

COUNCIL FOR THE CITY OF SCRANTON

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

HELD:

Tuesday, July 28th, 2020

LOCATION:

VIA ZOOM

Maria McCool, RPR
Official Court Reporter

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

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

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

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

1 (Pledge of Allegiance.)

2
3 MR. GAUGHAN: Please remain standing
4 for a moment of silent reflection for our
5 service men and women throughout the world and
6 also for 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. And let
18 us thank the doctors, nurses, researchers and
19 all medical professionals and first responders
20 who seek to heal and help those affected and
21 who put themselves at risk in the process.

22 We continue to hope that their work
23 may conquer this disease and restore
24 communities 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 And in place of our anxiety, let us
6 continue to hope and find peace. Okay. Thank
7 you. 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: I'm here.

14 MS. CARRERA: Mr. Donahue.

15 MR. DONAHUE: Here.

16 MS. CARRERA: Mr. Gaughan.

17 MR. GAUGHAN: Here. At this time I
18 want to take a moment to read a proclamation
19 into the record. This proclamation celebrates
20 the retirement of one of our own here in
21 Scranton, James Thomas otherwise known as --
22 his friends call him Sam Thomas.

23 I think some of you know him. He
24 ran and operated a barbershop in West Scranton
25 for 44 years and recently retired. So we're

1 taking a moment from our Council meeting today
2 and we are going to honor Mr. Thomas.

3 So I would like to read this
4 proclamation into the record now. And I know
5 that Mr. Thomas and his family and his wife
6 Carol are currently watching.

7 **WHEREAS**, the **COUNCIL OF THE CITY OF**
8 **SCRANTON** is desirous of honoring "**JAMES THOMAS**"
9 as he celebrates his retirement after 44 years
10 of ownership of the James Thomas Barber Shop in
11 West Scranton; and

12 **WHEREAS**, "JAMES" was born and raised
13 in Scranton and is the son of the late James
14 and Eleanor Thomas. He is brother to Mary
15 Jane, Lori, Eleanor, George and Patrick. James
16 has been married for 46 years to his wife, the
17 former Carol Wheeler. They are the parents of
18 a son James and his wife Eva and the proud
19 grandparents of Lars and Samantha; and

20 **WHEREAS**, after "**JAMES**" graduated
21 from West Scranton High School Class of 1970,
22 he attended the Wilkes-Barre Barber Institute.
23 Upon receiving his license from barber school,
24 he worked for Altieri's Barber Shop in downtown
25 Scranton for two years then opened his own shop

1 on Main Avenue in West Scranton; and

2 **WHEREAS**, "**JAMES**" has been involved
3 in many organizations, including, as an officer
4 in the West Scranton Business Association,
5 Secretary/Treasurer of the Master Barbers and
6 Beauticians Association, West Scranton Little
7 League, and Cub Master at the Hyde Park
8 Presbyterian Church. He is a member of the
9 Trinity Congregational Church.

10 **NOW, THEREFORE, BE IT RESOLVED**, that
11 on **TUESDAY, JULY 28, 2020**, Scranton City
12 Council wishes to congratulate "**JAMES THOMAS**"
13 on his retirement, for his commitment and
14 dedication to the various organizations in
15 which he has served and for being a successful
16 Scranton business owner for 44 years.

17 **BE IT FURTHER RESOLVED**, that this
18 Proclamation be made a permanent part of the
19 Record of this Council, as lasting tribute to
20 "**JAMES THOMAS.**"

21 And signed by the members of
22 Scranton City Council. I just want to take a
23 second again to thank Mr. Thomas. One of
24 things that I also want to say about him, he's
25 been a long time member of the City Planning

1 Commission and has really been an asset to our
2 community. His wife Carol has been an asset to
3 our community as well.

4 They're just a great family, great
5 Scranton people. And to run and operate a
6 business for 44 years in this community is an
7 outstanding accomplishment. So I once again
8 wish him and his family the best and hope that
9 he enjoys his retirement. Anyone else want to
10 add anything? I know some of you know Mr.
11 Thomas.

12 MR. SCHUSTER: Yeah, I just want to
13 say the best of luck to Mr. Thomas in his
14 retirement. And I had the pleasure of serving
15 with him and getting to know him on the City
16 Planning Commission.

17 MR. GAUGHAN: That's right. Yes.

18 MR. MCANDREW: Yeah, this is a
19 wonderful tribute to a great West Sider.
20 Congratulations.

21 MR. GAUGHAN: Okay.

22 MR. DONAHUE: Congratulations.

23 DR. ROTHCHILD: Congrats.

24 MR. GAUGHAN: All right. There will
25 be a motion this evening to move Item 6-A to

1 Seventh Order for a final vote. And there will
2 also be motions to amend Item 7-A and 7-B. And
3 Solicitor Hayes will go through those on the
4 question when we get to those agenda items.

5 MR. DONAHUE: I would also like to
6 make a motion to table Item 7-G and 7-I.

7 MR. SCHUSTER: I'll second.

8 MR. GAUGHAN: On the question? Yes,
9 we're tabling both of these items tonight.
10 Number one, we talked about one of them with
11 the Mayor, the acceptance of the equipment from
12 Keystone Sanitary Landfill. We're still
13 waiting for more documentation on that.

14 So we want to make sure we dot our
15 I's and cross our T's before we officially
16 accept that equipment. And also on 7-I,
17 Solicitor Hayes, I know the reason -- can you
18 just restate the reason why we -- why we're
19 going to table that legislation, just restate
20 from last week.

21 ATTY. HAYES: Sure. With regard to
22 Item 7-I, it's a resolution requesting that the
23 Pennsylvania Department of Health permit the
24 City to form a City Health Department.
25 Concerns I had -- I think what Council said is

1 we're fully supportive of exploring the
2 creation of a City Health Department.

3 The concern that I raised was the
4 citation to the Local Health Administrative
5 Law I thought may only pertain to counties and
6 not necessarily municipalities that are
7 situated like the City of Scranton.

8 So I reached out to the Law
9 Department and I'm going to work with them in
10 recrafting a resolution that doesn't make
11 reference to that particular law.

12 MR. GAUGHAN: Okay. Thank you.
13 Anyone else on the question?

14 MR. SCHUSTER: Also on the question,
15 I mean, I had some concerns about the proposed
16 function of the department and the proposed
17 budget of the department and also, you know,
18 why the department went defunct in the past as
19 well as it was just stated in our memo from the
20 Mayor that it would be an outside source. So
21 I'd love to know the outside source that's
22 going to fund that department.

23 MR. GAUGHAN: I think the goal -- I
24 think the -- in speaking with the Mayor, I
25 think the whole kind of idea behind it was to

1 form an exploratory committee, which would I
2 would be in favor of just to explore the idea.

3 And then at the end of that process
4 to be able to say either this is a good idea or
5 not a good idea. So I think the fact that the
6 Mayor and the administration want to form a
7 committee is a good thing rather than just
8 launching into this idea.

9 However, I agree with Mr. Schuster
10 and Solicitor Hayes that we want to make sure
11 we're doing it the right way and not passing
12 something that is potentially unnecessary. So
13 anyone else on the question?

14 MR. SCHUSTER: Just from my
15 knowledge, again, Mr. Hayes, what other cities
16 in the state have this department?

17 ATTY. HAYES: Well, I know for
18 certain that the city of Wilkes-Barre has some
19 type of Department of Health because I have
20 seen reference made to it in press articles.

21 I don't know that it was formed
22 pursuant to the Local Health Administrative
23 Law. But since we raised concerns at our last
24 meeting, the Mayor has indicated that she is
25 just simply interested in forming an

1 exploratory committee and whether this health
2 department resides within the county government
3 or within city government that's -- she's open
4 to any proposal.

5 It's just to start getting the ball
6 moving. So I think the revised resolution that
7 you guys will see will be reflective of what
8 the real intent is here and that is to just
9 start forming an exploratory committee on it.

10 MR. SCHUSTER: All right. Thank
11 you. Yeah, I've been looking into
12 Wilkes-Barre. It seems like the health
13 department runs similar to Code Enforcement or
14 the LIPS Department.

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

17 MR. MCANDREW: Yeah, my only concern
18 is, so if it's going to be privately funded
19 that's wonderful. But is it for one year and
20 then we're left paying the salaries and the
21 City is left, you know, covering the cost of
22 that department?

23 I've seen that happen before in
24 different entities. So it's just a concern of
25 mine.

1 ATTY. HAYES: Well, I mean,
2 ultimately we approve the budget. So if it's
3 not funded in the budget then it can't really
4 function from our standpoint.

5 MR. GAUGHAN: Correct. Anyone else
6 on the question? Okay. All those in favor
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 eyes have it and so moved. Item 7-G and 7-I
14 have been tabled. Mrs. Reed, please dispense
15 with the reading of the minutes.

16 MS. REED: Thank you. THIRD ORDER.

17 3-A. TAX ASSESSOR'S REPORTS FOR
18 HEARING DATES HELD JULY 22 AND JULY
19 23, 2020.

20 3-B. TAX ASSESSOR'S REPORTS FOR
21 HEARING DATES TO BE HELD JULY 29, JULY 30,
22 AUGUST 6 AND AUGUST 13, 2020.

23 3-C. RESUME RECEIVED JULY 20, 2020
24 FROM SCRANTON PARKING AUTHORITY APPOINTEE MICAH
25 S. WOODARD.

1 3-D. OVERTIME REVIEW FOR ALL
2 DEPARTMENTS AS PROVIDED BY CITY CONTROLLER
3 DATED JULY 21, 2020 FOR THE PERIOD JANUARY TO
4 JUNE 2020.

5 3-E. FUEL CARD ANALYSIS RECEIVED
6 FROM OFFICE OF THE CITY CONTROLLER FOR THE
7 PERIOD APRIL 24 THROUGH MAY 23, 2020.

8 3-F. CORRESPONDENCE RECEIVED FROM
9 KOHANSKI COMPANY, PC DATED JULY 23, 2020
10 REGARDING UPDATE ON PROGRESS OF 2019 FINANCIAL
11 STATEMENT AUDIT.

12 3-G. MEMORANDUM RECEIVED FROM CITY
13 COUNCIL SOLICITOR TO SCRANTON CITY COUNCIL
14 DATED JULY 23, 2020 REGARDING AMENDMENTS TO
15 FILE OF THE COUNCIL NO. 14, 2020 AND FILE OF
16 THE COUNCIL NO. 15, 2020.

17 3-H. LIQUID FUELS TAX FUND
18 INDEPENDENT AUDITOR'S REPORT FOR THE PERIOD
19 JANUARY 1, 2018 TO DECEMBER 31, 2018 RECEIVED
20 JULY 24, 2020 FROM COMMONWEALTH OF PENNSYLVANIA
21 DEPARTMENT OF THE AUDITOR GENERAL.

22 MR. GAUGHAN: Are there any comments
23 on any of the Third Order items?

24 MR. SCHUSTER: Yeah, I'd like to
25 make a comment. Looking at the 3-E, the fuel

1 card analysis and we did get a public comment
2 about the same thing. But when I was looking
3 at it, I thought the same exact thing, was
4 there is no comparison to previous years. So
5 maybe if we did have a comparison to previous
6 years that may be a help.

7 MR. GAUGHAN: Okay. Any other
8 comments on any of the Third Order items? All
9 right. If not, received and filed. Do any
10 Council members have any announcements at this
11 time?

12 MR. MCANDREW: I have one. Let's
13 see here. So over here in West Side, the
14 Victor Alfieri Society normally has their
15 monthly luncheon at their facility. But moving
16 forward, actually being the one this
17 Thursday -- they're normally on Thursdays.
18 These will be held at outside at the Villa
19 Maria II.

20 There will be plenty of room for
21 seating. Wear your mask to enter and be seated
22 and also when you're moving around. That's all
23 I have. Thanks.

24 MR. GAUGHAN: Thank you. Any other
25 announcements from anyone?

1 MR. SCHUSTER: I had a few. The
2 Electric City Steel Drum Project is performing
3 authentic steel drum band music every Thursday
4 night from seven to eight, weather permitting
5 on the roof of the parking tower at the
6 Marketplace at Steamtown.

7 These performances are free. And
8 you're allowed to bring a lawn chair and a
9 friend. And they're saying that they are
10 outdoors so there is plenty of room for social
11 distancing and you could check out their
12 website at Ecsteel.org.

13 Also, there was a nice memorial this
14 Saturday. I was unable to attend the Memorial
15 Stadium for the veterans memorial down there.
16 And there was a nice article in the paper over
17 the weekend about the owners of Kelly's which
18 was a delight to see.

19 MR. GAUGHAN: Thank you. Any other
20 announcements?

21 DR. ROTHCHILD: Yes. I have two
22 announcements. First, the Black Box Cafe which
23 is in the old Ritz Building on Wyoming Avenue,
24 they have a new menu that they put out. And it
25 looks amazing. I haven't gotten to try it

1 because of their hours and my work schedule.

2 But they are open Monday through
3 Friday, 11 a.m. to 4 p.m. And they do free
4 delivery to downtown. So I just wanted to make
5 the public aware of that. They could find out
6 more on their Facebook page.

7 And then the other thing over the
8 weekend I stopped at one of our farmers
9 markets, the South Side one to just pick up
10 some fresh meat and eggs. And I just wanted to
11 remind the public that we have some wonderful
12 farmers markets within our City.

13 We have like the co-op one which has
14 some different hours and then the south one. I
15 know they're open Saturdays. So it's a great
16 way to be able to support our local community
17 and our local farmers to buy local.

18 And it can certainly be a healthier
19 option too. So I just encourage people to
20 visit the farmers markets. And they're outside
21 and everyone adheres to the guidelines and
22 wearing masks. So it's -- I believe it's safe.
23 Thank you.

24 MR. GAUGHAN: Thank you. Councilman
25 Donahue, any announcements?

1 MR. DONAHUE: No.

2 MR. GAUGHAN: No? Okay. I have
3 one. I wouldn't be able to show my face in
4 North Scranton if I didn't mention this one.
5 Mary Mother of God Parish at Holy Rosary Church
6 in North Scranton will be having a drive
7 through block party this Friday, July 31st and
8 Saturday, August 1st from 4 to 8 p.m., both
9 nights.

10 The block party will be held on
11 church grounds at 316 Williams Street. There
12 will be food and basket raffles. For more
13 information and preorders, you can call
14 570-342-4881, extension 122 or you could go to
15 www.marymotherofgodparish.org. And you can
16 look up at Mary Mother of God Parish on
17 Facebook or Instagram. Mrs. Reed?

18 MS. REED: Thank you. FOURTH ORDER.
19 CITIZENS PARTICIPATION.

20 MR. GAUGHAN: Will someone please
21 make a motion to accept public comment from the
22 following individuals: Bev DeBarros, Patricia
23 Nestor, Tom Coyne, Marie Schumacher and Fay
24 Franus.

25 MR. DONAHUE: I make a motion to

1 accept public comment.

2 MR. SCHUSTER: I'll second.

3 MR. GAUGHAN: On the question? On
4 the question, as I mention every week, we
5 review the -- all Council members review the
6 public comment prior to the meeting. We take
7 the public comment up until 4:30 the day of the
8 meeting.

9 And I just want to say since we're
10 coming up on the last meeting before the August
11 recess and we come back in September, we
12 have -- I have personally went in and went
13 through every public comment, taken every
14 question and if the question were to be sent to
15 an appropriate department, I put that in an
16 e-mail to Mrs. Reed and Mrs. Reed has forwarded
17 that to the appropriate department.

18 For the most part, Mayor Cagnetti
19 has gotten answers back relatively quickly on
20 I'd say 90 percent of the questions. Some of
21 those questions take a little bit more time and
22 digging to get the information. But I do think
23 we have a good system in this COVID-19 world,
24 not what we're used to; but I think it's worked
25 out pretty well so far.

1 We are being very responsive to the
2 public and the public's questions. So similar
3 to the past few months, I will send any and all
4 questions to the administration and any
5 questions related to legislation, obviously we
6 will -- we will address. Anyone else on the
7 question? All those in favor of the motion to
8 accept public comment, signify by saying aye.

9 MR. SCHUSTER: Aye.

10 MR. MCANDREW: Aye.

11 MR. DONAHUE: Aye.

12 DR. ROTHCHILD: Aye.

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

15
16 (The following are e-mails submitted
17 to Council for Public Comment.)

18
19 (Bev DeBarros)

20
21 Dear Council ~ who thought it was
22 a good idea to have non-commercial fireworks
23 exploding in our city neighborhoods at 7 AM and
24 throughout the day til 9 PM ? How about 7 PM
25 til 9 PM ? And limit the days, to 2 days prior

1 to and 2 days after a holiday seems enough to
2 me.

3

4 Bev DeBarros 914 Quincy Ave

5

6

7

(Patricia Nestor)

8

9

10 I read the paper about Scranton's
11 chief marketing exec that some people call
12 mayor.

13

14

15

16

17 She's marketing Scranton to big city
18 people with big city paychecks to come here and
19 work remotely in what she calls affordable
20 housing.

21

22

23

24

25

26 She doesn't bother fixing the
27 problems for the poor citizens who already live
28 here. Her plan is to tax us out of our homes
29 and replace us with wealthy New Yorkers.
30 Might as well fire up the old iron furnace and
31 throw us in.

32

33

34

35 You'll need a plan for our bodies
36 after we are taxed to death. The New Yorkers
37 aren't going to like the smell.

38

39 Her trying to replace us

1 confusing due to my laptop needing a new
2 keyboard, as it is also activating my touch
3 mouse and moving comments all over the place.
4 The parts that were moved improperly are added
5 here.

6
7 Correction -Fireworks

8 Smoke producing Item and the category of
9 fireworks listed as Silent fireworks/noiseless
10 fireworks. I also believe that firecrackers
11 should be allowed with parental permission or
12 someone over 21 supervising.

13 Though they do produce reduced noise
14 they are effective for small groups and use
15 with music accompaniment. For large displays
16 they are not practical. Cities have adopted
17 them due to pets, PTSD, and younger kids who
18 are trying to sleep.

19 ** Should have the highlighted moved
20 to the end Smoke producing Item and the
21 category of fireworks listed as Silent
22 fireworks/noiseless fireworks. Though they do
23 produce reduced noise, they are effective for
24 small groups and use with music accompaniment.
25 For large displays they are not practical.

1 Cities have adopted them due to
2 pets, PTSD, and younger kids who are trying to
3 sleep. I also believe that firecrackers should
4 be allowed with parental permission or someone
5 over 21 supervising.

6
7 Onto New issues

8 PEL expects a 2.3 million shortfall,
9 the city expects a 6-8 million shortfall, if
10 the act 511 appeal fails, the City would be
11 looking at a shortfall estimate of - 12.3 for
12 PEL and 16-18 mil based on random un-backed
13 City guesses.

14
15 (Marie Schumacher)

16
17 INPUT FOR FOURTH ORDER OF 29 JULY 2020 SCRANTON
18 CITY COUNCIL MEETING

19 0 5F on last week's Agenda listed
20 the COVID-19-related expenses. Please provide
21 a like accounting of the savings over that same
22 time period (salaries, utilities, etc.)
23 o Per Code, the Mayor shall submit to the
24 Council to the Council at least three months
25 prior to the final date for the submission of

1 the budget. As this falls smack dab in the
2 middle of your month of August would you please
3 direct the Clerk to make this available to the
4 Public when received?

5 0 I stand against 7A & B as they are
6 impossible to equitably enforce. I oppose 7I
7 as you are trying to transfer the City's
8 problem to Federal Taxpayers. Do you really
9 believe the Federal taxpayers should help
10 bailout some municipalities as they certainly
11 can't bailout all local and state revenue
12 shortfalls. I call this greed.

13 Perhaps the City could address other
14 ways to balance the budget that aren't
15 dependent on the workers.

16 0 I seem to recall the local
17 newspaper reporting on which health inspections
18 did not meet code. I considered this a public
19 service for consumers. It sure would be nice
20 to know whether or not a restaurant or other
21 food service is experiencing health issues
22 when deciding where to dine.

23 When may we expect a running report
24 on where health inspections were accomplished
25 and passed or failed.

1 0 Is there a date scheduled for the
2 electronics recycling?

3 0 Agenda Item 3C provides an
4 impressive resume with knowledge of the
5 Downtown familiarity with parking issues.
6 o Agenda item 3E would be more helpful if it
7 showed the figures for the prior year so I
8 suggest you request this be added to the
9 Report.

10 0 Agenda item 3D shows the Police
11 Department overtime is \$75 thousand dollars
12 over year-to-date budget. This is a concern
13 for two main reasons: (1) it does not comport
14 well with the 2015 Agreement and (2) the Mayor
15 and Police Chief announced significant cutbacks
16 on issues to which the Police will not respond
17 leaving citizens to complete their own Reports
18 on line and not all households have the
19 internet required.

20 How much revenue did the two Code
21 Enforcers that were part of the 2015 Agreement
22 bring in to help offset this significant
23 overrun? Please have the Controller provide
24 the revenue by month.. How is this issue being
25 addressed and what plan does the Council have

1 to rein in these overruns?

2 0 Agenda items 3H shows a Liquid
3 Fuels Tax balance of \$657,107 at the end of
4 2018. Why was a balance such as this remaining
5 when our roads and bridges are so needy of
6 work? When do you expect the 2019 Audit and
7 what was the balance at the end of 2019?

8 0 Agenda Item 3F more or less
9 answers when we should expect the Audit. Sadly
10 the outstanding items needed to complete the
11 Audit are needed from the City. Why? Were any
12 employees responsible to these provisions
13 considered "non-essential" and furloughed?

14 Also, the Scranton Redevelopment
15 Authority, as pointed out many times from the
16 Podium, use a different fiscal year. Perhaps
17 Council needs to request they convert to a
18 calendar year fiscal year and this "problem"
19 delaying the Audit will disappear.

20 0 Agenda item 2B, once again I ask
21 who is representing the City at the Tax
22 Assessor's Hearings? I believe all taxing
23 bodies are allowed to participate.

24 Finally, I would ask Dr. Rothchild
25 to report on what the City will provide to

1 address the Homeless situation. Surely between
2 the City, federal OECD funds, and far-too-many
3 empty buildings a plan should be in place
4 before the frigid temperatures arrive.

5 Incidentally, are you able to obtain
6 current Census figures for the number of
7 homeless in the City?

8

9

(Fay Franus)

10

11

12

13

14

15

16

17

I am asking for you to get a full
report of every penny Scranton Tomorrow spent
with money they received from grants and from
Scranton and from The University of Scranton.
CI want to know exactly what this money was
spent on and what any remaining money not spent
will be spent on.

18

19

20

21

We need complete transparency from
them. Please not even think of telling me to
do a right to know. It is your job to gather
this information for us.

22

23

24

25

I also want to say when the
University of Scranton gives Scranton money in
lieu of taxes and they proceed to dictate how
this money is to be spent I am counting on you

1 to put every dollar the University of Scranton
2 gives you into the operating budget. Who are
3 they to tell you how to use this money
4 considering they have taken millions off of our
5 tax rolls that we must make up for.

6 Scranton Tomorrow only cares about
7 downtown. Most of the people in this city live
8 in neighborhoods not downtown. Why this city is
9 handing out money to this group shocks me--
10 when our neighborhoods are going down the
11 tubes. Your priorities are all messed up.

12 I also need to hear from each
13 council member as to why they do NOT feel our
14 questions and comments should be read aloud?
15 Bill Gaughan has told me his views but no other
16 council member has. I seriously want to know
17 EXACTLY why EACH AND EVERY council member does
18 not feel the people need to hear questions and
19 comments? You surely have the time to read
20 aloud our comments and questions.

21 One meeting was over in 16 minutes
22 another 30 minutes-- so time is not the issue.
23 If we were there in person you would have to
24 hear what we say and people watching would hear
25 as well THEY SHOULD. So I would appreciate it

1 if I heard from each of you, your reasoning for
2 not reading aloud our questions.

3 I do not want to hear "People can go
4 on line and read what we asked or said". That
5 is a cop out-- You know as well as i do that
6 many people have no access to computers nor
7 will they look. Bottom line I want to hear from
8 you . I've asked this of you before with no
9 response. This practice needs to stop.

10

11 Fay Franus

12

13 (End of Public Comment.)

14

15 MR. GAUGHAN: Mrs. Reed?

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

17 MOTIONS.

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

21 MR. SCHUSTER: None at this time.

22 MR. GAUGHAN: Thank you, Councilman
23 Schuster. Councilman McAndrew, any motions or
24 comments?

25 MR. MCANDREW: Not at this time.

1 Thank you.

2 MR. GAUGHAN: Dr. Rothchild, do you
3 have any motions or comments?

4 DR. ROTHCHILD: Yes, I just wanted
5 to add that even since our last meeting I've
6 received a few e-mails with different
7 complaints. And I forwarded them along to
8 Mrs. Reed who then sent them off to the
9 appropriate departments.

10 And so over the next month even
11 though we wouldn't be meeting weekly I will
12 continue to follow up on those requests and
13 complaints. I wouldn't go through them all
14 right now since I sent them along. But I just
15 wanted to let people know that.

16 MR. GAUGHAN: Thank you, Dr.
17 Rothchild. Councilman Donahue, any motions or
18 comments?

19 MR. DONAHUE: Just a couple
20 followups from last week. We did send
21 correspondence to the Northeast Railroad
22 Authority regarding the railroad crossings that
23 Dr. Rothchild did bring up last week.

24 And we did get a response. And the
25 response is basically they're aware of the

1 current condition of the crossing. And they're
2 working on obtaining materials and scheduling
3 with the pavement contractor for repairs and
4 they will keep us updated as they move along.

5 Also, you know, we made the motion
6 to send correspondence to Kohanski. And that
7 was in Third Order. So we -- the Mayor gave us
8 some updates on the paving list we requested
9 the information on that that's really just
10 going to be delayed hopefully and not, you
11 know, cut completely.

12 It's just going to be delayed into
13 2021. So it won't affect our liquid fuels.
14 That's all I have for tonight. Thank you.

15 MR. GAUGHAN: Thank you, Councilman
16 Donahue. I have a few things. First, I just
17 want to say that to piggyback on what
18 Councilman Schuster had said, I had the
19 opportunity to speak at the event this Saturday
20 down at Scranton High School which dedicated
21 the memorial honoring all of those residents
22 from Scranton who gave the ultimate sacrifice
23 from -- and who died in WWI up until
24 Afghanistan and Iraq.

25 There was over 900 names on this

1 monument. And if you haven't had the
2 opportunity to get down and take a look at it,
3 I highly recommend it. It's really one of the
4 great assets that we have in the City of
5 Scranton.

6 And I personally want to thank
7 Commander of the VFW Post 25, Jim Kuchwara and
8 Pat Ahern who was the Committee Chairman for
9 all of the work that they did. And as I said
10 in my comments this past Saturday at the
11 dedication, it's easy to form a committee.

12 It's easy to have an idea. But it's
13 another thing to actually get it done. And the
14 amount of time and the level at which these
15 guys operated over the last few years to get
16 this project completed was unbelievable. So
17 they really have to be commended.

18 And it's a great opportunity for not
19 only Scranton High School but West Scranton
20 High School, all of our schools in the City to
21 be able take the -- these students down there
22 and to teach them about our veterans and those
23 900 -- over 900 men and women who gave their
24 lives for our country right from our City.

25 We have a really rich history of

1 military service here in Scranton. So if you
2 didn't have an opportunity to get down there,
3 please take a look. It's something to see.

4 I just wanted to go through a couple
5 citizens' issues that we have already sent to
6 appropriate department. There was quality of
7 life issues on North Bromley Avenue and some
8 serious quality of life issues in the 300 block
9 of North Sumner Avenue.

10 So we did send that to the
11 Department of Licensing and Inspections. I
12 also want to take a second to just thank the
13 DPW Director and the DPW workers for their
14 quick response to many of the issues that have
15 been reported over the last few weeks.

16 It doesn't go unnoticed, especially
17 from citizens throughout Scranton. I've
18 actually in the last two weeks received three
19 calls from people, one on East Mountain and two
20 in other parts of the City who were just
21 impressed with the speed at which these issues
22 have been taken care of.

23 And even if the issue couldn't be
24 taken care of right away, they were informed
25 that it was going to be looked at and were

1 really spoken to in a professional manner. So
2 I just want to say that I really do appreciate
3 that.

4 I know that we submitted a Right To
5 Know -- Mrs. Reed submitted a Right To Know
6 regarding information that we had wanted from
7 the Recycling Center. We did receive something
8 from Solicitor Tom Cummings late today. I
9 really haven't had the chance to go through it.
10 But, Solicitor Hayes, do you want to speak
11 about this?

12 ATTY. HAYES: Yes. This afternoon
13 we received a response from Tom Cummings who is
14 the Solicitor for the Lackawanna County Solid
15 Waste Management Authority. As you recall,
16 Council directed me to submit a letter on July
17 8th to the County Commissioners in response to
18 a meeting that was held on July 7th where the
19 county announced that they would be
20 implementing this new Recycling Program
21 requiring municipalities to make contributions
22 for depositing commingled recyclables.

23 And what we -- what Council directed
24 me to ask is why we're making changes to the
25 program when there was an existing agreement in

1 place. The -- what had been reported to the
2 municipalities was that this change was needed
3 as a result of the county no longer supplying
4 inmate labor at the Recycling Center.

5 So basically what -- from what I
6 could see -- again, I just got this -- received
7 this response this afternoon is that Attorney
8 Cummings basically said that the -- providing
9 inmate labor was an essential part of the
10 agreement. As a result of that no longer being
11 provided, they needed to amend it.

12 The amendment was not approved until
13 July the 16th so after the announcement had
14 already been made that there was going to be
15 this new program being implemented. And he
16 provided -- Attorney Cummings had provided us
17 with the names of the Authority who are Richard
18 Miller, Manuel Griffen, Al Lawrence, and Al
19 Senofonte.

20 And this new pricing program again
21 was approved on July 16th so after the
22 announcement had been made that they were going
23 to be imposing these new pricing -- this new
24 price schedule upon the municipalities.

25 But at the conclusion of his letter,

1 Attorney Cummings indicated that he would make
2 himself available to answer any questions that
3 Council may have. So that may be an
4 opportunity for Council to revisit this issue
5 and understand why this change was made and
6 what it means going forward.

7 MR. GAUGHAN: Thank you. You know,
8 I continue to -- I appreciate the response.
9 And I look forward to having a discussion with
10 Solicitor Cummings and hopefully in September.
11 You know, I just feel that the hole thing was
12 rushed.

13 I found out about the meeting at the
14 911 Center literally a day before. And to me
15 it seemed -- you know, it seems like we're --
16 the Solid Waste Management Authority is doing
17 this to the benefit of the operator because
18 they can't have prison labor.

19 Now we're paying \$40 a ton. There's
20 still questions outstanding of whether or not
21 we can actually use the DEP funding our -- its
22 904 performance grant to offset that cost
23 moving forward. And the unfortunate thing
24 really is that we would normally use that grant
25 funding to pay for a recycling truck or to pay

1 for different things at the DPW.

2 So I look forward to receiving more
3 information about that. Before we recess here
4 for the month of August, I want to bring up
5 just two things that I am concerned about. And
6 I have raised these before as has Councilman
7 Donahue.

8 And I know the Mayor was here
9 tonight. And she had stated that with the sale
10 of refuse receivables they are, you know, still
11 evaluating that and they're still going to
12 attempt to get that out -- put out an RFP.

13 I would like to see that and I would
14 like to see that as soon as possible because
15 I'm really concerned that we're cutting it
16 awful close here to the end of the year.
17 Within our budget this year under sale of
18 assets, the refuse receivables, we had pegged
19 that in and the former administration had
20 pegged that in at \$1,520,823.89.

21 It is imperative -- it is imperative
22 that that RFP go out as quickly as possible and
23 that we vote on that whatever way the bid comes
24 in. Hopefully it comes in at that amount. But
25 again, I just -- I know how long these -- these

1 things take.

2 And one hiccup or one unforeseen
3 circumstance and I just don't want to be at the
4 end of the year and not have that money because
5 that will blow a major hole in the budget.

6 And we already are going to have
7 budgetary problems. The other concern is --
8 and I don't know that we can do anything about
9 this is the revenue that's in the budget for
10 the Payroll Preparation Tax.

11 That's obviously not going to come
12 in because we don't have the Payroll Prep Tax
13 implemented for various reasons. But that was
14 pegged at \$647,918. So the total of those two
15 is a little bit over 2 million dollars.

16 So based on what the Mayor said
17 tonight, I am hopeful that we are going to get
18 the RFP and the -- hopefully this will work
19 out. But again, I'm just concerned we're at
20 the end of July going into August.

21 Our first meeting back is September
22 1st. And I know how quickly things move. So
23 we'll really have to keep an eye on that. The
24 other thing that I'd like to talk about I
25 understand the paving project is not going to

1 be occurring this year.

2 I know there was an OECD paving
3 project, but the paving project with liquid
4 fuels money with City funds won't be occurring
5 until next year. The Mayor had stated from
6 what I could see in her memo that that was due
7 to the pandemic and things that happened with
8 that.

9 I would just say that, you know, I
10 don't understand why the RFP for engineering
11 was not put out earlier in the year. I don't
12 know whose fault that was exactly or who
13 dropped the ball on that. But historically the
14 RFPs went out, you know, February and March. I
15 understand the pandemic hit in March.

16 But it is disappointing that there
17 won't be any paving using those funds this
18 year. The last thing I want to bring up -- and
19 this was touched on in the caucus with the
20 Mayor was Northeast Revenue Services. Now
21 Northeast Revenue Services has changed their
22 name to Elite Revenue Services. So they do
23 have -- they're under a -- under a different
24 title.

25 I was happy to hear from the Mayor

1 and Mr. O'Brien that they are in negotiations
2 with this company and happy to hear from the
3 Mayor that the -- she wants to get out of this
4 contract hopefully by the end of this year. I
5 just want to restate two of my concerns and one
6 just my opinion that I've had now for quite a
7 while.

8 I think as I said last year when the
9 corruption probe and the corruption -- the
10 whole thing with Mayor -- former Mayor
11 Courtright broke that this is, you know,
12 getting out of his contract with Elite
13 Revenues, formally NRS is all about restoring
14 the public's confidence in the City and the
15 vendors that the City does business with.

16 Continuing to do business the way it
17 was done under the Courtright regime is wrong.
18 So tonight I was pleased to hear that the Mayor
19 does want to move in a different direction. My
20 concern similar to with what I stated about the
21 sale of assets and the potential implication in
22 our budget is that we're cutting it close.

23 I'm hopeful after what I heard
24 tonight that we are going to be able to get
25 this done by the end of the year. But again,

1 from the conversations that I had last year, I
2 know that it takes a while. The transition
3 takes a while. And I'm hopeful that we can get
4 this done in the amount of time before the end
5 of the year.

6 The thing that concerns me is what
7 was relayed to Council last year was that we
8 were going to get out of the contract by the
9 end of 2019. Obviously, that has come and
10 gone.

11 After it was revealed that NRS was
12 referenced without being named in the federal
13 corruption charges in July, 2019, we made it
14 clear as a Council that we wanted to move -- we
15 didn't want -- we didn't believe that the City
16 should work anymore with NRS.

17 And we felt that the City should
18 move in a different direction. In April of
19 2019, we had requested that NRS at that time
20 come to a public caucus to answer questions
21 along with administration officials. And I had
22 asked at that time to I believe Sean Shamany,
23 an official in NRS, "Have you or anyone
24 associated with NRS given a gift to the current
25 Mayor in exchange for a contract?"

1 And Mr. Shamany at that time said,
2 "Not that I recall." I also asked, "Are you or
3 anyone associated NRS a part of any current FBI
4 or other law enforcement investigation?" Mr.
5 Shamany said, "No."

6 Then it was announced in October of
7 2019 by the Evans Administration, the contract
8 with NRS would end in December of 2019. And
9 Solicitor Eskra at that time had written a
10 letter in October of 2019 basically stating --
11 stating that.

12 In November of 2019, it was
13 announced that the county would take over
14 collection of delinquent taxes from NRS. The
15 County Commissions actually introduced an
16 ordinance to have the county Tax Claim Bureau
17 take over collections starting January 1st.
18 That would include delinquent taxes from 2009
19 and earlier as well as going forward.

20 Now, the county eventually tabled
21 that vote at the request of Solicitor Eskra.
22 They said at that time that they wanted to make
23 sure that language and City legislation
24 establishing the arrangement more or less
25 mirrored language in the county ordinance.

1 But the delay of the vote didn't
2 mean the partnership was off in any way. Now,
3 that was in November of 2019. There was a
4 letter sent May 22nd, 2020, again from Jessica
5 Eskra to NRS stating that they were going to
6 terminate the contract now by the end of this
7 year.

8 There was an article June 4th, 2020,
9 a headline, "City To End Contract With Tax
10 Firm." And at that time Solicitor Eskra said
11 that at this point we're still evaluating all
12 of our options. And they were going -- still
13 evaluating seeking professional service
14 proposals on collection functions.

15 I sent questions to the
16 administration about that October letter that
17 Solicitor Eskra had sent basically with things
18 that she wanted to see from NRS. I had asked
19 did they respond? Was there any communication?
20 I sent that on June 9th and July 16th.

21 Councilman Donahue requested an
22 update on the NRS contract May 19th. And I
23 have not received my specific answers to those
24 specific questions that I had asked. So again,
25 I'm hopeful after hearing the Mayor tonight

1 that this will get done.

2 But I still -- I have to relay my
3 concerns to the public that I do think we're
4 cutting it close. I think that this is so
5 important and this has to be done because it is
6 about restoring the confidence that the public
7 has in our City and in our vendors that we do
8 business with.

9 You know, it's a little bit
10 frustrating that we've been talking about this
11 now for the last year. And it's disappointing
12 to sit here in July and we still are not there
13 yet. We're still talking about an RFP. We're
14 still talking about working with county. There
15 is no actual action that has taken place yet.

16 So I would just, number one, like my
17 questions answered that I previously submitted.
18 And number two, am hopeful that when we come
19 back here in September we are looking at
20 legislation, an RFP or some kind of game plan
21 to move forward away from this company. And
22 that's all I have. Mrs. Reed?

23 MS. REED: Thank you. 5-B. No
24 business at this time.

25 SIXTH ORDER. 6-A. READING BY

1 TITLE - FILE OF THE COUNCIL NO. 19, 2020 - AN
2 ORDINANCE - PROHIBITING THE USE OF COMMERCIAL
3 VEHICLE BRAKE RETARDERS ON THIRD AVENUE IN THE
4 CITY OF SCRANTON BETWEEN ELM STREET AND
5 BROADWAY STREET.

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

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

10 MR. SCHUSTER: Second.

11 MR. GAUGHAN: On the question?
12 Just -- I just wanted to restate what I had
13 said last week that I really want to thank the
14 Mayor and her administration for moving quickly
15 on the issues on Third Avenue.

16 I know that the residents of Third
17 Avenue are really pleased that something is
18 being done. It's been relayed to them and
19 unfortunately we can't stop the truck traffic
20 from occurring there. But we can limit the
21 brake retarders on the trucks that really have
22 damaged their quality of life.

23 So once this legislation is passed,
24 I know that they are going to put signs up and
25 they're going to start enforcing that. So

1 again, I want to thank everyone who was
2 involved. Anyone else on the question? All
3 those in favor signify by saying aye.

4 MR. SCHUSTER: Aye.

5 MR. MCANDREW: Aye.

6 MR. DONAHUE: Aye.

7 DR. ROTHCHILD: Aye.

8 MR. GAUGHAN: Aye. Opposed? The
9 eyes have it and so moved.

10 MR. DONAHUE: I make a motion to
11 suspend the rules and move Item 6-A to Seventh
12 Order for final vote.

13 DR. ROTHCHILD: Second.

14 MR. SCHUSTER: So moved.

15 MR. GAUGHAN: On the question? All
16 those in favor of the motion to move Item 6-A
17 to Seventh Order signify by saying aye.

18 MR. SCHUSTER: Aye.

19 MR. MCANDREW: Aye.

20 MR. DONAHUE: Aye.

21 DR. ROTHCHILD: Aye.

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

24 MS. REED: SEVENTH ORDER. 7-A. FOR
25 CONSIDERATION BY THE COMMITTEE ON RULES - FOR

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

1 FOR NOISE LEVELS.

2 MR. DONAHUE: I make a motion to
3 amend Item 7-A to incorporate the revisions
4 outlined by Council Solicitor in his July 23rd,
5 2020 memorandum to Council, which is included
6 in Third Order of the agenda for tonight's
7 meeting, specifically the amended ordinance
8 will include the definitions of APA 87-1";
9 consumer fireworks and person.

10 DR. ROTHCHILD: Second.

11 MR. SCHUSTER: Second.

12 MR. GAUGHAN: On the question?
13 Solicitor Hayes, can you just run through and
14 explain the amendments that you had proposed
15 after you researched the ordinance?

16 ATTY. HAYES: Sure. The
17 Administrative Law Department did a really nice
18 job on crafting this ordinance which is
19 intended to address an important issue which is
20 our residents are confronting.

21 The intent -- my intent in adding
22 revisions was to make it as clear as possible
23 to the law enforcement officers and the
24 district magistrate judges who will be
25 interpreting and enforcing this ordinance so

1 there's no question as to what constitutes a
2 violation.

3 So in short what I did was, we just
4 added definitions with respect to consumer
5 fireworks APA 87-1 so that they are identical
6 to the definitions which are provided in the
7 legislation which is currently pending in the
8 Pennsylvania Senate which would hopefully be
9 enacted and provide potential relief to the
10 City of Scranton.

11 But I wanted those definitions to be
12 identical. And then also, I provided a
13 definition of person so that it applies to both
14 individuals and entities that may violate this
15 ordinance. In other words, if a business or an
16 association was launching fireworks in
17 violation of this ordinance, they could be held
18 responsible, culpable for those acts.

19 MR. GAUGHAN: Okay. Thank you,
20 Solicitor Hayes. And just to note again that
21 if anyone from the public would like to review
22 the amendments, you can. It's in Third Order.
23 I believe it's Item 3-G and the legislation --
24 the actual places where anything was added or
25 removed, you could see that in the backup as

1 well. Anyone else on the question? All those
2 in favor of the motion to amend Item 7-A
3 signify by saying aye.

4 MR. SCHUSTER: Aye.

5 MR. MCANDREW: Aye.

6 MR. DONAHUE: Aye.

7 DR. ROTHCHILD: Aye.

8 MR. GAUGHAN: Aye. Opposed? The
9 ayes have it and so moved. As Chairperson for
10 the Committee on Rules I recommend final
11 passage of Item 7-A as amended. Is there a
12 second?

13 MR. DONAHUE: Second.

14 MR. GAUGHAN: On the question?

15 MR. DONAHUE: On the question, just
16 like Solicitor Hayes had noted, we are still
17 waiting for the State House to act on a State
18 Senate passed bill which would give the City of
19 Scranton the ability to ban these sort of
20 fireworks outright. And until we do that,
21 until we get that from the state legislator, we
22 can't -- this is as far as we can go.

23 MR. GAUGHAN: Thank you. Anyone
24 else on the question? Okay. Roll call,
25 please.

1 MS. CARRERA: Mr. Schuster.

2 MR SCHUSTER: Yes.

3 MS. CARRERA: Mr. McAndrew.

4 MR. MCANDREW: Yes.

5 MS. CARRERA: Dr. Rothchild.

6 DR. ROTHCHILD: Yes.

7 MS. CARRERA: Mr. Donahue.

8 MR. DONAHUE: Yes.

9 MS. CARRERA: Mr. Gaughan.

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

13 MS. REED: 7-B. FOR CONSIDERATION
14 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
15 ADOPTION - FILE OF THE COUNCIL NO. 15, 2020 -
16 REGULATING THE SALE AND DISTRIBUTION OF
17 GASOLINE DIRECTLY INTO THOSE VEHICLES
18 THAT FALL UNDER THE CLASS OF VEHICLES DEFINED
19 BY 75 PA.C.S.A. 7702 AS BEING AN "ALL-TERRAIN
20 VEHICLE" OR "ATV" OR A "SNOWMOBILE" WHILE SAID
21 VEHICLES ARE RUNNING AND PROVIDING FOR
22 ENFORCEMENT AND PENALTIES FOR VIOLATIONS OF
23 THIS ORDINANCE.

24 MR. DONAHUE: I make a motion to
25 amend Item 7-B to incorporate the revisions

1 outlined by Council Solicitor in his July 23rd,
2 2020 memorandum to Council which is included in
3 Third Order of the agenda for tonight's
4 meeting, specifically the amended ordinance
5 will include the following, technical
6 corrections related to the citation to Section
7 7702 and 7721 of the Pennsylvania Vehicle Code
8 and provide definitions for the following
9 terms: Gas station, highway, person and
10 street.

11 DR. ROTHCHILD: Second.

12 MR. GAUGHAN: On the question?
13 Solicitor Hayes, can you just go through this
14 legislation and the amendments as well?

15 ATTY. HAYES: Sure. Again, the
16 Administration's Law Department did a nice job
17 in developing another piece of legislation
18 which could restrict the amount of ATV activity
19 and snowmobile activity on our streets.

20 As you know, under the Pennsylvania
21 Vehicle Code, no ATVs or snowmobiles are
22 permitted to operate on our highways or
23 streets. So this proposes another restriction
24 to hold the gas stations responsible if they
25 allow these ATVs and snowmobiles to be operated

1 and fueled at their gas stations.

2 In order to assist our police
3 officers and the magistrates in interpreting
4 and enforcing this statute which we all hope
5 will be -- will be utilized to limit the
6 number -- the amount of activity we're seeing
7 on our streets, I just put -- made some
8 technical corrections with regard to citations
9 to Sections 7702 and 7721 of the Pennsylvania
10 Vehicle Code.

11 In addition, in order to ensure
12 clarity with regard to the interpretation and
13 enforcement of this ordinance, I defined the
14 terms gas station, highway, person and street
15 so they're consistent with the Pennsylvania
16 Vehicle Code or our own City Code specifically
17 with regard to our City Code and its definition
18 of gas station and gasoline products.

19 MR. GAUGHAN: Thank you, Solicitor
20 Hayes. Anyone else on the question?

21 MR. SCHUSTER: Yeah, on the
22 question, Solicitor Hayes, in your opinion do you
23 think this passing the enforcement of ATV
24 riding onto the attendant or the clerks at the
25 gas station?

1 ATTY. HAYES: It applies to the -- I
2 believe it would apply to the -- they wouldn't
3 be -- it would be imposed on the gas station
4 and its officers and directors -- its owners.
5 So I don't see that it would be -- the
6 definition of person or I'll read it to you
7 would be -- it would be passed onto the
8 officers and directors of that gas station.

9 MR. SCHUSTER: So it would be the
10 gas station owner that would be fined, not the
11 actual attendant.

12 ATTY. HAYES: That's correct.

13 MR. SCHUSTER: Do you see that that
14 might pass down to the attendant, I mean, in
15 some sort of retaliation for loss of revenue or
16 money?

17 ATTY. HAYES: It could. I mean,
18 that would be up to the individual -- the
19 agreement between the employee and the gas
20 station -- the employee and its employer.

21 MR. SCHUSTER: Yeah, how about in
22 your opinion, do you think this is putting
23 another law on the books that maybe is
24 unnecessary and that we should just continue to
25 enforce the already law on the books that

1 vehicles can't be ridden on the city streets?

2 ATTY. HAYES: This is a policy
3 decision for you the policymakers. Do I
4 think -- let me tell you this. This type of
5 legislation has been passed, adopted and
6 enforced in other municipalities throughout
7 Pennsylvania. So I assume -- and from what
8 I've seen, it's been effective.

9 MR. SCHUSTER: Okay. But, I mean,
10 without this -- this specific piece, the police
11 officers and the police force in the City of
12 Scranton could still enforce ATV riding on the
13 streets, correct?

14 ATTY. HAYES: That's correct. This
15 is just to provide one more tool to limit the
16 amount of activity on our streets and highways
17 by cutting off the source of fuel for these
18 ATVs and snowmobiles.

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

21 MR. GAUGHAN: Anyone else on the
22 question? All those in favor of the motion to
23 amend Item 7-B signify by saying aye.

24 MR. MCANDREW: Aye.

25 MR. DONAHUE: Aye.

1 DR. ROTHCHILD: Aye.

2 MR. GAUGHAN: Aye. Opposed?

3 MR. SCHUSTER: Opposed.

4 MR. GAUGHAN: The ayes have it and
5 so moved. What is the recommendation of the
6 Chairperson for the Committee on Public Safety?

7 MR. MCANDREW: As Chairperson for
8 the Committee on Public Safety, I recommend
9 final passage of Item 7-B as amended.

10 MR. GAUGHAN: Is there a second?

11 MR. DONAHUE: Second.

12 MR. GAUGHAN: On the question? On
13 the question, I just want to state, you know,
14 over the last two or three months we have
15 gotten inundated with complaints about people
16 riding ATVs. I think everyone understands that
17 if you have an ATV, you want to use it.

18 What we're saying is, you know, you
19 can't be irresponsible. And there are a large
20 amount of people whether it's because of the
21 pandemic or I don't really know why who are
22 using their ATVs in a completely irresponsible
23 way.

24 The bottom line is, you cannot ride
25 an ATV on a City street. It's a state law.

1 It's illegal. This legislation is another tool
2 to get ATVs off the street. We have calls from
3 East Mountain, North Scranton, West Scranton,
4 South Scranton, Minooka.

5 I had a woman who is very ill on
6 East Mountain who is plagued by ATVs going up
7 and down her street at all hours of the day,
8 can't sleep, can't work, can't do anything
9 because these people are constantly riding ATVs
10 up and down the street.

11 It's not like they're riding them in
12 the woods or, you know, doing anything like
13 that. They're doing wheelies up and down the
14 street. I see my own neighborhood, young
15 children without helmets on. It's just unsafe.
16 It's unnecessary. It's a huge nuisance.

17 And the vast majority of the people
18 in our City that I've talked to want it to end.
19 Is this an end-all be-all piece of legislation?
20 No. Will there still be ATV riders on our
21 streets? Yes. Will this hopefully give the
22 police department another tool in their toolbox
23 to help our residents? I think so. And that's
24 why I'll be voting for it. Anyone else on the
25 question? Roll call, please.

1 MS. CARRERA: Mr. Schuster.

2 MR. SCHUSTER: No.

3 MS. CARRERA: Mr. McAndrew.

4 MR. MCANDREW: Yes.

5 MS. CARRERA: Dr. Rothchild.

6 DR. ROTHCHILD: Yes.

7 MS. CARRERA: Mr. Donahue.

8 MR. DONAHUE: Yes.

9 MS. CARRERA: Mr. Gaughan.

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

13 MS. REED: 7-C. FOR CONSIDERATION BY
14 THE COMMITTEE ON RULES - FOR ADOPTION -
15 FILE OF THE COUNCIL NO. 16, 2020 - AMENDING
16 FILE OF THE COUNCIL NO. 74, 1993, (AS AMENDED),
17 ENTITLED "THE ZONING ORDINANCE FOR
18 THE CITY OF SCRANTON" BY REPEALING SECTION 516
19 ENTITLED FLOOD-PRONE AREAS AND ENACTING SECTION
20 516 ENTITLED FLOODPLAIN MANAGEMENT REGULATIONS.

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

24 MR. DONAHUE: Second.

25 MR. GAUGHAN: On the question? Roll

1 call, please.

2 MS. CARRERA: Mr. Schuster.

3 MR. SCHUSTER: Yes.

4 MS. CARRERA: Mr. McAndrew.

5 MR. MCANDREW: Yes.

6 MS. CARRERA: Dr. Rothchild.

7 DR. ROTHCHILD: Yes.

8 MS. CARRERA: Mr. Donahue.

9 MR. DONAHUE: Yes.

10 MS. CARRERA: Mr. Gaughan.

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

13 MS. REED: 7-D. FOR CONSIDERATION BY
14 THE COMMITTEE ON PUBLIC SAFETY - FOR
15 ADOPTION - FILE OF THE COUNCIL NO. 17, 2020 -
16 AMENDING FILE OF THE COUNCIL NO. 11, 2018
17 ENTITLED "ESTABLISHING A "NO PARKING ZONE"
18 ALONG THE WEST SIDE OF WYOMING AVENUE (SR 3025)
19 FROM A POINT 175 FEET SOUTH OF THE INTERSECTION
20 WITH EAST GIBSON STREET TO A POINT 325 FEET
21 SOUTH OF THE INTERSECTION WITH EAST GIBSON
22 STREET TO ALLOW FOR DRIVEWAY SIGHT DISTANCE
23 PURPOSES AS SHOWN ON THE ATTACHED HIGHWAY
24 OCCUPANCY PERMIT FOR THE PENNSYLVANIA NORTHEAST
25 REGIONAL RAILROAD AUTHORITY ("PNRRA") TO

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

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

13 MR. MCANDREW: As Chairperson for
14 the Committee on Public Safety, I recommend
15 final passage of Item 7-D.

16 MR. DONAHUE: Second.

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

19 MS. CARRERA: Mr. Schuster.

20 MR. SCHUSTER: Yes.

21 MS. CARRERA: Mr. McAndrew.

22 MR. MCANDREW: Yes.

23 MS. CARRERA: Dr. Rothchild.

24 DR. ROTHCHILD: Yes.

25 MS. CARRERA: Mr. Donahue.

1 MR. DONAHUE: Yes.

2 MS. CARRERA: Mr. Gaughan.

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

5 MS. REED: 7-E. FOR CONSIDERATION
6 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -
7 FOR ADOPTION - FILE OF THE COUNCIL NO. 18,
8 2020 - AUTHORIZING THE MAYOR AND OTHER
9 APPROPRIATE CITY OFFICIALS TO APPLY FOR AND
10 EXECUTE A GRANT APPLICATION BY THE CITY OF
11 SCRANTON OFFICE OF ECONOMIC AND COMMUNITY
12 DEVELOPMENT TO THE PENNSYLVANIA
13 DEPARTMENT OF COMMUNITY AND ECONOMIC
14 DEVELOPMENT ARC PROGRAM IN THE AMOUNT OF
15 \$50,000.00 TO BE USED TO DEVELOP AN ECONOMIC
16 DEVELOPMENT STRATEGIC PLAN FOR THE CITY.

17 DR. ROTHCHILD: As Chairperson for
18 the --

19 MR. GAUGHAN: Oh, I'm sorry.

20 DR. ROTHCHILD: Oh, I'm sorry.

21 MR. GAUGHAN: That's okay. What's
22 the recommendation of the Chairperson for the
23 Committee on Community Development?

24 DR. ROTHCHILD: Thanks, President
25 Gaughan. As Chairperson for the Committee on

1 Community Development, I recommend final
2 passage of Item 7-E.

3 MR. GAUGHAN: Is there a second?

4 MR. DONAHUE: Second.

5 MR. MCANDREW: Second.

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

8 MS. CARRERA: Mr. Schuster.

9 MR. SCHUSTER: Yes.

10 MS. CARRERA: Mr. McAndrew.

11 MR. MCANDREW: Yes.

12 MS. CARRERA: Dr. Rothchild.

13 DR. ROTHCHILD: Yes.

14 MS. CARRERA: Mr. Donahue.

15 MR. DONAHUE: Yes.

16 MS. CARRERA: Mr. Gaughan.

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

19 MS. REED: 7-F. FOR CONSIDERATION
20 BY THE COMMITTEE ON RULES - FOR ADOPTION -
21 RESOLUTION NO. 48, 2020 - APPOINTMENT OF MICAH
22 S. WOODARD, 920 MOOSIC STREET, SCRANTON,
23 PENNSYLVANIA, 18505, AS A MEMBER OF
24 THE SCRANTON PARKING AUTHORITY EFFECTIVE JULY
25 9, 2020. MICAH S. WOODARD WILL BE REPLACING

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

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

8 DR. ROTHCHILD: Second.

9 MR. DONAHUE: Second.

10 MR. GAUGHAN: On the question?

11 DR. ROTHCHILD: Yes, on the
12 question, I just want to mentioned that, you
13 know, last week that I stated that Mr. Woodard
14 is a respected business owner. And we did
15 receive more information on his resume. And I
16 was really impressed.

17 And I'm just happy to see, you know,
18 the type of work that his business is doing.
19 And I think that it will be great to have him
20 as a part of the Parking Authority. Thank you.

21 MR. GAUGHAN: Thank you. Yeah, I
22 also want to welcome Mr. Woodard and thank Mr.
23 Matyjevich for his service on the Parking
24 Authority for the last few years. Anyone else?

25 MR. MCANDREW: Yeah, I would also

1 like to thank Mr. Joe Matyjevich for his
2 dedication. He did a great job on the Parking
3 Authority. So I wish him well.

4 DR. ROTHCHILD: Yes, I'm sorry, I
5 don't want to be remiss in also thanking Mr.
6 Matyjevich.

7 MR. GAUGHAN: Anyone else on the
8 question? Okay. Roll call, 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-F legally and lawfully adopted.

20 MS. REED: 7-G. Previously tabled.

21 7-H. FOR CONSIDERATION BY THE
22 COMMITTEE ON COMMUNITY DEVELOPMENT -
23 FOR ADOPTION - RESOLUTION NO. 50, 2020 -
24 RATIFYING AND APPROVING THE EXECUTION AND
25 SUBMISSION OF A GRANT APPLICATION

1 BY THE CITY OF SCRANTON TO LACKAWANNA COUNTY
2 OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT
3 FOR THE "COVID-19 COUNTY RELIEF BLOCK
4 GRANT PROGRAM" BY AND THROUGH THE PENNSYLVANIA
5 DEPARTMENT OF ECONOMIC AND COMMUNITY
6 DEVELOPMENT AND AUTHORIZING THE MAYOR
7 AND OTHER APPROPRIATE CITY OFFICIALS OF THE
8 CITY OF SCRANTON TO ACCEPT THE GRANT, IF
9 SUCCESSFUL, AND EXECUTE AND ENTER INTO A
10 GRANT AGREEMENT TO ACCEPT AND UTILIZE THE GRANT
11 IN AN AMOUNT UP TO \$824,553.23 AWARDED BY
12 LACKAWANNA COUNTY OFFICE OF ECONOMIC
13 AND COMMUNITY DEVELOPMENT.

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

17 DR. ROTHCHILD: As Chairperson for
18 the Committee on Community Development, I
19 recommend final passage of Item 7-H.

20 MR. DONAHUE: Second.

21 MR. GAUGHAN: On the question? On
22 the question, one of the things that we didn't
23 get to in the caucus but I'm still interested
24 in this and kind of just curious to see where
25 we're at, I would like to know how many

1 employees are actually working from home.

2 I think in the COVID-19 pandemic
3 world that we live in, obviously this is going
4 to be reality for the next few months and
5 probably into next year unfortunately.

6 So I would just be curious to see
7 how many employees are working from home. I
8 think it's good that the administration is
9 making an effort to purchase the equipment and
10 hopefully we get this grant to allow people to
11 work from home.

12 I think it's becoming a reality, not
13 just in cities but really in all sorts of
14 places of employment. Anyone else on the
15 question? Roll call, please.

16 MS. CARRERA: Mr. Schuster.

17 MR. SCHUSTER: Yes.

18 MS. CARRERA: Mr. McAndrew.

19 MR. MCANDREW: Yes.

20 MS. CARRERA: Dr. Rothchild. Dr.

21 Rothchild.

22 DR. ROTHCHILD: Yes.

23 MS. CARRERA: Mr. Donahue.

24 MR. DONAHUE: Yes.

25 MS. CARRERA: Mr. Gaughan.

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

3 MS. REED: 7-I. Previously tabled.
4 7-J - formally 6-A. FOR
5 CONSIDERATION BY THE COMMITTEE ON PUBLIC SAFETY
6 FOR ADOPTION - FILE OF THE COUNCIL NO. 19,
7 2020, PROHIBITING THE USE OF COMMERCIAL VEHICLE
8 BRAKE RETARDERS ON THIRD AVENUE IN THE CITY OF
9 SCRANTON BETWEEN ELM STREET AND BROADWAY
10 STREET.

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

14 MR. MCANDREW: As Chairperson for
15 the Committee on Public Safety, I recommend
16 final passage of Item 7-J.

17 MR. DONAHUE: Second.

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

20 MS. CARRERA: Mr. Schuster.

21 MR SCHUSTER: Yes.

22 MS. CARRERA: Mr. McAndrew.

23 MR. MCANDREW: Yes.

24 MS. CARRERA: Dr. Rothchild.

25 DR. ROTHCHILD: Yes.

1 MS. CARRERA: Mr. Donahue.

2 MR. DONAHUE: Yes.

3 MS. CARRERA: Mr. Gaughan.

4 MR. GAUGHAN: Yes. I hereby declare
5 Item 7-J legally and lawfully adopted. And
6 before we adjourn tonight's meeting, this is
7 our last meeting until September 1st. We will
8 be having our next regular meeting on Tuesday,
9 September 1st.

10 I just want to say I hope everyone
11 stays safe during the month of August and that
12 when we come back hopefully we have good news
13 on a treatment or a vaccine for this virus. I
14 would just ask everyone to continue to stay
15 vigilant.

16 I think we have done a relatively
17 good job in Scranton and in Lackawanna County
18 in terms of if you look at other places around
19 the country. But I do think it's important to
20 follow the advice of the medical professionals
21 to wear a mask when you're out in public and to
22 continue to -- try to social distance when
23 possible.

24 I do know in speaking to some people
25 over the last few weeks that there are groups

1 of people that are having a very difficult time
2 with this in terms of mental health. And I
3 would like to let people know and as I said
4 before if you are having issues in that regard
5 or if you're having issues in terms of not
6 having enough food or a place to go, somebody
7 to talk to, the City has done an outstanding
8 job on the website www.scrantonpa.gov in
9 putting resources there for those who need it
10 and those who don't have access to the
11 resources that we have.

12 And for those of you who cannot get
13 to a computer, you can dial 211 and you will
14 get hooked up with some of those resources. So
15 again, I hope everyone stays safe and healthy
16 and good luck to you and your families.

17 And we will see everybody back here
18 on September 1st. So if there is no further
19 business, I'll entertain a motion to adjourn.

20 MR. DONAHUE: Motion to adjourn.

21 MR. GAUGHAN: Thank you. Bye-bye
22 everyone.

23 MR. MCANDREW: Bye-bye.
24
25

C E R T I F I C A T E

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

8
9
10 _____
11 Maria McCool, RPR
12 Official Court Reporter
13
14
15
16
17
18
19
20
21

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