

SCRANTON CITY COUNCIL MEETING

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HELD:

Monday, May 14, 2018

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

PATRICK ROGAN, PRESIDENT

TIM PERRY, VICE PRESIDENT
(Not present.)

WAYNE EVANS

WILLIAM GAUGHAN

KYLE DONAHUE

LORI REED, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

AMIL MINORA, ESQUIRE - SOLICITOR

1 (Pledge of Allegiance recited and
2 moment of reflection observed.)

3 MR. ROGAN: Roll call, please.

4 MS. CARRERA: Mr. Perry. Mr.
5 Donahue.

6 MR. DONAHUE: Here.

7 MS. CARRERA: Mr. Evans.

8 MR. EVANS: Here.

9 MS. CARRERA: Mr. Gaughan.

10 MR. GAUGHAN: Here.

11 MS. CARRERA: Mr. Rogan.

12 MR. ROGAN: Here.

13 MR. GAUGHAN: I would like to make a
14 motion to appoint Councilman Evans as
15 temporary chairperson for the Committee on
16 Public Safety.

17 MR. DONAHUE: Second.

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

20 MR. DONAHUE: Aye.

21 MR. EVANS: Aye.

22 MR. GAUGHAN: Aye.

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

25 MS. REED: THIRD ORDER. 3-A. TAX

1 ASSESSOR'S RESULTS REPORT FOR HEARING DATE
2 HELD MAY 2, 2018.

3 MR. ROGAN: Are there any comments?
4 If not, received and filed.

5 MS. REED: 3-B. AGENDA FOR THE BOARD
6 OF ZONING APPEALS MEETING HELD MAY 9,
7 2018.

8 MR. ROGAN: Are there any comments?
9 If not, received and filed.

10 MS. REED: 3-C. MINUTES OF THE
11 REGULAR MEETING OF THE LACKAWANNA COUNTY
12 LAND BANK HELD APRIL 13, 2018.

13 MR. ROGAN: Are there any comments?
14 If not, received and filed.

15 MS. REED: 3-D. CHECK RECEIVED MAY
16 3, 2018 FROM COMCAST IN THE AMOUNT OF
17 \$256,023.13 FOR QUARTERLY FRANCHISE FEE
18 PAYMENT.

19 MR. ROGAN: Are there any comments?
20 If not, received and filed.

21 Do any council members have
22 announcements at this time?

23 MR. DONAHUE: Yes, I have a couple,
24 just reminders. One reminder the Armed
25 Forces parade is Saturday at 11 a.m. I

1 encourage anybody that can make it to
2 attend, and tomorrow is election day so I
3 encourage everybody to go out and vote. A
4 couple polling place changes in the city.
5 People who from Scranton 19-1 they used to
6 vote at the Renaissance Center will now vote
7 at Whittier and also 19-2, which used to be
8 at the 606 Social Club will also be a
9 Whittier, and then also anyone that voted
10 previously at St. Ann's will move to West
11 Scranton Intermediate School. That's all I
12 have.

13 MR. GAUGHAN: And I just have one,
14 just to keep the family of Patricia Poopsie
15 Renda of North Scranton in your thoughts and
16 prayers. She passed away last week and she
17 was 101 years old from North Scranton.
18 Thank you.

19 MR. ROGAN: I have a couple of
20 announcements. City hall will be closed
21 tomorrow, Tuesday, May 15, for Election Day.
22 We reopen on Wednesday, May 16. DPW will be
23 working tomorrow. Refuse and red recycling
24 will be picked up this week on a regular
25 schedule. As Councilman Donahue mentioned,

1 the annual Armed Forces parade will be held
2 this Saturday, May 19 beginning at 11 a.m.
3 The parade starts at the Gino Merli
4 Veteran's Center and moves south on Penn
5 Avenue, east on Lackawanna and north on
6 North Washington Avenue to courthouse
7 square. Please support our veterans and be
8 mindful of the road closures for the parade
9 route if you traveling through the downtown.

10 Also, a note of congratulations to
11 the recent graduates of Johnson College as
12 well as Marywood University and Lackawanna
13 County college students who will be
14 graduating this Saturday. And that is all.

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

17 (The following speakers offered
18 public comment: Joan Hodowanitz spoke on
19 city business and matters of general
20 concern. Ray Pilch spoke on matters of
21 general concern. Ron Ellman spoke on city
22 business and matters of general concern.
23 Bob Bolus spoke on matters of general
24 concern. Dave Dobrzyn spoke on city
25 business and matters of general concern.

1 Marie Schumacher spoke on city business and
2 matters of general concern.)

3 MS. REED: FIFTH ORDER. 5-A.
4 MOTIONS.

5 MR. ROGAN: Mr. Donahue, any motions
6 or comments?

7 MR. DONAHUE: Yes. Mrs. Schumacher,
8 based off your revenue question I'd have to
9 look into some of the other ones besides
10 reassessment before I could give you an
11 honest answer on where I feel on that, so I
12 will do that and get back to you next week
13 on that.

14 And also for the Scranton bypass, I
15 mean, we have been getting preliminary
16 correspondence about them doing, you know,
17 the engineering studies and stuff like that
18 so until we see any studies that are done, I
19 mean, I wouldn't be able to comment on that.

20 And also one other request I gave to
21 Mrs. Reed before the meeting was an
22 explanation from the pave cut inspector as
23 to why UGI was allowed to make a pave cut on
24 Walnut Street in Pinebrook not even a week
25 after PA American Water finished paving the

1 street. According to our pave cut ordinance
2 that shouldn't have been allowed unless for
3 an emergency, so I wanted some clarification
4 on that.

5 And I also asked for an update on
6 Meadowbrook culvert project regarding the
7 Young and Kennedy properties over in
8 Greenridge so hopefully I can get that next
9 week.

10 Also, last week Councilman Perry
11 brought up the issue of decriminalizing
12 marijuana and I would just like to say that
13 is something I absolutely be willing to
14 support and I'm just hopeful that in the
15 next few weeks we will be able to start that
16 conversation by reaching out to different
17 stakeholders, especially Chief Graziano and
18 District Attorney Mark Powell to get their
19 opinions on this issue. And that's all I
20 have.

21 MR. ROGAN: Thank you. Mr. Evans,
22 do you have any motions or comments?

23 MR. EVANS: A couple of comments.
24 On Mr. Bulzoni, I fully expect the mayor to
25 be sending down legislation to grant

1 Mr. Bulzoni a residency waiver in the next
2 few weeks so we'll see when that get here.

3 On the Scranton bypass, I'm not a
4 fan of bypasses to be perfectly honest with
5 you. I think they detract and keep people
6 away from the city, but I'd like to study
7 that a little bit more, but generally
8 speaking I'm not a fan of the concept of
9 bypassing large metropolitan areas of the
10 City of Scranton.

11 On the question Ms. Schumacher made
12 about reassessment, etcetera, let's see, as
13 far as reassessment is concerned obviously
14 it's a revenue neutral issue so I think that
15 in terms of growth it will enhance our tax
16 base because it will allow us for future
17 growth and I think that's all we ever
18 wanted, plus the fact that, I know
19 Mr. Ellman will be thrilled to hear this,
20 but the fact it will bring about tax equity
21 and that's also a positive for the market.
22 The market wants to see how that in order
23 for the market to grow.

24 As far the HUB test is concerned,
25 certainly that would increase our tax base

1 because it would take good hard look at all
2 of the properties that are currently
3 nontaxable or tax exempt and treat them
4 individually to find out once and for all
5 should they be tax exempt. They have done
6 it in Allegheny County, it worked out very
7 well. It's a very simple procedure. They
8 send out letters out for each and every
9 parcel that is considered tax exempt and you
10 ask them why it should be that way and
11 continue to be that way and have them prove
12 the case and at that point you have to go
13 through an appeal process if this is
14 disagreements, but I think that's certainly
15 something that we built into the recovery
16 plan and it's something that we should
17 continue to foster and see if we can get
18 that movement. I know it's mostly an
19 administrative issue, but this councilman is
20 the one that actually had it put into the
21 recovery plan so I expect some action on
22 that at some point.

23 On decriminalization of marijuana, I
24 know Councilman Perry discussed this last
25 week, I have to give a couple of points that

1 advocates of decriminalization have been
2 making for years. Number one,
3 decriminalizing marijuana frees up police
4 resources to devote to more serious crimes.
5 Taxpayers spend between 7.5 billion and 10
6 billion dollars per week arresting and
7 prosecuting individuals for marijuana
8 violations. Almost 90 percent of those
9 arrests are for possession only.

10 Number two, decriminalization also
11 does not lead to greater marijuana use.
12 Government studies conclude that the
13 decriminalization has had virtually no
14 effect use on either marijuana use or
15 beliefs and related attitudes about
16 marijuana in people in states where this
17 policy is currently in effect.

18 And, three, criminal laws
19 prohibiting marijuana possession do not
20 deter it's use. Marijuana use remains
21 constant despite high levels of enforcement
22 and there is no detectable relationship
23 between change to enforcement and levels of
24 marijuana use over that time period.

25 Now, those arguments certainly can

1 be viewed as compelling, of course they are,
2 but there always at least two sides to every
3 issue. One can make the argument that this
4 isn't even a local issue, but an issue for
5 the state or federal government. However,
6 as often the case, state and federal
7 government seems to be a bastion for in
8 action and local governments are left to act
9 alone in many of these cases.

10 So to that point, six cities in
11 Pennsylvania have already adopted similar
12 decriminalization laws. They are Erie,
13 York, Harrisburg, Pittsburgh, Philadelphia
14 and State College and there are other cities
15 currently considering adopting similar
16 legislation. So while I'm not there with
17 this issue, I do think it's time, as
18 Councilman Perry said and Councilman Donahue
19 said, to have a good hard look at this issue
20 and maybe it's time to have an adult
21 conversation and a full debate on the
22 decriminalization of marijuana in Scranton.

23 So I concur with my council
24 colleagues that maybe it's time to take that
25 good hard look and maybe the city council

1 happens to be the vehicle for that by
2 bringing all of the stakeholders for a work
3 session or public caucus or even public
4 meetings of some sort. I think the next
5 step is for all of us to discuss how or if
6 we would like to proceed as a council and
7 even as a community and go from there, so
8 they are my comments on that issue and I
9 don't think I have anything else left for
10 tonight so that's it.

11 MR. ROGAN: Thank you. Mr. Gaughan,
12 any motions or comments?

13 MR. GAUGHAN: Yes, thank you.
14 First, the street sweeper is scheduled to be
15 in Tripps Park Dicken Street to Gibson
16 Street May 14 to May 18. We discussed this
17 a little bit in the caucus. I would like to
18 know and inquire with the DPW it was
19 mentioned that we have new street sweepers
20 from the sale of the Scranton Sewer
21 Authority so what I would like to know is
22 the last street sweeper that we were using
23 where is that, if it was broken down, if we
24 junked it, I would like clarification on
25 that and what happened to that second

1 sweeper.

2 Mr. Donahue mentioned this in his
3 comments, the Walnut Street paving, it was
4 on the news and I have received a couple of
5 calls about it. UGI ripped up the street
6 after it was already paved a week earlier
7 from the water company so I would like to
8 know from the city administration if UGI
9 pulled the city pave cut permit I would like
10 a copy of that and, you know, I know I have
11 said this a lot of times before but it just
12 seems to me that the city is really asleep
13 at the wheel here while the utility
14 companies continue to take us for a ride and
15 I'd like to know who is protecting the
16 infrastructure of the city. We go through
17 this problem every single summer and every
18 single spring and there just seems to be no
19 communication and no one from the city
20 administration who is actually holding the
21 utility companies feet to the fire and
22 protecting our infrastructure and our tax
23 dollars.

24 I also sent a letter to the
25 Pennsylvania Economy League April 19

1 regarding proceeds from the sale of the
2 Scranton Sewer Authority being deposited
3 into the pension funds. If you remember,
4 there was controversy there. I still have
5 not received an answer on that so I would
6 like Mrs. Reed to send a second letter to
7 Mr. Cross from the Economy League and I
8 would like an answer. They are our recovery
9 coordinator and I think not answering that
10 question is kind of a cop out.

11 Also, you know, I asked for an
12 update on our rentalordinance.com, this
13 company that came in and was supposed to
14 help the city with our rental registration
15 ordinance and we did receive correspondence,
16 a copy of correspondence from Mr. Moran, who
17 is the head of rentalordinance.com to
18 Mr. Bulzoni, the city business
19 administrator, and it says, "Please be
20 advised that CommunityChampions and
21 rentalordinance.com have entered into a
22 teaming agreement to assist the City of
23 Scranton with the enforcement of the rental
24 registration. Community Champion and
25 rentalordinance.com would like to set up a

1 status meeting with the City of Scranton on
2 moving the rental registration project
3 forward."

4 So I would like for Mr. Bulzoni or
5 someone from the administration give some
6 clarification on this. I mean, we entered
7 into an agreement with them. I voted
8 against it for a number of different
9 reasons, but we entered an agreement with
10 this company a year ago so I'd like to know
11 what happened and what went on the past year
12 and I did -- I think we sent a letter last
13 week asking for several things to be
14 answered, so I would like also a copy of
15 this teaming agreement to see what that is
16 all about.

17 Also, I sent a letter to the city
18 administration April 3 about Mr. Casciano,
19 the former business administrator, and his
20 new position in OECD. I sent several
21 questions and I still have not received a
22 response so we'll send a second response
23 there and see if anybody is going to answer
24 that. And that's all I have this week.
25 Thank you.

1 MR. ROGAN: Thank you. A couple of
2 items. First, Mr. Bolus brought up the
3 containers and I did speak with him about it
4 I do agree if the city is going to enforce
5 different laws on pods or storage containers
6 they do need to be applied consistently
7 throughout the city. I do know there are a
8 number of areas that have pods on the
9 streets and it certainly could be a
10 dangerous issue.

11 Secondly, on the marijuana issue,
12 which I missed an exciting meeting last
13 week, I agree with my colleagues regarding
14 medicinal marijuana and Commissioner
15 Cummings' comments, and they are going after
16 Commissioner Cummings for lack of knowledge
17 on that issue. I can certainly understand
18 an opinion that's different than mine. As
19 my colleagues do, I support medical
20 marijuana in our city. I think it's a
21 resource for those who are sick. I think
22 it's a good business to bring into the City
23 of Scranton to create jobs and we met with
24 some of the firms that were interested in
25 locating here, but what bothers me the most

1 is that Commissioner Cummings was completely
2 ignorant of the fact that in the State of
3 Pennsylvania medical marijuana was legalized
4 quiet sometime ago. So that's what to me it
5 the most disturbing that one of our elected
6 officials didn't even know the status of the
7 law, and not so much her position that I
8 disagree with.

9 Some of my colleagues also mentioned
10 decriminalization of recreational marijuana,
11 I would not support recreational marijuana
12 being legal in the City of Scranton. I
13 would, however, like to hear our police
14 chief's opinion on it and certainly his
15 opinion would carry a lot of weight, but I
16 do not think until, as Councilman Evans
17 mentioned, federal and state law change
18 that's something the city should pursue, so
19 that's all have to say on that issue.

20 Regarding the Scranton bypass, a
21 number of people have brought this up to me
22 over the last week or so. I know there is a
23 petition going on online. Again, until we
24 get more information on this bypass it's
25 hard to give an opinion, but I do see both

1 sides of it. As anyone who lives in our
2 area knows, traveling Interstate 81 from --
3 particularly from Wilkes-Barre to Scranton
4 during rush hour is a disaster so I think a
5 proposed bypass would certainly help with
6 the traffic issues in our region.

7 On the other hand, as Councilman
8 Evans mentioned, bypassing the city may hurt
9 local businesses that do stop off traveling
10 through Scranton on Interstate 81 to grab a
11 bite to eat or patronize one of our
12 restaurants or gas stations, so there is
13 definitely two sides to the issue, something
14 that I know all of us will continue to look
15 at as that issue moves forward, but I do
16 think that are petitions out there and I've
17 been contacted by a number of people about
18 this.

19 And, finally, a couple of months ago
20 I mentioned part of Donald Trump's tax law
21 that would possibly give opportunity zones
22 to areas like the City of Scranton and this
23 was published, this was ten days ago in the
24 newspaper, "Governor designates opportunity
25 zones in Scranton, Jessup and Blakely.

1 Governor Tom Wolf designated, Jessup,
2 Blakely and parts of Scranton as opportunity
3 zones under a new federal tax incentive
4 program designed to spur economic growth.
5 The designations would stem from President
6 Trump's tax cut program and will allow
7 businesses or investors to delay or avoid
8 paying capital gains taxes on investments
9 made in opportunity zones. The program's is
10 to spur investors to direct eligible capital
11 gains into new investments with these new
12 zones."

13 Now, the zone that is in the City of
14 Scranton is around downtown Scranton, into
15 the Hill section and into South Side. So I
16 am happy to see that Scranton -- the
17 governor was able to designate much of our
18 area as the zone. I am disappointed that
19 the Main Avenue corridor between West
20 Scranton and North Scranton was not included
21 on this map. I think would have been a
22 prime area to be designated for these
23 opportunities zones.

24 I have had discussion with Bob
25 Durkin, the head of the Chamber of Commerce

1 and the mayor on possibly coming up with
2 some other local incentives to put out there
3 not only through these zones but citywide to
4 really spur development and get our economy
5 going, but this is great news so I did want
6 to mention this and hopefully, you know, we
7 will start to see some additional
8 development in those areas because it's
9 certainly needed. And that is it all.

10 MS. REED: 5-B. FOR INTRODUCTION - A
11 RESOLUTION - AUTHORIZING THE MAYOR AND
12 OTHER APPROPRIATE CITY OFFICIALS FOR THE
13 CITY OF SCRANTON TO ENTER INTO A LOAN TO
14 GRANT AGREEMENT AND MAKE A LOAN/GRANT FROM
15 THE CITY OF SCRANTON BUSINESS AND INDUSTRY
16 LOAN/GRANT PROGRAM FOR PROJECT NO. 150.44 IN
17 AN AMOUNT NOT TO EXCEED \$70,000.00 TO
18 DISCOVERY MULTIPLE INTELLIGENCES PRESCHOOL,
19 TO ASSIST AN ELIGIBLE PROJECT.

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

23 MR. GAUGHAN: So moved.

24 MR. DONAHUE: Second.

25 MR. ROGAN: On the question? All

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

3 MR. DONAHUE: Aye.

4 MR. EVANS: Aye.

5 MR. GAUGHAN: Aye.

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

8 MS. REED: SIXTH ORDER. 6-A. NO
9 BUSINESS AT THIS TIME.

10 SEVENTH ORDER. 7-A. FOR
11 CONSIDERATION BY THE COMMITTEE ON PUBLIC
12 SAFETY FOR ADOPTION - FILE OF THE COUNCIL
13 NO. 16, 2018 - ESTABLISHING A "NO PARKING
14 ZONE" ALONG THE EASTERLY SIDE OF STAFFORD
15 AVENUE (S.R. 3021) BEGINNING APPROXIMATELY
16 FORTY FIVE (45) FEET NORTH FROM ITS
17 INTERSECTION WITH WILLOW STREET AND
18 CONTINUING ONE HUNDRED SEVENTY (170) FEET TO
19 ALLOW FOR SIGHT DISTANCE FOR A PROPOSED
20 DRIVEWAY BY DALE AND LISA KRAMER FOR A
21 PROPERTY LOCATED AT 623 STAFFORD AVENUE.

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

25 MR. EVANS: As temporary Chairperson

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

3 MR. DONAHUE: Second.

4 MR. ROGAN: On the question? Roll
5 call, please?

6 MS. CARRERA: Mr. Donahue.

7 MR. DONAHUE: Yes.

8 MS. CARRERA: Mr. Evans.

9 MR. EVANS: Yes.

10 MS. CARRERA: Mr. Gaughan.

11 MR. GAUGHAN: Yes.

12 MS. CARRERA: Mr. Rogan.

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

15 MS. REED: 7-B. FOR CONSIDERATION
16 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
17 ADOPTION - RESOLUTION NO. 37, 2018
18 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
19 CITY OFFICIALS TO APPLY FOR AND EXECUTE A
20 GRANT APPLICATION BY THE CITY OF SCRANTON
21 POLICE DEPARTMENT AND, IF SUCCESSFUL, A
22 GRANT AGREEMENT, AND ACCEPT THE FUNDS
23 RELATED THERETO FROM THE PENNSYLVANIA
24 COMMISSION ON CRIME AND DELINQUENCY NATIONAL
25 CRIME STATISTICS EXCHANGE (NCS-X) PROGRAM IN

1 THE AMOUNT OF \$23,400.00.

2 MR. ROGAN: What is the
3 recommendation for the Chairperson for the
4 Committee on Public Safety?

5 MR. EVANS: As temporary Chairperson
6 for the Committee on Public Safety, I
7 recommend final passage of Item 7-B.

8 MR. DONAHUE: Second.

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

11 MS. CARRERA: Mr. Donahue.

12 MR. DONAHUE: Yes.

13 MS. CARRERA: Mr. Evans.

14 MR. EVANS: Yes.

15 MS. CARRERA: Mr. Gaughan.

16 MR. GAUGHAN: Yes.

17 MS. CARRERA: Mr. Rogan.

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

20 If there is no further business,
21 I'll entertain a motion to adjourn.

22 MR. EVANS: Motion to adjourn.

23 MR. ROGAN: Meeting adjourned.

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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 of testimony taken by me at the hearing of the above-captioned matter and that the foregoing is a true and correct transcript of the same to the best of my ability.

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER