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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, March 31, 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
- KATHY CARRERA, ASSISTANT CITY CLERK
- AMIL MINORA, SOLICITOR

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

3 MR. WECHSLER: Roll call, please.

4 MS. CARRERA: Mr. Perry.

5 MR. PERRY: Here.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. CARRERA: Mr. Evans.

9 MR. EVANS: Here.

10 MS. CARRERA: Mr. Gaughan.

11 MR. GAUGHAN: Here.

12 MS. CARRERA: Mr. Wechsler.

13 MR. WECHSLER: Here. Dispense with
14 the reading of the minutes.

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

16 LACKAWANNA COUNTY PLANNING COMMISSION
17 SUBDIVISION AND LAND DEVELOPMENT EVALUATION
18 REPORTS REVIEWED FEBRUARY 16 AND FEBRUARY
19 18, 2016.

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

22 MS. REED: 3-B. TAX ASSESSOR'S
23 REPORT FOR HEARING DATE TO BE HELD APRIL 6,
24 2016.

25 MR. WECHSLER: Are there any

1 comments? If not, received and filed.

2 MS. REED: 3-C. AGENDA FOR THE BOARD
3 OF ZONING APPEALS MEETING TO BE HELD APRIL
4 13, 2016.

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

7 Do any council members have any
8 announcements at this time?

9 MR. EVANS: I do. As you can see,
10 I'm dressed down today because it's Casual
11 Thursday. In honor of colon cancer
12 awareness, it saves unlimited adult lives so
13 today is Casual Thursday, so it's a program
14 hosted by the Northeast Regional Center, the
15 institute to raise awareness about colon
16 cancer and the importance of screening an
17 early detection. Participants can dress
18 casually while wearing a special shirt,
19 which I'm tonight, or a pin to promote
20 awareness. The event is in memory of Helen
21 Phillips, a woman who fought a courageous
22 battle against colon cancer. I know one of
23 our speakers mentioned it last week and it's
24 very, very important to get screened early.
25 Most of us have been touched by this

1 disease, if not personally then by someone
2 that we know. My mother beat colon cancer,
3 a good friend is certainly fighting the
4 battle and another friend is going for a
5 screening tomorrow and I will be calling my
6 doctor for my screening as well tomorrow.
7 So please keep that in mind and do what you
8 need to do to get detection early, it could
9 save your life. That's all I have. Thank
10 you.

11 MR. WECHSLER: Anyone else?

12 MS. REED: FOURTH ORDER. CITIZENS'
13 PARTICIPATION.

14 MR. WECHSLER: Joan Hodowanitz.

15 MS. HODOWANITZ: Joan Hodowanitz,
16 resident and taxpayer. I'd like to start
17 tonight by marking the passing of a very
18 wonderful man in our city, Sidney Markowitz.
19 Sid died on March 27 at the age of 93.
20 Among his many accomplishments, Sid was the
21 oldest lottery retailer in all of
22 Pennsylvania. Not counting the time that he
23 fought in World War II with the First
24 Armored Division he ran a business in
25 downtown Scranton for over 70 years and he

1 knew everyone who was anybody. If he didn't
2 know you, you were a nobody. He was a
3 wonderful, wonderful man, a scholar and a
4 gentleman and he will be greatly missed.

5 Now, on the subject of the 2014 and
6 '15 audits, I checked at 5 p.m., the 2014
7 audit has not yet been posted on the City's
8 website. I have been trying to get
9 information on the administration's response
10 to the many findings in the 2014 audit, I
11 still have no answer as to where was the
12 audit between March 4, the date it was
13 signed and technically released, and March
14 15, the day it was received in the City
15 Clerk's Office. I requested on March 16
16 appointments with both the mayor and the
17 business administrator to get some answers
18 with regard to the audit and as of today I
19 have not even had the courtesy of a return
20 phone call, which doesn't surprise me, but
21 we will see how many days this will go on.

22 I will remind you that under the
23 Home Rule Charter, Section 13 of Article
24 III, council is to publish a fiscal summary
25 of the audit in a local newspaper. I'm

1 audit.

2 And, finally, the Times published an
3 article "Wolf Rejects Fiscal Code Provisions
4 on March 29," so the LST tax, which is
5 supposed to have been tripled to \$156 is
6 back down to \$52. Has the administration
7 said anything about how they are going to
8 fill that hole if this shortfall cannot be
9 corrected because that's a \$3.35 million
10 hole in projected 2016 operating budget,
11 which we look forward to getting over \$5
12 million when it was \$156. So I will listen
13 to your answers during motions. Thank you.

14 MR. MORGAN: Good evening, Council.
15 First thing is, Mr. Rogan, I would like to
16 give you my condolences for the great losses
17 you have suffered lately personally.

18 MR. ROGAN: Thank you.

19 MR. MORGAN: Like I said before from
20 the podium, I strongly disagree with so many
21 things that happened here, but it's not
22 personal, believe me. Today I have another
23 Right-to-Know letter, okay, and hopefully I
24 will hear something from the last one but,
25 you know, I really think it's time for the

1 residents to understand that these
2 Right-to-Knows, look it, I have filed them
3 before, the city just has no real desire to
4 answer anybody's questions and, you know, I
5 would be curious to know why that is, but,
6 you know, my question today is pretty simple
7 and if the city does give answers I wouldn't
8 mind if they gave them to council and
9 council can inform the residents of the city
10 what the answers to these questions are, if
11 they ever come. My question today is, what
12 was the cost to built the Novembrino pool
13 complex when it was constructed? And where
14 did the funds for this project come from?
15 Okay, now, they are important questions and,
16 you know, I just hope the residents of this
17 city could really understand and get a total
18 grasp of what has occurred in this city over
19 an extended period of time.

20 I mean, today we are talking about
21 streetlights, but you know what we really
22 need to discuss, we need to discuss signs
23 which mark streets because that was a
24 project that was done in the city, and I
25 don't know how long the old signs were here,

1 but they were electrical and some were
2 missing, but I'd assume that they were very
3 old, well, I'd like to ask the residents of
4 this city to drive through the city and look
5 at streets signs that tell you what street
6 you are on, Dorothy Street, Capouse Avenue,
7 whatever, and you will find that a very
8 large majority of them are sun faded, you
9 don't even know what street you are turning
10 on because as the city spent the money they
11 never were concerned with whether things
12 were done right, you know, what the quality
13 of the workmanship was, it was just borrow
14 money, spend money, spread money around to
15 possibly political people who contributed to
16 people's campaigns or friends and what seems
17 to happen over a long period of time is that
18 we have just been fleeced.

19 You know, when you take a look at
20 the sheriffs sales, judicial says, whatever,
21 you know, terminology you want to use we are
22 selling people's properties because, well,
23 you got to pay to play and don't worry about
24 the harm you bring to the tax base and the
25 citizens, don't worry about what the value

1 of their property is. You know, just like
2 the sale of the Scranton Sewer Authority,
3 it's ludicrous, it's just beyond ridiculous
4 to be quite blunt and, you know, I don't
5 know if Mr. Pilchesky is out there tonight
6 and he would be willing to file something to
7 block this, and I brought up Mr. Mulligan
8 last week, you know, it's just reached the
9 point where, you know, you have to ask
10 yourself a couple of the questions, where is
11 our state senator, where are our state
12 representatives, over two decades of utter
13 silliness, you know, asking about audits,
14 and nothing personal, but I really don't
15 think the council understands the Home Rule
16 Charter, I don't think they have any command
17 of that document at all, and I just think
18 that maybe it's time for the residents to
19 understand that what's going to happen after
20 the sale of the Scranton Sewer Authority is
21 we are going to accelerate the decline of
22 the city because all of these vacant
23 properties people can't sell that they are
24 moving out of they are going to get run
25 down, they are going to be blighted, we are

1 going to add them to the blighted properties
2 we already have, we are going add them to
3 the decay we already have, we are going to
4 have a city that's going to possibly still
5 be responsible for the storm collection
6 system and all of the costs tied to that,
7 the borrowing that's going to take place to
8 pay the employees' award instead of cutting
9 the budget over a period of period of time,
10 it's just a nightmare that's evolving here
11 and I don't feel sorry for the residents
12 because they could have changed this but
13 they didn't. Thank you.

14 MR. WECHSLER: Mr. Morgan, that you
15 are going to have file with the
16 Right-to-Know office.

17 MR. MORGAN: Don't you want me to
18 give you those things in writing? Didn't
19 you ask that?

20 MR. WECHSLER: Not Right-to-Know,
21 no.

22 MR. MORGAN: Okay. Well, do you
23 want me to personally write you stuff and
24 notarize it and hand it to you and you can
25 answer it.

1 MR. WECHSLER: If you would like to
2 ask us questions you can present it to us,
3 but if you are doing a Right-to-Know you
4 have to present it to the Right-to-Know
5 officer.

6 MR. MORGAN: Okay. Well, then next
7 week I'll come back and ask you this
8 question personally.

9 MR. WECHSLER: That's fine.

10 MR. MORGAN: Thank you.

11 MR. WECHSLER: Just, Mr. Morgan,
12 just one second, please, I did consult the
13 Right-to-Know person during the week, they
14 have five days to respond. If they do not
15 respond, it's your responsibility to contact
16 the state for a follow up.

17 MR. MORGAN: Thank you.

18 MR. WECHSLER: Albert Young.

19 Mr Bolus, I called Mr. Young.

20 MR. YOUNG: He has some information
21 for you folks. Good evening, council
22 members.

23 MR. BOLUS: It speaks for itself.

24 MR. YOUNG: The reason I'm here
25 tonight is to talk about Meadowbrook Creek,

1 the problem we have had for over 50 years in
2 Greenridge. Now, I asked Mr. Bolus speak
3 briefly for me because I am not a public
4 speaker.

5 MR. WECHSLER: Excuse me, but this
6 is your time, Mr. Young, not Mr. Bolus'.

7 MR. YOUNG: I understand that and
8 that's why I'm speaking now.

9 MR. WECHSLER: And you cannot give
10 your time to him.

11 MR. YOUNG: I don't ask him.

12 MR. WECHSLER: Just so you remember.

13 MR. BOLUS: He can't do what?

14 MR. WECHSLER: He cannot give his
15 time to you.

16 MR. YOUNG: I gave him permission to
17 speak for me, but I am speaking to you right
18 now.

19 MR. WECHSLER: Good.

20 MR. YOUNG: Okay? Thank you. The
21 reason that he is passing these pictures out
22 to you and the letter that I had written it
23 has been over 50 years that we have put up
24 with this creek running through our yard,
25 running through Greenridge and there has

1 been absolutely nothing done by anyone. I
2 have had every state and federal
3 representatives, I have even had past
4 council members in my backyard.

5 Now, this hole right now, you are
6 looking at pictures that were taken last
7 Saturday by Tom Welby, the representative
8 from Marty Flynn's office. The top picture
9 that you are looking at since then the bush
10 that is in the right-hand upper -- or, I'm
11 sorry, the upper left-hand corner fell into
12 the creek. Now, there the hole becomes
13 three feet wider than it is now. If you
14 will notice the car that's in the background
15 I could put that car in this hole, cover it
16 up with steel plates and you would not even
17 know that it's there.

18 Now, this whole thing is storm sewer
19 runoff. It starts up at the old Gould
20 Battery in Dunmore and runs down through the
21 Dunmore cemetery, alongside of the former
22 oral school and goes underground and comes
23 out behind the Greenridge Club.

24 Now, I used to walk this as a kid.
25 Today I wouldn't give my worsen me the first

1 step in any place that you can walk in.
2 Storm sewer runoff has been a plague for us
3 because there is so much water running into
4 that. This conduit originally was six feet
5 in diameter, okay, and it's in the record
6 and I want this -- please, put this into
7 your records so that you all have it.

8 MR. WECHSLER: We will.

9 MR. YOUNG: But the conduit is six
10 feet in diameter, 12 or 14 years ago Fabcore
11 came along and put new conduits in from the
12 Lackawanna River to the 1600 block of Penn
13 Avenue. That was phase one. Phase two was
14 supposed to start two years later and that
15 was 12 or 14 years ago and I have haven't
16 seen phase two yet.

17 Now, let's get real with this,
18 somewhere along the line I know for a fact
19 there are monies available. I have searched
20 it out, everybody tells me there is no
21 money, it's not our problem, it is city --
22 the City of Scranton problem. They turned
23 it over to the Sewer Authority, the Sewer
24 Authority now has the storm sewer runoff
25 area. I would like to have it fixed, and i

1 think 50 years of this nonsense, I'm sorry,
2 is a little bit much to put up with, and I
3 will be glad to answer any questions that
4 you folks have at any time. I am inviting
5 all of you to come out and look at my back
6 yard. I have -- and you will notice the one
7 picture has a little girl in it, it's my
8 next door neighbor, she is six years old.
9 She doesn't even want to walk in here back
10 yard for fear of falling in that hole.

11 MR. WECHSLER: Mr. Young, was Mr.
12 Welby there representing --

13 MR. YOUNG: Marty Flynn.

14 MR. WECHSLER: -- Marty Flynn?

15 MR. YOUNG: Yes. Like I said, I
16 have had Marty Flynn, I have had Tom Welby
17 there, I have had Larry West out, I have had
18 Mike Joansky from DEP out there, Jack
19 Loscombe, former council. Judy Gatelli has
20 been out. I am even going back as far as
21 Jim Doherty.

22 MR. WECHSLER: Has city engineer
23 Pocius been there or DPW director --

24 MR. YOUNG: Mayor Doherty -- Or Mayo
25 Courtright and Pocius have flatly refused to

1 do anything lately.

2 MR. WECHSLER: Excuse me, were they
3 there at all, they have come out?

4 MR. YOUNG: Yes, they have been
5 there in the past but now they refuse.
6 Thank you for the time. I will be willing
7 to answer questions.

8 MR. WECHSLER: One moment, please.

9 MR. EVANS: Could you leave your
10 phone number with Cathy so we could call you
11 so if you want to come out and take a look
12 at it or just show up?

13 MR. YOUNG: The address is 1713 --

14 MR. EVANS: I have your address,
15 your phone number.

16 (Mr. Young gives Ms. Carrera his
17 number.)

18 MR. WECHSLER: We will start on this
19 tomorrow. Bob Bolus.

20 MR. BOLUS: Bob Bolus, Scranton.
21 Well, I'm back by your invitation,
22 Mr. Wechsler, because I really didn't
23 appreciate your attitude last week and I
24 told you I would be back. When I was near
25 the end of my time you hammered me out of

1 order or you continued to insult us. My
2 last two questions were that I wanted to
3 bring out, one was the condolence to
4 Mr. Rogan and his family, and the second one
5 was that Scranton is going to become a
6 battleground for this presidential election
7 and I think we need to clean up our act.
8 Mr. Rogan, I'm sorry I never got to say that
9 last week, but due to the ignorance and
10 arrogance of Mr. Wechsler that wasn't
11 accomplished.

12 You know, I have been coming here
13 for years, and I have dealt with Wechsler
14 personally, on a board, on East Mountain
15 Neighborhood Association, with him, his
16 cronyism and his bullying of people. That's
17 why I resigned from a board. I'm not here
18 to take nonsense from you, I want you to
19 fully get it in your head that you cost a
20 lot of money, you and your cronies, trying
21 to remove containers from my property, and
22 you lost and it's going to continue to cost
23 the city under the appeals a considerable
24 amount of money when you should have been
25 putting your energies for straightening out

1 East Mountain. I have lived there for over
2 25 years, and to be honest with you,
3 Mr. Wechsler, I think are you an absolute
4 disgrace, you are a bully and I don't
5 appreciate that. I don't appreciate your
6 attitude last week, and the councilmen here
7 shouldn't have to put up with your nonsense
8 and your dictorial-type attitude, we elected
9 them to speak on their own and they should
10 be able to answer questions from the public.
11 That's your responsibility, and each and
12 every one of you are cowardless to sit and
13 have one person speak to you then you should
14 all walk out this door. We didn't bring you
15 here to be puppets to a dictator. We didn't
16 bring you here to be bullied and we didn't
17 come here to be bullied by either of you, we
18 came here to listen to you, bring you ideas
19 and try and straighten out a city that's a
20 total disaster because of the incompetence
21 and the mismanagement.

22 You people want to turn around and
23 sell the Sewer Authority, borrow money to
24 pay off pensions, you spent over \$70 million
25 over a period of time. You are going to

1 burden everybody in this city. The problem
2 with you is there is no thinking, there is
3 no consistency, you are letting a banker
4 dictate the city, bankers put people out
5 business and he is putting the city out of
6 business.

7 You are going to sell the authority,
8 pay your debt off to the pensions, and then
9 learn how the hell to run a business in this
10 city. Learn to cut your costs, learn to
11 live within your means. Right now five
12 people and this mayor are destroying the
13 City of Scranton and it's integrity.

14 You have an attitude issue,
15 Mr. Wechsler, and you better straighten it
16 out because I don't take kindly to it, I
17 don't come here to insult you, but I will be
18 darned if you are going to continue to
19 insult me and the other people. You may
20 think we have to bow down to you, but that's
21 not going to happen, this isn't East
22 Mountain.

23 My own personal opinion you should
24 resign or you four people should remove him
25 as president and put somebody in there that

1 respects the people in this audience and the
2 people in this city, and that's what it's
3 about. You may not like me, I personally
4 don't care. You work for me, I don't work
5 for you, and remember the attitude you had
6 before, you were like I see no evil, I speak
7 no evil, I heard no evil. You brought
8 illegals into this city. You stood back and
9 let it happen and stood there and said, "I
10 knew nothing."

11 You were you one of the three
12 monkeys and you should get the heck out of
13 this board because I'm not going to tolerate
14 you any longer and neither is anybody else,
15 and neither should you guys. You are not
16 puppets. Act like grown men and run the
17 city like you should and when we come here
18 and ask you a question stand up like men and
19 answer it. Thank you.

20 MR. WECHSLER: Thank you, Mr. Bolus.

21 MR. BOLUS: Don't thank me. I don't
22 want nothing from you.

23 MR. WECHSLER: Doug Miller.

24 MR. MILLER: Good evening. Doug
25 Miller, Scranton. First, on a non-political

1 issue, Pat, I do want to offer my
2 condolences to you and your family. I'm
3 very sorry for your loss --

4 MR. ROGAN: Thank you.

5 MR. MILLER: -- and your family. You
6 know, just some of the things that went on
7 earlier tonight, you know, listening to
8 Mr. Morgan come forward, someone who has
9 been coming here a long time, probably
10 longer than anybody seated -- well, without
11 a doubt longer than anybody seated on that
12 council and, you know, when you set a
13 precedent that you want things in writing,
14 whether it's Right-to-Knows or we are going
15 to pen you a note and give it to you,
16 Mr. Wechsler, you know, I just think your
17 ignorance and your arrogance at this point
18 is totally repulsive, and you were elected
19 to represent the residents of this city and
20 if you can't get off your rear end and get
21 an answer to a question then you don't
22 belong here.

23 I listen to with your little gavel
24 and your little toy like you are Hitler, you
25 want to run this like a dictatorship, I

1 mean, quite frankly, I'm not going to
2 tolerate it and I know a lot of other people
3 won't because the way we handle people like
4 you is come next election we will vote you
5 out and chances out that will probably
6 happen because you've got nothing to
7 contribute to this city, you are a bully,
8 you have carried the water for
9 administration from day one, you are not
10 your own person. Your records speaks for
11 itself. I mean, not only the illegals, I
12 mean, maybe we can bring some illegals in if
13 we need help getting the answers to
14 questions. I could see why we need to build
15 a wall. Maybe Mr. Trump needs to come have
16 a discussion with you. There is just total
17 incompetence in this city from all of the
18 way down that's gone on for decades.

19 Selling the Sewer authority is
20 asinine. It just goes to show that we have
21 stupid people running our city government,
22 completely stupid people. Just total
23 stupidity from the top down but, you know,
24 at the end of the day the residents of this
25 city went out and they voted and they

1 elected you guys. Don't get me wrong, there
2 are a hand few of people who have the right
3 intentions, but the majority of the people
4 we elect they are in it for themselves. You
5 know, somebody talked about where our state
6 legislators are, I know we see them when
7 they need your money, when they need to play
8 a little cronyism game when it's election
9 time, like, right now is when you see them.
10 It's nice to go out and clean up graffiti
11 and collect jackets and play the game.
12 Ridiculous. We need leadership.

13 To borrow money and continue to bury
14 this city with more debt that the residents
15 of this city can't take on anymore is just
16 completely just ludicrous and it just goes
17 to show how incompetent the people in this
18 city are. You know, Mr. Courtright with all
19 due respect to him he is incompetent. He is
20 not a leader, he is a hack and we need
21 independent people in this community and we
22 need it now.

23 You are selling the Sewer Authority,
24 allegedly getting 90 some million for it,
25 and yet you are going to go borrow 30

1 million and you are not even calculating all
2 that interest and everything else that the
3 fees and the God only knows what else, the
4 lawyers and the bankers are going to make
5 with this, and it's a large transaction. I
6 mean, this is a big number and you are
7 kicking the can down the road. I know the
8 mayor want to say you are not, but you are,
9 but -- well you are not smart enough to
10 realize that and make those stupid comments,
11 but you are continue to punish the residents
12 of this city and they have had it. People
13 are leaving. "For Sale" signs go up every
14 day. There is no opportunity. You have got
15 a ghost downtown. You have got federal
16 money that's been pumped in the downtown for
17 decades and nothing to show for it. Nothing
18 has been invested in the neighborhoods. We
19 blame landlords, we blame homeowners, but we
20 are not blaming anybody but the right
21 people, the elected officials, who year
22 after year raise your taxes, mismanage your
23 money, borrowing to get yourself out of debt
24 and we wonder why we are in the situation we
25 are today.

1 People are disgusted, they have had
2 it. They are tired of being lied to, and I
3 just think you are going to see some real
4 major changes take place nationally and I
5 think locally next year because I want to
6 believe that people are starting to smarten
7 up and starting to see and they are going to
8 go out and make wise choices, but I
9 challenge the residents of this city to get
10 up and start educating themselves on who
11 these candidates are, who they really
12 represent because they are not protecting
13 our interests, that's for sure because the
14 city wouldn't be bankruptcy and that's where
15 we are.

16 We have to stop lying to yourselves
17 and thinking that these, you know, make
18 believe plans of the selling off assets, and
19 borrowing money and all of these one-time
20 revenue sources, all of this make believe is
21 going to solve this city's problem because
22 it's not. You are just going to continue to
23 worsen the problem. You are putting a
24 Band-Aid over a hemorrhage and it's getting
25 to the point now where this city has been on

1 borrow \$70 million when you are going to get
2 \$95 million from the sale of the Sewer
3 Authority and if you use 30 some of that
4 million you would be able to save the City
5 of Scranton \$30 million? How does that make
6 sense? If I was a thief I know how it would
7 make sense.

8 MR. ROGAN: I can answer that one.
9 The Sewer Authority deal is far -- is far
10 from a done deal. There are a lot of
11 regulatory items that need to happen through
12 the Sewer Authority sale to go through,
13 including the PUC, which is completely out
14 of our hands, but the fact remains if we
15 don't pay this award interest is growing at
16 the rate of around \$100,000 per month, so
17 even if it were in December we would be
18 paying -- it's April now so we would paying
19 another \$800,000 in interest to the unions.

20 MR. SBARAGLIA: Tell me how long
21 would it take to pay off \$30 million?

22 MR. ROGAN: It depends on how --

23 MR. SBARAGLIA: With interest? The
24 Sewer Authority isn't going to take another
25 ten years to settle.

1 MR. ROGAN: Well, it could --

2 MR. SBARAGLIA: You are not kidding
3 me. I know why it's happening. I know
4 what's happening now. You got a lot of
5 contracts you want to do. So you are going
6 to borrow the money, give a lot of money out
7 in contracts to a lot of different people
8 and then you are going to walk away and
9 leave the residents of Scranton stuck with
10 the loss of all of the money, the \$95
11 million from the Sewer Authority and a lot
12 of debt. This is what you are doing. Don't
13 give me anything else.

14 I asked your man there how long it
15 would take even for lighting to pay off, he
16 said it was 9.1 years. Scranton doesn't
17 have 9.1 one years to wait. You are going
18 to squander the money, I know. You have all
19 intentions of doing it because nobody in
20 their right mind would entertain borrowing
21 \$70 million when you know you have 95
22 million coming. You can probably get a loan
23 on that 95 million very easily. A lot less
24 of short-term loan.

25 So don't give me this bill. I know

1 finances, I know what a dollar means, I have
2 been coming here a long time watching you
3 go. You don't like blame. You never found
4 out why we had to pay off all of that
5 revenue to the Parking Authority, why we
6 guarantee their loans when we know the
7 parking garage couldn't pay for themselves?
8 You knew that and you weren't there, but
9 they knew it and didn't care because a lot
10 of people made a bundle of money on that
11 deal. All you have to do is look at where
12 the contribution went and who got the
13 contracts. This is what you are doing
14 again.

15 Now, if you want to run this thing
16 like a mafia very good then do it like a
17 mafia. Just say we are going to do
18 everything we can for ourselves and the heck
19 with the rest of you, like the mafia would
20 do it, but at least I would have respect for
21 you because you are saying it up front. I
22 thank you.

23 MR. WECHSLER: Thank you. Anyone
24 else?

25 MS. SCHUMACHER: Good evening.

1 Marie Schumacher. First, two quick items on
2 the agenda, maybe during motions you could
3 tell us how many people we are going to have
4 to hire to maintain this grant for the
5 Novembrino pool. You seem very good at
6 spending money but not so good at cutting
7 money. And, also, on 7-C and 7-D I would
8 like to know what is the source, intended
9 source of the funds to comply with those
10 memorandums.

11 And then I'd like to switch over, I
12 watched a quick clip of the mayor talking
13 about the sale of the Sewer Authority and
14 what was going to happen to the \$95 million
15 windfall, I want to read to you from your
16 own and his revised recovery plan that you
17 all voted on last year. "Conversion of
18 Assets, Scranton Sewer Authority. The city
19 shall continue discussions with the Scranton
20 Sewer Authority board to determine a
21 meaningful and substantive process that will
22 provide the city with a significant source
23 of funds or a continuing revenue stream that
24 shall be used to reduce the unfunded
25 liability of city pension funds."

1 So maybe only citizens read it, but
2 that's where we got the idea, Mr. Mayor, and
3 Board, if you don't understand that of where
4 it comes from. And then I would like to
5 remind you a man by the name of Henry
6 Amoroso showed up here a couple of years ago
7 and at that time, about that time, this is
8 from a news article August 25, 2010, at
9 Newark. "Desperate to close an \$83 million
10 deficit Newark plans to sell one of the last
11 assets it has remaining itself one municipal
12 building at a time. Police precincts, fire
13 houses and office buildings are being eyed
14 for a sale tat city council hopes will
15 generate \$50 million. Newark council
16 proposed to sell the city property is
17 expected to generate \$50 million, cost \$60
18 million in the long-term. Mayor Corey
19 Booker's office would not provide a list of
20 the properties being considered, but Amoroso
21 said the buildings had to be in reasonably
22 good condition and the city had to be the
23 tenant."

24 Let's fast forward to August of 2014
25 talking about their 2015 budget. "The state

1 threatened to take over Newark's finances
2 this spring when the city missed several
3 deadlines with the state official referring
4 to the City's extraordinary level of fiscal
5 distress."

6 So they sold everything and now they
7 are going to hold their hands some place
8 because they don't have it to sell anymore
9 and they are not in any better shape, and
10 possibly worse because they have got a
11 serious water problem. I did attend the
12 special meeting of the Sewer Authority
13 Monday evening and one of their solicitors
14 made it clear that I couldn't ask questions,
15 although, I did and I asked the members of
16 the board who were from the City of Scranton
17 to vote against it because I said I didn't
18 think we had the funding to deal with the
19 storm water. I first asked if the MS4
20 permit was being transferred to the Sewer
21 Authority because I know a private entity
22 cannot hold a MS4 permit, no, but -- and I
23 said I don't think we have the money to buy
24 all of these assets and all of the things
25 that have to be done and the people and I

1 was told that they were going to transfer
2 some piece of equipment and they were going
3 to give us some assistance. Well, guess
4 what? I have been asking about the Storm
5 Water Authority because that also, I might
6 add, is in your -- that is one of mandates
7 from the 2015 revised recovery plan was to
8 seek an Act 47 grant in the amount of
9 approximately \$35,000 to review the
10 feasibility of the creation of a Storm Water
11 Management Authority.

12 It goes on, you all have copies, I'm
13 sure you can read it, but I was perusing the
14 agreement, the purchase agreement, and guess
15 what I found? Back on page -- may I read
16 it?

17 MR. WECHSLER: Go ahead.

18 MS. SCHUMACHER: Thank you. Section
19 7.08, Operation and Maintenance of the MS4F
20 system. I will go down to the second
21 paragraph since I have run out of time, but
22 it says, "Community based public private
23 partnership approach for the integration of
24 the MS4 system and the system being
25 purchased."

1 It doesn't say being purchased. It
2 just says a system, but it's a system being
3 purchased. "Following the closing, buyer
4 shall cooperate with the City and the
5 Borough and use commercially reasonably good
6 faith efforts to evaluate the feasibility
7 and develop a mutually acceptable plan for
8 financing, management and operation of the
9 MS4 system in a manner that is consistent
10 with a community based public private
11 partnership approach describing Section 6 of
12 the buyer's response to the request for best
13 and final offers for the purchase of the
14 seller's sewer system and sewage treatment
15 works as dated as of October 5, 2015, and in
16 compliance with the applicable law."

17 So they have had plans all along and
18 I'm sure some of you know it, and I have
19 requested under the Right-to-Know that
20 Section 6 of the buyer's response so I can
21 get more information, but I have lots of
22 tabs, I suggest you all get a copy and read
23 it because there are a number of, shall we
24 say, surprises in here, things like
25 variances and --

1 MR. WECHSLER: Thank you.

2 MS. SCHUMACHER: Thank you.

3 MR. WECHSLER: Anyone else?

4 MR. DOBRZYN: Good evening, Council.
5 Dave Dobrzyn, resident. Now, first I'd like
6 to express my condolences with Pat, your dad
7 is only a couple of years older than me.

8 MR. ROGAN: Thank you.

9 MR. DOBRZYN: But maybe I shouldn't
10 be worried about the future as much as I do,
11 huh? I'm being presumptuous. You know, a
12 certain person magically appears every time
13 that we have a 78 percent tax hike on the
14 table or some negative effecting the need
15 for it, and I finally figured out what
16 Mr. Ellman means by penny nonprofits, and I
17 have a friend up valley who is an attorney
18 or a friend, acquaintance, we don't roast
19 chicken on each others lawn, but he claims
20 that in many of these institutions salaries
21 eat up most of the money they are granted.

22 And last week, I guess it was, I saw
23 this in the paper that we are considering a
24 smoking ban on the parks. Well, first of
25 all, I think that any kind of ban taken in

1 consideration that somebody may be a hundred
2 feet away from a playground I would invite
3 them to produce the studies than could
4 actually it's pseudo science. They are just
5 clumping a whole bunch of incidences into
6 one thing, and the point being that we are
7 paying taxes for 30 parks so I'll make a
8 deal with you, either keep the smoking ban
9 reasonable, like, out of playgrounds and so
10 forth, or you could put Wayne to work and
11 parcel it off and sell the property, or you
12 could ban me from going into the park, and I
13 have a desire to quit smoking myself, but
14 it's the principle, it's the principale, and
15 if I get caught in the park you give me the
16 tax break based on the percentage of my
17 taxes that are going to the park, and if I
18 get caught inside of the park you can arrest
19 me for trespassing, except for St. Cats
20 because I have already donated a lot of food
21 to them and I'm on my third cat this week
22 for feral cats from the neighborhood. I got
23 about five more to go, so think about it
24 that, that's about \$250 or better and that's
25 not counting the gifts that I give them.

1 So, you know, and as far as creating
2 a civil or semi-criminal penalty because the
3 city doesn't legislate criminal penalties we
4 have burglaries, we have fights, street
5 fights, we have domestic violence in the
6 paper, every day you pick up the paper and a
7 couple of people busted for dealing serious
8 drugs every week. You know, I don't want a
9 heroin addict breaking into my house and
10 robbing me when I'm out, you certainly
11 wouldn't be successful if I were home, take
12 my word for it, but how much, you know, are
13 we going to distract the police from. I
14 want them riding around unmarked cars even.
15 Give them a couple of pennies to use their
16 own car and go around the neighborhoods and
17 see what they can see because that police
18 car stands out like a sore thumb. When we
19 are kids and drinking beer and riding around
20 we could see that bubble gum machine a mile
21 away behind us, we knew to cut it, you know,
22 or make a turn.

23 And on these bonds how much is too
24 much? I don't want a lot of money floating
25 around that isn't accounted for or doesn't

1 have a purpose, and I'm sad to say, you
2 know, 99 percent of the people on the public
3 safety unions are great people, but I have
4 to question their union leaders. I think
5 they just seem to be obsessed with how well
6 they can win and they don't have any
7 concerns for the city.

8 And then with parks and such, kids,
9 I mean, don't get irrational. If you have
10 one kid you double your carbon footprint,
11 you incur a great deal of tax liability on
12 people fro educating them and so forth.
13 Christmas, I could taste the exhaust gas at
14 the park on Christmas time, I don't go up
15 there.

16 MR. WECHSLER: Thank you,
17 Mr. Dobrzyn.

18 MR. DOBRZYN: You know? So thank
19 you and please keep it into consideration.
20 Nobody should smoke inside of a playground,
21 but a hundred feet away, you know, you are
22 being a bad example, but nobody said I was
23 ever going to perfect you, you know,
24 especially my wife.

25 MR. WECHSLER: Thank you.

1 MR. DOBRZYN: Have a good night.

2 MR. WECHSLER: Anyone else?

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

4 MOTIONS.

5 MR. WECHSLER: Mr. Perry?

6 MR. PERRY: Yeah, I'd want to speak
7 to something that Mr. Morgan said earlier,
8 and that's something that I noticed just the
9 fading or missing street signs that we have
10 out there. It seems like there is a lot. I
11 know I lived in the city my whole life and
12 I'll be in parts of the city where I'm kind
13 of confused because there is no signage.
14 What I would like to see if it's possible is
15 the account we have set up right now that we
16 are using the PLCB funds for to replace
17 faded stop signs, which I think is
18 absolutely a priority, if we can maybe roll
19 that account over next year or once all of
20 the stop signs are replaced and use that
21 money to start replacing street signs in the
22 city, if that's possible. That's my
23 suggestion on that and that's all I have.

24 MR. WECHSLER: Mr. Rogan?

25 MR. ROGAN: Thank you. I would like

1 to thank everyone for their kind words over
2 the last week. Last week has been very
3 difficult for myself and my family losing my
4 dad on the 22nd and my grandmother on the
5 29th of this month, so I just want to thank
6 you to everyone who called, messaged, said a
7 kind word, it really meant a lot to myself
8 and my family. It does feel good to be back
9 at city council, get back to work and get my
10 mind focused on helping the city and get my
11 mind off of some of the other things that
12 have been going on.

13 Two items, and I will address the
14 Court award when it comes up for a vote, two
15 items that I wanted to bring up now and I
16 know Councilman Wechsler may have addressed
17 this in the caucus, the gypsy moth issue
18 that came up last year we did receive
19 notification from the county that they will
20 be doing sprayings, and looking at the map
21 it's primarily in the East Mountain area,
22 the West Mountain area and the more rural
23 parts of the city where you have more trees.
24 If you remember last year I talked, and some
25 of my colleagues spoke at length about this

1 issue, and in Luzerne County they were hit
2 even harder than we are in Lackawanna
3 County, but the notice that we received that
4 they will be spraying insecticide to combat
5 the gypsy moths. It says, "The insecticide
6 has no known adverse human health or
7 environmental impacts."

8 But it also says, "To avoid the
9 possibility of eye irritation persons should
10 not look up as the spray droplets are
11 descending. They are sprayed approximately
12 50 feet above the treetops."

13 And this will done some time in May.
14 It says, "If eye irritation does occur, an
15 eye wash should be used and a family
16 physician consulted. If the spray material
17 gets on the skin, soap and water are
18 sufficient to remove it."

19 So take that for what it's worth
20 there are no side effects, but can't cause
21 side effects, so that's spraying will be
22 taking place primarily in the East Mountain
23 and West Mountain sections of the city and
24 through other areas throughout the county
25 and the region.

1 children, elementary and maybe middle
2 school, but also with the pavilion,
3 renovated park buildings, nice grass areas
4 and the complex with the baseball fields
5 right below this could be a great project
6 that will truly revitalize that section of
7 West Scranton and bring back activities,
8 healthy activities for children to do in the
9 West Scranton neighborhood.

10 One of the things that has always
11 aggravated me the most the time when the
12 Novembrino complex has been closed is that
13 West Scranton is the largest portion of the
14 city. There are more people that live in
15 West side and West Mountain than any other
16 single section in the city and there wasn't
17 a pool. There wasn't a recreation, a summer
18 recreation for young kids to cool off, play.
19 I think this proposal will really tie in,
20 something for the younger children and right
21 below you have the baseball fields for the
22 older children as well, so I think this will
23 be a home run for West Side and for the city
24 as a whole.

25 That is all I have for now. Like I

1 said, I will address the agenda items as
2 they come up. Thank you.

3 MR. WECHSLER: Thank you.

4 Mr. Evans?

5 MR. EVANS: I have nothing at this
6 time, I'm going hold off for agenda items
7 and discuss those a little bit more.

8 MR. WECHSLER: Thank you. Mr.
9 Gaughan?

10 MR. GAUGHAN: Yes, thank you, just a
11 few things. Just a reminder that the
12 Central Scranton Expressway will be closed
13 on the weekend of April 22nd to April 24,
14 the date was moved back. There will be
15 alternate lane closures on Interstate 81 to
16 modify overhead signs and the work being
17 done on the Expressway will include paving
18 and the installation of flexible posts on
19 the double yellow line that separates
20 inbound and outbound lanes so please prepare
21 for that closure.

22 I received a request this week for a
23 four-way stop sign at the intersection of
24 Cedar Avenue and McDonough Street in
25 Minooka. In the area of Birney avenue and

1 McDonough Street, there is little to no
2 visibility when attempting to pull out when
3 traveling east on McDonough Street.

4 Recently signage that reads "No Parking From
5 Here To Corner" was installed but it isn't
6 being adhered to according to the residents
7 in that area so we have notified civilian
8 parking enforcement and Chief Graziano so
9 hopefully that issue will be taken care of
10 in Minooka.

11 Another issue is the pave cuts on
12 Cedar Avenue, they are absolutely atrocious.
13 I received numerous complaints from
14 residents in Minooka about that. We did
15 send correspondence to the pave cut
16 inspector asking if that road was going to
17 be paved by whatever company ripped it up so
18 we will be waiting for a response on that.

19 An update on the Young Lungs
20 Program, and city council partnering with
21 the American Lung Association. That
22 legislation is currently in the Law
23 Department and the city solicitor is
24 reviewing it so hope to see that soon. You
25 know, this is legislation that I really look

1 forward to getting down to city council and
2 passing. I'm a big believer in banning
3 smoking in play areas in parks. You know, I
4 don't think that we should forget that
5 tobacco is the only consumer product that
6 actually kills the consumer, so I don't
7 think as somebody who is has a seven-month
8 old that we should have smoking in parks
9 around children. We need to keep our parks
10 clean and healthy places to play in the City
11 of Scranton, and that is all I have for this
12 week. Thank you.

13 MR. WECHSLER: Thank you,
14 Mr. Gaughan. Just a few items, just to
15 touch on the Right-to-know requests,
16 Right-to-Know requests can't be filed at the
17 city council. Requests for information can
18 be filed at city council, but Right-to-Know
19 requests cannot be filed at city council.
20 Right-to-know requests are responded to only
21 to the person who requests the answers so if
22 a Right-to-Know request is filed it is
23 answered to the person who makes the request
24 and does not come to city council.

25 If the Right-to-Know request is

1 refused, it's up to the petitioner to
2 contact the state open records to have them
3 investigate why the Right-to-Know was not
4 answered so each citizen has a right to file
5 a Right-to-Know and there is a process to be
6 followed, and to me I'm a big believer in
7 process, process means everybody is treated
8 the same, and I think for people that don't
9 consider us getting the answers for them
10 they do all always have the right to proceed
11 with the Right-to-Know requests.

12 Part of the thing that comes up
13 constantly here at city council is the
14 status of the audit and the process of the
15 audit. This week we pulled out the contract
16 with the audit company that we are going to
17 review to see what, if anything, city
18 council can do to get involved in that
19 process to be provided a timeline or be
20 updated more consistently with the
21 information so we are working on that with
22 our solicitor.

23 We also contacted the city treasurer
24 to find out the status of the liens that
25 have been -- the lien process has started

1 for collection of the garbage fees and we
2 are checking with him and with the city
3 solicitor as to where we are in the lien
4 process.

5 To follow-up on Mr. Rogan's comments
6 about the Novembrino pool complex, as was
7 mentioned before I did attend the meeting of
8 the West Scranton Neighborhood Association
9 when this plan was first announced and
10 described to them and there was a great
11 sentiment not have a swimming pool in that
12 area anymore. There is sentiment to have a
13 green space, which is sorely needed there
14 instead of the concrete slab, and also as
15 Mr. Rogan pointed out I think this ties in
16 nicely as time goes on with the baseball
17 field to create a green space recreational
18 area in West Scranton.

19 I would also like to thank Chief
20 Graziano, we hear a lot of bashing of
21 neighborhood associations here, a few weeks
22 ago there was a meeting of the Oakmont
23 Resident's Association, the Oakmont
24 residents listed some complaints that they
25 had concerning stop signs, traffic signs,

1 and also the people running stop signs in
2 their neighborhood. Chief Graziano did
3 supply a car, an officer and there were
4 several tickets written while they were
5 there and the neighbors greatly appreciated
6 the chief and the department's efforts
7 curbing speed in that area. And that's all
8 I have right now.

9 MS. REED: 5-B. FOR INTRODUCTION -
10 A RESOLUTION - AUTHORIZING THE MAYOR AND
11 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
12 AND APPLY FOR A GRANT THROUGH THE
13 COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF
14 CONSERVATION AND NATURAL RESOURCES (DCNR) IN
15 THE AMOUNT OF \$295,035.00; IF THE
16 APPLICATION IS SUCCESSFUL, ACCEPTING AND
17 DISBURSING THE GRANT FUNDS FOR NOVEMBRINO
18 PARK REHABILITATION IN THE CITY OF SCRANTON.

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

22 MR. ROGAN: So moved.

23 MR. EVANS: Second.

24 MR. WECHSLER: On the question?

25 MR. ROGAN: Yes, just some

1 additional information. The total cost of
2 this project is \$585,000 to be funded as
3 follows: \$220,000 from OECD, CDBG funding,
4 \$50,000 from the city's general fund, and
5 \$20,000 from the Scranton Sewer Authority,
6 that is in addition to this grant as well.
7 The improvements will include a new splash
8 park, renovations to the pool house for a
9 community activities center, office space
10 and new restrooms. The adult pool, as
11 mentioned, will be converted to an
12 amphitheater and open lawn space with a
13 paver patio and seated area, demolition of
14 the existing bathhouse and old fencing, and
15 then the splash pad again and for the
16 younger children. The Sewer Authority
17 agreed to partner by incorporating green
18 infrastructure into the design to reduce the
19 storm water impact. So, as all of us
20 mentioned, we are very excited about this
21 project.

22 MR. EVANS: On the question, I would
23 also like to recognize McLaine Associates, a
24 Scranton-based architectural landscape firm
25 for their innovative work at the Novembrino

1 complex.

2 MR. WECHSLER: Anyone else? All
3 those in favor of introduction signify by
4 saying aye.

5 MR. PERRY: Aye.

6 MR. ROGAN: Aye.

7 MR. EVANS: Aye.

8 MR. GAUGHAN: Aye.

9 MR. WECHSLER: Aye. Opposed? The
10 ayes have it and so moved.

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

12 MR. ROGAN: I move that Item 6-A.
13 READING BY TITLE - FILE OF THE COUNCIL NO.
14 19, 2016 - AN ORDINANCE - CREATING AN
15 ABANDONED PROPERTY REGISTRY AND PROVIDING
16 FOR THE REGISTRATION OF ABANDONED REAL
17 PROPERTY IN THE CITY OF SCRANTON.

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

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

22 MR. EVANS: Second.

23 MR. WECHSLER: On the question?

24 MR. EVANS: On the question, first
25 of all I'd like to say that a recent news

1 article did not say this, but Councilman
2 Rogan deserves most of the credit for this.
3 He got the ball rolling and brought the
4 company that is going to be doing this to a
5 caucus and beyond that point we worked
6 together with all of us to further the
7 concept of what to do with the money and how
8 the money will -- the money derived from
9 this account will be used.

10 The company engaged will register
11 abandoned, foreclosed properties. They will
12 charge the banks and financial institutions
13 \$200 to register. 100 will going to the
14 city and 100 will go to the company for each
15 property registered. It is estimated that
16 there are approximately 350 properties
17 fitting this description in the City of
18 Scranton. This will help the License and
19 Inspections Department because they can now
20 quickly respond to complaints on those
21 abandoned properties owned by the banks,
22 previously proving to be labor intensive and
23 sometimes almost impossible to break through
24 the corporate layers of many of the larger
25 banks to reach anyone that would be

1 responsible for the upkeep of the property.

2 This creates a problem for the
3 neighbors who have to deal with unsightly
4 property in the neighborhood and once the
5 program is instituted this will also have
6 the contact data and location of all
7 foreclosed properties throughout the city.

8 Additionally, the estimated revenue
9 of \$35,000 annually will be used to set up a
10 program to help first time homebuyers buy
11 property in the city and use grants of up to
12 \$5,000 to improve the exterior of the new
13 home among other options. This program,
14 which we expect to be managed by a third
15 party will increase home ownership, improve
16 property values in the neighborhoods and
17 eliminate blight and not on one taxpayer
18 dime. That's all I have for now.

19 MR. ROGAN: Thank you, Councilman
20 Evans, and as you mentioned this took a lot
21 longer than we hoped to get the ball
22 rolling, but there is also some work credit
23 to go to State Representative Marty Flynn
24 did get me in touch with the representatives
25 so he deserves the thank you as well, and

1 then also to you, Mr. Evans, for taking a
2 good idea and making it a great idea by
3 parlaying it, you know, for the first time
4 homebuyers program that we are still working
5 on, but very anxious to roll that out and it
6 will be much less limited to the current
7 OECD first time home buyers program that
8 isn't being used the way we would like, and
9 I'd also like to thank the mayor and Dave
10 Bulzoni for agreeing to go along with us
11 with this issue.

12 MR. WECHSLER: On the question for
13 myself, just to repeat, one of the largest
14 complaints that we hear at neighborhood
15 association meetings is the inability to
16 contact owners of foreclosed properties. I
17 have heard it from several different police
18 officers that are experienced in this that
19 they are -- the trail is layered in order
20 for the owner not to be found so this will
21 be a great tool for us to do that.

22 I also would like to echo Councilman
23 Evans' compliments to Councilman Rogan and
24 the entire council because this was a
25 council initiative. This is something that

1 came out of our chambers, agreed to by the
2 Business Administrator and Mayor Courtright
3 and it's something that you can see that
4 there is a sharing of ideas back and forth
5 between the administration and council for
6 successful programs for the city.

7 All those in favor signify by saying
8 aye.

9 MR. PERRY: Aye.

10 MR. ROGAN: Aye.

11 MR. EVANS: Aye.

12 MR. GAUGHAN: Aye.

13 MR. WECHSLER: Aye. Opposed? The
14 eyes have it and so moved.

15 MS. REED: 6-B. READING BY TITLE -
16 FILE OF THE COUNCIL NO. 20, 2016 - AN
17 ORDINANCE - CREATING AND ESTABLISHING A NEW
18 BANK ACCOUNT FOR THE CITY OF SCRANTON'S
19 OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT
20 ("OECD") TITLED EDA SEQUESTERED FUNDS AWARD
21 #013903140 ACCOUNT NO. 20A0101 FOR THE
22 DEPOSIT OF SEQUESTERED FUNDS AS REQUIRED BY
23 THE U.S. DEPARTMENT OF COMMERCE, ECONOMIC
24 DEVELOPMENT ADMINISTRATION (EDA).

25 MR. WECHSLER: You've heard reading

1 by title of Item 6-B, what is your pleasure?

2 MR. ROGAN: I move that Item 6-B
3 pass reading by title.

4 MR. EVANS: Second.

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

7 MR. PERRY: Aye.

8 MR. ROGAN: Aye.

9 MR. EVANS: Aye.

10 MR. GAUGHAN: Aye.

11 MR. WECHSLER: Aye. Opposed? The
12 ayes have it and so moved.

13 MS. REED: SEVENTH ORDER. 7-A. FOR
14 CONSIDERATION BY THE COMMITTEE ON PUBLIC
15 WORKS - FOR ADOPTION - FILE OF THE COUNCIL
16 NO. 17, 2016 DEDICATING THE GAZEBO LOCATED
17 IN CONNORS PARK, 515 ORCHARD STREET IN SOUTH
18 SCRANTON IN HONOR OF ROBERT E. MCGOFF, JR.

19 MR. WECHSLER: What is the
20 recommendation of the Chairperson for the
21 Committee on Public Works?

22 MR. GAUGHAN: As Chairperson for the
23 Committee on Public Works, I recommend final
24 passage of Item 7-A.

25 MR. ROGAN: Second.

1 MR. WECHSLER: On the question?

2 MR. EVANS: On the question, I would
3 like to again thank the Friends of Connors
4 Park for honoring our friend and colleague
5 Bob McGoff, a deserving honor and
6 recognition for all Bob has done not only
7 for this city, but especially for Connors
8 Park. Thank you again.

9 MR. GAUGHAN: Yes, on the question,
10 I'd like to say it's an honor to even be
11 able to vote on this. I think Bob deserves
12 this and, you know, I remember when we were
13 down there decorating the trees at Connors
14 Park a couple of years ago how proud he was
15 of Connors Park and how much time and effort
16 he put in there so this is a great honor for
17 him and I'm pleased to be voting on it
18 tonight.

19 MR. WECHSLER: Yes, I'm also very
20 happy to be a part of this. Mr. McGoff will
21 never be forgotten to us and this gazebo
22 will go to ensure that future generations
23 also will not forget him.

24 Roll call, please?

25 MS. CARRERA: Mr. Perry.

1 MR. PERRY: Yes.

2 MS. CARRERA: Mr. Rogan.

3 MR. ROGAN: Yes.

4 MS. CARRERA: Mr. Evans.

5 MR. EVANS: Yes.

6 MS. CARRERA: Mr. Gaughan.

7 MR. GAUGHAN: Yes.

8 MS. CARRERA: Mr. Wechsler.

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

12 MS. REED: 7-B. FOR CONSIDERATION
13 BY THE COMMITTEE ON RULES - FOR ADOPTION -
14 FILE OF THE COUNCIL NO. 18, 2016 AMENDING
15 FILE OF THE COUNCIL NO. 165, 2003, AN
16 ORDINANCE ENTITLED "REGULATING THE PLANTING,
17 MAINTENANCE AND REMOVAL OF TREES ALONG
18 STREETS, HIGHWAYS, AVENUES, LANES, ALLEYS
19 AND PUBLIC PARKS AND PLACES WITHIN THE CITY
20 OF SCRANTON, INCLUDING PRIVATE PROPERTIES"
21 BY AMENDING SECTION IV PERTAINING TO THE
22 LICENSING OF VENDORS OF TREE SERVICES,
23 CHANGING THE TITLE OF SECTION IV, DELETING
24 THE LICENSING FEE, ADDING REGISTRATION
25 INFORMATION REQUIRING APPLICABLE PERSONS,

1 FIRMS AND CORPORATIONS BE REGISTERED WITH
2 THE ATTORNEY GENERAL'S OFFICE AND ADDING
3 WORKER'S COMPENSATION INSURANCE.

4 MR. WECHSLER: As Chairperson for
5 the Committee on Rules, I recommend final
6 passage of Item 7-B.

7 MR. ROGAN: Second.

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

10 MS. CARRERA: Mr. Perry.

11 MR. PERRY: Yes.

12 MS. CARRERA: Mr. Rogan.

13 MR. ROGAN: Yes.

14 MS. CARRERA: Mr. Evans.

15 MR. EVANS: Yes.

16 MS. CARRERA: Mr. Gaughan.

17 MR. GAUGHAN: Yes.

18 MS. CARRERA: Mr. Wechsler.

19 MR. WECHSLER: Yes. I hereby
20 declare Item 7-B legally and lawfully
21 adopted.

22 MS. REED: 7-C. FOR CONSIDERATION
23 BY THE COMMITTEE ON RULES - FOR ADOPTION -
24 RESOLUTION NO. 17, 2016 - AUTHORIZING THE
25 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS

1 TO EXECUTE AND ENTER INTO A MEMORANDUM OF
2 AGREEMENT BY AND BETWEEN THE CITY OF
3 SCRANTON AND E. B. JERMYN LODGE NO. 2 OF THE
4 FRATERNAL ORDER OF POLICE.

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

8 MR. ROGAN: Second.

9 MR. WECHSLER: On the question?

10 MR. PERRY: Yes, on the question. I
11 would like to defer to Attorney Minora to
12 see if he has any outcome from the research
13 he did this week.

14 MR. MINORA: I did at your request,
15 Mr. Perry. Last week you withheld your vote
16 and the possibility that it might be a
17 conflict of interest under the state statute
18 and I went back to your question and looked
19 at the statute, there is specific exemption
20 for a conflict when the family member is a
21 member of a class and not an individual and
22 everyone in that class is treated the same
23 as everybody else in that class, so
24 basically it excludes a conflict vote or
25 non-vote because of contracts, labor

1 contract or the typical situation where you
2 would find this and so you are allowed to
3 vote, it is not a conflict of interest under
4 the state statute.

5 MR. PERRY: Thank you. Thank you,
6 Attorney Minora.

7 MR. MINORA: You're welcome.

8 MR. PERRY: So like Attorney Minora
9 said, I abstained from casting a vote on
10 this legislation basically because we want
11 to -- we wanted to err on the side of
12 caution, but after the thorough research by
13 Attorney Minora I will be voting on this
14 very important legislation tonight, and the
15 reason why I will be voting "yes" is for
16 these specific aspects of the deal.

17 Number one, the clock on the
18 compounding 6 percent interest which started
19 way back in July of 2013 will stop today and
20 give us a savings of \$300,000.

21 Number two, there will be a \$3
22 million from the settlement put directly
23 into the pension fund.

24 Number three, disability will now be
25 based on a TPA or third party arbitrator.

1 For me, number three is the big guy
2 in the deal. That's a game changer.
3 Currently our disability application
4 acceptance rate is 52 percent. The national
5 average is around 7 percent. I fully accept
6 that once we institute a TPA that we will
7 see an immediate reduction in disability
8 costs and an ongoing savings that will bring
9 us closer to that national average of 7
10 percent.

11 Now, while no one loves the idea of
12 taking out a bond, remember that we have no
13 choice or leverage in this situation. There
14 has been a Court order hanging over this
15 city for three years and it must come to an
16 end in order for us to move forward.

17 Also, while we don't have any
18 details on our bond rates yet, I know we
19 won't be paying the unbearable \$100,000 a
20 month we are paying right now, and actually
21 as our city finances continue to improve
22 there is nothing stopping us from
23 refinancing the terms of the bond.

24 Now, the alternative to this deal is
25 a "no" vote. Not only does a "no" vote

1 bring us back to square one and we start
2 paying \$100,000 a month ago again, we'd lose
3 \$3 million pension deposit and a third party
4 administrator for the disability
5 applications. More importantly, we are
6 going to be at the mercy of the Courts again
7 and I think we all remember how well that
8 worked out for us last time. Thank you.

9 MR. ROGAN: I wasn't here last week
10 so I will make a number of comments on this
11 issue. I was very disappointed at the
12 comments of some council members and
13 especially the press trying to place blame
14 on this issue on current members of city
15 government, in particular the mayor, this
16 city council. Let me start off by being
17 extremely clear, there is not one member of
18 this city council or the mayor that had
19 anything to do with this situation that we
20 are in. It was a city council under Mayor
21 Chris Doherty, and I also want to
22 acknowledge that two council members, Brian
23 Reap and Gary DiBileo, had the foresight to
24 vote against the legislation that brought us
25 down this dangerous road.

1 So I want to take a short quick trip
2 down memory road to 2012. I was doing a
3 little research when I read some of the
4 reporting by the Scranton Times and we have
5 a very good rapport with Jim Lockwood here
6 but the editorial staff certainly isn't fair
7 and they always try to protect Mayor Doherty
8 and place blame on others.

9 This is an article from February 13,
10 2012, Lumburger News, a very reputable news
11 organization and the headline is "Scranton
12 Strains for Rebound Following Pennsylvania
13 Court Ruling." And I'm only going to a read
14 a few excerpts out of this, but it says,
15 "Scranton Mayor Chris Doherty was blunt when
16 he asked about a Court order forcing his
17 Pennsylvania city to pay \$30 million in
18 wages withheld from police and firefighters
19 under a state approved fiscal recovery plan.
20 'I don't have the money, said Doherty, as
21 for the chance of borrowing the cash more
22 than half the city's projected general
23 revenue fund, he added, there is no
24 financial institution that is going to give
25 me \$30 million to pay it.'"

1 That is very true at that time. The
2 fact that financing is available at this
3 point in time speaks volumes to the progress
4 that has been made of the financial state of
5 the City of Scranton.

6 Moving forward in this argument, and
7 it is very lengthy, but the main question
8 and my main gripe with those who are trying
9 to blame the current council and the current
10 administration for these issues, this
11 section of the article in big bold all it
12 says is, "Broke the Law." And very simply
13 in one sentence it says, "Scranton violated
14 collective bargaining laws by withholding
15 raises," said Thomas W. Jennings, senior
16 partner at Jennings-Sigmond in
17 Philadelphia."

18 That's what it boils down to. Mayor
19 Chris Doherty did not negotiate in good
20 faith with our police and fire unions.
21 That's what happened. Not negotiating and
22 letting a judge decide is why we owe this
23 money and it's why the police and fire
24 salaries are what they are currently. I
25 know my friends that are police officers and

1 firefighters wouldn't agree with this, but
2 Chris Doherty was their best friend.
3 Through all of this process of going through
4 the Courts, the city unions received far
5 more than they would have received if the
6 mayor just sat down and negotiated, which
7 was something that he flat out refused to
8 do.

9 The article goes onto say, and this
10 is one thing it seems that Mayor Doherty was
11 right about and, unfortunately, it was even
12 more to this extent, it says, "If Scranton
13 borrows to cover the cost property taxes
14 will rise 35 percent, Doherty said."

15 And it goes on it say, "Where 55
16 percent of Scrantonians own their homes and
17 have a median household of \$35,600, 29
18 percent under the state average," and these
19 figures are from 2012 so they are a little
20 bit outdated.

21 As I mentioned two weeks ago about
22 this, this is Chris Doherty's legacy. This
23 is it. Fighting the unions was his high
24 mark. He kept pushing and pushing and
25 pushing and this is what we are left with.

1 As Mr. Perry mentioned, there is only one
2 way to vote on this legislation and it's to
3 approve this deal and this is why: If this
4 legislation is shot down tonight not only
5 will millions of dollars in savings to the
6 pension fund, small reforms regarding
7 disability pensions be thrown out the
8 window, what is going to happen if the city
9 does, indeed, sell the Sewer Authority is
10 the second the Sewer Authority is sold the
11 city unions can file an action in county
12 court to force the city to pay the judgment.
13 It will be paid in full without these
14 concessions, without the small reforms in
15 the pensions, and that will be it without
16 getting any of the concessions that luckily
17 the mayor was able to obtain.

18 Although, I know many, myself
19 included, would have like to have seen more
20 money put into the pension fund out of the
21 interest, you know, it is a choice of some
22 concessions were nothing because at the end
23 of the day the city owes the money. We lost
24 the Court case, and when I say "we" I don't
25 mean any of us, Mayor Doherty lost the Court

1 case and this is where we are now. It will
2 be one of the big monkeys off the city's
3 back when this award is finally gone and we
4 stop paying a hundred thousand dollars a
5 month in interest and finally be able to
6 move forward with the financial community
7 and get the city moving back in the right
8 direction. For all of those reasons and
9 many of the reasons that Councilman Perry
10 mentioned, I will be supporting both items
11 7-C and "D" regarding the police and fire
12 unions. Thank you.

13 MR. EVANS: On the question, I don't
14 have much more to offer beyond my comments
15 from last week, but while this isn't a
16 pleasant decision to make it really is the
17 only decision that we can make. Sooner or
18 later we have to pay the award. By paying
19 it now, we did achieve some concessions on
20 the interest that has been accumulating all
21 along and some modest pension reforms. If
22 and when this sewer deal is finalized, as
23 Councilman Rogan alluded to, there is no
24 doubt in my mind that the public safety
25 unions in lieu of this agreement would

1 attach the proceeds of that sale and the
2 likelihood would no concessions at all. So
3 really isn't much more complicated than
4 that. So that's all I have on the matter.

5 MR. GAUGHAN: Thank you. I'll be
6 voting "no" on both settlement agreements
7 tonight, and first, let me say again that I
8 fully understand the city has to pay this
9 money, this is not an optional payment even
10 though it will have a crippling effect on
11 the city's finances. My "no" vote tonight
12 isn't a question of whether or not the city
13 is obligated to pay this award, it's under
14 what conditions we will pay it, which is why
15 I'm opposed.

16 In both agreements, the unions have
17 included a June 2016 ultimatum in which the
18 city must pay the full amount of the
19 judgment over \$30 million. If the city
20 doesn't secure the financing, which I'm not
21 exactly confident they will do because of
22 such a quick turn around and the city's
23 financial situation, everything included in
24 the agreement, some modest disability
25 pension reform and forgiveness of interest

1 that will be put back into the pensions will
2 be become null and void and the city will
3 have to start from scratch.

4 This ultimatum, this deadline of
5 June is absolutely absurd and unacceptable.
6 The unions are essentially saying we will
7 agree to some modest pension reform and
8 we'll put some of the interest back into the
9 fledgeling pensions but if we don't get paid
10 \$30 million by June everything is off the
11 table and we are back to square one.

12 Mayor Courtright has allowed this
13 agreement to hold the city hostage. I
14 believe that all of the pension reforms and
15 interest givebacks should have been agreed
16 to as part of a comprehensive strategy when
17 the mayor decided to renegotiate full blown
18 contracts instead of just concessions and
19 the city was left with four-year contract
20 extensions, raises, and retiree health care
21 back on the table.

22 We are also still waiting on the
23 mayor to provide an analysis of where the
24 million dollars in savings are that he
25 promised last year. This agreement isn't a

1 concession, it's a ticking financial time
2 bomb. My concern is yet another decision by
3 Mayor Courtright that demonstrates an
4 alarming trend of conceding to the police
5 and fire unions and giving away the keys to
6 the city.

7 On a related note, if we step back
8 for a moment and look at the big picture,
9 the landscape of what's going on here, what
10 I find absolutely reprehensible is the
11 current lawsuits that both the police and
12 fire unions have against the city, which is
13 costing the taxpayers money daily, the
14 police and fire unions as my colleagues
15 mentioned threatening to garnish the
16 proceeds from the potential sale of the
17 Sewer Authority, and let's not forget at one
18 point they also threatened to sell city
19 hall, mayor Courtright giving out sweetheart
20 renegotiated contract extensions for four
21 years when at this point in my opinion an
22 din the opinion of many others the city
23 cannot afford it. We can only afford
24 legitimate cost saving concessions and we
25 are still not sure where the savings are.

1 Also, the mayor circumventing his
2 own recovery plan in order to jamb the
3 contracts in the last year so both police
4 and fire unions wouldn't be tied to it.
5 Also, let's not forget the outrageous
6 overtime costs in both departments when the
7 median income of a person in Scranton is
8 barely \$25,000. We have people making over
9 100 grand in the City of Scranton.

10 This is simply out of the control.
11 The city still retains the ability to
12 control costs and Mayor Courtright has
13 routinely failed. This agreement is just
14 another example of the mayor following
15 rather than leading and caving to the
16 demands of the police and fire union instead
17 of the negotiating on behalf of the
18 taxpayers of Scranton. Thank you.

19 MR. ROGAN: I have to respond, I
20 know Councilman Gaughan likes to make a
21 point every week off blaming Mayor
22 Courtright for something and many times
23 there is blame to go to this current
24 administration, but regarding this specific
25 issue, as I mentioned before, nobody in this

1 government had anything to do with us being
2 in this position with these Court awards.
3 Not one member of council, not the mayor.
4 Both of these pieces of legislation are
5 squarely on the shoulders of Mayor Chris
6 Doherty and the previous city council. That
7 is why we are where we are. He chose to
8 play hardball with the unions, as it seems
9 that Councilman Gaughan wants to return to,
10 and this is what we are left with. It was
11 actually a \$48 million award, I forgot to
12 mention that, half of it was given up
13 initially by the police and fire unions.

14 While many of the other points you
15 raise about current issues may be true, they
16 have absolutely nothing to do with the
17 current vote that we are voting on. This is
18 from a Court award that dragged out for
19 many, many years under current Mayor -- or
20 former Mayor Doherty and that's it. It has
21 nothing to do with the current mayor or
22 Council. We are cleaning up the mess from a
23 long protracted labor dispute.

24 MR. WECHSLER: On the question for
25 myself, last week I spoke to the fact that

1 this is a judgment and it must be paid and
2 also that there were concessions given,
3 although none had to be done, one of the
4 things that's never been mentioned as we sit
5 here speaking this is a mediated settlement.
6 Judge Mazzone became involved in this
7 dispute, sat both parties down, back and
8 forth, back and forth, and finally an
9 agreement was reached so my comments on this
10 have to stand.

11 But what I would like to say is part
12 of this issue is kind of falls under the
13 same umbrella as the default on the garage
14 and also the double pensions. As city
15 council president, I do not like to look
16 back and I don't like to look back and blame
17 Mayor Doherty and I don't like to look back
18 and blame the prior city councils. We are
19 dealing with what happened back then and I
20 cannot wait until the day where we no longer
21 mention Chris Doherty or the former council.

22 Right now they are not here. Right
23 now they could do nothing about what is
24 happening in the city. It is up to us as
25 city council and up to the administration to

1 work towards fixing these problems. Last
2 week I mentioned and I still believe this
3 each time that we sit down there is movement
4 by both sides and in the future contract
5 negotiations with this settlement gone and
6 with the fact that the city should be on a
7 stronger financial footing when we go into
8 negotiations next I believe that the city
9 and the unions will be on a more level
10 playing field and the anticipated and desire
11 concessions or adjustments to the contract I
12 think will be closer to being able to be met
13 because of the work that we are doing here
14 today. Roll call, please?

15 MS. CARRERA: Mr. Perry.

16 MR. PERRY: Yes.

17 MS. CARRERA: Mr. Rogan.

18 MR. ROGAN: Yes.

19 MS. CARRERA: Mr. Evans.

20 MR. EVANS: Yes.

21 MS. CARRERA: Mr. Gaughan.

22 MR. GAUGHAN: No.

23 MS. CARRERA: Mr. Wechsler.

24 MR. WECHSLER: Yes. I hereby

25 declare Item 7-C legally and lawfully

1 adopted.

2 MS. REED: 7-D. FOR CONSIDERATION
3 BY THE COMMITTEE ON RULES FOR ADOPTION -
4 RESOLUTION NO. 18, 2016 - AUTHORIZING THE
5 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
6 TO EXECUTE AND ENTER INTO A MEMORANDUM OF
7 AGREEMENT BY AND BETWEEN THE CITY OF
8 SCRANTON AND INTERNATIONAL ASSOCIATION OF
9 FIRE FIGHTERS, LOCAL UNION NO. 60.

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

13 MR. ROGAN: Second.

14 MR. WECHSLER: On the question?
15 Roll call, please?

16 MS. CARRERA: Mr. Perry.

17 MR. PERRY: Yes.

18 MS. CARRERA: Mr. Rogan.

19 MR. ROGAN: Yes.

20 MS. CARRERA: Mr. Evans.

21 MR. EVANS: Yes.

22 MS. CARRERA: Mr. Gaughan.

23 MR. GAUGHAN: No.

24 MS. CARRERA: Mr. Wechsler.

25 MR. WECHSLER: Yes. I hereby

1 declare Item 7-D legally and lawfully
2 adopted.

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

5 MR. ROGAN: Motion to adjourn.

6 MR. WECHSLER: This meeting is
7 adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER