

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, July 6, 2017

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SCRANTON COUNCIL:

JOSEPH WECHSLER, PRESIDENT

PATRICK ROGAN, VICE-PRESIDENT
(Not present)
WAYNE EVANS

WILLIAM GAUGHAN

TIM PERRY
(Not present)

LORI REED, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

AMIL MINORA, ESQUIRE - SOLICITOR

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

3 MR. WECHSLER: Roll call, please.

4 MS. CARRERA: Mr. Perry. Mr. Rogan.
5 Mr. Evans.

6 MR. EVANS: Here.

7 MS. CARRERA: Mr. Gaughan.

8 MR. GAUGHAN: Here.

9 MS. CARRERA: Mr. Wechsler.

10 MR. WECHSLER: Here. Mr. Perry was
11 delayed in returning home and Mr. Rogan has
12 an illness. That's the reason for their
13 absences this evening.

14 MR. EVANS: I make a motion to
15 appoint Councilman Gaughan as temporary
16 chairperson for the Committee on Community
17 Development.

18 MR. GAUGHAN: Second.

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

22 MR. EVANS: So moved.

23 MR. GAUGHAN: Second.

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

1 MR. EVANS: Aye.

2 MR. GAUGHAN: Aye.

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

5 MR. GAUGHAN: I'd like to make a
6 motion to table Item 7-E.

7 MR. EVANS: Second.

8 MR. WECHSLER: On the question?

9 MR. GAUGHAN: Yes, on the question.
10 I am making this motion tonight, we have
11 several questions that we would like
12 answered about this legislation so we intend
13 on inviting Mr. Moran, the owner of the
14 company, to a caucus next week to answer our
15 questions.

16 MR. EVANS: On the question, as many
17 people know I have been a proponent of this
18 legislation and getting a third party to get
19 involved with the rental registration since
20 I have been on city council and probably
21 before that, so I think we should have
22 questions on that, technical questions more
23 than anything else on how the program will
24 run with Mr. Moran involved with it and
25 hopefully we will get that taken care of

1 next week and get it back on track.

2 MR. WECHSLER: Yes, it's really just
3 a matter of fine tuning some of the
4 information that we would like and so next
5 week we will have Mr. Moran in to answer our
6 questions and be better prepared. All those
7 in favor of introduction signify by saying
8 aye.

9 MR. EVANS: Aye.

10 MR. GAUGHAN: Aye.

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

13 Dispense with the reading of the
14 minutes.

15 MS. REED: THIRD ORDER. 3-A. AGENDA
16 FOR THE BOARD OF ZONING APPEALS MEETING TO
17 BE HELD JULY 12, 2017.

18 MR. WECHSLER: Are there any
19 comments? If not, received and filed.

20 MS. REED: 3-B. SINGLE TAX OFFICE
21 CITY FUNDS DISTRIBUTED COMPARISON REPORT
22 2016-2017 YEAR TO DATE JUNE 30, 2017.

23 MR. WECHSLER: Are there any
24 comments? If not, received and filed.

25 MS. REED: 3-C. TAX ASSESSOR'S

1 REPORT FOR HEARING DATE TO BE HELD JULY 19,
2 2017.

3 MR. WECHSLER: Are there any
4 comments? If not, received and filed.

5 Do any council members have
6 announcements at this time? A public
7 hearing will be scheduled for next Thursday,
8 July 13, to hear testimony regarding the
9 closing and vacating a portion of Wright
10 Court. The hearing had be held at 5:45
11 prior to the council meeting.

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

14 MR. WECHSLER: Fay Franus.

15 MS. FRANUS: Fay Franus, Scranton.
16 First I'd to thank the Scranton Times, Jim
17 Lockwood and Chris Kelly, for their
18 excellent reporting on the sewer deal with
19 the Pennsylvania American Water. I have a
20 couple of questions since last week that I
21 have been thinking about, one of them was,
22 like, this contract that Ned Abrahamsen got,
23 basically Jason Shrive today said that there
24 is no contract so how is this possible there
25 was no contract for Ned Abrahamsen who got

1 \$200,000 in ten months. Didn't come in
2 front of council for approval because there
3 was no contract. It never went out for bid
4 which it was supposed to do, and Mayor
5 Courtright and Jason Shrive said the money
6 he got paid was reasonable because all of
7 the work he did. How would they know that
8 because there was no -- there is nothing in
9 writing anywhere of what Ned Abrahamsen did
10 with the \$200,000? Are you aware of any
11 money of any letter or anything in writing
12 saying what he was to do or what he got paid
13 for?

14 MR. WECHSLER: No.

15 MR. GAUGHAN: No.

16 MS. FRANUS: None of you are?

17 Another thing, they also said that Jason
18 Shrive said the Sewer Authority paid him,
19 well, I believe they had \$38 million maybe
20 put aside, the Sewer Authority, but the city
21 hired Ned Abrahamsen, special counsel to the
22 city. That would be like me having a
23 contractor come to my house and doing all of
24 this work and then tell my neighbor to pay
25 for it or somebody else. Come on. The

1 person that hires the person pays for the
2 work.

3 MR. EVANS: Fay, my concern is, and
4 you are right about that, that the Sewer
5 Authority paid him, however, he was paid out
6 of the proceeds of the Sewer Authority
7 transaction which is our -- the city's
8 money.

9 MS. FRANUS: See, I didn't know
10 that. I was told that it was \$38 million
11 that they had put aside not the sewer's, so
12 it was from the sale?

13 MR. EVANS: Well, I'm assuming it
14 was done at closing, you know, he was paid
15 at closing. If that was the case, he was
16 paid out of the sewer proceeds so that's
17 something we will have to look into now.

18 MS. FRANUS: See, I didn't know
19 that.

20 MR. EVANS: Well, I'm not 100
21 percent sure, I'm just making an assumption,
22 but that's something we will have to look
23 into.

24 MS. FRANUS: Well, that's good to
25 know because that's even more understanding

1 because if that's the case that's the city's
2 money and the Sewer Authority --

3 MR. EVANS: That's my point.

4 MS. FRANUS: Pardon me?

5 MR. EVANS: That's my point exactly.

6 MS. FRANUS: Mine, too, so that even
7 makes it worse. So my point is say Billy
8 Courtright had something done at his house,
9 do you think he would hire someone for
10 \$200,000 and not have a contract and just
11 say, "Oh, you do great work. Boy, that's a
12 lot of -- good work. How much do you think
13 it cost? \$200,000? No problem, you did lot
14 of work and it's good."

15 See this piece of paper? Say it's a
16 contract, without a contract anything a
17 person does if they go to Court they get
18 their money reimbursed or anything, without
19 this piece of paper, go home, you have no
20 legal right. So all of this work that was
21 done, in my estimation, was illegal. So
22 where do you guys go from here? I challenge
23 Mayor Courtright and the Sewer Authority to
24 get the Auditor General to come in. Now,
25 Mayor Courtright said they have nothing to

1 hide and they already have an auditor doing
2 their books, it's not the same. The Auditor
3 General said you work backwards and start
4 from the beginning and find out all of this
5 financing. If they don't hide something,
6 what are they afraid of? They just need to
7 come forward and have the Auditor General to
8 satisfy all of the people in the City of
9 Scranton because people in the city aren't
10 stupid. They are not dumb.

11 So election day is coming and I
12 think Mr. Courtright is going to pay for it
13 dearly. I mean, if he wants to save himself
14 get the Auditor General in here. Prove -- I
15 will be the first one to apologize to him if
16 they prove there was nothing wrong with the
17 sale. I would be the first to apologize.
18 I'd gladly apologize, but I don't think
19 that's the case.

20 And how about the mayor paying off
21 debts from the sewer sale without the Sewer
22 Authority being dissolved? Isn't that
23 completely illegal?

24 MR. EVANS: We asked Attorney Minora
25 that question as well and you want to answer

1 -- Attorney Minora, you want to answer that
2 now. Well, we'll do it in motions. I don't
3 want to take your time. Go ahead.

4 MS. FRANUS: Would you ask the
5 Auditor General, I don't think the Sewer
6 Authority or the City of Scranton mayor has
7 to ask the Auditor General to come in and
8 investigate that.

9 MR. EVANS: We have. Oh, that part
10 of it?

11 MS. FRANUS: No, that part of it. I
12 don't think he needs the Sewer Authority's
13 permission. I was told that it's Statute
14 5612 of the state law and he does not have
15 to have an approval so that would be very
16 important to get him in here to check the
17 fact that the mayor paid some of these debts
18 with that sewer money before the Sewer
19 Authority is dissolved.

20 And as far as what Jason Shrive
21 says, just because he is a lawyer and he
22 says it doesn't mean it's true. There is no
23 contract. Everything they did was illegal
24 and I hope you gentlemen do something about
25 it. Thank you very much.

1 MR. GAUGHAN: Thank you.

2 MR. WECHSLER: Before the next
3 speaker comes up, Solicitor Minora, would
4 you actually touch on the information that
5 you gave us about the sewer proceeds?

6 MR. MINORA: I'm sorry?

7 MR. WECHSLER: The sewer proceeds.

8 MR. MINORA: The proceeds or the --

9 MR. WECHSLER: Using the money of
10 the sewer --

11 MR. EVANS: You answered the
12 question in an e-mail to Bill.

13 MR. MINORA: I'm sorry?

14 MR. EVANS: The answer you gave to
15 Bill.

16 MR. MINORA: Oh, okay, regarding the
17 Abrahamsen --

18 MR. EVANS: Yes.

19 MR. MINORA: I did look into it and
20 there was apparently no written contract nor
21 was there a letter of engagement. First
22 thing I looked at was to determine whether
23 or not one was required under our Rules of
24 Professional Conduct and written contracts
25 for legal services are only required in

1 contingent fee cases. That being said, it
2 somewhat goes without saying a written
3 contract or a letter of the engagement is a
4 much better practice and clearly would have
5 answered many of the legitimate questions
6 that are being raised here. All that being
7 said, oral contracts for legal services are
8 enforceable and occur all the time. That
9 doesn't mean that that was the best practice
10 in this situation and clearly it was not.

11 So, again, as it was explained to me
12 by Attorney Shrive, the Abrahamsen firm was
13 hired for a flat fee of \$200,000 that was to
14 be paid by the Scranton Sewer Authority.
15 There is it no legal prohibition from one
16 party paying for the attorney of another
17 party, and I use the example of your auto
18 insurance company if you are in an accident
19 will hire a lawyer to defend you and that's
20 a similar situation, although, there is
21 obviously some differences, but the point
22 being that there is no legal prohibition
23 from one party paying for the attorney of
24 another.

25 As to the Administrative Code,

1 clearly it requires a bidding if legal fees
2 are going to exceed \$19,400 in a year, the
3 administration's position and opinion is
4 that so long as the professional fee is not
5 being paid by the city the Administration
6 Code is not applicable. That's their
7 argument and, obviously, there's a
8 counter-argument to that and it can be
9 argued that because the net payment by the
10 Sewer Authority to the city was reduced by
11 \$200,000 the city did, in fact, pay that
12 amount and that they would have been -- have
13 not complied with the Administrative Code.

14 So those are the two
15 counter-balancing arguments on either side
16 of that. I looked for case law that would
17 clear this up and there is none that I could
18 find that was even close or from a legal,
19 you know, theory standpoint something we
20 could use as applicable. There were
21 situations in the past where attorneys did
22 work where council refused to pass on a
23 contract that was sent down by the
24 administration, that lawyer was paid and the
25 theory of quantum meruit so the question of

1 whether or not that \$200,000 was recoverable
2 is highly questionable from a legal
3 standpoint or sensitive whether or not it
4 would be successful, so I'm not sure that
5 would be there, would be anything fruitful
6 to come of that in and of itself.

7 So I think that's as clear as an
8 analysis as I can make of all of the
9 different problems with this and the
10 conclusions I know are somewhat
11 unsatisfactory, but it's because of the
12 nature of the whole thing that there is just
13 no real clear answers.

14 MR. WECHSLER: Also, did you -- you
15 sent us an e-mail regarding the
16 Municipalities Act and spending of the
17 proceeds.

18 MR. MINORA: Right. That was
19 another issue that was raised last week and
20 Councilman Gaughan asked me to address it,
21 let's see if I can I might be able to
22 remember the code section off the top of my
23 head. The issue that was raised was the
24 city -- the Sewer Authority had no authority
25 to -- the Sewer Authority, I'm sorry, had no

1 authority to transfer over the money to the
2 city because the Sewer Authority had not
3 terminated it's existence, and that's
4 patently wrong. The Sewer Authority has the
5 ability under the Municipal Authorities Act
6 to acquire a property, sell a property,
7 lease property to and from themselves for
8 themselves or to someone else and all of
9 that is covered in 56 Pa. C.S.A. 607 sub (d)
10 sub(4) and it allows them to do all of those
11 things.

12 As I understood the agreement with
13 the Sewer Authority, the Sewer Authority
14 sold their assets to Pennsylvania American
15 Water and agreed to transfer the money to
16 the city for the city's agreement to accept
17 responsibility for the -- to follow on
18 things that the Sewer Authority might have
19 to do in the future. So that's clearly an
20 enforceable contract and they had a right to
21 do it without termination ever being an
22 issue.

23 MR. WECHSLER: Thank you. Lee
24 Morgan.

25 MR. MORGAN: Good evening, Council.

1 You know, I've respectfully have listened to
2 Attorney Minora's opinions today, and I
3 haven't had a chance to go to the law
4 library and read those laws myself, but I
5 think in the end he said something that I
6 think every Scrantonian should listen to
7 because the city is responsible for
8 everything the Scranton Sewer Authority does
9 in the end. So if it costs \$200 million to
10 get all of these easements, the city is
11 going to pay for it, okay? And like the
12 Scranton Times says, we don't know what kind
13 of deal this was, but it's my opinion it's
14 the worst possible deal that ever has been
15 made in this city.

16 And, you know, Mr. Evans you talked
17 about how the Sewer Authority was the city's
18 asset, no, the city belongs to the residents
19 and as the residents spoke to council and as
20 residents spoke to the Scranton Sewer
21 Authority about not selling this asset off,
22 they did it anyway, and if you spend a
23 little time you would find out, not just
24 yourself but the whole council and the whole
25 city government, that the city is in worse

1 financial shape right now than it ever was
2 before, okay? And you can put new curtains
3 on the windows and pretend that everything
4 is good, but it's not good, and when council
5 tries to get the county commissioners to do
6 a reassessment, well, it's pretty simple
7 what's going on here the city is desperate
8 for money. The residents have no more to
9 give. There is just nothing there, and when
10 the Scranton School district, if it so
11 happens, goes into receivership the city is
12 not going to be far behind it.

13 You know, and the remarkable thing
14 is the University of Scranton took over the
15 South Side Sports Complex, okay, and I won't
16 hash out that it was illegal to sell it
17 under Section 70, but, you know, they are
18 bragging about how they are sending the
19 lights somewhere else to be used by
20 different communities.

21 Everything that this city government
22 has done over a long period of time has been
23 a waste of taxpayers' money, whether it's
24 the parking garages and a host of other
25 things because what has the benefit been to

1 the residents of this city? And we
2 continually have grant money going to the
3 wrong people. We are going to keep putting
4 grant money into the downtown, we are going
5 to keep giving nonprofits grant money, but
6 the neighborhoods are falling apart. It's
7 come to such a pathetic way in this city
8 that I'm not even sure that the city has
9 repaired potholes this year, and if they
10 have there is an awful lot of them that
11 really need to be looked at.

12 And, you know, I don't know if you
13 can get blood out of a stone but you are
14 doing a pretty remarkable job of doing that
15 and it's just amazing that the people in
16 this city that live here don't have enough
17 common sense to realize that the people they
18 have elected over a very long period of time
19 have done a terrible job. Well, it's beyond
20 terrible and I think that the greatest gifts
21 Scrantonians could give themselves is
22 finding a third candidate and run them out
23 and see if we can turn this city around.

24 You know, Mr. Mulligan wants to be
25 mayor of Scranton. I don't have any

1 animosity against the man, but he is a
2 trained attorney. He couldn't have moved to
3 block the sale of the Scranton Sewer
4 Authority? I mean, just see it for what it
5 really is. Everybody wants to come save us,
6 but really citizens concerned against --
7 about taxes blocked the sale initially when
8 Mr. Connors was in office, and when you read
9 that deal, Pennsylvania American Anglican,
10 it was a joke. All of this stuff that the
11 city has done over the course of 20 years
12 has been a joke because the city is not in
13 better shape it's no worse shape and the
14 residents are poorer.

15 I mean, you know, government should
16 lift people up and empower them, but not in
17 our city and not in a lot of cities across
18 this country because the political parties
19 keep their finger on you and keep pushing
20 you down and keep stealing your wages and
21 keep jacking your property tax up to the
22 point where you can't pay it and cause
23 extreme despair and don't have a solution
24 for one problem that we face.

25 And, you know, when council asks

1 solicitor a question you know what I'd like
2 to see? I'd like to see the council bring
3 something into a Court of law and listen to
4 a judge tell them the way it is because,
5 look it, lawyers practice law, judges
6 interpret it and you know something, there
7 is case law. I didn't get a chance to read
8 it all, but I'll tell you this, there was
9 nothing right about any of the deals that
10 have been done here and I see this city
11 rolling over sideways in a couple of years
12 because all of the money will be gone and
13 there is still the pension debt, the storm
14 water collection system and all of the other
15 host of problems this city has and none of
16 them have been solved.

17 MR. WECHSLER: Doug Miller.

18 MR. MILLER: Good evening, Council.
19 Doug Miller, Scranton. It's obviously been
20 quite awhile since I have been here and,
21 obviously, not much has changed. I do want
22 to just begin by congratulating Councilman
23 Gaughan on his incredible turnout in the
24 primary, you should be very proud of that
25 and considering the fact that you had better

1 turnout than the mayor I think that speaks
2 volumes so you should be very proud of that
3 I commend you moving forward.

4 You know, Mr. Wechsler, I think the
5 residents of this city determined your fate
6 and your track record speaks volumes, I
7 mean, your actions on this council over a
8 short period of time have been quite
9 disturbing and put the city in the position
10 it's in today and you weren't alone in the
11 game, a lot of people were a part of the
12 process.

13 You know, we obviously talk about
14 this sewer deal and, you know, it's my
15 opinion that had basically the final nail in
16 the coffin for this city. A lot of smoke
17 and mirrors, no transparency, no answers to
18 questions, but what really disturbs me is
19 that we had a council that set here the
20 entire time and never asked any real
21 questions. And, you know, it all comes back
22 to the council president and that falls on
23 Mr. Wechsler's shoulders, hence, another
24 reason why he won't be returning in six
25 months, but you never asked questions. You

1 just sat there with your rubber stamps.
2 Yes, sir. Yes, sir. Yes, sir. Yes, sir.
3 Yes, Mr. Courtright, whatever you say. And
4 yet the residents of this city continue to
5 get screwed over time and time again, just
6 one beating after another.

7 A lot of questions tonight have been
8 brought up. Now we are discussing whether
9 or not we might have had a crime take place.
10 Was money spent illegally. That's the real
11 serious question we have now, gentlemen, and
12 is it going to take somebody to come forward
13 and petition the residents of this city to
14 come forward to get together as a community
15 and take this and put it in front of a
16 judge?

17 You know, the question I have to the
18 residents of this city tonight is are they
19 ever going to stand up and get a backbone
20 and hold you people accountable? I mean,
21 it's ridiculous, you know, and that's why we
22 look to see the people we elect. I mean,
23 it's just -- it's beyond comical. I mean,
24 truthfully anybody that voted to have this
25 gentlemen, Mr. Rogan return, quite frankly,

1 should go check into Scranton Counseling
2 tomorrow morning because they are out of
3 their mind, and anybody that supported any
4 of these candidates, whether past, present,
5 or whatever, I mean, it's absolutely
6 ludicrous because we have elected one clown
7 after another with empty suits, and maybe
8 the best suit that some of you people could
9 wear is one with stripes going across it.
10 Call it what you will. I mean, we have had
11 just one corrupt politician after another in
12 this community.

13 And, you know, Washington got a real
14 wake up call in the last election by
15 electing Donald Trump, and now you have
16 Washington and most of the country
17 scattering around trying to figure out how
18 they are going to outdo him because he is
19 not a politician and he doesn't play games,
20 he is not part of this little good ole' boy
21 club. Donald Trump, that mentality that he
22 has, that's something that actually Scranton
23 needs a little dosage of. It needed it
24 about 30 years ago to send a little message
25 to the good ole' boy club here that the

1 Democrats and all of the elite that have run
2 this city for a long time they need to get
3 the hell out of here, but based off of our
4 election process and the little amount of
5 people that come out to vote I don't know if
6 that's ever going to happen because people
7 don't participate, they have given up. I
8 can understand why, but at the same time,
9 you know, we have lot of people out there
10 that want to try to save this city, but
11 sitting back isn't going to solve it. We
12 need people to get involved and question you
13 and hold you accountable and that's why you
14 get away with the lot of the things you do,
15 the smoke and mirrors, you play your little
16 games.

17 We have a news media that,
18 unfortunately, doesn't always report the
19 truth and people just sit back like the
20 sheep that they are and they don't ask
21 questions, they believe what they see on TV,
22 the 30 second sound bits on the news, they
23 believe the things you say, which is beyond
24 scary. I mean, just take a look where we
25 are. Look at the children in the city that

1 are living on free reduced lunch in the
2 Scranton School District. We have kids that
3 once again now for the 10th or 12th
4 consecutive summer now are going to swelter
5 in the people because we are stupid people
6 that can't even operate or maintain a
7 swimming pool in the community, but don't
8 worry, we have a splash park coming so
9 that's going to solve our problems. You
10 should be proud of that, that's a hell of an
11 accomplishment.

12 But it's just ridiculous. A ghost
13 town down here in the downtown,
14 neighborhoods that are just in total decay,
15 seniors that are starving. I mean, I deal
16 with them every day that they are deathly
17 afraid they are going to lose their social
18 security and their Medicaid and so many
19 other things and they are tired of being
20 overtaxed by your people, and then they ask
21 themselves one question, what do they have
22 to show for it? Nothing. Nothing. They
23 worked their entire lives. They paid and
24 paid and paid and then look around and look
25 where we are in this city. It's truly sad

1 and it's just silly when we have PEL coming
2 in talking about a three-year exit plan from
3 distressed status. Give it a couple of
4 years and this city will be in bankruptcy
5 because it essentially is bankrupt and it
6 will be following the same path the Scranton
7 School District. It's just more make
8 believe silliness that people are falling
9 for. I just hope people wake up in this
10 next election. Thank you.

11 MR. WECHSLER: Ron Ellman.

12 MR. ELLMAN: Hello, Council. As you
13 know, I'm a man of few words and I really
14 don't have much to say tonight, but I have a
15 question, why in the world do the people
16 Scranton need a reassessment? Our taxes
17 have gone up the past six or seven years
18 like 100, 150 percent if I'm not mistaken
19 from what I'm told, and I listen to some
20 scare tactics, they said that Mrs. Cummings
21 is using a scare tactic, it's listening to
22 people who are paying 2, 2 1/2 percent more
23 that is utter nonsense and anybody that's
24 stupid enough to pay 2 1/2 percent more than
25 their neighbor needs their head examined.

1 This is, I know you are familiar with, you
2 go down to the building across that used to
3 be the gas company, I don't know what you
4 call it, it's a reassessment form. It's
5 next to impossible for us to do it. It
6 takes a learned person, and if I'm not
7 mistaken I believe Marie did it one herself
8 but it's very -- you got to be exact, very
9 exact.

10 I think we need to listen more to
11 Mrs. Cummings than Jerry, and I have a
12 charge account at Jerry's and I hate to get
13 him mad at me, just who knows how much this
14 reassessment will cost? Especially if
15 Mr. Courtright gets some of his eight or
16 nine hundred dollar an hour lawyers involved
17 and Mr. Amoroso gets his law firm it will
18 cost of tens of millions of dollars.

19 And, secondly, I forgot when it was
20 but I think during the winter I was mad
21 about all of these people on Cedar Avenue
22 that don't pay taxes and there was an
23 article in the paper how great Cedar Avenue
24 looks, and as I remember there was two,
25 three hundred dollars in taxes due from the

1 people that they were naming like the
2 hospital down there.

3 In today's, it says that liens are
4 possible. When I was up here I said, "Why
5 can't we put liens on them?"

6 See, you people don't listen to us.
7 You don't listen to these people. It's very
8 possible. I don't know if anybody up there
9 had any interest in reading this article,
10 it's got the exact law here that says you
11 can put liens on property passed in '14, and
12 I didn't bring my glasses, Act 93 of 2014
13 for the Municipal Claim Tax Lien Act. Why
14 isn't it being used? Why aren't the friends
15 of the neighbors around the mall being
16 charged with it instead of seeing the five
17 or six thousand dollars -- I mean, thousand
18 homes in foreclosure continuously. This
19 place is just a nightmare to live in I'm
20 telling you.

21 Well, I wasn't even going to come
22 tonight, I had some other plans. Yesterday
23 Ms. Rosie went out and bought a dog. It
24 doesn't seem to like me. It doesn't have a
25 tail and it doesn't have a nose, a little

1 puppy. Got a big head. A little bulldog.
2 I decided to -- I decided to get away from
3 it because we weren't very adaptable to each
4 other. I was looking at the pet store, pets
5 cost more than our house taxes, do you
6 realize? Isn't that unbelievable how
7 expensive they have gotten. I know years
8 ago when she bought the basset hound it was
9 like \$400 or something now they are in the
10 thousands. Thank you all for letting me up
11 here. Maybe next week I'll be in better
12 mood with the dog and I won't bother you
13 people.

14 MR. WECHSLER: Rosie Davitt.

15 MS. DAVITT: Good evening,
16 gentlemen. I came tonight to ask two
17 questions. The first one is have you heard
18 anything about my question a couple of weeks
19 ago?

20 MR. GAUGHAN: We have not received
21 anything yet. Actually, when I saw you
22 outside I asked Mrs. Reed, but we haven't
23 gotten any correspondence from the city
24 engineer or the DPW director, but we are
25 expecting something soon.

1 MS. DAVIT: Thank you. Also, I was
2 looking at thee meeting, the agenda tonight,
3 thank you, Bill, for letting me now how to
4 get to that, and I'm concerned and I know
5 that you guys are going to have the hearing
6 next week but I know that I will not be able
7 to get here next week, I'm concerned because
8 when I look at the picture of the overview
9 of the court, Wright Court and stuff there
10 is house there that's actually a nice house.
11 My question about this is who asked for this
12 vacation of the Wright Court and is there
13 someone still living in that home that will
14 effected by this?

15 MR. GAUGHAN: We can find out. One
16 of the things within the legislation it says
17 the request to vacate the roadway had been
18 received. It's not in the backup, I believe
19 it usually is so, Mrs. Reed, maybe if we can
20 find out from Mr. Pocius who requested the
21 roadway be vacated and then we can find out
22 if anybody is living in that property.

23 MS. DAVITT: Is there a reason that
24 a vacation of a city street would be
25 requested other than just that it's not

1 used?

2 MR. GAUGHAN: Yeah, usually there is
3 a little bit more explanation in the backup.
4 It does say in the sixth whereas clause
5 that, "The city finds that there are no
6 longer exists a need for a public right of
7 passage in this right-of-way and the public
8 is no longer benefited by such a use."

9 So I guess the thing we should find
10 out is who requested it to be vacated.

11 MR. EVANS: It appears the part of
12 it was already previously abandoned so we
13 have to find out -- generally speaking, it's
14 an adjacent property looking to add land to
15 their property so I'm sure we will find out
16 in the backup who that person is and why,
17 what the rationale is.

18 MS. DAVITT: That's all I have.
19 Thank you.

20 MR. GAUGHAN: Thank you so much.

21 MR. WECHSLER: Anyone else?

22 MS. HODOWANITZ: Joan Hodowanitz,
23 Scranton resident and taxpayer. I arrived
24 late due to an appointment in Wilkes-Barre
25 so if I say something that someone has asked

1 before just have patience with me, and some
2 of these I have asked last week but I want
3 to repeat them since I haven't gotten an
4 answer and you only have three more sessions
5 before you take your August recess, so I
6 don't want these to fall through the cracks,
7 but the first one is I noticed on the
8 counter in the City Clerk's Office the PEL
9 exit plan with changes. I guess the changes
10 were based on public input. I didn't have a
11 chance to review it, were there any notable
12 changes made to the exit plan?

13 MR. EVANS: There is some comments
14 about reassessment that I asked for. There
15 are also the section about defined
16 contribution plans for non-union employees
17 in there, a couple of other changes, but not
18 a lot but there has been some. Yeah.

19 MS. HODOWANITZ: Am I correct in
20 assuming that the PEL supports reassessment.

21 MR. EVANS: Yes.

22 MS. HODOWANITZ: Speaking of the
23 status of something, June 30 has come and
24 gone, what I did not see on the Clerk's desk
25 or counter was the 2016 independent audit,

1 has it been released yet?

2 MR. WECHSLER: Mr. Evans can answer
3 that.

4 MR. EVANS: The draft audit was
5 received on June 30 and a completed audit is
6 expected July 12.

7 MS. HODOWANITZ: It will be?
8 July 1.

9 MS. HODOWANITZ: Available to the
10 public.

11 MR. EVANS: It should be. That
12 should be final.

13 MS. HODOWANITZ: And if you could
14 encourage the administration to post it on
15 the website.

16 MR. WECHSLER: I think it will be
17 available -- it's going to received July 12,
18 I'm not sure it will available right on the
19 12th.

20 MR. EVANS: Shortly thereafter.

21 MS. HODOWANITZ: I would hope it's
22 before the end of July so that we can have
23 an opportunity to discuss it.

24 MR. EVANS: Oh, I would think so.

25 MS. HODOWANITZ: Have you had any

1 response or any contact with the Attorney
2 General?

3 MR. WECHSLER: Just what we had last
4 week. I did speak to someone from his
5 office and he was going to get back to me
6 within two weeks.

7 MS. HODOWANITZ: Okay, so they are
8 still looking at the issue.

9 MR. WECHSLER: They are looking at
10 it. Since it's not a criminal matter they
11 are trying to find the best way to handle
12 it.

13 MS. HODOWANITZ: And an oldie by
14 goldie, the Knowel's insurance list, is that
15 ready for public review?

16 MR. EVANS: I mean, my discussions
17 with Mr. Bulzoni are that we expect every
18 quarter to have a revised -- and that
19 quarter should be over June 30, so I'll ask
20 him again about where that is.

21 MS. HODOWANITZ: Because I remember
22 when you passed this on the last week of
23 March, because it went out on April 1, you
24 know, insurance, that a comment was made,
25 and I can check in the council minutes, that

1 the list would be scrubbed since there was
2 obviously some glaring errors and that the
3 corrected list would be made available for
4 public review and I'm still waiting on that
5 list.

6 MR. GAUGHAN: And I believe that to
7 add the Serrenti Center to it as well.

8 MR. EVANS: That's why --

9 MS. HODOWANITZ: That was in the
10 process of being acquired.

11 MR. EVANS: We agree that we would
12 do quarterly updates, Knowel's would.

13 MS. HODOWANITZ: Do I have to do a
14 Right-to-Know to see a copy of it?

15 MR. EVANS: No. No, I think we'll
16 get it soon.

17 MS. HODOWANITZ: Because little
18 things like \$783,000 insurance on a zoo.

19 MR. EVANS: Yep.

20 MS. HODOWANITZ: I'm not sure about
21 that one. Okay, about how about the RFP for
22 the third party administrator for the
23 pension funds?

24 MR. WECHSLER: No update.

25 MS. HODOWANITZ: No update. That's

1 not good, okay, and we have a trust
2 established from the sewer proceeds that
3 would eventually go to the pension funds?

4 MR. EVANS: Well, that's all part of
5 the same thing. Third party administrator
6 has to be hired before the trust is --

7 MS. HODOWANITZ: I hope those
8 proceeds are collecting interest.

9 MR. EVANS: I would hope so.

10 MS. HODOWANITZ: I hope so. Okay,
11 and the lawsuit on the tax cap for the city
12 I'm not so much interested in the status of
13 the lawsuit because it would have hit the
14 papers if there were any change there, but
15 has the city said anything about a Plan B in
16 case they lose their case other than
17 appealing?

18 MR. WECHSLER: Plan B's aren't the
19 city's strong suit. Really I don't believe
20 that they have a contingency if they lose
21 the suit.

22 MS. HODOWANITZ: Well, I think, you
23 know, if they lose it they are looking at
24 probably a tax hike next year, a heavy one.

25 MR. WECHSLER: But there would be an

1 appeal so --

2 MR. HODOWANITZ: Okay. And finally
3 on reassessment, I know the council is
4 strongly in favor of it, has the council
5 considered either before or after your
6 August recess participating or hosting a
7 public meeting for debate purposes?

8 MR. WECHSLER: Yes, I think I
9 addressed this last week, we're actually the
10 format that we have we are going to have
11 comments pro and con, I believe.

12 MS. HODOWANITZ: But you don't have
13 a schedule worked out yet?

14 MR. WECHSLER: Not yet, because we
15 did request some information from the county
16 in terms of the costs so when we get back it
17 will be August, the referendum is in
18 November so --

19 MS. HODOWANITZ: So probably after
20 the August break?

21 MR. WECHSLER: I would think
22 probably not in August, I don't think,
23 because when we come back we will have a
24 full agenda when we come back so I would
25 imagine probably sometime in September.

1 MS. HODOWANITZ: My only request is
2 as soon as you nail down dates and locations
3 please get it publicized in the paper so
4 that --

5 MR. WECHSLER: The location would be
6 here. That's my intention.

7 MS. HODOWANITZ: Okay. Thank you.

8 MR. DOBRZYN: Good evening, Council.
9 Dave Dobrzyn, resident. Taxes paid, fees
10 paid. Somebody was wearing a nice suit
11 tonight on this side and had I supported
12 Trump, which I didn't, I would be looking
13 for a rock to hide under at this point, all
14 he seems to do is hate just about American
15 institution. He has got a great insurance
16 policy by the way, it's called Mike Pence.
17 Just like George W. Bush had Dick Cheney,
18 who the hell would want him as president.

19 Once again, city business, I would
20 like to see a change of accounts payable due
21 at winter's end be moved up a bit because
22 you are paying heating bills, you are paying
23 possible taxes of other types, discrepancies
24 in what was deducted and so forth, it's a
25 little much to come up with a \$300 trash fee

1 or getting under the fence with the 270, and
2 as far as the current ordinance it's time to
3 start enforcing it. It's time to develop a
4 plan where people who constantly have five
5 bags of the trash sitting out in front of
6 their house or in back of their house
7 blatant with trash and recyclables mixed
8 together it's time they start to get told
9 that the status quo is not good enough. We
10 study much and our studies get their start
11 and they are -- they have their direction
12 before they are ever completed. This is
13 what we are going to do, we are going to
14 change everything around and somehow it's
15 going to be better than what we had before.

16 Rental registration, Attorney Hickey
17 stated lack thereof creates holes in the
18 trash fees collection and others are forced
19 to pay more. There could be duplexes,
20 triple rentals and so forth and if they are
21 paying one trash they or hardly paying
22 anything at all, which is also what I
23 suspect. Shame, shame, shame. We need to
24 get that and it's not that there wasn't an
25 effort done but it just seems like we never

1 seem to get with it and get our -- get these
2 people rounded up and tell them what they
3 need to pay. I mean, \$18,000 or \$17,000
4 with the trash fees that are never paid with
5 people owning multiple dwellings is not
6 acceptable, especially when you are after
7 the average Joe to pay the bill every year.

8 And, you know, I was going up by
9 Wyoming Avenue the other day and another
10 sign appeared for a tax exempt on a building
11 that was previously owned by a glass
12 company. They did windshields and other
13 things and it's time. It's way past time
14 getting the Federal Court and getting an
15 interpretation of what threshold is
16 acceptable before the state has to
17 compensate because of their constitution and
18 the county has to come up with some kind of
19 compensation, also. We are at 35 percent
20 and if it gets keep growing, I mean, I don't
21 want to pay for half of the city not paying,
22 it's already too much and some of these
23 institutions aren't necessarily as much of a
24 benefit as they would like to think so. I
25 guess I hold a grudge over the Henry Amoroso

1 donation to start with. All I can think he
2 was about was obfuscating the cause of why
3 taxes are so high to begin with. You can't
4 expect the unions to back off, they are
5 never going to back off, people have lost
6 tens of thousands of dollars in the school
7 district in one afternoon with hybrid
8 pension plan.

9 And don't forget, if you don't like
10 your candidate Dubcheck for dictator. We
11 are still there available. I can straighten
12 things out in no time. Thank you. Have a
13 good night.

14 MR. WECHSLER: Anyone else?

15 MS. TOMLINSON: Hi. Heather
16 Tomlinson. I was reading through the
17 minutes here, the agenda, and have a
18 question, the 7-B, "Authorizing the mayor to
19 execute an amendment to the
20 intergovernmental cooperation for the
21 purpose of implementation of a
22 multi-municipal comprehensive plan."

23 Am I correct in thinking that this
24 is actually SAPA?

25 MR. EVANS: Yes.

1 MS. TOMLINSON: And then I'm happy
2 with "C". The other question I have, the
3 other thing I have is actually just a
4 comment. She was asking about the public
5 meeting that you guys will hopefully have in
6 September, I encourage you to have it at a
7 time later than Mr. Courtright had his town
8 hall meeting because there were a lot of
9 people that I talked to who wanted to be
10 able to get there but couldn't get to the
11 meeting at 5:30 because they were still at
12 work. So maybe have it at a later time so
13 more people can actually attend.

14 MR. WECHSLER: Our meeting will be
15 scheduled around council hours so it would
16 be either at 5:30 or 6:00 because we still
17 have to get our other city business done.

18 MS. TOMLINSON: Right, yeah, because
19 speaking to other people there have been a
20 lot of times where they want to come to the
21 city council meetings or other things that
22 are happening and they just can't make it
23 because of work.

24 MR. WECHSLER: Hopefully we are not
25 the only ones doing it, we are only

1 proposing this because of our desire to see
2 the reassessment done, but I'm sure there
3 will be other debates probably more than
4 city council. We are only doing it for our
5 express interest of what we would like to
6 see done. So it's really going to be part
7 of council meetings, not going to be a like
8 a town hall setting.

9 MS. TOMLINSON: All right. That's
10 it really. Thank you very much.

11 MR. WECHSLER: Thank you. Anyone
12 else?

13 MS. REED: FIFTH ORDER. 5-A.
14 MOTIONS.

15 MR. WECHSLER: Mr. Evans, you're
16 lead off.

17 MR. EVANS: Wow. I'm not used to
18 that. Amazing. I'll keep it short then.
19 Since we are only two days removed from the
20 Fourth of July, I thought I would talk about
21 that as well as the July 3 celebration on
22 courthouse square. I have attended that for
23 as long as it's been downtown and it's not
24 only a funny event it's beautiful and it's
25 also inspiring. State Rep Flynn, Marty

1 Flynn, posted a quote on social media a few
2 days ago about -- from Abraham Lincoln I
3 thought it was appropriate. Lincoln said,
4 "I see a man proud the place in which he
5 lives. I'd like see a man so that his place
6 would be proud of him."

7 So I would hope that we all strive
8 to live in a place where we live would be
9 proud of us, but more importantly, I would
10 like to see a man proud of the place in
11 which he lives. Events like Monday's
12 celebration in downtown Scranton only serve
13 to reinforce how proud I am of this place I
14 live. The people, the history, the
15 architecture, and days like Monday evening
16 with the patriotism all on full display for
17 all of us to see as thousands gathered to
18 celebrate our independence.

19 No, Scranton is not perfect, not far
20 from it, but like our founding fathers who
21 attempted to form a more perfect union we
22 are work in progress, but that won't stop me
23 from being proud of where I live or working
24 hard every single day to make it better.

25 So I'm going to reject that half

1 glass full outlook, those that take solace
2 in negativity and continue to do that,
3 that's okay, but maybe some others who have
4 chosen a different, but my final comment for
5 all Scrantonians this evening is it's okay
6 to be proud of who you are and it's equally
7 okay to be proud of the city that you call
8 home. That's all I have tonight.

9 MR. WECHSLER: Thank you, Mr. Evans.
10 Mr. Gaughan?

11 MR. GAUGHAN: Yes, thank you, just a
12 few items. First, the street sweeper will
13 be in the East Mountain area July 10 to July
14 14. Wintermantle Avenue to Mulkey Avenue,
15 East Mountain Road to Cherry Street and all
16 streets in-between.

17 I would like to request that the
18 administration add Elmhurst Boulevard to
19 future city paving lists. I received quite
20 a few requests and pictures from residents
21 in that area and it is a road that is in
22 very bad condition.

23 I did receive a complaint about a
24 property in the 300 block of Foster Street
25 this has been foreclosed, unoccupied and

1 condemned for the past three years. The
2 neighbors have been concerned as of late.
3 The property used to be taken care of, it's
4 now becoming severely overgrown, bushes are
5 severely overgrown, the sidewalks are in
6 rough shape. The neighbors did try to call
7 a bank who owns it to no avail, so we are
8 requesting that LIPS take a further look
9 into that.

10 We received a letter back in May
11 from residents in the 900 block of Clearview
12 Street. They're having major issues at the
13 bottom of their hill. I was on the phone
14 with a gentleman who lives in that block
15 this afternoon, they are getting backed up
16 sewer water in their basement after every
17 thunderstorm due to blocked sewer lines.
18 I've had different conversations with
19 Pennsylvania American Water, formally the
20 Scranton Sewer Authority. They did send
21 council a letter, they sent it to the DPW
22 and the administration. I would like to
23 reach out again to the city engineer to see
24 if he can take a look at this issue and if
25 there is any way that we can get some relief

1 to these people. It's very important to
2 them.

3 I would like, Mrs. Reed, if you
4 could send a letter to the administration
5 asking for an update on the closure of the
6 tree house at Nay Aug Park. I think it's
7 very disappointing and I think it's an
8 absolute shame that the tree house continues
9 to be closed. It's one of the main
10 attractions to Nay Aug Park and I know there
11 is many people that are disappointed that
12 that continues to be closed and probably
13 will remain so until the end of the summer.

14 We did receive great news, as was
15 reported in the newspaper, regarding the
16 Scranton Iron Furnaces attracting an
17 international iron casting conference to
18 Lackawanna County. The City of Scranton
19 beat out Boston, Massachusetts and Bethlehem
20 to have this conference in Lackawanna
21 County. It will be held May 28 to June 2 of
22 next year, 2018. It's estimated to bring
23 nearly 1,000 people to the City of Scranton.
24 I just wanted to say a great job to all of
25 those who were involved in the annual Arts

1 on Fire Festival. That festival a actually
2 one of the reasons that this conference is
3 coming to the City of Scranton and to
4 Lackawanna County. So I would urge the
5 administration and anybody involved in city
6 government to promote this over the next
7 year to make sure that we get as many people
8 out as possible. And that's all I have this
9 peek week. Thank you.

10 MR. WECHSLER: Thank you
11 Mr. Gaughan. Very few items here to report
12 this week. A few weeks ago we did send a
13 request to former Sewer Authority, Scranton
14 Sewer Authority director Gene Barrett to
15 come to city council to answer a few
16 questions. Last Friday Mr. Barrett
17 corresponded with us declining our offer so
18 he will not be attending council to answer
19 any questions.

20 Other comments, I'll save for during
21 legislation.

22 MS. REED: 5-B. FOR INTRODUCTION -
23 AN ORDINANCE - CLOSING AND VACATING A
24 PORTION OF WRIGHT COURT BETWEEN LINDEN
25 STREET AND THE FORMERLY VACATED PORTION OF

1 WRIGHT COURT.

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

5 MR. EVANS: So moved.

6 MR. GAUGHAN: Second.

7 MR. WECHSLER: On the question? All
8 those in favor of introduction signify by
9 saying aye.

10 MR. EVANS: Aye.

11 MR. GAUGHAN: Aye.

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

14 MS. REED: 5-C. FOR INTRODUCTION -
15 A RESOLUTION - APPOINTMENT OF AJA E. WENTUM,
16 711 HARRISON AVENUE, SCRANTON, PENNSYLVANIA,
17 18510 AS A MEMBER OF THE HUMAN RELATIONS
18 COMMISSION, EFFECTIVE JUNE 23, 2017. MR.
19 WENTUM WILL BE REPLACING SUSAN BLUM CONNORS
20 WHO RESIGNED ON JUNE 12, 2017. MR. WENTUM
21 WILL FILL THE UNEXPIRED TERM OF SUSAN BLUM
22 CONNORS WHICH IS SCHEDULED TO EXPIRE ON
23 AUGUST 24, 2018.

24 MR. WECHSLER: At this time, I'll
25 entertain a motion that Item 5-C be

1 introduced into its proper committee.

2 MR. EVANS: So moved.

3 MR. GAUGHAN: Second.

4 MR. WECHSLER: On the question?

5 MR. GAUGHAN: Yes, on the question.

6 I just wanted to thank Mrs. Connors for her
7 service on the board. I'd also like to
8 welcome Mr. Wentum to the board. I think he
9 is going to be a great addition. As I was
10 reading though the backup I was really
11 impressed with his letter of the interest,
12 so I wish him the best of luck.

13 MR. WECHSLER: All those in favor of
14 introduction signify by saying aye.

15 MR. EVANS: Aye.

16 MR. GAUGHAN: Aye.

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

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

20 READING BY TITLE - FILE OF THE COUNCIL NO.
21 106, 2017 - AN ORDINANCE - APPROVING THE
22 TRANSFER OF A RESTAURANT LIQUOR LICENSE
23 CURRENTLY OWNED BY SCANLON, INC. T/D/B/A AS
24 DUNMORE BREW HOUSE, 1400 WHEELER AVENUE,
25 DUNMORE, LACKAWANNA COUNTY, PENNSYLVANIA,

1 LICENSE NO. R-1172 TO NEPALI KITCHEN, LLC
2 FOR USE AT 732 PROSPECT AVENUE, SCRANTON,
3 LACKAWANNA COUNTY, PENNSYLVANIA AS REQUIRED
4 BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

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

7 MR. EVANS: I move that Item 6-A
8 pass reading by title.

9 MR. GAUGHAN: Second.

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

12 MR. EVANS: Aye.

13 MR. GAUGHAN: Aye.

14 MR. WECHSLER: Aye. Opposed? The
15 ayes have it and so moved.

16 MS. REED: 6-B. READING BY TITLE -
17 FILE OF THE COUNCIL NO. 107, 2017 - AN
18 ORDINANCE - APPROVING THE TRANSFER OF A
19 RESTAURANT LIQUOR LICENSE CURRENTLY OWNED BY
20 JOAN HUDAK T/D/B/A SEVEN SISTERS TAVERN, 814
21 SUSQUEHANNA AVENUE, OLYPHANT, LACKAWANNA
22 COUNTY, PENNSYLVANIA, LICENSE NO. R-3527 TO
23 CFM BEER BRICK, LLC FOR USE AT 337 WEST
24 MARKET STREET, SCRANTON, LACKAWANNA
25 COUNTY, PENNSYLVANIA AS REQUIRED BY THE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PENNSYLVANIA LIQUOR CONTROL BOARD.

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

MR. EVANS: I move that Item 6-B pass reading by title.

MR. GAUGHAN: Second.

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

MR. EVANS: Aye.

MR. GAUGHAN: Aye.

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

MS. REED: 6-C. READING BY TITLE - FILE OF THE COUNCIL NO. 108, 2017 - AN ORDINANCE - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, SETTING FORTH ITS INTENT TO ISSUE ONE OR MORE SERIES OF GENERAL OBLIGATION BONDS OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FORTY-ONE MILLION DOLLARS (\$41,000,000) PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT, 53 PA.C.S., CHAPTERS 80-82, AS AMENDED AND

1 SUPPLEMENTED (THE "ACT"); FINDING THAT A
2 PRIVATE SALE BY NEGOTIATION IS IN THE BEST
3 FINANCIAL INTERESTS OF THE CITY; DETERMINING
4 THAT SUCH BONDS SHALL EVIDENCE NONELECTORAL
5 DEBT OF THE CITY; SPECIFYING THAT SUCH
6 INDEBTEDNESS IS TO BE INCURRED TO PROVIDE
7 FUNDS FOR A CERTAIN PROJECT OF THE CITY
8 WHICH CONSISTS OF THE FOLLOWING: (1)
9 CURRENTLY REFUNDING THE CITY'S OUTSTANDING
10 GENERAL OBLIGATION BONDS, SERIES B OF 2003;
11 AND (2) PAYING THE COSTS AND EXPENSES OF
12 ISSUANCE OF THE BONDS; SETTING FORTH THE
13 REASONABLE ESTIMATED REMAINING USEFUL LIVES
14 OF THE CAPITAL PROJECTS THAT ARE TO BE
15 REFINANCED BY THE BONDS; ACCEPTING A
16 PROPOSAL FOR THE PURCHASE OF SUCH BONDS AT
17 PRIVATE SALE BY NEGOTIATION; PROVIDING THAT
18 SUCH BONDS, WHEN ISSUED, SHALL CONSTITUTE
19 GENERAL OBLIGATIONS OF THE CITY; FIXING THE
20 DENOMINATIONS, DATED DATE, INTEREST PAYMENT
21 DATES, MATURITY DATES, INTEREST RATES AND
22 REDEMPTION PROVISIONS (IF APPLICABLE) AND
23 PLACE OF PAYMENT OF THE PRINCIPAL OF AND
24 INTEREST ON SUCH BONDS; AUTHORIZING
25 SPECIFIED OFFICERS OF THE CITY TO CONTRACT

1 WITH THE PAYING AGENT FOR ITS SERVICES IN
2 CONNECTION WITH THE BONDS; SETTING FORTH THE
3 SUBSTANTIAL FORM OF THE BONDS EVIDENCING THE
4 DEBT; AUTHORIZING EXECUTION AND ATTESTATION
5 OF SUCH BONDS; PROVIDING COVENANTS RELATED
6 TO DEBT SERVICE APPLICABLE TO SUCH BONDS TO
7 THE EXTENT REQUIRED BY THE ACT AND PLEDGING
8 THE FULL FAITH, CREDIT AND TAXING POWER OF
9 THE CITY IN SUPPORT THEREOF; CREATING ONE OR
10 MORE SINKING FUNDS IN CONNECTION WITH SUCH
11 BONDS, TO THE EXTENT REQUIRED BY THE ACT;
12 DESIGNATING THE PAYING AGENT TO BE THE
13 SINKING FUND DEPOSITARY; PROVIDING A
14 COVENANT TO INSURE PROMPT AND FULL PAYMENT
15 FOR SUCH BONDS WHEN DUE; SETTING FORTH
16 REGISTRATION AND TRANSFER PROVISIONS WITH
17 RESPECT TO SUCH BONDS; AUTHORIZING THE
18 EXECUTION OF ONE OR MORE INVESTMENT
19 AGREEMENTS BY SPECIFIED OFFICERS OF THE CITY
20 (IF APPLICABLE) AND THE PURCHASE OF CERTAIN
21 U.S. TREASURY OBLIGATIONS OR ANY OTHER
22 SECURITIES OR INVESTMENTS IN CONNECTION WITH
23 THE INVESTMENT OF PROCEEDS OF THE BONDS AND
24 THE REFUNDING OF THE CITY'S OUTSTANDING
25 GENERAL OBLIGATION BONDS, SERIES B OF 2003;

1 AUTHORIZING AND DIRECTING SPECIFIED OFFICERS
2 OF THE CITY TO DO, TO TAKE AND TO PERFORM
3 CERTAIN SPECIFIED, REQUIRED, NECESSARY OR
4 APPROPRIATE ACTS TO EFFECT THE ISSUANCE
5 OF THE BONDS, INCLUDING, WITHOUT LIMITATION,
6 THE PREPARATION OF A DEBT STATEMENT AND
7 BORROWING BASE CERTIFICATE, AND THE FILING
8 OF SPECIFIED DOCUMENTS WITH THE DEPARTMENT
9 OF COMMUNITY AND ECONOMIC DEVELOPMENT, ALL
10 AS REQUIRED BY THE ACT; DECLARING THAT THE
11 DEBT TO BE EVIDENCED BY SUCH BONDS, TOGETHER
12 WITH ALL OTHER INDEBTEDNESS OF THE CITY,
13 WILL NOT BE IN EXCESS OF ANY APPLICABLE
14 LIMITATION IMPOSED BY THE ACT; AUTHORIZING
15 PROPER OFFICERS OF THE CITY TO DELIVER THE
16 BONDS UPON THE APPROVAL OF THE DEPARTMENT OF
17 COMMUNITY AND ECONOMIC DEVELOPMENT; SETTING
18 FORTH CERTAIN COVENANTS PRECLUDING THE CITY
19 FROM TAKING ACTIONS WHICH WOULD CAUSE THE
20 BONDS TO BECOME "ARBITRAGE BONDS" OR
21 "PRIVATE ACTIVITY BONDS," AS THOSE TERMS ARE
22 USED IN THE INTERNAL REVENUE CODE OF 1986,
23 AS AMENDED (THE "CODE"), AND APPLICABLE
24 REGULATIONS PROMULGATED THEREUNDER;
25 AUTHORIZING THE PURCHASE OF BOND INSURANCE

1 (IF APPLICABLE) AND SETTING FORTH THE
2 PROVISIONS, IF ANY, REQUIRED TO BE INCLUDED
3 BY THE BOND INSURER; AUTHORIZING THE
4 EXECUTION OF A CONTINUING DISCLOSURE
5 CERTIFICATE AND COVENANTING TO COMPLY WITH
6 THE PROVISIONS THEREOF; AUTHORIZING THE
7 EXECUTION OF ONE OR MORE ESCROW AGREEMENTS
8 BY AND BETWEEN THE CITY AND THE ESCROW
9 AGENTS NAMED THEREIN IN CONNECTION WITH THE
10 REFUNDING OF THE CITY'S OUTSTANDING GENERAL
11 OBLIGATION BONDS, SERIES B OF 2003, IF
12 NECESSARY OR DESIRABLE; APPROVING THE
13 PREPARATION, USE AND DISTRIBUTION OF A
14 PRELIMINARY OFFICIAL STATEMENT AND AN
15 OFFICIAL STATEMENT BY THE PURCHASER IN
16 CONNECTION WITH THE MARKETING OF THE BONDS;
17 SETTING FORTH THE CITY'S INTENT TO PROVIDE
18 FUNDS TO REFUND THE CITY'S OUTSTANDING
19 FEDERALLY TAXABLE GENERAL OBLIGATION PENSION
20 FUNDING BONDS, SERIES C OF 2003 AND THE
21 CITY'S OUTSTANDING FEDERALLY TAXABLE GENERAL
22 OBLIGATION BONDS, SERIES D OF 2003;
23 AUTHORIZING THE EXECUTION OF ONE OR MORE
24 ESCROW AGREEMENTS BY AND BETWEEN THE CITY
25 AND THE ESCROW AGENT NAMED THEREIN IN

1 CONNECTION WITH THE REFUNDING OF THE CITY'S
2 OUTSTANDING FEDERALLY TAXABLE GENERAL
3 OBLIGATION PENSION FUNDING BONDS, SERIES C
4 OF 2003 AND THE CITY'S OUTSTANDING FEDERALLY
5 TAXABLE GENERAL OBLIGATION BONDS, SERIES
6 D OF 2003; AUTHORIZING THE EXECUTION OF ONE
7 OR MORE INVESTMENT AGREEMENTS BY SPECIFIED
8 OFFICERS OF THE CITY (IF APPLICABLE) AND THE
9 PURCHASE OF CERTAIN U.S. TREASURY
10 OBLIGATIONS OR ANY OTHER SECURITIES OR
11 INVESTMENTS IN CONNECTION WITH THE
12 INVESTMENT OF MONEYS WHICH WILL BE USED TO
13 REFUND THE CITY'S OUTSTANDING FEDERALLY
14 TAXABLE GENERAL OBLIGATION PENSION FUNDING
15 BONDS, SERIES C OF 2003 AND THE CITY'S
16 OUTSTANDING FEDERALLY TAXABLE GENERAL
17 OBLIGATION BONDS, SERIES D OF 2003;
18 PROVIDING WHEN THIS ORDINANCE SHALL BECOME
19 EFFECTIVE; AUTHORIZING AND DIRECTING THE
20 PREPARATION, EXECUTION AND DELIVERY OF ALL
21 OTHER REQUIRED DOCUMENTS AND THE TAKING OF
22 ALL OTHER REQUIRED ACTION; PROVIDING FOR
23 SEVERABILITY OF PROVISIONS; PROVIDING FOR
24 THE REPEALING OF ALL ORDINANCES OR PARTS OF
25 ORDINANCES INSOFAR AS THE SAME SHALL BE

1 INCONSISTENT HEREWITH.

2 MR. WECHSLER: You've heard reading
3 by title of Item 6-C, what is your pleasure?

4 MR. EVANS I move that Item 6-C pass
5 reading by title.

6 MR. GAUGHAN: Second.

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

9 MR. EVANS: Aye.

10 MR. GAUGHAN: Aye.

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

13 MS. REED: 6-D. READING BY TITLE -
14 FILE OF THE COUNCIL NO. 109, 2017 - AN
15 ORDINANCE - AUTHORIZING THE MAYOR AND OTHER
16 APPROPRIATE CITY OFFICIALS TO REALLOCATE A
17 PORTION OF THE PROCEEDS FROM THE SALE OF THE
18 SCRANTON SEWER AUTHORITY TO REFUND AND
19 REFINANCE THE CITY'S OUTSTANDING GENERAL
20 OBLIGATION BONDS, SERIES B OF 2003; AND
21 REFUND THE CITY'S OUTSTANDING GENERAL
22 OBLIGATION BONDS, SERIES C AND D OF 2003.

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

25 MR. EVANS: I move that Item 6-D

1 pass reading by title.

2 MR. GAUGHAN: Second.

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

5 MR. EVANS: Aye.

6 MR. GAUGHAN: Aye.

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

9 MS. REED: SEVENTH ORDER. 7-A. FOR
10 CONSIDERATION BY THE COMMITTEE ON RULES -
11 FOR ADOPTION - RESOLUTION NO. 172, 2017-
12 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
13 CITY OFFICIALS TO GRANT A SPECIAL
14 ENCROACHMENT PERMIT TO ANOTHER TIME
15 RESTAURANT, LLC D/B/A AV RESTAURANT TO
16 OPERATE OUTDOOR SEATING IN FRONT OF ITS
17 RESTAURANT AT 320-322 PENN AVENUE, SCRANTON,
18 PENNSYLVANIA.

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

22 MR. EVANS: Second.

23 MR. WECHSLER: On the question?
24 Roll call, please?

25 MS. CARRERA: Mr. Perry.

1 MS. CARRERA: Mr. Evans.

2 MR. EVANS: Yes.

3 MS. CARRERA: Mr. Gaughan.

4 MR. GAUGHAN: Yes.

5 MS. CARRERA: Mr. Wechsler.

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

9 MS. REED: 7-B. FOR CONSIDERATION BY
10 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR
11 ADOPTION - RESOLUTION NO. 173, 2017 -
12 AUTHORIZING THE MAYOR TO EXECUTE AN
13 AMENDMENT TO THE INTERGOVERNMENTAL
14 COOPERATION FOR THE PURPOSE OF
15 IMPLEMENTATION OF A MULTI-MUNICIPAL
16 COMPREHENSIVE PLAN BY THE CITY OF SCRANTON
17 AND THE ADJACENT MUNICIPALITIES OF THE
18 BOROUGHES OF CLARKS GREEN, CLARKS SUMMIT,
19 DALTON, DUNMORE AND THE TOWNSHIPS OF
20 GLENBURN, NEWTON, SOUTH ABINGTON, WAVERLY,
21 AND WEST ABINGTON.

22 MR. WECHSLER: What is the
23 recommendation of the Chairperson for the
24 Committee on Community Development?

25 MR. GAUGHAN: As temporary

1 Chairperson for the Committee on Community
2 Development, I recommend final passage of
3 Item 7-B.

4 MR. EVANS: Second.

5 MR. WECHSLER: On the question?

6 MR. GAUGHAN: Yes, on the question.

7 I just wanted to briefly say -- send out a
8 big thank you to all of those people
9 involved in SAPA and the whole process, all
10 of the communities that have been working so
11 diligently over the past three years. The
12 City of Scranton adopted -- one of the first
13 things that we did in 2014 was adopt the
14 SAPA plan as our comprehensive plan. I'd
15 also like to thank Mary Liz Donato from
16 Lackawanna County Department of Planning and
17 Economic Development for all of the work
18 that she has done. I think this is a great
19 example of what happens when two governments
20 work together and the region works together
21 for the betterment of the region. Thank
22 you.

23 MR. EVANS: Yes, on the question.

24 As many people know I have been a supporter
25 of SAPA for almost a decade I'm very happy

1 to finally see this resolution passed this
2 evening. Also, the accompanying legislation
3 which is going to allow for a grant and
4 participating in a grant that's going to
5 finally get the City of Scranton to move off
6 the present zoning code, which was
7 established in 1994, which I was involved
8 with, I was one of the authors of that so I
9 know how long it's been, I actually had
10 black hair when I did that code, but it's a
11 cost effective way to do it. There is also
12 the wider approach with multiple communities
13 involved. It's going to allow for a more
14 comprehensive zoning code. It's going to
15 better for all the municipalities involved
16 so I'm looking forward to that as well.

17 MR. WECHSLER: Roll call, please?

18 MS. CARRERA: Mr. Evans.

19 MR. EVANS: Yes.

20 MS. CARRERA: Mr. Gaughan.

21 MR. GAUGHAN: Yes.

22 MS. CARRERA: Mr. Wechsler.

23 MR. WECHSLER: Yes. I hereby
24 declare Item 7-B legally and lawfully
25 adopted.

1 MS. REED: 7-C. FOR CONSIDERATION
2 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -
3 RESOLUTION NO. 174, 2017 - AUTHORIZING THE
4 COUNTY OF LACKAWANNA TO MAKE APPLICATION FOR
5 A GRANT ON BEHALF OF THE CITY OF SCRANTON AS
6 A PARTICIPANT IN THE SCRANTON-ABINGTONS
7 PLANNING ASSOCIATION.

8 MR. WECHSLER: What is the
9 recommendation of the Chairperson for the
10 Committee on Finance?

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

14 MR. GAUGHAN: Second.

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

17 MS. CARRERA: Mr. Evans.

18 MR. EVANS: Yes.

19 MS. CARRERA: Mr. Gaughan.

20 MR. GAUGHAN: Yes.

21 MS. CARRERA: Mr. Wechsler.

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

25 MS. REED: 7-D. FOR CONSIDERATION

1 BY THE COMMITTEE ON PUBLIC WORKS - FOR
2 ADOPTION - RESOLUTION NO. 175, 2017-
3 AUTHORIZING THE DIRECTOR OF THE DEPARTMENT
4 OF PUBLIC WORKS OF THE CITY OF SCRANTON TO
5 SIGN AND SUBMIT THE PENNSYLVANIA DEPARTMENT
6 OF TRANSPORTATION ("PENNDOT") APPLICATION
7 FOR TRAFFIC SIGNAL APPROVAL FOR THE
8 INSTALLATION OF THE SOLAR POWERED TWO SIDED
9 RECTANGULAR RAPID FLASHING BEACON SYSTEM,
10 NEW CROSSWALK AND SIGNING. THE LACKAWANNA
11 HERITAGE VALLEY AUTHORITY (LHVA) PLANS TO
12 HAVE THESE INSTALLED AS PART OF THEIR SAFETY
13 IMPROVEMENT PROJECT ALONG BROADWAY STREET
14 AND LACKAWANNA RIVER HERITAGE TRAIL
15 INTERSECTION.

16 MR. WECHSLER: What is the
17 recommendation of the Chairperson for the
18 Committee on Public Works?

19 MR. GAUGHAN: As Chairperson for the
20 Committee on Public Works, I recommend final
21 passage of Item 7-D.

22 MR. EVANS: Second.

23 MR. WECHSLER: On the question?
24 Roll call, please?

25 MS. CARRERA: Mr. Evans.

1 MR. EVANS: Yes.

2 MS. CARRERA: Mr. Gaughan.

3 MR. GAUGHAN: Yes.

4 MS. CARRERA: Mr. Wechsler.

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

8 MS. REED: 7-E has been tabled.

9 MR. WECHSLER: If there is no
10 further business, I'll entertain a motion to
11 adjourn.

12 MR. EVANS: Motion to adjourn.

13 MR. WECHSLER: Meeting adjourned.

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER