

COUNCIL FOR THE CITY OF SCRANTON

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HELD:

Tuesday, July 21st, 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 for a moment of silent reflection for our  
5 service men and women throughout the world and  
6 also for all those who have passed away  
7 recently in our community.

8 Let us also take a special moment of  
9 silence tonight for people in our community and  
10 throughout the world who are suffering or who  
11 have passed away from the coronavirus. May  
12 those who are sick receive the proper treatment  
13 and recover. And may their caregivers,  
14 families and neighbors be shielded from the  
15 onslaught of this virus.

16 Let us give solace to those who  
17 grieve the loss of their loved ones. Let us  
18 thank the doctors, nurses, researchers and all  
19 medical professionals and first responders who  
20 seek to heal and help those affected and who  
21 put themselves at risk in the process.

22 We continue to hope that their work  
23 may cure this disease and restore communities  
24 to wholeness and health.

25 Whether we are home or abroad,

1           surrounded by many people suffering from this  
2           illness or only a few, let us stick together,  
3           endure together, mourn together, persist and  
4           prepare together.

5                         In place of our anxiety, let us  
6           continue to hope and find peace. Thank you.  
7           Miss Carrera, roll call, please.

8                         MS. CARRERA: Mr. Schuster.

9                         MR. SCHUSTER: Present.

10                        MS. CARRERA: Mr. McAndrew.

11                        MR. MCANDREW: Present.

12                        MS. CARRERA: Dr. Rothchild.

13                        DR. ROTHCHILD: Here.

14                        MS. CARRERA: Mr. Donahue.

15                        MR. DONAHUE: Here.

16                        MS. CARRERA: Mr. Gaughan.

17                        MR. GAUGHAN: Here. Thank you, Miss  
18           Carrera. Mrs. Reed, please dispense with the  
19           reading of the minutes.

20                        MS. REED: Thank you. THIRD ORDER.

21                                 3-A. MINUTES OF THE NON-UNIFORM  
22           MUNICIPAL PENSION BOARD MEETINGS  
23           HELD MAY 20 AND JUNE 17, 2020.

24                                 3-B. AGENDAS FOR THE NON-UNIFORM  
25           MUNICIPAL PENSION BOARD MEETINGS HELD JUNE 17

1 AND JULY 15, 2020.

2 3-C. CONTROLLER'S REPORT FOR MONTH  
3 ENDING JUNE 30, 2020.

4 3-D. CORRESPONDENCE RECEIVED FROM  
5 LACKAWANNA COUNTY SOLICITOR DATED JULY 9, 2020  
6 REGARDING LACKAWANNA COUNTY RECYCLING CENTER.

7 3-E. MINUTES OF THE COMPOSITE  
8 PENSION BOARD MEETING HELD JUNE 17,  
9 2020.

10 3-F. CORRESPONDENCE SENT TO MAYOR  
11 PAIGE G. COGNETTI DATED JULY 16, 2020  
12 REQUESTING AN UPDATE ON THE STATUS OF  
13 RECOMMENDATIONS MADE BY THE PENNSYLVANIA  
14 ECONOMY LEAGUE REGARDING THE CITY'S EXIT  
15 PLAN.

16 3-G. CORRESPONDENCE SENT TO MAYOR  
17 PAIGE G. COGNETTI DATED JULY 16, 2020  
18 REQUESTING AN UPDATE ON CORRESPONDENCE SENT TO  
19 NORTHEAST REVENUE SERVICE.

20 3-H. CORRESPONDENCE SENT TO  
21 SOLICITOR TO THE LACKAWANNA COUNTY SOLID  
22 WASTE MANAGEMENT AUTHORITY DATED JULY 17, 2020.

23 MR. GAUGHAN: Thank you, Mrs. Reed.  
24 Are there any comments on any of the Third  
25 Order items? If not, received and filed. Do

1           any Council members have any announcements at  
2           this time?

3                   MR. SCHUSTER: I want to make an  
4           announcement -- or a comment on a Third Order  
5           item. When I was taking a look at the  
6           non-uniform pension meeting as well as the  
7           Composite Pension Board, there were several  
8           employees who no longer work for the City.

9                   I know when we first discussed the  
10          furloughs that was in the -- I'd say mid to  
11          early April. And we had a review on the 21st  
12          of April for 43 employees. But some of those  
13          employees there -- one was dated 5/20 and  
14          another one was dated July 1st. Are they  
15          additional furloughs? Do we know?

16                   MR. GAUGHAN: I don't know because  
17          Council doesn't, you know, really get into the,  
18          you know, into employee matters. But that's  
19          something that we can inquire from the  
20          administration if you'd like.

21                   MR. SCHUSTER: Yeah, I'd like to  
22          send some correspondence there regarding those  
23          employees. And also, there was a question that  
24          came up at the Composite Pension Board meeting  
25          by Mr. Kennedy. And what it stated was they

1           were going to project out to 2021.

2                       And they were looking from the HR  
3           Department whether there were going to be  
4           additional furloughs, layoffs, or staffing  
5           adjustments. I'm not sure if we received that  
6           information. But can we inquire about those  
7           additional positions that I stated beforehand  
8           and possibly that information if it's been sent  
9           to him?

10                   MR. GAUGHAN: Yeah, I think a week  
11           or two ago I inquired with the administration.  
12           And we sent something about an updated list of  
13           which employees had gone back and which  
14           employees were still furloughed.

15                   I believe most of them have been  
16           called back. But there are still a handful of  
17           employees that have been furloughed. But we  
18           did not receive that list yet. But we could  
19           have Mrs. Reed follow up.

20                   MR. SCHUSTER: Okay.

21                   MR. DONAHUE: And I did ask  
22           Mrs. Reed for -- to pass along and, you know,  
23           to request an update on that I believe last  
24           Wednesday too so, you know, we had asked.

25                   MR. SCHUSTER: Okay. And another

1           thing was, we also requested some information  
2           on the Act 47, including a list of services,  
3           update on the LST.

4                   MR. GAUGHAN: Well, that would be in  
5           Fifth Order. We're still in Third Order.

6                   MR. SCHUSTER: All right. Thank  
7           you.

8                   MR. GAUGHAN: You're welcome.  
9           Anybody else on the Third Order items? Okay.  
10          Do any Council members have any announcements  
11          at this time?

12                   MR. MCANDREW: I have a quick one.  
13          Wednesday, July 29th, 2020, 2:30 to 5:30 at  
14          Scranton High, 63 Munchak Way, the Friends of  
15          the Poor, Family to Family and Weinberg Food  
16          Bank will be having another COVID-19 Emergency  
17          Drive Through Food Giveaway.

18                   All attendees must remain in their  
19          vehicle. Food will be placed directly in the  
20          vehicle. Of course, it's open to the public.  
21          Zip code and number of children, adults,  
22          elderly in household is required. On top of  
23          this, I just want to say I have been announcing  
24          these almost every week.

25                   And it's amazing that these three



1 organizations what they've done through, you  
2 know, through the pandemic, not only in our  
3 city but surrounding boroughs. I just think  
4 it's fantastic. And that is all I have. Thank  
5 you.

6 MR. GAUGHAN: Thank you, Councilman  
7 McAndrew. Anyone else have any announcements?

8 MR. DONAHUE: I would just like to  
9 remind people once again to -- if they haven't  
10 done so already to fill out your census  
11 questionnaires. You know, by not doing that,  
12 that puts a lot of federal money at risk.

13 So not only should you do it, you  
14 know, spread the word to all your friends and  
15 family that they also need to fill out their  
16 census as well.

17 MR. GAUGHAN: Thank you, Councilman  
18 Donahue. Anybody else have any announcements?

19 DR. ROTHCHILD: Yes, I'd just like  
20 to add -- I just want to offer my condolences  
21 to the Caviston family who lost Lexi Caviston  
22 Ashmore last week. I believe she was 23 years  
23 old and passed away of glioblastoma multiforme  
24 which is brain cancer.

25 And she had courageously fought the

1 disease for I think almost three years. She  
2 had five surgeries. In that time she graduated  
3 nursing school I think cum laude. And then  
4 she also recently got married to Joshua  
5 Ashmore. So her father, Mr. Caviston, he was a  
6 former police officer too for Scranton.

7 They're a well-known Scranton  
8 family. They've held a lot of fundraisers for  
9 her over the years. So I just wanted to make  
10 the announcement of her passing. And I believe  
11 there are still fundraisers set up to pay off  
12 medical bills as well as to just be able to  
13 donate to research and funding for  
14 glioblastoma.

15 MR. GAUGHAN: Thank you very much,  
16 Dr. Rothchild. Any other announcements? I  
17 have three. Mary Mother of God Parish at Holy  
18 Rosary Church in North Scranton will be having  
19 a drive through block party Friday, July 31st  
20 and Saturday, August 1st from four to eight  
21 p.m., both nights.

22 The block party will be held on  
23 church grounds at 316 Williams Street. There  
24 will be food and basket raffles. For more  
25 information and preorders you can call

1 570-342-4881, extension 122. Or you could go  
2 to [www.marymotherofgodparish.org](http://www.marymotherofgodparish.org) or Mary Mother  
3 of God Parish on Facebook or Instagram.

4 Public caucus will be held next  
5 Tuesday, July 28th with representatives from  
6 NDC for the purposes of receiving our quarterly  
7 parking garage update.

8 And as always, if anyone would like  
9 to comment on agenda items or City business,  
10 you could send those comments in writing to our  
11 City Clerk, Lori Reed by e-mailing  
12 [Lreed@scrantonpa.gov](mailto:Lreed@scrantonpa.gov) or you can mail them in to  
13 340 North Washington Avenue.

14 Council will accept public comment  
15 until the day of our meeting, Tuesday at 4:30  
16 p.m. Public comment is always reviewed by the  
17 Council prior to our meeting. And it's placed  
18 on the official record and in the minutes of  
19 our meeting.

20 Council's agenda is being posted for  
21 public review the Friday before our Tuesday  
22 meeting. Our agenda and minutes can be  
23 accessed by going to [www.scrantonpa.gov](http://www.scrantonpa.gov) and  
24 clicking on the City Council page. Mrs. Reed?

25 MS. REED: Thank you. FOURTH ORDER.

1 CITIZENS PARTICIPATION.

2 MR. GAUGHAN: Thank you, Mrs. Reed.  
3 Will someone please make a motion to accept  
4 public comment from the following individuals:  
5 Beth Holman, Joseph Healy, Marie Schumacher,  
6 Fay Franus and Tom Coyne.

7 MR. DONAHUE: I make a motion to  
8 accept public comment.

9 MR. SCHUSTER: Second.

10 MR. GAUGHAN: There's a motion. And  
11 there's been a second. On the question?

12 MR. DONAHUE: On the question, I  
13 will answer what questions I can in Fifth  
14 Order.

15 MR. GAUGHAN: Thank you, Councilman  
16 Donahue. Anyone else on the question? The  
17 questions that we have been getting I've been  
18 going through all of them as I know everyone  
19 else has. And I have sent those into the  
20 administration.

21 Many of the questions have been  
22 answered and have been communicated to those  
23 individuals who have asked them. I know that  
24 the Mayor has a -- and her Chief of Staff had a  
25 running list of the questions and answers and

1 the back and forth.

2 So those are being taken care of.

3 Anyone else on the question? All those in

4 favor of the motion signify by saying aye.

5 MR. SCHUSTER: Aye.

6 MR. MCANDREW: Aye.

7 MR. DONAHUE: Aye.

8 DR. ROTHCHILD: Aye.

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

11

12 (Public Comment, the following are  
13 letters or e-mails submitted for public  
14 comment.)

15

16 (Beth Holman)

17

18 City Council;

19 Does East Mountain still belong to  
20 the city of Scranton??????????????

21 Our taxes are sky high yet we get  
22 almost nothing in return.

23

24 Since the start of blasting  
25 fireworks our area has been under a cloud that  
finally lifted up on 6 July. July 4th we

1           because of asthma could not leave our homes -  
2           the cloud of smoke was terrible.

3                     The racket from the blasts was even  
4           worse. Yet we never saw a police car.

5                     You have to watch traveling East  
6           Mountain road. The brush on one side is  
7           scratching cars, the other side has cars parked  
8           at all angles and cars speeding up and down the  
9           road not always in the correct lane is  
10          frightful.

11                    Add to the ignoring of stop signs  
12          especially the ones by the firehouse where you  
13          also have to avoid people not using the  
14          sidewalk for walking. Then travel past an over  
15          grown mountain lake road to the other side  
16          People walking, cars speeding - sides of  
17          mountain lake road crumbling, holes on the  
18          road.

19                    And guess what here it is the middle  
20          of July and no street cleaner has ever come our  
21          way. No police supervision on the mountain  
22          against the ATV riders - last night at 11 Pm  
23          they were racing. Who cares? Just collect our  
24          taxes and ignore us. I am so disgusted.

25                    My family and I need to make choices

1 before next spring - we may just have to move.

2 Paying what we pay is not not what we want.

3 Beth Holman

4

5 (Joseph Healey)

6

7 Good evening Council,

8 I hope you are all doing as well as  
9 you can during these trying times.

10 As a devout Catholic, it pains me to  
11 have to say this, but I feel that the health of  
12 our citizens is more important.

13 If the Church Herself was not wise,  
14 or considered enough to cancel the St. Ann's  
15 Novena this year, why did the city not  
16 intervene or at least apply pressure for them  
17 to do so??? At the very least...an opportunity  
18 for residents of the west side to make their  
19 concerns that would directly affect their  
20 health and safety should have been considered.

21 If it wasn't shocking enough to  
22 learn that a Basilica that has ALL of the  
23 infrastructure already in place to have their  
24 services safely broadcast on television like  
25 they have for years was not going to utilize

1           those resources, it was even more mind blowing  
2           to learn that an event that is famous for being  
3           held outdoors would now be moved INDOORS as an  
4           attempt at precaution even though it is widely  
5           accepted in the global scientific community  
6           that the virus is spread more rapidly indoors  
7           through air conditioning and fans than  
8           outdoors!!!

9                         This is a plague we are in the  
10           middle of. If our public officials do not take  
11           it seriously, then entire communities will be  
12           doomed by their inaction.

13                        It is my understanding that for  
14           whatever nonsensical, and certainly non  
15           scientific reasons that religious services are  
16           somehow exempt from the guidelines, but for  
17           anyone who lives here knows...the Novena isn't  
18           just a "religious service" it is a 10 day event  
19           drawing crowds from morning till night and  
20           should have been treated as such.

21                        There are still plenty of people  
22           attending outdoors in groups as well as indoors  
23           and my fear is that in two weeks after the  
24           Novena has ended, we will be the next hot spot  
25           as a result of such foolish inaction to put a



1 stop to it.

2 I am both mortified at my own  
3 religion and disappointed in my own government  
4 who together were unwilling to make any  
5 sacrifices, or take any stands for the safety  
6 of all our citizens.

7 My family and I will not be missing  
8 the Novena this year because for Good St. Ann  
9 to hear our prayers during these exceptional  
10 times, we need nothing more than a Novena card,  
11 and a willing heart, and for this years  
12 intention I will beg St. Ann to prove me wrong.

13 Thank you for your consideration,  
14 and please stay safe and well,

15  
16 Joe Healey  
17 St. Ann's St.  
18 West Scranton

19  
20 (Marie Schumacher)

21  
22 INPUT FOR FOURTH ORDER OF 21 JULY 2010 SCRANTON  
23 CITY COUNCIL MEETING

24 O I hope each of you has read the  
25 article in yesterday's Times-Tribune entitled

1 "Police contracts can affect accountability."

2 In case you missed it I will forward  
3 a copy to Lori for distribution to each of you  
4 as the public safety labor contracts will be  
5 negotiated in the coming months. We need  
6 transparency and we do not need public policy  
7 issues included in labor contracts.

8 Another unanswered question I  
9 believe to be important is a study of the Fire  
10 Department since the Harrison Avenue Bridge has  
11 been replaced allowing Fire Trucks usage. We  
12 should know this before the contract is  
13 negotiated.

14 While on this subject, what is the  
15 current status of our (former?) Firefighter  
16 with the three DUIs and a serious traffic  
17 accident with a police report showing he did  
18 not live in Scranton?

19 0 What is the Status of the 2019  
20 Audit of the City and when will it be  
21 delivered. Speaking of delivery dates, I hope  
22 we have learned the importance of specifying  
23 delivery dates with the HRG contract which was  
24 based on the date of a Meeting with the City  
25 the date of which you have neglected to provide

1 to this taxpayer.

2 0 Has a Policy Statement been  
3 approved on the utilization of City Gas Cards  
4 and, if so, could you put it in Third Order  
5 next week?

6 0 Why has the lists of City roads  
7 both those paid for with Federal HUD dollars  
8 and those paid with Liquid Fuels and other City  
9 operating funds not been made available? When  
10 will this information be made public?

11 0 Trying to put in the commingled  
12 trash incident in perspective one needs to know  
13 the tonnage we have delivered to the Recycling  
14 Center in recent years passed. Please share  
15 this information with the tax and fee payers.

16 0 Again, something I have brought up  
17 in the recent past which is open positions in  
18 the City. While the Main City Website contains  
19 everything but the kitchen sink and open  
20 positions which are currently placed on the HR  
21 site.

22 Also, how many times have the paid  
23 positions been advertised? Last time the Fire  
24 Chief position was open there were at least  
25 four quarter-page ads for a Fire Department

1 Supervisor and now nothing.

2 The HR page also includes quite a  
3 number of presumably unpaid internships which  
4 apparently go unfulfilled.

5 0 Now, on to Agenda items:

6 5C There is a letter of interest in  
7 the backup but not resume. I do not know the  
8 man but it would be nice to know why he  
9 believes he is qualified as he didn't even  
10 state his busines which may or may not be  
11 relevent to the appointment he seeks.

12 Also, it might be nice if positions  
13 available for appointment were made available  
14 for everyone to see.

15 5E Why did the \$25,438 improvements  
16 to the Serrenti Building not come before  
17 Council? Is it not over the threshold? Also,  
18 why are you not providing the grant revenue and  
19 expenses for the Serrenti Building?

20 5F A Municipal Department of  
21 Health? Really? Please provide the number of  
22 restaurants that have been inspected by the  
23 City's health inspector(s) since the  
24 restaurants were allowed to open for business  
25 other than take out and the number inspected

1           during the take-out-only phase of the  
2           restaurant's business.

3                       That, my friends, is where the  
4           rubber meets the road as I am guessing little  
5           has been done. And, while I'm venting a tad,  
6           please tell us which positions previously  
7           furloughed will not be filled.

8                       Also, where has the Quality of Life  
9           person been these last few months? Never, have  
10          I seen so many unkempt yards with knee/thigh  
11          high grass or filled with Queen Anne's Lace or  
12          other weeds.

13                      Ditto for vehicles parked right up  
14          to the corner (think Gibson and Harrison, for  
15          one) and other infractions. How much revenue  
16          has the Police Department brought in this  
17          year-to-date in compliance with the agreement  
18          made in 2015?

19                      Back to 5F I do believe this Body  
20          has sufficient challenges to deal with before  
21          looking for more intrusions into constituents  
22          lives. Geisinger as a directed program for the  
23          area. PLEASE do your job of balancing the  
24          City's budget without increased exodus from the  
25          City.

1                   Think how many side groups this body  
2                   has set up that meet once and nothing comes of  
3                   it. When was the last time we heard from the  
4                   Shared Service Committee for instance.  
5                   5F is not needed.

6  
7                   (Fay Franus)

8  
9                   Council,

10                   Well to be quite honest with you--I  
11                   saw Marie's questions and comments to you and I  
12                   personally and I am sure many other people in  
13                   this city would love to know the answers to all  
14                   of her questions and comments from all of you  
15                   about everything she said versus replying to  
16                   her via e-mail.

17                   May i ask when will city hall be  
18                   open so people can come in and question you in  
19                   person. I can't come unfortunately for me--not  
20                   you, but I sure would love to see Marie stand  
21                   there and ask her questions. I say this because  
22                   her questions are very important.

23                   God knows you can't say you didn't  
24                   think about some of these thongs because she  
25                   has been very clear on addressing many issues.

1 I as you know go at some of her  
2 questions in a different manner--for instance  
3 why do you hire people who are suppose to do an  
4 audit on time and then we wait forever-- guess  
5 what these people should never have that job  
6 again.

7 They get paid a lot to have this  
8 audit ON TIME> How many times has the question  
9 been asked by Marie and Joan H. --Is the Audit  
10 ready? They need to do their job-- and have it  
11 done on time. PERIOD!

12 Now you have a chance to do the  
13 right proper correct thing in dealing with the  
14 police contract-- meaning the city- you surely  
15 have a say -- NO UNION CONTRACT SHOULD SHIELD  
16 POLICE MISCONDUCT.

17 They are NOT above the law--if I  
18 did something wrong DUI etc-- my name would be  
19 in the paper -- a policeman's/woman's name  
20 should also be in the paper along with any  
21 misconduct--Whatever applies to a public  
22 citizen should ALSO apply to a police  
23 officer--maybe more so since we trust them to  
24 defend us.

25 Also their pay-- come on you know

1 the unions in this city have caused major tax  
2 increases-- ENOUGH! We all suffer but God knows  
3 police and fire are well taken care of--why?  
4 You know why-- so all you politicians can get  
5 their votes and their families votes-- that is  
6 a huge voting block. Why do you think  
7 Courtright gave them everything they wanted and  
8 more.

9 You must do something to lower our  
10 taxes-- we need a break -- come on now-- what  
11 about those raises I mentioned last week that  
12 Mayor Evans gave out-- unnecessarily--why do  
13 those people still have those raises.

14 Couldn't Jessica-the lawyer for the  
15 city live nicely on the pay she made before her  
16 \$12,00 raise to help another department out  
17 during her 8 hour work day/ Pure greed.

18 The people in this city need to SEE  
19 you taking steps for them!! Them--not friends  
20 THEM. Salaries ned to be CHOPPED now!

21 Now I'll go but first Mr. McAndrew  
22 you want to put teeth in the ATV resolution --  
23 what a joke and you went on to say how ATVs  
24 should be fair for everyone and go after the  
25 bad drivers-- hold on here. ATVs should NEVER



1           EVER EVER EVER EVER be allowed to be licensed  
2           and insured to ride on the streets of this  
3           city.

4                       This is what you implied. Only the  
5           state can do that so why do you even throw that  
6           out there-- and before you say "I never said  
7           that" yes you did-- watch last weeks meeting.  
8           No one in this city wants ATVs on their streets  
9           roaring back and forth causing tremendous  
10          danger and extreme sounds.

11                      Yes I know the drivers of ATVs want  
12          them on the road. I am speaking of 99% of this  
13          city who have had to deal with these crazies.  
14          Also what is to stop a person from filling up  
15          many cans of gas for their ATVs once they get  
16          home--the police need to seriously stop these  
17          drivers. That is how you put teeth in this  
18          --get laws enforced.

19                      If I were speeding down a street I'm  
20          pretty sure a police officer would come after  
21          me-- so why not an ATV. Have them radio ahead  
22          and head them off. I was simply shocked when  
23          you said they should be licenses and insured-  
24          all of the kids in town would have block  
25          parties in your name every week!

1                   One more thing-- still no yellow  
2                   tape at Gas Station on Railroad and Luzerne--  
3                   so much for owner saying he would do it on  
4                   Monday today 8 more cars there-- I certainly  
5                   appreciate Mayor Cagnetti's attention on this  
6                   matter. If only Tom Oleski felt the same way.  
7                   Is he on vacation ? Hmmmmm Oh and his phone  
8                   must be broken --check that too.

9  
10                  Fay Franus

11  
12                                 (Joseph Healey)

13  
14                  Greetings members of City Council

15                                 I will start off on the offensive  
16                                 tone.. How dare you bunch of complete and  
17                                 utter bastards...

18                                 Now to reason,

19                                 As a kid I lived fireworks, we all  
20                                 as a collective group complained at how the  
21                                 adults restricted the use and ruined festive  
22                                 events making small neighborhood displays  
23                                 illegal. They still happened and we enjoyed  
24                                 what we had. From that child who always wanted  
25                                 to see fireworks and have them available, to an

1 adult who respects what I felt as a kid, I have  
2 to say.. this is exactly opposite of what I  
3 would have ever asked for.

4 There were businesses that also made  
5 rules and picked on kids, those businesses  
6 later failed and faded away as the kids do grow  
7 up and they remembered how offensive they were.

8 Children are our future and you are  
9 choosing to take more away from them, choosing  
10 to make yet another reason they want to leave  
11 the area, because you are trying to restrict  
12 what little fun this area now presents.

13 For restrictions, I do believe some  
14 are in order and some should be exceptions.

15 First I would exclude non-sound  
16 producing and carve out the new category of low  
17 sound fireworks now produced. They are good for  
18 kids who have issues with loud noises and pets.

19 Second I would agree a time  
20 restriction should be put in place bu instead  
21 of copy paste the states guidelines it should  
22 be not until 9pm, but should end mo later then  
23 1 or 1.5 hours after sunset.

24 Third I would allow exceptions for  
25 events with notice. And I am not talking about

1 the massive commercial insurance and absurd  
2 fees, but the allowance approved exceptions  
3 based on requests. Weddings, maybe funerals if  
4 someone requested it, birthdays, as long as a  
5 procedure for use was submitted prior.

6 And as for holidays, I believe that  
7 a carveout of for specific dates should be  
8 made, not just to allow them but up until  
9 specific hours without asking for an exception.  
10 4th of July weekend no later than 11 PM. New  
11 Years no later then 12:30 AM on the 1st of the  
12 year.

13 Fireworks should be allowed at all  
14 times and should be under the exceptions are..  
15 **Permitted:** Sparklers, toy pistols, or other  
16 devices in which paper caps are used which  
17 contain .25 grains or less of explosive  
18 compound, and are constructed so the hand  
19 cannot come into contact with the cap when in  
20 place for the explosion.

21 Also permitted are toy cannons which  
22 operate on the principle of mixing calcium  
23 carbide, weighting less that 1/10th ounce and  
24 water in the reservoir of the cannon, and in  
25 which ignition results upon the creation of a

1 spark.

2 Any Smoke producing Item and the  
3 category of fireworks listed as Silent  
4 fireworks/noiseless fireworks. I also believe  
5 that firecrackers should be allowed with  
6 parental permission or someone over 21  
7 supervising. Though they do produce reduced  
8 noise they are effective for small groups and  
9 use with music accompaniment.

10 For large displays they are not  
11 practical. Cities have adopted them due to  
12 pets, PTSD, and younger kids who are trying to  
13 sleep.

14 So Again I dislike the legislation  
15 on face value but the 365 a year use of them  
16 can be annoying, I understand that and would  
17 have as a kid. I believe the 9pm when in summer  
18 the Sun sets later makes the cutoff  
19 unreasonable so based on how long after sunset  
20 controls the time in summer and winter.

21 Last we have had a recent death due  
22 to fireworks, and I do not have details on  
23 that, but the injury rate for fireworks in 2018  
24 is 2.8 per 100,000 individuals in the United  
25 States. In 2028 all 5 non occupational

1 fatalities were a result of reloadable Ariel  
2 devices and all died from direct impact. (Per  
3 the Consumer Product Safety Commission).

4 Though a death is sad, we can't make  
5 rules based on the exception and should balance  
6 them with reasonable research.

7

8 (End of Public Comment)

9

10 MR. GAUGHAN: Mrs. Reed?

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

12 MOTIONS.

13 MR. GAUGHAN: Councilman Schuster,  
14 do you have any motions or comments at this  
15 time?

16 MR. SCHUSTER: So, yeah, I was going  
17 to make a motion. On two separate dates I  
18 asked for some information regarding costs  
19 associated with the emergency declaration. The  
20 answers I was given at that point in time was  
21 that nothing had been spent or there had been  
22 no costs at that time.

23 But this morning in the newspaper in  
24 light of that article, it seems that some money  
25 has been spent. I'd like to make a motion to

1 request that possibly the business  
2 administration send us the costs the City has  
3 spent associated with our response to the COVID  
4 emergency and future costs that have been  
5 identified.

6 Also, there was some IT purchases  
7 made. I know it was discussed at a Shared  
8 Services Committee that some of those purchases  
9 could have been made in conjunction with the  
10 Scranton School District maybe for some cost  
11 savings. So if that could be answered if that  
12 was discussed or purchased together.

13 MR. GAUGHAN: Okay. There's a --  
14 Councilman Schuster made a motion. Is there a  
15 second?

16 MR. DONAHUE: Second.

17 MR. GAUGHAN: On the question? On  
18 the question, I'm going to vote for the motion.  
19 The only thing I would say though is that I  
20 think in the backup to 5-E -- I'm looking at it  
21 right now where the City is going to ask for  
22 money from the county, I think they listed  
23 everything that's been purchased so far in  
24 terms of for the pandemic.

25 And I think they listed future

1 costs. Now maybe there is -- are things that  
2 were not listed on here. But I do think  
3 that -- seems to me that mostly everything is  
4 itemized here on that list in the backup.

5 MR. DONAHUE: I guess we could just  
6 add if there is anything that maybe didn't  
7 qualify for reimbursement that was spent, you  
8 know, that wouldn't be included in this list if  
9 there was any additional information.

10 MR. GAUGHAN: Um hum. Anyone else  
11 on the question? All those in favor of  
12 Councilman Schuster's motion signify by saying.

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. Do you have  
19 anything else, Councilman Schuster?

20 MR. SCHUSTER: I just made an  
21 inquiry to Solicitor Hayes and to Lori about  
22 the Department of Health item that we had on  
23 the agenda tonight, any history of Department  
24 of Health we had in the past, maybe possible  
25 expected budgets of that department.



1 I think that's something that once  
2 this goes through it will be found in the  
3 exploration of that department. That's all.

4 MR. GAUGHAN: Okay. Thank you very  
5 much. Councilman McAndrew, do you have any  
6 motions or comment at this time?

7 MR. MCANDREW: I do. So between  
8 last meeting and this week, a concerned -- a  
9 concern from a citizen was first brought to me  
10 in May which I actually presented at a meeting.  
11 It's the rear garage of 324 Crown Avenue which  
12 was operating illegally as an auto repair  
13 garage.

14 So in between first initial  
15 complaint until last week or I know that in May  
16 a certified letter was sent May 12th to the  
17 owner of the garage to immediately stop work.  
18 The letter also stated that this will be the  
19 only letter you'll receive. Your next  
20 communication from us will be inform -- the  
21 formal enforcement action.

22 Okay. So that was May. The  
23 concerned citizen brought this to me last week.  
24 It wasn't necessarily a public comment sent to  
25 all us, but it was just sent to me

1 individually. But it's a public comment.

2 So but, you know, and I reached out  
3 to Mrs. Reed. And this is her second  
4 complaint. I do know that Mrs. Reed did send  
5 correspondence to the LIPS Department because  
6 they wanted to clarify the address. So that  
7 occurred between last week and this week.

8 So this is the third auto -- I'd  
9 like an update, please, for this for myself and  
10 this concerned citizen, Mrs. Reed, if we can  
11 just follow up with that, please. Thank you.  
12 But it's weird this is the third auto chop shop  
13 type of activity that has been brought to my  
14 attention personally and in the past -- I don't  
15 know, maybe three months.

16 And it's not just in one part of the  
17 City. I mean, it's at least three different  
18 parts of the City this is occurring. And it  
19 seems like when the coast is clear, I know that  
20 the police have gone and investigated it.

21 And ironically enough, one of them  
22 which is over here near me has all these ATVs  
23 flying out of it too. So but I realized --  
24 what I'm realizing is they go. They  
25 investigate. And when the coast is clear, this

1 brazen activity picks up again.

2 So these are three garages that I'm  
3 sure have leases or some type of agreement.  
4 But this is continuing. I know some are up in  
5 North Scranton. There was one in West Side and  
6 this one on Crown. So I don't know. I'm just  
7 throwing it out there. I'd like some followup  
8 or feedback with regards to this. Thank you.  
9 That's all I have.

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

13 DR. ROTHCHILD: Yes. I have a bunch  
14 so bear with me. I just want to thank Scranton  
15 Tomorrow for coming into our caucus. I  
16 appreciated the updates that they provided us  
17 with and the work that they've done over the  
18 past few months. And I look forward to seeing  
19 the progression of the Pocket Park and the  
20 completion of that.

21 And I'd also like to thank  
22 Mr. Deeley for coming into our caucus. And he  
23 explained as to what they're doing to address  
24 blight within the City and the different  
25 processes that they have in LIPS now to help

1 address those issues.

2 And I know that LIPS recently  
3 received some of their staff back. And they're  
4 getting up and running again. And so some of  
5 our concerns that we brought previously to them  
6 have been getting addressed.

7 But I think there are some too that  
8 have fallen on the backburner. So I asked Lori  
9 Reed this week to present additional  
10 correspondences and reminders to them about a  
11 couple of issues and there's some other things  
12 that I just wanted to update people on just so  
13 that they're aware that it's something we are  
14 working on and continuing to ask about.

15 So I did have a gentleman ask me  
16 about the railroad tracks on Washington Avenue  
17 that are crossing over in South Side. Those  
18 have been in disrepair for quite a long time  
19 now. And so it's difficult to drive over that  
20 section. And that's something that we sent  
21 over to DPW a couple times that we're waiting  
22 response on to see if that will be taken care  
23 of and when.

24 I also sent something to DPW  
25 regarding Lackawanna Avenue which is a little

1 complicated because part of it is City owned  
2 and another section of it is state owned. And  
3 there's an issue with there aren't, like, lines  
4 separating lanes. So it needs some line  
5 painting.

6 And also some of the traffic stops  
7 it's difficult to tell the different directions  
8 of the lanes. So there needs to be some lane  
9 marking and line painting coming up related to  
10 Lackawanna Avenue just to make it safer for  
11 drivers.

12 And along the lines of Lackawanna  
13 Avenue, the U.S. Post Office has an office  
14 there. And I received a complaint from one of  
15 the workers of the USPS who was having issue  
16 with their parking. They have, like, a spot  
17 designated for the postal workers because they  
18 have the truck come in certain times of the  
19 day. I think it was at least four times during  
20 the day to pick up the mail.

21 And they often find that other  
22 vehicles are parked in that spot. And they  
23 have to double park. And it's just been  
24 difficult for them to do their jobs as a result  
25 of that. So that was something that was first

1 forwarded to the Scranton Police Department.  
2 And then from there it was brought to the Law  
3 Department.

4 And so Joe O'Brien was working on  
5 it. But we haven't seen -- there's supposed to  
6 be an ordinance coming to us for it. But we  
7 haven't received that yet. So now because we  
8 only have one more meeting before our break,  
9 I'm hoping we can get that on the agenda for  
10 our first meeting in September in order to get  
11 that issue resolved.

12 And then something else that I sent  
13 over to the Licensing and Inspections  
14 Department. I had mentioned a few weeks back a  
15 complaint I received about a complaint on the  
16 700 block on Harrison Avenue. There is just an  
17 overgrown area that's going onto the sidewalk.

18 It's an empty vacant lot. And it's  
19 become problematic and a safety issue because  
20 pedestrians -- it's so blocked that instead of  
21 using the sidewalk, they're are crossing the  
22 street outside the pedestrian crosswalks. And  
23 so it's become a hazard in that way.

24 So that's something that I reminded  
25 them of. And there are actually -- there's a

1 lot of issues on Harrison Avenue. That's in my  
2 neighborhood. That's a street that I drive up  
3 and down several times a day. So I have often  
4 taken note of the problems there. So I  
5 actually sent them a long list of the few  
6 things that I'm hoping their inspectors could  
7 go and take a look at and then take the  
8 appropriate actions.

9 And then there were a couple  
10 properties on the 1300 block of Sanderson  
11 Avenue that I inquired about a few months ago.  
12 I went over and I spoke with the family of one  
13 of the properties there. And there were  
14 numerous issues, especially with one property  
15 in particular that is really a detriment to the  
16 neighbors' quality of life and to their home.

17 And so I have asked them about it.  
18 We've sent them three correspondences by now  
19 regarding those properties. I'm still waiting  
20 on some responses on the issues there. And  
21 that is something that they've been dealing  
22 with for years. I would like to get that  
23 resolved as soon as possible. And I think  
24 that's -- that's it. Thank you.

25 MR. GAUGHAN: Okay. Thank you, Dr.

1 Rothchild. Councilman Donahue, do you have any  
2 motions or comments at this time?

3 MR. DONAHUE: Yes, just to touch on  
4 one thing that Dr. Rothchild brought up with  
5 the railroad crossings, that's actually the  
6 Northeast Regional Railroad Authority is  
7 responsible for the upkeep of those. We've  
8 sent -- I believe, Miss Reed, we sent  
9 correspondence to them about a year ago  
10 inquiring about upkeep of some of the railroad  
11 crossings.

12 So would we be able to resend that  
13 just seeing if they have, you know, any plans  
14 to make any upgrade to the railroad crossing?

15 MS. REED: Yes, I will.

16 MR. DONAHUE: Thank you. And just  
17 one of the questions we got from  
18 Mrs. Schumacher was asking about the tonnage  
19 delivered to the Recycling Center -- the  
20 tonnage and commingled recycling delivered to  
21 the Recycling Center in recent years.

22 I know that last year it was -- the  
23 total number was just about 1300 tons. But I  
24 am going to get numbers going back a little  
25 further. And I'll have those for next week.



1                   Just on some really City personnel  
2                   updates, I know I sent along an update -- or a  
3                   request for an update on the furloughs, which  
4                   positions were called back and which positions  
5                   was the administration planning on not calling  
6                   back. We still haven't received a response  
7                   from that.

8                   I'd also like to send along -- and  
9                   this is on -- one of Mrs. Schumacher's comments  
10                  too on -- regarding the firefighter referred to  
11                  in Mrs. Schumacher's comment. I know we had  
12                  asked for a status update at some point last  
13                  year. So would we be able to send that along  
14                  too?

15                  And then also just another personnel  
16                  matter, I know that the previous pave cut  
17                  inspector retired last week. So I just want to  
18                  know when will that position be posted. And  
19                  also, the position, you know, currently is  
20                  responsible for a significant amount of City  
21                  revenue. So who is currently assuming the  
22                  responsibility of the pave cut inspector until  
23                  that position is filled?

24                  I'd also like to just make a motion  
25                  to send correspondence to Kohanski and Company

1 to provide an update on the status of the 2019  
2 audit. You know, the 2019 audit is paid for  
3 out of Council funds. So I think we have the  
4 prerogative to ask for that update.

5 MR. GAUGHAN: There's been a motion  
6 that has been made. Is there a second?

7 MR. SCHUSTER: Second.

8 MR. GAUGHAN: On the question?

9 MR. DONAHUE: On the question, just  
10 regarding, you know, everything going on with  
11 COVID, just to really just request this to see  
12 where we are if we're on that same midSeptember  
13 timeline that I know we've talked about them  
14 about the beginning -- talked with them about  
15 it at the beginning of the year.

16 MR. GAUGHAN: Anyone else on the  
17 question? All those in favor of Councilman  
18 Donahue's motion, please signify by saying aye.

19 MR. SCHUSTER: Aye.

20 MR. MCANDREW: Aye.

21 MR. DONAHUE: Aye.

22 DR. ROTHCHILD: Aye.

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

25 MR. DONAHUE: And, Miss Reed, a

1 couple weeks ago I believe Councilman Gaughan  
2 asked for an update on what's an -- an update  
3 on what's going on with -- on the 1700 block of  
4 Wyoming Avenue with the Meadow Brook Creek, the  
5 Young and Kennedy property. I don't think  
6 we've gotten anything back, have we?

7 MS. REED: I don't believe so,  
8 Councilman.

9 MR. DONAHUE: Okay. Would we be  
10 able to follow up with another request for an  
11 update on the status of what's going on over  
12 there?

13 MS. REED: Of course.

14 MR. DONAHUE: And then I know  
15 Mrs. Schumacher also brought up the paving  
16 list. I know we got -- I believe we received a  
17 copy of the paving list for the roads to be put  
18 out for federal money. But I was going -- I  
19 thought it was in our agenda. I was going  
20 through it and I couldn't find it.

21 Could you just check with OECD to  
22 make sure that that's something that we can put  
23 into our Third Order?

24 MS. REED: Certainly.

25 MR. DONAHUE: Okay. And then, you

1 know, I also sent a request last week regarding  
2 legislation regarding the engineering contract  
3 for the 2020 paving program. And I haven't  
4 received a response. And we don't have  
5 legislation.

6 So we're not -- I mean, based off  
7 our recess unless they want to call us back for  
8 a special meeting, we won't be approving  
9 engineering contract for a paving program until  
10 at least September at this point because it's  
11 past the deadline before our summer recess.

12 I also forwarded along questions to  
13 the administration regarding 6-A and 6-B. And  
14 it was just really what, you know, for both,  
15 what strategies will be employed to effectively  
16 enforce each ordinance.

17 And then also, is there any downside  
18 to increasing the fine specifically for the  
19 fireworks ordinance? And I haven't received a  
20 response to that. And I'm hoping we receive a  
21 response to that by the end of -- or by the  
22 meeting next week where we pass that  
23 legislation.

24 And also, I have a couple of LIPS  
25 questions I'd like to forward onto the

1 administration, specifically for the time  
2 period between March 15th and July 15th, I'd  
3 just like to know how many construction permits  
4 were issued, how many construction inspections  
5 were performed, how many occupancy permits were  
6 issued and how many health inspections were  
7 performed. And that's all I have. I'll have  
8 some more comments for agenda items.

9 MR. GAUGHAN: Okay. Thank you. I  
10 just have a few items I'd like to discuss.  
11 The first one is just to ask Solicitor Hayes if  
12 we received any responses from the Solid Waste  
13 Management Authority regarding the letter that  
14 we sent last week or the week prior.

15 ATTY. HAYES: I haven't received any  
16 response from the Authority. I don't know if  
17 Mrs. Reed did.

18 MS. REED: I have not.

19 ATTY. HAYES: Okay. So it was  
20 reported to us that by the majority solicitor  
21 that we should receive a response last Friday  
22 as he was meeting with him in executive  
23 session.

24 I reached out to the solicitor  
25 earlier today just to report that I have not

1 received a response to our July 8th  
2 correspondence which we originally directed to  
3 the County Commissioners. And then the  
4 county's solicitor indicated that it's  
5 something that should go directly to the  
6 Authority.

7 But in any event, I reminded the  
8 solicitor to the Authority today that we had  
9 not received a response. And I have not  
10 received one as of -- as of now.

11 MR. GAUGHAN: Okay. You know, since  
12 in this case with this whole issue, time is of  
13 the essence here. And I think we're all trying  
14 to understand how we got to this point. You  
15 know, I read in the newspaper that the Solid  
16 Waste Management Authority amended the  
17 agreement that they had with the Recycling  
18 Center operator.

19 And apparently they determined that  
20 the agreement was not breached. My question  
21 has -- is tonight and has been, why would they  
22 rush to amend an agreement that was not  
23 breached? Why would they rush to amend an  
24 agreement when it really wasn't necessary?

25 And by all accounts, it benefits the

1 operator. And it's to the detriment of  
2 Scranton taxpayers and really to every other  
3 borough throughout Lackawanna County. So I  
4 know Mr. Cummings, the Executive Director and  
5 Solicitor of the Authority had said he was  
6 going to respond to our questions by this  
7 Friday. But that did not happen.

8 So I'd like to make a motion that  
9 Council prepare and submit a Right To Know  
10 request to the Solid Waste Management Authority  
11 seeking the following:

12 Minutes from the Authority's  
13 meetings from July 1st, 2019 through the  
14 present;

15 A listing of current members along  
16 the date of their appointment;

17 The date of the Authority  
18 Solicitor's appointment;

19 All amendments to the professional  
20 service operating agreement;

21 Copies of the excel spreadsheets  
22 which are referenced in the July 6th, 2020  
23 correspondence from the Lackawanna County  
24 Recycling Center, Inc., to the Authority;

25 Copies of the current and prior

1 waste management plan for municipal waste,  
2 which the Authority is required to adopt  
3 pursuant to the Municipal Waste Planning  
4 Recycling Waste Reduction Act;

5 And the Authority's financial  
6 statements for years 2015 through 2019.

7 Do I have a second?

8 MR. DONAHUE: Second.

9 MR. GAUGHAN: On the question?

10 MR. DONAHUE: On the question, you  
11 know, it's sort of ridiculous that we have to  
12 put in a Right To Know request. I think this  
13 information should be readily available to  
14 anyone in authority at that Authority.

15 MR. GAUGHAN: I agree. Anyone else  
16 on the question?

17 MR. MCANDREW: I agree. It's  
18 ridiculous that we have go to this, a Right To  
19 Know. And, you know, one week -- one week the  
20 agreement is null and void. Now a week later  
21 it's breached or it's not breached but it's  
22 being amended. It doesn't make any sense to  
23 me. So that's it.

24 MR. GAUGHAN: Anyone else? All  
25 those in favor of the motion signify by saying



1            aye.

2                            MR. SCHUSTER: Aye.

3                            MR. MCANDREW: Aye.

4                            MR. DONAHUE: Aye.

5                            DR. ROTHCHILD: Aye.

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

8                            Just a few things, I had asked this  
9            week for an update on the Street Sign Program.  
10           About a year or two ago Council passed  
11           legislation entering into a contract with a  
12           company who is really going to revamp our  
13           Street Sign Program and give us some tools in  
14           order to streamline the whole process.

15                            So I did ask just for an update on  
16           what's been done and what the plan is moving  
17           forward. I know that there has been several  
18           signs replaced throughout the City. And I  
19           think it would be incumbent upon Council just  
20           to find out exactly where they've been and  
21           what's been done because it is a really good  
22           program.

23                            Also, several citizens issues I just  
24           want to touch on really quickly we sent into  
25           DPW and the Licensing and Inspections

1 Department.

2 On East Mountain, the 1300 and 1400  
3 blocks of Brook Street, water runoff issues. I  
4 continue to get complaints about East Mountain  
5 Road and the brush overgrowth that makes it  
6 difficult for drivers, the same issue on  
7 Mountain Lake Road. That road is crumbling,  
8 needs to be patched and put on a future paving  
9 list, if possible.

10 Also part of Wintermantle Avenue is  
11 in really bad shape. Wintermantle and Birch,  
12 the ditch is dangerous, plus there's a lot of  
13 overgrowth there. I received a complaint about  
14 the 400 block of Phelps Street and some quality  
15 of life issues, 3103 McCarthy Avenue in  
16 Minooka, there's high grass. And the house was  
17 involved in a fire a few years ago, the 1500  
18 block of Price Street and the corner of Bromley  
19 Avenue, same thing.

20 There was a house that burned about  
21 five years ago. And it's still sitting there  
22 and furniture in an alley in West Scranton on  
23 Rachael Place. So we did send all of those  
24 complaints to the proper -- proper departments.

25 I was pleased that we had Mr. Deeley

1 in, our Business Administrator to talk about  
2 blight in the City. In listening to him speak,  
3 it does seem like we are moving in the right  
4 direction in terms of coming up with a strategy  
5 and a comprehensive plan to deal with blight  
6 throughout the City. And that's all I have.  
7 Thank you. Mrs. Reed?

8 MS. REED: Thank you. 5-B. FOR  
9 INTRODUCTION - AN ORDINANCE - PROHIBITING THE  
10 USE OF COMMERCIAL VEHICLE BRAKE RETARDERS ON  
11 THIRD AVENUE IN THE CITY OF SCRANTON BETWEEN  
12 ELM STREET AND BROADWAY STREET.

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

16 MR. DONAHUE: So moved.

17 MR. GAUGHAN: Is there a second?

18 MR. SCHUSTER: Second.

19 MR. GAUGHAN: On the question? On  
20 the question, I just want to say -- I want to  
21 say thank you to the Mayor and members of the  
22 administration, DPW, City Engineer, Police  
23 Chief Carl Graziano, the Mayor's Chief of Staff  
24 for taking the time -- and the City Law  
25 Department as well for taking the time to put

1           this ordinance together.

2                       I won't go through all the issues  
3           that have occurred on Third Avenue because of  
4           truck traffic really because of the Elm Street  
5           bridge. But I think in speaking to the  
6           neighbors that this legislation will hopefully  
7           lessen some of the issues there and will  
8           hopefully increase their quality of life.

9                       This is an ordinance. Since next  
10          week is our last meeting, I will ask in the  
11          interest of the neighbors and their quality of  
12          life if we can suspend the rules and move this  
13          to final passage next week. That's all I have.  
14          Anyone else on the question? All those in  
15          favor of introduction signify by saying aye.

16                      MR. SCHUSTER: Aye.

17                      MR. MCANDREW: Aye.

18                      MR. DONAHUE: Aye.

19                      DR. ROTHCHILD: Aye.

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

22                      MS. REED: 5-C. FOR INTRODUCTION -  
23          A RESOLUTION - APPOINTMENT OF MICAH S.  
24          WOODARD, 920 MOOSIC STREET, SCRANTON,  
25          PENNSYLVANIA, 18505, AS A MEMBER OF THE

1 SCRANTON PARKING AUTHORITY EFFECTIVE JULY 9,  
2 2020. MICAH S. WOODARD WILL BE REPLACING  
3 JOSEPH MATYJEVICH WHOSE TERM EXPIRED. MICAH S.  
4 WOODARD WILL BE APPOINTED TO A FIVE (5) YEAR  
5 TERM EFFECTIVE JULY 9, 2020 AND WILL EXPIRE ON  
6 JUNE 1, 2025.

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

10 DR. ROTHCHILD: So moved.

11 MR. SCHUSTER: Second.

12 MR. DONAHUE: Second.

13 MR. GAUGHAN: On the question?

14 DR. ROTHCHILD: Yes, on the  
15 question, I'd like to add that I know  
16 Mr. Woodard. And I know that he's a business  
17 owner in Scranton. And I think it's important  
18 to have downtown business owners a part of the  
19 Parking Authority since I think they have  
20 firsthand knowledge of how the Parking  
21 Authority is affecting their businesses and  
22 their customers. So I think this is a good  
23 appointment and I look forward to voting on it.

24 MR. GAUGHAN: Thank you. I did  
25 request a resume for Mr. Woodard. And we did

1 receive that. So it will be in Third Order  
2 next week for final passage. Anyone else on  
3 the question? All those in favor of  
4 introduction signify by saying aye.

5 MR. SCHUSTER: Aye.

6 MR. MCANDREW: Aye.

7 MR. DONAHUE: Aye.

8 DR. ROTHCHILD: Aye.

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

11 MS. REED: 5-D. FOR INTRODUCTION -  
12 A RESOLUTION - AUTHORIZING THE ACCEPTANCE BY  
13 THE CITY OF SCRANTON BY KEYSTONE SANITARY  
14 LANDFILL OF A JOHN DEERE 410 L BACKHOE LOADER  
15 SN:1T0410LXVLF382297 PER COSTARS DGS  
16 CONTRACT #4400011444 FROM FIVE STAR EQUIPMENT.

17 MR. GAUGHAN: At this time I'll  
18 entertain a motion to introduce Item 5-D into  
19 its proper committee.

20 MR. DONAHUE: So moved.

21 MR. GAUGHAN: Is there a second?

22 MR. MCANDREW: Second.

23 MR. GAUGHAN: On the question --

24 MR. DONAHUE: On the question,  
25 sorry. Attorney Hayes, if we were to ask for

1 an itemized list of what has been provided  
2 under this agreement year by year going back to  
3 2000, would that be a question for the  
4 administration or for the landfill?

5 ATTY. HAYES: Well, I guess either.  
6 The easier route would be to go to the  
7 administration because pursuant to the -- I  
8 think it was October of 2000, there was an  
9 agreement with the operator that the operator  
10 will provide \$100,000 worth of equipment on an  
11 annual basis.

12 What they're doing here in this  
13 resolution is just memorializing the donation  
14 of a particular piece of equipment. And I  
15 think the Mayor wanted this done in a more  
16 formalized manner which I tend to agree with.

17 So the answer to your question, Mr.  
18 Donahue, I would start with the administration  
19 to see if they have an accounting of all the  
20 different materials and equipment that have  
21 been donated since 2000 to the present and see  
22 if they have that information.

23 MR. DONAHUE: Okay. Yeah, because  
24 this is the first I've heard of this  
25 stipulation in that contract. And I would just

1 be interested to see, you know, what sort of  
2 equipment the City has gotten, you know, going  
3 back 20 years. So I'll ask Mrs. Reed to send  
4 that over to the -- that request over to the  
5 administration. Thank you.

6 MR. GAUGHAN: Anyone else on the  
7 question? I agree with Councilman Donahue. I  
8 think it's -- I would be interested to see if  
9 the City has been keeping an account of what we  
10 receive. I'm sure they have been. But I think  
11 it would be good for us to request that to see  
12 the equipment and other things that have been  
13 provided.

14 MR. SCHUSTER: Also on the question,  
15 when taking a look at this, was this -- I mean,  
16 I read it several times. But was this a  
17 donation of actual equipment or was it a  
18 donation of money and then we used the COSTARS  
19 system to purchase the equipment with that  
20 money?

21 MR. GAUGHAN: Solicitor Hayes, would  
22 you know the answer to that question? I think  
23 it was that the money was provided and then the  
24 City went out and entered in a contract. Am I  
25 correct or --



1                   ATTY. HAYES: That's correct,  
2                   Council President Gaughan. That's my  
3                   understanding that only the City would be able  
4                   to participate in the COSTARS program. So  
5                   that's how I think it would have to work. But  
6                   as you know, the amendment -- the revisions  
7                   that I proposed and circulated amongst Council  
8                   members was to get additional supporting  
9                   documentation to explain this transaction just  
10                  so we have it and that would be hopefully  
11                  included in the supporting documentation that  
12                  we would have to pass once this resolution was  
13                  finalized.

14                 MR. SCHUSTER: Yeah, thank you,  
15                 Mr. Hayes. Yeah, when reading it, that's what  
16                 it appeared to be that it was a monetary  
17                 donation and then we went through COSTARS  
18                 system. But I guess the wording of the  
19                 resolution appears that the tractor is being  
20                 donated.

21                 ATTY. HAYES: Correct. Yes, but I  
22                 think as Council President Gaughan explained  
23                 that was the arrangement we'll be reimbursed  
24                 for the purchase.

25                 MR. SCHUSTER: Thank you.

1 MR. GAUGHAN: Thank you. Anyone  
2 else on the question?

3 MR. MCANDREW: Yeah, so we got an  
4 amendment and a gift in the same night.

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

8 MR. SCHUSTER: 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 – A  
15 RESOLUTION – RATIFYING AND APPROVING THE  
16 EXECUTION AND SUBMISSION OF A GRANT APPLICATION  
17 BY THE CITY OF SCRANTON TO LACKAWANNA COUNTY  
18 OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT  
19 FOR THE “COVID-19 COUNTY RELIEF BLOCK GRANT  
20 PROGRAM” BY AND THROUGH THE PENNSYLVANIA  
21 DEPARTMENT OF ECONOMIC AND COMMUNITY  
22 DEVELOPMENT AND AUTHORIZING THE MAYOR AND OTHER  
23 APPROPRIATE CITY OFFICIALS OF THE CITY OF  
24 SCRANTON TO ACCEPT THE GRANT, IF SUCCESSFUL,  
25 AND EXECUTE AND ENTER INTO A GRANT AGREEMENT TO

1 ACCEPT AND UTILIZE THE GRANT IN AN AMOUNT UP TO  
2 \$824,553.23 AWARDED BY LACKAWANNA COUNTY OFFICE  
3 OF ECONOMIC AND COMMUNITY DEVELOPMENT.

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

7 MR. MCANDREW: So moved.

8 DR. ROTHCHILD: So moved.

9 MR. GAUGHAN: Is there a second?

10 MR. DONAHUE: Second.

11 MR. GAUGHAN: On the question? On  
12 the question, this may have been raised during  
13 the meeting, but the only thing that I would  
14 ask before final passage if we can get a list  
15 who -- how many employees are actually working  
16 from home. Anyone else on the question? All  
17 those in favor of introduction signify by  
18 saying aye.

19 MR. SCHUSTER: Aye.

20 MR. MCANDREW: Aye.

21 MR. DONAHUE: Aye.

22 DR. ROTHCHILD: Aye.

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

25 MS. REED: 5-F. FOR INTRODUCTION -

1 A RESOLUTION – RATIFYING AND APPROVING OF  
2 THE EXECUTION AND SUBMISSION OF AN APPLICATION  
3 BY THE CITY OF SCRANTON TO THE COMMONWEALTH OF  
4 PENNSYLVANIA SECRETARY OF HEALTH REQUESTING A  
5 CERTIFICATE OF APPROVAL PURSUANT TO 16 P.S.  
6 § 12005(a) CONFIRMING THE CITY OF SCRANTON'S  
7 ABILITY TO ESTABLISH A MUNICIPAL DEPARTMENT OF  
8 HEALTH.

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

12 MR. DONAHUE: So moved.

13 DR. ROTHCHILD: Second.

14 MR. GAUGHAN: On the question? On  
15 the question, Solicitor Hayes, could you -- I  
16 think you reviewed this resolution. Is this  
17 something that municipalities can do, create a  
18 Department of Health in your review?

19 ATTY. HAYES: So this is an issue  
20 that I'll have to review with the Law  
21 Department. And in their defense I have not  
22 raised it yet with them. But the statute that  
23 they cited in this resolution is the Local  
24 Health Administrative Law which essentially  
25 empowers county governments to establish

1 Departments of Health, not municipalities.

2 Municipalities are permitted to have  
3 their own Department of Health if one existed  
4 at the time that this Local Health  
5 Administrative Law was adopted in 1951.

6 Upon Councilman Schuster's request,  
7 Mrs. Carrera and Mrs. Reed both did research on  
8 this issue. And it appears that in 1916, the  
9 Department of Public Health was created for the  
10 City of Scranton by an act of Council.

11 We -- and obviously it's apparent  
12 that that Department of Health no longer  
13 exists. We don't know when it was  
14 discontinued. That would take some additional  
15 digging. I could tell you that the Department  
16 of Health is not listed as a department in the  
17 Administrative Code, which was adopted in 1984.

18 So what we'll have to get  
19 clarification from the administration before  
20 final passage is this, is there another  
21 provision -- a statutory provision -- state  
22 statute that is permitting them to pursue  
23 this creation of a Department of Health because  
24 I don't read this Local Health Administrative  
25 Law to allow for the creation of such a

1 Department of Health for a city -- a Class 2A  
2 City.

3 And secondly is, it may not be  
4 necessary in the Department of Public Health --  
5 or Department of Health that exists on the  
6 books for the City of Scranton. Although, it  
7 does appear that it is expired. It no longer  
8 exists.

9 It certainly hasn't been budgeted  
10 for in a number of -- in as far -- in any  
11 budget that we can see in recent memory. So  
12 we're going to have to get some clarification  
13 on this issue before final passage.

14 But I think it was important that  
15 Councilman Schuster raised this issue this week  
16 which permitted us to start digging the history  
17 of the Department of Health for the City of  
18 Scranton.

19 MR. SCHUSTER: Thank you.

20 MR. GAUGHAN: Anyone else on the  
21 question?

22 DR. ROTHCHILD: Yes, I want to add I  
23 believe this is something that other cities and  
24 municipalities have been looking into just like  
25 in light of COVID to help them better handle

1           these situations.

2                       So I know it seems to just -- the  
3           purpose of this legislation would be to start  
4           an exploratory committee, you know, nothing --  
5           at no cost just to see if this is something  
6           that's feasible or possible in the City. But I  
7           agree. I'm interested in seeing if it's  
8           legally possible. That's all.

9                       MR. DONAHUE: Yes, on the question,  
10          I think it's important to point out that this  
11          is just the first step in the process that  
12          would cost the City zero dollars. And it sort  
13          of allows you to get into an exploratory phase.

14                      I would like -- I'm interested to  
15          see what Mr. Hayes, Mrs. Reed, and Mrs. Carrera  
16          come up with with regards to, you know, some of  
17          the history behind it. But I think from a  
18          realistic perspective, I think, you know, a  
19          county health department would be more  
20          realistic.

21                      Even when you look at, you know, I  
22          think Philadelphia is the only City. But it's  
23          also a county I guess in the State of  
24          Pennsylvania that has its own health  
25          department. Even Pittsburgh uses Allegheny

1 County for their health department.

2 But I just think it's important to  
3 point out that this would cost -- this is a  
4 phase that could cost the City zero dollars,  
5 you know, to start exploring.

6 MR. GAUGHAN: Anyone else on the  
7 question?

8 ATTY. HAYES: Council President  
9 Gaughan, if I may?

10 MR. GAUGHAN: Sure.

11 ATTY. HAYES: I know that there is  
12 the Scranton Lackawanna Health and Welfare  
13 Authority which is a county authority. I don't  
14 know if that's the entity which was created  
15 pursuant to this local health administrative  
16 law.

17 And then if that's the case,  
18 Scranton may very well fall under the  
19 jurisdiction of that authority. But certainly  
20 we have some more research to do on this issue.

21 And I do understand that other  
22 municipalities may have this Department of  
23 Health or have a -- I have to assume that that  
24 was because it existed at the time this statute  
25 was adopted.



1 MR. GAUGHAN: So, Kevin, are you --  
2 let me just try and clarify it. Are you saying  
3 that there's a potential that Council doesn't  
4 actually have to pass or, you know, approve any  
5 legislation for the City to go forward --  
6 simply go forward with an exploratory  
7 committee?

8 ATTY. HAYES: Right.

9 MR. GAUGHAN: In other words, they  
10 may be able to do that without Council approval  
11 if they are just exploring the option.

12 ATTY. HAYES: Yeah, that's right. I  
13 just think that the citation to -- with the  
14 Local Health Administrative Law is not correct.

15 Yeah, there is nothing that would  
16 preclude Council and the City from forming a  
17 committee to determine whether it needs a --  
18 it's own department. It may not be subject to  
19 this statute to handle public health issues.

20 MR. GAUGHAN: Okay. Thank you very  
21 much. Anyone else on the question? All those  
22 in favor signify by saying 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 MS. REED: SIXTH ORDER. 6-A.

5 READING BY TITLE - FILE OF THE COUNCIL NO. 14,  
6 2020 - AN ORDINANCE - AMENDING FILE OF THE  
7 COUNCIL NO. 29, 2018 ENTITLED "ACKNOWLEDGING  
8 THE ADOPTION BY THE COMMONWEALTH OF  
9 PENNSYLVANIA OF THE PENNSYLVANIA FIREWORKS LAW,  
10 ACT 43 OF 2017, ACKNOWLEDGING THAT THE  
11 FIREWORKS LAW PROHIBITS THE IGNITING OR  
12 DISCHARGE OF CONSUMER FIREWORKS ON PUBLIC OR  
13 PRIVATE PROPERTY WITHOUT THE EXPRESS PERMISSION  
14 OF THE OWNER, PROVIDING THAT THE CITY OF  
15 SCRANTON DOES NOT GRANT PERMISSION FOR ANYONE  
16 TO IGNITE OR DISCHARGE CONSUMER FIREWORKS ON  
17 THE STREETS OR SIDEWALKS OF THE CITY OF  
18 SCRANTON OR PROPERTY OWNED BY THE CITY OF  
19 SCRANTON INCLUDING, WITHOUT LIMITATION, ALL OF  
20 THE CITY OWNED PARKS AND PUBLIC BUILDINGS;  
21 DIRECTING THAT THE CITY OF SCRANTON PROVIDE  
22 CERTIFIED COPIES OF THE ORDINANCE TO ALL  
23 MAGISTERIAL DISTRICT JUDGES WITHIN THE CITY;  
24 PROVIDING FOR A REPEAL OF INCONSISTENT  
25 ORDINANCES; PROVIDING FOR THE SEVERABILITY OF

1 THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE  
2 SHALL TAKE EFFECT IN ACCORDANCE WITH  
3 PENNSYLVANIA LAW" TO INCLUDE TIME RESTRICTIONS  
4 FOR THE USE OF FIREWORKS TO BE IN COMPLIANCE  
5 WITH THE CITY OF SCRANTON'S ZONING ORDINANCE  
6 FOR NOISE LEVELS.

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

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

11 MR. GAUGHAN: Is there a second by  
12 anyone?

13 MR. MCANDREW: Second.

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

16 MR. SCHUSTER: Aye.

17 MR. MCANDREW: Aye.

18 MR. DONAHUE: Aye.

19 DR. ROTHCHILD: Aye.

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

22 MS. REED: 6-B. READING BY TITLE -  
23 FILE OF THE COUNCIL NO. 15, 2020 - AN  
24 ORDINANCE - REGULATING THE SALE AND  
25 DISTRIBUTION OF GASOLINE DIRECTLY INTO THOSE

1 VEHICLES THAT FALL UNDER THE CLASS OF  
2 VEHICLES DEFINED BY 75 PA.C.S.A. 7702 AS BEING  
3 AN "ALL-TERRAIN VEHICLE" OR "ATV" OR A  
4 "SNOWMOBILE" WHILE SAID VEHICLES ARE RUNNING  
5 AND PROVIDING FOR ENFORCEMENT AND PENALTIES FOR  
6 VIOLATIONS OF THIS ORDINANCE.

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

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

11 DR. ROTHCHILD: Second.

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

15 MR. SCHUSTER: Aye.

16 MR. MCANDREW: Aye.

17 MR. DONAHUE: Aye.

18 DR. ROTHCHILD: Aye.

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

21 MS. REED: 6-C. READING BY TITLE -  
22 FILE OF THE COUNCIL NO. 16, 2020 - AN  
23 ORDINANCE - AMENDING FILE OF THE COUNCIL NO.  
24 74, 1993, (AS AMENDED), ENTITLED "THE ZONING  
25 ORDINANCE FOR THE CITY OF SCRANTON" BY

1 REPEALING SECTION 516 ENTITLED FLOOD-PRONE  
2 AREAS AND ENACTING SECTION 516 ENTITLED  
3 FLOODPLAIN MANAGEMENT REGULATIONS.

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

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

8 DR. ROTHCHILD: Second.

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

11 MR. SCHUSTER: Aye.

12 MR. MCANDREW: Aye.

13 MR. DONAHUE: Aye.

14 DR. ROTHCHILD: Aye.

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

17 MS. REED: 6-D. READING BY TITLE -  
18 FILE OF THE COUNCIL NO. 17, 2020 - AN  
19 ORDINANCE - AMENDING FILE OF THE COUNCIL NO.  
20 11, 2018 ENTITLED "ESTABLISHING A "NO PARKING  
21 ZONE" ALONG THE WEST SIDE OF WYOMING AVENUE (SR  
22 3025) FROM A POINT 175 FEET SOUTH OF THE  
23 INTERSECTION WITH EAST GIBSON STREET TO A POINT  
24 325 FEET SOUTH OF THE INTERSECTION WITH EAST  
25 GIBSON STREET TO ALLOW FOR DRIVEWAY SIGHT

1 DISTANCE PURPOSES AS SHOWN ON THE ATTACHED  
2 HIGHWAY OCCUPANCY PERMIT FOR THE PENNSYLVANIA  
3 NORTHEAST REGIONAL RAILROAD AUTHORITY ("PNRRA")  
4 TO EXTEND THE NO PARKING ZONE ALONG THE WEST  
5 SIDE OF WYOMING AVENUE (SR 3025) TO A POINT  
6 160 FEET SOUTH OF THE CENTER LINE OF EAST  
7 GIBSON STREET TO A POINT 415 FEET SOUTH OF THE  
8 CENTER LINE OF EAST GIBSON STREET TO ALLOW FOR  
9 DRIVEWAY SIGHT DISTANCE PURPOSES AS SHOWN ON  
10 THE ATTACHED HIGHWAY OCCUPANCY PERMIT FOR THE  
11 PENNSYLVANIA NORTHEAST REGIONAL RAILROAD  
12 AUTHORITY (PNRRA).

13 MR. GAUGHAN: You've heard reading  
14 by title of Item 6-D. What is your pleasure?

15 MR. DONAHUE: I move that Item 6-D  
16 pass reading by title.

17 MR. SCHUSTER: Second.

18 MR. GAUGHAN: On the question? All  
19 those in favor signify by 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.

1 MS. REED: 6-E. READING BY TITLE -  
2 FILE OF THE COUNCIL NO. 18, 2020 - AN  
3 ORDINANCE - AUTHORIZING THE MAYOR AND OTHER  
4 APPROPRIATE CITY OFFICIALS TO APPLY FOR AND  
5 EXECUTE A GRANT APPLICATION BY THE CITY OF  
6 SCRANTON OFFICE OF ECONOMIC AND COMMUNITY  
7 DEVELOPMENT TO THE PENNSYLVANIA DEPARTMENT OF  
8 COMMUNITY AND ECONOMIC DEVELOPMENT ARC PROGRAM  
9 IN THE AMOUNT OF \$50,000.00 TO BE USED TO  
10 DEVELOP AN ECONOMIC DEVELOPMENT STRATEGIC PLAN  
11 FOR THE CITY.

12 MR. GAUGHAN: You've heard reading  
13 by title of Item 6-E. What is your pleasure?

14 DR. ROTHCHILD: Mr. Chairman, I move  
15 that Item 6-E pass reading by title.

16 MR. DONAHUE: Second.

17 MR. GAUGHAN: All those in favor  
18 signify by saying aye.

19 MR. SCHUSTER: Aye.

20 MR. MCANDREW: Aye.

21 MR. DONAHUE: Aye.

22 DR. ROTHCHILD: Aye.

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

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

1           CONSIDERATION BY THE COMMITTEE ON RULES - FOR  
2           ADOPTION - FILE OF THE COUNCIL NO. 12, 2020 -  
3           AMENDING FILE OF THE COUNCIL NO. 111, 2017 OF  
4           THE CITY OF SCRANTON ADOPTING AND IMPLEMENTING  
5           THE ACT 47 EXIT PLAN FOR THE CITY OF SCRANTON  
6           PURSUANT TO THE FINANCIALLY DISTRESSED  
7           MUNICIPALITIES ACT; AND AUTHORIZING THE MAYOR  
8           OF THE CITY OF SCRANTON TO ISSUE AN ORDER  
9           DIRECTING THE IMPLEMENTATION OF THE ACT 47 EXIT  
10          PLAN AMENDMENT WHICH WILL BECOME EFFECTIVE UPON  
11          ADOPTION ATTACHED HERETO AS EXHIBIT "A" IN  
12          ACCORDANCE WITH THE PROVISIONS OF 53 PA. C.S.A.  
13          §11701.249, THE MUNICIPALITIES FINANCIAL  
14          RECOVERY ACT.

15                   MR. GAUGHAN: As Chairperson for the  
16                   Committee on Rules, I recommend final passage  
17                   of Item 7-A.

18                   DR. ROTHCHILD: Second.

19                   MR. GAUGHAN: On the question?

20                   MR. DONAHUE: On the question, I'm  
21                   going to vote for this resolution just  
22                   basically just for one reason and that's  
23                   Payroll Prep Tax. I think we need to get that  
24                   done as soon as possible. That was  
25                   overwhelmingly approved by the voters of the



1 City of Scranton last year.

2 And I think we need to get it done  
3 before the end of this year. You know, the  
4 last few weeks I think we've made some progress  
5 towards actually having that adopted starting  
6 January 1st. But in terms of Act 47 and really  
7 state government overall, both are just  
8 completely ineffective.

9 If you were to ask in the 28 years  
10 that we've been designated distressed under Act  
11 47, has it been a net positive or a net  
12 negative? I would absolutely say it's been a  
13 net negative.

14 The scorn of having that distressed  
15 status has been greater than the benefits we  
16 received. I don't think we received a lot of  
17 benefits. I know PEL does some budget work for  
18 us. But realistically I think that's something  
19 that we should be doing in the Business  
20 Administration Office in the first place. It  
21 would just be good practice.

22 And then in terms of the state and  
23 the state legislator, they really are useless.  
24 We're operating under taxing legislation and  
25 the ability to -- the legislation that gives us

1 the ability to tax. That was adopted in the  
2 late 60s. Most Pennsylvania highways were what  
3 they were then.

4 That's -- it's a time when wealth  
5 was concentrated in cities. And Pennsylvania  
6 was basically cities and barns. We didn't have  
7 the extreme suburbs we have now. And we didn't  
8 have, you know, distressed cities that really  
9 don't have the taxing authority to properly  
10 fund their operations.

11 But I am voting for this strictly  
12 for the ability to institute a Payroll Prep Tax  
13 instead of the Business Privilege and  
14 Mercantile Tax which is extremely outdated in  
15 its own right. And as soon as we get that  
16 passed, I'm going to push that we exit Act 47  
17 as quickly as possible. Thank you.

18 MR. GAUGHAN: Anyone else on the  
19 question?

20 MR. SCHUSTER: Yeah, I would say  
21 with that being said, I think the conversation  
22 needs to start immediately with the Scranton  
23 School District if we want -- I think the goal  
24 is that we do this in unison.

25 And if we're going to do that with

1 the district, I think that conversation needs  
2 to start immediately.

3 MR. GAUGHAN: Yeah, I know those  
4 conversations have been taking place. At the  
5 PEL meetings Mr. Laffey, the Business Finance  
6 Manager for the School District I think is  
7 almost at every one of the PEL meetings. So he  
8 has been -- I know for a fact that he has been  
9 in touch with Mr. Deeley and before him  
10 Mr. Sheridan.

11 So they are -- the School District  
12 and the City are working together on this.  
13 Anyone else on the question?

14 MR. MCANDREW: Yeah, when you say  
15 working together, I mean, Mr. Laffey is  
16 fantastic. But he's the business manager.  
17 This has to be passed by a board. It has to be  
18 that, you know, it was presented to us by --  
19 when I was there the school district solicitor  
20 that it's not a good idea that it wasn't  
21 recommended by the PDE or the state.

22 So, you know, like Kyle said, you  
23 know, we need to go Payroll Prep Tax. But  
24 guess what, this has to happen. And 18 months  
25 comes around very quick. And we talked about

1 back and forth on this for almost a year so --  
2 actually two years. So I hope these  
3 communications continue but more in-depth.  
4 That's all I have. Thanks.

5 DR. ROTHCHILD: Along those lines I  
6 did have a quick question. And it's something  
7 that I think we perceived as a question from  
8 citizens as well asking if the Shared Services  
9 Committee has met which I don't believe it has.

10 I think Councilman McAndrew and  
11 Councilman Donahue (inaudible) if I remember  
12 correctly, and I didn't know if there were any  
13 planned meetings.

14 MR. DONAHUE: So the last time we  
15 met was the end of February. And we talked  
16 about ways that all administrations can start  
17 sharing information and communicating,  
18 especially on purchasing and that sort of  
19 stuff.

20 You know, Council can facilitate  
21 those conversations. But we can't force each  
22 individual administration to do, you know, to  
23 actually do that on a day-to-day basis. And I  
24 think that's where we've been finding  
25 difficulties in that.

1                   So, I mean, we could request an  
2                   update. I'll put together a list of everything  
3                   that we discussed at our last meeting at the  
4                   end of February. And we'll request an update  
5                   from the administration on where we are on each  
6                   of those points.

7                   DR. ROTHCHILD: Yeah, that would be  
8                   great because that would increase the  
9                   communication and then help us to resolve the  
10                  issue of the payroll prep tax.

11                  MR. SCHUSTER: I think possibly get  
12                  a date for when a meeting -- when a shared  
13                  services meeting can occur.

14                  MR. MCANDREW: That is scheduled by  
15                  the administration.

16                  MR. GAUGHAN: Anyone else on the  
17                  question? Okay. Roll call, please.

18                  MS. CARRERA: Mr. Schuster.

19                  MR. SCHUSTER: Yes.

20                  MS. CARRERA: Mr. McAndrew.

21                  MR. MCANDREW: Yes.

22                  MS. CARRERA: Dr. Rothchild.

23                  DR. ROTHCHILD: Yes.

24                  MS. CARRERA: Mr. Donahue.

25                  MR. DONAHUE: Yes.

1 MS. CARRERA: Mr. Gaughan.

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

4 MS. REED: 7-B. FOR CONSIDERATION  
5 BY THE COMMITTEE ON PUBLIC SAFETY - FOR  
6 ADOPTION - FILE OF THE COUNCIL NO. 13, 2020 -  
7 AMENDING FILE OF THE COUNCIL NO. 22, 2014, AN  
8 ORDINANCE, ENTITLED AN ORDINANCE AMENDING FILE  
9 OF THE COUNCIL NO. 26, 2013, AN ORDINANCE,  
10 ENTITLED AMENDING FILE OF THE COUNCIL NO. 22,  
11 2006, ENTITLED "AUTHORIZING AND APPROVING THE  
12 DESIGNATION OF PARKING SPACES FOR CERTAIN CITY  
13 OF SCRANTON PERSONNEL IN AND ALONG DIX COURT,  
14 THE PARKING AREA IN THE REAR OF CITY OF  
15 SCRANTON MUNICIPAL BUILDING AND A PARKING LOT  
16 ALONG MULBERRY STREET ADJACENT TO SCRANTON FIRE  
17 HEADQUARTERS, AND AUTHORIZING THE CITY OF  
18 SCRANTON POLICE DEPARTMENT TO ENFORCE THE  
19 PARKING DESIGNATIONS AS REFLECTED IN THE  
20 ATTACHED SCHEMATIC" BY REDESIGNATING  
21 CERTAIN EMPLOYEE PARKING SPACES FROM INDIVIDUAL  
22 NAMES TO LETTERS FROM A-Z AS REFLECTED IN THE  
23 ATTACHED SCHEMATIC.

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

1 Committee on Public Safety?

2 MR. MCANDREW: As Chairperson for  
3 the Committee on Public Safety, I recommend  
4 final passage of Item 7-B.

5 DR. ROTHCHILD: Second.

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

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 PUBLIC WORKS - FOR  
21 ADOPTION - AUTHORIZING AN AMENDMENT TO THE  
22 MULTI-BRIDGE (BRIDGE BUNDLING) PROJECT  
23 AGREEMENT ENTERED INTO BETWEEN THE CITY OF  
24 SCRANTON AND THE COMMONWEALTH OF PENNSYLVANIA,  
25 WHICH AMENDMENT INCREASES THE TOTAL PROJECT AS

1 SET FORTH HEREIN.

2 MR. GAUGHAN: What is the  
3 recommendation of the Chairperson for the  
4 Committee on Public Works?

5 MR. DONAHUE: As the Chairperson for  
6 the Committee on Public Works, I recommend  
7 final passage of Item 7-C.

8 MR. MCANDREW: Second.

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

11 MS. CARRERA: Mr. Schuster.

12 MR. SCHUSTER: Yes.

13 MS. CARRERA: Mr. McAndrew.

14 MR. MCANDREW: Yes.

15 MS. CARRERA: Dr. Rothchild.

16 DR. ROTHCHILD: Yes.

17 MS. CARRERA: Mr. Donahue.

18 MR. DONAHUE: Yes.

19 MS. CARRERA: Mr. Gaughan.

20 MR. GAUGHAN: Yes. I hereby declare  
21 Item 7-C legally and lawfully adopted. If  
22 there's no further business, I'll entertain a  
23 motion to adjourn.

24 MR. MCANDREW: Motion to adjourn.

25 MR. GAUGHAN: Thanks everyone. Have



1 a nice night.

2 MR. SCHUSTER: Good night.

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