

COUNCIL FOR THE CITY OF SCRANTON

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HELD:

Tuesday, April 7th, 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 :

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

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

1 (Pledge of Allegiance.)

2
3 MR. GAUGHAN: Please remain standing
4 now 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, especially Jane DiBileo beloved
8 mother of former Scranton City Councilman Gary
9 DiBileo.

10 And also I'd ask that we remember
11 Cody Barrasse. It's the seventh anniversary of
12 his tragic passing. And it's been truly
13 inspiring what Cody's friends and family have
14 done in his honor by forming an organization
15 promoting organ donor awareness.

16 I'd also like to ask now that we
17 take a special moment of silence for people in
18 our community and throughout the world who are
19 currently suffering or who have passed away
20 from the coronavirus. I'd like us to think now
21 about them and their families that they may
22 find peace.

23 I'd like us to think now about the
24 doctors, the nurses, the researchers and all
25 medical professionals and first responders who

1 seek to heal and help those affected and who
2 put themselves at risk in the process.

3 May they find protection and peace.
4 Whether we are here at home or abroad
5 surrounded by many people suffering from this
6 illness or only a few, let us stick together,
7 endure together, mourn together, persist and
8 prepare together.

9 And in place of our anxiety, let us
10 continue to hope and find peace. Thank you.
11 Miss Carrera, roll call, please.

12 MS. CARRERA: Mr. Schuster.

13 MR. SCHUSTER: Present.

14 MS. CARRERA: Mr. McAndrew.

15 MR. MCANDREW: Present.

16 MS. CARRERA: Dr. Rothchild.

17 DR. ROTHCHILD: Here.

18 MS. CARRERA: Mr. Donahue.

19 MR. DONAHUE: Here.

20 MS. CARRERA: Mr. Gaughan.

21 MR. GAUGHAN: Here. Thank you, Miss
22 Carrera. Just to note, there will be a motion
23 to move Item 5-B to Sixth and Seventh Orders
24 for a final vote based on the attached
25 emergency certificate tonight.

1 Mrs. Reed, can you please dispense
2 with the reading of the minutes?

3 MS. REED: THIRD ORDER.

4 3-A. CORRESPONDENCE RECEIVED FROM
5 KOHANSKI COMPANY, PC DATED MARCH 23, 2020
6 REGARDING 2019 FINANCIAL STATEMENTS AUDIT.

7 3-B. CORRESPONDENCE RECEIVED FROM
8 KOHANSKI COMPANY, PC DATED MARCH
9 23, 2020 REGARDING CURRENT SERVICES TO BE
10 PROVIDED FOR THE CITY OF SCRANTON AUDIT FOR
11 2019.

12 3-C. SINGLE TAX OFFICE CITY FUNDS
13 DISTRIBUTED COMPARISON REPORT 2019-2020 YEAR TO
14 DATE MARCH 31, 2020.

15 3-D. CORRESPONDENCE RECEIVED FROM
16 THE PENNSYLVANIA ECONOMY LEAGUE DATED MARCH 31,
17 2020 REGARDING Act 47 COORDINATOR'S
18 RECOMMENDATION TO THE SECRETARY OF THE
19 DEPARTMENT OF COMMUNITY AND ECONOMIC
20 DEVELOPMENT FOR THE CITY OF SCRANTON.

21 3-E. PROCLAMATION RECEIVED FROM
22 MAYOR PAIGE G. COGNETTI DATED MARCH 27, 2020
23 DECLARING THE STATE OF EMERGENCY IN THE CITY OF
24 SCRANTON WHICH EXTENDS THE DATE OF CERTAIN
25 TAXES DUE TO JULY 15, 2020.

1 3-F. CORRESPONDENCE RECEIVED FROM
2 MAYOR PAIGE G. COGNETTI DATED MARCH 31, 2020 IN
3 RESPONSE TO COUNCIL'S CORRESPONDENCE SENT
4 MARCH 19, 2020.

5 MR. GAUGHAN: Thank you, Mrs. Reed.
6 Are there any comments on any of the Third
7 Order items?

8 MR. SCHUSTER: I'd just make a
9 comment on the Item 3-E with the date of the
10 taxes. The School Board last night, we added a
11 friendly amendment to keep the current date or
12 current deadline but not follow up with any
13 delinquencies until July 15th just to keep our
14 cash flow situation in order.

15 MR. GAUGHAN: Thank you,
16 Mr. Schuster. Does anyone else have any
17 comments on the Third Order items? I have
18 general comments about the recommendation from
19 the Pennsylvania Economy League. But I'm going
20 to hold those until our comments and motions in
21 Fifth Order at this time. If there's no other
22 comments, received and filed.

23 Do any Council members at this time
24 have any announcements?

25 MR. DONAHUE: Not necessarily an

1 announcement but a reminder if you haven't
2 already to fill out your census form. You
3 should have gotten something in the mail. If
4 not, you could go to my 2020 Census dot Gov to
5 fill out -- fill the census form out.

6 Before we had a public hearing on
7 how we distribute our OECD funds. And the
8 census actually determines where those funds
9 can be dispensed. And that's just one example
10 of the money that's determined based off of the
11 census.

12 So please make sure you fill out
13 your census forms at my 2020 census dot Gov.
14 Thank you.

15 MR. GAUGHAN: Thank you. Anyone
16 else have any announcements?

17 MR. MCANDREW: I do actually. EJ
18 the DJ, his wife Penny along with his beautiful
19 daughters McCae and Olivia have been doing a
20 Facebook live dance party from their home in
21 West Side during the stay at home initiative.

22 This event is usually broadcasted
23 Monday, Wednesday, and Thursdays at 5 p.m.,
24 Friday at 8; Saturday and Sunday at 12:30. I
25 just want to give a hats off to EJ and his

1 beautiful family for bringing us all together
2 through music and dance during these trying
3 times. That's all I have. Thanks.

4 MR. GAUGHAN: Thank you. I would
5 second that. I've watched it, Mr. McAndrew.
6 It's very well done. Anyone else have any --

7 MR. MCANDREW: I actually
8 participated too.

9 MR. GAUGHAN: Did you? Anyone have
10 any other announcements?

11 I have a few. First, if there are
12 any groups or organizations that are offering
13 free services or assistance to someone that's
14 in need during this national emergency and
15 you'd like to have that information available
16 on ECTV, please e-mail ChrisECTV@gmail.com.
17 The wording of your e-mail is exactly what ECTV
18 will publish on Channel 19.

19 I'd also like to state once again
20 that if anyone would like to comment on agenda
21 items or City business, please send those
22 comments in writing to our City Clerk, Lori
23 Reed by e-mailing Lreed@scrantonpa.gov. City
24 Council will accept public comment until the
25 day of our meeting Tuesday at 4:30 p.m.

1 Public comment is reviewed by the
2 Council prior to our meeting and is placed on
3 the official record and in the minutes of our
4 meetings. Council's agenda is now being posted
5 for public review the Friday before our Tuesday
6 meeting to give people enough time to review
7 all the legislation and backup documentation if
8 they were to comment on it.

9 Our agenda and minutes can be
10 accessed by going to www.scrantonpa.gov and
11 clicking on the City Council page. And as
12 Solicitor Hayes mentioned in the caucus,
13 obviously this is not the way that any of us
14 would like -- the situation that any of us
15 would like to be in. We are doing the best
16 that we can at this point in terms of trying to
17 meet.

18 I had a conversation with our City
19 Clerk, Lori Reed earlier in the week. And she
20 gets updates from City Clerks around the state.
21 And we are one of the few councils actually
22 that is still meeting on a regular basis.
23 There are several councils that have just
24 cancelled their meetings altogether.

25 So we are doing the best we can and

1 I think we all look forward to the day when we
2 can be back in City Council chambers with
3 everyone and conducting our business as we
4 regularly used to do.

5 Also the Mayor informed me today
6 that there will be a virtual food bank
7 fundraiser benefitting the Northeast Regional
8 Food Bank. This will be Thursday, April 9th
9 from 7 to 8 p.m. Participants will join
10 through Zoom and viewers can watch through
11 Facebook or YouTube.

12 And apparently there will be more
13 information coming about that. So just keep
14 checking Facebook or YouTube, and there will be
15 some sort of announcement coming from the
16 Mayor's office. Last week I also want to
17 announce that I failed just by accident to
18 mention that the Council received comments from
19 Fay Franus and Joseph Healy. They were a part
20 of the record for last week's Council meeting
21 and they are in our official minutes if anyone
22 would like to review those comments.

23 Okay. And that is all I have at
24 this time. Mrs. Reed?

25 MS. REED: FOURTH ORDER. CITIZENS

1 PARTICIPATION.

2 MR. GAUGHAN: Thank you, Mrs. Reed.
3 I'd ask now if someone -- one of my fellow
4 colleagues could make a motion that Council
5 officially accepts and places the comments
6 received from the following individuals into
7 our record to be fully included in our minutes.

8 And the two people that -- two
9 citizens that we received comments from for
10 this week's meeting were Marie Schumacher and
11 Fay Franus. So would someone please make that
12 motion at this time?

13 MR. DONAHUE: I'd like to make a
14 motion that we accept public comments be
15 included into our minutes.

16 MR. SCHUSTER: Second.

17 MR. GAUGHAN: Thank you. There's
18 been a motion and a second. On the question?
19 On the question, I reviewed both
20 Mrs. Schumacher and Mrs. Franus's comments as I
21 know everyone else did from last week we
22 received some questions to Council. They are
23 under review.

24 And we will do our best to try to
25 answer those questions and get back to those

1 citizens with answers. Mrs. Schumacher posed
2 several questions, stormwater management along
3 with some other things.

4 It may be difficult to be quite
5 honest to get answers to those questions now in
6 the middle of the coronavirus crisis. If for
7 no other reason that those type of things I
8 think are somewhat on the back burner. And it
9 may be difficult to get specific answers to
10 those questions.

11 But nevertheless, we will do our
12 best to in a reasonable timeframe to get those
13 questions answered that were posed to Council.
14 So we have a motion, a second. Anyone else on
15 the question? All those in favor of the motion
16 signify by saying aye.

17 MR. SCHUSTER: Aye.

18 MR. MCANDREW: Aye.

19 MR. DONAHUE: Aye.

20 DR. ROTHCHILD: Aye.

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

23

24

PUBLIC COMMENTS

25

(MARIE SCHUMACHER)

1 #1 Request the Cash Flow Chart be
2 added to Third Order.

3 #2 Does Police Overtime count toward
4 pension.

5 #3 Direct to Councilman Donohue -
6 Have you received a response from DPW such that
7 you are able to provide the promised
8 information to Lenny Serebro?

9 #4 Has the MS4 Permit been
10 submitted?

11 #5 What is the contractual date for
12 receiving the Stormwater report from HRG?

13 #6 What is the current status of the
14 Stormwater/Sewage Rights of Way case that will
15 free up the escrowed Scranton Sewer Authority
16 sale and is Council 100% committed to use that
17 freed up money to reduce debt?

18 Submitted by Marie Schumacher

19

20

21 (FAY FRANUS)

22

23 The Scranton school board meeting
24 had the public call in live during their
25 meeting and some were even able to appear if

1 they downloaded Zoom site--I am hoping you
2 realize before tonight's meeting that it
3 actually is possible to have people be heard at
4 the meeting while it is taking place.

5 You may also want to consider the
6 fact that if Tom Schuster gets sworn in without
7 hearing from the public about his appointment
8 it may very well be illegal and anything Tom
9 Schuster votes on is INVALID.

10 The public is an essential part of
11 any public meeting. To silence them is wrong.
12 Putting their comments and questions into the
13 record is NOT being HEARD. Perhaps you all
14 should brush up on the Sunshine Law/Act.
15 Your willingness to not hear directly from the
16 people during a meeting speaks volumes-- you
17 claim to be transparent., actually hanged your
18 hat on being transparent. Perhaps you should
19 also brush up on the definition of
20 transparency.

21 I do believe it is time you start
22 serving the people you are SUPPOSE to be
23 representing. Your lack of interest in
24 allowing people to be heard only tells them
25 loud and clear you simply do not CARE what they

1 feel or what they are concerned about.

2 Fay Franus.

3 Scranton

4

5 (END OF PUBLIC COMMENTS)

6

7 MR. GAUGHAN: Okay, Mrs. Reed?

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

9 MOTIONS.

10 MR. GAUGHAN: Thank you, Mrs. Reed.
11 Councilman Schuster, do you have any motions or
12 comments at this time?

13 MR. SCHUSTER: I would just like to
14 thank my new colleagues on Council for their
15 vote of confidence for this appointment. And
16 I'm glad they feel that my record on the
17 Scranton School Board could help strengthen the
18 City Government. So thank you all.

19 MR. GAUGHAN: Thank you, Councilman
20 Schuster.

21 MR. SCHUSTER: Sorry, Mr. Gaughan,
22 one more thing.

23 MR. GAUGHAN: That's okay.

24 MR. SCHUSTER: I did receive a call
25 about the West Side Hyde Park Neighborhood

1 Watch Community Center on Washburn Street. So
2 I guess hearing some things in past about it, I
3 don't have any new updates. But the citizen
4 was questioning what the update on that
5 building was.

6 So maybe I could ask Miss Reed if we
7 could reach out to see if any City money was
8 used in that -- for that community center and
9 where they are with that.

10 MR. GAUGHAN: Certainly.

11 MR. SCHUSTER: I don't know if that
12 was put in the most concise way but --

13 MR. GAUGHAN: No, no, I know where
14 that building is. And I know that in my time
15 on Council I know that there has been a lot of
16 money put in there. I don't know that City
17 funds were used. But I am certain Mrs. Reed
18 could try to find that out over the next few
19 days.

20 MR. SCHUSTER: Thank you.

21 MR. GAUGHAN: Anything else,
22 Mr. Schuster?

23 MR. SCHUSTER: That's all.

24 MR. GAUGHAN: Okay. Thank you.

25 Councilman McAndrew, do you have any motions or

1 comments at this time?

2 MR. MCANDREW: Yes, I do. I just
3 want to check in with Mrs. Reed. I know last
4 week I posed a question regarding the self --
5 self-insured, I'm sorry, and that normally when
6 benefits are cut they are paid one month ahead.

7 So I know Mrs. Reed sent an e-mail
8 today posing that question hoping that we would
9 have got a response today. And I didn't see
10 one. Mrs. Reed, did we get a response yet?

11 MS. REED: No, Councilman McAndrew,
12 unfortunately we did not receive a response in
13 time for the meeting tonight.

14 MR. MCANDREW: Thank you. Could you
15 please just follow up for me?

16 MS. REED: Yes. Thank you.

17 MR. MCANDREW: Thank you. Also as
18 Chairman of Public Safety Committee, I would
19 like to thank Mayor Cagnetti for her successful
20 effort and stopping daily Greyhound buses from
21 New York to Scranton.

22 And also I'd just like to say in the
23 week of Passover and Easter and actually being
24 a chef by trade, I know that holidays and food
25 bring people together and families together.

1 This holiday will be a tough one. But to
2 continue to celebrate holidays and social
3 events with families and friends, we need not
4 be tempted and continue to stay home and stay
5 safe. I just want everybody to have a blessed
6 Easter and Passover to all of those that
7 observe these holidays and to everyone else
8 enjoying this really nice spring weather. That
9 is all I have. Thank you.

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

13 DR. ROTHCHILD: No, I don't have any
14 motions or comments at this time. Thank you.

15 MR. GAUGHAN: Okay, thank you, Dr.
16 Rothchild. And, Councilman Donahue, do you
17 have any motions or comments at this time?

18 MR. DONAHUE: Yes, just briefly. I
19 wanted to wish everybody a happy Passover and a
20 happy Easter this upcoming week. And again,
21 urge everybody to stay at home to only make
22 necessary trips out of the house if absolutely
23 necessary, pharmacy, grocery, doctor
24 appointments, those sort of things.

25 The longer, you know, we all abide

1 by -- the sooner we all abide by these
2 restrictions, these social distancing
3 restrictions, the least amount of time we'll
4 have to do them. So if everybody follows them
5 we'll get out of this quicker.

6 Also, just want to bring up that we
7 still haven't gotten any numbers on -- with
8 regards to the furloughs. All we're looking
9 for is really how many people were laid off and
10 what did it save so that -- and also what sort
11 of revenue projections are being used.

12 I know that the revenue projections
13 keep on changing. But at the same time, there
14 should be a best case and a worse case scenario
15 so that we know when we're looking though these
16 budgets and exploring different things we might
17 have to cut how far we really have to go.

18 But the, you know, the answer we
19 keep on getting it's a personnel issue. It's
20 also a budget issue. And that's a part of
21 Council's prerogative approving a budget and
22 making sure it's followed.

23 Also as Solicitor Hayes brought up
24 in caucus, I did mention to him this morning
25 when I was talking to him about just doing some

1 sort of resolution extending the deadline from
2 April 15th to July 15th for Business Privilege
3 and Mercantile just to make sure we're covering
4 our basis because we did approve an ordinance
5 that we had April 15th as a deadline date. So
6 I just -- just to make sure we're covering all
7 of our bases there.

8 And the other thing that we
9 haven't -- in the first two years I was on
10 Council we had received refuse legislation. I
11 know that in conversations with Solicitor Hayes
12 had with Solicitor Eskra, the reasoning was
13 that we haven't gotten it yet this year was
14 that there was language in the legislation that
15 was passed last year that said and for each
16 year thereafter.

17 Mrs. Reed, would you be able to send
18 correspondence to the Law Office and copy the
19 Mayor asking for that reasoning in writing so
20 we don't have it secondhand so there's an
21 actual record of it?

22 MS. REED: Yes.

23 MR. DONAHUE: Thank you. And that's
24 all I have this evening. Thank you, Councilman
25 Gaughan.

1 MR. GAUGHAN: Thank you, Councilman
2 Donahue. I just have a few comments. The
3 first thing -- and this will be in Third Order
4 next week. We received a letter from PennDOT
5 about our bridge replacement projects
6 throughout the City.

7 As I mentioned at past meetings, one
8 of the issues that we have in the City is
9 deteriorating bridges throughout Scranton,
10 excuse me for one minute. Sorry, I had to take
11 a drink. One of the issues as I said is the
12 deteriorating bridges throughout the City.

13 So we actually received a letter
14 from PennDOT which will be in Third Order as I
15 mentioned next week. And they are going to be
16 replacing within the next few years the North
17 Main Avenue bridge over the Leggetts Creek, the
18 Lackawanna Avenue bridge over Railroad Avenue,
19 the Parker Street bridge over the Lackawanna
20 River; and the Elm Street bridge over the
21 Lackawanna River.

22 The letter notified Council and the
23 City that they are going to start this whole
24 process by evaluating each bridge to determine
25 the appropriate work that's required during the

1 contribution so you will -- citizens will start
2 to see representatives on site during the
3 spring and summer to complete surveys, in depth
4 bridge inspections and traffic counts.

5 Again, as our City Engineer, John
6 Pocius had relayed to me several times, these
7 bridge projects take years. So it's not likely
8 that we'll see any sort of actual construction
9 until maybe four or five years down the road.
10 But nevertheless, the process is started.

11 Also on our Third Order agenda next
12 week will be a letter that Council received
13 from Pennsylvania American Water to update us
14 on some projects and some critical work. Even
15 through the coronavirus crisis they are still
16 going to provide essential services and
17 continue to advance work on utility
18 construction projects that they deem critical.

19 Scheduled to begin actually this
20 week weather permitting, contractors are going
21 to replace existing four, six, and eight inch
22 cast iron pipes with new eight inch ductile
23 iron mains along several City streets.

24 This range is really all across the
25 City. So this will be placed on our agenda

1 next week. And if anyone is interested, they
2 could take a look to see if they're in one of
3 these affected areas. And Pennsylvania
4 American Water will be notifying these
5 residents as well that they are going to be
6 doing work.

7 I did receive a phone call from a
8 woman in the Oakmont area on East Mountain
9 about quads. With the nice weather as we know
10 comes the use of quads which have disrupted
11 life in that area and really in other areas of
12 the City as well.

13 I was able to reach out to Chief
14 Graziano. Obviously, we know from past
15 experience that those people who ride on quads
16 cannot be chased for obvious reasons. We
17 wouldn't want anyone to get harmed. But Chief
18 Graziano did notify me that they were going to
19 do their best to intercept these people and try
20 to get them to stop doing this.

21 Especially in the Oakmont area and
22 I'm sure through other places in the City,
23 there are people now working from home trying
24 to get work done. And this apparently in
25 Oakmont at least has been nonstop. Hopefully

1 that issue is going to be taken care of.

2 The other thing I just wanted to
3 briefly mention was in Third Order we received
4 last week a letter from the Pennsylvania
5 Economy League. The letter was actually
6 addressed to the Pennsylvania Department of
7 Community and Economic Development.

8 And it was our Act 47 coordinator's
9 recommendation to the secretary of DCED for the
10 City of Scranton and whether or not we were
11 prepared to exit from Act 47.

12 So I just wanted to make a few
13 comments on this because this letter is
14 important, especially now in light of the
15 economic affects of the coronavirus will most
16 undoubtedly have on the City.

17 Before I get into the points I want
18 to make on this, I do want to say that I think
19 it is important that Council work together with
20 the Pennsylvania Economy League and the state
21 and the Mayor and her administration so that we
22 can resolve some of these issues.

23 And in reading the letter, there are
24 several issues. Some of them are not
25 surprising. The first issue that was noted in

1 this letter is that in 2019 the -- or in 2018,
2 the City had a deficit of nearly one and -- a
3 little bit over 1 million dollars. In 2019,
4 the unaudited financial statements were
5 examined and the City experienced an excess of
6 revenues over expenditures resulting in almost
7 a million and a half dollar surplus.

8 They're projecting in 2020 that the
9 City would incur a slight deficit of \$124,290.
10 The one thing that I am concerned about is in
11 the 2020 budget under the sale of assets, the
12 previous administration had put in for one and
13 a half million dollars -- actually it was more
14 than that.

15 Council pared it back a little bit
16 because of concerns we had at that time -- but
17 one and a half million dollars for the sale of
18 delinquent refuse and delinquent real estate
19 bills. So I think the Mayor had mentioned this
20 in her letter to us on the furloughs. That is
21 a point of concern because we don't know what
22 that looks like.

23 And we were banking on that -- the
24 previous administration was banking on that in
25 terms of closing a budget deficit. So, you

1 know, I've spoken to the Mayor about it. We're
2 going to continue to monitor that. But right
3 now that obviously is a concern because we
4 don't want to come up with a hole in the
5 budget. So we'll continue to watch out for
6 that.

7 The second thing that I wanted to
8 mention on page 12 was that unfortunately, the
9 Pennsylvania Economy League is projecting that
10 the City will incur operating deficits
11 throughout the 2021 and 2025 projection period.
12 So we're looking at -- let me see here.

13 We're looking at 2021, \$503,000
14 potential deficit. And then it just keeps
15 going up over a million and a half in 2022;
16 nearly 4 million dollars in 2023; in 2024
17 nearly 3 and a half million dollars. And then
18 in 2025 it's projected almost 6 million dollar
19 deficit.

20 Now, what they're citing is
21 something that is no surprise to anyone who has
22 dealt with City finances over the last few
23 years is the lack of inherent growth in our
24 real property tax revenue. That's the main
25 driver for the projected operating deficits.

1 And this lack of inherent growth is the result
2 of annual flat or a decrease in City real
3 property assessed values.

4 I won't go through the whole thing.
5 But they provide some pretty stark numbers
6 here, which they did really in December of last
7 year when they came before Council when we were
8 preparing to pass the budget. It goes without
9 saying that if we continue to operate without a
10 reassessment, we're going to continue to
11 suffer.

12 We need -- and this again provides
13 anyone who's paying attention with the fact
14 that the lack of a reassessment is hurting the
15 City of Scranton. And that is evident in this
16 document here. And again, it's been forward to
17 the county and it's been relayed to the City
18 over the last number of years.

19 The third point that I want to make
20 here on page 18 is the fact that what PEL is
21 recommending over the next few years is minor
22 tax increases. So they're recommending that
23 the City increase its property tax millage
24 rates by 1.4 percent in 2021; 3.5 percent and
25 6.2 percent in the years 2022 and 2023.

1 They also mention that the City's
2 participation in the Act 47 program cannot
3 directly reverse this trend that we find
4 ourselves in. So long story short, at the time
5 of writing their recommendation, they under
6 normal circumstances would recommend that the
7 City exit Act 47.

8 But under the circumstances with the
9 coronavirus they're going -- it says the future
10 impact of the Covid-19 pandemic on the City's
11 financial projections as presented by the
12 coordinator, and this Act 47 coordinator's
13 recommendation is unknown at this time.

14 The coordinator will continue to
15 monitor the City's fiscal condition as the City
16 progresses through the Covid-19 pandemic. So I
17 would ask everyone to take a look at this if
18 you haven't already when you can. One of the
19 things that PEL has recommended over the last
20 several years is small annual tax increases so
21 that we don't get hit with very large
22 double-digit tax increases.

23 My concern with this is that the
24 recommendation from PEL and the recommendation
25 from the state when we're faced with these

1 issues that we're very well aware of is to
2 continue to go back to the property owner and
3 to raise their taxes.

4 It's a never-ending battle. In the
5 six years that I've been on Council, the answer
6 is always to go back and to raise property
7 taxes.

8 I personally don't understand how we
9 can expect to grow as a City if we always go
10 back to the property owner.

11 The bottom line in all of this,
12 there's no simple solution. But the local
13 government system that we operate in is broken.
14 And it has been for a very, very long time.
15 I'll read -- I want to read a section because I
16 think this is so important from PEL's own
17 report that they issued a few years ago. And
18 they state:

19 The Commonwealth attempted to
20 legislate away the inadequacy of Act 47 by
21 compelling municipalities to leave the program
22 through establishment of an arbitrary deadline.
23 And what they mean by that is that in 2012 when
24 the legislature amended the Act 47 legislation,
25 they -- the clock started ticking for

1 municipalities who are distressed like
2 Scranton.

3 So we only had five years to get out
4 or go into receivership or disincorporate as a
5 municipality. So the legislation was passed
6 despite the fact that it is questionable to
7 assume real change could be made in only five
8 years when the problem's inherit and the local
9 government system itself has not been
10 addressed.

11 This was written a years ago. They
12 still have not been addressed. PEL states that
13 the truth is that the Commonwealth could change
14 the optics of distress by claiming to have
15 fixed Act 47 municipalities by forcing them out
16 of the program but that action has done nothing
17 to repair the broken system these
18 municipalities must operate in.

19 Given the findings of the most
20 recent stress index, the consequences of
21 failing to truly reform the rules under which
22 local governments function likely will result
23 in an increase in municipal distress throughout
24 the state.

25 So my only comment on this -- and

1 I've made this comment and Kyle is probably
2 sick of me saying it and others are sick of me
3 saying it over the last few years, but we can
4 only do so much. The state continues to
5 ignore, in my opinion, distressed
6 municipalities.

7 And they have ignored distressed
8 municipalities for a number of different years.
9 And they always give us the worn out answer of
10 raise property taxes to fix the problems. And
11 many times that's the last result. As all of
12 us know who have reviewed the budget, there is
13 only so much that can be cut.

14 Most are our expenses are labor,
15 health insurance, things that are -- we are
16 contractually obligated to pay. But the
17 problems that we face in Scranton and all the
18 other municipalities who are distressed state
19 stems from the local government system that's
20 dysfunctional. It's outdated. And it's
21 broken.

22 So unless the system is reformed and
23 fixed, each Councilperson that's in this Zoom
24 room tonight and those who will come after us
25 will continue to face this never-ending battle

1 that the City faces every single year.

2 So I wanted to make sure that once
3 again I stated for the record these issues that
4 have been well documented over the last few
5 years and since we've been in distress since I
6 believe 1992.

7 So what I would ask and maybe we can
8 formulate some kind of correspondence and work
9 together with the Mayor and her administration
10 is ask that in light of the crisis that we find
11 ourselves in with the coronavirus and the
12 crisis that we probably will find ourselves in
13 financially as a result of it that instead of
14 the quick fix of going back to the property
15 owner to raise property taxes, that the state
16 and the state legislature actually do their
17 job and identify the problems and provide
18 solutions for them rather than these half-baked
19 solutions with Act 47 that municipalities stay
20 in for decades.

21 And as I said in December and I
22 think Councilman Donahue was there when I asked
23 the Pennsylvania Economy League Director
24 Mr. Cross, what was the point of all of this.
25 What was the point of being in distressed

1 status and being in Act 47 for almost most of
2 my lifetime since I'm a young kid.

3 The Mayor has issued a statement as
4 we all know that she wants to stay in Act 47.
5 And there may be merits to that. But I think
6 if we're going to do that, we need to have a
7 conversation as a City with our state
8 legislature to make sure that they know that
9 this system is broken and that there has to be
10 solutions put forward by them and working with
11 the distressed municipalities in Scranton and
12 throughout the state. And that's all I have.
13 Mrs. Reed?

14 MR. DONAHUE: Councilman Gaughan?

15 MR. GAUGHAN: Sure.

16 MR. DONAHUE: Just to add onto your
17 point, so let's remember that the taxing code,
18 the state taxing code that we're operating on
19 was developed in the late 60s. So that's when
20 Pennsylvania, when a lot of the population was
21 concentrated in cities.

22 We didn't have suburbs. There were
23 cities. There were farms. That's the taxing
24 code that we're operating under now which is
25 completely outdated just to add onto your

1 point.

2 MR. GAUGHAN: Thank you. Thank you.
3 Okay, and that's all I have for tonight.
4 Mrs. Reed?

5 MS. REED: Thank you. 5-B. FOR
6 INTRODUCTION – AN ORDINANCE – RATIFYING THE
7 DECLARATION OF EMERGENCY ISSUED BY THE MAYOR IN
8 CONJUNCTION WITH THE OFFICE OF THE GOVERNOR OF
9 PENNSYLVANIA'S PROCLAMATION OF DISASTER
10 EMERGENCY FOR THE ENTIRE COMMONWEALTH AND
11 AUTHORIZING THE MAYOR TO EXERCISE AND ENFORCE
12 THE EMERGENCY POWERS NECESSARY TO
13 PRESERVE THE HEALTH, WELFARE, AND SAFETY OF THE
14 CITIZENRY OF THE CITY OF SCRANTON AS A RESULT
15 OF THE Covid-19 PANDEMIC. (EMERGENCY
16 CERTIFICATE ATTACHED).

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

20 MR. DONAHUE: So moved.

21 MR. GAUGHAN: Is there a second?

22 DR. ROTHCHILD: Second.

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

1 MR. SCHUSTER: Aye.

2 MR. MCANDREW: Aye.

3 MR. DONAHUE: Aye.

4 DR. ROTHCHILD: Aye.

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

7 Mrs. Reed, you may have to mute
8 yourself. I think there's feedback coming from
9 your phone, I'm sorry. Okay, thank you.

10 Councilman Donahue?

11 MR. DONAHUE: I'd like to make a
12 motion to suspend the rules to move Item 6-B to
13 Sixth and Seventh Orders based on the attached
14 emergency certificate.

15 MR. GAUGHAN: There's been a motion.
16 Is there a second?

17 MR. MCANDREW: Second.

18 MR. GAUGHAN: On the question?

19 MR. DONAHUE: Just on the question,
20 I'd just like to point out that this emergency
21 certificate only applies to the City's response
22 to the Covid-19 pandemic.

23 MR. GAUGHAN: Thank you. Anyone
24 else on the question? All those in favor
25 signify by saying aye.

1 MR. SCHUSTER: Aye.

2 MR. MCANDREW: Aye.

3 MR. DONAHUE: Aye.

4 DR. ROTHCHILD: Aye.

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

7 MS. REED: 5-C. FOR INTRODUCTION -
8 A RESOLUTION - APPOINTMENT OF ALLEN LUCAS,
9 2722 BIRNEY AVENUE, SCRANTON, PENNSYLVANIA,
10 18505 TO THE POSITION OF FIRE CHIEF AS WELL AS
11 EMERGENCY MANAGEMENT COORDINATOR EFFECTIVE
12 MARCH 23, 2020.

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

16 MR. DONAHUE: So moved.

17 MR. GAUGHAN: Is there a second?

18 DR. ROTHCHILD: Second.

19 MR. GAUGHAN: On the question?

20 MR. DONAHUE: On the question, again
21 I think, you know, Chief Lucas is doing a great
22 job in the response of this. I know we've
23 brought up some concerns regarding the increase
24 in the salary away from what was approved in
25 the 2020 budget. And we're still reviewing

1 that before final passage of this resolution
2 next week.

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

5 MR. MCANDREW: I'm going to echo the
6 same. Like I stated last week, I mean, Al's
7 been doing a fantastic job. He'll continue to
8 do a fantastic job. My only issue is the one,
9 you know, it's not budgeted. That's all I
10 have.

11 MR. GAUGHAN: Okay. Anyone else?
12 All those in favor of introduction signify by
13 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 eyes have it and so moved. Mrs. Reed?

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

21 READING BY TITLE - FILE OF THE COUNCIL NO. 4,
22 2020 - AN ORDINANCE - AUTHORIZING THE MAYOR AND
23 OTHER APPROPRIATE OFFICIALS OF THE CITY OF
24 SCRANTON TO TAKE ALL NECESSARY ACTIONS TO
25 IMPLEMENT THE CONSOLIDATED SUBMISSION FOR

1 COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS TO
2 BE FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK
3 GRANT (CDBG) PROGRAM, HOME INVESTMENT
4 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY
5 SOLUTIONS GRANTS (ESG) PROGRAM FOR THE FIVE
6 YEAR CONSOLIDATED PLAN, ANALYSIS OF IMPEDIMENTS
7 TO FAIR HOUSING CHOICE, AND ANNUAL ACTION PLAN
8 FOR THE PERIOD BEGINNING JANUARY 1, 2020.

9 MR. GAUGHAN: Thank you, Mrs. Reed.
10 You've heard reading by title of Item 6-A.
11 What is your pleasure?

12 DR. ROTHCHILD: Mr. Chairman, I move
13 that Item 6-A pass reading by title.

14 MR. DONAHUE: Second.

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

17 MR. SCHUSTER: Aye.

18 MR. MCANDREW: Aye.

19 MR. DONAHUE: Aye.

20 DR. ROTHCHILD: Aye.

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

23 MS. REED: 6-B, formally 5-B.

24 READING BY TITLE FILED OF THE COUNCIL NO. 5,
25 2020, AN ORDINANCE – RATIFYING THE DECLARATION

1 OF EMERGENCY ISSUED BY THE MAYOR IN CONJUNCTION
2 WITH THE OFFICE OF THE GOVERNOR OF
3 PENNSYLVANIA'S PROCLAMATION OF DISASTER
4 EMERGENCY FOR THE ENTIRE COMMONWEALTH AND
5 AUTHORIZING THE MAYOR TO EXERCISE AND ENFORCE
6 THE EMERGENCY POWERS NECESSARY TO PRESERVE THE
7 HEALTH, WELFARE, AND SAFETY OF THE CITIZENRY OF
8 THE CITY OF SCRANTON AS A RESULT OF THE
9 Covid-19 PANDEMIC. (EMERGENCY CERTIFICATE
10 ATTACHED).

11 MR. GAUGHAN: Thank you, Mrs. Reed.
12 You've heard reading by title of Item 6-B.
13 What is your pleasure?

14 MR. DONAHUE: I move that Item 6-B
15 pass reading by title.

16 DR. ROTHCHILD: Second.

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

20 MR. SCHUSTER: Aye.

21 MR. MCANDREW: Aye.

22 MR. DONAHUE: Aye.

23 DR. ROTHCHILD: Aye.

24 MR. GAUGHAN: Aye. Opposed? The
25 ayes have it and so moved. Mrs. Reed?

1 MS. REED: SEVENTH ORDER. 7-A. FOR
2 CONSIDERATION BY THE COMMITTEE ON RULES - FOR
3 ADOPTION - RESOLUTION NO, 27, 2020 -
4 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
5 CITY OFFICIALS TO EXECUTE AND ENTER INTO A
6 CONTRACT WITH THOMAS J. MCLANE & ASSOCIATES AS
7 CITY OF SCRANTON PROJECT CONSULTANT RECREATION
8 NEEDS ASSESSMENT AND PROJECT ACTIVITIES
9 FOR THE PERIOD DECEMBER 1, 2019 THROUGH
10 NOVEMBER 30, 2024.

11 MR. GAUGHAN: As Chairperson for the
12 Committee On Rules, I recommend final passage
13 of Item 7-A.

14 MR. DONAHUE: Second.

15 MR. GAUGHAN: On the question? Just
16 on the question, I'm going to be voting in
17 favor of this legislation as I mentioned during
18 the caucus. The City does not currently have a
19 comprehensive assessment of its park system.

20 This contract with Thomas J. McLane
21 and Associates will provide the City with a
22 roadmap for our park system for the next
23 several years. Having a master plan concept
24 for each of our parks will give the City a
25 better ability to receive grants in the future

1 for all of these areas.

2 Continuing to upgrade and invest in
3 our park system is crucial to the success of
4 the City. Our City Parks and Recreation
5 Department does a really good job in
6 maintaining the parks that we have.

7 The City needs to continue to invest
8 in this department and make sure that they have
9 the tools and manpower that they need. I had
10 several conversations with our police Chief in
11 the last few years about the impact that a well
12 maintained and active park has on a
13 neighborhood.

14 It is so important to the success of
15 our neighborhoods. And it really comes down to
16 the broken window's theory. When a park is
17 blighted and it's rundown, it invites a
18 criminal element. We need to ensure that that
19 does not happen. And we need to continue to
20 invest in our park system as much as we can.
21 Anyone else on the question? Roll call,
22 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-A legally and lawfully adopted.

9 MS. REED: 7-B. FOR CONSIDERATION
10 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
11 ADOPTION - RESOLUTION NO. 28, 2020 - ACCEPTING
12 A DONATION OF FIVE THOUSAND (\$5,000.00) DOLLARS
13 FROM THE ESTATE OF RITA BUCKLEY CONNOLLY,
14 DECEASED, TO THE CITY OF SCRANTON FIRE
15 DEPARTMENT.

16 MR. GAUGHAN: Thank you, Mrs. Reed.
17 What is the recommendation for the Chairperson
18 for the Committee on Public Safety?

19 MR. MCANDREW: As Chairman for the
20 Committee of Public Safety, I recommend final
21 passage of Item 7-B.

22 DR. ROTHCHILD: Second.

23 MR. GAUGHAN: Anyone on the
24 question?

25 MR. MCANDREW: On the question, I

1 would just like to thank the Buckley family for
2 this generous donation.

3 MR. GAUGHAN: Thank you, Mr.
4 McAndrew. Anyone else on the question? Roll
5 call, please, Mrs. Carrera.

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-B legally and lawfully adopted.

17 MS. REED: 7-C, formerly 6-B,
18 RATIFYING THE DECLARATION OF EMERGENCY ISSUED
19 BY THE MAYOR IN CONJUNCTION WITH THE OFFICE OF
20 THE GOVERNOR OF PENNSYLVANIA PROCLAMATION OF
21 DISASTER EMERGENCY FOR THE ENTIRE COMMONWEALTH
22 AND AUTHORIZING THE MAYOR TO EXERCISE AND
23 ENFORCE THE EMERGENCY POWERS NECESSARY TO
24 PRESERVE THE HEALTH, WELFARE, AND SAFETY OF THE
25 CITIZENRY OF THE CITY OF SCRANTON AS A RESULT

1 OF THE COVID-19 PANDEMIC. (EMERGENCY
2 CERTIFICATE ATTACHED.)

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

6 MR. DONAHUE: Second.

7 MR. GAUGHAN: On the question? Roll
8 call, Miss Carrera, please.

9 MS. CARRERA: Mr. Schuster.

10 MR. SCHUSTER: Yes.

11 MS. CARRERA: Mr. McAndrew.

12 MR. MCANDREW: Yes.

13 MS. CARRERA: Dr. Rothchild.

14 DR. ROTHCHILD: Yes.

15 MS. CARRERA: Mr. Donahue.

16 MR. DONAHUE: Yes.

17 MS. CARRERA: Mr. Gaughan.

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

20 Before we adjourn, I just want to
21 say once again that I -- and I know all of my
22 colleagues are thinking about and praying for
23 all of those affected by the coronavirus
24 crisis.

25 Once again would echo what some of

1 my colleagues said tonight and what we said
2 last week that we would ask that all residents
3 of Scranton take this very seriously. And I
4 think most people are.

5 It is not a hoax. It's not a joke.
6 And the sooner that we all do our part and stay
7 inside as much as we can, the sooner that we
8 can get back to normal here in the City and in
9 the country and around the world.

10 Again, I know that for all of us who
11 may be watching this meeting tonight or
12 watching it on YouTube, this is difficult.
13 Being separated from your family for some of us
14 who have not seen our parents, our
15 grandparents, grandparents who haven't seen
16 their grandchildren, it's extremely, extremely
17 difficult.

18 But we will get through this
19 together as a City. This Council and the
20 administration are doing everything that we can
21 to make sure that everything is in place. I
22 know that so that we are prepared for this. I
23 know our state government is as well.

24 So I just want to again say that our
25 thoughts are with everyone. And we continue to

1 think about everyone at this time. If there is
2 no further business, I'll entertain a motion to
3 adjourn.

4 MR. DONAHUE: Motion to adjourn.

5 MR. GAUGHAN: This meeting is
6 adjourned. Thank you everyone.

7 MR. MCANDREW: Thank you.

8 DR. ROTHCHILD: Thank you.

9 MR. DONAHUE: Thank you.

10 MR. SCHUSTER: Thank you.

11 MR. MCANDREW: Have a great holiday
12 everybody.

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C E R T I F I C A T E

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3 I hereby certify that the proceedings and
4 evidence are contained fully and accurately in the
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.

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10 _____
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12 Official Court Reporter
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