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SCRANTON CITY COUNCIL MEETING

HELD:

Monday, October 1, 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. (Not
5 present.)

6 MS. CARRERA: Mr. Donahue.

7 MR. DONAHUE: Here.

8 MS. CARRERA: Mr. Evans.

9 MR. EVANS: Here.

10 MS. CARRERA: Mr. Gaughan.

11 MR. GAUGHAN: Here.

12 MS. CARRERA: Mr. Rogan.

13 MR. ROGAN: Here.

14 MR. DONAHUE: I'd like to make a
15 motion for temporary chairperson for the
16 Committee on Public Safety.

17 MR. GAUGHAN: 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 Please dispense with the reading of

1 the minutes.

2 MS. REED: THIRD ORDER. 3-A.
3 AGENDA FOR THE BOARD OF ZONING APPEALS
4 MEETING TO BE HELD OCTOBER 10, 2018.

5 MR. ROGAN: Are there any comments?
6 If not, received and filed.

7 MS. REED: 3-B. TAX ASSESSOR'S
8 RESULTS REPORT FOR HEARING DATE HELD
9 SEPTEMBER 19, 2018.

10 MR. ROGAN: Are there any comments?
11 If not, received and filed.

12 MS. REED: 3-C. AGENDA FOR THE CITY
13 PLANNING COMMISSION MEETING HELD SEPTEMBER
14 26, 2018.

15 MR. ROGAN: Are there any comments?
16 If not, received and filed.

17 I actually neglected to make the
18 announcements. So we are going to back it
19 up, do any council members have
20 announcements at this time?

21 MR. DONAHUE: I just have one, the
22 Greenridge fall festival will be held this
23 Saturday from 10 to 4 at Greenridge corners.

24 MR. ROGAN: I have a couple of them.
25 The Lackawanna County Veteran's Affairs

1 Office will be closed this week, October 1
2 through the 5 for mandatory staff training
3 to be held in Erie, Pennsylvania. The
4 training will provide information and
5 programs and services to assist families --
6 veterans and their families.

7 The 23rd annual Steamtown Marathon
8 will be held this Sunday, October 7. The
9 26.2 mile course starts in Forest City and
10 finishes in courthouse square in downtown
11 Scranton. Please be mindful of the runners
12 and the road closures as you are traveling
13 throughout the city. We would like to wish
14 all of the best for a good race and for all
15 those who are participating this Sunday.

16 Next month, October 8, city hall
17 will be closed in observation of Columbus
18 Day. DPW are not be working this day.
19 Refuse and blue recycling cans will be one
20 day behind this week.

21 MS. REED: FOURTH ORDER. CITIZENS'
22 PARTICIPATION.

23 (The following speakers offered
24 public comment: Joan Hodowanitz spoke on
25 city business and matters of general

1 concern. Joanne Williams spoke on city
2 business. Ron Ellman spoke on matters of
3 general concern. Lenny Srebro spoke on city
4 business and matters of general concern.
5 Bob Bolus spoke on city business and matters
6 of general concern. Dave Dobrzyn spoke on
7 matter of general concern. Marie Schumacher
8 spoke on city business.)

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

10 MOTIONS.

11 MR. ROGAN: Mr. Donahue, any motions
12 or comments?

13 MR. DONAHUE: Yes. I just want to
14 briefly comment on the subject of today's
15 work session we had with Arcadis regarding
16 storm water. Let me start off by saying --
17 restating my position that the study
18 absolutely should have been commissioned
19 prior to the sale of the Sewer Authority and
20 the fact that it wasn't just blows my mind.
21 The result of not conducting the study, as
22 Councilman Evans pointed out a couple of
23 weeks ago, is that the city is not capable
24 of properly handling storm water, and as we
25 heard at our work session this won't be a

1 simple undertaking. I just think this is
2 one of the many examples of city government
3 being reactive instead of proactive and I
4 think that's an approach we must change.
5 That's all I have.

6 MR. ROGAN: Thank you. Mr. Evans,
7 any motions or comments?

8 MR. EVANS: Yes, one other thing I
9 wanted to touch on, a little bit what Marie
10 said, what we are trying do, I had a
11 conversation with ECTV. We are trying to
12 get to the point where they can get new
13 equipment that we can put on the table here
14 that would pick up the voices for the camera
15 because that's part of the problem right now
16 is we are passing around microphones and
17 logistically it's a real problem, we have
18 guests at our large table there, so if they
19 can do that I think there is no reason why
20 we would have all of those meetings in here
21 and they would all be televised so I think
22 that's our goal, and we are supposed to get
23 an answer sometime this week so hopefully by
24 next week I'll have an answer from ECTV.

25 Over the last few weeks a regular

1 speaker at our city council has challenged
2 us, all of us, to post to the city website
3 the work that we do individually related to
4 city business during the previous week, so
5 while in theory that's a pretty good idea
6 but with full-time jobs and all of the
7 responsibilities we have our positions on
8 city council it isn't practical to think
9 that could be done on a regular and
10 consistent basis.

11 But with that said, I have said in
12 the past and I have described in the past my
13 schedule on a typical week of city business
14 and I will do that again this evening to
15 give an example of what may take place week
16 to week for our city council member. So
17 beginning from last Monday to this evening
18 for a full week's review, last Monday, of
19 course, we had our city council meeting at
20 city hall. Prior to that, myself and
21 Councilman Donahue met with the Pennsylvania
22 Economy League during the afternoon and that
23 evening we had our caucus and city council
24 met with the developers of the proposed
25 project of the Scranton State School for the

1 Deaf and, of course, we had our meeting.

2 On Tuesday morning, I met with the
3 mayor, police Chief Graziano,
4 representatives from Lackawanna County and
5 Scranton Tomorrow to discuss an ongoing
6 issues related to the downtown.

7 Wednesday and Thursday I dealt with
8 approximately half a dozen citizen
9 complaints of various types referring them
10 to the proper city departments for a
11 resolution.

12 On Friday, I had a meeting in the
13 morning at the Chamber of Commerce to meet
14 with some city officials and others to
15 discuss some grant opportunities and new
16 initiatives that I am interested in that are
17 related to our neighborhoods. Early Friday
18 afternoon I met with BA Bulzoni and our city
19 clerk Lori Reed for a conference call with a
20 representative of See, Click, Fix as we
21 continue to move that initiative forward.
22 Later that afternoon, Friday afternoon,
23 myself and Councilman Gaughan were guest
24 speakers at the University of the Scranton
25 student government council's meeting.

1 Over the weekend, I met personally
2 with several residents to discuss their
3 concerns and issues as well as answering
4 numerous e-mails I received during the week
5 on the weekend and, of course, somewhere in
6 the mix answered many phone calls and
7 responded to those as well.

8 During the week and the weekend, I
9 attended at least seven events sponsored by
10 the Scranton Fringe Festival. While not
11 directly related to our work on city
12 council, as a vocal supporter of the arts I
13 felt it was in my best interest to learn as
14 much as I could about this important city
15 arts events and how it relates to an
16 increase in commerce within the city and
17 specifically the downtown.

18 So bring this to today, Monday,
19 October 1, we attended a work session in the
20 Governor's Room at 4:30 with representatives
21 of Arcardis, the organization that is
22 working on our storm water study. At 5:15
23 we met in caucus with Leslie Collins and
24 Josh Mast of Scranton Tomorrow for some
25 updates on their work. At 5:45 we held a

1 public hearing on a liquor license transfer
2 and at 6:00 p.m. our regular city council
3 meeting started and here we are.

4 So would I call that an average
5 week, probably. Sometimes it could be
6 busier than that, much busier, sometimes
7 much less busy. And, of course, that
8 doesn't count the 40 to 60 hours I spend a
9 week working as a small business owner in
10 Scranton and the time my colleagues spend as
11 well working in their own professions. And
12 certainly none of us are complaining because
13 that's what we signed up for. At the end of
14 the day, if you really want to effect
15 positive change you do what you have to do,
16 but this is just a response to a personal
17 request from one of our speakers. Again, I
18 don't think it's a bad idea if we were able
19 to post this, I just don't think it's
20 practical, so every now and then I'll give a
21 weekly report of what happened from the week
22 before. And that's all I have tonight.

23 MR. ROGAN: Thank you. Councilman
24 Gaughan, any motions or comments?

25 MR. GAUGHAN: Yes, thank you. Just

1 a few concerns that I received from
2 attending a neighborhood meeting in the hill
3 section. Mrs. Reed, I have quite a few
4 here, I just want to check through some of
5 them. I was asked to ask the city
6 administration to consider paving the 800
7 and 909 blocks of Costello court from Gibson
8 Street to Ash Street. Also, there was a
9 major concern about Okell court that needs
10 to be paved between Rosalind Street and
11 Linden Street, and we did already send a
12 letter out on that to the administration.
13 The 200 block of Arthur Avenue there is
14 several storm drain issues, blocked and
15 people are flooding down there when they get
16 a light to moderate rain.

17 Also, Mrs. Reed, if we could send a
18 letter to the DPW about a streetlight that
19 does not come on until 10:30 or 11 p.m.,
20 very dark and dangerous on the corner of the
21 Rosalind and Arthur Avenue, the 200 block.
22 Also, the 700 block of Mayhan court between
23 Gibson and Pine, same thing with storm drain
24 issues, same thing with storm drain issues.
25 This area turns into a huge lake when it

1 rains and there is also a huge pothole that
2 needs to be filled. Another resident
3 complained of drainage issues on Harrison
4 Avenue, the Harrison Avenue bridge when it
5 rains so if we could have Mr. Pocius check
6 that out. The 900 block of Prescott Avenue
7 and North Irving and Ash Street, people
8 flying through stop signs if we could send
9 that to the police department.

10 And then I received a request that
11 we ask OECD to consider sidewalk
12 improvements in front of John Adams School,
13 if that's possible the area is bad. Storm
14 drain issues at Quincy and Myrtle Street and
15 several abandoned properties on Quincy
16 Avenue and I have specific addresses that
17 I'll give you after the meeting, so I would
18 appreciate that.

19 Also, I have a question just going
20 through some of the mail we received in the
21 last few days, the Business Administrator's
22 Office is transferring \$349,000 from the
23 Worker's Comp Trust Fund to the IT
24 Department for capital expenditures, so I
25 would like to ask what that is for

1 specifically if we could find that out for
2 next meeting.

3 Also, we received a letter from the
4 Borough of Taylor, I won't read through the
5 whole thing, but it's from the manager of
6 the Borough of Taylor and there is some
7 concern over a line, a service line, sewer
8 line that services the museum operated by
9 Lackawanna County and they go through the
10 whole background here, but they have serious
11 environmental concerns and the general
12 public has concerns that must be addressed
13 in this area. They did copy the council,
14 DPW and engineer and city planner on this so
15 if we could get follow-up on it, Mrs. Reed,
16 I would appreciate that.

17 Also, we did receive a letter, a
18 response from Mayor Courtright regarding our
19 letter a week ago asking for his opinion on
20 the coffee house at Nay Aug Park with
21 Mr. Hinton and I do want to read this letter
22 into the record. Mayor Courtright says,
23 "Dear Councilmen, I am in receipt of your
24 follow-up letter of September 25, 2018. To
25 address your questions I have carefully

1 reviewed the opinion issued by your
2 solicitor, Amil Minora, along with the
3 position of the Recreation Authority issued
4 by its solicitor. Having great confidence
5 in their legal abilities and expertise, I
6 condition occur with their position that the
7 lease of the facility at Nay Aug Park is
8 valid and in conformity with ethical
9 requirements. Despite my concurrence, I
10 have discussed this letter with Director Pat
11 Hinton and he has agreed that the proposed
12 coffee shop will not open during his tenure
13 as a member of my cabinet. Please see the
14 attached letter memorializing the same.
15 Thank you. Mayor William Courtright."

16 I appreciate the response but, you
17 know, there is a couple of issues with this
18 letter. Number one, the mayor doesn't
19 really answer any of our questions. We
20 asked him specifically what he thought about
21 it, if he was in favor of it, did he give
22 the okay on this and all he does was agree
23 with the attorneys. We didn't ask him that,
24 we asked him whether he thought that it was
25 ethical and that he would allow a member of

1 his administration and his cabinet to go
2 through with that, and I just still do not
3 think this is right. Even if Mr. Hinton
4 runs the coffee shop when is no longer the
5 director, the fact that it took place, this
6 whole process took place when he was the
7 director that is just wrong and it's time
8 for the mayor and other member of his
9 administration, quite frankly, to grow a
10 spine, and when this council asks questions
11 answer them truthfully, respectfully, and
12 don't wait until a year or two later to come
13 out with all of this stuff because it's just
14 ridiculous, and I can understand why people
15 lose faith in their government when they see
16 these kind of things go on. Thank you.

17 MR. ROGAN: Just a couple of quick
18 comments, Scranton Tomorrow was brought up
19 from the podium, we did have a caucus with
20 members from Scranton Tomorrow about some of
21 their activities. They talked about some of
22 the ongoing plans and we actually are
23 scheduling quarterly updates with
24 representatives from Scranton Tomorrow to
25 talk about some much their plans for the

1 downtown. I believe our next update was
2 scheduled for January 14 will be the next
3 time they will be on, so it should be
4 every three months on an ongoing basis. We
5 did get an update tonight about some of the
6 initiatives that we have been undertaking,
7 the planters that have been put on a couple
8 of streets downtown have been done by
9 Scranton Tomorrow as well as some of their
10 other initiatives that should be rolled out
11 within the next few weeks to a month, so we
12 are thankful to have them continuing to come
13 in and get these updates on a quarterly
14 basis.

15 Another speaker, I think it was
16 Mr. Bolus, brought up about speaking out to
17 the county and the school district and I'll
18 say for myself if you ask some of the
19 commissioners they are probably not a fan of
20 mine because, you know, I pretty regularly
21 take them to task on some of the items that
22 I feel are lacking there, and reassessment
23 especially and next year with commissioner
24 elections coming up I'm sure that's going to
25 be a very big issue. And, again, in my

1 opinion, many of the county administrators
2 have been inept from the commissioners, de
3 facto, the majority, the controller they
4 have been silent, nothing has been going on
5 so we will see how that plays out in the
6 elections next year, but it is something
7 that's certainly on my mind and in the mind
8 of my colleagues, we have spoken out on
9 specifically county issues quite a bit and
10 the school district, unfortunately, as we
11 know is a disaster. Hopefully they will get
12 their act together over there, but the way I
13 look at the school district is really the
14 way the city was about five or six years
15 ago, unable to pay their bills, multiple
16 investigations going on so I hope the school
17 directors will get their act together and
18 get things going and I know they are
19 certainly trying, it's no fault of many of
20 the members that are there now that just
21 took office, but we are watching everything
22 else. So that is all. Thank you.

23 MS. REED: 5-B. FOR INTRODUCTION – A
24 RESOLUTION – ACCEPTING THE RECOMMENDATION OF
25 THE HISTORICAL ARCHITECTURE REVIEW BOARD

1 ("HARB") AND APPROVING THE CERTIFICATE OF
2 APPROPRIATENESS FOR RAY DOMINGUEZ, R 2010
3 FARR STREET, SCRANTON, PA, 18504, FOR
4 MASONRY WORK TO BE COMPLETED ON THE FRONT
5 EDIFICE OF THE BUILDING, SITUATED AT 534
6 LACKAWANNA AVENUE, SCRANTON, PA 18503.

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

10 MR. EVANS: So moved.

11 MR. GAUGHAN: Second.

12 MR. ROGAN: On the question? All
13 those in favor of introduction signify by
14 saying aye.

15 MR. DONAHUE: Aye.

16 MR. EVANS: Aye.

17 MR. GAUGHAN: Aye.

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

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

21 READING BY TITLE - FILE OF THE COUNCIL NO.
22 33, 2018 - AN ORDINANCE - APPROVING THE
23 TRANSFER OF A RESTAURANT LIQUOR LICENSE
24 OWNED BY SHREE SAIBABA CORPORATION D/B/A
25 TJ'S BEER & DELI CURRENTLY IN SAFE KEEPING

1 WITH THE PENNSYLVANIA LIQUOR CONTROL BOARD
2 FORMERLY USED AT 1640 MAIN STREET, DICKSON
3 CITY, LACKAWANNA COUNTY, PENNSYLVANIA, 18447
4 FOR USE AT 1801-1803 PITTSTON AVENUE,
5 SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA,
6 18505 AS REQUIRED BY THE PENNSYLVANIA LIQUOR
7 CONTROL BOARD.

8 MR. ROGAN: You've heard reading by
9 title of Item 6-A, what is your pleasure?

10 MR. EVANS: I move that Item 6-A
11 pass reading by title.

12 MR. GAUGHAN: Second.

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

15 MR. DONAHUE: Aye.

16 MR. EVANS: Aye.

17 MR. GAUGHAN: Aye.

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

20 MS. REED: 6-B. READING BY TITLE -
21 FILE OF THE COUNCIL NO. 34, 2018 - AN
22 ORDINANCE - CREATING AND ESTABLISHING
23 SPECIAL CITY ACCOUNT NO. 02.229635 ENTITLED
24 "2018 CAPITAL BUDGET" FOR RECEIVING AND
25 DISBURSING CAPITAL PROJECT FUNDS DESIGNATED

1 IN THE 2018 CAPITAL BUDGET.

2 MR. ROGAN: You've heard reading by
3 title of Item 6-B, what is your pleasure?

4 MR. EVANS: I move that Item 6-B
5 pass reading by title.

6 MR. GAUGHAN: Second.

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

9 MR. DONAHUE: Aye.

10 MR. EVANS: Aye.

11 MR. GAUGHAN: Aye.

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

14 MS. REED: SEVENTH ORDER. 7-A. FOR
15 CONSIDERATION BY THE COMMITTEE ON PUBLIC
16 SAFETY - FOR ADOPTION - FILE OF THE COUNCIL
17 NO. 32, 2018 - AUTHORIZING THE MAYOR AND
18 OTHER APPROPRIATE CITY OFFICIALS TO APPLY
19 FOR AND EXECUTE A GRANT APPLICATION BY THE
20 CITY OF SCRANTON POLICE DEPARTMENT AND, IF
21 SUCCESSFUL, A GRANT AGREEMENT, AND ACCEPT
22 THE FUNDS RELATED THERETO THROUGH THE BJA FY
23 18 EDWARD BYRNE JUSTICE ASSISTANCE GRANT
24 ("JAG") PROGRAM-LOCAL SOLICITATION IN
25 THE AMOUNT OF \$21,053.00.

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

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

7 MR. GAUGHAN: Second.

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

10 MS. CARRERA: Mr. Donahue.

11 MR. DONAHUE: Yes.

12 MS. CARRERA: Mr. Evans.

13 MR. EVANS: Yes.

14 MS. CARRERA: Mr. Gaughan.

15 MR. GAUGHAN: Yes.

16 MS. CARRERA: Mr. Rogan.

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

19 MS. REED: 7-B. FOR CONSIDERATION
20 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -
21 FOR ADOPTION - RESOLUTION NO. 72, 2018 -
22 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
23 CITY OFFICIALS TO EXECUTE AND ENTER INTO
24 A BROWNFIELDS ASSESSMENT COALITION
25 MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY

1 OF LACKAWANNA, LACKAWANNA COUNTY
2 REDEVELOPMENT AUTHORITY AND THE CITY OF
3 SCRANTON REGARDING THE PENDING SUBMISSION OF
4 AN INDUSTRIAL SITES REUSE PROGRAM GRANT
5 (ISRP) FOR THE FORMER RSM PROPERTY SITE,
6 WYOMING AVENUE AND LINDEN STREET, SCRANTON,
7 PA.

8 MR. ROGAN: What is the
9 recommendation of the Chairperson for the
10 Committee on Community Development?

11 MR. DONAHUE: As Chairperson for the
12 Committee on Community Development, I
13 recommend final passage of Item 7-B.

14 MR. EVANS: Second.

15 MR. ROGAN: On the question? Roll
16 call, please?

17 MS. CARRERA: Mr. Donahue.

18 MR. DONAHUE: Yes.

19 MS. CARRERA: Mr. Evans.

20 MR. EVANS: Yes.

21 MS. CARRERA: Mr. Gaughan.

22 MR. GAUGHAN: Yes.

23 MS. CARRERA: Mr. Rogan.

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

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

MR. EVANS: Motion to adjourn.

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