

COUNCIL FOR THE CITY OF SCRANTON

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HELD:

Monday, November 25th, 2019

LOCATION:

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

Maria McCool, RPR  
Official Court Reporter

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

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PATRICK ROGAN, PRESIDENT - absent

TIMOTHY PERRY, VICE PRESIDENT

WILLIAM GAUGHAN

KYLE DONAHUE

MARY WALSH DEMPSEY

LORI REED, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

COREY EGAN, ESQUIRE

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

3

4 MR. PERRY: Roll call, please.

5 MS. CARRERA: Mr. Perry.

6 MR. PERRY: Here.

7 MS. CARRERA: Mr. Donahue.

8 MR. DONAHUE: Here.

9 MS. CARRERA: Attorney Dempsey.

10 ATTY. DEMPSEY: Here.

11 MS. CARRERA: Mr. Gaughan.

12 MR. GAUGHAN: Here.

13 MS. CARRERA: Mr. Rogan.

14 MR. GAUGHAN: I would like to make a  
15 motion to appoint Councilman Perry as Temporary  
16 Chair for the Committee on Rules.

17 ATTY. DEMPSEY: Second.

18 MR. PERRY: On the question? All  
19 those in favor signify by saying aye.

20 MR. DONAHUE: Aye.

21 MR. GAUGHAN: Aye.

22 ATTY. DEMPSEY: Aye.

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

25 MR. GAUGHAN: I'd also like to make

1 a motion to table Item 7-H.

2 ATTY. DEMPSEY: Second.

3 MR. PERRY: On the question? This  
4 piece of litigation is being tabled this  
5 evening because Mr. Borthwick's vacant seat has  
6 previously been filled by Resolution 110 of  
7 2019. All those in favor signify by saying  
8 aye.

9 MR. DONAHUE: Aye.

10 MR. GAUGHAN: Aye.

11 ATTY. DEMPSEY: Aye.

12 MR. PERRY: Aye. Opposed? The ayes  
13 have it and so moved. Please dispense with the  
14 reading of the minutes.

15 MS. REED: THIRD ORDER.

16 3-A. CONTROLLER'S REPORT FOR MONTH  
17 ENDING OCTOBER 31, 2019.

18 3-B. MINUTES OF THE HISTORICAL  
19 ARCHITECTURE REVIEW BOARD MEETINGS  
20 HELD SEPTEMBER 12 AND OCTOBER 24, 2019.

21 3-C. MINUTES OF THE SCRANTON  
22 FIREFIGHTERS PENSION COMMISSION MEETING  
23 HELD OCTOBER 16, 2019.

24 3-D. MINUTES OF THE SCRANTON POLICE  
25 PENSION COMMISSION MEETING HELD

1           OCTOBER 16, 2019.

2                   3-E. MINUTES OF THE NON-UNIFORM  
3 MUNICIPAL PENSION BOARD MEETING HELD  
4 OCTOBER 16, 2019.

5                   3-F. MINUTES OF THE NON-UNIFORM  
6 MUNICIPAL PENSION BOARD SPECIAL MEETING HELD  
7 NOVEMBER 15, 2019.

8                   3-G. MINUTES OF THE COMPOSITE  
9 PENSION BOARD MEETING HELD OCTOBER 16,  
10 2019.

11                   3-H. AGENDA FOR THE NON-UNIFORM  
12 MUNICIPAL PENSION BOARD MEETING HELD  
13 NOVEMBER 20, 2019.

14                   3-I. CORRESPONDENCE RECEIVED FROM  
15 THE PENNSYLVANIA ECONOMY LEAGUE DATED NOVEMBER  
16 16, 2019.

17                   3-J. MEMORANDUM RECEIVED FROM THE  
18 PENNSYLVANIA ECONOMY LEAGUE DATED  
19 NOVEMBER 20, 2019 REGARDING THE PAYROLL  
20 PREPARATION TAX.

21                   MR. PERRY: Are there any comments  
22 on any of the Third Order items?

23                   MR. GAUGHAN: Yes, I just have one  
24 comment on the correspondence that we received  
25 from the Pennsylvania Economy League. I just

1 want to make one comment that over the, you  
2 know, over the last few years every budget  
3 season I've made a similar comment since I've  
4 been on Council that the projections and the --  
5 the plan projections that have been provided  
6 over the last few years from the Pennsylvania  
7 Economy League verse what is actually in the  
8 budget, in certain categories the percentage  
9 that we have been over budget is astounding and  
10 concerning.

11 For example, this year -- and again,  
12 there's probably several reasons for this. But  
13 departmental expenditures were over the Exit  
14 Plan projections by almost 30 percent. Non  
15 departmental expenditures were over the  
16 budget -- or the Exit Plan projections rather  
17 by 40.3 percent.

18 Capital expenditures were over the  
19 Exit Plan projections by 106.7 percent. I went  
20 back and looked at from 2020 to 2016 and I  
21 compared what the Exit Plan projections were  
22 over what the City had actually projected in  
23 their budget. And if you combine capital  
24 expenditures, departmental expenditures, non  
25 departmental expenditures, we've been over

1 budget by almost 17 -- over 17 and a half  
2 million dollars.

3 Now, I think there's some  
4 explanations for that and some of that money  
5 might have been warranted. But if you're  
6 considering exiting Act 47, it's a concern when  
7 you don't stay in line or at least close to  
8 what the Pennsylvania Economy League had  
9 suggested or had projected in their Exit Plan.  
10 And that's all I have. Thank you.

11 MR. PERRY: Thank you. Any other  
12 comments? If not, received and filed. Do any  
13 Council members have any announcements at this  
14 time?

15 I have comments I'll make. First  
16 announcement, just a reminder that  
17 this week through November 30th, newspapers  
18 will not be picked up.

19 DPW employees will instead be  
20 picking up leaves this week. Bagging of leaves  
21 is suggested. And leaf bags are free for  
22 residents and may be picked up at DPW  
23 Headquarters on Poplar Street or at the Weston  
24 Fieldhouse on Providence Road. Again, leaves  
25 will be picked up this week, not newspapers.

1 In observance of Thanksgiving  
2 holiday this week, City Hall will be closed on  
3 Thursday, November 28th and Friday, November  
4 29th. And lastly, next Wednesday, December 4th  
5 at 4 p.m., Council will be holding a special  
6 caucus meeting in chambers with members of the  
7 administration to discuss the 2020 operating  
8 budget. This caucus meeting will be open to  
9 the public.

10 MS. REED: FOURTH ORDER. CITIZENS  
11 PARTICIPATION.

12  
13 (The following speakers spoke on  
14 agenda items and matters of general concern.

15 Norma Jefferies

16 Les Spindler

17 Bob Bolus

18 Ron Ellman

19 Marie Schumacher

20 Joan Hodowanitz

21 Fay Franus

22 Dave Dobrzyn

23 Jeanie Murtagh{sic})

24  
25 MS. REED: FIFTH ORDER. 5-A.



1 MOTIONS.

2 MR. PERRY: Mr. Donahue, any motions  
3 or comments tonight?

4 MR. DONAHUE: I have nothing at this  
5 time.

6 MR. PERRY: Attorney Dempsey, any  
7 motions or comments?

8 ATTY. DEMPSEY: Yes, actually. I  
9 was not going to speak tonight because I was  
10 busy tracking down an audit and actually all of  
11 us up here are working on questions in  
12 anticipation of the public caucus on budget.

13 So I thought I would let it go at  
14 that. But I have to say in light of  
15 Mr. Bolus's comments, I would be absolutely  
16 remiss if I didn't speak out. I have to go  
17 home to four children tonight. And I will not  
18 do that without speaking out against what he  
19 said here today.

20 While there was laughter in the  
21 gallery, I found nothing funny about it.  
22 Speaking about someone's sexual orientation to  
23 me in this respectable public forum of City  
24 Council, I thought the comments were  
25 disappointing, discouraging, and deplorable at

1 a minimum.

2 If he had named the individual I  
3 think they would have been discriminatory  
4 and/or defamatory potentially. And under  
5 either scenario, I find them unconscionable,  
6 untenable, and unacceptable in this public  
7 forum. As it stands now, sexual orientation's  
8 protected under federal law, Title 7 of the  
9 Civil Rights Act.

10 It's also protected under state law,  
11 the Pennsylvania Human Relations Act. It's  
12 also protected under local Scranton Ordinance,  
13 which is actually quite liberally written and  
14 has been in effect for years. We were ahead of  
15 our time on that one. It is unconscionable to  
16 make these statements.

17 The Scranton I know and the Scranton  
18 I love was born and created by a melting pot of  
19 ethnicities, races, nationalities, and now  
20 sexual orientations. I like to believe and I  
21 want to believe that his opinion is one of the  
22 miniscule minority in the City.

23 And I would hope that any member of  
24 this Council or any government or anyone would  
25 be welcomed in here with the same dignity,

1           respect and kindness that I was, not only by  
2           these gentlemen to my right but by everyone in  
3           this building and all of you regardless of  
4           sexual orientation.

5                        I hope this does not have to be  
6           addressed again. Our Council rules prohibit  
7           it. I'm going to ask any of our -- whoever is  
8           holding the meeting in the future to please  
9           aggressively defend this. I'm going to ask our  
10          solicitor to step in if this happens again. It  
11          is unacceptable. And it should be prohibited.

12                       Joan, I'll make one final comment to  
13          you. I'm sorry that you resigned. But I would  
14          like to at least speak number one to Council's  
15          commitment to the Ethics Board. Anyone who  
16          knows me knows I have been on that bandwagon  
17          since day one. And I know my Councilmates have  
18          as well.

19                       Contrary to what a lot of people  
20          think, we talk a lot about behind the scenes,  
21          all of us. And each one of us wanted this to  
22          work and to move forward. And I want to defend  
23          Mayor Evans here in particular because I went  
24          to him on numerous occasions. As many people  
25          know, I'm trying to lead the charge to some

1 extent to make sure that this Ethics Code is  
2 signed by the City of Scranton employees.

3 And he has text me. He has called  
4 me. And he has participated in personal  
5 face-to-face meetings with me about this code.  
6 And I will agree, City government does not work  
7 as quick as you want it to. I learned that  
8 very quickly as well. But we are committed.  
9 It will go on.

10 Unfortunately, we will need to  
11 replace you. I'm hoping you're replaceable  
12 because I know you've done a ton of work. I  
13 thank you for the work you've done. But I do  
14 want to reiterate this Council's commitment.  
15 And again, I have to say Mayor Evans I know is  
16 committed as well. And I think it would be  
17 unfair to characterize him in any other light.  
18 Thank you.

19 MR. PERRY: Thank you. Mr. Gaughan,  
20 any motions or comments?

21 MR. GAUGHAN: Yes, thank you. I  
22 just wanted to follow up on the conversation we  
23 had last week with Mr. Srebro and some of the  
24 flooding issues that he has up at the Keyser  
25 Valley area. So we did send something out to

1 the DPW and Mr. Gallagher asking for an update  
2 and then a potential followup meeting on that.  
3 So we'll wait to hear back from them.

4 Related to that, we did receive some  
5 correspondence from our City Engineer which was  
6 forwarded by Mr. Bulzoni regarding the rehab of  
7 the stormwater system in on Briggs Street up in  
8 the Keyser Valley area. I just want to read  
9 really briefly because I'm sure people will be  
10 interested in this in that area, a project  
11 description.

12 So the existing Briggs Street  
13 stormwater conveyance system was constructed in  
14 1967. Since that time, additional stormwater  
15 conveyance piping has been connected to the  
16 system. Also additional development has  
17 occurred in surrounding area contributing  
18 runoff to the system. That's obviously one of  
19 the major issues in the area.

20 Because of this and heavy storm  
21 events, the existing inlet bubbles over and  
22 stormwater sheet flows across Briggs Street  
23 onto the adjacent properties and streets. By  
24 constructing a new and more efficient  
25 stormwater conveyance system, these problems

1 will be eliminated in most storm events.

2 The project will consist of  
3 installing new and more efficient inlets and  
4 larger pipes to adequately convey the runoff to  
5 Keyser creek its original outlet point. The  
6 system has been cleaned and maintained by the  
7 City and the former Scranton Sewer Authority in  
8 the past.

9 I do know that the City is going for  
10 grant funding. And I believe in the 2020  
11 budget there is money in there to match that  
12 potential grant. So hopefully that project  
13 comes to fruition.

14 The second thing I want to mention  
15 is, I too, as I mentioned, Miss Hodowanitz I'm  
16 sad to see you resigned from the Ethics Board.  
17 However, I will say again, I respectfully  
18 disagree with your statement that Council has  
19 not done enough.

20 I think, first of all, you know, we  
21 didn't write the Ethics Code. We used  
22 Reading's as a model and took many of the  
23 wording and really the spirit of that law and  
24 made it into our own.

25 Secondly, Attorney Dempsey is

1 correct. If, you know -- every time I ran into  
2 a roadblock in the last five years I would have  
3 resigned years ago. Attorney Dempsey is  
4 correct when she says that government does not  
5 move at the pace that all of us would like.  
6 Government is difficult to deal with.

7 And keep in mind, especially -- and  
8 I'm not making excuses for this administration,  
9 but they're winding down now into a transition  
10 that's certainly not at full strength as they  
11 were at one point before Mayor Evans took  
12 office. But this year has been a difficult one  
13 with everything that went on.

14 So I think we do have to take that  
15 into account. I am really confident that the  
16 Ethics Board is going to move forward. It is  
17 going to take on the training aspect and  
18 everything else. We are going to evaluate  
19 whether the figure that's in the budget is  
20 correct and sustainable. I know that you  
21 disagreed with that.

22 But again, I know there's  
23 frustration there. But I'm really confident  
24 that moving forward it will be everything that  
25 it was supposed to be when it was first

1 hatched.

2 And last thing I want to mention is  
3 Miss Jefferies had brought up the street signs.  
4 So when Council passed this legislation a few  
5 years ago, we were giving this company the  
6 authority to come in and basically create a  
7 database for us. Now, when you hear database,  
8 I remember when we were passing this  
9 legislation a lot of people said why can't  
10 someone from the DPW just go around and take a  
11 look at the sign and mark down whether it needs  
12 to be replaced or not.

13 In fact, that was my first thought  
14 as well before it was explained to me. There's  
15 an awful lot that goes into this technology,  
16 number one, and into this database. And it is  
17 extremely beneficial to the City. Now, not  
18 only do we have a database, we have the  
19 technology to go along with it.

20 We don't have the staff as you had  
21 pointed out. Mr. Reed was here a couple weeks  
22 ago. I think it's one and a half employees, or  
23 two employees, whatever it is. We don't have  
24 the staff that certainly I think anyone on  
25 Council would like. But then again, we are a



1           distressed City and we are always in some kind  
2           of financial turmoil over the last few years.

3                        So it's difficult to add in what  
4           probably should be seven, eight, nine, ten  
5           positions. And at one time I believe the  
6           employees in the Sign Department, there was a  
7           lot more employees in there. So they're  
8           certainly not operating at full strength.

9                        I think, Miss Jefferies, what the  
10          plan is as I think I had mentioned to you  
11          previously, they're taking now all the data now  
12          that this company was able to compile. And  
13          they're working slowly because there is only  
14          limited staff. But they're working section by  
15          section.

16                       So it is going to take time to  
17          replace all the signs that were identified by  
18          this company. And there were quite a few from  
19          what I understand. It's going to take time to  
20          replace every single one of them. And I hope I  
21          answered all your questions. If I didn't,  
22          please let me know. But that's my  
23          understanding of the situation. Thank you.

24                       MR. PERRY: Thank you. And I have  
25          nothing at this time.

1 MS. REED: 5-B. FOR INTRODUCTION -  
2 AN ORDINANCE - AUTHORIZING THE ISSUANCE OF A  
3 TAX AND REVENUE ANTICIPATION NOTE, SERIES OF  
4 2020 IN THE PRINCIPAL AMOUNT NOT TO EXCEED  
5 \$12,750,000; PROVIDING FOR THE DATED DATE,  
6 INTEREST RATE, MATURITY DATE, REDEMPTION  
7 PROVISIONS, PAYMENT AND PLACE OF PAYMENT IN  
8 RESPECT OF THE NOTE; ACCEPTING THE PROPOSAL  
9 ATTACHED HERETO AS EXHIBIT "B" FROM THE  
10 FINANCIAL INSTITUTION NAMED THEREIN FOR THE  
11 PURCHASE OF THE NOTE; NAMING A SINKING FUND  
12 DEPOSITARY/PAYING AGENT; AUTHORIZING THE PROPER  
13 OFFICERS OF THE CITY TO EXECUTE AND  
14 DELIVER THE NOTE AND CERTAIN OTHER DOCUMENTS  
15 AND CERTIFICATES IN CONNECTION THEREWITH;  
16 AUTHORIZING AND DIRECTING THE PREPARATION,  
17 CERTIFICATION AND FILING OF THE NECESSARY  
18 DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND  
19 ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF  
20 PENNSYLVANIA; SETTING FORTH A FORM OF THE NOTE.

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

24 ATTY. DEMPSEY: So moved.

25 MR. DONAHUE: Second.

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

4 MR. DONAHUE: Aye.

5 MR. GAUGHAN: Aye.

6 ATTY. DEMPSEY: Aye.

7 MR. PERRY: Aye. Ayes have it. So  
8 moved.

9 MS. REED: 5-C. FOR INTRODUCTION -  
10 A RESOLUTION - ACCEPTING A ONE THOUSAND  
11 (\$1,000.00) DOLLAR DONATION FROM BRIDON  
12 AMERICAN GIVEN TO THE CITY OF SCRANTON POLICE  
13 DEPARTMENT SPECIAL OPERATIONS GROUP.

14 MR. PERRY: At this time I'll  
15 entertain a motion that Item 5-C be introduced  
16 into its proper committee.

17 ATTY. DEMPSEY: So moved.

18 MR. DONAHUE: Second.

19 MR. PERRY: On the question? All  
20 those in favor of introduction, signify by  
21 saying aye.

22 MR. DONAHUE: Aye.

23 MR. GAUGHAN: Aye.

24 ATTY. DEMPSEY: Aye.

25 MR. PERRY: Aye. Opposed? Ayes

1 have it. So moved.

2 MS. REED: 5-D. FOR INTRODUCTION -  
3 A RESOLUTION - ACCEPTING THE RECOMMENDATION  
4 OF THE HISTORICAL ARCHITECTURE REVIEW BOARD  
5 ("HARB") AND APPROVING THE CERTIFICATE OF  
6 APPROPRIATENESS FOR CHARLES JEFFERSON, 2030  
7 TILGHMAN STREET, SUITE 203, ALLENTOWN, PA 18104  
8 FOR THE FOLLOWING ALTERATIONS, RESTORATIONS AND  
9 RENOVATIONS TO TRIM AND DECORATIVE WOODWORK,  
10 SIDING AND MASONRY, WINDOWS, DOORS, AND  
11 ASSOCIATED HARDWARE, LIGHT FIXTURES AND  
12 DEMOLITION AT SCRANTON-SPRUCE, LP, 200 ADAMS  
13 AVENUE, SCRANTON, PA 18503 THE FORMER STOEHR  
14 AND FISTER BUILDING.

15 MR. PERRY: At this time I'll  
16 entertain a motion that Item 5-D be introduced  
17 into its proper committee.

18 ATTY. DEMPSEY: So moved.

19 MR. GAUGHAN: Second.

20 MR. PERRY: On the question? All  
21 those in favor of introduction signify by  
22 saying aye.

23 MS. REED: SIXTH ORDER. 6-A.  
24 READING BY TITLE - FILE OF THE COUNCIL NO. 78,  
25 2019 - AN ORDINANCE - APPROPRIATING FUNDS FOR

1 THE EXPENSES OF THE CITY GOVERNMENT FOR THE  
2 PERIOD COMMENCING ON THE FIRST DAY OF  
3 JANUARY, 2020 TO AND INCLUDING DECEMBER 31,  
4 2020 BY THE ADOPTION OF THE GENERAL CITY  
5 OPERATING BUDGET FOR THE YEAR 2020.

6 MR. PERRY: You've heard reading by  
7 title of Item 6-A. What is your pleasure?

8 MR. GAUGHAN: I move that Item 6-A  
9 pass reading by title.

10 MR. PERRY: I need a second, please.  
11 Someone say second.

12 ATTY. DEMPSEY: Second.

13 MR. PERRY: Thank you. On the  
14 question?

15 MR. GAUGHAN: Yes, on the question.  
16 Sorry, I think there's a little confusion  
17 there. That's okay. So just a few things on  
18 this -- I lost my train of thought now. The  
19 first thing I'd like to do is make a motion to  
20 request that the administration provide City  
21 Council with an alternative analysis to the  
22 budget that has been presented.

23 We could call that a Plan B.  
24 Realizing the speculative nature of the  
25 following items in the 2020 budget including

1 but not limited to the sale of refuse  
2 receivables, the conversion of the refuse bill  
3 into the real estate tax bill, the lowering of  
4 the garbage bill from \$300 to \$250, and the  
5 conversion of the Business Privilege and  
6 Mercantile Tax to Payroll Preparation Tax.

7 MR. DONAHUE: Second.

8 MR. PERRY: There's a motion on the  
9 floor and a second. All those in favor signify  
10 by --

11 MR. GAUGHAN: I think on the  
12 question for the motion.

13 MR. PERRY: Sorry, hang on for one  
14 second. On the question?

15 MR. GAUGHAN: Yes, on the question,  
16 just in regards to this motion. I think, you  
17 know, over the last couple of days as we're  
18 looking at the budget and putting our questions  
19 and stating our concerns, one of the things  
20 that we would like to see and the reason that I  
21 made this motion is we would just like to see  
22 the administration provide a Plan B.

23 With all of the moving parts in this  
24 budget as Mr. Bulzoni and Mayor Evans has  
25 described, my concern, I think my colleagues

1 share this concern based on our conversations  
2 is that were one of these moving parts to stall  
3 out, we would be in a difficult position next  
4 year.

5 So what we're asking for is for the  
6 administration to change the assumptions of the  
7 budget noting the ones that -- the major points  
8 that I had just made and give us assumptions  
9 if the budget -- if adverse things were to  
10 happen. For example, if the sale of refuse  
11 receivables didn't bring in 2.2 million  
12 dollars, whatever that figure is in the budget.

13 If, for example, as many people had  
14 expressed and we expressed in the caucus the  
15 conversion of the refuse bill into the real  
16 estate tax bill, if that didn't pan out if it  
17 were challenged; lowering the garbage bill from  
18 \$300 to \$250, also with the litigation that's  
19 involved with the garbage bill.

20 I could go on and on. There is so  
21 many moving parts here that I think it would be  
22 malfeasance on our part not to look at an  
23 alternative and a Plan B just in case and  
24 hopefully we can all meet somewhere in the  
25 middle.

1 MR. PERRY: Yes, also, Mr. Gaughan's  
2 right. We did discuss this. And this is  
3 something that the administration may very well  
4 have already done when they were putting  
5 together the budget models. But if they have,  
6 we haven't seen it. We've only seen the  
7 finished product of the budget that came to us.

8 So I would like also to see any  
9 information that they may have and, if not,  
10 well, then this is a good time to bring up any  
11 kind of exit strategy, backdoor plan, secondary  
12 idea for if one of these many moving parts does  
13 not work because this budget is a little bit  
14 different than most. And there are more than  
15 one things that could hit a snag along the way.

16 And if that happens, I want to have  
17 a parachute to get through this and not have a  
18 big hole in the budget come 2020. Anyone else  
19 on the question? All those in favor signify by  
20 saying aye.

21 MR. DONAHUE: Aye.

22 MR. GAUGHAN: Aye.

23 ATTY. DEMPSEY: Aye.

24 MR. PERRY: Aye. Opposed? Ayes  
25 have it. So moved.



1 MR. GAUGHAN: Okay. Now I'm still  
2 talking on the question with the actual  
3 legislation now. And I just want to go through  
4 a few things before we end here. As I  
5 mentioned, in looking at this budget I do think  
6 it's bit of a gamble. And I don't think that  
7 the City in its current financial state is in  
8 any position to take any major risks at this  
9 point.

10 As I mentioned, the Mayor and the  
11 Business Administrator said there are many  
12 moving parts. My fear is that if one of those  
13 moving parts stalls out or does not  
14 materialize, the taxpayers will be left holding  
15 the bag next year. And I do think it could be  
16 kicking the can down the road.

17 So give us a Plan B I think  
18 something that's a little bit more realistic  
19 and sustainable. One of the things that I had  
20 mentioned in my motion was to conduct a  
21 sensitivity analysis and a Plan B to give us an  
22 idea of how much room the City has for each  
23 variable in this budget, each moving part to go  
24 the other way, to go adverse. So change the  
25 assumptions of the budget if adverse actions

1           happen and assess the risk because there are a  
2           lot of risks in my opinion in this budget.

3                         One of the items that we had talked  
4           about and that I am still unclear on especially  
5           with the logistics is the conversion of the  
6           refuse bill rolled into the real estate tax  
7           bill. For example, and I talked to Mr. Bulzoni  
8           and the Mayor last week about this.

9                         We'll take a commercial business  
10          like Kelly's Pub and Eatery. Right now they  
11          pay a private hauler to take their garbage  
12          away. Under this new plan to roll the refuse  
13          bill into the real estate tax bill, Kelly's Pub  
14          now will get their real estate tax bill and  
15          they'll have to pay the refuse bill according  
16          to Mayor Evans and Mr. Bulzoni.

17                        So they're paying twice. They're  
18          paying for refuse removal, the service that  
19          they're not receiving and then they're paying  
20          to privately haul it away. I don't think that  
21          makes sense. And I think that could be  
22          definitely challenged.

23                        The second thing is in relation to  
24          apartment buildings. For example, anything  
25          over four units, they have to have a private

1           hauler. Under this plan the apartment building  
2           anything over four units would get a real  
3           estate tax bill and they'd have to pay \$250 for  
4           a service that they are not receiving. Again,  
5           I could see that being challenged. And I don't  
6           know if we're on shaky legal ground.

7                       The other part of that is an  
8           apartment that has less than four units. So  
9           right now each apartment is paying \$250 for the  
10          garbage -- or \$300 for the garbage they put  
11          out. Under this plan from what I understand,  
12          now the apartment building owner, the landlord  
13          will get one bill for the whole building. So  
14          they'll pay \$250.

15                      Well, that's not fair either because  
16          for somebody like me who is in a home, I pay  
17          \$300. Now everyone else is kind of getting  
18          away with not paying the garbage bill.

19                      Councilman Donahue had brought this  
20          up. People with multiple pieces of property in  
21          the City, will they get multiple bills? Okay,  
22          John Smith has four pieces of property. Does  
23          he get a thousand dollars worth of garbage  
24          bills? And then is he expected to come down to  
25          the Treasurer's office or wherever to fight

1 with them about the fact that he has a vacant  
2 piece of land?

3 And the reason that, you know, you  
4 would think that this would be thought out and  
5 maybe it was. But as we were talking about in  
6 caucus, the system is screwed up right now. We  
7 got so many complaints over the last few years  
8 about people getting garbage bills that weren't  
9 supposed to get them and so on and so forth.

10 So if you make this move and the  
11 details aren't thought out, I think you'll have  
12 a lot of angry people on your hand and could  
13 have more lawsuits.

14 Lowering the garbage fee \$50, well,  
15 that's great in theory. But if all the things  
16 that I just mentioned are challenged, then we  
17 may lose significant revenue because we're  
18 charging \$50 less, not that, you know, anybody  
19 wants to pay \$300, but from a financial  
20 standpoint it won't make much sense.

21 Then next year we'll have to raise  
22 property taxes to make up for that in some way.  
23 And also in mentioning all that, we're under  
24 the guise of a major lawsuit with the trash  
25 bill. There's litigation ongoing. So how does

1           that play into this as well and when will that  
2           be resolved?

3                         So those are the things that the  
4           logistics that I hope we can get answered and  
5           clarified here December 4th before we pass this  
6           budget. And I fear that, again, we may be  
7           taking a gamble. Also, just on some of the  
8           bigger picture items, the sale of refuse  
9           receivables, this budget is, you know, propped  
10          up by the 2.2 million dollars that the  
11          administration is saying we're expecting to  
12          receive from the sale of refuse receivables.

13                        Now, I could be wrong. But I  
14          remember a few years ago the City entered into  
15          a contract with a company that is escaping my  
16          mind at the moment doing the same kind of deal.  
17          We did this I think in 2014 or 2015. I talked  
18          to Mr. Bulzoni last week. This is a  
19          complicated transaction. We don't know that  
20          we're going to get 2.2 million dollars.

21                        And Attorney Dempsey had mentioned  
22          in the back that -- and I agree with her that  
23          we would like to know what kind of data they're  
24          using to calculate that figure and how they  
25          came up with that figure.

1                   How does this play into the transfer  
2 of delinquent refuse bill collection away from  
3 Northeast Revenue Services? There's another  
4 variable that we're not really sure of yet. So  
5 if that money doesn't come in, we're looking at  
6 a deficit for next year.

7                   The Amnesty Program that is  
8 mentioned in the budget, we need more  
9 explanation on that. What does that look like?  
10 How much extra revenue do they expect to gain  
11 from that? It's not clear in the budget  
12 narratives.

13                   I mentioned this last week but I was  
14 not surprised. The healthcare increases in  
15 this budget are astronomical. Mr. Bulzoni  
16 states in his budget narrative that he  
17 underbudgeted the healthcare expenses last  
18 year. And I had brought this up last year. I  
19 thought we are understating expenditures in  
20 that regard.

21                   So we have several questions for Mr.  
22 Bulzoni on -- in the healthcare -- from a  
23 healthcare aspect. I won't go through all of  
24 them. But hopefully we can get that answered  
25 as well. The other thing that is noticeable in

1 here is the spending.

2 The spending over the last five  
3 years, capital expenditures, non departmental  
4 expenditures, departmental expenditures, as I  
5 mentioned at the start of the meeting if, you  
6 know, I just did my own analysis which wasn't  
7 difficult. We're spending almost 17 and a half  
8 million dollars over what the Exit Plan  
9 projected for those three budget categories.

10 Now, I know that there is some  
11 explanation as to projects that had to be done  
12 over the last few years. But that's a really  
13 significant amount to stray from our Exit Plan  
14 projections. And, of course, PEL, the  
15 Pennsylvania Economy League has no issue again  
16 this year with the budget, surprise, surprise.

17 Attorney Dempsey has been on this as  
18 was detailed in the paper the lack of the  
19 audit, which hopefully next week we'll get  
20 answers on. So the bottom line here, ladies  
21 and gentlemen, is what I would like to know is  
22 if you take out all the variables in this  
23 budget, all the moving parts, we will have a  
24 deficit.

25 So what does a tax increase look

1           like? The Amoroso plan that everybody was all  
2           about the last few years, the recovery plan  
3           that everybody says they adhere to calls for  
4           moderate tax increases every year.

5                       I'm afraid that we've fallen into  
6           the trap -- and I mentioned this the last few  
7           years is, not to raise taxes for a few years  
8           because it's politically expedient and then,  
9           all of a sudden, everybody gets nailed with a  
10          major property tax increase.

11                      So I do think that we need  
12          clarification from the administration. We need  
13          to know what that tax increase would look like  
14          if we need to go that route. And all these  
15          variables that I mentioned again, I think we  
16          need to know what the analysis looks like and  
17          what the Plan B is. And that's all I have.

18                      ATTY. DEMPSEY: At this time I'd  
19          like to make a motion to table Item 6-A.

20                      MR. PERRY: Excuse me, we're almost  
21          there. Is there anyone else on the question  
22          for Item 6-A? If not, then all those in favor  
23          passing -- 6-A passing reading by title signify  
24          by saying aye.

25                      MR. DONAHUE: Aye.



1 MR. GAUGHAN: Aye.

2 ATTY. DEMPSEY: Aye.

3 MR. PERRY: Aye. The ayes have it.

4 So moved.

5 ATTY. DEMPSEY: I would like to make  
6 a motion to table Item 6-A.

7 MR. GAUGHAN: Second.

8 MR. PERRY: There's a motion on the  
9 floor and a second to table 6-A. Anyone on the  
10 question?

11 MR. GAUGHAN: Yes, I just want to  
12 mention that the reason that we're tabling the  
13 budget, I like the approach that we're taking  
14 this year. In years prior as I had mentioned I  
15 think two or three weeks ago, I could never  
16 figure out why this was done.

17 But Council would hold a budget  
18 session with the administration prior to the  
19 meeting for a half hour or 45 minutes and I  
20 would be here with quite a few questions and  
21 the clock would run out. I don't know if that  
22 was done purposely or if, you know, that is  
23 just the way it was.

24 But I think this year what we're  
25 doing is tabling the budget, taking our time,

1 not rushing through things, having a caucus on  
2 December 4th with Mr. Bulzoni and the Mayor and  
3 there's no clock on the caucus. We're going to  
4 go through hopefully all these questions and  
5 concerns and then December 9th I think is the  
6 plan for the final vote. But we do have until  
7 December 15th. So I just wanted to explain why  
8 we are tabling the budget tonight. Thank you.

9 MR. PERRY: Anyone else on the  
10 question? All those in favor signify by saying  
11 aye.

12 MR. DONAHUE: Aye.

13 MR. GAUGHAN: Aye.

14 ATTY. DEMPSEY: Aye.

15 MR. PERRY: Aye. The ayes have it.

16 So moved.

17 MS. REED: SEVENTH ORDER. 7-A. FOR  
18 CONSIDERATION BY THE COMMITTEE ON COMMUNITY  
19 DEVELOPMENT - FOR ADOPTION - FILE OF THE  
20 COUNCIL NO. 76, 2019 - AMENDING FILE  
21 OF THE COUNCIL NO. 45, 1996, AS AMENDED BY FILE  
22 OF THE COUNCIL NO. 110, 2005 UPDATING THE LIST  
23 OF HISTORIC PROPERTIES IN THE CITY OF SCRANTON,  
24 BY CREATING "THE LOCAL DOWNTOWN HISTORIC  
25 DISTRICT" TO EXPAND THE LIST OF HISTORIC

1 PROPERTIES TO INCLUDE ALL BUILDINGS LOCATED  
2 WITHIN THE CENTRAL BUSINESS DISTRICT AND  
3 AMENDING THE PROCESS FOR LEGISLATIVE REVIEW OF  
4 RECOMMENDATIONS MADE BY THE HISTORICAL  
5 ARCHITECTURE REVIEW BOARD.

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

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

12 ATTY. DEMPSEY: Second.

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

15 MS. CARRERA: Mr. Donahue.

16 MR. DONAHUE: Yes.

17 MS. CARRERA: Attorney Dempsey.

18 ATTY. DEMPSEY: Yes.

19 MS. CARRERA: Mr. Gaughan.

20 MR. GAUGHAN: Yes.

21 MS. CARRERA: Mr. Perry.

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

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

1 FILE OF THE COUNCIL NO. 77, 2019 - REGULATING  
2 THE OPERATION OF BYOB CLUBS, PROHIBITING THE  
3 BUSINESS OF BYOB CLUBS BETWEEN THE HOURS OF  
4 2:00 A.M. AND 8:00 A.M., AND PROVIDING FOR  
5 ENFORCEMENT OF THESE PROVISIONS, INCLUDING  
6 PENALTIES FOR VIOLATIONS.

7 MR. PERRY: As temporary Chair for  
8 the Committee on Rules, I recommend final  
9 passage of Item 7-B.

10 ATTY. DEMPSEY: Second.

11 MR. PERRY: On the question?

12 MR. GAUGHAN: Yes, really quick on  
13 the question. I just want to thank the  
14 administration and Chief Graziano for putting  
15 forward this legislation. It's something that  
16 I think really came about based on the Castle  
17 in North Scranton and the shooting there months  
18 and months and months ago.

19 Hopefully this legislation will  
20 improve that area and other areas where these  
21 establishments operate all hours of the night  
22 and there's really no regulations on them. So  
23 hopefully this will improve that. Thank you.

24 MR. PERRY: Thank you. Yeah,  
25 there's such a good effort on this from the

1 spark that created this which was the Castle.  
2 And it was just a joint effort right from  
3 District Attorney, from our local Police  
4 Department, Chief Graziano and this body just  
5 making sure we institute something that  
6 prevents further issues happening at four in  
7 the morning, five in the morning, six in  
8 morning. And I believe this is a step towards  
9 that and this is definitely a safety first  
10 decision. Roll call, please.

11 MS. CARRERA: Mr. Donahue.

12 MR. DONAHUE: Yes.

13 MS. CARRERA: Attorney Dempsey.

14 ATTY. DEMPSEY: Yes.

15 MS. CARRERA: Mr. Gaughan.

16 MR. GAUGHAN: Yes.

17 MS. CARRERA: Mr. Perry.

18 MR. PERRY: Yes. I hereby declare  
19 Item 7-B legally and lawfully adopted.

20 MS. REED: 7-C. FOR CONSIDERATION  
21 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
22 RESOLUTION NO. 184, 2019 - RE-APPOINTMENT OF  
23 KATHERINE J. GILMARTIN, 1525 CAPOUSE AVENUE,  
24 SCRANTON, PENNSYLVANIA, 18509 AS A MEMBER OF  
25 THE HISTORICAL ARCHITECTURE REVIEW BOARD.

1 KATHERINE GILMARTIN'S TERM ON THE HISTORICAL  
2 ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER  
3 11, 2017 AND WAS HELD OVER UNTIL OCTOBER 9,  
4 2019. HER NEW TERM WILL EXPIRE ON OCTOBER 11,  
5 2022.

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

9 ATTY. DEMPSEY: Second.

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

12 MS. CARRERA: Mr. Donahue.

13 MR. DONAHUE: Yes.

14 MS. CARRERA: Attorney Dempsey.

15 ATTY. DEMPSEY: Yes.

16 MS. CARRERA: Mr. Gaughan.

17 MR. GAUGHAN: Yes.

18 MS. CARRERA: Mr. Perry.

19 MR. PERRY: Yes. I hereby declare  
20 Item 7-C legally and lawfully adopted.

21 MS. REED: 7-D. FOR CONSIDERATION  
22 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
23 RESOLUTION NO. 185, 2019 - RE-APPOINTMENT OF  
24 NELL O'BOYLE, 603 ARTHUR AVENUE, SCRANTON,  
25 PENNSYLVANIA, 18510 AS A MEMBER OF THE

1 HISTORICAL ARCHITECTURE REVIEW BOARD. NELL  
2 O'BOYLE'S TERM ON THE HISTORICAL ARCHITECTURE  
3 REVIEW BOARD EXPIRED ON OCTOBER 11, 2019. HER  
4 NEW TERM WILL EXPIRE ON OCTOBER 11, 2024.

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

8 ATTY. DEMPSEY: Second.

9 MR. PERRY: On the question? Roll  
10 call, please.

11 MS. CARRERA: Mr. Donahue.

12 MR. DONAHUE: Yes.

13 MS. CARRERA: Attorney Dempsey.

14 ATTY. DEMPSEY: Yes.

15 MS. CARRERA: Mr. Gaughan.

16 MR. GAUGHAN: Yes.

17 MS. CARRERA: Mr. Perry.

18 MR. PERRY: Yes. I hereby declare  
19 Item 7-D legally and lawfully adopted.

20 MS. REED: 7-E. FOR CONSIDERATION  
21 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
22 RESOLUTION NO. 186, 2019 - APPOINTMENT OF  
23 WALTER BARRON, 1016 LUKE AVENUE, SCRANTON,  
24 PENNSYLVANIA 18510 AS A MEMBER OF THE  
25 HUMAN RELATIONS COMMISSION FOR A FIVE (5) YEAR

1 TERM. WALTER BARRON WILL BE REPLACING STEPHANIE  
2 BRESSLER WHOSE TERM EXPIRED SEPTEMBER 23, 2018  
3 AND WAS HELD OVER UNTIL AUGUST 27, 2019.  
4 WALTER BARRON'S TERM IS EFFECTIVE OCTOBER 11,  
5 2019 AND WILL EXPIRE ON OCTOBER 11, 2024.

6 MR. PERRY: As temporary Chairperson  
7 for the Committee on Rules, I recommend final  
8 passage of Item 7-E.

9 ATTY. DEMPSEY: Second.

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

12 MS. CARRERA: Mr. Donahue.

13 MR. DONAHUE: Yes.

14 MS. CARRERA: Attorney Dempsey.

15 ATTY. DEMPSEY: Yes.

16 MS. CARRERA: Mr. Gaughan.

17 MR. GAUGHAN: Yes.

18 MS. CARRERA: Mr. Perry.

19 MR. PERRY: Yes. I hereby declare  
20 Item 7-E legally and lawfully adopted.

21 MS. REED: 7-F. FOR CONSIDERATION  
22 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
23 RESOLUTION 187, 2019 - RE-APPOINTMENT OF AJA E.  
24 WENTUM, 711 HARRISON AVENUE, SCRANTON,  
25 PENNSYLVANIA, 18510 AS A MEMBER OF THE HUMAN



1 RELATIONS COMMISSION FOR AN ADDITIONAL FIVE (5)  
2 YEAR TERM EFFECTIVE OCTOBER 9, 2019. AJA  
3 WENTUM'S TERM EXPIRED ON AUGUST 24, 2018 AND  
4 WAS HELD OVER UNTIL OCTOBER 9, 2019. HIS  
5 NEW TERM WILL EXPIRE ON AUGUST 24, 2023.

6 MR. PERRY: As Temporary Chairperson  
7 for the Committee on Rules, I recommend final  
8 passage of Item 7-F.

9 ATTY. DEMPSEY: Second.

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

12 MS. CARRERA: Mr. Donahue.

13 MR. DONAHUE: Yes.

14 MS. CARRERA: Attorney Dempsey.

15 ATTY. DEMPSEY: Yes.

16 MS. CARRERA: Mr. Gaughan.

17 MR. GAUGHAN: Yes.

18 MS. CARRERA: Mr. Perry.

19 MR. PERRY: Yes. I hereby declare  
20 Item 7-F legally and lawfully adopted.

21 MS. REED: 7-G. FOR CONSIDERATION  
22 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
23 RESOLUTION 188, 2019 - APPOINTMENT OF JOHN J.  
24 HARRINGTON, JR., 102 LILAC LANE, SCRANTON,  
25 PENNSYLVANIA, 18505, AS A MEMBER OF

1 THE SCRANTON PARKING AUTHORITY EFFECTIVE  
2 OCTOBER 1, 2019. JOHN J. HARRINGTON, JR. WILL  
3 REPLACE SANTA (SANDY) CORBY WHO RESIGNED  
4 EFFECTIVE JULY 4, 2019. JOHN J. HARRINGTON,  
5 JR. WILL FULFILL THE UNEXPIRED TERM OF SANTA  
6 (SANDY) CORBY WHOSE TERM IS SCHEDULED TO EXPIRE  
7 ON JUNE 1, 2022.

8 MR. PERRY: As Temporary Chairperson  
9 for the Committee on Rules, I recommend final  
10 passage of Item 7-G.

11 ATTY. DEMPSEY: Second.

12 MR. PERRY: On the question? Roll  
13 call, please.

14 MS. CARRERA: Mr. Donahue.

15 MR. DONAHUE: Yes.

16 MS. CARRERA: Attorney Dempsey.

17 ATTY. DEMPSEY: Yes.

18 MS. CARRERA: Mr. Gaughan.

19 MR. GAUGHAN: Yes.

20 MS. CARRERA: Mr. Perry.

21 MR. PERRY: Yes. I hereby declare  
22 Item 7-G legally and lawfully adopted.

23 MS. REED: 7-H. Previously tabled.

24 7-I. FOR CONSIDERATION BY THE  
25 COMMITTEE ON RULES – FOR ADOPTION –

1 RESOLUTION NO. 190, 2019 – APPOINTMENT OF TODD  
2 POUSLEY, 1137 RUNDLE STREET, SCRANTON,  
3 PENNSYLVANIA, 18504 AS A MEMBER OF THE  
4 PLANNING COMMISSION FOR THE CITY OF SCRANTON  
5 EFFECTIVE OCTOBER 11, 2019 FOR A FOUR (4) YEAR  
6 TERM. TODD POUSLEY WILL BE REPLACING MARTIN  
7 TURI WHOSE TERM EXPIRED DECEMBER 31, 2018.  
8 TODD POUSLEY'S TERM WILL EXPIRE ON DECEMBER 31,  
9 2022.

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

13 ATTY. DEMPSEY: Second.

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

16 MS. CARRERA: Mr. Donahue.

17 MR. DONAHUE: Yes.

18 MS. CARRERA: Attorney Dempsey.

19 ATTY. DEMPSEY: Yes.

20 MS. CARRERA: Mr. Gaughan.

21 MR. GAUGHAN: Yes.

22 MS. CARRERA: Mr. Perry.

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

25 MS. REED: 7-J. FOR CONSIDERATION

1 BY THE COMMITTEE ON RULES – FOR ADOPTION –  
2 RESOLUTION NO. 191, 2019 – APPOINTMENT OF  
3 MICHAEL S. CUMMINGS, CFMP, 809 CROWN AVENUE,  
4 SCRANTON, PENNSYLVANIA, 18505 AS A MEMBER OF  
5 THE BOARD OF THE SCRANTON REDEVELOPMENT  
6 AUTHORITY FOR A FIVE (5) YEAR TERM EFFECTIVE  
7 OCTOBER 1, 2019. MICHAEL CUMMINGS WILL BE  
8 REPLACING JOSEPH HEALEY WHOSE TERM  
9 EXPIRED MARCH 19, 2019. MICHAEL CUMMINGS TERM  
10 WILL EXPIRE OCTOBER 1, 2024.

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

14 ATTY. DEMPSEY: Second.

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

17 MS. CARRERA: Mr. Donahue.

18 MR. DONAHUE: Yes.

19 MS. CARRERA: Attorney Dempsey.

20 ATTY. DEMPSEY: Yes.

21 MS. CARRERA: Mr. Gaughan.

22 MR. GAUGHAN: Yes.

23 MS. CARRERA: Mr. Perry.

24 MR. PERRY: Yes. I hereby declare  
25 Item 7-J legally and lawfully adopted.

1 MS. REED: 7-K. FOR CONSIDERATION  
2 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
3 RESOLUTION NO. 192, 2019 - AUTHORIZING THE  
4 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO  
5 EXECUTE AND ENTER INTO A CONTRACT BETWEEN THE  
6 CITY OF SCRANTON AND MORETTI CPA TO PERFORM THE  
7 CITY OF SCRANTON GAS CARD AUDIT SERVICES FOR  
8 ALL GAS CARD ACTIVITY FROM APRIL 2016 THROUGH  
9 MARCH, 2019.

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

13 ATTY. DEMPSEY: Second.

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

16 MS. CARRERA: Mr. Donahue.

17 MR. DONAHUE: Yes.

18 MS. CARRERA: Attorney Dempsey.

19 ATTY. DEMPSEY: Yes.

20 MS. CARRERA: Mr. Gaughan.

21 MR. GAUGHAN: Yes.

22 MS. CARRERA: Mr. Perry.

23 MR. PERRY: Yes. I hereby declare  
24 Item 7-K legally and lawfully adopted.

25 And if there is no more -- if

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

3                         ATTY. DEMPSEY: Motion to adjourn.

4                         MR. PERRY: This meeting's  
5           adjourned.

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C E R T I F I C A T E

1  
2  
3 I hereby certify that the proceedings and  
4 evidence are contained fully and accurately in the  
5 notes taken by me of the above-cause and that this copy  
6 is a correct transcript of the same to the best of my  
7 ability.

8  
9  
10 \_\_\_\_\_  
11 Maria McCool, RPR  
12 Official Court Reporter  
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