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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, January 28, 2016

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:

- JOSEPH WECHSLER, PRESIDENT
- PATRICK ROGAN, VICE-PRESIDENT
- WAYNE EVANS
- WILLIAM GAUGHAN
- TIM PERRY

- LORI REED, CITY CLERK
- JAMIE MARCIANO, ASSISTANT CITY CLERK
- AMIL MINORA, SOLICITOR

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

3 MR. WECHSLER: Roll call, please.

4 MS. MARCIANO: Mr. Wechsler.

5 MR. WECHSLER: Here.

6 MS. MARCIANO: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. MARCIANO: Mr. Evans.

9 MR. EVANS: Here.

10 MS. MARCIANO: Mr. Gaughan.

11 MR. GAUGHAN: Here.

12 MS. MARCIANO: Mr. Perry.

13 MR. PERRY: Here.

14 MS. MARCIANO: Mr. Wechsler.

15 MR. WECHSLER: Here. Just two
16 announcement this evening on agenda items.
17 Agenda Item 5-B, 2016, the LST tax
18 legislation was submitted with an emergency
19 certificate. There will be a motion to
20 suspend the rules and move the piece for
21 final passage this evening. Speakers will
22 have a second opportunity to comment prior
23 to final reading. Also, agenda Item 7-B, a
24 contract with Turnkey Taxes, there will be a
25 motion to table this piece of legislation.

1 Third order.

2 MS. REED: THIRD ORDER. 3-A.
3 PAYMENT IN LIEU OF TAXES PRESENTED TO THE
4 CITY OF SCRANTON IN THE AMOUNT OF \$1,000.00
5 FROM COVENANT PRESBYTERIAN CHURCH.

6 MR. WECHSLER: Are there any
7 comments? If not, received and filed.

8 MS. REED: 3-B. TAX ASSESSOR'S
9 RESULTS REPORT FOR HEARING DATE HELD JANUARY
10 13, 2016.

11 MR. WECHSLER: Are there any
12 comments? If not, received and filed.

13 MS. REED: 3-C. AGENDA FOR THE CITY
14 PLANNING COMMISSION MEETING HELD JANUARY 27,
15 2016.

16 MR. WECHSLER: Are there any
17 comments? If not, received and filed.

18 MS. REED: 3-D. CONTROLLER'S REPORT
19 FOR THE MONTH ENDING DECEMBER 31, 2015.

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

22 Do council members have any
23 announcements?

24 MR. GAUGHAN: Yes, I do. I'd just
25 like to remind everybody that January 30

1 there will be a Splashin' with Compassion
2 fundraiser to benefit individuals battling
3 cancer. It will be held at Montage Mountain
4 from 9 a.m. to 2 p.m. There is no cost to
5 attend. If you plan on plunging. It's \$35
6 per person. You can win prizes, gift
7 baskets, a sleigh of cheer. There will be a
8 DJ, kids table and health-related vendors.

9 Also, January 30, Scranton High
10 School will be hosting a fashion show with
11 Dresses by Modish Saturday from noon to 1:30
12 p.m. It is the inaugural Scranton High
13 School fashion show to benefit Coaches vs.
14 Cancer, so I encourage everybody to try to
15 get out to that event. Thank you.

16 MR. WECHSLER: Anyone else?

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

19 MR. WECHSLER: Joan Hodowanitz.

20 MS. HODOWANITZ: Joan Hodowanitz,
21 Scranton taxpayer. With regard to Item 5-D,
22 indefinite residency waiver for Mr. Bulzoni.
23 I don't know how much more I can say about
24 it than I have already said both here and in
25 the newspaper. The only thing I will add

1 and repeat is that there should be one
2 standard for all municipal employees and
3 that the higher up you are the higher the
4 standard that you should meet. So I don't
5 support it and I hope you will not either,
6 at least give a finite ending to it. This
7 indefinite it's not the way to go, leaders
8 lead. They set a higher standard.

9 With regard to the 2014 audit, today
10 I went to the City Clerk's Office, the
11 Controller's Office, the B.A.'s Office and
12 even the mayor's office trying to find out
13 when the 2014 audit will be completed and no
14 one can give me an answer. It is now 242
15 days late. By the way, Commissioner Pat
16 O'Malley asked me to remind you that the
17 county got it's audit done on time. I'm
18 just passing it along.

19 Also, I suspect you haven't had time
20 to study the document, but I looked at the
21 December controller's report, and on the
22 summary of the revenues end of year I noted
23 that for real property taxes, this would
24 indicate that we collected 101.4 percent of
25 real property taxes. I suspect that's an

1 inflated percentage due to the fact that we
2 may been getting delinquent taxes from prior
3 years, but that's what document says.

4 Also, we were budgeted for revenue
5 of \$107.4 million and we have only collected
6 98.1 million so this would indicate a
7 deficit of 9.2 million but that's probably
8 not accurate since there will be more
9 revenues coming in which will be credited to
10 2015 even though they come in this year.
11 Same thing will be to expenditures, but this
12 is the kind of document that we should all
13 be looking at to see where we stand
14 fiscally.

15 I did ask Nancy Krake up in the
16 B.A.'s Office about did the city end with a
17 surplus or a deficit and she told me that I
18 had to wait for the 2015 audit, which will
19 obviously come out in the next two years, so
20 that didn't satisfy me very well.

21 With regard to the pension fund, the
22 800-pound gorilla in the room, you should
23 all be watching it. Remember, we finished
24 2015 with a .039 return on the pension fund
25 investments. So far this year, year-to-date

1 for January the stock market is down 7.78
2 percent. That does not bode well for the
3 pension funds.

4 And with regard to the monetization
5 of the parking garages and the Scranton
6 Sewer Authority, I thank the Times-Tribune
7 their timely articles. The fact that
8 parking garages are in dire need of repairs
9 and the city apparently -- and the city
10 apparently is looking for a \$4 million state
11 grant to be used in conjunction with the
12 \$7.7 million repair project.

13 And the Sewer Authority, DEP says
14 they will never find out the origin of the
15 Greenridge goop. I wonder how that's going
16 to effect the monetization of the Sewer
17 Authority and oh, yes, haven't heard
18 anything about we are doing with was waste
19 water management, and that would be nice if
20 someone could give us an update on those two
21 initiatives, the two monetizations which
22 will impact the future affairs of the city.
23 Thank you.

24 MR. WECHSLER: Les Spindler.

25 MR. SPINDLER: Good evening,

1 council. Les Spindler, city resident,
2 taxpayer and homeowner. 5-D, I'm going to
3 go in the opposite direction, I think this
4 should be passed, I've said in the past, I
5 think if you get somebody qualified I don't
6 think they should have to live in the city,
7 the precedent was already set with George
8 Parker doing previous administrations. I
9 think that ordinance should be changed
10 altogether. I think the only people having
11 to live in the city should be emergency
12 personnel, which are the police or
13 firefighters. If you are qualified business
14 administrator, treasurer and so forth I
15 don't think they should have to live in the
16 city. If there is a general alarm fire,
17 they are not calling the business
18 administrator they are calling the
19 firefighters so I don't think it's a
20 priority that they live in the city. If
21 they are qualified, I think they should have
22 a waiver. I think that should be changed
23 altogether.

24 I haven't spoken about this in the
25 past, but I'm going to now, I'm glad

1 everybody is talking about the Sewer
2 Authority, and I agree I think it's a huge
3 mistake to sell the Sewer Authority. It's
4 another asset they want to get rid of, I
5 think I read the proposed sale for the \$94
6 or approximately something like that. Once
7 that money is gone what's going to happen
8 after that? How are you going to makeup for
9 the money that wasn't coming in from the
10 Sewer Authority? Anybody?

11 MR. ROGAN: We don't receive any
12 revenue from the Sewer Authority. The
13 parking garages, on the other hand, there is
14 revenue coming in, but the expenses exceeded
15 the revenues because the garages are built
16 and they are not turning a profit, but the
17 city doesn't receive a line item from the
18 sewer.

19 MR. SPINDLER: No?

20 MR. ROGAN: We don't.

21 MR. SPINDLER: Okay, that's news to
22 me. All right, another pet peeve of mine,
23 the \$300 garbage fee, again, I'll say I
24 think it's illegal, we pay taxes to have our
25 garbage collected. I think you made a

1 mistake once again passing this, and it's
2 another example of sticking it to the
3 taxpayers. I have met a lot of you at
4 fundraisers and you come up to me and say,
5 "I'm going to work for the taxpayer."

6 Well, I think you people say
7 anything just to get votes because there
8 again voting to pass that garbage fee is not
9 helping the taxpayers. You are sticking it
10 to the taxpayers.

11 Last, but not least, I talked about
12 this for ten years now since my dog was
13 attacked by two pit bulls. We need a
14 dangerous dog registration in this city. As
15 I spoke, many other cities have it, just go
16 on-line, you can find out everything about
17 it, I did it, there's lots of ways to
18 protect dogs. Like I said, one night I was
19 just walking my dog and it got attacked by
20 two pit bulls, thank God she survived, but
21 we need some kind of dangerous dog
22 registration in this city. That's all I
23 have tonight. Thank you for your time.

24 MR. WECHSLER: Thank you.

25 MR. ELLMAN: Hello, Council. I just

1 got a couple of questions. I want to know
2 what gives council the legal right to sell
3 the Sewer Authority and dispose of the \$96
4 million as you feel? This is the people's
5 property. Well, what right do you have just
6 to take everything? You are not talking
7 about like these thousand dollars in one
8 bank account and put it another that you go
9 through every week, we are speaking of \$132
10 million for crying out loud. Just you act
11 like it's not the cities. You people have
12 just stolen the city from the taxpayers, you
13 know that? Nobody gives a damn what the
14 taxpayers feel or what's going on in this
15 city, you just do what you want around here,
16 like, let's throw all of this money
17 downtown. Our neighborhoods aren't the
18 least bit important to no one. You know
19 what April 14 was, do any of you last year?
20 April 14, it was in the paper, unless I was
21 reading the Denver Post, Jim. Was I reading
22 the Denver Post about April 14 or was it
23 this paper? That was the day the city was
24 supposed to know what you were going to do.
25 It's last day about leasing and renting,

1 keeping the Sewer Authority. The paper said
2 there was representatives for five companies
3 here, they knew they are still not here, you
4 know. They knew April 15 what was happening
5 but no, not us. This dragged on and on with
6 the insurance, it wasn't being sold. On and
7 on. Well, again, what kind of state law or
8 something gives you people the right to do
9 that to us, do what you want with it? What
10 about what is it the Department of Community
11 and Economic Development? Aren't they
12 supposed to take -- help the cities and keep
13 things like this from happening? Well,
14 silence seems to be your answer up there.

15 MR. WECHSLER: Mr. Ellman, we have
16 not been informed of the sale yet. There
17 has been no sale of the Sewer Authority yet.

18 MR. GAUGHAN: I'm not even sure what
19 our role will be in that whole deal, what
20 our -- will we take a vote, what will the
21 vote mean? I don't know that yet.

22 MR. ELLMAN: What's our vote going
23 to be?

24 MR. GAUGHAN: I don't think --

25 MR. ELLMAN: You'll say whatever.

1 MR. WECHSLER: We have not been at
2 one meeting. We have not been approached
3 about the meeting.

4 MR. ELLMAN: Why don't you take a
5 referendum and see how much of this city
6 wants to sell that. You are fearful of
7 doing it. The city doesn't want to sell it.
8 Go out there and talk to anybody. You guys
9 want to do it, the unions want to do it, the
10 mayor wants to do it, the people don't.

11 MR. WECHSLER: I think you are
12 assuming a lot that no one has said. We are
13 waiting to hear just as you are.

14 MR. ELLMAN: What are we going to
15 get of \$96 million? Tell me one thing the
16 city is going to get out of \$96 million? We
17 are not getting any streets paved. We are
18 not getting our taxes lowered.

19 MR. WECHSLER: Once again there has
20 been no decision made on the sale price or
21 the proceeds.

22 MR. ELLMAN: I just asked you how is
23 this going to help the people of this city?

24 MR. WECHSLER: I can't answer that
25 question yet because --

1 MR. ELLMAN: That's because it's
2 not. It's not going to help nobody.

3 MR. WECHSLER: That's your opinion,
4 sir.

5 MR. ELLMAN: It's going to be thrown
6 into that big sewer, it's gone, and our
7 taxes keep going up and up and up as long as
8 you listen to this jackass of a plan of
9 Amoroso getting \$60,000 a year for the
10 University for Lackawanna College not to
11 oppose any legislation against nonprofits
12 and you people don't see nothing wrong in
13 that being in a position. He is supposed to
14 go after them people, not take their
15 \$60,000. That's just -- this is just a
16 \$1,000 examples of just abuse of the
17 taxpayers of this city and a couple of
18 months ago was let's give \$700,000 to the
19 mall down there to help out for lighting or
20 something then we ought to give \$700,000
21 grant to Lackawanna College than working the
22 \$4 million dollars worth of buildings they
23 took off the payroll, the tax roll, they are
24 the ones that I really like. Let's give
25 some money to all of them leaches that

1 bought foreclosed property, help them paint
2 and work on it. How did that help 750
3 people that lost their homes? You don't
4 give a damn about my neighborhood. I have
5 done everything I can, I don't have a
6 computer. There are some people going to
7 get online now and see what they can do, I
8 had one lousy person dictate to a whole
9 neighborhood how it's going to be. 4:00 in
10 morning I listened to that junky, painted up
11 pile of crap in my driveway on purpose. He
12 is not in any of your driveways so you don't
13 care. You don't care about my neighborhood.

14 Well, like I said, I don't have a
15 computer, but some of my neighbors are going
16 to be and the city won't like what they have
17 to say. Thank you.

18 MR. WECHSLER: Thank you, Mr.
19 Ellman.

20 Lee Morgan.

21 MR. MORGAN: Good evening, Council.
22 You know, I'd just like to start today by
23 saying that, you know, it's not taxpayers
24 here so much that are being hurt, it's every
25 resident of the city and, you know, when the

1 Sewer Authority hires representation to make
2 a smooth sale of the Authority's assets and
3 we have councilmen who don't interact with
4 their solicitor in public and ask what their
5 role is, and then hide behind ignorance it's
6 asinine to be quite blunt, and where the
7 city is going, well, I think that
8 Mr. Rogan's smile he just had for some of
9 the things that Ron Ellman said just speaks
10 volumes of the corruption. It just shows a
11 total lack of concern for the people you
12 allegedly represent, but I really think that
13 if the people in the city really want a
14 total understanding of what's actually
15 taking place in the city, I think they need
16 to start pulling candidate's campaign
17 contribution lists from the top of the food
18 chain to the bottom and look at everybody
19 who is connected and feeding.

20 Now, we are going to make a
21 determination on what's going to happen to
22 the Sewer Authority, but it's not going to
23 solve our problems because the city's
24 pension fund is so underperforming that it
25 may have a target of 8 percent, not anywhere

1 near it and it may never be. Now, for this
2 council to make some of the outrageous
3 statements they have made in the past and
4 voted the way they voted and the harm they
5 have done to this city, and the state
6 representatives and the state senators and
7 the mayor's who have brought nothing but
8 harm and pain to the residents of this city,
9 you know, it's just time for some common
10 sense here. You know, we are going back to
11 the same silly garbage that we had once
12 before from what I understand, asking the
13 president of the council if you can ask a
14 council member a question. Look, it's just
15 asinine. You are not a king, I'm not your
16 servant, and the people who live in this
17 city they are not the things you wipe off
18 your shoes when you go in your house at
19 night and selling the things they own, you
20 have the power to do it, but is it right?
21 No. Okay. It's just plain not right. It's
22 plain corrupt, and to make a statement that
23 you are going to hold your nose and vote for
24 something. My question is if you were in
25 business would you hold your nose and

1 destroy your own business? Would you? Do
2 you have any concern for the people who live
3 in this city? And, you know, it's not even
4 the people in the city, our whole country is
5 on that role, and you can see the turmoil
6 it's causing because we have Mr. Sanders,
7 who is just doing a great job against
8 Hillary Clinton facing a machine, I don't
9 know what's going to happen there and
10 Mr. Trump, he may put all of his Republican
11 opposition to sleep because we are tired of
12 the corruption that our government
13 represents and, you know, to sit in this
14 chamber for over 20 years, almost 30, and
15 listen to the garbage that I have digested
16 from council members and mayors it's just --
17 it's ludicrous. It's beyond comprehension
18 that anybody could have any faith in their
19 government on any level, whether it's the
20 federal government, the president of the
21 United States, all the way down. We are
22 sending our troops over into the middle east
23 and they are getting killed. Our borders
24 aren't even secure and we are talking about
25 Homeland Security. We are pumping hundreds

1 of millions of dollars into the downtown and
2 that issue has been raised here before but
3 nothing is going into the neighborhoods, and
4 we are selling people's properties because
5 our elected government, which is you, is
6 incompetent and has the ability to petition
7 the Court and drive us into utter poverty
8 and humble us and beat us down like the
9 stuff you wipe off your shoes when you go in
10 your house.

11 And, you know, Mr. Rogan, you
12 smiling, I think that you really should be
13 ashamed of yourself and I know you --

14 MR. ROGAN: I'm not smiling. The
15 cameras are on, I don't know why --

16 MR. MORGAN: Yeah, everything is
17 funny to you because it's happening to
18 somebody else and I've watched --

19 MR. ROGAN: I know you came here to
20 pick a fight.

21 MR. MORGAN: No, I have watched
22 you--

23 MR. WECHSLER: Mr. Morgan --

24 MR. ROGAN: Hold on one second.

25 (Whereupon, people started talking

1 at once at it became untranscribable.)

2 MR. MORGAN: If I've got to ask you
3 if I can ask him a question then before he
4 interjects when I'm talking you should stop
5 him. Now, here is my --

6 MR. WECHSLER: Mr. Morgan, this is
7 your comment period.

8 MR. MORGAN: You're right, it is.
9 It is my comment period.

10 MR. WECHSLER: Please continue.

11 MR. MORGAN: And you know something,
12 Mr. Rogan, I'm wondering if you are ever
13 going to contribute anything to this city in
14 your humble life.

15 MR. ROGAN: You're entitled to your
16 opinion, Mr. Rogan.

17 MR. MORGAN: It's not my opinion,
18 you are were on one side, you were on Janet
19 Evans' side one time, you switched sides and
20 now you're on another side, and you know
21 what --

22 MR. ROGAN: I'm not on any side.

23 MR. MORGAN: That is the problem
24 this city has had for a long time. In 2012,
25 it could have filed bankruptcy, it didn't

1 and what I'm saying to you is I'm tired of
2 paying all of your bills and taxes, and you
3 know what, you are offer me no opportunity
4 and the residents of this city don't get any
5 either, and the last thing I'd like to
6 highlight is look at the Novembrino project
7 we are going to roll out and all the
8 nonprofits we're supporting and you are
9 driving people out of their homes. I think
10 you should smile some more, Mr. Rogan.
11 Thank you.

12 MR. ROGAN: Mr. Morgan, you're
13 certainly entitled to come up and say
14 whatever you want, even if it's a lie. I
15 did not smile once while you were talking.
16 I listened respectfully to everything you
17 said even though I disagree with the vast
18 majority of it. I listened to what you had
19 to say.

20 MR. WECHSLER: Is there anyone else
21 who would like to address council?

22 MS. SCHUMACHER: Marie Schumacher.
23 With the agenda items first, 7-C is there
24 anyone on council who can tell me what
25 specifically what is going to be provided?

1 Muni-services. It says, "Financial data
2 presentment services."

3 You want to give them a three-year
4 contract with an option, with a one-year
5 option. What specifically are we going to
6 get? Are we going to get all of the back up
7 to every agenda? Are we going to know what
8 the accounts are and each line item at the
9 end of every month instead of -- I mean,
10 it's a travesty that we have to wait as long
11 as we do to find out whether we had a
12 surplus or a deficit last year. My
13 calculations showed, and again, there is so
14 much missing and so little data that is
15 provided, Joan said nine, I said eight, but
16 it's terrible, and I guess that the thing is
17 if you let it go long enough we'll just
18 forget about it and life will just go on and
19 we'll just keep going in the hole deeper and
20 deeper. Is there anyone who knows
21 specifically what financial data will be
22 presented?

23 MR. WECHSLER: The plan is to make
24 as much financial information available as
25 possible. Do we have the specifics? No.

1 But it is a start to get more information
2 out there.

3 MS. SCHUMACHER: Then I think you
4 should table this until we know specifically
5 what we are paying for this evening and wait
6 until we have more information. So back to
7 the agenda, 5-D. Leaving the person
8 involved out of this discussion for the time
9 being, I will next week, since this is a
10 resolution, bring the comments that were
11 made by each of you who are here in regard
12 to doing this for a second time, but overall
13 the Administrative Code is being treated as
14 a menu. It's sort of like the federal
15 government. If we like it, yeah, we'll
16 enforce it if it's to our advantage, if it
17 could eat up the clock of the people who are
18 speaking, because five minutes is surely
19 enough, more than enough time. What bothers
20 me most about this is I have heard time and
21 time again economic development, our
22 children are moving out of the city, we want
23 them to be able to stay here and thrive and
24 prosper, what kind of message do you think
25 this sends? This position pays a handsome

1 salary for this area. I would like to know
2 where the advertisements were placed? I am
3 willing to bet there are a number of
4 mid-career people who would like to come
5 back and maybe help out mom and dad and
6 spend some time here in Scranton, but you
7 are driving them out and you are telling
8 them, look, Scranton is so rundown and so
9 poor that you do not -- we can't find a
10 person in this city who can be the business
11 administrator, especially for that salary.
12 I just find that so offensive and you are
13 going to do what you are going to do, I know
14 that, I have been around here long enough, I
15 have seen two years, which is good segue
16 into the last.

17 Mr. Evans, last week you said there
18 were six ordinances that were killed by the
19 council president and never saw the light of
20 day. Now, that bothers me on two levels:
21 Number one, the council president is one of
22 five persons, did he unilaterally --

23 MR. EVANS: No.

24 MS. SCHUMACHER: So you all met at
25 some point in time --

1 MR. EVANS: Yeah.

2 MR. SCHUMACHER: -- together and
3 decided that these were a good --

4 MR. WECHSLER: This refers back to
5 Mr. McGoff's tenure and Mr. McGoff as the
6 president of council had the ability to put
7 items on the agenda or not put them on the
8 agenda. Mr. McGoff elected to do that as
9 council president.

10 MS. SCHUMACHER: I would like the
11 identity of these sixth ordinances that were
12 killed, I would like to know what the
13 administration was planning to do that was
14 found there and then I would like to
15 question that authority. I think the
16 council president presides over meetings and
17 represents your council in certain things,
18 some of which you delegate to the clerk and
19 I just can't believe you would break the
20 Sunshine Law and not discuss that.

21 MR. WECHSLER: It never came into
22 effect under the Sunshine Law because it
23 never was on the agenda. The council
24 president has the authority to put items on
25 or take items off the agenda as has been the

1 practice for years. Is there anyone else
2 who would like to address council?

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

5 MR. WECHSLER: Mr. Perry?

6 MR. PERRY: I just have a couple of
7 things. Mr. Spindler, you brought up the
8 garbage fee tax and I had -- I lived in
9 Wilkes-Barre for a short period of time and
10 we were on a per bag fee there, which I
11 wasn't particularly a big fan of. I'm not a
12 big fan of paying \$300 year either, you
13 know, particularly. I do think that our
14 garbage fee or garbage collection program
15 and our recycling program need to be looked
16 at and an overhaul. I do think we need to
17 look into that a lot because I think that's
18 actually come out where we are not really
19 realizing a lot of benefit that we have to
20 our recycling program and the City of
21 Wilkes-Barre actually really sticks it to us
22 when it comes to the recycling and proceeds
23 that they get from the state, so I think you
24 are onto something there. I don't know what
25 the answer is yet, but it definitely needs

1 to be looked at.

2 And something that has come up the
3 past couple of meetings that I have been
4 here, our yearly audits. That seems to be a
5 hot topic. Now, as a business person I know
6 what my numbers are the day after the
7 business closed for my year end because
8 that's how I operate. That's how I know
9 where I'm going to go the next year.
10 Sometimes I get a little frustrated with the
11 speed of government, I guess you could say
12 sometimes it moves slower than I want and I
13 don't understand how we can operate without
14 a budget without knowing where we are. I'm
15 sorry, we got the budget, the audit from
16 2014. So, you know, I am new to the game,
17 I'm not really familiar with the procedures
18 with that, but that's something that I
19 definitely personally want to look into and
20 see why we don't have an audit for that and
21 how long it should take because how could we
22 already been into '16 and not really know
23 our footprint from 2014. It just seems a
24 little bit I don't want to say
25 counterproductive, but I don't see how it

1 could be going as fast we want to be in the
2 future without knowing exactly what we did
3 two years ago so I do question that, I would
4 like to know where our audit is and, you
5 know, what the regulation for our coming up.
6 That's all I have, Mr. Wechsler.

7 MR. WECHSLER: Thank you.

8 Mr. Rogan.

9 MR. ROGAN: Yes, just a couple of
10 items. Two items that were brought up by
11 speakers, obviously I was attacked by
12 Mr. Morgan tonight, and I listen to every
13 speaker that comes up, I don't always agree.
14 I often disagree, I often agree, but I
15 always listen. What Mr. Morgan said tonight
16 was a flat out lie. I have always sat here
17 and listened to everything that was said and
18 reacted to it. Do I look happy? Probably.
19 I am happy to be here. I love being on the
20 city council. Out of all of the many things
21 that I do it's one of them that I take the
22 most pride in and I enjoy doing the most so
23 if I seem to be happy that would be a
24 correct observation on the part of
25 Mr. Morgan, so I'm glad that he picked up on

1 that. And I'm not going to get into a back
2 and a forth with him every week, but every
3 week it's something that -- whether it's our
4 suits or questioning our income, it always
5 seems to be something on a personal level of
6 attack towards us. Like I said, I won't get
7 into it on a day-to-day, but if I look happy
8 it's because I enjoy being here.

9 Secondly, a question was brought up
10 regarding comments Mr. Evans made on items
11 that weren't put on the agenda and the
12 council president does set the agenda with
13 the consent and advice of the other members
14 of council. Councilman Wechsler, I now it's
15 only been a few weeks into his residency, he
16 does pretty much do everything the same way
17 that Councilman McGoff did, because he did
18 such a great job leading the board, and a
19 little background on the way it was done
20 when Councilman McGoff was president, if
21 there was legislation that would come down
22 he would often times call us and say, "You
23 know, this item is being sent down, I don't
24 think we are ready to discuss it or I don't
25 think it's something that we should

1 discuss," and we would give feedback. Often
2 times, it was even discussed at our caucuses
3 where you would mention that, you know, that
4 legislation came down and it's not on the
5 agenda, and if at any time there are three
6 members of the body that would like to see
7 an item put on the agenda they could do so.
8 They could make that motion and if passes it
9 would go on the agenda. So although the
10 council president does set the agenda, if
11 there is a majority of council that would
12 like to vote on one issue or the another
13 they have the power to make that motion as
14 we have all done from time to time.

15 The garbage fee was brought up
16 again, and the votes last week and also the
17 vote on the LST tax this week, once the
18 budget is passed the tax enabling
19 legislation basically has to be approved.
20 If it's not it's going to leave a giant hole
21 in the budget. I am not a fan of the
22 current structure of our garbage fee. I
23 know it's probably not popular, but I'm a
24 proponent for a per bag fee. I think it
25 would be more fair to senior citizens who

1 often times only have one bag of garbage.
2 It's not fair to that widow or older couple
3 that is paying the same amount of a garbage
4 fee as somebody with five kids. That's just
5 not fair to me.

6 I know that's my opinion, that the
7 majority of the residents probably disagree
8 with me on that, but I do think that's the
9 more fair way to collect garbage and to the
10 recycling point that Mr. Perry brought up he
11 is absolutely correct. We need to do a
12 better job at recycling. Every ton of
13 recycling, number one, brings in more grant
14 money to the city, but more importantly it
15 saves us on landfill fees and also the
16 environment. By going to a per bag fee,
17 that would encourage everyone to recycle
18 because if you are paying based on how much
19 you throw out those aluminum cans are going
20 where the aluminum cans should be going into
21 the recycling.

22 And, finally, a bit of good news, as
23 you know, when council voted to approve the
24 renegotiated fire contracts one of the big
25 items that we were hopeful to receive was a

1 grant from the federal government to hire
2 new firefighters. Just today 15 new
3 firefighters were sworn in. We wish them
4 all good luck and thank them all for their
5 service and one in particular I'd like to
6 mention is Ryan Robson is the son six James
7 Robson, who died in the line of service
8 fighting to keep the residents of this city
9 safe and I have said this probably a hundred
10 times and I'll probably say it 100 more from
11 my point of view the job of government is to
12 keep people safe and we are blessed in the
13 City of Scranton to have such a great fire
14 department and great police department and
15 public safety really is going to be the
16 backbone of this city in our recovery when
17 you compare us to our neighboring cities
18 that have shootings, stabbings, and almost
19 on a daily basis. We are in a much better
20 position than those communities are thanks
21 to our police and our fire department. I
22 can't say enough about those men and women
23 and the work they do so congratulations to
24 our newest 15 firefighters, men and women, I
25 might add so congratulations to them and

1 that is all.

2 MR. WECHSLER: Thank you, Mr. Rogan.
3 Mr. Evans.

4 MR. EVANS: Thank you. I might as
5 well wait on the topics of the discussion
6 tonight. As far as legislation not
7 appearing, I'll give two examples, one was a
8 sign fee increase, which through some
9 investigation on my on it turned out that
10 was actually illegal because there is a
11 state statute that doesn't allow for an
12 increase in the sign fee so that was never
13 put on the agenda.

14 Another piece of legislation was to
15 increase fees on a particular type of
16 business and I asked when the administration
17 if they had contacted that particular type
18 of business and they said they did not so we
19 asked that that get done and it never got
20 done so I feel it's unfair to increase fees
21 while having a discussion on the people that
22 it impacts the most. So they are just two
23 examples of it and I agree 100 percent the
24 chair, president, has the right to put it on
25 or take it off, so I don't have a problem

1 with that whatsoever.

2 On the garbage fee, during the
3 budget discussions I was an opponent of
4 establishing a senior citizens discount of
5 15, 20 percent. I feel there is similar
6 things that are happening in this year's
7 budget, the rental registration, which I
8 think we should be getting ready relatively
9 soon that will drive a higher collection
10 rate for garbage. There is something other
11 things that are going to be going off
12 line relative to the garbage fee as well and
13 I think there is a definite opportunity in
14 the 2016 budget -- or, well, 2017 budget,
15 yeah, 2016, that will allow for a discount
16 or reduction in the garbage fee which is
17 long overdue. Seniors are the ones that are
18 impacted by it the most, they are the ones
19 that have the least amount of garbage and
20 that are still paying a \$300 fee that simply
21 is not fair so hopefully we can address that
22 this year. That's all I have for now and I
23 reserve the rest of my comments for agenda
24 items.

25 MR. WECHSLER: Mr. Gaughan.

1 MR. GAUGHAN: Thank you. Good
2 evening, everybody. Last night I attended a
3 Hill Neighborhood Association meeting so I
4 have a couple of items from the residents in
5 that area of the city. We are going to send
6 a letter to Licensing and Inspections and
7 check up with them on a property at 942-944
8 Clay Avenue. Residents in this area have
9 been having some problems with that
10 property.

11 There is a vacant lot and it's 535
12 Harrison Avenue. The residents would like
13 to know who owns it. The lot is overgrown
14 and it's causing the residents concern.

15 The Hill Neighborhood Association as
16 it's been reported in the paper is being
17 involved in a vacant lot program to take
18 vacant lots and to improve them, which I
19 think is going to be very successful, and
20 the community up there in the neighborhood
21 is really coming together. I plan on
22 working and facilitating with the DPW to
23 help them clean up the lot and possibly
24 provide dumpsters when they do go up there
25 in late April so I am going to get on that

1 this week.

2 One of the things that also came up,
3 which the city used to do in the past, which
4 I have brought up to the administration, is
5 a citywide spring clean up with dumpsters in
6 every neighborhood, which I think it was
7 successful in the past and I think it can be
8 successful, right now we just have implement
9 it so I will be getting together again with
10 our DPW director and with the mayor and
11 seeing if we can implement that program.

12 We did receive a response from our
13 DPW director about faded stop signs and
14 street signs. Mr. Gallagher said that the
15 DPW is aware that there are many street
16 signs that are faded and stop signs that are
17 faded. They are doing what they can. They
18 have the drivers of the DPW trucks writing
19 down whenever they see a faded street sign
20 or a stop sign so it was good news on that
21 front.

22 I am getting a little frustrated, I
23 have sent numerous requests to the law
24 department and questions to the mayor's
25 office and I'm not getting any responses so

1 I am going to try, I hope I don't have to
2 resort to Right-to-Know. I am a city
3 councilman and I'm not exactly sure why my
4 requests continue to get ignored every week.
5 I am asking these questions not only for
6 myself, but on behalf of the taxpayers of
7 the city. So that's all I have this week.
8 Thank you.

9 MR. WECHSLER: Thank you,
10 Mr. Gaughan. Just a few comments, this
11 evening at our caucus Bob Durkin, president
12 of the Scranton Chamber of Commerce came and
13 spoke about a program intended to help
14 develop the downtown and expand the
15 downtown. I find it interesting that last
16 year we heard a lot of complaints that the
17 caucuses weren't held in public so the first
18 caucus that I believe that benefited the
19 public we scheduled for out here and I find
20 it interesting not one of the council
21 speakers mentioned the fact that it was out
22 here and not one of the council speakers
23 mentioned anything about the positive
24 remarks that Mr. Durkin had about the city.

25 The public comment portion of this

1 meeting is very important. He find it leads
2 to discourse on ideas and it is important to
3 keep the ideas flowing. Personal attacks on
4 council members though do not add to the
5 dialogue and if the goal is to get a rise of
6 the council people we are hoping we can
7 avoid that. I don't believe that -- we all
8 ran for this position and we all have to
9 face the abuse and comments that are taken,
10 but personal attacks meant to inflame the
11 public I don't believe serve any purpose.
12 It's America, you have a right to disagree,
13 and as to Mr. Ellman, a lot of his comments
14 the applications for those grants are state
15 grants, they are not the city grants. We
16 have nothing to do with them. In fact, a
17 benefit to the city would be if some of
18 those grants are provided the money will
19 funnel through the Scranton city government,
20 so we will receive a percentage of those
21 grants for administration so it's actually a
22 benefit to the city.

23 In terms of the agenda items, we do
24 get a lot of items that come down from the
25 administration. It's going to be my

1 intention to look at each of those and add
2 them to the agenda, as Mr. Rogan said, with
3 the consent of council and not put them on
4 the agenda until we are ready to discuss
5 them. In the past, we have had some issues
6 that came to us and we had to table because
7 we needed more information. What we are
8 trying to do now is see these ordinances as
9 they come down to us and if we require some
10 information we are going to try to find out
11 a lot of it before we introduce it and we'll
12 see how that works out.

13 So far there has been a couple of
14 items that we have not put on the agenda
15 that we have been researching so likely when
16 they make it to the agenda we will be more
17 prepared. And that's all I have at this
18 time. Thank you.

19 MS. REED: 5-B. FOR INTRODUCTION -
20 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
21 NO. 95, 2015, AN ORDINANCE, ENTITLED
22 "AMENDING FILE OF THE COUNCIL NO. 79, OF
23 2015, AN ORDINANCE AMENDING FILE OF THE
24 COUNCIL NO. 145 OF 2007 ENTITLED "AN
25 ORDINANCE RENAMING THE EMERGENCY AND

1 MUNICIPAL SERVICES TAX ("EMST") TO LOCAL
2 SERVICE TAX ("LST")" AND BY IMPOSING A
3 WITHHOLDING OF \$52.00 FOR THE CALENDAR YEAR
4 2015 AND THE SAME SHALL REMAIN IN FULL FORCE
5 AND EFFECT ANNUALLY THEREAFTER BY INCREASING
6 THE LOCAL SERVICES TAX WITHHOLDING FROM
7 \$52.00 TO \$156.00 FOR THE CALENDAR YEAR
8 2015, AND PROVIDING FOR AN EXEMPTION FROM
9 TAXATION FOR ANY PERSON WHOSE TOTAL EARNED
10 INCOME AND NET PROFITS FROM ALL SOURCES
11 WITHIN THE MUNICIPALITY IS LESS THAN
12 \$15,600.00 FOR THE CALENDAR YEAR 2015 UNDER
13 AND PURSUANT TO THE LOCAL TAX ENABLING ACT,
14 ACT 511 OF 1965, P.L. 1257, 53 P.S.
15 §6924,101 ET. SEQ., AND THE MUNICIPALITIES
16 RECOVERY ACT, ACT 47 OF 1987, P.L. 246, 53
17 P.S. § 11701.101 ET. SEQ. AND THEIR
18 RESPECTIVE AMENDMENTS, EFFECTIVE RETROACTIVE
19 TO JANUARY 1, 2015. THIS TAX IS EXPECTED TO
20 GENERATE APPROXIMATELY FOUR-MILLION
21 TWO-HUNDRED EIGHTY-SEVEN THOUSAND
22 FIVE-HUNDRED (\$4,287,500.00) DOLLARS IN
23 REVENUE IN CALENDAR YEAR 2015" BY ENABLING
24 THE CITY OF SCRANTON TO CONTINUE TO LEVY THE
25 LOCAL SERVICES TAX AT THE FISCAL YEAR 2015

1 RATE FOR FISCAL YEAR 2016 FOR A TOTAL
2 MAXIMUM LOCAL SERVICES RATE OF ONE HUNDRED
3 FIFTY-SIX (\$156.00) DOLLARS FOR THE FISCAL
4 YEAR 2016 EFFECTIVE RETROACTIVE TO JANUARY
5 1, 2016 AND PROVIDING FOR AN EXEMPTION FROM
6 TAXATION FOR ANY PERSON WHOSE TOTAL EARNED
7 INCOME AND NET PROFITS FROM ALL SOURCES
8 WITHIN THE MUNICIPALITY IS LESS THAN
9 \$15,600.00 FOR THE CALENDAR YEAR
10 2016. (EMERGENCY CERTIFICATE ATTACHED).

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

14 MR. ROGAN: So moved.

15 MR. EVANS: Second.

16 MR. WECHSLER: On the question? All
17 those in favor of introduction signify by
18 saying aye.

19 MR. PERRY: Aye.

20 MR. ROGAN: Aye.

21 MR. EVANS: Aye.

22 MR. GAUGHAN: Aye.

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

25 MS. REED: 5-C. FOR INTRODUCTION - A

1 RESOLUTION - APPOINTMENT OF KEVIN WHELAN,
2 1111 DELAWARE STREET, SCRANTON,
3 PENNSYLVANIA, 18509 AS A MEMBER OF THE BOARD
4 OF THE SCRANTON SEWER AUTHORITY EFFECTIVE
5 JANUARY 20, 2016. MR. WHELAN WILL BE
6 REPLACING THOMAS J. STONE WHO RESIGNED
7 JANUARY 15, 2016. MR. WHELAN WILL FILL THE
8 UNEXPIRED TERM OF THOMAS J. STONE, WHOSE
9 TERM IS SCHEDULED TO EXPIRE ON DECEMBER 31,
10 2016.

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

14 MR. ROGAN: So moved.

15 MR. EVANS: Second.

16 MR. WECHSLER: On the question?

17 MR. GAUGHAN: On the question, I
18 would just like to thank Mr. Stone for his
19 service and also say that I was disturbed by
20 the article in the paper where Mr. Stone
21 made comments that the line has been blurred
22 between the administration and the Sewer
23 Authority Board. As he stated, and as I
24 believe, the Sewer Authority Board works on
25 behalf of the ratepayers and not on behalf

1 of administration so his comments do not
2 exactly instill confidence in me that this
3 whole sewer deal is going the way that it's
4 supposed to be going so we'll see what
5 happens. Thank you.

6 MR. EVANS: I would simply say that
7 I'd like to welcome Mr. Whelan to the SSA
8 and also thank Mr. Stone for the great work
9 that he has done as the chair of the
10 Scranton Sewer Authority and for all he has
11 done bringing the Pennsylvania American
12 water deal to the table at this point.
13 That's all I have.

14 MR. WECHSLER: Anyone else? All
15 those in favor of introduction signify by
16 saying aye.

17 MR. PERRY: Aye.

18 MR. ROGAN: Aye.

19 MR. EVANS: Aye.

20 MR. GAUGHAN: Aye.

21 MR. WECHSLER: Aye. Opposed? The
22 ayes have it and so moved.

23 MS. REED: 5-D. FOR INTRODUCTION - A
24 RESOLUTION - AMENDING RESOLUTION NO. 122,
25 2015 (AS AMENDED) ENTITLED "AUTHORIZING THE

1 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
2 TO WAIVE THE RESIDENCY REQUIREMENTS FOR
3 DAVID BULZONI, CITY OF SCRANTON BUSINESS
4 ADMINISTRATOR" BY EXTENDING THE RESIDENCY
5 WAIVER OF CITY OF SCRANTON BUSINESS
6 ADMINISTRATOR, DAVID BULZONI, INDEFINITELY.

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

10 MR. ROGAN: So moved.

11 MR. EVANS: Second.

12 MR. WECHSLER: On the question?

13 MR. EVANS: On the question, first
14 I'd like to preface my remarks by saying
15 that I have nothing but the utmost respect
16 for the job that Mr. Bulzoni has done in his
17 capacity as the business administrator,
18 however, we have a residency requirement, if
19 you like it or not. We gave Mr. Bulzoni a
20 one-year waiver and we gave the
21 administration almost an entire year to find
22 a replacement so I'm certainly disappointed
23 that we have put ourselves in this position
24 again.

25 We can debate the merits of the

1 residency requirement at some point in the
2 near future, that is something that we
3 should do, but that is then and this is now
4 and the decision that is before us could
5 very well have a major impact on the city's
6 present and future financial well being.
7 Mr. Bulzoni is intimately involved in every
8 major initiative that the city is currently
9 undertaking, and it is imperative that we
10 have a seamless transition within the BA's
11 Office if and when the time comes for a
12 transition for a new BA. I will vote to
13 move this along tonight and I will most
14 likely vote for a waiver if I receive the
15 following assurances from the business
16 administrator:

17 Number one, I would like to see that
18 he continues to pay the earned income tax
19 that all Scranton residents pay. And
20 secondly, I would like to see that the BA
21 will actively list his home for sale and
22 will provide council with documentation that
23 his home is, indeed, on the market by the
24 time this legislation reaches Seventh Order
25 and with the sole intent that when his home

1 is sold he will immediately move to the city
2 for the remained of his time as an employee
3 of the City of Scranton.

4 I'm not suggesting these two items
5 be an amendment to the existing ordinance or
6 a condition, it's simply my criteria for an
7 affirmative vote on the legislation. That's
8 all I have for now.

9 MR. GAUGHAN: Yes, on the question.
10 I'll be voting "no" tonight for the
11 indefinite waiver for the business
12 administrator, and let me first echo my
13 colleague's comments that I appreciate the
14 work that Dave Bulzoni has done. I think he
15 has done a fantastic job as business
16 administrator and he has always been open
17 and accessible to council. This whole
18 waiver saga that Mayor Courtright has
19 created in my opinion is completely bizarre.
20 The mayor had originally granted Mr. Bulzoni
21 a waiver with my colleague's approval that I
22 voted against to move into the city by
23 December 31, 2015, and that time has come
24 and gone. Apparently, the mayor has known
25 for months that Mr. Bulzoni was going to

1 leave for another job, yet in a letter dated
2 January 14 to city council said he was just
3 considering utilizing the services of an
4 executive search firm. Why did he wait this
5 long? And now he sends us an indefinite
6 waiver. I mean, in my opinion the business
7 administrator should live in the city and
8 pay taxes in the city and I appreciate
9 Mr. Bulzoni paying the EIT tax but tell that
10 to somebody who pays \$5,000 in property
11 taxes in the city. Granting waivers is
12 sitting a bad precedent in my opinion.
13 Thank you.

14 MR. WECHSLER: Anyone else?

15 MR. PERRY: Yeah, on the question.
16 Again, I haven't been here a heck of a long
17 time, so when this came through I wanted to
18 make sure I did my due diligence and, you
19 know, to echo what Mr. Gaughan and Mr. Evans
20 already said was every time I have asked
21 Mr. Bulzoni to be present or to be available
22 he has been and he also is very, very well
23 respected throughout the community and city
24 hall. I want to make sure, I asked people,
25 I could not with a clear conscious make a

1 vote either way on this with knowing
2 Mr. Bulzoni as short of the time as I did,
3 but I'm confident that he is 100 percent the
4 right person for the job right now.

5 Again, the indefinitely is something
6 that was tacked on to the end that it needs
7 to be seriously considered. Time and time
8 again I hear people say, you know, is this
9 the best Scranton has to offer? Is this the
10 best Scranton has to offer? I personally
11 feel that Mr. Bulzoni is the best Scranton
12 has to offer right now. I will be voting
13 "yes" on this tonight. I believe
14 Mr. Bulzoni is the best of any scenario and
15 is the best person for the City of Scranton
16 right now.

17 MR. ROGAN: Just briefly, I echo
18 much of what has already been said. Earlier
19 this week when this legislation was sent
20 down the first thing I did was I called
21 Councilman Evans because of Councilman Evans
22 being the Finance Chair and working with
23 Mr. Bulzoni in a closer relationship than
24 anyone else has, and we had a good
25 conversation and I think we are on same page

1 with what needs to be done regarding the
2 city's aspect and for Mr. Bulzoni. I do
3 agree that in the future the city can have a
4 conversation regarding the residency
5 requirements for at-will employees only. I
6 agree that now is not the time to have that
7 conversation of a blanket policy, but I
8 agree with much of what Councilman Evans
9 mentioned.

10 And as far as, you know, the timing,
11 from what I understand Mr. Bulzoni was
12 planning on leaving and had a change of
13 heart at the end and I know for one I'm glad
14 that he does want to say and finish the job
15 that he has been doing. At least for my
16 term on council, he is by far the most open
17 business I have dealt with. Every e-mail is
18 returned in a very timely manner. Mr.
19 Bulzoni's performance certainly isn't up for
20 to debate. I think everyone on this board
21 agrees that he does a great job and once
22 this came about I did have calls just this
23 week from members of the business community
24 who worked with Mr. Bulzoni who desperately
25 want to see him stay, but with that being

1 said I concur with what Councilman Evans
2 said and with expertise as the Finance Chair
3 and working with Mr. Bulzoni I think his
4 opinion on this issue here carries a lot of
5 weight at least for myself.

6 MR. WECHSLER: I would just like to
7 add, if this was just a business
8 administrator position I believe that he
9 could find a candidate who could do this
10 job, but Mr. Bulzoni is much more than our
11 business administrator. Mr. Bulzoni has
12 become our financial representative out in
13 the world with great respect given to him.

14 As Mr. Rogan said, I also have been
15 approached by several people in the business
16 community who are not political, but do like
17 what's happening in terms of our finances
18 within the city and Mr. Bulzoni is the
19 person who has been heading up all of those
20 efforts. Mr. Bulzoni is involved in many,
21 many projects because each one of these
22 projects is being evaluated for the
23 financial impact it will have on the city
24 and Mr. Bulzoni is doing that.

25 Mr. Bulzoni is more than the head

1 CEA in this position, so I also will be
2 voting "yes" and I am not on the record as
3 Mr. Rogan stated, I do believe that these
4 cabinet positions should not be subject to
5 the residency clause. Just because there is
6 no security in those jobs they serve at the
7 pleasure of the mayor, and I do think that
8 we could attract perhaps better candidates
9 for a temporary time if they weren't
10 required to live in the city. All those in
11 favor of introduction signify by saying aye.

12 MR. PERRY: Aye.

13 MR. ROGAN: Aye.

14 MR. EVANS: Aye.

15 MR. WECHSLER: Aye. Opposed.

16 MR. GAUGHAN: No.

17 MR. WECHSLER: The ayes have it and
18 so moved.

19 MR. EVANS: I make a motion to
20 suspend the Rules to move Item 5-B to Sixth
21 and Seventh Orders to be considered for
22 final passage based on the attached
23 emergency certificate.

24 MR. ROGAN: Second.

25 MR. WECHSLER: On the question? All

1 those in favor signify by saying aye.

2 MR. PERRY: Aye.

3 MR. EVANS: Aye.

4 MR. GAUGHAN: Aye.

5 MR. ROGAN: Aye.

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

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

9 READING BY TITLE - FILE OF THE COUNCIL NO.
10 8, 2016 - AN ORDINANCE - AUTHORIZING THE
11 MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE
12 CITY OF SCRANTON TO TAKE ALL NECESSARY
13 ACTIONS TO SUBMIT TO THE UNITED STATES
14 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
15 (HUD) THE 2015-2019 ANALYSIS OF IMPEDIMENTS
16 TO FAIR HOUSING CHOICE FOR SCRANTON,
17 PENNSYLVANIA.

18 MR. WECHSLER: You've heard reading
19 by title of Item 6-A, what is your pleasure?

20 MR. ROGAN: Mr. Chairman, I move
21 that Item 6-A pass reading by title.

22 MR. EVANS: Second.

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

25 MR. PERRY: Aye.

1 MR. ROGAN: Aye.

2 MR. EVANS: Aye.

3 MR. GAUGHAN: Aye.

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

6 MS. REED: 6-B - FORMERLY 5-B -
7 READING BY TITLE - FILE OF THE COUNCIL NO.
8 9,2016 - AN ORDINANCE - AMENDING FILE OF THE
9 COUNCIL NO. 95, 2015, AN ORDINANCE, ENTITLED
10 "AMENDING FILE OF THE COUNCIL NO. 79, OF
11 2015, AN ORDINANCE AMENDING FILE OF THE
12 COUNCIL NO. 145 OF 2007 ENTITLED "AN
13 ORDINANCE RENAMING THE EMERGENCY AND
14 MUNICIPAL SERVICES TAX ("EMST") TO LOCAL
15 SERVICE TAX ("LST")" AND BY IMPOSING A
16 WITHHOLDING OF \$52.00 FOR THE CALENDAR YEAR
17 2015 AND THE SAME SHALL REMAIN IN FULL FORCE
18 AND EFFECT ANNUALLY THEREAFTER BY INCREASING
19 THE LOCAL SERVICES TAX WITHHOLDING FROM
20 \$52.00 TO \$156.00 FOR THE CALENDAR YEAR
21 2015, AND PROVIDING FOR AN EXEMPTION FROM
22 TAXATION FOR ANY PERSON WHOSE TOTAL EARNED
23 INCOME AND NET PROFITS FROM ALL SOURCES
24 WITHIN THE MUNICIPALITY IS LESS THAN
25 \$15,600.00 FOR THE CALENDAR YEAR 2015 UNDER

1 AND PURSUANT TO THE LOCAL TAX ENABLING ACT,
2 ACT 511 OF 1965, P.L. 1257, 53 P.S.
3 §6924,101 ET. SEQ., AND THE MUNICIPALITIES
4 RECOVERY ACT, ACT 47 OF 1987, P.L. 246, 53
5 P.S. § 11701.101 ET. SEQ. AND THEIR
6 RESPECTIVE AMENDMENTS, EFFECTIVE RETROACTIVE
7 TO JANUARY 1, 2015. THIS TAX IS EXPECTED TO
8 GENERATE APPROXIMATELY FOUR-MILLION
9 TWO-HUNDRED EIGHTY-SEVEN THOUSAND
10 FIVE-HUNDRED (\$4,287,500.00) DOLLARS IN
11 REVENUE IN CALENDAR YEAR 2015" BY ENABLING
12 THE CITY OF SCRANTON TO CONTINUE TO LEVY THE
13 LOCAL SERVICES TAX AT THE FISCAL YEAR 2015
14 RATE FOR FISCAL YEAR 2016 FOR A TOTAL
15 MAXIMUM LOCAL SERVICES RATE OF ONE HUNDRED
16 FIFTY-SIX (\$156.00) DOLLARS FOR THE FISCAL
17 YEAR 2016 EFFECTIVE RETROACTIVE TO JANUARY
18 1, 2016 AND PROVIDING FOR AN EXEMPTION FROM
19 TAXATION FOR ANY PERSON WHOSE TOTAL EARNED
20 INCOME AND NET PROFITS FROM ALL SOURCES
21 WITHIN THE MUNICIPALITY IS LESS THAN
22 \$15,600.00 FOR THE CALENDAR YEAR
23 2016.(EMERGENCY CERTIFICATE ATTACHED).

24 MR. WECHSLER: You've heard reading
25 by title of Item 6-B, what is your pleasure?

1 MR. ROGAN: Mr. Chairman, I move
2 that Item 6-B pass reading by title.

3 MR. EVANS: Second.

4 MR. WECHSLER: On the question? All
5 those in favor signify by saying aye.

6 MR. PERRY: Aye.

7 MR. ROGAN: Aye.

8 MR. EVANS: Aye.

9 MR. GAUGHAN: Aye.

10 MR. WECHSLER: Aye. Opposed? The
11 ayes have it and so moved. If anyone would
12 like to address Council on this emergency
13 legislation, you may do so at this time.

14 MS. REED: SEVENTH ORDER. 7-A. FOR
15 CONSIDERATION - BY THE COMMITTEE ON FINANCE
16 - FOR ADOPTION - FILE OF THE COUNCIL NO. 7,
17 2016 - AMENDING FILE OF THE COUNCIL NO. 58,
18 2014, AN ORDINANCE ENTITLED "GENERAL CITY
19 OPERATING BUDGET 2015" BY TRANSFERRING
20 \$8,280.00 FROM ACCOUNT NO. 01.401.16090.4299
21 (NON-DEPARTMENTAL EXPENDITURES-UNENCUMBERED
22 EXPENSES PRIOR YEAR OBLIGATIONS) TO ACCOUNT
23 NO. 01.011.00078.4470 (DEPARTMENT OF PUBLIC
24 SAFETY-BUREAU OF FIRE TRAINING AND
25 CERTIFICATION) TO PROVIDE SUFFICIENT FUNDS

1 TO REIMBURSE FIVE (5) CADETS THAT ATTENDED
2 THE HACC ACADEMY FOR FOURTEEN (14) WEEKS.

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

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

9 MR. ROGAN: Second.

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

12 MS. MARCIANO: Mr. Perry.

13 MR. PERRY: Yes.

14 MS. MARCIANO: Mr. Rogan.

15 MR. ROGAN: Yes.

16 MS. MARCIANO: Mr. Evans.

17 MR. EVANS: Yes.

18 MS. MARCIANO: Mr. Gaughan.

19 MR. GAUGHAN: Yes.

20 MS. MARCIANO: Mr. Wechsler.

21 MR. WECHSLER: Yes. I hereby
22 declare Item 7-A legally and lawfully
23 adopted.

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

1 RESOLUTION NO. 4, 2016 - AUTHORIZING THE
2 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
3 TO EXECUTE AND ENTER INTO A CONTRACT WITH
4 TURNKEY TAXES, INC. TO PROVIDE THE CITY OF
5 SCRANTON AUDIT DISCOVERY SERVICES FOR ACT
6 511 TAXES INCLUDING BUSINESS PRIVILEGE AND
7 MERCANTILE TAXES FOR A THREE (3) YEAR PERIOD
8 WITH A ONE (1) YEAR EXTENSION PROVISION.

9 MR. GAUGHAN: I would like to make a
10 motion to table Item 7-B.

11 MR. ROGAN: Second.

12 MR. WECHSLER: There is a motion on
13 the floor and a second to table Item 7-B.
14 On the question?

15 MR. EVANS: On the question, yes, I
16 do have some concerns over this legislation.
17 First of all, as per the recovery plan it's
18 the intent of the city to at least explore
19 the elimination of the business privilege
20 tax and mercantile tax in lieu of a payroll
21 preparation tax. If that is to happen, and
22 it will be most likely be for the 2017
23 budget, in the worst case the 2018 prior to
24 exiting Act 47, the legislation is for a
25 three-year period with a one-year extension.

1 There does not appear to be language which
2 will allow for the termination of the
3 contract if the city shifted the payroll tax
4 and eliminated a need for the service
5 altogether. Effectively, we could be paying
6 for service to search out businesses that
7 would have to be decided to eliminate the
8 tax and shift to a payroll tax.

9 Also, another concern that I believe
10 that while the City of Scranton is paying to
11 drive up the collection rate on the tax, the
12 Scranton School District, which collects a
13 much larger share and is reaping a much
14 larger benefit with no cost to them so I
15 think there should have been a dialogue as
16 to shared costs formulas between the city
17 and the tax and the school district as well.

18 Additionally, it's my understanding
19 that the Single Tax Office is making some
20 progress and strides in their collection
21 rates and we have not heard at all from them
22 and what their position is on this
23 legislation.

24 And, finally, I fundamentally
25 disagree with the idea of searching out

1 poor, beleaguered business owners, rounding
2 them up and forcing them to pay a tax that
3 no one wants and everyone agrees has hurt
4 the business community more than any other
5 single tax and fee. Our goal should be its
6 elimination not its expansion. So I would
7 agree to vote to table while some of these
8 issues are worked out, but I'm not sure I
9 would even agree to vote "yes" on an
10 improved version. So that's all I have on
11 that.

12 MR. GAUGHAN: Yes, on the question.
13 I agree with Mr. Evans. I think this
14 legislation needs to be investigated
15 further. I had a conversation with the
16 Business Administrator today and we both
17 agreed that the program we need to make sure
18 that it's implemented in an equitable way.
19 In other words, as Mr. Evans said, the
20 school district will be reaping the benefits
21 of -- possibly reap the benefits of this
22 program while we are bearing the full cost
23 and burden, so we should have a conversation
24 with the school district to see if we can
25 somehow split the costs and work with them.

1 Thank you.

2 MR. ROGAN: I agree with what
3 my colleagues mentioned and, additionally,
4 many of the questions that were posed still
5 have not been answered regarding how the tax
6 is currently collected, and I have concerns
7 whether the Single Tax Office is the best
8 entity to collect this tax or whether it's
9 something that can be outsourced to a
10 private company like Burkheimer.

11 MR. WECHSLER: I spoke to tax
12 collector Bill Fox today, and just to get an
13 idea on where he is coming from with this
14 legislation and we ended the conversation we
15 had more questions than we are had answers
16 so we are looking for more input from
17 Mr. Fox and also the concerns raised by my
18 colleagues before we move this along. All
19 those in favor signify by saying aye.

20 MR. PERRY: Aye.

21 MR. EVANS: Aye.

22 MR. GAUGHAN: Aye.

23 MR. ROGAN: Aye.

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

1 MS. REED: 7-C. FOR CONSIDERATION
2 BY THE COMMITTEE ON RULES FOR ADOPTION -
3 RESOLUTION NO. 5, 2016 - AUTHORIZING THE
4 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
5 TO EXECUTE AND ENTER INTO A CONTRACT WITH
6 MUNISERVICES, LLC FOR CITY OF SCRANTON
7 ONLINE FINANCIAL DATA PRESENTMENT SERVICES
8 FOR A THREE (3) YEAR PERIOD WITH A ONE (1)
9 YEAR EXTENSION PROVISION.

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

13 MR. ROGAN: Second.

14 MR. WECHSLER: On the question?

15 MR. GAUGHAN: Yes, on the question.
16 Hopefully this clears up some of the
17 speaker's questions tonight about this
18 legislation. I would just like a second to
19 read from the memo from the business
20 administrator the recommendation for this
21 program:

22 The letter says, "The purpose of the
23 request is to provide more transparency and
24 user friendly method of reporting financial
25 information for viewing by both the general

1 public and financial community. We have the
2 various methodologies for financial
3 reporting and a determination was made
4 through the proposal process to provide via
5 a link to the city's website a convenient
6 way to access city budget data in an
7 understandable format.

8 It is important to note that in the
9 city's quest to achieve greater financial
10 stability and recognition from the financial
11 markets, we have received requests to
12 provide greater access to financial
13 reporting on a timely basis. The current
14 method of budget presentation consists of
15 the document offered in a PDF format, which
16 is cumbersome to view and formatted
17 inconveniently for the viewing audience."

18 In the backup legislation, hopefully
19 this answers the question, it says, "The
20 data to be presented includes current year
21 and prior year's expenditures, revenues, and
22 budgeted expenditures and revenues via an
23 easy to use, intuitive flexible graphically
24 oriented system. The software provided as a
25 service is defined as an application or

1 applications hosted by the contractor
2 whereby the city does not take ownership of
3 the software and is, instead, purchasing
4 access to the application via the internet."

5 Thank you.

6 MR. WECHSLER: Anyone else? Roll
7 call, please?

8 MS. MARCIANO: Mr. Perry.

9 MR. PERRY: Yes.

10 MS. MARCIANO: Mr. Rogan.

11 MR. ROGAN: Yes.

12 MS. MARCIANO: Mr. Evans.

13 MR. EVANS: Yes.

14 MS. MARCIANO: Mr. Gaughan.

15 MR. GAUGHAN: Yes.

16 MS. MARCIANO: Mr. Wechsler.

17 MR. WECHSLER: Yes. I hereby
18 declare Item 7-C legally and lawfully
19 adopted.

20 MS. REED: 7-D - FORMERLY 6-B - FOR
21 CONSIDERATION BY THE COMMITTEE ON FINANCE -
22 FOR ADOPTION - FILE OF THE COUNCIL NO. 9,
23 2016 - AN ORDINANCE - AMENDING FILE OF THE
24 COUNCIL NO. 95, 2015, AN ORDINANCE, ENTITLED
25 "AMENDING FILE OF THE COUNCIL NO. 79, OF

1 2015, AN ORDINANCE AMENDING FILE OF THE
2 COUNCIL NO. 145 OF 2007 ENTITLED "AN
3 ORDINANCE RENAMING THE EMERGENCY AND
4 MUNICIPAL SERVICES TAX ("EMST") TO LOCAL
5 SERVICE TAX ("LST")" AND BY IMPOSING A
6 WITHHOLDING OF \$52.00 FOR THE CALENDAR YEAR
7 2015 AND THE SAME SHALL REMAIN IN FULL FORCE
8 AND EFFECT ANNUALLY THEREAFTER BY INCREASING
9 THE LOCAL SERVICES TAX WITHHOLDING FROM
10 \$52.00 TO \$156.00 FOR THE CALENDAR YEAR
11 2015, AND PROVIDING FOR AN EXEMPTION FROM
12 TAXATION FOR ANY PERSON WHOSE TOTAL EARNED
13 INCOME AND NET PROFITS FROM ALL SOURCES
14 WITHIN THE MUNICIPALITY IS LESS THAN
15 \$15,600.00 FOR THE CALENDAR YEAR 2015 UNDER
16 AND PURSUANT TO THE LOCAL TAX ENABLING ACT,
17 ACT 511 OF 1965, P.L. 1257, 53 P.S.
18 §6924,101 ET. SEQ., AND THE MUNICIPALITIES
19 RECOVERY ACT, ACT 47 OF 1987, P.L. 246, 53
20 P.S. § 11701.101 ET. SEQ. AND THEIR
21 RESPECTIVE AMENDMENTS, EFFECTIVE RETROACTIVE
22 TO JANUARY 1, 2015. THIS TAX IS EXPECTED TO
23 GENERATE APPROXIMATELY FOUR-MILLION
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9 TAXATION FOR ANY PERSON WHOSE TOTAL EARNED
10 INCOME AND NET PROFITS FROM ALL SOURCES
11 WITHIN THE MUNICIPALITY IS LESS THAN
12 \$15,600.00 FOR THE CALENDAR YEAR
13 2016. (EMERGENCY CERTIFICATE ATTACHED).

14 MR. WECHSLER: What is the
15 recommendation of the Chairperson for the
16 Committee on Finance?

17 MR. EVANS: As Chairperson for the
18 Committee on Finance, I recommend final
19 passage of Item 7-D.

20 MR. ROGAN: Second.

21 MR. WECHSLER: On the question?
22 Roll call, please?

23 MS. MARCIANO: Mr. Perry.

24 MR. PERRY: Yes.

25 MS. MARCIANO: Mr. Rogan.

1 MR. ROGAN: Yes.

2 MS. MARCIANO: Mr. Evans.

3 MR. EVANS: Yes.

4 MS. MARCIANO: Mr. Gaughan.

5 MR. GAUGHAN: Yes.

6 MS. MARCIANO: Mr. Wechsler.

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

10 Before I'd ask for adjournment, I'd
11 just like to mention that prior to the
12 meeting we did receive a copy of
13 Mr. Bulzoni's real estate contract for his
14 home.

15 MR. EVANS: Great.

16 MR. WECHSLER: If there is no
17 further business, I'll entertain a motion to
18 adjourn.

19 MR. ROGAN: Motion to adjourn.

20 MR. WECHSLER: Meeting adjourned.

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C E R T I F I C A T E

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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