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COUNCIL FOR THE CITY OF SCRANTON

HELD:

Tuesday, January 14th, 2020

LOCATION:

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

Maria McCool, RPR
Official Court Reporter

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

2

3 WILLIAM GAUGHAN, PRESIDENT

4 KYLE DONAHUE, VICE PRESIDENT

5 PATRICK ROGAN

6 MARK MCANDREW

7 JESSICA ROTHCHILD

8

9 LORI REED, CITY CLERK

10 KATHY CARRERA, ASSISTANT CITY CLERK

11 KEVIN HAYES, COUNCIL SOLICITOR

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

3

4 MR. GAUGHAN: Roll call, please.

5 MS. CARRERA: Mr. Rogan.

6 MR. ROGAN: Here.

7 MS. CARRERA: Mr. McAndrew.

8 MR. MCANDREW: Present.

9 MS. CARRERA: Dr. Rothchild.

10 DR. ROTHCHILD: Here.

11 MS. CARRERA: Mr. Donahue.

12 MR. DONAHUE: Here.

13 MS. CARRERA: Mr. Gaughan.

14 MR. GAUGHAN: Here. Mrs. Reed,
15 please dispense with the reading of the
16 minutes.

17 MS. REED: THIRD ORDER. 3-A. TAX
18 ASSESSOR'S RESULTS REPORT FOR HEARING DATE HELD
19 DECEMBER 11, 2019.

20 3-B. CONTROLLER'S REPORT FOR THE
21 MONTH ENDING NOVEMBER 30, 2019.

22 3-C. CHECK RECEIVED IN THE AMOUNT
23 OF \$1,250.00 FROM THE POLISH NATIONAL CHURCH,
24 WHICH IS PAYMENT IN LIEU OF TAXES.

25 3-D. CITY OF SCRANTON DECEMBER 31,

1 2019 AUDIT, JANUARY/FEBRUARY 2020 AUDIT
2 WORKPAPER LIST.

3 3-E. MINUTES OF THE SCRANTON
4 FIREFIGHTERS PENSION COMMISSION MEETING
5 HELD NOVEMBER 20, 2019.

6 3-F. MINUTES OF THE NON-UNIFORM
7 MUNICIPAL PENSION BOARD MEETING HELD
8 NOVEMBER 20, 2019.

9 3-G. MINUTES OF THE SCRANTON POLICE
10 PENSION COMMISSION MEETING HELD NOVEMBER 20,
11 2019.

12 3-H. MINUTES OF THE COMPOSITE
13 PENSION BOARD MEETING HELD NOVEMBER
14 20, 2019.

15 3-I. AGENDA FOR THE NON-UNIFORM
16 MUNICIPAL PENSION BOARD MEETING HELD
17 DECEMBER 18, 2019.

18 3-J. MINUTES OF THE SCRANTON SEWER
19 AUTHORITY BOARD OF DIRECTORS MEETING HELD
20 OCTOBER 17, 2019.

21 3-K. CHECK RECEIVED IN THE AMOUNT
22 OF \$200,000.00 FROM THE UNIVERSITY
23 OF SCRANTON, WHICH IS PAYMENT IN LIEU OF TAXES.

24 3-L. TAX ASSESSOR'S REPORT FOR
25 HEARING DATE TO BE HELD JANUARY 15,

1 2020.

2 3-M. AGENDA FOR THE BOARD OF ZONING
3 APPEALS MEETING TO BE HELD JANUARY 15, 2020.

4 3-N. MINUTES OF THE SCRANTON
5 REDEVELOPMENT AUTHORITY MEETING HELD
6 DECEMBER 4, 2019.

7 3-O. BREAKDOWN OF ELIGIBLE SALARIES
8 FOR THE LIQUID FUELS ACCOUNT FOR
9 THE MONTHS OF OCTOBER, NOVEMBER AND DECEMBER
10 2019.

11 3-P. MINUTES OF THE HISTORICAL
12 ARCHITECTURE REVIEW BOARD MEETING
13 HELD NOVEMBER 14, 2019.

14 3-Q. SINGLE TAX OFFICE CITY FUNDS
15 DISTRIBUTED COMPARISON REPORT 2018-2019 YEAR TO
16 DATE DECEMBER 31, 2019.

17 MR. GAUGHAN: Thank you. Are there
18 any comments on any of the Third Order items?
19 If not, received and filed. Do any Council
20 members have any announcements at this time?

21 MR. DONAHUE: I have one. The PA
22 Department of Conservation and Natural
23 Resources recognizes one river annually as
24 their river of the year.

25 This recognition is done to raise

1 awareness of the important recreational
2 ecological historical resources associated with
3 the state's river and streams. And the
4 Lackawanna River is one of this year's
5 nominees.

6 The Lackawanna was in the lead
7 through last Friday. So if you haven't
8 already, please take the time to vote for the
9 Lackawanna River as River of the Year at PA
10 river of the year dot org. Voting ends this
11 Friday, January 17th at 5 p.m.

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

14 DR. ROTHCHILD: I have an
15 announcement as well. On this Saturday,
16 January 18th, we will be starting at 11 a.m.,
17 in Wilkes-Barre. There's going to be a
18 Northeast Pennsylvania Women's March that I
19 will be speaking at as well as Mayor Cagnetti.

20 So I just wanted to make the public
21 aware that if anyone was interested in
22 attending that march and that is going to be
23 hosted by NEPA Now, the national organization
24 for women, Action Together, and Northeast PA
25 and NEPA.

1 MR. GAUGHAN: Thank you. I have a
2 few. First, ECTV announced the schedule of
3 broadcast times for City Council meetings as
4 follows:

5 So our meetings have changed
6 obviously from Monday nights to Tuesday nights.
7 Our caucuses on Tuesdays will start at 5:45.
8 The public is always welcome to attend. And
9 our regular meetings will start at 6:30.

10 Tuesdays, this meeting will be live.
11 Wednesdays, it will be shown on ECTV at 10
12 a.m., Thursday at 2:30 p.m., Friday at 10 p.m.,
13 Saturday, 12 noon, and Sunday at 8 p.m.

14 Next Monday, January 20th, City Hall
15 will be closed in observance of Martin Luther
16 King, Jr., Day. The DPW is also off on this
17 day. So refuse and red recycling containers
18 will be a day behind next week.

19 Next Tuesday, January 21st, there
20 will be a public hearing at 6:15 p.m. for item
21 5-B on tonight's agenda, closing a portion of
22 Blucher Avenue between Beech Street and Birch
23 Street on East Mountain.

24 I have two other announcements which
25 I think will be well received. And I'm glad

1 Miss Hodowanitz that you are sitting down for
2 the first one. The 2018 audit has been
3 received today in Council's office. Council
4 just received the audit. So obviously we have
5 not had a chance to go through. And I'll go
6 through it.

7 It will be in Third Order next week.
8 So it will be on our agenda. There's a copy at
9 the front desk in the Clerk's office. So if
10 anyone wants to go through and take a look at
11 it you're more than welcome to do that.

12 Also, I wanted to announce that it's
13 my understanding the gas card audit which was a
14 point of contention last year, the contract has
15 been signed with the Moretti firm December
16 26th. And there will be a meeting soon with
17 the administration about that audit. And they
18 have already started preliminary work as far as
19 I know.

20 The only other thing I want to
21 mention is I would request anyone that comes up
22 to speak at the meeting, please just state your
23 name for the record for our stenographer. And
24 also, if you have a request for information
25 from Council, if you could just whether you put

1 it in writing, whether you write a note and
2 give it to our office secretary, Kathy Carrera
3 and put your name and e-mail or your phone
4 number, we would like in this new year to track
5 any requests that come through so that we can
6 have a record of it.

7 So if you do have a lengthy request
8 and it's, you know, not something simple that
9 we can just answer right off the bat on the
10 agenda, I would ask that you put it in writing.
11 You could send one of us an e-mail because we
12 are going to start tracking that. Mrs. Reed?

13 MS. REED: FOURTH ORDER. CITIZENS
14 PARTICIPATION.

15
16 (The following speakers offered
17 public comment on agenda items or matters of
18 general concern:

19 Mayor Paige Cagnetti

20 Mary Joe Sheridan

21 John Bravo

22 Thomas Coyne

23 Les Spindler

24 Lee Morgan

25 Len Srebro

1 Joan Hodowanitz
2 Marie Schumacher
3 Dave Dobrzyn
4 Norma Jeffries)

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

7 MOTIONS.

8 MR. GAUGHAN: And, Mr. Rogan, do you
9 have any comments tonight?

10 MR. ROGAN: Yes, just a couple brief
11 comments. First, I'd like to thank Mayor
12 Cagnetti for coming to our caucus and our
13 meeting tonight. I'm looking forward to
14 working with her and hoping to have an open
15 dialog on a number of issues.

16 I'd also like to thank her and
17 commend her for -- with her cabinet picks. It
18 would be very easy for a new Mayor to come in
19 here and just say I'm cleaning house. I'm
20 getting rid of everyone, whether they do a good
21 job or not because I'm new. We've seen that
22 happen with previous administrations in the
23 past.

24 So I do want to commend her and her
25 transition team for keeping many key employees

1 that have done a great job through various
2 administrations over the last few years. So
3 that's something that I think that is very
4 good.

5 On the other side, the emergency
6 certificate for the no bid contract for the 511
7 appeal, I do have some serious concerns. I do
8 think our caucus today was very helpful. I've
9 been on Council a long time, believe it or not
10 longer than everyone else on the board
11 combined.

12 This is the first time I've ever
13 seen an emergency certificate for legal
14 services. When the appeal -- when the City
15 lost the case at the time, Mayor Evans was
16 Mayor. And I remember talking with him quite a
17 number of times during this period about the
18 status of the appeal.

19 And at the time Mayor Evans related
20 to me that the appeal is ready. We just have
21 to run it down to be filed. What changed
22 between then and now I'm uncertain on.
23 Obviously an emergency to prepare the appeal to
24 file it I would fully support. I think every
25 one would. But there is no question that the

1 City has to appeal the case.

2 As far as picking a law firm for a
3 case that may last many years and may cost -- I
4 think will cost hundreds of thousands of
5 dollars in legal fees without a bidding process
6 I think is something that should be revisited.
7 If it is the idea of strictly for the filing of
8 the appeal which has been done, again, I
9 support that. That's an emergency.

10 Nobody is saying that the City
11 should not appeal the case. What I do think
12 should happen though is that it is put out to
13 bid and all these other firms are given an
14 opportunity to bid on it.

15 Again, it's unfortunately the City's
16 history with lawsuits and court proceedings is
17 not a good one. The arbitration award for our
18 City Police and Fire dragged out in the courts
19 through years, cost the City millions of
20 dollars just in the court award and then the
21 legal fees were astronomical.

22 I know there was a question about if
23 there's a cap. I don't believe there is. I
24 think these type of contracts are typically a
25 dollar amount. So it would be "X" amount per

1 hour. I do know from the memo we received that
2 was negotiated.

3 And it does sound like the rate may
4 be favorable compared to the other -- I don't
5 want to say bidders but the two other firms
6 that were interviewed. There's a lot of legal
7 firms out there. And again, I know Council is
8 going to receive something to put a rubber
9 stamp on as far as an approval goes.

10 But really, the process should have
11 played out through the RFP process and through
12 our bid process. I don't know -- even know if
13 Council's vote under an emergency certificate
14 is even meaningful. Typically when we see an
15 emergency certificate used is we have a
16 massive snowstorm that comes in.

17 DPW can't handle it. The Mayor
18 calls up whatever company. They put people in.
19 I never seen an emergency certificate come to
20 Council for approval on a contract.
21 Legislation emergency certificates we get all
22 the time to pass legislation through one
23 reading.

24 But I've never seen it used in this
25 manner. Again, it had to be filed. There's no

1 question about that. I just think the previous
2 Mayor had it ready to go through the legal
3 department. I understand the change in
4 strategy from using our internal attorneys to
5 using outside attorneys.

6 I understand it and probably -- it
7 probably is the best course of action because
8 our city solicitor and her team have a number
9 of issues to work on. So I'm not disagreeing
10 with the strategy or the reasoning behind it.

11 But I do think -- and I know
12 Councilman McAndrew asked the question to our
13 solicitor in the caucus if it could have been
14 filed by the City directly and then another
15 team takes over, which I think is the best
16 course of action. That's all I have for
17 tonight. Thank you.

18 MR. GAUGHAN: Thank you, Councilman
19 Rogan. Councilman McAndrew, do you have any
20 motions or comments?

21 MR. MCANDREW: I have a few. Thank
22 you. As Chairman of Public Safety, I would
23 like to give a shout-out to our first
24 responders for last week's events. First being
25 the heroic efforts of Scranton firefighter,

1 Bill Walsh and the Ice Rescue Team for saving a
2 deer that fell through the ice at Moosic Lake.
3 Great job.

4 Secondly, shout-out and thank you to
5 the brave men and women of the Scranton Police
6 Department and surrounding area police
7 departments for National Law Enforcement Day,
8 which was last Thursday. So once again a big
9 thank you to our hometown heros.

10 I would also like to speak to the
11 emergency declaration. So I posed this
12 question in the back like Councilman Rogan just
13 said. And my question was pretty much, okay,
14 the decision -- I understand the sense of
15 urgency with regards to the appeal, of course.

16 So but the decision came down on the
17 16th. My question -- and I'm going to pose it
18 again, Solicitor Hayes, to you so the public is
19 informed because I had a question. And I
20 wanted it answered and some rationale.

21 And my question was, why didn't the
22 current solicitor start the appeal process, get
23 it started? I know it had to be started to
24 give us some wiggle room or some time to
25 actually put it out to bid, the legal services

1 that are going to be required because it
2 appears to me that it's more reactive than
3 proactive.

4 ATTY. HAYES: Councilman McAndrew,
5 my understanding is that the prior
6 administration -- and I was not part of these
7 discussions -- made the determination that they
8 wanted the incoming Mayor to have the ability
9 to decide whether to proceed with the appeal
10 and to select -- be involved in the selection
11 of counsel who would take up the appeal.

12 So the current Mayor was presented
13 with, you know, a circumstance where she was
14 appointed -- or she assumed office on January
15 the 6th, the appeal is due January the 14th.
16 Obviously she had no options other than the one
17 that she pursued at that time.

18 I can't tell you as to why notice of
19 appeal was not filed prior to Mayor Cagnetti
20 assuming office. But that's my understanding
21 as to why -- that was part of the rationale as
22 far as I know is leave it to the new Mayor to
23 make the decision as to whether she wants to
24 pursue the appeal and to be involved in the
25 selection of counsel.

1 MR. MCANDREW: Okay. Thank you. I
2 also have a request to Mrs. Reed. I've had a
3 couple inquiries to me with regards to the
4 splash pad at Novembrino Pool Complex. Could
5 you please reach out or craft a letter to Tom
6 Preamble of OECD for an update and a timeline,
7 if you would do that for me, please? Thank
8 you. That's all I have.

9 MR. GAUGHAN: Thank you, Councilman
10 McAndrew. Dr. Rothchild, do you have any
11 motions or comments?

12 DR. ROTHCHILD: I have no comments
13 at this time. Thank you.

14 MR. GAUGHAN: Thank you. Councilman
15 Donahue, do you have any motions or comments?

16 MR. DONAHUE: Yes. I was extremely
17 disappointed in Auditor General Eugene
18 DePasquale's statement that budget cuts may
19 prevent his office from conducting a
20 performance audit of the sale of the Scranton
21 Sewer Authority after the Sewer Authority Board
22 finally invited the AG to come in and perform
23 the audit.

24 Two years ago the Auditor General
25 issued a statement supporting a bill that would

1 give his office the power to independently
2 audit municipal authorities in which he stated
3 that if he was given that power, first
4 municipal authority he would audit would be
5 Scranton.

6 So if he thought it was that
7 important two years ago, what has changed in
8 the last two years? I agree with Councilman
9 Gaughan's statements that were in the paper
10 along with the article that this audit can
11 finally put this issue to bed by providing
12 answers to residents in the City.

13 And it also could provide a guide to
14 municipal authorities across the state who are
15 in discussions to do the same thing that we do.
16 So, therefore, I would like to make a motion
17 for Council to send a letter to the Auditor
18 General to urge him to find the resources
19 necessary to finally perform this audit.

20 MR. GAUGHAN: There's a motion on
21 the floor. Is there a second?

22 MR. MCANDREW: Second.

23 MR. GAUGHAN: On the question?

24 MR. MCANDREW: I'd like to say
25 something on the question. As a school

1 director, I embrace the Auditor General audits
2 that were conducted. I embraced the findings
3 and the recommendations. I too don't
4 understand why an audit on the Scranton Sewer
5 Authority sale would not be a priority at the
6 state level because of its magnitude even with
7 the reduction of their staff.

8 So the first request, I hope that
9 was a save the date and we're sending another
10 invitation. And I hope he comes in with at
11 least plus one or a few more. Thank you.

12 MR. GAUGHAN: Thank you. I would
13 agree. I think as I stated in the past, I do
14 think, you know, this is something that both
15 the Dunmore Council, the Scranton Council and
16 the Dunmore -- current Dunmore Mayor Tim Burke
17 has been pushing for.

18 I understand that it was out of the
19 Auditor General's control that his staff was
20 cut by the Republican controlled legislature.
21 However, I do think that whatever resources the
22 Auditor General can put towards the audit, it
23 is important. I think it's important to this
24 Council.

25 It's important to the Dunmore

1 Council. And it's important to all of the
2 ratepayers in both Dunmore and Scranton. So I
3 agree with sending the followup letter asking
4 the Auditor General maybe for a timeline on
5 when he might make a decision and just
6 expressing how important again this is to both
7 the Council of Scranton and of Dunmore.

8 Anybody else on the question? All
9 those in favor signify by saying aye.

10 MR. ROGAN: Aye.

11 MR. MCANDREW: Aye.

12 MR. DONAHUE: Aye.

13 DR. ROTHCHILD: Aye.

14 MR. GAUGHAN: Aye. Opposed? The
15 ayes have it and the motion passes.

16 MR. DONAHUE: That's all I have.

17 MR. GAUGHAN: Thank you. Well,
18 thank you everyone for coming out tonight. I
19 have a few comments. In regards to the Act 511
20 emergency declaration that just came down, I
21 just want to make a few points because I think
22 the issue is being -- it's a more complicated
23 issue than it's being made out to be.

24 I look at it two ways. The decision
25 from the judge came down on I think December

1 16th. So in a perfect world, let's just say
2 that the previous administration under Wayne
3 Evans had issued an RFQ and they had one ready
4 to go for appellate legal services. That takes
5 weeks to get the bids in to review the bids.

6 Then that would have to come before
7 Council. That takes a minimum of three weeks.
8 So there is at least two or three months there.
9 The deadline to appeal was January 14th. So in
10 my view after all the facts that I've looked at
11 and in my conversations with the
12 administration, the alternative would be to not
13 file an appeal and be faced with a 50 million
14 dollar judgment which, of course, we don't have
15 50 million dollars.

16 So the alternative in my opinion
17 would be devastating. As I mentioned in the
18 newspaper, is it an ideal situation? No. And
19 I think Mayor Cagnetti made that point tonight.
20 It is certainly not an ideal situation to start
21 off the new year with an emergency declaration.

22 Is it an absolute necessity? Yes.
23 Will we have to pay legal fees? Yes. But the
24 alternative is, you know, instead of paying
25 tens of thousands or hundreds of thousands in

1 legal fees, we're going to have to pay 50
2 million dollars.

3 And that's still up in the air on
4 whether, you know, on how the case is going to
5 work out. So I do think it's important the
6 logistics of it obviously was explained in the
7 memo that was received by Council. And I'm
8 hopeful that this firm comes in and argues
9 successfully on behalf of the City.

10 One of the things that I've heard
11 over the last few days from people is the, you
12 know, the City should just file bankruptcy.
13 Again, this issue is not as simple as the City
14 filing bankruptcy. There is a process that has
15 to be followed.

16 If for some reason this judgment or
17 the appeal didn't work in the City's favor, you
18 don't just go into bankruptcy. You have to go
19 into receivership first. We're exiting by all
20 accounts Act 47 in the summer. So again, this
21 is a very complicated issue. And I feel very
22 comfortable having this law firm with Judge
23 Vanaskie who was an appeal's judge on the team
24 to argue this case. So that's all I have to
25 say on the Act 511 declaration.

1 I just want to check through a few
2 things that are left over from 2019. So I had
3 the opportunity to speak earlier this afternoon
4 to Director of Licensing and Inspections, Tom
5 Oleski.

6 And one of the questions that I had
7 asked him was regarding Barry Isett. Barry
8 Isett is a company that the City hired to go
9 into the Licensing and Inspections Office and
10 basically perform an assessment, what's, you
11 know, what's working, what's not working and
12 make recommendations.

13 I was concerned to find out that the
14 Director has not had any contact with Barry
15 Isett yet. I know in the past Council has
16 requested updates from this company. So,
17 Mrs. Reed, if you could get in contact with the
18 administration and Barry Isett and find out
19 exactly what is going on with the contract.
20 The contract was signed months ago. So I
21 believe that work should have started. So if
22 you could find out exactly what's going on with
23 that.

24 In regards to the recycling, several
25 people brought it up to me over the last few

1 months and, Miss Schumacher, you brought it up
2 tonight. I think in terms of communication
3 with the public, the honest answer is the City
4 dropped the ball. I think moving forward --
5 I'm hopeful with this new administration that
6 people are apprised of exactly what's going on.

7 As it was delineated in the
8 newspaper quite clearly, the City knew about
9 this months and months and months ago. So
10 there is some kind of disconnect between the,
11 you know, the departments and the
12 administration getting the information out to
13 the public.

14 So as Councilman Donahue reiterated
15 tonight, I think that is being worked on and we
16 should see a plan hopefully quickly because
17 people have questions.

18 One of the things that I brought up
19 before that I think is a good idea and I have
20 talked in the past to Mayor Cagnetti about it
21 is using different avenues for communication
22 with residents. We talked here for the last
23 two years about SeeClickFix a program that
24 would track requests that come in from the
25 public.

1 I think the City should use social
2 media more. There are several people on
3 Facebook and Twitter and Instagram. So I do
4 think that there is a lot of ways that the City
5 could improve communications. And I'm really
6 hopeful that will take place under this new
7 administration.

8 As I mentioned at the top of the
9 meeting, one of the issues that was present at
10 Council meetings for months and months and
11 months was the gas card audit. As I stated,
12 it's my understanding that the contract was
13 signed December 26th. The firm Moretti has
14 requested a meeting apparently with the Mayor
15 and administration and the Controller's Office.

16 And it's my understanding that
17 they've already started to compile information
18 and start the audit. So, Mrs. Reed, I would
19 just appreciate it if you could send something
20 to Moretti asking them to keep Council updated
21 on their progress and what the timeline looks
22 like because I know several of us are
23 interested in that.

24 As I mentioned also at the top of
25 the meeting, the 2018 audit we finally

1 received. I would like, Mrs. Reed, if you
2 could send correspondence on my behalf as I had
3 asked in 2019 asking that an exit conference be
4 held with the auditors with the business
5 administrator in a public caucus so that we can
6 start that as a regular occurrence.

7 And I believe -- and I've always
8 said that that should have happened in the past
9 but it never did. So I think to gain an
10 understanding of the audit, any findings I
11 haven't looked through it yet because we just
12 received it today. I think that is a good
13 idea.

14 Council received a December 17th,
15 2019 letter addressed to Dave Bulzoni from the
16 Department of Environmental Protection
17 regarding the Stafford Meadowbrook
18 Flood Protection Project. Mrs. Reed, if you
19 could please get in touch with Mr. Gallagher
20 and I'll fill Councilman Donahue on this as
21 well.

22 There was several issues with the
23 project that was found to be were minimally
24 acceptable by DEP. So if we can find out what
25 the work schedule is for this project and I'd

1 also like to know when they're going reassess
2 their current maintenance plan and implement
3 measures that will keep the project operational
4 and protect its integrity. So if we can send
5 that out this week I would appreciate it.

6 Also Mr. Coyne came tonight. I know
7 the last time you were here, Mr. Coyne, you had
8 posed a question regarding our IT Department.
9 That letter was sent on December 20th, 2019
10 with a transition that may have fallen through
11 the cracks. So, Mrs. Reed, we didn't receive a
12 response yet. But if we can send that again
13 and ask for a response no later than the end of
14 business -- the end of business Friday of next
15 week.

16 We also -- Council requested on
17 December 20th a meeting with Rainey and Rainey
18 which is the audit prep firm that works with
19 the City. Mrs. Reed, if you could please send
20 a letter directly to Rainey and Rainey and copy
21 the new business administrator on it asking for
22 a meeting caucus as soon as possible to discuss
23 the issues that occurred with the development
24 and the finishing of the 2018 audit.

25 I know this is something that

1 Councilwoman Dempsey was on and talked about
2 often. And I think it's important that we
3 don't let this go and we get answers as to
4 exactly what occurred. I know there is two
5 sides to every story. So I'd like to make sure
6 that is out in the open.

7 As I mentioned to Miss Hodowanitz or
8 Mr. Schumacher, we received an MS4 inspection
9 report. And there were seven violations noted
10 in the compliance inspection report. I would
11 like, Mrs. Reed, if you could get in touch with
12 Mr. King, our City Planner and Mr. Gallagher
13 and ask them what the status of the MS4 permit
14 application exactly is.

15 I know the way we left it off in
16 2019 was there was a ten day extension. And I
17 also requested Friday in my meeting with the
18 administration that Council is updated by
19 Herbert, Rowland & Grubic, the company that was
20 working on stormwater measures with the City
21 that they be brought in for a caucus since we
22 did sign a contract with them and that they
23 give us an update.

24 I think it's important. It's the
25 next big issue that the City is going to face.

1 And I would like to be ahead of the curve there
2 so everyone is on the same page. One of the
3 things that Councilwoman Dempsey sent a letter
4 back in either at the end of October, early
5 November asking how many signed Ethics Code
6 acknowledges were outstanding from City
7 employees and what, if anything, the
8 administration would do if they were not
9 signed.

10 As far as I know, we did not receive
11 any response from the previous administration
12 on that letter. Mrs. Reed, if you could please
13 send that letter out again on my behalf and ask
14 that a response be provided no later than the
15 end of business Friday of next week.

16 I'd also like to request a copy of
17 the RFP or RFQ that the City put out for health
18 insurance services with Millennium
19 administrators. Again, going back to
20 Councilwoman Dempsey, she had brought up
21 several concerns regarding healthcare costs for
22 the City.

23 We received an e-mail on Monday,
24 December 16th regarding healthcare costs that
25 the City had incurred. To date, we're at 17.2

1 million dollars. And as Councilwoman Dempsey
2 stated that at the time something must be done
3 on these costs and done soon. And her words,
4 the costs were outrageous and unmanaged in her
5 review.

6 I would like to request as
7 Councilwoman Dempsey did a -- at least a
8 quarterly analysis from Millennium
9 administrators, what they're recommending
10 whether it be quarterly, short term, long-term
11 to control or reduce these healthcare costs. I
12 think it's one of -- really one of the big
13 issues that the City has faced in the past and
14 that we're going to face moving into the
15 future. So we need to stay on top of that.

16 I requested on November 20th of
17 2019, a letter to be sent out to the former
18 fire chief regarding emergency management --
19 the Emergency Management Plan. I had posed
20 several questions regarding the copy of the
21 Emergency Management Multiyear Training Plan, a
22 copy of pertinent plan documents, exercises
23 related to relevant hazards and threats.

24 We did not receive a response to
25 that request. So, Mrs. Reed, if you could send

1 another request to the new acting Fire Chief,
2 Al Lucas and ask that he respond no later
3 than next Friday end of business.

4 One of the issues that we
5 encountered at the end of 2019, I just met with
6 a neighbor over on Third Avenue regarding this
7 again is truck traffic on Third Avenue.

8 One of the issues is the Elm Street
9 bridge has been posted. So there are trucks
10 coming out -- salt trucks coming out of the
11 plant behind Danny's Garage there on Elm
12 Street. And instead of going over the bridge,
13 now they are going down to Third Avenue.

14 So needless to say, this is a
15 residential area. There is a lot of homes on
16 this street, young families and elderly people.
17 And it's been a major disruption to their
18 lives. So I met last night with one of the
19 neighbors who's kind of leading the charge over
20 there.

21 And City Engineer John Pocius also
22 met with us. So I am going to ask, Mrs. Reed,
23 if you could send correspondence to Mr. Pocius
24 asking for a formal review of this situation
25 and asking for his opinion in writing on

1 whether or not traffic can be redirected off of
2 Third Avenue onto Railroad Avenue and they
3 could take a right down Broadway Street.

4 That's kind of the -- one of the
5 solutions that was discussed. Again, I think a
6 lot of things here have to be hashed out, one
7 of which may be the possible repeal or
8 amendment of ordinance File of Council No. 29
9 from 1995 which prohibited truck traffic in the
10 Bellevue area on several streets.

11 So we may if we go that route
12 depending on what comes back from the City
13 Engineer's Office, we may have to repeal or
14 amend the ordinance from 1995. So I'd like you
15 to look at it and Solicitor Hayes when you get
16 a chance.

17 And as I stated, meeting with the
18 gentleman yesterday and Mr. Pocius in speaking
19 to the neighbors, in fact, I had, I don't know,
20 three or four missed called today -- they
21 called the office from Third Avenue. It is an
22 issue. So I would like that to be addressed.

23 Also, late this afternoon -- and I
24 sent an e-mail to Mrs. Reed. I received a call
25 from a resident in the 600 block of North Main

1 Avenue. This resident explained that there is
2 a field behind her home off of Powderly Court
3 that is literally sinking into the ground. The
4 holes have become so bad that it's consuming
5 trees and other debris nearby.

6 This resident and other residents
7 are concerned that the sinking ground is moving
8 towards their homes off of Main Avenue. So I
9 asked Mrs. Reed if she would send something,
10 official correspondence to the DPW to assess
11 the situation.

12 The neighbors aren't sure if the
13 land off the Powderly Court is, in fact, owned
14 by the City or someone else. Nevertheless,
15 this situation in their opinion is so dangerous
16 that it warrants immediate attention from City
17 officials.

18 And the last thing I'll end with
19 tonight is the rental registration issue that
20 Miss Schumacher brought up. So there is a
21 lengthy memo, Miss Schumacher, that -- and I'm
22 sure others are interested that Mr. Oleski, the
23 Director of Licensing and Inspections had sent.
24 Council, we received it January 3rd, 2020.

25 It was dated December 29th, 2019.

1 He goes onto explain how that whole debacle and
2 fiasco as you put it happened. To answer one
3 of your questions without going through the
4 whole memo here, the cost of postage to send
5 out the delinquent rental registration letters
6 via certified mail and regular US mail was
7 \$29,745.50. This will be placed in Third Order
8 and will be on our agenda for next week.

9 So anyone that's interested could
10 take a look at it. In the meantime, if anyone
11 wants a copy of it, that could certainly be
12 accommodated as well. Other than that, I don't
13 have anything. And we can move forward with
14 the meeting. Thank you.

15 MS. REED: 5-B. FOR INTRODUCTION -
16 AN ORDINANCE - CLOSING AND VACATING A
17 PORTION OF BLUCHER AVENUE BETWEEN BEECH STREET
18 AND BIRCH STREET.

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

22 MR. DONAHUE: So moved.

23 MR. ROGAN: Second.

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

1 saying aye.

2 MR. ROGAN: Aye.

3 MR. MCANDREW: Aye.

4 MR. DONAHUE: Aye.

5 DR. ROTHCHILD: Aye.

6 MR. GAUGHAN: Aye. Opposed? The
7 eyes have it and so moved.

8 MS. REED: 5-C. FOR INTRODUCTION -
9 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
10 NO. 43, 2018, AN ORDINANCE AMENDING FILE OF THE
11 COUNCIL NO. 100, 1976, ENTITLED "AN ORDINANCE
12 (AS AMENDED) LEVYING GENERAL AND SPECIAL TAXES
13 FOR THE FISCAL YEAR 1977", BY SETTING THE
14 MILLAGE FOR THE YEAR 2020 AND THE SAME SHALL
15 REMAIN IN FULL FORCE AND EFFECT ANNUALLY
16 THEREAFTER" BY AMENDING SECTION 1 REVERTING
17 BACK TO THE MILLAGE RATES FROM 2016 WHICH ARE
18 .232521 MILLS LEVY ON LAND AND .050564 MILLS
19 LEVY ON ALL BUILDINGS AND BY ELIMINATING THE
20 DEDICATED MILLAGE FOR DEBT SERVICE CONTAINED
21 IN SECTION 2 AND REPLACING THE DEDICATED
22 MILLAGE FOR DEBT SERVICE WITH A DEDICATED DEBT
23 PERCENTAGE OF 33% OF REAL ESTATE TAX REVENUES
24 COLLECTED ON A CURRENT YEAR BASIS.

25 MR. GAUGHAN: At this time I'll

1 entertain a motion that Item 5-C be introduced
2 into its proper committee.

3 MR. DONAHUE: So moved.

4 DR. ROTHCHILD: Second.

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

8 MR. ROGAN: Aye.

9 MR. MCANDREW: Aye.

10 MR. DONAHUE: Aye.

11 DR. ROTHCHILD: Aye.

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

14 MS. REED: 5-D. FOR INTRODUCTION -
15 A RESOLUTION - APPROVING, IN ACCORDANCE WITH
16 SECTION 147(f) OF THE INTERNAL REVENUE CODE OF
17 1986, AS AMENDED, A PLAN OF FINANCING OF THE
18 SCRANTON-LACKAWANNA HEALTH AND WELFARE
19 AUTHORITY AND DECLARING THAT IT IS DESIRABLE
20 FOR THE HEALTH, SAFETY AND WELFARE OF THE
21 PEOPLE OF THE CITY OF SCRANTON FOR THE
22 SCRANTON-LACKAWANNA HEALTH AND WELFARE
23 AUTHORITY TO UNDERTAKE A PROJECT FOR
24 NORTHEASTERN CHILD CARE SERVICES.

25 MR. GAUGHAN: At this time I'll

1 entertain a motion that Item 5-D be introduced
2 into its proper committee.

3 MR. DONAHUE: So moved.

4 DR. ROTHCHILD: Second.

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

8 MR. ROGAN: Aye.

9 MR. MCANDREW: Aye.

10 MR. DONAHUE: Aye.

11 DR. ROTHCHILD: Aye.

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

14 MS. REED: 5-E. FOR INTRODUCTION -
15 A RESOLUTION - AUTHORIZING THE DIRECTOR OF
16 THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF
17 SCRANTON TO SIGN AND SUBMIT THE PENNSYLVANIA
18 DEPARTMENT OF TRANSPORTATION ("PENNDOT")
19 APPLICATION FOR TRAFFIC SIGNAL APPROVAL FOR
20 TRAFFIC SIGNAL PERMIT NO. 5654 LACKAWANNA
21 AVENUE AND FRANKLIN AVENUE.

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

25 MR. DONAHUE: So moved.

1 MR. ROGAN: Second.

2 MR. GAUGHAN: On the question? Yes,
3 on the question, just to kind of explain what
4 this legislation is, so there has been issues
5 with pedestrian safety in front of the State
6 Office Building. So City officials got
7 together with PennDOT and other interested
8 parties.

9 And what they're going to do is
10 revise the permit to have four seconds of
11 advanced pedestrian time and add additional
12 green time for the State Office Building
13 parking lot driveway at quitting time, which is
14 around 3:30 p.m., 4 p.m., and 4:30 p.m. Thank
15 you. Anyone else on the question? All those
16 in favor of introduction signify by saying aye.

17 MR. ROGAN: Aye.

18 MR. MCANDREW: Aye.

19 MR. DONAHUE: Aye.

20 DR. ROTHCHILD: Aye.

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

23 MS. REED: 5-F. FOR INTRODUCTION -
24 A RESOLUTION - AUTHORIZING THE DIRECTOR OF
25 THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF

1 SCRANTON TO SIGN AND SUBMIT THE PENNSYLVANIA
2 DEPARTMENT OF TRANSPORTATION ("PENNDOT")
3 APPLICATION FOR TRAFFIC SIGNAL APPROVAL FOR
4 TRAFFIC SIGNAL PERMIT NO. 40110 AT LACKAWANNA
5 AVENUE AND MIFFLIN AVENUE (ENTRANCE TO
6 STEAMTOWN MALL.)

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

10 MR. DONAHUE: So moved.

11 MR. MCANDREW: Second.

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

15 MR. ROGAN: Aye.

16 MR. MCANDREW: Aye.

17 MR. DONAHUE: Aye.

18 DR. ROTHCHILD: Aye.

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

21 MS. REED: SIXTH ORDER. 6-A. No
22 business at this time.

23 SEVENTH ORDER. 7-A. No business at
24 this time.

25 MR. GAUGHAN: If there is no further

1 business, I'll entertain a motion to adjourn.

2 MR. MCANDREW: Motion to adjourn.

3 MR. GAUGHAN: This meeting's

4 adjourned. Thank you.

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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
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