

SCRANTON CITY COUNCIL MEETING

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HELD:

Monday, April 15, 2019

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

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 moment of reflection
2 observed.)

3 MR. ROGAN: Roll call, please.

4 MS. CARRERA: Mr. Perry.

5 MR. PERRY: Here.

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. Dispense with the
14 reading of the minutes.

15 MS. REED: THIRD ORDER. 3-A.

16 MINUTES OF THE REGULAR MEETING OF THE
17 MEMBERS OF SCRANTON HOUSING AUTHORITY HELD
18 MARCH 4, 2019.

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

21 MS. REED: 3-B. TAX ASSESSOR'S
22 REPORT FOR HEARING DATE TO BE HELD MAY 1,
23 2019.

24 MR. ROGAN: Are there any comments?
25 If not, received and filed. Do any council

1 members have announcements at this time? I
2 have a couple. City Hall will be closed
3 this Friday, April 129, in observance of
4 Good Friday. DPW will be working this day.
5 They will be off the following Monday.
6 Easter Monday, April 22, and refuse and
7 recycling collection will be one day behind
8 next week, the week of the 22nd.

9 Also, next Monday, April 22, at 5:15
10 p.m. council will hold a public caucus with
11 the city treasurer and members of Northeast
12 Revenue Service to discuss refuse
13 delinquency procedures.

14 Does anyone else have an
15 announcement?

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

18 (The following speakers offered
19 public comment as follows: Joan Hodowanitz
20 spoke on city business. Les Spindler spoke
21 on city business. Fay Franus spoke on city
22 business. John Foley spoke on city
23 business. Al Young spoke on city business.
24 Lenny Srebro spoke on city business and
25 matters of general concern. Lee Morgan

1 spoke on matters of general concern. Dave
2 Dobrzyn spoke on matters of general concern.
3 Marie Schumacher spoke on city business.)

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

6 MR. ROGAN: Mr. Perry, any motions
7 or comments?

8 MR. PERRY: Yeah, just a couple of
9 quick items. Mrs. Reed, we did talk about
10 this a little bit in caucus, there is a
11 street, Birch and Beech, there is a Boyland
12 court, in-between those two streets on
13 Boyland there is a city streetlight that is
14 partially obstructed if can have -- by a
15 pine tree. Well, it was last week. Whether
16 the storms did anything to help us or not I
17 don't know, but if we can have DPW take a
18 look at that and see if there is something
19 we can do to free that up I would appreciate
20 it.

21 Also, if we can send something out
22 to Mr. Reed at DPW, there is a stop sign
23 that's illegible at Jones Street and Davis
24 Street if he can put that on or mark that
25 for replacement to change at his convenience

1 that would be appropriated.

2 And the only other comment I have is
3 I just want to thank you to the DPW, fire
4 and police. I know they worked some long
5 hours overnight into today and they had some
6 nice fast response times for a fast moving
7 storm that encompassed the whole city. The
8 city was -- I know my yard I was two hours
9 late for work today just trying to clean up
10 and organize so I can only imagine what
11 that's like on a city scale. So just a
12 quick thank you to them and I hope everybody
13 is safe and getting back to normality.
14 Thank you.

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

17 MR. DONAHUE: Yes. I would also
18 like to thank the police, firefighters, DPW
19 and all other private entities who worked
20 through the early morning hours and
21 throughout the day responding to the severe
22 storm that wrecked havoc throughout the
23 city. After the storms last August that
24 resulted in flooding throughout the city I
25 requested a breakdown of the city's

1 emergency management plan. I never received
2 a response from the administration so, Mrs.
3 Reed, would you able to send a request to
4 the mayor for the break down of the city's
5 emergency response -- or emergency
6 management plan?

7 Like I've said before, these extreme
8 whether events are become the norm as a
9 result of climate change. Therefore, it's
10 imperative to have a plan in place that
11 establishes a process to effectively respond
12 to emergency situations such as the one we
13 faced earlier this morning, not only for the
14 safety of the residents of this city but
15 also for the safety of our police ad
16 firefighters, who are our first line of
17 defense, when these severe weather events
18 occur. That's all I have. Thank you.

19 MR. PERRY: Mr. Rogan, and I forgot
20 one. I know, Lori, we talked about this
21 during the caucus about Mr. Srebro's issue
22 and, Mr. Pocius, if you haven't sent
23 anything out already would you please just
24 send a reminder out to see when this is
25 going to be done because I know he is aware

1 of it but just so we can get a timetable of
2 it so we can report back that would be
3 appreciated. Thank you. Sorry. Thank you.

4 MR. ROGAN: Thank you. Mr. Evans,
5 any motions or comments?

6 MR. EVANS: Yes, thank you. A
7 speaker last week wanted to know what
8 accounts the refuse are put in as they come
9 in. It's fairly simple, as refuse fees are
10 received money is deposited into an account
11 designated as refuse account. This allows
12 for the tracking of the fees. Each day
13 there is an automatic transfer of those
14 funds from that account to the general fund.
15 That's how it's set up.

16 As promised, I would like to expand
17 on my comments from last week on the
18 restoration of city hall. First, some
19 additional observations that I didn't talk
20 about last week. Based on my quick review
21 there are over 9,000 square feet of space
22 within city hall that is currently being
23 used for storage, non-city use or space that
24 should be clearly repurposed to another more
25 appropriate use. There is also \$15,000

1 square feet that is currently used for
2 appropriate space like offices, etcetera, so
3 clearly there is an issue as to how valuable
4 space is being used within this building. I
5 have had some discussions with the BA about
6 issuing what would be called an RFI, request
7 for ideas from interested parties to see if
8 there is actually any real interest in
9 purchasing and restoring city hall. I
10 suspect that will not be ideas that would be
11 reviewed as realistic and workable. Like
12 most things in government, there are rumors
13 and conjecture as to what could be done with
14 the building, but at the end of the day I
15 still have serious doubts that someone would
16 come forward with a real and tangible
17 proposal that would properly restore this
18 building and make some enough sense in that
19 restoration and we would actually entertain
20 it, but as I said all along let's see what's
21 out there, let's flesh out the ideas and
22 move on from there.

23 But along with that RFI I would
24 press the administration for a second
25 request. There should also be an RFP for a

1 professional space planner to do a top down
2 review designed efficiency study on the use
3 of every square foot of city hall. We need
4 to develop a plan for an efficient footprint
5 of a user-friendly, employee-friendly and
6 citizen-friendly space for this building.
7 This will be helpful in reviewing all of our
8 options on an ongoing basis.

9 But quite honestly, the current
10 layout and design and use of space within
11 city hall may be the worst I've ever seen in
12 an office work environment. So at this
13 point I would like to offer my
14 recommendations if we do move forward on the
15 much needed restoration of city hall.

16 Number one, all of the exterior
17 repairs as described in priority one should
18 be completed.

19 Two. All of the interior repairs as
20 described in priority one should be
21 completed.

22 Three. Some basic improvements from
23 priority two, lists like the interior
24 painting, etcetera, should also be
25 completed.

1 Four. The city should hire a
2 full-time archivist to deal with the issue
3 of records retention and records storage.
4 Records that are no longer required should
5 be destroyed. Those required by law should
6 be digitized and stored within the building
7 if necessary, and outside the building if
8 appropriate.

9 Five. The city should hire a
10 professional office planner, as I mentioned
11 before, who would redesign every office and
12 every floor in this building into something
13 that only -- not only makes sense but works
14 effectively and efficiently for the
15 employees and the citizens that visit this
16 building on a daily basis.

17 Six. You actually have to implement
18 the plan. So once the plan is implemented
19 the city should develop a long-term capital
20 improvement and maintenance plan using the
21 Highland report as their template for
22 further improvements down the road. Many
23 improvements, particularly in areas like
24 energy efficiency through heating and air
25 conditioning enhancements and energy

1 efficient lighting, can and should be
2 accomplished aggressive grant writing
3 because there is a ton of money in those
4 fields out in the world today, and what
5 would that cost? Well, initially priority
6 one items call for an investment of \$4.75
7 million. Even adding a recommendation of an
8 archivist, the hiring of a professional
9 space planner, the implementation of the
10 recommendation of those experts and a built
11 in contingency fund, maybe an additional one
12 million in contingency money might be needed
13 so that leaves us with a worst case scenario
14 of \$5.75 million. That's a far cry from the
15 \$10.7 million estimate for the full
16 restoration which includes priorities one
17 through priority four as well as within an
18 aggressive contingency fund that's off cost
19 included in that amount.

20 So when this plan is implemented you
21 have a building with the exterior fully
22 sealed and restored. A fully sealed and
23 leak proof interior, all damage repaired and
24 replaced and a redesign leading to a far
25 more functional space, a far more efficient

1 municipal building than we have had in
2 generations.

3 So let's be clear, we don't have a
4 people problem here, we have a building
5 repair and restoration problem and we can
6 addressed that with these recommendations.
7 And we have a storage and records retention
8 problem and we can address that with these
9 recommendations and we have an office design
10 and layout problem that we can address with
11 these recommendations.

12 Of course, all of this, of course,
13 is my personal opinion but I'm sure there
14 will be other opinions that we'll hear from
15 and that's a good thing. The more ideas,
16 the more opinions the better. The future of
17 city hall is far too important not to have a
18 full and comprehensive discussion on what we
19 do from this point on. So that's all I have
20 on in particular issue.

21 And, of course, as I have done
22 lately my final comment is every day is your
23 chance to make this city a little better and
24 that's all I have tonight. Thank you.

25 MR. ROGAN: Thank you. Mr. Gaughan,

1 any motions or comments?

2 MR. GAUGHAN: Yes. Thank you.

3 First, we received a letter from PennDOT
4 that the city is going to be receiving their
5 liquid fuels tax fund this year. We are
6 going to receive \$2,396,177.81 in the liquid
7 fuels account so that could go towards
8 paving.

9 I asked last -- or two weeks ago
10 about the city's plan for our paving program
11 for 2019. I did receive something back from
12 Mr. Bulzoni and he stated that they are
13 looking at using approximately \$1 million
14 and maybe some other monies for a paving
15 project and I did relay to Mr. Bulzoni that
16 I would appreciate if they would consider
17 council requests for what streets to put on
18 the list because we do receive an awful lot
19 of requests from different residents
20 throughout the neighborhoods.

21 Secondly, someone asked me two or
22 three weeks ago about the street sweeping
23 program. We did receive a response from
24 Mr. Gallagher. The street sweeping program
25 will start April 29 in North Scranton from

1 Greenbush Street to West Market Street.

2 This program street sweeping program will
3 eventually be posted on the city's website
4 so you can go and see where -- when your
5 neighborhood is going to be swept by the
6 DPW.

7 We did discuss in the caucus at this
8 point we have three street sweepers and I
9 have been saying this now for the last five
10 years and it's fallen on deaf ears with the
11 administration, but it does not make any
12 sense to me whatsoever that we are have a
13 street sweeping program and we are going to
14 invest in that equipment but we are not
15 going to have alternate side of the street
16 parking. I know in my neighborhood, you
17 know, the gentleman from the DPW do a great
18 job, they come down the street, my whole
19 block is parked on the right-hand side of
20 the road or the left-hand side, so they
21 don't get to the end of the street so they
22 actually are not properly sweeping the
23 streets, and it's not their fault, I think
24 the city needs to design a plan for
25 alternate side of the street parking not

1 only for the street sweeping program, but as
2 I have said in the past, with the snow
3 plowing. And I have been told by members of
4 the administration that it can't be done and
5 I have told them are multiple cities on the
6 east coast, all over the country, that have
7 alternate side of the street parking for
8 things like street sweeping. So it can be
9 done.

10 And, Mrs. Reed, I would like to send
11 another plea to the administration that they
12 put together a plan for this. As I said, if
13 we are going to continue, and I hope that we
14 would invest in the street sweeping program
15 even as part of the storm water management
16 program in the city we are going to need to
17 take this more seriously and not just waste
18 resources by sending a street sweeper off
19 the street and not actually getting much
20 done. So if you could take care of that
21 request I would appreciate it.

22 The third thing I have tonight we
23 received a letter from the mayor that he is
24 planning on appointing Dennis D'Augustine to
25 the Ethics Board. Dennis D'Augustine is the

1 chaplain for the fire department. Now, we
2 discussed in the caucus it clearly states in
3 the Ethics legislation that no member that
4 is going to be on the board may hold a
5 position of employment or appointment with
6 any municipal government or any board or
7 commission formed by the City of Scranton.
8 Now, I asked our Solicitor Minora to look at
9 that further, I think it's pretty clear, but
10 I would just ask the mayor to rethink that
11 pick. I don't think it's smart to start off
12 the Ethics Board by putting someone on who
13 has anything to do with the city government,
14 even though I'm sure Mr. D'Augustine does a
15 great job as the chaplain for the Fire
16 Department but that is a position that city
17 council created by the request of the
18 administration so I don't think that would
19 be appropriate and think we will wait for
20 the opinion of Mr. Minora but I think it
21 would actually violate the legislation.

22 Mr. Evans brought up the city hall
23 condition and assessment report.

24 Mr. Donahue made a motion a few weeks ago to
25 ask the administration to come in to discuss

1 not only the assessment but to discuss what
2 the current building maintenance plan is and
3 what it will be. If we are going to sink
4 all of this money, it that is the plan, to
5 put money, grant money and city money into
6 the building then what is going to be the
7 plan moving forward? So we still have not
8 heard anything from the administration so in
9 the caucus I asked Mrs. Reed if she would
10 send another letter on that.

11 There was a letter sent by my
12 request February 27 to the city controller
13 and copied members of the administration
14 about a \$130,609.86 variance in the 2017
15 independent audit. We still cannot get an
16 answer on this. We were told that they were
17 looking into it. Mrs. Reed, I would like to
18 send another letter. I don't know what is
19 taking so long and I find it very concerning
20 that you would have a \$130,000 variance so
21 where is that money and we should be able to
22 get an answer to that.

23 Also, one of the things that has
24 been discussed in the newspaper, and I have
25 heard a lot about it from phone calls and

1 e-mails is the recycling issue with the
2 recycling center not taking certain
3 materials. So Councilmen Evans had sent an
4 e-mail out asking for a public caucus with
5 the recycling coordinator and I believe the
6 DPW director so I believe that's going to
7 being within the next two or three weeks.

8 One of the items that I brought up
9 in the caucus, I think it would be
10 beneficial, is something that the Borough of
11 Taylor did, if I can pull it out here for a
12 minute, Lackawanna County has some sort of
13 agreement with an application that you could
14 get on your phone, it's called the Recycle
15 Coach. So there was a news story on WNEP, I
16 just happened to see it, I printed out the
17 article, the Borough of Taylor is the first
18 municipality in Lackawanna County to join
19 this application that you could download on
20 your phone and basically what it is if you
21 download it you will have your schedule for
22 waste and recycle pick up right at your
23 fingertips so you can download it on your
24 phone. It will send out alerts for when
25 your recycling pick up is coming and when

1 your trash pic up. Setting it up is really
2 easy, all you have to do is put in your
3 street address and you are done. In
4 addition to the schedule, you can get a list
5 of what you can and cannot recycle, which I
6 think at this point would be very
7 beneficial. If you don't have a smart phone
8 and you can't use the app there is online
9 version of what's called Recycle Coach that
10 you can use through it would be the city's
11 website, Taylor has put it on their website.

12 So it is free so I would ask Mrs.
13 Reed if we could send a letter to the
14 administration asking them on our recycling
15 department to look into that and to join
16 that program.

17 The other thing we brought up in the
18 caucus, you know, the last five years as I
19 sit up here on council, there is many people
20 who come up with very good questions and
21 many times council does not have the answer
22 to those questions so we have to go through
23 this process that to me is it frustrating
24 where we have to go and ask the
25 administration, wait for an answer,

1 sometimes never get an answer, I have had
2 actually had to do Right-to-Know requests
3 because I could not get a response from the
4 administration and it just is very
5 frustrating back and forth that I don't
6 think has to happen so I'd like to make a
7 motion at this point that we send a letter
8 to the mayor and the administration asking
9 that the mayor and all department heads come
10 to city council meetings quarterly for the
11 year to discuss programs, initiatives and
12 answer questions from city council.

13 MR. ROGAN: Is there a second?

14 MR. DONAHUE: Second.

15 MR. ROGAN: On the question?

16 MR. GAUGHAN: On the question, I
17 have seen this done in cities throughout the
18 United States. I'm not asking the mayor and
19 his department heads to come every week
20 because I don't think that's feasible but at
21 least once a quarter. There are some goods
22 things that go on in the city but for some
23 reason in this administration it is like
24 pulling teeth to get information. So if the
25 administration and the mayor want city

1 council to a partner with them and they ask
2 us to vote on legislation I cannot see any
3 reason why they would not want to come to a
4 public caucus and tell us what they are
5 doing at least once a quarter. And I think
6 my colleagues, at least in the caucus, they
7 agreed with that.

8 So, again, it's not like they would
9 be coming in front of the firing squad, we
10 just want to know what is going on and we
11 want to be able to relay that to the
12 citizens of Scranton so I would hope that
13 the mayor and the administration would take
14 us up on that request so that we can start
15 that program ash I think it would be very
16 beneficial.

17 MR. ROGAN: All those in favor
18 signify by saying aye.

19 MR. PERRY: 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 MR. GAUGHAN: The last thing, I read

1 in the newspaper as other people did about a
2 city employee who was involved in an
3 accident on Birney Avenue and I was outraged
4 by the response from the administration.
5 They were asked by the newspaper whether or
6 not this employee was on leave or if he was
7 actively drawing a city paycheck, and the
8 fire chief who responded refused to say.
9 Now, I think that is totally ridiculous. I
10 can understand a personnel issue, but there
11 is no reason that someone who is getting
12 paid with taxpayer funds cannot answer a
13 simple question of whether or not a city
14 employee is actively drawing a salary or if
15 they are on some sort of leave. So I would
16 like to ask as a city councilman for that
17 information. I think it's very simple.

18 I would also like to ask, because it
19 came up in the newspaper, where this city
20 employee lives. The newspaper has his
21 address listed in Throop and the fire chief
22 said he lives in Scranton so what is the
23 actual address. Again, I know this is a
24 personnel issue and you have to be careful,
25 but I don't think that that's information

1 that can't be shared publically. And,
2 again, it frustrates me greatly that simple
3 questions like this go unanswered. And this
4 administration since I have been here has
5 abused the Right-to Know Law. I have
6 experienced it myself. I have asked for
7 simple information that should be readily
8 available that someone could hit a button
9 and their computer and print it out and I
10 have been told, well, I haven't been told I
11 have just assumed because I was never
12 getting an answer do Right-to-Know law -- or
13 do a Right-to-Know request. Did a
14 Right-to-Know request didn't take five days
15 now it takes 30 days.

16 So this administration in my
17 experience is abusing this Right-to-Know
18 Law, and again, this is a city employee,
19 this should be information that's readily
20 available. Is he collecting a paycheck or
21 is he on leave. That's all I have this
22 week. Thank you.

23 MR. ROGAN: Thank you. Just a
24 couple of comments. I'd like to echo what
25 my colleagues mentioned to thank our police,

1 fire and DPW for their work with what
2 happened with the storms last night. I know
3 East Mountain and the Hill Section really
4 got hit pretty hard. Some other areas of
5 the city fortunately not as bad, but I want
6 to thank them for all of their hard work.

7 Just a comment and a suggestion that
8 was brought up once again this week
9 regarding not collecting the garbage of
10 those who don't pay their fee. Again, can
11 the city do it? Sure. But is it the most
12 practical way to find a solution to this
13 answer I don't think it is. I do think the
14 suggestion that another speaker brought up
15 at the beginning of the meeting does make
16 more sense of pursuing action at the
17 magistrate's office while collecting --
18 continuing to collect the garbage. I know
19 it sounds nice to say, "Well, if they don't
20 pay they shouldn't get picked up," and I
21 agree with the sentiment, I really do, but
22 the practical reality is in the middle of
23 summer when it's 90 degrees out do you
24 really want a pile of the trash on both
25 sides of you because your neighbor didn't

1 pay their garbage fee.

2 Again, we will be discussing this
3 much more next week at our caucus and
4 obviously it's been a very hot issue of
5 late.

6 Another issue that has come up over
7 the last week similar to the garbage issue
8 is recycling. We did get flyers distributed
9 to us and I know I had a lot of residents
10 asking me questions about what can be
11 recycled what can't be recycled. I'm going
12 to go through some of those now, but I also
13 want to read off this is a phone number for
14 Scranton's recycling coordinator. If you
15 have any questions, please call this number.
16 570-348-4165 and the e-mail is
17 Recylcing@scrantonpa.gov.

18 So if you do have any questions on
19 what can or cannot be recycled feel free to
20 reach out. I am going to go through some of
21 the information on these flyers that we were
22 given. First I'm going to go through the
23 items that are a "yes" with a thumbs up for
24 recycling. Glasses and plastic. Jars.
25 Bottles and jars. Rinse out bottles and

1 jars. Throw away lids. Cans, aluminum and
2 steel, tin cans. Rinse out beverage cans.
3 Throw away lids unless attached.
4 Newspapers, phone books, magazines,
5 catalogues and brown bags. It says to stack
6 them in a brown bag or tie them, obviously
7 you can put them in your red can as well,
8 and office paper. It says if it's paper
9 that you would write on you could recycle
10 it.

11 The list of "no" items, and I will
12 say I was surprised at a couple of the these
13 that I had myself had myself been previously
14 putting my recycling bin that are not
15 recyclable. Number one, margarine tubs.
16 Deli and yogurt cups. Plastic and foam
17 dishes. Plastic bags. Bakery boxes. Light
18 bulbs. Plate and window glass. Drinking
19 glasses. Ceramic cups, plates and cookware.
20 Flower pots. Paint cans. Motor oil or
21 chemical containers. Cereal boxes. Food
22 wrappers. Bubble wrap. Tyvek envelope,
23 that's the plastic-type envelopes and books.

24 So some of these that are on this no
25 list to me were very surprising. I know I

1 have been putting some of these items in my
2 recycling as well so there are these fliers
3 available. There is also another flier
4 available as well that lists the same
5 information just in a more colorful format.
6 And I do want to reiterate that,
7 unfortunately, this issue was not unique in
8 Scranton. The global recycling market has
9 changed as it's been reported in the
10 newspaper quite a bit as to what happened
11 but the city does not set these standards.
12 These standards are set by the county
13 recycling center and it is important that
14 residents go by the standards because if
15 loads are rejected at the recycling center
16 they would then go to landfill, so as I
17 mentioned if anyone has any questions I'll
18 say the number one more time. You can
19 contact our recycling coordinator and that's
20 570-348-4165. Thank you.

21 MS. REED: 5-B. NO BUSINESS AT THIS
22 TIME.

23 SIXTH ORDER. 6-A. NO BUSINESS AT
24 THIS TIME.

25 SEVENTH ORDER. 7-A. FOR

1 CONSIDERATION BY THE COMMITTEE ON FINANCE –
2 FOR ADOPTION - FILE OF THE COUNCIL NO. 61,
3 2019 - AMENDING FILE OF THE COUNCIL NO. 95,
4 2015, AN ORDINANCE, ENTITLED “AMENDING FILE
5 OF THE COUNCIL NO. 79 OF 2015, AN ORDINANCE
6 AMENDING FILE OF THE COUNCIL NO. 145 OF 2007
7 ENTITLED “AN ORDINANCE RENAMING THE
8 EMERGENCY AND MUNICIPAL SERVICES TAX
9 (“EMST”) TO LOCAL SERVICE TAX (“LST”) AND BY
10 IMPOSING A WITHHOLDING OF \$52.00 FOR THE
11 CALENDAR YEAR 2015 AND THE SAME SHALL REMAIN
12 IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER
13 BY INCREASING THE LOCAL SERVICES TAX
14 WITHHOLDING FROM \$52.00 TO \$156.00 FOR THE
15 CALENDAR YEAR 2015, AND PROVIDING FOR AN
16 EXEMPTION FROM TAXATION FOR ANY PERSON WHOSE
17 TOTAL EARNED INCOME AND NET PROFITS FROM ALL
18 SOURCES WITHIN THE MUNICIPALITY IS LESS THAN
19 \$15,600.00 FOR THE CALENDAR YEAR 2015 UNDER
20 AND PURSUANT TO THE LOCAL TAX ENABLING ACT,
21 ACT 511 OF 1965, P.L. 1257, 53 P.S. §6924,101
22 ET. SEQ. AND THE MUNICIPALITIES RECOVERY
23 ACT, ACT 47 OF 1987, P.L. 246, 53 P.S.
24 §11701.101 ET. SEQ. AND THEIR RESPECTIVE
25 AMENDMENTS” EFFECTIVE RETROACTIVE TO JANUARY

1 1, 2019. THIS TAX IS EXPECTED TO GENERATE
2 APPROXIMATELY FOUR-MILLION SIX-HUNDRED
3 FIFTY-THREE-THOUSAND THREE-HUNDRED
4 THIRTY-FIVE (\$4,653,335.00) DOLLARS IN
5 REVENUE IN CALENDAR YEAR 2019 BY ENABLING
6 THE CITY OF SCRANTON TO CONTINUE TO LEVY THE
7 LOCAL SERVICES TAX AT THE FISCAL YEAR 2018
8 RATE FOR FISCAL YEAR 2019 FOR A TOTAL
9 MAXIMUM LOCAL SERVICES RATE OF ONE HUNDRED
10 FIFTY SIX (\$156.00) DOLLARS FOR THE FISCAL
11 YEAR 2019 EFFECTIVE RETROACTIVE TO JANUARY
12 1,2019 AND PROVIDING FOR AN EXEMPTION FROM
13 TAXATION FOR ANY PERSON WHOSE TOTAL EARNED
14 INCOME AND NET PROFITS FROM ALL SOURCES
15 WITHIN THE MUNICIPALITY IS LESS THAN
16 \$15,600.00 FOR THE CALENDAR YEAR 2019.

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

20 MR. EVANS: As Chairperson for the
21 Committee on Finance, I recommend final
22 passage of Item 7-A.

23 MR. PERRY: Second.

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

1 MS. CARRERA: Mr. Perry.

2 MR. PERRY: Yes.

3 MS. CARRERA: Mr. Donahue.

4 MR. DONAHUE: Yes.

5 MS. CARRERA: Mr. Evans.

6 MR. EVANS: Yes.

7 MS. CARRERA: Mr. Gaughan.

8 MR. GAUGHAN: Yes.

9 MS. CARRERA: Mr. Rogan.

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

12 MS. REED: 7-B. FOR CONSIDERATION BY
13 THE COMMITTEE ON COMMUNITY DEVELOPMENT – FOR
14 ADOPTION - FILE OF THE COUNCIL NO. 62, 2019
15 – AMENDING FILE OF THE COUNCIL NO. 58, 2016
16 AS AMENDED, AN ORDINANCE “ESTABLISHING A
17 REGISTRATION PROGRAM FOR RESIDENTIAL RENTAL
18 PROPERTIES; REQUIRING ALL OWNERS OF
19 RESIDENTIAL RENTAL PROPERTIES TO DESIGNATE A
20 PROPERTY MANAGER FOR SERVICE OF PROCESS AND
21 PRESCRIBING DUTIES OF OWNERS, PROPERTY
22 MANAGERS AND OCCUPANTS” BY AMENDING SECTION
23 4 (A)(1) AND (B)(1) AND (2), AND SECTION
24 10(A) TO ABOLISH THE TIERED RATE STRUCTURE
25 FOR 2019 AND REDUCE THE RENTAL REGISTRATION

1 FEE FOR 2020 AND 2021.

2 MR. ROGAN: What is the
3 recommendation of the Chair for the
4 Committee on Community Development?

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

8 MR. PERRY: Second.

9 MR. ROGAN: On the question?

10 MR. GAUGHAN: Yes, on the on the
11 question? Two weeks ago I had asked
12 Mrs. Reed to talk with Mr. Bulzoni about a
13 contract that the city passed -- or city
14 council passed, Resolution 176-2017 that was
15 intended to assist the Licensing and
16 Inspections Department with rental
17 registration database compilation and
18 management. This was for a three-year
19 period. I wanted to know if that process
20 was halted during the rental registration
21 lawsuit period. I also wanted to know if
22 Mr. Moran, who was in charge of the company
23 to do this work sold his business and/or
24 partnered with Community Champions who
25 apparently is now performing this work.

1 Mr. Bulzoni responded, "He completed his
2 data compilation which was used by the
3 rental registration clerks. Some
4 information was, unfortunately, a duplicate
5 but the clerks were behind at that time so
6 we accepted all of the data. It was useful.
7 We decided not to use his payment system
8 since I don't think it offered enough
9 technologically and the lawsuit wasn't
10 resolved anyway. I also didn't like his
11 insistence is distributing funds monthly.
12 He is in not in way affiliated with
13 Community Champions. I confirmed that with
14 Community after I had the rumor as well.
15 That may have been approximately a year ago.
16 Hope this helps."

17 You know, I want to do a follow-up
18 with Mr. Bulzoni. I'm still confused on the
19 whole arrangement. I did vote against this
20 contract three years ago because I didn't
21 think it was appropriate and it wasn't going
22 to be helpful at that time based on the
23 people we had in the department already
24 doing the job for the most part so I am
25 going to follow up on that.

1 Also, we did not receive a response
2 to my question about section ten in this
3 legislation which was about the rental
4 escrow program. Section ten says, "in
5 addition to all other penalty and
6 enforcement remedy established by this
7 chapter or by any other Scranton ordinance
8 including, but not limited to, the property
9 maintenance code owners and landlords of
10 residential rental units within the
11 municipality of Scranton shall be subject to
12 the municipality of Scranton rental escrow
13 program which is hereby established by this
14 chapter."

15 So I just had a basic questions on
16 what the plan is to enforce section ten
17 because often times what I found is that we
18 pass legislation with no thought as to how
19 we are going to enforce certain sections,
20 and then as Mrs. Schumacher pointed out
21 quite a few times years later we find out
22 that, you know, part of the legislation was
23 never enforced or was never followed so I
24 did not receive a response to that question.

25 I'm still going to vote for this

1 legislation because basically all it is is
2 taking into account the judgment regarding
3 the lawsuit, but I would like Mrs. Reed to
4 please follow-up again so that we can
5 understand how the city is going to enforce
6 section ten if somebody who is going to pay
7 the rental registration fee does not end up
8 paying it in and the city is going to escrow
9 the rent how is that going to work. So
10 that's my question. Thank you.

11 MR. ROGAN: Anyone else? Roll call,
12 please?

13 MS. CARRERA: Mr. Perry.

14 MR. PERRY: Yes.

15 MS. CARRERA: Mr. Donahue.

16 MR. DONAHUE: Yes.

17 MS. CARRERA: Mr. Evans.

18 MR. EVANS: Yes.

19 MS. CARRERA: Mr. Gaughan.

20 MR. GAUGHAN: Yes.

21 MS. CARRERA: Mr. Rogan.

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

24 MS. REED: 7-C. FOR CONSIDERATION
25 BY THE COMMITTEE ON RULES - FOR ADOPTION -

1 RESOLUTION NO. 110, 2019 – APPOINTMENT OF P.
2 JAMES WINTERMANTEL, 3 MOUNTAIN LAKE ROAD,
3 SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER
4 OF THE BOARD OF THE SCRANTON PARKING
5 AUTHORITY EFFECTIVE MARCH 28, 2019. MR.
6 WINTERMANTEL WILL BE REPLACING THOMAS
7 BORTHWICK WHO RESIGNED MARCH 16, 2019. MR.
8 WINTERMANTEL WILL FILL THE UNEXPIRED TERM OF
9 THOMAS BORTHWICK WHOSE TERM IS SCHEDULED TO
10 EXPIRE ON JUNE 1, 2021.

11 MR. ROGAN: As Chairperson for the
12 Committee on Rules, I recommend final
13 passage of Item 7-C.

14 MR. PERRY: Second.

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

17 MS. CARRERA: Mr. Perry.

18 MR. PERRY: Yes.

19 MS. CARRERA: Mr. Donahue.

20 MR. DONAHUE: Yes.

21 MS. CARRERA: Mr. Evans.

22 MR. EVANS: Yes.

23 MS. CARRERA: Mr. Gaughan.

24 MR. GAUGHAN: Yes.

25 MS. CARRERA: Mr. Rogan.

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

3 MS. REED: 7-D. FOR CONSIDERATION
4 BY THE COMMITTEE ON RULES – FOR ADOPTION –
5 RESOLUTION NO. 111, 2019 – AUTHORIZING
6 SUPPORT OF RESTORE PENNSYLVANIA, AN
7 INFRASTRUCTURE IMPROVEMENT PLAN WHICH WILL
8 PROVIDE AN ADDITIONAL \$4.5 BILLION TO ASSIST
9 COMMUNITIES ACROSS PENNSYLVANIA COMBAT
10 BLIGHT; DEVELOP STORMWATER MANAGEMENT AND
11 FLOOD PLANS; PROVIDE HIGH-SPEED INTERNET
12 ACCESS; AND INVEST IN TRANSPORTATION
13 INFRASTRUCTURE PROJECTS; WHICH WILL BE
14 ADVANTAGEOUS TO THE CITY OF SCRANTON IN
15 DEALING WITH THESE ISSUES.

16 MR. ROGAN: As Chairperson for the
17 Committee on Rules, I recommend the final
18 vote on Item 7-D.

19 MR. PERRY: Second.

20 MR. ROGAN: On the question?

21 MR. DONAHUE: Yes, on the question,
22 this infrastructure improvement initiative
23 from Governor Wolf will be funded by a
24 common sense severance tax. We are the only
25 natural gas producing state in the nation

1 that does not have a severance tax on
2 natural gas extraction. Whether you live in
3 a county that actually produced natural gas
4 or not the negative effects of that industry
5 effect us all, whether it's mor frequent
6 heavy truck traffic on our roads, the
7 disposal of fracking sludge into our local
8 landfills, gas pipelines through community
9 or cutting down thousands of trees on the
10 side of West Mountain for an electrical
11 transmission line. If we are going to deal
12 with these negative effects to this industry
13 we must demand something in return. This
14 initiative will allow the revenue from a
15 severance tax to be reinvested in
16 communities throughout Pennsylvania to
17 position those communities to be prepared
18 fro 21st century problems such as the lack
19 of high speed internet access, critical
20 flood control infrastructure, helping
21 families who experience flooding rebuild,
22 effective storm water initiatives and blight
23 demolition redevelopment and green
24 infrastructure to just name a few. The time
25 to address these critical issues is now and

1 I fully support this initiative. Thank you.

2 MR. ROGAN: On the question. I do
3 agree that this proposal is significantly
4 better than previous proposals for a
5 severance tax but on the face of it I do not
6 support a severance tax. I think the
7 natural gas industry has been good for
8 Pennsylvania so for that reason I will vote
9 no, but I do think this proposal is
10 significantly better than previous
11 proposals. Anyone else? Roll call, please?

12 MS. CARRERA: Mr. Perry.

13 MR. PERRY: Yes.

14 MS. CARRERA: Mr. Donahue.

15 MR. DONAHUE: Yes.

16 MS. CARRERA: Mr. Evans.

17 MR. EVANS: Yes.

18 MS. CARRERA: Mr. Gaughan.

19 MR. GAUGHAN: Yes.

20 MS. CARRERA: Mr. Rogan.

21 MR. ROGAN: No. I hereby declare
22 Item 7-D legally and lawfully adopted. If
23 there is no further business, I'll entertain
24 a motion to adjourn.

25 MR. PERRY: Motion to adjourn.

MR. ROGAN: Meeting adjourned.

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C E R T I F I C A T E

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3 I hereby certify that the proceedings and
4 evidence are contained fully and accurately in the
5 notes of testimony taken by me at the hearing of the
6 above-captioned matter and that the foregoing is a true
7 and correct transcript of the same to the best of my
8 ability.
9
10
11

12 _____
13 CATHENE S. NARDOZZI, RPR
14 OFFICIAL COURT REPORTER
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