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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, December 15, 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. Perry.

5 MR. PERRY: 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. Wechsler.

13 MR. WECHSLER: Here. There will be
14 a motion to move Item 5-B and 5-C to Sixth
15 and Seventh Order for a final vote based on
16 the attached emergency certificate. There
17 will be a second opportunity to speak in
18 Seventh Order prior to final passage of
19 these two pieces of legislation.

20 MR. GAUGHAN: I'd like to make a
21 motion to table Item 7-A.

22 MR. WECHSLER: Motion dies for lack
23 of a second.

24 MR. ROGAN: I'd like to make a
25 motion to take from the table File of

1 Council No. 63-2016.

2 MR. EVANS: Second.

3 MR. WECHSLER: On the question?

4 This ordinance pertains to the licensing and
5 regulating of contractors doing business in
6 the city. This legislation will be placed
7 in Seventh Order for a final vote. Anyone
8 who wishes to speak on this particular piece
9 of legislation may do so during Fourth
10 Order, Citizens'. All those in favor signify
11 by saying aye.

12 MR. PERRY: Aye.

13 MR. EVANS: Aye.

14 MR. ROGAN: Aye.

15 MR. WECHSLER: Aye. Opposed?

16 MR. GAUGHAN: Aye.

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

19 Dispense with the reading of the
20 minutes.

21 MS. REED: THIRD ORDER. 3-A. TAX
22 ASSESSOR'S RESULTS REPORT FOR HEARING DATE
23 HELD NOVEMBER 30, 2016.

24 MR. WECHSLER are there any comments?
25 If not, received and filed.

1 MS. REED: 3-B. MINUTES OF THE
2 REGULAR MEETING OF THE MEMBERS OF SCRANTON
3 HOUSING AUTHORITY HELD NOVEMBER 7, 2016.

4 MR. WECHSLER are there any comments?
5 If not, received and filed.

6 MS. REED: 3-C. MINUTES OF THE
7 SCRANTON FIREFIGHTERS PENSION COMMISSION
8 MEETING HELD NOVEMBER 16, 2016.

9 MR. WECHSLER are there any comments?
10 If not, received and filed.

11 MS. REED: 3-D. MINUTES OF THE
12 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING
13 HELD NOVEMBER 16, 2016.

14 MR. WECHSLER are there any comments?
15 If not, received and filed.

16 MS. REED: 3-E. MINUTES OF THE
17 SCRANTON POLICE PENSION COMMISSION MEETING
18 HELD NOVEMBER 16, 2016.

19 MR. WECHSLER are there any comments?
20 If not, received and filed.

21 MS. REED: 3-F. MINUTES OF THE
22 COMPOSITE PENSION BOARD MEETING HELD
23 NOVEMBER 16, 2016.

24 MR. WECHSLER are there any comments?
25 If not, received and filed.

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MS. REED: 3-G. AGENDA FOR THE
NON-UNIFORM MUNICIPAL PENSION BOARD MEETING
HELD DECEMBER 14, 2016.

MR. WECHSLER are there any comments?
If not, received and filed. Do any council
members have announcements at this time?

MR. PERRY: I have one announcement.
Lackawanna County Commissioner declare a
Code Blue frigid weather alert. Utilizing
the forecast of the National Weather Service
in Binghamton, New York, and in consulting
with the Lackawanna County Emergency
Management Agency a Code Blue will be
declared for Lackawanna County beginning at
7 p.m. on Wednesday, December 14, and ending
at 1 p.m. on Saturday, December 17.

During the Code Blue alert, homeless
individuals can access emergency shelter at
following locations: The Bethel AME Church
shelter at 716 North Washington Avenue,
Scranton. Hours are 7 p.m. to 8 a.m. St.
Anthony's Haven, 409 Olive Street, Scranton.
Hours are 7:30 p.m. to 8 a.m. Community
Intervention Center 445 North Sixth Avenue,
Scranton. Hours are 8 a.m. to 6 p.m.

1 Information on personnel health and safety
2 during freezing weather can be found on the
3 Lackawanna County homepage by visiting
4 www.LackawannaCounty.org and clicking the
5 Code Blue alert icon on the right side of
6 the screen. The alert will also be posted on
7 the County's social media outlets the
8 duration of the advisory period. That's all
9 I have.

10 MR. ROGAN: I have two
11 announcements. One is, I guess, kind of a
12 follow-up to Mr. Perry's regarding the cold
13 weather. This is a press release from
14 Pennsylvania American Water and the headline
15 is, "Pennsylvania American Water alerts
16 customers to be winter ready inside and
17 outside of the home." It goes through,
18 again, about the cold weather precautions
19 and making sure your pipes don't freeze. A
20 couple of suggestions, if you have pipes
21 that are vulnerable to freezing, run a small
22 trickle water overnight to keep the pipes
23 from freezing. The cost of the extra water
24 is little compared to the cost of a broken
25 pipe. And to open cabinet doors to expose

1 pipes to warmer room temperatures to help
2 them from freezing. It says, "If your pipes
3 do freeze, shut off the water immediately
4 and do not attempt to thaw frozen pipes
5 unless the water is shutoff. Freezing can
6 also cause unseen cracks in pipe or joints."

7 Secondly the Lackawanna County Land
8 Bank will be having a community outreach
9 presentation. This will be on Tuesday,
10 January 10, at 6:00, in the community room
11 at Goodwill at North, the Jerry Langan
12 apartments. The presentation will outline
13 Lackawanna County's Land Bank history and
14 mission and to discuss blight in your
15 neighborhood. The presentation is free and
16 open to the public. It will be followed by
17 an opportunity for attendees to ask
18 questions.

19 If there is anyone who would like
20 more information on this, contact Lackawanna
21 County Ralph Pappas at 570-963-6830 and
22 that's extension 1350. Thank you.

23 MR. WECHSLER: We have received
24 notice from the County of Lackawanna Transit
25 System concerning some closures that will

1 occur during the Christmas holiday. The
2 County of Lackawanna Transit System will be
3 closed on Monday, December 26, in observance
4 of the Christmas holiday. Colts will also
5 be closed on Monday, January 2, in
6 observance of the New Year's Day holiday.

7 MS. REED: FOURTH ORDER. CITIZENS'
8 PARTICIPATION.

9 MS. WECHSLER: Joan Hodowanitz.

10 MS. HODOWANITZ: Joan Hodowanitz,
11 Scranton resident and taxpayer. I just want
12 to start off by mentioning that the downtown
13 looks a lot better with those painted
14 utility polls. You wouldn't think it so,
15 but it really has enhanced the appearance.
16 I have just hope that don't start sticking
17 up signs on the polls anymore. You know,
18 yard sale or eat at Joe's or whatever, but I
19 thought they looked quite nice after all of
20 the rust and the fading and everything else
21 that we have seen, so just wanted to pass
22 that on. It was pointed out to me by other
23 people, too, that it looks nice in the
24 downtown.

25 And now my favorite subject, the

1 2015 audit. It was posted as of December 5,
2 which made it 188 days late. I would remind
3 council that you do have to publish in the
4 newspaper your summary, so hopefully that
5 will come out before the end of the year.

6 With regard to the two adverse
7 findings, the one in referenced to the
8 Scranton Parking Authority which, again, of
9 course, provided no audited financial
10 statements to be including in our audit,
11 it's not something that the city had any
12 control over, and that's a self-solving
13 problem because now there is no Scranton
14 Parkin Authority so I would wouldn't lose
15 any sleep over that adverse opinion.

16 But the other one is with regard to
17 the pensions, and using a very optimistic 8
18 percent rate of return assumption on
19 investments. Federal guidelines, of course,
20 are much stricter. Mr. Bulzoni made a
21 comment that he wasn't overly concerned
22 about these two adverse findings. "I
23 certainly would who the say that they are
24 major adverse findings."

25 I hate to tell you, but an adverse

1 finding is an adverse finding. It's like
2 being a little bit pregnant. You don't want
3 one. As I said, the Parking Authority
4 finding was something over which the city
5 had no control, but we do have a control
6 over the pension fund.

7 With regard to the pension fund,
8 have we had heard anything about when the
9 MMO will be paid?

10 MR. GAUGHAN: I was going to bring
11 this up in motions, but I guess we just did
12 receive a letter from the business
13 administrator that we are actually going to
14 be borrowing money from the Workers'
15 Compensation Trust Fund, so we are going to
16 meet the MMO. How much we are going to be
17 borrowing I'm not sure, that's actually a
18 question I was going to ask tonight.

19 MS. HODOWANITZ: And what's the
20 impact on the Workmens' Compensation Fund, I
21 mean --

22 MR. GAUGHAN: That I don't. It
23 doesn't say --

24 MR. WECHSLER: Well, they are
25 swapping money out of Workmens' Compensation

1 Fund and then repaying it when the TAN comes
2 in.

3 MS. HODOWANITZ: Hopefully that's
4 not the way we want to do business in the
5 future, I would hope. Also, I hope that
6 early next year I'm going to see the
7 legislation for an RFP for the third party
8 administration for the pension fund, and not
9 too far distant in 2017 because that was
10 promised on March 18 by the mayor and we are
11 still waiting and that's very important.

12 And then the Sewer Authority sale,
13 if you could during Fifth Order give us a
14 status on why this closing as been delayed
15 if you know why and what will be the impact
16 on the budget if this is delayed for any
17 substantial amount of time since we have
18 already passed the budget and there were
19 assumptions built in that this closing would
20 take place by the end of the year. We
21 missed the December 13 date, so I would like
22 something information on that.

23 Please encourage the city to post
24 the accrued budget on their website. That
25 would be nice so that all the citizens could

1 see it. And I just want to close with one
2 thing if this is going to be the last
3 meeting for the year. I, like a lot of
4 other citizens, come up here and we offer a
5 lot of criticism, and we don't often agree
6 with everything you do, but I want to
7 compliment you on having the initiative and
8 the fortitude to run for office and sit up
9 there and take the criticisms that you get
10 from the public. We won't always agree with
11 you, but I personally think that it takes a
12 lot of courage to run for office and to sit
13 up there. Thank you.

14 MR. GAUGHAN: Thank you.

15 MR. WECHSLER: Ron Ellman.

16 MR. ELLMAN: Hello, Council. It's
17 Christmas time so I'm not going to cause you
18 any problems tonight. I really have a
19 question, Monday I was at Price Rite to get
20 some peanuts for my squirrels, a lady came
21 over, couldn't hardly speak any English, she
22 live in a house in South Side for two years
23 and her water heater went out and she said
24 she had got behind on rent so many times,
25 the landlord come once or twice a month for

1 money. He wants cash, so when the water
2 heater went out she had several people
3 trying to help her figure it out. They
4 couldn't find who owned this house. They
5 went through all of this LLC and this guy
6 and that guy. She was -- she knew what she
7 was talking about. She said the owner
8 doesn't know the water heater is out and
9 they can't find some -- knowledgeable people
10 can't find who owns the house. How do we
11 know that this -- some of these people that
12 have houses like with LLC's and so forth are
13 paying their taxes? You know, on Cedar
14 Avenue there was I think \$150,000 worth of
15 unpaid taxes, I don't remember the gist of
16 it and those few businesses I mentioned.
17 There must be some way to know? She told me
18 they're just -- it's deliberately hidden who
19 owns her house. Mr. Evans, you'll have an
20 idea.

21 MR. EVANS: Well, I mean, just
22 because they're an LLC, I mean, there is
23 ways to find that out. The state legislature
24 that will tell you who the person is that's
25 responsible for the LLC. I can't believe

1 that she is a tenant and never had
2 information on who her landlord is.

3 MR. ELLMAN: Well, it doesn't make
4 -- it doesn't sense that there is just not a
5 number you can phone and find out who owns
6 that house and go on from there.

7 MR. WECHSLER: Well, the Assessor's
8 Office has a list of all --

9 MR. ELLMAN: Well, I thought that
10 but she -- like I said, she knew what she
11 was talking about. She has had some people
12 involved that couldn't find out who the
13 landlord was. There was one name on the
14 electrical box and it was like ten years
15 old.

16 MR. EVANS: Well, who is the person
17 that comes by every couple of weeks for the
18 cash? That's not the landlord? That's the
19 property manager or somebody who works for
20 the landlord? Somebody comes by -- you
21 mentioned somebody comes by every couple of
22 weeks and gets a cash payment from her.

23 MR. ELLMAN: I felt sorry for her
24 really. I feel sorry all of these people
25 all of the time, you know how I am. My son

1 lives in Taylor. I go up and down North
2 Main and through West Side right by his
3 office, his business, the streets are torn
4 up horribly. All of that that was just
5 paved. Have any of you been down there?
6 This is senseless. It's just not right
7 after the mayor -- I congratulate him on the
8 paving job that's been done.

9 And one thing more, I don't mean
10 this as a bragger, my dog died day before
11 Thanksgiving, Slugo the Bassett Hound. I
12 spent \$1,300 at the vet trying to save him
13 that week. He just couldn't do it. I came
14 outside to take him to the doctor the day
15 before Thanksgiving, my neighbor's cat had
16 died he had thrown it out in the driveway
17 next to my car. What kind of a lowlifes do
18 something like this? I can't conceive
19 somebody having a pet and just disregarding
20 it. You know, the other day on the news
21 they showed a dog someone tied up at the
22 weather. I just can't understand how
23 anybody would have an animal that you are
24 obligated to take care of somehow or rather,
25 not maybe go overboard. Anyway, I took it

1 and I buried it in the backyard. Thank you.
2 That's true. Thank you. You all have a
3 Merry Christmas if I'm not here in the
4 future. Thank you.

5 MR. WECHSLER: Bob Bolus.

6 MR. BOLUS: Good evening, Council.
7 Bob Bolus, Scranton. I think 7-A should be
8 tabled tonight, put to the side while we
9 figure out what's going on with the Sewer
10 Authority. It seems this a confusion
11 somewhere why they didn't go through with
12 their deal. I think we should put
13 everything on hold until we really know
14 what's going on. There is a lot of
15 questions here, maybe some skeletons in the
16 closet that are jumping out that they
17 weren't aware of, so I think before we rush
18 to judgment let's put it on the side right
19 now until we have all of our facts together.
20 Because, remember, contracts were made to be
21 broken. That's why they call them
22 contracts, and we could run into a lot of
23 issues.

24 You know, we are looking at
25 receiving a substantial amount of money, in

1 the millions. What would you guys do with a
2 million dollars a piece today? Squander it?
3 By a new car? Not think about what you want
4 to do? Or just let it sit there until you
5 were sure of where you wanted it to be, put
6 your house in order before you spent one
7 dime. That's what we need to do here right
8 now. We need to do a forensic accounting of
9 this city once and for all. No more
10 guessing, no more playing games, know what
11 we are doing and where we are going because
12 we are out of assets. We are out of anymore
13 ideological ways that we are going to save
14 this city when you squander the money.

15 We have seen the past the golf
16 course money, we have seen squandering,
17 squandering. Why? Because we never knew
18 what our direction was. We never knew where
19 we really stood, and you need that right now
20 before you spend one penny. The mayor has
21 no clue what he is doing it with. I don't
22 want to pick on council but, again, none of
23 us here are qualified to deal with 90 some
24 million dollars and decide where it goes and
25 how it goes without first knowing what we

1 are talking about. Let's not put the cart
2 before the horse this time. This is the
3 last bite at the apple.

4 And let's look at the nonprofits.
5 Let's level this playing field once and for
6 all in the City of Scranton. Let's put a
7 fee, as I have said time and time again, on
8 everyone. One percent fee on our gross.
9 Simple. We may even be able to abate our
10 taxes by doing that, but everybody pays
11 their fair share. You can't just keep
12 beating the people up in this city. We give
13 away \$5 million for parking spaces for
14 people to park in the parking place parking
15 garages. This was the most ludicrous thing
16 I ever saw in my life. We have no money and
17 then we give \$5 million away because we are
18 worried about this guy meeting with somebody
19 else that we sold the parking garages to?
20 Hey, too bad. That was one of the dumbest
21 things I ever saw in my life, and it was a
22 major mismanagement of the funds of this
23 city. That's what I'm talking about where
24 we are tonight.

25 This guy gets away, buys the mall

1 for 5 1/2 million bucks and we paid \$5
2 million for him, plus we are fixing his
3 parking garage up. Like, what the hell are
4 we doing? There is no common sense here. I
5 said that deal has a stench that goes for
6 miles, yet nobody will turn around and
7 reassess him, the assessment of \$3 million
8 has been on that mall for God knows how many
9 years. Yet, a new guy takes over and
10 somebody opens their mouth here, he is
11 getting a free ride. Why do we owe all this
12 gratis? I'm paying back taxes of 50 grand
13 on a church I paid \$35,000 they were going
14 to tear down.

15 Now, how can I be in that kind of a
16 debt and I'm still paying taxes on it and
17 this guy doesn't pay anything? So let's get
18 the equality here. Let's stop the fight and
19 where we are going. I don't come here to
20 insult people, I come here to educate, okay,
21 and what I see here is we got to level this
22 field. Let the mall pay his fair share.
23 The County bought the Globe, we are going to
24 have to pay to park that -- Basalyga's
25 parking garage because the Globe never

1 bought a garage so there is no thinking what
2 we are doing. We are just playing political
3 football here as we have done for year after
4 year after year. We've got to put all of
5 that outside of the door, you know. But
6 Basalyga, all the power to him, he has got
7 to pay his their share now because we were
8 dumb enough to hand him \$5 million out of a
9 bank account we don't have money in so we
10 could compete. Who are we competing with?
11 We are biting ourselves? That's what we are
12 doing. We are biting each other's hands off
13 here. We not doing nothing intelligent so
14 let's use some common sense where we are
15 going.

16 The other issue I have would be the
17 money we are spending o n legal fees.
18 Conaboy, Abrahamsen, that's the squandering
19 of our assets. We are worried about the
20 parking garage competing with the other
21 parking garage, let's make the lawyers
22 compete against each other. It's about time
23 they bid for the work and we get the
24 advantage of it instead of paying hundreds
25 of thousands of dollars to these two firms

1 alone. This is what I'm talking about, no
2 where you're spending your money because
3 it's hurting the people in this city until
4 we bankrupt Scranton and then where are we
5 going?

6 Last off, I would like to wish all
7 our troops a Merry Christmas, and a lot of
8 them can't be home, but a lot of them are
9 defending our country today, defending that
10 flag behind us. Those that aren't defending
11 the flag are respecting. I'd like to give
12 them one of our trucks, load them up and
13 take them the hell of this country because
14 they don't belong here.

15 Today, right now, our trailer, the
16 Trump trailer that's been all over the
17 country and seen all over the world is down
18 at Hershey today representing the City of
19 Scranton and the people in it, and I would
20 hope council that when the president elect
21 does come to Scranton you forget you're
22 Democrats, that you're Americans and you
23 greet them to come here. I think we owe
24 them that.

25 And, finally, on Christmas Day I am

1 holding my Christmas Day dinner. Everybody
2 out here that could hear this is invited.
3 It's at St. Pat's Church from 1:00 to 6:00.
4 Call my office if you need a ride or
5 reservation, which you don't need a
6 reservation, but if you need a meal, and
7 that number is 570-346-7659. And, again,
8 thank you and Merry Christmas.

9 MR. WECHSLER: Thank you. Lee
10 Morgan.

11 MR. MORGAN: Good evening, Council.
12 Lee Morgan. I'd just like to ask, maybe the
13 council president can answer this question,
14 does federal law require treatment of
15 collected storm water?

16 MR. WECHSLER: The EPA controls
17 storm water, yes.

18 MR. MORGAN: Do they require it to
19 be treated once it's collected?

20 MR. WECHSLER: Yes. That's what the
21 problem is. That's why we are under a
22 federal mandate to do this.

23 MR. MORGAN: Do you know what the
24 claims are now that are pending against the
25 Scranton Sewer Authority?

1 MR. WECHSLER: They claim actually
2 that there is an agreement with the Sewer
3 Authority. It's been settled. I don't know
4 what the (unintelligible)-- but that's why
5 they are building all these treatments
6 plants.

7 MR. MORGAN: But are there any other
8 claims against the Scranton Sewer Authority?

9 MR. WECHSLER: Not that I'm aware
10 of.

11 MR. MORGAN: What is the cost to
12 repair and maintain the storm water
13 collection system? Do you have an answer
14 for that question?

15 MR. WECHSLER: No, I do not.

16 MR. MORGAN: Do you know the cost of
17 the equipment necessary to repair and
18 maintain the storm water collection system?

19 MR. WECHSLER: No, we do not.

20 MR. MORGAN: So this council is
21 going to enter into an agreement to sell the
22 Scranton Sewer Authority --

23 MR. WECHSLER: I'm going to stop you
24 right there. It's not the council entering
25 into the agreement. The agreement is the

1 Sewer Authority is entering into the
2 agreement with the water company. It's not
3 -- council is not entering into any
4 agreement.

5 MR. MORGAN: Well, you are making it
6 possible by the council voting --

7 MR. WECHSLER: We are not. We're
8 not.

9 MR. MORGAN: The Sewer Authority
10 can't sell itself.

11 MR. WECHSLER: Yes, it can. The
12 Sewer Authority is making an arrangement
13 with the water company to sell itself. The
14 only thing that council is doing is
15 terminating the Sewer Authority.

16 MR. MORGAN: Well, why would you
17 terminate the Sewer Authority? Why?

18 MR. WECHSLER: So they can sell the
19 Sewer Authority, yes.

20 MR. MORGAN: But they can't do it
21 without you allowing them to do it.

22 MR. WECHSLER: We can't force them
23 to stay in operation either.

24 MR. MORGAN: This is all political.
25 This is the mayor's plan and this is the

1 council's plan.

2 MR. WECHSLER: It is part of the
3 recovery plan, yes.

4 MR. MORGAN: So it's babble. It's
5 silly babble because in the end what's going
6 to happen is you don't know how much it's
7 going to cost to repair the storm water
8 collection system. You don't know how much
9 the collection is going to cost to keep it
10 in repair. You have no idea what any of
11 these costs are, and the rate was set for
12 residential customers so that they could
13 help to offset the cost of maintaining the
14 storm system and by allowing the deal to go
15 forward the money that would have went to
16 maintain and repair the system the storm
17 system is going to Pennsylvania American
18 Water. It's the most flawed and silly plan
19 there is.

20 And, you know, when you look at the
21 residents living in this city, and I have
22 been coming to these council meetings for
23 long time, a couple of decades, and we still
24 haven't gotten it right and there is nothing
25 left to sell, and you are the best thing the

1 city could move forward and elect into
2 public office, and your obligation is to the
3 citizens of this city. And even if you were
4 only elected yesterday, and some of you have
5 been here a considerable period of time, you
6 haven't come up with one solution to take
7 the burden off of the residents of this
8 city. And as you look at the city itself
9 and you see all of the condemnations, and
10 all of the vacant lots, and all of the
11 deterioration of the neighborhoods, I
12 haven't seen any massive amount of federal
13 funds or even city funds going to the
14 neighborhoods. I haven't even seen any city
15 money go towards basic infrastructure
16 repair.

17 We bought a pothole paving machine
18 and it's been turned into junk. It may be
19 gone at this point. And when this asset is
20 gone and after it's all gone and everything
21 is just -- well, for lack of a better word
22 just gone, what are you going to say that
23 the residents when they found out they are
24 on the hook for let's say \$500 million to
25 repair the storm water collection system

1 under the city with no equipment, nothing.
2 No employees, just nothing. Nothing.

3 MR. ROGAN: That's the current state
4 of affairs so the city is going to be
5 responsible --

6 MR. MORGAN: The city doesn't have
7 to sell the Sewer Authority, what needed to
8 happen was the city needed to cut it's
9 budget.

10 MR. ROGAN: You're talking about the
11 storm water, the city is currently
12 responsible for storm water.

13 MR. MORGAN: And you have
14 acknowledged at a prior meeting you don't
15 even have the equipment to do that. The
16 gentlemen came here and talked about his
17 house being washed off the foundation.

18 MR. ROGAN: Right, and that's the
19 current state of affairs. That's not
20 because of the sale.

21 MR. MORGAN: Well, what's going to
22 happen in January?

23 MR. ROGAN: The same as it is now.

24 MR. MORGAN: Okay, well, nothing,
25 because the guy's house is still getting

1 washed off the foundation and you still have
2 no equipment. You are still going to sell
3 an asset. You still have no answers to any
4 of these questions.

5 MR. ROGAN: That's why --

6 MR. MORGAN: And you are all
7 reaching for money, and continually keep
8 money in the downtown with no benefit to the
9 neighborhoods. You have residents who can't
10 afford anymore taxes. You got no answers to
11 any of the legitimate problems and you just
12 like, you know, act like it's just another
13 sunny day and it's not. Thank you.

14 MR. WECHSLER: Anyone one?

15 MR. SBARAGLIA: Andy Sbaraglia,
16 resident of Scranton. Fellow Scrantonians,
17 as a member of the building trades, did you
18 notify them that you were going to pass that
19 resolution tonight or bring it up at all?
20 Did you notify the building trades to be
21 here for it? I thought you were bringing up
22 that deal with -- same with the people --
23 the amount of education they used to have --
24 need to have for journeyman work. Is that
25 the resolution you are talking about

1 bringing it up?

2 MR. WECHSLER: We are bringing the
3 contractor's legislation back, yes.

4 MR. SBARAGLIA: Okay, did you notify
5 the building trades that you were going to
6 do it? I already told them you would do it.
7 You would pass sometime when they were not
8 around, and I guess I knew what council
9 would do.

10 Also, I heard a funny one, I don't
11 know how true it, but if this sewer deal
12 goes through the water company is only
13 responsible for the sanitary.

14 MR. WECHSLER: No, that's not true.
15 They are responsible for the combined sewer
16 system.

17 MR. SBARAGLIA: I was told it was
18 only the sanitary -- well, even the paper
19 said the sanitary and that you would be --
20 the city is responsible for the water coming
21 out from the sky. Is that wrong or right.

22 MR. WECHSLER: We would be
23 responsible for the storm water, yes.

24 MR. SBARAGLIA: And I was told that
25 the water company may bill the city for that

1 water coming down from the sky. I don't
2 know how true that is.

3 MR. WECHSLER: That's not true.

4 MR. SBARAGLIA: But I would love to
5 know that.

6 MR. ROGAN: That's not true.

7 MR. SBARAGLIA: I don't know, a lot
8 of people said it. A lot of people said
9 they have like \$40 million in the fund now.
10 I don't know how true that is either, but
11 whatever it is I think we are going to be in
12 a lot of trouble, you know that and I know
13 that and you are hoping not be here when
14 that hammer comes down on the residents of
15 Scranton.

16 MR. WECHSLER: Mr. Sbaraglia, if I'm
17 not here I'll still be in the City of
18 Scranton.

19 MR. SBARAGLIA: I don't know.

20 MR. WECHSLER: There is no escape
21 for --

22 MR. SBARAGLIA: I have no idea if
23 you will be here or not.

24 MR. WECHSLER: Well, I can tell you
25 100 hundred percent that I will be here.

1 MR. SBARAGLIA: I own two houses.

2 MR. WECHSLER: I will be here. I am
3 not going anywhere. I will either be
4 setting here or I'll be sitting at my home,
5 but I'm not leaving the City of Scranton.
6 We have been here for 108 years and we are
7 not going anywhere.

8 MR. SBARAGLIA: Well, my family has
9 been here since 1906.

10 MR. WECHSLER: You are not going
11 either so you are committed.

12 MR. SBARAGLIA: No, up the
13 Cathedral. I am going somewhere. I already
14 got a plot up there.

15 MR. WECHSLER: Still in the city so
16 --

17 MR. SBARAGLIA: Yeah, I'm not
18 leaving the city, I never said I would, but
19 a lot of you people may not be, but anyway,
20 whatever the deal is it's not very good for
21 the residents when they find out the total
22 cost. If that is true that we are
23 responsible for the water coming down from
24 the sky and the water company is not and
25 decide to bill us for it we are in double

1 trouble. So, you say no, I hope you are
2 right.

3 MR. WECHSLER: I can tell you this,
4 the federal government has decided that
5 municipalities are responsible for
6 controlling water that comes from the sky.
7 We are responsible for controlling storm
8 water. They are responsible.

9 MR. SBARAGLIA: The water coming
10 from the sky is the water that pours into
11 the combination system. The water company
12 knows how much water is going out to the
13 city because they are on computer so any
14 other water that's coming in there is not
15 coming from the residents it's coming from
16 the sky. If you say they can't charge us
17 then, I hope so. I really do.

18 MR. WECHSLER: Well, the city -- the
19 municipality is going to be responsible for
20 controlling the storm water.

21 MR. SBARAGLIA: It's not the
22 controlling it, it's the charge. That's the
23 problem. If the city can be charge for the
24 water falling from the sky different from
25 the sewer water and the sanitary --

1 MR. PERRY: No, the water company
2 will not be charging for the water flow
3 going into the system.

4 MR. SBARAGLIA: Then why should we
5 change it? What is the idea of changing it
6 if we are not going to be responsible for
7 it? The water comes --

8 MR. WECHSLER: We are going to be
9 responsible for the storm water.

10 MR. SBARAGLIA: No, the sewer system
11 is responsible for it, not the residents of
12 Scranton. The sewer system is responsible
13 to put water into the system that meets the
14 standard of the federal government.

15 MR. WECHSLER: The city has always
16 been responsible for storm water. That's
17 not changing. The city always been
18 responsible for that.

19 MR. SBARAGLIA: You know, I don't
20 really have confidence in it because, like I
21 said before, the little article I read on it
22 said that, and if it's true and we do get
23 hit an additional cost other than the sewer
24 costs, they are going to blame you and I
25 don't blame them. Thank you.

1 MR. WECHSLER: Thank you.

2 MR. DOBRZYN: Good evening, Council.
3 Dave Dobrzyn, resident, taxpayer. Last week
4 I heard once again about a per bag fee for
5 trash, and I can't emphasize this enough I
6 lived in several towns where other people's
7 trash became my problem on a per bag basis.
8 I had a mentally challenged lady play dump
9 bottles off on her and cans off on her
10 porch, they were trying to cash in up in New
11 York State. It was up in Susquehanna
12 County. And, by the way, she was mentally
13 challenged, but and it was only hearsay, but
14 I heard she cleaned her boyfriend's account
15 out of \$11,000 so she had some kind of
16 smarts to understand something.

17 The point is whatever you do in the
18 future, forget about per bag trash. I
19 sympathize with you, but there is only a few
20 people coming in here every now and then
21 yodeling, and I have already stated that
22 maybe if they bought a regulation can and
23 kept it at that we could let them by on half
24 pay, but I really don't -- I really regard
25 putting trash out in bags because I see it

1 every day. I will have to bring a picture
2 in. My wife bought a nice digital camera and
3 you wouldn't believe this one. The bags get
4 torn apart and it just lays there week in
5 and month and year out.

6 On the Sewer Authority, I talked to
7 a person that was notched with the river he
8 stated that that was going to be eventually
9 a fee per paved and constructed property.
10 In other words, if your house occupies a
11 certain space so many square feet then you
12 will have to pay on that. You won't have to
13 pay on the land that is not paid, but my
14 concern in the future would be that someone
15 with huge parking lots would get an ungodly
16 low fee and then the average Joe would get
17 slapped with paying part of his bill and it
18 is a concern.

19 Also, another concern on this sewer
20 is that if the money is invested in
21 pensions, which it has to be, there is no
22 way out of it, but pension systems in this
23 state they are actually deducting money out
24 of what's left after losses or fees. It
25 can't go on like this. We are being -- the

1 average taxpayer is being cleaned out. The
2 teacher's pension they deduct their fees
3 like the commercial do you get your fees
4 back? Well, big deal, you lost thousands of
5 dollars on your half of the pension fund and
6 now are going to give me a couple of hundred
7 dollars in fees back after losing millions.
8 I mean, this is -- and I don't see the
9 current makeup in the federal government as
10 really going to do anything about it. Our
11 last president, the outgoing guy, was too
12 busy being politically correct all of the
13 time and backed up, didn't follow through
14 with what he said he was going to do, which
15 was to put people in jail, instead they got
16 commissions. They got commissions and
17 bonuses paid after the Wall Street collapse.
18 It was just shameful and we are under pretty
19 much the same situation, so I'm very
20 concerned about it and we have to find a
21 good pension administrator and whether or
22 not they will become the victim of
23 dishonesty and ruthlessness is another
24 story.

25 And, okay, I'll just state this

1 quick, our school system is in trouble and
2 on the 2nd of February there is a meeting
3 and time we start with them. Thank you.
4 Have a good night.

5 MR. WECHSLER: Anyone else?

6 MR. JONES: Hi, Council. Bruce
7 Jones, city resident and member of the pipe
8 fighters and plumbers local in Scranton.
9 The contractors issue, I heard there is some
10 changes with the electrical. I think on the
11 plumbing and mechanical testing is just as
12 important. I believe there is a lot of
13 safety issues this, so I hope we look at
14 that, and I think that plumbing and
15 mechanical testing needs to stay in there.
16 Thank you.

17 MR. WECHSLER: Thank you.

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

19 MOTIONS.

20 MR. WECHSLER: Mr. Perry?

21 MR. PERRY: Yeah, a couple of
22 things. First, I'll talk a little about
23 storm water management in the city. That's
24 really the hottest topic we have right now.
25 Now, storm water management and sale of the

1 Sewer Authority they are two separate
2 issues. They kind of got intermingled and
3 intertangled because they are kind of just
4 happening at the same time, but that's --
5 our responsibility for that management is
6 here whether the Sewer Authority gets sold
7 or not, so let's -- let me just throw some
8 facts about some water management that I
9 know of right now. If we want to compare
10 ourselves or get a skeleton together of
11 other communities about our size that are
12 going through this right now, if we want to
13 talk about the City of Lancaster, which
14 already has this in effect, there is
15 additional costs to residents there which
16 range from about \$4 to \$10 a quarter for
17 storm management. It's all based, as
18 Mr. Dobrzyn, on square footage of
19 impermeable surfaces, roofing, parking lots,
20 things of that nature. What is really --
21 and, you know, no one likes extra fees for
22 anything, but what's going to come along
23 with this is we are allowed to also charge
24 businesses and nonprofits alike for their
25 fee based on square footage so the more

1 property you own, the more parking lots you
2 have, the more square footage you have,
3 which means the more -- the bigger piece of
4 the fee you are going to incur. So for
5 somebody as a nonprofit, like the University
6 of Scranton, for every building, parking lot
7 they have they are going to be charged for
8 that right along with somebody who has a
9 very small home with a small square footage
10 so they might be \$2 a quarter range, which
11 would be 8 to 10 dollars a year, where the
12 University of Scranton is going to pay far,
13 far, far more than that if we base it on
14 that model, which I'm not saying we are
15 going to, but for myself I'm just trying to
16 get some kind of framework on what we are in
17 for. So that's my take on the storm water
18 management for right now.

19 A couple of other things that I had
20 noted, I was very happy to see that
21 Lackawanna County received a million dollars
22 grant for parks from Pennsylvania, which the
23 West Side area is going to be a really
24 benefactor to this. As our West Side people
25 know, Pat, you probably know as well that

1 you can probably say something about
2 Novembrino park so I won't talk too much
3 about that, but that's going to be a really
4 nice shot in the apple for that proceeds and
5 for that because I know we talked about that
6 a few months ago and we saw the plan of it,
7 it looks really nice. We applied for the
8 grant and everything looks like it's going
9 to go through and we might even see splash
10 down park this summer if everything goes
11 right.

12 I was very critical last week of the
13 county commissioners, and I'm still holding
14 firm to that, but with the bad comes the
15 good and I managed to get to the Globe Store
16 this week and let me tell you it was
17 fantastic. It just looks great, it has a
18 nice flow to it. It's got a good vibe to
19 it. Like everybody said last week, and I'm
20 at that age right now 42, where I remember
21 going there when I was young enough to sit
22 on Santa's lap and get a picture but I don't
23 really remember anything after that. It
24 went out of existence a little bit before my
25 time, but it's great to see that, it's great

1 to have that same vibe when I go into that
2 store again. It's just a really nice asset
3 to the city right there.

4 Also, if you're like me you took
5 notice to a lot of serious drug busts over
6 the last year, last months, and I want to
7 thank Lackawanna County Detectives and their
8 cooperation with the Scranton Police
9 Department. You can't go week-to-week
10 without seeing a major heroine dealer busted
11 in the City of Scranton and it shows you two
12 things, the hard work that the county and
13 city is putting into finding them, but it
14 also shows that they are out there. They
15 are out there make no mistake about it and
16 we have a lot of good people out there
17 fighting and getting them off our streets so
18 I want to thank both of those groups on
19 that.

20 And, lastly, I want to thank our
21 staff here and I want to thank my colleagues
22 as the year comes in an end. We have a very
23 hardworking staff that are really the
24 backbone of what we do and my colleagues
25 have been nothing but receptive and helping

1 me throughout this last year, and most of
2 all I want to thank all of you guys, the
3 citizens that come here and speak and give
4 us your input and I know I'm more of an
5 empathetic person than I was when I took
6 this spot, and also the people that watch at
7 home. It's really the citizens'
8 participation that drives our city and what
9 got us all here, and I just want to thank
10 you guys and looking forward to the new
11 year, and I'm going to save the rest of my
12 comments for legislation.

13 MR. WECHSLER: Thank you.

14 Mr. Rogan?

15 MR. ROGAN: Yes, thank you. I think
16 Councilman Perry stole my notes before the
17 meeting.

18 MR. PERRY: Again.

19 MR. ROGAN: The advantage of sitting
20 in that seat, I guess. I guess most of what
21 I'm going to say has already been said but
22 it rings true so it deserves to be said
23 again. On the Sewer Authority deal, I know
24 we have talked about this for months, years,
25 I have been a proponent of this sale before

1 it's even really been on our radar. I'm
2 sure our Time's reporter can look back on
3 articles five years ago when I advocated for
4 doing this to help ease the burden on the
5 residents of Scranton.

6 One thing that has kind of been lost
7 in the shuffle of the Sewer Authority deal
8 that I will give credit, the Scranton Times
9 had a very nice chart that laid out how it
10 would effect the average ratepayer. Under
11 the terms of this deal, over the next ten
12 years the cost of your sewer could only
13 increase on an average of 1.9 percent a
14 year. Without this deal, I believe it would
15 be close to 4 or 5 percent, and I think we
16 all remember, I believe it was 2006 or 2007
17 maybe a 30 or 40 percent increase in our
18 sewer bills, and that type of increase for
19 the residents of Scranton can't afford it
20 and it really is a shock when you have bill
21 that goes up double digits, 30, 40 percent.

22 So that's part of the deal that has
23 gotten lost in the shuffle, hasn't gotten as
24 much attention as it should and a big reason
25 for that is because Pennsylvania American

1 Water is a statewide company and when they
2 have to do infrastructure repairs they have
3 a base of ratepayers throughout the entire
4 state that are paying for those repairs.
5 With the Scranton Sewer Authority, it's just
6 Scranton and Dunmore so you can see how, as
7 Councilman Evans mentions all the time, it's
8 an idea of more people paying less, instead
9 of less people paying more, so that's part
10 of the sewer deal I think that hasn't been
11 mentioned enough and deserves to be
12 repeated.

13 A couple of other items that were
14 brought up by some speakers, infrastructure
15 was brought up, and I do agree there is much
16 more work that needs to be done on
17 infrastructure in the city, but in the past
18 couple of the years we have paved more
19 streets than probably the last 30 or 40
20 years in the city. It doesn't mean there is
21 lot of work that still needs to be done. I
22 know everyone would like their street
23 freshly paved and some of them it has been
24 decades since they've been paved. We need
25 to put more money into infrastructure, but

1 to say that we have been lacking on that is
2 flat out wrong. We really -- this council
3 and the mayor have made every effort
4 possible to put more money into
5 infrastructure in our city.

6 Councilmen Perry mentioned thanking
7 the police and some of the drug busts, I
8 want thank them on another item, I did see,
9 I believe it was on WNEP that our Scranton
10 police officers have been pulling people
11 over and handing out coupons for pizzas as a
12 Christmas gift to some of residents of
13 Scranton. And I actually saw one person
14 getting pulled over and when I saw it I felt
15 bad for them because no one likes to get
16 pulled over and then to get a coupon like
17 that from our police officers is a very nice
18 thing for our officers to do and they really
19 don't get thanked enough. They are great
20 professionals, they do a great job keeping
21 us safe and he they do give back to the
22 community. The same for all of our city
23 departments. I think the Fire Department
24 and few weeks for a coat that they did fr
25 the children in the city, and our city

1 employee deserve a lot more credit,
2 particularly the public safety employees who
3 have had a rough go of it over the last 15
4 years or so.

5 And, finally, I would like to wish
6 everyone out there a very Merry Christmas
7 and Happy New Year and I'm looking forward
8 to being on council next year and
9 representing the people again. There is no
10 greater honor that I have than to sit in
11 this seat and represent the people of
12 Scranton. Thank you.

13 MR. WECHSLER: Thank you, Mr. Rogan.
14 Mr. Evans?

15 MR. EVANS: Thank you. I'm going to
16 talk about the sewer transaction a little
17 bit, too, with a little bit more focus on
18 the future. I will tell you that in my
19 opinion if it doesn't happen we are going to
20 continue down the path of even higher taxes,
21 diminished services, possibly receivership
22 or bankruptcy, so that's our future, I
23 think, without the sewer deal. I'm
24 confident that the deal will happen sooner
25 rather than later, hopefully by the end of

1 the year.

2 With that said, I'd like to share my
3 expectations for some of the proceeds of the
4 sewer transactions. Number one, high
5 interest debt must be paid off. This would
6 include 2012 and 2013 bonds that have
7 interest rates in the range of 7.25 percent
8 to 8.5 percent, as well as the 2006 bonds at
9 6.10 percent. All unacceptable amounts
10 considering the current financial climate,
11 but reflective of where the city was
12 financially at that time.

13 Two, I would like to see the 2003
14 bonds restructured if a more favorable rate
15 was available at the time of restructuring.

16 And, three, we need to create a
17 capital projects fund. The amount should be
18 agreed upon between this council and the
19 administration. This money should include
20 funds for economic development, capital
21 improvements, and storm water startup costs.

22 Four, with the concurrence of city
23 council we should deposit a reasonable
24 amount, I do mean reasonable, into the
25 severely distressed pension plans, of

1 course, after the first three initiatives I
2 just discussed are completed and with
3 additional pension reforms and other
4 protective conditions attached to any cash
5 infusion to the plans.

6 To further explore our options,
7 another thing I would like to see included
8 in the capital projects fund is a large
9 amount of -- a large sum of not more than \$1
10 million that could be used as the city's
11 contribution to a countywide property
12 assessment, reassessment. If the
13 commissioners elect to move forward with the
14 reassessment within the first six months of
15 2017, then the contribution will be there on
16 the table and will be used to defray the
17 cost of reassessment. A cost, which in my
18 opinion, having grossly overstated by
19 several county officials, and if they don't
20 take some of the offer I would call on the
21 mayor to finally step on this issue and take
22 the county to court to force a reassessment
23 once and for all.

24 There is no more important issue
25 relative to the future of economic growth of

1 the city, and the county for that matter, as
2 well as the future tax for our property
3 owners than a property tax or property
4 reassessment.

5 And, also, I would like to discuss,
6 this has been brought up a few times
7 recently from some of the speakers where are
8 we are with our idea sessions, so city
9 council idea sessions will return hopefully
10 after the first of the year. We have
11 developed several good ideas with our
12 initial sessions, but we would like to
13 expand the concept and drive even more ideas
14 and innovation into 2017 and make Scranton
15 the very best it can be. We will, again, be
16 looking to tap into many of the talented
17 Scrantonians for their ideas and support.
18 The sessions will take a different format
19 and in discussions with Council President
20 Wechsler and my colleagues, I would
21 anticipate we would have advertised work
22 sessions and that will allow for all
23 councilmen to participate in these sessions,
24 if they wish. The individual community
25 chairs will be reformed and the meetings

1 will most likely take place in city hall.

2 The base outline of the sessions
3 would include the subject to be discussed,
4 for example, small business growth and
5 initiatives, real estate development, home
6 sales, art and culture, taxation and fees,
7 etcetera. The format will be developed to
8 encourage brainstorming and to discourage
9 gripe sessions. We will have one-hour
10 meetings which will allow for a more focus
11 meeting. The sessions will be called six in
12 60 which we hope to gather numerous ideas in
13 the first 30 minutes, and then reduce those
14 to six doable, innovative ideas in the next
15 30 minutes so we end the session again with
16 six in 60.

17 And, finally, of course this may be
18 our final meeting, I'm not sure but
19 hopefully it will be, so I'd like to wish
20 everyone a Merry Christmas, happy holidays
21 and very happy new year to you and yours, as
22 well as my colleagues and for 2017 peace.

23 MR. WECHSLER: Thank you, Mr. Evans.
24 Mr. Gaughan?

25 MR. GAUGHAN: Yes, thank you, just a

1 couple of updates on some things. First of
2 all, the initiative that was started a few
3 months ago to bring council to paperless
4 meetings with the company Granicus, the
5 training has been completed so our staff has
6 been trained. We are looking at
7 implementing that program towards the
8 beginning and the middle of January, so
9 hopefully we are up and running by the end
10 of the new year, so that's a good thing.

11 Second thing, I had asked how we
12 were going to pay the MMO several times and
13 I asked Mr. Bulzoni when he was here at the
14 public caucus a few weeks ago, and we did
15 receive an e-mail from Mr. Bulzoni detailing
16 that they are going to be taking money from
17 the Workers' Comp Trust Fund and we are
18 going to be using that to make the MMO
19 payment, so we going to borrow money from
20 that fund.

21 Obviously, this is not normally what
22 it's supposed to be used for and I am a
23 little bit miffed as to why we were not, you
24 know, told about this beforehand. I did ask
25 that question and I think that we were kept

1 a little bit in the dark on how those funds
2 were going to be used to pay that mandatory
3 obligation.

4 Third thing, we received an e-mail
5 -- or I received an e-mail and a phone call
6 about a serious traffic issue that's taking
7 place up near the Oram Street area. Trucks
8 are getting off of Interstate 81 and
9 traveling down Davis Street heading towards
10 the Stauffer Industrial Park and they are
11 missing the turn to go the Stauffer
12 Industrial Park and by the time they realize
13 they have missed the turn they are going to
14 take a left on Oram Street to avoid going
15 underneath the bridge and running their
16 truck. The problem is, when they go to Oram
17 Street they have to take a right on Garfield
18 Avenue and this is causing damage to the
19 property owner's homes.

20 The cops were just -- the Scranton
21 Police were just out there. I think a pipe
22 had burst. There is a lot of damage to a
23 few properties in that area, so the
24 gentlemen that had reached out to me had
25 suggested more signage, and we, council, is

1 sending a letter to the city engineer, to
2 PennDOT, and we are going to work with the
3 Borough of Taylor to possibly put up more
4 signage and take care of this very serious
5 issue.

6 The gentlemen did send me pictures
7 of the issues so I'm going to be giving
8 those to my council -- or to my council
9 colleagues and we will include them in the
10 letter to PennDOT and the city engineer.

11 Also, we received an e-mail, and
12 this is a recurring issue every winter about
13 the 1500 block of South Irving Avenue, I'd
14 like to read the e-mail that we received
15 from this gentlemen. "Once again, this
16 street and intersection as well as the 1400
17 block of South Irving Avenue is being
18 neglected. The street is home to some
19 elderly residents. The intersection is
20 adjacent to a school route for pedestrians
21 and it remains largely unmaintained by the
22 city over several administrations and
23 decades. Something needs to be done once
24 and for all. An accident in this area is
25 inevitable and school children are also

1 being put at risk.

2 The department and supervisors
3 responsible for it's maintenance just seem
4 to refuse to either take action or
5 accountability for the deterioration of the
6 this intersection to the discontent of the
7 neighbors, and this is especially true when
8 we have snowfall."

9 I have been up to that area, and
10 that section of South Irving Avenue is a
11 disaster so if we could send a letter to
12 Mr. Gallagher and make him aware of that
13 this year.

14 Also, received another complaint
15 about a foreclosed property on the corner of
16 Sumner and Farr Street. The gentlemen is
17 complaining that the grass only gets cut
18 once a year and nobody is shoveling the
19 sidewalks so if we can forward that the
20 proper department.

21 Also, the former lot where the
22 Samuel Morris school was on the corner of
23 Sumner and Farr Street, across the street
24 from this bank-owned property their
25 sidewalks have not been shoveled and it's

1 causing people who are walking to be forced
2 out into the street. So if we could also
3 send that to the Licensing and Inspections
4 Department.

5 Also, one of the issues that we
6 constantly receive about is faded street
7 signs, so I would ask again if we could try
8 at some point to come up with an inventory
9 of these signs so we can start working on
10 replacing them by neighborhood and section
11 of the city.

12 Also, yesterday, the Greenridge
13 Neighborhood Association was in court
14 fighting for the right to get a
15 determination on whether or not the city and
16 the Scranton Sewer Authority allowed the
17 Keystone Sanitary Landfill to let leachate
18 flow through pipes underneath the city
19 possibly leaking into groundwater, among
20 other things.

21 The Sewer Authority attorney Paul
22 Walker, City Solicitor Jason Shrive and the
23 Landfill attorney Paul Overstreet argued
24 that the neighborhood association had no
25 standing in court. Landfill Attorney Paul

1 Overstreet said, "For someone to come in 26
2 years later and say I'd like to butt in is
3 offensive and we cannot have this case
4 reopened now."

5 Mr. Shrive, who was the city
6 solicitor, added that reopening the case
7 would severely prejudice the landfill, city
8 and authority. At one point Judge Braxton
9 asked the city, "Aren't the fathers of the
10 city supposed to represent the city," which
11 would be the neighborhood group, and
12 apparently that is obviously not the case.

13 I think what is actually offensive
14 is that Mayor Courtright has directed the
15 Law Department of this city to team up with
16 the landfill and the Sewer Authority to
17 stifle citizens who want answers and the
18 truth. The fact that the City of Scranton
19 would actually side with the landfill in
20 this case and let them do most of the
21 talking in the courtroom is shameful. The
22 only thing that is being severely prejudiced
23 here is the people of Scranton's right to
24 their own health, safety, and welfare.

25 Isn't our job as elected officials

1 to protect and to serve the public? Isn't
2 our job as elected officials to live for the
3 people and not off of them? Apparently, the
4 mayor and his administration do not believe
5 so, and it's pretty apparent that the City
6 of Scranton is in bed with the landfill.

7 I hope that Judge Braxton can see
8 through the web of conflicts and it's artful
9 deception and rule in favor of the people of
10 this city.

11 And I would like to, on a lighter
12 note, wish everybody a Merry Christmas, and
13 I'll save the rest of my comments for agenda
14 items. Thank you.

15 MR. WECHSLER: Thank you,
16 Mr. Gaughan. In regards to the MMO, I echo
17 what Mr. Gaughan said, the city has received
18 authorization from the Department of Labor
19 and Industry to transfer funds temporarily
20 from the Workers' Compensation reserve
21 account. This will help the city avoid a
22 substantial penalty. It the city's
23 intention to replace the funds in the first
24 week of January on the closing of the tax
25 anticipation note. As it's a general fund

1 function, an internal transfer is not
2 necessary and, therefore, a formal
3 legislative approval is not needed.

4 I look at this a little differently
5 than Mr. Gaughan does. I think this is a
6 move that saves the city a lot of money. We
7 don't want to continue to do this, but it is
8 in the best effort of the city to avoid the
9 substantial penalty that's assessed to us if
10 we don't pay the MMO on time. The cost of
11 this we roll up into the borrowing that we
12 use on the TAN so I think this is making
13 good use of the situation that we find
14 ourselves in right now, and I do agree going
15 forward we have find a way to budget our MMO
16 and not constantly be struggling to get to
17 pay it, but I do congratulate Business
18 Administrator Bulzoni for this creative
19 technique.

20 I try not to engage in some of the
21 negative comments that are made by council
22 speakers, but I do just want to point out
23 two things the -- positive things that did
24 occur this week. The Sampter's building was
25 sold in downtown Scranton, and I believe

1 that will be another area of substantial
2 development and investment in the city, and
3 moving forward I think that will bring a
4 whole new perspective to the Penn Avenue and
5 Lackawanna corridor there, and I'm not sure
6 who the buyer was, but I do -- hopefully
7 there is an opportunity for us to work with
8 them to improve the city.

9 Also, there was a major purchase of
10 property in the Mulberry Street corridor,
11 which is another area of we see the
12 University of Scranton has offered
13 development and also the properties that
14 surround the University of Scranton, also.
15 It's another person investing in the city.

16 This week I was contacted by some
17 residents who are in need to take
18 opportunity and use some of the Scranton
19 Fire Department smoke detector program. The
20 smoke detectors that the Fire Department
21 ended up buying and installing are of the
22 10-year variety. They are currently out of
23 those, but they do have some of the older
24 two-year style. Speaking to Chief DeSarno
25 this week, they are anticipating they should

1 will be able to get 2000 additional ten-year
2 smoke detectors so that program will be
3 returning next year. That's all I have
4 right now.

5 MR. GAUGHAN: Could I just add one
6 thing? Just on the transfer to cover the
7 MMO, I know why it's being done, I don't
8 necessarily disagree with it, but I would
9 ask, and we did discuss it in caucus, if we
10 could find out, because it doesn't have to
11 come before council, we don't have authorize
12 it, if we could find out how much has to be
13 borrowed from that fund. Thank you.

14 MR. ROGAN: Also, one other item I
15 forgot to mention that again Mr. Perry did,
16 the Novembrino pool. I was delighted to see
17 the grant that come through for that
18 complex. As a lifelong Westsider, as a kid
19 I remember walking down to that pool to go
20 swim and for many, many years it's been dry,
21 and one of the nice traditions in Scranton
22 with our neighborhoods is kids getting
23 together and going for a walk to the
24 neighborhood pool. So I'm glad to see that
25 the Novembrino complex will be renovated, it

1 will be reopened, and I think we need to do
2 that same model on every neighborhood pool
3 throughout the city that has been closed.

4 I know it's freezing cold out and
5 nobody is thinking about the pools right
6 now, but every child in Scranton deserves
7 the same opportunities that myself had and
8 my colleagues had when we were younger to
9 utilize these pools and our parks. That's
10 all.

11 MS. REED: 5-B. FOR INTRODUCTION -
12 AN ORDINANCE - AUTHORIZING THE MAYOR AND
13 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
14 A DEED OF EASEMENT AND RIGHT OF WAY GRANTING
15 TO SSA AND/OR PAWC THE EASEMENT, RIGHT OF
16 WAY AND RIGHTS AS ARE SET FORTH BELOW WITH
17 RESPECT TO THE PROPERTY, WHICH DEED OF
18 EASEMENT AND RIGHT OF WAY SHALL BE IN THE
19 FORM AS ATTACHED HERETO AS EXHIBIT "B".
20 (EMERGENCY CERTIFICATE ATTACHED).

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

24 MR. ROGAN: So moved.

25 MR. EVANS: Second.

1 MR. WECHSLER: On the question? All
2 those in favor of introduction signify by
3 saying aye.

4 MR. PERRY: Aye.

5 MR. ROGAN: Aye.

6 MR. EVANS: Aye.

7 MR. WECHSLER: Aye. Opposed?

8 MR. GAUGHAN: No.

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

11 MS. REED: 5-C. FOR INTRODUCTION -
12 AN ORDINANCE - TRANSFERRING BOTH PERMANENT
13 EASEMENTS AND RIGHTS-OF-WAY OVER PARCELS OF
14 PROPERTY OWNED BY THE CITY OF SCRANTON AS
15 NOTED BELOW IN CONNECTION WITH THE SCRANTON
16 SEWER AUTHORITY'S SEWER/STORMWATER
17 COLLECTION SYSTEM ACCESS AND MAINTENANCE
18 EASEMENT. (EMERGENCY CERTIFICATE ATTACHED).

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

22 MR. ROGAN: So moved.

23 MR. EVANS: Second.

24 MR. WECHSLER: On the question? All
25 those in favor of introduction signify by

1 saying aye.

2 MR. PERRY: Aye.

3 MR. ROGAN: Aye.

4 MR. EVANS: Aye.

5 MR. WECHSLER: Aye. Opposed?

6 MR. GAUGHAN: No.

7 MR. WECHSLER: The ayes have it and
8 so moved.

9 MR. EVANS: I make a motion to
10 suspend the Rules to move Items 5-B and 5-C
11 into Sixth and Seventh Orders to be
12 considered for final passage based on the
13 attached emergency certificate.

14 MR. ROGAN: Second.

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

17 MR. PERRY: Aye.

18 MR. EVANS: Aye.

19 MR. ROGAN: Aye.

20 MR. WECHSLER: Aye. Opposed?

21 MR. GAUGHAN: No.

22 MR. WECHSLER: The ayes have it and
23 so moved.

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

25 FORMERLY 5-B - READING BY TITLE - FILE OF

1 THE COUNCIL NO. 72-2016 - AN ORDINANCE -
2 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
3 CITY OFFICIALS TO EXECUTE A DEED OF EASEMENT
4 AND RIGHT OF WAY GRANTING TO SSA AND/OR PAWC
5 THE EASEMENT, RIGHT OF WAY AND RIGHTS AS ARE
6 SET FORTH BELOW WITH RESPECT TO THE
7 PROPERTY, WHICH DEED OF EASEMENT AND RIGHT
8 OF WAY SHALL BE IN THE FORM AS ATTACHED
9 HERETO AS EXHIBIT "B". (EMERGENCY
10 CERTIFICATE ATTACHED).

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

13 MR. ROGAN: I move that Item 6-A
14 pass reading by title.

15 MR. EVANS: Second.

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

18 MR. PERRY: Aye.

19 MR. ROGAN: Aye.

20 MR. EVANS: Aye.

21 MR. WECHSLER: Aye. Opposed?

22 MR. GAUGHAN: No.

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

25 MS. REED: 6-B - FORMERLY 5-C -

1 READING BY TITLE - FILE OF THE COUNCIL NO.
2 73 -2016 - AN ORDINANCE - TRANSFERRING BOTH
3 PERMANENT EASEMENTS AND RIGHTS-OF-WAY OVER
4 PARCELS OF PROPERTY OWNED BY THE CITY OF
5 SCRANTON AS NOTED BELOW IN CONNECTION WITH
6 THE SCRANTON SEWER AUTHORITY'S
7 SEWER/STORMWATER COLLECTION SYSTEM ACCESS
8 AND MAINTENANCE EASEMENT. (EMERGENCY
9 CERTIFICATE ATTACHED).

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

12 MR. ROGAN: I move that Item 6-B
13 pass reading by title.

14 MR. EVANS: Second.

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

17 MR. PERRY: Aye.

18 MR. ROGAN: Aye.

19 MR. EVANS: Aye.

20 MR. WECHSLER: Aye. Opposed?

21 MR. GAUGHAN: No.

22 MR. WECHSLER: The ayes have it and
23 so moved.

24 Is there anyone else who would like
25 to address council on the emergency

1 legislation?

2 MS. REED: SEVENTH ORDER. 7-A. FOR
3 CONSIDERATION BY THE COMMITTEE ON RULES -
4 FOR ADOPTION - FILE OF THE COUNCIL NO. 68,
5 2016 - AUTHORIZING THE CITY OF SCRANTON TO
6 APPROVE THE REQUEST OF THE SCRANTON SEWER
7 AUTHORITY ("SSA") TO TERMINATE ITS EXISTENCE
8 UPON THE PAYMENT AND DISCHARGE OF ALL
9 OUTSTANDING BONDS BY SSA AND THE ASSUMPTION
10 OF ALL OUTSTANDING CLAIMS AGAINST SSA BY THE
11 CITY; AUTHORIZING THE CITY OF SCRANTON TO
12 ASSUME ALL OUTSTANDING CLAIMS AGAINST SSA;
13 AND AUTHORIZING APPROPRIATE CITY OFFICIALS
14 TO TAKE ANY AND ALL FURTHER ACTION REQUIRED
15 TO TERMINATE THE EXISTENCE OF THE SSA, AND
16 APPROVING THE TERMINATION CERTIFICATE
17 SUBMITTED TO THE CITY BY SSA.

18 MR. WECHSLER: As Chairperson for
19 the Committee on Rules, I recommend final
20 vote on Item 7-A.

21 MR. ROGAN: Second.

22 MR. WECHSLER: On the question?

23 MR. GAUGHAN: Yes, on the question.
24 I was disappointed that there was no second
25 to table this legislation tonight, and I

1 asked in the beginning of the meeting and
2 made a motion for it to be tabled for the
3 following reasons:

4 I think that we should have the
5 officials from the Sewer Authority attend a
6 public caucus and explain to this council
7 why the closing is being postponed. There
8 was and still is a discussion between both
9 parties, the Sewer Authority and the
10 Pennsylvania American Water, on the some
11 elements of the closing agreement so I'd
12 like to know what those elements are, are
13 they still being discussed. This deal
14 should be open and transparent to the
15 public. This, after all, is a public asset
16 that is being sold.

17 It concerns me, as I mentioned last
18 week, that the 2017 budget has been passed
19 and the budget banks on funds from this sale
20 from the sale proceeds. What happens to the
21 budget if the sale continues to be postponed
22 into the new year? Is there an alternate
23 budget that somebody is working off of here
24 if something happens to this deal? What
25 happened this the sale price is lower than

1 expected? What is the status of the
2 lawsuits related to property easements?

3 I continue to be confused as to why
4 we are pushing through with this deal when
5 there seems to be some mystery to why it's
6 being held up at this point. I also
7 continue to question the sense in selling
8 off the Sewer Authority when we do not know
9 the cost of storm water management. This is
10 absurd. And the notion that the city was
11 always responsible for storm water
12 management that is true, but I'd like to
13 read from the 2013 report that was issued on
14 the storm water management. And it says,
15 "At the beginning of this study, the project
16 team found that the city lacked the capacity
17 and resources to properly manage storm
18 water. While the city is ultimately
19 responsible for implementing the components
20 of the MS-4 permit, there have been partners
21 involved in the process, including, and most
22 importantly, the Scranton Sewer Authority
23 which has lead to a fragmented system and
24 has made it difficult for the city to remain
25 accountable. Many of the requirements not

1 currently being met could be attainable
2 through a more efficient and streamlined
3 program.

4 The city and Sewer Authority should
5 work to develop an MOU, a memorandum of
6 understanding, in the near term to begin a
7 develop a comprehensive storm water program.
8 While an MOU will begin to build a
9 comprehensive storm water program, it is not
10 a long-term solution. The recommendation is
11 that a more efficient and permanent solution
12 would be to transfer the MS-4 permit from
13 the city to the Sewer Authority."

14 So it is true that the city has
15 always been responsible for the MS-4 permit,
16 the city just never really did much of the
17 work it was the Sewer Authority that took
18 care of our storm water issue because they
19 had the manpower and they had the equipment.

20 Now, me bringing up the fact that we
21 did not know the cost of storm water
22 management and that being a concern, it's
23 not just me that has this concern. It's
24 many people across the city, and it's also
25 two administrative law judges for the state

1 Public Utilities Commission that asked that
2 storm water management issue be resolved as
3 a condition of the PUC's approval of the
4 sale and they were rejected. If storm water
5 management ends up costing us millions of
6 dollars, will the value of the sale actually
7 be diminished? These are all questions that
8 can't be answered because we don't know how
9 much storm water management will cost us.

10 My fear with this sale, as I stated
11 last week, is that Scranton has become more
12 of an asset manager and less of an advocate
13 for the public interest. We are selling off
14 an asset which previous generations worked
15 hard to assemble and pay for. After the
16 cash runs out from this deal what else is up
17 for sale, city hall? Who knows.

18 To make matters worse, and again,
19 one of the reasons that I asked for this to
20 be tabled, this deal has been shrouded with
21 lawsuits, leachate, and a lack of
22 transparency. So for these reasons, I will
23 be voting "no" on final passage of this
24 legislation. Thank you.

25 MR. EVANS: On the question, I'd

1 like to remind everyone that the deal is
2 between the Scranton Sewer Authority and the
3 Pennsylvania American Water Company, not
4 city council. The fact that you don't do
5 the deal it's pretty clear we will continue
6 down a path of high tax increases and
7 diminished services, most likely
8 receivership and bankruptcy, and if we go
9 into receivership the first thing the
10 trustee is going to do is tell us to sell
11 assets, and if we think for a minute that we
12 are going to get the value then that we are
13 getting now you are missing the whole
14 picture because we won't. We will probably
15 get 25 cents on the dollar for the Sewer
16 Authority.

17 So I think that we have no choice
18 but to move forward with this. I think part
19 of the problem is, again, I totally am,
20 again, the storm water, I have been asking
21 repeatedly for a plan or a framework for
22 storm water and we haven't got that. That's
23 a failure on the administration, not on city
24 council. To hold up this deal on our end
25 would be totally irresponsible because of

1 the failure of the administration not to com
2 forward with the framework. There will be a
3 study done, we will get the information that
4 we want later than we wanted to, but it will
5 happen, but I don't know if we should be as
6 afraid of storm water as everybody portrays
7 it. I think the unknown is what the problem
8 is.

9 As Councilman Perry mentioned, you
10 know, Lancaster is a perfect example. They
11 have it in effect now, they are doing it
12 now. We have seen estimates of anywhere
13 from 25 to 35 to 45 dollars a year per
14 property per year, and there are benefits to
15 storm water management. Economic benefits.
16 There is environmental benefits to control
17 the storm water. That's why they have that
18 mandate in place. So we need to do our best
19 job we can when the opportunity arises. I
20 wish we had an answer that on day one the
21 city was going to do "X". We haven't gotten
22 that from the city, but that is not a strong
23 enough reason for me to hold up this
24 legislation and certainly not hold up the
25 sale. That's all I have for now.

1 MR. WECHSLER: I would just like to
2 say I'm a strong proponent of the sale of
3 the Scranton Sewer Authority. I do believe
4 it's the only available alternative that the
5 city has for achieving financial stability
6 and exiting the distressed status. However,
7 I have been working with this particular
8 issue for the past few months and there was
9 a process explained to me on how this was
10 going to work. The way it was explained to
11 me was that the closing was going to take
12 place and then the Sewer Authority would be
13 disbanded.

14 I'm uncomfortable with the change in
15 the process so close to the end. We are
16 told that there are safeguards within the
17 ordinance that it won't kick in until the
18 closing is happening, and I do accept the
19 opinion of our solicitor and also of the
20 solicitor of the city. However, I'm not
21 sure why we weren't informed of this
22 earlier. I believe that this legislation,
23 if that was true, could have been to us here
24 months ago. So I am not -- I do not plan on
25 voting for this particular ordinance at this

1 time, but I do want to make it understood
2 that I do support the sale of the Sewer
3 Authority and I do support investigating
4 what we can do with the money and also being
5 an active part of that, but I am voting "no"
6 this evening because I dont' like the change
7 in the process.

8 MR. ROGAN: I guess I'll make a
9 couple more comments --

10 MR. EVANS: I was going to say on
11 the process, what has changed is the legal
12 opinion from the city solicitor, which I
13 don't want to speak for Attorney Minora, if
14 you can concur with that opinion if you do
15 so I'd appreciate it. If you can do it on
16 the record.

17 MR. MINORA: I received an e-mail
18 from Attorney Shrive asking him of the
19 import of this and it's basically a
20 contingent ordinance. If the sale doesn't
21 go through, the ordinance is ineffectual for
22 any purpose, and he has requested that it be
23 passed upon. I asked him for that so that
24 we would have for council the solicitor's
25 opinion on the import of this and his

1 opinion, as you know, was challenged in
2 court, is more than a legal opinion. It is
3 our law for lack of a better word. I do
4 agree that it's contingent. It has no
5 import until there is a sale and the sale
6 goes through along with all of the other
7 elements of that sale. Beyond that, you
8 know, there are political considerations
9 which I don't address, that's your job, but
10 from the legal standpoint that's where we
11 stand.

12 MR. ROGAN: I guess I'll make a
13 couple more comments on this. As I
14 mentioned before, I have been talking about
15 this sale of the Sewer Authority for
16 probably five years. On the logistical part
17 regarding the legislation, you know, I
18 understand that the word was out there that
19 this had to be passed simultaneously with
20 the closing, and I always question that
21 because it does say right in the legislation
22 that it's upon payment and discharge of all
23 outstanding bonds by SAA and assumption of
24 the outstanding claims against SSA by the
25 city. So until the deal closes, the

1 legislation doesn't take effect. So on that
2 end, I'm perfectly comfortable, especially
3 after hearing from Attorney Minora and
4 Attorney Shrive on that issue and reading it
5 right in front of me as well.

6 On the core issue of the deal, as
7 Councilman Evans mentioned, not doing this
8 deal would only result in higher tax and
9 higher sewer authority bills. Doing the
10 deal, as you see this year with no tax
11 increase in the budget, is going to result
12 in a lesser taxes and lesser bills on your
13 sewer. As I mentioned, the first 10 years
14 this deal, the maximum increase on your
15 sewer bill is 1.9 percent a year. Without
16 the transaction taking place, that's upwards
17 of 4 or 5 percent so there is a big savings
18 for the ratepayers on your sewer bills and
19 also on your tax bills.

20 The 2017 budget doesn't spend any of
21 these proceeds. There are some assumptions
22 that are made based on refinancing of debt
23 and some moving around of some higher
24 interest debt, but the 2017 budget is not
25 predicated solely on taking this money in

1 and spending it. That would be very
2 irresponsible and I don't think any one of
3 us on here would support that.

4 As Councilman Evans mentioned, the
5 spending of the these funds in a responsible
6 way is, in my opinion, the key to the deal.
7 I think the vast majority of the people in
8 the city and on this board are in support of
9 the transaction. The question where there
10 will much debate is how to get the most bang
11 for the buck in a long-term manner using
12 these funds. As I mentioned before, it
13 needs to be a mix. I don't believe we could
14 put all of your eggs in any one basket, but
15 I will support using these funds in a way
16 that best benefits the residents of the City
17 of Scranton and keeping their taxes down and
18 keeping the services of the City of Scranton
19 up.

20 I do agree with the report that
21 Councilman Gaughan mentioned that the system
22 is currently fragmented and a more efficient
23 streamline system needs to be put in place.
24 I completely agree. We saw about a month or
25 so ago when we had a caucus with residents

1 in Keyser Valley that have been flooded
2 because of storm water issues, and under the
3 current system the Sewer Authority isn't
4 going out and doing these repairs. It's the
5 city's responsibility so even prior to this
6 deal there is issues and they have to be
7 addressed, and I agree there needs to be a
8 comprehensive plan to get these items
9 squared away, but it's not a new issue.
10 There has been flooding throughout the city
11 in different areas for decades and it does
12 need to be fixed, and with this infusion of
13 money and using some for infrastructures,
14 specifically storm water infrastructure,
15 would be a wise spending of those funds,
16 along with reducing or debt and shoring up
17 our pensions.

18 So for those reasons, and many
19 others, I am in full support of this deal
20 and this piece of legislation.

21 MR. PERRY: Yeah, on the question,
22 as far as 7-A goes, I was apprehensive at
23 first to go ahead and pass this tonight, but
24 after -- and thank you to Attorney Minora
25 for his counsel and going to Attorney

1 Shrive, it was explained to me that there is
2 -- there is no reason to be apprehensive
3 about passing this and the question was if
4 we dissolve the Scranton Sewer Authority
5 before the sale is that going to interrupt
6 or impact the sale in any way whatsoever,
7 and the answer is no. All of this is going
8 to do is to put the mechanism in place that
9 once the sale becomes official then this
10 ordinance will kick in and then we will
11 dissolve the Scranton Sewer Authority. So
12 that's the verbiage of 7-A in a nutshell.

13 There were a couple of good points
14 brought up by Councilman Gaughan about up
15 the issue of the closing date, it comes and
16 gone, so obviously there is some more
17 negotiations happening. How is that going
18 to effect the deal? We do not know exactly
19 what's going to happen with that, but just
20 from experience I have nowhere near the
21 amount of experience invested in this type
22 of deal, but I did purchase two homes in my
23 life and I didn't close on time. There was
24 always something that came at, something
25 that had to be done, something that had to

1 be signed, another piece of paper, whatever
2 it may be and I can't imagine the amount of
3 moving pieces in a deal like this so I don't
4 have the level of concern as Councilman
5 Gaughan does that closing date has come and
6 gone and we haven't finished the deal yet,
7 and I will go on the record being for the
8 sale of the Sewer Authority from day one.
9 So, you know, I'm not apprehensive about the
10 actual deal. So I'll be voting "yes" for
11 this.

12 MR. WECHSLER: Roll call, please.

13 MS. MARCIANO: Mr Perry.

14 MR. PERRY: Yes.

15 MS. MARCIANO: Mr. Rogan.

16 MR. ROGAN: Yes.

17 MS. MARCIANO: Mr. Evans.

18 MR. EVANS: Yes.

19 MS. MARCIANO: Mr. Gaughan.

20 MR. GAUGHAN: No.

21 MS. MARCIANO: Mr. Wechsler.

22 MR. WECHSLER: No. I hereby declare
23 7-A legally and lawfully adopted.

24 MS. REED: 7-B - FORMERLY 6-A - FOR
25 CONSIDERATION BY THE COMMITTEE ON RULES -

1 FOR ADOPTION - FILE OF THE COUNCIL NO.
2 72-2016 - AUTHORIZING THE MAYOR AND OTHER
3 APPROPRIATE CITY OFFICIALS TO EXECUTE A DEED
4 OF EASEMENT AND RIGHT OF WAY GRANTING TO SSA
5 AND/OR PAWC THE EASEMENT, RIGHT OF WAY AND
6 RIGHTS AS ARE SET FORTH BELOW WITH RESPECT
7 TO THE PROPERTY, WHICH DEED OF EASEMENT AND
8 RIGHT OF WAY SHALL BE IN THE FORM AS
9 ATTACHED HERETO AS EXHIBIT "B". (EMERGENCY
10 CERTIFICATE ATTACHED).

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

14 MR. ROGAN: Second.

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

17 MS. MARCIANO: Mr. Perry.

18 MR. PERRY: Yes.

19 MS. MARCIANO: Mr. Rogan.

20 MR. ROGAN: Yes.

21 MS. MARCIANO: Mr. Evans.

22 MR. EVANS: Yes.

23 MS. MARCIANO: Mr. Gaughan.

24 MR. GAUGHAN: No.

25 MS. MARCIANO: Mr. Wechsler.

1 MR. WECHSLER: Yes. I hereby
2 declare Item 7-B legally and lawfully
3 adopted.

4 MS. REED: 7-C - FORMERLY 6-B - FOR
5 CONSIDERATION BY THE COMMITTEE ON RULES -
6 FOR ADOPTION - FILE OF THE COUNCIL NO. 73
7 -2016 - TRANSFERRING BOTH PERMANENT
8 EASEMENTS AND RIGHTS-OF-WAY OVER PARCELS OF
9 PROPERTY OWNED BY THE CITY OF SCRANTON AS
10 NOTED BELOW IN CONNECTION WITH THE SCRANTON
11 SEWER AUTHORITY'S SEWER/STORMWATER
12 COLLECTION SYSTEM ACCESS AND MAINTENANCE
13 EASEMENT. (EMERGENCY CERTIFICATE ATTACHED).

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

17 MR. ROGAN: Second.

18 MR. WECHSLER: On the question?
19 Roll call, please?

20 MS. MARCIANO: Mr. Perry.

21 MR. PERRY: Yes.

22 MS. MARCIANO: Mr. Rogan.

23 MR. ROGAN: Yes.

24 MS. MARCIANO: Mr. Evans.

25 MR. EVANS: Yes.

1 MS. MARCIANO: Mr. Gaughan.

2 MR. GAUGHAN: No.

3 MS. MARCIANO: Mr. Wechsler.

4 MR. WECHSLER: Yes. I hereby
5 declare Item 7-C legally and lawfully
6 adopted.

7 MS. REED: 7-D - PREVIOUSLY TABLED -
8 FOR CONSIDERATION BY THE COMMITTEE ON RULES
9 FOR ADOPTION - FILE OF THE COUNCIL NO.
10 63-2016 - AN ORDINANCE AMENDING FILE OF THE
11 COUNCIL NO. 155, 1999 AN ORDINANCE ENTITLED
12 "PROVIDING FOR THE LICENSING AND REGULATING
13 OF CONTRACTORS DOING BUSINESS IN THE CITY OF
14 SCRANTON INCLUDING REQUIREMENTS FOR THE
15 GRANTING OF PERMITS AND FEES FOR SAME;
16 PROVIDING PENALTIES AND RIGHTS OF APPEAL" BY
17 ADDING AND DELETING DEFINITIONS, UPDATING
18 THE DEPARTMENT NAME AND DIRECTOR'S TITLE,
19 UPDATING APPLICATION FORMS, THE REQUIREMENTS
20 FOR CONTRACTORS LICENSE, LICENSE FEES,
21 ISSUANCE OF PERMITS, CONFORMANCE TO CODE,
22 REVOCATION, SUSPENSION, DENIAL, PROHIBITED
23 ACTS, STOP WORK, CERTIFICATE OF OCCUPANCY
24 AND TEMPORARY CERTIFICATE OF OCCUPANCY,
25 PERMIT FEES, INSPECTIONS, FINES FOR

1 VIOLATIONS AND APPEALS PROCEDURE AND
2 DELETION OF SECTIONS 17 AND 22 IN THEIR
3 ENTIRETY.

4 MR. ROGAN: I make a motion to amend
5 Item 7-D as follows:

6 In Section 2, contractor's license,
7 paragraph A-3 remove "D", master
8 electrical."

9 In Section 2, Contractor's license,
10 paragraph b, second sentence, remove the
11 word "electrical."

12 In Section 3, application for
13 license, paragraph G, remove the entire
14 section entitled "Departments for Master
15 Electrical Contractor's License."

16 In Section 4, Persons presently
17 working as journeymen. In the second line
18 of the first paragraph remove the word
19 "electrical."

20 In Section 7, part C-3, in the
21 second line remove the words "electrical
22 inspectors."

23 In Section 7, permis, D-6, in the
24 fifth line remove the word "electrical."

25 In Section 10, work done without a

1 permit, in the second line of first
2 paragraph remove the word "electrical."

3 MR. EVANS: Second.

4 MR. WECHSLER: There is a motion on
5 the floor and a second to amend Item 7-D.
6 On the question?

7 MR. ROGAN: On the question, the
8 amendment over the course -- this item has
9 been on our agenda for a total of five weeks
10 through the last year. Three readings once
11 previously where it was shot down and two
12 weeks, once again, up until tonight we
13 haven't heard any objection from any of the
14 trades with the exception of the electrical
15 trades so what this amendment does it takes
16 the electrical issue, keeps that on the
17 table and there is a compromise that's
18 currently in the work between the
19 administration and the electrical trades to
20 try and come to an agreement that works for
21 everyone regarding testing, and that way we
22 could still move forward with all of the
23 good that this legislation does and many
24 other items without holding it up just for
25 that one item regarding on the electrical.

1 MR. EVANS: On the question, also,
2 it may sound a little confusing but the
3 existing ordinance that has electrical in it
4 will stay in effect until the new ordinance
5 is passed in January or comes back to us in
6 January. I think we have a very good
7 template for that ordinance when it comes
8 back, it will be specific to electrical
9 only. We can have that be a good model down
10 the road for other ordinances relative to
11 contractors and other trades so I think it's
12 good way to move the legislation forward,
13 address the concerns of the individuals
14 involved in the electrical trades, and allow
15 some of the good portions of this ordinance
16 to be used toward the end of the year.

17 MR. GAUGHAN: Yes, on the question,
18 a couple of things. First of all, in my
19 opinion this thing has been a mess since the
20 day we got it. You know, about a week ago
21 we received more amendments from Mr. Hinton
22 and I just don't think really truthfully
23 that they know what they are doing up in
24 that office, and I also don't think that we
25 should piecemeal this. I think that it

1 should be done all at once and it should be
2 in a comprehensive so I'll be voting against
3 it for those reasons.

4 MR. PERRY: On the question, I'm
5 happy with the motions to amend that
6 Councilman Rogan made today. When we
7 originally got this legislation back in
8 March, I voted "no" and that was for the
9 motion -- or for the amendments that we made
10 to this that we took out. Most of what we
11 have in front of us is workable and an
12 upgrade over our current contractor's
13 license system, but I was just unable to
14 pass anything that I felt was unsafe and I
15 still think that as written the electrical
16 portion of this ordinance is just -- it's
17 not -- it's not where it needs to be yet so
18 I am absolutely in favor of passing what we
19 have in front of us, as amended, and that's
20 going to give us time, as Councilman Evans
21 said, to use a framework and restructure
22 this, retool it and pass something soon that
23 make sense for not only contractors, but
24 provides safety, a nice blanket of safety
25 for our residents.

1 MR. ROGAN: Just to add one point, I
2 did forget to mention I did support the
3 original version of this that was defeated
4 and it's very rare in any body of government
5 that you see this type of compromise to
6 finally come to a solution. It's rare to
7 see, it's something very nice to see that
8 there can be compromise and middle ground
9 and that's found in many of these issues,
10 and I think just how we on council handled
11 this, again, it was a three-two vote
12 initially, I suspect this will pass tonight
13 with much more than the majority and I think
14 it's good template on how we can work
15 together on finding middle ground and I
16 think we will do the same come January or
17 sometime next year regarding the electrical
18 component that really was the sticking point
19 for many of my colleagues.

20 MR. WECHSLER: Yes, on the question,
21 I am in favor of removing the electrical
22 requirements of this and we had, as
23 Mr. Rogan said, we have been lead in the
24 right direction a recommendation from
25 someone with experience on what type of

1 ordinance or what city's ordinance we should
2 follow and we do have that template now, but
3 what I am concerned though is even though we
4 did not hear from other -- a significant
5 amount of people in the other trades, their
6 work is just as important and I do not feel
7 that as this currently exists that there is
8 enough -- there is not enough testing for
9 the other trades in this bill, and I do
10 believe that as we move forward that we work
11 with the electrical ordinance as a template
12 and I do feel that we have an obligation to
13 the other trades to apply the same type of
14 requirements to that.

15 As we go through this and as we
16 research this, there are several other third
17 party testing agencies out there and I think
18 it's incumbent upon the city to establish a
19 process for testing for these other trades
20 in order to make sure that all are safe so I
21 will be voting against this this evening
22 because I don't think it goes far enough in
23 terms of testing for the other trades.

24 All those in favor signify by saying
25 aye.

1 MR. PERRY: Aye.

2 MR. EVANS: Aye.

3 MR. ROGAN: Aye.

4 MR. WECHSLER: Opposed?

5 MR. GAUGHAN: No.

6 MR. WECHSLER: No. As Chairperson
7 for the Committee on Rules -- I'm sorry.
8 The ayes have it and so moved. As
9 Chairperson for the Committee on Rules, I
10 recommend a final vote of Item 7-D, as
11 amended.

12 MR. ROGAN: Second.

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

15 MS. MARCIANO: Mr. Perry.

16 MR. PERRY: Yes.

17 MS. MARCIANO: Mr. Rogan.

18 MR. ROGAN: Yes.

19 MS. MARCIANO: Mr. Evans.

20 MR. EVANS: Yes.

21 MS. MARCIANO: Mr. Gaughan.

22 MR. GAUGHAN: No.

23 MS. CARRERA: Mr. Wechsler.

24 MR. WECHSLER: No. I hereby declare
25 Item 7-D, as amended, legally and lawfully

1 adopted.

2 Before we adjourn, I would like to
3 note that because there is no further
4 legislation in front of us that tonight will
5 be our last council meeting of the year.
6 Council will meet again on January 5, 2017.
7 Please note that city hall will be closed on
8 Monday, December 26, and on Monday, January
9 2, in observance of the holiday. DPW will
10 also be closed on these same dates, and
11 before we finish I would also like to echo
12 Councilman Perry's comments. I'm very
13 prejudiced, but I do believe that the staff
14 and city council is the most dedicated and
15 hardest working group that we have, case in
16 point today, I guess. And I would like to
17 thank them all for their hard work and
18 they're very responsive to all of us. It's
19 very difficult to have five bosses.

20 MR. EVANS: I'd like to echo that.

21 MR. WECHSLER: That's it. I would
22 like to wish everyone a Merry Christmas and
23 happy holidays, and if there is no further
24 business, I'll entertain a motion to
25 adjourn.

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MR. ROGAN: Motion to adjourn.

MR. WECHSLER: Meeting adjourned.

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
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