

SCRANTON CITY COUNCIL MEETING

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HELD:

Thursday, July 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 moment of reflection  
2 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. There was an  
14 executive session held in evening to discuss  
15 a matter of potential litigation. Dispense  
16 with the reading of the minutes.

17 MS. REED: THIRD ORDER. 3-A.  
18 MINUTES OF THE REGULAR MEETING OF THE  
19 LACKAWANNA COUNTY LAND BANK HELD ON JUNE 10,  
20 2016.

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

23 MS. REED: 3-B. MINUTES OF THE  
24 SCRANTON FIREFIGHTERS PENSION COMMISSION  
25 MEETING HELD JUNE 15, 2016.

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

3 MS. REED: 3-C. MINUTES OF THE  
4 COMPOSITE PENSION BOARD MEETING HELD JUNE  
5 15, 2016.

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

8 MS. REED: 3-D. MINUTES OF THE  
9 SCRANTON POLICE PENSION COMMISSION MEETING  
10 HELD JUNE 15, 2016.

11 MR. WECHSLER: Are there any  
12 comments? If not, received and filed.

13 MS. REED: 3-E. MINUTES OF THE  
14 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING  
15 HELD JUNE 15, 2016.

16 MR. WECHSLER: Are there any  
17 comments? If not, received and filed.

18 MS. REED: 3-F. AGENDA FOR THE  
19 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING  
20 HELD JULY 13, 2016.

21 MR. WECHSLER: Are there any  
22 comments? If not, received and filed. Do  
23 any council members have announcements at  
24 this time?

25 MR. GAUGHAN: Yes, I have one. The

1 Minooka Lions are having a raffle to raise  
2 funds to install a gazebo in the Billy  
3 Barrett playground on Colliery Avenue in  
4 memory of Attorney Mark Walsh who passed  
5 away three years ago. This project will  
6 also commemorate the Lions centennial  
7 celebration. This will be held this  
8 Saturday, July 16. The drawing will be at  
9 12 noon. Tickets are \$20. There are three  
10 cash prizes and all are invited from the  
11 public.

12 There will also be addiction  
13 awareness rally Sunday July 17 from 3:00 to  
14 7:00 p.m. at the Lackawanna County  
15 Courthouse Square in memory of Sammi  
16 Henehan.

17 Also Spruce Street between Adams  
18 Avenue and North Washington Avenue will be  
19 down to a single lane. It started Monday,  
20 July 11. This traffic pattern will be in  
21 place for four weeks. PPL will be  
22 replacing, upgrading and adding new concrete  
23 top to a manhole. Thank you.

24 MR. WECHSLER: Anyone else?

25 MS. REED: FOURTH ORDER. CITIZENS'

## 1 PARTICIPATION.

2 MS. WECHSLER: Joan Hodowanitz, city  
3 resident and taxpayer. This week I attended  
4 both the hearings on the double pensions and  
5 the monthly pension board meetings, and with  
6 regard to the hearings two issues came up  
7 that caught my attention and makes us think  
8 that the situations that we can perhaps  
9 correct. One, the attorneys representing  
10 several of the respondents pointed out that  
11 the president of city council and the mayor  
12 rarely, if ever, attend Pension Board  
13 meetings. Now, I'm aware that the vast  
14 majority of the city councilmen and women  
15 have jobs during the daytime and it's not  
16 often possible to attend the meeting. The  
17 mayor, of course, can just come up one  
18 flight of stairs, why he doesn't do that I  
19 don't know, but the whole issue of  
20 scheduling city business during business  
21 hours, I understand that it's a plus for  
22 many people who work in the city hall and it  
23 makes it easy for them, but it's not often  
24 easy for the working taxpayers or for you,  
25 Mr. Wechsler. I understand you would have

1 to come down from Mountaintop?

2 MR. WECHSLER: That's right.

3 MS. HODOWANITZ: Correct? For  
4 example, if Mr. Gaughan becomes the  
5 president of city council one day you'd have  
6 to get out of the classroom and I don't  
7 think your principal is going to let you do  
8 that; correct?

9 MR. GAUGHAN: Correct.

10 MS. HODOWANITZ: So one thing I  
11 would hope that down the road when they  
12 start scheduling the meetings for 2017 why  
13 can't we have at least one meeting per  
14 quarter at night so that more taxpayers who  
15 work during the day and perhaps you,  
16 Mr. Wechsler, come.

17 Now, Mrs. Reed does a fine job as  
18 your proxy, I'm not saying that she doesn't,  
19 but the fact that you and the mayor  
20 constantly have to send a proxy is  
21 troublesome, especially when there are  
22 issues involving the pensions. If the  
23 pensions were healthy and there were no  
24 issues I don't think it would be that much  
25 of a problem, but for the last several years

1 the pensions have been a mortal wound in the  
2 side of the city and we are trying to heal  
3 that and the fact that they are always  
4 scheduled at a time you can't appear I don't  
5 know. It looks like we are being convenient  
6 to the people who work in city hall and not  
7 to the rest of the city, so I don't think it  
8 would hurt to have one month quarter a  
9 meeting at night. It's just a suggestion.

10 Another issue that came up was the  
11 missing audio tapes from the various Pension  
12 Board meetings. Now, I don't know whether  
13 the ghost of Rose Mary Woods haunts this  
14 building or not, perhaps she does, however,  
15 it calls to mind the fact that I bet we have  
16 a treasure trove of historical documents and  
17 other media in the basement of this  
18 building, if not other nooks and crannies.  
19 How well organized is that material? Do we  
20 know what we have? Could we find something  
21 if we needed it? And if not, why don't we  
22 make a plan like getting some interns from  
23 the colleges, some of the history majors.  
24 Make a deal. Organize our documents and our  
25 media and you write your research paper on

1 the history of Scranton, pick a topic. You  
2 have access to the research materials, you  
3 organize them, you write your thesis.

4 In my two and a half years coming to  
5 council I have never heard of a single  
6 intern in any of the departments of this  
7 building, have we ever had any? Does  
8 anybody know?

9 MR. ROGAN: Yes. Yes.

10 MS. HODOWANITZ: Who do we have?

11 MR. ROGAN: There was an intern in  
12 the BA's office when Mr. Bulzoni first -- it  
13 was a student that contacted me.

14 MS. HODOWANITZ: Well, I think we  
15 need more. On top of that, I think it would  
16 be a good thing if the administration and  
17 city council would partner with all of the  
18 local colleges and tap into their expertise.  
19 You would be doing a favor to the students,  
20 and we would be doing a favor to ourselves.

21 Last thing, during the board meeting  
22 we mentioned that \$1.6 million was put in  
23 the fund after the award backpay was  
24 finalized, what I want to know is does that  
25 mean we're getting a windfall in the wage

1 taxes?

2 MR. EVANS: Yes.

3 MR. WECHSLER: My understanding that  
4 went out in the payroll.

5 MS. HODOWANITZ: Do we have any idea  
6 how big and when? Should be pretty soon.

7 MR. WECHSLER: It all went out last  
8 week.

9 MR. EVANS: I thought it was around  
10 a half a million dollars.

11 MS. HODOWANITZ: Half a million.  
12 Hallelujah pass the ammunition. Thank you.

13 MR. WECHSLER: Mrs. Hodowanitz, just  
14 so you know, I was an intern in 1981.

15 MS. HODOWANITZ: Oh, well, that  
16 doesn't count. That was before Christ was a  
17 corporal.

18 Ms. FRANUS: Yes. I would like to  
19 correct some things that were stated at  
20 previous council meetings. In the July 2,  
21 2016 edition of the Scranton Times  
22 Mr. Lockwood wrote: "On the way out the  
23 door in 2013 former Mayor Chris Doherty and  
24 a council lead by Janet Evans implemented a  
25 56.7 percent tax increase for the 2014

1 budget and an increase in the trash fee from  
2 \$178 to \$300."

3 I want to explain the truth and I'm  
4 going to quote Mrs. Evans from that council  
5 meeting December 16, 2013. "MRS. EVANS: I  
6 wish to make it clear that I do not support  
7 the mayor's proposed 2014 budget nor do I  
8 support the amendment to the budget. In the  
9 face of the most drastic city tax hike and  
10 fee increase in decades, I will not support  
11 these amendments. The salary increases and  
12 the job creations they include and the  
13 gamesmanship they present. In addition, I  
14 propose the mayor's budget that as a city  
15 council president I refuse to affix my  
16 signature to the 2014 operating budget  
17 legislation. The people deserve much  
18 better."

19 So, as you can see, Mrs. Evans never  
20 wanted that passed. Mr. Evans, you said all  
21 of the city's financial problems were a  
22 result of the event of default in June 2012.  
23 That wasn't correct. In 2011 the Doherty  
24 administration went to Court for official  
25 approval of unfunded debt borrowing for the

1 fiscal year 2011 because it had no money to  
2 pay it's 2011 bills. In addition, in  
3 January of 2012 the Doherty administration  
4 could only get one TAN and Fidelity Bank  
5 required that our real estate taxes were  
6 confiscated each month at the tax office and  
7 placed in a lockbox. The interest rate on  
8 the TAN was 5.5 percent. These are only two  
9 events out of many more that proves that the  
10 city's dire financial conditions long before  
11 the event of default of June 2012. If you  
12 have any questions, take a look at the  
13 minutes of January 30, 2012.

14 Mr. Rogan, in the paper it was  
15 quoted on July 1, city resident, Cara  
16 Seitzinger wasn't sure if council been --  
17 had better options after members of a prior  
18 council, with the exception of the  
19 Councilman Pat Rogan, allowed the Parking  
20 authority to default in 2012 leading to the  
21 operating -- going into receivership.

22 Mr. Rogan, you are the one that lead  
23 the charge for the event of default  
24 according to the minutes of these meetings.

25 MR. ROGAN: The newspaper was --

1 MS. FRANUS: All of these meetings  
2 right here.

3 MR. ROGAN: The newspaper was  
4 incorrect.

5 MS. FRANUS: Pardon me?

6 MS. ROGAN: The newspaper was  
7 incorrect.

8 MS. FRANUS: I know they were, but  
9 all of these meetings right here --

10 MR. ROGAN: The article was poorly  
11 worded.

12 MS. FRANUS: You lead the charge for  
13 these, so why the paper said that is totally  
14 crazy. Now, there is a clear difference  
15 between default and an event of default.  
16 The payment was made almost immediately from  
17 the reserve fund, but the Parking Authority  
18 was given five conditions to satisfy in 30  
19 days or else it would be in default. I want  
20 to prove my point here. I'm going to read  
21 Attorney Boyd Hughes from the June meeting  
22 of 2012.

23 "MR. HUGHES: At the end of last  
24 week I had a call from two lawyers from New  
25 York City, one that represents National

1 Insurance and the other one represents  
2 Radiant Insurance. I talked with them  
3 before Thursday's meeting, I talked with  
4 them on Friday. Radiant is the insurer on  
5 the 26 bonds which went into default on  
6 Friday, an event of default and there's a  
7 big between an event of default and default  
8 and council president received a letter from  
9 an attorney that works with Aaron Fox, the  
10 law firm in a New York City. I have been  
11 working with him on this. The insurance  
12 company did not make the payment, the  
13 payment came from the reserve funds," let me  
14 finish this, "But the trustee sent them a  
15 letter, e-mail this afternoon to the mayor,  
16 to the chairwoman of the Scranton Parking  
17 Authority, Mr. Scopelitti, itemizing five  
18 items of default that have to be corrected  
19 in 30 days from today's letter or what's  
20 going to happen they will be in default. A  
21 trustee will be appointed and a receiver  
22 will be appointed to take the facilities  
23 over. They are only delaying the  
24 inevitable."

25 So this just clears up some of the

1 things. Mr. Evans, you were wrong about  
2 that because the city was in dire shape long  
3 before that default, the event of default,  
4 which wasn't a default, it was an event of  
5 default.

6 MR. EVANS: I would never dispute  
7 that the city was --

8 MR. FRANUS: Pardon me?

9 MR. EVANS: I would not dispute that  
10 the city was in dire financial shape, I  
11 never said they weren't.

12 MS. FRANUS: You said the default  
13 put --

14 MR. EVANS: No, I said the default  
15 is a factor, like --

16 MS. FRANUS: Pardon me?

17 MR. EVANS: Default was a factor  
18 like many other factors, but it wasn't a  
19 sole factor.

20 MS. FRANUS: I'll quote you next  
21 week because you insinuated that --

22 MR. EVANS: Fay, are we going to  
23 play "I gotcha" every week? Is that what  
24 we're going to do now?

25 MS. FRANUS: I can't hear you?

1 MR. EVANS: Play "I gotcha" every  
2 week. That's what we are going to do?

3 MS. FRANUS: No, I want the people  
4 to know that the city was not -- was in  
5 terrible shape long before this event of  
6 default.

7 MR. EVANS: Oh, I don't think that's  
8 a secret to anybody.

9 MS. FRANUS: Well, then how come  
10 everybody is blaming council, Mr. Rogan --  
11 the paper, everything. That worst thing  
12 that ever happened? This council, that  
13 council, did not do anything. The bond  
14 insurers and the trustees did and,  
15 Mr. Evans, if it's a gotcha moment if it has  
16 to be it's going to be, and the other things  
17 last week when you said those things that  
18 you gave me showed that the items were not  
19 transferred that will be proven otherwise.  
20 Thank you.

21 MR. EVANS: Thank you.

22 MR. WECHSLER: Les Spindler.

23 MR. SPINDLER: Good evening,  
24 Council. Les Spindler, resident and  
25 homeowner and taxpayer. First of all, my

1 thoughts and prayers go out to Ozzie Quinn  
2 who is suffering with cancer, and also I  
3 just found out today the mother of the  
4 former councilmen Frank Joyce is also  
5 suffering from lung cancer. My thoughts and  
6 prayers go out to her and her family and I  
7 hope everyone says a prior for these two  
8 people.

9 Okay, this is the first time I have  
10 talked about this, pave cuts in the city,  
11 and one or two meetings I said was an error,  
12 I said about North Rebecca was -- North  
13 Sumner, five, six, seven and eight hundred d  
14 blocks of North Sumner they make pave cuts  
15 the length of the street and the seven and  
16 eight hundred blocks were newly paved last  
17 year, and all of those blocks are a mess.  
18 Don't we have a pave cut inspector? Why  
19 isn't he out looking at these places? These  
20 roads are a mess. Like I said, two of those  
21 blocks were newly paved and they are a  
22 disaster. Something has got to be done.  
23 These utilities are out of control.

24 Last year Dorothy Street was newly  
25 paved. Last week the 1400 block of Dorothy,

1           there were two pave cuts made. The blacktop  
2           was just thrown down, there is dips where  
3           they made the pave cut now, it's ridiculous.  
4           These utilities are ruining the roads of  
5           this city. Something has got to be done.  
6           The pave cut inspector has got to get out  
7           there.

8                       MR. EVANS: Agree.

9                       MR. SPINDLER: In my eyes he is not  
10           doing his job. These utilities are just  
11           getting away with murder and it's all over  
12           the city, something has got to be done. You  
13           know, when this parking deal issue came up I  
14           didn't know all of the details and I was the  
15           one in favor of it because we were getting  
16           \$28 million, I know it's too late now, but  
17           after all I heard I think it was a really  
18           bad deal. I mean, after the \$28 million we  
19           are not going to get any revenue for the  
20           garages, no revenue from the meters, I think  
21           in the long run it's going to be a terrible  
22           deal for the city.

23                      Okay, now my last question, was the  
24           June 30 deadline met to pay off the unions  
25           and that supreme court award?

1 MR. WECHSLER: Yes.

2 MR. SPINDLER: They got their award?

3 MR. WECHSLER: Yes.

4 MR. SPINDLER: Because I didn't see  
5 it. Maybe I missed it, I don't if it was in  
6 the newspaper or not.

7 MR. WECHSLER: I think you may have  
8 missed it.

9 MR. SPINDLER: Okay. Well, that's  
10 good news.

11 MR. WECHSLER: Yes.

12 MR. SPINDLER: Okay. That was a  
13 long time coming, I'm glad they got what  
14 they deserved. Okay. That's all I have  
15 tonight thank you.

16 MR. WECHSLER: Albert Young.

17 MR. YOUNG: Good evening, gentlemen,  
18 Albert Young of Scranton. 16 weeks ago  
19 tonight we started a process. Last Thursday  
20 night Mr. Evans asked Attorney Minora to  
21 look into a situation because the letter  
22 that the legal department sent me, which is  
23 actually no good, Mr. Minora, have you been  
24 able to contact the legal department for an  
25 answer or am I going to stand here and

1 listen to no comment?

2 MR. MINORA: No, what you are going  
3 to stand here and listen to is the fact that  
4 we really cannot negotiate a contract for  
5 you. There are evidently some extenuating  
6 circumstances for the language in that hold  
7 harmless agreement so my suggestion to you  
8 is to get an attorney to review it, contact  
9 Mr. Price and have he and your attorney work  
10 out language that's possibly acceptable to  
11 you and possibly acceptable to the city. I  
12 don't represent you, I don't --

13 MR. YOUNG: I understand that. I  
14 understand.

15 MR. MINORA: So you understand and  
16 I'm not unsympathetic to your position, it  
17 just is something that is outside of our  
18 bailiwick to negotiate a contract for you.  
19 That is in essence what you are asking us to  
20 do.

21 MR. YOUNG: No, sir, I'm asking you  
22 to negotiate a contract, I am -- what we  
23 were asking was to clarify the reason for  
24 that ridiculous letter. Now, without going  
25 any further, I hope that the mayor and the

1           legal solicitors are listening because it  
2           leaves me with no alternative. Tomorrow I  
3           will call my legal attorney and start  
4           proceedings against the city and the Sewer  
5           Authority for 47 years I have put up with  
6           lies and he should, they should, they will,  
7           they won't, and from hereon in I'm sorry,  
8           gentlemen, you have been more than helpful  
9           to me. The legal department in this city  
10          has a lot to be desired.

11                        I have lost over 80 percent value of  
12           my house because of this situation. I have  
13           lost income because I have not been able to  
14           raise rents properly compared to what is in  
15           the area so, therefore, I'm left with no  
16           other alternative and, I'm sorry, but thank  
17           you for your help anyhow and I hope some day  
18           in can be resolved without really going nose  
19           to nose with this and, again, thank you.

20                        MR. EVANS: Thank you. Anyone else  
21           want to address council?

22                        MR. SBARAGLIA: Andy Sbaraglia.  
23           Citizen of Scranton, fellow Scrantonian.  
24           The man came before you to clarify a  
25           dangerous situation, namely, to fill a hole

1           that was dangerous and no one in the city  
2           could help him, so be it, but that's how it  
3           is for taxpayers, too. This is no one in  
4           the city that can help the taxpayers.

5                     Mr. Evans, I don't really like to  
6           speak to you that much, but I'll ask you a  
7           question, do you think that garage was only  
8           worth a dollar?

9                     MR. EVANS: Well, of course, I'm not  
10          because it's worth more.

11                    MR. SBARAGLIA: You are an insurance  
12          man, you know the values, is that only worth  
13          a dollar considering the -- we'll put it  
14          windfall that's going to come when the  
15          county really moves into the Globe Store.  
16          Do you think that should have been factored  
17          into that contract?

18                    MR. EVANS: I think it was factored  
19          into the contract.

20                    MR. SBARAGLIA: For a dollar. Sure  
21          it was. Two and a half million.

22                    MR. EVANS: We all know it was far  
23          more complicated than that.

24                    MR. SBARAGLIA: Listen, everybody  
25          knows it's a bad deal. I'm surprised the

1 state, the FBI isn't investigating six  
2 people that caused this deal. This is not  
3 good for the city, the loss of revenue to  
4 the city is enormous. You can care less,  
5 all you are going to do is come crying that  
6 you need money. You said you had a 4  
7 percent note for the fire -- for the  
8 policemen and firemen, but wasn't insurance  
9 taken on that note?

10 MR. EVANS: I don't know, what do  
11 you mean by insurance?

12 MR. SBARAGLIA: Sometimes you take  
13 an insurance out that if you defaulted the  
14 insurance company would pay.

15 MR. EVANS: I don't know.

16 MR. SBARAGLIA: Usually that's going  
17 to be a 4 percent loan.

18 MR. EVANS: On the award payment you  
19 are talking about? On the award payment?

20 MR. SBARAGLIA: Right.

21 MR. EVANS: Not that I'm aware of.

22 MR. SBARAGLIA: Usually you take an  
23 insurance out so if the city defaults the  
24 insurance company will be on the hook,  
25 that's how you get that 4 percent. I doubt

1 if the city has such a great financial  
2 standing in the community that we are going  
3 to get 4 percent. That seems ridiculous,  
4 especially when you consider it's the  
5 average of the loan meaning no where in the  
6 next 20 years or whatever the loan is, but  
7 the loss of the city and the establishing of  
8 another police department is beyond me.  
9 Apparently the meter people that manage the  
10 meters is going to have their own police  
11 force checking on meters and handing out  
12 fines and all of that.

13 Now, whether that means we will  
14 conflict with our police is beyond me, but  
15 it could be, could be another liability.  
16 Another liability is if they actually  
17 defaulted. Who would get the bonds. As you  
18 know, the hole money being borrowed is on  
19 the lease. I mean, you borrowed -- they  
20 want to borrow 20 million or 25 or 28  
21 million on the lease, a piece of paper.  
22 That means the city has to somewhat  
23 guarantee that lease because, believe me, a  
24 lease on nothing is nothing. They are not  
25 putting a penny in this and you are giving

1           them \$150 million right off the bat, plus  
2           the fact this is their main, I guess to say  
3           they are going out for a nonprofit because  
4           they are babysitting garages. This is what  
5           they want a nonprofit for to babysit  
6           garages. You think that's right?  
7           Especially when they are not putting -- I  
8           don't know how they can even let them have a  
9           nonprofit. It's beyond me because you do  
10          nothing for actually -- to qualify for a  
11          nonprofit other babysitting garages.

12                   I just hope the state and federal  
13          government really looks into this contract  
14          and comes up either good, bad or  
15          indifferent, but it makes everybody think  
16          that it isn't quiet copacetic. I don't, but  
17          I'll believe the government if they have an  
18          investigation we can find out is it  
19          copacetic or not copacetic. Thank you.

20                   MR. WECHSLER: Anyone else?

21                   MS. SCHUMACHER: Marie Schumacher.  
22          Before I go into what I want to speak on  
23          tonight, would someone please tell me what  
24          the borrowing is for 7-A, the amount and the  
25          duration? When somebody finds it if you can

1 let me know. I'll just go on.

2 Mr. Gaughan, tonight I would like to  
3 challenge some of the statements you made  
4 during motions when announced you would be  
5 voting in favor of the parking asset lease,  
6 the lease deal, because I find that of great  
7 concern. I will undoubtedly have time for  
8 only the top few of my issues. You stated  
9 being charged almost 9 percent interest on a  
10 TAN was extortion. Extortion is taking by  
11 force or any illegal power. There was no  
12 force. I believe it was the overall  
13 financial ill health of the city and an  
14 evaluation of the faith in the city to repay  
15 the TAN. It was good business on the part  
16 of those people.

17 I would argue the decision of a  
18 previous council to approve the borrowing to  
19 build more garages than needed was the true  
20 culprit. Where this taxpayer sees force in  
21 the relationship you have forged is with  
22 Marketplace at Steamtown in my estimation.  
23 They need the parking, the Electric City  
24 parking garage much more than we needed 500  
25 more parking spaces when we couldn't fill

1 the existing parking spaces and allow the  
2 Marketplace at Steamtown to influence  
3 utilization of the Scranton Parking  
4 Authority through their charges for monthly  
5 parking. I do believe you have been  
6 bamboozled by Mr. Basalyga. You should have  
7 paid more attention to the Desman, which has  
8 been available for a year.

9 You noted the only people that are  
10 getting rich with the receivership are the  
11 attorneys from New York City. In your due  
12 diligence, did you happen to check NDC's IRS  
13 form 990 and see the Daniel Marsh, III, in  
14 their 2013 filing was compensated \$620,664.  
15 That compensation was composed of \$346,767  
16 from the organization itself, \$205,599  
17 compensation from related organizations, and  
18 another \$68,282 which was the estimated  
19 amount of other compensation from the  
20 organization and related organizations.

21 NDC has created another related  
22 organization of seven members for this deal.  
23 Did you happen to ask what Mr. Marsh and  
24 whether Mr. Marsh is a member of this  
25 organization and how he will be compensated?

1 This taxpayer would like to know that as  
2 well as please share that in Fifth Order if  
3 you already know that amount.

4 Also, you speak as though there is  
5 no further liability for the city, but  
6 aren't we still on the hook for future  
7 contributions to NDC if the maintenance  
8 costs exceed a certain threshold, and that's  
9 over the life of this 40-plus years lease.  
10 You speak of crumbling garages, please  
11 explain how this happened when three of the  
12 five garages are babies if you compare their  
13 ages with the remaining two, and please  
14 explain why a boatload of OECD funds were  
15 used not to improve the garage but cosmetic  
16 changes to the Linden garage.

17 Also, aren't we still on the hook  
18 for future contributions? Then there is the  
19 issue of property tax exemption, which I  
20 personally plan to reserve more during your  
21 month's vacation. I am totally amazed that  
22 none one of the owners of the city's for  
23 profit garages came forth to complain about  
24 this travesty. This is a business not a  
25 charity.

1                   Finally, I would like any and all of  
2                   you how you could possibly after this lease  
3                   deal vote in favor of selling the Sewer  
4                   Authority and as a consequence in my  
5                   personal opinion steal the Scranton Sewer  
6                   Authority assets instead of leasing its  
7                   operation. Thank you.

8                   MR. GAUGHAN: Thank you.

9                   MS. SCHUMACHER: Can you tell me  
10                  that since it's in Seventh Order what is the  
11                  amount and the duration of the loan you are  
12                  making for 7-A?

13                  MR. EVANS: It's just an amendment  
14                  to the original contract.

15                  MS. SCHUMACHER: I guess the answer  
16                  is you don't know. Thank you.

17                  MR. WECHSLER: Anyone else?

18                  MS. DEMPSEY: Hello. Michelle  
19                  Dempsey, Jefferson Township, but I work in  
20                  Scranton. I just have a couple of questions  
21                  for Solicitor Minora. I have a copy of a  
22                  memorandum to council and it doesn't have a  
23                  signature so I'm just wondering if this is a  
24                  memorandum that you prepared?

25                  MR. MINORA: I don't know what you

1 have in your hand. I have prepared one.

2 MS. DEMPSEY: It's a memorandum to  
3 council, council previewed.

4 MR. MINORA: I can't see it from  
5 here, but I assume it's the same one.

6 MS. DEMPSEY: Would you like me to  
7 show you?

8 MR. MINORA: I presume it's the same  
9 one.

10 MS. DEMPSEY: So I just want to make  
11 sure this is yours. So there is a lot of  
12 things I don't understand in here and, of  
13 course, take exception to, but the one thing  
14 that sort of I couldn't understand is, you  
15 know, there is a lot of talk of the permits  
16 for Keystone Landfill being able to use the  
17 Greenridge line also known as the  
18 Monahan-Reeves line on an emergency basis  
19 since 1990, but there is no mention in here  
20 that since --

21 MR. MINORA: Since 1989.

22 MS. DEMPSEY: 1989, but there is no  
23 mention in here that since 1989 that every  
24 permit since then has only allowed one  
25 outfall, which is known as the dedicated

1 line, and an outfall being that on a daily  
2 basis Keystone can send leachate down that  
3 line, like, that's their discharge line, and  
4 there was only one outfall ever mentioned on  
5 any permit even through to today until  
6 December of this year, I'm sorry, of 2015,  
7 December 17, 2015 when mid-contract the  
8 permit was changed to include another  
9 outfall for the first time which was the  
10 Greenridge line, and I'm just wondering why  
11 that's not in here because that would not be  
12 a typo, it was never in any other permit.  
13 That would be a major change to allow  
14 another outfall, meaning another line that  
15 could be used on a daily basis.

16 MR. MINORA: Are you referring to  
17 the December of 2015?

18 MS. DEMPSEY: That's correct. The  
19 change in the contract.

20 MR. MINORA: My analysis went to  
21 whether or not Keystone had a right to use  
22 on an emergency basis the Monahan-Reeves  
23 line prior to September 2015. That's what  
24 my analysis was about.

25 MS. DEMPSEY: But that's -- right.

1           So I'm just --

2                   MR. MINORA: That memo -- let me  
3           finish.

4                   MS. DEMPSEY: Sure.

5                   MR. MINORA: That's what the memo  
6           addresses. Incidentally, and it was really  
7           was an incidental mark, the permits from  
8           2002, 2007, and 2012 all allow for  
9           modifications in the event of an error, an  
10          omission, several other things, and I put  
11          that in the memo, too. I don't know if you  
12          read that --

13                   MS. DEMPSEY: Right, I did.

14                   MR. MINORA: But that also  
15          referred -- that referred to what happened  
16          in December of 2015 without -- I have no  
17          opinion as to whether or not that was done  
18          properly or not properly.

19                   MS. DEMPSEY: Okay.

20                   MR. MINORA: After the fact that's  
21          not our issue, our issue was whether or not  
22          there was a viable breach of contract  
23          action, that's what Friends of Lackawanna  
24          brought, I looked at the evidence itself.

25                   MS. DEMPSEY: Right.

1 MR. MINORA: The evidence itself, no  
2 legal opinion, the documents, I reviewed all  
3 of the permits from '89, '91, '93, '95, '97,  
4 '02, '07 and 2012. The five of those did  
5 contain an emergency use of the  
6 Monahan-Reevens line, for whatever reason I  
7 don't know. In 2002, it was not included.  
8 The Sewer Authority says they have a right  
9 to do that, I don't know whether permitting  
10 is allowed for that or not, I'm not a lawyer  
11 that does sewer permitting, but I can tell  
12 you this, it doesn't amount to a breach of  
13 contract in my opinion.

14 MS. DEMPSEY: But would you also  
15 admit that none of those contracts had  
16 listed in them the Reeves-Monahan Greenridge  
17 line as an outfall?

18 MR. MINORA: It was mentioned and  
19 allowed --

20 MS. DEMPSEY: As an emergency --

21 MR. MINORA: -- as an emergency --

22 MS. DEMPSEY: -- as an emergency  
23 basis but not as an outfall. Not as daily  
24 outfall. That's the only question.

25 MR. MINORA: What I addressed was

1 the use of it on an emergency basis. That's  
2 what I addressed.

3 MS. DEMPSEY: So it really wasn't a  
4 complete opinion on our issues that we asked  
5 to be addressed. That's all. I just --

6 MR. MINORA: It was very thorough,  
7 by the way, just so you know.

8 MS. DEMPSEY: Well, I think that's a  
9 big issue.

10 MR. MINORA: I kind of resent that  
11 kind of remark. Whether it's going to --

12 MS. DEMPSEY: I kind of resent that  
13 the outfall wasn't mentioned in here at  
14 well.

15 MR. MINORA: It's used as an  
16 emergency outfall.

17 MS. DEMPSEY: Right now it's been  
18 given permission --

19 MR. MINORA: To use that --

20 MS. DEMPSEY: -- to every day be  
21 allowed to be used to --

22 MR. MINORA: -- on an emergency  
23 basis. On an emergency basis.

24 MS. DEMPSEY: Not on an emergency  
25 basis, it is what the permit as amended in

1 December --

2 MR. MINORA: I don't know about he  
3 amendment --

4 MS. DEMPSEY: -- allowing them to use  
5 it every day --

6 MR. MINORA: I cannot -- I told you  
7 I did not address --

8 MS. DEMPSEY: -- continuously.

9 MR. MINORA: I told you, I did not  
10 address December 2015. Our issue was  
11 whether or not they have some permitting  
12 right to use it before September of 2015. I  
13 addressed that very carefully and very  
14 thoroughly in this memorandum.

15 MS. DEMPSEY: Actually, I don't  
16 think that was the issue people asked you to  
17 address, thank you, the only issue.

18 MR. WECHSLER: Thank you. Anyone  
19 else?

20 MR. DOBRZYN: Good evening, Council.  
21 Dave Dobrzyn, resident. Once again, I have  
22 a list of, oh, it must be about 30 some  
23 plants here closed down to outsourcing in  
24 Pennsylvania. The total in the entire  
25 country is 50 or 100,000, I remember some

1 crazy figure, and please contact your  
2 Congressmen and Senators and tell them to  
3 can their Transpacific pack, including the  
4 president. I'm very disappointed that he  
5 has represented that. A lot of these trade  
6 packs aren't -- they are how they are  
7 enforced. If you don't enforce the language  
8 then what's the point of the law if they  
9 don't protect anybody and in many instances  
10 they are also signed in countries that  
11 utilize slavery and self-humiliation and  
12 sell human beings as property, so if you are  
13 tired of not getting paid your rent some  
14 time or tired of not being able to sell the  
15 house or seeing your store wither on the  
16 vine, well, people have to have jobs to pay  
17 their way.

18 I'd like to thank city council for  
19 their letter and please keep the pressure on  
20 with this. It might help if somebody could  
21 give them a call or something sometime and  
22 let them know that putting a nonprofit  
23 institution here that's supposed to attract  
24 people and stimulate business and restaurant  
25 spending and hotels like Steamtown instead

1 of choking them for cash is just not  
2 acceptable and it's ashame because I have  
3 seen a lot of excursions go from six cars to  
4 three cars and the other day I saw 40 people  
5 took an excursion to Olyphant, Pennsylvania,  
6 so that's not even one car so thank you.

7 A few days ago in the paper or a  
8 letter to the editor, I don't remember if  
9 Les mentioned this, the 500 of River and  
10 that should be easy enough for Wayne to  
11 travel up, shame, shame, shame, shame,  
12 shame, and we have to clamp down on that  
13 because it is horrendous. It is really  
14 horrendous. I don't know if that's what  
15 they plan to leave there or if they are just  
16 a temporary repair, but it's ashame. It's  
17 really, really I went up there purposely for  
18 that and even though I live in South Side.

19 And I'd like to see or hear an  
20 explanation of our 5-C an recycle and we  
21 have to find a way in my neighborhood and my  
22 zone for to stop taking recycling in the  
23 event of bad weather because I have been  
24 kind of tough on my neighbors I think and  
25 maybe I owe some apology, we didn't have

1 recycling for weeks during the early 2015  
2 winter, so it wasn't picked up, it was left  
3 behind.

4 On the parking garages, once again,  
5 a lot of people have stated things and we  
6 are in a terrible bind over that, but they  
7 were just overbuilt, and it's only food for  
8 thought in the future, we have to stop  
9 listening to people and then letting them  
10 off the hook changing their mind while we  
11 wanted a nicer parking garage like over on  
12 Adams Avenue or we wanted a nicer parking  
13 garage next to the old Connell building  
14 which if they were repaired and a nice job  
15 was done on them we would be in a lot less  
16 debt, and it's ashame because taxes are  
17 double and, quite frankly, people on the --  
18 average people their incomes have actually  
19 backed up, so it's really draining, draining  
20 funds out of people's pockets.

21 On that leachate, I wonder which law  
22 was permitted that to be reentered and I  
23 wonder who works there at that law office.  
24 Something for thought. I think the laws  
25 that represents the Sewer Authority also has

1 side to the city.

2 And, okay, ordinances on landlords,  
3 once --

4 MR. WECHSLER: Mr. Dobrzyn, we allow  
5 you to finish your thought, not start a new  
6 one.

7 MR. DOBRZYN: Okay, I'll be back  
8 next week. Thank you. Like bad news I  
9 never go away.

10 MR. WECHSLER: Happy to have you.  
11 Anyone else?

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

14 MR. WECHSLER: Mr. Perry?

15 MR. PERRY: Yes, I have a couple of  
16 things this fine afternoon. As far as the  
17 boards in city hall quarterly nightly  
18 meetings, I'd be all for that. You know, I  
19 understand that within the systematic core  
20 of things it's good to have meetings at  
21 certain times and a certain day every week,  
22 but just for this, you know, just to keep  
23 things moving, but I don't think once a  
24 quarter is too far of a stretch just to get  
25 it out of the timeframe to allow one of us

1 to go and maybe the mayor to get there or  
2 someone else who is actually interested in  
3 what's going on normally that couldn't make  
4 it. I know I work in Hazelton and it's  
5 tough for me to get here during business  
6 hours, so I have no problem with that, and I  
7 also think a city hall intern program is a  
8 good idea. You know, who couldn't use more  
9 help in their office and, you know, the  
10 amount of learning that will happen with the  
11 intern it will be a win-win so I understand  
12 that there is some interns in here, but  
13 maybe we need to adopt a full intern program  
14 and make sure it's evaluated and get the  
15 most uses from some of our college and  
16 universities that we have and, like I said,  
17 it would be a win-win.

18 Last week I sent out a request for  
19 the Licensing Department to go check out a  
20 possible quality of life issue at 1205-1207  
21 South Main Street -- South Main Avenue,  
22 sorry. An inspector was onsite, he did  
23 notice that this house was on the condemned  
24 list and it absolutely had to be on the  
25 condemned list. The owners they are

1           actually -- they no longer live there, they  
2           are in Allied. They are under care and  
3           there is no in-town or in-state relatives to  
4           look over this property, but the house was  
5           put on the condemned list and the demo  
6           process has been started. Unfortunately, we  
7           know that it does take up to a year before  
8           we can actually take ownership of that and  
9           start demolition, but as of now that  
10          1205-1207 is on the condemned list and the  
11          process has started for that to be taken  
12          care down.

13                         And before I end, I just want to  
14                         send my heart felt condolences to the  
15                         officer's families in Texas. Over this past  
16                         week I know when I got out of council last  
17                         week and I was watching the news I was  
18                         floored. As an older brother of two police  
19                         officers, it's my worst nightmare. You  
20                         know, I watched these guys get dressed, put  
21                         on their bullet proof vests and I see them  
22                         go to work and there is absolutely no  
23                         guarantee that any one of them are going to  
24                         come home and I'm going to see them again  
25                         because they are out there protecting all of

1 us. They are protecting the people they  
2 know, they are protecting the people they  
3 never met, they out there protecting the  
4 people that protest against them, and that  
5 is the country we live in and I love the  
6 fact that we can protest our police officers  
7 and we are allowed to do that, but it is way  
8 too often that I'm dropping my flag at  
9 half-mast anymore.

10 I am totally disgusted and upset by  
11 the actions of some people in this country  
12 throwing anger and violence at our  
13 protectors. Without our police department  
14 there would be chaos and anarchy every day  
15 and it wouldn't be a world fit to live in  
16 without them, so while I think it's okay to  
17 question government, and I encourage it, I  
18 encourage to question authority, but there  
19 is ways to do it and there is absolute ways  
20 not to do this and it's kind of a -- it kind  
21 of came to a head, it's the anniversary of  
22 the unfortunate terrific accident that  
23 happened to Officer Wilding, and having two  
24 brothers that served and then having the  
25 horrific event in Dallas happen all around

1 the same time it hits home that it's  
2 nonsense and it needs to stop.

3 We as a community, as a city, are  
4 nothing without the people that protect us  
5 and sometimes we need to go out there and  
6 protect them as well. That's all I have  
7 tonight.

8 MR. WECHSLER: Thank you.  
9 Mr. Rogan?

10 MR. ROGAN: Yes, a number of items  
11 tonight. First, on August 8 there will be a  
12 -- bids will be opened for a paving project  
13 through OECD. This project is going to  
14 focus on the Hill Section and a number of  
15 the streets that are included are Jefferson  
16 Avenue, and it's portions of these streets,  
17 not the entire length, although, we wish it  
18 was the entire street, Jefferson Avenue,  
19 Madison Avenue, Hitchcock Avenue, Quincy  
20 Avenue, Costello Court, Taylor Avenue,  
21 Prescott Avenue, Wheeler Avenue, Vine  
22 Street, Olive Street, Gibson Street, Ash  
23 Street, Oakwood Place, Pine Street and  
24 Madison Avenue.

25 So this is, again, will be in

1            addition to much of the paving that you have  
2            already seen take place over the last year  
3            and it's sorely needed in the Hill Section  
4            neighborhood.

5            Another bit of good news with the  
6            passage of the state's budget last week it  
7            gives Scranton an opportunity to be involved  
8            in a CRIZ zone. I know Councilman Evans has  
9            spoken at length about this program, and  
10           council about a year ago did send a letter  
11           to our state representatives and state  
12           senators asking them to push for us to be  
13           allowed to get into this development zone.  
14           These zones have been very successful in  
15           other parts of the city -- or other parts of  
16           the state, and although we now have  
17           eligibility to have a CRIZ zone it's not a  
18           guarantee. From my research, each year  
19           there are two -- up to two municipalities  
20           can be added to this list and the  
21           legislation and the budget actually opened  
22           it for Scranton, Hazelton and also for  
23           Harrisburg. So this was good information,  
24           it was actually relayed to me through Marty  
25           Flynn's office when I was over there today,

1 so I'd like to thank our state reps and  
2 state senators for pushing on the initial  
3 level to give us the eligibility and I know  
4 there is a lot more work to do to make sure  
5 that Scranton is able to take part in this  
6 program if we do receive the approve, so  
7 those were a couple bits of good news.

8 And I do have a reply, there was an  
9 article in the Scranton Times, this was  
10 published July 9, and the headline was  
11 "Lackawanna Commissioner Questions Land  
12 Bank. Fears more Sherman Hills."

13 And I do just want to -- I know  
14 there was somewhat of a retraction by  
15 Commissioner Cummings of some of these  
16 comments that were made, but I had a lot of  
17 people inquiring about this issue. That  
18 headline mentioned Sherman Hills surely  
19 grabs a lot of attention. We see all of the  
20 crime in Wilkes-Barre, particularly in that  
21 housing development.

22 Despite Commissioner Cummings  
23 allegations in this article, the land bank  
24 has absolutely nothing to do with low income  
25 developments such as the Sherman Hills

1 development. Any type of development of  
2 that nature that would want be approved  
3 within the city or the county would have go  
4 through the local zoning boards, so if  
5 something like that were to proposed, which  
6 it's not being proposed, Scranton -- in the  
7 city limits -- Scranton Zoning Board would  
8 have a say on whether that's approved or  
9 not.

10 You know, I thought many of the  
11 items that were listed in here were  
12 completely off base, you know. I do agree  
13 that we don't want Sherman Hills type  
14 development within the city, I think  
15 everyone certainly agrees to that, but the  
16 land bank is not a mechanism for these type  
17 of developments. It's a mechanism to reduce  
18 blight and we have talked at length, all of  
19 us on council, about the land bank and the  
20 county commissioners as well. So I'd just  
21 like to clear that up.

22 And I do want to thank Commissioners  
23 Pat O'Malley and Jerry Notarianni for their  
24 hard work on the county level for pushing to  
25 see this to become law and hopefully that

1 Commissioner Cummings will realize that she  
2 was incorrect on these assertions fearing  
3 more Sherman Hills type of developments.

4 And finally, I'd just like to echo  
5 on what Councilman Perry mentioned, one year  
6 ago, approximately one year ago, Officer  
7 Wilding lost his life in service for the  
8 City of Scranton and much has been  
9 mentioned. After last week's council  
10 meeting watching the news and seeing the  
11 horrific shootings on life TV of the police  
12 officers that are there to protect us and  
13 it's heartbreaking. These men and women go  
14 out every day to keep the people safe and to  
15 see them gunned down for absolutely no  
16 reason whatsoever is heartbreaking.

17 Despite what the media portrays on a  
18 day-to-day basis, the vast, vast majority of  
19 police officers are good, honorable people  
20 who did a good job to keep us safe and I,  
21 for, one stand with our police department  
22 and all of those police departments across  
23 the country. That's all.

24 MR. WECHSLER: Thank you.

25 Mr. Evans?

1 MR. EVANS: A couple of short items.  
2 I'm in total agreement with this whole  
3 utility cut issue. It's all over the city.  
4 One thing I have noticed is what the utility  
5 companies like to do is when they do a whole  
6 block they like to put temporary patches in  
7 there and wait until the fall and then it's  
8 too late to get it paved curb to curb and  
9 then we have to wait until the spring time  
10 so it goes on and on so we have to drive  
11 over them all winter long on these roads  
12 that are actually an absolute disaster.

13 So I'd like to see -- I mean, is it  
14 possible could we get, Mrs. Reed, them to  
15 agree to a caucus to have a conversation  
16 about what's being done and what can be done  
17 if that's appropriate? I think we can get  
18 them in before our recess, if possible.

19 MR. WECHSLER: You will have to go  
20 through Director Gallagher.

21 MR. EVANS: That's fine. On the  
22 land bank, I'm actually very excited about  
23 the opportunity of what land banks is going  
24 to bring to not only residents but property  
25 owners and businesses to collectively get

1           some of these properties off the tax -- or  
2           that are not paying taxes and get them back  
3           on the tax rolls. There is so much  
4           potential with the land bank that I think  
5           it's just something that needed to be done.  
6           We were all in favor of it, we are still in  
7           favor of it, and we really want to get it up  
8           and running at the full level that we think  
9           it will be going and the city will benefit  
10          the most by having a land bank.

11                       Also, we are in the process of --  
12          concerning the leachate issue, we are in the  
13          process of trying to draft a letter asking  
14          for action from the administration as far as  
15          leachate issue is concerned on behalf of the  
16          Greenridge Neighborhood Association so  
17          hopefully by next week that will be in  
18          effect. You know, I said from the beginning  
19          that the citizens of Greenridge need and  
20          deserve to know once and for all if this  
21          leachate line can be terminated and sealed,  
22          so it's something we really have to keep  
23          pressure on so I'm going to ask you to have  
24          that letter ready and ready to go to the  
25          mayor's office or the solicitor's office.

1                   Also, to comment on what Councilman  
2 Rogan said about the budget, the recent  
3 passage of the budget brought two pleasant  
4 surprises, at least to me. First, the  
5 inclusion of the Scranton School District  
6 into our plans to go from an mercantile  
7 business privilege tax to a much broader,  
8 fairer, more equitable payroll tax is  
9 welcome news. So I'm discussing this with  
10 the administration and with the PEL and see  
11 if we can possibly expedite the time frame  
12 that we had planned on since this  
13 legislation was just passed as part of  
14 budget.

15                   And, of course, secondly the  
16 inclusion of the ability of Scranton to  
17 apply for a CRIZ or Community Reinvestment  
18 Zone is positive news as well. Both of  
19 these items I have been lauding for the past  
20 several years to Senator Blake and to  
21 Representative Flynn so I'm very happy for  
22 the support and leadership on these two  
23 important issues. That's all I have  
24 tonight.

25                   MR. WECHSLER: Thank you.

1 Mr. Gaughan?

2 MR. GAUGHAN: Yes, thank you. I  
3 attended the North Scranton Neighborhood  
4 meeting on Tuesday of this week and there  
5 were a few issues that we forwarded to the  
6 appropriate department, one of which was a  
7 drainage issue in the 700 block of the West  
8 Market Street which I actually witnessed  
9 today when a rainstorm took place and it is  
10 major problem at the corner of Keyser Avenue  
11 so we sent something today, hopefully that  
12 will be looked at.

13 Also, there was a quality of life  
14 issue in the 1500 block of Brick Avenue. I  
15 received a call about 6:15 Meridian Avenue,  
16 numerous police calls to this residence, and  
17 residents are complaining of various quality  
18 of life issues so hopefully that is also  
19 taken care of.

20 I attended the Greenridge  
21 Neighborhood Association meeting this  
22 Wednesday and I received several complaints  
23 from neighbors. A list was compiled and  
24 given to me and Mr. Wechsler, over 30  
25 quality of life issues throughout Greenridge

1           that need to be taken care of. We forwarded  
2           that list to the Licensing and Inspections  
3           Department today but I do think that there  
4           has to be a better way to address blight  
5           that is festering in our neighborhoods.  
6           There are sections of this city, and I have  
7           seen it for myself, that look like Third  
8           World countries. It's my belief that a  
9           saturation of the neighborhoods in which all  
10          inspectors and members of the police  
11          department go along different sections of  
12          each neighborhood would be successful and  
13          it's been done in the past. I don't see at  
14          this point a strategic vision from Mayor  
15          Courtright or at least a strategic method of  
16          attack to take care of some of these major  
17          issues throughout or neighborhoods. I do  
18          think that we do need to ramp up these  
19          efforts. It would have more powerful impact  
20          than simply having one inspector try to  
21          cover a whole section of the city and from  
22          attending these neighborhood meetings  
23          residents are becoming increasingly  
24          frustrated that they take care of their  
25          property and have to live next to

1 disgraceful conditions.

2 While attending the neighborhood  
3 meeting, the issue arose again about  
4 leachate running through Greenridge, and we  
5 did receive the memo from our solicitor  
6 regarding that. However, I do think that no  
7 matter what anybody says this issue has to  
8 go in front of a judge and has to be decided  
9 once and for all. Let an impartial judge  
10 decide whether or not the 1997 agreement has  
11 been violated by Keystone Landfill and the  
12 Sewer Authority. The health, safety, and  
13 welfare of the people of this city is too  
14 important for this issue to go unchecked.

15 Unfortunately, no legal opinion, no  
16 judge or jury, can make Mayor Courtright  
17 take the lead on this issue and answer the  
18 people of Greenridge and the people of  
19 Scranton. We have a strong mayor form of  
20 government without the strong mayor, and  
21 that's 50 percent of the problem in my  
22 opinion.

23 I also wanted to touch on comments  
24 that were made by one of our Lackawanna  
25 County Commissioners, Laureen Cummings, at a

1 land bank meeting recently. You know, it  
2 seems to be a fad now in government to say  
3 whatever comes to your mind without  
4 researching any kind of facts or exercising  
5 any kind of thought. Commissioner Cummings  
6 expressed her outrageous, ignorant fears  
7 about the newly formed land bank. She said  
8 it will bring a bunch of Sherman Hills to  
9 the county and people will lose their homes,  
10 and like Mr. Rogan I received calls about  
11 this. I, a year or two ago, was on the  
12 forefront of the effort to make sure that  
13 this land bank was up and running. The  
14 comment that she made is simply untrue,  
15 unfounded, outrageous, and quite frankly, I  
16 can't even believe it came from an elected  
17 official.

18 The land bank is a cooperative  
19 effort, between the county and city and the  
20 school district to fight blight and  
21 stabilize communities through the throughout  
22 the counties, including Scranton, who are  
23 burdened by a large number of vacant,  
24 abandoned or foreclosed properties. I would  
25 direct Ms. Cummings to look at hundreds of

1 case studies that have been completed across  
2 the country of this success of land banks in  
3 fighting blight and returning vacant land to  
4 productive reuse.

5 Her ignorance on that specific issue  
6 isn't even really what surprised me. Ms.  
7 Cummings made a statement about low to  
8 moderate income people in the area by  
9 saying, and I quote, "Why does everything  
10 have to be for them?"

11 This statement allows me to infer  
12 that Ms. Cummings has no clue of the  
13 demographics of the City of Scranton.  
14 Almost 50 percent of the city is low to  
15 moderate income according to recent census  
16 information. My wife and I, many of our  
17 friends, would be considered low to moderate  
18 income. I take great offense at this  
19 statement and I believe that Commissioner  
20 Cummings should resign and let someone who  
21 will work for all of the people take that  
22 seat. She doesn't deserve it after making  
23 that comment and several other outrageous  
24 comments.

25 I'd also like to request that we

1 send the recent census information for the  
2 City of Scranton to Ms. Cummings along with  
3 land bank case studies so that she can  
4 review them. Thank you.

5 MR. WECHSLER: Thank you,  
6 Mr. Gaughan. Just to follow-up with some of  
7 the issues that were mentioned tonight. We  
8 look at the land bank as something to be  
9 proud of. Working together with the school  
10 district and the county we find it to be one  
11 of the first true steps that combine the  
12 efforts of all three groups to help improve  
13 our situation and hopefully tonight will be  
14 the last we hear of the comments because we  
15 don't want this issue of our success of the  
16 land bank to be overshadowed by one person's  
17 uninformed comments, so I am not going to  
18 address those, I just hope that we can move  
19 past that and focus back on true issues of  
20 what we are trying to do here is to improve  
21 abandoned property and get them back on the  
22 tax rolls, and as Mr. Rogan stated, we all  
23 should be proud of the fact that we all  
24 worked together and got that going.

25 As Mr. Gaughan mentioned, we were at

1 the Greenridge Neighborhood Association  
2 meeting on Wednesday night. A huge crowd  
3 was there, standing room only, commitment of  
4 the residents to protect their neighborhood  
5 should be commended. The people that were  
6 there are representing more people than just  
7 were in that room.

8 We did have an executive this  
9 evening to see that our options are in terms  
10 of representing those requests. The  
11 residents want to proceed, the city to  
12 proceed with a suit against the Sewer  
13 Authority and we are going to put together a  
14 request for that. We want to make sure  
15 since this is a legal matter that we have  
16 our i's dotted and our t's crossed just as  
17 any other legal matter that takes place in  
18 the city. We are working on that and we do  
19 want to get that completed by next week. We  
20 have two meetings left before the August  
21 recess so we are trying to get that  
22 completed before then.

23 The other issue that came up while  
24 we were there is Monday there will be  
25 another public hearing on the expansion of

1 the Keystone Sanitary Landfill. That  
2 meeting will be Monday at Mid-Valley High  
3 School. We discussed it tonight, I will be  
4 representing city council reading a letter  
5 that we had prepared earlier this year. We  
6 were one of the first legislative bodies to  
7 come out against the expansion of the  
8 Keystone Landfill so we will be reiterating  
9 our opposition to that on Monday evening.

10 Just two announcements for agenda  
11 items, Item 5-B there will be a one-way  
12 designation of the 900 and 1000 blocks of  
13 Acker Avenue. There will be a public  
14 hearing next Thursday, July 21, at 5:45 p.m.  
15 to consider public comment on this matter.

16 On item 5-C there will be the  
17 recycling program, there will also be a  
18 public caucus next Thursday at 6:00 p.m.  
19 with the city's recycling coordinator to  
20 discuss the legislation. Due to the  
21 importance of these issues, both of these  
22 will be held in city council chambers.  
23 That's all I have this evening.

24 MS. REED: 5-B. FOR INTRODUCTION -  
25 AN ORDINANCE - DESIGNATING THE 900 AND 1000

1           BLOCKS OF ACKER AVENUE AS ONE-WAY IN THE  
2           SOUTHBOUND DIRECTION; THE 1100/1200 AND 1200  
3           BLOCK TO TAYLOR LINE REMAIN A TWO-WAY  
4           ROADWAY; A R6-1L HORIZONTAL LEFT ONE-WAY  
5           SIGN BE INSTALLED AT THE SOUTHWEST CORNER OF  
6           WEST LOCUST STREET AND ACKER AVENUE AND THAT  
7           THE EXISTING STOP SIGN AT THE NORTHWESTERLY  
8           CORNER OF ACKER AVENUE AND LANDIS STREET BE  
9           PLUMBED TO A VERTICAL POSITION.

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           eyes have it and so moved.

24                   MS. REED: 5-C. FOR INTRODUCTION -  
25           AN ORDINANCE - AMENDING FILE OF THE COUNCIL

1 NO. 122 OF 1990 AN ORDINANCE AS AMENDED  
2 ENTITLED "ESTABLISHING A RECYCLING PROGRAM  
3 IN ORDER TO COMPLY WITH ACT 101, 1988,  
4 PROVIDING FOR REGULATIONS GOVERNING  
5 SEPARATION, STORAGE, AND COLLECTION OF  
6 RECYCLABLE MATERIALS, FOR RESIDENCES,  
7 COMMERCIAL, INDUSTRIAL AND MUNICIPAL  
8 ESTABLISHMENTS, AND COMMUNITY ACTIVITIES,  
9 AND MULTI-FAMILY HOUSING PROPERTIES;  
10 PROVIDING FOR EXEMPTIONS, ENFORCEMENT AND  
11 PENALTIES FOR VIOLATIONS OF THE PROVISIONS  
12 OF THIS ORDINANCE" TO INCLUDE ADDITIONAL  
13 DEFINITIONS AND UPDATING INFORMATION ON  
14 REGULATIONS GOVERNING COLLECTION, SOURCE  
15 SEPARATION AND RECYCLING OF RESIDENTIAL,  
16 COMMERCIAL, MUNICIPAL, INSTITUTIONAL, MULTI  
17 FAMILY DWELLING AND AT COMMUNITY ACTIVITIES.

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

21 MR. ROGAN: So moved.

22 MR. EVANS: Second.

23 MR. WECHSLER: On the question? The  
24 original ordinance -- the original recycling  
25 ordinance was passed in 1990 as a result of

1 Act 101 for 1988 and the Municipal Waste  
2 Planning Recycling and Waste Reduction Act,  
3 so the original ordinance is in need of  
4 updating. And specifically what this  
5 ordinance is really focusing on is improving  
6 reportable commercial tonnage and assisting  
7 with community outreach. Back in May, I had  
8 asked for an update on the recycling program  
9 and I received a memo from our business  
10 administrator, and I just want to read a  
11 portion of it. "The thrust of this whole  
12 effort is to significantly increase the  
13 reporting tonnage associated with the City  
14 904 Performance Grant."

15 Just to give you an example, the  
16 city's 2014 grant application incorporated  
17 only 45 individual commercial reports. With  
18 the efforts of the recycling coordinator and  
19 consultant that number has increased to 99  
20 reports as of May 19 and the administration  
21 expects that number of businesses will  
22 increase with continued efforts.

23 The increase in tonnage they hope  
24 will be achieved by mailing efforts, calls  
25 and site visits. The initial mailing was

1 partly attributable to the increase in  
2 business participation.

3 Also, the revised recycling  
4 ordinance that we have in front of us  
5 tonight, as I said earlier, is going to help  
6 improve efforts for reportable commercial  
7 tonnage. Other cities, if you look at  
8 comparable cities around the region, their  
9 tonnage is much higher than ours so we need  
10 to do a better job and I do think that this  
11 ordinance is going to help in that regard  
12 and we will have more of our questions  
13 answered and things more fleshed out next  
14 week.

15 City Business Administrator Bulzoni  
16 is coming to a public caucus along with our  
17 recycling consultant, Joyce Hatala, and our  
18 recycling coordinator Tom Lynch. Thank you.

19 MR. WECHSLER: Anyone else? All  
20 those in favor of introduction signify by  
21 saying aye.

22 MR. PERRY: Aye.

23 MR. ROGAN: Aye.

24 MR. EVANS: Aye.

25 MR. GAUGHAN: Aye.

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

3 MS. REED: 5-D. FOR INTRODUCTION -  
4 A RESOLUTION - APPOINTMENT OF MICHAEL  
5 WILLIAMS, 1505 COURT STREET, SCRANTON,  
6 PENNSYLVANIA, 18508, AS A MEMBER OF THE  
7 SCRANTON MUNICIPAL RECREATION AUTHORITY.  
8 MR. WILLIAMS WILL BE REPLACING SEAN MCANDREW  
9 WHO RESIGNED EFFECTIVE JUNE 6, 2016 AND  
10 WHOSE TERM WAS SCHEDULED TO EXPIRE ON  
11 DECEMBER 31, 2017. MR. WILLIAMS' TERM WILL  
12 BE EFFECTIVE JULY 5, 2016 AND WILL EXPIRE ON  
13 DECEMBER 31, 2017.

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

17 MR. ROGAN: So moved.

18 MR. EVANS: Second.

19 MR. WECHSLER: On the question? We  
20 did receive a letter of interest from  
21 Mr. Williams. All those in favor of  
22 introduction signify by saying aye.

23 MR. PERRY: Aye.

24 MR. ROGAN: Aye.

25 MR. EVANS: Aye.

1 MR. GAUGHAN: Aye.

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

4 MS. REED: 5-E. FOR INTRODUCTION -  
5 A RESOLUTION - ACCEPTING THE RECOMMENDATION  
6 OF THE HISTORICAL ARCHITECTURE REVIEW BOARD  
7 ("HARB") AND APPROVING THE CERTIFICATE OF  
8 APPROPRIATENESS FOR WIDMER SIGN COMPANY,  
9 2208-2209 AMELIA AVENUE, SCRANTON,  
10 PENNSYLVANIA, FOR INSTALLATION OF DS 3 X  
11 5 X3.25"D HANGING SIGN, NON-ILLUMINATED  
12 WITH CNC CUT DIMENSIONAL ½" WHITE PVC  
13 LETTERING AND NUMBERS WITH 3MM BRUSHED  
14 COPPER TELEPHONE PANEL AND CNC CUT 3MM "RD"  
15 WITH WHITE 3M VINYL HAIR DRYER MOUNTED FROM  
16 EXISTING BRACKET AT 324 PENN AVENUE,  
17 SCRANTON, PENNSYLVANIA.

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

21 MR. ROGAN: So moved.

22 MR. EVANS: Second.

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

1 MR. PERRY: Aye.

2 MR. ROGAN: Aye.

3 MR. EVANS: Aye.

4 MR. GAUGHAN: Aye.

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

7 MS. REED: SIXTH ORDER. 6-A. NO  
8 BUSINESS AT THIS TIME.

9 SEVENTH ORDER. 7-A. FOR  
10 CONSIDERATION BY THE COMMITTEE ON PUBLIC  
11 WORKS - FOR ADOPTION - RESOLUTION NO. 53,  
12 2016 - AUTHORIZING THE MAYOR AND OTHER  
13 APPROPRIATE CITY OFFICIALS TO EXECUTE AND  
14 ENTER INTO AN ADDENDUM TO THE CONTRACT  
15 BETWEEN THE CITY OF SCRANTON AND THE  
16 EFFICIENCY NETWORK, INC. (TEN) AS ENERGY  
17 SERVICES COMPANY (ESCO) FOR THE CITY OF  
18 SCRANTON STREET LIGHTING IMPROVEMENT  
19 PROJECT.

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

23 MR. GAUGHAN: As Chairperson for the  
24 Committee on Public Works, 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 Just to answer Mrs. Schumacher's question,  
5 first of all, this addendum is to provide  
6 clarification on the project. The standard  
7 contract that we had passed earlier was in  
8 need of details. The city was in  
9 conversation with PennDOT for an approval to  
10 deploy liquid fuels funds to repay the  
11 escrow lease. That acknowledgment, if that  
12 goes through, gets very favorable financing  
13 terms for this project and the last I heard  
14 PennDOT was reviewing the request. Once the  
15 addendum is approved, we have a financing in  
16 place, we will move forward according to the  
17 time frame that's noted in the addendum.  
18 Since the financing would occur through a  
19 lease transaction it requires much less  
20 effort to complete than we have seen so far  
21 this year in the judgment and the parking  
22 finances.

23 The cost of the project, the cost of  
24 the project including a customer control  
25 contingency fund is \$3,996,000. Financing

1 the project: To finance the project it is  
2 Scranton's intention to obtain tax exempt  
3 lease purchase financing from M & T Bank or  
4 another suitable lender with an indicative  
5 interest rate of approximately 4 percent.  
6 It is the anticipated that the term of the  
7 repayment of the project will not exceed 12  
8 years including the cost of the financing.  
9 Thank you.

10 MR. WECHSLER: Anyone else? Roll  
11 call, please?

12 MS. CARRERA: Mr. Perry.

13 MR. PERRY: Yes.

14 MS. CARRERA: Mr. Rogan.

15 MR. ROGAN: Yes.

16 MS. CARRERA: Mr. Evans.

17 MR. EVANS: No.

18 MS. CARRERA: Mr. Gaughan.

19 MR. GAUGHAN: Yes.

20 MS. CARRERA: Mr. Wechsler.

21 MR. WECHSLER: Yes. I hereby  
22 declare Item 7-A legally and lawfully  
23 adopted. If there is no further business,  
24 I'll entertain a motion to adjourn.

25 MR. ROGAN: Motion to adjourn.

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.

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CATHENE S. NARDOZZI, RPR  
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