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COUNCIL FOR THE CITY OF SCRANTON

HELD:

Monday, May 6th, 2019

LOCATION:

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

Maria McCool, RPR
Official Court Reporter

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

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3 PATRICK ROGAN, PRESIDENT

4 TIMOTHY PERRY, VICE PRESIDENT

5 WAYNE EVANS

6 WILLIAM GAUGHAN

7 KYLE DONAHUE

8

9

10 LORI REED, CITY CLERK

11 KATHY CARRERA, ASSISTANT CITY CLERK

12 AMIL MINORA, ESQUIRE - SOLICITOR

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

3
4 MR. ROGAN: Roll call, please.

5 MS. CARRERA: Mr. Perry.

6 MR. PERRY: Here.

7 MS. CARRERA: Mr. Donahue.

8 MR. DONAHUE: Here.

9 MS. CARRERA: Mr. Evans.

10 MR. EVANS: Here.

11 MS. CARRERA: Mr. Gaughan.

12 MR. GAUGHAN: Here.

13 MS. CARRERA: Mr. Rogan.

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

16 MS. REED: THIRD ORDER, 3-A.
17 SINGLE TAX OFFICE CITY FUNDS DISTRIBUTED
18 COMPARISON REPORT 2018-2019 YEAR TO DATE APRIL
19 30, 2019.

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

22 MS. REED: 3-B. MINUTES OF THE
23 REGULAR MEETING OF SCRANTON REDEVELOPMENT
24 AUTHORITY HELD APRIL 3, 2019.

25 MR. ROGAN: Are there any comments?

1 If not, received and filed.

2 MS. REED: 3-C. TAX ASSESSOR'S
3 REPORT FOR HEARING DATE TO BE HELD MAY 22,
4 2019.

5 MR. ROGAN: Are there any comments?
6 If not, received and filed. Do any Council
7 members have announcements at this time?

8 MR. PERRY: Yes, I have two
9 announcements. I'll make them fairly quickly.
10 The Scranton Police Department and the FOP
11 Auxiliary will hold their fourth annual
12 breakfast fundraiser on May 17th from 6:30 a.m.
13 until noon at the Trolley located at Hilton
14 Scranton Hotel.

15 The fundraiser supports the police
16 department's team for Pancreatic Cancer
17 Awareness and PurpleStride event. It's a
18 casual breakfast buffet, which includes made to
19 order omelet and wide assortment of food for
20 everyone. The price is \$10 a person and covers
21 all of your food and beverages.

22 Tickets are available at Police
23 Headquarters or by calling 570-348-4130.
24 Tickets will also be available at the door the
25 morning of the event.

1 And secondly, this year Armed Forces
2 Day is observed on Saturday, May 18th. A
3 parade honoring our military has been planned
4 for 11 a.m. that morning. Military vehicles
5 and equipment will be featured as well as
6 marching bands and members of our Veteran's
7 Organization.

8 The parade begins at the Gino Merli
9 Veteran's Center and travels up Mulberry Street
10 turning onto North Washington to Lackawanna
11 Avenue and ending at the Intermodal Center just
12 past the Market Place at Steamtown. I
13 encourage everyone to note May 18th on their
14 calendar and attend the parade to support,
15 honor our military who sacrificed everything
16 for our freedom.

17 It's a very important event. I
18 believe this -- you know, Mr. Bolus isn't here
19 to speak on. But this is something that he
20 holds near and dear to his heart and he attends
21 every one. And, you know, just make your best
22 effort to get out there and support the people
23 who protect us. Thank you.

24 MR. GAUGHAN: I just have one
25 announcement. I would like to welcome to the

1 City of Scranton a cousin of mine, Margaret
2 Holmes who is in from Ballina County Mayo.
3 And interesting enough, Ballina is the sister
4 city to the City of Scranton. So I would like
5 to welcome Margaret and hope she enjoys her
6 stay. Thank you.

7 MR. ROGAN: Two announcements, next
8 Monday, May 13th, at 5:15 p.m., the Executive
9 Director of Scranton Tomorrow will join us in
10 caucus where she will provide Council with a
11 quarterly update. And last but not least, this
12 Sunday, May 12th is Mother's Day. We wish all
13 mothers a very happy Mother's Day, especially
14 my mom Debbie and my wife Amanda. Thank you.

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

17 (The following speakers offered
18 public comment as follows:

19 Joan Hodowanitz spoke on city
20 business.

21 Bill Jackowitz spoke on matters of
22 general concern.

23 Dave Dobrzyn spoke on matters of
24 general concern.

25 Marie Schumacher spoke on city

1 business.

2

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

4 MOTIONS.

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

7 MR. PERRY: Last week I made a
8 request for a speed indicator on the 3200 block
9 of Pittston after talking to a couple, you
10 know, as everybody is when there is speeding in
11 front of their house, you know, very cautious
12 ladies about, you know, the amount of traffic
13 going there and how fast it's going.

14 And we made the request to Chief
15 Graziano to have the speed indicator put on the
16 list to move to that block of Pittston Avenue
17 and he said he will. It will be in the next
18 round of moves. When it moves, it usually
19 typically stays at a spot for two to three
20 months so they can get comprehensive data for
21 what's happening on that street.

22 And then it moves to another part of
23 the city. So that is on the list to move to
24 the 3200 block of Pittston. There have been
25 massive parking issues on the streets

1 immediately surrounding the -- what is the
2 University Sports Complex or I still call it
3 the South Side Sports Complex, which is
4 actually in West Side, go figure, only in
5 Scranton.

6 But, yes, and I've been talking to
7 some really concerned neighbors where there is
8 just -- not only is there no parking for the
9 residents during certain events that are there,
10 there is just no room for emergency traffic.
11 And there is actually some, you know, buses
12 trying to turn around in their little sidewalk
13 to go back instead of doing what they should
14 do, go all the way up, make the turn and go
15 down the other way which is the proper route.

16 And I know this is something that
17 myself, Chief Graziano, and Officer Mitchell
18 had been working back and forth trying to get
19 some answers to and what's the best possible
20 solution. I know they talked about one side of
21 the street parking and enforcing that. And
22 there has just been a lot of things going on.

23 Communication has been good with the
24 police in the neighborhood. But I don't think
25 they are really up-to-date on the latest. And

1 I would like to get us updated as well because
2 I know as of right now, it is in that season
3 and there is no change implemented. So if we
4 can send something out to Chief Graziano.

5 I believe Officer Mitchell has moved
6 onto a different assignment. It's now Officer
7 Butler I think that handles that type of work.
8 So he has picked up the workload of Officer
9 Mitchell. And he's well-informed of what's
10 going on. And Officer Mitchell has said he'll
11 still step in because this is the project that
12 he's been working on to make sure it gets done
13 to satisfaction.

14 So if we can -- Council can get a
15 copy of what their plan is so that way we can
16 kind of get this moving, get it implemented as
17 soon as possible because it's a growing
18 situation there that was kind of sprung on the
19 residents when it was, you know, an unfortunate
20 byproduct of a great situation of that.

21 And, you know, I don't want any hurt
22 feelings. I don't want any inconvenience to
23 residents from something that was supposed to
24 be a positive in their neighborhood. Something
25 that I forgot to mention last week that I will

1 talk about, the inlet in the Merrifield area.
2 I think this came up about the stormwater.
3 Lenny who comes in a lot -- Mr. Srebro, he
4 comes in a lot and we talk often about a
5 situation where he has flooding. He kind of
6 lives in the lower area in the Keyser Valley.

7 So when the storm water can't handle
8 all the water that comes from different points
9 of that area, it kind of ponds in this, like,
10 dirt alley behind his house. And if it rains
11 enough it kind of backs up. And to alleviate
12 the problem, one of the neighbors found maps
13 from the 60s that has an unused inlet that
14 could possibly be -- if found -- could be used
15 to be divert water.

16 This has been brought to the City's
17 attention in October. Mr. Srebro wanted to
18 know where we are with that process. I did get
19 some updates from our engineer, Mr. Pocius.
20 And he is aware of the issue. He says it's not
21 going to be -- it's not a quick fix. The very
22 first thing they have to do is actually find
23 the pipe.

24 They have been going back and forth
25 on the maps to see exactly where it is to start

1 digging. Obviously they need permits to dig.
2 And they have to know what's there before they
3 start actually going down. They don't know how
4 far it's even down.

5 Once they get there, they have to
6 see if it's viable. Is it crushed? Is it --
7 can it be used? And then if it looks good,
8 actually can it be tapped into to be used
9 again. He doesn't think it's going to be an
10 immediate fix.

11 But it is going to help. And it's
12 just a matter of getting there and finding it.
13 John would have gotten to it sooner but they
14 are still dealing with a lot of the issues that
15 we talked about from some of the storm damage
16 that we had.

17 But it is on the list and Mr. Besco
18 who is the gentleman who brought the plan to
19 our engineer have been working back and forth
20 on the phone about this situation. And he is
21 in the loop. And Lenny hasn't been here in a
22 couple weeks. So I wasn't able to explain to
23 him exactly where they are.

24 Because I don't know if any --
25 Mr. Srebro and Mr. Besco talk if they're

1 neighbors or what. But I just wanted to
2 announce that so the word could get back to him
3 or if he's watching that that's where we are
4 with the project.

5 There was a complaint about Dorothy
6 Street and that missing curb. Director
7 Gallagher was quick to get back to us. Thank
8 you. He described it's not a missing curb.
9 It's called what he calls a drop-down curb.
10 And they are in two different spots. And he
11 did take note. He was on site. He saw there
12 was standing water.

13 And it stands because of the slope
14 of the ground. And he's not sure what can be
15 done other than maybe putting blacktop curb in
16 to prevent it from actually ponding in that
17 area. He said that might be risky. But it's
18 going to take another look at it. So we might
19 need to get our engineer out to take a look to
20 see if that's the best fix to stop that
21 standing pooling water in that area.

22 I'll be honest, I'm not really
23 familiar with it. I know Dorothy Street. And
24 I know the park. But the actual two spots he's
25 talking about I'm not sure of. But Mr.

1 Gallagher was onsite. And I'll follow up with
2 him and see if there is anything we can do
3 going forward about that standing water.

4 There was a good point brought up
5 about Northeast Revenue. Mrs. Reed, if we can
6 send out something to Northeast Revenue and
7 copy Mr. Beck or vice versa just as long as it
8 gets in both of those hands, it really doesn't
9 matter to me.

10 About the credit bureau, are they
11 being notified if there are delinquencies?
12 Technically if Northeast has this account and
13 it goes delinquent, they should. So that's
14 another tool that we should be utilizing. And
15 if it's not being utilized, I would like a
16 detailed explanation of why. Are we not doing
17 it because -- just no, we're not doing it isn't
18 going to suffice.

19 And finally, I could have did this
20 during announcements but I missed it. This is
21 going to be on May 15th, Lodge number two of
22 the Fraternal Order of Police and Scranton
23 Police Department will be conducting their
24 annual Police Memorial Ceremony in front of
25 Scranton Police Headquarters on South

1 Washington Avenue. The ceremony begins at
2 noon. Immediately following a luncheon will be
3 provided. They will be honoring all Scranton
4 Police Officers who have made the ultimate
5 sacrifice having been killed in the line of
6 duty.

7 We respectfully request your
8 presence as a guest. And like I said, there
9 will be refreshments. If you need any more
10 information you contact 570-348-4130 or e-mail
11 KFLYNN at Scranton Pa dot gov by Thursday and
12 to inform your decision if you could make the
13 event.

14 It's great. I know -- I see a lot
15 of people that are here now that go there.
16 It's fantastic. They also honor 911 victims.
17 And it's just -- it's a really nice day. And,
18 you know, if you could make it. It's one of
19 those tricky things where if you're off in the
20 daytime where you could make, take a run down.
21 It's something worth seeing. It's very moving.
22 That's all I have for today. Thank you.

23 MR. ROGAN: Thank you. Mr. Donahue,
24 any motions or comments?

25 MR. DONAHUE: Yes, thank you. I

1 would like to just begin by briefly touching on
2 the issue of reassessment. Since Commissioner
3 and his running mate have begun airing a TV ad
4 that is not only misleading, it's simply just
5 factually incorrect.

6 The ad includes two citations. One
7 citation references a survey conducted by the
8 city of Wilkes-Barre that was presented at a
9 discussion on the reassessment last year
10 between city and county officials. Since only
11 Councilman Evans and Councilman Rogan were
12 present at that discussion, I'll let them touch
13 on how ridiculous that survey actually is if
14 they see fit.

15 But the other citation in the ad is
16 the most egregious. The ad cites a story in
17 the Philadelphia Inquirer titled Tax Bill Set
18 To Increase Again For Homeowners, which states
19 that 75 percent of residential properties in
20 Philadelphia increased by 40 percent following
21 the latest yearly reassessment.

22 I'm sure that sounds absolutely
23 terrifying to taxpayers across the city. But
24 it simply isn't true. Comparing reassessment
25 in Philadelphia to reassessment elsewhere in

1 Pennsylvania is like comparing apples and
2 oranges. And the Inquirer article that is
3 cited says as much. The article states unlike
4 other counties in the state, Philadelphia is
5 not required to change tax rates when
6 assessments increase to make the changes
7 revenue neutral.

8 Every other county in Pennsylvania
9 besides Philadelphia has to readjust tax rates
10 to make reassessment revenue neutral. The
11 point of performing a reassessment is to ensure
12 a fair and equitable tax system. But I guess
13 Mr. O'Malley is more interested in misleading
14 voters for his own personal gain while
15 protecting the select few who are not paying
16 their fair share than he is in making sure our
17 tax system is fair and equitable for each and
18 every taxpayer in Lackawanna County.

19 And now just to follow up briefly on
20 request for information I sent to the
21 Administration regarding PSN Realty last week.
22 I would like to thank Mr. Hinton for responding
23 to my request. I just received these when I
24 got here tonight. So I have to have time to go
25 through them all. But just these are just the

1 files on both 616 Cedar and also 620 and 622.
2 But there is also more just like this in the
3 back of every PSN property.

4 I will go over those in the next
5 week. I do have to agree with Councilman
6 Gaughan's comment last week that constant
7 issues facing Licensing and Inspection,
8 garbage fee collection, and so on are just
9 downright embarrassing.

10 And as a Councilman it's hard to
11 feel like we're just -- like we're not just up
12 here just constantly spinning our wheels while
13 getting absolutely nowhere. We constantly
14 request information. Periodically we receive a
15 response. Sometimes we don't.

16 Like Miss Schumacher brought up
17 before, I made a request six weeks ago for a
18 copy of the invoices for the refurbishment of
19 the Showmobile and I still haven't received
20 them.

21 About a month ago I made a request
22 for maintenance plan for City Hall. I still
23 haven't received that. And Mrs. O'Malley is
24 absolutely correct when she stated last week
25 and I believe also in a letter to editor this

1 week that the systematic issues in city
2 government require leadership from the Mayor.
3 He is the administrator of city government.
4 But at the moment, I fear the Mayor is
5 distracted by other issues and not adequately
6 addressing dysfunction within city government.

7 So the question then becomes what
8 can this Council do to take the lead and begin
9 to take action to address these issues? Before
10 we can act, we need adequate information from
11 the Administration to make the correct
12 decisions.

13 What have we been doing? What's
14 been successful? What hasn't been successful?
15 Since we don't always receive information we
16 request, we must explore alternatives. Article
17 3 Section 312 of the Administrative Code states
18 that Council may make investigations into the
19 affairs of the city and the conduct of any
20 department, office, or agency in aid of its
21 legislative powers and functions and may issue
22 subpoenas for these purposes.

23 So, Mr. Minora, would you be able to
24 provide Council with a written breakdown of the
25 process for Council to actually issue subpoenas

1 and if there are any limitations on our
2 subpoena powers?

3 ATTY. MINORA: I will. And I've
4 addressed this one in the past. But I will be
5 glad to talk to you about it --

6 MR. DONAHUE: Okay. So I think
7 that's something that we really need to explore
8 to get the information is just start issuing
9 subpoenas, make people come here and answer
10 questions because right now we're just out of
11 options. And that's all I have tonight.

12 MR. ROGAN: Thank you. Mr. Evans,
13 any motions or comments?

14 MR. EVANS: A few, thank you. I'm
15 going to expand a little bit on PSN Realty
16 again. Correspondence was sent from City
17 Council in reference to enforcing the laws
18 currently existing under the City's Rental
19 Registration Ordinance on properties owned by
20 PSN Realty.

21 Specifically Section 373-10, which
22 describes a rental escrow program that allows
23 the City to collect rents at rental properties
24 that have not paid their taxes, garbage fees,
25 or any other liens and put that money into an

1 escrow account until those taxes and fees are
2 paid.

3 As I discussed last week after a
4 cursory review of all of PSN properties,
5 approximately seven of those properties appear
6 to be occupied by tenants. Of those seven,
7 which are mostly multifamily buildings, there
8 may be as many as 14 units being rented by PSN.

9 So if you took an average of \$600
10 per month, that would be equal \$100,800 per
11 year being received by an out-of-town company
12 who doesn't pay their taxes or refuse fees.
13 I'd also like to say that if a thorough
14 investigation was done by the City, we could
15 very well find that same scenario is repeated
16 over and over again and most likely apply to a
17 substantial number of additional rental
18 properties citywide.

19 In fact, we're probably leaving
20 hundreds of thousands of dollars on the table
21 while absentee landlords are not paying their
22 taxes and fees to the City but are still
23 collecting rent each and every month.

24 For many of these landlords, it's
25 business as usual. And quite honestly that's a

1 sad testament to what has been a clear systemic
2 breakdown within City Hall for decade and
3 decades.

4 The Rental Registration Ordinance
5 was drafted by this City Council, not only to
6 answer this issue -- and there is never one
7 solution by the way. There are many solutions.
8 But this is one that is addressing this
9 particular problem.

10 We have given the Administration
11 this tool, one that we think could be very
12 effective. Why they haven't used it, we really
13 don't know. But for now, we have made our
14 position quite clear and known. And now we
15 just sit back and wait to see if they choose to
16 act.

17 On the trash issue very briefly,
18 I'll be meeting with the Business
19 Administration over the next week to talk about
20 some ideas I have on trash and the 2020 budget
21 and how they relate. So I'll be reporting back
22 to my colleagues on that.

23 I'm also going to touch on
24 reassessment. I'm going to further elaborate
25 on Councilman Donahue's comments on the

1 reassessments. And while some of my comments
2 may be repetitive to what he said, I feel it's
3 that important. My views on reassessment have
4 been clearly established over my time on City
5 Council.

6 I have been upfront as I could be on
7 the subject. I'm in favor of a countywide
8 reassessment as a City Council. And as a
9 former Director the Assessment Office, I know
10 firsthand that the citizens of Scranton and the
11 City itself will benefit greatly from a
12 reassessment that addresses tax fairness for
13 everyone.

14 With that said, I've always
15 hesitated to delve into political side of
16 government during my time on City Council. But
17 when I see the level of distortion of an issue
18 as important as reassessment from various
19 political campaigns, I felt compelled to
20 respond and set the record straight from my
21 perspective on several issues.

22 First of all, as Councilman Donahue
23 noted, some campaigns regularly have referred
24 to a recent reassessment in Philadelphia city
25 and county where 75 percent of residential

1 property owners had their taxes increased by 40
2 percent.

3 What has not been properly disclosed
4 is that the following information that was
5 included in the same Philadelphia newspaper
6 article that was used as the basis for that
7 argument. The article goes on to state the
8 following:

9 Unlike other counties in the state,
10 Philadelphia is not required to change tax
11 rates when assessments increase to make changes
12 revenue neutral. That means every increase in
13 assessment is a tax rate in Philadelphia. In
14 other words, every county in the state outside
15 of Philadelphia including Lackawanna County
16 would have to adjust their millage rates
17 downward to coincide with increases in the
18 assessed valuation.

19 So there would be no increase in
20 taxes. Clearly that is not the kind of fact
21 that certain campaigns want you to know,
22 especially when the information is taken
23 directly from the same newspaper article.

24 Secondly, the following was also
25 stated as part of the continuing misinformation

1 campaign on reassessment. And I quote, "In a
2 survey done by the city of Wilkes-Barre, 100
3 percent of residential property taxes would
4 have increased under a countywide reassessment.
5 And Wilkes-Barre opted out of the
6 reassessment."

7 Wow. Are you kidding me? The
8 source for this information was attributed to a
9 2018 presentation to Lackawanna County
10 Commissioners from Ted Wampole of the city of
11 Wilkes-Barre who is supposedly the Chief of
12 Staff.

13 Well, first of all, I attended that
14 presentation with Councilman Rogan and other
15 members of the City Administration. And it
16 wasn't even a presentation. It was a meeting
17 requested by this City Council to discuss
18 reassessment with the Commissioners. But as it
19 turned out, it was more like an attempted
20 blindside by some of the county by bringing
21 Mr. Wampole into a meeting to discuss
22 Wilkes-Barre and Luzerne County reassessment,
23 neither of which at the time had any relevance
24 at all to what was happening in Lackawanna
25 County.

1 So, first of all -- and you may not
2 know this, but Wilkes-Barre most likely opted
3 out of reassessment because unlike most cities,
4 Wilkes-Barre does their own property tax
5 reassessments and has their own assessment
6 office.

7 So my viewpoint, that is probably
8 one of the main reasons they opted out. Plus,
9 it's highly likely there was lack of political
10 will by the current or the existing group of
11 leaders in charge at the time to pursue a
12 reassessment.

13 Secondly, Mr. Wampole's brief
14 presentation at the meeting I attended
15 consisted of him cherry-picking approximately a
16 dozen properties to show that each of those
17 properties would have increased under the
18 Luzerne County reassessment if they stayed in.

19 That is the 100 percent reference in
20 the sound bite I described earlier. Now think
21 about it. A hand-picked dozen or so properties
22 out of thousands and thousands of properties in
23 the city of Wilkes-Barre were the basis for a
24 comment made by Mr. Wampole and then used by a
25 campaign.

1 So let me read that again. In a
2 survey done by the city of Wilkes-Barre, 100
3 percent of property taxes would have increased
4 under a countywide reassessment. They sampled
5 12 properties. That's their survey. So the
6 city contingent in attendance at that meeting
7 quickly dismissed this logic as faulty and
8 without merit and quickly moved on from that
9 discussion. It wasn't even worth discussing.

10 But apparently some at that meeting
11 that day saved that same faulty logic for use
12 in their 2019 political campaign. So you have
13 to ask yourself, are they really serious about
14 reassessment? No way. A topic as important as
15 reassessment should not be the subject of
16 incorrect and beyond misleading information.

17 But as the saying goes, never let
18 the truth get in the way of a good story or a
19 good campaign sound bite. And with all of that
20 said, at the end of the day it's totally
21 unnecessary. The decision to do a countywide
22 reassessment is currently in the hands of the
23 courts.

24 And the courts will ultimately
25 decide and make that decision, not the sitting

1 commissioners and most likely not even future
2 commissioners but the courts.

3 And I fully expect based on all of
4 the caselaw available for review that anybody
5 wants to look at that a reassessment will be
6 ordered. So again, I apologize for delving
7 into the world of politics from the dais, but
8 sometimes when statements are made that are so
9 egregious you simply have no choice.

10 And finally as my custom, every day
11 is your chance to make a city a little better.
12 Thank you.

13 MR. ROGAN: Thank you. Mr. Gaughan,
14 any motions or comments?

15 MR. GAUGHAN: Yes, thank you. First
16 thing I'd like to mention, good news, we
17 finally completed our internship application.
18 We talked last week with Julie Cohen from the
19 University of Scranton. So City Council will
20 be partnering with the University of Scranton
21 and then eventually with any other university
22 or college in the area to create an internship
23 program.

24 So I just want to read very briefly
25 what the function of this internship program

1 will look like. The internship within the
2 office of Scranton City Council -- or the
3 office of City Clerk will provide direct access
4 to the function of the legislative body of the
5 city. You will have the opportunity to work
6 closely with the City Clerk, her staff and with
7 the Council persons and their solicitor as well
8 as interaction with city administration offices
9 and the general public.

10 The intern will be under the general
11 supervision of the City Clerk and her executive
12 assistant. The intern will produce a two to
13 three page memo by the end of the internship
14 that addresses one of three issues,
15 city/university collaboration, student specific
16 concerns or ideas, or addresses a city problem
17 or opportunity.

18 And there is more to this document.
19 And I'll ask that this gets placed in third
20 order when all the other Council people have a
21 chance to look at it. I passed this out
22 tonight. I would like to thank Mrs. Reed for
23 her work on this document and Julie Cohen, the
24 Study Body President Matt Cofflin at the
25 University of Scranton.

1 And I think this is a really great
2 opportunity to work with the University of
3 Scranton and to get people in that might have
4 new ideas. And one of the things we mentioned
5 in the caucus was anyone who has ever been
6 involved in an internship, some of them are
7 really not that good. And, you know, you're
8 asked to file paperwork or, you know, do these
9 mundane things.

10 This is going to be different. The
11 student that applies for this and gets the
12 position will have to do a Capstone Project
13 through the University. And it's really in
14 depth. I think it's going to be beneficial for
15 the City of Scranton and for City Council. So
16 I look forward to that.

17 Mrs. Hodowanitz and Mrs. Schumacher
18 brought up the city's MS4 stormwater permit
19 application. We did receive from Mr. Bulzoni
20 the permit application. And I'm assuming it
21 was submitted May 4th. Let me see. They
22 attached the MS application form with the
23 corrections and additions along with exhibits
24 and attachments. The application was due May
25 4th.

1 The City would have to issue a check
2 in the amount of \$2,500 to the Commonwealth of
3 Pennsylvania. It was stated in the e-mails
4 that I have here that the City is not required
5 at this time to advertise and accept written
6 comments on the actual MS4 application. They
7 will be required to advertise and accept
8 written comments on their Pollutant Reduction
9 Plan, not the entire application.

10 So they will advertise that when the
11 Pollutant Reduction Plan is created by the
12 engineer so they do not have anything right now
13 to advertise. So we'll find out if we can make
14 a copy of this or put it in third order for
15 everyone to look at because it was submitted on
16 May 4th. So hopefully that answers everybody's
17 questions.

18 The next thing I just want to read
19 into the record here, a letter that was sent to
20 Sean Shamany from Northeastern Revenue
21 Services, LLC. This letter was sent April
22 26th. And this is just a followup to the
23 caucus that we had. Councilman Donahue and
24 myself were requesting the following
25 information from NRS:

1 The amount of net profit that has
2 been collected from the contracts with the City
3 of Scranton from 2011, 2012, and 2014, those
4 three separate contracts and what was the net
5 profit. And a breakdown of interest and fees
6 for each of the three categories of collection,
7 refuse, tax, and rental. So hopefully we will
8 receive that information.

9 Another letter I would like to read
10 into the record from April 30th, 2019 -- and
11 this is a request on my behalf. I requested a
12 copy of the letter from the insurance carrier
13 denying coverage in the Theodore Brunelle case
14 that was recently settled for \$250,000. It was
15 reported in the newspaper that the city's
16 insurance carrier denied coverage. So the City
17 would be responsible for that money.

18 I also asked for copies of any and
19 all invoices submitted by Attorney Michael
20 O'Brien or his law firm Oliver Price and Rhodes
21 for payment related to the Theodore Brunelle
22 case. I piggybacked on what Councilman Donahue
23 asked for. The only reason I asked for these
24 invoices is basically to see if we had to
25 pay -- what we exactly had to pay for and what

1 we were responsible for.

2 I also asked for a copy of any
3 reservation of a rights letter and/or a denial
4 letter issued by the insurance company as part
5 of another case involving Alexander Brunell
6 versus the City of Scranton, case number 15 CV
7 960.

8 I did ask that a response be
9 provided by today May 6th. We did not yet
10 receive that response. And I would like to ask
11 Attorney Minora if he would know off the top of
12 his head would a letter from an insurance
13 carrier denying coverage, would that be a
14 document that would be public in your opinion
15 in the case that was settled?

16 ATTY. MINORA: In a case that was
17 settled? I guess I would need to know a few
18 more facts. Is this the City's carrier you're
19 talking about?

20 MR. GAUGHAN: Yes. This was the --
21 in the case here when we had -- we're going to
22 have to pay out \$250,000. Apparently the
23 insurance carrier denied average.

24 ATTY. MINORA: It should be public.

25 MR. GAUGHAN: Should be. Okay. So

1 again, I would appreciate a response from the
2 Law Department. And I agree with Councilman
3 Donahue about using our subpoena power. Now, I
4 would not like to go down that avenue because I
5 don't, you know, I can't foresee it's necessary
6 every time we request a piece of information
7 that you have to issue a subpoena.

8 But at this point if we're not going
9 to get any response from city departments over
10 a certain amount of time, I do think then it's
11 serious enough that we should start issuing
12 subpoenas. And if people are not going to
13 respond to this Council and it's going to be a
14 joke to them and they're just going to ignore
15 us, then I do think we should issue subpoenas.

16 Again, I don't take that lightly. I
17 don't want to -- I don't think this Council
18 should have to do that. I would like to keep a
19 good rapport with this administration and the
20 Mayor. But again, we were elected by the
21 people of the city. And they have questions --
22 and we have questions and we would like
23 answers. And we would like the information.

24 Also, on the Ethics Board, this has
25 been like, you know, watching a leaky faucet

1 over the last couple months. It's getting a
2 bit ridiculous at this point. But we finally
3 did get a letter from the Mayor if I have a
4 second to pull it out here.

5 As you know, the Mayor gets two
6 appointments to the Ethics Board. He appointed
7 one of his appointments would be Pastor Marcelo
8 Castro. So we're waiting for another
9 appointment. And then, you know, finally we
10 can move on and start the Ethics Board.

11 Also there was a letter sent April
12 1st regarding what the City's Building
13 Maintenance Plan was. City Hall was brought up
14 tonight and the potential restoration on that.
15 Mrs. Reed informed me earlier today that Mr.
16 Bulzoni would be providing some sort of
17 response. So we look forward to that.

18 Also I've asked now for several
19 weeks about \$130,000 variance that was found in
20 audit documents. We did hear from the
21 Business Administrator that he forward the
22 request to the auditor and he's awaiting
23 response.

24 Finally, a woman had stopped us in
25 the hall before the meeting tonight. And I

1 just want to show a picture. This is something
2 that we've now been fighting for the last year
3 on behalf of these people. They live at 1452
4 West Locust Street. And, you know, I have to
5 give the City credit in one respect. They did
6 try to correct the problem.

7 There was crews sent out, the DPW to
8 fill this hole. But at this point, I'm going
9 make a motion and a second. I do think that we
10 need to contact DEP on their behalf because as
11 you could see by this photo, there is a
12 gentleman standing in the hole.

13 So I do think that we need help on
14 this issue -- these people need help because
15 someone is going to get hurt here. And there
16 are other photos that I would like to submit as
17 part of this letter.

18 So at this time, I would like to
19 make a motion that Scranton City Council send a
20 letter to the Department of Environmental
21 Protection regarding a public safety emergency
22 that exists at 1452 West Locust Street with a
23 large hole that has opened up, continues to
24 open up in front of this address.

25 COUNCILPERSON: Second.

1 MR. ROGAN: On the question.

2 MR. GAUGHAN: Yes, on the question.
3 If we can copy the Department of Public Works
4 on this as well. As I mentioned, I'm not
5 exactly sure what was done. But they did go
6 out and they did fill it. But it continues to
7 get bigger and bigger. So before somebody gets
8 hurt, I do think that we need the DEP out there
9 whoever is in charge, Mrs. Reed, if you can
10 find out Mine Subside Division of the DEP.

11 MR. EVANS: That was my comment to
12 get the DEP involved again even though they did
13 look at it once before. And if I may suggest
14 at least put a metal plate over that hole
15 temporarily to avoid any further potential
16 catastrophe for that matter.

17 MR. ROGAN: Anyone else? All those
18 in favor signify by say aye.

19 ALL MEMBERS: Aye.

20 MR. ROGAN: Opposed?

21 (No response.)

22 MR. ROGAN: The ayes have it and so
23 ordered.

24 MR. GAUGHAN: Also to follow up on
25 what Miss Schumacher had brought up earlier

1 about the list of items that have appeared in
2 the recovery plan, I think I was mistaken. I
3 believe that we're supposed to exit Act 47 in
4 2020 because the three year exit plan occurred
5 2017.

6 Now I have asked before and when we
7 brought PEL in for a list of -- all right, you
8 have all of these recommendations. What has
9 been completed? What is partially complete?
10 What's not been completed? And we have not
11 received that.

12 So I would like to ask if -- and we
13 usually do this every summer to get an update.
14 And I think it's particularly important now
15 based on the fact that next we're potentially
16 exiting Act 47. So sometime in the next month
17 or two if we can schedule a caucus with the
18 Administration and with the Pennsylvania
19 Economy League to go through these items and to
20 find what has been completed and what has not
21 been completed.

22 One example would be the Debt
23 Management Policy. I asked about that last
24 year. And as far as I know that has not been
25 instituted yet. That would actually be

1 legislation that would have to come forward
2 from the Administration that we would have to
3 vote on.

4 So I would appreciate if we could
5 schedule that caucus as we did in the last two
6 or three years. And I think that's all I have.
7 Thank you.

8 MR. ROGAN: Thank you. Just a brief
9 comment on reassessment. I know my
10 colleagues -- and again, I feel the same way as
11 Councilman Evans. I tend not to talk about
12 politics from these meetings. But when
13 misinformation is being spread by candidates of
14 both parties, I think it's important that is
15 something that needs to be addressed.

16 Councilman Donahue and Evans spoke
17 regarding Commissioner O'Malley's ad. And I
18 was at that meeting with Councilman Evans. And
19 the meeting was requested by City Council to
20 talk with the Commissioners about reassessment.

21 And when we got there from the first
22 minute of that meeting until the very end, it
23 was a farce. It was a foregone conclusion.
24 There were not open minds on the parts of some
25 of the commissioners, particularly by

1 Commissioner Cummings. And following that
2 meeting I know myself, Councilman Evans and
3 others were critical of Commissioners Cummings'
4 stance.

5 And it's not that, you know, we
6 disagree with her position which we certainly
7 do. It's the fact that it was constant
8 misinformation at that meeting. And even last
9 week I saw something from her campaign as well,
10 tax bills to increase again for homeowners in
11 Philadelphia as they release new assessments.

12 So I think that's the same ad that
13 you guys cited, the same article. So I see
14 that Commissioner Cummings is running pretty
15 much the same campaign as some of the Democrats
16 are. So it's certainly not a partisan issue
17 this misinformation that's being put out there.
18 And it has to stop. It's okay to be for
19 something or against something, but debate the
20 issue on the merits.

21 The fact that this misinformation
22 keeps going out -- and again, when we had the
23 meeting with the county, from the first second
24 we walked in, it was about trying to spin it on
25 how reassessment is bad. And people could

1 certainly have an opinion one way or the other.
2 But using articles from another county that
3 have a completely different policy than every
4 other county in the state certainly isn't the
5 way to do that.

6 So I just wanted to point out that
7 it's certainly not one candidate that is
8 pushing that. It's unfortunately by a Democrat
9 and a Republican that seemed to be teamed up.
10 That is all.

11 MS. REED: 5-B, no business at this
12 time.

13 SIXTH ORDER. 6-A, no business at
14 this time.

15 SEVENTH ORDER. 7-A. 7-A FOR
16 CONSIDERATION BY THE COMMITTEE ON COMMUNITY
17 DEVELOPMENT - FOR ADOPTION - RESOLUTION NO.
18 114, 2019 - AUTHORIZING THE MAYOR AND OTHER
19 APPROPRIATE CITY OFFICIALS TO APPLY FOR AND
20 EXECUTE A GRANT FOR THE REDEVELOPMENT
21 ASSISTANCE CAPITAL PROGRAM (RACP) THROUGH THE
22 COMMONWEALTH OF PENNSYLVANIA'S OFFICE OF THE
23 BUDGET IN THE AMOUNT OF ONE MILLION
24 (\$1,000,000.00) DOLLARS; ACCEPTING AND
25 DISBURSING THE GRANT IF THE APPLICATION IS

1 SUCCESSFUL; AND COORDINATE THE USE OF THE
2 GRANT FUNDS WITH "MIMI EQUITIES", FOR THE
3 PROJECT TO BE NAMED THE "WYOMING AVENUE
4 DEVELOPMENT".

5 MR. ROGAN: What is the
6 recommendation of the Chairperson for the
7 Committee on Community Development?

8 MR. DONAHUE: As Chairperson for the
9 Committee on Community Development, I recommend
10 final passage of Item 7A.

11 MR. PERRY: Second.

12 MR. ROGAN: On the question?

13 (No response.)

14 MR. ROGAN: Roll call, please.

15 MS. CARRERA: Mr. Perry.

16 MR. PERRY: Yes.

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-A legally and lawfully adopted. If

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

3 MR. PERRY: Motion to adjourn.

4 MR. ROGAN: Meeting adjourned.

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C E R T I F I C A T E

1
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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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