

COUNCIL FOR THE CITY OF SCRANTON

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HELD:

Monday, November 4th, 2019

LOCATION:

Council Chambers
Scranton City Hall
340 North Washington Avenue
Scranton, Pennsylvania

Maria McCool, RPR
Official Court Reporter

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

- PATRICK ROGAN, PRESIDENT
- TIMOTHY PERRY, VICE PRESIDENT - absent
- WILLIAM GAUGHAN
- KYLE DONAHUE
- MARY WALSH DEMPSEY

- LORI REED, CITY CLERK - absent
- KATHY CARRERA, ASSISTANT CITY CLERK
- COREY EGAN, ESQUIRE

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(Pledge of Allegiance recited and a moment of reflection observed.)

MR. ROGAN: Roll call, please.

MS. CARRERA: Mr. Perry. Mr. Donahue.

MR. DONAHUE: Here.

MS. CARRERA: Attorney Dempsey.

ATTY. DEMPSEY: Here.

MS. CARRERA: Mr. Gaughan.

MR. GAUGHAN: Here.

MS. CARRERA: Mr. Rogan.

MR. ROGAN: Here. Please dispense with the reading of the minutes.

ATTY. EGAN: THIRD ORDER. 3-A.
MINUTES OF THE REGULAR MEETING OF THE ETHICS BOARD HELD OCTOBER 10, 2019.

3-B. MINUTES OF THE SCRANTON LACKAWANNA HEALTH & WELFARE AUTHORITY MEETING HELD JUNE 20, 2019.

3-C. TAX ASSESSOR'S REPORT FOR HEARING DATE TO BE HELD NOVEMBER 6, 2019.

3-D. TAX ASSESSOR'S RESULTS REPORT FOR HEARING

1 DATE HELD OCTOBER 23, 2019.

2
3 3-E. SINGLE TAX OFFICE CITY FUNDS DISTRIBUTED
4 COMPARISON REPORT 2018-2019 YEAR TO DATE
5 OCTOBER 31, 2019.

6
7 3.F. QUARTERLY MINUTES OF THE SHADE TREE
8 COMMISSION MEETING HELD APRIL 9, 2019.

9
10 MR. ROGAN: Are there any comments
11 on any of the Third Order items? If not,
12 received and filed.

13 MR. GAUGHAN: I'd like to make a
14 motion to appoint Councilman Donahue as
15 temporary Chairperson for the Committee on
16 Public Safety.

17 MR. ROGAN: Is there a second?

18 ATTY. DEMPSEY: Second.

19 MR. ROGAN: Do any Council members
20 have announcements at this time?

21 MR. DONAHUE: Yes, I just have one.
22 The City of Scranton is preparing their Five
23 Year Consolidated Plan, Annual Action Plan and
24 its analysis of impediments to fair housing
25 choice.

1 As part of the planning process, the
2 City is conducting a survey to identify
3 residents' needs in the community and ideas on
4 what City residents would like to see funds
5 used for.

6 Please take a few minutes and
7 complete the survey which can be found at the
8 top of the City's website Scranton PA dot gov.

9 MR. ROGAN: I have two
10 announcements. City Hall will be closed
11 tomorrow, Tuesday, November 5th, in observance
12 of Election Day. The City DPW will be off and
13 garbage and blue recycling collection will be a
14 day behind. Parking meters and kiosks downtown
15 will be free on Tuesday.

16 Also, City Hall will be closed on
17 Monday, November 11th, in observation of
18 Veteran's Day. The City DPW will be off an
19 garbage and red recycling containers will be a
20 day behind. There will be no City Council
21 meeting on the 11th. The next Council meeting
22 will be held Monday, November 18th. Does
23 anyone else have anything else?

24 ATTY. EGAN: FOURTH ORDER. CITIZENS
25 PARTICIPATION.

1 (The following speakers spoke on
2 agenda items and matters of general concern:

3 Joan Hodowanitz

4 Dorothy Dietrick

5 John Bravo

6 Robert Bolus

7 Les Spindler

8 Scott Thomas

9 Ron Ellman

10 Marie Schumacher

11 Norma Jefferies

12 Unidentified man

13 Glynis Johns

14 Dave Dobrzyn)

15 ATTY. EGAN: FIFTH ORDER. 5-A.

16 MOTIONS.

17 MR. ROGAN: Mr. Donahue, any
18 motions or comments?

19 MR. DONAHUE: Yes, just quickly I
20 just want to pass along some complaints I
21 received this week. I'm going to pass these
22 along to Licensing and Inspections Department.
23 The first one is at -- the address is 2208
24 Prospect Avenue.

25 A neighbor has called multiple times

1 to complain about multiple cars in the
2 backyard. Grass is only being cut once per
3 year. The neighbor, like I said, the neighbors
4 called multiple times and has been told the
5 complaint was with the magistrate.

6 So can we ask LIPS for a status
7 update on that property? Also 1121-1123
8 Stafford Avenue, I received complaints from
9 multiple neighbors. Neighbors say that the
10 property is owned by the City but is never
11 maintained. So can we check with LIPS to see
12 if the property is owned by the City? Is it on
13 a demolition list? And if so, is there an
14 estimated timetable for when it will be demoed?

15 And the last property is 623 Crown
16 Avenue. Neighbors have complained multiple
17 times about water runoff disturbing their
18 property. That's on the part of Crown Avenue
19 where there's retaining walls in the front and
20 water runoff is really bad there.

21 They have called LIPS to complain
22 multiple times. Can we also request an update
23 from LIPS to see if anything has been done
24 regarding this issue? And I'd also like to
25 just bring up the referendum that's going to be

1 on the ballot to allow the school district to
2 consider the conversion from a Business
3 Privilege to Mercantile Tax to a Payroll Prep
4 Tax. I urge everyone to vote in favor of it.

5 It's a more modern tax that allows
6 for more organic growth. It's more fairly
7 distributed. You know, and it's -- the
8 Business Privilege and Mercantile is just been
9 pushing businesses out of the City for way too
10 long. So I do urge everyone to vote for it.
11 And that's all I have tonight.

12 MR. ROGAN: Thank you. Attorney
13 Dempsey, any motions or comments?

14 ATTY. DEMPSEY: Yes, thank you,
15 Mr. Rogan. Let me start with a quick reminder
16 going forward. We do have our Rules of
17 Council. And under Article five it explicitly
18 states that no person including members of
19 Council shall use their time during Citizens
20 Participation to personally insult or to attack
21 any individual.

22 Name calling, profanity, racial or
23 ethnic slurs or any other behavior that is
24 inconsistent with the purpose and intent of
25 conducting official business shall not be

1 permitted.

2 We were a little more liberal
3 tonight than I would have liked to have seen.
4 I would like to say henceforth going forward
5 hopefully we'll enact that a little bit more.
6 It's just not consistent with our purpose here.
7 And it's not consistent with our rules and I
8 don't think it serves any legitimate business
9 purpose.

10 To the people who came here from the
11 Houdini Museum thank you for your time. I
12 sympathize with what you're going through. I'm
13 hopeful that the connection we attempt to make
14 with Licensing and Inspection tomorrow will be
15 assistive to you.

16 I do want to let you know that in
17 our caucus this evening we were actually
18 dealing with a consultant regarding trying to
19 make that system work better, more automated
20 and more up-to-date. I'm hopeful going forward
21 in the future after that consultant comes in
22 these problems will decrease substantially.

23 I was away for a few weeks visiting
24 my daughter and I do have a couple more
25 comments than usual if you can bear with me. I

1 have been provided with a copy of the budget
2 that was provided to the Pennsylvania Economy
3 League. I have not had a full opportunity to
4 review that. But I will review it in detail
5 before the meeting which is in two weeks.

6 I have talked to my Councilmates
7 previously in caucus and I would like to make a
8 motion at this time that we send a letter to
9 Mr. Bulzoni asking him to set aside two hours
10 to meet with Council and answer our questions
11 at a mutually convenient date and time and at
12 least ten days in advance of the budget vote.

13 MR. ROGAN: Is there a second?

14 MR. GAUGHAN: Second.

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

17 MR. DONAHUE: Aye.

18 MR. GAUGHAN: Aye.

19 ATTY. DEMPSEY: Aye.

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

22 ATTY. DEMPSEY: Thank you. The
23 second thing someone had mentioned the audit.
24 I know that is a point of contention for many
25 people including me to be quite frank. All I

1 could say is I was given the same date and time
2 that Mr. Donahue spoke of in the last week
3 which was 11/1/19. I do not have it in my
4 hands as we sit here today. I will repeat the
5 explanation that I was given which is it was a
6 new auditing company and henceforth putting
7 additional information in was taking more time.

8 The only good news I can give you is
9 if that explanation is true which I have no
10 reason to disbelieve it at this moment, next
11 year assuming we're using the same auditing
12 company I would hope we would not see this type
13 of delay.

14 I would like to briefly update
15 people on the garbage delinquencies. As most
16 people know when I came in here including my
17 interview with Council, I wanted to make that a
18 top priority. There was an attempt during one
19 of the meetings in the last couple weeks to
20 introduce a letter.

21 I'm not going to discuss anything
22 confidential. But I think it's very fair for
23 me to give an update regarding a meeting I
24 participated in with both Mr. Bulzoni, the
25 Mayor, Solicitor Eskra, a representative of

1 NRS, the City Treasurer was there I believe and
2 there may have been one other person.

3 And it was a very good meeting where
4 the City made its thoughts known to NRS. The
5 gentleman from NRS was quite the gentleman. He
6 accepted it and received it well. The one
7 thing that came out of that meeting to me is
8 actually two-fold I should say. The matter is
9 now in the hands of lawyers who are going to
10 deal with how to put this officially to an end.

11 And it's also going to be a large
12 chore for the IT Department. I myself was
13 somewhat surprised by the lack of automation.
14 I had hoped or I had assumed that the City and
15 the Treasury Department, in fact, were more
16 automated than they really are. And I
17 understand there is going to be a large
18 transfer of information and/or data that is
19 going to take place.

20 I'm hopeful that could be done on a
21 timely basis although it did sound like it was
22 a much larger project than even I had hoped.
23 Following up on that it is also our intent to
24 issue an RFQ. I reviewed that today when I
25 returned to my office. Solicitor Eskra had

1 provided me a copy of that.

2 I was very pleased to see in there
3 that it includes the obtaining of a firm or a
4 company that is going to have a legal services
5 component to it who can aggressively and almost
6 automatically seek some sort of repercussions
7 against these chronic offenders.

8 Those who have listened to me about
9 this know I find this highly inequitable and
10 highly unfair to the people who specifically
11 year in and year out put aside that \$300 to
12 make sure they pay their garbage fee. And I
13 know those people are out there because I've
14 spoken to them.

15 And for the other people to just
16 look at that fee and chronically not pay it is
17 just inequitable to me and I cannot stand for
18 it much longer. So I'm hopeful that that RFQ
19 will be sent out in the very, very near future.

20 One of the other issues we're
21 dealing with on this is we obviously cannot go
22 without the monthly income that the trash
23 delinquencies revenues do bring in. So we're
24 throwing that around as well. I did consider
25 that a good meeting. I was happy to be at that

1 table. And I will repeat that it is now as far
2 as I'm concerned in the hands of City Solicitor
3 and our IT Department in order to make this
4 transition as seamless as possible.

5 Kathy, if you wouldn't on my behalf,
6 please, would you send a letter to the
7 Solicitor for the Scranton Civil Service
8 Commission? I think it might be Paul Kelly but
9 I'm not quite sure to be quite frank with you
10 to see when the last time our civil service
11 rules were updated.

12 I recently attended a legal seminar
13 on this for one of my private clients regarding
14 the same issue and I was advised that these
15 should be updated at least every two to three
16 years. I was also advised that new regulations
17 have come down as well. And going forward and
18 making any additional hiring decisions, this is
19 going to be very important for us, so I would
20 just like to know if and when changes and/or
21 amendments have been made.

22 And contrary to what Mr. Bolus said,
23 I'm going back to the gas cards because I was
24 not here for two weeks and I do have a couple
25 things I'd like to say about them.

1 What we know at the present time is
2 that there is a complete lack of internal
3 controls at multiple levels which is
4 concerning. I might even go so far as to call
5 it carelessness, neglect, mismanagement and
6 clearly inattention.

7 That having been said I will say
8 this. It may be a minority opinion at this
9 time. I'm not sure. I do not have any proof
10 as I sit here today that there is any criminal
11 behavior. If the audit does come back and
12 shows me otherwise we're going to need to make
13 difficult decisions or the administration is
14 going to need to make difficult decisions.

15 That having been said, I did go back
16 and watch the two meetings that I missed. And
17 Mr. Rogan, I agree with you a hundred percent.
18 I as well am sick of hearing excuses from the
19 Controller's Office, and I've only been here
20 eight to ten weeks.

21 One of the excuses we were given was
22 that the job was done away with and it is no
23 longer there the job that was going to take
24 care of this. I asked for a copy of that job
25 description. And I actually have it here.

1 And it's called a record's
2 coordinator. And that job had three typical
3 examples of work, log all repairs, parts and
4 other expenses for City vehicles, file and
5 distribute all approved vouchers and
6 requisitions for processing and answer
7 telephone and route calls or messages.

8 That is not enough of an excuse for
9 me that there was no oversight on these gas
10 cards. It's actually incredulous to me to be
11 quite frank that that would be the excuse. In
12 the private world that I work in and I think
13 most of us work in, if a job is done away with
14 the tasks are reassigned.

15 People work harder. They stay
16 later. They work longer. They put their nose
17 to the ground and they make sure that the job
18 gets done. I really refuse to accept that as
19 an excuse anymore.

20 That having been said, I'm going to
21 go back to what was one of my original opinions
22 and I think I voiced it to at least all of my
23 Councilmates on at least one occasion. I am
24 not sure that this audit is ever going to be
25 able to fully prove to us as much as I support

1 it and I do support it 100 percent, fully prove
2 to us whether the gas cards were used for
3 personal use.

4 It may. And if it does it does.
5 But the one thing that can prove that to us is
6 going to be my next motion and that is going to
7 be videotape evidence. What we have found out
8 to date is that the purchases don't include VIN
9 numbers and in many instances don't include pin
10 numbers because the cards were being exchanged.

11 So I think it is judicious at that
12 point in time and very sensible to make the
13 following motion and that would be that our
14 solicitor -- City Council Solicitor send
15 letters within the next seven business days to
16 the five gas stations where there were house
17 accounts or where there were City gas cards
18 utilized to ask them to preserve any and all
19 videotape evidence in the event it is needed
20 for a future City Council investigation.

21 MR. ROGAN: Is there a second?

22 MR. GAUGHAN: Second.

23 MR. ROGAN: All those in favor
24 signify by saying aye.

25 MR. DONAHUE: Aye.

1 MR. GAUGHAN: Aye.

2 ATTY. DEMPSEY: Aye.

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

5 ATTY. DEMPSEY: Thank you. I will
6 also like to say I agree with Mr. Donahue's
7 comments made in his 10/21 meeting that there's
8 been a lot of rhetoric about this audit
9 including from me. But we're not getting
10 there just yet.

11 And I agree with you, Mr. Donahue,
12 if it requires a special meeting I will make
13 myself available at any time and any place to
14 make sure that this gets started. I would like
15 to see this through to fruition. And I'm only
16 going to be here eight more weeks.

17 I think in the RFP that we got they
18 expect it will take four weeks. So again, I
19 want the rhetoric to end on the audit and I
20 want the action to start.

21 Joan, I want to thank you and the
22 whole Ethics Board. I know this is not easy
23 work. I read the minutes. There's a lot that
24 goes into starting this. Granted we had it in
25 the past but I think I should say recreating it

1 and not only the Ethics Board but anyone and
2 everyone who helps the City. Someone mentioned
3 here today at the podium someone was up picking
4 up bottles at Nay Aug and picking up trash.
5 Thank you. You're very passionate. People
6 care.

7 This City really does have super and
8 great potential. We just all have to work
9 together in order to get that far. Briefly,
10 Mr. Donahue commented on this, the payroll tax.
11 And I have been going to the PEL meetings with
12 Mr. Donahue as much as I can with my work
13 schedule. And in addition to the conversion to
14 the payroll tax, they are recommending that
15 debt management policy.

16 I think Mr. Gaughan is working on
17 trying to see what the status of that is. I
18 have asked Mr. Bulzoni for a timeline because
19 what I don't want to do is run up against the
20 clock on this. There seems to be some sort of
21 a precedent here that we go as far as we can to
22 the timeline and then maybe need extensions.
23 I'd rather be ahead of the game on this to be
24 quite frank.

25 And he did tell me to go watch a

1 video that he was in. I had watched that
2 video. I do have further questions. I will
3 talk to him about those tomorrow when I call
4 him on a separate issue.

5 But I do believe that the conversion
6 to the payroll tax and the conversion to the
7 debt management policy are some of the final
8 steps that are going to put us forward again on
9 the right track as we exit Act 47.

10 I believe the time has come and
11 gone. And I had not got an update on this as
12 to Chief DeSarno was supposed to update the
13 Mayor with regard to his expenses. I'll follow
14 up on that unless anybody else has any status
15 on that.

16 Mr. Thomas, thank you for coming.
17 Yes, you and I have been in pretty much
18 constant communication since I started here. I
19 think the most recent thing I was able to
20 provide to you was the e-mail last week from
21 Mr. Pocius our City Engineer which stated that
22 at least part of that project is on the agenda
23 for 2020. I will try to find out when. I
24 anticipate it is not going to be the first
25 quarter because of weather. And maybe

1 Mr. Pocius can be of more assistance to you and
2 I as we move forward.

3 Marie, you spoke last week or one of
4 the last two weeks and it was supported by
5 Norma. And I just -- and it was also spoken
6 about tonight. I just want everyone to know
7 that I couldn't agree any more about
8 transparency.

9 There's no reason the collective
10 bargaining agreements aren't online. There's
11 no reason the bids aren't online. With regard
12 to policies and handbooks, I'm a huge believer
13 in them. That's what I do for a living. I'm
14 an employment lawyer. I sent a sample handbook
15 to the City Solicitor I think within my first
16 two weeks of starting the position.

17 And with regard to policies, I'm
18 willing and able to help with regard to those
19 as well. It's actually what I do for a living.
20 And I would just remind everyone that although
21 we do have multiple Collective Bargaining
22 Agreements we do also have something called
23 management rights.

24 And many of those things including
25 the vehicle policy that we spoke about this

1 evening, personally I don't see any reason why
2 it could not be applied to Collective
3 Bargaining Agreements as well.

4 Okay, I have one final motion. This
5 is going back to our Ethics Board. We have
6 been advised that the City has sent out the
7 acknowledgement for our City employees to sign
8 that they have, indeed, received the Ethics
9 Code that they have read it that they
10 understand it and that they agree to abide by
11 it, which I am thrilled with.

12 I would like to make a motion at
13 this time that we send a letter to Solicitor
14 Eskra who is our interim HR Director asking her
15 to please advise us of the following:

16 Number one, what is the established
17 deadline for the employees to sign this
18 acknowledgement and, number two, what action,
19 if any, will the City take to enforce the
20 signing of this document and what actions and
21 discipline, if any, will the City take against
22 employees who may refuse to sign this document?

23 MR. ROGAN: Is there a second?

24 MR. GAUGHAN: Second.

25 MR. ROGAN: On the question? All

1 those in favor signify by saying aye.

2 MR. DONAHUE: Aye.

3 MR. GAUGHAN: Aye.

4 ATTY. DEMPSEY: Aye.

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

7 ATTY. DEMPSEY: And again, I would
8 clarify with regard to the Collective
9 Bargaining Agreements if that is, in fact, an
10 issue at all Section 1E of the Ethics Code does
11 say in the event there is a conflict with
12 existing labor rights, the statute or the CBA
13 supersedes the Ethics Codes. To me, this is a
14 non issue.

15 Mr. Gaughan had asked over the last
16 two weeks and I think it's an excellent
17 question for listing of the contracts. I would
18 like to follow up on that as well. And I would
19 be most interested in receiving these and
20 reviewing them in detail.

21 I for one -- and again, I only have
22 about eight weeks left here am not ruling out a
23 full forensic audit based on what we see with
24 regard to those contracts. And we had one
25 other issue with regarding contracts and I

1 believe -- I don't know who spoke about it to
2 be candid with you. But I was watching both
3 the meetings. And it was in the previous --
4 past I should say, previous Councils had
5 approved all contracts.

6 And there seems to be a
7 recommendation I think by Mr. Bulzoni that we
8 return back to that. And I would just like to
9 be clear that I am of the adamant opinion that
10 that must be done in the future and preferably
11 January 1 of 2020. I think it also prevents
12 the type of corruption that we recently saw.
13 And it also adds an extra layer of checks and
14 balances. And that is all I have. Thank you.

15 MR. ROGAN: Thank you. Mr. Gaughan,
16 any motions or comments?

17 MR. GAUGHAN: Yes, thank you. Last
18 week I had mentioned that this week I would
19 make a motion regarding having City Council and
20 our clerk's office put any and all reports or
21 communications from the Mayor, department
22 heads, and other interested parties along with
23 any communications from Council to those
24 parties in our Third Order to be placed on our
25 agenda.

1 I did bring this up again in the
2 caucus earlier tonight. And we do after
3 discussing this want to iron a few things out.
4 But just as a matter of transparency and I know
5 I've talked about this before, any -- it's
6 just my belief that any communication we get
7 from the Mayor, department heads, any
8 interested parties that we would discuss up
9 here that would be a public document really
10 should be placed in Third Order for the public
11 to see.

12 Third Order literally states reports
13 and communications from the Mayor and heads of
14 departments and interested parties and City
15 Clerk's notes. So for one example, I gave to
16 my colleagues tonight we received information
17 this afternoon from the Mayor on agenda items.
18 So that should be automatically placed in Third
19 Order then for next week so that people can
20 view it and see what the Mayor has to say
21 because there's really good information there.
22 And it would make people more knowledgeable
23 about -- and Council people more knowledgeable
24 about the legislation.

25 So again, hopefully we can iron out

1 some concerns that were brought up about that.
2 But I hope to make a motion before the end of
3 the year. On the gas card issue,
4 Mr. Gallagher, the DPW Director did respond to
5 our questions which I appreciate it.

6 There was one question that Council
7 had posed regarding unusually high gas card
8 usage on two different occasions using one
9 employees pin number or card. Mr. Gallagher
10 responded by saying that the garbage truck
11 fillups were on both dates. There was either
12 an issue with the pump system at DPW or they
13 did not get delivery of fuel at DPW.

14 So I -- and I appreciate that
15 response. But as we discussed in caucus and
16 there was unanimous agreement that at this time
17 I would like to make a motion that we request
18 from Mr. Gallagher or whoever the appropriate
19 department head would be that we receive actual
20 backup verification whether it's receipts or
21 any other type of information to verify that
22 claim.

23 ATTY. DEMPSEY: Second.

24 MR. ROGAN: On the question? All
25 those in favor signify by saying aye.

1 MR. DONAHUE: Aye.

2 MR. GAUGHAN: Aye.

3 ATTY. DEMPSEY: Aye.

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

6 MR. GAUGHAN: Also it was discussed
7 and again, there was unanimous agreement in the
8 caucus that at this point rather than continue
9 to go back and forth with questions, I believe
10 Mr. Gallagher provided a decent amount in
11 writing that we ask for a caucus with Mr.
12 Gallagher to go over some of these lingering
13 questions and some other issues that we have
14 including the gas card. So at this time I'd
15 like to make a motion to request the DPW
16 Director, Mr. Gallagher to come and meet with
17 City Council.

18 ATTY. DEMPSEY: Second.

19 MR. ROGAN: On the question? All
20 those in favor signify by saying aye.

21 MR. DONAHUE: Aye.

22 MR. GAUGHAN: Aye.

23 ATTY. DEMPSEY: Aye.

24 MR. ROGAN: Aye. Opposed? The ayes
25 have it and so moved.

1 MR. GAUGHAN: I do have an
2 opportunity to -- on Friday of last week to
3 speak to Mr. Bulzoni, the Business
4 Administrator regarding the audit of the gas
5 cards. It was his belief at that time he told
6 me I think this week or early next week he'll
7 be sending down a recommendation for the firm
8 to go with. But it was his belief that picking
9 a firm who had the ability to conduct a
10 forensic audit of the gas card usage would be
11 best. And I would agree with that statement.

12 Also, I did have an opportunity,
13 back and forth with Mr. Gallagher regarding
14 FEMA projects. A gentleman was here last week
15 who had questions about that. So he suggested
16 that Council request a caucus with Chris
17 Jenkins who is a foreman with the DPW and is
18 very knowledgeable about these projects. So I
19 would like to ask Miss Carrera -- and if my
20 colleagues don't object that we sometime before
21 the end of the year set up a caucus with
22 Mr. Jenkins. Thank you.

23 Also, Miss Hodowanitz asked about
24 the MS4 permit. And the deadline I believe
25 Miss Schumacher asked about that as well. As I

1 mentioned to you earlier and I'll reiterate
2 this, Mr. Bulzoni informed me that we did --
3 we are not meeting the deadline of October 31.
4 We did request a 20 day extension with DEP. I
5 did not receive notification on whether or not
6 we were approved for that extension.

7 Mr. King, our City Planner informed
8 me that we did submit the application as a
9 whole in the spring. DEP requested additional
10 information with the help of the company that
11 we have helping us with pollution reduction
12 plan.

13 HRG, Herbert, Rowland and Grubic
14 submitted some preliminary data to DEP and they
15 are still waiting for feedback. I do want to
16 make one point though because I continue to
17 hear this in the Council meeting and from
18 citizens, the rain tax. And people don't want
19 the rain tax which I do understand.

20 But I think we all have to be very
21 clear that this is a mandate from the federal
22 government. So whether or not anyone likes it
23 and I doubt anyone does including all members
24 of Council, we have to be responsible and make
25 sure that we're prepared for this because if we

1 don't do it and we don't following the rules
2 and we don't either create a stormwater
3 authority or put it in with our DPW, create a
4 regional authority, we're going to go end up
5 getting fined -- heavily fined by the DEP. So
6 these are not things that we really have any
7 control over.

8 We do have some control over maybe
9 how we do it and what the mechanisms are that
10 take place but we don't have any control over a
11 yes or no on the rain tax. If we don't, again,
12 take this seriously, then we're going to end up
13 on the receiving end of heavy fines from the
14 DEP.

15 I also wanted to take a second and
16 read correspondence that we received from Mike
17 Dempsey who is a Dunmore City Council
18 President. And he's also on the Scranton Sewer
19 Authority. We received this today at 3:09
20 p.m. And I want to read this into the record.
21 Mr. Dempsey who is the President of Dunmore
22 Borough Council and the Vice Chairman of the
23 Scranton Sewer Authority said the following to
24 Council:

25 This e-mail will serve to confirm

1 receipt of your letter dated October 22nd,
2 2019. In that letter you requested that the
3 Scranton Sewer Authority invite the Auditor
4 General to perform an audit on the sale of the
5 Scranton Sewer Authority to Pennsylvania
6 American Water and also perform an audit on the
7 Scranton Sewer Authority.

8 As some of you may know, I am the
9 president of Dunmore Borough Council and
10 Dunmore Borough Council has made the same
11 request of the Scranton Sewer Authority. As a
12 member of the Sewer Authority in 2017, I
13 previously made a motion to invite the Auditor
14 General to perform an audit on the sale of the
15 Scranton Sewer Authority in the May 24th, 2017
16 meeting.

17 Unfortunately that motion failed one
18 to three. In response to your recent request
19 and the request of Dunmore Borough Council, I
20 intend to again make the same motion to invite
21 the Auditor General to perform an audit on the
22 sale of the Scranton Sewer Authority and an
23 audit of the Scranton Sewer Authority at our
24 next scheduled meeting which is currently
25 scheduled for November 21st, 2019. Thank you

1 for your time and attention to this matter.

2 So I want to thank Mr. Dempsey. He
3 plans on making that motion, which as I stated
4 in the last few weeks I think is extremely,
5 extremely important. I also want
6 to -- Councilman Donahue and I had met with
7 Mayor Evans at 4:30 this afternoon. And I want
8 to thank Mayor Evans for providing
9 correspondence to us that really provided great
10 detail on the legislation that we have on our
11 agenda tonight and also shed light on a few
12 other things.

13 One of the updates that the Mayor
14 had given us was on the LERTA Program. The
15 LERTA Program has really not taken off all that
16 much as Councilman Donahue can attest to. But
17 Mayor Evans has got together with the Office of
18 Economic and Community Development. And
19 they're taking some what I believe to be
20 aggressive steps to market that more and really
21 get that out to people.

22 So I think that because of their
23 actions this program is going to be more
24 successful. So I want to thank him for that.
25 And I do just want to end on a note that I

1 received in a conversation that I had with a
2 gentleman on East Mountain on the condition of
3 Wintermantle Avenue. Conditions up there are
4 very dangerous. Two cars cannot pass at the
5 same time. So again, we'll forward that to the
6 DPW. Thank you.

7 MR. ROGAN: Thank you. Just one
8 brief item and then I'll save the rest for
9 agenda items. I know some of my colleagues
10 brought this up as well. Obviously tomorrow is
11 Election Day. And I know the races for Mayor,
12 Council, they seem to get all of the attention.
13 But there is a very important ballot question
14 that's on the ballot that you will all be
15 voting on as well tomorrow.

16 And that's the conversion from a
17 Mercantile and Business Privilege Tax to a
18 Payroll Tax. Unfortunately the school district
19 had decided to go this route instead of just
20 voting on it. So the City of Scranton has long
21 talked about eliminating the Business Privilege
22 and Mercantile Tax which has been a hindrance
23 to growth within our City for a very long time.

24 In order for Scranton, in my
25 opinion, to effectively eliminate these taxes

1 and transition to a payroll tax, which again is
2 paid by the employer, it's not an additional
3 tax to the residents. So that's something I
4 really want to be out there.

5 But in order for the City to make
6 this change it has to be done, in my opinion,
7 in conjunction with the school district. If
8 the City were to make a change and the school
9 district were to keep the current system in
10 place, it would just seem like an additional
11 tax to residents.

12 This tax has to be revenue neutral,
13 which means the City and the school district
14 cannot bring in a dime more next year on this
15 tax than we did on the business privilege and
16 Mercantile Tax last year. And people may say,
17 well, what's the advantage of doing it then?
18 And the advantage is it's spread across more
19 entities and more people.

20 The Business Privilege and
21 Mercantile Tax is only paid by some businesses,
22 businesses that have a product to sell. Banks,
23 for example, do not pay some of these taxes.
24 On a payroll tax, a bank would be contributing
25 towards that tax. So what that does is, it

1 allows -- it allows us to have a broader base
2 so we can have a lower rate.

3 So I would urge everyone to do the
4 research. I know there's not much time left at
5 this point and to vote yes on allowing the
6 school district to eliminate the Business
7 Privilege Mercantile Tax and convert to payroll
8 tax. These ballot questions are always very
9 tricky because I think when it's a long-worded
10 question people's instinct is just to vote no.

11 But I hope that people would do the
12 research and vote the way that they think is
13 appropriate. And I believe Council unanimously
14 supports this change. If the school district
15 does not make the change, I do not know if it's
16 in the City's best interest to do it alone. So
17 that is all. I have some comments on agenda
18 items as they come up.

19 ATTY. EGAN: 5-B. FOR INTRODUCTION -
20 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
21 NO. 45, 1996, AS AMENDED BY FILE OF THE COUNCIL
22 NO. 110, 2005 UPDATING THE LIST OF HISTORIC
23 PROPERTIES IN THE CITY OF SCRANTON, BY CREATING
24 "THE LOCAL DOWNTOWN HISTORIC DISTRICT" TO
25 EXPAND THE LIST OF HISTORIC PROPERTIES TO

1 INCLUDE ALL BUILDINGS LOCATED WITHIN THE
2 CENTRAL BUSINESS DISTRICT AND AMENDING THE
3 PROCESS FOR LEGISLATIVE REVIEW OF
4 RECOMMENDATIONS MADE BY THE HISTORICAL
5 ARCHITECTURE REVIEW BOARD.

6 MR. ROGAN: At this time I'll
7 entertain a motion that Item 5-B be introduced
8 into its proper committee.

9 MR. DONAHUE: Second.

10 ATTY. DEMPSEY: Second.

11 MR. ROGAN: On the question? I have
12 a lot of concerns about this legislation. I
13 will vote yes to introduce it so we can debate
14 and listen more. And I want to make reference
15 for the long narrative he gave us on three
16 items that are coming up tonight. This
17 legislation only affects the downtown and
18 particularly downtown business owners.

19 Currently any historical building if
20 you want to make a change on the outside of
21 your building, you have to go in front of
22 what's called the HARP, Historical
23 Architectural Review Committee where they will
24 allow you or deny you to do certain
25 improvements to your property.

1 And on historical buildings I do
2 think that makes sense. What this legislation
3 would do would effectively make the entire
4 downtown business district a historic district
5 where business owners if they wanted to make a
6 change in the exterior of their property would
7 then have to go in front of the HARP, the
8 Historical Review Board.

9 So a building that was built in 2018
10 if it's located in this district would then
11 have to go in front of this Historical
12 Architectural Review Board. I think it's
13 redundant. I think it's bureaucracy. I think
14 it's a step that's not needed to -- for
15 downtown business owners to improve their
16 properties. I am willing to hear other
17 opinions on it.

18 So like I said, I will vote to
19 introduce this this week. I have already
20 talked to a couple downtown business people.
21 And they have mixed feelings on it. But I
22 would like to hear more opinions. But I am
23 very skeptical of creating any extra
24 bureaucracy, especially when it comes to people
25 improving their properties. We see every week

1 complaints about the Licensing Inspections
2 Department for getting permits.

3 We don't need to add another layer
4 that shouldn't be there. Again, historical
5 buildings that are truly historical have to go
6 through this process. But not every building
7 in the downtown should.

8 MR. GAUGHAN: The one comment I
9 would like to make is I'm still obviously
10 reviewing this legislation. But in Mayor
11 Evans' explanation he says and in our
12 conversation this afternoon, he stated that the
13 City of Reading and the City of Bethlehem have
14 done what Mayor Evans is proposing with great
15 success.

16 So what I would like to do in the
17 interim time before we vote on this -- a final
18 vote, would be maybe to reach out to Reading
19 and Bethlehem and get many more information on
20 how this was successful and what their stories
21 were like before we go ahead and approve this.
22 Thank you.

23 MR. ROGAN: Anyone else? All those
24 in favor signify by saying aye.

25 MR. DONAHUE: Aye.

1 MR. GAUGHAN: Aye.

2 ATTY. DEMPSEY: Aye.

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

5 ATTY. EGAN: 5-C. FOR INTRODUCTION -
6 AN ORDINANCE - REGULATING THE OPERATION OF
7 BYOB CLUBS, PROHIBITING THE BUSINESS OF BYOB
8 CLUBS BETWEEN THE HOURS OF 2:00 A.M. AND 8:00
9 A.M., AND PROVIDING FOR ENFORCEMENT OF THESE
10 PROVISIONS, INCLUDING PENALTIES FOR VIOLATIONS.

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

14 MR. DONAHUE: So moved.

15 ATTY. DEMPSEY: Second.

16 MR. ROGAN: On the question?

17 MR. GAUGHAN: Yes, on the question.
18 I was really pleased to see this legislation on
19 our agenda for a number of different reasons.
20 This was something that I had brought up months
21 and months ago after the Castle Nightclub in
22 North Scranton, there was a shooting over
23 there.

24 And that establishment is a BYOB
25 open until late hours in the night and there

1 always seems to be problems at those type of
2 establishments. So again, I was really pleased
3 to see that this was on our agenda. I think
4 this is going to regulate this type of
5 establishment, make things safer for our
6 neighborhoods, especially in that area of North
7 Scranton where on that block other business
8 owners have constantly complained about that
9 type of establishment.

10 As Mayor Evans said in his note to
11 Council, the major change in this legislation
12 is that enforcement will be done by the
13 Scranton Police Department rather than by a
14 single zoning officer, which would be
15 unrealistic to enforce a violation at a BYOB
16 club at three in the morning.

17 He's also had conversations with
18 Chief Graziano who I know is fully supportive
19 of this legislation and who has pushed this for
20 the last couple months. And he also says that
21 he has conversations with the district attorney
22 who is also supportive of the efforts here.

23 So again, I want to thank the Mayor
24 and the administration. I think this is a step
25 in the right direction. Thank you.

1 MR. ROGAN: Just to piggyback on
2 that, I agree completely. And from my
3 conversations with the Mayor earlier, the
4 biggest issue with these bottle clubs was
5 during those hours it was not the Police
6 Department that was in charge of regulating the
7 zoning aspect of it.

8 So at 2:30 in the morning if there's
9 a club that's open that should be closed, we
10 don't have a zoning officer that's 24/7. We do
11 have a number of police officers that are
12 available 24/7. And they do a great job and I
13 think that this will hopefully address a big
14 part of the problem that there's been
15 particularly with the Castle but across all
16 BYOBs throughout the City.

17 It's not specific just to the Castle
18 which prompted much of this legislation. But
19 if another one were to pop up in another
20 section of town they would have to abide by
21 these regulations as well.

22 All those in favor signify by saying
23 aye.

24 MR. DONAHUE: Aye.

25 MR. GAUGHAN: Aye.

1 ATTY. DEMPSEY: Aye.

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

4 ATTY. EGAN: 5-D. FOR
5 INTRODUCTION – A RESOLUTION – RE-APPOINTMENT OF
6 THOMAS J. MCLANE, 601 STAFFORD AVENUE,
7 SCRANTON, PENNSYLVANIA, 18505 AS A
8 MEMBER OF THE SHADE TREE COMMISSION FOR AN
9 ADDITIONAL FIVE (5) YEAR TERM. MR. MCLANE'S
10 CURRENT TERM EXPIRES ON OCTOBER 29,
11 2019 AND HIS NEW TERM WILL EXPIRE ON OCTOBER
12 29, 2024.

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

16 MR. DONAHUE: So moved.

17 ATTY. DEMPSEY: Second.

18 MR. ROGAN: On the question? All
19 those in favor signify by saying aye.

20 MR. DONAHUE: Aye.

21 MR. GAUGHAN: Aye.

22 ATTY. DEMPSEY: Aye.

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

25 ATTY. EGAN: 5.E. FOR

1 INTRODUCTION – A RESOLUTION – RE-APPOINTMENT OF
2 TERRENCE V. GALLAGHER, ESQUIRE, 1320 ORAM
3 STREET, SCRANTON, PENNSYLVANIA, 18504, AS A
4 MEMBER OF THE BOARD OF THE SCRANTON HOUSING
5 AUTHORITY FOR A TERM OF FIVE (5) YEARS. MR.
6 GALLAGHER’S PRIOR TERM EXPIRED ON SEPTEMBER 27,
7 2013 AND WAS HELD OVER UNTIL OCTOBER 16, 2019.
8 HIS NEW TERM WILL EXPIRE ON SEPTEMBER 27, 2023.

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

12 MR. DONAHUE: So moved.

13 ATTY. DEMPSEY: Second.

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

16 MR. DONAHUE: Aye.

17 MR. GAUGHAN: Aye.

18 ATTY. DEMPSEY: Aye.

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

21 ATTY. EGAN: 5.F. FOR

22 INTRODUCTION – A RESOLUTION – AUTHORIZING THE
23 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO
24 EXECUTE AND ENTER INTO A CONTRACT WITH SPECK
25 AND ASSOCIATES AND BARRY ISETT AND ASSOCIATES

1 (SPECK/ISETT PARTNERSHIP) FOR THE CITY OF
2 SCRANTON DOWNTOWN SCRANTON CONNECTIVITY PLAN.

3 MR. ROGAN: At this time I'll
4 entertain a motion that Item 5-F be introduced
5 into its proper committee.

6 MR. DONAHUE: So moved.

7 ATTY. DEMPSEY: Second.

8 MR. ROGAN: On the question?

9 MR. GAUGHAN: Yes, on question. I
10 relayed my concerns about this legislation to
11 the Mayor earlier this afternoon and the fact
12 that I'm concerned here that this is -- while I
13 don't disagree with what the administration and
14 the Mayor is trying to do here, in the overall
15 concept and goal we're choosing the highest
16 bidder by far.

17 And we're going to pay them \$218,000
18 here. The next highest bidder is \$154,755 and
19 the lowest bidder is \$90,050. Now, to their
20 credit there is a lengthy explanation and
21 rationale for why they're choosing them. But
22 as I said to the Mayor today, it's going to be
23 very hard for me to choose a firm to do this
24 work for \$218,000.

25 Also, as Miss Schumacher had noted,

1 then what comes after that? There's more --
2 there's going to be more costs if we decided to
3 implement this. So again, I'm still reviewing
4 it. But right now my main concern is choosing
5 the highest bidder by an awful lot.

6 MR. ROGAN: I spoke with the Mayor
7 on this quite a bit. And normally I would feel
8 the same way that Councilman Gaughan does. But
9 I know Mayor Evans has been an advocate for the
10 walkability study in the downtown for quite
11 some time. I know I am certainly not an expert
12 on this subject matter. But I know that Mayor
13 Evans has put more time into this issue than I
14 think the rest of us on Council combined.

15 He's really been an advocate for
16 this. And as somebody who lives in the
17 downtown I think he has firsthand experience
18 that others don't, you know. And I do
19 appreciate the Mayor and the Business
20 Administrator giving an explanation on why a
21 higher bidder was picked for this.

22 And, you know, sometimes cheapest
23 isn't the best. I think this is one of those
24 situations. So I commend the Mayor on his work
25 on this issue.

1 And it's something that's not talked
2 about quite a bit, but over the last 10 years
3 there has been a transformation of our downtown
4 where people are now living in the downtown
5 with their businesses that are coming back
6 towards the downtown.

7 And it really is becoming a
8 community. And the walkability study in the
9 downtown throughout the City is something that
10 is really very important. It may not have the
11 appeal of paving a road that you -- something
12 that could you physically see. But this is
13 something that is very important. And I do
14 support this legislation.

15 Anyone else? All those in favor
16 signify by saying aye.

17 MR. DONAHUE: Aye.

18 MR. GAUGHAN: Aye.

19 ATTY. DEMPSEY: Aye.

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

22 ATTY. EGAN: SIXTH ORDER. 6-A. No
23 business at this time.

24 SEVENTH ORDER. 7-A. FOR
25 CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR

1 ADOPTION – RESOLUTION NO. 171, 2019 – RATIFYING
2 AND APPROVING OF THE EXECUTION AND SUBMISSION
3 OF THE GRANT APPLICATION BY THE CITY
4 OF SCRANTON, ON BEHALF OF LACKAWANNA COLLEGE,
5 TO THE COMMONWEALTH OF PENNSYLVANIA ACTING
6 THROUGH THE COMMONWEALTH FINANCING AUTHORITY
7 FOR A LOCAL SHARE ACCOUNT GRANT, PURSUANT
8 TO THE PA RACE HORSE DEVELOPMENT AND GAMING ACT
9 IN THE AMOUNT OF \$202,599.66 FOR THE PROJECT TO
10 BE KNOWN AS “LACKAWANNA COLLEGE – MOBILE
11 E-SPORTS ARENA SPACE” LOCATED 501 VINE STREET,
12 SCRANTON, PENNSYLVANIA, AND AUTHORIZING THE
13 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF
14 THE CITY OF SCRANTON, TO ACCEPT THE GRANT, IF
15 SUCCESSFUL, AND EXECUTE AND ENTER INTO A
16 LOCAL SHARE ACCOUNT GRANT CONTRACT AND
17 COMMITMENT LETTER WITH THE COMMONWEALTH OF
18 PENNSYLVANIA TO ACCEPT AND UTILIZE THE
19 GRANT IN THE AMOUNT OF \$202,599.66 AWARDED BY
20 THE COMMONWEALTH OF PENNSYLVANIA FOR SUCH
21 PROJECT.

22 MR. ROGAN: What is the
23 recommendation of the Chair for the Committee
24 on Finance?

25 ATTY. DEMPSEY: As Chairperson for

1 the Committee on Finance, I recommend final
2 passage of Item 7-A.

3 MR. DONAHUE: Second.

4 MR. ROGAN: On the question?

5 MR. GAUGHAN: Yes, on the question.

6 I just wanted to make a note to Miss Jefferies'
7 comments before about, you know, how the money
8 is spent. I was just looking again through the
9 backup. And with all of these types of grants
10 with the local share account if they do get
11 that grant funding from the state, there is a
12 thousand dollars baked in here where an audit
13 has to be performed.

14 So it's not like they're just
15 getting a blank check if they do get it and
16 they could spend it in any way they want.

17 MR. ROGAN: Roll call, please.

18 MS. CARRERA: Mr. Donahue.

19 MR. DONAHUE: Yes.

20 MS. CARRERA: Attorney Dempsey.

21 ATTY. DEMPSEY: Yes.

22 MS. CARRERA: Mr. Gaughan.

23 MR. GAUGHAN: Yes.

24 MS. CARRERA: Mr. Rogan.

25 MR. ROGAN: Yes. I hereby declare

1 Item 7-A legally and lawfully adopted.

2 ATTY. EGAN: 7-B. FOR CONSIDERATION
3 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -
4 RESOLUTION NO. 172, 2019 - RATIFYING AND
5 APPROVING OF THE EXECUTION AND SUBMISSION OF
6 THE GRANT APPLICATION BY THE CITY
7 OF SCRANTON, ON BEHALF OF GARDEN OF CEDAR, TO
8 THE COMMONWEALTH OF PENNSYLVANIA ACTING THROUGH
9 THE COMMONWEALTH FINANCING AUTHORITY FOR A
10 LOCAL SHARE ACCOUNT GRANT, PURSUANT TO THE PA
11 RACE HORSE DEVELOPMENT AND GAMING ACT IN THE
12 AMOUNT OF \$100,000.00 FOR THE PROJECT TO BE
13 KNOWN AS "GARDEN OF CEDAR - GROWING COMMUNITY,
14 JOBS, AND FOOD PARK PROJECT" LOCATED AT 715
15 CEDAR AVENUE, SCRANTON, PENNSYLVANIA AND
16 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
17 CITY OFFICIALS OF THE CITY OF SCRANTON,
18 PA, TO ACCEPT THE GRANT, IF SUCCESSFUL, AND
19 EXECUTE AND ENTER INTO A LOCAL SHARE ACCOUNT
20 GRANT CONTRACT AND COMMITMENT LETTER
21 WITH THE COMMONWEALTH OF PENNSYLVANIA TO ACCEPT
22 AND UTILIZE THE GRANT IN THE AMOUNT OF
23 \$100,000.00 AWARDED BY THE COMMONWEALTH
24 OF PENNSYLVANIA FOR SUCH PROJECT.

25 MR. ROGAN: What is the

1 recommendation of the Chair for the Committee
2 on Finance?

3 ATTY. DEMPSEY: As Chairperson for
4 the Committee on Finance, I recommend final
5 passage of Item 7-B.

6 MR. DONAHUE: Second.

7 MR. ROGAN: On the question? Roll
8 call, please.

9 MS. CARRERA: Mr. Donahue.

10 MR. DONAHUE: Yes.

11 MS. CARRERA: Attorney Dempsey.

12 ATTY. DEMPSEY: Yes.

13 MS. CARRERA: Mr. Gaughan.

14 MR. GAUGHAN: Yes.

15 MS. CARRERA: Mr. Rogan.

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

18 ATTY. EGAN: 7.C. FOR CONSIDERATION
19 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -
20 RESOLUTION NO. 173, 2019 - RATIFYING AND
21 APPROVING OF THE EXECUTION AND SUBMISSION OF
22 THE GRANT APPLICATION BY THE CITY OF SCRANTON,
23 ON BEHALF OF THE SCRANTON CULTURAL CENTER TO
24 THE COMMONWEALTH OF PENNSYLVANIA ACTING THROUGH
25 THE COMMONWEALTH FINANCING AUTHORITY FOR A

1 LOCAL SHARE ACCOUNT GRANT, PURSUANT TO THE PA
2 RACE HORSE DEVELOPMENT AND GAMING ACT IN THE
3 AMOUNT OF \$140,000.00 FOR THE PROJECT TO BE
4 KNOWN AS "SCRANTON CULTURAL CENTER - ELEVATOR
5 REPLACEMENT PROJECT" LOCATED AT 420
6 NORTH WASHINGTON AVENUE, AND AUTHORIZING THE
7 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF
8 THE CITY OF SCRANTON, PA, TO ACCEPT THE GRANT,
9 IF SUCCESSFUL, AND EXECUTE AND ENTER INTO A
10 LOCAL SHARE ACCOUNT GRANT CONTRACT AND
11 COMMITMENT LETTER WITH THE COMMONWEALTH OF
12 PENNSYLVANIA TO ACCEPT AND UTILIZE THE
13 GRANT IN THE AMOUNT OF \$140,000.00 AWARDED BY
14 THE COMMONWEALTH OF PENNSYLVANIA FOR SUCH
15 PROJECT.

16 MR. ROGAN: What is the
17 recommendation of the Chair for the Committee
18 on Finance?

19 ATTY. DEMPSEY: As Chairperson for
20 the Committee on Finance, I recommend final
21 passage of Item 7-C.

22 MR. DONAHUE: Second.

23 MR. ROGAN: On the question? Roll
24 call, please.

25 MS. CARRERA: Mr. Donahue.

1 MR. DONAHUE: Yes.

2 MS. CARRERA: Attorney Dempsey.

3 ATTY. DEMPSEY: Yes.

4 MS. CARRERA: Mr. Gaughan.

5 MR. GAUGHAN: Yes.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Yes. I hereby declare
8 Item 7-C legally and lawfully adopted.

9 ATTY. EGAN: 7-D. FOR CONSIDERATION
10 BY THE COMMITTEE ON FINANCE- FOR ADOPTION -
11 RESOLUTION NO. 174, 2019 - RATIFYING AND
12 APPROVING THE EXECUTION AND SUBMISSION OF THE
13 GRANT APPLICATION BY THE CITY OF SCRANTON
14 POLICE DEPARTMENT TO THE PENNSYLVANIA
15 DEPARTMENT OF COMMUNITY AND ECONOMIC
16 DEVELOPMENT (DCED) FOR A LOCAL SHARE
17 ACCOUNT GRANT (GAMING FUNDS) MONROE COUNTY IN
18 THE AMOUNT OF \$38,740.00 TO PURCHASE AND
19 INSTALL SECURITY CAMERAS AT EACH OF THE FOUR
20 (4) CITY PARKS: CONNORS PARK, CONNELL PARK,
21 TRIPP PARK, AND FELLOWS PARK, AND AUTHORIZING
22 THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
23 TO ACCEPT THE GRANT, IF SUCCESSFUL,
24 AND DISBURSE THE GRANT FUNDS FOR THE CITY OF
25 SCRANTON POLICE DEPARTMENT TO PURCHASE AND

1 INSTALL SECURITY CAMERAS AT EACH OF THE FOUR
2 (4) CITY PARKS.

3 MR. ROGAN: What is the
4 recommendation of the Chair for the Committee
5 on Finance?

6 ATTY. DEMPSEY: As Chairperson for
7 the Committee on Finance, I recommend final
8 passage of Item 7-D.

9 MR. DONAHUE: Second.

10 MR. ROGAN: On the question? Roll
11 call, please.

12 MS. CARRERA: Mr. Donahue.

13 MR. DONAHUE: Yes.

14 MS. CARRERA: Attorney Dempsey.

15 ATTY. DEMPSEY: Yes.

16 MS. CARRERA: Mr. Gaughan.

17 MR. GAUGHAN: Yes.

18 MS. CARRERA: Mr. Rogan.

19 MR. ROGAN: Yes. I hereby declare
20 Item 7-D legally and lawfully adopted.

21 ATTY. EGAN: 7-E. FOR CONSIDERATION
22 BY THE COMMITTEE ON FINANCE- FOR ADOPTION -
23 RESOLUTION NO. 175, 2019 - RATIFYING AND
24 APPROVING THE EXECUTION AND SUBMISSION OF THE
25 GRANT APPLICATION BY THE CITY OF SCRANTON TO

1 THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND
2 ECONOMIC DEVELOPMENT (DCED) FOR A LOCAL SHARE
3 ACCOUNT GRANT (GAMING FUNDS) MONROE COUNTY IN
4 THE AMOUNT OF \$50,892.00 TO PURCHASE AND
5 INSTALL SECURITY CAMERAS AT FOUR (4) DOWNTOWN
6 PARKING GARAGES: MEDALLION PARKING GARAGE
7 LOCATED ON ADAMS AVENUE, THE CASEY PARKING
8 GARAGE LOCATED ON ADAMS AVENUE, THE
9 CONNELL PARKING GARAGE LOCATED ON NORTH
10 WASHINGTON AVENUE, AND THE LINDEN STREET
11 PARKING GARAGE; AND AUTHORIZING THE MAYOR AND
12 OTHER APPROPRIATE CITY OFFICIALS TO ACCEPT THE
13 GRANT, IF SUCCESSFUL, AND DISBURSE THE GRANT
14 FUNDS FOR THE PURCHASE AND INSTALLATION OF
15 SECURITY CAMERAS AT FOUR (4) DOWNTOWN PARKING
16 GARAGES.

17 MR. ROGAN: What is the
18 recommendation of the Chair for the Committee
19 on Finance?

20 ATTY. DEMPSEY: As Chairperson for
21 the Committee on Finance, I recommend final
22 passage of Item 7-E.

23 MR. DONAHUE: Second.

24 MR. ROGAN: On the question? Roll
25 call, please.

1 MS. CARRERA: Mr. Donahue.

2 MR. DONAHUE: Yes.

3 MS. CARRERA: Attorney Dempsey.

4 ATTY. DEMPSEY: Yes.

5 MS. CARRERA: Mr. Gaughan.

6 MR. GAUGHAN: Yes.

7 MS. CARRERA: Mr. Rogan.

8 MR. ROGAN: Yes. I hereby declare
9 Item 7-E legally and lawfully adopted.

10 ATTY. EGAN: 7-F. FOR CONSIDERATION
11 BY THE COMMITTEE ON PUBLIC WORKS - FOR
12 ADOPTION - RESOLUTION NO. 176, 2019 -
13 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
14 CITY OFFICIALS TO APPLY FOR AND EXECUTE A
15 GRANT APPLICATION BY THE CITY OF SCRANTON TO
16 THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND
17 ECONOMIC DEVELOPMENT ("DCED") FOR A
18 LOCAL SHARE ACCOUNT GRANT (GAMING FUNDS-MONROE
19 COUNTY) IN THE AMOUNT OF \$75,000.00 FOR THE
20 PURCHASE AND INSTALLATION OF A NEW
21 LINER (MEMBRANE) FOR THE POOL AT THE NAY AUG
22 PARK SWIM COMPLEX.

23 MR. ROGAN: What is the
24 recommendation of the Chair for the Committee
25 on Public Works?

1 ATTY. GAUGHAN: As Chairperson for
2 the Committee on Public Works, I recommend
3 final passage of Item 7-F.

4 ATTY. DEMPSEY: Second.

5 MR. ROGAN: On the question?

6 MR. GAUGHAN: Yes, on the question.
7 As I mentioned last week, I fully support the
8 Recreation Authority of the City of Scranton.
9 I think they are doing an absolutely fantastic
10 job. Under the, you know, misinformation and
11 false information that continually gets put out
12 here every week, I do think as mentioned in the
13 backup here that the overall plan that the
14 administration, the Mayor and the Recreation
15 Authority has for Nay Aug Park is a step in the
16 right direction.

17 As I mentioned last week, I know
18 there some people who are upset that the one
19 pool is going to be filled in. But you have to
20 remember the bigger picture here that there are
21 continuous maintenance problems. Every single
22 year there's maintenance problems. The pool is
23 old. It's very difficult to maintain and take
24 care of.

25 And quite frankly, as somebody who

1 has young children a splash park is the way to
2 go. They have a splash park in Dunmore, a
3 splash park in Clarks Summit and there's
4 constantly young children there. It's safe.
5 It's relatively maintenance free. You don't
6 need lifeguards.

7 We're still keeping the one pool
8 with the slides. I think this is a good thing
9 and hopefully with more grant dollars it will
10 come to fruition. Thank you.

11 MR. ROGAN: I would concur. And I
12 would just add even a lot of people will say,
13 when we were kids it was just pools. And they
14 didn't have the technology for these types of
15 splash pads back then. As Councilman Gaughan
16 mentioned, they are cheaper to run. And it
17 provides a better experience, especially for
18 younger children.

19 So I agree the Rec Authority is
20 doing a great job. And just to clear up
21 because this comes up year in and year out, the
22 City does not control Nay Aug Park. The
23 Scranton Recreation Authority runs that park.

24 And I agree they are doing a very
25 good job. And hopefully in a couple years

1 we'll have this pool straightened out and a
2 nice splash pad for younger kids. Roll call,
3 please.

4 MS. CARRERA: Mr. Donahue.

5 MR. DONAHUE: Yes.

6 MS. CARRERA: Attorney Dempsey.

7 ATTY. DEMPSEY: Yes.

8 MS. CARRERA: Mr. Gaughan.

9 MR. GAUGHAN: Yes.

10 MS. CARRERA: Mr. Rogan.

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

13 ATTY. EGAN: 7-G. FOR CONSIDERATION
14 BY THE COMMITTEE ON RULES - FOR ADOPTION -
15 RESOLUTION NO. 177, 2019 - APPOINTMENT OF CAROL
16 ANN MIGLIORINO, 1114 MARION STREET, SCRANTON,
17 PENNSYLVANIA, 18509 AS A MEMBER OF THE BOARD OF
18 ETHICS FOR A ONE (1) YEAR TERM, AND
19 HER EFFECTIVE DATE WILL BE AUGUST 29, 2019.
20 HER TERM WILL EXPIRE ON AUGUST 31, 2020.

21 MR. ROGAN: As Chair for the
22 Committee on Rules I recommend final passage of
23 Item 7-G.

24 ATTY. DEMPSEY: Second.

25 MR. ROGAN: On the question? Roll

1 call, please.

2 MS. CARRERA: Mr. Donahue.

3 MR. DONAHUE: Yes.

4 MS. CARRERA: Attorney Dempsey.

5 ATTY. DEMPSEY: Yes.

6 MS. CARRERA: Mr. Gaughan.

7 MR. GAUGHAN: Yes.

8 MS. CARRERA: Mr. Rogan.

9 MR. ROGAN: Yes. I hereby declare
10 Item 7-G legally and lawfully adopted.

11 ATTY. EGAN: 7-H. FOR CONSIDERATION
12 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
13 ADOPTION - RESOLUTION NO. 178, 2019 -
14 AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF
15 PUBLIC WORKS OF THE CITY OF SCRANTON TO
16 SIGN AND SUBMIT THE PENNSYLVANIA DEPARTMENT OF
17 TRANSPORTATION ("PENNDOT") APPLICATION FOR
18 TRAFFIC SIGNAL APPROVAL FOR TRAFFIC
19 SIGNAL PERMIT NO. 40166 NORTH MAIN AVENUE AT
20 SCHIFF'S DRIVEWAY AND JOHNSON COLLEGE DRIVEWAY
21 UNDER PROPOSED PROJECT ECMS/MPMS
22 #105713; THIS INTERSECTION, WITHIN THE PROJECT
23 LIMITS, WILL RECEIVE TRAFFIC SIGNAL
24 UPGRADES/MODIFICATIONS AND NEW DURABLE
25 PAVEMENT MARKING. THE OVERALL PROJECT INCLUDES

1 VARIOUS ROADWAY IMPROVEMENTS TO K-0107 (MAIN
2 AVENUE/MAIN STREET- COUNTY ROAD.)

3 MR. ROGAN: What is the
4 recommendation of the temporary Chair for the
5 Committee on Public Safety?

6 MR. DONAHUE: As temporary Chair for
7 the Committee on Public Safety, I recommend
8 final passage of Item 7-H.

9 ATTY. DEMPSEY: Second.

10 MR. ROGAN: On the question? Roll
11 call, please.

12 MS. CARRERA: Mr. Donahue.

13 MR. DONAHUE: Yes.

14 MS. CARRERA: Attorney Dempsey.

15 ATTY. DEMPSEY: Yes.

16 MS. CARRERA: Mr. Gaughan.

17 MR. GAUGHAN: Yes.

18 MS. CARRERA: Mr. Rogan.

19 MR. ROGAN: Yes. I hereby declare
20 Item 7-H legally and lawfully adopted.

21 ATTY. EGAN: 7-I. FOR CONSIDERATION
22 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
23 ADOPTION - RESOLUTION NO. 179, 2019 -
24 AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF
25 PUBLIC WORKS OF THE CITY OF SCRANTON TO

1 SIGN AND SUBMIT THE PENNSYLVANIA DEPARTMENT OF
2 TRANSPORTATION ("PENNDOT") APPLICATION FOR
3 TRAFFIC SIGNAL APPROVAL FOR TRAFFIC
4 SIGNAL PERMIT NO. 40167 NORTH MAIN AVENUE AT
5 INTERSTATE 81 SOUTHBOUND RAMPS (SR8011) UNDER
6 PROPOSED PROJECT ECMS/MPMS #105713; THIS
7 INTERSECTION, WITHIN THE PROJECT LIMITS, WILL
8 RECEIVE TRAFFIC SIGNAL UPGRADES/MODIFICATIONS
9 AND NEW DURABLE PAVEMENT MARKING. THE OVERALL
10 PROJECT INCLUDES VARIOUS ROADWAY
11 IMPROVEMENTS TO K-0107 (MAIN AVENUE/MAIN
12 STREET- COUNTY ROAD.)

13 MR. ROGAN: What is the
14 recommendation of the temporary Chair for the
15 Committee on Public Safety?

16 MR. DONAHUE: As temporary Chair for
17 the Committee on Public Safety, I recommend
18 final passage of Item 7-I.

19 ATTY. DEMPSEY: Second.

20 MR. ROGAN: On the question? Roll
21 call, please.

22 MS. CARRERA: Mr. Donahue.

23 MR. DONAHUE: Yes.

24 MS. CARRERA: Attorney Dempsey.

25 ATTY. DEMPSEY: Yes.

1 MS. CARRERA: Mr. Gaughan.

2 MR. GAUGHAN: Yes.

3 MS. CARRERA: Mr. Rogan.

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

6 ATTY. EGAN: 7-J. FOR CONSIDERATION
7 BY THE COMMITTEE ON PUBLIC WORKS - FOR
8 ADOPTION - RESOLUTION NO. 180, 2019 -
9 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
10 CITY OFFICIALS TO APPLY FOR AND EXECUTE THE
11 GRANT APPLICATION BY THE CITY OF SCRANTON TO
12 THE DEPARTMENT OF COMMONWEALTH FINANCING
13 AUTHORITY OF THE COMMONWEALTH OF
14 PENNSYLVANIA FOR A MULTIMODAL TRANSPORTATION
15 FUNDS GRANT IN THE AMOUNT OF \$1,586,000.00 FOR
16 THE COMPLETE REPLACEMENT OF THE ASH
17 STREET BRIDGE.

18 MR. ROGAN: What is the
19 recommendation of the Chair for the Committee
20 on Public Works?

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

24 ATTY. DEMPSEY: Second.

25 MR. GAUGHAN: Yes, on the question.

1 Last week I had asked Mr. Bulzoni to provide
2 Council with information relating to how we
3 were going to pay for the match which is
4 \$475,800. I don't believe we received that
5 response yet. Did we? I'm sorry. I must have
6 missed it.

7 But besides that, this project in
8 the first page of the legislation as I
9 mentioned last week, the bridge right now is at
10 a sufficiency rating of 15.5 out of 100. I
11 think I mentioned about a month or two ago
12 there are actually several bridges throughout
13 the City who have a very low sufficiency
14 ratings.

15 And in a meeting this past summer
16 with Representative Flynn, Mr. Pocius, Mr.
17 Bulzoni, Mr. Gallagher among many other
18 representatives of the City, County, and State,
19 they're doing everything in their power to make
20 sure that these other bridges including the Ash
21 Street bridge get in the pipeline and get grant
22 funding and state funding to get fixed. So I'm
23 very hopeful on that. Thank you.

24 MR. ROGAN: Anyone else?
25 Roll call, please.

1 MS. CARRERA: Mr. Donahue.

2 MR. DONAHUE: Yes.

3 MS. CARRERA: Attorney Dempsey.

4 ATTY. DEMPSEY: Yes.

5 MS. CARRERA: Mr. Gaughan.

6 MR. GAUGHAN: Yes.

7 MS. CARRERA: Mr. Rogan.

8 MR. ROGAN: Yes. I hereby declare
9 Item 7-J legally and lawfully adopted. If
10 there's no further business, I'll entertain a
11 motion to adjourn.

12 ATTY. DEMPSEY: Motion to adjourn.

13 MR. ROGAN: Meeting's adjourned.

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C E R T I F I C A T E

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

8
9
10 _____
11 Maria McCool, RPR
12 Official Court Reporter
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