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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, June 30, 2016

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

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

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

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

3 MR. WECHSLER: Roll call, please.

4 MS. MARCIANO: Mr. Perry.

5 MR. PERRY: Here.

6 MS. MARCIANO: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. MARCIANO: Mr. Evans.

9 MR. EVANS: Here.

10 MS. MARCIANO: Mr. Gaughan.

11 MR. GAUGHAN: Here.

12 MS. MARCIANO: Mr. Wechsler.

13 MR. WECHSLER: Here. Just a few
14 announcements before we get started. City
15 Hall will be closed this Monday, July 4, in
16 observance of the holiday. DPW will not be
17 working so refuse collection and plastic
18 recycling will be delayed by one day next
19 week.

20 Also, Colts buses will be closed for
21 the holidays so there will be no bus service
22 on Monday, regular operating hours will
23 resume on July 5.

24 Also, in terms of business for the
25 agenda, our Item 7-B and 7-F, the amendments

1 are housekeeping matters to correct language
2 in references to past ordinances and should
3 be continued within this legislation.

4 Dispense with the reading of the
5 minutes.

6 MS. REED: THIRD ORDER. 3-A. TAX
7 ASSESSOR'S RESULTS REPORT FOR HEARING DATE
8 HELD JUNE 8, 2016.

9 MR. WECHSLER: Are there any
10 comments? If not, received and filed. Do
11 any council members have announcements at
12 this time?

13 MR. GAUGHAN: Yes, I have two. The
14 first is that the Minooka Lion's are having
15 a raffle to raise funds to install a gazebo
16 in the Billy Barrett playground on Colliery
17 Avenue in memory of Attorney Mark Walsh who
18 passed away three years ago. This project
19 will also commemorate the Lion's Centennial
20 celebration. This event will occur
21 Saturday, July 16, 2016. The drawing is at
22 12 noon. Tickets are \$20. There are cash
23 prizes, first prizes is a thousand dollars,
24 second prize is 500. There will be two
25 third prize winners of \$250. Tickets are

1 available from any Lion's member or by
2 calling Betsy Walsh, president of the
3 Minooka Lion's Club at 570-591-4537.

4 Also, there is an addiction
5 awareness rally that is being held Sunday,
6 July 17, from 3 to 7 p.m. at the Lackawanna
7 County Courthouse Square. It's free and
8 open to the public in memory of Sammy
9 Henahan. Thank you.

10 MR. WECHSLER: Anyone else?

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

13 MR. WECHSLER: Joan Hodowanitz.

14 MS. HODOWANITZ: Joan Hodowanitz,
15 city resident and taxpayer. My little
16 Mickey Mouse watch tells me that the year is
17 now half gone so we are now heading towards
18 the second half of 2016, and we are about to
19 begin the budget process. And, also, my
20 Mickey Mouse watch tells me that the 2000
21 (sic) audit is now 30 days late so could do
22 we any kind of status from SB & Company.

23 MR. WECHSLER: Just what I provided
24 last week.

25 MS. HODOWANITZ: I seem to recall

1 dim in my memory that there been not been a
2 future meeting that the public would attend
3 where SB & Company would discuss the audit?

4 MR. EVANS: I think we talked about
5 having a work session with them.

6 MS. HODOWANITZ: Yes.

7 MR. EVANS: We probably talking it
8 should be the third quarter this year.

9 MS. HODOWANITZ: Okay, it would
10 after the August recess though?

11 MR. EVANS: Yes.

12 MS. HODOWANITZ: I'll be looking
13 forward to that.

14 MR. WECHSLER: But prior to the
15 budget.

16 MS. HODOWANITZ: I'm sorry?

17 MR. WECHSLER: Prior to the release
18 of the budget.

19 MS. HODOWANITZ: Yes. I would like
20 to hear that because I'd like to hear, you
21 know, how SB approached the audit.

22 Do we know yet who the city is going
23 to choose to replace Mellon Bank as the
24 pension fund manager and trustee?

25 MR. WECHSLER: No, we have not seen

1 anything.

2 MS. HODOWANITZ: We are still
3 working on that. With regard to the Parking
4 Authority lease agreement, first off, I want
5 to compliment the Times and Mr. Lockwood.
6 Yesterday's spread about the parking has
7 information on, you know, comparing rates
8 and the timeline. It's very succinct, very
9 helpful, and tended to put things in
10 perspective. This is an issue that's not
11 going to die very soon, but also last week
12 Mr. Bulzoni was kind enough to give me a
13 copy of the Parking Authority's 2014 review
14 and their 2015 draft compilation. If you
15 are not familiar with audit language, an
16 audit is the highest level of engagement
17 that is performed on an entity's financial
18 statements. It's extensive, it's
19 complicated, it takes a long time, but in an
20 audit, an independent auditor puts his
21 reputation on the line to give a reasonable
22 assurance that the financial statements have
23 not been materially misstated due to fraud
24 or error or if they have been misstated
25 specify as to who, what, when, where and

1 how. The next level down is called a
2 review, and that's apparently what the
3 Authority did in 2014 and that provides you
4 a limited level of insurance, and obviously
5 they do not perform all of the auditing
6 tests and analyses and analytics that you do
7 in an audit, and the lowest level is called
8 a compilation and that provides no assures
9 and what we have with the Parking Authority
10 is a draft of the 2015 compilation of their
11 financial statements, and all you get in a
12 compilation is, yeah, the format looks good,
13 but they will not comment as to the accuracy
14 of the contents on this format.

15 Now, the last years the city got an
16 adverse opinion from it's auditors, the fact
17 that it did not have audited, audited
18 financial statements from the Parking
19 Authority because the Authority is an entity
20 of the city looks to me like you are going
21 to have another adverse opinion in 2015 and
22 I would be willing to bet on that. It's one
23 of the questions I want to see addressed by
24 SB & Company.

25 Also, with regard to the Parking

1 Authority, I still am concerned about
2 Mr. Basalyga's arrangements. I sure hope
3 one day we don't change the name of Scranton
4 to Basalygaville. It seems to be embracing
5 a lot of the city. I think it's a bad
6 precedent. It is not an arm's length
7 transaction. There is a flavor of
8 favoritism here. In fact, the mayor in his
9 press release calls him my friend and my
10 partner, and I understand that the NDC deal
11 would not have gone through until we sold
12 the parking garage to him for \$1 but it
13 stinks and I'm not going to say otherwise.

14 My only last comment is that I am
15 waiting breathlessly to see how much PFM is
16 going to charge us for their work in 2014
17 since we were going to get the bill in 2015,
18 and according to my Mickey Mouse watch we
19 are halfway through 2016 and their hourly
20 rate is between \$225 and \$300 an hour and I
21 don't like surprises.

22 MR. WECHSLER: They will not be
23 billing us. They will not be billing us.
24 They are going to be paid through the
25 proceeds of the parking. It will not be an

1 invoice to the city.

2 MS. HODOWANITZ: It will be paid
3 from the proceeds, but that still comes out
4 of the proceeds that is supposed to go to
5 us.

6 MR. WECHSLER: Correct, but there
7 won't be an invoice for the city.

8 MS. HODOWANITZ: I don't think like
9 that. I don't like that. We ought to know
10 what they are taking. We really do.

11 MR. WECHSLER: And we will have that
12 information.

13 MS. HODOWANITZ: All right.

14 MR. WECHSLER: Once everything is
15 finalized we will have that information.

16 MS. HODOWANITZ: Okey-dokey.

17 MR. WECHSLER: Fay Franus.

18 MS. FRANUS: Fay Franus, Scranton.
19 I was rather surprised when I saw the
20 headlines in the paper the other day about
21 the garages not having appraisals, many
22 realtors said it should have happened. You
23 know, this isn't a done deal, there is still
24 time. Mr. Evans, I'd like to ask you as
25 Finance Chair and you are a realtor, how

1 come it didn't enter your mind to get an
2 appraisal of this.

3 MR. EVANS: Well, we weren't privy
4 to the negotiations, that's not part of our
5 role, you know, of this.

6 MS. FRANUS: No, but just being a
7 realtor.

8 MR. EVANS: An appraisal would have
9 been nice, it would have raised our comfort
10 level, but it would not have changed the
11 dynamics of the deal.

12 MS. FRANUS: You don't know that.

13 MR. EVANS: Yes, I do, because if we
14 had an appraisal, say it came in at a
15 million dollars and somebody put a bid in
16 for that \$1 million effectively what that
17 have would done it would have kill the deal
18 entirely so we could have gained a million
19 and probably lost \$27 million in the
20 process.

21 MS. FRANUS: Have you ever sold a
22 house without an appraisal?

23 MR. EVANS: Certainly, yeah. People
24 buy houses all the time without appraisals.

25 MS. FRANUS: It just doesn't seem

1 like good business practice.

2 MR. EVANS: Well, I mean, I would
3 rather to have an appraisal, but it's not
4 something that's required in this case.

5 MS. FRANUS: Okay. I just want to
6 explain something, I don't know if people
7 understand it, you and I are first cousins.
8 Your mom and my mom are sisters, were
9 sister, but that really concerns me that you
10 don't answer my questions, and I normally
11 wouldn't keep after you, but when anybody
12 asks a question and they don't give an
13 answer and you want to find that answer I'm
14 not going to back away from this.

15 MR. EVANS: I have your answers from
16 last week.

17 MS. FRANUS: You can answer the
18 question now?

19 MR. EVANS: I have your answer right
20 here.

21 MS. FRANUS: Let me ask you, did
22 Dave Bulzoni transfer money from one
23 department to another back in December 2015?

24 MR. EVANS: Well, for the sake of
25 argument, I could read the entire transfer

1 of the money but I don't want to take up
2 your time.

3 MS. FRANUS: No, I just want an
4 answer to that one question and I'll get
5 that from you.

6 MR. EVANS: I have all of the
7 transfers here from -- there is transfers
8 from the debt service account, there was
9 transfers made from the PIB account, and
10 transfers made from the Worker's
11 Compensation account.

12 MS. FRANUS: But was that
13 transferred interest one department to
14 another?

15 MR. EVANS: Not that I can tell.
16 No. One department to another.

17 MS. FRANUS: But you are not?

18 MR. EVANS: Well, Fay, I can give
19 you the answer, but I know sometimes you
20 don't like my answers.

21 MS. FRANUS: No, the answers --

22 MR. EVANS: I'm giving you an
23 answer.

24 MS. FRANUS: I'll I asked is I don't
25 know departments, so was it transferred from

1 one department to another? If I knew the
2 departments -- see, you can transfer within
3 a department, but if you transfer from one
4 department to the other is what I want to
5 know.

6 MR. EVANS: It doesn't appear to be
7 from one department to another. From
8 accounts to other accounts, but not from one
9 department to another.

10 MS. FRANUS: Can I have that when
11 you ar done?

12 MR. EVANS: Yeah, I have it for you.

13 MS. FRANUS: Okay, thank you.

14 Another thing, I don't understand
15 Mr. Gaughan, Mr. Wechsler or anybody up
16 there, other than Pat Rogan possibly, that
17 believes everything they read in the paper
18 about the Parking Authority default. First
19 of all, it wasn't a default that council
20 did. Default means you don't pay it. They
21 did pay it, they just stopped paying for
22 awhile. Those garages were in terrible
23 shape long before that happened and as
24 council members you have access to all of
25 the minutes from all of the meetings back in

1 2010, 2011, 2012, when all of this
2 transpired on the Scranton Parking Authority
3 and Scopelitti. You have records to all of
4 that. Instead of believing everything you
5 read and what they tell you, you should look
6 at these minutes of the caucuses, of all of
7 the meetings and maybe you will learn the
8 truth and you will learn what really
9 happened back there and you will know that
10 that was the best thing the city ever did or
11 otherwise you would bankrupt right now. No
12 matter what anybody says why don't you take
13 the time to find out the truth instead of
14 what people tell you.

15 Mr. Gaughan, you weren't even here
16 then, you don't have a clue what was going
17 on then so why don't you look into and then
18 form you honest opinion based on facts.

19 MR. GAUGHAN: I did honestly.

20 MS. FRANUS: You looked at all of
21 the minutes from 2010, '11 and '12?

22 MR. GAUGHAN: Yes. Yeah.

23 MS. FRANUS: You did?

24 MR. GAUGHAN: Yup.

25 MS. FRANUS: And you still think

1 that was the right thing to do? I mean, the
2 wrong thing to do, sorry.

3 MR. GAUGHAN: Yes, without a doubt.

4 MS. FRANUS: Well, I disagree
5 completely. Thank you very much.

6 Mr. Evans, could I have that,
7 please?

8 MR. WECHSLER: Andy Sbaraglia.
9 Excuse me, Andy Sbaraglia was called.

10 MR. SBARAGLIA: Andy Sbaraglia,
11 citizen of Scranton, fellow Scrantonians.
12 Mr. Evans you are Financial Chair, who is
13 going to receive all of the metered parking
14 revenue if this deal goes through?

15 MR. EVANS: NDC.

16 MR. SBARAGLIA: Who is going to
17 receive the fines?

18 MR. EVANS: NDC.

19 MR. SBARAGLIA: Now, tell me, you
20 are a businessman, you are getting \$28
21 million from these people if they can borrow
22 it, seven of that million is going into the
23 garages, okay?

24 MR. EVANS: Initially, right.

25 MR. SBARAGLIA: Now, that leaves us

1 with \$21 million, how many millions are we
2 going to lose over the life of this
3 contract?

4 MR. EVANS: Well --

5 MR. SBARAGLIA: I figured it out to
6 be \$120 million just from here. It could be
7 more if it changed it. Now, how do you \$21
8 million with \$120 million? Obviously,
9 something is wrong. It's just so bad that
10 you think so little of the city that you
11 would do what you are doing. To sit there
12 and praise it knowing it's going to cost the
13 city millions and millions of dollars in
14 lost revenue.

15 MR. EVANS: So --

16 MR. SBARAGLIA: I guess you don't
17 think you are going to be here, right? Are
18 you planning to move?

19 MR. EVANS: No, I don't plan on
20 moving. I've lived here all my life, I'm a
21 fifth generation Scrantonian.

22 MR. SBARAGLIA: So am I.

23 MR. EVANS: I know you are, but the
24 reality is do you think that the status quo
25 is okay? You think dirty garages --

1 MR. SBARAGLIA: No, but that \$3
2 million that you are paying eventually would
3 have been paid off in another what, 20
4 years? That comes to about \$60 million.

5 MR. EVANS: So in the meantime --

6 MR. SBARAGLIA: We are giving up
7 \$120 million for \$60 million if, and there
8 is so many other variables. Now, the
9 garage, if that mall should go bankrupt
10 again, the city took on leasing the parking
11 spaces, they got some kind of a deal where
12 it's ironclad that means the city would have
13 to pay to keep that parking garage open.
14 That's more debt. I don't know what you are
15 thinking of. Anybody with common sense
16 would know there is too many things wrong
17 with this. You should get opinion from
18 either the Auditor General or from the
19 somebody else. The information you are
20 getting is not the best and it's not the
21 best for the city and it's not the best for
22 anybody other than setting up a slave state
23 where they can actually tell you what you
24 should pay for your parking. Forget it.

25 MR. EVANS: Thank you. Vince Amico.

1 MR. AMICO: Good evening. I'm Vince
2 Amico and this evening I'm representing
3 Friends of Lackawanna and I'd just like to
4 bring to your attention that on Monday, July
5 18, there will be a public meeting at
6 Mid-Valley High School at 6:00. This is
7 Monday, July 18, at 6:00 regarding Keystone
8 Sanitary Landfill expansion. That's a
9 meeting with the Department of Environmental
10 Protection and it's probably going to be the
11 last public meeting where people in a
12 government agency have the ability to voice
13 their opinion on how you feel about the
14 expansion, and I would just like to say or
15 remind you that on December of 2000 --
16 excuse me, I'm sorry, December 22, 2014,
17 this council voted to form a letter, and I
18 praise you for taking the lead, I think you
19 were the first group to do so that came out
20 formally against the landfill, and your main
21 concern as a council was the negative impact
22 of the health, welfare and safety of the
23 citizens of Scranton and surrounding
24 communities, and that the proposed expansion
25 of this landfill is not in the people's best

1 interest.

2 I'm requesting, we're requesting,
3 Friends of Lackawanna are requesting, that
4 you send a representative to this meeting,
5 and again, reread the letter that you wrote
6 or come up with, you know, another letter
7 opposing this expansion because these
8 letters hold a tremendous amount of weight,
9 and again, I can't tell you how much I
10 appreciate the fact that Scranton did take
11 the lead on this and you were the first
12 group, I believe, that came out formally
13 against it so I would hope you that could
14 send a representative on this day and do so
15 again. Thank you so much for your time. I
16 appreciate it.

17 MR. GAUGHAN: Thank you.

18 MR. WECHSLER: Joanna Hicks-Griffin.

19 MS. GRIFFIN: Joanna Hicks-Griffin,
20 Scranton, Pennsylvania. I read the article
21 in the Times and I was shaken for I see that
22 what is going to transpire will not benefit
23 the city residents. It will help the
24 politician sooth the mess that they have put
25 the City of Scranton in for years and years

1 and years. We beg the Pledge of Allegiance
2 and at the end it said, "And justice for
3 all." If you vote for this plan, it will
4 definitely not be justice for the citizens
5 of the City of Scranton but will help the
6 politicians to sooth the mess that they have
7 caused our fair city.

8 So I come to ask you in justice to
9 review seriously what you have before you, a
10 lot of it is very hard to fathom but I hope
11 that you will vote "no" at this present time
12 so that our government which is a
13 representative form of the government would
14 allow the citizenry to have input into that
15 plan. As far as I know, I have not seen
16 anything stated in the Times about this is
17 the place where we will be having the
18 meetings to hear from the citizens regarding
19 what they see as a pro or a con for this
20 deal with NDC and Mr. Basalyga. I thank you
21 for the opportunity and I hope that you do
22 not vote tonight.

23 MR. WECHSLER: Thank you. Bill
24 Jackowitz.

25 MR. JACKOWITZ: Good evening,

1 Scranton City Council, Jamie, stenographer,
2 Lori, and Amil. I'm confused on a couple of
3 the issues and hopefully maybe you can get
4 me unconfused tonight. Okay, the public
5 meeting, what is a public meeting? Is that
6 not a place where the public has an
7 opportunity to ask questions and to address
8 certain areas that are on their mind or is a
9 public meeting a place where no one is
10 allowed to speak? I don't understand that.
11 To me, a public meeting is just that. The
12 public has the opportunity to come in,
13 address the elected official or public
14 officials or board or whatever it is with
15 their concerns and with their questions not
16 be shut out. So I think we really need to
17 revise this way of thinking that we have in
18 Scranton where a public meeting is where
19 only people, the elected officials talk and
20 the public are not allowed to speak or ask
21 any questions. I think we are doing it
22 backwards.

23 My second question that I'm confused
24 about, last week when that gentleman was
25 speaking, I think he was an attorney, the

1 think the land that the Electric City garage
2 is built on is worth any money?

3 MR. EVANS: The land? Well, part of
4 the problem with the garage is it's built
5 off the Charlamont and other buildings so it
6 doesn't really -- there is not much land
7 underneath the garage itself except for the
8 part of Spruce Street. All the other parts
9 are built on top of other buildings.

10 MR. JACKOWITZ: Yeah, but land has
11 to be something, more than a dollar.

12 MR. WECHSLER: Mr. Jackowitz, there
13 is no land. It's air. It's above the
14 Charlamont.

15 MR. JACKOWITZ: Well, yeah, but the
16 foundation is built on something.

17 MR. WECHSLER: No, it's not. It's
18 built above the building.

19 MR. EVANS: There may be a small
20 section that is on the ground where you
21 enter on the Penn Avenue side by the
22 theatres, but that's about all. Everything
23 is built on top of other buildings. The
24 land itself is not worth anything. Now, the
25 assessed value is a different story. I

1 think the taxes we looked at are about
2 \$125,000 per year will come back on the tax
3 rolls.

4 MR. JACKOWITZ: Yeah. Okay, and
5 lastly, I don't believe that name calling --
6 city council is a place for name calling. I
7 think that should be held back and should be
8 done in private. If you, you know, believe
9 what you are believing, even though, you
10 know, it may be true, but city council
11 meeting is not the place to be name calling.
12 Like I say, pull the councilman aside or the
13 mayor aside or whomever and you tell them
14 what you feel, but I don't think it should
15 be brought up at a city council meeting.

16 MR. EVANS: Thank you.

17 MR. JACKOWITZ: I think there are
18 more important issues, and as far as the
19 parking garage deal it's a done deal. It's
20 been done a deal for 18 months now. There
21 is no sense of even discussing it because I
22 don't think anything has changed and I'm
23 pretty sure it will be a five to zero vote
24 tonight.

25 MR. ROGAN: Well, it definitely

1 hasn't been a done deal for 18 months. The
2 sale of the mall really changed the deal.
3 As Councilman Evans mentioned, Councilman
4 McGoff was working with the team on this
5 project and then when he became ill I
6 stepped in and then when Councilman Wechsler
7 took over as president, but the first year
8 this was being worked on that deal was
9 absolutely nothing like what is presented
10 today because of the changes in that.

11 MR. JACKOWITZ: Oh, I understand
12 that. The deal has probably changed 10 or
13 15 times in the last 18 months, but the
14 bottom line is it's has been discussed for
15 the last 18 months with different people and
16 the citizens have been completely shut out,
17 completely shut off the taxpayers. Not one
18 word can be said, we have no input
19 whatsoever not only on the garages but
20 anything else, all of the other bad deals
21 that have been made by elected city
22 councils, and I'm not just talking you, I'm
23 talking city councils in the past, Murphy
24 city council, DiBileo city council, Gatelli
25 city council, Evans city council, I mean,

1 they all made bad deals and bad decisions
2 with no input at all from the citizens
3 because the citizens are always shut off,
4 except during the Evans council. She at
5 least gave the opportunity for citizens to
6 speak. Thank you.

7 MR. WECHSLER: Mr. Jackowitz, didn't
8 you just speak? Didn't you just have input
9 now and input the week before? I mean, we
10 have been taking input on this issue for
11 three weeks.

12 MR. JACKOWITZ: Yes, I just spoke
13 today, I get five minutes. I get five whole
14 minutes --

15 MR. WECHSLER: And you spoke last
16 week, so there has been an opportunity to
17 speak.

18 MR. WECHSLER: I get five whole
19 minutes to speak. Was I afforded the
20 opportunity to speak last week? Not at the
21 city council meeting now, I'm talking about
22 --

23 MR. WECHSLER: I'm not sure if you
24 were here last week.

25 MR. JACKOWITZ: I'm talking about at

1 a public meeting. Was I given an
2 opportunity to speak at the public meeting?

3 MR. WECHSLER: It was not a public
4 meeting. All the meetings were city council
5 meetings. The Parking Authority had a
6 meeting and we don't control them, they
7 decided not to accept public comment.

8 MR. JACKOWITZ: Well, if it wasn't a
9 public meeting what was it?

10 MR. WECHSLER: It was a public
11 meeting. They did take comments, but not
12 questions.

13 MR. JACKOWITZ: Well, that's what
14 I'm saying. What was the sense of having a
15 public meeting if you can't any questions?

16 MR. EVANS: You are talking about a
17 work sessions.

18 MR. WECHSLER: Yeah, we requested
19 questions from the public, we have asked
20 questions that have been sent in to us from
21 the public, this has been going on now for
22 almost a month about this specific deal so
23 there has been plenty of time for people to
24 come and submit questions or ask questions
25 to us. Mrs. Reed is always here, we have

1 not gotten --

2 MR. JACKOWITZ: Why wouldn't you ---

3 MR. WECHSLER: Just let me ask a
4 question, how many calls have come into the
5 council office if you can, Lori, in regards
6 to this parking issue?

7 MS. REED: None.

8 MR. JACKOWITZ: Probably none
9 because why would I come in and have you ask
10 my questions when I'm more than capable of
11 asking my own questions.

12 MR. WECHSLER: Well, you are saying
13 that people haven't had an opportunity, now,
14 one has called city hall. I have not
15 received one e-mail from any other citizen,
16 any citizen. I got one e-mail from one
17 resident who gave me questions to ask, but
18 we have not -- we been announcing this for
19 almost a month and the only comments that we
20 have received are from this meeting at this
21 council meeting and --

22 MR. JACKOWITZ: That's because this
23 is the only place where we can speak.

24 MR. WECHSLER: I agree.

25 MR. JACKOWITZ: There's a simple

1 solution --

2 MR. WECHSLER: You are asking me
3 what a definition of a public meeting is --

4 MR. JACKOWITZ: There's a simple
5 solution to this, the only place we have to
6 speak is at a city council meeting.

7 MR. JACKOWITZ: And that's our job
8 to listen.

9 MR. JACKOWITZ: So why am I going to
10 go to a meeting where I'm not going to be
11 allowed to speak?

12 MR. WECHSLER: But this is where you
13 are allowed to speak so you are speaking.
14 I'm not getting your argument.

15 MR. JACKOWITZ: I'm not either. I'm
16 just trying -- like I said --

17 MR. WECHSLER: Like I said, there
18 were a couple of people offering comment, we
19 have not received one call at city hall. We
20 have not -- I have not received one e-mail,
21 I don't know if anyone -- I have received
22 one e-mail, let me correct myself. I don't
23 know if anyone else has received any so for
24 the amount of attention that this story has
25 been generating in the paper for the past

1 four days the public outcry that you are
2 talking about I haven't seen. I have heard
3 some complaints about it, I'm trying to
4 address them, but I'm not hearing from the
5 public when I'm out in public or when I'm
6 somewhere, and I'm out a lot of places, I'm
7 not hearing the same thing that I'm hearing
8 from all the people tonight which is
9 accurate, it's helped drive us to ask better
10 questions when we are here, but I'm a little
11 frustrated by people saying they haven't had
12 a chance to comment when we have three
13 meetings and we announced it, Mr. Perry -- I
14 know Mr. Perry announced people to send him
15 questions, and like I said, I had one person
16 send me questions so I don't think it's
17 accurate to say that people haven't had an
18 opportunity to have input because they have.

19 MR. JACKOWITZ: Well, you are not
20 going to hear from the public because the
21 public has the opinion of the public from my
22 perspective and from what I see from the
23 public is they say it's a waste of time
24 because they are not going to answer your
25 questions.

1 MR. WECHSLER: That's why five of us
2 ask them. We take our time to review this.

3 MR. JACKOWITZ: Can I finish? I
4 gave you an opportunity.

5 MR. WECHSLER: I am giving you extra
6 time, so please.

7 MR. JACKOWITZ: Right, but I'm just
8 saying that's the reason why no one comes to
9 these meetings or anything because they said
10 you are wasting your time because they are
11 not going to answer any questions.

12 MR. WECHSLER: You are asking us to
13 have a public meeting and if people aren't
14 going to come -- your argument is flawed.

15 MR. JACKOWITZ: Open the public
16 meeting up to the public and allow someone
17 to speak and I guarantee you you will get
18 people to come. Guarantee if you give them
19 the opportunity to speak and ask questions--

20 MR. WECHSLER: Every week we allow
21 public comment.

22 MR. JACKOWITZ: Yeah, at a city
23 council meeting, I agree with you and I
24 appreciate it and I appreciate you giving me
25 extra time tonight.

1 MR. WECHSLER: Thank you. Cara
2 Seitzinger.

3 MS. SEITZINGER: Good evening,
4 Council. Cara Seitzinger, city resident.
5 I'm here tonight on behalf of the Greenridge
6 Neighborhood Association and I would like
7 everybody to know that the Greenridge
8 Neighborhood Association is meeting on
9 Tuesday, July 12, and that's prior to the
10 Monday, July 18, DEP meetings so we
11 encourage everybody to come to that meeting,
12 and I'm going to talk about that in a second
13 about the whole KSL issue. These documents
14 are so voluminous they are -- there's a
15 Right-to-Know answered, there's a record
16 appeal answered. There are permits, there
17 are documents, there are notes, there are
18 Post-It notes, there are letters, it goes on
19 and on and nobody expects everybody to sit
20 and read them. Some of us have at length
21 sat and read them and compared them and so
22 if people would like to come to the
23 Greenridge Neighborhood Association, anybody
24 in the City of Scranton, because it affects
25 all citizens with the sale of the Sewer

1 Authority I strongly encourage you to do so
2 and we will give you I guess the Cliff Notes
3 summed up version.

4 That being said, I really had to
5 speak and this morning I wrote down a couple
6 of thoughts because I know your agenda is
7 very full, specifically on the parking
8 agreement final passage. Much has already
9 been said and while I have independently
10 reviewed what I have seen and heard here as
11 well as read in the paper, and not being
12 privy to all of documents you have been
13 presented and whether or not it is best I
14 must say that this legislation may somehow
15 be righting the wrong that you did not
16 create. That rests solely on the prior
17 council. One former councilwoman in
18 particular, and all of that supported her,
19 many of who are in this forum today and have
20 spoken again and again and now are speaking
21 against this agreement, if you don't pay
22 your bill it's a default. You can Goggle
23 it, it's in Wikipedia, a default is a
24 default.

25 That being said, all of those that

1 supported her actions, including the voters
2 and for the latter it should be a very big
3 wake up call that we each have a duty to be
4 informed and to vote responsibly. The
5 singular actio of default was a death
6 sentence to the financial stability of our
7 city. I agree with the sentiments of some
8 of you that stated it is our hope that we
9 will never have to mention the name of any
10 elected official again, and I stand with you
11 all on that.

12 I also must say that every public
13 official, past or present, in whatever
14 capacity they serve in government leaves
15 behind a legacy that will be heard some day
16 and they are the ones that have to lie on
17 their pillow at night.

18 Again, I'm here, however, on behalf
19 of the Greenridge Neighborhood Association,
20 as I said, and the issue with the leachate
21 line, the untreated leachate now known as
22 Outfall No. 2 -- yes, outfall, I'm sorry,
23 that is now being used lawfully according to
24 the SSA, KSL Attorney Shrive and Walker, and
25 SSA Solicitor Walker, we strongly disagree

1 with that position and in the absence of any
2 documentation, because that is what we are
3 dealing with that would justify the use of
4 the line we stand firm in our opposition and
5 we will now resume reviewing the other legal
6 options afforded to us and that's the
7 Greenridge Neighborhood Association, most
8 likely in concert with the Friends of
9 Lackawanna, and we are in talks to have that
10 done.

11 I must stress that it is our
12 position that we, as taxpayers, should not
13 have to take that action but our hands are
14 being forced by both the administration, and
15 I understand your position as council,
16 believe me, I know, and Attorney Minora
17 knows that I know what you face, but it's
18 simply just wrong. While the Greenridge
19 Neighborhood Association is also very
20 grateful to council for the suggestion to
21 KSL that voluntarily close that line we
22 firmly believe that this will not solve the
23 issue.

24 A former cabinet member under the
25 former administration once argued with me in

1 my capacity with the city in the Law
2 Department that it's easier to ask for
3 forgiveness than permission. That sentiment
4 turned my stomach then and it does today and
5 I am certain that that sentiment would never
6 stand up in a civil court proceeding.

7 We also believe that KSL most likely
8 has used that line for years. We can look
9 at page upon page of the documents and
10 permits, etcetera, and I would certainly
11 encourage all to question those of us who
12 live in that neighborhood. When my parents
13 purchased our childhood home before I was
14 born in the early 1960's I am certain they
15 did not know the potential harm that may
16 befall their children and grandchildren.

17 In the early 80's when I played at
18 the Scranton State School for the Deaf and
19 smelled that odor that was pungent at time,
20 a concerned group of neighbors lead by the
21 late Nancy Kay Holmes stood up and said
22 enough. The city administration cared and
23 when Attorney Ned Abrahamsen filed that
24 lawsuit on behalf of the Keystone Landfill
25 and against the City of Scranton

1 administration the city's opposition said
2 no. They stood in front of a judge and a
3 subsequent settlement agreement was reached
4 to use one dedicated line known as Outfall
5 1. Clearly that was enough for -- that was
6 not enough for KSL as the documents in our
7 possession and in yours --

8 MR. WECHSLER: Thank you, Cara.

9 MS. SEITZINGER: Okay.

10 MR. WECHSLER: Thank you. Is there
11 anyone else who would like to address
12 council?

13 MR. MORGAN: Good evening, Council.
14 Lee Morgan. You know, I really appreciate
15 everybody's opinion here, and some people I
16 disagree with and, you know, I think the one
17 thing that people have to realize is this
18 council has an oversight authority and it
19 needs to make sure that decisions made here
20 for this city are made with the best
21 interest of the citizens in mind.

22 Now, council president just talked
23 about no calls, no interaction between the
24 public. Well, this city has been under Act
25 47 for I'd like to say heading for five

1 years and we are in worse shape now than we
2 were before and there is a chain of
3 possession here, one council to the next
4 council to the next council to the next
5 council. It just doesn't end with one
6 administration to the next.

7 Now, we have a mayor who ran for
8 office and stated that as a last option he
9 would consider monetizing these two assets.
10 I haven't heard another plan and I haven't
11 seen Mr. Amoroso lately either, but, you
12 know, when you look at the residents of this
13 city you have to ask yourself a couple of
14 questions, what is the poverty level in this
15 city, is it 30 percent? Is it 40 percent?
16 And then you have to ask does the city
17 really have legitimate government because
18 when an authority decides to follow a plan
19 of action like they have and answers no
20 questions from the public and then an
21 elected body says to you that they have no
22 control over that Authority that's a pretty
23 pathetic statement because the city's
24 elected government should have condemned
25 that action on the party of the Authority.

1 And the other thing is, this Parking
2 Authority deal and the same with the Sewer
3 Authority deal has no solutions for
4 residents of this city just more debt and
5 more utter silliness and, you know, the
6 utter silliness here is that when you walk
7 and look through the neighborhoods and you
8 see the decay and the decline and you look
9 at all of the deals that are being made
10 whether it's the former Scranton Lace
11 building, whether it's the North Scranton
12 project, you know, we just have nonprofits
13 falling out of the sky everywhere but there
14 is no relief for the average citizen and in
15 the end, and we can criticize some things
16 that some councils have done, but in the end
17 what will be left of our city?

18 You know, I grew up here and I guess
19 lower Greenridge/Pinebrook, the pool I that
20 we have in that neighborhood has been closed
21 for a very long time, and you know we take
22 community development money and we pass it
23 around, but it never really seems to answer
24 the problems that we seem to have, but the
25 one major problem we really have here is a

1 local city government that does nothing but
2 lie to it's residents and keep borrowing
3 money beyond the ability of those residents
4 to satisfy that debt, and then instead of
5 standing tall and following a course of
6 action which would lead to a turn around in
7 this city we keep picking false saviors who
8 pick plans which are not conducive to a turn
9 around in this city.

10 And, you know, they were talking on
11 talk radio today, the Steve Corbett guy, and
12 nobody called about what's going on in this
13 city because the one thing that we have to
14 realize is that not only here but across
15 this country the people who do the electing
16 don't come to the poles because they are
17 tired of the people they elect who are
18 bought and sold by people behind the scenes
19 and for this deal to proceed forward is
20 beyond ridiculous because it's not going to
21 satisfy any of the problems we are
22 experiencing, and we can all talk about the
23 state of affairs of the garages at this
24 point but there is one thing we really have
25 to look at, how did they get there and what

1 did this elected government do about it?

2 Nothing.

3 And when you drive through this city
4 as I watch my children leave this city, I
5 wonder if my children aren't right when they
6 say this city is a slum and, you know, my
7 one son is going to Texas tomorrow, he is
8 going to make a ton of money, just
9 wheelbarrows of it, but, you know, he drove
10 by Mr. Courtright's karate shop and broke
11 the windshield in his car, and then he says,
12 "Dad, you know, you go to these council
13 meetings but nobody listens," and all of
14 young people are just leaving and as the old
15 people die there is nothing left, and what's
16 really going on here, as the council
17 president has noted, there is a lack of
18 confidence in this government and there will
19 be none because this deal with the parking
20 garages is wrong. There is nothing right
21 about it, I haven't heard any single council
22 member bring up any good points in this
23 agreement except that we are passing a debt
24 on and stranding a ton of debt when what we
25 should do is run those garages, and if we

1 can't elect people that can run them maybe
2 they should resign.

3 MR. WECHSLER: Thank you, Mr.
4 Morgan. Anyone else? Please state your
5 name.

6 MS. JADICK: Roberta Jadick,
7 Greenridge resident. I understand that most
8 of the conversation here tonight has been
9 about the Parking Authority, which is a
10 topic that's very important to us, however,
11 to me as someone who has raised children in
12 the Greenridge section and lived in that
13 section for over 30 years the leachate issue
14 is much more important. I wonder if
15 Mr. Minora were a resident of Greenridge and
16 not of the Hill section if perhaps several
17 weeks ago --

18 MR. WECHSLER: Mr. Minora has
19 already said he cannot state an opinion so I
20 don't think you should make illusions to him
21 not caring because he --

22 MS. JADICK: I wasn't saying that he
23 wasn't caring, I was just saying that
24 perhaps if he lived in Greenridge he would
25 understand our --

1 MR. WECHSLER: I know Mr. Minora and
2 he cares about this city.

3 MS. JADICK: I'm also wondering if
4 perhaps if any of you gentlemen lived in the
5 Greenridge section if maybe this would be a
6 little more important to you.

7 MR. WECHSLER: And I would say the
8 same comments, we have been in the lead on
9 this affair since the smell started. I live
10 on East Mountain and it's as important to me
11 as it is to you and we have all said that up
12 here and I don't think it's fair to say that
13 we are not caring because we don't live in
14 your neighborhood. I don't agree with that
15 statement at all.

16 MS. JADICK: And that's your
17 privilege as it's my privilege to --

18 MR. WECHSLER: If you think we are
19 not doing that because we don't live over
20 there I can tell you that you are wrong.

21 MS. JADICK: All right then, I would
22 like to see the other members of council
23 come to our meetings. I know you have been
24 there, Mr. Wechsler, but I'd like to see the
25 other members come to our meetings in

1 Greenridge which are held on the second
2 Tuesday of every month and hear our concerns
3 because they are not about debt that's going
4 to be passed on which may or may not happen,
5 but they are about the health of our kids
6 and what happens if we have a big storm and
7 all of this stuff backs up into our cellars
8 what -- who going to come and help us then?
9 It could have been -- the problem could be
10 alleviated if someone would just help us so
11 I invite you all to come to our meetings and
12 to hear what we have to say. Thank you.

13 MR. WECHSLER: Thank you.

14 MR. GAUGHAN: If I could just make
15 one comment, I do believe that Attorney
16 Minora is going to give us opinion and what
17 he thinks about the whole thing next week.

18 MR. EVANS: He is going to give us a
19 report.

20 MR. MINORA: A report.

21 MR. WECHSLER: But I can speak for
22 council, everyone cares about that problem
23 up there and it doesn't matter that none of
24 us live there. I'm up in that area a lot, I
25 have friends that live over there, I know

1 people that have small children that live
2 over there and we are trying our best and,
3 unfortunately, we don't control or have the
4 ability to start the suit, that lies with
5 the administration. We don't have that
6 ability. That's why we suggested the
7 voluntary shutoff. I know that that's not a
8 solution to this problem, but our goal is to
9 get this stopped as soon as possible and if
10 the public would run with our idea and start
11 contacting KSL to voluntarily stop using it
12 because they don't have to use it. They
13 have the lagoons, they have all other
14 options up there. The number one line works
15 fine. I think we need more public pressure
16 like yourself saying here on them to stop
17 using it, and once again, we have been
18 trying to get that line closed. We are
19 trying.

20 MR. ROGAN: I would just add, one of
21 the most frustrating things about being a
22 member of city council is we are only half
23 of the members as city council. Even as a
24 board if we are united on an issue, which
25 the vast majority of issues facing the city

1 are unanimous decisions, council only has so
2 much power and Scranton has a strong mayor
3 form of government. I have been -- and you
4 can look at the first four years of my
5 tenure on council and see how, you know, the
6 battle between the administration and the
7 former administration and council turns out
8 and the mayor's office has much more power
9 that be the city council. It doesn't mean
10 that members don't care about this issue or
11 many other issues, it's just very
12 frustrating not only relating to this many
13 items that council would like to do
14 differently than the mayor. All we can do
15 is, you know, ask that things are done the
16 way we would like to see them be done, but
17 when it comes to the administration and even
18 some things as simple as, you know, what
19 roads get paved and what roads don't get
20 paved, you know, a number of issues, they
21 are not -- unfortunately, they not decided
22 at city council and that for me is a
23 personal frustration, and I'm sure it's the
24 same for the other four members of the board
25 as well.

1 MR. EVANS: We are all united in our
2 belief that it's wrong. It should be sealed
3 and shut down. We all feel that way. We
4 chided the administration to get an opinion
5 from the solicitor which we disagree with,
6 but at the end of the day the mayor has the
7 power to tell the city solicitor to march
8 down to the courthouse and file papers in
9 courthouse and take this issue to Court and
10 get an answer once and for all, so that is
11 it where the answer lies at this point, and
12 again, with your own organizations and the
13 hopefully that may happen and come from
14 there as well, but that's where we are now,
15 but don't think for a minute that we don't
16 feel your pain and don't support you because
17 we do in any way we can.

18 MR. WECHSLER: Anyone else?

19 MS. SCHUMACHER: Marie Schumacher,
20 city resident. As I believe I have made
21 clear, I'm opposed to the sweetheart deal
22 with Mr. Basalyga and I urge you to table
23 Agenda Item 7-A through 7-D until the
24 following information is provided to the
25 current owners of the city parking assets:

1 Number one, the discrepancies
2 between the June 2015 Desman report which
3 was commissioned by the city through PFM and
4 what was presented at last week's working
5 session of city council, most specifically,
6 the Desman report shows the highest net
7 operating surplus is achieved by the
8 demolition of the Electric City and Linden
9 garages to be replaced with surface parking
10 lots of approximately 200 spaces each.

11 The Desman report notes that the
12 demolition of the Electric City parking
13 garage original structure is expected to
14 cost \$548,000 while the demolition of the
15 expansion is expected to cost \$440,000 for a
16 total of \$988,000, a far cry from the \$3.1
17 million estimate from the working session.

18 Number two. The promised economic
19 development. Where are the metrics to back
20 up this claim, specifically, what's segments
21 of the economy will grow, when will this
22 growth occur and by how much will the City's
23 coffers grow by year for the 40-year life of
24 the agreement?

25 We didn't just fall off the turnip

1 truck. We remember the economic development
2 promises that would spring from the 500
3 block of Lackawanna Avenue and the yet
4 unopened park and non-functioning elevators
5 in part. Oh, and let's not forget the
6 traffic pattern in the 500 block of
7 Lackawanna Avenue, which I'm sure everyone
8 loves. I'm sorry, mom, for the sarcasm, you
9 told me not to do that.

10 Number three. The issue of one and
11 done payment by NDC to the City of Scranton.
12 In January of 2013, the Commonwealth Court
13 of Pennsylvania filed a decision to uphold
14 the trial court's order that a nonprofit
15 leasing property to another nonprofit denied
16 was denied an exemption from real estate
17 taxes. In September of 2012, the
18 Times-Tribune published an article by David
19 Falchack by which I now quote -- from which
20 I now quote. "Private and public
21 universities are nonprofit entities, but
22 being a nonprofit doesn't immediately mean
23 that all of the property exempt from
24 property taxes all of the time and Mr. Doug
25 Hill, director of the Harrisburg based

1 Assessor's Association of Pennsylvania said
2 -- that is what he said. And from Evelyn
3 Brody, professor of law at the Chicago
4 School of Law it has always been the case
5 that leasing property ends the tax
6 exemption. Often, when a charity leases to
7 another charity the exemptions ends for the
8 leased property."

9 With these professional opinions, I
10 find it curious that Mr. Conaboy didn't at
11 least negotiate a healthy payment in lieu of
12 the taxes that would grow at the same rate
13 the fees charged by DNC grow. Further, what
14 I heard at last week's working session is
15 that any future revenue sharing would not be
16 made to the city directly, but would be in
17 the form of grants made not by the city or
18 its council but directly by DNC to entities
19 chosen by them. Are you really willing to
20 succeed this power to a third party?

21 Also, I have concerns that the city
22 is not up to administering such a
23 complicated agreement that could lead to any
24 number of cases of expensive lawsuits, so I
25 thank you for your consideration of this

1 and, Mr. Wechsler, did you get -- make a
2 company of the letter of Ms. Maloney that
3 you said you would make?

4 MR. WECHSLER: Oh, I have it in the
5 office.

6 MS. SCHUMACHER: Okay, I will see
7 you after and I will be back with more on
8 property tax.

9 MR. ROGAN: And the nonprofit issue,
10 the reason no taxes are going to be made the
11 city retains ownership.

12 MS. SCHUMACHER: It doesn't matter.
13 That's what I just said. That leasing ends,
14 and especially in a 40-year lease, but we
15 can discuss that another time. I would also
16 like you to share tonight what the
17 properties are included in the demolition
18 list that's being circulated in the paper
19 and how many there are and where they are.

20 MR. ROGAN: Sure, I can obtain that.

21 MS. SCHUMACHER: Thank you.

22 MR. DOBRZYN: Good evening, Council.
23 Dave Dobrzyn, resident and taxes paid, fees
24 paid. Okay, once again, I'm going to put
25 this to sleep soon, but "Pennsylvanians Hit

1 Hard by Plant Closures and Job Losses."

2 Now, I'm not silly enough to think that a
3 presidential candidate is going to bring
4 jobs back, Obama brought the tire jobs back
5 and it cost the American consumer \$850,000
6 per job that they wouldn't have had to pay
7 if they had never left. So, you know, keep
8 in mind when you call your congressman and
9 tell them that transpacific partnership is
10 just the partnership to more poverty in this
11 country. Transpacific povertyship. Also,
12 one of the countries involved it's entirely
13 possible to buy and sell human beings so we
14 are losing our American morals.

15 And to start with, I have a book
16 here, I brought it last week, "Free Lunch.
17 How the wealthiest Americans enrich
18 themselves at government expense and stick
19 you with the bill." David K. Johnston. He
20 is an economist, retired IRS auditor. He is
21 also a professor at Southern University of
22 New York, I think, and also a tax lawyer, so
23 he knows how these people and that's where
24 we got in Scranton to where we got to where
25 we are right now. We just constantly got

1 schemes from very wealthy corporations and
2 individuals build us a parking garage or let
3 us build a hotel here and then the parking
4 garage that was there wasn't any good so
5 they said at that wasn't up to their
6 standards so we get to spend the money on it
7 and then the parking garages at the Connell
8 building somebody went up there and said,
9 "Gee, there wasn't even a crack in the
10 concrete, what are we tearing that down
11 for?"

12 Well, he was told to stay the hell
13 out of there or he would be arrested for
14 trespassing, so there you have it. You
15 know, people just want to see money spent,
16 they want to spend, put it in their pockets
17 and here we are, we have somebody that can
18 pirate our parking spaces off and we have to
19 pay him now, so I don't know how that's
20 going to work out, but I agree with
21 Mr. Jackowitz it's a done deal.

22 Now, last week I heard quality of
23 life, is there an anything that somebody
24 doesn't want to fine somebody for? I had an
25 acquaintance or a friend from the

1 neighborhood they took \$5,500 worth of the
2 cars off his lawn and sold them. Next door,
3 three years later, there's a 70's era Camero
4 sitting on the lawn with trees growing out
5 of it, you know. I mean, is it quality of
6 life or is it just who can make a fast buck
7 and walk off with your -- walk off with your
8 money.

9 And info from the mayor's office,
10 now, I hear a lot of complaints about that
11 and that's been ongoing for years and it was
12 very ongoing with this parking deal, was a
13 default the smartest thing to do, I don't
14 know, but basically the Parking Authority
15 thumbed their nose at council. They thumbed
16 their nose. They come in here with a
17 one-page book or accounting of what their
18 expenses are and they are asking for
19 information, they could never get it. They
20 are taking out on loans where there is no
21 legislation on it, so, yeah, maybe Janet
22 made a big mistake, maybe she is Scranton's
23 Joan of Arc, I don't know. Every week,
24 every other week she was in the editorial
25 section of the paper and getting bashed.

1 Well, now poor Mr. Courtright is getting
2 bashed, you know? It just goes on and on
3 and on. I wish they'd decide what they
4 want.

5 And a lot of things that are said up
6 here about leadership, well, I want
7 representation and, furthermore, I will make
8 it quick, but this situation with that sewer
9 line is a prime example of how an authority
10 can turn around and undo something that
11 should have never been undone and they took
12 it on themselves and now the poor citizens
13 have to either leave their houses or go to
14 Court, believe me, years ago oil belches,
15 batter casings, anything went in the trash.
16 I worked in a lot of different garages so --

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

19 MR. DOBRZYN: -- a lot of stuff
20 buried up there that you really don't want
21 to breath in?

22 MR. WECHSLER: Anyone else?

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

24 MOTIONS.

25 MR. WECHSLER: Mr. Perry?

1 MR. PERRY: Yes, I have a couple of
2 things this afternoon. The first thing, the
3 leachate issue in Greenridge, you know, I'll
4 echo your sentiments, every single one of us
5 up here is concerned, and I don't know if
6 chomping at the bit is good term, but we are
7 eager to go to whatever capacity we have to
8 help the citizens of Greenridge, I mean,
9 that goes without saying, but what I would
10 like for the record for you guys what is the
11 address and time of the meeting on the 12th
12 because I don't know if you guys announced
13 that, that way everybody can be in the loop
14 on that.

15 MS. SEITZINGER: Do you want me to
16 give it to you?

17 MR. PERRY: Yeah.

18 MS. SEITZINGER: It's 625 Deacon
19 Street the Post 908 building 7:00, July 12.
20 We meet the second Tuesday of every month.

21 MR. PERRY: Okay, so that's at 625
22 Deacon Street.

23 MS. SEITZINGER: It's right up the
24 street from Brunetti's.

25 MR. PERRY: Right up from

1 Brunetti's, we are all familiar with that
2 and the time is 7:00?

3 MS. SEITZINGER: 7:00.

4 MR. PERRY: 7:00 July 12. So that,
5 again, it's a very important issue not just
6 for the citizens of Greenridge but for the
7 whole city and yes, we are all -- on this
8 council we are very involved in this issue
9 and we are willing to push wherever we need
10 to push to make sure you guys get some sort
11 of satisfaction with that.

12 It's been brought to my attention
13 that there is an issue of running stop signs
14 and speeding at the intersection of 16th and
15 Division Street so there will be patrolman
16 out there very soon to do an investigation
17 on that safety issue.

18 I also was contacted by a couple of
19 people that there is a possible quality of
20 life issue on the 1200 block of Main Avenue
21 so there is going to be an inspector
22 dispatched to that area of the city to do
23 some follow up on that issue as well.

24 Something that came up a couple of
25 times tonight about public hearings for

1 And the answer to that is as we learned from
2 past SPA issuing debt for the 2004, 2006 and
3 2007 the city is not guaranteeing these
4 debts whatsoever. That's totally, totally
5 on NDC. There is no repercussion, nothing
6 coming back, the city will not be on the
7 hook. As well as if NDC goes bankrupt,
8 that's something else that is not going to
9 effect the city whatsoever.

10 Another question is will NDC be
11 required to respond to Right-to-Know
12 requests like government would be? And the
13 answer to that in short is no because they
14 are a private organization. They are not
15 entitled to the PA Right-to-Know laws but
16 the city will hold three of the seven seats
17 on the board which the city will always have
18 access to any kind of records that we want
19 to ascertain.

20 Another question I've had a common
21 thread, in the deal with the Hilton Hotel
22 and Connell parking will that be honored as
23 is? And the answer to that in a word yes,
24 it will be honored.

25 ABM, the company that's going to be

1 managing the on and off-street parking for
2 NDC, how many off-street parking city
3 facilities are they running? The answer is
4 30. They have 30 under their belt and under
5 their umbrella, which I'm really comfortable
6 with ABM coming in and making immediate
7 changes.

8 Number six, the question, the
9 monthly rent to Steamtown 300, it's a
10 \$10,000 a monthly rent to the Marketplace
11 for the parking spaces, is that going to
12 increase with inflation or stay the same?
13 The answer is it's going to stay the same,
14 that will not go up during this term, and I
15 think that is all of the common threads with
16 that.

17 And again, not only with this deal
18 but I accept questions and comments any
19 time, I check my e-mail every day so if
20 there is anything that anybody ever needs to
21 get in touch with me, please, feel free to
22 send me an e-mail. That's all I have today,
23 Mr. President.

24 MR. WECHSLER: Thank you, Mr. Perry.
25 Mr. Rogan?

1 MR. ROGAN: Yes, a number of issues,
2 I'll comment more on the parking deal when
3 it comes up for a vote, just a few things I
4 wanted to mention. Regarding the leachate
5 line, and I apologize I can't find the
6 letter, it's in this stack somewhere, we did
7 receive -- we were cc'd on a letter from the
8 mayor to Keystone asking them to voluntarily
9 stop using the Greenridge line and I do have
10 a copy of it that I can provide as well.

11 A couple of other items, this week
12 the back pay for the Supreme Court award was
13 finally put to bed. Payment was -- as you
14 know today is the last day of the month,
15 today is the deadline. That is hopefully
16 now something we will never have to talk
17 about again. Following the completion of
18 the parking deal, that is another issue we
19 will never have to talk about again. These
20 are two major accomplishments that had to be
21 accomplished. We had a Court award hanging
22 over our head and a large amount of that
23 debt, whether you agree or disagree, or how
24 you think we got into where we are with the
25 parking garages this deal, I believe, will

1 benefit the City of Scranton.

2 Contrary to the Times, which write
3 negative article after negative article
4 regarding this deal, there are many
5 positives that I will talk about a little
6 more when the vote comes up.

7 Some comments were made, and I know
8 Mr. Perry and Mr. Wechsler touched on this
9 about not being able to speak, as was
10 mentioned, every Thursday we allow citizens'
11 participation on a vast array of topics. It
12 could be about agenda items, non-agenda
13 items and I know as Council President
14 Councilman Wechsler even allows latitude on
15 national and state issues that many times
16 don't pertain to council but it's still your
17 right to speak.

18 Regarding the work session, that was
19 more for informational purposes to let the
20 team that put the deal together to come in
21 and present it to the public and council did
22 ask that it was televised, it was televised
23 on ECTV, it was open to the public to attend
24 and listen, that newspaper was there as
25 well, so that was very important for us to

1 let the experts explain it. As Mr. Perry
2 mentioned, we have had -- we are always open
3 for questions. I have had only a few. I
4 know Mr. Wechsler had a couple, Mr. Perry
5 had a few more, a few questions from
6 residents. The majority of your questions
7 that I received were actually regarding the
8 operations, the current deplorable
9 conditions of the garages which is a chronic
10 complaint that we received and questions
11 about meters downtown and how they would be
12 handled, primarily those questions came from
13 business owners, and I did through Attorney
14 Conaboy get those replies to those residents
15 as well.

16 A couple of other items, a few weeks
17 ago, I think about a month ago, council
18 passed the Young Lungs program that
19 Councilman Gaughan championed and one thing
20 that bothered me was many times I come into
21 city hall I would see city employees smoking
22 right on the front steps and we did send a
23 letter to the mayor's office asking that
24 city employees were asked not to smoke in
25 front of the building, but rather to go in

1 the back of the building because of the
2 appearances so I'd like to know if we can
3 send that request again. Going into city
4 hall today I did see some city employees
5 smoking in front of the building once again.
6 I would hope they we wouldn't have to enact
7 a smoking ban in front of the building, but
8 hopefully, you know, that could just be
9 worked out where employees who smoke can
10 smoke in back of the building.

11 And, finally, a piece of the good
12 news, we received a letter from Neighbor
13 Works NEPA who council and the city have
14 been working with for a number of years and
15 they do a lot of great work. As I
16 mentioned, we just did a first time
17 homebuyers program with them, and this is
18 it, I'm just going to read an excerpt from
19 the letter. It says, "I have exciting news
20 to share. Next week, July 4 to 8 more than
21 130 volunteers will be joining Neighbor
22 Works Northeastern, Pennsylvania, from
23 across the northeastern portion of the
24 United States to participate in West
25 Scranton Neighbor Works week 2016. This

1 week-long event will provide free home
2 repair and improvement services for 23 low
3 income aging and disabled homeowners in our
4 area."

5 This is a great program, it helps a
6 lot of people within the city who want to
7 maintain their homes but many times because
8 of disabilities or just a lack of being able
9 to pay really helps them out with, you know,
10 improving the properties and just makes the
11 neighborhoods look better in general, so I'd
12 like to thank Neighbor Works for continuing
13 this great program. That's all.

14 MR. WECHSLER: Thank you.
15 Mr. Evans?

16 MR. EVANS: Thank you. A little bit
17 of everything tonight. Councilman Rogan,
18 Councilman Wechsler and myself attended the
19 Secret Garden tour in the Hill Section on
20 Saturday that benefited the Greenhouse
21 project. It was a great tour. They plan on
22 doing it every other year now to coincide
23 with the off years with the Historic Hill
24 tour so congratulations to them on a job
25 well done.

1 Now, last week we had a couple of
2 citizens' questions, yes, the clerical union
3 contract did expire in 2015 and they were
4 working on the terms of the existing
5 contract until a new one is agreed upon.
6 There was also a citizen gave me a copy of a
7 spreadsheet last week from Desman design,
8 and I contacted Mr. Conaboy and he told me
9 that that spreadsheet was only for the newer
10 parking garage and there is a second
11 spreadsheet for the older parking garage and
12 I have a draft form, I wasn't allowed to
13 present it tonight because it's still in
14 draft form, but I'll get that to you as soon
15 I can.

16 A lot of talk about default, and
17 while I'm not going to comment directly on
18 the reasons and rationale for the action to
19 allow the default of the bond on the alleged
20 receivership of the Parking Authority, I
21 want to go over a couple of things that I
22 view as the unintended consequences of that
23 besides what we are here tonight for the
24 vote on the Scranton Parking Authority
25 issue. The city has paid approximately \$2.9

1 million per year in debt service payments in
2 2013 through 2016 and operating income of
3 the garages has declined every year while
4 under receivership.

5 The default effectively shut off the
6 city's access to the financial markets. The
7 city has been required to pay interest rates
8 and premiums higher than the normal to
9 obtain funds from the financial markets. In
10 fact, the city has paid interest rates
11 approximately 4 to 6 percent above
12 prevailing market rates to sell
13 approximately 25 million in bonds in 2013
14 and 2014 for unfunded debt and debt
15 restructuring.

16 The city has incurred approximately
17 \$1.25 million in annual interest additional
18 costs to acquire these funds. The city has
19 also paid above market rates and had to lock
20 box real estate tax and earned income
21 revenues in order to acquire TAN funds in
22 2012, 2013, 2014 and 2015 and 2016. No
23 local financial institutions has provided
24 funds to the city since the default. On \$13
25 million borrowed each year for the last --

1 for the City's TAN, the city has incurred at
2 least an additional \$500,000 in interest
3 costs from the TAN over prevailing rates.

4 So they are just some of the
5 unintended consequences besides the fact
6 that it brought us here today to vote on
7 this legislation to lease the parking
8 authority assets, so while I won't comment
9 on it, I wasn't there at the time. Was it
10 right? Was it wrong? You know, who knows,
11 but the bottom line is they are some of the
12 issues that brought us to this point, and
13 I'll comment further on the parking
14 legislation as we move to the agenda items.

15 MR. WECHSLER: Thank you, Mr. Evans.
16 Mr. Gaughan?

17 MR. GAUGHAN: Yes, thank you, Just a
18 few. First, it was mentioned that the
19 Rockwell Avenue bridge project will be
20 completed in early 2017. I was inundated
21 with phone calls and e-mails about why that
22 was and why the timeline had changed. We
23 reached out to PennDOT and actually the
24 bridge will be completed this year in
25 December. They are working their every day

1 and they are making great process so it will
2 be finished in December of this year so that
3 was the wrong date.

4 I have an update on the paving
5 project throughout the city, Keyser Valley
6 and West Scranton, East Mountain, Hill
7 section, all of these streets are complete.
8 The only remaining streets lie in North
9 Scranton, two in South Scranton and a few
10 blocks in the downtown so everything should
11 be wrapped up with the city's paving project
12 by the end of July and they are making good
13 process there.

14 I received another complaint about
15 dangerous conditions on Third Avenue and
16 Luzerne Street which are concerning
17 residents. There is a damage chain linked
18 fence above the heritage trail and residents
19 are worried that someone could fall over and
20 get seriously injured so we will send that
21 again to Licensing and Inspections.

22 I also received a complaint from the
23 citizen who was near 915 Euclid Avenue. The
24 property is condemned and they have various
25 animals, people are placing food on the

1 porch. They were told by the city that it
2 will be boarded up, that still hasn't been
3 done. They were told the traps would be set
4 and the traps have not been set yet. There
5 is also a pool with no cover and stagnant
6 water in it which could foster mosquitoes
7 which could also lead to West Nile virus
8 which the residents, some of them elderly,
9 are concerned about so we will be sending
10 that to the Licensing and Inspection
11 Department.

12 Also, received another request for
13 crosswalks around Greenridge corners, a very
14 dangerous intersection and there are many
15 residents that are concerned about that in
16 that area, and that's all I have this week.
17 Thank you.

18 MR. WECHSLER: Thank you,
19 Mr. Gaughan. This week I did receive
20 another complaint about the 1400 block of
21 South Irving Avenue. This has been an
22 ongoing problem since I have been on
23 council. Nothing has happened with that as
24 far as I know. We also received a request
25 for some repairs of potholes of Roland

1 Avenue and we'll move forward with those
2 requests.

3 As the week went on, and as Mr.
4 Perry said we did receive some questions, we
5 did some follow-ups and I have a few
6 questions here that were answered for me
7 that I'll share now. One of the questions
8 that I asked was will NDC be paying the
9 \$10,000 and \$19,000 monthly rents and the
10 answer is yes. NDC will remit rent payments
11 to Steamtown. Neither the city or the
12 Parking Authority will have any
13 responsibility to make these rent payments.

14 Also, as part of that, if Steamtown
15 fails to maintain either garage NDC can
16 discontinue making the rent payments and is
17 entitled to operate both garages and collect
18 all revenue from both garages, so as was
19 said at the work session NDC and ABM will
20 continue to follow up the necessary repairs
21 are being made, and if they are not being
22 made to the satisfaction, their
23 satisfaction, then the payments will be
24 stop.

25 I also asked how many of the 500

1 spots in the mall are currently rented. As
2 of two weeks ago there was 491 active
3 parkers in the Steamtown, but just once,
4 again, as you have heard, we tried to look
5 at this arrangement as conservatively as
6 possible and not overestimate revenues, for
7 purposes of the agreement we are planning on
8 having 305 parkers in the mall. Once again,
9 it's an conservative estimate so we don't
10 overshoot our mark.

11 I also asked about the new tenants,
12 I Luzerne Community College is moving into
13 the mall, we also asked if they will receive
14 free parking, the answer was yes. All mall
15 tenants employees and patrons will at all
16 times be entitled to free parking in the
17 mall.

18 I asked this question, if the
19 Marketplace fails does the city or NDC have
20 rights to the Electric City garage? The
21 answer was if the Marketplace fails or
22 otherwise chooses to sell either the
23 Marketplace garages or the NDC garage
24 purchaser of either garage must allow NDC to
25 use the entire garage, in the case of

1 Electric City for the 500 dedicated cases in
2 the Casey and the Marketplace will allow for
3 public parking. The leases for both the EC
4 garage and Marketplace place garage will be
5 recorded via a memo of lease and there is no
6 right -- there is no right of first refusal
7 to NDC to purchase the garage.

8 I also asked did the Marketplace
9 sell the Electric city garage? The answer
10 was in theory yes, but as explained NDC is
11 entitled to use the garage for public
12 parking purposes and any purchaser of the
13 garage would be required to be in the garage
14 and make over the \$15 million capital
15 expenditure investments that they are
16 committed to.

17 One concern that we did have, as was
18 brought up by our speakers, there is going
19 to be a loss of parking meter revenue. That
20 will come to an end as soon as the lease
21 agreement is signed so in August the city
22 will no longer receive any of the parking
23 revenues, but the lower bond payment that we
24 are paying with because of the default, the
25 combination of the lower bond payment and

1 the loss of the meter revenues mean that
2 this deal is revenue neutral to our plan so
3 as best as I can understand from talking to
4 Business Administrator Bulzoni, there will
5 not be any immediate impact of financial
6 gain for the city because of a change in the
7 payments or loss of the parking meter
8 revenue so the follow up question is when is
9 it reasonable to expect revenue to flow to
10 the city? And, once again, as we talked
11 about a lot of the estimates were
12 conservative. The answer to that I received
13 is if there is no growth, meaning no new
14 parkers in the system and no economic
15 development in the downtown, then the city
16 can expect to start seeing payments around
17 2040, but the models continue to change
18 until we finalize the final pricing. These
19 are answers of Mr. Conaboy. And as he said,
20 as w all said here, hopefully that's not the
21 likely scenario because there is more
22 development downtown, we have already seen
23 that and we know the Luzerne Community
24 College has moved into the mall. There is
25 also talk of other groups being in the mall

1 so I don't foresee it staying the same or
2 static.

3 In each these scenarios in any event
4 the city can expect grant payments of about
5 \$400,000 to per year to begin in 2040 with
6 payments approaching up to \$600,000 over
7 time. As was stated here, there will never
8 be any direct income to the city general
9 fund from this agreement. There will be
10 grant money available and that grant money
11 will not be decided to spent by NDC
12 directly, it will be decided to be spent by
13 the board that it's created, which people
14 have three members on that board. This is
15 an opportunity for this grant money to come
16 into the city without the restrictions of
17 financial guidelines as placed on us by
18 federal, so all in all this will be an
19 investment that we can use as time goes on
20 and hopefully sooner than 2040 to make some
21 improvements in things that we as a city
22 right now can't do, so I will have the
23 questions here and I will have more comments
24 as we proceed through the meeting. Thank
25 you.

1 MS. REED: 5-B. FOR INTRODUCTION -
2 A RESOLUTION - AUTHORIZING THE MAYOR AND
3 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
4 AND ENTER INTO A PROFESSIONAL SERVICES
5 CONTRACT WITH LABELLA ASSOCIATES, P.C.
6 FORMERLY CECO ASSOCIATES TO SERVE AS CITY
7 ENGINEER FOR THE CITY OF SCRANTON FOR THE
8 PERIOD OF TWO (2) YEARS FROM JUNE 15, 2016
9 THROUGH MAY 31, 2018.

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

13 MR. ROGAN: So moved.

14 MR. EVANS: Second.

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

18 MR. PERRY: Aye.

19 MR. ROGAN: Aye.

20 MR. EVANS: Aye.

21 MR. GAUGHAN: Aye.

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

24 MS. REED: 5-C. FOR INTRODUCTION -
25 A RESOLUTION - APPOINTMENT OF AARON W.

1 WHITNEY, 200 WATRES DRIVE, SCRANTON,
2 PENNSYLVANIA, 18505, AS A MEMBER OF THE
3 MUNICIPAL INDUSTRIAL DEVELOPMENT AUTHORITY
4 (MIDAS), EFFECTIVE JUNE 24, 2016. MR.
5 WHITNEY IS BEING APPOINTED TO A TWO (2) YEAR
6 TERM THAT WILL EXPIRE ON JUNE 24, 2018.

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

10 MR. ROGAN: So moved.

11 MR. EVANS: Second.

12 MR. WECHSLER: On the question? All
13 those in favor of introduction signify by
14 saying aye.

15 MR. PERRY: Aye.

16 MR. ROGAN: Aye.

17 MR. EVANS: Aye.

18 MR. GAUGHAN: Aye.

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

21 MS. REED: SIXTH ORDER. 6-A. NO
22 BUSINESS AT THIS TIME.

23 SEVENTH ORDER. 7-A. FOR
24 CONSIDERATION BY THE COMMITTEE ON RULES -
25 FOR ADOPTION - FILE OF THE COUNCIL NO. 37,

1 2016 - AUTHORIZING THE MAYOR AND OTHER
2 APPROPRIATE CITY OFFICIALS TO EXECUTE AND
3 ENTER INTO CONCESSION ARRANGEMENTS WITH
4 COMMUNITY DEVELOPMENT PROPERTIES, SCRANTON,
5 INC. (THE "CONCESSIONAIRE") WITH RESPECT TO
6 METERED PARKING IN THE CITY OF SCRANTON (THE
7 "CITY") AND THE GARAGES OWNED BY THE PARKING
8 AUTHORITY OF THE CITY OF SCRANTON,
9 PENNSYLVANIA (THE "AUTHORITY") PURSUANT TO
10 THE SCRANTON METERED PARKING SYSTEM
11 CONCESSION AND SERVICES AGREEMENT (THE
12 "METERED SYSTEM CONCESSION AGREEMENT") AND
13 SCRANTON PARKING FACILITIES SYSTEM
14 CONCESSION AND LEASE AGREEMENT (THE
15 "FACILITIES CONCESSION AGREEMENT"), AND TO
16 AUTHORIZE CERTAIN ACTIONS AND ANCILLARY
17 AGREEMENTS CONTEMPLATED BY THE METERED
18 SYSTEM CONCESSION AGREEMENT AND THE
19 FACILITIES CONCESSION AGREEMENT.

20 MR. WECHSLER: What is the
21 recommendation of the Chairperson for the
22 Committee on Finance?

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

1 MR. ROGAN: Second.

2 MR. WECHSLER: On the question?

3 MR. GAUGHAN: Yes, on the question.

4 I'll be voting in favor of this deal tonight
5 for several reasons, the first completely
6 reaffirms to everyone that I take every
7 single decision and vote that I make as an
8 elected official of this city extremely
9 seriously. I have read over these documents
10 in detail. I have done my due diligence by
11 asking numerous questions and airing my
12 concerns. I certainly am not taking the
13 decision to lease a city asset for 40 years
14 lightly.

15 As I stated two weeks ago, the
16 decision by the previous council to let the
17 Parking Authority default on the bond of
18 2012 was catastrophic and has played an
19 enormous part in leading the city to this
20 point. The default cut off the city from
21 the financial markets and ruined our
22 creditworthiness. To give you an example,
23 while other cities and school districts were
24 taking out tax anticipation notes with an
25 interest rate of around 1 1/2 percent our

1 interest rate was almost 9 percent. That's
2 extortion and that was a direct result of
3 the default. The default has cost the
4 taxpayers of this city millions of dollars.

5 The receivership is literally
6 bleeding the city dry every year and as long
7 as the receivership is in place Scranton
8 will always be at their mercy. The only
9 people that are going rich with the
10 receivership end are the attorneys from New
11 York City and other places. They are making
12 out like bandits every year. Even by
13 engaging in this deal tonight and shedding
14 the receivership, which is a major benefit
15 and in my opinion must happen, we still have
16 a long way to go before the stain of default
17 is behind us and it will continue to haunt
18 the city financially for many years to come.

19 Now, I understand fully that many
20 people are skeptical of this deal and they
21 are zeroing in on the mall portion of the
22 deal, and I understand that, but let's take
23 a look for a minute at the big picture.
24 Leasing the garages will allow the city to
25 eliminate the Parking Authority related debt

1 service which is around \$3 million a year
2 impact on our budget.

3 Keep in mind that whenever the
4 Parking Authority cannot make it's debt
5 service payments out of it's own revenues,
6 which is always, the city is obligated to
7 make up the difference. This means that the
8 city is required to annually budget and pay
9 over \$3 million in authority-related costs.
10 That's covering roughly 75 percent of the
11 Authority's total annual debt service
12 payments. If we maintain the status quo,
13 which is what some people apparently would
14 like us to do, these payments will increase
15 significantly over the course of the next
16 five to ten years causing even more stress
17 to our budget. This deal will eliminate
18 capital improvement obligations that are
19 looming in excess of \$50,000 which if we
20 took that on, which we would eventually have
21 to, it will add one to three million dollars
22 of new annual debt service that the city
23 would be liable for. All of these costs by
24 doing the deal are shifted from the city to
25 NDC which is the concession here.

1 that until I'm blue in the face, but the way
2 that the mayor handles PR and handles these
3 different deals it makes no sense to me.

4 One of the concerns that I have
5 heard over the last few weeks that this deal
6 seems like a big giveaway to the mall. The
7 \$2.85 million that the city will be giving
8 the mall for the repairs of the Electric
9 City garage is a blank check. That's not
10 entirely true. The money will be put into
11 an account and will only be released when
12 improvements are made and reviewed by the
13 city. Then and only then will a portion of
14 the money be released so the mall will pay
15 45 percent and the city will pay 55 percent.
16 There is a good chance that we may not even
17 spend all of the \$2.85 million. Also, the
18 Electric City garage issue. I could go
19 hours about this, but I'll boil it down to
20 one thing, if city sold the garage to
21 someone else besides the mall they would
22 have to agree to make all of the
23 improvements, which is millions of dollars,
24 and to never compete with NDC. From a
25 practical standpoint, this was never going

1 to happen and on top of that the deal with
2 NDC would have been dead and then my
3 question to everybody is where do we go from
4 there?

5 Status quo for the city at this
6 point with all of the financial difficulties
7 that we have had is not an option. It was
8 either knock down the Electric city garage
9 or work with the mall and we worked with the
10 mall. The city has applied, keep in mind,
11 for a \$4 million multi-modal grant from
12 PennDOT. This money, if received, will be
13 used for required capital improvements to
14 the garages. As I'm told, it's been
15 received favorably and if awarded, even if a
16 portion of it is awarded it will result in
17 dollar for dollar increase in the upfront
18 proceeds to the city.

19 Many people have expressed concerns
20 to me that this company will be allowed to
21 raise parking rates as they see fit. That's
22 not true. The city will retain veto power
23 over key public policy considerations during
24 the term of this lease such as rate setting
25 and certain capital improvement projects.

1 Keep in mind that out of the board of seven
2 people we will have three seats on the
3 board. What won't happen is we will not be
4 at the mercy of a for-profit company who
5 might raise rates to incomprehensible levels
6 as we have seen and as I have researched
7 this happened in other cities across the
8 United States in the past decade with these
9 type of deals.

10 The proposed rate increases, keep in
11 mind, also, that we have in front of us are
12 nothing compared to what would have
13 eventually happened had we stayed in
14 receivership. The money has to be made up
15 some place.

16 Residents need also to keep in mind
17 that NDC's goal is not to maximize revenue
18 for itself, it being a nonprofit. Whatever
19 revenue is generated above NDC's management
20 fee and cost will flow back to the city, as
21 has been mentioned, over the term of the
22 agreement, and that's one of the benefits of
23 working with a nonprofit rather than a
24 for-profit company.

25 Now, I have also been asked, well,

1 for me was not an easy one to make. These
2 are difficult decisions you have to make
3 when you are an elected official. Let me be
4 extremely clear, there were no magical great
5 outcomes of the situation. Out of all of
6 the options that were looked at this was,
7 unfortunately, the lesser of all of the
8 evils, as I had previously mentioned.

9 To vote "no" on this lease
10 transaction because you have could imagined
11 a better deal, well, I'm sure anyone could
12 imagine a better deal, but those deals were
13 not realistic options. To do nothing, to
14 maintain the status quo and have a false
15 hope that we can somehow claw our way out of
16 this ourselves while in receivership wit all
17 of the different moving parts is foolish and
18 irresponsible. These are the unfortunate
19 consequences of the disastrous default and
20 is a result of not having any bargaining
21 leverage. For anyone to think in the
22 financial position that we are in and the
23 state of garages that the City of Scranton
24 could walk into a room and say, "Here's the
25 deal, we want this deal," it's not just the

1 case. That doesn't even make any sense.

2 No one was banging down doors
3 clamoring to deal with this city after it
4 defaulted on this debt in 2012. It's my
5 hope that this decision will put Scranton on
6 the right financial course, provide budget
7 stability, ensure proper management of on
8 and off-street parking and restore our
9 garages and, again, is this the best deal?
10 I don't think so. It's the only deal that
11 we are going to be able to get in my
12 opinion. Thank you.

13 MR. WECHSLER: Thank you,
14 Mr. Gaughan.

15 MR. EVANS: On the question, I guess
16 we'll do it at this point. I will agree,
17 you know, similar that I didn't get elected
18 to avoid the tough decisions facing the
19 city. If you voted for me to kick the can
20 down the road, drive the city into
21 bankruptcy or receivership you voted for the
22 wrong guy. I will say that anybody who
23 thinks that keeping the status quo would
24 forego increasing the parking rates I'm here
25 to tell you that's never going to happen.

1 Let's face it, most government officials are
2 addicted to raising taxes, raising fees and
3 raising parking rates. At least with the
4 private sector involved, rates will be
5 market driven, a new concept for all of us
6 to pay attention to. If anyone thinks that
7 somehow going back in time and resurrecting
8 the Parking Authority and putting them back
9 in charge is a good idea, let me also remind
10 you something when it comes to parking that
11 government doesn't do a good job. That's
12 why we are here. If they did a great job we
13 have a surplus not tens of millions of
14 dollars in Scranton debt. We must also not
15 forget with the status quo there is little
16 money for repairs. There is little money
17 for clean garages. There is barely money to
18 keep the lights on and at the end of the day
19 we still remain in receivership, so without
20 in deal none of that changes. That's all I
21 have for now.

22 MR. ROGAN: I'll make a few
23 comments. I have long been on the record
24 being in favor of selling the garages, not
25 leasing selling. As Mr. Gaughan mentioned,

1 numerous options were explored and my
2 preferred option was to sell the garages,
3 use the proceeds to pay down debt and retain
4 the meters in-house and use the meter
5 revenue to pay off the remaining debt.
6 Unfortunately, the garages are in such
7 deplorable condition and vacancy rates are
8 so high that there weren't reasonable bids
9 that came in to do the transaction that way.

10 A number of other routes were
11 explored and, again, nobody was looking to
12 purchase garages in the City of Scranton.
13 Unfortunately, as I mentioned earlier, as
14 with almost every major piece of legislation
15 that the City of Scranton has overtaken in
16 decades, the Scranton Times writes
17 negative -- writes on the negatives. It
18 does not mention any positives, so I do want
19 to mention a few of the positives of this
20 transaction. And, obviously, I will say we
21 do have a good reporter here with
22 Mr. Lockwood, but the editorial board
23 consistently knocks the City of Scranton and
24 it's not just been under this council, this
25 administration, for decades it's been going

1 on. And understand the newspaper is in the
2 business of making money and negative
3 articles seem to make more money for
4 newspaper than positive feel good articles,
5 but these are some just a few of the
6 positives regarding this deal.

7 Number one and first and foremost,
8 the city's debt service will be vastly
9 reduced.

10 Secondly, the maintenance will no
11 longer be paid for by the City of Scranton.
12 That will all be taken care of by NDC.

13 Economic development within the
14 downtown, I know that much of the focus of
15 the negativity surrounding this deal and the
16 press has been regarding the Electric City
17 garage and the sale of that garage to Mr.
18 Basalyga. I, for one, have been excited
19 about what's been going on downtown at the
20 mall and what's been going on. I think we
21 need to encourage development. The mall
22 needs to be brought back to what it once
23 was. I remember as a kid when the Steamtown
24 Mall first opened that was the place to be.
25 That's where everybody wanted to go. As a

1 kid growing up in West Side, on Friday
2 nights we walked down Linden Street and we
3 went into town and we would go to the mall
4 and go to the movie theatre. It was right
5 there. That's something that I hope that
6 families will be able to do for generations
7 to come with the comeback of the mall.

8 There is talks of further economic
9 development in the downtown in the form of
10 condominiums or apartment. Those projects
11 that have taken place in the past have been
12 extremely successful. I know the Connell
13 building at one point in time had an
14 extremely long wait list just to get an
15 apartment within the downtown.

16 The garages currently are in
17 deplorable condition and the city cannot
18 afford to maintain them. This agreement
19 will allow parkers safer, cleaner garages.
20 That will help stir economic development.
21 People that are going to come to the
22 downtown to shop aren't going to want to
23 park in a dangerous, dark, disgusting
24 garage. They want to park in a well-lit,
25 safe, well-built garage.

1 Much has been made of what the city
2 has been giving up as far as revenue, and
3 that is it true. There are revenues that
4 are being given up, but on the opposite side
5 of the coin, all of those costs also go away
6 as well. The costs of the enforcement of
7 meters. The cost of maintenance, all of
8 that goes away. The city no longer bears
9 that burden. Meter repairs. Garages. All
10 of that is taken care of by NDC, and the
11 most important part of this deal from my
12 standpoint, and I know Councilman Evans
13 mentioned it as well, this deal finally gets
14 government out of the parking business.
15 Government does not do a good job at running
16 things like a business and NDC has a very
17 good reputation, they have done these type
18 of deals all across the country and I am
19 excited to see the economic development that
20 it can bring to our city and also the
21 budgetary relief. Although, it may not be
22 as much as we would like to see, the cost of
23 repairs on this garages over the next 10,
24 20, 30 years is astronomical. They are
25 other garages that are not bringing in the

1 money to even pay the bills, never mind to
2 do the upkeep that's needed, so for all of
3 those reasons I will be voting "yes" on this
4 deal as well.

5 MR. PERRY: Yes, on the question.
6 In my short time here on city council this
7 by far as been the most massive amount of
8 information that I have received, had to go
9 through, read through the questions and back
10 and forth, between citizens' participation,
11 the administration and fellow councilmen, I
12 mean, there was just so much and there is
13 not much more I can say that I haven't said
14 or that my colleagues have said tonight, but
15 I will bullet point a couple of things and
16 just to give you an insight into how I feel
17 and to some of the points of the deal after
18 boiling down hundreds and hundreds of pages.

19 The first bullet point I have is
20 Scranton is done subsidizing the SPA. No
21 longer are we going to be living in fear of
22 what that lineup is going to be at the end
23 of the year, whether it's a loss of revenue,
24 which we all know the SPA just was
25 spiraling, spiraling down, and revenue was

1 going away as expenses were going up, so
2 it's just how much are we going to have to
3 kick in this year.

4 And the second items that we don't
5 have to live in fear of anymore is the tens
6 of millions of dollars of work that's going
7 to have to be done in five years, ten years,
8 and tomorrow on these garages. I mean, they
9 are just, as I heard somebody say
10 deplorable, they really are and we off the
11 hook for millions of dollars in repairs
12 which we will no longer have to be held over
13 our head.

14 As far as the town goes and the
15 citizens and the visitors of Scranton the
16 first time is going have a first class
17 parking system. We haven't had that. We
18 don't even know what that is because we've
19 had a city-run, government-run parking. You
20 are going to see immediate changes with
21 these garages. They are going to be safer,
22 they are going to be cleaner, and to be
23 honest they are going to be better managed.
24 They are going to be managed like someone
25 who wants you to go there. It's not going

1 to be a line item to them, it's their
2 business, it's their livelihood, it's what
3 they do for a living.

4 And this, also, is something that is
5 not to be forgotten, this deal is also going
6 to include monies to fix many of our
7 firehouses that are in dire need of somewhat
8 major repairs, some that without these
9 repairs won't be able to stay open and we
10 need these firehouses operational and we
11 need our firefighters protected.

12 Including this money into this deal
13 significantly lowers the interest that we
14 would have to pay. If we were to go out and
15 try to get a loan, a \$1.75 million loan on
16 it's own with our credit in this environment
17 we probably pay almost 80 percent more than
18 what would be in this deal, and it would
19 just be almost impossible to get that type
20 of money by itself which would in turn not
21 get our firehouses fixed which would in turn
22 close firehouses. So I'm very happy to see
23 this on here to get the much needed repairs
24 because honestly I don't know how we would do it
25 otherwise. That's all I have on the

1 question.

2 MR. WECHSLER: Thank you, Mr. Perry.
3 Just to sum up, I agree with all of the
4 comments that my colleagues have made and I
5 also would like to take the opportunity to
6 thank them for all of the hard work that
7 they have done on this. Since we got this
8 information I know all of the members of
9 council have been pouring through this
10 information and calling Mr. Bulzoni, calling
11 Mr. Conaboy, calling Mr. Shaffer, so we have
12 done -- I believe that we have done our due
13 diligence on this job. I would also like to
14 thank the staff of city council office has
15 also been working on this very hard as well.
16 Sometimes we forget about how important they
17 are to this team, but that's what they are,
18 they are part of this team.

19 But not to repeat what's been said
20 up here, but I'd just like to go at this a
21 different way. The question has been asked
22 if this is the best deal that we can get and
23 I'd like to ask the question this way, is
24 the best deal that a distressed city could
25 get? The answer is yes. Is this the best

1 deal for a Parking Authority that's been in
2 receivership bleeding the city dry? The
3 answer again, yes. Is this the best deal
4 for a mall that was recently sold at
5 sheriff's sale? Yes. Is the best deal for
6 garages that are in need of over \$50 million
7 of repair? The answer once again is yes.

8 As Mr. Gaughan stated, we have been
9 through different scenarios. We've had
10 people make different suggestions to us, the
11 overriding problem with these garages is the
12 amount of repair that they need. No one
13 would buy these garages and make this
14 investment to be a free standing garage, I
15 just don't believe that would never --
16 that's never going to happen.

17 And just to finalize, as Mr. Rogan
18 said, I'm not sure everyone understands the
19 significance of having NDC involved with
20 this project. NDC has a national reputation
21 of being a successful developer of programs.
22 We saw their slideshow that they had on
23 projects that they did and then we saw even
24 in our own town they have been successful.

25 Once again, I mentioned this before,

1 we were at the Scranton Parking Authority
2 hearing and members and business owners that
3 are in the Linden Street garage were there
4 and saying that their business has gone
5 downhill since under receivership and they
6 have an optimist attitude about the ability
7 of NDC to run them, so all and all for all
8 reasons stated by my colleagues I will also
9 be voting for this yes.

10 MR. GAUGHAN: Can I make one
11 additional point? I will just disagree with
12 some of my colleagues that government
13 doesn't do a good job in the parking
14 business, I believe that under the right
15 leadership and the right management it can
16 be done and it has been done across the
17 country. Unfortunately, because of the
18 receivership and other things that wasn't an
19 alternative that was feasible for the city,
20 but I do think that if you look at other
21 cities in a perfect world Scranton would
22 retain ownership, it would run the garages
23 under the right leadership and management.
24 It has been done before in other cities
25 across the country, but like I said, in this

1 case it was not a realistic alternative.

2 MR. EVANS: On that point I will
3 agree to disagree. Period.

4 MR. ROGAN: Councilman Evans and I
5 don't like government involvement in much.

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

8 MS. MARCIANO: Mr. Perry.

9 MR. PERRY: Yes.

10 MS. MARCIANO: Mr. Rogan.

11 MR. ROGAN: Yes.

12 MS. MARCIANO: Mr. Evans.

13 MR. EVANS: Yes.

14 MS. MARCIANO: Mr. Gaughan.

15 MR. GAUGHAN: Yes.

16 MS. CARRERA: Mr. Wechsler.

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

20 MS. REED: 7-B. FOR CONSIDERATION BY
21 THE COMMITTEE ON FINANCE - FOR ADOPTION -
22 FILE OF THE COUNCIL NO. 38, 2016 - ATTACHED
23 IS AN ORDINANCE OF THE CITY COUNCIL OF THE
24 CITY OF SCRANTON, LACKAWANNA COUNTY,
25 PENNSYLVANIA, AUTHORIZING AND DIRECTING

1 ISSUANCE OF ITS GENERAL OBLIGATION NOTES,
2 SERIES OF 2016 (THE "*NOTES*") IN AN AGGREGATE
3 PRINCIPAL AMOUNT NOT TO EXCEED \$47,000,000
4 PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY
5 OF THE COMMONWEALTH OF PENNSYLVANIA, KNOWN
6 AS THE LOCAL GOVERNMENT UNIT DEBT ACT, WITH
7 THE PROCEEDS, TO PROVIDE FUNDS FOR AND
8 TOWARD THE COSTS OF A PROJECT CONSISTING OF:
9 (1) REFUNDING ALL OF THE CITY'S OUTSTANDING
10 LEASE RENTAL DEBT REPRESENTED BY THE CITY'S
11 GUARANTY OF THE PARKING AUTHORITY OF THE
12 CITY OF SCRANTON, PENNSYLVANIA'S GUARANTEED
13 PARKING REVENUE BONDS, SERIES OF 2004,
14 GUARANTEED PARKING REVENUE BONDS, SERIES OF
15 2006 AND GUARANTEED PARKING REVENUE BONDS,
16 SERIES OF 2007 (COLLECTIVELY, THE "*REFUNDED*
17 *BONDS*"), (2) FUNDING RENOVATIONS TO VARIOUS
18 FIRE STATIONS LOCATED IN THE CITY, AND (3)
19 PAYING THE COSTS RELATED TO THE ISSUANCE OF
20 THE NOTES; FINDING A PRIVATE SALE BY
21 NEGOTIATION TO BE IN THE BEST FINANCIAL
22 INTERESTS OF THE LOCAL GOVERNMENT UNIT;
23 DETERMINING THAT SUCH DEBT SHALL BE
24 NONELECTORAL DEBT OF THE LOCAL GOVERNMENT
25 UNIT; ACCEPTING A PROPOSAL FOR PURCHASE OF

1 SUCH NOTES, AND AWARDING SUCH NOTES, AND
2 SETTING FORTH RELATED PROVISIONS; PROVIDING
3 THAT SUCH GENERAL OBLIGATION NOTES, WHEN
4 ISSUED, SHALL BE GENERAL OBLIGATIONS OF THE
5 LOCAL GOVERNMENT UNIT; FIXING THE
6 SUBSTANTIAL FORM, DENOMINATIONS, NUMBERS,
7 DATE, MATURITY DATES, YIELDS, INTEREST
8 RATES, INTEREST PAYMENT DATES, REGISTRATION
9 PROVISIONS, PLACE OF PAYMENT OF PRINCIPAL,
10 MATURITY AMOUNT AND INTEREST; AUTHORIZING
11 EXECUTION OF SUCH NOTES AND AUTHENTICATION
12 THEREOF; PROVIDING COVENANTS RELATED TO
13 PAYMENT OF DEBT SERVICE AND PLEDGING THE
14 FULL FAITH, CREDIT AND TAXING POWER OF THE
15 LOCAL GOVERNMENT UNIT IN SUPPORT THEREOF;
16 CREATING A SINKING FUND AND A CLEARING
17 ACCOUNT; APPOINTING AGENTS AND
18 PROFESSIONALS; AUTHORIZING THE ACQUISITION
19 OF BOND INSURANCE; AUTHORIZING AND DIRECTING
20 SPECIFIED OFFICERS OF THE LOCAL GOVERNMENT
21 UNIT TO DO, TO TAKE AND TO PERFORM CERTAIN
22 SPECIFIED, REQUIRED, NECESSARY OR
23 APPROPRIATE ACTS AND THINGS; RATIFYING PRIOR
24 ADVERTISEMENT AND DIRECTING FURTHER
25 ADVERTISEMENT; AUTHORIZING PAYMENT OF

1 EXPENSES; AUTHORIZING APPROVAL OF A
2 PRELIMINARY OFFICIAL STATEMENT AND FINAL
3 OFFICIAL STATEMENT; PROVIDING COVENANTS
4 RELATED TO CONTINUING DISCLOSURE AND
5 COMPLIANCE WITH PROVISIONS OF THE INTERNAL
6 REVENUE CODE; AND REPEALING ALL ORDINANCES
7 OR PARTS OF ORDINANCES INsofar AS THE SAME
8 SHALL BE INCONSISTENT HEREWITH.

9 MR. EVANS: I make a motion to amend
10 Item 7-B per the following changes:

11 In Section 27, disclosure covenants,
12 in the first paragraph, in the tenth line,
13 delete "180 days" and insert: "360 days
14 following the end of the fiscal year ended
15 December 31, 2015, and for each subsequent
16 fiscal year after within 270 days."

17 At the end of the Section 27 add a
18 paragraph as follows:

19 "For the purposes of disseminating
20 the financial and operating data, and
21 notices of any material events, pursuant to
22 the undertaking detailed in this Section 27,
23 the Local Government Unit appoints, Digital
24 Assurance Certification, LLC, as
25 dissemination agent."

1 MR. ROGAN: Second.

2 MR. WECHSLER: There's a motion on
3 the floor and a second, on the question?
4 All those in favor of the motion to amend
5 signify by saying aye.

6 MR. PERRY: Aye.

7 MR. EVANS: Aye.

8 MR. GAUGHAN: Aye.

9 MR. ROGAN: Aye.

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

12 As Chairperson for the Committee on
13 Finance, I recommend final passage of Item
14 7-B, as amended.

15 MR. ROGAN: Second.

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

18 MS. MARCIANO: Mr. Perry.

19 MR. PERRY: Yes.

20 MS. MARCIANO: Mr. Rogan.

21 MR. ROGAN: Yes.

22 MS. MARCIANO: Mr. Evans.

23 MR. EVANS: Yes.

24 MS. MARCIANO: Mr. Gaughan.

25 MR. GAUGHAN: Yes.

1 MS. CARRERA: Mr. Wechsler.

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

5 MS. REED: 7-C. FOR CONSIDERATION
6 BY THE COMMITTEE ON RULES FOR ADOPTION -
7 FILE OF THE COUNCIL NO. 39, 2016 - EXTENDING
8 THE TERM OF EXISTENCE OF THE PARKING
9 AUTHORITY OF THE CITY OF SCRANTON,
10 PENNSYLVANIA (THE "AUTHORITY") TO FIFTY (50)
11 YEARS FROM THE DATE OF ENACTMENT OF THIS
12 ORDINANCE; DIRECTING THE PUBLICATION OF
13 NOTICE OF ENACTMENT HEREOF AND OF INTENT TO
14 FILE A CERTIFIED COPY HEREOF, TOGETHER WITH
15 PROOFS OF PUBLICATION OF SUCH NOTICE, WITH
16 THE SECRETARY OF THE COMMONWEALTH, AND
17 DIRECTING SUCH FILING, ALL PURSUANT TO THE
18 PARKING AUTHORITY LAW; AND REPEALING
19 INCONSISTENT ORDINANCES AND RESOLUTIONS, OR
20 PARTS THEREOF.

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

24 MR. ROGAN: Second.

25 MR. WECHSLER: On the question?

1 Roll call, please?

2 MS. MARCIANO: Mr. Perry.

3 MR. PERRY: Yes.

4 MS. MARCIANO: Mr. Rogan.

5 MR. ROGAN: Yes.

6 MS. MARCIANO: Mr. Evans.

7 MR. EVANS: Yes.

8 MS. MARCIANO: Mr. Gaughan.

9 MR. GAUGHAN: Yes.

10 MS. CARRERA: Mr. Wechsler.

11 MR. WECHSLER: Yes. I hereby
12 declare Item 7-C legally and lawfully
13 adopted.

14 MS. REED: 7-D. FOR CONSIDERATION
15 BY THE COMMITTEE ON RULES - FOR ADOPTION -
16 FILE OF THE COUNCIL NO. 40, 2016 - REPEALING
17 FILE OF THE COUNCIL NO. 30, 2012 (AS
18 AMENDED) ENTITLED "IMPOSING A TAX FOR
19 GENERAL REVENUE PURPOSES ON OPERATORS OF
20 PARKING SPACES AT THE RATE OF FIFTEEN
21 PERCENT (15%) UPON EACH PARKING TRANSACTION
22 AND ESTABLISHING ANNUAL LICENSE PROCEDURES
23 AND FEES AND PROMULGATING THE RECORD KEEPING
24 AND REPORTING RULES AND REGULATIONS ON
25 PARKING TRANSACTIONS PURSUANT TO THE LOCAL

1 TAX ENABLING ACT 53 PA. C.S.A. 6901 ET SEQ
2 AND FILE OF THE COUNCIL NO. 30, 2014 WHICH
3 AMENDED FILE OF THE COUNCIL NO. 30, 2012.

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

7 MR. ROGAN: Second.

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

10 MS. MARCIANO: Mr. Perry.

11 MR. PERRY: Yes.

12 MS. MARCIANO: Mr. Rogan.

13 MR. ROGAN: Yes.

14 MS. MARCIANO: Mr. Evans.

15 MR. EVANS: Yes.

16 MS. MARCIANO: Mr. Gaughan.

17 MR. GAUGHAN: Yes.

18 MS. CARRERA: Mr. Wechsler.

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

22 MS. REED: 7-E. FOR CONSIDERATION
23 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
24 ADOPTION - FILE OF THE COUNCIL NO. 41, 2016
25 - AMENDING FILE OF THE COUNCIL NO. 91, 2002

1 "AN ORDINANCE AS AMENDED PROVIDING FOR THE
2 ESTABLISHMENT OF PARKING METER ZONES WITHIN
3 THE CITY OF SCRANTON; ESTABLISHING HOURS OF
4 OPERATION; PROVIDING FOR THE INSTALLATION OF
5 METERS AND PARKING METER RATES; AUTHORIZING
6 THE ENFORCEMENT OF PARKING ORDINANCES AND
7 PROVIDING PENALTIES FOR VIOLATIONS THEREOF"
8 BY AMENDING SECTION 3(A) TO REFLECT THE
9 CHANGE IN HOURLY RATES.

10 MR. WECHSLER: What is the
11 recommendation of the Chairperson for the
12 Committee on Public Safety?

13 MR. PERRY: As Chairperson for the
14 Committee on Public Safety, I recommend
15 final passage of Item 7-E.

16 MR. ROGAN: Second.

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

19 MS. MARCIANO: Mr. Perry.

20 MR. PERRY: Yes.

21 MS. MARCIANO: Mr. Rogan.

22 MR. ROGAN: Yes.

23 MS. MARCIANO: Mr. Evans.

24 MR. EVANS: Yes.

25 MS. MARCIANO: Mr. Gaughan.

1 MR. GAUGHAN: Yes.

2 MS. CARRERA: Mr. Wechsler.

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

6 MS. REED: 7-F. FOR CONSIDERATION
7 BY THE COMMITTEE ON RULES - FOR ADOPTION -
8 FILE OF THE COUNCIL NO. 42, 2016 - AMENDING
9 AND SUPPLEMENTING THE CODE OF THE CITY OF
10 SCRANTON (THE "CODE"), CHAPTER 439 VEHICLES
11 AND TRAFFIC BY ADDING AND DELETING LANGUAGE
12 IN SECTIONS 439-12, 439-25, 439-26, 439-27,
13 439-29, 439-29.1, 439-41, 439-43, 439-45,
14 439-48, 439-51, 439-52, 439-53, 439-54,
15 439-60 AND 439-61.

16 MR. EVANS: I make a motion to amend
17 Item 7-F per the following changes: Delete
18 section 1 and insert the following:

19 "Section 1. The following sections and the
20 Co-chapters 439-Vehicles and traffic are
21 hereby amended as follows:

22 "And, further, to remove all
23 bracketed references contained throughout
24 the ordinance."

25 MR. ROGAN: Second.

1 MR. WECHSLER: There's a motion on
2 the floor and a second, on the question?
3 All those in favor of the motion to amend
4 Item 7-F signify by saying aye.

5 MR. PERRY: Aye.

6 MR. EVANS: Aye.

7 MR. GAUGHAN: Aye.

8 MR. ROGAN: Aye.

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

11 As Chairperson for the Committee on
12 Rules, I recommend final passage of Item
13 7-F, as amended.

14 MR. ROGAN: Second.

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

17 MS. MARCIANO: Mr. Perry.

18 MR. PERRY: Yes.

19 MS. MARCIANO: Mr. Rogan.

20 MR. ROGAN: Yes.

21 MS. MARCIANO: Mr. Evans.

22 MR. EVANS: Yes.

23 MS. MARCIANO: Mr. Gaughan.

24 MR. GAUGHAN: Yes.

25 MS. CARRERA: Mr. Wechsler.

1 MR. WECHSLER: Yes. I hereby
2 declare Item 7-F, as amended, legally and
3 lawfully adopted.

4 MS. REED: 7-G. FOR CONSIDERATION
5 BY THE COMMITTEE ON RULES - FOR ADOPTION -
6 FILE OF THE COUNCIL NO. 43, 2016 - AMENDING
7 AND SUPPLEMENTING THE CODE OF THE CITY OF
8 SCRANTON, CHAPTER 439 VEHICLES AND TRAFFIC,
9 BY ADDING AND DELETING LANGUAGE IN SECTION
10 439-28 ENFORCE ON-STREET PARKING
11 REGULATIONS.

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

15 MR. ROGAN: Second.

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

18 MS. MARCIANO: Mr. Perry.

19 MR. PERRY: Yes.

20 MS. MARCIANO: Mr. Rogan.

21 MR. ROGAN: Yes.

22 MS. MARCIANO: Mr. Evans.

23 MR. EVANS: Yes.

24 MS. MARCIANO: Mr. Gaughan.

25 MR. GAUGHAN: Yes.

1 MS. CARRERA: Mr. Wechsler.

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

5 MS. REED: 7-H. FOR CONSIDERATION BY
6 THE COMMITTEE ON RULES - FOR ADOPTION -
7 RESOLUTION NO. 48, 2016 - APPOINTMENT OF
8 PAUL BERNARDI, 306 EDWARD DRIVE, CLARKS
9 SUMMIT, PENNSYLVANIA, 18411, AS A MEMBER OF
10 THE FIRE PENSION COMMISSION, EFFECTIVE JUNE
11 16, 2016. MR. BERNARDI WILL BE REPRESENTING
12 THE RETIRED FIREFIGHTERS ON THE COMMISSION
13 FOR A FIVE (5) YEAR TERM WHICH WILL EXPIRE
14 ON JUNE 16, 2021.

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

18 MR. ROGAN: Second.

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

21 MS. MARCIANO: Mr. Perry.

22 MR. PERRY: Yes.

23 MS. MARCIANO: Mr. Rogan.

24 MR. ROGAN: Yes.

25 MS. MARCIANO: Mr. Evans.

1 MR. EVANS: Yes.

2 MS. MARCIANO: Mr. Gaughan.

3 MR. GAUGHAN: Yes.

4 MS. CARRERA: Mr. Wechsler.

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

8 MS. REED: 7-I. FOR CONSIDERATION BY
9 THE COMMITTEE ON RULES - FOR ADOPTION -
10 RESOLUTION NO. 49, 2016 - APPOINTMENT OF
11 BERNARD GARVEY, 601 MERIDIAN AVENUE,
12 SCRANTON, PENNSYLVANIA, 18504, AS A MEMBER
13 OF THE FIRE PENSION COMMISSION, EFFECTIVE
14 JUNE 16, 2016. MR. GARVEY WILL BE
15 REPRESENTING THE RETIRED FIREFIGHTERS ON THE
16 COMMISSION FOR A FIVE (5) YEAR TERM WHICH
17 WILL EXPIRE ON JUNE 16, 2021.

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

21 MR. ROGAN: Second.

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

24 MS. MARCIANO: Mr. Perry.

25 MR. PERRY: Yes.

1 MS. MARCIANO: Mr. Rogan.

2 MR. ROGAN: Yes.

3 MS. MARCIANO: Mr. Evans.

4 MR. EVANS: Yes.

5 MS. MARCIANO: Mr. Gaughan.

6 MR. GAUGHAN: Yes.

7 MS. CARRERA: Mr. Wechsler.

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

11 MS. REED: 7-J. FOR CONSIDERATION BY
12 THE COMMITTEE ON RULES - FOR ADOPTION -
13 RESOLUTION NO. 50, 2016 - ADOPTING AND
14 IMPLEMENTING THE POLICIES AND PROCEDURES
15 RELATING TO COMPLIANCE WITH CONTINUING
16 DISCLOSURE REQUIREMENTS FOR THE CITY OF
17 SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA.

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

21 MR. ROGAN: Second.

22 MR. WECHSLER: On the question?

23 Roll call, please?

24 MS. MARCIANO: Mr. Perry.

25 MR. PERRY: Yes.

1 MS. MARCIANO: Mr. Rogan.

2 MR. ROGAN: Yes.

3 MS. MARCIANO: Mr. Evans.

4 MR. EVANS: Yes.

5 MS. MARCIANO: Mr. Gaughan.

6 MR. GAUGHAN: Yes.

7 MS. CARRERA: Mr. Wechsler.

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

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

13 MR. ROGAN: Motion to adjourn.

14 MR. WECHSLER: Meeting adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER