

COUNCIL FOR THE CITY OF SCRANTON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HELD:

Tuesday, December 15th, 2020

LOCATION:

VIA ZOOM

Maria McCool, RPR
Official Court Reporter

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

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- WILLIAM GAUGHAN, PRESIDENT
- KYLE DONAHUE, VICE PRESIDENT
- MARK MCANDREW
- JESSICA ROTHCHILD
- THOMAS SCHUSTER

- LORI REED, CITY CLERK
- KATHY CARRERA, ASSISTANT CITY CLERK
- KEVIN HAYES, COUNCIL SOLICITOR

1 (Pledge of Allegiance.)

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

8 Let us also take a somber moment of
9 silence tonight for all of the people in our
10 community, in our country, in our world who
11 have passed away from the coronavirus.

12 This pandemic has turned our world
13 upsidedown. But we must remain hopeful and
14 strong. We continue to pray for the doctors,
15 nurses and researchers, 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. Okay, roll call, please, Miss Carrera?

25 MS. CARRERA: Mr. Schuster.

1 MR. SCHUSTER: Present.

2 MS. CARRERA: Mr. McAndrew.

3 MR. MCANDREW: Present.

4 MS. CARRERA: Dr. Rothchild.

5 DR. ROTHCHILD: Here.

6 MS. CARRERA: Mr. Donahue.

7 MR. DONAHUE: Here.

8 MS. CARRERA: Mr. Gaughan.

9 MR. GAUGHAN: Here. Thank you.

10 MR. DONAHUE: Thank you. I'd like
11 to make a motion to take from the table file of
12 the Council No. 35 of 2020.

13 DR. ROTHCHILD: Second.

14 MR. GAUGHAN: There's a motion on
15 the floor and a second to take from the table
16 file of Council No. 35 2020. This piece is
17 being taken from the table and placed in
18 Seventh Order for a final vote.

19 This is the operating budget for the
20 City for the calendar year 2021. On the
21 question? All those in favor signify by saying
22 aye.

23 MR. SCHUSTER: Aye.

24 MR. MCANDREW: Aye.

25 MR. DONAHUE: Aye.

1 DR. ROTHCHILD: Aye.

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

4 MR. DONAHUE: I would also like to
5 make a motion to take from the table Resolution
6 No. 49 of 2020.

7 DR. ROTHCHILD: Second.

8 MR. GAUGHAN: There's a motion on
9 the floor and a second to take from the table
10 Resolution No. 49 2020.

11 This piece of legislation authorizes
12 the City's DPW to accept the piece of equipment
13 provided by Keystone Sanitary Landfill. On the
14 question? All those in favor signify by saying
15 aye.

16 MR. SCHUSTER: Aye.

17 MR. MCANDREW: Aye.

18 MR. DONAHUE: Aye.

19 DR. ROTHCHILD: Aye.

20 MR. GAUGHAN: Aye. Opposed? The
21 ayes have it and so moved. Mrs. Reed, please
22 proceed with the reading of the minutes.

23 MS. REED: Thank you. THIRD ORDER.

24 3-A. CORRESPONDENCE RECEIVED FROM
25 CITY CONTROLLER DATED DECEMBER 2, 2020

1 REGARDING OVERTIME REPORT BY DEPARTMENT.

2 3-B. PORTNOFF LAW ASSOCIATES, LTD
3 PROPOSAL AND DISCLOSURE FORMS RECEIVED DECEMBER
4 1, 2020.

5 3-C. CHECK RECEIVED FROM POLISH
6 NATIONAL CATHOLIC CHURCH DATED DECEMBER 7, 2020
7 IN THE AMOUNT OF \$1,250.00 WHICH IS PAYMENT IN
8 LIEU OF TAXES.

9 3-D. CHECK RECEIVED FROM GOODWILL
10 AT NORTH GERALD T. LANGAN APTS DATED DECEMBER
11 7, 2020 IN THE AMOUNT OF \$2,262.00 WHICH IS
12 PAYMENT IN LIEU OF TAXES.

13 3-E. CORRESPONDENCE RECEIVED FROM
14 OECD EXECUTIVE DIRECTOR DATED DECEMBER 4 AND
15 DECEMBER 7, 2020 REGARDING COVID-19
16 REIMBURSEMENTS THROUGH LACKAWANNA COUNTY CARES
17 ACT FUNDING.

18 3-F. CORRESPONDENCE RECEIVED FROM
19 SCRANTON SEWER AUTHORITY (SSA) DATED DECEMBER
20 7, 2020 REGARDING BALANCE OF SSA ESCROW
21 ACCOUNTS.

22 3-G. CITY OF SCRANTON 2021
23 OPERATING BUDGET ADDITIONAL JOB DESCRIPTIONS
24 RECEIVED DECEMBER 4, 2020.

25 3-H. CORRESPONDENCE RECEIVED FROM

1 CITY COUNCIL SOLICITOR DATED DECEMBER 8, 2020
2 REGARDING PENNSYLVANIA AMERICAN WATER PROJECT
3 AT BIRCH STREET.

4 3-I. CHECK RECEIVED FROM COVENANT
5 PRESBYTERIAN CHURCH DATED DECEMBER 9, 2020 IN
6 THE AMOUNT OF \$1,000.00 WHICH IS PAYMENT IN
7 LIEU OF TAXES.

8 3-J. CORRESPONDENCE RECEIVED FROM
9 CITY COUNCIL SOLICITOR DATED DECEMBER 9, 2020
10 REGARDING SUGGESTED AMENDMENTS TO RESOLUTION
11 NO. 49, 2020 (ACCEPTANCE OF JOHN DEERE BACKHOE
12 FROM KEYSTONE SANITARY LANDFILL).

13 3-K. AMENDMENTS TO THE CITY OF
14 SCRANTON 2021 OPERATING BUDGET.

15 3-L. THE CITY'S SELF-INSURED
16 WORKERS' COMPENSATION PROGRAM RESERVE
17 ANALYSIS AND LOSS FORECAST, SELF-INSURANCE
18 RENEWAL APPLICATION RECEIVED DECEMBER 11, 2020.

19 MR. GAUGHAN: Thank you, Mrs. Reed.
20 Are there any comments on any of the Third
21 Order items? I just have one comment. On the
22 overtime report from the City Controller, I
23 mentioned this before but I still am concerned.

24 If you look at the report, we're
25 over nearly 300,000 in the police department in

1 overtime for a total of almost a million
2 dollars at this point. So I'm assuming by the
3 end of the year we'll be over a million dollars
4 in overtime.

5 Fire -- the Fire Department, we're
6 over almost 330,000. And the DPW
7 administration, there is only \$250 budgeted.
8 We spent almost \$4,500. So, you know, it's
9 amazing to me how we have trouble reining in
10 overtime costs year after year.

11 But we did okay last year. But this
12 year is -- we're over quite significantly.
13 Anyone else on comments on the Third Order
14 items? If not, received and filed. Do any
15 Council members have any announcements at this
16 time?

17 MR. MCANDREW: I do. I have two of
18 them. So tomorrow, Wednesday, December 16th,
19 our friends at Friends of the Poor will have a
20 drive through Christmas basket distribution.

21 It will be at Scranton High while
22 supplies last so no preregistration required.
23 All right. And then secondly, the West
24 Scranton High School senior class officers will
25 be hosting a winter donation drive.

1 They will be collecting canned
2 foods, coats, scarves, hats, mittens and travel
3 sized hand sanitizers. The canned foods will
4 go to St. Ann's and St. Patrick's food kitchen.

5 Winter attire will benefit Keystone
6 Mission and Northeastern Pennsylvania Youth
7 Shelter. Drop-offs will be held at the girls
8 gym at West Scranton High School the following
9 days:

10 January 6th from 12 to 3; 7th from
11 12 to 3; and January 8th from 12 to 3. Great
12 job, Invaders. That is all I have.

13 MR. GAUGHAN: Thank you. Anyone
14 else?

15 DR. ROTHCHILD: Yeah, I'd just like
16 to say I hope everyone is enjoying their
17 Hanukkah, so Happy Hanukkah. And next with
18 Christmas coming up too that everybody enjoys
19 the holidays and stays safe. And then I know
20 you mentioned earlier in our caucus about the
21 emergency declaration for the Mayor about the
22 impending snowstorm.

23 So if you're able to stay inside
24 while the snowstorm occurs and just try to keep
25 yourselves safe and healthy. And use good

1 volume mechanics when you're shovelling so you
2 don't have to see a physical therapist because
3 I get a lot of injuries from shovelling during
4 snowstorms. So be careful.

5 MR. GAUGHAN: Good point. Thank
6 you. Anyone else? I have one. There's an
7 event called Coats from Carol. It is going to
8 be held at 1739 Bundy Street which is St.
9 Stephen's Booster Club. The location of this
10 event changed from last year and previously
11 years. It was at the Marketplace at Steamtown.

12 It's now at the St. Stephen's
13 Booster Club, 1739 Bundy Street. They're
14 hosting a coat drive in honor of Carol Oleski
15 who many of us knew.

16 She was a member of the Scranton
17 School Board and a friend of a lot of people in
18 the City. So they are holding the coat drive
19 in honor of her for the children of the
20 Scranton Community. All ages are welcome.
21 December 19th -- it will be held December 19th
22 starting at 1 p.m. Children will receive a
23 free coat while supplies last.

24 CDC guidelines will be followed.
25 Masks are required. And it's being run by

1 Katrina Oleski, which is Carol's daughter.
2 And if you have any questions you can call her
3 at 570-780-2446. And I want to personally
4 thank Katrina.

5 Her father is the Director of
6 Licensing, Inspections and Permits in the City,
7 Tom. And this is a wonderful, wonderful thing
8 that they're doing and have done for the people
9 in the City of Scranton. It's amazing in
10 talking to -- I talked to Tom earlier today.

11 It's amazing how many children need
12 winter coats in the City that don't have winter
13 coats, don't have the resources to get them.
14 So this event really, really helps a lot of
15 people in the City.

16 So God bless them for putting this
17 on and taking the time to do something like
18 this. And that's the type of person that Carol
19 was.

20 Carol helped people throughout her
21 life. So this is just an extension of that in
22 her memory. So thank you. Mrs. Reed, Fourth
23 Order.

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

1 MR. GAUGHAN: Thank you. At this
2 time would someone please make a motion to
3 accept public comment from the following
4 individuals: Marie Schumacher and Fay Franus?

5 MR. DONAHUE: I make a motion to
6 accept public comment.

7 MR. SCHUSTER: Second.

8 MR. GAUGHAN: There's been a motion
9 and a second to accept public comment. Mrs.
10 Reed, will you please read the comments into
11 the record?

12 MS. REED: Thank you. The first
13 submission is from Marie Schumacher.

14 0 Why is the Public Hearing on the
15 2021 Budget not shown on the City's website?

16
17 0 Where are the answers to the
18 questions raised at the Public Hearing on the
19 2021 Budget?

20
21 0 It appears tonight's Meeting
22 reveals a large flaw in keeping the Public out
23 of your Meetings; that is, assuming the 2021
24 Operating Budget will be taken from the Table
25 and placed in Seventh Order and the Public will

1 have no means to comment on any revisions or
2 amendments.

3
4 0 An RFP was advertised in today's
5 Paper for a Nay Aug Pool Complex feasibility
6 Study. When we are soon expecting to receive a
7 Comprehensive Parks Study why is this RFP being
8 pulled out for separate action?

9
10
11 0 The Agenda for tonight's Meeting
12 was not posted on Council's website as of 8am
13 this morning. Why? Also, what is the Status of
14 the 2019 Audit and what steps are being taken
15 to ensure the 2020 Budget will arrive on time?

16
17 0 Regarding Delinquent Trash Fees I
18 have two questions I would like answered this
19 evening: (1) The 2020 Budget called for these
20 delinquencies to be bid out; why did this not
21 happen and (2) why has this City allowed
22 property owners to go years and years without
23 paying. It is painful that you can't figure out
24 how to do your job but are willing to make
25 fools out of those who do pay on time allowing

1 them to pick up the slack the City let slide
2 year after year.

3
4 0 I will conclude with an appeal
5 that you pay attention to what you are teaching
6 the next generation of potential property
7 owners. I took the time to take a ten year old
8 to the Courtright Hearing and sentencing to
9 teach him a lesson on what happens when you
10 break the rules. The Judge was not only lenient
11 he extolled that virtue of how thoughtful the
12 former Mayor had been by not forcing a jury
13 trial. Then came the former Mayor's arrival at
14 his detention center and was greeted with a
15 reduced sentence for good behavior before he'd
16 even served a day.

17
18 Of one thing I am confident, that
19 young man is smart and learned something but I
20 shudder to think what that may be. So, if you
21 have to play Santa to all those delinquent
22 property owners please consider the message you
23 are sending.

24
25 MS. REED: The second submission is

1 from Fay Franus as follows:

2 Council,

3 Why are we left in the dark on
4 December 15 2020 in regards to the budget that
5 may be passed tonight--who knows.

6 I have no idea if you will be
7 amending this budget or just letting it go
8 through as is.

9 I definitely want answers.

10 We have a right to know what is
11 actually happening with this budget.

12 If by chance you do change, alter.
13 Or amend this budget how can you do that
14 legally WITHOUT public input?

15 You have no agenda on your website
16 so are we to guess what you are doing?

17 Suppose you do move items to 7th
18 order do you really feel you can just get away
19 with that like everything else you do?

20 Where are our answers to our
21 questions on the public hearing of the budget?

22 I seriously want answers tonight --
23 in detail as to what is going on with this
24 budget.

25 I am surely hoping you will speak

1 about giving ECTV \$120,000 which they
2 rightfully deserve. Is this in the budget?

3 I never saw a budget like this ever.
4 Last week you still had no idea what was going
5 to be in the budget and here we are on final
6 day and we have not heard a peep out of you
7 about does it stay as it is--does it change?

8 When do you feel the people need to
9 know what you are doing? Sometimes? Never?

10 Another question I seriously need an
11 answer to tonight.

12 Is council going to approve a
13 contract for delinquent garbage fees to the
14 Portnoff firm? Kevin Buraks from Portnoff's
15 firm presented excellent proposals as to their
16 plans to go after delinquent garbage fees going
17 back to 2002.

18 I was very impressed with everything
19 they explained. The people who do pay will
20 finally get some hope that those who have not
21 paid will finally be held accountable, which is
22 wonderful news.

23 Last week Mr Gaughan stated he would
24 not approve Portnoff's contract unless they
25 included amnesty for the people who did not

1 pay, by knocking off their fees and penalties.

2 I wrote each of you a letter asking
3 you to NOT go along with Mr. Gaughan. I am
4 hoping you will all speak up tonight and not
5 stay silent as you often do.

6 This is too important an issue to
7 allow Mr. Gaughan to stop this contract.

8 Mr. Gaughan believes he can hold
9 Portnoff hostage until they do what he wants by
10 putting amnesty in their contract for those who
11 did not pay.

12 Mr Gaughan needs a rude awakening!

13 Mr. Guaghan and all of council
14 should consider the people who have paid their
15 garbage fees on time for years and how we paid
16 for those who did not.

17 You would be losing much money by
18 eliminating the fees and penalties. The people
19 who did not pay knew there would be fees and
20 penalties when they refused to pay.

21 They need to pay all they owe. The
22 Portnoff firm have done this work for decades.

23 I say give them this contract and
24 enough talk of helping the ones who never paid
25 for decades. Your priorities are messed up. I

1 know I will never vote for any council person
2 who goes along with Mr. Gaughan. On this
3 amnesty deal.

4 The people who did pay their fees
5 kept this city going. You should be thanking
6 us.

7 WE need a contract signed and ready
8 to go by December 31st when that collection
9 agency that Courtright hired will be finally
10 gone.

11 I will end with this. You are
12 getting away with so much --hardly ever
13 answering questions.

14 You have truly taken complete
15 advantage of the fact we can't be there to hold
16 your feet to the fire.

17 You must be loving this. No
18 transparency at council meetings.

19
20 (Public comment letters concluded as
21 submitted to Council.)

22
23 MS. REED: That concludes the
24 Citizens Participation.

25 MR. GAUGHAN: Thank you. Well, I

1 think it's safe to say that I'm not going to be
2 receiving a Christmas card from Miss Franus
3 this year, but that's okay. So we'll start
4 with Miss Schumacher's questions. And I
5 addressed this during the caucus. But I'll
6 address it again during the meeting because I
7 think it's important.

8 So her question about the agenda not
9 being posted on the City's website, the agenda
10 was not posted on the City's website for a very
11 specific reason. There was an issue with the
12 IT Department. Both Mrs. Reed and I were in
13 touch with the IT Department as soon as we
14 realized that it wasn't posted on the agenda
15 which was late Friday afternoon.

16 We were in constant communication
17 with Frank Switnicki who is the IT Director.
18 And he wrote the following Saturday morning:
19 He said there is an issue with the web hosting
20 provider. I can't upload the file to the site.
21 I've got a trouble ticket open with the
22 provider and I'm waiting on a fix.

23 As soon as it's fixed, the agenda
24 will be posted. And I will text you. This is
25 not something I can directly fix as I don't

1 control the server. It's a service that the
2 City pays for. And I have copy of that e-mail
3 in front of me now.

4 Now, obviously the agenda was not
5 posted on the City's website. It has not been
6 posted as of maybe an hour or two ago because
7 we kept checking because of that reason. So
8 there's an issue there with the server.

9 It's not some kind of, you know,
10 conspiracy that Council didn't want to share or
11 the administration or the IT Department didn't
12 want to share the agenda. There was a
13 technical issue and those things do happen.

14 The one thing that I can say is that
15 the agenda is posted every week for public
16 review not only on the City's website but also
17 in the Treasury Office on the first floor of
18 City Hall and in the foyer of City Hall.

19 That -- those directions on how to
20 access to the agenda are posted also in the
21 advertisements in the Scranton Times on
22 Thursday and on Sunday. Every week that is
23 posted. So if anyone, you know, because of
24 this technical mishap noticed that and wanted
25 to, you know, view the agenda or view any of

1 the backup including the amendments, they could
2 have gone down to the Treasurer's Office. They
3 could have called the Council office. We did
4 not receive any calls of that nature.

5 Also, I want to make this point that
6 last week -- at last week's meeting I announced
7 that we would be bringing the budget back. I
8 announced that we would be bringing the other
9 piece of legislation back as well to give the
10 public a heads-up. So I did do that in an
11 effort of transparency.

12 So these are not new things. These
13 have been done since -- mostly since the
14 pandemic had started. And we're in this new
15 world of doing everything over the computer.
16 So I think hopefully that answers that
17 question. In terms of the public questions --

18 MR. DONAHUE: Mr. Gaughan?

19 MR. GAUGHAN: Yeah.

20 MR. DONAHUE: I'm sorry. But can I
21 just add something just on that point just real
22 quick because we did put a lot of time into
23 putting together a document that, you know,
24 outlines the changes we made because I know
25 we've talked about it in the past when you just

1 read the amendments it's hard to follow along.

2 So I just want to make the point
3 that, you know, barring this technical issue
4 we're having with the server, it was our full
5 intent to put this up and have it fully
6 explained when it was sent along on Friday.

7 You know, we wouldn't have put --
8 once anyone has a chance to see the document,
9 it is pretty extensive. And it's legible in
10 terms of the entire budget line by line. So it
11 was our full intent for that to be up. We
12 wouldn't have put the time into, you know,
13 putting this together if that wasn't the case.

14 MR. GAUGHAN: Correct. Thank you.
15 That's a good point. The answer to the
16 questions raised at the public hearing on the
17 2021 budget, the Mayor and Carl Deeley, the
18 Business Administrator came and I thought they
19 answered the questions that were posed.

20 The ones that were not answered
21 Mrs. Reed is going to send again to the
22 administration. But they did come and
23 addressed whatever they could answer when they
24 came I think a week or two ago.

25 The RFP that was advertised in the

1 paper for the Nay Aug pool complex feasibility
2 study that Miss Schumacher mentions and she
3 asked when we're expected to receive a
4 comprehensive park study. That should coming
5 within the next few months.

6 I don't know and I don't have an
7 exact date for when that study is going to be
8 released. But I do know that the Nay Aug Pool
9 Complex feasibility study is something that
10 will be outside of the confines of the
11 comprehensive park study.

12 This is specific really to the pool.
13 So that is -- that is separate from what I'm
14 being told. And I already addressed the audit
15 in the caucus.

16 Also, regarding the delinquent trash
17 fees, Miss Schumacher asked the 2020 budget
18 calls for these delinquents to be bid out. I
19 think -- I believe she's referring to the
20 proposal that was talked about with the
21 previous administration in entering into an
22 agreement with a company who is a financing
23 method to sell off some of those delinquencies
24 and get money up front.

25 That is something that Councilman

1 Donahue and I had been pushing the
2 administration to do. They didn't agree with
3 it. And they didn't do it. And they had their
4 reasons. They had their reasons why they did
5 not think it was a good idea. And so there is
6 nothing we can do about that. That's up to
7 them. That's within their right as the
8 administration. So they did not do that.

9 Okay. As for Mrs. Franus, we'll
10 talk about ECTV when we get to the budget and
11 the amendments of the budget. I already
12 addressed her issue which was the same that
13 Miss Schumacher had with the agenda not being
14 posted.

15 And as to her comment with moving
16 items to Seventh Order and do we feel like we
17 can just get away with everything else that we
18 do, that just is bizarre. I announced last
19 week if everyone was paying attention what
20 items we were going to bring up tonight.

21 Again, there is no, you know, major
22 conspiracy going on here that anyone is trying
23 to pull the wool over anyone's eyes. So I
24 can't help change her thinking there. I've
25 already explained my position on Portnoff.

1 I'm not -- we're not trying -- I'm
2 not trying to hold anything up. If people
3 would like for this Council to be like previous
4 councils and just jam things through without
5 any thought -- without putting any thought into
6 what the implications would be moving forward
7 with an agreement that by all accounts will not
8 just be for a year based on the things that
9 we've all talked about then that's fine.

10 But I would prefer to really analyze
11 things and make sure that we're doing our due
12 diligence. And that means sometimes tabling
13 something and really taking a hard look at it
14 and asking questions and making sure again that
15 we're doing our due diligence.

16 So no one is holding anything
17 hostage here. We're making sure -- before we
18 enter into an agreement, it's the best
19 agreement for the City. And we can agree to
20 disagree about the grace period and if you want
21 to call it an amnesty period.

22 I've explained my position on that.
23 And I feel very, very strongly about it. And
24 when that comes back up I'll explain that
25 again. But I think it's a benefit to the

1 taxpayers. We haven't been able to collect
2 these fees for years and years and years.

3 We're going to continue to chase
4 them. And now we're going to give a private
5 company the opportunity again to do that. So I
6 was looking for middle ground there to try to
7 get revenue for the City next year which we
8 desperately need. And I think that was -- that
9 was it. Anyone else on the question?

10 MR. SCHUSTER: Mr. Gaughan, I'd just
11 like to say just to follow up with you. I
12 think taking a look at this contract, analyzing
13 the contract and improving mistakes that
14 occurred with the last contract is what we're
15 attempting to do.

16 And I think bringing some of this
17 money in, it will be brought into the City --
18 directly to the City without fees and other
19 things tacked onto it. And eventually that
20 private company will come in. And if it does,
21 the scope of their work will also be narrowed.

22 MR. GAUGHAN: I agree. Yeah, to me
23 it's common sense. But I understand the other
24 side of the argument. I really -- I do. I
25 understand it. I just think we're doing the

1 same thing over and over and over again. So I
2 think it's beneficial to offer up other ideas
3 and other ways of looking at things.

4 And we've done that and the
5 administration has been receptive to it. And
6 we're having our solicitor now continue to
7 alter the contract. And that will go back to
8 the administration. And we'll go through that
9 process and eventually we will have someone
10 collect the delinquent refuse fees.

11 We're just not going to jump, you
12 know, just because we have it in front of us.
13 We want to make sure it's a good deal for the
14 City. Anyone else?

15 DR. ROTHCHILD: Yeah, I just want to
16 add I feel -- I feel that we've been pretty
17 transparent with the budget. From previous
18 years it sounds like maybe the most transparent
19 or we've had the most involvement from the
20 administration that Council may have seen in
21 recent years.

22 We had numerous work sessions.
23 We've talked about pretty openly I think the
24 issues that each of us have with the budget.
25 You know, it is a shame that those amendments

1 owes \$300 for this past year who hasn't paid
2 because they are laid off and they're still
3 laid off, you know, I think that's -- that's
4 something different than the people who, you
5 know, knowingly avoid the fees for how many
6 years.

7 And, you know, we do need to be
8 careful about the contract that we're entering
9 into with Portnoff. I appreciate that -- that
10 we're looking into it and working with the
11 administration to just do our due diligence and
12 make sure that it's going to be the best deal
13 for the City.

14 And that's why I'm supportive of
15 tabling it. I did explain I think last week
16 that I was interested in seeing more of what
17 the administration had to say with regard to
18 Councilman Gaughan's ideas for the grace period
19 or amnesty period or whatever you want to call
20 it.

21 And I think we had talked to -- I
22 was looking for maybe to see what other cities
23 have done and what their successes might have
24 been in offering such a period. But we do need
25 a company either way to come in and to help us

1 get through millions of dollars in losses that
2 we've had over the years. So that's where I
3 stand on it.

4 MR. GAUGHAN: Okay. Thank you.
5 Anyone else? Okay. All those in favor signify
6 by saying aye.

7 MR. SCHUSTER: Aye.

8 MR. MCANDREW: Aye.

9 MR. DONAHUE: Aye.

10 DR. ROTHCHILD: Aye.

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

13 MS. REED: FIFTH ORDER. 5-A.
14 MOTIONS.

15 MR. GAUGHAN: Councilman Schuster,
16 any motion or comments at this time?

17 MR. SCHUSTER: Nothing at this time.

18 MR. GAUGHAN: Councilman McAndrew,
19 any motions or comments at this time? Sorry,
20 Mark, you're muted. And I think you froze for
21 a second.

22 MR. MCANDREW: Of course, whenever I
23 speak, right, so some hackers. Get on the IT,
24 will ya? All right. So I want to revisit a
25 complaint that was presented to me back in

1 November. Actually I brought it up at the
2 November 10th meeting. It was a property on
3 Lenahan Avenue, the 1200 block.

4 I don't have the actual address but
5 we have pictures. Mrs. Reed was kind enough to
6 forward all of this correspond to the LIPS
7 Department (audio interruption.)

8 MR. GAUGHAN: Mark, you froze again.
9 Give him a minute.

10 MR. MCANDREW: -- let's try to get a
11 followup.

12 MR. GAUGHAN: Mark --

13 MR. MCANDREW: What.

14 MR. GAUGHAN: Sorry, you froze. So
15 we missed probably the last 20 seconds of what
16 you said.

17 MR. MCANDREW: All right. So you
18 heard my piece about this property that
19 nothing's been done for a month, okay, you've
20 heard that. So, Mrs. Reed, you know, provide
21 some more correspondence of followup to see
22 where we're at with this property.

23 I understand there is processes and,
24 you know, there's procedures. But this person
25 reached out to me again and nothing has been

1 done. All right.

2 Secondly, I want to wish everybody a
3 Merry Christmas. This is our last meeting.
4 I'm not going to see you guys. Merry Christmas
5 to all of you. Merry Christmas to my, you
6 know, my colleagues, everybody out there.
7 Happen Hanukkah, happy Kwanzaa, whatever you
8 guys celebrate. I hope you have a ball; and
9 most of all, a very happy and healthy new year
10 for Christ's sake, right. So that is all I
11 have.

12 MR. GAUGHAN: Okay. Thank you. Dr.
13 Rothchild, any motions or comments?

14 DR. ROTHCHILD: Yeah, just a couple.
15 I -- I'm sorry. Oh, I just -- I wanted to
16 bring up over the weekend I had to stop over at
17 the post office that's on Lackawanna Avenue at
18 Steamtown. And we voted on an ordinance a few
19 months ago to add signage over there in order
20 for the trucks to not have to double park and
21 to prevent people from parking in the spot that
22 they need during certain periods of time when
23 they're dropping off or picking up.

24 And so while I stopped over there, I
25 noticed that their truck did still have to

1 double park because someone parked in their
2 spot. And the sign has been posted. I feel
3 that's it, you know, that it's pretty specific
4 and obvious.

5 But people still are not adhering to
6 it. And so I just want to remind the public to
7 read the signs and to adhere to them and to
8 avoid parking in that spot so that the USPS can
9 do their job with greater ease and lesser risk
10 because it is a safety issue for them to be
11 double parking and exiting their truck over
12 there on the busy Lackawanna Avenue.

13 So that was all I wanted to say.
14 And, yes, I agree with Councilman McAndrew. We
15 do -- we need a happy new year. So let's pray
16 for 2021 to be a better year for all. And
17 that's all. Thank you.

18 MR. GAUGHAN: Thank you very much.
19 Councilman Donahue, any motions or comments?

20 MR. DONAHUE: Oh, yeah, I just would
21 also just like to wish everyone a safe and
22 happy holiday season. And I'll save the rest
23 of my comments for agenda items.

24 MR. GAUGHAN: Thank you. I have a
25 few things. Mrs. Reed, if you could send

1 correspond, an e-mail, whatever to the
2 administration. I mentioned the overtime in
3 the beginning of the meeting. I would like an
4 explanation in writing, a justification for why
5 these departments are over in overtime.

6 So the Police Department as I
7 mentioned at the end of the year it looks like
8 we're probably going to be over a million
9 dollars in overtime there according to
10 Controller Murray's report.

11 The Fire Department, we're over
12 \$330,000. That's only going to go up until the
13 end of the year. DPW overall, I think we were
14 under budget. But in the administration line
15 item, we only budgeted \$250. Yet, \$4,427.21
16 has been accumulated.

17 So I would like a justification from
18 the Mayor and these department heads on why
19 we're spending money that was not budgeted and
20 why we're over budget.

21 MR. DONAHUE: Can I just add one
22 thing to that too? You know, in normal years
23 we have overtime that's reimbursable by given
24 things. So if we can just add onto that if
25 they're -- you know, 2020 is a different year

1 in terms of that.

2 But just to add to see if any of
3 that overtime cost was reimbursable and if we
4 got any of those reimbursements back.

5 MR. GAUGHAN: Okay. And the second
6 thing I would like, Mrs. Reed, again in writing
7 an actual dollar figure from the administration
8 on how much the City is ultimately going to
9 owe -- how much the City owes Northeast Revenue
10 Services at this moment.

11 Solicitor O'Brien had stated that we
12 might not owe them that much or the figure was
13 changing. I can't remember exactly what he
14 said when he was here. But I'd like to know,
15 you know, we're going to be parting ways with
16 them, thank God, at the end of December. And
17 are we going to owe them any money? And if so,
18 how much is it? So I would like an actual
19 dollar on that.

20 I mentioned that the -- we received
21 an update on the audit. Again, totally
22 unacceptable that it's December 15th and we
23 don't have an audit for 2019. We are getting
24 updates. We're still not there yet. The
25 administration is still not there yet.

1 I mentioned also that the Mayor
2 declared an emergency -- a City emergency from
3 6 a.m., Wednesday, December 16th to Friday,
4 December 18th at 6 p.m., due to the snowstorm.
5 We'll post that emergency declaration in Third
6 Order. And that will be for our next regular
7 meeting that we have.

8 So everyone will be able to see all
9 of the vendors that -- the vendors that the
10 City is going to need to use. And finally, I
11 want to -- I have to thank our City Clerk, Lori
12 Reed and our Assistant City Clerk, Kathy
13 Carrera for the work that they've done over the
14 past year.

15 No one could have ever, ever, ever
16 envisioned or expected that we would be facing
17 a pandemic that would alter everyone's lives --
18 personal lives, number one; and number two,
19 just absolutely completely alter the way that
20 we conduct City business.

21 And if you told me in 2019 that we'd
22 be having meetings virtually over a computer I
23 just would have laughed. I would have never
24 thought that that would be possible. So, you
25 know, Lori and Kathy have gone just above and

1 beyond in terms of number one, having to go
2 down to City Hall to still do their jobs in the
3 face of all of this craziness that's gone on
4 and to make these meetings run smoothly with --
5 really without a hitch.

6 And I think we were one of the first
7 cities in our region at least that jumped right
8 into Zoom. And really I think we only missed
9 one meeting back in March of last year. And
10 that was really thanks to Lori and Kathy.

11 So I just want to personally thank
12 them for keeping this -- keeping this running
13 very, very smoothly and all the work that
14 they've done.

15 I also want to thank our Solicitor
16 Kevin Hayes again. Under these circumstances
17 with trying to work remotely is difficult and
18 not being able to see people in person. And
19 he's done a really, really good job in looking
20 at each agreement with -- in great detail and
21 providing really sound legal advice. So I want
22 to thank Kevin as well.

23 And I just want to generally wish
24 everyone a Merry Christmas and hope everyone
25 stays safe. And I hope that we keep in mind

1 all the people in Scranton and Lackawanna
2 County and in our country that won't be
3 celebrating Christmas because they've lost
4 their lives to this virus and all the people
5 that I think about that are going to suffer
6 because they won't have their family with them.
7 They won't have their dad or mom or grandma or
8 grandpa, whatever it may be.

9 And Christmas and the holidays are
10 going to look a lot different this year. You
11 know, I know personally not getting together
12 with my family. Every Christmas Eve we'd be at
13 my parent's house. We're not going to do that
14 this year.

15 But there is hope. I mentioned it
16 consistently throughout the last few months.
17 We cannot, cannot, cannot lose hope. We now
18 have vaccines. You know, we're probably not
19 going to get them until the spring. But
20 they're here. And that's a miracle in it of
21 itself.

22 So we just have to stay vigilant.
23 We have to watch out for each other. We have
24 to watch out for our neighbors. And I think
25 that's what Scranton is known for is, you know,

1 picking people up when they're down and making
2 sure that the elderly in our community, those
3 who are less fortunate that we watch out for
4 them and we make sure that they're taken care
5 of during this time.

6 So and I have to thank the Mayor,
7 her administration, all the nonprofits in the
8 City, the different organizations who have
9 really, really stepped up. It's a frightening
10 thing when you see the people who are lining up
11 for food, the people who will line up for coats
12 for their children for Christmas.

13 So but again, I want to wish
14 everyone a Merry Christmas and hopefully this
15 time next year we'll be in a much, much
16 different position. Thank you. Mrs. Reed?

17 MS. REED: Thank you. 5-B. No
18 business at this time.

19 SIXTH ORDER. 6-A. No business at
20 this time.

21 SEVENTH ORDER. 7-A. FOR
22 CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR
23 ADOPTION - FILE OF THE COUNCIL NO. 38, 2020 -
24 AMENDING FILE OF THE COUNCIL NO. 6, 1976
25 ENTITLED "AN ORDINANCE (AS AMENDED) IMPOSING A

1 TAX FOR GENERAL REVENUE PURPOSES ON THE
2 TRANSFER OF REAL PROPERTY SITUATE WITHIN THE
3 CITY OF SCRANTON; PRESCRIBING AND REGULATING
4 THE METHOD OF EVIDENCING THE PAYMENT OF SUCH
5 TAX; CONFERRING POWERS AND IMPOSING DUTIES UPON
6 CERTAIN PERSONS, AND PROVIDING PENALTIES", BY
7 IMPOSING THE RATE OF THE REALTY TRANSFER TAX AT
8 TWO AND TWO TENTHS PERCENT (2.2%) FOR
9 CALENDAR YEAR 2021 AND THE SAME SHALL REMAIN IN
10 FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

11 MR. GAUGHAN: What is the
12 recommendation of the Chairperson for the
13 Committee on Finance?

14 MR. SCHUSTER: As the Chairperson
15 for Committee on Finance, I recommend final
16 passage of Item 7-A.

17 MR. DONAHUE: Second.

18 MR. GAUGHAN: On the question?

19 Roll call, please.

20 MS. CARRERA: Mr. Schuster.

21 MR. SCHUSTER: Yes.

22 MS. CARRERA: Mr. McAndrew.

23 MR. MCANDREW: Yes.

24 MS. CARRERA: Dr. Rothchild.

25 DR. ROTHCHILD: Yes.

1 MS. CARRERA: Mr. Donahue.

2 MR. DONAHUE: Yes.

3 MS. CARRERA: Mr. Gaughan.

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

6 MS. REED: 7-B. FOR CONSIDERATION
7 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -
8 FILE OF THE COUNCIL NO. 39, 2020 - AMENDING
9 FILE OF THE COUNCIL NO. 148, 1986, ENTITLED "AN
10 ORDINANCE AMENDING FILE OF THE COUNCIL NO. 98,
11 1976, AS AMENDED, AND IMPOSING A MERCANTILE
12 LICENSE TAX OF 2 MILLS FOR THE YEAR 1987 AND
13 ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN
14 CERTAIN OCCUPATIONS AND BUSINESSES THEREIN;
15 PROVIDING FOR ITS LEVY AND COLLECTION AND
16 FOR THE ISSUANCE OF MERCANTILE LICENSES;
17 CONFERRING AND IMPOSING POWERS AND DUTIES UPON
18 THE TAX COLLECTOR OF THE CITY OF SCRANTON; AND
19 IMPOSING PENALTIES EFFECTIVE JANUARY 1, 1987",
20 BY IMPOSING THE MERCANTILE LICENSE TAX AT ONE
21 (1) MILL (.001) FOR CALENDAR YEAR 2021 AND THE
22 SAME SHALL REMAIN IN FULL FORCE AND EFFECT
23 ANNUALLY THEREAFTER.

24 MR. GAUGHAN: What is the
25 recommendation of the Chairperson for the

1 Committee on Finance?

2 MR. SCHUSTER: As Chairperson for
3 the Committee on Finance, I recommend final
4 passage of 7-B.

5 MR. DONAHUE: Second.

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

8 MS. CARRERA: Mr. Schuster.

9 MR. SCHUSTER: Yes.

10 MS. CARRERA: Mr. McAndrew.

11 MR. MCANDREW: Yes.

12 MS. CARRERA: Dr. Rothchild.

13 DR. ROTHCHILD: 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 FINANCE - FOR ADOPTION -
21 FILE OF THE COUNCIL NO. 40, 2020 - AMENDING
22 FILE OF THE COUNCIL NO. 147, 1986, ENTITLED "AN
23 ORDINANCE PROVIDING FOR THE GENERAL
24 REVENUE BY IMPOSING A TAX AT THE RATE OF TWO
25 (2) MILLS UPON THE PRIVILEGE OF OPERATING OR

1 CONDUCTING BUSINESS IN THE CITY OF
2 SCRANTON AS MEASURED BY THE GROSS RECEIPTS
3 THEREFROM; REQUIRING REGISTRATION AND PAYMENT
4 OF THE TAX AS CONDITION TO THE CONDUCTING OF
5 SUCH BUSINESS; PROVIDING FOR THE LEVY AND
6 COLLECTION OF SUCH TAX; PRESCRIBING SUCH
7 REQUIREMENTS FOR RETURNS AND RECORDS;
8 CONFERRING POWERS AND DUTIES UPON THE TAX
9 COLLECTOR; AND IMPOSING PENALTIES", BY IMPOSING
10 THE BUSINESS PRIVILEGE TAX AT THE RATE OF ONE
11 (1) MILL (.001) FOR CALENDAR YEAR 2021 AND THE
12 SAME SHALL REMAIN IN FULL FORCE AND EFFECT
13 ANNUALLY THEREAFTER.

14 MR. GAUGHAN: What is the
15 recommendation of the Chairperson for the
16 Committee on Finance?

17 MR. SCHUSTER: As Chairperson for
18 the Committee on Finance, I recommend final
19 passage of 7-C.

20 MR. DONAHUE: Second.

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

23 MS. CARRERA: Mr. Schuster.

24 MR. SCHUSTER: Yes.

25 MS. CARRERA: Mr. McAndrew.

1 MR. MCANDREW: Yes.

2 MS. CARRERA: Dr. Rothchild.

3 DR. ROTHCHILD: Yes.

4 MS. CARRERA: Mr. Donahue.

5 MR. DONAHUE: Yes.

6 MS. CARRERA: Mr. Gaughan.

7 MR. GAUGHAN: Yes. I hereby declare

8 Item 7-C legally and lawfully adopted.

9 MS. REED: 7-D. FOR CONSIDERATION
10 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -
11 FILE OF THE COUNCIL NO. 41, 2020 - AMENDING
12 FILE OF THE COUNCIL NO. 11, 1976, ENTITLED "AN
13 ORDINANCE (AS AMENDED) ENACTING, IMPOSING A TAX
14 FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF
15 TWO PERCENT (2%) ON EARNED INCOME AND NET
16 PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS
17 AND BUSINESSES WHO ARE RESIDENTS OF
18 THE CITY OF SCRANTON, OR NON-RESIDENTS OF THE
19 CITY OF SCRANTON, FOR WORK DONE, SERVICES
20 PERFORMED OR BUSINESS CONDUCTED WITHIN
21 THE CITY OF SCRANTON, REQUIRING THE FILING OF
22 RETURNS BY TAXPAYERS SUBJECT TO THE TAX;
23 REQUIRING EMPLOYERS TO COLLECT THE TAX AT
24 SOURCE; PROVIDING FOR THE ADMINISTRATION,
25 COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND

1 IMPOSING PENALTIES FOR THE VIOLATIONS", BY
2 RE-ENACTING THE IMPOSITION OF THE WAGE TAX AT
3 TWO AND FOUR TENTHS (2.4%) PERCENT ON EARNED
4 INCOME FOR RESIDENTS AND ONE (1%) PERCENT ON
5 EARNED INCOME FOR NON-RESIDENTS OF THE CITY OF
6 SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR
7 BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON
8 FOR THE YEAR 2021 AND THE SAME SHALL REMAIN IN
9 FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

10 MR. GAUGHAN: What is the
11 recommendation of the Chairperson for the
12 Committee on Finance?

13 MR. SCHUSTER: As Chairperson for
14 the Committee on Finance, I recommend final
15 passage of 7-D.

16 MR. DONAHUE: Second.

17 MR. GAUGHAN: On the question? Roll
18 call, please.

19 MS. CARRERA: Mr. Schuster.

20 MR. SCHUSTER: Yes.

21 MS. CARRERA: Mr. McAndrew.

22 MR. MCANDREW: Yes.

23 MS. CARRERA: Dr. Rothchild.

24 DR. ROTHCHILD: Yes.

25 MS. CARRERA: Mr. Donahue.

1 MR. DONAHUE: Yes.

2 MS. CARRERA: Mr. Gaughan.

3 MR. GAUGHAN: Yes. I hereby declare
4 Item 7-D legally and lawfully adopted.

5 MS. REED: 7-E. FOR CONSIDERATION
6 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -
7 FILE OF THE COUNCIL NO. 42, 2020 - AMENDING
8 FILE OF THE COUNCIL NO. 100, 1976, ENTITLED "AN
9 ORDINANCE (AS AMENDED) LEVYING GENERAL AND
10 SPECIAL TAXES FOR THE FISCAL YEAR 1977", BY
11 SETTING THE MILLAGE FOR THE YEAR 2021 AND THE
12 SAME SHALL REMAIN IN FULL FORCE AND EFFECT
13 ANNUALLY THEREAFTER.

14 MR. GAUGHAN: What is the
15 recommendation of Chairperson for the Committee
16 on Finance?

17 MR. SCHUSTER: As Chairperson for
18 the Committee on Finance, I recommend final
19 passage of 7-E.

20 MR. DONAHUE: Second.

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

23 MS. CARRERA: Mr. Schuster.

24 MR. SCHUSTER: Yes.

25 MS. CARRERA: Mr. McAndrew.

1 MR. MCANDREW: Yes.

2 MS. CARRERA: Dr. Rothchild.

3 DR. ROTHCHILD: Yes.

4 MS. CARRERA: Mr. Donahue.

5 MR. DONAHUE: Yes.

6 MS. CARRERA: Mr. Gaughan.

7 MR. GAUGHAN: Yes, I hereby declare

8 Item 7-E legally and lawfully adopted.

9 MS. REED: 7-F. FOR CONSIDERATION
10 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
11 ADOPTION - RESOLUTION NO. 103, 2020 - ACCEPTING
12 A DONATION FROM BRAYER'S TOWING LOCATED AT 1013
13 FERDINAND STREET, SCRANTON, PA FOR THE USE OF A
14 PORTABLE LIGHT STAND USED TO ILLUMINATE THE
15 KEYSER VALLEY COMMUNITY CENTER PARKING LOT
16 WHICH SERVED AS A POLLING LOCATION THE NIGHT OF
17 NOVEMBER 3, 2020, ELECTION DAY.

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

21 MR. MCANDREW: As Chairperson for
22 the Committee on Public Safety, I recommend
23 final passage for Item 7-F.

24 DR. ROTHCHILD: Second.

25 MR. GAUGHAN: On the question? Roll

1 call, please.

2 MS. CARRERA: Mr. Schuster.

3 MR. SCHUSTER: Yes.

4 MS. CARRERA: Mr. McAndrew.

5 MR. MCANDREW: Yes.

6 MS. CARRERA: Dr. Rothchild.

7 DR. ROTHCHILD: Yes.

8 MS. CARRERA: Mr. Donahue.

9 MR. DONAHUE: Yes.

10 MS. CARRERA: Mr. Gaughan.

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

13 MS. REED: 7-G. FOR CONSIDERATION
14 BY THE COMMITTEE ON RULES - FOR ADOPTION -
15 RESOLUTION NO. 104, 2020 - ACCEPTING DONATIONS
16 PROVIDED TO THE CITY TO AID IN THE CITY'S
17 RESPONSE TO ITS EFFORTS TO COMBAT THE COVID-19
18 OUTBREAK.

19 MR. GAUGHAN: As Chairperson for the
20 Committee on Rules, I recommend final passage
21 of Item 7-G.

22 MR. DONAHUE: Second.

23 MR. GAUGHAN: On the question? Roll
24 call, please.

25 MS. CARRERA: Mr. Schuster.

1 MR. SCHUSTER: Yes.

2 MS. CARRERA: Mr. McAndrew.

3 MR. MCANDREW: Yes.

4 MS. CARRERA: Dr. Rothchild.

5 DR. ROTHCHILD: Yes.

6 MS. CARRERA: Mr. Donahue.

7 MR. DONAHUE: Yes.

8 MS. CARRERA: Mr. Gaughan.

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

11 MS. REED: 7-H. FOR CONSIDERATION
12 BY THE COMMITTEE ON RULES - FOR ADOPTION - A
13 RESOLUTION NO. 105, 2020 - AUTHORIZING THE
14 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO
15 EXECUTE AND ENTER INTO A MASTER LEASE AGREEMENT
16 BETWEEN THE CITY OF SCRANTON, HEREINAFTER
17 DESIGNATED ("LESSOR") AND CELLCO PARTNERSHIP
18 D/B/A VERIZON WIRELESS, WITH ITS PRINCIPAL
19 OFFICES AT ONE VERIZON WAY, MAIL STOP 4AW100,
20 BASKING RIDGE, NEW JERSEY 07920 ("LESSEE") TO
21 LEASE SPACE TO LESSEE WITH RESPECT TO
22 PARTICULAR SITES AT WHICH LESSEE WISHES TO
23 INSTALL, MAINTAIN, AND OPERATE, SMALL CELL
24 COMMUNICATIONS EQUIPMENT, AS WELL AS ANY AND
25 ALL NECESSARY LEASE SUPPLEMENTS OUTLINED

1 HEREIN.

2 MR. GAUGHAN: Thank you. I'd like
3 to make a motion to table agenda Item 7-H.

4 MR. DONAHUE: Second.

5 MR. SCHUSTER: Second.

6 MR. GAUGHAN: On the question? On
7 the question, I recommended in the caucus that
8 we table agenda Item 7-H for the simple fact
9 that I think the City should explore
10 implementing or drafting design standards for
11 these cell towers.

12 Now, as Councilman McAndrew
13 mentioned, when you hear the word tower you
14 might think it's 30 or 40 feet high. It's
15 really only 3 feet. But in my discussions or
16 my research on this matter there are other
17 cities throughout Pennsylvania who have
18 implement and adopted design standards.

19 So this is asking Council to and the
20 City to enter into a 15-year agreement. I just
21 think it makes sense to explore and investigate
22 implementing design standards for these towers
23 before we go through with this piece of
24 legislation.

25 Anyone else on the question? All

1 those in favor of the motion to table agenda
2 Item 7-H signify by saying aye.

3 MR. SCHUSTER: Aye.

4 MR. MCANDREW: Aye.

5 MR. DONAHUE: Aye.

6 DR. ROTHCHILD: Aye.

7 MR. GAUGHAN: Aye. Opposed? The
8 ayes have it and 7-H is tabled.

9 MS. REED: 7-I. FOR CONSIDERATION
10 BY THE COMMITTEE ON PUBLIC WORKS - FOR
11 ADOPTION - RESOLUTION NO. 106, 2020 -
12 CEREMONIOUSLY DEDICATING "JOE BIDEN WAY" AT THE
13 INTERSECTION OF NORTH WASHINGTON AVENUE
14 AND FISK STREET IN HONOR OF PRESIDENT-ELECT JOE
15 BIDEN.

16 MR. GAUGHAN: What is the
17 recommendation of the Chairperson for the
18 Committee on Public Works?

19 MR. DONAHUE: As Chairperson for the
20 Committee on Public Works, I'm honored to
21 recommend final passage of Item 7-I.

22 DR. ROTHCHILD: Second.

23 MR. GAUGHAN: On the question? As I
24 mentioned last week this -- January 20th is
25 going to be a great day for the City of

1 Scranton, whether you're a Democrat or
2 Republican, an Independent or just not
3 affiliated with any political party or you
4 don't follow politics.

5 The fact that we are going to have a
6 former resident, someone who grew on North
7 Washington Avenue in the City of Scranton call
8 Scranton home for the first 10 years of his
9 life as the leader of the United States of
10 America is pretty remarkable and also the fact
11 that so many leaders in our country's history
12 have come from one street in the City of
13 Scranton.

14 So I think January 20th is going to
15 be a great day for the City. It marks I think
16 a new chapter in our country and a new chapter
17 I think in the City's history as well. So I'm
18 looking forward to it. Anyone else on the
19 question? Roll call, please.

20 MS. CARRERA: Mr. Schuster.

21 MR. SCHUSTER: Yes.

22 MS. CARRERA: Mr. McAndrew.

23 MR. MCANDREW: Yes.

24 MS. CARRERA: Dr. Rothchild.

25 DR. ROTHCHILD: Yes.

1 MS. CARRERA: Mr. Donahue.

2 MR. DONAHUE: Yes.

3 MS. CARRERA: Mr. Gaughan.

4 MR. GAUGHAN: I hereby declare Item
5 7-I legally and lawfully adopted.

6 MS. REED: 7-J. FOR CONSIDERATION
7 BY THE COMMITTEE ON RULES - FOR ADOPTION -
8 RESOLUTION NO. 107, 2020 - APPOINTMENT OF JOHN
9 JUDGE, 915 ELECTRIC STREET, SCRANTON,
10 PENNSYLVANIA, 18509, TO THE POSITION
11 OF SCRANTON FIRE CHIEF EFFECTIVE NOVEMBER 30,
12 2020.

13 MR. GAUGHAN: I'd like to make a
14 motion at this time to table agenda Item 7-J.
15 Is there a second?

16 MR. DONAHUE: Second. Second.

17 MR. GAUGHAN: There's been a second.
18 On the question? On the question, I'll just
19 explain again why I'm making a motion to table
20 this.

21 First of all, I think it's
22 reasonable to ask the Mayor and the Fire Chief
23 or ask the Mayor to require the Fire Chief to,
24 you know, pick one of these positions.

25 As I stated in the caucus after my

1 review of John Judge's resume, it's clear that
2 he's qualified to be Fire Chief. I have no
3 qualms whatsoever about his qualifications.
4 And there's no doubt in my mind he would make a
5 good Fire Chief.

6 My sole disagreement with this is
7 that he is also a police officer in --
8 part-time police officer in South Abington
9 Township.

10 As I stated earlier, the
11 responsibilities are enormous as the Fire Chief
12 in the City of Scranton. We have one of the
13 largest departments, not only in the City but
14 in the entire state. I think we might be the
15 third or fourth largest in the State of
16 Pennsylvania.

17 And my concern is that if there ever
18 was a major catastrophe in Scranton and the
19 Fire Chief needed to be there and he was in the
20 middle of doing his duty as a police officer in
21 South Abington Township, we could have an
22 issue. And I just don't think those two things
23 jive.

24 You know, the Mayor asked Council
25 originally although we're going to amend it to

1 have this position pay over \$100,000. And, you
2 know, if we're going to make a commitment -- if
3 the City is going to make a commitment to
4 someone to take on this responsibility to take
5 on this type of position, then I think the City
6 should ask that that be the, you know, sole
7 employment.

8 Again, as I stated, it's not like
9 he's a greeter at Walmart. He's doing a side
10 job one day a week. If that was the case I
11 wouldn't have even mentioned it. But to me,
12 this is a whole different ball game when you're
13 a police officer in another town.

14 And that comes with great
15 responsibility as well. And I think it's very
16 honorable that Mr. Judge is a police officer in
17 South Abington Township. I just think if we're
18 going to ask -- if we're going to make a
19 commitment to him, he's got to make a
20 commitment to us and, you know, pick one of
21 those.

22 I don't think it can be both. So I
23 would ask that we table this until such time as
24 Mr. Judge ceases his employment in South
25 Abington Township. Anyone else on the

1 question?

2 MR. DONAHUE: I'd just like --

3 MR. MCANDREW: Yeah, oh, I'm sorry,
4 go ahead, Kyle.

5 MR. DONAHUE: Go ahead, Mark. Go
6 ahead.

7 MR. MCANDREW: I'm sorry, Billy.
8 I understand where you're coming from. I just
9 disagree.

10 MR. GAUGHAN: Okay.

11 MR. MCANDREW: First of all, there
12 is nothing on the books or there is no policy
13 that states that you can't have two jobs. I
14 have three jobs. I do all three very well --
15 at least I think I do.

16 I'm not going to begrudge a guy who
17 wants to make some extra money. I understand
18 everything you're saying, I know where you're
19 coming from. But I think that decision lies
20 with the individual. And it also lies with the
21 Mayor.

22 I mean, the Mayor actually hires
23 these positions. We get that. Our vote is
24 just a formality. So I don't want to -- I
25 don't think I should make that decision if you

1 should have two jobs or not. I understand the
2 responsibility is a great one. But I'm sorry
3 but I disagree.

4 MR. GAUGHAN: Anyone else?

5 MR. DONAHUE: I'd just like to say,
6 you know, I understand where Councilman Gaughan
7 is coming with from his argument. And I also
8 understand where Councilman McAndrew is coming
9 with his. So I'm going to vote -- I'll vote to
10 table it. But that won't prevent me from
11 voting for final passage.

12 DR. ROTHCHILD: I would just add, I
13 mean, I've given this some thought. And I can
14 see both sides as well. And, you know, it
15 would be my preference that the Fire Chief
16 have his sole focus and availability to perform
17 that job.

18 But I also -- I'm conflicted because
19 I don't feel that I could tell someone what
20 they can do in their spare time or another job
21 or position.

22 I just don't feel right about doing
23 that. And I agree that he is qualified. And
24 so, I mean, I don't believe that I will be
25 voting to table this piece tonight.

1 MR. GAUGHAN: Anyone else? I just
2 want to add that, you know, some of us have
3 second or third jobs. But we're also not, you
4 know, this is -- Fire Chief is a 24/7 job in my
5 opinion. And again, the concern is that the
6 Mayor has the right to tell someone if you're
7 going to take this position, you know, you
8 can't -- you can't do both.

9 She has every right to do that. And
10 that's what I'm asking here because, you know,
11 I could understand someone wanting to make a
12 little bit more money. But this job -- the
13 Mayor wants this job to pay a \$100,000. I
14 mean, to me in the City of Scranton, that's an
15 awful lot of money.

16 Now, we lowered it in the budget
17 significantly. But still, it's still a very
18 good paying job. The responsibility is great.
19 I haven't come across a situation like this. I
20 think we should table it and, you know, I can't
21 approve this.

22 And by the way, Solicitor Hayes, if
23 Council were to, you know, vote against this
24 what -- is this just a formality? Can you fill
25 us in on that?

1 ATTY. HAYES: No. It's not a
2 formality. All department heads -- let me back
3 up. Under the Administrative Code, each
4 department head may be appointed by the Mayor
5 with the advice and consent of Council. So
6 Council -- so no one could assume the duty a
7 of department head legally and lawfully without
8 having been approved by Council.

9 MR. GAUGHAN: Yeah, and, you know,
10 that responsibility is important. I mean,
11 we -- you know, it's -- to me it's not a
12 formality. It's we're giving our okay that
13 this person is qualified which he is qualified.
14 There's no question, no two ways about that.
15 Resume, it's clear. He's qualified.

16 However, I don't think you could do
17 both. I mean, I think you have to make a
18 commitment to one of them. And, you know, as
19 the Mayor in my opinion should have said
20 either, you know, if you want to be the Fire
21 Chief that's fine. But you can't also be a cop
22 in South Abington Township.

23 I mean, that to me is just nonsense.
24 So that's where I stand on it. Anyone else on
25 the question?

1 DR. ROTHCHILD: I just -- I'm sorry,
2 I did want to add that, you know, recognizing
3 that he has been serving as interim Chief for
4 how many months now and that it hasn't seemed
5 that we haven't heard of it being an issue at
6 this point.

7 I know this is to confirm the
8 position is not temporary but as permanent
9 which is obviously different. We did receive
10 an explanation from him that if he felt like it
11 was a conflict that he would then resign from
12 that position. So we -- I just wanted to point
13 out that we did hear from Mr. Judge regarding
14 his employment there.

15 MR. GAUGHAN: So the other thing and
16 I failed to bring this up but, you know, when I
17 was thinking about this earlier today and when
18 I brought it up last week, you know, if I
19 was -- if I'm looking at this whole thing and
20 just thinking about Scranton and South Abington
21 Township. What if there is a very -- and this
22 could happen.

23 What if there is an emergency in
24 both the City and South Abington Township and
25 Mr. Judge is on duty up there and there is a

1 major emergency and we need him in Scranton?
2 To me, you have to do one or the other. I
3 mean, I just don't -- it does not make any
4 sense to me.

5 So again, there's always the
6 possibility that there could be a major
7 emergency in both areas. And we're paying this
8 person, you know, a good salary. It's a 24/7
9 job. It's a major responsibility. I think
10 we're the third or fourth largest department in
11 the state.

12 I just feel very strongly about it.
13 I would have no problem voting for Mr. Judge at
14 all but not if it's going to stand as it states
15 in the letter that he'll continue to do both --
16 continue to be employed in both positions.
17 Anyone else on the question? Okay. All those
18 in favor of tabling agenda Item 7-J signify by
19 saying aye.

20 MR. DONAHUE: Aye.

21 MR. GAUGHAN: Aye. Opposed?

22 MR. SCHUSTER: No.

23 DR. ROTHCHILD: No.

24 MR. MCANDREW: Nay.

25 MR. GAUGHAN: Okay. The motion to

1 table fails, three to two. Okay. Let's see,
2 as Chairperson for the Committee on Rules, I
3 will recommend a final vote on Item 7-J.

4 MR. DONAHUE: Second.

5 MR. GAUGHAN: On the question?

6 Again on the question, not to belabor the point
7 but I, you know, it's unfortunate that, you
8 know, I'm going to vote against this
9 appointment not again based on the fact that I
10 think Mr. Judge isn't qualified because I think
11 he is qualified.

12 I just don't know how you marry up
13 the fact that he's going be in both of those
14 positions even though that position is part
15 time.

16 Again, I think you're putting the
17 City at a disadvantage if there's an emergency
18 in both South Abington Township and in
19 Scranton and if he's in his position in South
20 Abington Township. So and for that reason and
21 the reasons I previously stated, I will be
22 voting no. Anyone else on the question? Roll
23 call, please.

24 MS. CARRERA: Mr. Schuster.

25 MR. SCHUSTER: Yes.

1 MS. CARRERA: Mr. McAndrew.

2 MR. MCANDREW: Yes.

3 MS. CARRERA: Dr. Rothchild.

4 DR. ROTHCHILD: Yes.

5 MS. CARRERA: Mr. Donahue.

6 MR. DONAHUE: Yes.

7 MS. CARRERA: Mr. Gaughan.

8 MR. GAUGHAN: No. I hereby declare
9 Item 7-J legally and lawfully adopted.

10 MS. REED: 7-K. FOR CONSIDERATION
11 BY THE COMMITTEE ON RULES - FOR ADOPTION -
12 RESOLUTION NO. 108, 2020 - APPOINTMENT OF ALEX
13 MOLFETAS, 119 PENN AVENUE, SCRANTON,
14 PENNSYLVANIA, 18503, AS A MEMBER OF THE
15 SCRANTON PARKING AUTHORITY EFFECTIVE NOVEMBER
16 24, 2020. ALEX MOLFETAS WILL BE REPLACING
17 THOMAS TANSITS WHOSE TERM EXPIRED.
18 ALEX MOLFETAS WILL BE APPOINTED TO A FIVE (5)
19 YEAR TERM EFFECTIVE NOVEMBER 24, 2020 AND WILL
20 EXPIRE ON JUNE 1, 2025.

21 MR. GAUGHAN: As Chairperson for the
22 Committee on Rules, I recommend final passage
23 of Item 7-K.

24 MR. DONAHUE: Second.

25 MR. GAUGHAN: On the question? Roll

1 call, please.

2 MS. CARRERA: Mr. Schuster.

3 MR. SCHUSTER: Yes.

4 MS. CARRERA: Mr. McAndrew.

5 MR. MCANDREW: Yes.

6 MS. CARRERA: Dr. Rothchild.

7 DR. ROTHCHILD: Yes.

8 MS. CARRERA: Mr. Donahue.

9 MR. DONAHUE: Yes.

10 MS. CARRERA: Mr. Gaughan.

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

13 MS. REED: 7-L. FOR CONSIDERATION
14 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
15 ADOPTION - RESOLUTION NO. 109, 2020 -
16 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
17 CITY OFFICIALS TO ACCEPT ON BEHALF OF THE
18 CITY OF SCRANTON POLICE DEPARTMENT A GRANT FROM
19 THE PNC FOUNDATION FOR FAIR AND IMPARTIAL
20 POLICE TRAINING PROGRAM IN THE AMOUNT OF SEVEN
21 THOUSAND FIVE HUNDRED (\$7,500.00) DOLLARS.

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

25 MR. MCANDREW: As Chairperson for

1 the Committee on Public Safety, I recommend
2 final passage of Item-7-L.

3 MR. DONAHUE: Second.

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

6 MS. CARRERA: Mr. Schuster.

7 MR. SCHUSTER: Yes.

8 MS. CARRERA: Mr. McAndrew.

9 MR. MCANDREW: Yes.

10 MS. CARRERA: Dr. Rothchild.

11 DR. ROTHCHILD: Yes.

12 MS. CARRERA: Mr. Donahue.

13 MR. DONAHUE: Yes.

14 MS. CARRERA: Mr. Gaughan.

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

17 MS. REED: 7-M. Previously tabled.
18 FOR CONSIDERATION BY THE COMMITTEE ON FINANCE
19 FOR ADOPTION - FILE OF THE COUNCIL NO. 35, 2020
20 APPROPRIATING FUNDS FOR THE EXPENSES OF THE
21 CITY GOVERNMENT FOR THE PERIOD COMMENCING ON
22 THE FIRST DAY OF JANUARY, 2021 TO AND INCLUDING
23 DECEMBER 31, 2021 BY THE ADOPTION OF THE
24 GENERAL CITY OPERATING BUDGET FOR THE YEAR
25 2021.

1 MR. DONAHUE: I'd like to make a
2 motion to amend 7-M as follows:

3 Under Revenue,

4 Amend account number 01.301.30706
5 Real Estate Taxes to increase the dollar amount
6 from \$11,015,000 to \$11,061,000. An addition
7 of \$46,000.

8 Amend account number 01.301.30120
9 Real Estate Taxes - Delinquent Real Estate Tax
10 from \$2,300,000.00 to \$2,332,00.00. An
11 increase of 32,000.

12 Amend account number 01.305.30500
13 Non-Resident Wage Tax increasing from \$0 to
14 \$100,000 (\$100,000).

15 Amending account number 01.310.31120
16 Current Wage Tax increasing from \$26,000,000 to
17 \$26,400,000. An increase of \$400,000.

18 Amend account number 01.320.32120
19 Licenses and Permits - Building Permits by
20 increasing the amount from \$600,000 to
21 \$600,267. An increases of \$267.

22 Amend account number 01.350.35020
23 Intergovernmental Reimbursement (*Supl State Aid*
24 *Pension*) from \$3,850,000 to \$3,851,000. An
25 increase of \$1,000.

1 Amend the intergovernmental
2 reimbursement account line item Keystone
3 Landfill Grant to decrease from \$100,000 to \$0.
4 (-\$100,000).

5 Amend account number 01.331.33100
6 Fines Forfeits and Violations - Police Fines by
7 decreasing the amount from \$239,576.58 to
8 \$238,337.67. That's a decrease of \$1,238.91.

9 Amend account number 01.392.3933
10 Interfund transfers - Contingency Revenue Loss
11 Protection to decrease from \$4,406,000.00 to
12 \$0.

13 Amend the Budgeted revenues Misc
14 Revenue/Cable TV by adding a line item titled
15 "Proceeds from Refinancing" and increasing the
16 amount from \$0 to \$3,772,248.05.

17 Under Expenditures Office of the
18 Mayor,

19 Amend account #01.010.00000.4010
20 Office of the Mayor Standard Salary by
21 decreasing the amount from \$216,085.00 to
22 \$146,085.00. A decrease of \$-70,000. And
23 that's by decreasing the salary of the Chief of
24 Staff from \$70,000 to \$0 and eliminating the
25 position.

1 Amend the Office of the Mayor's
2 Position/Title page to eliminate the position
3 of Communications Manager. That was not funded
4 in 2021.

5 Under ***Police Department:***

6 Amend account # 01.011.00071.4010
7 Police Department Standard Salary increase from
8 \$11,091,878.97 to \$11,250,771.16. That's an
9 increase of \$158,892.19.

10 Amend the Police Department budget
11 by deleting the Deputy Superintendent of Police
12 Position by decreasing the salary from
13 \$100,978.22 to \$0.

14 Amend the Police Department budget
15 by adding a regular patrolmen to increase the
16 total of patrolmen from 88 to 89. No change
17 from last year.

18 Amend the Department of Public
19 Safety Bureau of Police budget by adding a
20 Special Operations Ammunition line item in the
21 amount of \$23,620.83.

22 Under the ***Fire Department:***

23 Amend account #01.011.00078.4010
24 Department of Public Safety Bureau of Fire -
25 Standard Salary decreasing from \$10,574,854.30

1 to \$10,563,554.74. That's a decrease of
2 \$11,299.56 by decreasing the salary of the Fire
3 Chief/Emergency Management Coordinator from
4 **\$100,799.56 to \$89,500.**

5 ***Under City Council:***

6 Amend account #01.020.00000.4010
7 Office of the City Clerk/City Council
8 decreasing the Standard Salary from \$245,536.27
9 to \$242,536.27. A decrease of \$3,000 by
10 decreasing the salary of the City Clerk from
11 \$60,000 to \$57,000.

12 ***Under Human Resources:***

13 Amend account #01.040.00041.4010
14 Department of Business Administration Bureau of
15 Human Resources - Standard Salary decreasing
16 from \$260,201.34 to \$216,935.35. That's a
17 decrease of \$43,265.99 by decreasing the salary
18 of the Human Resources Director from \$65,000 to
19 \$61,000 and decreasing the salary of the
20 confidential administrative assistant from
21 \$36,000 to \$0 eliminating the position AND
22 decreasing the salary of the HR benefits
23 coordinator from \$39,988.99 to 36,723.00.

24 Amend Department of Business
25 Administration Bureau of Human Resources

1 position/title page to delete the position of
2 Public Health Coordinator.

3 Under **Information Technology**.

4 Amend account #01.040.00042.4010

5 Department of Business Administration Bureau of
6 Information Technology Standard Salary
7 decreasing from \$259,900 to \$258,900. A
8 decrease of \$1,000 by decreasing the salary of
9 the IT Director from \$65,000 to \$64,000.

10 Under **Department of Treasury**:

11 Amend account #01.040.00043.4010

12 Department of Business Administration Bureau of
13 Treasury Standard Salary decreasing from
14 \$139,468.26 to \$124,468.26. A decrease of
15 \$15,000 by decreasing the salary of the
16 Treasurer from \$65,000 to \$50,000.

17 Amend the Department of Business
18 Administration Bureau of Treasury
19 position/title page to delete the position of
20 Assistant Treasurer/Billing & Data Mgmt. That
21 was not funded in 2021.

22 **OECD:**

23 Amend account #50.00000.4010

24 Department of Community Development Standard
25 Salary decreasing from \$646,678.55 to

1 \$632,678.55. A decrease of \$14,000 by
2 decreasing the salary of the OECD Director from
3 \$70,000 to \$56,000. City's contribution
4 decreases from \$57,158.20 to \$43,158.20.

5 Under the **LIPS DEPARTMENT**:

6 Amend account #01.051.00051.4040
7 Bureau of Licenses, Inspections & Permits Other
8 Salary decrease from \$20,000 to \$0. It's a
9 decrease of \$20,000.

10 Amend account #01.051.00051.4010
11 Bureau of Licenses, Inspections and Permits
12 Standard Salary decreasing from \$736,971.54 to
13 \$733,347.66 (\$-3,623.88) by decreasing the
14 salary of the Licensing, Inspections and
15 Permits Director from \$56,623.88 to \$53,000.

16 Amend account #01.051.00051.4590
17 Bureau of Licenses, Inspections and Permits
18 Building Demolition decreasing from \$200,000 to
19 \$170,000. That's a decrease of 30,000.

20 Amend account #01.051.00082.4010
21 Bureau of Licenses, Inspections and Permits
22 Bureau of Buildings Standard Salary decreasing
23 from \$116,862.52 to \$110,903.74. A decrease of
24 \$5,958.78 by decreasing the salary of the
25 maintenance position from \$46,609.47 to

1 \$40,650.69.

2 Amend *the* Bureau of Licenses,
3 Inspections and Permits position/title page to
4 delete the position of Confidential Assistant
5 Zoning/Planning, which was not funded in 2021.

6 Under ***Parks and Recreation:***

7 Amend account 01.##.00000.4010
8 Department of Neighborhoods Parks and
9 Recreation Standard Salary decreasing from
10 \$140,687.01 to \$0.

11 Amend account #01.051.00082.4101
12 Dept of Neighborhoods Parks and Recreation
13 Uniform Allowance decreasing from \$1,500 to \$0.

14 Amend Department of Neighborhoods
15 Parks and Recreation page 52 to delete this
16 department from the 2021 operating budget.

17 And then Amend account
18 #01.100.00000.4010 Bureau of Parks and
19 Recreation Standard Salary increasing from
20 \$328,021.41 to \$431,134.36. An increase of
21 \$103,112.95 by adding the positions of Director
22 at a salary of \$52,500 and Project
23 administrator at a salary of \$44,052.01.

24 This also includes an increase of \$6,560.94.
25 CBA increase at the administration's request.

1 And just to add that those positions are what
2 they were budgeted for last year just in a
3 different department.

4 Amend account #01.100.00000.4070 DPW
5 Bureau of Parks and Recreation Overtime Salary
6 decrease from \$45,000 to \$40,000. A decrease
7 of \$5,000.

8 And then Amend account
9 #01.100.00000.4040 DPW Bureau of Parks and
10 Recreation Other Salary increase from \$165,000
11 to \$215,000. An increase of \$50,000.

12 Under ***Law Department:***

13 Amend account #01.060.00000.4080 Law
14 Department Overtime Salary decreasing from
15 \$2,000 to \$0.

16 Amend account #01.060.00000.4010 Law
17 Department Standard Salary decreasing from
18 \$324,500 to \$309,500 by decreasing the salary
19 of the Tax Recovery Solicitor from \$15,000 to
20 \$0 eliminating the position.

21 Under ***DPW:***

22 Amend account # 01.080.00081.4010
23 DPW Bureau of Engineering Standard Salary
24 decrease from \$230,479.03 to \$183,275.80, which
25 also would include the addition of \$2,796.77 in

1 a CBA increase by decreasing the salary of
2 Engineering Project Manager from \$50,000 to \$0
3 and eliminating this position.

4 Amend account # 01.080.00083.4010
5 DPW Bureau of Highways Standard Salary increase
6 from \$1,326,383.29 to \$1,350,022.90. An
7 increase of \$23,639.61).

8 Amend account # 01.080.00084.4010
9 DPW Bureau of Refuse Standard Salary increase
10 from \$2,212,558.61 to \$2,256,783.41. An
11 increase of \$44,224.80.

12 Amend account #01.080.00085.4010 DPW
13 Bureau of Garages Standard Salary increase from
14 \$372,358.74 to \$377,161.46 (+4,802.72).

15 Amend account #01.080.00080.4201 DPW
16 Bureau of Administration Professional Services
17 increasing from \$2,500 to \$7,500. An increase
18 of \$5,000.

19 Amend account number
20 01.080.00080.4080 DPW Bureau of Administration
21 Overtime Salary by increasing from \$250 to
22 \$2,250, an increase of \$2,000.

23 Amend account number
24 01.080.00081.4080 DPW Bureau of Engineering
25 Overtime Salary by decreasing from \$5,500 to

1 \$3,500, a decrease of \$2000.

2 Amend account #01.080.00083.4260 DPW
3 Bureau of Highways Rental Vehicles and
4 Equipment decreasing from \$100,000 to \$50,000,
5 a decrease of \$50,000.

6 Amend account #01.080.00080.4010 DPW
7 Bureau of Administration Standard Salary
8 decreasing from \$290,544.87 to \$273,544.87, a
9 decrease of \$17,000 by decreasing the salary of
10 DPW Director from \$70,000 to \$60,000 AND
11 decreasing the Recycling and Safety
12 Supervisor's Salary from \$45,000 to \$39,000 AND
13 decreasing the salary of the Manager/Emergency
14 Coordinator from \$50,000 to \$49,000.

15 Amend the DPW Bureau of Refuse
16 position/title page by deleting the Team Leader
17 position which was not funded in 2021.

18 ***Under Non-Departmental Expenditures:***

19 Amend the Non-Departmental
20 Expenditures line item 4299 Intern staffing
21 decreasing from \$120,000 to \$0.

22 Amend account #01.401.10060.4299
23 Non-departmental expenditures Everhart Museum
24 increasing from \$0 to \$37,500, an increase of
25 \$37,500.

1 Amend account #01.401.10155.4299
2 Non-Departmental Expenditures LHVA Trail
3 Maintenance increasing from \$0 to \$12,500.

4 Amend account #01.401.17020.4299
5 Non-Departmental Expenditures Veteran's
6 Organization increasing from \$20,000 to
7 \$50,000, an increase of \$30,000.

8 Amend account #01.401.17060.4299
9 Non-Departmental Expenditures Community Centers
10 increasing from \$0 to \$20,000.

11 Amend Non-Departmental Expenditures
12 account line item ECTV increase from \$20,000 to
13 \$120,000, an increase of \$100,000.

14 Amend account #01.401.15240.4299 Non
15 Departmental Expenditures Tan Series Interest
16 decrease from \$200,000 to \$146,522. That's a
17 decrease of \$53,478.

18 And then Amend account
19 #01.401.16270.4299 Non Departmental
20 Expenditures Court Awards decrease from
21 \$800,000 to \$700,000. That's a decrease of
22 \$100,000.

23 So the New total for Revenue comes
24 out to \$114,525,753.72. The New total for
25 Expenditures comes out to \$114,525,753.72.

1 MR. GAUGHAN: Thank you, Councilman
2 Donahue. Is there a second?

3 MR. MCANDREW: Second.

4 MR. SCHUSTER: Second.

5 MR. GAUGHAN: There's a motion on
6 the floor and a second to amend Item 7-M, the
7 2021 operating budget. On the question?
8 Anyone on the question?

9 MR. MCANDREW: So on the question
10 we're speaking to --

11 MR. GAUGHAN: We're just speaking to
12 the amendments at this point.

13 MR. MCANDREW: Well, I'll speak to
14 them. I'll speak now or I'll speak on the
15 vote.

16 MR. GAUGHAN: Yeah, sure. You could
17 do whichever.

18 MR. MCANDREW: I'm going to speak
19 now. So I totally understand my
20 responsibility, the fiduciary responsibility.
21 My biggest point of contention during this
22 whole budget process was to -- is there need to
23 have or nice to have, right. That was my
24 biggest point of contention.

25 So I dug deep in the proposed new

1 positions. There was 12 of them, right? We
2 didn't need them all, right? And I'm glad for
3 the collaboration of all of you we, you know,
4 we chipped away at this budget to make it more
5 realistic, right?

6 It is a pandemic. We all know that.
7 We don't need to be reminded of it. But now is
8 not the time for any of these -- a lot of these
9 hires. Like I said, there's to need to have.
10 There's nice to have. So I was okay with the
11 position of the person who is going to make
12 signs because we approved changing all the
13 signs in the City. So we need somebody to do
14 that.

15 That's a needed position. That's a
16 union position. The flood management position,
17 right, we always have problems with flood
18 control. I hear it all the time and we lose
19 out. So we need that person. We need that
20 position because we're losing out on
21 reimbursements from FEMA and PEMA every time
22 there's a flood or every time there's a lot of
23 water issues, right, so this is a position we
24 need.

25 So and I'm also happy with, you

1 know, and, you know, I was against any
2 increases. But I said if we phase them in I'd
3 be okay with it. So you know what, they're
4 being phased in at 5 percent instead of, you
5 know, thousands of dollars one being close to,
6 you know, 15, \$20,000.

7 So these amendments I realize are
8 saving half a million dollars, right. So this
9 is a reasonable budget. This makes sense to
10 me. I wasn't in favor of a lot of it in the
11 beginning. After the amendments I take a look
12 at it. I always have to own my vote and live
13 with my vote.

14 So with all of these amendments,
15 thank you to all of you as part of this
16 process.

17 MR. GAUGHAN: Oh, Mark, you cut out
18 on us. Mark? Okay. We lost the last 10
19 seconds or 15 seconds of what you said. Did I
20 freeze or did everyone else freeze?

21 MR. DONAHUE: No.

22 MR. GAUGHAN: Okay. Sorry. I think
23 he froze. That's okay. I think we got most of
24 what he said.

25 ATTY. HAYES: He's muted.

1 MR. GAUGHAN: Okay. Yeah, you're
2 muted, Mark, if you wanted to add anything
3 else.

4 MR. MCANDREW: I don't know what I
5 have to add. I hope you heard everything I had
6 to say.

7 MR. GAUGHAN: The last 10 seconds.
8 So we got most of it.

9 MR. MCANDREW: All right. Well,
10 thank you. Thanks again, guys, for all of your
11 hard work in this process.

12 MR. GAUGHAN: Okay. Thank you.
13 Anyone else? Who wants to go next?

14 MR. DONAHUE: I'm still trying to
15 catch my breath from reading the amendments.
16 But I could go. I think this was a, you know,
17 it was a good process. You know, a lot of
18 the -- a lot of the minor amendments that came
19 in there didn't come from us. It came from the
20 administration.

21 You know, and I think we were all
22 understanding that this is also their first
23 year of doing it. So we tried to, you know,
24 work with them to get those numbers right. And
25 that's why we amended it. But then, you know,

1 Council did make some changes.

2 And I think what's important here is
3 that we tried to do something that would build
4 consensus where you, you know, you listen to
5 everyone's concerns and then try to address
6 them. You know, everyone might not like every
7 single line item in this budget.

8 But I'm hopeful that it's something
9 that really we can all agree with, we can all
10 live with because one of the issues -- main
11 issues I had with the original proposed budget
12 and I had this, you know, for a couple years on
13 Council and also, you know, with my time with
14 the school district is that use of one-time
15 revenues.

16 You know, the only reason I'm in
17 agreement to using that -- and it's really not
18 that we have to use it. It's just that that
19 option is there if we need it is just because
20 of the challenges and uncertainties that, you
21 know, arose due to the pandemic and how that's
22 going to then affect our revenue.

23 You know, in a normal year I
24 wouldn't agree to put that in there. But I
25 think this year is a special exception for that

1 where we have to provide some flexibility to
2 continue to provide, you know, the necessary
3 services, you know, that our citizens deserve.

4 MR. GAUGHAN: And, Tom, Dr.
5 Rothchild?

6 DR. ROTHCHILD: Sure. Well, I want
7 to thank Councilman Donahue for reading through
8 all the amendments. That was a lot. But, you
9 know, I appreciate everyone's teamwork and
10 putting those together and coming together on
11 what I feel is a compromise.

12 I was uncomfortable with the large
13 increases in salaries and all of the added
14 positions. So I do feel like, you know, many
15 of the positions, the department heads that
16 they should have increases. But this is a
17 difficult time and there's a lot to take into
18 consideration right now.

19 I think our City is fairing better
20 than other cities and municipalities and what
21 I've seen happen with them in their budget
22 process. So I'm thankful that I feel we can
23 come to an agreement on a lot of this. And I
24 do appreciate the Mayor's vision for what our
25 City departments should look like and what we

1 would like to pay our employees and what I
2 think we really can strive for in the future.

3 So it's not to say that any of this
4 might not be possible. But I do want to play
5 on a more cautious, conservative side for this
6 year given the revenue -- potential revenue
7 loss from the COVID-19 pandemic and, you know,
8 having that shortfall that we may need to make
9 up for.

10 So, you know, we have -- we have the
11 balanced budget here tonight. And I'll be
12 voting yes on this.

13 MR. GAUGHAN: Okay. And, Councilman
14 Schuster?

15 MR. SCHUSTER: So, I mean, with
16 those amendments we covered a lot of topics
17 there. You know, to touch on something that
18 Kyle said using that one-time revenue sources.
19 I was glad that we were able to get some
20 discussion going about that and find another
21 way to do it.

22 With that said, you know, some of
23 the refinancing there may be done to shore up
24 some of the money there needed to be done and
25 that's getting gone. Looking at those salary

1 increases we discussed, you know, they were big
2 large jumps.

3 And I do understand what the
4 administration wants to do with that eventually
5 I feel. I think we made a compromise here by
6 phasing some of that in giving a little bit but
7 not those large jumps, especially this year.

8 So, I mean, looking at this year I
9 don't think there is any excuse to treat it as
10 business as usual. And I don't think we did.
11 I think we looked at every line item and did
12 what needed to be done. And we got to work
13 with the administration, you know, every
14 business owner, every small business in the
15 City is limping along.

16 And I don't think it was the year
17 for all of those positions and increases. And
18 also go with something that PEL had said, you
19 know, every year we see an increase in about 3
20 percent of our expenditures versus 1 percent in
21 our revenue increases.

22 So, I mean, with that, these
23 positions, these increases added about another
24 1 percent I would say there. So I don't want
25 to see our expenditures going up about 4

1 percent into the future while the revenues are
2 remaining at 1 percent.

3 I don't think it was something that
4 we could have done. So I do think we all
5 collaborated on this and compromised with the
6 administration especially given the year.
7 Thank you.

8 MR. GAUGHAN: Thank you. I -- first
9 of all, I want to thank my fellow Council
10 members for their work on this budget. They
11 provided valuable input. And I believe that we
12 were able to come to a compromise on what we
13 all felt was best for the City of Scranton
14 which should be the ultimate goal.

15 I also want to thank Mayor Cagnetti
16 and Business Administrator Carl Deeley for
17 their willingness to come to Council on several
18 occasions to discuss and defend the budget that
19 they ultimately presented to Council.

20 In years past that was not always
21 the case. This was a welcome change in that
22 regard. And I felt like even though we may not
23 have agreed on everything within their budget,
24 they did come on several occasions and answered
25 questions and continued to answer questions

1 right up until the end of this process. So I
2 do appreciate that.

3 One of the things that I want to
4 make note of if you were listening to the
5 amendments that Councilman Donahue read
6 through, there was several amendments in there
7 that were actually proposed by the
8 administration because when we received the
9 budget, the budget was not -- technically was
10 not balanced.

11 One of the things that -- two of the
12 things that were left out which were pretty big
13 increases were Collective Bargaining Agreement
14 annual increases per their contract for the DPW
15 and the Police Department. So that was
16 somewhere in the neighborhood of I think over
17 \$200,000.

18 So we had to add that in in order to
19 balance the budget and then lower some revenue
20 items and other things under expenditures in
21 order to balance things out. And then
22 obviously, Councilman Donahue read through
23 several of the other amendments that we had
24 made.

25 After my review of the budget, I had

1 several concerns. First, the new positions
2 over half a million dollars. Salary increases,
3 over \$100,000, some positions receiving nearly
4 a \$20,000 increase.

5 In my opinion these are -- these
6 were excessive, especially within the context
7 of the world that we currently live in which
8 has caused so much economic uncertainty going
9 into 2021.

10 We were told by the administration
11 to expect a nearly 4 and a half million dollar
12 shortfall in revenue next year. And yet, we
13 were presented with a budget that added over a
14 dozen new positions and increase salaries and
15 in some cases really significantly.

16 So I personally -- and I know my
17 colleagues did not feel that that made much
18 sense. People are losing their jobs. People
19 are struggling. The fact of the matter is that
20 Scranton is still distressed. And we clearly
21 have systemic issues that cause our
22 expenditures to increase nearly every year
23 while our revenues remain relatively flat.

24 With all that in mind, I felt that
25 it was very important to scale the Mayor's

1 spending back considerably. And I believe that
2 what this Council presented tonight is a more
3 reasonable budget that can be viewed as a
4 compromise.

5 We only added where we felt it was
6 absolutely necessary and crucial to the
7 operations and efficiency of the City.

8 We also made a significant change by
9 narrowing down the various options that the
10 Mayor presented in terms of closing the
11 projected revenue loss of over 4 and a half
12 million dollars.

13 First, we were able to lower that
14 number to under 4 million. And we are hoping
15 that the City could use proceeds from
16 refinancing to cover that gap, if necessary.

17 As I've stated here over the last
18 few weeks, I did think it was a good idea or a
19 wise decision to take money from the excess
20 workers' comp reserve fund.

21 These funds were earmarked for other
22 postemployment benefit trust fund or an OPEB
23 trust fund that would ultimately result in
24 lowering the cost -- the total cost provided
25 postemployment benefits.

1 These funds should be used as an
2 investment to pay down future costs. And it
3 was a move several years ago that was
4 recommended by the City's auditor. It should
5 not be used as a one-time revenue source.

6 We've all seen in the City's history
7 prior administrations take a significant sum of
8 money and dump it into the black hole that is
9 the budget. We wanted to take that money and
10 invest it -- invest it to pay down future
11 costs.

12 And I felt like using that revenue
13 source if we didn't have to would have been
14 shortsighted.

15 Finally, I know that the people of
16 Scranton are watching every penny very closely
17 during these trying times. And we as elected
18 officials should as well. So we made several
19 cuts in terms of new positions. And we
20 decreased salary significantly.

21 And I think overall we saved well
22 over half a million dollars compared to what
23 we were looking at originally with the Mayor's
24 proposed budget. So again, I want to
25 personally thank the Mayor and the Business

1 Administrator Carl Deeley for their openness,
2 for their willingness to come to Council and be
3 engaged in I think what I would consider a
4 better process than -- and a more open process
5 than in years past.

6 So I am pleased with this. And I
7 will be voting yes for the amendments and
8 ultimately for the budget. Anyone else on the
9 question? Okay. There was a motion on the
10 floor and a second to amend Item 7-M. And we
11 went through on the question. All those in
12 favor signify by saying aye.

13 MR. SCHUSTER: Aye.

14 MR. MCANDREW: Aye.

15 MR. DONAHUE: Aye.

16 DR. ROTHCHILD: Aye.

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

19 What is the recommendation of the
20 Chairperson for the Committee on Finance?

21 MR. SCHUSTER: As the Chairperson
22 for the Committee on Finance, I recommend
23 passage of 7-M as recommended.

24 MR. DONAHUE: Second.

25 MR. GAUGHAN: On the question? On

1 the question, if anyone would like a copy of
2 the amendments that we have written out here,
3 you can certainly send an e-mail to -- or call
4 our office, call the City Clerk's office or
5 e-mail Lreed@scrantonpa.gov.

6 Again, as we -- I mentioned before,
7 unfortunately there was a major technical
8 glitch with the City's server. And we weren't
9 able to post it on the City's website although
10 it is available in the Treasurer's Office on
11 the first floor of City Hall.

12 But we will get that out to anyone
13 who would like a copy of it. It's very
14 straightforward as Councilman Donahue read
15 through before. And we've personally felt --
16 all of us felt that these changes were
17 necessary to rein in some of the spending.

18 And again, I think Councilman
19 Schuster said we understand where the Mayor was
20 going.

21 We just did not feel this was the
22 year to do it in the context of the economic
23 uncertainty, people losing their jobs,
24 financial trying times and the fact that next
25 year we're looking down the barrel of

1 potentially a significant shortfall in revenue.
2 So anyone else on the question? Roll call,
3 please.

4 MS. CARRERA: Mr. Schuster.

5 MR. SCHUSTER: Yes.

6 MS. CARRERA: Mr. McAndrew.

7 MR. MCANDREW: Yes.

8 MS. CARRERA: Dr. Rothchild.

9 DR. ROTHCHILD: Yes.

10 MS. CARRERA: Mr. Donahue.

11 MR. DONAHUE: Yes.

12 MS. CARRERA: Mr. Gaughan.

13 MR. GAUGHAN: Yes. I hereby declare
14 Item 7-M as amended legally and lawfully
15 adopted.

16 MS. REED: 7-N. PREVIOUSLY TABLED.
17 FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC
18 WORKS FOR ADOPTION RESOLUTION NO. 49, 2020
19 AUTHORIZING THE ACCEPTANCE BY THE CITY OF
20 SCRANTON BY KEYSTONE SANITARY LANDFILL OF A
21 JOHN DEERE 410 L BACKHOE LOADER
22 SN:1T0410LXVLF382297 PER COSTARS DGS CONTRACT
23 #4400011444 FROM FIVE STAR EQUIPMENT.

24 MR. GAUGHAN: What is the
25 recommendation of the Chairperson for the

1 Committee on Public Works?

2 MR. DONAHUE: As Chairperson for the
3 Committee on Public Works, I recommend final
4 passage of Item 7-N as amended; to incorporate
5 the suggested revisions outlined by Council
6 Solicitor in his December 9, 2020 memorandum to
7 Council, which is included in Third Order, Item
8 3-J, on tonight's meeting agenda.

9 DR. ROTHCHILD: Second.

10 MR. GAUGHAN: On the question? On
11 the question, Solicitor Hayes, can you just run
12 through briefly the amendments that are being
13 proposed tonight?

14 ATTY. HAYES: Sure. Basically what
15 we did is further explain the history which
16 causes Keystone Landfill to be responsible for
17 donating \$100,000 of equipment to the City on
18 an annual basis.

19 We thought that that was important
20 that everyone understand why that -- why we're
21 receiving this backhoe. In addition, we struck
22 certain paragraphs that were in the
23 administration's proposed legislation which
24 provided summaries of the current balance of
25 what is owed to the City pursuant to these

1 agreements between Keystone Sanitary Landfill
2 and the City just because we want -- provided
3 with the underlying documentation which would
4 support those estimates.

5 In the defense of the public
6 safety -- or the Public Works Director, past
7 administrations did not keep accurate records
8 of the exchange of these items on an annual
9 basis. And it was difficult for him to
10 determine what the balance was.

11 But nevertheless, we're not going to
12 assume anything without the supporting
13 documentation. And that was my recommendation.
14 So that's basically it.

15 MR. GAUGHAN: Okay. Yeah, thank you
16 very much for putting that memo together. And
17 also I would, you know, thank the
18 administration and the DPW Director for putting
19 this agreement before us to memorialize this
20 type of transaction with equipment.

21 I think it's good to be open and
22 upfront with it. And it make sense to put this
23 type of thing on our agenda. Anyone else on
24 the question? Roll call, please.

25 MS. CARRERA: Mr. Schuster.

1 MR. SCHUSTER: Yes.

2 MS. CARRERA: Mr. McAndrew.

3 MR. MCANDREW: Ye.

4 MS. CARRERA: Dr. Rothchild.

5 DR. ROTHCHILD: Yes.

6 MS. CARRERA: Mr. Donahue.

7 MR. DONAHUE: Ye.

8 MS. CARRERA: Mr. Gaughan.

9 MR. GAUGHAN: Yes. I hereby declare
10 Item 7-N as amended legally and lawfully
11 adopted.

12 MR. DONAHUE: I would like to make a
13 motion to authorize the City Clerk to place a
14 legal notice in the newspaper to cancel the two
15 remaining meetings, December 22 and 29th of
16 2020.

17 MR. MCANDREW: Second.

18 DR. ROTHCHILD: Second.

19 MR. GAUGHAN: There's a motion on
20 the floor and a second to authorize the City
21 Clerk to place a legal notice in the paper to
22 cancel the two remaining regular meetings in
23 2020.

24 On the question? On the question,
25 we are cancelling these meetings because we do

1 not have any legislation coming down to us from
2 the administration. So there would be no point
3 in having a meeting. We'd have nothing to vote
4 on.

5 If we can clear up some of the
6 things with Portnoff, there is an opportunity
7 for us to have a special meeting if need be.
8 So we can still meet from now until the end of
9 the year.

10 If something were to come up we
11 would be able to have a special meeting.
12 Anyone else on the question? All those in
13 favor signify by saying aye.

14 MR. SCHUSTER: Aye.

15 MR. MCANDREW: Aye.

16 MR. DONAHUE: Aye.

17 DR. ROTHCHILD: Aye.

18 MR. GAUGHAN: Aye. Opposed? The
19 ayes have it and so moved. And, Kyle, I think
20 you have one more.

21 MR. DONAHUE: I do. I would like to
22 make a motion to authorize the City Clerk to
23 place a legal notice in the newspaper to
24 advertise City Council meetings for the year
25 2021 commencing Tuesday, January 5th, 2021 with

1 a caucus to be held at 5:45 p.m., and the
2 regular meeting at 630 p.m.

3 MR. SCHUSTER: Second.

4 MR. GAUGHAN: There's a motion on
5 the floor and a second for the City Clerk to
6 advertise Council meetings for 2021. On the
7 question? All those in favor signify by saying
8 aye.

9 MR. SCHUSTER: Aye.

10 MR. MCANDREW: Aye.

11 MR. DONAHUE: Aye.

12 DR. ROTHCHILD: Aye.

13 MR. GAUGHAN: Aye. Opposed? The
14 ayes have it and so moved. If there's no
15 further business, I'll entertain a motion to
16 adjourn.

17 MR. DONAHUE: Motion to adjourn.

18 MR. GAUGHAN: This meeting is
19 adjourned. Thanks everyone. Have a Merry
20 Christmas. Thank you.

21 MR. SCHUSTER: You too. Merry
22 Christmas.

23 DR. ROTHCHILD: Thank you.
24
25

C E R T I F I C A T E

1
2
3 I hereby certify that the proceedings and
4 evidence are contained fully and accurately in the
5 notes taken by me of the above-cause and that this copy
6 is a correct transcript of the same to the best of my
7 ability.

8
9
10 _____
11 Maria McCool, RPR
12 Official Court Reporter
13
14
15
16
17
18
19
20

21 (The foregoing certificate of this transcript does not
22 apply to any reproduction of the same by any means
23 unless under the direct control and/or supervision of
24 the certifying reporter.)
25