

COUNCIL FOR THE CITY OF SCRANTON

HELD:

Tuesday, December 8th, 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 would please remain standing for a moment of silent reflection for our service men and women throughout the world and also for all those people who have passed away recently in our community.

Let us also take a moment of silence for all of the people in our community, in our country and across the world who have passed away from the coronavirus.

The COVID-19 pandemic has turned our world upsidedown. But we must remain hopeful and strong. We continue to pray for the doctors, nurses, researchers and all medical professionals and first responders that seek to heal, who help those affected and who put themselves at risk in the process. May they have 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 and in place of our anxiety, let us have hope and peace. Thank

1           you. Miss Carrera, roll call, please?

2                   MS. CARRERA: Mr. Schuster.

3                   MR. SCHUSTER: Present.

4                   MS. CARRERA: Mr. McAndrew.

5                   MR. MCANDREW: Present.

6                   MS. CARRERA: Dr. Rothchild.

7                   DR. ROTHCHILD: Here.

8                   MS. CARRERA: Mr. Donahue.

9                   MR. DONAHUE: Here.

10                  MS. CARRERA: Mr. Gaughan.

11                  MR. GAUGHAN: Here. Thank you.

12                  Councilman Donahue has a motion to make.

13                         MR. DONAHUE: Thank you. I'd like  
14                         to make a motion to take from the table file of  
15                         the Council No. 36 2020.

16                         MR. MCANDREW: Second.

17                         MR. GAUGHAN: There's been a motion  
18                         and a second. On the question? On the  
19                         question, this piece is being taken from table  
20                         and placed in Seventh Order tonight for a final  
21                         vote.

22                                 This is the waste disposal and  
23                                 collection fee for calendar year 2021. And,  
24                                 Mary Jo Sheridan our City Treasurer is here.  
25                                 We'll have her speak on that after we have our

1 discussion with Portnoff.

2 There are also three remaining  
3 pieces of legislation that are tabled,  
4 resolution number -- well, I'll wait a minute  
5 until we get off the question here. Is anyone  
6 else on the question on the motion? Okay. All  
7 those in favor signify by saying aye.

8 MR. SCHUSTER: Aye.

9 MR. MCANDREW: Aye.

10 MR. DONAHUE: Aye.

11 DR. ROTHCHILD: Aye.

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

14 There are three tabled pieces of  
15 legislation, Resolution No. 49 2020 which  
16 authorizes the City to accept the piece of  
17 equipment, a John Deere backhoe loader provided  
18 by Keystone Sanitary Landfill.

19 There is also file of the Council  
20 No. 35 2020, which is the City's 2021 operating  
21 budget; and file of the Council No. 37 2020, an  
22 agreement with Portnoff Law Associates to  
23 collect the City's delinquent refuse fees.

24 At Council's meeting scheduled for  
25 next week, December 15th, I will entertain a

1 motion to place the resolutions and ordinances  
2 in the Seventh Order for a final vote. So if  
3 anyone from the public would like to comment on  
4 these ordinances and resolutions, please feel  
5 free to submit your comments to our City Clerk  
6 Lori Reed at Lreed@Scrantonpa.gov or you can  
7 send written correspondence to 340 North  
8 Washington Avenue, Scranton 18503.

9 Mrs. Reed, please dispense with the  
10 reading of the minutes.

11 MS. REED: Thank you. THIRD ORDER.

12 3-A. CORRESPONDENCE RECEIVED FROM  
13 OECD EXECUTIVE DIRECTOR DATED NOVEMBER 25 AND  
14 NOVEMBER 30, 2020 REGARDING COVID-19  
15 REIMBURSEMENTS THROUGH LACKAWANNA COUNTY CARES  
16 ACT FUNDING.

17 3-B. CHECK RECEIVED FROM LACKAWANNA  
18 COUNTY IN THE AMOUNT OF \$326,203.37 FOR  
19 COVID-19 RELIEF BLOCK GRANT REIMBURSEMENT.

20 3-C. CORRESPONDENCE SENT TO MAYOR  
21 PAIGE G. COGNETTI DATED NOVEMBER 30, 2020  
22 REGARDING ORDINANCE FOR ENGAGEMENT OF PORTNOFF  
23 LAW ASSOCIATES, LTD.

24 3-D. CORRESPONDENCE SENT TO MAYOR  
25 PAIGE G. COGNETTI DATED NOVEMBER 30, 2020

1           REGARDING CLOSING DISBURSEMENTS TAX AND REVENUE  
2           ANTICIPATION NOTE FOR 2021.

3                   3-E.   LACKAWANNA COUNTY COURT OF  
4           COMMON PLEAS ORDER DATED NOVEMBER 30, 2020  
5           REGARDING CITY OF SCRANTON REQUEST TO  
6           TRANSITION TO PAYROLL PREPARATION TAX.

7                   3-F.   SINGLE TAX OFFICE CITY FUNDS  
8           DISTRIBUTED COMPARISON REPORT YEAR  
9           TO DATE 2019-2020 NOVEMBER 30, 2020.

10                  3-G.   CITY OF SCRANTON 2021  
11           OPERATING BUDGET SUMMARY OF NEW  
12           POSITIONS/JOB DESCRIPTIONS RECEIVED NOVEMBER  
13           20, 2020.

14                  3-H.   MINUTES OF THE SCRANTON  
15           REDEVELOPMENT AUTHORITY MEETING HELD  
16           NOVEMBER 4, 2020.

17                  3-I.   FUEL CARD ANALYSIS RECEIVED  
18           FROM OFFICE OF THE CITY CONTROLLER FOR THE  
19           PERIOD OCTOBER 24 THROUGH NOVEMBER 23, 2020.

20                  3-J.   MINUTES OF THE CIVIL SERVICE  
21           COMMISSION MEETING HELD NOVEMBER 5, 2020.

22                   MR. GAUGHAN:   Thank you, Mrs. Reed.  
23           Are there any comments on any of the Third  
24           Order items?   One of the comments I have,  
25           Mrs. Reed, in the -- one of the items here is

1 the job descriptions.

2 We were provided -- Council was  
3 provided within the last few days additional  
4 job descriptions that were not originally  
5 included in that document. So if you could  
6 please post those job descriptions that relate  
7 to the 2021 operating budget in Third Order for  
8 next week I would appreciate it.

9 MS. REED: Thank you.

10 MR. GAUGHAN: Okay. Since there's  
11 no other comments on the Third Order items,  
12 we'll -- received and filed. Do any Council  
13 members have any announcements at this time?  
14 No announcements, okay. Mrs. Reed.

15 MS. REED: FOURTH ORDER. CITIZENS  
16 PARTICIPATION.

17 MR. GAUGHAN: Okay. Thank you. Now  
18 we can resume our conversation with Portnoff  
19 Associates here about the agreement we're going  
20 to take up next week which is to hire Portnoff  
21 to collect the City's delinquent refuse fees.

22 I'll continue to open it up to the  
23 floor here in terms of questions for the  
24 gentlemen and Miss Sheridan who came tonight.  
25 Any other questions on the agreement or in



1           general?

2                   MR. DONAHUE: I just have one quick  
3           one just to try to make sure I understand the  
4           fees completely. So say, you know, I owe \$300  
5           from 2018. When I get my first letter, how  
6           much will that -- will I owe according to your  
7           initial letter? You're muted, Kevin.

8                   MR. BURAKS: Sorry. Better?

9                   MR. DONAHUE: Yes.

10                  MR. BURAKS: Again, it's assuming  
11           that everything that is on the account is fully  
12           collectable. The letter coming from us will be  
13           that amount plus \$40, plus the certified  
14           postage which is the -- about 5.75.

15                  MR. DONAHUE: Okay. So it would be  
16           340, you know, if I paid it right then?

17                  MR. BURAKS: Correct.

18                  MR. DONAHUE: The only reason I was  
19           asking is because I don't understand what the  
20           initial review and sending first legal demand  
21           letter 175 under the legal fees represents.

22                  MR. BURAKS: That is the second step  
23           in our process. The initial -- the \$40 plus  
24           postage, that letter basically informs them  
25           that fees have been shifted and a lien will be

1 filed if they don't do anything at that point  
2 in time.

3 As I mentioned before this,  
4 incremental steps in what we do, that's the  
5 second incremental step. But the first letter,  
6 the initial letter is \$40 plus postage,  
7 informs them of the positive incentives that I  
8 mentioned earlier, informs them of the negative  
9 incentives and that the City is going to intend  
10 to shift the fees going forward.

11 So that's the thing that triggers  
12 the ability to shift the fees going forward --  
13 that letter.

14 MR. DONAHUE: All right. Thank you.

15 DR. ROTHCHILD: I have a question  
16 that concerns I know that you were explaining  
17 earlier the need to analyze the accounts first  
18 to see, you know, for how many years they might  
19 have owed or if there are other needs existing  
20 before you get to those next steps in the  
21 process.

22 But with the amount of accounts, do  
23 you think that will take a lengthy period of  
24 time to get through and to perform that  
25 analysis before you actually get to sending out

1 the letter or are you just going to be, you  
2 know, prioritizing it? I'm wondering how long  
3 it will take before people actually start to  
4 see that first letter.

5 MR. BURAKS: Hopefully quickly.  
6 Again, it's sort of -- it's tough because we're  
7 just getting the data today for the first time.  
8 There's still a lot of open questions. But  
9 again, we're hoping to move through that as  
10 quickly as possible.

11 Again, we obviously -- we're going  
12 to spend a lot of time doing that. And that  
13 first letter, that \$40 plus postage is not --  
14 to be very honest, it's not like a profit  
15 making letter for our firm because there is a  
16 lot of work that goes into creating that first  
17 letter and getting everything out and creating  
18 the forms and things like that.

19 But we want to start the process  
20 too. As I mentioned before, we're going to  
21 be -- the same incentives to move forward and  
22 start pursuing these quickly. But again, we're  
23 not -- we're never going to take a step before  
24 we're absolutely ready to do it because we're  
25 not going put the City or our firm at risk for

1           being sued because we weren't careful.

2                       So we're going to be very careful  
3           and especially with regard to the, you know,  
4           fees and costs that are existing on those files  
5           from the old collector, we need to be 100  
6           percent sure what they are whether or not they  
7           are, in fact, collectable because we're never  
8           going to send out a letter without knowing 100  
9           percent of what we're asking for.

10                      So I know it's a little bit of a  
11           circular answer, but our goal is to do as  
12           quickly as possible. But we're also going to  
13           be as careful as possible so we're not --

14                      DR. ROTHCHILD: Okay. I wasn't sure  
15           if there was a defined period of time for how  
16           long you anticipate that taking. I just don't  
17           want to get into where it's, you know, several  
18           months down the road and then we're not seeing  
19           as much --

20                      MR. DADAY: Typically at the  
21           beginning of the year get 40 to 50,000 claims  
22           in. And we do turn them around relatively  
23           quickly. Is that right, Kevin and Dave? I'm  
24           not part of that aspect as part of the process  
25           but we do turn it around relatively quickly.

1                   This is going to be a little bit  
2                   different because we're looking at this data.  
3                   This isn't a client we've had in the past  
4                   obviously. So as Kevin has indicated, there is  
5                   this issue with Northeast, their fees and costs  
6                   we have to take a very close look at that to  
7                   make sure that there isn't going to be any  
8                   issues with regards to our collection efforts  
9                   on your behalf.

10                  I think you're going to be really  
11                  excited about what we can do for you. I know  
12                  that when I was -- many years ago when I was  
13                  the solicitor for the City of Allentown, we  
14                  hired Portnoff to collect our water and sewer  
15                  and they did a tremendous job for us.

16                  We've also done this for the City of  
17                  Easton and we continue to do it to this day. I  
18                  think at the end of the day you're going to be  
19                  really pleased with what we can produce for the  
20                  City.

21                  DR. ROTHCHILD: I understand. Thank  
22                  you. Yeah, it just seemed like what the data  
23                  and the amount of accounts, it sounds like an  
24                  overwhelming number to me. I just wanted to  
25                  get some perspective on it.

1 MR. DADAY: We've had a lot of  
2 clients too in the past who I suspect your data  
3 is probably significantly better than many of  
4 the clients that we've had. I could remember  
5 one City that we collected for and it was --  
6 it was a little, you know, it could be a little  
7 challenging. But I suspect your data is  
8 probably pretty decent.

9 MR. DONAHUE: I caution against  
10 making that assumption.

11 MR. SCHUSTER: Well, in dealing with  
12 Allentown, I think you understand some of the  
13 issues that have been facing our City recently  
14 too. When we're looking at, you know, an  
15 account or client that has 24,950 delinquencies  
16 which, you know, end up being about 4,800  
17 parcels and covers a period of 18 years, how  
18 big would you say the City of Scranton as a  
19 client is to your firm and to your other 160  
20 other clients? Would you say that's a big  
21 case?

22 MR. BURAKS: Yeah, it's definitely  
23 one of our biggest ones up there with Allentown  
24 and Easton and some of the big school districts  
25 that we have, Altoona. Yeah, it's a -- you

1           guys are a big client. Again, but we have  
2           clients -- as I mentioned before, we have  
3           clients that are big. We have clients that are  
4           small. We have clients that are urban. We  
5           have clients that are rural.

6                     But our process is always the same.  
7           For all those clients, the process is the same.  
8           We still look at every individual account as an  
9           individual account and make the best decisions  
10          as to what needs to be done on that. So the  
11          fact that you guys are a big client is great  
12          and we're excited to service you.

13                    But again, we're going to treat  
14          every property just the way we treat every  
15          other property owner throughout the state.  
16          Yeah, the big -- to me, the big challenge here  
17          is again, I know that the City is currently  
18          waiting for some information from the prior  
19          collector.

20                    As fast as that could come in, you  
21          know, it's going to expedite our review because  
22          to me, that is sort of the biggest asterisk  
23          right now out there with regard to the data  
24          itself. There's big numbers in potential fees  
25          and costs when I look at the data, what are

1           they. Do you know what I mean?

2                   The other numbers I know Mary Jo is  
3 easily going to provide answers to anything we  
4 might have. It's just -- that's the stuff  
5 we're going to need to get on. I know she's  
6 waiting on that. Hopefully they respond  
7 quickly and get that to us and then, you know,  
8 we'll be able to start digging a lot faster.

9                   MR. SCHUSTER: Yeah, and when  
10 looking at a caseload of this size, how fast do  
11 you think you can get through those 18 years to  
12 maybe move into some new cases or new  
13 delinquencies?

14                  MR. BURAKS: I mean, you know, every  
15 account doesn't have to be started from day  
16 one, right, so as I mentioned before, there's a  
17 large amount of accounts with one year  
18 delinquency on it. Those letters should be  
19 pretty quick on getting those out.

20                  And those accounts too, the majority  
21 of them, the fees and costs are pretty low. So  
22 some of the accounts will have a \$10 add on.  
23 I'm sure we can find out the answer to what  
24 that \$10 add on is and then start moving on  
25 them. Where some of the older ones, you know,



1 we can continue to work on those as we're  
2 getting stuff out.

3 So it's not like -- we don't have to  
4 wait for day one to get 100 percent of the  
5 things out on day one. We could start, you  
6 know, basically triaging and figuring out the  
7 ones that are simpler, start getting those  
8 letters out right away and then keep moving  
9 through, you know, the other ones that have a  
10 little bit more challenge.

11 So again, we're going to be very  
12 communicative with you guys on this. You're  
13 going to, you know, we're very transparent.  
14 One of the compliments we always get is on our  
15 reporting that we provide to our clients. We  
16 provide reporting that is very detailed. It  
17 gives you all the -- and, you know, pretty much  
18 everything is at your fingertips as to what you  
19 need.

20 And then at the same time for the  
21 property owners, they could always go on our  
22 website and look up their balance 24/7. So  
23 everyone has access to information, both the  
24 public and the City as to what's being done.  
25 But again, you know, we're going to try to be

1 as creative as possible to get you your money  
2 and move forward with things in a timely  
3 manner.

4 And if there is some accounts that  
5 are holding up the process, like, we're not  
6 going to let that hold up 100 percent of the  
7 accounts. You know, we'll put those in a pile  
8 and deal with those as we are at the same time  
9 moving forward on the ones there's no problems  
10 so --

11 DR. ROTHCHILD: How often would you  
12 provide that reporting to Council?

13 MR. BURAKS: There's a month --  
14 there's a weekly remittance when we -- we turn  
15 over our money -- as I mentioned before, we  
16 turn over the money weekly. So we collect the  
17 money, the next week you're going to get a ACH  
18 transfer with that in there.

19 That also comes with a remittance  
20 statement that basically gives a very detailed  
21 breakdown on everything that's being collected  
22 in that remittance and what that is. And then  
23 we, you know, we could do other statements too  
24 depending on what we want.

25 We could work with Mary Jo and you

guy as to how we do that. So what's going to happen going forward is, you know, if you guys -- when you guys sign the contract and enter the ordinance, then we're going to meet with you and sort of go over a lot of the little details in the contract, as I mentioned before, payment plan parameters, voucher programs, things like that to cover all that stuff.

We can discuss how, you know, you were asking what a copy of our typical remittance statement looks like. But, you know, we'll make sure that it works for you guys. And we'll get it to you when you need it. So you shouldn't have -- there shouldn't be an issue with regard to you not having information when you need it.

ATTY. HAYES: Councilman Gaughan, I just had a followup question to a question that was raised by Councilman McAndrew during the caucus. And because I'm reviewing your contract it's with regard to the initial notice of the delinquent claim, the \$40 or the \$47 fee.

That section as I read it indicates

1           that the -- and I believe you stated that the  
2           City wouldn't have to -- wouldn't be --  
3           wouldn't have to put that money up front. That  
4           would be -- we would never have to put that up  
5           front that money, right?

6                     MR. BURAKS: So, right, so say --

7                     ATTY. HAYES: Let me just finish my  
8           point, if I could. And so -- but the way I  
9           read this is, it says the City shall pay  
10          Portnoff the one-time fee of whatever it is  
11          47 -- \$40 plus postage.

12                    And then later on it says the City  
13          will adopt an ordinance that authorizes the  
14          charging of that amount. And then upon  
15          collection, the City will be reimbursed. So  
16          my -- so in other words, we won't get  
17          reimbursed until you collect against that  
18          property, correct?

19                    MR. BURAKS: There's two components  
20          there, right. So any individual account you  
21          won't be reimbursed until we collect it so --

22                    ATTY. HAYES: So let me just  
23          followup on that. So on that point, what  
24          Councilman McAndrew was asking was that we  
25          would have to up front \$47 times however many

1 accounts you determine we have.

2 And we wouldn't be reimbursed on  
3 that until you collected on that property,  
4 correct? Is that right?

5 MR. BURAKS: Let me just clarify.  
6 So individually, right, any individual property  
7 you don't get to the \$40 plus the 5.75 postage  
8 back until we collected. But for that initial  
9 invoice when we send that to you to pay the  
10 cost of sending out that first letter, we won't  
11 invoice you for that cost until cumulatively  
12 we've collected at least that much.

13 So, right, on any individual account  
14 you might not be reimbursed, but say that  
15 initial invoice cost the City \$250,000, we  
16 would collect \$250,000 before we send you that  
17 invoice.

18 ATTY. HAYES: Where does it say that  
19 on the contract?

20 MR. BURAKS: It doesn't say that.  
21 But we can put that -- if you want to put that  
22 in there, we can put that in there.

23 ATTY. HAYES: That's kind of  
24 important for --

25 MR. BURAKS: Yeah, I'm just telling

1           you that's what we do though. We always do  
2           that. But again, I'm happy to put that in  
3           there if that's an issue. But, yeah, that is  
4           our practice. That's what we do.

5                    ATTY. HAYES: Okay. I think  
6           certainly we need to get that clarified.

7                    MR. MCANDREW: Put it in there.

8                    MR. BURAKS: That's fine.

9                    ATTY. HAYES: And the question I  
10          think someone raised about the percentage, your  
11          percentage of collection and I know it's  
12          difficult for you to determine because you just  
13          got the data today, but the information that  
14          was provided to Council, Mary Jo, there was an  
15          indication that they collected 20 to 25 percent  
16          in year one and then greater than 50 percent.

17                   Where did you get that information,  
18          Mary Jo; do you know? The information was  
19          provided to Council. There was a spreadsheet  
20          that did a comparison of the seven vendors and  
21          there was -- recovery of the --

22                   MS. SHERIDAN: Okay. Hold on. I  
23          was not -- I don't know what was sent to -- I  
24          don't know what was sent to Council.

25                   ATTY. HAYES: There was a comparison

1           between the five bidders. And the indication  
2           was, again, I presume that this was used in  
3           determining who was the most responsive bidder.  
4           There was 20 to 25 year one and then greater  
5           than 50 percent total recovery.

6                       MS. SHERIDAN: I'm looking at oh,  
7           are you talking about row 12 recovery of  
8           accounts?

9                       MR. GAUGHAN: Yeah.

10                      ATTY. HAYES: It's attached to the  
11           proposed ordinance that's been submitted to  
12           Council.

13                      MR. GAUGHAN: Yeah, you're correct.  
14           It's that -- it's column number -- row number  
15           12.

16                      ATTY. HAYES: Right.

17                      MS. SHERIDAN: Oh, that information  
18           was provided by the proposers by each of the  
19           proposers.

20                      ATTY. HAYES: Is that the estimate  
21           of what they believe they would recover in year  
22           one or --

23                      MS. SHERIDAN: Well, no. You know,  
24           that was in some cases the proposer provided  
25           what they anticipated they would recover in

1           year one. But other proposers -- one other  
2           proposer their percentage that they provided  
3           was a cumulative percentage on a number of  
4           accounts. So it was over a period of time.

5                       So it was almost like not being able  
6           to compare apples to apples in some cases with  
7           regard to what they provided us.

8                       ATTY. HAYES: And then greater than  
9           50 percent total recovery was also considered?  
10          I'm looking on the attachment that the -- what  
11          was submitted to Council as Exhibit A in the  
12          resolution.

13                      MS. SHERIDAN: Okay. I'm sorry. I  
14          should have that.

15                      ATTY. HAYES: Well, let me ask you  
16          that. Was that considered in determining who  
17          was the most responsive bidder or the  
18          responsible bidder?

19                      MS. SHERIDAN: We considered -- we  
20          considered an array of -- I mean, we used a  
21          rubric with various factors to consider.

22                      ATTY. HAYES: Was this like a -- did  
23          you have a committee like they had for the  
24          healthcare broker in identifying the -- in  
25          reviewing the bidders?



1 MS. SHERIDAN: No, we didn't have a  
2 committee.

3 ATTY. HAYES: All right, that's, I  
4 mean, I'm just wondering where the numbers came  
5 from, the percentages.

6 MS. SHERIDAN: Yeah. Okay. They --  
7 the percentages were provided by the bidders.  
8 And they were -- they provided different  
9 metrics that weren't exactly identical. And  
10 those of us who evaluated the -- I mean, it was  
11 the Business Administrator Carl, myself, the  
12 Mayor, the City -- I think -- and then I think  
13 we conferred eventually with City Solicitor  
14 too.

15 ATTY. HAYES: And then I just have  
16 one more question. You -- your firm is based  
17 in King of Prussia, right, Montgomery County?

18 MR. BURAKS: Yeah, our main office  
19 is in King of Prussia. We also have an  
20 Allentown Office which Bob and Dave that are  
21 on the call, that's where they actually work  
22 out of.

23 ATTY. HAYES: And would you be  
24 charging for any travel cost that you would  
25 have to -- that you would incur in coming here

1           presenting different petitions and filing  
2           petitions?

3                     MR. BURAKS:  No.

4                     MR. DADAY:  I can comment on it.  
5           We're up Lackawanna County Courthouse probably  
6           between Dave and I probably at least twice a  
7           month.  But we don't charge any additional fees  
8           or tolls for that matter.

9                     ATTY. HAYES:  That's good.  Thank  
10          you.  That's all I have, President Gaughan.

11                    MR. GAUGHAN:  Thank you.  I have a  
12          few more additional questions.  In Section two  
13          here, it says cost to be add to the unpaid  
14          claims in addition to the fees set forth in  
15          section one the reasonable and necessary  
16          out-of-pocket charges, costs expenses,  
17          commissions and fees incurred in the collection  
18          of unpaid claims including and then it lists --  
19          including but not limited to things like  
20          postage, title searches, VIN searches.

21                    Can you just talk about that what  
22          that amount comes out to and if there is any,  
23          you know, commission fees or anything like  
24          that?

25                    MR. BURAKS:  Yeah, you're talking

1           about Section two, the ordinance. So  
2           basically, these are hard costs that are added  
3           to the file as I mentioned before, you know,  
4           court costs, sheriffs' fees. We don't charge  
5           any commission. So we don't charge any  
6           commission at all.

7                       And then I think that was what  
8           distinguished my firm from the other firms that  
9           were all submitting to the RFP. I think all of  
10          them were going to charge commission. And with  
11          regard to a commission, as I mentioned way  
12          earlier, I guess, there's just no incentive to  
13          do anything.

14                      Once that commission is added, it's  
15          there. So there is no incentive for someone  
16          who now owes money to do anything as a result  
17          of that commission. Again, we create the  
18          incentive by charging things incrementally,  
19          small steps and giving them time to pay in  
20          between those steps with the option for payment  
21          plans and hardship programs.

22                      But that's what distinguishes us.  
23          So, no, there is no commission. The fees are  
24          all right there in the ordinance. And people  
25          will see that from day one in the first letter

1           that we send to them. So again, they know  
2           what's potentially going to be charged to them  
3           ahead of time and by having a flat fee  
4           structure that's predictable to the property  
5           owner.

6                       But, no, no commissions. It's  
7           just -- the commission that might -- I don't  
8           think there's -- I'm trying -- let me pull up  
9           the ordinance to make sure. I don't think  
10          there is language commissioned in that section,  
11          is there.

12                     MR. GAUGHAN: It just says -- under  
13          part two of the ordinance, it says in addition  
14          to the fee set forth in section one above which  
15          is the legal fees and collection fees that  
16          you've identified in the proposal -- in your  
17          proposal, it says in addition to these, there  
18          may be costs added to the unpaid claims.

19                     And the language -- one of the words  
20          that's used is cost, expenses, commissions and  
21          fees incurred in the collection of the unpaid  
22          claims.

23                     MR. BURAKS: Yeah, that would be  
24          like a hard cost. So again, for example, for  
25          taxes, like a tax claim bureau could take a

1           commission as a result of the collection. It's  
2           not -- it wouldn't be our commission. I guess  
3           it would be any -- it would have to be a legal  
4           commission that's charged to the account from  
5           the outside that we would have to pay for the  
6           collection purposes. But it's not our  
7           commission, no, so no. These are just --

8                   MR. DADAY: I don't think there is a  
9           commission for collection of municipal claims.  
10          I'm not aware of it.

11                  MR. BURAKS: No. No.

12                  MR. GAUGHAN: Okay. Section four  
13          you talked about the hardship exemption policy.  
14          That would be created, correct me if I'm wrong,  
15          by the City. And you're saying in your  
16          proposal that you'll assist the City upon  
17          request in the establishment and administration  
18          of this policy without additional charge. Now,  
19          would that be something that you administer or  
20          the City administers?

21                  MR. BURAKS: So most of our clients  
22          give us 100 percent authority to deal with the  
23          hardship program because they don't want to be  
24          a part -- they don't want to know who is even  
25          applying necessarily. They don't want to know.

1           They want us to treat everyone the same.

2                       So again, we're working for the  
3           City. So the discretion is up to you. But  
4           most our clients basically let us do the  
5           hardship program as we always do. We have a  
6           formal application. It's available on our  
7           website.

8                       We could send it to people if they  
9           call for it. It's a formal process where they  
10          submit an application. They put their  
11          expenses. They put their income. They put  
12          special circumstances. We ask them to actually  
13          say what they could pay a month. And then we  
14          take that all into account.

15                      And then if they meet the criteria  
16          for that program, it's really their ability to  
17          pay what that dictates what that monthly amount  
18          is. Again, it's --

19                      MR. GAUGHAN: What would the  
20          criteria be on that? Like, what criteria do  
21          you use when you're looking at an application?

22                      MR. BURAKS: We'll look at their  
23          income and then we'll look at their expenses.  
24          And, right, if there's expenses that are on  
25          there that aren't typical expenses that the

1 average person needs to live by, you know,  
2 there's a Mercedes payment every month and they  
3 owe the City, we might not deem that a hardship  
4 because that expense is, you know, the amount  
5 they're paying towards a car expense is way  
6 beyond what a normal person is paying for a car  
7 expense who has a hardship program.

8 So we sort of look through the stuff  
9 that they put on there. But again, we find  
10 that most people that submit a hardship  
11 application are a true hardship. And we're  
12 going to let their finances dictate what they  
13 can pay. We would recommend the City allow us  
14 to give them more extended payment terms.

15 At the end of the day, the  
16 discretion is up to you. If you want to review  
17 every hardship application as a City you could.  
18 Again, most of our clients when they use us,  
19 they like the fact that we're taking over all  
20 the administrative headaches and work and  
21 expense of doing the collection side.

22 And we would do it all. But at the  
23 end of the day, you could have as much  
24 involvement in that process as you want to have  
25 or as little as you want to have. We're happy

1 with either. But most our clients, they prefer  
2 to have us sort of run the hardship program.

3 Same thing with the payment plans,  
4 like, we would work with you in the very  
5 beginning to set what the criteria is and the  
6 timeframes for payment plans. And then at that  
7 point in time it's a hard line in the sand and  
8 that's what we do.

9 And if they can't do that timeframe,  
10 then the hardship program will potentially give  
11 them more extended payment terms if they meet  
12 the criteria for that. I mean, the key with  
13 the payment plans, for example, is like we  
14 typically recommend that payment plans be  
15 capped at six months because if you go too far  
16 on a payment plan, then they basically -- makes  
17 it very difficult for them to ever pay current  
18 on a bill.

19 But again, some of these are older  
20 situations. And we might decide for some of  
21 the older claims we'll make a different  
22 timeframe. But again, that is something that  
23 we will work out with you guys after we're  
24 hired and sort of look for a sweet spot that  
25 makes the most sense for the City and your



1 property owners.

2 Again, because the goal is to get  
3 paid. And, you know, we've had clients before  
4 that decided -- we had one client, for example,  
5 after we were representing them for a while,  
6 you know, we want to get tough on payment  
7 plans. We don't want to do payment plans  
8 anymore. We told them we don't recommend you  
9 doing that because they've been successful.

10 And they just felt like we're going  
11 to take a harder approach. Within six months,  
12 they were back on payment plans again because  
13 it's just, you know, sometimes for some people  
14 if you say, oh, we're not -- it's just going to  
15 be not -- and that's not going to benefit them  
16 and it's not going to benefit the City because  
17 again, our goal is not to move just to sell  
18 property.

19 We want to get you guys your money.  
20 So, yeah, so we think the payment plans and  
21 hardship programs are a big part of what we do  
22 and a big part of our success.

23 MR. GAUGHAN: Do you have a  
24 percentage of out of all of your clients the  
25 amount of hardship applications that you get or

1 percentage of those that you approve and those  
2 that you deny what that looks like?

3 MR. BURAKS: No. That's a good  
4 question. I don't know that answer offhand.  
5 It's something we can probably do a little bit  
6 of digging around for. But again, most people  
7 who submit hardship applications I feel like we  
8 tend to accept them because they're realistic  
9 with what they're asking for and what they  
10 could pay.

11 There would have to be some type of  
12 red flag on there that would just indicate that  
13 there is something strange about that  
14 application. But again, the goal is to get the  
15 City paid. And the goal is not to sell  
16 property. The hardship is a good point to  
17 that.

18 MR. DUGAN: I also just wanted to  
19 jump in. If there's an offer that they make  
20 and we don't think it's sufficient, you know,  
21 we could make a counteroffer and try to work  
22 out a resolution. So, you know, usually we're  
23 able to -- you know, by going back and forth we  
24 can settle on a plan that's beneficial for both  
25 of us.

1                   There is some flexibility there.  
2                   It's not either -- it doesn't have to be that  
3                   either we accept it or reject it. Sometimes  
4                   we'll send a letter and say, you know, if they  
5                   offer \$100 a month we'll say, no, we want 200  
6                   and, you know, they accept that.

7                   MR. GAUGHAN: Okay.

8                   MR. BURAKS: Let me just add to that  
9                   too. That's a good point that David made. And  
10                  that's I think too there's typically almost  
11                  like two types of hardships. There's one  
12                  hardship who no matter what's going to happen,  
13                  that person's always going to be a hardship  
14                  situation.

15                 For whatever reason their situation  
16                 is never changing. Sometimes it's a temporary  
17                 hardship though, a job loss, an illness where,  
18                 you know, in six to eight months they will be  
19                 in a different situation. So sometimes we'll  
20                 have a more temporary type hardship where we're  
21                 going to put them on a hardship plan for a  
22                 certain time period.

23                 And then we'll reassess with them  
24                 after that period is over and see where they  
25                 are and, you know, maybe they're no longer a

1 hardship at that point in time. Maybe they  
2 just go back to a payment plan. You know,  
3 again, this sort of indicates that we look at  
4 every file, like, we're not -- what we do isn't  
5 just pushing buttons.

6 Like, we look at every file. If  
7 someone calls in and wants to work with us,  
8 we're going to find a way to work with them to  
9 get the City their money and give them the  
10 ability to pay. So, yeah, there's not -- the  
11 hardship, it's not always cut and dry. We're  
12 going to look at each one depending upon what  
13 the situation is and figure out how to best  
14 deal with it.

15 MR. GAUGHAN: Okay. Thank you.  
16 Section eight, it talks about outside attorneys  
17 that you're -- Portnoff will be permitted at  
18 your discretion to hire outside attorneys to  
19 assist you in the collection of the accounts  
20 under this agreement.

21 Can you explain Section eight a  
22 little bit in more detail and what outside  
23 attorneys you usually work with, how they're  
24 selected? Do you work with law firms or  
25 attorneys and will you work with attorneys in

1 Scranton because this is a Scranton account or  
2 how does that process work?

3 MR. DADAY: Typically we go up  
4 there. Dave and I typically represent the  
5 City. We have been up there so much over the  
6 last few years, we're practically local. And  
7 if we do have to bring somebody in, we  
8 typically would bring somebody from Lackawanna  
9 County to help us out. But that's -- we  
10 haven't done that a number of years.

11 MR. GAUGHAN: Okay. Do you  
12 currently work with any firms in Lackawanna  
13 County for -- on any different accounts that  
14 you have?

15 MR. DADAY: In terms of -- I deal  
16 with a lot of attorneys up there. I deal with  
17 Dan Penetar. He represents a lot of the Tax  
18 Claim Bureau. Rick Fanucci, we deal with him a  
19 lot. We deal with Joe a lot. So, yeah, we --  
20 I know a lot of folks that are up there because  
21 we're up there so often.

22 MR. GAUGHAN: Okay.

23 MR. BURAKS: This is typically  
24 something where there's going to be, you know,  
25 say there's like a conflict or maybe we have a

1 client in western Pennsylvania where there's a  
2 quick motion that needs just to be, you know,  
3 handed to the judge. We might pay local  
4 counsel out there to just hand something over.

5 But again, in Lackawanna County,  
6 again, Bob and David are there often. So I  
7 don't anticipate this being used in this  
8 contract. But, you know, it's an option that  
9 we typically want to have just in case there's,  
10 you know, something that's not -- you know, I  
11 guess it's legally sophisticated and it might  
12 be a hand-up or something like that. But I  
13 don't anticipate it being used for you guys.

14 MR. GAUGHAN: Okay. This question  
15 will probably be for Attorney O'Brien or Mrs.  
16 Sheridan. Do we know the amount that the City  
17 had paid or any amount that the City had to pay  
18 NRS as we part ways with whatever money that  
19 was outstanding?

20 MS. SHERIDAN: Joe, do you want to  
21 take that?

22 MR. GAUGHAN: Joe, you're muted.  
23 I'm sorry.

24 ATTY. O'BRIEN: That is under  
25 discussion now. We've had three meetings with

1           NRS. We have another one coming up. And we  
2           are discussing with them what may be owed to  
3           them or what they may owe us.

4                   MR. GAUGHAN: Okay.

5                   ATTY. O'BRIEN: I could tell you  
6           this. It will not be a big amount of money  
7           without your permission. We're certainly going  
8           to come back to you. The unraveling of the NRS  
9           agreement has been a little complicated. And  
10          we're working on it now. And that will be  
11          something that will be submitted to Council.

12                  MR. GAUGHAN: And was it the City's  
13          position -- I believed it was the City's  
14          position maybe a few months ago when we had  
15          last kind of talked about the delinquent refuse  
16          fees that the administration or the Mayor was  
17          looking to hire a firm to collect the  
18          delinquent refuse fees from 2002 to present.

19                  But moving forward once we were able  
20          to get the refuse bill placed on the real  
21          estate tax bill that we were in conversations  
22          with -- or the City was in conversations with  
23          the county to collect the delinquent refuse  
24          bill. So is that still on the table and is  
25          that still an option?

1                   ATTY. O'BRIEN: Yes. Yes, it is.

2                   MR. GAUGHAN: Okay. So this  
3 agreement then would just be for --

4                   ATTY. O'BRIEN: This is for one year  
5 and then depending on what happens.

6                   MR. GAUGHAN: Is it one year? I  
7 thought it was two years. Yeah, I think the  
8 agreement says two years, correct?

9                   ATTY. O'BRIEN: Two years, yeah, two  
10 years. I misspoke.

11                  MR. DONAHUE: But that's just for --  
12 I mean, Portnoff would just be from 2002 to  
13 2020. But then moving forward with any sort of  
14 delinquents we're looking at some sort of  
15 agreement with the county, correct?

16                  ATTY. O'BRIEN: We're looking at an  
17 agreement with the county, yes.

18                  MR. DONAHUE: For those that are on  
19 the tax bill, you know, moving forward.

20                  ATTY. O'BRIEN: When 2021 -- those  
21 2021 they become delinquent, that's when we  
22 might be with the county -- Tax Claim Bureau.

23                  MR. DONAHUE: Yes.

24                  MR. GAUGHAN: I mentioned this  
25 before. And I'd like to know if the



1 administration is considering or would consider  
2 a grace period or amnesty type period for those  
3 people who owe, you know, significant amount of  
4 garbage fees and, you know, to have them come  
5 forward during a certain period of time to  
6 waive the fees and the interest and penalties  
7 and whatever else and to have them just pay the  
8 fees.

9 We've talked about this last week.  
10 It's been an idea that I've had which I think  
11 would bring in a significant amount of money  
12 into the City coffers for next year. But  
13 instead of trying to get blood from a stone  
14 before we hire a delinquent collector to give  
15 people the opportunity instead of, you know, if  
16 they owe \$1,000 and you're going to tack on  
17 additional fees, what make -- like I've been  
18 saying, what makes anyone think that somehow  
19 magically people are going to come up with more  
20 money and, you know -- so is there any  
21 discussion that's currently ongoing in the  
22 administration --

23 ATTY. O'BRIEN: I think Portnoff  
24 addressed that earlier that that is -- there  
25 are arguments to be made both ways for these

1 amnesty programs. It's something they've  
2 worked with, something they've instituted. And  
3 that's not something that is inconsistent with  
4 their contract.

5 It's not something that's set forth  
6 in their contract but it's not something that  
7 is inconsistent with it. I mean, there could  
8 be an amnesty period. They could hold off for  
9 a couple of months, give people a chance to  
10 come forward before they start moving forward  
11 on the delinquent 2020 fees.

12 I mean, there's a lot of different  
13 ways. It could be a partial amnesty for older  
14 ones. The answer is, yeah, it hasn't been  
15 decided on but certainly is something that is  
16 going to be under consideration -- I believe  
17 has been discussed. I don't think any decision  
18 has been made yet.

19 You know, there are people who think  
20 it's a mistake because then, you know, people  
21 don't want to pay because they think they'll  
22 get amnesty. And also people who have paid,  
23 somebody who stepped forward in 2020 and made a  
24 big past payment or a big present payment, wow,  
25 jeepers, I should have waited and got a deal.

1 MR. GAUGHAN: We would bill this as  
2 a one time. And we could, you know, work it  
3 into the -- into an agreement or in the  
4 legislation that this would be a one-time  
5 thing. We would never do it again. I just  
6 think it make sense.

7 ATTY. O'BRIEN: Yeah, it's  
8 certainly -- it's certainly something that  
9 should be discussed. And, you know, there is  
10 also in these cases, it's kind of a de facto  
11 amnesty on a case-by-case basis. People come  
12 forward. They have an excuse. There's an  
13 explanation for their default, things like that  
14 and we enter into settlements. We do that all  
15 the time. We do that all the time, not on big  
16 ones. That's a form of amnesty.

17 MR. GAUGHAN: Yeah. And, I'm sorry.  
18 It is a one-year contract. I misspoke earlier.  
19 Kevin, did you have anything to say on the  
20 amnesty?

21 MR. BURAKS: I guess, I have another  
22 suggestion. Our firm has done amnesty programs  
23 before. And we don't typically recommend for  
24 things that are actually really collectable.  
25 And I don't know mean not legally or illegally

1 collectable but ones that you could actually  
2 get the money on because otherwise you're  
3 basically -- to me, it sorts of sends the wrong  
4 message potentially to those again.

5 As Joe mentioned, those people that  
6 paid on time, you're basically putting up the  
7 potential that, you know, "A", I made a mistake  
8 in paying. And then in the future if I wait,  
9 potentially then I could maybe open myself up  
10 to an amnesty program in the future. I mean --

11 MR. GAUGHAN: Yeah, but we would  
12 put in there that this would be a -- literally  
13 a one-time thing. And I, you know, I  
14 understand there is another way to look at it.  
15 But, you know, as you said before we have 16.7  
16 million dollars in delinquencies.

17 So, you know, we've had collectors  
18 in the past. This is, you know, to me it's  
19 like trying to get blood from a stone. I think  
20 you need to give them -- the only way I would  
21 be in favor of this or in favor of, you know,  
22 entering into any sort of agreement is if it  
23 was contingent upon a period of -- a grace  
24 period for people, especially in the midst of,  
25 you know, the pandemic and the hardships that

1 people are facing. You know, those people who  
2 paid on time. I pay on time. And I understand  
3 that argument.

4 But we're not looking for people to  
5 pay nothing. We're looking for people to pay  
6 what's owed to the City, not the fees, not the  
7 interest, not the penalties. We're going to  
8 give -- I would want to give a one-time grace  
9 period for people to come forward, get right  
10 with the City, get on a payment plan or  
11 whatever else before you have someone come in  
12 and, you know, send letters and get aggressive  
13 and try to collect it.

14 MR. BURAKS: One thing that we've  
15 seen that's worked is that we've had clients  
16 before we've been hired they issued a press  
17 release and they tell the public basically that  
18 if, you know, these are -- there's people that  
19 have their delinquencies. We're planning to  
20 turn over our accounts to a private collector.

21 We're going to give you "X" amount  
22 of time to make payment on these accounts. And  
23 if you do that, you obviously avoid having to  
24 pay extra fees and costs that will be added.  
25 We've had clients that have done very well with

1           that type of press release whereby when people  
2           come to the table -- and again, they'll start  
3           paying before the accounts even come to us just  
4           knowing that the accounts will be coming to a  
5           private collector.

6                     That's something that's worked well  
7           for some of our clients. I know that as a  
8           fact. So that's another option.

9                     MR. GAUGHAN: What about waiving the  
10          fees and the --

11                    MR. BURAKS: Yeah, they don't  
12          typically waive -- and again, the clients that  
13          we've worked amnesty programs are ones where  
14          there's just been -- there's been no success  
15          basically as a result of the fact that property  
16          values aren't high enough to sell to get the  
17          money that's owed.

18                    It's really -- these accounts are --  
19          our process, the only way our process really  
20          doesn't work is if at the end of the day the  
21          property that we're collecting upon is not  
22          sellable or the amount their owed exceed the  
23          amount of the property and thus, everyone's not  
24          going to get paid.

25                    Other than that, our process works

1 well. So, you know, basically the property --  
2 the ones that we've done the amnesty for, some  
3 of them in western Pennsylvania in areas that  
4 are depressed, properties aren't selling,  
5 there's amounts that have been owed for a long  
6 period of time.

7 And the client is willing to just do  
8 anything to try to get something because  
9 they're not going to -- they really don't have  
10 a lot of likelihood to collect on those  
11 accounts.

12 So we've worked with those types of  
13 people to try to do an amnesty program. But  
14 for clients where it's collectable at the end  
15 of the day, we just don't recommend it because  
16 again, there is sort of mixed signals being  
17 sent.

18 And at the end of the day, the City  
19 is actually losing money that it doesn't  
20 necessarily have to lose because again, you  
21 know, for you guys you have delinquencies  
22 dating back from 2002 to 2019. If you do an  
23 amnesty program, there's people that are owed  
24 one year, two years of collections that are now  
25 going to benefit. And it's -- you're probably

1           going to get 100 percent of your money anyway.

2                       So potentially, the City is now  
3           losing money that there's a very good  
4           likelihood that you're going to get. So to me,  
5           you do a press release. You give them a  
6           warning. You give them some time. If you want  
7           to give them some time, you give them some time  
8           and say this is your period of -- this is an  
9           amnesty period in a sense where we're not going  
10          to do anything and we're going to give you a  
11          chance to pay.

12                      And if you don't pay in this period,  
13          we're going to turn over the accounts. And,  
14          you know, you're giving them a month or two,  
15          whatever you want to give them to pay without  
16          any extra penalty. You could stop -- if there  
17          is interest, you could stop interest, I guess,  
18          if you wanted to and say we're not going to  
19          accrue any more interest and things like that  
20          and give them a chance to pay.

21                      If you're waiving the -- if you're  
22          waiving something that's due to the City and  
23          that's collectable, to me that's a loss at the  
24          end of the day that's unnecessary.

25                      MR. GAUGHAN: Yeah, I disagree. I



1 think and, you know, I think there's two  
2 schools of thought on this. I just think that  
3 the newspaper did an analysis a few years ago  
4 when the City raised the fee from 175 to 300,  
5 that's when you really saw delinquencies go  
6 through the roof.

7 I mean, we live in an area where the  
8 median income is like 25, \$26,000 a year. It's  
9 hard for people to pay the fee that is in  
10 place. And we're in a position now where it's  
11 hard to lower it because it's been that way now  
12 for a number of years.

13 So again, to me, when you have  
14 somebody who really can't pay \$300 and when it  
15 went up to 300 from 175 and then you add on  
16 interest and fees and penalties, what makes  
17 you -- I mean, what makes anybody think they're  
18 going to be able to come forward with money  
19 from like the sky when we're in the middle of a  
20 pandemic and people are hurting.

21 They're out of work. I think, you  
22 know, the only -- again, the only way I would  
23 be in favor of moving forward with this company  
24 or any company for that matter would be if  
25 there was an amnesty, waive the fees, waive the

1 penalties and give people a chance to pay the  
2 face. Pay what's owed to the City originally,  
3 not all the extras that come along and where  
4 you, you know, crush people with it. I just  
5 don't agree with that.

6 ATTY. O'BRIEN: Bill, let me say  
7 something. You know, NRS is out the door on  
8 December 31st. We don't have a tax collector  
9 on January 1st, delinquent tax collector.  
10 There's not going to be any money coming in.  
11 So we have to -- I would just ask you to  
12 reconsider saying you won't support it unless  
13 that's a contingency.

14 Maybe let's say we support it and  
15 then we can discuss it because if it -- if it's  
16 not adopted, who's going to collect the  
17 delinquent tax? Who is going to get all of  
18 2020 delinquent taxes?

19 MR. GAUGHAN: Well, I think that  
20 gives the incentive to the Mayor and to the  
21 Mayor's cabinet to get a proposal together  
22 quickly and then we'll -- I mean, I can't speak  
23 for the rest of Council. But I can't consider  
24 this unless there is a grace period or an  
25 amnesty.

1 I can't in good conscience hire a  
2 company that, you know, is going to go after  
3 people and if you owe, you owe. I get that.  
4 But I can't in good conscience agree to that  
5 during a pandemic where there's people that  
6 have lost their jobs and are in severe economic  
7 hardship.

8 I think you give people the  
9 opportunity to come forward and as much as we  
10 can erase or eliminate the fees and the  
11 interest and everything else. And again, we're  
12 looking at 4 million dollar revenue shortfall  
13 next year. I think this is a way in the first  
14 or second quarter of next year to get a  
15 significant amount of money in the City's  
16 coffers.

17 So this is me speaking just for  
18 myself. I don't know how everybody else feels.  
19 But I think if everyone else is on the same  
20 page as I am, then it would incumbent upon the  
21 administration if they want to hire or us to  
22 approve the agreement to, you know, move  
23 forward in coming up with a proposal or a plan  
24 because I think it's very, very important. So  
25 that's my spiel on it.

1                   ATTY. O'BRIEN: Well, how long a  
2                   grace period would you want?

3                   MR. GAUGHAN: Well, I don't know. I  
4                   think in cities it really ranges from, you  
5                   know, 60 days to 90 days. It really would  
6                   depend on a number of different factors. But I  
7                   would be open to any suggestions from the  
8                   administration.

9                   Again, I just think it's important  
10                  before we hire a collector to send people  
11                  letters and take people to court, you know, I  
12                  think we have to give people a chance to -- and  
13                  we're -- again, I'm not talking about amnesty  
14                  in terms of just letting people walk free, just  
15                  pay what you originally owed.

16                  And again, there was an analysis  
17                  done a few years ago when it went from 175 to  
18                  300, that's when the delinquencies went up.  
19                  And the people I talk to in my neighborhood, I  
20                  have trouble paying it. So, I mean, if I  
21                  missed it, all of a sudden now I go from owing  
22                  300 to like 600.

23                  Well, if I can't pay 300, where am I  
24                  coming up with \$600 from? Again, I don't  
25                  disagree with hiring a company maybe to go

1 after the people who just are constant  
2 scofflaws with this stuff because it's not fair  
3 to people who pay consistently like myself.

4 But on the other hand, I think  
5 you've got -- you have to give people a chance  
6 to pay what's owed to the City, especially in  
7 light of the economic difficulties everyone  
8 including myself and people in Scranton and  
9 around the world are facing.

10 ATTY. O'BRIEN: I think everybody  
11 hears you. And I think that we can probably  
12 work out something with Portnoff. But the  
13 alternative you give us is not hire a  
14 delinquent tax collector, the City -- that's  
15 more than an amnesty.

16 That means don't anybody pay because  
17 you're not going to get a collection then. I  
18 mean, we have to have a delinquent tax  
19 collector because NRS is gone. There going to  
20 be picked up and they're gone. There's going  
21 to be nobody collecting -- why would anybody  
22 want to pay now if there wasn't going to be a  
23 collector?

24 It's just going to sit there. So  
25 that's why if you could approve this and then

1           we hear you and hear of Council that there  
2           should be a grace period and an amnesty period  
3           and we can work that into the agreement. But  
4           just not hiring somebody, it makes it -- and  
5           that really is going to increase the City's  
6           deficit if we don't have any way to collect the  
7           delinquent taxes.

8                   MR. GAUGHAN: Well, I think that,  
9           you know, I talked to the Mayor about this.  
10          And she was kind of back and forth on it,  
11          didn't really have an opinion on it yet. She,  
12          you know, is looking at both sides of it I  
13          think. I don't want to not hire someone.

14                   But I think before I would  
15          personally consider it, we would have to have  
16          something in the agreement or some kind of plan  
17          from the administration to have an amnesty or a  
18          grace period for people.

19                   ATTY. O'BRIEN: I hear you.

20                   MR. MCANDREW: So I kind of agree  
21          with everybody but in different pieces. So I  
22          don't like the word amnesty because that to me  
23          sounds like you get off free. So we don't want  
24          that. I know that, Kevin, you said, you know,  
25          you're going hit the ground running.

1                   And when you do, you go after the  
2 out-of-town guys that owe tens of thousands of  
3 dollars, okay, so they're the first ones you go  
4 after when you said from day one. That's fine.  
5 I agree with maybe giving a break.

6                   So in making the people aware at a  
7 press conference, that's fine. Come to some  
8 type of agreement where, okay, it's 30, 60  
9 days. I'm fine. I'm open to any of that to  
10 give the people some time to say, hey, you know  
11 what, maybe this is the time I could pull it  
12 all together and pay something or get on the  
13 right track.

14                  And then, of course, we have to  
15 collect the delinquents moving forward or --  
16 but I see a combination of all three that  
17 works for me.

18                  MR. DADAY: Just to clarify for a  
19 second. We don't go after individuals. We  
20 pursue the collection across the board. So I  
21 just want to make sure that that's absolutely  
22 clear so --

23                  MR. MCANDREW: Okay. Maybe I meant  
24 put a little more effort than the person that  
25 owes \$310, put a little more effort in the

1 person that owes, you know, 20, \$30,000.

2 MR. DADAY: Sure.

3 MR. MCANDREW: I'm not saying going  
4 after but --

5 MR. DADAY: And I just want to be  
6 clear about --

7 MR. MCANDREW: -- work a little  
8 harder. That's fine. I get what you're  
9 saying. But I think we focus on them first.

10 MR. GAUGHAN: Carl, did you have  
11 something you wanted to -- I saw you wanted to  
12 say something.

13 MR. DEELEY: Yeah, thank you,  
14 Chairman Gaughan. So I'll be your first point.  
15 You know, like the administration, we're aware,  
16 I think, of your willingness I think to do  
17 something for the community. And I think it's  
18 well-founded.

19 And as you know, just going into  
20 next year, we're very sensitive to, you know,  
21 the stress that people have been under this  
22 year and it will continue through next year.  
23 So I think it's a point well made. In terms of  
24 the description and the analysis in terms of  
25 how we can put into effect something along



1           those lines, we really have not had any  
2           meaningful analysis on that just so you're  
3           aware of that.

4                       So, yeah, it's not really being  
5           brought into this dialogue around the  
6           arrangement with Portnoff, not at this point  
7           just so you're aware of that. We have not, you  
8           know, considered anything structurally that  
9           would go into this contract not at this point.

10                   MR. GAUGHAN: Okay. Well, I --

11                   MR. DEELEY: So we would have to  
12           take that offline basically and, you know, we'd  
13           have to have that dialog and to your point too  
14           for your consideration.

15                   MR. GAUGHAN: Okay. Yeah, I would  
16           appreciate if that could occur, you know, as  
17           soon as possible because, you know, again,  
18           that's the only way that I would consider  
19           what's -- what was in front of us that we  
20           tabled last week.

21                   MR. DEELEY: Point taken. Yep.

22                   MR. GAUGHAN: Would anyone else like  
23           to add anything or anyone have questions?

24                   MR. SCHUSTER: I will say I'm in  
25           agreement with you, President Gaughan.

1 MR. GAUGHAN: Anyone else? All  
2 right. Well, thank you so much. This is  
3 really a good discussion. And thank you for  
4 all the information, Kevin and Bob and  
5 Solicitor O'Brien and David.

6 So thank you very much and we'll  
7 continue to consider the proposal and all of  
8 the things that were brought up tonight. Thank  
9 you very much. And, Mary Jo, I know you're  
10 sticking around to continue our discussion on  
11 garbage tonight.

12 MR. BURAKS: That's for having us.  
13 Yeah, and we appreciate the time. And we're  
14 exciting to work with you guys.

15 MR. GAUGHAN: Okay --

16 MR. DONAHUE: Thank you for taking  
17 the time.

18 MR. GAUGHAN: Thank you.

19 MR. MCANDREW: Thank you, folks.

20 MR. GAUGHAN: Okay. We're staying  
21 on the fee for the garbage tonight. We have  
22 Mary Jo Sheridan our City Treasurer. And, Mary  
23 Jo, thank you very much for coming tonight. We  
24 really appreciate it. So one of the things  
25 that we're bringing off of the table to vote on

1           tonight is the City's plan to roll the refuse  
2           fee into the real estate tax bill.

3                       So, Mary Jo, I'll turn it over to  
4           you if you just want to explain the rationale  
5           behind that, the thought process and what the  
6           plan is.

7                       MS. SHERIDAN: Thank you for this  
8           opportunity, President Gaughan. So since  
9           September and through November, the City has  
10          been working toward moving the refuse fee onto  
11          the real estate bill to -- in large part to  
12          ease the bill paying process for taxpayers to  
13          provide a single form of payment.

14                      And just to make clear, I mean, we  
15          have had multiple work sessions and have had a  
16          very good rapport with the Single Tax Office  
17          staff and our departments, the DPW, the LIPS  
18          Department and Treasury have all worked  
19          together with our own IT Department to  
20          establish the processes to create better  
21          communications to ensure that the refuse fee  
22          database is as clean as possible.

23                      Now, that process will be ongoing  
24          into next year. There are approximately 27,000  
25          properties on the refuse fee billing file.

1 About 10 percent, around 2,700 of those  
2 properties are properties that we still have to  
3 work on. LIPS might have to go out to verify  
4 that a property is a one unit, two unit, five  
5 unit and to make sure that we're billing  
6 correctly for different properties.

7 So we are working all of us together  
8 with ST0 to ensure that the database that we're  
9 using to bill is as clean as possible. That  
10 said, we know there are issues with that. And  
11 that's why we have in our 2021 budget, we have  
12 established this position of constituent  
13 services.

14 And this is the person who would  
15 maintain the database and also deal with  
16 constituents to resolve discrepancies, not just  
17 discrepancies with the database but also to  
18 address exoneration for vacancies.

19 There are a lot of, you know,  
20 there's a lot that happens throughout the year  
21 with regard to, you know, the bills, adjusting  
22 them based on different circumstances for  
23 different properties.

24 But the important point that I would  
25 hope that everyone would understand is that we

1           have had -- since I think 2011, NRS our current  
2           delinquent refuse fee collector, okay, has been  
3           collecting and has staffed two people in the  
4           Treasurer's office since 2011.

5                       Since I believe the 2012 contract,  
6           that contract stipulated -- there was a clause  
7           added in that contract that provided for NRS to  
8           collect not just the delinquent refuse fees and  
9           the delinquent taxes but also to collect the  
10          current year refuse fees for free.

11                      But they did put, you know, part of  
12          the reason they did that was so that they could  
13          keep updating the database, the delinquent  
14          refuse fee database as the years go by. And  
15          they, you know, their fee that they take --  
16          they collected from us was the 15 percent off  
17          of the delinquency collections.

18                      But the important point is that  
19          December 31st is those two staff persons' last  
20          day. So the people who collect not just  
21          delinquent refuse fees but also and delinquent  
22          taxes but also the current year refuse fees,  
23          those people are gone.

24                      And this constituent services person  
25          stationed in the Treasurer's office will

1 perform one function that the City has to  
2 maintain control of. And the Single Tax Office  
3 will become the collector of the refuse fee.

4 And this simplifies the process for  
5 the tax and ratepayer, for the fee payer and  
6 the taxpayer. They go to one place to pay  
7 their taxes, mail it to one place.

8 The other thing that's nice about  
9 this new plan is that instead of a two  
10 installment payment plan, the installment plan  
11 for paying refuse fees will shift to four  
12 installment payments spread over a wider period  
13 of time, which is good timing in light of the  
14 difficult economy and the uncertainty because  
15 of the pandemic.

16 Now, it also does shift somewhat the  
17 timeline. As we were talking, you know,  
18 earlier today or many of us have been talking  
19 over the last several weeks and months.  
20 Instead of the refuse fee bill going out the  
21 door in May and the discount period being June  
22 30, the refuse fee will -- the refuse bill will  
23 go out at the same time because it will be on  
24 the real estate tax bill.

25 And a discount period will match the

1 discount period for the refuse fee. But the  
2 discount rate stays the same. So the  
3 discount -- the 10 percent discount rate for  
4 the refuse fee will stay the same.

5 But I think -- let's see. Oh, one  
6 other -- can I bring up one other point before  
7 taking any questions?

8 MR. GAUGHAN: Yeah.

9 MS. SHERIDAN: There was -- you had  
10 mentioned to me earlier that a citizen had  
11 raised concerns about tax cheaters. And she  
12 was concerned that tax cheaters, you know,  
13 about this refuse fee being rolled onto the  
14 real estate tax bill being possibly better for  
15 tax cheaters.

16 But really what happens is the  
17 opposite. By putting the refuse fee onto the  
18 tax bill, the fee and taxpayer doesn't have  
19 the discretion to pay one and not the other.  
20 They both get paid together. And they get  
21 drawn down. If someone does installment  
22 payments, they get drawn down together.

23 So -- so there is no, you know,  
24 discretion. And it will help -- we believe it  
25 will help significantly the collection rate on

1 a delinquent -- or on refuse fees.

2 MR. MCANDREW: Mary Jo, can't a  
3 clerk do that? I mean, can't one of our union  
4 clerks provide that -- can't they do that job?

5 MS. SHERIDAN: Which one, the  
6 constituent services job?

7 MR. MCANDREW: No, no, the refuse  
8 fee. You said just actually collecting -- it's  
9 an extra body when the one from NRS leaves.  
10 Can't we utilize a clerk to do that function, a  
11 union clerk?

12 MS. SHERIDAN: Well, part of the  
13 problem with -- like, part of the impetuous to  
14 move it onto the real estate tax bill was to  
15 simplify the process. We have so many people  
16 would come to City Hall and then have to go  
17 down to the Single Tax Office.

18 So they're paying one, you know,  
19 their tax bill in one location. And their  
20 refuse fee in another location. So, you know,  
21 one big reason why we want to do this is to  
22 simplify the process for the tax and ratepayers  
23 for the citizens.

24 MR. GAUGHAN: So in other words, so  
25 if I -- you know, I'm going to pay my taxes



1           this year. I go down to the Single Tax Office.  
2           I'm paying my real estate taxes, my county tax  
3           and now my refuse fee at the Single Tax Office,  
4           correct?

5                     MS. SHERIDAN: Yes.

6                     MR. GAUGHAN: Okay. And if I -- if  
7           I'm a citizen and I say I got my real estate  
8           tax bill, there's a \$300 garbage fee on there  
9           but I don't, you know, get rid of my garbage  
10          anymore or there's a -- or it's on a vacant lot  
11          or there's a half a double here and, you know,  
12          there is no one in there for the last six  
13          months, you're saying that you go to City Hall,  
14          you go to the Treasurer's office and you're  
15          dealing with now that constituent services  
16          person, correct?

17                    MS. SHERIDAN: Yes. Yeah, so that  
18          person would be referred to the constituent  
19          services person at the City who is also going  
20          to be maintaining the database which is huge  
21          for the City. I can't emphasize enough how  
22          important it is that we are taking charge and  
23          owning our own data really for the first time.

24                    This will allow us to manage our  
25          collections better and to, you know, we can

1 look at our collection rates and manage them so  
2 much better if we know what we're getting. So  
3 that constituent services person will deal  
4 directly with the constituents but will also be  
5 the person who will update the database and  
6 maintain it.

7 So if there is -- if there is, for  
8 instance, an exoneration for a partial or full  
9 year vacancy, that person would maintain that  
10 database and then also, that person would  
11 adjust the database -- say DPW says this looks  
12 like it's a, you know, seven-unit property not  
13 a five-unit property, we can coordinate with  
14 LIPS and then coordinate with Treasury, stop  
15 pickup, you know, update our database or vice  
16 versa, you know, add a property that we've been  
17 billing as a one unit and change it to the  
18 appropriate two, three or four unit.

19 So we're talking in a structured way  
20 with each other to modernize, update and  
21 improve the accuracy of that database. And the  
22 important thing about that too is, next year  
23 when we go to bill, when we go to give that  
24 database to the Single Tax Office, we're giving  
25 them a better product, a more accurate bill to

1 collect for us.

2 MR. GAUGHAN: Okay. And you're  
3 confident that this -- because you're going  
4 from, you know, having two people through NRS  
5 who were in the Treasurer's office to now  
6 they're obviously leaving because the contract  
7 is ending; and you're replacing the two of them  
8 with one constituent services person.

9 And I think in the budget there was  
10 one job was -- like, one job was swapped out.  
11 There was an administrative I think assistant  
12 or cashier or something.

13 MS. SHERIDAN: Yes.

14 MR. GAUGHAN: Okay. So you're  
15 confident that this one person can handle, you  
16 know, all of the -- all of the activity that  
17 will most likely go on with this new change.

18 MS. SHERIDAN: Yeah, it's -- 2021  
19 will be an especially busy year. So -- because  
20 we are going to be working hard to correct a  
21 database that needs work. And we will -- we  
22 want to be -- we are going to be ready to be  
23 responsive to the public when the public is  
24 referred to us by Single Tax or when they call  
25 us directly or visit us or e-mail us.

1                   That person will be ready and  
2                   designated. But that person will also have to  
3                   be the person to on an ongoing basis maintain  
4                   that database.

5                   MR. GAUGHAN: Right.

6                   MS. SHERIDAN: So we'll have  
7                   collections at Single Tax and we'll be --

8                   ATTY. O'BRIEN: Let me jump in and  
9                   just -- I think it was Councilman Schuster,  
10                  maybe it was Councilman McAndrew, I don't see  
11                  that well anymore -- raised the question said  
12                  that couldn't a professional union clerk do the  
13                  collection.

14                 And I think the answer to that is  
15                 yes. At the present time the collection is  
16                 being done by independent contractors employed  
17                 by NRS sitting in the Treasurer's office. They  
18                 are also doing whatever is done on constituent  
19                 services.

20                 Now the collections efforts are  
21                 going to be sent down to Single Tax Office.  
22                 And they're going to have their people do it.  
23                 So you're going to have the professional union  
24                 trained employees doing it.

25                 And the constituent services will be

1           done out as -- and the reason for the split up,  
2           it was just explained by Mary Jo. I don't want  
3           to talk about that. But the answer to your  
4           question, yes, that's going to be done that  
5           way.

6                     MS. SHERIDAN: And can I say one  
7           more thing, President Gaughan?

8                     MR. GAUGHAN: Yeah.

9                     MS. SHERIDAN: The -- I think the  
10          important thing for us for the City is that we  
11          make every effort to maximize our collections,  
12          to improve our collections processes. If  
13          we're -- if we're doing a better job collecting  
14          revenues, all of our revenues, if we're doing a  
15          better job -- and that includes -- if we're  
16          doing that, then we can, you know, I don't want  
17          to say not raise taxes; but like that's what I  
18          have in my mind.

19                    If we collect better then we don't  
20          have to increase taxes, you know, or -- I  
21          mean, I shouldn't say that. But you know what  
22          I mean. We really should manage them the best  
23          that we can so that everybody out there who is  
24          paying their taxes isn't shouldering more of a  
25          burden because of those who are not.

1                   And as I say that, I fully  
2                   appreciate what President Gaughan and other  
3                   Council members have said about people who are  
4                   struggling and these very difficult real  
5                   difficult times that we are in right now.

6                   But at the same time, I do think  
7                   it's important to collect better and in a more  
8                   modern way where own our data, where we manage  
9                   it. And we're not relying on vendors that we  
10                  can't get enough information from. And I'm not  
11                  saying that, you know, I don't want to blame  
12                  because I don't know what was asked for in  
13                  previously administrations by, you know, of any  
14                  vendor.

15                 I don't want to be judgmental that  
16                 way. But I just do think to own our own -- own  
17                 our data, manage it and collect as best we can.

18                 MR. GAUGHAN: Kevin?

19                 ATTY. HAYES: Mary Jo, so it's my  
20                 understanding that the contract with Portnoff,  
21                 that is intended to be delinquent taxes from  
22                 2002 to 2020, I'm sorry, delinquent refuse  
23                 fees, correct?

24                 MS. SHERIDAN: Yes.

25                 ATTY. HAYES: Okay. And so then

1           prospectively -- and I could understand why the  
2           county wouldn't want a piece of that hornet's  
3           next. But prospectively, is it your intent to  
4           pursue in intergovernmental agreement with the  
5           county that they would collect the delinquent  
6           refuse fees going forward now that you, you  
7           know, now that you have that -- this new  
8           organization in place and it's going to  
9           be -- it's going to be on the tax -- it's going  
10          to be on the property tax bills could be  
11          collected by the City Tax Collector.

12                   And prospectively we would enter an  
13          intergovernmental agreement with the county  
14          that they would be managing or collecting the  
15          delinquent refuse fees going forward.

16                   MS. SHERIDAN: I would say -- I  
17          would say, yes, that is the intent. But I  
18          would add the caveat that we also want to track  
19          and track, you know, the effectiveness of  
20          collections with anybody.

21                   I mean, I think we want to hold  
22          everyone we work with accountable as we should  
23          be held accountable. So -- so that -- that's  
24          the only caveat. But, yes, that makes sense to  
25          me. I mean, that's what we've thought.

1                   ATTY. HAYES: So at the end of the  
2 calendar year 2021, we don't have fees  
3 collected -- refuse fees who's going to --  
4 what's the thought as to who's going to be  
5 pursuing those delinquent fees -- refuse fees?

6 MS. SHERIDAN: Um - -

7 || ATTY. O'BRIEN: In 2021?

8 || ATTY. HAYES: Correct.

9                   ATTY. O'BRIEN: Well, the plan at  
10         this point would be the county.

11 MS. SHERIDAN: Yeah.

12 ATTY. HAYES: That makes sense.

13 MS. SHERIDAN: Yeah.

14 MR. SCHUSTER: Mary Jo, thank you  
15 for the comments that you've made there. I  
16 think we all understand what you were saying or  
17 at least I understand what you're saying.  
18 Right now as I see it, we have 16.5 million in  
19 delinquents out there.

20 I think when we bring this company  
21 in, I think they're going to do their best to  
22 hurry up and get on the cases of all of those  
23 16.5 million. But, I mean, from my  
24 perspective, it seems like we're turning over  
25 all of that money to them at that point.



1                   And if we ever decide to part ways  
2                   with them they'll be taking that with them  
3                   unless we pay them off going out the door,  
4                   correct?

5                   MS. SHERIDAN: Well, no -- I  
6                   don't -- Councilperson Schuster, I do see your  
7                   point. And I definitely appreciate your  
8                   concern, especially given the situation with  
9                   the outgoing vendor and sorting that out.

10                  So I definitely appreciate your  
11                  concern. But I think that Portnoff is going to  
12                  have to evaluate the receivables that we have  
13                  on the books first. So I'm not sure I would  
14                  assume they would take all of those accounts or  
15                  deem all of those accounts collectable.

16                  I think that, you know, we're still  
17                  negotiating our separation from NRS. And, you  
18                  know, also -- so I think that -- I think it's  
19                  not -- it's not quite as black and white yet.  
20                  I think that they would account to us as to  
21                  what accounts they think are feasible for them  
22                  to go after.

23                  We're still talking with the  
24                  outgoing vendor. So I do appreciate -- I do  
25                  appreciate your concern. But, I mean, one

1           thing that is important to know is like the  
2           2002 to the 2020 delinquent fees can't be  
3           collected by the county. Like, they can't --  
4           they can't take them.

5                     They could only collect  
6           delinquencies for those refuse fees that the  
7           county has billed for. So 2021's delinquencies  
8           are the first year of delinquencies that they  
9           would be able to collect for.

10                    MR. SCHUSTER: Yeah, I understand  
11           that. I understand --

12                    MS. SHERIDAN: -- be 22, yeah.

13                    MR. SCHUSTER: And I understand it  
14           wouldn't be that whole 16.5. They're going to  
15           have to weed through that and see what is  
16           collectable and see what isn't. I just hate to  
17           see us -- you know, when we look at this it's a  
18           one-year deal.

19                    But I feel like that one-year deal  
20           opens them up to one year of choosing what's  
21           theirs, I guess. So I'd hate to see the City  
22           sell itself short by passing 18 years of  
23           collection over to them.

24                    MS. SHERIDAN: Well, I did -- I  
25           did -- let me just clarify.

1                   ATTY. O'BRIEN: These are the old  
2 collections, you know, the -- a lot of  
3 those -- most of those have been already  
4 liened. And they're kind of just waiting for  
5 further action.

6                   I think when the new collector be it  
7 Portnoff or anybody comes in on January of  
8 2021, they're going to get a whole book of  
9 delinquent 2020 refuse fees. And they're going  
10 to proceed forward with the letters, the liens  
11 and so forth.

12                  The ones before them have mostly all  
13 if they're worthwhile, they've mostly all been  
14 lettered and liened. So it's not so much  
15 turning it over to them. It's they've already  
16 done all of things you could do under the  
17 Municipal Claims Act.

18                  And then they will be collected the  
19 way -- if the lettering and the liens don't  
20 work, then maybe they'll be collected if  
21 they're turned over for an upset sale or maybe  
22 they'll be collected when the property is sold  
23 or maybe they'll be collected when the property  
24 is refinanced or maybe they'll be collected,  
25 you know, through an inheritance situation.

1                   So, you know, it's not like they're  
2 going to get 20 years of claims and they're  
3 going to have to -- the big work is done on the  
4 new ones because a lot of work on these 16.5,  
5 they haven't just been sitting there. Some of  
6 the old ones have.

7                   But in the last couple of years  
8 we've had some -- we've had NRS in there.  
9 They've sent out the letters. They liened  
10 them. The money just hasn't come in. So it's  
11 not that it -- it's like that they're -- we're  
12 just turning all of these over to them because  
13 a lot of those claims are sitting there.

14                  And all possible collection efforts  
15 have been done. And it's just a question of  
16 waiting for an upset sale, can you get them  
17 through a refinancing, can you get them through  
18 a sale, can you get them through an inheritance  
19 or is somebody going to just come forward and  
20 pay them?

21                  MS. SHERIDAN: Can I make a  
22 correction too? I think it's a little bit --  
23 and this was my mistake. I think it's a --  
24 not so accurate to refer to this inventory of  
25 receivables as 16.7 million. And that's my bad

1           because I think I said it first.

2                       But that's the balance showing on  
3           the October 31st database from NRS, which is  
4           the most recent one that we got. But just to  
5           give you a better -- a little bit better  
6           picture of what it really is, it's the face  
7           value plus interest, plus penalty that 12  
8           percent penalty that -- right, the face and  
9           penalty is 9.2 million, okay?

10                      And then there's 2.8 million of  
11           additional interest. And then according to  
12           this four point -- almost 4.7 million in costs  
13           which were trying to get an understanding of,  
14           okay? So we're talking about a face value  
15           of -- how do I do the inverse of 9.2 million  
16           divided by 1.12 -- it's about 8.2 million.

17                      The face value of us of this  
18           inventory is about 8.2, okay? And then another  
19           million is the penalty then interest and  
20           costs.

21                      MR. GAUGHAN: All right. Thank you,  
22           Mary Jo. Any --

23                      MR. MCANDREW: One more question  
24           about -- Mary Jo, can I go back to the  
25           constituent services person? Why can't that

1 person just work in the tax office, the Single  
2 Tax Office instead? We're talking about making  
3 it easier and bouncing around and not bouncing  
4 around, why can't that person just work out of  
5 there?

6 MS. SHERIDAN: Oh, Councilperson  
7 McAndrew, that is a very, very good question.  
8 And here's the bottom line for me why this  
9 person should be retained in the City. This  
10 person is going to maintain the database that  
11 we need to manage, okay, that the -- we need to  
12 manage.

13 DPW, LIPS and Treasury all need to  
14 stay -- we all have impact. We all have input  
15 on this database, okay? That's number one.

16 Number two, decisions about whether  
17 to exonerate fees for vacancies, reviewing --  
18 reviewing whether someone's application for a  
19 vacancy is meritus and valid and whether the  
20 exoneration should be granted, that decision,  
21 the decision about any -- like other  
22 adjustments that might need to be made for  
23 whatever reason.

24 Those decisions, that authority  
25 really should remain with the City. It should

1 rest with the City with regard to that type of  
2 constituent services. But do you know -- it is  
3 a good -- it is -- it does, you know, I can see  
4 you know, that it could be appealing to have  
5 that person out at Single Tax.

6 But I really think that it should  
7 rest with the Treasurer. I mean, the Treasurer  
8 is supposed to be the -- that office is  
9 supposed to be the office to research and  
10 review exonerations and applications, you know,  
11 vacancy applications, things like that. So I  
12 would just -- I would --

13 ATTY. O'BRIEN: I think that that's  
14 a -- Mary Jo gave the perfect answer there that  
15 that constituent service person is not just a  
16 collector. That person has to make  
17 discretionary decisions which you have to  
18 be -- are going to be things that are going  
19 to -- going to be -- that person's going to  
20 refer to the Treasurer.

21 The Treasurer is probably going to  
22 come to me on some of them. They're going to  
23 go to the Mayor. Some of them are going to go  
24 to you if it's a big enough exoneration or a  
25 big enough change. So it's something that --

1           there's a whole level of responsibility that  
2           all rest with the City, not with the Single Tax  
3           Office.

4                     They're not City employees. They're  
5           just a contract with the City. So it has to  
6           have someone with the authority to make that  
7           decision. The Single Tax Office, they could  
8           collect the taxes there. They're not  
9           exercising governmental discretion.

10                    MS. SHERIDAN: And, Councilperson  
11           McAndrew, I really do communicate with the Law  
12           Department pretty frequently, especially since  
13           we are trying to address some, you know, some  
14           issues that have lingered out there for certain  
15           property owners for too long. We are in  
16           communication a lot to resolve issues.

17                    MR. MCANDREW: I'm not saying to  
18           move -- I'm not saying for you to lose an  
19           employee. The employee would be yours but just  
20           working down there and compiling the data  
21           there. Do you know where I'm coming from or  
22           no -- and populating that database that you're  
23           looking for.

24                    MS. SHERIDAN: I don't know. I  
25           don't know. I don't know. I've never



1           considered logistically having a Treasury  
2           employee at Single Tax. I don't know, would  
3           that be possible?

4                     MR. MCANDREW: Well, you had two NRS  
5           employees.

6                     MS. SHERIDAN: In City Hall, right.  
7           Good point. Good point. That's a great point,  
8           yeah.

9                     MR. GAUGHAN: Anybody else have any  
10          questions?

11                    MR. SCHUSTER: Sorry, go ahead.

12                    MR. DONAHUE: Go ahead, Tom.

13                    MR. SCHUSTER: This might be a  
14          little off task, but you talked about, you  
15          know, single unit, multiple unit homes, things  
16          like that. Do you know how many we have in the  
17          City that aren't properly identified? Is that  
18          a large number or is it just a handful?

19                    MS. SHERIDAN: Yeah, we did. And  
20          this again, this is the result of work sessions  
21          with multiple City departments and Single Tax.  
22          Single Tax's staff has been incredibly helpful  
23          and knowledgeable in helping us to identify  
24          properties that need to be reviewed.

25                    And we did an analysis of the data

1 and identified of the 27 -- approximate 27,000  
2 properties that are on the refuse fee bill  
3 that -- on the refuse fee database, there are  
4 approximately 2,700 that we need to address,  
5 like, we need to -- DPW and/or LIPS or Treasury  
6 or a combination of both we have to do some  
7 work to, you know, clean up those -- either the  
8 database or change the bill, you know, to be  
9 more accurate.

10 Some of them are easy to resolve.  
11 There's some that I would consider low hanging  
12 fruit, like, things that we could easily clear  
13 up and do so right away. But some of them are  
14 going to need some more -- a little bit more  
15 work. We're going to have to go out and  
16 inspect --

17 MR. SCHUSTER: If someone has an  
18 issue like that, would they need to contact you  
19 about that it?

20 MS. SHERIDAN: Absolutely.  
21 Absolutely contact me or my office. That  
22 constituent services person will be the person  
23 for that. Plus that's kind of an ongoing issue  
24 just because there are always things happening,  
25 whether it's a, you know, a property getting

1           demolished or built or, you know, changing  
2           status somehow.

3                   I talked to somebody recently whose  
4           property -- the mother-in-law house in the back  
5           was demolished a number of years ago. And  
6           she's trying to get her bill sorted out.

7                   MR. SCHUSTER: And for a review of  
8           that nature, there's a fee to the property  
9           owner to get that reviewed and changed?

10                  MS. SHERIDAN: That's when I wish I  
11           had Tom Oleski here. I'm not sure. That's a  
12           good question. And I'm not sure how to answer  
13           that. I think it depends. I think if we're  
14           trying to verify the accuracy of our database,  
15           some things we can do by just, you know, going  
16           and looking at the premises and seeing whether  
17           there's more than one electric box.

18                  You know, some things are easy to  
19           identify. But we have plans in place and  
20           further plans developing to do this in a way  
21           that's targeted and efficient by possibly  
22           targeting certain neighborhoods.

23                  So, you know, one area that comes up  
24           or the -- some of the homes up by the  
25           University where it appears that, you know,

1           there might be more than one unit based on the  
2           number of students, you know, gathering outside  
3           on the weekend.

4                       So, you know, there are different  
5           areas that are -- we can look at over time.

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

8                       MS. SHERIDAN: Thanks.

9                       MR. GAUGHAN: Okay. Anybody else?  
10          Kyle, did you have a question?

11                      MR. DONAHUE: I just have a quick  
12          comment because I think we sort of mixed the  
13          two Portnoff and then also moving the  
14          delinquent tax bill into the same discussion a  
15          little bit.

16                      But I think it's important that we  
17          keep them separate because moving the refuse  
18          onto the tax bill is a way to -- a way I  
19          believe to move forward into a more efficient  
20          collection system.

21                      You know, that's not saying that I  
22          didn't -- I don't have reservations because I  
23          know there will be issues because there's  
24          issues with the data. We all know there's  
25          issues with the data going back years.

1                   But, you know, in my conversations I  
2                   was, you know, pleased to hear, you know, Mary  
3                   Jo and Carl say instead of, you know, carrying  
4                   those mistakes over from year to year, that  
5                   someone will be there in that constituent  
6                   service capacity to fix those mistakes so that  
7                   although they might be issues in year one, you  
8                   know, hopefully they're not issues in year two  
9                   and year three moving forward.

10                  So, I mean, my reservations are a  
11                  little, you know, calmed down just because the  
12                  administration to me at least acknowledged that  
13                  there are going to issues and that they have a  
14                  plan of addressing those issues then going  
15                  into, you know, next year and beyond.

16                  But then on the, you know, the  
17                  delinquent side, I think that's just -- it's a  
18                  tough situation because we constantly try to go  
19                  back and fix the mistakes of the past. Where  
20                  in reality, you know, you want to just clear  
21                  those books so that once you move into a, you  
22                  know, a new collection system that you don't  
23                  repeat those mistakes of the past.

24                  So it's -- which is sort of why I,  
25                  you know, agree with Councilman Gaughan's

1           amnesty plan, you know, idea a little bit just  
2           because it's just bad -- at this point it's  
3           just bad debt on our books. And you're just  
4           trying to clear it off as fast as possible to  
5           move into a system that's more efficient.

6                     You know, but I do understand also  
7           the need for an aggressive collector once we  
8           get past that point. So I just wanted to make  
9           those comments quickly.

10                    MR. GAUGHAN: Okay. Thank you,  
11           Kyle. Anybody else?

12                    DR. ROTHCHILD: And I would just  
13           add, Mary Jo, I appreciate you coming in as  
14           well as Carl to be able to answer our questions  
15           about this. You know, obviously before passing  
16           this legislation, we want to make sure this is  
17           the right choice for the City.

18                    And I understand how it will help in  
19           our collection rate. I was apprehensive to  
20           wanting to ensure that, you know, that we're  
21           being fair to those who might have multiple  
22           properties or just making sure that we capture  
23           all of those different properties.

24                    And I know the data, I'm sure  
25           there's plenty to go through and to really

1           clean it up to get it to where it needs to be  
2           and where it should be but hasn't at no fault  
3           of yours or this administration's.

4                     I don't really have any questions at  
5           this time. I believe we've gone through a lot  
6           of this tonight. So thank you for staying with  
7           us and answering all of Council's questions.  
8           We really appreciate it. And it think that's  
9           going to be helpful in our next decisions.

10                    MR. GAUGHAN: Thank you.

11                    MR. SCHUSTER: So just to tie it up  
12           here I guess, kind of going with President  
13           Gaughan what he had said and Mr. Donahue as  
14           well as Mrs. Sheridan, you know, in looking at  
15           an amnesty program does keep that in the City's  
16           hands if we open that up for a short time  
17           period.

18                    Maybe we get a nice influx of money,  
19           people have a warning, that money comes in and  
20           then we move into that agency or that firm to  
21           do that collection.

22                    But maybe the way I see that is with  
23           that amnesty, we can keep that money in our  
24           hands with us dealing with it prior to turning  
25           it over.

1 MR. GAUGHAN: Okay. Thank you. The  
2 last thing I just want to say is, we requested  
3 a copy of the other bids. I think there was  
4 six other bids. So if you provide those to us,  
5 we would appreciate it. I think there was five  
6 or six other bids.

7 MR. DEELEY: Yeah, absolutely we  
8 will provide that to Council.

9 MR. GAUGHAN: Okay. Thank you.  
10 That's all I have. Does anybody have anything  
11 else? All right. Solicitor O'Brien, Mary Jo,  
12 Carl, thank you so much for coming. Appreciate  
13 it.

14 MS. SHERIDAN: Thank you.

15 MR. DEELEY: It was a good  
16 discussion as always.

17 ATTY. O'BRIEN: Thank you.

18 MR. GAUGHAN: Thank you very much.  
19 Okay, everyone, have a good night.

20 MR. DEELEY: Good night.

21 MR. GAUGHAN: Okay. Let's see. So  
22 we're still on Fourth Order getting off the  
23 garbage topic now. At this time, I'd like if  
24 someone from Council could please make a motion  
25 to accept public comment from the following



1 individuals: Aaron McNany and Marie  
2 Schumacher.

3 MR. DONAHUE: So moved.

4 MR. SCHUSTER: Second.

5 MR. GAUGHAN: There's been a motion  
6 and a second. On the question? On the  
7 question, Mrs. Reed --

8 MR. DONAHUE: Okay.

9 MR. GAUGHAN: Oh, no, go ahead.  
10 Sorry, Kyle. On the question?

11 MR. DONAHUE: No, I thought you were  
12 just going on the question and not asking Lori  
13 to read the comments. Sorry.

14 MR. GAUGHAN: No, that's okay. Mrs.  
15 Reed, can you please read the comments into the  
16 record?

17 MS. REED: Thank you. The first  
18 comment is from Aaron McNany. He identifies  
19 himself as a small business owner in the City  
20 of Scranton as follows:

21 Regarding item 3-C on the Council  
22 Meeting's December 1, 2020 agenda:

23 I am concerned about the request for  
24 a \$28,000 COVID relief act reimbursement  
25 claimed by the City of Scranton's OECD. The

1           stated expense description is for, "Scranton  
2           City website updates(s) to improve citizen's  
3           access to services and information to COVID  
4           pandemic."

5                       Will you please provide more  
6           information regarding what specifically cost  
7           \$28,000? The City's website, scrantonpa.gov, is  
8           a very simple, 'legacy' website which should  
9           require minimal development costs. Based on my  
10          8+ years of professional work in the web  
11          development industry, the requested  
12          reimbursement amount grossly exceeds what I  
13          would reasonably expect website edits of this  
14          magnitude to cost.

15                      I am especially mindful and  
16          concerned about these expenses as it is being  
17          claimed against Cares Act funding which is  
18          being rapidly depleted and may have better uses  
19          (including additional small business support  
20          which is desperately needed by our city's many  
21          restaurants and other hurting industries.)

22  
23                      MS. REED: The second submission is  
24          from Marie Schumacher as follows:

25                      0 I would like to request the 2021

1 recycling schedule be changed by switching the  
2 frequency of corrugated cardboard with paper. A  
3 month's worth of paper can be very heavy for  
4 many.o Back in March the City said it would  
5 bill Fox News for a Town Hall in Scranton.

6 0 What steps are being taken to  
7 ensure the 2020 Audit is received on time? What  
8 is the current date for receipt of the 2019  
9 Audit?

10 0 Please ask the Administration to  
11 include the zoom information for all bid  
12 openings.

13 0 What is the forecast for lost  
14 revenue due to the LERTA enactment? How much  
15 was lost in 2020?

16 0 When will we see the Master Plan  
17 for the former Serrenti Center including  
18 capital costs, operation costs and expected  
19 revenue?

20 0 Back in March the City said they  
21 would bill Fox News for the Town Hall. What was  
22 the amount of the bill, date it was sent and  
23 whether the bill has been paid.

24 MS. REED: That concludes the  
25 Citizens Participation.

1 MR. GAUGHAN: Thank you, Mrs. Reed.  
2 With Mr. McNany -- and I hope I'm saying his  
3 name right. I think he makes a really good  
4 point. The item that he's referring to was  
5 actually on last week's agenda. And it was  
6 Item 3-C. And it was correspondence that  
7 Council received from Eileen Cipriani, the  
8 Executive Director.

9 And they were submitting an expense  
10 in the amount of \$28,000 for a Scranton City  
11 website update to improve citizens access to  
12 services and information due to the COVID-19  
13 pandemic. I would like further information  
14 about this was well.

15 So, Mrs. Reed, if we can get in  
16 touch with the Mayor and the IT Department and  
17 find out exactly what costs \$28,000. Off the  
18 top of my head -- and, Kevin, you may remember  
19 an e-mail floating around.

20 I think there was maybe an agreement  
21 that the City was going to enter into for a new  
22 website design or something like that.

23 ATTY. HAYES: COSTAR.

24 MR. GAUGHAN: A COSTAR contract.

25 ATTY. HAYES: So the reason this is

1           able to go outside the normal bidding process  
2           is that it's a COSTAR vendor and a proposal  
3           through COSTAR to the Office of General  
4           Services in the state where we participate in  
5           that program. That's why we're able to  
6           expedite it, I guess.

7                     MR. GAUGHAN: Okay. So -- but I do  
8           think he makes a good point on, you know, is  
9           this really something that the City would get  
10          reimbursed for with the county. And it looks  
11          like based on the other items that we've seen  
12          from the OECD Director, there's quite a few  
13          things that we didn't get reimbursed for.

14                    One of them actually being I'm  
15          surprised or at least they pulled it, the  
16          additions to the Serrenti Center. So I would  
17          like additional information on that.

18                    And then Miss Schumacher's  
19          questions, Mrs. Reed, if we could forward those  
20          to the administration and ask for an answer by  
21          next Tuesday, December 15th. The one question  
22          that she has about what steps are being taken  
23          to ensure the 2020 audit's received on time,  
24          we've consistently asked for updates on this.

25                    And I think we've all stated that we

1           were disappointed that the audit is again late  
2           this year. We did receive a draft of the 2019  
3           audit. And I don't know what the date of  
4           receipt is for the completed audit. I think we  
5           were waiting on some things from OECD and  
6           another department.

7                        So the only thing Council can do  
8           really is continue to ask for updates and, you  
9           know, hold the administration's feet to the  
10          fire in terms of making sure this gets done. I  
11          thought it was going to get done on time this  
12          year because it wasn't last year but we're not  
13          in that position.

14                      ATTY. HAYES: Councilman Gaughan,  
15          with regard to an outstanding request by Miss  
16          Schumacher, she had previously requested to the  
17          number -- for us to provide her with a number  
18          of outstanding opinion lawsuits that the City  
19          is a party to.

20                      And the Law Department has provided  
21          me with that information which I've circulated  
22          to you all earlier today. And the total  
23          number, there's 27 civil actions that the City  
24          is a party to. This number does not include  
25          any workers' compensation, heart and lung or

1           other claims. These would all be civil  
2           actions.

3                   MR. GAUGHAN: Okay. Kevin, I did  
4           see that you sent that out. And we'll get that  
5           out to Miss Schumacher. And I appreciate that.  
6           Can you also check with the Law Department, I'd  
7           like to know if there is a policy of the City's  
8           if anyone who represents the City would not be  
9           permitted to accept claims against the City.

10                   So, I mean, I would assume that we  
11           have a policy like that. But I just want to  
12           double-check and see if that's the case.

13                   ATTY. HAYES: You mean as a  
14           plaintiff?

15                   MR. GAUGHAN: As a plaintiff,  
16           correct.

17                   ATTY. HAYES: Okay. All right.  
18           I'll do that.

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

21                   MR. MCANDREW: I just want to talk  
22           about the audit again. This is ridiculous. I  
23           mean, we talk about it almost weekly. And this  
24           happened last year and probably the year before  
25           and, you know, it's a blame game. I just don't

1 understand that we're not receiving the  
2 informing in a timely fashion.

3 Let me tell you something, when I  
4 first got married, I made wedding cakes on the  
5 side for extra money, right? It would be like  
6 me -- a bride coming to me and saying, you know  
7 what, I want a wedding cake on October 22nd;  
8 and then me saying, you know what I'm sorry. I  
9 could give it to you on January 5th, the  
10 wedding cake.

11 So it's beyond -- I can't understand  
12 this. And it's habitual from what I  
13 understand. So maybe the City should, you  
14 know, start looking at doing business with  
15 someone else.

16 MR. GAUGHAN: Okay. Anyone else?  
17 All right. All those in favor of the motion to  
18 accept public comment signify by saying aye.

19 MR. SCHUSTER: Aye.

20 MR. MCANDREW: Aye.

21 MR. DONAHUE: Aye.

22 DR. ROTHCHILD: Aye.

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

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



1 MOTIONS.

2 MR. GAUGHAN: Councilman Schuster,  
3 any motions or comments?

4 MR. SCHUSTER: Nothing at this time.

5 MR. GAUGHAN: Thank you. Councilman  
6 McAndrew, any motions or comments tonight?

7 MR. MCANDREW: Yeah, I would like to  
8 make -- no, you know what, I just want to go  
9 over a couple things. So usually I come and  
10 express or, you know, share the concerns and  
11 complaints of residents. And I don't mind  
12 doing it. It's part of my job.

13 But I would like to provide updates.  
14 I'm happy to report some things that have  
15 changed, you know, they've been heard. So that  
16 illegal garage on 1149 Sloan Street is finally  
17 been shut down after months. So they're  
18 finally out of there. I'm sure the residents  
19 are very happy because it was a huge safety  
20 issue.

21 And also to credit Mr. Deeley, so I  
22 posed questions -- three questions for the past  
23 three weeks. I finally got the answers, one  
24 about overtime who is entitled to it, who's  
25 exempt, who's not exempt. The answer I got was

1           only DPW supervisors. I'm saying in management  
2           capacity. Only DPW supervisor managers are  
3           eligible for overtime, one fleet coordinator,  
4           one recycling coordinator, one refuse foreman.

5                       These titles are obviously going to  
6           change in next year's budget. But to my  
7           understanding, they are the only -- that could  
8           receive overtime. Or they're not exempt from  
9           it.

10                      The second one was what's the total  
11           dollar going to be -- what's the total dollar  
12           amount going to be for the proposed -- 12 new  
13           proposed positions. And that's inclusive of  
14           insurance and benefit -- pension benefit. So  
15           them 12 new positions -- proposed new positions  
16           are going to cost the taxpayers \$710,960. All  
17           right.

18                      That's not including the proposed  
19           increases for some -- for a select few. Like I  
20           said, I like to get the information back. I'm  
21           not happy with this one, number two. And then  
22           also, my question posed was why was the fleet  
23           manager -- why is not the fleet manager  
24           handling the fuel card reports because I  
25           thought they were.

1 I thought that was part of his  
2 position, the reason for the hire. The fleet  
3 manager doesn't do that. Reports to the DPW  
4 director, okay. Responsible for the  
5 (inaudible) of the City, (inaudible) spot  
6 vehicle assets.

7 This includes scheduled maintenance,  
8 working with department manager to plan  
9 replacement or additions and the sale and  
10 disposal of retired vehicles.

11 The fuel card management now has  
12 been moved to the Business Administrator's  
13 office. This is to centralize controls for all  
14 the City departments including managing the  
15 request of allocation of cards, billing and  
16 payments. So thank you for answering my  
17 questions. And that is all I have.

18 MR. GAUGHAN: Okay. Thank you. Dr.  
19 Rothchild, any motions or comments?

20 DR. ROTHCHILD: Yes, I just have a  
21 couple of quick comments. First off, over the  
22 weekend I had received some concerns and  
23 complaints over the new route to get to the Nay  
24 Aug Christmas lights that the Scranton Police  
25 Department announced last week.

1                   So, you know, the proposed route or  
2                   way that they were asking vehicles to travel  
3                   was through Vine Street up to Arthur Avenue so  
4                   that Mulberry Street did not get clogged up  
5                   with vehicles and that emergency vehicles could  
6                   still get through to the hospital up there.

7                   And I know I passed by over the  
8                   weekend and noticed there was still a very long  
9                   line of vehicles down Mulberry Street. And so  
10                  I heard from a couple of local residents and  
11                  neighbors that are having problems with it.  
12                  And, you know, obviously the concerns for the  
13                  hospital still stand.

14                 And, I mean, I reached out to a few  
15                 of the people who are working on the light show  
16                 to find out from them what other ways -- what  
17                 other things she can do to help resolve it or  
18                 make it easier. And I think they are working  
19                 with the administration -- with the Mayor's  
20                 administration and also with Geisinger to find  
21                 a better way.

22                 So I just wanted to, like, provide a  
23                 brief update on that hoping for a quick  
24                 solution since we still do have a few more  
25                 weeks the light show will be held. And it's

1 the weekends in particular that get pretty busy  
2 and lined up with cars.

3 So there's probably a lot of people  
4 who just might not be aware that they are  
5 asking people to use Vine Street instead. But  
6 even Vine Street could get just as backed up.  
7 It was going down Harrison Avenue and it was  
8 also going all the way down to Mulberry to  
9 where the Domino's and the gas station is.

10 The other thing that I wanted to  
11 bring up and I know Councilman Donahue and  
12 Solicitor Hayes may also want to speak to this.  
13 We didn't get a chance really to bring this up  
14 yet but about our call that we had earlier with  
15 representative from American Water to discuss  
16 the Birch Street issue.

17 So we have a couple of updates there  
18 so the residents are aware of the situation and  
19 where they're at with the repairs. Solicitor  
20 Hayes, I know you had specifically included  
21 some of the things in your e-mail. I don't  
22 know if you wanted to summarize the call.

23 ATTY. HAYES: Sure. So yesterday  
24 Councilman Donahue and Dr. Rothchild and I  
25 participated in a call with Maureen Coleman

1 from Pennsylvania American Water. The purpose  
2 of the call was to obtain an update on the  
3 longstanding project in South Scranton.

4 Specifically the project is being  
5 performed by Pennsylvania American Water in  
6 reaction to -- or as a result of a consent  
7 decree issued by the EPA for past violation by  
8 the Sewer Authority. You need to put in a  
9 holding tank for -- to prevent situations where  
10 there's a storm and combined sewer -- or  
11 combined sanitary and stormwater sewer go into  
12 the Lackawanna River.

13 We -- Dr. Rothchild and Councilman  
14 Donahue raised the issue that this project was  
15 supposed to be completed last we heard was  
16 September. Then we heard the end of this year.  
17 What Mrs. Coleman explained to us was that they  
18 encountered delays due in part to supply issues  
19 from Canada during the pandemic.

20 They had encountered some surface  
21 conditions which were difficult considering it  
22 was in a land mine -- a coal mine area. But  
23 the long and short of it is the report that --  
24 the report that we received is that the project  
25 should be completed by the end of April of

1           2021.

2                   At that time, the general contractor  
3 Pioneer Construction or its subcontractor will  
4 do a full restoration of the roadways that were  
5 impacted, those being Birch Street, Willow  
6 Street and Bergen Court. In addition, the, you  
7 know, the construction of this impacting most  
8 residents is the closure of Birch Street.

9                   That should be completed by -- that  
10 aspect of the construction project should be  
11 completed by the end of February. And that  
12 road would be open at that point in time.

13                   So she was very responsive to our  
14 questions. They provided us with a 1-800  
15 number that residents can contact with any  
16 questions or complaints they have. And that  
17 could be put in, you know, maybe Third Order  
18 for next week's meeting because I have that  
19 here so the residents have it. I don't know  
20 if, Kyle, you want to add anything.

21                   MR. DONAHUE: No, I mean, I think it  
22 was a good explanation of what, you know, what  
23 the delays in the project were. But I think,  
24 you know, from our perspective moving forward  
25 we have figure out, you know, some sort of

1 solution to where a project, you know, of this  
2 scope doesn't take, you know, two years and  
3 shut down a residential street for two years.

4 I think that's something on our end  
5 that we have to try to figure out a way to  
6 avoid, you know, moving forward.

7 DR. ROTHCHILD: I agree. I don't  
8 think it should have gotten to this point. And  
9 I know they have provided a lot of information  
10 on how much work has gone into this and the  
11 scale of the project, which I can appreciate.

12 But still, you know, I don't feel  
13 like it should have taken this long and gotten  
14 to this point. And, you know, I think we're  
15 going to continue to stay on top of them. But  
16 it keeps getting extended. And sounds like  
17 they'll be done with the Birch Street portion  
18 earlier than the Willow Street.

19 I believe there was another street  
20 involved too. At least Birch Street will be  
21 opened earlier. I think she was estimating end  
22 of February with that, correct?

23 ATTY. HAYES: That's right.

24 DR. ROTHCHILD: But by April/May,  
25 that would be the full restoration with



1 complete paving. And we want to make sure  
2 that's all completed to standards. No one  
3 should be left with, you know, with a rocky  
4 road after this is completed.

5 ATTY. HAYES: Right.

6 MR. GAUGHAN: Okay. Anything else?

7 DR. ROTHCHILD: No, that's it from  
8 me. Thank you.

9 MR. GAUGHAN: Okay. Thank you.  
10 And, Councilman Donahue, any motions or  
11 comments?

12 MR. DONAHUE: No, I was just going  
13 to mention a little of that. And also, a  
14 couple weeks ago I know I had brought up an  
15 issue regarding a storm drain on Emmett Street.  
16 We did get correspond back this week that it's  
17 been put on the schedule for PA American Water  
18 to fix that storm drain. So hopefully in the  
19 next couple weeks that gets fixed. And that's  
20 all I have.

21 MR. GAUGHAN: Thank you. I just  
22 have a couple things. First, I just want to  
23 make -- or clarify one point that I made during  
24 our caucus with Portnoff. So when I mentioned  
25 amnesty program or grace period, I just want to

1           be very clear that I am not saying that people  
2           should be forgiven the entire amount or should  
3           get away with something and not pay anything.

4                   What I'm simply saying is, over the  
5           years we do the same thing over and over and  
6           over again to the point of what I think is  
7           diminishing returns. So we have not been able  
8           to collect a few million dollars in  
9           delinquencies from 2002 to 2020 to the present  
10          time.

11                   We are in need of revenue. I would  
12          rather come up with some sort of plan or  
13          program -- and I mentioned this in the past --  
14          a plan or program to have people come forward  
15          and to pay what they owe the City, if that's  
16          possible because if we don't do that, then we  
17          are going to look next year at a 4 million  
18          dollar shortfall and potentially using that  
19          OPEB trust money, which I don't agree with or  
20          refinancing.

21                   I think this gives the City an  
22          opportunity to collect potentially a  
23          significant amount of money. To me, this is  
24          about revenue. As Councilman Donahue said,  
25          clearing the books. There are people who owe a

1           significant amount of money. And I really  
2           don't think that tacking on more fees and liens  
3           and everything else is going to bring in, you  
4           know, the type of revenue to our coffers right  
5           away that we will need next year.

6                       And again, as I said, we do the same  
7           thing over and over and over again. So are we  
8           going to, you know, maximize the collections  
9           for the City or are we just going to increase  
10          the dollar amount of the liens that are  
11          obtained which makes it more and more difficult  
12          to collect those past amounts.

13                      And again, this setup with Portnoff  
14          or any collector for that matter in the  
15          beginning it mostly benefits law firms first  
16          and the City secondarily. So what I'm simply  
17          saying is, give people a chance to come forward  
18          who have not come forward in the past for  
19          whatever reason.

20                      And we can't get blood from a stone  
21          and see if they will come forward if we give a  
22          grace period -- a one-time grace period for a  
23          certain number of weeks or months or whatever  
24          that might look like. So that's what I was  
25          suggesting not that we would forgive, you know,

1 all past amounts or anything to that effect.

2 So again, if we're talking about  
3 revenue, here's an idea. Why not try it? I  
4 don't believe in the City's history we've done  
5 it in the past. So I don't think it would hurt  
6 at all. I only think that we would gain more  
7 revenue coming into the City's coffers.

8 We did receive a response from the  
9 Scranton Sewer Authority. And we -- I had  
10 asked for the balance of the two escrow  
11 accounts. And they are as follows:

12 There's a class action easement  
13 escrow. Right now there is \$11,509,586.87 in  
14 that escrow account. There's a second escrow  
15 account in the amount of \$4,833,210.58. We did  
16 ask for a timeline on when those funds may be  
17 released and, you know, what that process looks  
18 like.

19 And they replied that the matter is  
20 still an ongoing litigation. So there is a  
21 significant -- the bottom line is, there's a  
22 significant amount of money still outstanding.  
23 What those amounts look like after the  
24 litigation is solved, I don't know. But there  
25 should be some money at least coming to the

1 City. I think it goes 80/20. So that's  
2 Scranton and Dunmore.

3 Mrs. Reed, I requested I think maybe  
4 two weeks ago a copy of the workers'  
5 compensation reserve analysis and loss  
6 forecast. We usually receive a copy of this  
7 with the budget at the end of the year. We did  
8 not this year. So if we can request that  
9 before next week if it's available I would  
10 appreciate it. And that is all I have for this  
11 week. Thank you.

12 MS. REED: Thank you. 5-B. FOR  
13 INTRODUCTION – A RESOLUTION – ACCEPTING A  
14 DONATION FROM BRAYER'S TOWING LOCATED AT 1013  
15 FERDINAND STREET, SCRANTON, PA FOR THE USE OF A  
16 PORTABLE LIGHT STAND USED TO ILLUMINATE THE  
17 KEYSER VALLEY COMMUNITY CENTER PARKING LOT  
18 WHICH SERVED AS A POLLING LOCATION THE NIGHT OF  
19 NOVEMBER 3, 2020, ELECTION DAY.

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

23 DR. ROTHCHILD: So moved.

24 MR. DONAHUE: So moved.

25 MR. SCHUSTER: Second.

1 MR. GAUGHAN: On the question?

2 All those in favor of introduction signify by  
3 saying aye.

4 MR. SCHUSTER: Aye.

5 MR. MCANDREW: Aye.

6 MR. DONAHUE: Aye.

7 DR. ROTHCHILD: Aye.

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

10 MS. REED: 5-C. FOR INTRODUCTION –  
11 A RESOLUTION – ACCEPTING DONATIONS PROVIDED  
12 TO THE CITY TO AID IN THE CITY'S RESPONSE TO  
13 ITS EFFORTS TO COMBAT THE COVID-19 OUTBREAK.

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

17 MR. DONAHUE: So moved.

18 DR. ROTHCHILD: Second.

19 MR. GAUGHAN: On the question?

20 All those in favor of introduction signify by  
21 saying aye.

22 MR. SCHUSTER: Aye.

23 MR. MCANDREW: Aye.

24 MR. DONAHUE: Aye.

25 DR. ROTHCHILD: Aye.

1 MR. GAUGHAN: Aye. Opposed? The  
2 ayes have it and so moved.

3 MS. REED: 5-D. FOR INTRODUCTION -  
4 A RESOLUTION - AUTHORIZING THE MAYOR AND  
5 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND  
6 ENTER INTO A MASTER LEASE AGREEMENT BETWEEN THE  
7 CITY OF SCRANTON, HEREINAFTER DESIGNATED  
8 ("LESSOR") AND CELLCO PARTNERSHIP D/B/A  
9 VERIZON WIRELESS, WITH ITS PRINCIPAL OFFICES AT  
10 ONE VERIZON WAY, MAIL STOP 4AW100, BASKING  
11 RIDGE, NEW JERSEY 07920 ("LESSEE") TO LEASE  
12 SPACE TO LESSEE WITH RESPECT TO PARTICULAR  
13 SITES AT WHICH LESSEE WISHES TO INSTALL,  
14 MAINTAIN, AND OPERATE, SMALL CELL  
15 COMMUNICATIONS EQUIPMENT, AS WELL AS ANY AND  
16 ALL NECESSARY LEASE SUPPLEMENTS OUTLINED  
17 HEREIN.

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

21 MR. DONAHUE: So moved.

22 DR. ROTHCHILD: Second.

23 MR. GAUGHAN: On the question? On  
24 the question, unless I missed it in here, I  
25 would like to know if they have any idea how

1           many poles these antennas are going to go on  
2           and where are they located in the City. So if  
3           we can get an idea before next week.

4                   And then when I was looking through  
5           it, I think the amount that the City is going  
6           to get per pole is \$270. And there's a \$100  
7           one-time application fee. So those are two  
8           questions that I have.

9                   So, Mrs. Reed, if you could follow  
10          up with the City administration just to find  
11          out again where these poles are going to be  
12          located throughout the City. Anyone else on  
13          the question? All those in favor of  
14          introduction signify by saying aye.

15                   MR. SCHUSTER: Aye.

16                   MR. MCANDREW: Aye.

17                   MR. DONAHUE: Aye.

18                   DR. ROTHCHILD: Aye.

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

21                   MS. REED: 5-E. FOR INTRODUCTION -  
22          A RESOLUTION - CEREMONIOUSLY DEDICATING "JOE  
23          BIDEN WAY" AT THE INTERSECTION OF NORTH  
24          WASHINGTON AVENUE AND FISK STREET IN HONOR OF  
25          PRESIDENT-ELECT JOE BIDEN.



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

4 MR. DONAHUE: So moved.

5 DR. ROTHCHILD: Second.

6 MR. GAUGHAN: On the question? On  
7 the question, I just want to say I'm thrilled,  
8 first of all, I'm thrilled that we have no  
9 matter what political party you belong to or  
10 what your political affiliation is, I think we  
11 should all be thrilled and excited that someone  
12 who was born and raised in Scranton for the  
13 first 10 years of his life is going to be  
14 President of the United States and he lived  
15 right on North Washington Avenue.

16 It's a great honor for the City.  
17 You know, I had the honor and pleasure of  
18 seeing Joe Biden on Election Day when he came  
19 to Scranton. And I think, you know, better  
20 days are ahead definitely. And I think the  
21 City is going to play a major role now in the  
22 White House and throughout country.

23 So this is a -- was a great day for  
24 the City of Scranton. Anyone else on the  
25 question? Okay. All those in favor of

1 introduction signify by saying aye.

2 MR. SCHUSTER: Aye.

3 MR. MCANDREW: Aye.

4 MR. DONAHUE: Aye.

5 DR. ROTHCHILD: Aye.

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

8 MS. REED: 5-F. FOR INTRODUCTION -  
9 A RESOLUTION - APPOINTMENT OF JOHN JUDGE,  
10 915 ELECTRIC STREET, SCRANTON, PENNSYLVANIA,  
11 18509, TO THE POSITION OF SCRANTON FIRE CHIEF  
12 EFFECTIVE NOVEMBER 30, 2020.

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

16 MR. DONAHUE: So moved.

17 MR. SCHUSTER: Second.

18 MR. GAUGHAN: On the question? Yes,  
19 on the question, I have one concern about this.  
20 And it's not about John Judge personally  
21 because I'm sure he would be a good Fire Chief.

22 But in looking at the resume that  
23 was submitted by Mr. Judge back when he was  
24 appointed as the acting Fire Chief, one of the  
25 things that stuck out to me is that he

1           currently is a part-time police officer in  
2           South Abington Township.

3                       And it says according to his resume  
4           that he is currently a part-time police  
5           officer. So my concern is, you know, this  
6           obviously being a Fire Chief in the City of  
7           Scranton is a full-time position on top of  
8           eventually, you know, transitioning probably  
9           into a role of Emergency Management  
10          Coordinator.

11                      So I would be concerned in how  
12          someone could be a full time Fire Chief and  
13          also, you know, a police officer in South  
14          Abington Township. So, Mrs. Reed, if you can  
15          reach out, send correspondence to the Mayor and  
16          ask the Mayor if she's aware of this, number  
17          one, and number two; if Mr. Judge is still a  
18          police officer in South Abington Township and  
19          if someone could explain to me how he would be  
20          able to perform both positions. Anyone else on  
21          the question? Okay. All those in favor of  
22          introduction signify by saying aye.

23                      MR. SCHUSTER: Aye.

24                      MR. MCANDREW: Aye.

25                      MR. DONAHUE: Aye.

1 DR. ROTHCHILD: Aye.

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

4 MS. REED: 5-G. FOR INTRODUCTION -  
5 A RESOLUTION - APPOINTMENT OF ALEX MOLFETAS,  
6 119 PENN AVENUE, SCRANTON, PENNSYLVANIA, 18503,  
7 AS A MEMBER OF THE SCRANTON PARKING AUTHORITY  
8 EFFECTIVE NOVEMBER 24, 2020. ALEX MOLFETAS WILL  
9 BE REPLACING THOMAS TANSITS WHOSE TERM  
10 EXPIRED. ALEX MOLFETAS WILL BE APPOINTED TO A  
11 FIVE (5) YEAR TERM EFFECTIVE NOVEMBER 24, 2020  
12 AND WILL EXPIRE ON JUNE 1, 2025.

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

16 MR. DONAHUE: So moved.

17 MR. SCHUSTER: Second.

18 MR. GAUGHAN: On the question?

19 All those in favor of introduction signify by  
20 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-H. FOR INTRODUCTION -  
3 A RESOLUTION - AUTHORIZING THE MAYOR AND  
4 OTHER APPROPRIATE CITY OFFICIALS TO ACCEPT ON  
5 BEHALF OF THE CITY OF SCRANTON POLICE  
6 DEPARTMENT A GRANT FROM THE PNC FOUNDATION FOR  
7 FAIR AND IMPARTIAL POLICE TRAINING PROGRAM IN  
8 THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED  
9 (\$7,500.00) DOLLARS.

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

13 MR. DONAHUE: So moved.

14 MR. MCANDREW: Second.

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

18 MR. SCHUSTER: Aye.

19 MR. MCANDREW: Aye.

20 MR. DONAHUE: Aye.

21 DR. ROTHCHILD: Aye.

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

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

25 READING BY TITLE - FILE OF THE COUNCIL NO. 38,

1           2020 - AN ORDINANCE - AMENDING FILE OF THE  
2           COUNCIL NO. 6, 1976 ENTITLED "AN ORDINANCE (AS  
3           AMENDED) IMPOSING A TAX FOR GENERAL REVENUE  
4           PURPOSES ON THE TRANSFER OF REAL PROPERTY  
5           SITUATE WITHIN THE CITY OF SCRANTON;  
6           PRESCRIBING AND REGULATING THE METHOD OF  
7           EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING  
8           POWERS AND IMPOSING DUTIES UPON CERTAIN  
9           PERSONS, AND PROVIDING PENALTIES", BY IMPOSING  
10          THE RATE OF THE REALTY TRANSFER TAX AT TWO AND  
11          TWO TENTHS PERCENT (2.2%) FOR CALENDAR YEAR  
12          2021 AND THE SAME SHALL REMAIN IN FULL FORCE  
13          AND EFFECT ANNUALLY THEREAFTER.

14                 MR. DONAHUE: You're muted, Bill.

15                 MR. GAUGHAN: Oh, sorry about that.  
16          You've heard reading by title of Item 6-A.  
17          What is your pleasure?

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

20                 MR. SCHUSTER: Second.

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

23                 MR. SCHUSTER: Aye.

24                 MR. MCANDREW: Aye.

25                 MR. DONAHUE: Aye.

1 DR. ROTHCHILD: Aye.

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

4 MS. REED: 6-B. READING BY TITLE -  
5 FILE OF THE COUNCIL NO. 39, 2020 - AN  
6 ORDINANCE - AMENDING FILE OF THE COUNCIL NO.  
7 148, 1986, ENTITLED "AN ORDINANCE AMENDING FILE  
8 OF THE COUNCIL NO. 98, 1976, AS AMENDED, AND  
9 IMPOSING A MERCANTILE LICENSE TAX OF 2  
10 MILLS FOR THE YEAR 1987 AND ANNUALLY THEREAFTER  
11 UPON PERSONS ENGAGING IN CERTAIN OCCUPATIONS  
12 AND BUSINESSES THEREIN; PROVIDING FOR ITS LEVY  
13 AND COLLECTION AND FOR THE ISSUANCE OF  
14 MERCANTILE LICENSES; CONFERRING AND IMPOSING  
15 POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE  
16 CITY OF SCRANTON; AND IMPOSING PENALTIES  
17 EFFECTIVE JANUARY 1, 1987", BY IMPOSING THE  
18 MERCANTILE LICENSE TAX AT ONE (1) MILL (.001)  
19 FOR CALENDAR YEAR 2021 AND THE SAME SHALL  
20 REMAIN IN FULL FORCE AND EFFECT ANNUALLY  
21 THEREAFTER.

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

24 MR. DONAHUE: I move that Item 6-B  
25 pass reading by title.

1 MR. SCHUSTER: Second.

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

4 MR. SCHUSTER: Aye.

5 MR. MCANDREW: Aye.

6 MR. DONAHUE: Aye.

7 DR. ROTHCHILD: Aye.

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

10 MS. REED: 6-C. READING BY TITLE -  
11 FILE OF THE COUNCIL NO. 40, 2020 - AN  
12 ORDINANCE - AMENDING FILE OF THE COUNCIL NO.  
13 147, 1986, ENTITLED "AN ORDINANCE PROVIDING FOR  
14 THE GENERAL REVENUE BY IMPOSING A TAX AT THE  
15 RATE OF TWO (2) MILLS UPON THE PRIVILEGE  
16 OF OPERATING OR CONDUCTING BUSINESS IN THE CITY  
17 OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS  
18 THEREFROM; REQUIRING REGISTRATION AND PAYMENT  
19 OF THE TAX AS CONDITION TO THE CONDUCTING OF  
20 SUCH BUSINESS; PROVIDING FOR THE LEVY AND  
21 COLLECTION OF SUCH TAX; PRESCRIBING SUCH  
22 REQUIREMENTS FOR RETURNS AND RECORDS;  
23 CONFERRING POWERS AND DUTIES UPON THE TAX  
24 COLLECTOR; AND IMPOSING PENALTIES", BY IMPOSING  
25 THE BUSINESS PRIVILEGE TAX AT THE RATE OF ONE



1 (1) MILL (.001) FOR CALENDAR YEAR 2021 AND THE  
2 SAME SHALL REMAIN IN FULL FORCE AND EFFECT  
3 ANNUALLY THEREAFTER.

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

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

8 MR. MCANDREW: Second.

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

11 MR. SCHUSTER: Aye.

12 MR. MCANDREW: Aye.

13 MR. DONAHUE: Aye.

14 DR. ROTHCHILD: Aye.

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

17 MS. REED: 6-D. READING BY TITLE -  
18 FILE OF THE COUNCIL NO. 41, 2020 - AN  
19 ORDINANCE - AMENDING FILE OF THE COUNCIL NO.  
20 11, 1976, ENTITLED "AN ORDINANCE (AS AMENDED)  
21 ENACTING, IMPOSING A TAX FOR GENERAL  
22 REVENUE PURPOSES IN THE AMOUNT OF TWO PERCENT  
23 (2%) ON EARNED INCOME AND NET PROFITS ON  
24 PERSONS, INDIVIDUALS, ASSOCIATIONS AND  
25 BUSINESSES WHO ARE RESIDENTS OF THE CITY OF

1           SCRANTON, OR NON-RESIDENTS OF THE CITY OF  
2           SCRANTON, FOR WORK DONE, SERVICES  
3           PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY  
4           OF SCRANTON, REQUIRING THE FILING OF RETURNS BY  
5           TAXPAYERS SUBJECT TO THE TAX; REQUIRING  
6           EMPLOYERS TO COLLECT THE TAX AT SOURCE;  
7           PROVIDING FOR THE ADMINISTRATION, COLLECTION  
8           AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING  
9           PENALTIES FOR THE VIOLATIONS", BY  
10          RE-ENACTING THE IMPOSITION OF THE WAGE TAX AT  
11          TWO AND FOUR TENTHS (2.4%) PERCENT ON EARNED  
12          INCOME FOR RESIDENTS AND ONE (1%) PERCENT ON  
13          EARNED INCOME FOR NON-RESIDENTS OF THE CITY OF  
14          SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR  
15          BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON  
16          FOR THE YEAR 2021 AND THE SAME SHALL REMAIN IN  
17          FULL FORCE AND EFFECT ANNUALLY THEREAFTER.  
18          Ordinance-2020 Earned Income Tax 2021.pdf  
19          6.E READING BY TITLE - FILE OF THE COUNCIL NO.  
20          42, 2020 - AN ORDINANCE - AMENDING FILE OF THE  
21          COUNCIL NO. 100, 1976, ENTITLED "AN ORDINANCE  
22          (AS AMENDED) LEVYING GENERAL AND SPECIAL  
23          TAXES FOR THE FISCAL YEAR 1977", BY SETTING THE  
24          MILLAGE FOR THE YEAR 2021 AND THE SAME SHALL  
25          REMAIN IN FULL FORCE AND EFFECT ANNUALLY

1           THEREAFTER.

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

4                   MR. DONAHUE: I move that Item 6-D  
5 pass reading by title.

6                   MR. SCHUSTER: Second.

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

9                   MR. SCHUSTER: Aye.

10                  MR. MCANDREW: Aye.

11                  MR. DONAHUE: Aye.

12                  DR. ROTHCHILD: Aye.

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

15                  MS. REED: 6-E. READING BY TITLE -  
16 FILE OF THE COUNCIL NO. 42, 2020 - AN  
17 ORDINANCE - AMENDING FILE OF THE COUNCIL NO.  
18 100, 1976, ENTITLED "AN ORDINANCE (AS AMENDED)  
19 LEVYING GENERAL AND SPECIAL TAXES FOR THE  
20 FISCAL YEAR 1977", BY SETTING THE MILLAGE FOR  
21 THE YEAR 2021 AND THE SAME SHALL REMAIN IN FULL  
22 FORCE AND EFFECT ANNUALLY THEREAFTER.

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

25                  MR. DONAHUE: I move that Item 6-E

1 pass reading by title.

2 MR. SCHUSTER: Second.

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

5 MR. SCHUSTER: Aye.

6 MR. MCANDREW: Aye.

7 MR. DONAHUE: Aye.

8 DR. ROTHCHILD: Aye.

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

11 MS. REED: SEVENTH ORDER. 7-A. FOR  
12 CONSIDERATION BY THE COMMITTEE ON COMMUNITY  
13 DEVELOPMENT - FOR ADOPTION - RESOLUTION NO.  
14 102, 2020 - RATIFYING AND APPROVING OF THE  
15 EXECUTION AND SUBMISSION OF THE GRANT  
16 APPLICATION BY THE CITY OF SCRANTON, ON BEHALF  
17 OF SCRANTON CULTURAL CENTER AT THE MASONIC  
18 TEMPLE TO THE COMMONWEALTH OF PENNSYLVANIA  
19 ACTING THROUGH THE COMMONWEALTH FINANCING  
20 AUTHORITY FOR A LOCAL SHARE ACCOUNT GRANT,  
21 PURSUANT TO THE PA RACE HORSE DEVELOPMENT AND  
22 GAMING ACT IN THE AMOUNT OF \$95,928.00 FOR THE  
23 PROJECT TO BE KNOWN AS "COVID-19 PUBLIC  
24 HEALTH, SAFETY, AND SECURITY UPGRADE" LOCATED  
25 AT 420 N. WASHINGTON AVENUE, SCRANTON,

1 PENNSYLVANIA, AND AUTHORIZING THE  
2 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF  
3 THE CITY OF SCRANTON, PENNSYLVANIA, TO ACCEPT  
4 THE GRANT, IF SUCCESSFUL, AND EXECUTE AND ENTER  
5 INTO A LOCAL SHARE ACCOUNT GRANT CONTRACT AND  
6 COMMITMENT LETTER WITH THE COMMONWEALTH OF  
7 PENNSYLVANIA TO ACCEPT AND UTILIZE THE GRANT IN  
8 THE AMOUNT OF \$95,928.00 AWARDED BY THE  
9 COMMONWEALTH OF PENNSYLVANIA FOR SUCH PROJECT.

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

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

16 MR. SCHUSTER: Second.

17 MR. DONAHUE: Second.

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

20 MS. CARRERA: Mr. Schuster.

21 MR SCHUSTER: Yes.

22 MS. CARRERA: Mr. McAndrew.

23 MR. MCANDREW: Yes.

24 MS. CARRERA: Dr. Rothchild.

25 DR. ROTHCHILD: Yes.

1 MS. CARRERA: Mr. Donahue.

2 MR. DONAHUE: Yes.

3 MS. CARRERA: Mr. Gaughan.

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

6 MS. REED: 7-B. PREVIOUSLY  
7 TABLED - FOR CONSIDERATION BY THE COMMITTEE ON  
8 FINANCE FOR ADOPTION - FILE OF THE COUNCIL NO.  
9 36 2020 - AMENDING OF THE FILE OF THE COUNCIL  
10 NO. 6 2020 - AMENDING FILE OF THE COUNCIL NO.  
11 59 2019 ENTITLED AN ORDINANCE AMENDING FILE OF  
12 THE COUNCIL NO. 17 1994 ENTITLED AN ORDINANCE  
13 AS AMENDED AUTHORIZING THE GOVERNING BODY OF  
14 THE CITY OF SCRANTON TO ENACT A WASTE DISPOSAL  
15 AND COLLECTION FEE FOR THE PURPOSE OF RAISING  
16 REVENUE TO COVER THE WASTE DISPOSAL AND  
17 COLLECTION COST INCURRED BY THE CITY OF  
18 SCRANTON FOR THE DISPOSAL OF REFUSE BY IMPOSING  
19 A WASTE DISPOSAL AND COLLECTION FEE OF \$300 FOR  
20 CALENDAR YEAR 2021 AND THE SAME SHALL REMAIN IN  
21 FULL FORCE AND EFFECT ANNUALLY THEREAFTER AND  
22 TO AMEND THE TIMELINE FOR PAYMENT ALLOWING  
23 CHANGE IN THE MECHANISM OF BILLING, UPDATE THE  
24 REQUIREMENTS FOR EXONERATION AND INCREASE  
25 PENALTIES FOR VIOLATION.

1 MR. GAUGHAN: And what is  
2 recommendation of the Chairperson for the  
3 Committee on Finance?

4 MR. SCHUSTER: As the Chairperson  
5 for the Committee on Finance, I recommend  
6 passage of Item 7-B.

7 MR. GAUGHAN: Is there a second?

8 MR. MCANDREW: Second.

9 MR. GAUGHAN: On the question? On  
10 the question, I'm going be in favor of this  
11 putting the refuse bill on the real estate tax  
12 bill. I think it really boils down to common  
13 sense. And this will, number one, make it more  
14 efficient; number two, it will streamline the  
15 process for taxpayers.

16 So I think, you know, when you boil  
17 everything down it makes sense. And I was --  
18 we were assured tonight by the City Treasurer  
19 that there are, you know, pieces in place where  
20 this is going to be able to be managed and was  
21 one of my concerns.

22 And again, they assured us that, you  
23 know, that was going to be taken care of.  
24 Anyone else on the question? Roll call,  
25 please.

1 MS. CARRERA: Mr. Schuster.

2 MR. SCHUSTER: Yes.

3 MS. CARRERA: Mr. McAndrew.

4 MR. MCANDREW: Yes.

5 MS. CARRERA: Dr. Rothchild.

6 DR. ROTHCHILD: Yes.

7 MS. CARRERA: Mr. Donahue.

8 MR. DONAHUE: Yes.

9 MS. CARRERA: Mr. Gaughan.

10 MR. GAUGHAN: Yes. I hereby declare  
11 Item 7-B legally and lawfully adopted. If  
12 there is no further business, I'll entertain a  
13 motion to adjourn.

14 MR. DONAHUE: Motion to adjourn.

15 MR. GAUGHAN: This meeting is  
16 adjourned. Thank you everyone. Have a good  
17 night.

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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

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