

REORGANIZATION MEETING

JANUARY 2, 2018

The City Council of the City of Wilkes-Barre met for the purpose of Reorganization on January 2, 2018, at 5:30 p.m., in City Council Chambers, City Hall, 40 East Market Street, Wilkes-Barre, Pennsylvania.

The meeting was organized with Chairperson Beth Gilbert in the Chair.

The Pledge of Allegiance to the Flag was given.

Roll Call:

Barrett	- present
Belusko	- present
Merritt	- present
Brooks, Vice Chairperson	- present
Gilbert, Chairperson	- present

Also present:

Tony George, Mayor  
Ted Wampole, Administrator  
Maureen Collins, Assistant City Attorney  
Jay Delaney, Fire Chief  
Nicole Ference, Human Resources Director  
Butch Frati, Director of Operations  
Bill Harris, Director of Planning/Zoning  
Tim Henry, Deputy Administrator/City Attorney  
Brett Kittrick, Finance Director  
Alan Klapat, Deputy Fire Chief  
Marcella Lendacky, Police Chief  
Kurt Sauer, Director of OCD  
Joyce Zaykowski, Capital Projects Program  
Cathy Payne, Assistant City Clerk  
Lisa Sanfilippo, Administrative Assistant  
Jim Ryan, City Clerk

Mr. Belusko moved that **Tony Brooks** be nominated as **Chairperson of City Council**.

The motion was seconded by Mr. Merritt and adopted by the following ye and nay vote:

Yeas Barrett, Belusko, Merritt, Brooks and Gilbert - 5 – being all of the members elected to City Council.

Nays none.

City Clerk Jim Ryan administered the Oath of Office to Mr. Brooks.

The Oath of Office was received and filed.

Mr. Barrett moved that **Mike Belusko** be nominated as **Vice Chairperson of City Council**.

The motion was seconded by Mr. Brooks and adopted by the following yeas and nays vote:

Yeas Barrett, Gilbert, Merritt, Belusko and Brooks (Chairperson) – 5 - being all of the members elected to City Council.

Nays none.

City Clerk Jim Ryan administered the Oath of Office to Mr. Belusko.

The Oath of Office was received and filed.

## RESOLUTIONS

### RESOLUTION NO. R0001-18

THAT, the holiday schedule for employees covered by collective bargaining agreements for calendar year 2018 shall be as listed on the schedules attached hereto and incorporated herein;

BE IT FURTHER RESOLVED that non-union employees shall observe the same holiday schedule for 2018 as the unions representing their respective departments.

BE IT FURTHER RESOLVED, in the event a holiday contained herein is on a Saturday, it will be observed on the previous day, Friday. If the Holiday is on a Sunday, it will be observed on the following day, Monday.

*The following discussion took place regarding the holiday schedule:*

*Mr. Barrett: We have before us a Resolution that addresses the differences in the holidays that are under respective contracts, for 1310, Teamsters, Fire and Police Unions. I know that we have struggled with this for many years, trying to get everybody on the same page. It appears as though that is still a work in progress. A Resolution doesn't supersede union contracts. We can't change union contracts by simply passing a Resolution. I know the Administration has met with the different unions in hopes of trying*

to alleviate this long running concern, but it appears as though that hasn't happened as of yet. Martin Luther King Remembrance Day is around the corner. In the interim there are some concerns and I know we have been dealing with fiscal issues obviously, distressed status and I just envision this causing some financial concerns. I know that we have our essential services working on that day. If the Teamsters don't recognize this as a holiday and they are working or called out, or whatever it might be, there is certainly going to be some expense to that. I'm just uncomfortable with the way it sits right now. There's not a person in this room right here that would not want to see this passed and see Martin Luther King being recognized as one of the official city holidays, but I have concerns about us doing just that, putting it on the official calendar and having City Hall closed on Martin Luther King Day and other city employees not recognizing it as a city holiday. We certainly understand that our essential services, police and fire, and would most likely be compensated for that day as well as any other day that may appear in their union contract. I just think there needs to be a little further discussion on this before we incorporate that, by Resolution, date into the City calendar as an official holiday. Maybe I'm wrong, maybe it's clearer than what I perceive it to be, but I don't know if we need to bring on those types of issues, further grievances, arbitrations and everything else that goes along with it, along with cost to taxpayers. I don't know if we actually come up with a cost of what this would actually cost, because we might be actually adding a 13<sup>th</sup> holiday. Again, correct me if I'm wrong, but that may very well be what will happen. I know Mr. Wampole wants to address this and hopefully he can address some of these concerns. I don't know what PFM's position is on all of this because it has a price tag to it. Holidays have a price tag. We pay people for not working on holidays.

Mr. Wampole: Just to be clear, it's going to be, forever going to be very difficult to get everybody under one agreement at the same time because there is going to be differences of opinion. The police contract doesn't come up until the end of 2019. The fire got with this arbitration award Martin Luther King and the award was that they had to swap the holiday which was the day after Thanksgiving. We negotiated with 1310 and were able to swap out Good Friday that was what they wanted to do. That's what we negotiated and that was prior to the arbitration. We are still in discussion with the Teamsters who have not agreed to do anything at this point under the current agreement. We realize on Martin Luther King Day, and the promise and the pledge was that City Hall would be closed on Martin Luther King Day. So everybody who is covered in 1310 will be off on Martin Luther King Day. The Teamsters, which is DPW, there still will be garbage collection that day because they're not at this point honoring Martin Luther King. They made that very clear in our last session that they are not going to be off on Martin Luther King. I understand where it could be a little confusing, but we will be very clear with the communication that there will be garbage pickup on Martin Luther King although City Hall will be closed. It doesn't have an affect on Police and Fire because they are always open; it's just a matter of how we pay that holiday. But to try to get the Teamsters and 1310 to agree, that is up to the respective units and their negotiating team. We did get 1310 to agree to swap the holiday and that's what we did with Good Friday, so City Hall will be closed. I don't see the, as far as the increase in cost, because there is still 12 holidays and Teamsters are going to be working on Martin Luther King, but they will be off on Good Friday.

*Mr. Barrett: The Police, looking at their contract, are not recognizing Martin Luther King as a holiday?*

*Mr. Wampole: They don't now, but it is not an additional holiday for them.*

*Mr. Barrett: But when City Hall closes they are compensated differently, is that correct?*

*Mayor: They always were. They would have been if City Hall was closed on Good Friday, they'd be compensated because they are working Good Friday. So it's just that they are being compensated for Martin Luther King Day but not Good Friday this year. Same thing.*

*Mr. Wampole: There is no additional holiday. If they were going to be compensated for working on Good Friday, they will be compensated for working on Martin Luther King.*

*Atty. Henry: It's a wash.*

*Mr. Wampole: We are not adding anything to the holiday schedules that will require additional compensation for Police and Fire.*

*Mr. Barrett: The difference being the Teamsters. They are working on Martin Luther King Day.*

*Mr. Wampole: But that's not a holiday for them.*

*Mr. Barrett: So will they be compensated differently?*

*Mr. Wampole: No, it's a regular day.*

*Ms. Gilbert: Now can they file a grievance if they are working on that day and 1310 isn't?*

*Mr. Wampole: They can do anything they want, but it wouldn't be a valid grievance in our eyes because they were offered that day off and chose ....*

*Mayor: And that's in their contract. We are abiding by their contract; we are abiding by 1310 contract by giving them Martin Luther King Day off. The same thing. We are not violating contracts.*

*Mr. Merritt: I think Mr. Barrett and the rest of Council, we all want this. We just want it not to be open to any kind of liability from a grievance, from the union, causing the city more money.*

*Mayor: But we are not violating anybody's contract.*

*Mr. Merritt: Ok.*

*Mayor: We are still abiding by the contract.*

*Mr. Merritt: Tim, do you ...*

*Atty. Henry: Yea, I agree with everything that has been said.*

*Ms. Gilbert: But theoretically it can still be argued in court and that would up our legal cost.*

*Atty. Henry: You can always file something. The merits of it would be the determining factor. And I also agree with Bill, in the sense that this Resolution is more ceremonial in nature. If Council did no Resolution the holidays recognized in the Collective Bargaining Agreements would stand. They are when they are.*

*Mr. Wampole: And keep in mind, if the Teamsters eventually do accept and do the swap with Martin Luther King, the police will automatically then.*

*Mayor: It's in their contract.*

*Mr. Barrett: So none of the unions will have more than 12 holidays?*

*Mr. Wampole: No.*

*Atty. Henry: Correct.*

*Mr. Barrett: None are going to have 13?*

*Mr. Wampole: Absolutely not.*

Mr. Merritt moved to adopt the Resolution.

The motion was seconded by Mr. Belusko and adopted by the following yea and nay vote:

Yeas Barrett, Gilbert, Merritt, Belusko and Brooks (Chairperson) – 5 – being all of the members elected to City Council.

Nays none.

**RESOLUTION NO. R0002-18**

2018 WILKES-BARRE CITY COUNCIL MEETING SCHEDULE

**Reorganization Meeting, Tuesday, January 2, 2018 at 5:30 p.m.**

ALL CITY COUNCIL WORK SESSIONS AND REGULAR SESSIONS ARE AS FOLLOWS FOR THE YEAR 2018 AT 6:00 P.M., UNLESS NOTED OTHERWISE, IN CITY COUNCIL CHAMBERS, FOURTH FLOOR, CITY HALL.

**WORK SESSION**

Tuesday, January 9, 2018  
Tuesday, January 23, 2018  
Tuesday, February 6, 2018  
Tuesday, February 20, 2018  
Tuesday, March 6, 2018  
Tuesday, March 20, 2018  
Tuesday, April 10, 2018  
Tuesday, April 24, 2018  
Tuesday, May 8, 2018  
Tuesday, May 22, 2018  
**Monday**, June 11, 2018  
Tuesday, July 10, 2018  
Tuesday, August 7, 2018  
Tuesday, September 11, 2018  
Tuesday, October 2, 2018  
Tuesday, October 16, 2018  
**Monday**, November 5, 2018  
**\*Combined Session** (Work Session at 6:00 p.m. with Regular Session to follow)  
Tuesday, December 4, 2018  
Tuesday, December 18, 2018

**REGULAR SESSION**

Thursday, January 11, 2018  
Thursday, January 25, 2018  
Thursday, February 8, 2018  
Thursday, February 22, 2018  
Thursday, March 8, 2018  
Thursday, March 22, 2018  
Thursday, April 12, 2018  
Thursday, April 26, 2018  
Thursday, May 10, 2018  
Thursday, May 24, 2018  
**Wednesday**, June 13, 2018  
Thursday, July 12, 2018  
Thursday, August 9, 2018  
Thursday, September 13, 2018  
Thursday, October 4, 2018  
Thursday, October 18, 2018  
Thursday, November 8, 2018  
Tuesday, November 20, 2018  
Thursday, December 6, 2018  
Thursday, December 20, 2018

Further, the City Clerk is authorized to substitute dates of the meetings where they conflict with other scheduled events.

Further, the City Clerk is instructed to advertise these meetings.

Ms. Gilbert moved to adopt the Resolution.

The motion was seconded by Mr. Merritt and adopted by the following yeas and nays vote:

Yeas Barrett, Gilbert, Merritt, Belusko and Brooks (Chairperson) – 5 – being all of the members elected to City Council.

Nays none.

**COUNCIL REMARKS**

Mr. Barrett thanked Ms. Gilbert for serving as Chairperson last year and the Administrative staff and city employees for all their support and hard work.

Mr. Belusko also thanked Ms. Gilbert for serving as Chairperson of City Council last year.

Mr. Belusko expressed his confidence in Councilman Brooks as he takes over as Chairperson.

Mr. Merritt wished both Mr. Brooks and Mr. Belusko good luck in the upcoming year and thanked Ms. Gilbert for her time as Chairperson.

Ms. Gilbert congratulated Mr. Brooks and Mr. Belusko on their appointments.


Ms. Gilbert said she had a complaint that the garbage bag prices are different in a lot of places. She asked the Administration took look into it.

Mr. Brooks thanked Ms. Gilbert for her year of services as Chairperson and the other members of Council for their hardwork.

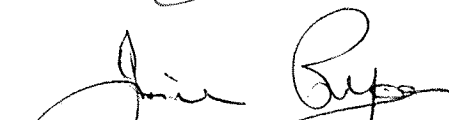
Mr. Brooks recognized Mayor George and welcomed him to all future meetings.

Mr. Brooks said on the top of his agenda for the upcoming year is to keep helping as much as he can with economic development, public safety and to continue with the Quality of Life Ordinance to help out the neighborhoods.

There being no further business to discuss the meeting adjourned at 5:54 p.m.

  
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Tony Brooks, Chairperson

ATTEST:

  
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Jim Ryan, City Clerk