

SCRANTON CITY COUNCIL MEETING

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HELD:

Thursday, April 14, 2016

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

JOSEPH WECHSLER, PRESIDENT

PATRICK ROGAN, VICE-PRESIDENT

WAYNE EVANS

WILLIAM GAUGHAN

TIM PERRY

LORI REED, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

AMIL MINORA, SOLICITOR

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

3 MR. WECHSLER: Roll call, please.

4 MS. CARRERA: Mr. Perry.

5 MR. PERRY: Here.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. CARRERA: Mr. Evans.

9 MR. EVANS: Here.

10 MS. CARRERA: Mr. Gaughan.

11 MR. GAUGHAN: Here.

12 MS. CARRERA: Mr. Wechsler.

13 MR. WECHSLER: Here.

14 MR. EVANS: I would like to make a
15 motion to take from the table File of
16 Council No. 6, 2016.

17 MR. ROGAN: Second.

18 MR. WECHSLER: On the question?

19 This legislation pertains to tax exemptions
20 for residential development in the City.

21 This ordinance will be placed in Sixth
22 Order. Anyone who wishes to speak on this
23 particular piece of legislation may do so
24 during Fourth Order, citizens'

25 participation. All those in favor signify

1 by saying aye.

2 MR. PERRY: Aye.

3 MR. EVANS: Aye.

4 MR. GAUGHAN: Aye.

5 MR. ROGAN: Aye.

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

8 Dispense with the reading of the
9 minutes.

10 MS. REED: THIRD ORDER. 3-A.
11 MINUTES OF THE REGULAR MEETING OF THE
12 LACKAWANNA COUNTY LAND BANK BOARD HELD MARCH
13 11, 2016.

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

16 MS. REED: 3-B. MINUTES OF THE
17 REGULAR MEETING OF THE MEMBERS OF SCRANTON
18 HOUSING AUTHORITY HELD FEBRUARY 1, 2016 AND
19 MARCH 7, 2016.

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

22 MS. REED: 3-C. BREAKDOWN OF
23 ELIGIBLE SALARIES FOR THE LIQUID FUELS
24 ACCOUNT FOR THE MONTHS OF JANUARY, FEBRUARY
25 AND MARCH 2016.

1 MR. WECHSLER: Are there any
2 comments? If not, received and filed.

3 MS. REED: 3-D. TAX ASSESSOR'S
4 REPORT FOR HEARING DATE TO BE HELD MAY 11,
5 2016.

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

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

10 MR. GAUGHAN: Yes, I have one. The
11 Ladies Auxiliary No. 314 of the Fraternal
12 Order of Eagles located at 493 Meridian
13 Avenue in Scranton will sponsor a basket
14 bingo to be held Sunday, April 17, at 1 p.m.
15 Doors will open at 12:30 p.m. and the
16 proceeds will benefit various Ladies
17 Auxiliary 314 charities. Thank you.

18 MR. WECHSLER: Prior to Council's
19 next meeting on Thursday, April 21, there
20 will be a public hearing at 5:45 regarding
21 the tax exemption ordinances in Sixth Order
22 on tonight's agenda.

23 MS. REED: FOURTH ORDER. CITIZENS'
24 PARTICIPATION.

25 MR. WECHSLER: Joan Hodowanitz.

1 MS. HODOWANITZ: Joan Hodowanitz,
2 resident and taxpayer. With regard to the
3 2014 audit, I'm still looking for several
4 answers and if you wish to please answer
5 only in motions. On March 21, 24 days ago,
6 I sent a list of questions to the Business
7 Administrator's Office in accordance with
8 the guidance in the audit report itself. I
9 have no answers to any of my questions.

10 On March 16, 29 days ago, I
11 requested appointments with the mayor and
12 Mr. Bulzoni to discuss the audit. I haven't
13 even had the courtesy of a return phone
14 call.

15 Why hasn't the audit been posted on
16 the City's website? I checked at 4:53 p.m.
17 and it's not on the. If you could ask for
18 that, he has had it for 30 days. I'm not
19 happy about that. I'm wondering if SB &
20 Company has scheduled an exit briefing for
21 city council or any other city officials?
22 If so, when, and will it be open to the
23 public. And, finally, when will city
24 council publish a summary of fiscal affairs
25 for fiscal year 2014 in the local newspaper

1 as required by the Home Rule Charter?

2 Now, next issue, the third party
3 administrator or the municipal pension
4 plans. On March 18, 27 days ago, the mayor
5 issued a press statement on the settlement
6 financing of the police and fire judgments
7 and I quote, "From this point onward,
8 presumably March 18, the City's pension
9 funds will be managed by a nationally
10 recognized third party administrator who
11 will ensure that pension funds are
12 professionally managed, that all regular and
13 disability pensions are only paid according
14 to the strict application of our laws, and
15 that the pension system operates at the
16 highest standards expected by our retirees
17 and taxpayers."

18 Now, this administration should not
19 be confused with the single specialists
20 physician who determined disability
21 pensions, they are two separate people.
22 Yesterday I attended all four pension board
23 meetings. At the first one and at the
24 composite board meeting I asked for the
25 status of this third party administrator and

1 I'll summarize the answers I was given.

2 One. The stories in the newspapers
3 are all lies. Don't believe them.

4 Two. No one knows anything about
5 the status of this administrator or whether
6 the unions have even agreed to such a
7 proposal.

8 Three. If such an administrator is
9 appointed he or she will take a seat on the
10 board or boards, his or her role will be to
11 tell the boards whether their actions are
12 legal or illegal. He or she will no have
13 the decision making role.

14 My questions are as follows: One.
15 Why do we need a third party administrator
16 to advise on legal issues when the board
17 have their own solicitor?

18 Two. How does the explanation
19 provided by the pension boards square with
20 the mayor's press release of March 18?

21 Three. What is ground truth?

22 Four. Was council aware of this
23 disconnect?

24 Five. Who, if anybody, is looking
25 out for the taxpayer?

1 Finally, on the issue of the rain
2 tax, I don't have enough time to go into it,
3 but I presume Marie will, but everybody was
4 celebrating the sale of the Sewer Authority
5 and now the other shoe is poised to drop.
6 Thank you and I'll listen to your answers
7 during motions.

8 MR. WECHSLER: Thank you. Jim
9 Mulligan.

10 MR. MULLIGAN: Good evening,
11 Council. Jim Mulligan, city resident and
12 president of the Greenridge Neighborhood
13 Association. I'm here tonight on behalf of
14 a number of people from the Greenridge
15 Neighborhood group concerning the amendment
16 that was made to the permit of the Keystone
17 Landfill on December 1, 2015, which allowed
18 Keystone Landfill to disperse or dispose of
19 the leachate through the Greenridge line, and
20 the Greenridge neighborhood group was first
21 made aware of this amendment, if you will,
22 at our March 2016 meeting, and needlessly to
23 say the people of Greenridge were upset and
24 they were shocked because they were under
25 the impression that this issue had been

1 litigated and decided back in 1990 by one of
2 your elite colleagues Mary Ellen or Mary Kay
3 Holmes. Mary Ellen Holmes?

4 MR. WECHSLER: Mary Kay.

5 MR. MULLIGAN: Mary Kay Holmes, and
6 as a result of that the membership they
7 decided they were going to pass around a
8 petition in the neighborhood to oppose the
9 disposal of the leachate through the
10 Greenridge line, and with the President's
11 permission I'll approach. And I'm handing,
12 for the record, a copy of the original
13 petition which contains about over 400 names
14 of individuals in Scranton, primarily in the
15 Greenridge area opposing the leachate line,
16 and as I mentioned earlier, this issue was
17 vigorously litigated in 1989 into 1990, and
18 I believe it was in 1990 both parties
19 appealed, Keystone and the City of Scranton,
20 and just so you are aware this council was a
21 part of that agreement. If you read the
22 agreement of February 18, 1990, it expressly
23 states that city council is a part of that
24 particular agreement.

25 The agreement laid out four choices

1 for Keystone to pick from in order and how
2 to dispose of the leachate. Ultimately,
3 they chose to use dedicated line. The
4 agreement was then, the February 18, 1990,
5 agreement that this city council was a part
6 of, was then made part of a Court order by
7 Judge Harhut. That amendment that the Sewer
8 Authority made on December 17, 2015, was
9 never, ever included for 25 years until that
10 day without due process.

11 I'm sure Mr. Minora is a very
12 capable legal advisor, he will tell you
13 there is no way that an Authority, an
14 administrative body, could modify a Court
15 order. There was a remedy, they could have
16 come to the Court and asked to modify the
17 agreement, but they chose to do it
18 unilaterally without due process. No one --
19 we didn't know about this. No one had
20 notice, no one had an opportunity to be
21 heard, this is democracy. And so we are
22 vigorously opposing the amendment I guess or
23 modification of the permit and we are here
24 to ask this council to make a resolution
25 tonight to do whatever is necessary legally

1 to either set aside that amendment, file a
2 contempt petition, file for injunctive
3 relief, a breach of a contract, I don't care
4 what legal vehicle you use, but it has to be
5 done, and this is the defining moment for
6 each and every one of you. This is time for
7 you to be leaders. I've always said leaders
8 don't stay on the sidelines and watch the
9 city unfold, leaders step up and they shape
10 the future of a city. This is the time for
11 each and every one of you to take a
12 leadership position in connection with this
13 travesty, if you will. Thank you very much.

14 MR. WECHSLER: At this time I'll
15 entertain a motion to accept the petition as
16 presented to counsel.

17 MR. GAUGHAN: I'll make a motion to
18 accept the petition.

19 MR. EVANS: Second.

20 MR. WECHSLER: On the question?

21 MR. GAUGHAN: Yes, on the question.
22 I'd like to thank Mr. Mulligan for coming
23 tonight and thank all of the neighbors from
24 Greenridge for coming. Your concern is my
25 concern. We have been on this issue for the

1 past few weeks, and no pun intended, this
2 thing stinks and you want answers and so do
3 I.

4 MR. EVANS: On the question, my
5 position is pretty simple, we have a
6 settlement agreement that may have been
7 violated. I'm not a lawyer and certainly
8 not a judge, but I think it's not
9 unreasonable to expect the administration to
10 request a hearing before a judge to get a
11 ruling in this matter and bring clarity and
12 closure to this issue once and for all. I
13 think the residents of the city, especially
14 those from Greenridge, deserve no less than
15 that that, you know, so I'd like to ask our
16 solicitor, if I may, how do we make that
17 happen or what is the council's role in this
18 situation?

19 MR. MINORA: Well, obviously,
20 actions on behalf of the city are done by
21 the administration. I'm solicitor for
22 counsel, but I have no authority to
23 represent the city in Court. I don't
24 represent the city, I represent council. A
25 solicitor represents the city and the

1 administration files actions or defends
2 actions on behalf of the city, so it would
3 have to start there. What council could do
4 is, you know, motions in support of, things
5 of that nature, but we have no authority to
6 bring a lawsuit.

7 MR. EVANS: Can we ask the solicitor
8 take this under review and render an opinion
9 to us as far as the settlement agreement
10 being violated?

11 MR. GAUGHAN: Can we make -- I think
12 we should make a motion after this motion to
13 ask Solicitor Shrive to give us a legal
14 opinion.

15 MR. MINORA: Sure.

16 MR. GAUGHAN: And, also, I would
17 like to know where Mayor Courtright stands
18 on the issue. I think we need to meet with
19 him, also. I think this is this important.

20 MR. WECHSLER: Yes, on the question,
21 we have been taking a lead on this since the
22 first problem came to light with the snow
23 last year. We are anxious to be part of
24 this effort to get the answers for not just
25 the people of Greenridge but for the people

1 of the entire city and the people of the
2 entire region. Councilman Evans and I
3 attended the meeting about trash. All of
4 this ties together, the trash, sewer, this
5 is the whole thing right now that we have to
6 stand up and represent the people so we are
7 protected from people who want to take
8 advantage of us, so we would be -- we will
9 be taking a vote on this motion and then if
10 there is other motions to be made we will
11 entertain them after that.

12 MR. ROGAN: Very briefly, for myself
13 there is two issues, one which I understand
14 very clearly and one which I do not
15 understand very clearly. The clear issue is
16 the neighborhood issue, obviously with
17 what's going on. Not being an attorney, the
18 legal issue is where I struggle and I would
19 welcome an opinion from our solicitor as
20 well.

21 MR. WECHSLER: Just one point to
22 add, when this first came to light a few
23 weeks ago we had considered requesting that
24 Director Barrett come to a caucus and I
25 think that's something that we also may want

1 to do because we have spoken to -- Attorney
2 Minora has spoken to Mr. Barrett and he did
3 give us his opinion is opposite of what he
4 are hearing tonight so we do want to hear
5 from Mr. Barrett as well, but, once again, I
6 think this is very important and the fact
7 that city council is really the only place
8 that people can come and have a voice on
9 something like this I think we have to get
10 involved. All those in favor signify by
11 saying aye.

12 MR. PERRY: Aye.

13 MR. EVANS: Aye.

14 MR. GAUGHAN: Aye.

15 MR. ROGAN: Aye.

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

18 MR. GAUGHAN: And I'd like to make a
19 motion to request that council ask for an
20 official legal opinion by the City Solicitor
21 Jason Shrive on the matters that we were
22 presented to us by the Greenridge
23 Neighborhood Association.

24 MR. EVANS: Second.

25 MR. WECHSLER: On the question? All

1 those in favor signify by saying aye.

2 MR. PERRY: Aye.

3 MR. EVANS: Aye.

4 MR. GAUGHAN: Aye.

5 MR. ROGAN: Aye.

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

8 Albert and Elaine Young.

9 MR. YOUNG: Gentlemen, these are
10 just updated photos from the photos two
11 weeks ago just so that you can see it is
12 growing and we are not trying to pull
13 somebody's chain.

14 MS. YOUNG: To the members of city
15 council, two weeks ago my husband stood
16 before you and asked you all for help.
17 That's H-E-L-P. We left that night hoping
18 that someone or all of you would contact us
19 out of concern that possibly you might come
20 up with some answers, not to be from this
21 council though. Years ago when this
22 property went down for the fourth time the
23 city engineers came out and placed a
24 three-foot conduit into the hole where there
25 is a six-foot opening for the water to flow

1 so now this hole really was created by the
2 City of Scranton. The picture you have been
3 given tonight is an update of the hole which
4 now from the latest storms has grown
5 six-inches larger within the last two weeks.
6 It all boils down to fact that this is a
7 storm water runoff Sewer Authority problem.

8 Now the word is care C-A-R-E. You
9 don't care about this because it's not your
10 property nor is it the property of any other
11 affluent property owner in this city. This
12 now -- this hole now is open for at least 12
13 years and, of course, we have contacted
14 Senator Blake's office and we don't get any
15 calls back anymore. The only person that's
16 really taken an interest for us is Tom
17 Welby. He has been out numerous times and
18 feels very bad for our situation.

19 As of yesterday, we have been given
20 a copy of a lawsuit that the Zumo family
21 placed against the city a number of years
22 ago and won the suit. With these papers was
23 a report from DER notifying the city of
24 potential problems with this stream. This
25 report dates back to May of 1985. So for

1 now the solution to me for you to defer me
2 taxes on my property until this problem is
3 totally repaired, you know, like KOZ, and if
4 I have to put it in a motion if that's the
5 proper thing that's what I'll do.

6 And on another note, I'm a crossing
7 guard for the City of Scranton. I worked
8 ten years, left for awhile, came back, I
9 have worked 15 years and we have not had a
10 raise in over a decade and I think council
11 should look into that, too, because if all
12 70 some crossing guards decided to walk off
13 I don't think you would have 70 people
14 wanting to get that job right away when you
15 are in all kinds of the weather. Thank you.

16 MR. YOUNG: Now, gentlemen, if there
17 any questions I'm here, I'm trying to answer
18 them if possible. If not, thank you for
19 your time.

20 MR. WECHSLER: Mr. Young, I did
21 contact John Pocius the day after the
22 meeting you were here the last time,
23 Mr. Pocius is aware of the situation, there
24 was a meeting in Senator Blake's office the
25 following Monday, there is money available

1 from the state and there is a situation with
2 the city would have come with the match
3 money for the repair so that's -- this issue
4 was discussed on that Monday after that
5 meeting.

6 MR. YOUNG: I understand that. Tom
7 Welby did notify me of that meeting. On the
8 other side of the coin, there is monies set
9 aside in escrow from the Lackawanna River
10 basin. Now, my understanding is that the
11 city had to come up with a little less than
12 \$700,000 in order to match funds from the
13 state that the former Governor Corbett put
14 aside. Now, why can't you folks borrow
15 until -- from this escrow account until this
16 whole mess gets straightened out. I'm
17 living with fear because of the six-year-old
18 child next door or if the kids in the
19 neighborhood decided they want to play in
20 the yard they are going to go down, and if
21 you look at that picture to the left of the
22 picture -- I'll finish, if you look to the
23 left of the picture there is that six-foot
24 conduit. To the right you will see that the
25 three-foot conduit with a concrete wall that

1 the city put in at that time in order to
2 appease me at that time. Since then, this
3 thing has blown over. You can't put six
4 feet of water into a three-foot trough and
5 not have something to deal with.

6 MR. WECHSLER: But I just want to
7 make sure that we are and did get involved
8 in this as best as we can because by your
9 own comment it is a Sewer Authority problem.
10 We don't have responsibility for the Sewer
11 Authority.

12 MR. YOUNG: Well, the city still
13 owns, still owns the Sewer Authority.

14 MR. WECHSLER: The Sewer Authority
15 is--

16 MR. YOUNG: Is a wholly entity,
17 okay.

18 MR. WECHSLER: Separate.

19 MR. YOUNG: But still somewhere
20 along the line there should be some
21 authority--

22 MR. WECHSLER: I agree with you.

23 MR. YOUNG: I've had it with this
24 situation.

25 MR. WECHSLER: I agree. I think

1 it's a terrible situation, but for right now
2 the Sewer Authority is responsible for it.

3 MR. YOUNG: Well, somebody better
4 get Mr. Barrett on the stick.

5 MR. WECHSLER: We are working, we
6 did work with the city engineer and we also
7 worked with the state rep and a state
8 senator so it's not like we are not trying
9 to help you here.

10 MR. YOUNG: Well, like I said,
11 somebody better get Mr. Barrett on the stick
12 and let him get his employees out there.
13 Thank you for your time.

14 MR. GAUGHAN: Thank you.

15 MR. WECHSLER: Michelle Dempsey.

16 MR. DEMPSEY: Hi, and thank you.
17 Thank you for your attention to this matter
18 regarding the leachate in Greenridge. There
19 was a skit on Saturday night life called I'm
20 just a Caveman, I don't know if anybody else
21 here is old enough to remember it. It's,
22 like, I'm just a caveman. Your modern ways
23 frighten and confuse me and I'm feeling that
24 way right now because a motion was made and
25 I'm just a little confused by the motion.

1 When I read the settlement agreement
2 it says under definitions that the city
3 shall mean the City of Scranton, Lackawanna
4 County, Pennsylvania, and shall include
5 Scranton City Council. So if Scranton City
6 Council is part and parcel to this
7 agreement, I'm not sure why the opinion
8 can't be rendered also by city council.

9 MR. GAUGHAN: If I can interject for
10 a minute, I did ask Solicitor Minora if he
11 would give us a legal opinion, and if he
12 wants to chime in here, and he said that he
13 couldn't or wouldn't or didn't feel
14 comfortable putting his name on an opinion,
15 but I did ask that question three weeks ago.

16 MS. DEMPSEY: Thank you.

17 MR. MINORA: Since then I've had an
18 opportunity to look at a number of documents
19 since then whether or not -- and you were
20 asking me to give an opinion basically which
21 you are now asking Attorney Shrive, so I'll
22 still withhold on that one so as to let him
23 answer that as to whether or not he wants to
24 go forward with it. The question you are
25 asking is can council file a lawsuit on it's

1 own and the answer to that is no.

2 MS. DEMPSEY: Can you render an
3 opinion?

4 MS. DEMPSEY: I can give my personal
5 opinion, but my legal opinion has no bearing
6 on what the administration does. As a
7 matter of fact, by law whatever the
8 administration -- I'm sorry, the solicitor
9 says as far as an ordinance is concerned is
10 binding on me, so it, for instance, we'll
11 use this whole example as a for instance and
12 that's all it is, assume Attorney Shrive
13 comes up with an opinion and says, "We can't
14 do anything, we feel we are legally bound to
15 do nothing."

16 That binds me. I can't run off and
17 file an action on behalf the city, so I
18 don't know how else to explain it to you
19 other than to say Council Solicitor has no
20 authority to represent the city. The
21 representative of the city is the city
22 solicitor.

23 MS. DEMPSEY: So even though council
24 is in here you can't make a legal opinion --
25 not a personal opinion, you can't make a

1 legal opinion?

2 MR. MINORA: I might be able to, but
3 what I said was since Attorney Shrive has
4 been asked to do one by motion I'm going to
5 defer to him.

6 MS. DEMPSEY: So can we just -- I
7 want to be clear on the motion, the motion
8 is -- because time is of the essence, the
9 leachate can run those lines right now, so
10 what is the motion and how long do we have
11 to wait for it to go --

12 MR. GAUGHAN: The motion was to ask
13 Solicitor Shrive for a legal opinion on the
14 matters that you presented and what we
15 discussed when you came three week ago, and
16 reason that I made that motion was because
17 when I asked Solicitor Minora three weeks
18 ago he explained that he would not give a
19 legal opinion so --

20 MR. WECHSLER: That's not
21 Mr. Minora's job. Mr. Minora's job is to
22 council -- he is the solicitor to city
23 council, he is not the solicitor for the
24 city.

25 MS. DEMPSEY: I understand that.

1 MR. WECHSLER: To determine if the
2 city is going to participate in a lawsuit.
3 That's not his role.

4 MS. DEMPSEY: So and the flip side
5 if the legal opinion is yes, this has merit
6 and we should go forward then you would also
7 move forward or what would happen?

8 MR. MINORA: I have no standing to
9 move forward.

10 MS. DEMPSEY: Even though council is
11 in the agreement.

12 MR. MINORA: Council is part of the
13 city. When the city files a lawsuit,
14 defends a lawsuit, it's done by the city
15 solicitor. I don't know how else to tell
16 you other than to say I'm not the lawyer for
17 the city, I'm council's solicitor.

18 MS. DEMPSEY: Okay, I just wanted
19 clarity on that because, as we said, time is
20 of essence and if we are bringing it to the
21 city then the city is making an opinion that
22 is coming back to council it just seems like
23 it takes a little longer, but if that is
24 legal path and the structure that has to be
25 followed legally then the motion can stand

1 as it is. I just wanted to make sure
2 because council is so clearly under the
3 definition of the city here.

4 MR. WECHSLER: But we are not the
5 administration and the city operates under a
6 strong mayor form of government.

7 MS. DEMPSEY: Understood.

8 MR. WECHSLER: So it's going to be
9 up to the administration to move forward.

10 MR. EVANS: And the reason that's in
11 there is the governing body is the
12 administration and city council, but matters
13 like this are squarely in the hands of the
14 city solicitor so I'm very anxious to hear
15 his opinion and I hope his opinion is the
16 right one.

17 MR. GAUGHAN: And I would also add
18 that I hope that it comes in a timely
19 manner. In other words, like you said, time
20 is of essence and, you know, I'm not a
21 lawyer, but we met and I read this thing and
22 it's pretty clear to me. Maybe I'm missing
23 something like the caveman skit that you
24 talked about, but I would like an opinion in
25 a timely manner from the city solicitor.

1 MS. DEMPSEY: Absolutely, and thank
2 you for your support on this matter.

3 MR. EVANS: Thank you.

4 MR. WECHSLER: Anyone else that
5 would like to address council?

6 MR. SBARAGLIA: I'm not a lawyer
7 either -- Andy Sbaraglia, citizen of
8 Scranton, fellow Scrantonian. I'm not a
9 lawyer, but if citizens of Greenridge should
10 sue the city they would have to sue you and
11 the Sewer Authority, am I right, if a suit
12 is brought because all parties to that
13 contract would have to brought to Court, but
14 we are not going to bid on another lawyer,
15 but I will donate some money if they should
16 need to file a lawsuit, I'd be glad. In
17 fact, every citizen of Scranton should be
18 glad to give an a little to finally get
19 something done about what's happening in the
20 city.

21 We are all told that the city is in
22 financial problems so what's the first thing
23 we do? We raise the threshold for the
24 bidding contract even though the state says
25 \$10,000 should be the limit, after 10,000 it

1 should be bid but since we are not really in
2 financial problem why worry about it.

3 Now we have a contract for street
4 lighting, you all know that will be nine
5 years before that contract starts paying
6 off. Are we in financial trouble?
7 Obviously not if we can wait nine years for
8 it to pay of on the street lighting we can't
9 have any trouble with finances.

10 And, now, you want to borrow up to
11 \$70 million to pay off the city and firemen.
12 Even if contract for the Sewer Authority
13 should go on for three years, which I don't
14 think, we would still save multi-millions of
15 dollars by not borrowing but waiting for the
16 Sewer authority sale to go through, but we
17 are not in financial problems. We have no
18 financial problems because you are
19 definitely showing us that we don't have
20 one.

21 And I have to ask, it's ludicrous to
22 borrow up to \$70 million when \$85 million or
23 95 is going to be available to us. Did the
24 mayor offer you any perks to even consider
25 this? You don't have to answer, but

1 definitely I would have to ask because it's
2 ludicrous for me to do it, so what else is
3 new in the city? There is no ending to
4 anything in this city happening, but don't
5 ever come before us and say we are in
6 financial problem. We have no financial
7 problems, we have leadership problems.
8 Thank you.

9 MS. SCHUMACHER: Good evening.
10 Marie Schumacher. First, I'd like to give
11 kudos to the Shade Tree Commission. There
12 was a photo in today's paper, I hope you
13 were all able to see it and this is a big
14 week for them. They have been doing -- I
15 was at their meeting Tuesday night and I was
16 really blown away by all they have been
17 doing and all they have coming up this week.
18 They have had Charter Day, they have got
19 Arbor Day, all kinds of things coming up so
20 that was very exciting and I hope people
21 will participate as they are able.

22 Next, I would like to give a big
23 thank you to Jim Lockwood for all of the
24 storm water data, the complete information
25 that he has able to provide. I am currently

1 still working my way through it, although I
2 will have some comments tonight, and I also
3 had on my notes to bring up the purpose of
4 the third party administrator because I was
5 shocked at what I heard at the Pension Board
6 yesterday so I am glad that Joan covered
7 that thoroughly.

8 And now I guess onto storm water, I
9 might as well get right into it. Last week
10 I was somewhat shocked again that you people
11 said you are not going to be voting on that,
12 but I can't for the life of me now I just
13 don't understand why you will not be
14 addressing it, it's a major issue, I think
15 that it's not really the Sewer authority
16 that these people should be going to.
17 Scranton, the City of Scranton holds the MS4
18 permit. Same with the leachate. Both of
19 these lines I believe are storm water. That
20 is our responsibility and we might have
21 something better along those lines, we
22 should have been working out a statement of
23 work. As it now stands, we are not going to
24 go who is going to care for the storm water,
25 who is in charge, until after the execution

1 of the sale. I think that's backwards. We
2 certainly should have -- that statement of
3 work should have done in parallel with the
4 study that was done with the Sewer authority
5 on whether it was going to be sold or
6 leased. In any case, storm water still
7 would have remained our responsibility.

8 And I went back and I looked at,
9 ironic that Mr. Mulligan is here, because I
10 went back and I listened twice to the debate
11 between Mr. Mulligan and Mr. Courtright back
12 before the general election in 2013, one of
13 the things that Mayor Courtright said was --
14 and it was a question regarding how would
15 either of them coordinate with the council,
16 Mr. Courtright said, "If, in fact, they need
17 me to come to a meeting I will come to the
18 meeting. If they need me to come to a
19 caucus, I will come it a caucus."

20 So my challenging to you tonight,
21 gentlemen, is to invite Mr. Courtright to --
22 Mr. Courtright, the mayor himself, to this
23 body and answer questions. I have a passel
24 of them, but some of you have, some of you
25 don't have, I'm still working through parts

1 of it, but we need to hear from him and I do
2 believe it is incumbent upon you people to
3 accept the invitation that he extended to
4 you that evening.

5 But back to why I don't understand,
6 how does -- wait, I did write a couple of
7 notes on this. How do you get to spend the
8 money if you don't have a vote on how it
9 gets into the coffers? The Administrative
10 Code says if the -- if there is a change, I
11 believe it's 10 percent, anyway, certainly
12 the revenue that we are going to get,
13 assuming that the Sewer Authority is
14 disbanded or is changed in name and function
15 and the money does come to the City of
16 Scranton, you people have to vote on it
17 being spent. If you have to vote on it
18 being spent, you must also have accepted it.
19 I mean, you have got it in the books that
20 you have to vote on some small gifts there
21 are made to the city. Certainly the sale of
22 our major asset should include you people.
23 The budget is going to have to be changed to
24 increase the revenue and you are going to
25 have to give the okay on the disposition of

1 the funds, I assume, and I have a problem
2 with that. May I finish this up?

3 MR. WECHSLER: Quickly, please.

4 MS. SCHUMACHER: Yes, thank you. It
5 was my understanding that the new hires, and
6 I'm only going to use the police and fire
7 for now because they are the largest
8 component of the work force, that they were
9 going to get a smaller pensions, somebody in
10 Fifth Order I would really like if you would
11 explain the difference between a new hire in
12 public safety prior to the February 2015 and
13 those who are hired -- and those who are
14 hired prior and those who are owe hired post
15 because my concern is that if we don't have
16 a significant amount of general pension
17 overhaul all we are doing is selling an
18 asset or we are still going to go continue
19 going into the hole on our pension fund and
20 we may not as well sold that asset. It's
21 just pushing the ball down the road a little
22 bit more, so pension reform, the mayor here.
23 Thank you.

24 MR. WECHSLER: Thank you.

25 MR. DOBRZYN: Good evening, Council.

1 Dave Dobrzyn, resident, and I'd like open up
2 I think we should try to be as helpful to
3 these people that spoke tonight on
4 Greenridge issues as much as possible. I
5 seen the picture of that hole in the yard,
6 you could fit a car in there, drip a
7 Volkswagon down there.

8 The University of Scranton
9 crosswalks, that's a great idea and I
10 support it, and they are taking it over, but
11 I wish they'd advise their students to
12 please use it. Last week I was doing the
13 usual 20 miles an hour instead of 25 and a
14 guy was texting and started to cross the
15 street, you know, I think he noticed me and
16 didn't step off the curb, but it's lucky I
17 think doing five miles an hour under a speed
18 limit is better idea in that area.

19 And trash and recycle, I hear every
20 week. Now, we started leaving televisions
21 behind and computer parts and so forth, I
22 think when somebody has a ton of cardboard
23 sitting at the trash that they should just
24 leave it behind and leave them a note
25 already. I'm tired of seeing it and going

1 out in the trash and, yes, we are all paying
2 for it, but I don't think that privatized
3 trash or pay to throw is the right idea.
4 What if you have a couch, some people think
5 they are going to get off cheaper, well,
6 it's \$5.25 a bag in Madisonville and I know
7 what entity or business in this area wants
8 to take over the trash, I'm more concerned
9 with a clean town and the \$300 is a little
10 bit of an ouch, but there in again at \$5.25
11 times 52 you are at somewhere around \$262 or
12 \$272 that's just -- if you just have one
13 little bag, so once the market is cornered
14 they can do what they want and waste is what
15 they want and you have no recourse except to
16 rebuild a DPW or something.

17 And, furthermore, I heard comments
18 about the hours they work and that person
19 that was hurt was hurt very early in the
20 morning, I think it was between five and six
21 o'clock so if they are going home already at
22 1:00 in the afternoon they might have done
23 pretty much a day's work so any extra hours
24 could be devoted to education or something
25 if you want to have them there, but you are

1 only going to really get an extra hour or
2 so.

3 And on this rain water situation we
4 have to be careful there, I don't want to
5 pay for business entities' rain water, so if
6 it's according to the proper way would be
7 the amount of paved surface you have on your
8 property and not a rate according to the big
9 shopping mall for 55 bucks and charge me 35
10 bucks. No. No, thanks.

11 And I'd also at the end of the
12 meeting if I could have a petition for
13 street lamps for my block. We have one
14 street lamp on the whole block in the 600 of
15 Crown.

16 And, finally, the Globe Store is
17 being purchased by the county, another
18 quarter million dollars out of our pocket
19 for the benefit of Lackawanna County and
20 that's just grand, but I think even if you
21 can't say anything about it, send them a
22 letter some day telling them please, we have
23 to pay the bills in Scranton for a change
24 and not all over the county so they can have
25 a free lunch.

1 And don't forget that University of
2 Scranton crosswalk it's up to them to
3 instruct their students please use it, it's
4 there for them and, you know, you could have
5 a tragedy or disaster there. Thank you and
6 have a good night.

7 MR. GAUGHAN: Thank you.

8 MR. WECHSLER: Thank you. Anyone
9 else?

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

11 MOTIONS.

12 MR. WECHSLER: Mr. Perry?

13 MR. PERRY: Yes, real briefly. The
14 only thing I have is I would like to make a
15 request to Ms. Reed, the gentlemen with the
16 "Volkswagon"-size hole in the street there,
17 could we have press Mr. Pocius to give
18 council a letter regarding the outcome of
19 the meeting so we are totally in the loop.
20 I know Mr. Wechsler did have some
21 conversations with him, but myself I didn't
22 see anything so I would just like to be
23 totally briefed on that because, you know, I
24 know I would wouldn't want that at my house,
25 I wouldn't want that in my neighborhood and

1 I know don't want that in this city, so if
2 there is anything that we could do to push
3 that forward to remedy this at all, you
4 know, I want to make sure we are doing
5 everything we could. That's all I have.

6 MR. WECHSLER: Mr. Rogan?

7 MR. ROGAN: Yes, thank you.

8 Regarding I guess the main issue that we
9 talked about tonight, I was happy to vote to
10 accept the petition and I will review the
11 petition as well and I think council tonight
12 took the correct course of action in
13 requesting a legal opinion from the city
14 solicitor.

15 As I stated, the legal issue to me
16 is something that I will admit is above my
17 head. I am not an attorney, and that's why
18 we have attorneys. Council has Attorney
19 Minora to instruct us and he does an
20 excellent job, and the city has our city
21 solicitor Attorney Shrive, so I welcome his
22 opinion and I will stand by his opinion
23 regarding any legal action.

24 The one thing that I would like to
25 avoid, only because I sat on city council

1 that had a relationship that involved being
2 in the courts on a weekly basis, would be to
3 avoid any long protracted legal actions that
4 would have a high likelihood of costing the
5 city taxpayers even more money much like we
6 saw in the fight with our city unions.

7 Sticking with the sewer issues, the
8 article that was in the paper just a couple
9 of comments and just for clarification, the
10 city and every city and town within the
11 Chesapeake Bay watershed is under a mandate
12 to clean up their act regarding the sewers.
13 One of the biggest problems with the
14 Scranton sewer system and many systems the
15 age of the Scranton's is their combined
16 systems where when you get a heavy rain.
17 When you get a heavy rain the sewer plant
18 gets overloaded and you're dumping raw
19 sewage into the Lackawanna River. That's
20 certainly not acceptable and whether the
21 Sewer Authority is sold or whether the Sewer
22 Authority is kept in public hands that needs
23 to be addressed.

24 So the premise of the article
25 regarding the funds that need to be raised

1 for separating storm sewer and the sewage
2 from your home regardless of what action the
3 city takes regarding the sewer of the sale
4 that has to done. We can't continue to have
5 a combined system that's under federal
6 mandates.

7 Also on that, it also makes no sense
8 to fully process rain water through a sewer
9 plant the same way you are processing sewage
10 from your home. There are many new ways to
11 capture that rain water and reuse it and
12 there are a few people within the city who
13 have residences that have decided to go this
14 route. If there were to be any sort of fee
15 imposed, for instance, a lot of times it's
16 based on the size of the roof and based on
17 the size of an institution size, based on
18 the size of a parking lot I would like to
19 see -- give people a chance to mitigate in
20 order to be more environmentally city by
21 saving that water and reusing with
22 individuals for plants and on the
23 institutional size as well I think that is
24 something that needs to be explored. And
25 that is all for tonight. Thank you.

1 MR. WECHSLER: Thank you. Mr.
2 Evans?

3 MR. EVANS: Thank you. First of
4 all, I'd like to thank the Greenridge
5 neighbors for showing up tonight, you should
6 be very proud of yourselves and caring about
7 our neighborhoods and caring about the city
8 as much as you do. I want to talk about the
9 sewer deal and the storm water a little bit.
10 There is something fundamentally wrong when
11 city councilmen are being educated on an
12 agreement to sell the Sewer Authority by
13 citizens who have been able to obtain copies
14 of the final agreement weeks ago and the
15 newspaper has also obtained copies of the
16 same agreement. There is something wrong
17 when we finally get the information in our
18 inboxes tonight because Councilman Gaughan
19 noticed a link on the Scranton Times'
20 website and that's how he got them in our
21 boxes. So I'm not sure whose responsibility
22 it was to inform us and give us this
23 information, but somebody clearly has
24 dropped the ball.

25 With that said, on a related issue

1 it is becoming increasingly clear that there
2 is no clear strategy for a plan to deal with
3 the storm water issue at this time, at least
4 not that I'm aware of. While I may a
5 proponent of the sewer deal, at least what I
6 know about it, there should be a
7 comprehensive plan to deal with the storm
8 water management developed by the
9 administration and approved by the city
10 council. This is not one of those we'll get
11 back to you later moments, this is a once in
12 a lifetime opportunity to get it right.

13 Should there be a storm water
14 authority, how it will be funded? What are
15 the costs to the taxpayers and the
16 ratepayers? Will taxes and properties pay
17 their fair share? What happens on day one
18 of the sale of the Authority? What is
19 Pennsylvania American's involvement in the
20 storm water? What is the City's role? When
21 do the mandates kick in? Should the Sewer
22 Authority be constituted for the Storm Water
23 Authority? I can go on and on and on with
24 questions without answers. This is a
25 complicated issue. That is why the

1 conversation needs to begin now. To
2 postpone this any longer would be foolish
3 and irresponsible.

4 I have no doubt that state agency
5 like the PUC will not look kindly on this
6 transaction to sell the Sewer Authority if
7 the storm water issue isn't addressed in a
8 full and comprehensive manner during their
9 review so let's not blow this, let's get
10 this thing right. We have too much at
11 stake. That's all I have for now.

12 MR. WECHSLER: Thank you.
13 Mr. Gaughan.

14 MR. GAUGHAN: Yes, thank you.
15 First, I'd like to thank all of the
16 organizers and the people who participated
17 in the Scranton Half-Marathon. It went off
18 without a hitch now for the third year and
19 it was a great success.

20 I'd also like to thank the residents
21 of Greenridge for coming tonight and
22 presenting us with their petition. As
23 elected officials, I believe it's important
24 that we listen to the people we serve and
25 make sure that they can raise their families

1 in a healthy and safe environment. It's
2 clear to me that the expansion of the
3 landfill and the leachate issue is one of
4 the great and important issues facing the
5 city and their region at this time. It's
6 time we step up and start to hold people
7 accountable for their actions no matter who
8 they are. The people of Greenridge want
9 answers and so do we.

10 As Councilman Evans mentioned, we
11 finally got our hands on a copy of the
12 agreement between the Scranton Sewer
13 Authority and Pennsylvania American Water
14 and I'm going to be in the process of
15 reviewing that document. My general concern
16 is that private water companies are
17 generally motivated by their own profits,
18 not by the public good and they make
19 decisions about their services accordingly.
20 Unlike publically operated systems, these
21 companies aren't usually accountable to
22 residents leaving people with little
23 recourse to fix a situation. Hence, the
24 storm water management issue which is
25 becoming one of the major issues with the

1 sale of the Sewer Authority, and everybody
2 as far as I'm concerned this past week has
3 been talking about the rain tax.

4 I requested a meeting last week with
5 Mayor Courtright to discuss his plan for
6 storm water management in the city and I
7 have not gotten a response yet, although, I
8 look forward to one. I do believe that
9 Mayor Courtright needs to make his plan, if
10 he has one, for storm water management clear
11 to this council and the residents of the
12 city.

13 Back in 2013, a storm water
14 management system review was published on
15 behalf of the City of Scranton and the Sewer
16 Authority with the collaboration of an
17 environmental group from Maryland and some
18 local groups, and I'd like to read two or
19 three excerpts now from this review just to
20 give people an idea of what we are facing.

21 The report says that the City's
22 aging storm water system, limited capacity
23 and resources to manage storm water, and
24 complexity of ownership and management of
25 the system make the city a unique case

1 study. At the beginning of this study, the
2 EFC project team found that the city lacked
3 the capacity and resources to properly
4 manage storm water. While the city is
5 ultimately responsible for implementing the
6 components of the MS4 permit, there have
7 been many partners involved in the process,
8 including the Scranton Sewer Authority,
9 which has lead to a fragmented system and
10 has made it difficult for the city to remain
11 accountable. Many of the requirements not
12 currently being met could be attainable
13 through a more efficient and streamlined
14 program.

15 One of the recommendations in this
16 report is that the City of Scranton and the
17 Sewer Authority should work to develop a
18 memorandum of understanding in the near term
19 to begin to develop a comprehensive storm
20 water program. While a MOU will begin to
21 build a comprehensive storm water program,
22 it is not a long-term solution. The EFC
23 recommends a more efficient and permanent
24 solution would be to transfer the MS4
25 permit, the City's responsibility of the

1 storm water, from the city to the Scranton
2 Sewer Authority.

3 It also says that it is important to
4 continue collaboration with established
5 partners to levy financial resources as well
6 as expertise to more efficiently implement
7 an MS4 program. The report also addresses
8 the importance of the Sewer Authority in
9 managing the combined sewer system and its
10 potential to play a significant role in the
11 MS4 system as well.

12 Additionally, if the Phase I
13 recommendations and strategies contained in
14 this report are implemented successfully,
15 the City of Scranton will be on a path to
16 meeting storm water requirements and
17 enhancing local water quality.

18 Now, this document is well over 200
19 pages, so my first question would be, and I
20 would like this answered by the
21 administration, have any of these
22 recommendations in this report, which was
23 issued back in 2013 been met so what is the
24 progress on this system review, and as some
25 of the speakers mentioned and some of my

1 colleagues I think it's important that we
2 hear from Mayor Courtright on this issue,
3 whether we have a public caucus, whether he
4 agrees to meet with me as the Chairman of
5 the Department of Public Works we need
6 answers on this. This is going to be one of
7 the significant issues that faces the city
8 and as we transition to a possible deal with
9 the Sewer Authority all of this is going to
10 come into play.

11 So I would hope that by next week,
12 by next Thursday I will hear from Mayor
13 Courtright and he will explain to me and the
14 residents of the city exactly what his plan
15 is on the storm water issue. And, also, I
16 would hope it hear and take a stand or at
17 least explain what his views are on the
18 petition that was presented and the issue of
19 the leachate line in the city because I
20 think that is important, also. And that is
21 all I have this week. Thank you.

22 MR. WECHSLER: Thank you, Mr.
23 Gaughan. Just to sum up what was said here
24 by my colleagues, I find it very
25 disappointing that we have to fight a battle

1 that was already won. This was settled a
2 long time and here we are again fighting the
3 same battle. Very disappointed. We talked
4 about moving the city ahead and here we are
5 going backwards and trying to solve
6 something that was already solved so we are
7 anxious to hear the answer from the
8 administration and how they will move
9 forward with this.

10 There is a meeting scheduled with
11 Mayor Courtright on an executive session on
12 Tuesday evening so we are meeting with the
13 mayor on Tuesday pertaining to the Sewer
14 Authority sale. Hopefully we do have some
15 answers that will be coming about the storm
16 water management plan.

17 I think one thing that we have to
18 also bring out again is the Storm Water
19 Management Authority is also maybe part of
20 the component of our recovery plan so it's
21 not something that is just going to sit idly
22 by it is something that we agreed to look at
23 when we agreed on the recovery plan.

24 Speaking with Mr. Gaughan this week
25 about this issue, I think I'd like to see if

1 we can get Mr. Bernie McGurl to come in and
2 speak to us. No one understands the
3 Lackawanna River and Waste Water Management
4 and the environment of the river more
5 Mr. McGurl so I know we have couple of
6 caucuses that our scheduled and I would just
7 like to have his input because I would defer
8 to him on what he thinks is the best plan
9 because Mr. McGurl is a true keeper of that
10 river and is responsible for much of its
11 rebirth.

12 This week I did attend a meeting
13 that was held by the Lackawanna County
14 Commissioners. It was a meeting where all
15 commissioners expressed an interest to start
16 working with the City of Scranton and
17 cooperative efforts to see what we can do as
18 government bodies to ease the tax burden and
19 other burden on our citizens. Commissioner
20 O'Malley started the meeting by saying that
21 we are all taking money out of the same
22 people's pockets, and that's a very accurate
23 statement. At the meeting, I attended the
24 meeting, Mayor Courtright attended the
25 meeting, School District President Bob

1 Sheridan attended the meeting so we had all
2 three of the city's government officials at
3 the table. We also had the county involved
4 with all three commissioners at the table
5 and it was very nice to have an opening
6 dialogue amongst the city, and to blow our
7 horn a little bit it was cited that the
8 atmosphere in the area right now seems to be
9 a little better because of the working
10 relationship that we have between council
11 and the administration, and as you heard
12 tonight it's not all perfect, but we do
13 continue to have open dialogue with the
14 administration, and for the most part the
15 administration has been open to us, they
16 have provided us with their managers, and we
17 do have an open dialogue. Yes, there is
18 room for improvement, but we do have a
19 better relationship then we had in the past.

20 Just one more comment about the
21 storm water, the mandate that's been given
22 to the city is actually part of a lawsuit.
23 The Department of Justice is involved in
24 this case so it's not something, as
25 Councilman Rogan alluded to, whether we sell

1 the Sewer Authority or not there is going to
2 have to be much improvement made to our
3 storm water system and it's under the
4 supervision of the Department of Justice so
5 this isn't something that's just a fly by
6 night type of thing, this is a very serious
7 matter that has to be addressed, and also
8 the Sewer Authority sale is also going to
9 have to be addressed by the state and also
10 by the EPA so all of this has to come
11 together so at some point there is going to
12 have to be a strong documented plan on the
13 storm water management before this whole
14 thing can move forward. And that is all I
15 have at this time. That's plenty; right?

16 MS. REED: 5-B. NO BUSINESS AT THIS
17 TIME.

18 SIXTH ORDER. 6-A. READING BY
19 TITLE- FILE OF THE COUNCIL NO. 21, 2016- AN
20 ORDINANCE - DEFINING AND AUTHORIZING TAX
21 EXEMPTIONS FROM REAL PROPERTY TAX IN ORDER
22 TO IMPROVE DETERIORATING REAL PROPERTY IN
23 CERTAIN AREAS IN THE CITY OF SCRANTON,
24 ESTABLISHING AN EXEMPTION SCHEDULE AND
25 PROCEDURES FOR OBTAINING EXEMPTIONS, AND

1 PROVIDING FOR NON-PERMISSIBLE EXEMPTIONS AND
2 LIMITING AMENDMENT THERETO.

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

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

7 MR. EVANS: Second.

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

10 MR. PERRY: Aye.

11 MR. ROGAN: Aye.

12 MR. EVANS: Aye.

13 MR. GAUGHAN: Aye.

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

16 MS. REED: 6-B. READING BY TITLE -
17 FILE OF THE COUNCIL NO. 22, 2016- AN
18 ORDINANCE - DEFINING AND AUTHORIZING TAX
19 EXEMPTIONS FROM REAL PROPERTY TAX IN ORDER
20 TO STIMULATE RESIDENTIAL, COMMERCIAL AND
21 OTHER BUSINESS ACTIVITY IN CERTAIN AREAS IN
22 THE CITY OF SCRANTON, ESTABLISHING AN
23 EXEMPTION SCHEDULE AND PROCEDURES FOR
24 OBTAINING EXEMPTIONS, PROVIDING FOR
25 NON-PERMISSIBLE EXEMPTIONS AND LIMITING

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AMENDMENT THERETO.

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

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

MR. EVANS: Second.

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

MR. PERRY: Aye.

MR. ROGAN: Aye.

MR. EVANS: Aye.

MR. GAUGHAN: Aye.

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

MS. REED: 6-C - PREVIOUSLY TABLED -
READING BY TITLE - FILE OF COUNCIL NO. 6,
2016 - AN ORDINANCE - AMENDING FILE OF
COUNCIL NO. 57 OF 1996 (AS AMENDED) -
ENTITLED "DEFINING AND AUTHORIZING TAX
EXEMPTIONS FOR REAL PROPERTY TAX IN ORDER TO
STIMULATE RESIDENTIAL DEVELOPMENT IN CERTAIN
AREAS IN THE CITY OF SCRANTON, ESTABLISHING
AN EXEMPTION SCHEDULE AND PROCEDURES FOR
OBTAINING EXEMPTIONS, PROVIDING FOR
NON-MUNICIPAL EXEMPTIONS, AND LIMITING

1 AMENDMENTS HERETO BY INCREASING THE
2 ASSESSMENT VALUATION IN SECTION 2, PARAGRAPH
3 1-B FROM \$250,000 TO \$500,000 and EXTENDING
4 THE EXEMPTION PERIOD IN SECTION 11,
5 AUTOMATIC TERMINATION, TO AN ADDITIONAL TEN
6 YEARS FROM THE EFFECTIVE DATE OF THIS
7 ORDNANCE."

8 MR. EVANS: I make a motion to amend
9 Item 6-C per the following:

10 In the Now, Therefore, clause
11 insert: "SECTION 3. EXEMPTION SCHEDULE.

12 1. The following real estate tax
13 exemption schedule commence in the tax year
14 immediately following the year in which the
15 building permit is issued. For the first,
16 second and third year for which the newly
17 constructed improvement would otherwise be
18 taxable one hundred (100%) percent of the
19 eligible assessment shall be exempted."

20 Insert: Section 5. ELIGIBLE AREAS.

21 1. It is hereby determined and
22 declared by City Council that the following
23 portion of the City qualify and are hereby
24 designated as eligible areas for tax exempt
25 status;

1 All those land, areas and
2 neighborhoods zoned by the City of Scranton
3 as R1, R1(a), R2, R2/0, R3, CN and CD zoning
4 districts as defined by the City of
5 Scranton's Zoning Ordinance, File of Council
6 No. 74, 1993."

7 Section 11. Automatic Termination.
8 In the second sentence, by increasing the
9 exemption period from: "Two (2) years" to:
10 "Three (3) years."

11 MR. ROGAN: Second.

12 MR. WECHSLER: On the question?

13 MR. EVANS: On the question, this is
14 basically just refining that legislation to
15 mirror the change that we already gave on
16 the other two pieces of the legislation in
17 Sixth Order. That's all I have.

18 MR. WECHSLER: Yes, on the question,
19 City Council and the City of Scranton we are
20 going first on this tax abatement program
21 that will be followed by the Scranton School
22 District and then Lackawanna County, so the
23 program actually will give a benefit for all
24 three taxes for anyone that contemplates new
25 construction or improvements.

1 All those in favor of the motion to
2 amend Item 6-C signify by saying aye?

3 MR. PERRY: Aye.

4 MR. EVANS: Aye.

5 MR. GAUGHAN: Aye.

6 MR. ROGAN: Aye.

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

9 You've heard reading by title of
10 Item 6-C, as amended, what is your pleasure?

11 MR. ROGAN: I move that Item 6-C, as
12 amended, pass reading by title.

13 MR. EVANS: Second.

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

16 MR. PERRY: Aye.

17 MR. ROGAN: Aye.

18 MR. EVANS: Aye.

19 MR. GAUGHAN: Aye.

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

22 MS. REED: SEVENTH ORDER. 7-A. FOR
23 CONSIDERATION BY THE COMMITTEE ON RULES -
24 FOR ADOPTION - RESOLUTION NO. 20, 2016 -
25 APPOINTMENT OF MARIO PARLOPIANO, 202 WILBUR

1 STREET, SCRANTON, PENNSYLVANIA, 18508, AS A
2 MEMBER OF THE MUNICIPAL INDUSTRIAL
3 DEVELOPMENT AUTHORITY (MIDAS), EFFECTIVE
4 MARCH 30, 2016. MR. PARLOPIANO IS BEING
5 APPOINTED TO A FOUR (4) YEAR TERM THAT WILL
6 EXPIRE ON MARCH 30, 2020.

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

10 MR. ROGAN: Second.

11 MR. WECHSLER: On the question?
12 Roll call, please?

13 MS. CARRERA: Mr. Perry.

14 MR. PERRY: Yes.

15 MS. CARRERA: Mr. Rogan.

16 MR. ROGAN: Yes.

17 MS. CARRERA: Mr. Evans.

18 MR. EVANS: Yes.

19 MS. CARRERA: Mr. Gaughan.

20 MR. GAUGHAN: Yes.

21 MS. CARRERA: Mr. Wechsler.

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

25 MS. REED: 7-B. FOR CONSIDERATION

1 BY THE COMMITTEE ON PUBLIC WORKS FOR
2 ADOPTION - RESOLUTION NO. 21, 2016 -
3 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
4 CITY OFFICIALS TO EXECUTE AND ENTER INTO AN
5 AGREEMENT BY AND BETWEEN THE UNIVERSITY OF
6 SCRANTON AND THE CITY OF SCRANTON PERTAINING
7 TO THE MAINTENANCE OF IN PAVEMENT LED
8 CROSSWALK WARNING LIGHTS ON MULBERRY STREET.

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

12 MR. GAUGHAN: As Chairperson for the
13 Committee on Public Works, I recommend final
14 passage of Item 7-B.

15 MR. ROGAN: Second.

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

18 MS. CARRERA: Mr. Perry.

19 MR. PERRY: Yes.

20 MS. CARRERA: Mr. Rogan.

21 MR. ROGAN: Yes.

22 MS. CARRERA: Mr. Evans.

23 MR. EVANS: Yes.

24 MS. CARRERA: 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 MR. REED: 7-C. FOR CONSIDERATION
6 BY THE COMMITTEE ON PUBLIC WORKS FOR
7 ADOPTION - RESOLUTION NO. 22, 2016
8 AUTHORIZING THE DIRECTOR OF THE DEPARTMENT
9 OF PUBLIC WORKS OF THE CITY OF SCRANTON TO
10 SIGN AND SUBMIT THE PENNSYLVANIA DEPARTMENT
11 OF TRANSPORTATION ("PENNDOT") APPLICATION
12 FOR TRAFFIC SIGNAL APPROVAL FOR THE IN
13 PAVEMENT LED CROSSWALK WARNING LIGHTS THE
14 UNIVERSITY OF SCRANTON HAD INSTALLED AS PART
15 OF THEIR STREETScape PROJECT ALONG MULBERRY
16 STREET.

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

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

23 MR. ROGAN: Second.

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

1 MS. CARRERA: Mr. Perry.

2 MR. PERRY: Yes.

3 MS. CARRERA: Mr. Rogan.

4 MR. ROGAN: Yes.

5 MS. CARRERA: Mr. Evans.

6 MR. EVANS: Yes.

7 MS. CARRERA: Mr. Gaughan.

8 MR. GAUGHAN: Yes.

9 MS. CARRERA: Mr. Wechsler.

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

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

15 MR. ROGAN: Motion to adjourn.

16 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