deficits.

19 Next year the budget we received  
20 we're calling for about a 4 million dollar  
21 shortfall potentially, the year after that and  
22 the year after that. So for us to leave or for  
23 the Mayor and the administration to leave money  
24 on the table potentially, I don't think it's a  
25 wise decision. That's all I have. Anyone



1 else? Roll call, please.

2 MS. CARRERA: Mr. Schuster.

3 MR SCHUSTER: Yes.

4 MS. CARRERA: Mr. McAndrew.

5 MR. MCANDREW: Yes.

6 MS. CARRERA: Dr. Rothchild.

7 DR. ROTHCHILD: Yes.

8 MS. CARRERA: Mr. Donahue.

9 MR. DONAHUE: Yes.

10 MS. CARRERA: Mr. Gaughan.

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

13 MS. REED: 7-C. FOR CONSIDERATION  
14 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
15 RESOLUTION NO. 131, 2021 - AUTHORIZING THE  
16 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO  
17 EXECUTE AND ENTER INTO A CONTRACT  
18 BETWEEN THE CITY OF SCRANTON AND THE SCRANTON  
19 SCHOOL DISTRICT WITH ROBERT ROSSI & CO.  
20 (SOMETIMES REFERRED TO AS ROBERT J.  
21 ROSSI & COMPANY AND/OR ROBERT J. ROSSI AND  
22 COMPANY) TO PERFORM THE SCRANTON SINGLE TAX  
23 OFFICE INDEPENDENT AUDIT FOR FISCAL YEARS  
24 ENDING DECEMBER 31, 2019 AND DECEMBER 31, 2020.

25 MR. GAUGHAN: As Chairperson for the

1           Committee on Rules, I recommend final passage  
2           of Item 7-C.

3                   MR. DONAHUE:    Second.

4                   MR. SCHUSTER:   Second.

5                   MR. GAUGHAN:    On the question?  Roll  
6           call, please.

7                   MS. CARRERA:    Mr. Schuster.

8                   MR SCHUSTER:    Yes.

9                   MS. CARRERA:    Mr. McAndrew.

10                  MR. MCANDREW:   Yes.

11                  MS. CARRERA:    Dr. Rothchild.

12                  DR. ROTHCHILD:  Yes.

13                  MS. CARRERA:    Mr. Donahue.

14                  MR. DONAHUE:    Yes.

15                  MS. CARRERA:    Mr. Gaughan.

16                  MR. GAUGHAN:    Yes.  I hereby declare  
17           Item 7-C legally and lawfully adopted.

18                   MS. REED:    7-D.  FOR CONSIDERATION  
19           BY THE COMMITTEE ON RULES - FOR ADOPTION -  
20           RESOLUTION NO. 132, 2021 - AUTHORIZING THE  
21           MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO  
22           EXECUTE AND ENTER INTO A MASTER LEASE AGREEMENT  
23           BETWEEN THE CITY OF SCRANTON, HEREINAFTER  
24           DESIGNATED ("LESSOR") AND CELLCO PARTNERSHIP  
25           D/B/A VERIZON WIRELESS, WITH ITS PRINCIPAL

1 OFFICES AT ONE VERIZON WAY, MAIL STOP 4AW100,  
2 BASKING RIDGE, NEW JERSEY 07920 ("LESSEE") TO  
3 LEASE SPACE TO LESSEE WITH RESPECT TO  
4 PARTICULAR SITES AT WHICH LESSEE WISHES TO  
5 INSTALL, MAINTAIN, AND OPERATE, SMALL CELL  
6 COMMUNICATIONS EQUIPMENT, AS WELL AS ANY AND  
7 ALL NECESSARY LEASE SUPPLEMENTS OUTLINED  
8 HEREIN.

9 MR. GAUGHAN: As Chairperson for the  
10 Committee on Rules, I recommend final passage  
11 of Item 7-D.

12 MR. SCHUSTER: Second.

13 MR. DONAHUE: Second.

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

16 MS. CARRERA: Mr. Schuster.

17 MR SCHUSTER: Yes.

18 MS. CARRERA: Mr. McAndrew.

19 MR. MCANDREW: Yes.

20 MS. CARRERA: Dr. Rothchild.

21 DR. ROTHCHILD: Yes.

22 MS. CARRERA: Mr. Donahue.

23 MR. DONAHUE: Yes.

24 MS. CARRERA: Mr. Gaughan.

25 MR. GAUGHAN: Yes. I hereby declare

1 Item 7-D legally and lawfully adopted.

2 MS. REED: EIGHTH ORDER. OLD  
3 BUSINESS. There's nothing at this time.

4 MR. GAUGHAN: If there's no further  
5 business, I'll entertain a motion to adjourn.

6 MR. DONAHUE: Motion to adjourn.

7 MR. GAUGHAN: This meeting is  
8 adjourned. Thank you everyone. Have a good  
9 night. Stay safe. See you next week.

10 MR. SCHUSTER: Good night.

11 MR. DONAHUE: Good night.

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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  
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7 ability.

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