

COUNCIL FOR THE CITY OF SCRANTON

HELD:

Tuesday, July 7th, 2020

LOCATION:

VIA ZOOM

Maria McCool, RPR

Official Court Reporter

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

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

(Pledge of Allegiance.)

MR. GAUGHAN: If everyone could please remain standing for a moment of silent reflection for our service men and women throughout the world and also for those who have passed away recently in our community. Let us also tonight take a special moment as we have for the last few months of silence for people in our community and throughout the world who are suffering or who have passed away from the coronavirus.

Let us think about them and their families at this time that they may find peace. Let us think now about the doctors, nurses, researchers and all medical professionals and first responders who seek to heal and help those affected and who put themselves at risk in the process, may they find protection and peace.

Whether we are home or abroad, surrounded by many people suffering from this illness or only a few, let us stick together, endure together, mourn together, persist and prepare together. And in place of our anxiety,

1 let us continue to hope and find peace. Thank
2 you very much. Miss Carrera, roll call,
3 please? Miss Carrera, roll call, please.

4 MS. CARRERA: Mr. Schuster.

5 MR. GAUGHAN: Sorry, Lori, roll
6 call, please. I don't know where Miss Carrera
7 went.

8 MS. REED: Thank you, Councilman
9 Gaughan. Mr. Schuster.

10 MR. SCHUSTER: Present.

11 MS. REED: Mr. McAndrew.

12 MR. MCANDREW: Present.

13 MS. REED: Dr. Rothchild.

14 DR. ROTHCHILD: Here.

15 MS. REED: Mr. Donahue.

16 MR. DONAHUE: Present.

17 MS. REED: Mr. Gaughan.

18 MR. GAUGHAN: Here. Thank you,
19 Mrs. Reed, if you could please dispense with
20 the reading of the minutes.

21 MS. REED: THIRD ORDER.

22 3-A. SINGLE TAX OFFICE CITY FUNDS
23 DISTRIBUTED COMPARISON REPORT 2019-2020 YEAR TO
24 DATE JUNE 30, 2020.

25 3-B. SCRANTON-LACKAWANNA HEALTH AND

1 WELFARE AUTHORITY 2019 COMBINED AUDIT REPORT.

2 3-C. CORRESPONDENCE RECEIVED JUNE
3 29, 2020 FROM OFFICE OF ECONOMIC AND COMMUNITY
4 DEVELOPMENT REGARDING CITY OF SCRANTON SMALL
5 BUSINESS RELIEF PROGRAM SUMMARY OF GRANT
6 AWARDS.

7 3-D. CORRESPONDENCE RECEIVED FROM
8 MAYOR PAIGE G. COGNETTI DATED JUNE
9 30, 2020 REGARDING TECHNICAL REVIEW OF PERMIT
10 FOR KEYSTONE LANDFILL EXPANSION.

11 3-E. CORRESPONDENCE RECEIVED FROM
12 CITY PLANNER DATED JULY 1, 2020
13 REGARDING PROPOSED AMENDMENT TO ZONING
14 ORDINANCE FLOODPLAIN MANAGEMENT REGULATIONS.

15 MR. GAUGHAN: Thank you, Mrs. Reed.
16 Are there any comments on any of the Third
17 Order items? I just want to briefly mention I
18 had a chance to read the Mayor's letter to the
19 DEP on the expansion of the landfill. And I
20 appreciate her coming out against it and
21 issuing a letter to DEP.

22 And I think it is very powerful that
23 you have not only the City Council but you have
24 the Mayor of Scranton as well joining together
25 with the Council of Dunmore and other councils

1 throughout the county and public officials
2 throughout the county who have stepped up to
3 say very loudly and very clearly that we do not
4 want to see the expansion of the landfill.

5 So it's my hope that when you have
6 Senator Casey, when you have Congressman
7 Cartwright, other elected officials step up in
8 this community that DEP will actually take
9 those seriously.

10 So again, I want to thank the Mayor
11 for issuing that letter. Anyone else have any
12 comments on the Third Order items?

13 MR. SCHUSTER: I do. When looking
14 at 3-E, we have an amendment to the zoning
15 ordinance for the floodplain. And in that
16 correspondence it says some of the maps have
17 been changed. Do we know how much -- how much
18 change has occurred with the floodplain maps or
19 have any of the flood plans changed?

20 MR. GAUGHAN: That, I don't know,
21 Councilman Schuster, off the top of my head.
22 But that would be a question for Mr. King, the
23 City Planner. I do know the Law Department is
24 in possession of the draft ordinance to update
25 the floodplain or the zoning ordinance, rather.

1 So we're probably going to see that.
2 I don't know if it will be before the recess
3 but definitely I think before the end of the
4 year. But Mr. King would definitely have the
5 answer to that.

6 MR. SCHUSTER: Do you think we
7 should ask for it or do you think we'll get it
8 coming up?

9 MR. GAUGHAN: You can certainly ask
10 for that. I do think we'll get it. But if you
11 want to pose that question to him, I'm certain
12 that he would -- he would have the answer.

13 MR. SCHUSTER: Okay. Thanks.

14 MR. GAUGHAN: Thank you. Anyone
15 else? Okay. If not, received and filed. Do
16 any Council members have any announcements at
17 this time?

18 MR. MCANDREW: I do. I have a
19 couple. So, Tuesday, July 14th, Friends of the
20 Poor, Family to Family and Weinberg Food Bank
21 will be hosting a COVID-19 emergency walkup
22 shoppers choice food giveaway at St. Luke's
23 Episcopal Church on 232 Wyoming Avenue in
24 Scranton, PA from 1 to 4 p.m.

25 Also there will be a limited free

1 delivery to downtown residents. As always,
2 please note zip code, number of children,
3 adults and elderly in the household are
4 required.

5 Secondly, Penn Foster, which is a
6 local business here, Penn Foster Social Impact
7 Committee is looking for local or remote
8 volunteer opportunities to provide to their
9 employees.

10 Each employee gets one paid
11 volunteer day per year. They encourage their
12 employees to participate. They would like this
13 information by this Friday. I know that, you
14 know, there's not a lot of opportunities to
15 volunteer because of COVID.

16 But, you know, I'm reaching out to
17 my colleagues or citizens out there that know
18 of any opportunities you could e-mail me at
19 MMcAndrew@scrantonpa.gov. Thank you. That's
20 all I have.

21 MR. GAUGHAN: Thank you, Councilman
22 McAndrew. Anyone else have any announcements?

23 MR. DONAHUE: I just have one, not
24 an announcement but just a reminder that
25 garbage and recycling pickup is one day behind

1 this week due to the 4th of July holiday. And
2 recycling is cardboard this week. Thank you.

3 MR. GAUGHAN: Thank you, Councilman
4 Donahue. Anyone else? Okay. At this time I
5 want to make one announcement and usually we do
6 this in the caucus. But it is very important.
7 We didn't have a chance tonight because we had
8 PEL in.

9 So there was a meeting today with
10 officials from all over the county regarding
11 recycling. And Solicitor Hayes had the
12 opportunity to attend that meeting. Last week
13 we had requested that Solicitor Hayes attempt
14 to secure a copy of the current recycling
15 agreement and provide an analysis regarding it.
16 So, Solicitor Hayes, would you mind providing
17 an update on that? Oh, sorry, Kevin, you're
18 muted.

19 ATTY. HAYES: Councilman Gaughan,
20 and Members of Council, so on June 10th, 2002,
21 Scranton City Council passed a resolution
22 authorizing the City to enter in agreement with
23 the Lackawanna County Solid Waste Management
24 Authority in order to participate in the
25 disposal of recyclable materials.

1 The agreement was entered on
2 September 19th, 2002 for a 10-year term. And
3 accordingly, the agreement expired in 2012 and
4 no subsequent agreement has been located. So
5 the first question that I can -- the first
6 answer I could give you is there is no current
7 agreement in place between the City of Scranton
8 and the Authority.

9 However, I was able to secure the --
10 a professional service operating agreement
11 which was entered on May 3rd, 2006 between the
12 Lackawanna County Recycling Center and the
13 Lackawanna County Solid Waste Management
14 Authority. And according to the Department of
15 State, the Lackawanna County Recycling Center
16 Inc., was a registered corporation with Louis
17 DeNaples identified as its president and
18 Dominick DeNaples identified as its vice
19 president.

20 The purpose of this agreement was to
21 engage the operator to manage the Lackawanna
22 County Recycling Center which as you all know
23 is located at 3400 Boulevard Avenue in
24 Scranton, which is owned by the Authority. The
25 initial term of this agreement was set for five

1 years starting on May 3, 2006, expiring on May
2 3, 2011.

3 Thereafter, the agreement was
4 automatically renewed -- would have the ability
5 to be automatically renewed for four additional
6 five year terms under the same terms and
7 conditions unless the operator notified the
8 Authority that it wished to terminate the
9 agreement at least six months prior to the
10 expiration of the existing term.

11 So the agreement provides for
12 additional terms up to 2031. It appears that
13 its current term would expire on or about May
14 3rd, 2021.

15 The agreement provides that the
16 operator should use its best efforts in the
17 management and operation of the Recycling
18 Center so that its services would be operated
19 and maintained in an efficient and business
20 like manner to maximize the capacity to accept,
21 process and market recyclable commodities.

22 The Authority is required to use its
23 best efforts to provide the operator with the
24 same number of prisoners from the Lackawanna
25 County Prison that have historically worked at

1 the Recycling Center as part of their Work
2 Release Program as long as security
3 requirements are provided.

4 Lastly, the operator warrants and
5 agrees that during the term of the agreement,
6 any renewal or extension thereof, the Recycling
7 Center shall continue to accept the recyclable
8 commodities currently being accepted at the
9 time of the agreement, that being May 3, 2006
10 and that the pricing level in effect on March
11 24, 2005 or as modified by the Authority.

12 So that's just a high level overview
13 of that agreement between the Authority and the
14 operator which is known as Lackawanna County
15 Recycling Center, Inc.

16 MR. GAUGHAN: Now, Solicitor Hayes,
17 I understand that there was a meeting today
18 with county representatives regarding the
19 change in the county's recycling program. Can
20 you -- and you attended that meeting today. Do
21 you have any updates with regard to that
22 meeting?

23 ATTY. HAYES: Sure. Yes, I did it
24 upon Council's request. I attended today's
25 meeting with representatives of the county,

1 specifically representatives from all
2 municipalities were requested to participate in
3 today's meeting so that the county could
4 provide an update on its current recycling
5 program.

6 Along with myself, DPW Director Tom
7 Preambo and Acting Solicitor Joe O'Brien were
8 also there for the City. The county officials
9 reported to the municipalities that there will
10 be a change in the Recycling Program which is
11 brought on by current market conditions as well
12 as the COVID-19 pandemic, specifically the
13 current pandemic has caused the county to
14 suspend the program of sending Lackawanna
15 County Prison inmates to work at the Recycling
16 Center.

17 It is my understanding that that --
18 I shouldn't say suspend. It's been terminated
19 because they're not going to resume it even if
20 we were in the clear and the pandemic was no
21 longer a factor. They're not going to reassume
22 that at any point in time.

23 As a result, the operator of the
24 Recycling Center has reported that it will need
25 to hire additional personnel to fulfill the

1 duties which were being performed by inmates.
2 I know Councilman Schuster had asked me to find
3 out what percentage of the workforce was
4 comprised of inmates. I did ask that. And I
5 was told that it's the majority, specifically
6 it's the inmates are routinely assigned to
7 handle the commingled recyclables.

8 It's in the range of 12 to 22
9 inmates. None now, but that what was typically
10 in place prior to our current situation. So as
11 a result, the operator has made the
12 determination that they are going to have to
13 charge the municipalities for the receipt of
14 certain recyclable materials.

15 Specifically the operator issued a
16 notice to the Authority which was dated Monday
17 and indicated that effective July 20 of this
18 year -- so effective July 20 of 2020,
19 municipalities will be required to follow -- to
20 follow this fee schedule.

21 At a rate of \$40 per ton, the
22 operator will accept commingled recyclables
23 collected including clean non contaminated
24 bimetal cans, aluminum cans, PET and LDPE
25 and HDPE plastic along with glass, bottles, and

1 jars all at a rate of \$40 per ton, which will
2 be billed monthly to the municipality.

3 They also give the option that at
4 \$20 per ton, they would accept all of those
5 commingled recyclables except they will not
6 accept glass, glass jars or glass bottles. The
7 operator will continue to accept commingled --
8 will continue to accept newsprint, office paper
9 and cardboard at no charge.

10 In addition, if a resident wants to
11 deliver commingled recyclables that are free of
12 glass, they could deliver those at no charge.
13 But that's the program that has been -- that
14 was -- that's the proposal that was issued on
15 Monday.

16 Now, today while this meeting was
17 taking place, I got an e-mail message from
18 someone at the county who indicated that the
19 operator will honor this price and schedule
20 commencing on July 20, 2020 and continue at a
21 minimum through December 31, 2021, so until
22 December of next year.

23 And that municipalities will be
24 billed monthly for recyclables accepted at the
25 center but the payment term is amended to defer

1 payment -- the payment due date to the earlier
2 of the receipt of grant type funding or January
3 30, 2021.

4 So in other words, if there's
5 grant -- the county seems to believe that there
6 will be grant money available to reimburse
7 counties. If that grant money is not
8 available, you know, we would -- payment will
9 be due on January 30, 2021.

10 Lastly, they indicated that -- and
11 this was an issue that was raised today by some
12 of the other municipalities and by Tom Preambo
13 I have to say. The county indicated -- or the
14 operator indicated that the fresh yard waste,
15 including leaves, grass clippings, small
16 trimmings that are delivered by municipalities
17 to the center in biodegradable brown paper bags
18 will be accepted for a two-month trial period
19 commencing on July 20, 2020 and ending on
20 September 18, 2020.

21 MR. GAUGHAN: Now, do you -- sorry.

22 ATTY. HAYES: That was an issue --
23 a major issue that was raised by a number of
24 the municipalities that they are no longer
25 accepting the brown bags which hold the

1 clippings and the leaves.

2 MR. GAUGHAN: Now, you indicated
3 earlier that under the current agreement that
4 the county was required to make its best effort
5 to provide the operator with prisoners to
6 perform work at the Recycling Center.

7 Do you know why is this forming a
8 basis for this change in pricing, which is
9 being passed then onto the municipalities and
10 the residents?

11 ATTY. HAYES: So that was an issue I
12 raised at the meeting. You know, and I had
13 read the agreement to say that as long as the
14 county made its best efforts to supply the
15 inmate workforce that was in place at the time
16 of the agreement then they would be complying
17 with the agreement.

18 It was reported to me by the
19 officials from the county that the majority
20 solicitor had offered the opinion that by
21 suspending the supply of inmate workers, that
22 the Authority had effectively breached the
23 contract and that it was now null and void.

24 MR. GAUGHAN: Do you know who the
25 board members are and who the Authority's

1 Solicitor is for the Solid Waste Management
2 Authority?

3 ATTY. HAYES: So I met one of the
4 board members today. The chairman was there.
5 And his name is escaping me. I don't know the
6 other board members. But I could tell you the
7 Solicitor is Attorney Tom Cummings.

8 MR. GAUGHAN: Okay. And is that
9 Attorney Cummings who previously served as a
10 Solicitor for the Borough of Dunmore when the
11 borough approved the revised host agreements
12 with the landfill?

13 ATTY. HAYES: I believe it is. I
14 believe that's the same Tom Cummings, yes.

15 MR. GAUGHAN: And is that the same
16 attorney who also acted as special counsel
17 during the Scranton Sewer Authority sale and
18 who was paid over \$225,000 in connection with
19 the sale?

20 ATTY. HAYES: I believe -- I don't
21 know what he -- I can't verify what any
22 attorneys were paid as part of that deal. But
23 I believe that Attorney Cummings was the
24 borough solicitor -- Solicitor for the Borough
25 of Dunmore and special counsel for that sewer

1 deal when that all went -- when that all took
2 place. So, yeah, I believe that's all the
3 same -- same attorney, yes.

4 MR. GAUGHAN: So just a few things.
5 I won't spend too much time on this because I
6 know we're still in the announcements part of
7 it. And I wanted to get to this in the caucus
8 but we ran out of time.

9 But the information that you
10 provided today, Kevin, first, I appreciate you
11 attending the meeting. It is concerning.
12 Seems to me like now the citizens of Scranton
13 are going to have to pay for recycling because
14 the Recycling Center can't use prison labor.

15 I mean, to me that is what, you
16 know, it just -- it does not make a whole lot
17 of sense to me. And I think the arrangement
18 needs to be scrutinized very closely. So after
19 looking at some of the documents that you had
20 sent us, I would like -- and I'll make a motion
21 to this effect tonight if my colleagues agree
22 for you to draft a letter from the Council to
23 the Board of Commissioners requesting
24 confirmation on a number of issues related to
25 the Recycling Center.

1 First, I'd like for you to determine
2 whether the May 3, 2006, is, in fact, null and
3 void. Specifically, I'd like to know what is
4 the basis for determining that the agreement
5 has become null and void.

6 Secondly, I would like to request
7 confirmation as to why the Authority is
8 permitting the operator to refuse to accept
9 certain recyclable commodities which the
10 agreement requires them to accept at the same
11 pricing level.

12 Also, I'd like confirmation that the
13 Authority has obtained a legal opinion that the
14 Authority has breached the agreement by its
15 failure to supply prisoners from the Lackawanna
16 County Prison as workers for the Recycling
17 Center.

18 I'd also like confirmation from the
19 Commissioners as to whether the Authority has
20 issued an actual notice of default to the
21 operator for failing to accept recyclable
22 commodities which were accepted on May 3rd,
23 2006 at the pricing structure in effect on
24 March 24th, 2005.

25 I'd also like confirmation as to

1 whether the Authority has taken an actual
2 official vote to authorize the operator to
3 amend the recyclable commodities which it will
4 accept and the pricing structure in effect on
5 March 24th, 2005. And I would like to know the
6 names of all current authority members.

7 MR. DONAHUE: I'll second that.

8 MR. SCHUSTER: Same here.

9 MR. GAUGHAN: So I'll make an actual
10 motion tonight during the meeting.

11 ATTY. HAYES: Okay.

12 MR. GAUGHAN: That would be my
13 comments right now on that. So thank you for
14 the update. I do actually have a few other
15 announcements if I may for a second.

16 A public caucus will be held with
17 Scranton Tomorrow, July 21st for an update on
18 their activities. I know several citizens have
19 requested an update from Scranton Tomorrow. So
20 they'll be here July 21st.

21 A public caucus will also be held
22 Tuesday, July 28th with representatives from
23 NDC for the purposes of receiving our quarterly
24 parking garage update. So they usually come --
25 they haven't been here in a while because of

1 the pandemic. So they'll give us an update on
2 what's been going on with the parking garages
3 July 28th.

4 I made this announcement last week
5 but I just want to repeat once again that our
6 July Council meetings will continue to be held
7 via zoom. Under Governor Wolf's orders, public
8 meetings may continue to run remotely. Out of
9 an abundance of caution as I mentioned last
10 week, we're going to continue to face COVID-19
11 and follow the issues that go along with that.

12 So we want to be as cautious and as
13 careful as possible. So we'll continue to run
14 the meetings through Zoom until the end of
15 July. We have an August recess. We'll
16 reassess the situation going into September.

17 As always, if anyone would like to
18 comment on agenda items or City business,
19 please send those comments in writing to our
20 City Clerk Lori Reed by e-mailing
21 Lreed@scrantonpa.gov.

22 Council will accept public comment
23 until the day of our meeting, which is Tuesday
24 at 4:30 p.m. And public comment is reviewed by
25 the Council prior to our meeting and is placed

1 on the official record and in the minutes of
2 our meetings.

3 Our agenda is being posted for
4 public review the Friday before our Tuesday
5 meetings. And the agenda and minutes can be
6 accessed by going to the City's web page,
7 www.scrantonpa.gov and clicking on the City
8 Council page. Does anybody else have any other
9 announcements at this time? Okay. Mrs. Reed,
10 Fourth Order.

11 MS. REED: Thank you. FOURTH ORDER.
12 CITIZENS PARTICIPATION.

13 MR. GAUGHAN: Thank you. Would
14 someone please make a motion to accept public
15 comment from the following individuals:
16 Deborah Niehuus -- I hope I'm pronouncing her
17 last name correctly; Patricia Nestor, Marie
18 Decker, Lenard Shoemaker, Marie Schumacher, Fay
19 Franus and Mary Lorraine Craig.

20 MR. SCHUSTER: I'll make a motion to
21 accept public comment.

22 MR. GAUGHAN: Thank you, Councilman
23 Schuster. Is there a second?

24 MR. DONAHUE: Second.

25 MR. GAUGHAN: Okay. There's been a

1 second. On the question?

2 MR. DONAHUE: On the question, there
3 were, you know, as in previous weeks a lot of
4 comments regarding fireworks. Solicitor Hayes,
5 we're waiting on what the state legislator is
6 going to do and then all that legislation is
7 going to be built into one in terms of
8 increasing the fine and hopefully being able to
9 ban the use of them altogether. But we're just
10 waiting on the state legislator to pass that
11 right before we get those down?

12 ATTY. HAYES: Right. So, Councilman
13 Donahue, the Senate overwhelmingly passed
14 legislative bill that would allow certain
15 cities which include Scranton to essentially
16 prohibit the use of consumer fireworks within
17 their limits by passing an ordinance or
18 resolution no sooner than 60 days after the
19 effective date of the legislation.

20 So my understanding is that the
21 General Assembly is now on summer break so
22 unfortunately -- so it still has to pass the
23 House. It seems based on comments by the
24 Governor that he will be supportive of a
25 legislation as he wants local control over the

1 issue of fireworks.

2 So once we have that we will have
3 the ability to put serious restrictions on
4 fireworks in the City of Scranton. And both
5 myself and Solicitor Joe O'Brien are monitoring
6 that closely.

7 MR. DONAHUE: I just wanted to make
8 the point of that that it's not like we're not
9 acting. We're waiting for the state legislator
10 to give us the authority to act so that we can
11 act correctly and all in one piece of
12 legislation.

13 ATTY. HAYES: There's no sense in us
14 passing legislation at this point in time when
15 it essentially will be obsolete within a few
16 months. So as soon as we have that bill in
17 place we can act. And we will according to
18 your directive.

19 MR. DONAHUE: So I strongly
20 encourage residents to reach out to both State
21 Representative Flynn and Mullin to encourage
22 them to support that legislation. That's all I
23 have. Thank you.

24 MR. GAUGHAN: Thank you, Councilman
25 Donahue. Anyone else on the question?

1 DR. ROTHCHILD: Yes, on the
2 question, in response to one of the questions
3 we received in Citizens Participation and it's
4 something too that was on the agenda that I
5 missed in Third Order.

6 And they'd asked regarding the
7 updates from OECD for the COVID-19 grants, the
8 business grants that were given. And there
9 were many applicants that were deemed
10 ineligible. And they asked for the reasoning
11 of that. And so those people did not meet the
12 eligibility criteria, some of the basis
13 criteria like owning your business within the
14 City of Scranton, also not owing any money on
15 taxes to the City of Scranton.

16 So if any businesses are looking to
17 still apply for the grants or the loans, please
18 pay attention to the criteria that's there
19 before you apply.

20 MR. GAUGHAN: Okay. Thank you so
21 much. Anyone else on the question? All right.
22 All those in favor of the motion signify by
23 saying aye.

24 MR. SCHUSTER: Aye.

25 MR. MCANDREW: Aye.

1 MR. DONAHUE: Aye.

2 DR. ROTHCHILD: Aye.

3 MR. GAUGHAN: Aye. Opposed? The
4 ayes have it and so moved. Thank you.

5
6 (Public Comment, the following are
7 letters or emails submitted for public
8 comment.)

9
10 (Deborah Niehuus)

11
12 This is Deborah Niehuus writing to
13 you. I realize I'm an hour late because I just
14 now read the cutoff time for comments to city
15 council. But I do wish to offer the following
16 public comment, if possible:

17 Something MUST be done regarding the
18 out-of-control situation in at least parts of
19 the city regarding the overuse and unlawful use
20 of fireworks and other explosive devices.

21 Recently an M80 exploded
22 approximately 25 ft above me as it arced toward
23 me while I stood in my garden. Somebody
24 apparently had thrown it over the roof of my
25 house. I suffered physical harm and trauma as a

1 result of this incident.

2 In general, I am tired of my summer
3 months being hijacked by people who feel the
4 need to unpredictably unleash multiple rounds
5 of explosives within a few feet of my property
6 and myself. I should not have to endure this
7 siege virtually every evening of the summer
8 months.

9 Please, for the health and safety of
10 the residents of Scranton, stop talking about
11 doing something regarding fireworks, and
12 instead quickly devise a plan and promptly
13 execute it.

14 Wilkes-Barre has taken proactive
15 measures to protect its law-abiding,
16 peace-loving residents, NOT those who insist on
17 making life a living hell via explosives. I see
18 absolutely no reason why Scranton cannot follow
19 suit.

20 Thank you,

21 Deborah Niehuus, J.D.

22
23 (Patricia Nestor)

24 Hello. I hope you all are enjoying
25 your summer.

1 I have two things that would you could help
2 make mine better:

3 1. Could you open the indoor pool
4 at Weston Field please? Pools have been allowed
5 to open in the yellow zone. We are in green.
6 Gyms are allowed to be open at 50% capacity. No
7 excuse not to open. When I called, the lady
8 didn't know when they would open. Sad face.

9 2. With the new cameras installed at
10 Nay Aug gorge, could you open this live feed up
11 to the public? YouTube Live, perhaps. With very
12 little to do, we the taxpayers might enjoy
13 seeing our dollars being spent as out of state
14 losers catch citations.

15 Thank you.

16 Patricia

17 Btw, Kyle, I hope you run for mayor again.

18
19 (Marie Decker)
20

21 I'm a resident of south Scranton and
22 what has been going on with the fireworks this
23 year has been disgraceful, it has been since
24 Memorial Day every night .there have been fires
25 deaths , we cannot even live in our homes

1 without fear of being burned down , we have no
2 sleep or quality of life .

3 We want something done , I pay a lot
4 of taxes and I want to be able to enjoy some
5 part of summer. Governor Wolf office said it is
6 up to local officials to do something, so
7 please do.

8 Marie Decker

9
10 (Lenard Shoemaker)

11
12 Hi ,

13 We are writing this letter with
14 concerns over the amount of fireworks
15 that have been happening in our neighborhood
16 since Memorial day.

17 The first thing is we need to ban
18 The commercial grade fireworks, on the 4th
19 of July we literally were frightened, they were
20 shot off between houses with force that shook
21 the house, We were afraid of catching on fire
22 or being killed.

23 No one should have to feel that
24 afraid to live in the city. Please take this
25 seriously and do what you can to ban the sale

1 and use of those very strong Fireworks.

2
3 Sue and Len Shoemaker

4
5 (Marie Schumacher)

6
7 COMMENTS & QUESTIONS FOR FOURTH
8 ORDER OF 07 JULY 2020 MEETING.

9 0 Three week' ago Council member
10 Rothchild reporting on a Meeting she held with
11 members of the Administration noted an internal
12 effort regarding the LIPS Department would be
13 available in August.

14 Last week in 3B the BA reported the
15 Administration would not proceed with an
16 approved Contract but would take in under
17 consideration in next year's Budget so which is
18 it? Were the issues that resulted in the now
19 null and void Contract not as important as we'd
20 been led to believe and, if not, why is the can
21 being kicked possibly into 2022? Wouldn't
22 revenue from permits increase if this issue was
23 addressed now?

24 0 3G in last week' Agenda provided
25 the properties that would be addressed by the

1 County Tax Assessor during the month of July.
2 Who will be attending these Meetings for the
3 City?

4 0 3C of today's Agenda is a welcome
5 Report from OECD on the COVID-19 grants. What
6 were the top three reasons 42 percent of the
7 applications were deemed ineligible and could
8 we please have the numbers of grant
9 applications and those receiving the grants by
10 zip code?

11 0 In February 2019 the final
12 approval for the 10-year LERTA program was
13 achieved. In the subsequent 16 months there
14 have been 12 applications granted. Is this the
15 result you expected and what goal have you set
16 for this tax reduction?

17 0 Has the MS-4 permit application
18 been submitted and, if so, will it be available
19 in Third Order? When, if ever, will the HRG
20 Contract Report be received? Does the
21 Administration and Council intend to kick the
22 Stormwater program into next year or will it be
23 addressed this year?

24 0 Is the 2019 Audit on schedule and
25 will it be made available when received or will

1 we have to wait for your return in September?

2 0 Though a black eye is a nit
3 compared to a death I believe the Look Out
4 should have a police camera. It is a popular
5 stop for many people to observe the City but
6 activities and vandalism there also chase
7 people away.

8 0 The Third Street truck traffic
9 solution implies the City will begin enforcing
10 the laws pertaining to weight and locations of
11 truck be enforced? Would you please obtain the
12 number of ticket and the resulting fines and
13 report them monthly?

14 0 Prior to the Primary Election Mr.
15 Schuster reported receiving a text from Ms.
16 Gilmartin during the discussion regarding a
17 letter she had received on the utilization of
18 municipal building for voting. Please provide
19 this letter in Third Order next week.

20 0 Mr. MCAndrew, I believe, reported
21 Standard and Poor's kept their rating but gave
22 a negative evaluation and I'd like to hear the
23 meat on the bones of this negative assessment;
24 what did S&P see?

25 0 Lackawanna County provides

1 Collective Bargaining Agreements on line as
2 they are public records. When will the City's
3 Labor Contracts be available on-line?

4 0 How many residents hold "commit"
5 letters for City employment?

6 0 When will the Capital Budget
7 become available on line?

8
9 (Fay Franus)

10
11 Council members,

12 I guess I should start begging, if
13 not for my sake but for Emerson''s sake. I have
14 called the police at least 6 times and not once
15 have they done anything. Soon, I will take
16 matters into my own hands because I must.

17 These fireworks have gone off FOR
18 MONTHS--far before this virus-- in the same
19 area--every single night-- I di not call on the
20 4th of July buy have called nightly every night
21 before the fourth-- these people are not doing
22 this for the 4th holiday this has been going on
23 far before March--.

24 It is coming from the project on
25 Meridian Street near Jackson Street. This

1 project is up the road on the left from Burger
2 King near the end of Meridian Street. -- I
3 called that # you gave out--that is a recorded
4 message --press #1 for this press#2 for that
5 etc-- so I have been calling police dispatch
6 570 348-4141 they are the only one that
7 answers-- BUT they have not once stopped these
8 fireworks- they are in a residential
9 neighborhood-- my God they are being shot off
10 in that project --house house house house house
11 -- I have to hold my hands over Emerson's ears
12 for hours-- you think that is easy--I have tv
13 blasting air conditioner going but still BOOM
14 BOOM BOOM BOOM.

15 How about all the other dogs whose
16 owners just let them hide in fear? Two police
17 cars are not enough. ATV drivers roared down
18 the street the other night at 1 am-- everyone
19 got woken up--it was like a ATV race-they kept
20 circling the block and coming back again and
21 again--the other day one flew up the street and
22 flew right through the stop sign at Railroad
23 and Broadway-- never stopped-- and again during
24 the day 4 days ago an ATV flew down the street
25 with another guy on a motorcycle-- they cut

1 this car right off --they pulled right in
2 front of him going 70 miles an hour-- Something
3 has to be done.

4 That's all I have to say--please
5 help us here-- As for as Emerson -- please know
6 that if the police do nothing-- I am going
7 to--there is no way I will tolerate this much
8 longer.

9 I know Jessica and Bill understand
10 this situation very much-- and there is nothing
11 we won't do for our "family"

12 Thank you

13 Fay Franus

14
15 (Mary Lorraine Craig)

16
17 We are in desperate need of an
18 ordinance banning fireworks in neighborhoods.
19 And it needs to be enforced.

20
21 (End of Public Comment)

22
23 MR. GAUGHAN: Mrs. Reed?

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

25 MOTIONS.

1 MR. GAUGHAN: Thank you, Mrs. Reed.
2 Councilman Schuster, do you have any motions or
3 comments at this time?

4 MR. SCHUSTER: With Citizens
5 Participation, did we add the e-mail in there
6 about the 1600 block of Sanderson Avenue and
7 all the concerns that were sent in about that
8 property?

9 MR. GAUGHAN: Yeah, we -- I actually
10 spoke to the gentleman who issued -- wrote the
11 complaint. I spoke to him on the phone. And I
12 know, Lori, you had sent that along to the
13 Licensing and Inspections Department, correct?

14 MS. REED: Correct.

15 MR. GAUGHAN: Yeah, that's been
16 sent.

17 MR. SCHUSTER: Okay. Thank you. I
18 was going to ask for that. And thank you, Mrs.
19 Reed, for helping out with that phone call and
20 also, Solicitor Hayes, for following up with my
21 question about the recycling. That's all.

22 MR. GAUGHAN: Thank you, Councilman
23 Schuster. Councilman McAndrew, do you have any
24 motions or comments at this time?

25 MR. MCANDREW: Yeah, I have a

1 couple. So as Chairman of Public Safety
2 Committee, I would like to applaud the
3 Scranton Police Department and their detectives
4 for the apprehension and arrest of the juvenile
5 male for the homicide of the poor young lady
6 that, you know, was killed in West Side last
7 month. Great works guys.

8 Secondly, it was brought to my
9 attention by a few concerned citizens the
10 activities occurring under the pavilion at the
11 River Heritage trail on Olive Street that
12 entail homeless people.

13 There's fighting, yelling, cursing,
14 urinating in public, drug deals going down and
15 overdosing, a couple people. So, of course, I
16 sympathize with our City's homeless population.
17 But this appears to be a public safety issue
18 that needs to be addressed or at least assessed
19 by the City.

20 So, Mrs. Reed, would you please send
21 a letter to the City's administration, you
22 know, to help try to rectify this situation for
23 our citizens and get help -- the help needed
24 for the individuals that are involved?

25 And thirdly, I would like to also

1 report on the motion I made two weeks ago, the
2 hometown heros banner initiative. I have been
3 in communication with the Mayor. And we'll be
4 meeting with representatives from the VFWs and
5 the like in the upcoming weeks.

6 I'd like to see this initiative
7 through to recognize our own hometown heros and
8 hopefully bring everyone in this City together
9 during this process. And that is all I have.
10 Thank you.

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

14 DR. ROTHCHILD: Yes, just real
15 quick, I just want to say that I'm happy to see
16 in our legislation tonight the resolution for
17 the -- for the fireworks. It's something
18 obviously that was brought up several times
19 over the past few weeks and that citizens are
20 really concerned about and have been coming to
21 us with just because of how dangerous they
22 could be.

23 It's really difficult to follow
24 being -- orders to be 150 away from structures,
25 especially in a city like ours. I know that

1 it's been a torment in many of the
2 neighborhoods, so just happy to see that we
3 have that and looking forward to being able to
4 enforce it better.

5 MR. GAUGHAN: Thank you so much, Dr.
6 Rothchild. Councilman Donahue, any motions or
7 comments?

8 MR. DONAHUE: Just to add to what
9 Dr. Rothchild said about the fireworks and
10 what, you know, a little bit of our discussion
11 before that as soon as we are given the
12 authority to act and to ban fireworks, I'm sure
13 that this Council and the Mayor will, you know,
14 sign that legislation.

15 So it's important to reach out to
16 your state representatives. And just briefly
17 on this recycling program, the fact that
18 they're going to charge us \$40 a ton is pretty
19 laughable to me. And I know that Councilman
20 Gaughan is going to make a motion to send
21 correspondence to the County Commissioners.

22 But I'd like to just make a motion
23 to urge -- to send correspondence to the
24 administration urging them to start developing
25 specs in an RFQ and/or RFP to -- so that we can

1 start exploring and shopping our options in
2 terms of where we bring our recycling.

3 I mean, if they're going to charge
4 us \$40, we might as well -- \$40 a ton, we might
5 as well see if we can get a better rate
6 somewhere else.

7 MR. MCANDREW: I'll second that.

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

9 MR. GAUGHAN: Okay. There's been a
10 motion and a second. On the question? All
11 those in favor of Councilman Donahue's motion
12 signify by saying aye.

13 MR. SCHUSTER: Aye.

14 MR. MCANDREW: Aye.

15 MR. DONAHUE: Aye.

16 DR. ROTHCHILD: Aye.

17 MR. GAUGHAN: Aye. The ayes have it
18 and so moved. Thank you. Anything else --

19 MR. DONAHUE: That's all I have. I
20 mean, I have a comment on the Act 47; but I'll
21 wait until that legislation comes up.

22 MR. GAUGHAN: Okay. Thank you. I
23 have a few items. First, as Councilman Donahue
24 mentioned and as we talked about in the first
25 part of the meeting, I would like to make a

1 motion at this time that City Council send a
2 letter to the Lackawanna County Board of
3 Commissioners requesting the following
4 information:

5 First, to determine whether the May
6 3rd, 2006 agreement is, in fact, null and void,
7 specifically I'd like to know what is the basis
8 for determining that the agreement between the
9 Recycling Center and Lackawanna -- and the
10 Solid Waste Management Authority have become
11 null and void.

12 Secondly, would request confirmation
13 as why the Authority is permitting the operator
14 to refuse to accept certain recyclable
15 commodities which the agreement requires them
16 to accept at the same pricing level.

17 Third, confirmation as to whether
18 the Authority has issued a notice of default to
19 the operator for failing to accept recyclable
20 commodities which were accepted on May 3rd,
21 2006 at the price structure in effect on March
22 24th, 2005.

23 I would like to have confirmation
24 that Authority has obtained a legal opinion
25 that the Authority has breached the agreement

1 by its failure to supply prisoners from the
2 Lackawanna County Prison as workers for the
3 Recycling Center.

4 I'd like confirmation as to whether
5 the Authority has taken an official vote to
6 authorize the operator to amend the recyclable
7 commodities which it will accept and the
8 pricing structure in effect on March 24, 2005.

9 And I'd also like names of the
10 current authority -- current members of the
11 Solid Waste Management Authority. Is there a
12 second?

13 MR. SCHUSTER: Second.

14 MR. GAUGHAN: On the question? On
15 the question, as I want to again thank
16 Solicitor Hayes for attending this meeting. I
17 was just made aware of this meeting a day or
18 two ago. So, I mean, I don't know how that
19 works to not let elected officials know or wait
20 until the last second is to me unbelievable.

21 As Councilman Donahue mentioned, you
22 know, now that we're in the middle of a
23 pandemic, we had our business administrator in
24 a few weeks ago stating that we may have
25 between a 6 to 10 million dollar deficit. The

1 Pennsylvania Economy League was just here
2 showing that we may have deficits at the end of
3 this year and for the next few years because of
4 the pandemic.

5 And now the Recycling Center
6 notifies us and the county notifies us that the
7 citizens of Scranton may have to start paying
8 for recycling. And the reason the -- and,
9 Solicitor Hayes, correct me if I'm wrong; but
10 is it because -- is the reason they gave
11 because they could not use prison labor? Is
12 that the sole reason? Is there another reason
13 that they gave that I missed?

14 ATTY. HAYES: I think that there is
15 ongoing issues -- market issues because of
16 China not accepting recyclable materials as
17 much as they used to. But I think the impetus
18 of this specific action was the suspend -- or
19 pulling back on the suspension of the prisoner
20 program.

21 MR. GAUGHAN: As I said, I would
22 like this information from the County
23 Commissioners. I think that this whole
24 arrangement needs to be scrutinized very
25 closely.

1 And I'm looking forward to getting
2 answers to these questions quickly. Anyone
3 else on the question?

4 ATTY. HAYES: Councilman Gaughan, I
5 have to say the Director of the Recycling
6 Program, Barbara Giovagnoli and as well as
7 Chief of Staff Brian Jeffers, you know, they
8 fielded all of our questions and stayed
9 actually after the meeting and met with myself
10 and Tom Preambo.

11 And Mrs. Giovagnoli who is the
12 Recycling Coordinator offered to come to any
13 work session we have with any questions. She
14 could probably give you a better description as
15 what market conditions are -- may be impacting
16 this agreement.

17 MR. GAUGHAN: Yeah, sure. That
18 would be great, Mrs. Reed, if you could set
19 that up. In the meantime, I do think it's also
20 important to get these questions answered in
21 writing as well in terms of the actions that
22 the Authority took.

23 But, yeah, Mrs. Reed if you could
24 reach out to her and set that up and if we
25 can -- even if we have to schedule a special

1 caucus, I think it's that important. That
2 would be great. Anyone else on the --

3 MR. DONAHUE: I would like to just
4 expand on that for one second. First off, we
5 do get grant money that comes in for our
6 Recycling Program based on the amount of
7 tonnage we do recycle.

8 You know, if that has go towards,
9 you know, paying some sort of tipping fee or
10 fee to actually recycle, you know, that takes
11 away from the -- what you could put into the
12 trucks and the infrastructure that we have on
13 our end.

14 And then also on that point, I meant
15 to mention it in Fifth Order; but just because
16 we're not picking up recycling currently,
17 doesn't mean that you can't recycle the
18 aluminum or the glass on your own.

19 If you were to take aluminum cans to
20 a place like Fiegleman's or any local scrap
21 yard -- that number from Fiegleman's, for
22 example, will be sent to the City in
23 establishing our total number of recyclables
24 that determines our grant money.

25 So it's not only the recycling that

1 goes through the Recycling Center, it's also
2 the ones that go around the local scrap yards
3 as well that counts towards our grant
4 allocation.

5 MR. GAUGHAN: Okay. Thank you.
6 Anyone else on the question?

7 MR. MCANDREW: Yeah, I just have
8 something quick. You know, it's just ironic to
9 me that, you know, now we got to pay for
10 recycling to the same company that we pay for
11 buses that didn't transport students during
12 COVID. You know, I just -- I don't see the
13 fairness in this. That's all I have.

14 MR. GAUGHAN: Thank you, Councilman
15 Schuster. Anyone else on the question? All
16 those in favor of the motion sending a letter,
17 signify by saying aye.

18 MR. SCHUSTER: Aye.

19 MR. MCANDREW: Aye.

20 MR. DONAHUE: Aye.

21 DR. ROTHCHILD: Aye.

22 MR. GAUGHAN: Aye. The ayes have it
23 and so moved. I just have a few other
24 comments. First, I asked a few weeks ago for
25 the administration to answer questions about

1 NRS.

2 I had specific questions that we had
3 sent. I know that I spoke to Solicitor Hayes
4 and those questions have not been answered to
5 date. I do think it's important that we get
6 answers to those questions.

7 This is directly from a letter that
8 was sent in May to -- actually May of I believe
9 last year in 2019. So I think it's important
10 to make sure that NRS has done all of the
11 things the previous administration had asked
12 them to do and provided all of the information
13 that was requested at that time. So I'm still
14 looking forward to the answer to those
15 questions.

16 Also, in terms of Third Avenue, it
17 is now been I think three weeks, three and a
18 half weeks since I met with members of the
19 administration. I continue to stay in contact
20 with the neighbors in that area.

21 At the meeting it was promised
22 that -- and basically an analysis or a report
23 would be presented from the administration or
24 written up from the administration with
25 different parties who would add comments from

1 public safety to DPW, including the City
2 Engineer.

3 But it was going to be driven really
4 by the administration. And we're still waiting
5 for that. I'm also hoping and we were told
6 weeks ago that we would have legislation sent
7 down through the administration in terms of
8 prohibiting brake retarders.

9 I would like to see that prior to
10 the August recess because every day that goes
11 by, these people really can't enjoy sitting out
12 in their yards, on their front porch and their
13 quality of life has diminished greatly. And
14 that's really unfair to them so if we can
15 follow up on the Third Avenue stuff. And I did
16 send an e-mail to the Chief of Staff.

17 Yesterday I had the opportunity to
18 go down unfortunately to Church Avenue and Oak
19 Street. There was a very, very bad accident
20 there with a young gentleman on an ATV who was
21 very badly hurt and some of the neighbors were
22 outside. And some of the comments that I
23 received and witnessed just standing there
24 about the quality of life issues, the
25 out-of-town landlords, the drug houses.

1 One person told me that a very good
2 family is leaving Church Avenue because of all
3 of that, the blight problems. And it's
4 extremely frustrating. I don't want to blame
5 anyone specifically because this predates this
6 administration and goes back quite some time.

7 And I know that the current business
8 administrator is working on some different
9 proposals and different ideas. I want to see
10 and I hope to see an actual comprehensive
11 cohesive strategy to deal with blight in the
12 City.

13 Since I've been on Council, the
14 flame has been lit several times. One example
15 is Ken Bond. Everybody gets up in an uproar
16 and then it just falls to the wayside because
17 no one is running -- no one is carrying the
18 ball here. It continually, continually gets
19 dropped.

20 I've had the opportunity. I think I
21 mentioned this a few weeks ago during the
22 pandemic when there's really nothing to do to
23 drive through really every neighborhood in the
24 City. And there are pockets in different
25 neighborhoods through the City that are

1 severely, severely depressed and severely
2 blighted. And they are only getting worse.

3 And the City really needs to get
4 more aggressive. It is -- I'm not telling
5 anyone here anything that they don't know. It
6 is not fair to the good families who keep their
7 properties up.

8 I do think we need to balance being
9 very aggressive also with helping people who
10 may need help cutting their grass if they're
11 elderly, whatever that program looks like. But
12 Councilman Donahue can attest to this. We've
13 talked about this now for a long, long time.

14 We've attended meetings. We've
15 attended work sessions with the previous
16 administration. And again, the ball continues
17 to get dropped. The fuse gets lit but then it
18 fades away. I think what we need and I'm
19 confident in Dr. Rothchild who is now the
20 Chairwoman of OECD and I know who is working
21 with the new Business Administrator that we're
22 going to get some kind of consistent cohesive
23 comprehensive strategy and program.

24 Because I am getting concerned. I
25 even took a drive through South Side, even

1 parts of Green Ridge, Minooka, North Scranton.
2 And it's very, very concerning. We need
3 action. I know we're in the middle of a
4 pandemic.

5 But, you know, we can't just sit
6 around and wait for the pandemic to end. I
7 don't know how long the pandemic is going to
8 last. But we're losing good families who have
9 the opportunity to move out. And that's always
10 very frustrating.

11 DR. ROTHCHILD: Councilman Gaughan,
12 if I could respond to what you said just real
13 quick?

14 MR. GAUGHAN: Sure, if you could
15 just hang on one second. I just have one more
16 thing to add on the Church Avenue thing. There
17 was several addresses that were given to me by
18 the neighbors out there. So I am going to get
19 in touch with Mrs. Reed and ask the
20 administration, the Licensing and Inspections
21 Department and the Police Department to see if
22 there's anything that they can do to crack down
23 in this area.

24 As I said, it's -- the neighbors are
25 honestly held hostage by what's going on out

1 there.

2 DR. ROTHCHILD: Yeah, just real
3 quick, I just want say, you know, I do agree
4 with all of what you just said. I did have
5 calls earlier today with both the OECD
6 Director, Miss Cipriani and I also had a
7 separate call with our Business Administrator,
8 Mr. Deeley.

9 And I discussed these issues with
10 both of them. And Mr. Deeley provided me with
11 more updates. I wasn't able to attend the last
12 meeting that they had this past week. And so
13 things are moving forward. They're looking to
14 set up a blight committee. They are taking
15 these issues very seriously.

16 They want to change, like, the whole
17 process around how we take in these complaints
18 and then prioritize them. Even over the past
19 weekend I received more complaints. I just --
20 instead of mentioning them during the meeting,
21 I just sent them all to Mrs. Reed and spoke
22 with her about them because there's just too
23 many of them.

24 So we do have widespread issues
25 throughout the City. And I am looking to see

1 when we can get Mr. Deeley into one of our
2 caucuses so that he can explain more details
3 about the work that they're doing.

4 MR. GAUGHAN: Thank you so much.

5 DR. ROTHCHILD: And he did inform me
6 that the LIPS Department did get some of their
7 employees back. So -- and that was just last
8 week on the third. I don't know if it's all of
9 them within that department yet but definitely
10 someone to be able to help with all the
11 complaints that are coming through that office.

12 MR. GAUGHAN: That's great. Thank
13 you very much, Dr. Rothchild. And as I state,
14 I am hopeful with the new administration and
15 everybody working together. But again, I'm --
16 I really want to see an actual comprehensive
17 cohesive strategy to deal with these issues
18 because it is -- yesterday really concerned me.

19 And I've have been concerned for
20 quite some time. So I'll look forward to those
21 conversations. Also 913-915 Eynon Street, this
22 is an issue that was again it was brought up at
23 least a year or two ago.

24 I hear now again yesterday from the
25 neighbors out there that the house is still in

1 the same shape that it was a few years ago.
2 Nothing has been done according to the
3 neighbors by the property owner. There's a
4 terrible smell coming from the house.

5 A year or two ago Judge Munley gave
6 the owner a period of time to get the house up
7 to code. And the ball has been -- apparently
8 the ball has been completely dropped by
9 someone. I don't know if there was no follow
10 through, but the conclusion that I think
11 everyone came to when this was brought up a
12 year or two ago was that the house needed to be
13 demolished.

14 The gentleman was given time to
15 rehab the house. Again, the neighbors are
16 stuck. The ones who pay their taxes who are
17 again, good families who have lived there their
18 entire lives, they get stuck holding the bag.
19 So I know that several of the neighbors have
20 contacted the administration with questions as
21 to where this is at.

22 And I did ask Mrs. Reed to follow up
23 again with the Licensing and Inspections
24 Department. It is really a disgrace.
25 Newswatch 16 was out there a year and a half,

1 two years ago. And here we are today and
2 nothing has been done.

3 Councilman Schuster brought up the
4 1600 block of Sanderson Avenue. Again, I spoke
5 to the neighbor there within the last few days,
6 major quality of life issues similar to what's
7 going on on Church Avenue. So we did send that
8 to the Licensing and Inspections Department.

9 As for the fireworks, it's the worst
10 since I've been on Council. Maybe in my
11 lifetime it's the worst that I have ever seen
12 with fireworks in terms of the number of calls
13 that we received, the number of e-mails, the
14 number of calls maybe to the police department.

15 Just a guess, it might be due to the
16 pandemic and that people can't get out to the
17 different firework shows. It seems like
18 everybody rushed out and bought fireworks and
19 everyone put on a show at the same time on July
20 4th and even two weeks prior to that and
21 there's still people blowing off fireworks.

22 But I agree with all of the
23 correspondence that we received, all the calls
24 that I received. Something has to be done for
25 our people living in our neighborhoods, for our

1 veterans and the veteran that lives by me who
2 actually stopped by my house and said that, you
3 know, PTSD does come back when it's out of
4 control.

5 People could understand on the 4th
6 of July. But two weeks before and a week or
7 two weeks after is just unacceptable. People
8 with pets, it's just -- and small children, it
9 really is, it's unacceptable. I agree with
10 Councilman Donahue and other Council people
11 today who talked about and Solicitor Hayes Act
12 43 and the fact that that has to be repealed.

13 And I believe now it's going to the
14 state house. Senator Blake has been trying to
15 help us out to give us control over what goes
16 on in our City. Right now we're kind of --
17 it's really not up to us. So Act 43 preempts
18 us from regulating consumer fireworks via a
19 municipal ordinance.

20 We do have something on the agenda
21 tonight calling on the Commonwealth to
22 reinstate the Fireworks Act of 1939. And I'm
23 hopeful that it will increase patrols and
24 increase enforcement that that will be helpful.
25 So I think help should be on the way there.

1 I asked for an update from OECD on
2 the walkability study. We do have legislation
3 on our agenda tonight applying for a grant,
4 like a transportation type grant. And I had
5 asked the OECD Director. She told me at that
6 time that they were researching the proposal by
7 Mr. Speck.

8 In reviewing the resolution they
9 were unsure where the money was going to come
10 from. I did put them in touch with -- the
11 former Mayor Wayne Evans who was really
12 involved heavily in the study at that time.

13 So I don't think it's really gotten
14 off the ground at all yet. But I'm hoping that
15 now -- before the end of the year they'll have
16 some kind of movement because I do believe the
17 money is in place to get that done.

18 I also requested today from the
19 Controller, John Murray, the overtime report
20 to see where we're at with the different
21 departments. Also, Mrs. Reed, I know we've
22 requested this before but we continually get
23 e-mails from residents in terms of stormwater
24 management and where we're at with the Herbert,
25 Rowland and Grubic report that we were going to

1 receive at some point.

2 So if you could just touch base with
3 Mr. King and Mr. Preambo from the DPW on a
4 status on that report, that would be very
5 helpful. And that's all I have for tonight.
6 Mrs. Reed?

7 MS. REED: Thank you. 5-B. FOR
8 INTRODUCTION – AN ORDINANCE – AMENDING FILE OF
9 THE COUNCIL NO. 111, 2017 OF THE CITY OF
10 SCRANTON ADOPTING AND IMPLEMENTING
11 THE Act 47 EXIT PLAN FOR THE CITY OF SCRANTON
12 PURSUANT TO THE FINANCIALLY DISTRESSED
13 MUNICIPALITIES ACT; AND AUTHORIZING THE
14 MAYOR OF THE CITY OF SCRANTON TO ISSUE AN ORDER
15 DIRECTING THE IMPLEMENTATION OF THE Act 47 EXIT
16 PLAN AMENDMENT WHICH WILL BECOME EFFECTIVE UPON
17 ADOPTION ATTACHED HERETO AS EXHIBIT “A”
18 IN ACCORDANCE WITH THE PROVISIONS OF 53 PA.
19 C.S.A. §11701.249, THE MUNICIPALITIES FINANCIAL
20 RECOVERY ACT.

21 MR. GAUGHAN: Thank you, Mrs. Reed.
22 At this time I'll entertain a motion that Item
23 5-B be introduced into its proper committee.

24 DR. ROTHCHILD: So moved.

25 MR. GAUGHAN: Is there a second?

1 MR. MCANDREW: Second.

2 MR. GAUGHAN: On the question?

3 MR. DONAHUE: On the question, I'm
4 really interested to see the list from DCED on
5 what they fund under Act 47, sort of do a cost
6 benefit analysis in terms of what we gain and
7 what we lose by staying in Act 47.

8 But this current exit plan was
9 passed about six months before I got on
10 Council. But since I've been on Council, it's
11 just thing after thing that we just -- and it's
12 just going back to what the discussion just
13 was. You talk about it but there was no action
14 on it.

15 Whether it's the Payroll Prep Tax,
16 the OPEB Trust Fund, a debt service policy.
17 The list goes on. So what's the benefit of it?
18 I mean, we actually have to act here. Over 70
19 percent of the voters in last year's election
20 approved the Payroll Prep Tax.

21 And I'm just -- I don't -- if you
22 look over the course of the last 28 years and
23 you say, has the total affect of being labeled
24 a distressed city, is that -- is that a net
25 positive or is that a net negative?

1 And I think you could make the
2 argument that it's more of a net negative than
3 a net positive over the course of 28 years. So
4 I will vote to introduce tonight because I
5 think this issue still needs to be debated over
6 the next couple weeks.

7 But as of right now, I can't in good
8 conscience vote for an 18-month extension. I'd
9 consider a 6-month extension due to the
10 pandemic, but not 18 months. That's where I am
11 for right now. And I look forward to having
12 this discussion moving forward over the next
13 couple weeks.

14 MR. GAUGHAN: Anyone else on the
15 question?

16 MR. SCHUSTER: Yeah, I echo some of
17 Councilman Donahue's remarks there. I would
18 like to see this list where we're at when it
19 comes to the pros of remaining in Act 47. And
20 I do think the City and the other advocates for
21 the Payroll Prep Tax do need to speak with the
22 school district.

23 I think that's kind of been left
24 where it -- where the conversation ended
25 several months ago. So, I mean, if the

1 extension is to wait on the district, I think
2 some people that have some of that, that real
3 data that was promised during the last
4 administration need to meet with the
5 administration of the school district so the
6 Scranton School Board does have that
7 information to go over so they could make a
8 sound judgment call on that as well.

9 MR. GAUGHAN: Anyone else? I have a
10 comment. I'm going to be voting for this
11 legislation to introduce and then for final
12 passage to extend the City's stay in Act 47 for
13 18 months for several reasons.

14 First, as everyone knows, we've been
15 distressed under Act 47 for 28 years.
16 According to our recovery coordinator, the City
17 was set to exit Act 47 this July prior to the
18 pandemic occurring.

19 The pandemic occurred which
20 obviously had a devastating affect on the
21 City's finances. We saw that tonight by the
22 presentation from the Pennsylvania Economy
23 League and before that with our Business
24 Administrator stating that we're potentially
25 looking at between a 6 to 10 million dollar

1 deficit.

2 Voting against the 18-month
3 extension would hurt -- I believe it would hurt
4 the City in several ways and honesty would
5 really defy logic at this point. It would be
6 similar to throwing the baby out with the bath
7 water or being in the middle of surgery on the
8 operating table and just getting up and walking
9 out of the hospital.

10 Every municipality in the state is
11 in the same boat here through no fault of their
12 own. Again, you could argue that act -- there
13 are issues with Act 47 as a whole. I made that
14 argument over the last few years. But to just
15 want to get out of Act 47 for the sake of
16 shedding the title of distressed status when
17 we're in the middle of a pandemic doesn't make
18 any sense.

19 There are several reasons why we
20 should stay in Act 47 for 18 months. One of
21 the major reasons is the recommendation in our
22 three year exit plan was a transition to a
23 Payroll Preparation Tax and the elimination of
24 the despised Business Privilege and Mercantile
25 Tax.

1 The transition cannot occur if the
2 City is out of Act 47. So if everyone on
3 Council voted against this legislation to amend
4 the exit plan and to stay in for 18 months to
5 give us more time to make the transition, if we
6 all voted against it, we would not be able to
7 transition from the Business Privilege and
8 Mercantile Tax to the Payroll Prep Tax.

9 This recommendation was put to
10 referendum in the fall of November, 2019. And
11 the people of Scranton overwhelmingly voted in
12 favor of the measure. Again, if we were to
13 vote against this legislation tonight or final
14 passage, it would mean that the vote of roughly
15 70 percent of Scrantonians who have expressed
16 their support for the transition would be
17 negated.

18 And it would really set up an
19 unnecessary additional roadblock on the path of
20 modernizing our tax system. The transition to
21 a Payroll Prep Tax would do several things.
22 Number one, it would encourage business
23 development which we desperately need in the
24 City.

25 It would enable a more predictable

1 efficient collection of taxes which we also
2 need. And it would expand the City's tax base
3 to businesses that are currently exempt from
4 the Business Privilege and Mercantile Tax.

5 As everyone on this board knows and
6 many people throughout the City, the current
7 Business Privilege and Mercantile Tax has
8 driven existing businesses out of the City over
9 the years and served as a strong deterrent for
10 new business coming into Scranton.

11 Have there been challenges in
12 implementing the transition specifically with
13 the school district, certainly. There has been
14 many challenges. I know in speaking today to
15 Pat Sheridan and Carl Deeley, they have been
16 speaking extensively with Mr. Laffey from the
17 school district. Those conversations are
18 ongoing.

19 And I'm very confident that we will
20 be able to make this transition. Eighteen
21 months gives us the opportunity to do that.
22 Without the 18 months, we don't even have the
23 opportunity because we can't make the
24 transition without being in Act 47. That is
25 the law. So that would be really the main

1 reason.

2 The second reason is, it's really an
3 inopportune time to make any kind of a
4 determination on the long-term financial
5 position of the City in the middle of a
6 pandemic with all of the adverse effects that
7 it brings.

8 Eighteen months should be enough
9 time to work with the state officials and DCED
10 to reevaluate our distressed status in the
11 future when conditions have hopefully
12 stabilized. The -- Councilman Donahue
13 mentioned the six -- maybe doing six months.

14 I don't -- according to what PEL
15 said tonight, I don't even think that's
16 possible according to the law. I think it has
17 to be 18 months or nothing. I think 18 months,
18 why wouldn't we do that? It gives us time to
19 reevaluate everything.

20 And it gives us time to make that
21 transition from the Business Privilege and
22 Mercantile Tax to the Payroll Preparation Tax.
23 So again, the positives outweigh the negatives.
24 If it's just about -- if it's just about
25 shedding the -- shedding the title of

1 distressed, we've been distressed for 28 years.

2 So, I mean, shedding it in the
3 middle of a pandemic to me doesn't make any
4 sense. I think for whatever benefits there
5 might be, we should stay in. And I think we
6 should do the logical thing and do the right
7 thing for the citizens of Scranton. Anyone
8 else?

9 MR. MCANDREW: Yes.

10 MR. DONAHUE: I would just like to
11 make two real quick comments. I don't think
12 it's just in terms of the ability again to just
13 to shed the distressed status. I mean, there's
14 a possibility that we lose 3.2 million dollars
15 this year and 3.2 million dollars next year and
16 triple LST.

17 You know, that's one financial
18 aspect I think that needs to be weighed. And
19 it's not 100 percent one way or another. But
20 it's still a possibility. And then in terms of
21 payroll prep, I mean, we were in a meeting I
22 think it was at the beginning of March right
23 before this all hit.

24 And we were -- we basically had set
25 today as the deadline to have legislation in

1 front of Council to go ahead with the
2 conversion into the payroll prep from the
3 Business Privilege and Mercantile. So it's not
4 something that needs to take 18 months.

5 And then if you wait a year, you're
6 also decreasing your base number because that
7 base number next year would have to be based
8 off the collection this year.

9 MR. GAUGHAN: Right. But if we
10 leave we don't even have that -- if we don't --
11 if we don't take the 18-month extension, which
12 I believe every other distressed municipality
13 in the state is going to do, we don't even
14 have -- we don't have that option. The option
15 is totally off the table.

16 I get what you're saying, Councilman
17 Donahue. But, you know, to leave is to not
18 even have -- then we don't have any option. I
19 mean, we can argue over the semantics of
20 hopefully they get it done sooner rather than
21 later.

22 But again, if we leave and we vote
23 against this, then we don't -- that option is
24 off the table. And as I said, 70 percent of
25 the City said that they want to see this happen

1 for all the reasons that I just mentioned. So
2 you can --

3 MR. DONAHUE: So it should have been
4 done already.

5 MR. GAUGHAN: Right, but it's not.
6 And again, if we leave Act 47, then we don't
7 even have the option. So I think just from a
8 logical perspective you would want to give
9 yourself the option and have this new
10 administration work with the school district to
11 hopefully -- to hopefully get it done.

12 But to leave, you don't -- the
13 option is off the table, which I mean you're --
14 I think we would be putting a hurdle up in
15 front of us that is just unnecessary.

16 DR. ROTHCHILD: I just want to add,
17 I understand how frustrating that this is for
18 the City when we've already been in distressed
19 status for how long. And to put it off for a
20 longer period of time is the last thing that I
21 would want to do frankly as well.

22 But, you know, given what has
23 happened with the COVID-19, we're in a very
24 different place than we imagined we would be.
25 And the 18 month extension I see it as not just

1 being because of the hopeful transition to the
2 payroll tax but because of the fear of there
3 being a second wave but also the unknown as to
4 what will happen in the next few months with
5 revenue loss with the City if we get shut down
6 again and we lose even more money.

7 This is sort of the last thing on my
8 mind as to exiting Act 47 because we're going
9 to have some other priorities at that point to
10 ensure the financial stability of the City.

11 And so, you know, I think I'm more
12 comfortable with the additional time for fear
13 of a second wave and, like I said, fear of the
14 unknown with our finances. We have estimates.
15 But, I mean, those estimates can change.
16 That's all that they are. So that's where I
17 stand.

18 MR. GAUGHAN: Councilman McAndrew,
19 do you have anything to add?

20 MR. MCANDREW: Yes, I'll be voting
21 yes for the extension because of circumstances.
22 But that doesn't mean I'm not happy with the
23 process. You know, the length of Act 47, the
24 regards to Payroll Prep Tax that was discussed
25 with only a few people since 2015.

1 When I was on the School Board, we
2 weren't even included in the conversation. But
3 it was expected to just fall in place on the
4 final hour, which I had problem with. And, you
5 know, and I remember I had at least one meeting
6 where I asked, well, why don't we phase it in
7 like Pittsburgh did?

8 And I was told by our Business
9 Administrator in Scranton, I don't know that
10 answer. Like I said, I'll vote for the
11 extension because of the circumstances. But
12 I'm not happy with the whole process. And I
13 hope we don't have the same conversation 18
14 months from now where we're going to say, oh,
15 you know, we need more time or we didn't do
16 this because of that. All right? That's just
17 where I'm at. Thank you.

18 MR. GAUGHAN: Anyone else on the
19 question? All those in favor of introduction
20 signify by saying aye.

21 MR. SCHUSTER: Aye.

22 MR. MCANDREW: Aye.

23 MR. DONAHUE: Aye.

24 DR. ROTHCHILD: Aye.

25 MR. GAUGHAN: Aye. Opposed? The

1 ayes have it and so moved.

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

20 MR. GAUGHAN: Thank you, Mrs. Reed.
21 At this time I'll entertain a motion that Item
22 5-C be introduced into its proper committee.

23 MR. SCHUSTER: So moved.

24 DR. ROTHCHILD: Second.

25 MR. GAUGHAN: On the question? All

1 those in favor of introduction, signify by
2 saying aye.

3 MR. SCHUSTER: Aye.

4 MR. MCANDREW: Aye.

5 MR. DONAHUE: Aye.

6 DR. ROTHCHILD: Aye.

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

9 MS. REED: 5-D. FOR INTRODUCTION -
10 A RESOLUTION - CALLING ON THE COMMONWEALTH
11 OF PENNSYLVANIA TO REINSTATE THE FIREWORKS ACT
12 OF 1939.

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

16 DR. ROTHCHILD: So moved.

17 MR. DONAHUE: So moved.

18 MR. GAUGHAN: Is there a second?

19 MR. MCANDREW: Second.

20 MR. GAUGHAN: On the question? On
21 the question just to reiterate, again, we've
22 been kind of besieged by complaints from
23 residents throughout the City of Scranton
24 regarding the fireworks issues, not only on
25 July 4th, but previous to that and even up and

1 until today.

2 I support this legislation calling
3 on the Commonwealth of Pennsylvania to
4 reinstate the Fireworks Act. It really will
5 give us as a municipality more control over
6 regulating the fireworks issues that we're
7 having.

8 And it will prohibit people from
9 going out and buying these commercial grade
10 fireworks which in all reality there should be
11 a professional that is helping to blow these
12 off. The second thing is that, you know, in
13 the City, I believe you have to be 150 feet
14 away from a building or a structure to blow off
15 those fireworks.

16 It's very hard to find an area in
17 the City where you could be 150 feet away from
18 a structure unless you are in the middle of the
19 woods or in the middle of a baseball field. I
20 think we have to look at that as well. I know
21 Wilkes-Barre is taking some measures that I
22 think we might be able to look at.

23 But I think the first step is to
24 definitely call on our -- the Commonwealth of
25 Pennsylvania and our state legislature to get

1 on board and help our elderly people, our
2 veterans who suffer from PTSD, people who have
3 reached out to us who have pets that are not
4 right for weeks after as we all know.

5 And now this is something that is
6 very serious and I think Council is making the
7 right move here by voting on this legislation.
8 Anyone else on the question?

9 MR. DONAHUE: Just to add to
10 Councilman Gaughan's statement about, you know,
11 being 150 feet away. It is also illegal to set
12 off fireworks on any City property. So any
13 City park or City owned baseball field, that
14 must be 150 feet away from any occupied
15 structure is still illegal because it's
16 considered City property.

17 DR. ROTHCHILD: Yeah, as we're
18 having this conversation about to vote on this
19 piece of legislation, I'm hearing some
20 fireworks in the background just kind further
21 away so I don't think you'll be able to hear
22 them on camera.

23 But, yeah, this has been insane.
24 And it's all hours of the day and night. You
25 know, it's really affecting people's quality of

1 life. It's, you know, really difficult I think
2 for veterans or people experiencing PTSD to
3 deal with.

4 You know, people are fearful for
5 their homes if they're going to be set on fire
6 by the nearby fireworks. So I am obviously in
7 favor of this to be able to call on
8 legislators.

9 But I think we need help from the
10 public to also contact their state legislators
11 to repeal this act. And also, if people can
12 remember to call the non emergency line, you
13 know, that they might be thinking that well,
14 someone else might have already called who was
15 in the neighborhood.

16 But if someone hasn't, then the
17 police might not be aware of it. And so if you
18 are hearing them and if it's a problem, then
19 make sure to call that line so that someone can
20 get out there and at least give out a fine to
21 whoever is setting them off.

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

25 MR. SCHUSTER: Aye.

1 MR. MCANDREW: Aye.

2 MR. DONAHUE: Aye.

3 DR. ROTHCHILD: Aye.

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

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

7 READING BY TITLE - FILE OF THE COUNCIL NO. 11,
8 2020 - AN ORDINANCE - APPROVING THE TRANSFER OF
9 A RESTAURANT LIQUOR LICENSE OWNED BY OAK STREET
10 EXPRESS, LLC, 610 NORTH MAIN STREET, TAYLOR,
11 LACKAWANNA COUNTY, PENNSYLVANIA, 18517
12 RESTAURANT LIQUOR LICENSE NO. R-3114 TO ARADHY
13 BEV BEER, LLC, (THE "MINI MART"), 401 WYOMING
14 AVENUE, SCRANTON, LACKAWANNA COUNTY,
15 PENNSYLVANIA, 18503, AS REQUIRED BY THE
16 PENNSYLVANIA LIQUOR CONTROL BOARD.

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

19 MR. DONAHUE: I move that Item 6-A
20 pass reading by title.

21 DR. ROTHCHILD: Second.

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

24 MR. SCHUSTER: Aye.

25 MR. MCANDREW: Aye.

1 MR. DONAHUE: Aye.

2 DR. ROTHCHILD: Aye.

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

5 MS. REED: SEVENTH ORDER. 7-A. FOR
6 CONSIDERATION BY THE COMMITTEE ON COMMUNITY
7 DEVELOPMENT - FOR ADOPTION - RESOLUTION NO. 40,
8 2020 - RATIFYING AND APPROVING THE EXECUTION
9 AND SUBMISSION OF A GRANT APPLICATION
10 BY THE CITY OF SCRANTON TO THE COMMONWEALTH OF
11 PENNSYLVANIA, ACTING THROUGH THE DEPARTMENT OF
12 HEALTH, IN AN AMOUNT OF UP TO \$20,000.00 FOR
13 THE PROJECT TO BE KNOWN AS "ACTIVE
14 TRANSPORTATION PLAN", AND AUTHORIZING THE MAYOR
15 AND OTHER APPROPRIATE CITY OFFICIALS OF THE
16 CITY OF SCRANTON, PENNSYLVANIA, TO ACCEPT THE
17 GRANT, IF SUCCESSFUL, AND EXECUTE AND ENTER
18 INTO GRANT CONTRACT AND COMMITMENT LETTER WITH
19 THE COMMONWEALTH OF PENNSYLVANIA AND TO UTILIZE
20 THE GRANT FOR SUCH PROJECT.

21 MR. GAUGHAN: What is the
22 recommendation of the Chairperson for the
23 Committee on Community Development?

24 DR. ROTHCHILD: As Chair for the
25 Committee on Community Development, I recommend

1 final passage of Item 7-A.

2 MR. GAUGHAN: Is there a second?

3 MR. MCANDREW: Second.

4 MR. SCHUSTER: Second.

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

7 MS. CARRERA: Mr. Schuster.

8 MR SCHUSTER: Yes.

9 MS. CARRERA: Mr. McAndrew.

10 MR. MCANDREW: Yes.

11 MS. CARRERA: Dr. Rothchild.

12 DR. ROTHCHILD: Yes.

13 MS. CARRERA: Mr. Donahue.

14 MR. DONAHUE: Yes.

15 MS. CARRERA: Mr. Gaughan.

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

18 MS. REED: 7-B. FOR CONSIDERATION BY
19 THE COMMITTEE ON COMMUNITY DEVELOPMENT -
20 FOR ADOPTION - RESOLUTION NO. 41, 2020 -
21 RATIFYING AND APPROVING THE SUBMISSION AND
22 EXECUTION OF A GRANT APPLICATION
23 BY THE CITY OF SCRANTON TO THE MAYOR'S
24 INNOVATION PROJECT - HEALTHY BABIES, BRIGHT
25 FUTURES, BRIGHT CITIES FOR A GRANT, IN

1 THE AMOUNT OF \$5,000.00 FOR THE PROJECT TO BE
2 KNOWN AS "SCRANTON PLAYGROUND PALS:KEEPING OUR
3 KIDS SAFE & HEALTHY", AND AUTHORIZING THE MAYOR
4 AND OTHER APPROPRIATE CITY OFFICIALS OF
5 THE CITY OF SCRANTON, PA, TO ACCEPT THE GRANT,
6 AND EXECUTE AND ENTER INTO A GRANT AGREEMENT TO
7 ACCEPT AND UTILIZE THE GRANT IN THE AMOUNT OF
8 \$5,000.00 AWARDED BY THE MAYOR'S INNOVATION
9 PROJECT.

10 MR. GAUGHAN: What is the
11 recommendation from the Chairperson for the
12 Committee of Community Development?

13 DR. ROTHCHILD: As Chair for the
14 Committee on Community Development, I recommend
15 final passage of Item 7-B.

16 MR. GAUGHAN: Is there a second?

17 MR. MCANDREW: 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-B legally and lawfully adopted.

6 MS. REED: 7-C. FOR CONSIDERATION
7 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -
8 FOR ADOPTION - RESOLUTION NO. 42, 2020 -
9 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
10 CITY OFFICIALS TO APPLY FOR AND EXECUTE A
11 GRANT FOR THE REDEVELOPMENT ASSISTANCE CAPITAL
12 PROGRAM (RACP) THROUGH THE COMMONWEALTH OF
13 PENNSYLVANIA'S OFFICE OF THE BUDGET IN THE
14 AMOUNT OF TWO MILLION (\$2,000,000.00) DOLLARS;
15 ACCEPTING AND DISBURSING THE GRANT IF THE
16 APPLICATION IS SUCCESSFUL; AND COORDINATE THE
17 USE OF THE GRANT FUNDS WITH "LACE BUILDING
18 AFFILIATES, LP", FOR THE PROJECT TO BE NAMED
19 THE "SCRANTON LACE ADAPTIVE USE PROJECT".

20 MR. GAUGHAN: What is the
21 recommendation of the Chairperson for the
22 Committee on Community Development?

23 DR. ROTHCHILD: As Chair for the
24 Committee on Community Development, I recommend
25 final passage of Item 7-C.

1 MR. DONAHUE: Second.

2 MR. GAUGHAN: On the question? Roll
3 call, please.

4 MS. CARRERA: Mr. Schuster.

5 MR. SCHUSTER: Yes.

6 MS. CARRERA: Mr. McAndrew.

7 MR. MCANDREW: Yes.

8 MS. CARRERA: Dr. Rothchild.

9 DR. ROTHCHILD: Yes.

10 MS. CARRERA: Mr. Donahue.

11 MR. DONAHUE: Yes.

12 MS. CARRERA: Mr. Gaughan.

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

15 MS. REED: 7-D. FOR CONSIDERATION
16 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -
17 FOR ADOPTION - RESOLUTION NO. 43, 2020 -
18 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
19 CITY OFFICIALS TO ACCEPT A GRANT FOR THE
20 REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM (RACP)
21 THROUGH THE COMMONWEALTH OF PENNSYLVANIA'S
22 OFFICE OF THE BUDGET IN THE AMOUNT OF TWO
23 HUNDRED FIFTY THOUSAND (\$250,000.00) DOLLARS;
24 AND COORDINATE THE USE OF THE GRANT FUNDS WITH
25 "SCRANTON-CHERRY, L.P. OR THEIR DESIGNEE", FOR

1 THE PROJECT TO BE NAMED THE "SCRANTON
2 COUNSELING CENTER PROJECT".

3 MR. GAUGHAN: What is the
4 recommendation of the Chairperson for the
5 Committee on Community Development?

6 DR. ROTHCHILD: As Chair for the
7 Committee on Community Development, I recommend
8 final passage of Item 7-D.

9 MR. GAUGHAN: Is there a second?

10 MR. DONAHUE: Second.

11 MR. GAUGHAN: On the question? Roll
12 call, please.

13 MS. CARRERA: Mr. Schuster.

14 MR. SCHUSTER: Yes.

15 MS. CARRERA: Mr. McAndrew.

16 MR. MCANDREW: Yes.

17 MS. CARRERA: Dr. Rothchild.

18 DR. ROTHCHILD: Yes.

19 MS. CARRERA: Mr. Donahue.

20 MR. DONAHUE: Yes.

21 MS. CARRERA: Mr. Gaughan.

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

24 MS. REED: 7-E. FOR CONSIDERATION
25 BY THE COMMITTEE ON FINANCE - FOR ADOPTION

1 - RESOLUTION NO. 44, 2020 - AUTHORIZING THE
2 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO
3 ACCEPT THE AWARD OF GRANT FUNDS FROM THE
4 WILLARY FOUNDATION IN THE AMOUNT OF \$50,000 TO
5 UNDERTAKE A STUDY TO EVALUATE TAX POLICY,
6 BILLING, AND COLLECTIONS WITH THE GOAL OF
7 INCREASING COLLECTION RATES, STRENGTHENING
8 INTERNAL CONTROLS, ELIMINATING WASTE AND
9 PROVIDING TAX RELIEF FOR SCRANTON RESIDENTS.

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

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

16 MR. DONAHUE: Second.

17 MR. GAUGHAN: On the question?

18 MR. SCHUSTER: On the question, does
19 the administration at this time know what firm
20 is going to be conducting this review?

21 MR. GAUGHAN: Based on the backup
22 legislation, I don't believe so unless they
23 chose somebody. But that is a good question.
24 Well, I don't think they could have chose
25 somebody without the money in hand.

1 But I think we should -- we should
2 pose that question to them. It's a good
3 question.

4 MR. SCHUSTER: Can we send that
5 correspondence over?

6 MR. GAUGHAN: Sure. Mrs. Reed, can
7 you inquire with the Business Administrator?

8 MS. REED: Of course.

9 MR. SCHUSTER: And then also,
10 although we're -- this is going to be reviewed
11 to study the current taxing structure, are they
12 going to include in this a review of that hard
13 data for that payroll tax conversion? Or is
14 the payroll tax conversion going to be part of
15 that review? Do we know that?

16 MR. GAUGHAN: I don't know for sure.
17 I think that would be -- probably be included
18 with that since they're talking about
19 evaluating billing collections with the goal of
20 increasing collection rates. But I'm not 100
21 percent positive. But I think that's something
22 else that we can inquire about.

23 MR. SCHUSTER: Yeah, so if we can
24 add that as well.

25 MR. GAUGHAN: Sure.

1 MR. SCHUSTER: Thank you.

2 MR. GAUGHAN: You're welcome.

3 Anyone else on the question? Roll call,
4 please.

5 MS. CARRERA: Mr. Schuster.

6 MR SCHUSTER: Yes.

7 MS. CARRERA: Mr. McAndrew.

8 MR. MCANDREW: Yes.

9 MS. CARRERA: Dr. Rothchild.

10 DR. ROTHCHILD: Yes.

11 MS. CARRERA: Mr. Donahue.

12 MR. DONAHUE: Yes.

13 MS. CARRERA: Mr. Gaughan.

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

16 MS. REED: 7-F. FOR CONSIDERATION
17 BY THE COMMITTEE ON RULES - FOR ADOPTION -
18 RESOLUTION NO. 45, 2020 - ENCOURAGING THE
19 UNITED STATES SENATE TO PASS LOCAL GOVERNMENT
20 FISCAL ASSISTANCE AND CALLING ON THE
21 UNITED STATES SENATE TO ADOPT THE FUNDING
22 ENHANCEMENTS TO THE FEDERAL MEDICAL ASSISTANCE
23 PERCENTAGES (FMAP) AS PROVIDED IN
24 THE HEROES ACT HR 6800.

25 MR. GAUGHAN: As Chairperson for the

1 Committee on Rules, I recommend final passage
2 of Item 7-F.

3 MR. DONAHUE: Second.

4 MR. GAUGHAN: On the question? On
5 the question, I just want to reiterate two
6 things here. I've spoken about this the last
7 few weeks. I can't reiterate and stress how
8 important it is for everyone who may be
9 watching this Council meeting and anyone else
10 in the City of Scranton to contact your State
11 Senators, your State Legislators, your Federal
12 Legislators, Senator Toomey, Senator Casey.
13 Congressman Cartwright.

14 We need to make sure that they
15 understand that the citizens of Scranton if we
16 don't get help from the federal government,
17 your taxes are going to go up. Your city taxes
18 are going to go up. School District taxes are
19 going to go up. And quite honestly your county
20 taxes will go up.

21 And when I look at what's going on
22 throughout the country, the airline industry is
23 getting a major bailout. The travel industry
24 gets a major bailout. All of these
25 corporations and businesses are getting

1 bailouts from the federal government.

2 While cities like Scranton are left
3 still with -- this legislation kind of still in
4 flux is still being left out in the cold to
5 deal with this problem by ourselves and that
6 eventually if nothing changes is going to be
7 transferred on the backs of the hardworking
8 people of the City of Scranton.

9 So I don't think that we as
10 Scrantonians and we as elected officials are
11 asking for a bailout. You're giving billions
12 of dollars as I said to Boeing, to different
13 companies throughout the travel industry.
14 That's a bailout.

15 We're asking for the federal
16 government to reinvest the hard earned tax
17 dollars back into our City to avert a financial
18 disaster. We had our Business Administrator in
19 three weeks ago. We're going to have a
20 potential deficit between 6 to 10 million
21 dollars.

22 Money is not flowing from trees in
23 the City of Scranton as everybody knows. It
24 has to come from someplace whether we borrow or
25 whether we have to increase taxes. And it may

1 be hard to understand the plight of the working
2 middle class people when you're on your perch
3 in Washington, D.C.

4 But this is real life. All of us on
5 Council have to make very difficult decisions.
6 And staring down the barrel of a 6 to 10
7 million dollar deficit through no fault of
8 anybody's because of the public health crisis
9 and then having to basically beg our federal
10 legislators to include cities in this next
11 round of funding is ridiculous.

12 So I really -- what I'm saying is
13 we need your help. We need you to contact your
14 federal legislators. We need you to call them.
15 We need you to e-mail them. We need you to
16 write them. We're going to send this
17 legislation to our Senators and our
18 Congressmen.

19 Councilman Donahue and I were on the
20 phone with Senator Casey's office who Senator
21 Casey has been more than helpful and wants this
22 funding to get to the City of Scranton. We
23 need to convince our Republican friends like
24 Senator Toomey to make sure that he does not
25 leave cities like Scranton and our hardworking

1 middle class citizens of Scranton out in the
2 cold. So again, it's important.

3 We're going to send this to them to
4 make sure that they have it. I know the
5 Mayor's requested a meeting with Senator
6 Toomey. We have requested a face-to-face
7 meeting with Senator Toomey to make sure that
8 he understands and all of our Federal
9 Legislators understand if we don't get the
10 funding, it's going to be the people who
11 suffer.

12 And people are already suffering.
13 So we don't want to add to the burden. We've
14 been told, well, you got funding through the
15 county. That's true. But it's for
16 expenditures. It's the revenue where we're
17 taking the hit -- where we're going to take the
18 hit. So that's where we're going to need the
19 funding.

20 So again, we really need the people
21 of Scranton to step up to annoy as much as you
22 can our offices of our federal legislators and
23 make sure that they understand that if they
24 don't provide assistance, we are not going to
25 forget and from now until this heros bill and

1 it's hopefully passed, we're going to make as
2 much noise as possible.

3 Councilman Donahue, Councilman
4 McAndrew, Councilman Schuster, Dr. Rothchild,
5 we're going to do everything that we possibly
6 can along with Mayor Cignetti to make sure that
7 we're fighting on behalf of the people of this
8 City because this pandemic is no one's fault.

9 And we can't allow the travel
10 industry and the airline industry to be bailed
11 out with billions of dollars and then be
12 expected to just raise people's taxes and have
13 them pay for it when they've been paying their
14 taxes their entire lives. So that's all.

15 MR. DONAHUE: Just to add onto
16 Mr. Gaughan's point, local and state
17 governments across the country make up about 10
18 to 11 percent of GDP. If there is any other
19 industry throughout the country that was facing
20 the financial hardships that state and local
21 governments are and they made up 10 percent of
22 GDP, funding would be provided in no time.

23 I know a part of the debate in
24 Washington is going to be whether another
25 stimulus check should be a part of the rules.

1 I mean, if they want to send out a stimulus
2 check so they put (inaudible) name on the check
3 before the election, I mean, people might as
4 well put that in savings because that's where
5 your taxes are going to go up next year.

6 If we think a 10 million dollar
7 deficit on the high end of our projection
8 there's -- it doesn't matter whether we're in
9 Act 47 or not. There is absolutely no way we
10 make up a 10 million dollar shortfall without
11 severe cuts to essential services.

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

14 MR. MCANDREW: Yeah, I echo all of
15 your sentiments. But let's not forget who
16 bailed out these billion dollar companies, who
17 paid for it. We did. So in turn and, you
18 know, I know you mentioned the airlines; but
19 cruise lines who don't pay taxes in the United
20 States got billions of dollars in bailouts.

21 So it's -- since we paid for that I
22 think we're entitled to -- I shouldn't say
23 entitled. We're owed some money. So I agree.
24 We have to reach out. We got to put the
25 pressure on, especially at the federal level so

1 we can get the same type of, you know, if you
2 want to call it bailout, whatever. Thank you.

3 MR. GAUGHAN: I agree. Anyone else
4 on the question? Roll call, please.

5 MS. CARRERA: Mr. Schuster.

6 MR. SCHUSTER: Yes.

7 MS. CARRERA: Mr. McAndrew.

8 MR. MCANDREW: Yes.

9 MS. CARRERA: Dr. Rothchild.

10 DR. ROTHCHILD: Yes.

11 MS. CARRERA: Mr. Donahue.

12 MR. DONAHUE: Yes.

13 MS. CARRERA: Mr. Gaughan.

14 MR. GAUGHAN: Yes. I hereby declare
15 Item 7-F legally and lawfully adopted. If
16 there's no further business, I will entertain a
17 motion to adjourn.

18 MR. MCANDREW: I just want to say
19 something I didn't get a chance to say earlier.
20 Kyle made a great point -- or, I'm sorry, Mr.
21 Donahue made a great point earlier saying, you
22 know, of course we can do our part and take our
23 own recyclables to say Fiegleman's which is
24 located in the City.

25 Why don't we take the trucks that

1 are picking up the recyclables right now or
2 think about actually taking them trucks to
3 Fiegleman's which is a city-owned business.
4 That's all I have. Thanks.

5 MR. GAUGHAN: Thank you. If there
6 is no -- no one else has anything, no further
7 business, I'll entertain a motion to adjourn.

8 DR. ROTHCHILD: Motion to adjourn.

9 MR. DONAHUE: Motion to adjourn.

10 MR. GAUGHAN: This meeting's
11 adjourned. Thank you everyone.

C E R T I F I C A T E

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

Maria McCool, RPR
Official Court Reporter

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