

COUNCIL FOR THE CITY OF SCRANTON

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HELD:

Tuesday, March 9th, 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 - absent
- THOMAS SCHUSTER
  
- LORI REED, CITY CLERK
- KATHY CARRERA, ASSISTANT CITY CLERK
- KEVIN HAYES, COUNCIL SOLICITOR

1 (Pledge of Allegiance.)

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

8 I'd like to 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 from the coronavirus.

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

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

25 MS CARRERA: Mr. Schuster.

1 MR. SCHUSTER: Present.

2 MS. CARRERA: Mr. McAndrew.

3 MR. MCANDREW: Present.

4 MS. CARRERA: Dr. Rothchild. Mr.  
5 Donahue.

6 MR. DONAHUE: Here.

7 MS. CARRERA: Mr. Gaughan.

8 MR. GAUGHAN: Here.

9 MR. MCANDREW: Okay. I would like  
10 to make a quick motion to appoint Councilman  
11 Donahue as temporary Chair for the Committee of  
12 Community Development.

13 MR. SCHUSTER: Second.

14 MR. GAUGHAN: On the question? All  
15 those in favor signify by saying aye.

16 MR. SCHUSTER: Aye.

17 MR. MCANDREW: Aye.

18 MR. DONAHUE: Aye.

19 MR. GAUGHAN: Aye. Opposed? The  
20 ayes have it and so moved. Please dispense  
21 with the reading of the minutes.

22 MS. REED: Thank you. THIRD ORDER.

23 3-A. CITY OF SCRANTON INDEPENDENT AUDITORS'  
24 REPORT AND FINANCIAL STATEMENTS DATED DECEMBER  
25 31, 2019 PREPARED BY KOHANSKI COMPANY

1 PC. Independent Auditor's Financial Report  
2 dated 12-31-2019.

3 3-B. OVERTIME REVIEW FOR ALL  
4 DEPARTMENTS AS PROVIDED BY CITY  
5 CONTROLLER DATED MARCH 3, 2021 FOR THE PERIOD  
6 JANUARY AND FEBRUARY 2021.

7 3-C. MINUTES OF THE SCRANTON  
8 REDEVELOPMENT AUTHORITY REGULAR MEETING  
9 HELD JANUARY 6, 2021.

10 3-D. MINUTES APPROVED MARCH 3, 2021  
11 FOR THE SCRANTON REDEVELOPMENT AUTHORITY  
12 SPECIAL ANNUAL MEETING HELD FEBRUARY 5, 2020.

13 3-E. MINUTES OF THE CIVIL SERVICE  
14 COMMISSION MEETING HELD FEBRUARY 4, 2021.

15 MR. GAUGHAN: Are there any comments  
16 on any of the Third Order items? I have a few  
17 comments on the overtime report that I'd like  
18 some answers to from the administration for  
19 next week if possible.

20 So one of the things that I brought  
21 up last year towards the end of the year was  
22 the fact that we did not have any money  
23 budgeted in the overtime category for the Law  
24 Department. Yet there was money that was  
25 expended for overtime.

1                   This year for the 2021 budget we did  
2                   not have any overtime budgeted. Yet money is  
3                   being spent on overtime. So, you know, it's  
4                   always been my understanding -- and I looked  
5                   back at the last few budgets from 2015 and  
6                   2019, there was never any money budgeted for  
7                   overtime and there was never any money spent.

8                   So, you know, when Council approves  
9                   a budget and we put a zero in the line item,  
10                  then I expect that unless there's an  
11                  extraordinary circumstance that there's going  
12                  to be no money spent because there's no money  
13                  there in the line item.

14                  So it wasn't a lot of money that was  
15                  spent. But I just want to make sure that this  
16                  is not a recurring issue. Otherwise, if we  
17                  felt it was necessary we would have put that  
18                  money in there. Also, I do have a concern  
19                  the -- we've spent now \$116,557.16 on overtime  
20                  in the police department just in the month of  
21                  January alone.

22                  So far according to Controller  
23                  Murray's report, we spent about a quarter of  
24                  our budget. So I just want to know if, you  
25                  know, there's a reason behind that if there's

1 retirements or what's going on there.

2 And then the last point I'd like to  
3 make on that DPW administration that there was  
4 \$2,250 that was budgeted. We've spent  
5 \$2,700.83. Now, I'm assuming that's because  
6 of a snowstorm. However, I looked at previous  
7 budgets again from 2015 to 2019, there was  
8 never any money budgeted for DPW administration  
9 overtime.

10 And there was never any money spent.  
11 Or if there was, it was in the area of 20 to 30  
12 dollars. So I would like to know if there's  
13 some kind of new policy now that we're giving  
14 supervisors overtime and why we're spending  
15 that much money on overtime in the -- that  
16 administration line item and what has changed  
17 from the, you know, past five or six years.

18 So, Mrs. Reed, if you could check  
19 in with the Business Administrator on that,  
20 that would be very helpful. And that's all I  
21 have. Does anyone have any comments on the  
22 Third Order items? If not, received and filed.  
23 Do any Council members have any announcements  
24 at this time?

25 I have a few. Just to give

1           everybody an update on the next two or three  
2           weeks in terms of people who are coming to give  
3           presentations at our caucus meetings, so next  
4           week, March 16th, we are going to have a public  
5           hearing at 5:45 regarding the denial of the  
6           application that went in front of the  
7           Historical Architectural Review Board, the  
8           HARB. That was resolution 120 of 2021.

9                         So that will be a public hearing  
10           next week. And we'll have that -- those people  
11           come in and state their case. And I think that  
12           there was a certified mail that went out to  
13           them to notify them.

14                        After that public hearing we'll have  
15           Stephen Oselinski from the Pennsylvania  
16           American Water Company come in and give us an  
17           update on the upcoming water projects. And  
18           then in Fourth Order we're going to have Don  
19           King, the City Planner and Joe -- potentially  
20           Joe O'Brien the City Solicitor come in and talk  
21           to us about a piece that's on our agenda  
22           tonight which is the Meadow Brook Sponsorship  
23           Agreement with the Pennsylvania Department of  
24           Environmental Protection.

25                        We'll also have Carl Deeley our

1 Business Administrator along with the Chief of  
2 Police come in and talk about the Open Gov  
3 contract that's going to be coming down next  
4 week regarding some movement in the IT  
5 Department to update our operating platform and  
6 also to talk about the other -- there's two  
7 agenda items in Fifth Order regarding the  
8 upgrades to the Serrenti Center.

9 On March 23rd we have a public  
10 hearing at 5:45 for the OECD caper. In Fourth  
11 Order, we have a tentative -- this is tentative  
12 at this point, an exit conference with the  
13 auditor Kohanski Company and the Business  
14 Administrator Carl Deeley regarding the 2019  
15 audit.

16 And then on March 30th, Director  
17 Cipriani at 5:45 and MKSD, the company who is  
18 here tonight is going to talk about the draft  
19 study at Nay Aug Pool, the feasibility study  
20 that's being done. So they'll come for a  
21 second round. So that takes us out to March  
22 30th. Anyone else have any announcements?  
23 Okay. Very good. Mrs. Reed.

24 MS. REED: FOURTH ORDER. CITIZENS  
25 PARTICIPATION.

1 MR. GAUGHAN: Okay. We're going now  
2 to talk about the Nay Aug Pool feasibility  
3 study. So we have quite a few people with us  
4 here tonight. Many of them I think are  
5 representatives from MKSD. So just for the  
6 sake of the public, I'd like to go around the  
7 room if you don't mind the gentlemen who are  
8 here from MKSD if you don't mind introducing  
9 yourselves really quick.

10 MR. CHAMBERS: Certainly. Good  
11 evening everyone. My name is Todd Chambers.  
12 I'm with MKSD Architects. With me tonight, I  
13 have Nick Hewes from MKSD.

14 MR. HEWES: Hello everybody.

15 MR. CHAMBERS: And George Deines who  
16 is with Counsilman□Hunsaker. And  
17 Counsilman□Hunsaker is an aquatics consulting  
18 firm. I think George is based out of Dallas.  
19 But we work with them to complete many studies  
20 across the Commonwealth of Pennsylvania very  
21 similar to the one that we're performing for  
22 the City of Scranton that we'll be talking  
23 about this evening.

24 So if you would like to do more  
25 introductions or, Nick and George, do you have

1 anything to say?

2 MR. HEWES: I'd just like to  
3 introduce myself. Again, Nick Hewes, I'm one  
4 of the architects. It's great meeting  
5 everybody and a pleasure working with our  
6 committee, the pool committee here. Many of  
7 the members are with us today, Eileen and Paul  
8 and Bob. And I said George is with us so happy  
9 to be here with you guys.

10 MR. GAUGHAN: Okay. Thank you.  
11 And we also have Director Cipriani who has been  
12 with us before quite a few times, does a great  
13 job as the Executive Director of OECD. We also  
14 have Brian Fallon who is the Director of Parks  
15 and Recreation who again I think is a friend to  
16 all of us and does a wonderful job in that  
17 department, running that department. Bob  
18 Gattens who is the -- you're the chairman,  
19 right, still Bob of the recreation --

20 MR. GATTENS: That's correct.

21 MR. GAUGHAN: Okay, Bob is the  
22 Chairman of the Recreation Authority. And we  
23 have Paul Kelly here who is the Solicitor for  
24 the Recreation Authority. So thank you all for  
25 being here. I'll now turn it over to you

1 gentlemen and other representatives of the City  
2 to walk us through this feasibility study that  
3 we have in front of us. And feel free to share  
4 your screen if you need to.

5 MR. HEWES: Thank you. I'll start  
6 out, we've begun a study, had multiple  
7 conversations with our committee and just going  
8 through the needs and wants, what the desire is  
9 as we proceed with a full feasibility study of  
10 what can be done, if anything, with the  
11 existing pool facilities.

12 And then we have recently proceeded  
13 with an on-site survey of the facilities, the  
14 pump house, the bath house and the existing  
15 pools. And then from there I developed a  
16 report of that site visit which I believe you  
17 all should have received today, I believe, if  
18 not yesterday.

19 And from there, as we proceed  
20 further we'll be continuing the study of  
21 developing our thoughts, getting drawings and  
22 options together and to give you a full report  
23 of what can be done and different options if  
24 you go with a revised or a repair, a renovating  
25 or replace options for this facility.

1                   It will include financial  
2                   information, budgetary information and  
3                   different aquatic (inaudible) that could  
4                   essentially or potentially be introduced into  
5                   this facility. We'll go over those as well  
6                   tonight.

7                   But I would like to turn the floor  
8                   over to George who as Todd mentioned is our  
9                   aquatics consultant. And he'll be able to walk  
10                  you through this what we've found so far on  
11                  site and also the aquatic trends.

12                 MR. DEINES: My name is George  
13                 Deines. And I'm with Counsilman□Hunsaker and  
14                 we do the aquatic facility planning and design.  
15                 As Todd mentioned I'm teamed with him and Nick  
16                 on numerous projects across the state of  
17                 Pennsylvania.

18                 So I guess a couple of things we'd  
19                 like to do is first off was the report that we  
20                 shared earlier today. We were on site just  
21                 last Monday and walked the site and got a feel  
22                 for the current condition of the pool and the  
23                 pool mechanical system.

24                 And so if you haven't had a chance  
25                 to read through all the report, essentially

1           what we found is that just given the condition  
2           of the structure of the existing slide pool  
3           that we would not recommend trying to renovate  
4           that pool in its current form to try to use  
5           again, you know, it did have a liner that was  
6           ripped out, you know, the season before last or  
7           earlier this year.

8                         And what we found underneath the  
9           liner was that the plaster that -- the plaster  
10          pool surfaces completely delaminated in several  
11          areas of the pool. And you could see that in  
12          some of the photos at the end of the report.  
13          It essentially looks like gravel and just  
14          chunks of rock underneath the pool liner.

15                        And the last season that you opened,  
16          you know, there were complaints from the pool  
17          guests that they could actually feel that  
18          underneath the membrane of the liner. When we  
19          start to look at, you know, the expected  
20          lifespan for an outdoor pool, you know,  
21          typically being in that 30 to 40 year range.

22                        We look at the existing condition of  
23          not only the pool shell but also where the  
24          gutter meets the pool walls and there's chunks  
25          of concrete and tile that you could really just

1 pick out and pull the pieces of rock out.

2 And we take into the consideration  
3 the fact that the mechanical system has never  
4 undergone a renovation. And so a lot of the,  
5 you know, original components of that, the  
6 filter, the cast iron piping (inaudible) the  
7 strainer basket of the mechanic room are  
8 showing significant signs of corrosion that we  
9 would recommend for the slide pool that, you  
10 know, you go ahead and start over.

11 There's a couple different options  
12 that we detailed in the report in terms of, you  
13 know, any used pieces of the existing shell  
14 whether you build a pool within a pool which is  
15 something that our firm has designed before or  
16 you could break up the existing pool shell and  
17 then build a pool over that.

18 So there are a couple of options to  
19 consider there. And those are some of the  
20 things that we will explore over the next few  
21 weeks and then present back on March the 30th  
22 in terms of what is the right size for the  
23 existing pool.

24 Do you need, you know, 9,000 to  
25 12,000 square foot single pool or do you need a

1 couple of smaller pools. We could see reusing  
2 the existing slide tower in its existing  
3 location if we went ahead and designed a new  
4 pool with a slide catch area right beneath  
5 that.

6 So there are a lot of options on the  
7 table that we're excited about exploring and  
8 we'll be excited to share those in the coming  
9 weeks. So with that, what I would like to do  
10 is maybe just stop down for a minute and if you  
11 have any questions on the pool or Nick or Todd  
12 are here. They could speak more to the slide  
13 and the bathhouse.

14 We could do that. And we have a  
15 couple of slides that we would like to briefly  
16 run through as well.

17 MR. GAUGHAN: So I have a question  
18 on the slide. The slide is in okay condition?

19 MR. DEINES: Correct, yeah. We did  
20 not see any -- you know, there's a couple  
21 things that we looked for in terms of  
22 significant corrosion on the slide tower. We  
23 look for, you know, cracks where the fiberglass  
24 pieces of the slide have come apart.

25 But in talking with Bob, you know,

1           they did not observe any, you know, visible  
2           leaks the last time that the slide was running.  
3           And so without having, you know, an actual  
4           slide manufacturer come out and give a full  
5           assessment of the slide, we do feel it's  
6           something that could be reused just based upon  
7           the physical inspection that we did.

8                     MR. GAUGHAN: In your estimation, do  
9           you think it's possible that this pool will  
10          be -- Nay Aug Park Pool will be open by this  
11          summer?

12                    MR. DEINES: I would think that that  
13          would not be possible just given the limited  
14          window that you have from now until, you know,  
15          Memorial Day or even if you pushed it out to  
16          June 15th, the amount of work that would need  
17          to be done, you know, to get it up and  
18          operational, you know, we would have to --  
19          you'd have to have a contractor tear off, you  
20          know, all of the plaster surface that you would  
21          have to repair the concrete, you know, in the  
22          areas that it's failed.

23                    You would also then have to either  
24          paint that surface or install a new liner over  
25          that, you know, plus with, you know, having not

1 run the mechanical system in two seasons or,  
2 you know, it's been since the 2019 season since  
3 it's been running. I feel that that would be  
4 extremely difficult to get the pool open for  
5 this coming season.

6 MR. GAUGHAN: And there's -- so  
7 there's no way that, you know, you can -- I'm  
8 just thinking, you know, my concern is that,  
9 you know, the pool doesn't open this summer --  
10 well, first of all, we're going to be coming  
11 hopefully out of the pandemic.

12 All the young kids up in that area  
13 and really around the City are going to want to  
14 get out and families are going to want to get  
15 out and get to the recreation areas, especially  
16 this is one of our biggest assets. So my  
17 concern is that you don't have this pool  
18 opened, these kids are going to go to the  
19 gorge.

20 They're going to go other places.  
21 Is there any way that you can put some  
22 temporary fixes on it and open it with the goal  
23 of, you know, after the summer season is over  
24 moving towards a complete overhaul or is that  
25 not possible either?

1 MR. DEINES: I think that could be  
2 possible if you -- you know, would strip down  
3 the pool plaster and then reinstall a brand new  
4 liner all the way across the pool structure.  
5 But, you know, in its current state and even  
6 talking with Bob last week, you know, the liner  
7 company would not warranty the installation of  
8 the liner just because of the condition of the  
9 pool.

10 And I think that just seeing the  
11 number of gaps that are around the perimeter of  
12 the pool beneath the gutter and the pool shell  
13 that that could be, you know, it's cause for  
14 concern that you could lose a massive amount of  
15 water during the summer season if, you know,  
16 the liner isn't perfectly installed and, you  
17 know, there's ways for the water to get back  
18 behind there.

19 And then when it gets back behind  
20 the liner then it bubbles up as you could see  
21 on the, you know, the deeper pool right now.  
22 And the same thing happened on the slide pool  
23 the last time it was operational.

24 MR. HEWES: In addition to that just  
25 so I could add, there's also the issue of all

1           around the deck the concrete sidewalk and deck  
2           around the pool itself has some significant  
3           cracking and heating. That would not pass  
4           inspection without some repairs to that.

5                        So this would all be part of the  
6           overall repairs but, I mean, in your question  
7           regarding, you know, can something be  
8           temporarily done, I'm not sure or, you know,  
9           short of something, you know, ripping off big  
10          chunks of that deck and fully completely  
11          replacing it just to get something temporarily  
12          in, you know, I'm not sure that you would be  
13          able to pass inspection as it is now for sure.

14                      MR. GAUGHAN: Okay. One of the  
15          questions I have too is the -- I'm up there a  
16          lot with my kids walking around when the  
17          weather is nice because the park is beautiful  
18          obviously. But the other pool that the -- I  
19          think the plan was eventually to fill that in.  
20          Do we know or have any idea when that's going  
21          to be done?

22                      My concern with that is if you get a  
23          young child or teenager that, you know, jumps  
24          that fence at night especially and falls in  
25          there, that's like a 13 to 14-foot drop. So is

1           there any plans to fill that in in the near  
2           future?

3                       MS. CIPRIANI: Councilman Gaughan,  
4           I could address that. We're preparing a bid  
5           proposal that is out on the street right now  
6           for demolition. And that is part of the  
7           package. So right now we're trying to figure  
8           out how much it will cost.

9                       MR. GAUGHAN: Okay. Great. Great.  
10          I have other questions. But I don't want to  
11          hold up the presentation. I know you have more  
12          to present here. Does anyone else from Council  
13          have any questions while we stop here at this  
14          spot?

15                      MR. SCHUSTER: Yeah, President  
16          Gaughan, so when we're looking at this  
17          presentation right now we're just discussing  
18          the other pool. The scope of this  
19          presentation, does it just cover the shallow or  
20          slide pool or is it both pools included in this  
21          presentation?

22                      MR. HEWES: Well, today we're going  
23          over like I just did our findings of the  
24          existing facility. The intent I believe of the  
25          study and the committee has always represented

1           that the deeper pool is -- the idea is to be  
2           demolished and filled in and a different either  
3           aquatic facility like a spray pad or something  
4           would be an option to go in that location.

5                         But the presentation other than that  
6           tonight is to go over various options of what's  
7           available as we move forward in our study to  
8           see what can be put in where the slide pool is  
9           now and other amenities around it. But the  
10          other pool, the deeper pool the idea was to get  
11          rid of that.

12                        MR. SCHUSTER: Okay. So this is  
13          just covering the shallower slide pool. And  
14          then when we're talking about the pool house,  
15          are we talking about -- the picture that we're  
16          looking at here, there's the building that we  
17          could see in the picture. But there is also a  
18          pool house that is off of -- that's out of  
19          frame on this photo here towards the end of the  
20          deeper pool?

21                        MR. HEWES: Yeah, that would be the  
22          pump house that houses all the equipment. So  
23          given the -- there's electrical equipment  
24          within that that shows corrosion just because  
25          of the chemicals that are stored within it and

1           the existing conditions how they're all  
2           original, a lot of that building, you know,  
3           needs some good work -- good repairs to it.

4                     As we move forward with the project,  
5           we would once -- if this becomes an actual  
6           project and, you know, we move ahead with  
7           complete, you know, renovations and things  
8           based on the new equipment that would be  
9           needed, we would evaluate -- either if we could  
10          reuse part of that building, great.

11                    But from what it looks like now, we  
12          probably want to locate something in that  
13          location and possible at another end of the  
14          property to accommodate the new equipment. But  
15          as it stands now, that pump house is not really  
16          very -- in very good shape. And as far as the  
17          bathhouse is concerned, the committee has let  
18          us know that, you know, there's a need for that  
19          to be much larger.

20                    Right now it's basically just two  
21          toilet rooms. There's really not any lockers  
22          or places for people to change. There are a  
23          couple showers in there. But like they  
24          mentioned, if there is a rainstorm that comes,  
25          you know, everyone on the pool deck tries to

1 run inside that space and it's not really large  
2 enough to accommodate that. So we would also  
3 look at that as part of the study.

4 MR. SCHUSTER: Okay, yeah. So we're  
5 talking about that pump house that is out of  
6 frame. I'm just making sure that it's clear to  
7 Council and then everybody at home watching  
8 that -- what buildings there we're talking  
9 about. Now, this pool was built in 1966. Was  
10 that other pool, the deeper pool, was also the  
11 same year?

12 ATTY. KELLY: Yeah.

13 MR. SCHUSTER: How about the  
14 bathhouse and the slides, what year -- just so  
15 it's fresh in everybody's mind, what year were  
16 they from?

17 ATTY. KELLY: '08, '07, I think the  
18 slides, yeah, around there -- approximately 15  
19 years, Councilman.

20 MR. SCHUSTER: All right. Thank  
21 you.

22 MR. MCANDREW: I have a quick  
23 question. I don't know if I should pose it to  
24 George or just the team here. So I looked at  
25 the assessment. And it is an assessment with

1 options.

2 I looked at the options. I would  
3 like a recommendation. I mean, is it cheaper  
4 to repair or replace at this point? I mean, do  
5 we pull the Band-Aid off and say, you know  
6 what, let's just replace it because from what I  
7 looked at and what you said already, it sounds  
8 it's in horrible shape to just repair.

9 So I want to know what your  
10 recommendations are based on your findings  
11 outside of the options, repair or replace?

12 MR. CHAMBERS: Yeah, our final  
13 report will, you know, provide options usually  
14 to repair, renovate or replace. I don't think  
15 repair is really too great of an option for  
16 this pool unfortunately.

17 So you will see renovate and replace  
18 options in the study, you know, as the final  
19 results of the study and that would be  
20 financial data to support those and help you  
21 make a decision. And we will, of course,  
22 provide a recommendation one way or the other  
23 based on what we get from the public and from  
24 the committee as well.

25 MR. GAUGHAN: Okay. You guys could

1 continue with your presentation. Thank you.

2 MR. MCANDREW: Oh, I'm sorry. I  
3 just want to know, you know, time's our enemy.  
4 I'm sorry. I didn't mean to get smart. So  
5 you're saying you're going to come back. So  
6 what does that look like?

7 MR. CHAMBERS: So usually our  
8 process is that we meet with the public and get  
9 some input. And we have a few committee  
10 meetings and we formulate some options. And  
11 then we bring it back to the public and to  
12 Council to review the results that come out of  
13 the public meetings.

14 ATTY. KELLY: And I think it might  
15 be wise to alert Council as to what the  
16 timetable is on these studies. This is  
17 basically just the first part of the facility.  
18 Why don't you, Eileen, if you would, why don't  
19 you update Council on what we need to get to a  
20 final study.

21 MS. CIPRIANI: So what we're doing  
22 is we're following the checklist and timeline  
23 that DCNR puts into all of their pregrant  
24 applications. DCNR requires a feasibility  
25 study for any grant. The next grant round

1 closes in the middle of April. So this study  
2 will be completed prior to that.

3 So it will be able to inform that  
4 grant application. So part of this study and  
5 that's why we're here tonight to seek your  
6 input and we need to open up a period of public  
7 comment. We actually have two studies there up  
8 on the website tonight that people could go on  
9 and give their input. But that's a vital piece  
10 of this that DCNR looks for in advance of their  
11 grants.

12 MR. CHAMBERS: Correct. There's  
13 surveys that are on the website and we're  
14 meeting -- we're giving a presentation at the  
15 Mayor's --

16 ATTY. KELLY: Town hall.

17 MR. CHAMBERS: Yes, correct, town  
18 hall. Thank you.

19 ATTY. KELLY: On Friday.

20 MS. CIPRIANI: But, Councilman  
21 McAndrew, that -- the idea that at the -- on  
22 the 30th they will come back to us with their  
23 recommendations and costs and that will be able  
24 to feed our grant application. So, you know, a  
25 decision could be rendered. And we could

1 figure out what way to go and what to apply  
2 for.

3 MR. CHAMBERS: Yes, typically on the  
4 30th we come back with a draft report and  
5 review that with Council and then we would  
6 finalize that draft into a final report after  
7 that meeting with Council. George, do you want  
8 to run through the rest of your slide deck?

9 MR. DEINES: Sure thing. What we  
10 essentially discussed was our process line that  
11 we have here. So that was a good segue. So  
12 our goal in teaming with MKSD is to provide you  
13 all with, you know, good solid data and  
14 information regarding the Nay Aug Park Pool and  
15 for you guys to use that to make a  
16 knowledgeable decision on how best to move  
17 forward about the continued operation of the  
18 facility into the future.

19 And so as Todd mentioned, we'll come  
20 back here in a few weeks with several different  
21 options to explore obviously comparing that,  
22 you know, what does, you know, we input 1.65  
23 million dollars in our report is the cost to  
24 repair to get it operational.

25 But that really doesn't buy you that

1 much more time. And you still have the same  
2 functional facility. It is not functioning  
3 differently than it does now. You know, it's a  
4 brand new 1966 pool. And so what we want to  
5 make sure that we do is provide you with some  
6 other options as well.

7 When we look at the aquatic user  
8 groups, we typically classify those in four  
9 different sections between recreation,  
10 competition, instruction as well as wellness  
11 and therapy. When you're looking at the  
12 outdoor seasonal aquatics, you know, it's a  
13 vital part of any community.

14 We find that recreation is going to  
15 generate probably 75 to 80 percent of the uses  
16 of those types of facilities. You know, in  
17 terms of today's amenities, we're seeing things  
18 like zero depth entries and children's play  
19 structures that could be themed or they can  
20 really be any shape and size.

21 We find that vertical water sprays  
22 are very popular to incorporate for the young  
23 ones. Open water recreation area is also very  
24 popular as well as these types of walkable,  
25 floatable activities. You know, it's great to

1 get kids active and healthy and give them a  
2 challenge.

3 We find that, you know, there's some  
4 different types of moving water that we could  
5 incorporate. You know, here's a couple of  
6 examples of maybe a current channel which is,  
7 you know, typically a little bit smaller than a  
8 lazy river that you might see at a, you know,  
9 true commercial water park.

10 You know, incorporating lap lanes  
11 for the competitive side or even just the  
12 fitness side. But then those lap lanes can  
13 also double for general recreation. You know,  
14 you see this lap pool here has a climbing wall  
15 as well as a diving board.

16 On the other end you have a water  
17 basketball goal that can be used. Climbing  
18 walls are something -- we have replaced some  
19 diving boards here the last few years. We  
20 still find diving is a really popular amenity.  
21 And now that the industry and the codes have  
22 gotten the depths and slopes worked out, we  
23 really don't see that, you know, it's a huge  
24 liability concern.

25 And so we could definitely look at a

1 climbing wall or a diving board. Here you  
2 have, you know, something that is a natural  
3 rock scape that has a diving platform. It has  
4 a climbing wall as well as a water slide for  
5 some deep water recreation. And then we also  
6 like to couple that with water slides of all  
7 types and sizes.

8 You all have slides now that I'm  
9 assuming you probably have a 48 inch height  
10 requirement. And so not all the kids can ride  
11 those. So, you know, some of these slides here  
12 are for, you know, ages two to seven until they  
13 hit that 48 inch height requirement.

14 And so we could explore, you know, a  
15 variety of water slides whether they are open  
16 or closed. Maybe they end in the water, maybe  
17 they end in the deck in a fiberglass runoff.  
18 So those are some of the different options in  
19 terms of recreation that we'll explore.

20 When we look at competition, you  
21 know, that is essentially dictated by the fact,  
22 you know, you have, you know, summer swim teams  
23 that would be interested in using the pool.  
24 That might help you decide you want six lanes,  
25 eight lanes or you could go back to a 50 meter

1 pool.

2 But what we want to do is we want to  
3 make sure that we couple that or multipurpose  
4 that water so that it's not just lap lanes  
5 that it also serves as a good capacity holder  
6 for open water recreation. Obviously, you  
7 know, the importance of swimming lessons and  
8 summer seasonal aquatics is one of the first  
9 ways that the majority of kids get introduced  
10 to the water.

11 So being able to have, you know,  
12 shallow water that's 2 and a half to 3 and a  
13 half feet deep, maybe a teaching ledge like you  
14 see here is always vital to teach kids how to  
15 swim and then lastly, wellness and therapy  
16 opportunities. And the picture you see here I  
17 like to show because it's a six-lane lap pool.

18 But it actually has several  
19 different purposes. So in the first lane there  
20 was general open lap swim. In the second lane,  
21 you'll see an instructor over here teaching a  
22 child how to swim. And then there's a special  
23 needs water walking class in the shallow area.

24 And that still leaves open the deep  
25 area for, you know, a deep water aerobics class

1 or another type of activity. So we always like  
2 to talk about multi-purposing those spaces of  
3 water.

4 And then lastly what I'd like to  
5 show is, you know, just some different pictures  
6 of before or after of some facilities that  
7 we've designed (audio interruption.)

8 MR. GAUGHAN: I think your audio  
9 went out, George.

10 MR. DEINES: Oh, no, can you hear me  
11 now?

12 MR. GAUGHAN: Yeah, we can hear you  
13 now.

14 MR. DEINES: Okay, great. So these  
15 are some before and after pictures of pools  
16 that are similar to Nay Aug Park Pool in size  
17 and layout and condition. And so it just gives  
18 you an idea of, you know, some of the different  
19 ways that we can take an older style pool and  
20 turn it into more of a modern family aquatic  
21 center, something that caters to families  
22 within the Scranton community.

23 And then the pictures on the far  
24 right there is the one that we teamed with Todd  
25 and Nick in Chambersburg. We essentially

1 followed this exact process. We started out  
2 with a pool assessment.

3 We found that this pool has reached  
4 the end of its useful life. And we designed a  
5 more modern family aquatic center that, you  
6 know, they were really pleased with. So that's  
7 a quick minute or two on our study process and  
8 some of the different avenues of pool amenities  
9 that we'll explore.

10 And with that, I think we'd like to  
11 open it back up to any questions or comments  
12 that you have. And we're looking forward to  
13 continuing the process, you know, being a part  
14 of the Mayor's town hall this Friday as well as  
15 pushing out the community survey to get the  
16 community's input on what they would like to  
17 see at Nay Aug Park.

18 MR. GAUGHAN: Thank you for the  
19 presentation. We really appreciate it. I have  
20 one comment and then two or three questions.  
21 So my first comment looking at all that you  
22 presented is that, you know, based on your  
23 assessment so far, it doesn't look like it  
24 makes any sense to continue to put Band-Aids on  
25 the pool.

1                   We'd be throwing good money after  
2                   bad based on your professional opinion and you  
3                   guys have been doing this for a long time in  
4                   other cities. I actually think it's an  
5                   opportunity to make an investment in the  
6                   community and in what I think is one of the  
7                   greatest assets that we have in Scranton in  
8                   making sure that this pool is going to be here  
9                   for the next 40 to 50 years or 30 to 40 years,  
10                  whatever it is.

11                  So I actually think this is an  
12                  opportunity, an opportunity to do this the  
13                  right way and to make sure that this is a great  
14                  recreation area for all of our residents. The  
15                  one question that I do have for anyone who  
16                  wants to answer on the committee, I've heard  
17                  about concerns regarding the pool since spring  
18                  of last year, even before that about the liner  
19                  and about the deck and really the whole pool  
20                  facility.

21                  So is there any reason why it's  
22                  taken this long to get a company to come in and  
23                  do an analysis? I mean, I would think last  
24                  year was the perfect opportunity for us to, you  
25                  know, really put this on the front burner

1           rather than the back burner so that there maybe  
2           was the potential that we could have the pool  
3           open for this summer.

4                        So is there any reason why there  
5           wasn't more of a push to put this at the  
6           forefront last year when we knew that there was  
7           some issues?

8                        ATTY. KELLY: I'll take a stab at  
9           answering that, Councilman. This is Paul  
10          Kelly. When we realized -- when I say we, the  
11          Recreation Authority realized that the pool was  
12          failing, we put out an RFP and got a bid -- the  
13          most responsible bidder to put a liner in  
14          there. And then COVID struck. And I don't  
15          want to just keep using COVID as an excuse.

16                       But it really set us back,  
17          Councilman. And no one was even producing  
18          liners to install. It just completely put a  
19          stop sign in everything. And as you -- RFPs  
20          take time. You have to advertise them. They  
21          have to be bid. Bids had to be opened. On top  
22          of that, while we were doing the bid  
23          processing, during 2019 season the bottom  
24          surface of the pool began to bubble.

25                       And that raised great concern for

1 the Recreation Authority members and for the  
2 City as to whether or not as you said why are  
3 we putting a Band-Aid on a very bad wound here.  
4 Are we wasting money putting a liner over  
5 something one season or two seasons?

6 And by the way, that was a \$225,000  
7 project just to put that Band-Aid on and not  
8 address the decking, the pipes that are  
9 corroded, the whole system. We needed -- and  
10 through Eileen's efforts and the committee's  
11 efforts, we need some help. We need some help  
12 with DCNR. We need some help with grants.

13 And these studies again, we put this  
14 out to RFP. MKSD was the most responsible  
15 bidder, was awarded the bid. And they're  
16 working on a very tight deadline, Councilman  
17 Gaughan. You know, we're asking them to  
18 complete a study from February to April 12th to  
19 comply with DCNR regulations.

20 So I know that everybody is  
21 frustrated. Everybody wants to see children  
22 swimming. And having lost the 2020 season and  
23 in all likelihood losing the 2021 season, it's  
24 upsetting. It's frustrating. But I think we  
25 are doing it the right way getting these

1 studies properly done to give us an idea and  
2 give the public an idea what needs to be done  
3 up there. That's my two cents. Bob, Eileen,  
4 feel free to add to that if I missed anything.

5 MR. GATTENS: Well, in hindsight I  
6 wish we did proceed faster with this. I think  
7 we had a year last year where work could have  
8 been done and the Recreation Authority and the  
9 administration could have met more often and  
10 began looking at an earlier stage. But it  
11 didn't happen and we're here today.

12 Maybe because with the virus  
13 attention was elsewhere trying to get  
14 everything squared away with the City. We're  
15 busy trying to get everything squared away in  
16 the park. But I feel we dropped the ball on  
17 this. It should have been maybe addressed  
18 earlier on.

19 And we wouldn't be up against the  
20 wire trying to get a grant and everything. But  
21 we are and our goal as the Recreation Authority  
22 and I'm sure along with the rest of the team  
23 here is to do the best we can at this point  
24 here going forward.

25 MS. CIPRIANI: And, you know, I have

1 to applaud the Recreation Authority and our  
2 vendor really working hard to help us get the  
3 data we need to get the application in and not  
4 miss DCNR's window. Because we all realize at  
5 the end of the day this is going to be a  
6 project that needs grant funding because of its  
7 high cost. So we appreciate everybody's  
8 efforts trying to help us make that deadline.

9 MR. GAUGHAN: Now, Eileen, at the  
10 end of the study it says the -- I know we're  
11 going to get more concrete estimates at the end  
12 of March. But the preliminary estimate just  
13 for repairs to reopen the pool is about over --  
14 a little bit over 1.5 million dollars. So I'm  
15 not sure how the DCNR grant is set up. But  
16 does that require a match? Would that require  
17 a match from the City?

18 MS. CIPRIANI: Yes. It requires a  
19 50 percent match.

20 MR. GAUGHAN: Okay.

21 MS. CIPRIANI: You know, we've had  
22 some conversations with the Rec Authority and  
23 conversations trying to sort out how we would  
24 do that. There's also the option and it's not  
25 a good option as far as timeline but to do it

1           in phases because I know everybody wants a  
2           swimming presence up there as quickly as  
3           possible. If we cannot find enough funding,  
4           you might have to be a phased project.

5                       MR. GAUGHAN: What about if we  
6           thought about it this way because I know it's  
7           always risky, you know, you put in a grant  
8           application but you don't know if you're going  
9           to get it. And I understand what you're saying  
10          about phases. I think that's kind of a gamble  
11          too.

12                      You know, it could take some time.  
13          What if we looked at other financing options.  
14          I know one of the things we talked about  
15          towards the end of last year was refinancing.  
16          We were looking at refinancing to plug the  
17          hole -- a potential hole for next year. So  
18          maybe putting a capital component on that, is  
19          that a possibility to look at or borrowing?

20                      Could the Recreation Authority, you  
21          know, be the borrower and the City could  
22          guarantee it or some kind of financing  
23          arrangement like that? And I say that because  
24          I -- you know, we should go for the grant I  
25          agree.

1                    Obviously there's always a risk in  
2                    that. And this is so important. And it's the  
3                    biggest asset we have. If we're going to do  
4                    it, you know, rather than wait and maybe not  
5                    get the grant or not have the match, you know,  
6                    I think we should really investigate those  
7                    options as well.

8                    MS. CIPRIANI: I agree with you.  
9                    And we'll take that back to Carl Deeley and the  
10                    Mayor and, you know, see what we can find, what  
11                    other options we have. And we're certainly  
12                    open to suggestions.

13                    MR. GAUGHAN: Yeah, that might be  
14                    the -- the borrowing might be the easiest way  
15                    to fast track it. And again, you'd have to --  
16                    you know, this is probably not a conversation  
17                    for this meeting. But even if you look at  
18                    whatever the Recreation Authority's finances  
19                    are.

20                    And, you know, maybe there's an  
21                    option there. Or, you know, even -- the one  
22                    thing I was thinking about earlier today was  
23                    the capital budget. We have a lot of money in  
24                    there for bridge replacement and the City's  
25                    match. But that's a few years down the road.

1                   So is there a way that we can take  
2                   some of those dollars which are earmarked for  
3                   the bridge replacement match and reallocate  
4                   them, you know, I don't know. But I think we  
5                   should look at other avenues and not put all of  
6                   our eggs in the grant basket just in case it  
7                   does end coming up short.

8                   MS. CIPRIANI: Certainly.

9                   MR. GAUGHAN: For the gentleman from  
10                  MKSD, in terms of a perfect world situation  
11                  which I know we're not in, if everything went  
12                  the way we wanted it to and you did a full  
13                  renovation of the pool, how long do those  
14                  usually take in terms of like a timeline?

15                 MR. CHAMBERS: So we're certainly  
16                 even up against the clock as we speak right  
17                 now. In an ideal world we'd finish the study  
18                 and then, you know, the focus would shift onto  
19                 immediately creating -- finalizing the design  
20                 for the project and creating the bid documents  
21                 for that.

22                 There is a good possibility that if  
23                 we started construction, you know, sometime  
24                 late summer, I think it's feasible that, you  
25                 know, we could have the pool back up and

1           running for summer of '22, you know, and that  
2           could mean, you know, we open on Memorial Day.  
3           It could mean we open for 4th of July.

4                       So we'd have to look at the schedule  
5           and how the ultimately selected design would  
6           schedule out construction -- or design and  
7           constructionwise.

8                       MR. GAUGHAN: And that estimate --  
9           thank you for that answer. The estimate that  
10          you have at the end of this report, 1.6 million  
11          dollars, that includes the concrete repairs to  
12          the pool structure, paint and surface, new pool  
13          deck, new pool piping, new pool mechanical  
14          system, 20 percent contingency allowance and 10  
15          percent for project fees.

16                      Does that include any of the other  
17          designs that you had showed us before in terms  
18          of the different structures whether it's --  
19          no, I'm assuming, right?

20                      MR. CHAMBERS: I don't believe it  
21          does. But George can answer that.

22                      MR. DEINES: Yeah, that is literally  
23          just to repair the existing structure with no  
24          added amenities or anything of that sort. So  
25          you essentially have the same pool that you

1           have now.

2                       MR. DONAHUE: So that would be to  
3           repair the existing structure. To replace the  
4           existing structure would be significantly  
5           higher?

6                       MR. DEINES: Correct. And that's  
7           what we'll come back with estimates on here in  
8           a couple weeks.

9                       MR. GATTENS: George, what's your  
10          thoughts and I think we discussed this a little  
11          bit. If we did repairs of using a liner, is a  
12          liner a favorable item at this time or would we  
13          be putting money into a pool to repair it and  
14          put a liner on that possibly could be gone in  
15          another five or 10 years again?

16                      MR. DEINES: Yeah, so our firm,  
17          typically we do not recommend liners, you know,  
18          whether it's a PVC type liner. There's even  
19          some fiberglass liners, you know, because we  
20          essentially see them as a, you know, a Band-Aid  
21          because you've had some type of critical  
22          failure and you don't have the time or the  
23          funds to do a full replacement, you know,  
24          within the next say two to five years.

25                      So we really, you know, see that as

1 a short term investment to just keep the pool  
2 operating at minimal level until you can, you  
3 know, do a more substantial renovation.

4 MR. GATTENS: Thank you.

5 MR. GAUGHAN: Anybody else have any  
6 questions?

7 MR. MCANDREW: I have one quick one.  
8 So your renovation examples, were they  
9 municipal pools that you did or refurbished or  
10 reconstructed or that's just a little candy.  
11 It looks like the land of make believe. I  
12 mean, is that just a dream option?

13 We just need a pool whether you pull  
14 in a pool or just, you know, that's just a  
15 little fluff I think, right, or were they  
16 actually municipal pools that you reconfigured  
17 to look like that?

18 MR. CHAMBERS: I was going to say  
19 three examples of municipal pools in the State  
20 of Pennsylvania that we've completed studies  
21 and executed the project for are Hatfield --  
22 and they have a fair amount of the -- what  
23 we'll call amenities. I believe they have zero  
24 depth entry, a current channel, water slides.

25 We also did the Perkasio Menlo Park

1 pool which has very similar amenities. And the  
2 most recent one is the Borough of Chambersburg.  
3 That has zero depth entry, a play structure,  
4 current channel or a lazy river -- top pool, it  
5 has the water crossing. It has -- it's soup to  
6 nuts.

7 It has lap lanes, guiding rail. I  
8 mentioned the top pool already. There's even a  
9 separate spray pad that goes along with that.  
10 So that's kind of like the Cadillac I guess you  
11 could call it of public aquatic centers in the  
12 State of Pennsylvania.

13 MR. HEWES: Now that you mention it,  
14 that's part of our study the final report that  
15 we'll give. We will have options. So we know  
16 like you said a spray pad is something that has  
17 been, you know, very enthusiastically mentioned  
18 by committee as a need instead of multiple  
19 bodies of water or, you know, one massive pool  
20 to go fill in that -- the deeper pool.

21 And then we would also provide  
22 options what can be done at the those -- the  
23 water slide area. Does that become like you  
24 said just a pool or, you know, what is the  
25 layout that could be done to feature some of

1           these more exciting amenities that makes --  
2           reinvigorates the Nay Aug Park and, you know,  
3           gains an attraction and makes people want to  
4           come back and really utilize this from when  
5           they are, you know, a family with small  
6           children all the way to when they're older kids  
7           and adults, kind of an ageless and timeless  
8           place to go to and enjoy different features.

9                         We'd like to provide all of those  
10           things. So that's when it comes to the  
11           committee to make choices of what they would  
12           want, you know, kind of a menu to choose from,  
13           okay, we like this. We like this. And in  
14           addition to that, the public feedback which is  
15           what we'll try to gain from the surveys that  
16           are out and also the town hall meetings.

17                        MR. SCHUSTER: So with that being  
18           said, some of those pools that we saw pictures  
19           of, I mean, the pool that we're talking about  
20           is -- I guess the price tag is plus or minus  
21           1.6 million. Is that just for the pool and a  
22           deck alone with a pool house and that? Or are  
23           we talking some of those other options you're  
24           talking there would be around that same price?

25                        MR. CHAMBERS: Yeah, so the 1.6

1 million is just to get the pool operational for  
2 a few more years, you know, the based  
3 renovations. It does not include any  
4 improvements to bathhouse or even the pool  
5 mechanical building, just the pool mechanical  
6 equipment on the inside.

7 And so when we come back here in a  
8 few weeks, we'll have the capital and the  
9 operational implications for, you know, two to  
10 three different scenarios. You know, what if  
11 we rebuild, you know, an existing a pool  
12 similar to the existing pool at Nay Aug Park,  
13 you know, you would probably see a little bit  
14 of a bump in attendance and overall revenue.

15 But it's not going to be extreme  
16 whereas, you know, what if we spend "X" number  
17 of dollars more to include some more  
18 family-friendly amenities and as Nick mentioned  
19 something that caters to, you know, all ages  
20 and what would be the operational and  
21 implications of that.

22 And so what we're going to do is  
23 give you that well-rounded look of these are a  
24 couple different pool options that we've  
25 explored. Here's the capital cost associated

1 with those. But as well as that, we want to  
2 give you the long-term operational cost so you  
3 know what the -- you know if there's going to  
4 be a subsidy, what that subsidy would be, you  
5 know, over the next 15 to 20 years.

6 MR. SCHUSTER: Now, when we're  
7 looking at all of those options, I mean, the  
8 last pool that was built in 1966 they said  
9 about a 30 to 40-year lifespan. It seems like  
10 we got about 55 years out of that pool.

11 When it comes to these new pools, do  
12 they have the same type of lifespan? Do all  
13 the amenities that come with them have that  
14 same lifespan? Are we going to get 40 to 50  
15 years out of one of these new pools?

16 MR. CHAMBERS: Yeah, we typically  
17 see, you know, 30-plus year lifespan for an  
18 outdoor pool. We also will include a capital  
19 replacement, you know, budget line item in our  
20 expense estimate. So you know what year, you  
21 know, 17 to year 20 that you'll need to  
22 renovate the mechanical system and that year  
23 nine you need to regel coat the slides and year  
24 15, you know you probably need to replace some  
25 of the fading shade structures.

1                   So we'll include estimates like  
2                   that. But we still would -- we see the pools  
3                   to have a 30-plus year lifespan.

4                   MR. SCHUSTER: And I'd say probably  
5                   the more amenities that you have here, the  
6                   more, you know, sprinklers, the more sprayers,  
7                   things like that, I mean, the more maintenance  
8                   obviously you're going to incur with that with  
9                   links and pipes, different things like that.

10                  Now, another thing when we were  
11                  talking about the RFP for the deeper pool, the  
12                  pool that was omitted in that picture, that's a  
13                  different project all together than what we're  
14                  talking about here, correct?

15                  MR. CHAMBERS: So we could see in  
16                  our conceptual plans that we would, you know,  
17                  include some options of what to do with that  
18                  area of the facility whether it's a spray pad  
19                  or whether, you know, that might be converted  
20                  to park land.

21                  But we could -- that's one of the  
22                  things that we'll look at is what is the entire  
23                  footprint needed for the different amenities  
24                  and the options that we come up with because  
25                  you have a lot of area, I mean, you know,

1 20,000 plus square feet of water is huge.

2 And so it might not be that you need  
3 that much area or you could get a lot more  
4 grassy area than you have now or like Bob  
5 mentioned, you have that spray pad, you know,  
6 that takes up a good portion of area where the  
7 existing deep pool is.

8 MR. SCHUSTER: I guess I was kind of  
9 referring back to Mrs. Cipriani was saying that  
10 an RFP was going to go out for that area. So  
11 that would be for what, the filling in and  
12 the --

13 MS. CIPRIANI: Yes, the area we were  
14 filling in is part of our demolition RFP that's  
15 out right now.

16 MR. SCHUSTER: Okay, so just the  
17 demolition. And another thing when we were  
18 talking about maintenance, I mean, the simpler  
19 the structure, you know, the simpler the  
20 maintenance and less money. When it comes to  
21 that DCNR grant, is there max a on that, Mrs.  
22 Cipriani?

23 MS. CIPRIANI: I think the max will  
24 end up being our capacity to match it.

25 MR. SCHUSTER: Okay.

1 MR. GAUGHAN: And do we now know our  
2 capacity to match at this point? I can't  
3 remember what we have in the budget.

4 MS. CIPRIANI: Yeah, I don't know  
5 that off the top of my head. That would be a  
6 question for Carl.

7 MR. GAUGHAN: Okay. Any other  
8 questions or comments?

9 MR. GATTENS: Well, I just have one.  
10 I'm going to speak on behalf of the board  
11 itself. I truly think that we need to look at  
12 from end to end in this project and look at  
13 what Mayor Walsh did back in the mid60s, 64,  
14 65, 66. It was basically the same undertaking.

15 We're taking a pool that was in  
16 since the early 1900s and making a huge change.  
17 And he had the foresight to do this, him and  
18 his administration and Council at the time.  
19 And we gained 55 years out of that project.

20 I think if we're going to do it, we  
21 got to do it the right way. We got to make  
22 sure everything is first class that goes in  
23 there and not waste money. Like, if we do a  
24 land Band-Aid approach to it and everything, I  
25 truly feel that we're going to be spending

1 money time after time again on that complex.

2 But for the future generations to  
3 come if we get 50 more years of enjoyment and  
4 entertainment in that park, it's worth every  
5 penny of it.

6 MR. GAUGHAN: Yeah, I agree with  
7 you. I think, you know, obviously this is a  
8 challenge. But I think it also presents a  
9 really great opportunity for us in the City to  
10 invest in. Like I said earlier, I think it's  
11 one of the greatest assets that we have in  
12 Scranton. And it's that park.

13 Bob, you know I'm up there all the  
14 time with my kids walking around. You know,  
15 it's just a huge benefit for the City for that  
16 neighborhood but really for the whole entire  
17 City. So I think if we do this the right way  
18 and if we make a big investment up there, it's  
19 going to set the stage not only for that area  
20 but really for other development whether it's  
21 in the park even in that neighborhood.

22 So obviously I think we have to be  
23 cognizant of our finances in the City. But  
24 again, I agree with you, Bob, that we can't  
25 continue to put good money after bad and put

1 Band-Aids on it.

2 And I think it's really time to make  
3 an investment like Mayor Walsh did so many  
4 years ago and make sure that it's something we  
5 can all be proud of. So thank you. Anyone  
6 else have any questions or comments?

7 Okay. Thank you everyone. We  
8 appreciate it. And we look forward to talking  
9 to you again the end of March.

10 MR. CHAMBERS: Thank you. Have a  
11 good night.

12 MR. HEWES: Thank you.

13 MR. DEINES: Thank you.

14 ATTY. KELLY: Stay safe everyone.

15 MR. GAUGHAN: Bye-bye. Okay,  
16 talking so much about swimming but we can't --  
17 the weather's not -- we're not there yet. We  
18 got a sneak peek today what it's going to be  
19 like I think this spring and summer.

20 Okay. At this time I'd like  
21 someone to make a motion to accept public  
22 comment from the following individuals: Bev  
23 deBarros and Fay Franus.

24 MR. DONAHUE: I'd like to make a  
25 motion to accept public comment.

1 MR. SCHUSTER: Second.

2 MR. GAUGHAN: There's been a motion  
3 and a second to accept public comment. Mrs.  
4 Reed, would you please read the comments into  
5 the record?

6 MS. REED: Thank you. The first  
7 submission is from Bev deBarros as follows:

8 Dear Council ~ regarding our city  
9 employees who owe back taxes of course, it will  
10 be easy to collect them as their wages from the  
11 city can and should be garnished. I doubt,  
12 that because of the favors of politics, they  
13 will be charged interest and fees, like  
14 everybody else this will be in effect, the  
15 grace period, that is denied to other city  
16 residents would you follow up and report on  
17 this for us?

18 MS. REED: The second submission is  
19 provided by Fay Franus as follows:

20 **Council**

21  
22 Mr. Gaughan please allow me to get through to  
23 you again. The zoom call to the public doesn't  
24 make it any more susceptible to a hacking  
25 anymore than what they do now when people zoom

1           into council meetings during the caucus or even  
2           during the regular meeting.

3  
4           This is easily solved ---prior to the meeting  
5           people who want to zoom into the meeting to ask  
6           questions or comments simply e-mail council  
7           clerk Lori Reed and say they want to be zoomed  
8           in, then council can send ONLY THOSE that want  
9           to speak a link to be zoomed in. However you  
10          allow others that are zoomed in--whether it be  
11          a certain code --number or link.

12  
13          That was a year ago that people got hacked. It  
14          has not happened since. Every week when people  
15          zoom in it is handled very well, no problems. I  
16          do believe the citizens of Scranton should have  
17          that same right and accessibility as any other  
18          person who gets to speak live at a council  
19          meeting.

20  
21          Mr. Gaughan tonight I would like a response to  
22          this --a direct answer --Will you allow the  
23          people who want to ask questions of council to  
24          be zoomed in and if not why not. Your reply  
25          previously that people can e-mail council

1 and we have been doing this all along--that is  
2 not an answer.

3  
4 Also how are we any different than any person  
5 you zoom in now? Explain how zooming those who  
6 are live during meetings any different than  
7 those of us who want to speak live. There  
8 actually is no difference. But I want to hear  
9 your thoughts on this.

10  
11 If you say no that will only go to show you do  
12 not want the people to be able to speak/  
13 live during a meeting. Which is not a good sign  
14 at all.

15  
16 I recently heard you mention a number of times  
17 how concerned you were Mr Gaughan about not  
18 wanting to go against the Administrative Code  
19 when you spoke about the police chief.

20  
21 Well you are certainly not too concerned about  
22 the Administrative Code when it comes to the  
23 handling of the money coming in from the  
24 citizens who pay their garbage fee. The city  
25 has been using this money to pay other city

1 bills-- which has nothing to do with the  
2 running of the Department of Public Works. In  
3 The City Administrative code it states this  
4 money collected from the citizens of Scranton  
5 for the garbage fee is only to be used to pay  
6 for the pickup of the garbage and all related  
7 items pertaining to the DPW. Nothing else. The  
8 city has been paying other city bills with  
9 this money for years.

10  
11 Now I want to know tonight are you going to  
12 stop this practice if you care so much about  
13 not going against the Administrative code as  
14 you say you do. I'd also like a response to  
15 this tonight.

16  
17 Another matter about your 2 A classification of  
18 the city. It was mentioned that there has been  
19 many legislative revisions to allow Scranton to  
20 stay 2 A.

21  
22 I would like you to provide me with every one  
23 of those legislative revisions in writing.  
24 To me the law is the law. You should not be  
25 changing the law to help the city keep getting

1 more money in ways they would not be getting if  
2 they were not a 2A city.

3  
4 It seems you are constantly following laws you  
5 want and ignoring those you don't want. And NO  
6 I do not want to do a right to know-- You work  
7 for us. I would appreciate it if you would get  
8 those legislative revisions and I will gladly  
9 pick them up and pay for them.

10  
11 I asked three questions tonight - since you  
12 read my letter before the meetings you have  
13 plenty of time to get me replies.

- 14 1. Zooming into meeting  
15 2. Administrative code why are you using money  
16 to pay city bills from garbage fee money when  
17 it is only to be used for DPW matters. Are you  
18 going to stop this practice?  
19 3. Will you please get me copies of any and all  
20 legislative revisions to keep Scranton a 2 A  
21 city?

22  
23 (Concludes public comment letters as  
24 submitted to Council.)

25

1 MS. REED: And that is all.

2 MR. GAUGHAN: Thank you, Mrs. Reed.  
3 On the question, anyone on the question? A  
4 couple comments, for Miss deBarros, I don't  
5 believe that if City employees owe back taxes  
6 or refuse fees that they're charged like  
7 everyone else.

8 There was a grace period for the  
9 refuse fee that Council passed but that was  
10 just to help people out generally due to the  
11 pandemic. But we'll followup on that.

12 MR. DONAHUE: Councilman Gaughan,  
13 just to add to that too, I know I did bring  
14 that when all that hit the paper about the  
15 employees owing about garnishing wages and I  
16 was told that that was not an option. It  
17 wasn't a legal option to take.

18 MR. GAUGHAN: Okay. Great. Thank  
19 you. Mrs. Franus's questions we'll just check  
20 through these three. Number one, Zooming into  
21 the meeting. My answer to that is no. As I've  
22 stated before, the current setup of these  
23 meetings is going to continue until we can get  
24 back to Council chambers which I'm hopeful we  
25 can do within the next few months due to the

1           vaccinations, the max vaccinations that are  
2           going on.

3                       And that seems to be improving as  
4           every day goes on. We're doing the absolute  
5           best that we can to conduct the business of the  
6           City. And that's of the utmost importance to  
7           me and I know to my fellow colleagues. We're  
8           here to conduct the business of the City.

9                       Anyone who has any questions, anyone  
10          throughout the City could e-mail them to our  
11          City Clerk. We will read them as we just read  
12          Miss Franus's into the record and we will  
13          answer them as best we can. If we don't have  
14          an answer the night of the meeting we will get  
15          back to them with an answer if we can get one.

16                      So the other point I want to make on  
17          that is we're fulfilling all of our duties, all  
18          of our duties under the Sunshine Act and  
19          actually going above and beyond what the  
20          Sunshine Act calls for. So the answer to that  
21          question is no. The answer to that is not  
22          going to change.

23                      These meetings are run efficiently.  
24          We are allowing for public comment. And that's  
25          the way it's going to be until we get back into

1 the Council Chambers, which I hope is soon.

2 Number two, on the Administrative  
3 Code, why is the City using money to pay City  
4 bills from garbage fee money? This has been  
5 something that has come up before. That's  
6 actually a function of the administration. And  
7 there's also -- that question should go to the  
8 Business Administrator and the Mayor.

9 And number two, the trash fee -- the  
10 whole trash fee issue is currently under  
11 litigation. And I think that issue is part of  
12 that. So I'm not going to comment on that.

13 And number three, will I please get  
14 copies of any and all legislative revision to  
15 keep Scranton a 2A city. I'm not going to do  
16 that either. So the answer to that is no.  
17 Those revisions would come from the state. So  
18 Miss Franus could contact her state  
19 representative for that information.

20 That wouldn't be housed I don't  
21 think in our office. Anyone else on the  
22 question? All those in favor signify by saying  
23 aye.

24 MR. SCHUSTER: Aye.

25 MR. MCANDREW: Aye.

1 MR. DONAHUE: Aye.

2 MR. GAUGHAN: Aye. Opposed? The  
3 ayes have it and so moved.

4 MS. REED: FIFTH ORDER. 5-A.  
5 MOTIONS.

6 MR. GAUGHAN: Councilman Schuster,  
7 any motions or comments tonight?

8 MR. SCHUSTER: I do have some  
9 comments. I'm going to make them on the  
10 question though in Fifth Order.

11 MR. GAUGHAN: Thank you. Councilman  
12 McAndrew, any motions or comments?

13 MR. MCANDREW: I do. So I've been  
14 bringing up this situation over here on Main  
15 Avenue in West Side. So we all got an e-mail.  
16 And it addressed a piece of it. There's two  
17 pieces that I think we need to circle around  
18 and maybe go back.

19 And I want to thank Mrs. Cipriani  
20 for, you know, updating us and she's, you know,  
21 for the most part it says vehicles no longer  
22 block an alley at 1218 Main Street. And that's  
23 the Luxury Auto. But the issue with the  
24 service garage -- there's a little confusion.

25 So the alley you're referring to is

1 the alley next to the service garage with no  
2 name which is 1350. All right. That's where  
3 there's more problems. So there's two pieces  
4 here. The car dealership which like I said  
5 there's a hundred cars and there should be  
6 five.

7 So my question still lies where --  
8 are two entities violating just parking? I'm  
9 not even saying off-street parking. That's a  
10 problem. Residents don't own the parking  
11 spots. But the amount of cars that are at  
12 these two business is beyond ridiculous.

13 Like, I never seen anything like it.  
14 So I think, you know, maybe I wasn't clear  
15 enough. I'm trying to be clear now that the  
16 issues have not been resolved or addressed.  
17 Maybe they're allowed that many cars. I just  
18 need to know that.

19 And are these cars that are  
20 overflowing in front the neighbors' houses with  
21 all these different plates from all over the  
22 country, they are not residents there. But  
23 these two places -- that same owner are parking  
24 at the garage in the neighborhood and parking  
25 off the car lot.



1 overtime in the Law Department, no money spent.  
2 So why all of a sudden are we spending overtime  
3 in the Law Department?

4 Same thing with DPW administration.  
5 There's money budgeted. There's money -- we're  
6 over budget by \$200 as I mentioned earlier.  
7 I'm assuming it's because of the snowstorm.  
8 But I think we have to ask the question as to  
9 why all of a sudden supervisors are -- I'm  
10 assuming it's supervisors eligible for or  
11 getting overtime.

12 Again, as I mentioned earlier, I  
13 looked back at the previous budgets from 2015  
14 to 2019, there was never any money, number one,  
15 budgeted and for the most part, never any money  
16 spent. So I'd just like to know if there is a  
17 new policy. If there is, what is it? Can we  
18 be provided with it?

19 And what has changed from the last  
20 five or so years when we weren't spending any  
21 money there. Number two, we received a  
22 document that will be in Third Order next week.  
23 I had asked for quite some time now. This  
24 spans two administrations just for an update on  
25 all of the Act 47 recommendations that are

1           located in our Recovery Plan.

2                       I have been looking for an update on  
3 this like I said for at least four or five  
4 years and I could never get one for whatever  
5 reason. I want to thank the administration and  
6 Carl Deeley. They put together a very helpful  
7 document that clearly shows where we made  
8 progress and what is ongoing in terms of the  
9 recommendations.

10                      And there's a lot of them. And as I  
11 mentioned before, some of them I think are  
12 crucial to achieve before we exit Act 47. Now,  
13 so that document will be coming or will be in  
14 Third Order next week for anyone who is  
15 interested.

16                      And I know there have been some  
17 citizens in the past who have asked for that as  
18 well. We met again on Third Avenue, the issue  
19 out on Third Avenue with -- Councilman Donahue  
20 and I met with members of the administration.  
21 So there are some discussions going on there  
22 about the potential to somewhat alleviate that  
23 issue.

24                      So hopefully within the next few  
25 weeks -- within the next two or three weeks

1           there will be more information coming on that  
2           hopefully in terms of legislation.

3                     I received -- and I think I  
4           mentioned this last week an e-mail from a  
5           gentleman on the top of Ferdinand Street. He  
6           sent me pictures and videos of the fact that  
7           there are people up at the top of Ferdinand  
8           Street in North Scranton that have lost a day  
9           or two of work -- actually more than that  
10          because there's runoff from the top of  
11          Ferdinand Street.

12                    And it literally encases the street  
13          in ice. I reached out to the DPW Director  
14          Mr. Preambo. He reached out to this gentleman  
15          and they're going to try to take care of that  
16          issue. But it is still ongoing. And it's a  
17          real shame because it's affecting a lot of  
18          people up there. So hopefully that gets taken  
19          care of as soon as possible.

20                    I also wanted to just touch on the  
21          caucus that we had tonight. First with Tom  
22          McLane, I want to thank Tom McLane for coming  
23          in. He does a really wonderful job for the  
24          City of Scranton in terms of our park system.

25                    I've said this many times here

1           before. Our parks in Scranton our are biggest  
2           assets. I live across the street from one.  
3           And the fact that we're taking on this  
4           comprehensive park analysis is a huge benefit,  
5           huge benefit to the City.

6                     And it shows foresight and forward  
7           thinking because as Mr. McLane said, we'll be  
8           able to pull the park study off the shelf and  
9           go right into the grant process rather than  
10          going through the motions that could take  
11          potentially months.

12                    There are several parks throughout  
13          the City, one of them being Oakmont. And I've  
14          met with the neighbors up in that area at the  
15          park previously that needs a lot of TLC. So  
16          I'm hopeful that this comprehensive study is  
17          going to set us on track to over a period of  
18          time repairing and replacing some of the things  
19          in these parks making them the center point and  
20          the centerpiece for these neighborhoods  
21          throughout our City which I think is so  
22          important.

23                    So again, I want to thank Mr. McLane  
24          and his company for their work on that and I'm  
25          looking forward to the final study. The second

1           thing I wanted to touch on is the caucus we had  
2           with representatives from MKDS and Eileen  
3           Cipriani our OECD Director and who else was  
4           there now I'm drawing a blank -- Bob Gattens  
5           the Recreation Authority Chairman and Paul  
6           Kelly the Solicitor.

7                         There's an old saying that the time  
8           to fix the roof is when the sun is shining. I  
9           think that's applicable in this case. I'm a  
10          little disappointed that the Mayor and her  
11          administration knew that, you know, this -- the  
12          pool was an issue way back last year.

13                        I don't think you could use the  
14          pandemic as an excuse. Last year would have  
15          been the perfect opportunity to at least start  
16          the ball rolling on this whole process. There  
17          was meetings. I was in the pool in the early  
18          summer and saw how bad it was.

19                        I mentioned it at Council meetings.  
20          I met with the Mayor and the Business  
21          Administrator about it. And for some reason it  
22          took until late last year when we had to pass  
23          emergency legislation to get the study rolling.  
24          And now we're up against a really tight  
25          timeline.

1                   So again, I'm just disappointed. As  
2                   Mr. Gattens said I do think -- we have to be  
3                   honest. I do think that the City dropped the  
4                   ball on this. In saying that, I do think  
5                   there's huge opportunity here.

6                   We're looking at a major challenge  
7                   with all the issues that were outlined in this  
8                   report. But I do think there is a major  
9                   opportunity. Mr. Gattens mentioned Mayor Walsh  
10                  from so many years ago that was kind of a  
11                  pioneer in many respects in some of the things  
12                  that he did.

13                  And he made an investment in the  
14                  park. He made investments in other parts of  
15                  the City. Sometimes they were controversial  
16                  and people didn't like that. But we could see  
17                  the fruits of that decades later on what he was  
18                  able to do.

19                  So I think with the -- that the pool  
20                  complex gets an opportunity for us to make an  
21                  investment and an asset that we have. And I  
22                  think we need to do it the right way. I don't  
23                  think we could continue to put Band-Aids on the  
24                  pool.

25                  But I do think that we need to make

1           sure that it's done and it's done as quickly as  
2           possible. I'm looking forward to the end of  
3           the month when we'll receive more concrete  
4           figures on what the price tag is.

5                        But based on the assessment -- and I  
6           think the cost was 1.6 million just to fix  
7           what's there and they're talking about  
8           potentially completely replacing the pool if we  
9           want to do it the right way. I think it's  
10          probably going to be much more than that based  
11          on what they said tonight.

12                       I'm a little concerned about where  
13          we're going to get the funding for matching --  
14          to match the grant, the DCNR grant. As I said  
15          to Mrs. Cipriani, I don't think we should put  
16          all of our eggs in one basket waiting for a  
17          grant.

18                       We want to make sure this pool is  
19          open as soon as possible. I'm deeply  
20          disappointed that from what they said it can't  
21          be opened this summer. I think maybe there was  
22          the potential it could have been if we moved  
23          quicker when we knew this was an issue last  
24          year.

25                       But at this point, that's neither

1 here nor there. I'm also concerned about --  
2 we're always concerned about the gorge. The  
3 one thing I thought about today when I was  
4 reading the report was if this pool is not open  
5 will that push more people up to the gorge.

6 I know that they took some steps  
7 last year to put security cameras up there.  
8 Hopefully that continues to help the situation.  
9 But I think that's a concern. The other  
10 concern I have is with the pool -- with the  
11 deep pool without a slide.

12 Every day that that goes not being  
13 filled in, I think exposes young people that  
14 are up there -- anyone who's up there that  
15 anybody hops that fence and falls in it's a 13  
16 or 14-foot drop. So I'm looking forward to  
17 that being filled in and taken care of as Mrs.  
18 Cipriani mentioned.

19 As I mentioned during the caucus, I  
20 think we need to look at not just grants, I  
21 think we need to look at potential borrowing  
22 whether there's something that we could do with  
23 the Recreation Authority to go out and to  
24 potentially borrow these funds to fast track  
25 this project looking maybe at the capital

1 budget and reallocating there if that's a  
2 possibility.

3 Or one of the ideas I had earlier  
4 today was potentially using some proceeds from  
5 the refinancing if that's a possibility adding  
6 a capital component to the refinancing. The  
7 interest rates as everybody knows are really  
8 low right now. So if you could refinance and  
9 get a rate that comparable, it might be better  
10 to do that than to borrow the money.

11 So again, I think challenge,  
12 disappointment but chance for an opportunity  
13 here to make a huge difference there, to do it  
14 the right way and then 40 to 50 years from now  
15 we'll still have a pool that's operational and  
16 that's not cracking and leaking everywhere.

17 So I'm looking forward to continued  
18 conversations and discussions with the  
19 administration. And that's all I have. Mrs.  
20 Reed?

21 MS. REED: Thank you. 5-B. FOR  
22 INTRODUCTION - AN ORDINANCE - AMENDING FILE OF  
23 THE COUNCIL NO. 8, 1987, AN ORDINANCE ENTITLED  
24 "AMENDING FILE OF THE COUNCIL NO. 87, 1976  
25 ENTITLED AN ORDINANCE ENTITLED 'PROVIDING

1 FOR THE LEVY AND COLLECTION OF A LICENSE FOR  
2 ALL PERFORMERS, ENTERTAINERS, SPORTING TEAMS,  
3 MUSICAL GROUPS, BANDS, THEATRICAL  
4 CAST, DANCING GROUPS, RECITAL GROUPS, PAID  
5 LECTURERS AND SPEAKERS BY INCREASING FEES'' TO  
6 DECREASE THE FEES DUE TO THE COVID-19 PANDEMIC.

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

10 MR. DONAHUE: So moved.

11 MR. SCHUSTER: Second.

12 MR. GAUGHAN: On the question?

13 MR. MCANDREW: I'd just like to say  
14 that I'm glad to see there's some relief. I  
15 know we've talked about for a few weeks. Billy  
16 or Mr. Gaughan, you brought it up initially.  
17 I'm glad that, you know, we came to a little  
18 consensus here with the City, you know, to  
19 reduces these fees. And I'm glad and happy to  
20 vote on this all the way through.

21 MR. GAUGHAN: Thank you. Anyone  
22 else on the question? I agree, Mark. This was  
23 an idea that I had after speaking to a local  
24 business owner that's actually in my  
25 neighborhood who mentioned it to me.

1                   And I think it makes it more  
2                   affordable, more economical, especially with  
3                   the pandemic and the fact that our small  
4                   business owners are facing an uphill battle.  
5                   And many of them are not available to have  
6                   entertainment like they usually would. And  
7                   that's where they make some of their money.

8                   So hopefully this -- it's not going  
9                   to solve everything. But hopefully it allows  
10                  them to bear the burden a little bit more.  
11                  Anyone else? All those in favor of  
12                  introduction signify by saying aye.

13                  MR. SCHUSTER: Aye.

14                  MR. MCANDREW: Aye.

15                  MR. DONAHUE: Aye.

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

18                  MS. REED: 5-C. FOR INTRODUCTION -  
19                  AN ORDINANCE - AMENDING FILE OF THE COUNCIL  
20                  NO. 70, 2016, AN ORDINANCE, "AUTHORIZING THE  
21                  CREATION OF AN EVENT LICENSE TO ALLEVIATE THE  
22                  DIRECT EXPENSE TO PEDDLERS AND TO ALLOW A MORE  
23                  EFFICIENT OPERATION OF VARIOUS EVENTS IN THE  
24                  CITY, AND IMPOSING AN EVENT LICENSE FEE  
25                  SCHEDULE" TO DECREASE THE FEES DUE TO THE

1 COVID-19 PANDEMIC.

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

5 MR. DONAHUE: So moved.

6 MR. SCHUSTER: Second.

7 MR. GAUGHAN: On the question? All  
8 those in favor of introduction signify by  
9 saying aye.

10 MR. SCHUSTER: Aye.

11 MR. MCANDREW: Aye.

12 MR. DONAHUE: Aye.

13 MR. GAUGHAN: Aye. Opposed? The  
14 ayes have it and so moved.

15 MS. REED: 5-D. FOR INTRODUCTION -  
16 AN ORDINANCE - AMENDING FILE OF THE COUNCIL  
17 NO. 33, 2013, AN ORDINANCE, "AMENDING SECTIONS  
18 340-1, 340-8, 340-9 AND 340-13(A) OF THE CODE  
19 OF THE CITY OF SCRANTON GOVERNING PEDDLING AND  
20 SOLICITING WITHIN THE CITY OF SCRANTON"  
21 BY FURTHER AMENDING THE ADMINISTRATIVE CODE  
22 SECTION 340-13(A) TO DECREASE THE FEE BY 20%  
23 DUE TO THE COVID-19 PANDEMIC.

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

1           into its proper committee.

2                   MR. DONAHUE:   So moved.

3                   MR. SCHUSTER:   Second.

4                   MR. GAUGHAN:   On the question?  All  
5 those in favor of introduction signify by  
6 saying aye.

7                   MR. SCHUSTER:   Aye.

8                   MR. MCANDREW:   Aye.

9                   MR. DONAHUE:   Aye.

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

12                  MS. REED:   5-E.  FOR INTRODUCTION -  
13 A RESOLUTION - APPROVING A SPONSORSHIP  
14 AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF  
15 ENVIRONMENTAL PROTECTION FOR THE MEADOW BROOK  
16 FLOOD PROTECTION PROJECT.

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

20                  MR. DONAHUE:   So moved.

21                  MR. SCHUSTER:   Second.

22                  MR. GAUGHAN:   On the question?

23                  MR. SCHUSTER:   On the question, so  
24 while this is in Fifth Order, I wanted to get  
25 the conversation started.  I'm very glad to

1           hear this project is happening. It's been a  
2           very long time. And with that said, this  
3           project here is going to take several years.  
4           And in the time that's it's going to take, I  
5           think some of the neighbors there are looking  
6           for some kind of temporary fix for their  
7           backyards. So I'd like to ask Mrs. Reed and  
8           the Council for support on this.

9                         But maybe we'll get a letter sent  
10           over to the administration about finding some  
11           kind of temporary fix as the spring and summer  
12           months are coming for these neighbors whether  
13           it be bringing in some dirt or planting some  
14           grass, something like that to alleviate maybe  
15           the eyesore in their yards.

16                        MR. GAUGHAN: Thank you. Anyone  
17           else on the question? Just two things, first  
18           of all, this is a final fix to this issue that  
19           has been plaguing this area of the City for  
20           decades. We need to vote on this agreement to  
21           lay out the responsibilities for both the City  
22           and DEP.

23                        One of the City's responsibilities  
24           and we'll hear from Don King and Joe O'Brien  
25           next week would be to take the right of ways,

1 negotiate them, get clear title to the land,  
2 things like that. So there's a lot that goes  
3 into this project even before a shovel can hit  
4 the ground.

5 But this -- it's going to be a  
6 longer process than I know most people would  
7 like. This is the first step to make sure that  
8 this is fixed and fixed for good. So I'm  
9 looking forward to voting on this and putting  
10 this issue to bed eventually once and for all  
11 and helping the neighbors up there with their  
12 unbelievable situations that they've had to go  
13 through.

14 I've talked to many of them, Al  
15 Young and his wife. It's a shame what's  
16 happened but this is the ultimate fix.  
17 Anyone else? All those in favor of  
18 introduction signify by saying aye.

19 MR. SCHUSTER: Aye.

20 MR. MCANDREW: Aye.

21 MR. DONAHUE: Aye.

22 MR. GAUGHAN: Aye. Opposed? The  
23 ayes have it and so moved.

24 MS. REED: 5-F. FOR INTRODUCTION -  
25 A RESOLUTION - ACCEPTING A DONATION

1 PRESENTED TO THE CITY OF SCRANTON FIRE  
2 DEPARTMENT FROM THE CLIFFORD TOWNSHIP VOLUNTEER  
3 FIRE COMPANY IN THE AMOUNT OF \$100.00 IN MEMORY  
4 OF SCRANTON FIREFIGHTER STEPHEN SUNDAY.

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

8 MR. DONAHUE: So moved.

9 MR. SCHUSTER: Second.

10 MR. GAUGHAN: On the question? All  
11 those in favor signify of introduction by  
12 saying aye.

13 MR. SCHUSTER: Aye.

14 MR. MCANDREW: Aye.

15 MR. DONAHUE: Aye.

16 MR. GAUGHAN: Aye. Opposed? The  
17 ayes have it and so moved.

18 MS. REED: 5-G. FOR INTRODUCTION -  
19 A RESOLUTION - ACCEPTING A DONATION  
20 PRESENTED TO THE CITY OF SCRANTON FIRE  
21 DEPARTMENT FROM TOM HESSER CHEVROLET/BMW IN THE  
22 AMOUNT OF \$1,514.00.

23 MR. GAUGHAN: At this time I'll  
24 entertain a motion that Item 5-G be introduced  
25 into its proper committee.

1 MR. DONAHUE: So moved.

2 MR. SCHUSTER: Second.

3 MR. GAUGHAN: On the question? All  
4 those in favor of introduction signify by  
5 saying aye.

6 MR. SCHUSTER: Aye.

7 MR. MCANDREW: Aye.

8 MR. DONAHUE: Aye.

9 MR. GAUGHAN: Aye. Opposed? The  
10 ayes have it and so moved.

11 MS. REED: 5-H. FOR INTRODUCTION -  
12 A RESOLUTION - AUTHORIZING THE MAYOR AND  
13 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND  
14 ENTER INTO A CONTRACT FOR THE RE-BID SIMULATOR  
15 AREA IMPROVEMENT PROJECT BETWEEN THE CITY OF  
16 SCRANTON AND SEAN BYRNE CONSTRUCTION FOR  
17 GENERAL CONTRACTING WORK.

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

21 MR. DONAHUE: So moved.

22 MR. SCHUSTER: Second.

23 MR. GAUGHAN: On the question? On  
24 the question, we're going to insert next week  
25 or Lori will send out the legislative cover

1 sheet which was mistakenly excluded from this  
2 piece of legislation. So that does just give  
3 an overview of what this project entails.

4 And then next week members --  
5 representatives of the administration are going  
6 to come to caucus and do a run through of this  
7 whole project at the Serrenti Center.

8 But the long and short of it is that  
9 they're going to install a public safety  
10 simulator that simulates the use of force,  
11 crisis management, de-escalation and tactical  
12 judgment training. So this contract covers the  
13 construction and renovation of the space that's  
14 going to house the training simulator.

15 And I think the ultimate goal is to  
16 extend this to other communities, other police  
17 departments around our area so that they could  
18 use it and it could be a revenue generator  
19 eventually. So we'll get more information  
20 about that next week. Anyone else on the  
21 question? All those in favor of introduction  
22 signify by saying aye.

23 MR. SCHUSTER: Aye.

24 MR. MCANDREW: Aye.

25 MR. DONAHUE: Aye.

1 MR. GAUGHAN: Aye. Opposed? The  
2 ayes have it and so moved.

3 MS. REED: 5-I. FOR INTRODUCTION -  
4 A RESOLUTION - AUTHORIZING THE MAYOR AND  
5 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND  
6 ENTER INTO A CONTRACT FOR THE RE-BID SIMULATOR  
7 AREA IMPROVEMENT PROJECT BETWEEN THE CITY OF  
8 SCRANTON AND LEBER ELECTRIC, INC. FOR THE  
9 ELECTRICAL WORK.

10 MR. GAUGHAN: At this time I'll  
11 entertain a motion that Item 5-I be introduced  
12 into its proper committee.

13 MR. DONAHUE: So moved.

14 MR. SCHUSTER: Second.

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

18 MR. SCHUSTER: Aye.

19 MR. MCANDREW: Aye.

20 MR. DONAHUE: Aye.

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

23 MS. REED: SIXTH ORDER. 6-A.  
24 READING BY TITLE - FILE OF THE COUNCIL NO. 54,  
25 2021 - AN ORDINANCE - ESTABLISHING A "NO

1 PARKING" ZONE ALONG THE EASTERLY SIDE OF  
2 WYOMING AVENUE (S.R.3025) FROM SEGMENT 0000  
3 OFFSET 1292 TO SEGMENT 0020 OFFSET 1417 TO  
4 ALLOW FOR SAFE SIGHT DISTANCES FOR A PARKING  
5 LOT PROPOSED BY MILLER LOFTS LOCATED AT 620  
6 WYOMING AVENUE.

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

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

11 MR. SCHUSTER: Second.

12 MR. GAUGHAN: On the question? All  
13 those in favor signify by saying aye.

14 MR. SCHUSTER: Aye.

15 MR. MCANDREW: Aye.

16 MR. DONAHUE: Aye.

17 MR. GAUGHAN: Aye. Opposed? The  
18 ayes have it and so moved.

19 MS. REED: 6-B. READING BY TITLE -  
20 FILE OF THE COUNCIL NO. 55, 2021 - AN  
21 ORDINANCE - ESTABLISHING A "NO PARKING ZONE"  
22 ALONG THE WESTERLY SIDE OF THE 800 BLOCK OF  
23 WYOMING AVENUE FROM NEW STREET SOUTH  
24 TO WEST GIBSON STREET AND PLACEMENT OF THE  
25 FOLLOWING SIGNS: FOUR (4) R8-3 NO PARKING

1 SYMBOL SIGNS 12"X12", THREE (3) R-301  
2 NO PARKING ARROW PLAQUE AND ONE (1) R-301 NO  
3 PARKING LEFT ARROW PLAQUE.

4 MR. DONAHUE: I make a motion to  
5 correct an error as found in Item 6-B. The No  
6 Parking Zone along the 800 block of Wyoming  
7 Avenue references "West" Gibson Street;  
8 however, the correct location is "East" Gibson  
9 Street. There are four (4) references to  
10 "West" as follows: 1.) In the summary title;  
11 2.) In the second Whereas clause; 3.) In the  
12 third Whereas clause; and 4.) In the Now,  
13 Therefore clause, that should be amended to  
14 reflect "East."

15 MR. SCHUSTER: Second.

16 MR. GAUGHAN: There's a motion on  
17 the floor and a second to correct the  
18 directional location from West to East, as  
19 incorrectly cited in Item 6-B. On the  
20 question? I'm sure all the neighbors on West  
21 Gibson Street are thrilled with the correction.  
22 All those in favor signify by saying aye.

23 MR. SCHUSTER: Aye.

24 MR. MCANDREW: Aye.

25 MR. DONAHUE: Aye.

1 MR. GAUGHAN: Aye. Opposed? The  
2 ayes have it and so moved.

3 You've heard reading by title of  
4 Item 6-B. What is your pleasure?

5 MR. DONAHUE: I move that Item 6-B  
6 as amended pass reading by title.

7 MR. SCHUSTER: Second.

8 MR. GAUGHAN: On the question? All  
9 those in favor signify by saying aye.

10 MR. SCHUSTER: Aye.

11 MR. MCANDREW: Aye.

12 MR. DONAHUE: Aye.

13 MR. GAUGHAN: Aye. Opposed? The  
14 ayes have it and so moved.

15 MS. REED: SEVENTH ORDER. 7-A. FOR  
16 CONSIDERATION BY THE COMMITTEE ON RULES - FOR  
17 ADOPTION - FILE OF THE COUNCIL NO. 50, 2021 -  
18 AMENDING SECTION 709.G OF THE CITY OF SCRANTON  
19 ZONING ORDINANCE PROHIBITING SIGNS OR  
20 DISPLAYS THAT INCLUDE WORDS OR IMAGES THAT ARE  
21 OBSCENE, PORNOGRAPHIC, OR THAT AN AVERAGE  
22 REASONABLE PERSON WOULD FIND HIGHLY OFFENSIVE  
23 TO PUBLIC DECENCY.

24 MR. GAUGHAN: As Chairperson for the  
25 Committee on Rules, I recommend final passage

1 of Item 7-A.

2 MR. DONAHUE: Second.

3 MR. GAUGHAN: On the question?

4 MR. SCHUSTER: On the question,  
5 Kevin, can you just give a -- just a final  
6 review of the change? We talked about the open  
7 language was what caused the issue with this  
8 ordinance. But we still have the ability to  
9 enforce anything obscene, correct?

10 ATTY. HAYES: That's correct. The  
11 only thing we're removing is the subjective  
12 language that states or that an average  
13 reasonable person would find highly offensive  
14 to public decency.

15 We still have available the right to  
16 prohibit pornographic or other highly explicit  
17 signage. So that's the only thing that's being  
18 removed. The remaining sections -- the  
19 remaining portions of Section 609 and 610  
20 remain in place.

21 MR. SCHUSTER: Thank you.

22 ATTY. HAYES: No problem.

23 MR. GAUGHAN: Anyone else on the  
24 question?

25 MR. MCANDREW: Yes, on the question,

1           it feels like I've been voting on this for two  
2           months. Like, guess what, the more people --  
3           the longer we take for the final vote the more  
4           people I hear that have a problem with this.

5                        And I understand like I said, first  
6           of all, I'm not against -- I'm all for free  
7           speech and self expression. All right. But  
8           the problem I have with this is we're changing  
9           language for this ordinance. We're changing  
10          language because of language and now to allow  
11          language.

12                       All right, I still can't wrap my  
13          head around this because -- and I understand we  
14          tried to enforce it. And we were threatened  
15          with a lawsuit. So we said let's change the  
16          language. That's problem I have. We got to  
17          fight once in a while.

18                       And I have another -- so like I  
19          said, I've talked to people in the community  
20          and they still have a problem with that -- the  
21          Hispanic community over there. I mean, I just  
22          had a grandson. And what if I take a walk over  
23          in south side two years from now and I'm  
24          walking down past this restaurant and at that  
25          inquisitive age my grandson says what does that

1 mean? What does that word mean?

2 Do I tell him or not tell him? It  
3 means the "F" word. It's clearly been  
4 explained to me by everybody, Hispanic  
5 community. And I understand that, you know,  
6 the owner says it's an inside joke. With who?  
7 With his community?

8 Who is the joke on? Is the joke on  
9 the south side residents? Is the joke on me?  
10 Or is the joke on all of you. So like I said,  
11 my vote is one of principle. I think allowing  
12 this moving forward we open a can of worms, a  
13 number 10 can of worms that signs -- we're  
14 going to have issues with signs down the road.  
15 So for that like I stated a while now I'm a no.  
16 Thank you.

17 MR. GAUGHAN: I'm going to vote for  
18 this because I understand what Councilman  
19 McAndrew is saying. But my concern is that the  
20 joke is going to be on all of us if we all  
21 voted against this because the only people who  
22 will be laughing all the way to bank would be  
23 the lawyers from the ACLU and other attorneys  
24 who would make out on this just like the case  
25 that went -- I think it was Colts was involved

1 in some sort of case and they lost.

2 And based on the opinion that was  
3 provided by Solicitor O'Brien and confirmed by  
4 Solicitor Hayes if we were to all vote against  
5 this, we would most likely lose in court. And  
6 we would owe probably a substantial amount of  
7 money.

8 So that's my concern on voting for  
9 it. The law I think is clear on it. And if we  
10 don't change it, you know, we're up a creek  
11 without a paddle.

12 ATTY. HAYES: Mr. President. I just  
13 want to provide clarification. We will still  
14 have on the books an ordinance which reads as  
15 follows: The following signs are prohibited  
16 in all zoning districts signs or displays that  
17 include words or images that are obscene or  
18 pornographic.

19 So we're not removing that language.  
20 The only thing we're removing is that language  
21 which would permit us to make subjective  
22 determinations of what's offensive which I've  
23 reviewed and would be whether we like it or  
24 not, the appellate courts of the country --  
25 several different circuits have determined that

1           that type of restriction is a violation of the  
2           First Amendment.

3                   MR. GAUGHAN:  So it's safe to say  
4           that the City would be exposed here and we most  
5           likely end up being -- we'd be on the wrong  
6           side of the issue.

7                   ATTY. HAYES:  That's correct with  
8           that language.  Right or wrong if we tried to  
9           enforce that language, I think we would be --  
10          it would be overturned.  And like you said  
11          earlier, to the benefit of the civil rights  
12          lawyer who brought the claim.

13                   MR. DONAHUE:  Kevin, just a quick  
14          followup question on that.  Is there a strict  
15          definition of what's considered obscene?

16                   ATTY. HAYES:  In our -- hold on one  
17          second here.

18                   MR. GAUGHAN:  You're not pulling up  
19          any pictures or anything, are you?  This Zoom  
20          meeting would get really interesting.  I want  
21          to make sure we adjourn soon.

22                   ATTY. HAYES:  Hold on one second  
23          here.  I don't think we have any -- I don't  
24          believe the code has a specific definition of  
25          obscene.  But they have a definition of obscene

1 material. Let me pull it up here. Hold on one  
2 second. You know, there's a definition  
3 provided of obscene materials that probably  
4 would be used for purposes of applying it to  
5 the statute.

6 MR. DONAHUE: Okay.

7 MR. GAUGHAN: Anyone else on the  
8 question? Roll call, please.

9 MS. CARRERA: Mr. Schuster.

10 MR. SCHUSTER: Yes.

11 MS. CARRERA: Mr. McAndrew.

12 MR. MCANDREW: No.

13 MS. CARRERA: Mr. Donahue.

14 MR. DONAHUE: Yes.

15 MS. CARRERA: Mr. Gaughan.

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

18 MS. REED: 7-B. FOR CONSIDERATION  
19 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -  
20 FOR ADOPTION - RESOLUTION NO. 133, 2021 -  
21 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
22 OFFICIALS OF THE CITY OF SCRANTON TO  
23 ADOPT THE CITIZENS' PARTICIPATION PLAN FOR THE  
24 OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT.

25 MR. GAUGHAN: What is the

1 recommendation of the Chairperson for the  
2 Committee on Community Development?

3 MR. DONAHUE: As the temporary  
4 Chairperson for the Committee on Community  
5 Development, I recommend final passage of Item  
6 7-B.

7 MR. SCHUSTER: Second.

8 MR. GAUGHAN: On the question? Roll  
9 call, please.

10 MS. CARRERA: Mr. Schuster.

11 MR. SCHUSTER: Yes.

12 MS. CARRERA: Mr. McAndrew.

13 MR. MCANDREW: Yes.

14 MS. CARRERA: Mr. Donahue.

15 MR. DONAHUE: Yes.

16 MS. CARRERA: Mr. Gaughan.

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

19 MS. REED: 7-C. FOR CONSIDERATION  
20 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
21 RESOLUTION NO. 134, 2021 - APPOINTMENT OF  
22 LEONARD NAMIoTKA, 1130 PHILO STREET, SCRANTON,  
23 PENNSYLVANIA, 18508, TO THE POSITION OF  
24 SUPERINTENDENT OF POLICE FOR THE CITY OF  
25 SCRANTON EFFECTIVE FEBRUARY 17, 2021.

1 MR. GAUGHAN: As Chairperson for the  
2 Committee on Rules, I recommend final passage  
3 of Item 7-C.

4 MR. DONAHUE: Second.

5 MR. GAUGHAN: On the question? On  
6 the question, I'm going to make a motion at  
7 this time to table Item 7-C.

8 MR. DONAHUE: Second.

9 MR. GAUGHAN: On the question? On  
10 the question, I'm making this motion to table  
11 for a few reasons. Number one, this will be in  
12 Third Order next week for the public to take a  
13 look at. But the Mayor did respond to our  
14 letter last week that the -- stated our basic  
15 concern which was that the Administrative Code  
16 states very clearly that when you make a --  
17 someone -- when you appoint them in an acting  
18 capacity, you have 35 days to either send that  
19 legislation to Council so we could officially  
20 accept that appointment and make them permanent  
21 or, you know, you have to move onto somebody  
22 else.

23 And there is other language in there  
24 as well that we cited in our letter. So we had  
25 a few questions for Mayor Cagnetti on this.

1           And just for the record, we've been asking  
2           these questions for a while now. And we could  
3           never get an answer. So the Mayor sent us a  
4           response and didn't really in my opinion answer  
5           any of our concerns or any of our questions.

6                        It talked about turmoil in the  
7           country last summer and other things that  
8           really had nothing to do with in my opinion  
9           what we were asking which is very simply  
10          regarding the Administrative Code.

11                       So until we get a better  
12          explanation, I can't in good conscience move  
13          forward on this. As Councilman McAndrew and  
14          others stated last week, this is nothing to do  
15          with Chief Namiotka. I would be more than  
16          happy to approve this with no issues.

17                       But we need to make sure that we're  
18          following the rules here. The Mayor can't just  
19          make up her own rules as she goes along. The  
20          code clearly states 35 days and whether or not  
21          the Mayor likes that is neither here nor there.  
22          It doesn't matter if I like it. It's 35 days.

23                       That's what every other Mayor and  
24          every other administration has had to go by  
25          since the Administrative Code and that section

1 was put into place. So I'm still unclear where  
2 we're coming up or where they're coming up with  
3 the term interim. I'm still unclear on why it  
4 took that long.

5 And I don't want to vote in the  
6 affirmative and expose ourselves if this is not  
7 the legally correct thing to do. So that's why  
8 I'm making the motion to table. Anyone else on  
9 the question?

10 MR. DONAHUE: I would just like to  
11 add to that, you know, former Chief Graziano  
12 resigned about seven months ago I think to the  
13 date. I think it was around the middle of  
14 August. So I understand that, you know, 35  
15 days might not be enough.

16 But there was also an additional 30  
17 days from the time that the Chief announced his  
18 resignation until, you know, that resignation  
19 took into effect. So that essentially becomes  
20 65 days. And then also on that too is there's,  
21 you know, the weird part about the CBA with the  
22 police department is it clearly states in the  
23 CBA that the Chief has to come from the  
24 bargaining unit.

25 So it's not like, you know, you have

1 to go out and do this national search. You  
2 know, your pool is a little lower. So I would  
3 just like to make those two points too.

4 MR. GAUGHAN: Anyone else on the  
5 question?

6 MR. MCANDREW: Yeah, I just have one  
7 quick thing. So everybody knows where I'm at  
8 with this. And it's nothing personal like I  
9 said. Now that even brings it more than 150  
10 days. It's almost a school year, 180.

11 But I was very skeptical from the  
12 beginning when I saw interim instead of acting.  
13 I brought it up a couple of times. No one  
14 seemed to have the answer. I think it's  
15 tactical because that's -- looks like it's a  
16 part of the defense now going past 35.

17 So I'd like clarity on that once and  
18 for all what do these two words mean. They  
19 mean the same to me. Also what -- now, I heard  
20 something else brought to my attention. What's  
21 the 90 day rule? Okay, we know the 35 day  
22 rule. That's cut and dry.

23 Thirty-five days you have to  
24 appoint. What's the 90-day rule for a police  
25 officer who is in a position or say acting or

1           whatever that automatically becomes theirs,  
2           that position. Solicitor Hayes, can you just  
3           look at that for me?

4                     ATTY. HAYES: Sure.

5                     MR. MCANDREW: I have nothing in  
6           front of me. It was something that was brought  
7           to my attention. But supposedly within the  
8           police union there is a 90-day rule. All  
9           right. Can you explore that before we vote on  
10          this for final passage?

11                    ATTY. HAYES: Sure.

12                    MR. MCANDREW: Or whatever we're  
13          doing with it. Maybe it's something we need to  
14          look at also. Thank you.

15                    ATTY. HAYES: Okay.

16                    MR. GAUGHAN: And again, I want to  
17          make the point too that I don't think Council  
18          is trying to be difficult here. Usually these  
19          appointments are very routine. And we usually  
20          approve when we see someone's resume and we  
21          give our approval.

22                    But, you know, it raises a red flag  
23          with me when you ask the question and they just  
24          kind of blow you off and don't give you an  
25          answer. I've been down that road before and

1 I've asked it. I've raised it with the Mayor.  
2 We raised it with her pubically in a caucus and  
3 were told it's a personnel issue which -- it's  
4 an Administrative Code issue.

5 It's not a personnel issue. So  
6 again, I just want to make sure we're following  
7 the rules. That's all. Anyone else?

8 MR. SCHUSTER: Yeah, I mean, the  
9 last thing I'd like to say is I think each one  
10 of us here has said, you now, this is a process  
11 issue. We asked the question. We didn't get  
12 any answers. And it's something we brought up  
13 for a long time now. So nothing to do with the  
14 individual that this is involving but  
15 everything to do with process.

16 MR. GAUGHAN: Anyone else? All  
17 those in favor of the motion to table agenda  
18 Item 7-C signify by saying aye.

19 MR. SCHUSTER: Aye.

20 MR. MCANDREW: Aye.

21 MR. DONAHUE: Aye.

22 MR. GAUGHAN: Aye. Opposed? The  
23 ayes have it and agenda Item 7-C is tabled.

24 MS. REED: EIGHTH ORDER. Old  
25 Business. RESOLUTION NO. 120, 2021 -

1 ACCEPTING THE RECOMMENDATION OF THE HISTORICAL  
2 ARCHITECTURE REVIEW BOARD ("HARB") AND DENYING  
3 THE CERTIFICATE OF APPROPRIATENESS FOR L. R.  
4 COSTANZO CO., INC., 123 NORTH MAIN  
5 AVENUE, SCRANTON, PENNSYLVANIA 18504 FOR THE  
6 FOLLOWING UPGRADES TO SITE LIGHTING THROUGHOUT  
7 THE PROPERTY AT PNC BANK, 201 PENN AVENUE,  
8 SCRANTON, PA 18503.

9 MR. GAUGHAN: This piece of  
10 legislation is currently tabled as Mrs. Reed  
11 mentioned. Next week March 16th there's going  
12 to be a public hearing held at 5:45 p.m., on  
13 this piece of legislation.

14 Next week I'll also entertain a  
15 motion to place it in Seventh Order for a final  
16 vote. If anyone wishes to speak on this  
17 resolution or provide comment for the public  
18 hearing, you may do so by e-mailing  
19 Lreed@scrantonpa.gov or by U.S. mail at  
20 Scranton Municipal Building, 340 North  
21 Washington Avenue, Scranton, PA 18503,  
22 attention City Clerk's office by 3 p.m., next  
23 Tuesday, March 16th. If there is no further  
24 business, I will entertain a motion to adjourn.

25 MR. DONAHUE: Motion to adjourn.

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MR. GAUGHAN: This meeting is  
adjourned. Thanks everyone. See you next  
week.

MR. DONAHUE: Thank you.

MR. MCANDREW: Good night.

