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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, March 30, 2010

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:

JANET EVANS, PRESIDENT

PAT ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

CATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. CARRERA: Mr. Loscombe.

9 MR. LOSCOMBE: Here.

10 MS. CARRERA: Mr. Joyce.

11 MR. JOYCE: Here.

12 MS. CARRERA: Mrs. Evans.

13 MR. ROGAN: I heard Mrs. Evans told
14 me earlier she is going to be a little bit
15 late for tonight's meeting. Please dispense
16 with the reading of the minutes.

17 MS. KRAKE: THIRD ORDER. 3-A. TAX
18 COMPARISON REPORTS RECEIVED FROM THE SINGLE
19 TAX OFFICE MARCH 23, 2010.

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

22 MS. KRAKE: 3-B. MINUTES OF THE
23 SCRANTON POLICE PENSION COMMISSION
24 MEETING HELD ON FEBRUARY 24, 2010.

25 MR. ROGAN: Are there any comments?

1 If not, received and filed.

2 MS. KRAKE: 3-C. MINUTES OF THE
3 COMPOSITE PENSION BOARD MEETING HELD
4 ON FEBRUARY 24, 2010.

5 MR. ROGAN: Are there any comments?
6 If not, received and filed.

7 MS. KRAKE: 3-D. AGENDA FOR THE
8 VACANT PROPERTY REVIEW COMMITTEE
9 MEETING HELD ON MARCH 18, 2010.

10 MR. ROGAN: Are there any comments?
11 If not, received and filed.

12 MS. KRAKE; 3-E. AGENDA FOR THE
13 NON-UNIFORM MUNICIPAL PENSION MEETING
14 HELD ON MARCH 24, 2010.

15 MR. ROGAN: Are there any comments?
16 If not, received and filed.

17 MS. KRAKE: 3-F. MINUTES OF THE
18 NON-UNIFORM MUNICIPAL PENSION BOARD
19 MEETING HELD ON FEBRUARY 24, 2010.

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

22 MS. KRAKE: 3-G. MINUTES OF THE
23 SCRANTON/LACKAWANNA HEALTH AND WELFARE
24 AUTHORITY MEETING HELD ON JANUARY 21, 2010.

25 MR. ROGAN: Are there any comments?

1 If not, received and filed.

2 MS. KRAKE: 3-H. CONTROLLER'S REPORT
3 FOR THE MONTH ENDING FEBRUARY 28, 2010.

4 MR. ROGAN: Are there any comments?
5 If not, received and filed.

6 MS KRAKE: 3-I. CITY OF SCRANTON
7 NON-UNIFORMED PENSION PLAN ACTUARIAL
8 VALUATION AS OF JANUARY 1, 2009.

9 MR. ROGAN: Are there any comments?
10 If not, received and filed. Do we have
11 clerk's notes this evening, Mrs. Krake?

12 MS. KRAKE: Yes. We just have one
13 to read and since there is only one and
14 there are several e-mails attached I hope I
15 can maybe take the time to read all of them.

16 MR. ROGAN: Sure.

17 MS. KRAKE: This is in response to a
18 letter that was sent to the city engineer,
19 Brian Swanson. It was request that council
20 had concerning an update on the progress of
21 the Crisp Avenue bridge. Brian Swanson was
22 kind enough to send us the e-mails that have
23 been going back and forth between himself,
24 Linda Aebli, and the DEP.

25 The first e-mail is from Linda

1 Aebli, February 24, concerning Crisp Avenue
2 and the urgent need to have the application
3 certified. The response says, and I would
4 like to read the whole thing, it's from
5 Kevin White. "I'm hoping you can shed light
6 on a funding issue relating to Crisp Avenue
7 bridge replacement in the City of Scranton.
8 Currently, DEP is reviewing an application
9 for the replacement of the bridge. We have
10 received a legislative interest in the
11 project from Representative Wansack's office
12 and Representative Murphy's office. The
13 City of Scranton is worried that they are
14 going to lose their funding on the project
15 if they don't receive a permit soon, i.e.,
16 immediately.

17 We are reviewing the application,
18 but are possibly two months away from making
19 a permit decision. From the attached file
20 it looks like \$150,000 of the funding is
21 through FEMA and another \$150,000 from a
22 community development block grant. Is the
23 city in danger of losing the FEMA money and
24 also I can't get a clear answer on milestone
25 the city must take to keep the funding. Do

1 you have any dates? If the city is nearing
2 one of those dates, can they get an
3 extension? The final question, is the
4 stimulus money part of the FEMA funding?"

5 The response then is from Kevin
6 White to Linda Aebli. "Linda, thank you for
7 talking at that me about this project
8 earlier today. We understand the importance
9 of this project to the city. The department
10 received a permit application for the
11 replacement of the bridge in November of
12 2009. We would do our best to finalize our
13 review and reach a permit decision in a
14 timely manner. However, because of other
15 priority projects and the loss of one of our
16 permit reviewers," and they have in
17 parentheses the budget cuts, "we still might
18 be two months away from reaching a permit
19 decision. Again, I apologize for the
20 delays.

21 From Brian Swanson to city council
22 office, he attached e-mails on the schedule.
23 He has also been in touch with
24 Representative Murphy's office and they are
25 continuing to push DEP to help move things

1 along. And finally Brian says, "It goes
2 without saying that the one to two-month
3 period indicated by the Pennsylvania DEP is
4 not acceptable and we have been continually
5 pushing with the assistance of
6 Representative Murphy and FEMA to get the
7 permit released."

8 And that's how he leaves it.

9 MR. ROGAN: Thank you.

10 MS. KRAKE: That's all we have.

11 MR. ROGAN: Do any council members
12 have any announcements?

13 MR. MCGOFF: Please. We received
14 from the Department of Public Works the
15 announcement that they will be operating on
16 Friday, this Friday, but they will be off on
17 Monday. Okay? DPW will be operating this
18 Friday, will not be operating the following
19 Monday, so please adjust your collection
20 schedules appropriately. And might I add, I
21 would also ask that we request perhaps ECTV
22 to scroll that for people who might be
23 watching, and thank you. That's it.

24 MR. ROGAN: Anyone else?

25 MR. LOSCOMBE: Yes. Thank you,

1 Mr. Rogan. I'm going to repeat a couple
2 that I mentioned because they haven't come
3 up yet. Fraternal Order of Eagles is having
4 a benefit dinner for pancreatic cancer in
5 loving memory of Angela Price held by
6 Angie's Angels and that will be Saturday,
7 April 17, from five to ten. Dinner from
8 five to seven, and the entertainment from
9 seven to ten. Tickets are \$10 and can be
10 purchased at the door.

11 I came across a couple of other
12 items that might be of interest. Lackawanna
13 County will hold a town hall meeting to
14 address underage drinking at 5:30 p.m.,
15 Wednesday, in preparation for alcohol
16 awareness month in April. The meeting will
17 focus on helping families cope with
18 alcoholism, especially among the youth. It
19 will be held in the Moschowitz room at the
20 DeNaple's Center at the University of
21 Scranton.

22 And the Junior League of Scranton is
23 having a "Touch a Truck" program putting
24 children's imaginations into overdrive, and
25 that will be Saturday, May 8, at Nay Aug

1 Park from 10 a.m. to 2 p.m. rain or shine.
2 It's \$5 per person. "Touch a Truck"
3 educates and entertains by offering hands-on
4 access to fire and seatbelt safety, stranger
5 danger, basic First Aid, recycling and more.
6 Children are invited to climb aboard trucks
7 buses, helicopters, rescue and construction
8 vehicles. And that's all I have. Thank
9 you.

10 MR. JOYCE: Yes. The West Side
11 Community Center is conducting a preorder
12 potato pancake and soup sale for pickup on
13 Friday, April 2, from 11 a.m. to 3 p.m.
14 Items for order are potato pancakes with
15 applesauce or sour cream for \$3, cream of
16 broccoli soup for \$4 a pint or \$7 a quart,
17 and last but not least Manhattan clam
18 chowder for \$4 a pint or \$7 per quart. All
19 who are interested in purchasing food are
20 encouraged to preorder by tomorrow by
21 calling 961-1592.

22 Also, the Tripp Park Neighborhood
23 Association will be holding a meeting on
24 Tuesday, April 6, at 7:00 p.m. at the Tripp
25 Park Community Center for all those who are

1 interested in becoming involved with that
2 organization.

3 Also, St. Stanislas Cathedral
4 located on 529 East Locust Street in South
5 Scranton will be holding a takeout pasta
6 dinner on Saturday, April 10, from 5 to 7
7 p.m. The cost of a dinner will be \$8.

8 And the Lincoln Jackson PTA will be
9 holding a takeout only pasta dinner on
10 Thursday, April 15. Pasta for the dinner
11 will be provided by La Trattoria on Moosic
12 Street. The cost of the dinner will be \$7
13 and those who are interested in purchasing a
14 dinner can do so by contacting Pat
15 Marionelli at 445-5484, and that is it.

16 MR. ROGAN: Thank you. ARC and ARC
17 Response will be having a fundraiser Monday,
18 April 5, at 7 p.m. at Kilcoyne's on Main
19 Avenue in West Scranton. ARC Response is an
20 organization that helps families with loved
21 one's with mental disabilities in times of
22 need. There will be basket raffles, 50/50
23 drawings and guess bartenders. All proceeds
24 collected will go directly to ARC and ARC
25 Response.

1 Also, Marywood University will be
2 holding it's second annual electronic
3 recycling event this Spring. The event will
4 be held on Saturday, April 17, 2010, from 9
5 a.m. to 2 p.m. in what is known as the pit
6 parking lot on the western edge of the
7 campus. The purpose of this event is to
8 prevent electronic items from being wrongly
9 dumped in the landfill. Please bring any
10 unwanted electrical items, computers, TV
11 sets, etcetera, to the campus any time
12 between 9 a.m. and 2 p.m. on April 17, and
13 they will gladly take them off your hands at
14 no cost to you. In appreciation for your
15 donated items, there will be food and
16 refreshments, live entertainment, and a
17 raffle all completely free for you to enjoy.
18 FOURTH ORDER. CITIZENS' PARTICIPATION.
19 ANDY SBARAGLIA.

20 MR. SBARAGLIA: Andy Sbaraglia,
21 citizen of Scranton. Fellow Scrantonians, I
22 thought I read in the legal's are we looking
23 for a new city engineer? Anybody hear
24 anything about that?

25 MR. LOSCOMBE: Yes. From what I

1 understand it's an annual contract, so it
2 has to be bid out for the new renewal.

3 MR. SBARAGLIA: So we are not
4 necessarily looking for a new engineer we
5 are just rebidding.

6 MR. LOSCOMBE: Right.

7 MR. SBARAGLIA: Your 5-A with the
8 grant, I looked at some of the figures on
9 the grant and from what I can see the
10 equipment is going to cost \$49,411 of that
11 we are getting \$25,800 for a cost of \$23,611
12 to the city, but we are getting a lot of
13 equipment for it. I hope -- I didn't read
14 if there is any stipulations in that
15 contract where it can only be used to mold
16 the dikes or we can use it in some of the
17 other things.

18 Every time they rip down a house, we
19 ended up with a blight because it's
20 overgrown with weeds and whatever blows in.
21 You just can't beat nature except by
22 constantly going at it time after time after
23 time. I guess the best solution is try to
24 get people to take care of these lots
25 because they really -- if you are looking at

1 blighted neighborhoods nothing is blighted
2 in neighborhood like a house that's torn
3 down, believe me it does, because I live on
4 Main Avenue, behind me we lost two homes.
5 Behind there is a forest growing now. It's
6 just there. The animals come from it and I
7 don't blame them, they get thrown out of
8 their home along the river, so they had to
9 move somewhere so they moved sort of into my
10 backyard, but that's the way life goes, but
11 just I hope some of that equipment they are
12 buying like the mower, the sprayer and so
13 forth can be used other than the dikes.
14 Thank you.

15 MR. ROGAN: Thank you. Michael
16 LaPolla.

17 MR. LAPOLLA: Mike LaPolla, resident
18 of North Scranton. I'm here tonight to
19 discuss the ordinance, City Ordinance 105 of
20 2007. I have been thinking about it and
21 have come up with a process that the city
22 can do itself instead of outsourcing it and
23 I have a little bit of information here if I
24 can come up and give it to you?

25 MR. ROGAN: Yes.

1 (Mr. LaPolla approaches the dais.)

2 MR. LAPOLLA: You have to excuse me
3 because I'm rushing through this, I have a
4 meeting I have to go to and so I'm going to
5 do this kind of briefly. I believe there
6 are advantages and costs savings to perform
7 due to data collections in-house, meaning
8 with the city. Currently, we have around
9 1,200 rental units that pay the \$15 fee to
10 the city in compliance with City Ordinance
11 105 of 2007. There an estimated 10,000 or
12 so rental properties in the City of
13 Scranton. To me, it is unfair that these
14 small number of aware and honest rental
15 property owners pay this fee while the
16 majority of other rental properties do not.

17 I believe the city needs to have
18 it's own data base of registered units in
19 order to make it fair to everyone. My
20 solution is to develop a database by buying
21 a list of apartment occupants from the city
22 vendor and then to work with the city,
23 county -- or, I'm sorry, work in the county
24 assessor's office to obtain the name and
25 address of a corresponding property owner

1 from which many labels may be printed, then
2 letters can be mailed along with a copy of
3 the ordinance and rental registration form.

4 By doing this in-house it will save
5 the city the fee you were going to pay
6 someone else to do the work. To do this is
7 simple, it's just sharing data between the
8 county and the city. It is taking the
9 information and manipulating into an Excel
10 spreadsheet in which the city can keep track
11 of who registered and who is not registered.
12 Another advantage of doing this in-house,
13 you have the information on whom the owners
14 are, whom the point of contact is in case of
15 emergencies as well as the point of contact
16 to rid the blighted properties and
17 addressing negligent properties because they
18 are not rented out.

19 We are looking at close to 10,000
20 rental units at \$15. By staying on top of
21 this each year the many city has a
22 possibility to increase it's revenue by
23 \$150,000 for a very short period of
24 research. I am asking you tonight to look
25 at my proposal before you consider any

1 outsourcing process. I thank you for the
2 time.

3 MR. ROGAN: Thank you.

4 MR. LAPOLLA: My e-mail is on the
5 bottom of that if you have any questions,
6 but please do consider it before you do any
7 outsourcing.

8 MR. ROGAN: Thank you.

9 MR. LAPOLLA: Thank you.

10 MR. ROGAN: Marie Schumacher.

11 MR. UNGVARSKY: Good evening, I'm
12 Tom Ungvarsky, not Marie Schumacher, he name
13 was on the list there after mine. For the
14 last two weeks I have been attending a
15 trial, I have spent over 0 hours listening
16 to testimony with the mayor filing a
17 petition to overturn city council's amended
18 budget. For the last eight years our mayor
19 has had a council that has agreed with every
20 budget proposal he has put up. This year he
21 had a challenge to it with the new council.
22 Instead of sitting down with council he
23 chooses to go to his law department and file
24 a case. I believe over the eight years that
25 he has been mayor he has had numerous

1 trials. It seems as though our mayor cannot
2 sit down at a table and reach an amicable
3 decision with any petitioner. I want to
4 congratulate city council for standing up,
5 devoting all the time and taking the
6 aggravation that it was.

7 I know there are several things
8 still pending. Does anyone on city council
9 know if the mayor will be challenging any of
10 their passages and if so are we going to
11 have to go through the same charade that we
12 went through these last two weeks? Does
13 anyone know?

14 MR. LOSCOMBE: Only time will tell.
15 That's all I can say.

16 MR. UNGVARSKY: Thank you.

17 MR. ROGAN: Thank you. Marie
18 Schumacher.

19 MS. SCHUMACHER: Now the real Marie
20 Schumacher is standing up. I'll be real
21 brief. Marie Schumacher, city resident,
22 member of the Taxpayers' Association. The
23 first item, tomorrow is the 31st of March
24 and several months ago when it was in the
25 paper that claims had to be filed for money,

1 any monies owed by Murray in order for the
2 bankruptcy to be considered for any kind of
3 payment the bankruptcy I asked that we check
4 out and find out whether or not the parking
5 lot fees per parking space were up-to-date
6 since he had a central city parking garage.
7 Does anybody know whether that was checked
8 or whether we have filed it?

9 MS. KRAKE: We did answer that in a
10 council meeting, Mrs. Schumacher. I
11 hesitate to say exactly what it says, but
12 the law department did seem to feel that it
13 was satisfied what they owed the city, but
14 please feel free to stop in the office and I
15 will pull that response for you.

16 MS. SCHUMACHER: Okay. Thank you.

17 MR. LOSCOMBE: I believe the part of
18 the response was that the parking lot was
19 used to store construction material and
20 whatever, but my question is was he paid any
21 fee for that which I haven't followed up on.

22 MS. SCHUMACHER: Okay. The way it
23 was written up in the paper it said how many
24 parking spaces he had and it was fairly
25 significant, so I just wondered if --

1 MR. LOSCOMBE: But the response that
2 Mrs. Krake is referring to stated that it
3 was utilized not for parking, they used it
4 for construction material over the past year
5 or whatever.

6 MS. SCHUMACHER: Well, probably
7 while they were building the --

8 MR. LOSCOMBE: Right.

9 MS. SCHUMACHER: The newest garage.
10 But speaking of parking lots, does CMC pay a
11 fee for their employees to park at Nay Aug
12 Park, and if so do they pay it to the Rec
13 Authority or to the city treasury or is that
14 something that is supplied for free?

15 MR. ROGAN: That's something we can
16 definitely look into. I remember reading
17 somewhere about that. I don't remember
18 exactly what was said, but I'll look through
19 my notes and I'll find out for you.

20 MS. SCHUMACHER: Thank you, because
21 I thought they were, but I haven't been able
22 to find any track on whether they are still
23 paying. In the hearings several of us have
24 been sitting on on these last several days,
25 I learned a number of things, one of which

1 is that we are down 11 firefighters and I
2 I'm wondering if we could get the
3 firefighter vacation schedule for 2010, not
4 by name, but just when people are taking it
5 and do some rough calculations and see if
6 they have the manning to fill those spots or
7 if it's going to be all overtime and if so
8 if the overtime is going to be cost us more
9 than hiring several firefighters? Is that
10 possible?

11 MR. LOSCOMBE: Yeah, I'll definitely
12 check into it and, I mean, right now they
13 are manning with overtime so I don't see how
14 they are saving.

15 MS. SCHUMACHER: They are
16 currently?

17 MR. LOSCOMBE: But, you know, there
18 may be one or two short a shift from what
19 they are doing. I still have to sit down
20 and see what the total is now because we
21 just lost three more. There was eight left
22 out of the last year's budget and three more
23 men just retired, so that makes it the 11.

24 MS. SCHUMACHER: Well, maybe if you
25 could get what the overtime pay to date is

1 and what it looks like to cover I would
2 imagine most of them have families and take
3 the most of the vacations during the summer
4 months, so --

5 MR. LOSCOMBE: Well, they go
6 basically by seniority, so that's how they
7 bid the vacations.

8 MS. SCHUMACHER: So the older guys
9 have their kids out of the nest already,
10 okay, well. Also, I learned in today's
11 hearings that the IT Department is really
12 nothing more than a help desk for the
13 employees of the city with computers and the
14 departments and the head of that group
15 stated that one of the things they do is
16 provide advice on software that's being
17 purchased. They had -- one was mentioned a
18 vendor, Community Plus for permitting, and I
19 have a Right-to-Know into the business
20 administrator which, of course, it was
21 forwarded to LIPS to be answered and I
22 talked to Mark Seitzinger and he said, you
23 know, "I know I owe you something," he said,
24 "I'll get to it," and then I never heard and
25 then I followed up again, and he had a death

1 in the family, and I then I followed up
2 again and he said he was sorry, he couldn't
3 get the software to printout the report and
4 he said -- but he did say he was working
5 with the vendor, and the last time I talked
6 to him I didn't get any kind of warm fuzzy
7 feeling that we would able be able to get
8 that, but the company had rather said
9 that's-- that's not even possible, so I
10 question the kind of advice that they may be
11 getting. They may be getting electronic
12 advice, but as far as when you have a
13 department that might need to run reports
14 and what you are doing on an annual basis
15 and keep track, if they can only do, and
16 this was my understanding you can check with
17 Mark, but they can only do permits, grant
18 permits on an individual basis. They
19 couldn't do what had been done for the whole
20 entire year and that, you know, I would
21 think they would -- the city administration
22 would want to do.

23 The other thing I was always under
24 the impression that the IT Department did
25 things such as software to bill all of

1 people who hold licenses. I would think --
2 I don't know if our licenses run annually
3 for like the different trade groups that are
4 required to be licensed by the city, and
5 maybe one of you know, but do they run from
6 -- like for 12 months from when you get one
7 or do they run for a calendar year, but in
8 any case I would think that the IT
9 Department would have a letter and they
10 could automatically generate a letter that
11 would go out reminding people to renew their
12 license, and so I think that's something
13 that could be looked into as well that would
14 get the money in a whole lot faster I think.
15 Okay. See you next week, good Lord willing.
16 Everybody have a blessed Easter.

17 MR. JOYCE: Mrs. Schumacher, if you
18 don't mind me asking, when did you submit
19 the Right-to-Know request?

20 MS. SCHUMACHER: On that one? Oh, I
21 believe it was last year.

22 MR. JOYCE: Last year.

23 MS. SCHUMACHER: I can e-mail you
24 the precise date, yeah.

25 MR. JOYCE: Okay. Could you get

1 that information to me?

2 MS. SCHUMACHER: Sure.

3 MR. JOYCE: And when I get that
4 information, Nancy, if you could send a
5 follow-up letter to Mr. Renda, the
6 Right-to-Know officer, and ask him, you
7 know, when he projects this will be answered
8 since it's been going on for quite awhile.

9 MS. SCHUMACHER: Thank you.

10 MR. ROGAN: Les Spindler.

11 MR. SPINDLER: Good evening,
12 Council. Les Spindler, city resident and
13 homeowner and taxpayer. First off, I want
14 to follow-up on some questions that I
15 submitted about I think a little over a
16 month ago. I haven't heard anything yet.
17 One was about the playground on Lackawanna
18 Little League about it being taken down. I
19 was wondering if the mayor did authorize
20 that. Another one is about the 500 of North
21 Rebecca, it's two ways and the rest of the
22 street is one-way, and the last one was
23 about ECTV. I did speak to Mrs. Krake on
24 that, she said I think by March 9 they were
25 supposed to have an answer. Was there any

1 word, Mrs. Krake?

2 MS. KRAKE: I believe we answered
3 that last week.

4 MR. SPINDLER: Oh, okay. I didn't
5 hear.

6 MS. KRAKE: And the other two were
7 also answered, by if you want us to I can
8 e-mail you those responses again, Les. It
9 was awhile back so --

10 MR. SPINDLER: I'll give you a call
11 to the office. Thank you. Next thing, in
12 recent weeks two speakers were coming here
13 criticizing council saying they are wasting
14 taxpayer dollars because they have to go to
15 Court to defend their budget cuts. I wonder
16 if those two speakers went to the mayor and
17 asked him to stop all of his appeals of
18 arbitration losses costing people \$1.4
19 million dollars and counting. I don't think
20 they have done that. Can you say
21 hypocrites. I talked about this last week,
22 the parking garage on Linden and Washington,
23 what a terrible job is on there, and I
24 noticed something else if you go up Linden
25 Street if you look at the right angle it

1 looks like the bricks aren't even even. It
2 looks like it's buckling, so if I had that
3 work done on my house I would be suing the
4 contractor. How the city is letting this
5 work go on is beyond me. First of all, I
6 thought the building was fine before this
7 work started, but I think council should ask
8 Mr. Scopellitti to come in here and answer
9 questions and if he refuses you should use
10 your subpoena power because that job is just
11 horrendous, it looks totally unprofessional.
12 I mean, I have never put bricks up, I could
13 probably go up there on that lift and done a
14 better job.

15 Moving on, I saw a story last week
16 on the news, which was good news, it was
17 about the tax office moving in the Steamtown
18 Mall. I think that's good for both parties.
19 The tax office will be paying \$1,000 less a
20 month rent I think, and could probably cause
21 more foot traffic in the mall which is good.
22 We all know we can always use more people in
23 the mall. People might go pay their tax
24 bill and say, "Maybe I need a pair of shoes
25 or something," so I think it's a win-win

1 situation. I was happy to see that.

2 Also, a story, last Friday in the
3 news Reporter Dave Bowman from Channel 16
4 did a story about the our police department
5 misusing stimulus funds. He was talking to
6 Chief Elliott and the Feds accused the
7 police department of misusing government
8 funds, stimulus funds, and they were failing
9 to account for how they were using it and
10 when the -- when Chief Elliott was asked
11 questions he was like a deer in the
12 headlights, he didn't know what to say, and
13 that's -- just goes to show the incompetence
14 of Dave Elliott, who I have said here many
15 times, the incompetence of all of the hires
16 of the Chris Doherty, and I think council
17 should also get Chief Elliott in here to
18 answer those questions because it's \$264,000
19 that they being accused of misusing by the
20 federal government, so I hope the FBI is
21 looking into that, also.

22 And I've stated here many times I
23 think administration is the most corrupt
24 we've ever had in this city. Hopefully the
25 FBI almost move up the investigate city

1 hall, and if Chief Elliott doesn't come,
2 again like Mr. Scopellitti use your subpoena
3 power and get him in here. I think these
4 questions have to be answered. That's all I
5 have. I just want to wish all my Jewish
6 friends a happy Passover and everyone else a
7 very nice Easter and thank you very much.

8 MR. ROGAN: Thank you.

9 MR. JOYCE: Thank you.

10 MR. ROGAN: Charlie Newcomb.

11 MR. NEWCOMB: Good evening, Council.

12 I just have -- Les brought up before about
13 the police department that's why I'm here
14 tonight. This is probably one of the most
15 heart wrenching things I ever came to city
16 council about, so just bear with me if my
17 voice breaks up a little bit, but -- and one
18 of most serious things. I would like to
19 find out, Mr. Loscombe, I just have a thing
20 here from a police officer, his name was
21 Lawrence, I can't pronounce his name so I'm
22 going to say Spathelf, let's put it that
23 way, and he states here that he's currently
24 assigned to the Scranton Police PACE Unit.
25 From what I understand there is no more PACE

1 unit, so can you check and see if that is
2 the case?

3 And also I would like to find out
4 Sergeant -- or, I mean, Lieutenant -- no, he
5 is a sergeant now, Daniel Duffy and Officer
6 Herchak and Officer Spathelf, these officers
7 they conduct surveillance at convenient
8 marts, and I guess they look for people who
9 go into convenient marts, they said that
10 there this is drug activity in these
11 convenient marts and people purchase --
12 people purchase cigars there, they say that
13 they use them for drug paraphernalia, I
14 don't know. I don't know how, but they do.

15 So I just want to get that clear and
16 I want to find out does the ends justify the
17 means with these surveillances? How much
18 are we spending? What do we get if they
19 catch people with this, do the ends justify
20 the means, but I'm going to tell you
21 something that happened Friday, and I'm only
22 going to use a family member of mine and a
23 passenger, that's what I'm going to say
24 right now.

25 On Friday about 10:00 in the evening

1 this family member of mine was at work and
2 was up where the person works, I'm not going
3 to say where, but it was a socializing type
4 of thing, so they left about quarter to ten
5 from work, I left about 10:00. I get a call
6 on the cell phone, somebody frantically
7 crying, "Come down here," so I am trying to
8 get through this, I just don't want to skip
9 anything because it's a very serious thing.

10 This family member of mine was in
11 one of those convenient food marts, stopped
12 there after they got out of work, purchased
13 something that the police thought had
14 something to do with paraphernalia, which
15 was legal, it was a cigars, and this person
16 smokes them because believe me when I'm
17 around him I can't stand the smell of him.
18 So they were pulled out of there, an
19 undercover vehicle with Officer Herchak and
20 Officer Spathelf, I'm sorry how you
21 pronounce it. Daniel Duffy I guess was
22 parked in the parking lot seen them by legal
23 cigars, pulled out, started following them,
24 surveilling them for what I have no idea.
25 Surveilling them and he says that he

1 observed them not making a right turn using
2 a turn signal, so that was there excuse to
3 pull them over. Pulled them over on
4 Sanderson Avenue, and I arrived maybe right
5 before they, you know, right when they had
6 them out of the car and they asked them all
7 kind of questions and, you know, "Where are
8 you coming from?"

9 I want to everybody to know out
10 there and I want you to know this, I'll save
11 you a lot of trouble, next time you get
12 pulled over by a police officer and they ask
13 you where you're coming from, none of your
14 business. Where are you going to? None of
15 your business. You don't have to tell them
16 and you don't have to admit to searches or
17 anything, I just want yous to know that, a
18 lot less grief.

19 So anyway to make a long story short
20 they felt that the consistencies was
21 inaccurate and they put my family member and
22 the passenger in handcuffs and detained
23 them. I was standing there watching this
24 hysterical. They were -- the passenger who
25 was a female was incredibly distraught.

1 They were in handcuffs. I heard some of the
2 language the police were using as far as I'm
3 concerned these guys are bullies. Okay?
4 They were like -- they thought they had
5 Al-Qaida pulled over there, so they felt
6 that they had probable cause for a search
7 warrant, I tried to tell them he just got
8 out of work this person, but, you know,
9 these guys were on a mission.

10 So let me tell you what they done.
11 They took my family member and the passenger
12 and detained them for over three hours,
13 these three bullies, handcuffed them, took
14 them to the Scranton Police Department.
15 They were -- the vehicle was searched
16 because they -- I guess they got a search
17 warrant for whatever, they refused. They
18 said, "I don't feel comfortable with you
19 searching us or the vehicle."

20 These two people they were searched
21 and they were strip searched on the inside
22 of their body and on the outside of their
23 body because these guys assumed, assumed
24 that because they bought cigars that they
25 had something to do with drugs. So they

1 said they brought a dog came to the scene, a
2 dog hit on something. So after a three-hour
3 search of them, their body and the car,
4 guess what was found? Absolutely nothing.
5 No drug paraphernalia.

6 MR. ROGAN: You can continue.

7 MR. NEWCOMB: They were released
8 after three hours of being detained, never
9 arrested, never charged with anything, so
10 I'm going to tell you what, you have a
11 police officer here, just let me finish
12 this, please.

13 MR. ROGAN: Sure.

14 MR. NEWCOMB: You have a police
15 officer here, Herchak, he is only on the
16 force 18 months and on his first year he has
17 his first DUI with Scranton, that was his
18 own. He got arrested by someone in his own
19 department. These are the kind of people
20 that are running surveillance. All I'm
21 going to say is that I feel there has been
22 a-- these guys are out of control, just
23 because they bought cigars that's no reason
24 to have a surveillance and hope that they
25 are going to have a traffic violation. So

1 you know what they got out of it when they
2 left? They are going to get a citation in
3 the mail for failure to make a right turn
4 with a blinker and they said the inspection
5 sticker was -- now, I'm going to tell yo
6 what, when I was younger I was the kind of
7 guy that took care of the bullies and I
8 never threatened anybody and I never will,
9 but all I can say is I won't rest until
10 these three guys, Duffy, Herchak and
11 Spathelf, these guys should be working at
12 the Dairy Queen with a red hat for security
13 because the Scranton Police Department has
14 to do something. If they are running these
15 PACE units and they are staking out these
16 convenients what are we getting out of it?
17 What's the outcome?

18 So all I could say is these guys
19 they were out of control. These two --
20 these -- the family member and -- they will
21 never be the same after the way they got
22 treated. They were strip searched, they
23 were humiliated and they have nothing on
24 them. These guys just assumed.

25 So I'm telling anybody out there

1 when a police officer pulls you over,
2 believe me, you are better off to say, "None
3 of your business," and if they find
4 something they find something. If they
5 don't, they don't. But this city, I'll tell
6 you what, this is why you get sued because
7 of the kind of unprofessionalism that you
8 are having with these cops.

9 MR. LOSCOMBE: Charlie, are you
10 going to be here at the end of the meeting?

11 MR. NEWCOMB: Yep.

12 MR. LOSCOMBE: Because I want to get
13 some more information from you.

14 MR. NEWCOMB: All right.

15 MR. ROGAN: Bill Jackowitz.

16 MR. JACKOWITZ: Mr. Rogan, can you
17 hold my time for a minute? Okay, in regards
18 to the cigars, 18 years experience in law
19 enforcement, the reason cigars is a drug
20 paraphernalia and have been for many years,
21 which most people don't know, is what people
22 do is they buy cigars, they take the tobacco
23 out of the cigars, they fill them with
24 marijuana, heroine, whatever they can and
25 they reroll them and they smoke them. They

1 are called blunts. The cigar sales in the
2 United States has probably gone up 100 times
3 in the last ten years, so when you see
4 people buying cigars at the convenient store
5 or the supermarket, most of the time it's
6 not because they are cigar smokers, it is
7 because they are using them for their
8 illegal drugs, either marijuana or whatever
9 else they are putting into them. Plus, you
10 have different flavors. Philly's has
11 different flavors, cherry, strawberry,
12 vanilla, orange, some of them prefer the
13 different flavored ones because I saw some
14 looks of amazement on council's faces when
15 Mr. Newcomb was bringing this up and I just
16 thought I would explain it to you because I
17 have been involved for many years due to
18 past experiences and my law enforcement
19 career. Okay, you can start my time now, I
20 hope that helped explain something.

21 MR. JOYCE: Yes, thank you.

22 MR. JACKOWITZ: First of all, I was
23 at the hearing for the four days, it was
24 very interesting, I learned a lot about the
25 City of Scranton myself. I found out that

1 nobody keeps records. There is no time
2 records of anybody, where they at, what they
3 did all day, whether they were in the
4 office, whether they were out of the office,
5 nobody could prove anything.

6 I also learned that a computer
7 technician and IT technician who performs
8 work on a computer in the police department
9 or the fire department is more important
10 than the policeman or the firemen. It's
11 more important to have an IT guy working on
12 the computer in the police department than
13 it is to have a policeman walking a beat in
14 the neighborhood solving crimes or a
15 firefighter going to a fire. I mean,
16 personally, I'm old, I'm 62 years old, but I
17 would prefer if my house caught on fire I
18 wouldn't want to see an IT guy coming, I
19 would prefer to have a professional
20 firefighter show up and put my fire out, so
21 the argument about public safety to my
22 opinion, and just my opinion only, it was a
23 total loss. And I was at the hearing for
24 all -- every day and there was just many
25 more, but I'm not going to elaborate, those

1 are some of the highlights.

2 As far as the new library, last week
3 I spoke about Cedar Avenue being a very bad
4 location for the library. I was talking to
5 a letter carrier the other day, he stopped
6 me on the street, as a matter of fact as I
7 leaving the courthouse he stopped me on the
8 street, and he mentioned the railroad
9 station and Lackawanna Avenue right where
10 they built the new bridge. I guess that has
11 been in default now again and it's open, and
12 he was saying that would be a perfect place
13 to build a library because you've got West
14 Side, South Side, Central City, everything,
15 instead of down there in drug haven Cedar
16 Avenue. Cedar Avenue is drug haven, we all
17 know that. There is no one that can deny
18 that. Crimes committed down there, again,
19 read the third page of the Scranton Times
20 Tribune every day of the week almost and you
21 will see crimes committed down there on
22 Cedar Avenue. Not a good place for a
23 library, not a good place for families, but
24 why doesn't somebody look into that station
25 down there. Plus it would be a heck of a

1 lot cheaper than \$16 million. We can rehab
2 that, build a library if the mayor really
3 wants a library that much.

4 Also, I would like to know who is
5 running the city? Mayor Doherty was in
6 Susquehanna campaigning all day for the
7 State Senate; Stu Renda, who is the
8 assistant mayor, was in court all day
9 sitting around doing nothing, who is in
10 charge of the city? Half of the law
11 department and maybe three-thirds of the law
12 department was in the courtroom, they
13 weren't all needed there. What was going
14 on? Are these people being paid? I was in
15 the court and I took annual leave. I took
16 my vacation time to go to court. Why?
17 Because I care about what's going on. I was
18 just wondering are all of these city
19 employees, Ms. Moran, she was in there all
20 day today. Were these people being paid or
21 did they take leave? Can somebody please
22 find that out for me because I took leave
23 because I was concerned. I don't think I
24 should be paying city employees for sitting
25 in the courtroom doing nothing all day.

1 Okay, Doherty stated that Harrisburg
2 is broken. I agree with him. But,
3 Mr. Mayor, Scranton is also broken, but not
4 only is Scranton broken it's broke. It's
5 been distressed for 18 years. So thanks to
6 your lack of leadership I must say, also.
7 Mr. Doherty had a nine point proposal if
8 elected to State Senate, you know, he would
9 eliminate a lot of things, the flat per diem
10 payments, elimination of walking around Wham
11 money for state law makers, reducing
12 lottery's influence and so on. Does the
13 Senator realize that he is going to be a
14 first-term Senator sitting in the back of
15 the Senate that's run by the Republicans.
16 He is not going to able to change anything.

17 Also, in Sunday's newspaper
18 Mr. Morgan spoke last week about Austin
19 Burke. I have been speaking about Austin
20 Burke for at least four years. Mr. McGoff,
21 how many times I have asked you to invite
22 Mr. Burke to a city council meeting?

23 MR. MCGOFF: I have no idea.

24 MR. JACKOWITZ: Have I asked you?

25 MR. MCGOFF: I believe you have

1 asked council, yes.

2 MR. JACKOWITZ: Have you ever
3 invited Mr. Burke?

4 MR. MCGOFF: He has been invited any
5 number of times. As a matter of fact, he
6 was here.

7 MR. JACKOWITZ: No, he was here to
8 promote the tax exempt nonprofits is what he
9 was here for.

10 MR. MCGOFF: Right.

11 MR. JACKOWITZ: That's different. I
12 mean, you know, that was -- he was trying to
13 sell you a bill of goods is what he was
14 trying to do.

15 MR. MCGOFF: No, he was here to
16 present the Mt. Pleasant project.

17 MR. JACKOWITZ: He was here to sell
18 you a bill of goods, that's what he was
19 here, and luckily it was overruled by the
20 school board, they helped the citizens out.
21 So I agree with Mr. Morgan. We need
22 Mr. Burke here, we need Mr. Doherty here.
23 They need to be here. This is Mr. Doherty's
24 city. He is the executive officer of this
25 city. He doesn't need to be down at

1 Susquehanna County campaigning for State
2 Senate, he needs to be right here. He needs
3 to be clearing up this distressed city for
4 18 years. He needs to be clearing up these
5 contracts with the firemen and the police
6 department that haven't been signed. He
7 needs to start paving the roads. He needs
8 to start reducing the crime in this city.
9 He needs to do something with Chief Elliott
10 who continues to embarrass the city.

11 Again, we have a 93 percent no
12 confidence vote in Chief Davis. He needs to
13 be looking into all of these problems we
14 have right here in this city. He does not
15 need to be down in Susquehanna County,
16 Monroe County, Wayne County and Luzerne
17 County campaigning for higher office. He
18 needs to clean up this city first before he
19 goes anywhere else.

20 MR. ROGAN: Thank you.

21 MR. LOSCOMBE: Mr. Jackowitz, just a
22 couple of quick things. I believe in our
23 mail now, Nancy, you just sent out another
24 letter for Mr. Burke giving him some
25 optional dates. He was scheduled to come

1 here and we actually cancelled him because
2 we were hoping the mayor would appear,
3 that's when we were working on the budget,
4 but he was going to come here, Mr. Burke, so
5 I'm hoping he accepts one of the dates that
6 Mrs. Krake has sent him.

7 And as far as the railroad station,
8 I believe that the taxes or whatever was due
9 on it, the mortgage has been satisfied
10 somehow, so it's off the market again, but
11 you are right, that would have been a good
12 place.

13 And I go down Pantry Quick quite a
14 bit and I smoke cigars, so I hope they are
15 not watching me.

16 MR. DOBRZYN: I would.

17 MR. JOYCE: Also, Mr. Jackowitz, I
18 do have the letter in front of me.
19 Mr. Burke has been invited to come before
20 council on either April 6, 13, 20 or the 27
21 and we are asking that he replies by April
22 6, so if we do not hear anything from them
23 or from him by that point in time we will be
24 following up with him.

25 MR. ROGAN: Mr. Dobrzyn.

1 MR. DOBRZYN: Good evening, Council.
2 Dave Dobrzyn, resident of Scranton, member
3 of the taxpayers. Now, last week I spoke
4 about garbage dumps or trash dumps, illegal
5 trash dumps. Another thing I would love to
6 see addressed some day is trash collection.
7 A lot of people are taking bags tossing them
8 at end of the property, and it weights four
9 or five days to be removed. In the meantime
10 the animals get to it, it gets torn up,
11 blown around the neighborhood and so forth.
12 I think that trash should ben in a barrel
13 and not -- and put out at least in the
14 morning or the night before, not several
15 days before, and these people from the DPW
16 shouldn't have to bend over 17 times to pick
17 up the same bag. They are not clean up
18 people, they are trash collectors, you know?

19 Okay, last week I heard a little bit
20 about the snow skid and the only thing I
21 would like to urge on that is keep in mind
22 it takes two or three days for things to get
23 back to normal after a snow storm, so if we
24 clean it up right away from a snow storm
25 people -- we get a little onion snow or

1 whatever people won't be able to get into
2 work, they will have a layer of ice on the
3 street and they can sit there and skid away
4 and be late or whatever, so we do need the
5 snow skids during the bad weather.

6 Once again on this Court hearing, as
7 far as I am personally concerned, you people
8 can modify it any way you want, if you see
9 that something isn't working and you want it
10 back up, that's okay, but keep up the good
11 work because it's obviously somebody doesn't
12 know how to deal with a supermajority or not
13 used to it and they would prefer not to have
14 to do it.

15 Now, the real reason I came up here
16 tonight, the University just received a \$1
17 million grant to expand their Mulberry
18 Street project, and from what I read they
19 plan to expand the sidewalks out into the
20 street, and I would like to point out, and
21 I'm very adamant about this, that is an
22 emergency vehicle route. It's a bus route,
23 it's an ambulance route, it's the only route
24 that's going to be available after the
25 Harrison Bridge goes off-line. If you ever

1 walked under the Harrison Avenue bridge you
2 would see a big crack and it looks like a
3 keystone just sitting there against the
4 arch. It's cracked right almost in half.
5 There is nothing left to that bridge that's
6 retrievable, so in whatever, 2011, 2012, you
7 might know a little more about it, Jack,
8 it's scheduled for replacement. Now, if we
9 narrow Mulberry Street to a scenic little
10 lane for the benefit of the University and
11 ambulances and so forth cannot get up that
12 street for the only trauma center between
13 here and Geisinger and Danville, where are
14 we going?

15 MR. MCGOFF: Mr. Dobrzyn, the plans
16 for that project do not decrease the amount
17 of the drive lane.

18 MR. DOBRZYN: I certainly hope that
19 it doesn't decrease because the --

20 MR. MCGOFF: As a matter of fact, I
21 think in some areas it's actually increased.

22 MR. DOBRZYN: The plan I seen in the
23 paper depicted -- depicted a lane that
24 basically looked like reducing it to two
25 lanes even though we gave up parking spaces

1 and all, and that I had to problem with, but
2 please stay within those parameters, and if
3 we need to go any further on that then
4 please do so because we can't keep expanding
5 that and blocking off that lane.

6 MR. LOSCOMBE: I agree. I haven't
7 seen the plans --

8 MR. DOBRZYN: Mulberry Street has to
9 stay --

10 MR. LOSCOMBE: I haven't seen the
11 plans yet, but, Mr. McGoff, I did read what
12 he saw in the newspaper and they were
13 narrowing the road.

14 MR. DOBRZYN: It was serious.

15 MR. LOSCOMBE: Let them widen the
16 sidewalks inward, even expand them if they
17 can. That was my first thoughts.

18 MR. DOBRZYN: Exactly. That's
19 grounds to have -- half of the people in
20 this town up there would protest.

21 MR. LOSCOMBE: With the Lackawanna
22 Avenue, the four and five hundred blocks. I
23 don't know who engineered that?

24 MR. DOBRZYN: Initially we were told
25 that that was being done at their expense,

1 and here once again our representatives
2 comes in with a million dollar grant to hand
3 to that institution. Now, I don't know want
4 to sound like a bumpkin or something that we
5 don't need education and so forth, but I
6 mean, there is even foreign exchange
7 students up there, so why are we taking the
8 hit for this? 31 percent of our town is
9 nonprofits right now and it's too much and
10 we can't give up anymore on public safety.
11 That's also a fire route, right?

12 MR. LOSCOMBE: Yes.

13 MR. DOBRZYN: And so forth. So, I
14 mean, it's as far as them staying within
15 their parameters, what they are there now,
16 they got the grant, spend the money, do
17 whatever you want, but please do not narrow
18 Mulberry Street. Do not trim it down
19 because we need it. Thank you and have a
20 good night.

21 MR. ROGAN: Thank you.

22 MR. LOSCOMBE: I agree it's
23 definitely going to be a hazard if they
24 narrow it. It's definitely a main route for
25 emergencies, but I do agree that the

1 beautification plan will be nice, it will
2 enhance that corridor, so hopefully we can
3 work something out there that's satisfactory
4 to everybody.

5 MR. DOBRZYN: You should try to
6 beautify the homeless people's lives a
7 little bit.

8 MR. ROGAN: Is there anyone else
9 that would like to address council?

10 MR. GONZALES: Greetings, Council.
11 My name is Pedro Gonzales, Scranton resident
12 and taxpayer. How has everybody been? I
13 know it's been quite a long time. I have
14 not yet had the pleasure of -- please,
15 pronounce your name for me?

16 MR. LOSCOMBE: Loscombe. Jack
17 Loscombe.

18 MR. GONZALES: Loscombe. Please
19 forgive, my Latin slang time is a little
20 funny and I kind of mess up people's last
21 names. Once again, my name is Pedro
22 Gonzales, I do a lot of the community
23 development, the Latino community
24 development here in the City of Scranton.

25 I want to announce a couple of past

1 events and one that's coming, as I usually
2 do, so why break tradition. I want to
3 apologize for my absence in these chambers.
4 It's simply because rather talking about it,
5 as many of you know, we actually decided to
6 do the work instead of talking about and
7 that's what we have been doing since the
8 beginning of the year.

9 We want to thank everyone that
10 participated in our January event, our Three
11 King's event, our Latino Christmas event.
12 Thank you so much for to the Scranton
13 University, they have helped out
14 tremendously, and all of the community
15 members, and thank you to all of the council
16 members that came and represented this city
17 there that day. It was tremendously
18 appreciated. Thank you so, so much.

19 We want to thank everybody that was
20 involved with the Martin Luther King
21 Commission and the Martin Luther King
22 presentation at the end of the January, a
23 four-day event, that was tremendous event
24 countywide. We had hundreds and hundreds of
25 people in attendance all week long, so we

1 want to thank everybody for that.

2 And we want to announce our newest
3 event. Mother's United States against
4 Hunger, something to touch on base with the
5 gentleman that was talking about helping the
6 homeless. We have taken possession of an
7 old church on the South Side 510 Prospect
8 Avenue, the old Trinity Church, now it is
9 called Mananita Ministries, one of our Latin
10 churches there. Saturday, April 3, this
11 Saturday, from 4 to 8 p.m. we will be having
12 an open house, an open -- I want to say a
13 soup kitchen, per se. We will be feeding
14 all and anybody who comes through the doors
15 who wants a warm meal. They will get
16 desserts salad and plenty to eat for that
17 day. It's a new project for us in our
18 community and within our organizations.
19 Something that is started with a
20 cross-cultural enhancement, per se, and
21 there is a coalition throughout the city of
22 people of all nationalities, and I repeat
23 all nationalities. There is not one
24 nationality that's involved in this project.
25 We have people of all nationalities that

1 will be helping out and working on this
2 project and future projects to come, so we
3 are excited to take on this new project.

4 Again, it's going to be this
5 Saturday. Everyone and everybody is
6 welcome. It will be totally free for the
7 community. It will from four to eight this
8 coming Saturday, April 3. I have a couple
9 of flyers here if I could approach?

10 MR. ROGAN: Sure. Yes.

11 MR. GONZALES: If I could approach
12 council there one second. Thank you,
13 gentlemen.

14 (Mr. Gonzales approaches the dais.)

15 MR. GONZALES: And as always I want
16 to thank everybody for the fantastic work
17 that they do. I want to thank all of the
18 community members for what they do here, for
19 their involvement for coming here and
20 showing that they do care about this city
21 regardless of what they say or speak about,
22 they say it with care because they live in
23 the city, we all do, and many of them have
24 been here for many, many years. For many,
25 many years. I have only been here ten years

1 and I have been working hard for those ten
2 years, but many of them are born and raised
3 here, so everyone that steps to be podium
4 should be recognized and should be valued as
5 a valuable member of this community and not
6 dismissed any shape or form. So with that
7 said, my name is Pedro Gonzales. Once
8 again, thank you for letting me express
9 myself. God bless you all.

10 MR. MORGAN: Good evening, Council.
11 Standing here tonight listening to people I
12 do appreciate everybody's opinion. I
13 just -- I am a staunch constitutionalist and
14 I totally believe in the separation of
15 powers and I don't know how this trial is
16 going to end, but I have been troubled by
17 what's been said in the courtroom from what
18 the Scranton Times has said. You know, I
19 asked Mrs. Evans for -- and I know it can't
20 probably happen until the hearings are over,
21 but I would really appreciate the residents
22 of this city having access to a copy of the
23 transcripts of this hearing to see what the
24 arguments were for both parties.

25 I just think that council's time

1 could have been more constructively spent
2 and I'm really troubled from what Mrs. Evans
3 said about council itself not beginning the
4 process of breaking down the budget line
5 item by line item, and I don't know how you
6 are going to be prepared for the next
7 budget. I do know that I was watching the
8 news the other day and a governor and the
9 state with a budget problem cut that budget
10 by four billion dollars and I just think
11 that council can cut this budget by seven
12 million dollars, but you can't do it if you
13 are not breaking that budget down and
14 starting now, all right? I'm not going to
15 try to say that your heart isn't in what you
16 are trying to do, I just think it's wrong,
17 okay? I mean, from what I have read in the
18 Scranton Times. And like I say, their
19 opinion may be biased, but they are
20 presenting the argument that council went
21 off and had meetings with Mrs. Evans, some
22 of the members of council had meetings with
23 Mrs. Evans. Without the transcripts I can't
24 say this for sure, but with no real factual
25 information I think that's a troubling way

1 for a government to function. I respect
2 everybody on this council, but I just
3 disagree and I don't think that's the way to
4 run a legitimate government.

5 And people have come up here and
6 spoke about departments being mismanaged and
7 my opinion is if these departments are
8 mismanaged then why doesn't council doing
9 something about it? You know, the council
10 and the mayor can fight, but it's not going
11 to bring change, it's going to be bring
12 gridlock, and one branch of the government
13 cannot condone what they do because the
14 other branch did something because then we
15 go no where because everybody is going to be
16 trying settle a score and get even. We have
17 been doing that here a long time, okay?

18 The other thing I have is, you know,
19 I really -- I don't know where you stand on
20 the franchise agreement with the Comcast,
21 but I really, like I said last time I was
22 here, it's time to take that money out of
23 the budget and do constructive things for
24 the people in this city like a youth and
25 remedial education program, a third of that,

1 and a third for seniors for their senior
2 citizens centers, and a third that fund
3 public access television. I mean, that
4 would be really -- a thing that council
5 could really do. It would take a lot of
6 work, it would take a lot of convincing, but
7 it's something that could really provide a
8 lot of dividends. I mean, we have got
9 a very serious drug problem. Even the
10 judges when they care in for retention
11 agreed, and what I'm saying is this is one
12 thing that I think council can do. I mean,
13 you have just got to get your priorities
14 straight.

15 The same thing with Mr. Austin
16 Burke. You know, if you bring him in here
17 and everything isn't adversarial, if we are
18 not fighting with each other and we can sit
19 down at a table and try to discuss how we
20 are going to move this community forward
21 maybe we can create some jobs. I mean, we
22 lost over 93,000 jobs last year to China.
23 You mean to tell me that we can't
24 manufacture something in an incubator here
25 by reaching a partnership between business

1 and government for the benefit of us?

2 I mean, you know, Mr. Jackowitz and
3 a couple of the other people come here and
4 speak about the wage base. Well, all of the
5 change has to start somewhere.

6 And in regards to the stopping of
7 these individuals by the Scranton police,
8 you know, Mr. Jackowitz spoke about taking
9 the filing out of cigars and using them for
10 drugs, but my question is did these officers
11 see these individuals actually doing that?
12 I mean, are we going to go off and assume
13 that everybody is just rolling out the
14 center of a cigar to fill it with drugs? I
15 mean, that's a terrible thing to say. It's
16 just -- it's so un-American. I mean, do we
17 have rights as citizens or don't we? And
18 can police or the judiciary steal all of our
19 rights from us? There comes a time when
20 some things are wrong or right and I just
21 think in my own opinion I didn't hear
22 anybody say that they watched these people
23 load these cigars or blunts with drugs. I
24 mean, in America we are supposed to have
25 freedom of movement at all times. Thank

1 you.

2 MR. ROGAN: Thank you. Is there
3 anyone else that would like to address
4 council?

5 MR. PICCOLINO: Good evening, city
6 council, Giovanni Piccolino, homeowner and
7 business owner in the City of Scranton. I
8 was one here to come and complain really
9 quick about the Parking Authority and
10 everything, but now I have to compliment
11 them. The last about month and a half they
12 have enforced the parking out front of the
13 pizza shop and the Scranton police officers,
14 so my family and I would like to thank both
15 of those entities and city council for
16 putting those two entities in motion and
17 helping out our business and generating a
18 couple of extra hundred bucks for the city.
19 I have seen numerous amount of tickets given
20 out so it's a very good thing. Mr.
21 Loscombe, I agree about the Lackawanna
22 Avenue project. I don't know who did that
23 at all. Terrible architecture or whatever
24 you want to call it.

25 Another thing real quick. Kevin

1 Murphy came in our pizza shop tonight and
2 pointed out to me about maybe Leonard's
3 Pharmacy in North Scranton I guess there is
4 an abundance of senior citizens that have to
5 buy prescriptions there and there is no like
6 15-minute parking available for over there.
7 I don't know if you guys can possibly -- I
8 guess they have to park at a bank adjacent
9 across the street maybe. I don't if you
10 guys can -- I'm not quite sure how long they
11 have been in Scranton or whatever, but
12 still --

13 MR. ROGAN: Yeah, we'll definitely
14 look into it.

15 MR. PICCOLINO: It's more of a
16 convenience factor. As our customers come
17 in they're like, wow, it's really nice to
18 pop in and pop out, so we just wanted to
19 thank everybody and that's it. Have a Happy
20 Easter.

21 MR. ROGAN: Thank you.

22 MR. JOYCE: Mrs. Krake, if you can,
23 would you be able to construct a letter to
24 DPW and Mr. Brazil and copy the mayor as
25 well and ask if it's permissible to put a

1 15-minute parking sign up in front of that
2 location? Thank you.

3 MR. ANCHERANI: Good evening.
4 Nelson Ancherani, First Amendment Rights. I
5 see the budget talks between council and the
6 mayor has broken down. I wonder whose fault
7 that was? I'm going to say that they went
8 the same path that negotiations between the
9 unions and the city went with the city
10 sabotaging the talks. The police union and
11 the city set down for three negotiating
12 sessions and the city threw monkey wrenches
13 in each time. The city wasn't interested in
14 talking. They weren't serious about
15 settling. They were just delaying for time.

16 When all of these court cases and
17 arbitrations start coming to an end we will
18 have to stop taking from Peter to pay Paul.
19 Peter will be here. The taxpayers are going
20 to feel the brunt -- feel the brunt of the
21 opinions. This is so sad since all that
22 could have been solved with serious
23 negotiating on the city's part.

24 Anyway, Council, stay tough, stay
25 the course. We, the people, thank you for

1 being diligent protecting the taxpayers'
2 money. The taxpayers of the city, the small
3 people, are counting on you to run
4 interference for them by saving them money.
5 Stop the senseless spending. Go through the
6 budgets and scrutinize the professional
7 services budgets in each department. I find
8 it very curious the words professional
9 services were used eight times in the Sunday
10 Times' article titled "Widespread use of
11 no-bid contracts enables corruption and
12 waste."

13 Since 2002, \$1,905,000 has been
14 budgeted to the law department alone. Total
15 of all city departments professional
16 services budgets since 2002 is \$6,026,510.
17 How much of that was spent on outside
18 attorneys fighting the police and fire
19 unions? How much of that was wasted?

20 Very recently, Council, you lowered
21 the limit for competitive bidding. Good
22 move. A lot of people agree with the need
23 for competitive bidding in keeping costs
24 down. It's another way to save taxpayers'
25 money.

1 The Connell building, I guess the
2 \$684,232 judgment that was slapped on the
3 owners of the building was the reason for
4 the halt of the work. A number of months
5 ago that was halted. It's restarted since.
6 What was Ms. Aebli's reason for the stoppage
7 at that time?

8 I thought I would bring up to the
9 question about the leaseback of the DPW. As
10 I said a few weeks ago, the city has paid
11 back to whoever, because it doesn't say in
12 the budget who is getting the money, it paid
13 back with this year \$8,750,000 for a \$4
14 million building. I have to ask if anyone
15 knows how much more, how many more years we
16 as taxpayers will be paying back for a \$4
17 million building when we all already paid
18 back \$8,750,000. Is that total going to be
19 almost 13 million or more?

20 In Scranton we waste money. We paid
21 three million for the police building that
22 was built too small for the entire
23 department to be housed in it. That was the
24 intent of it being built in the first place,
25 to house all of the departments. On top of

1 that, there were cracks in the walls, they
2 have been patched over since, floor tiles
3 are separating, the parking lot does not
4 have the top layer of blacktop on it as of
5 this time. The police building is also
6 mentioned in that Sunday Times article.

7 Wasted, \$267,000 paid for the
8 renovations of the Casey Parkway before it
9 was torn down because it wasn't safe. I
10 wonder if the \$1.2 million green fish pond
11 at Nay Aug Park will be green again this
12 year or will it be black like it was one
13 year at least. I wonder if the \$300,000
14 tree house will have rooms added on for
15 concerts to be held there since the
16 amphitheater was torn down. How about the
17 bridge to no where over the gorge? Anybody
18 know where it's going to go? Maybe there
19 are plans to build another Luna Park, but
20 Route 81 is already there so that would have
21 to be rerouted. And how about the
22 undersized bathhouse at Nay Aug, and one big
23 question, are the kids going to have to pay
24 for swimming again this year? Thank you.

25 MR. ROGAN: Is there anyone else?

1 MR. SLEDENZSKI: You forget me, Pat,
2 didn't you? Best for last, Pat. Best for
3 last.

4 MR. ROGAN: Save the best for last.

5 MR. SLEDENZSKI: Hey, Jack, you what
6 know something, those firemen downstairs,
7 Jack, they are doing a good job down there.
8 I'm proud of all of them down there. Thank
9 you.

10 MR. LOSCOMBE: Thanks, Chrissy.

11 MR. ROGAN: Is there anyone else
12 that would like to address council?

13 MR. NEWCOMB, JR.: Good evening,
14 Council. I just wanted to give you an
15 update of the Keyser Valley situation with
16 the flood that we have been having over
17 there since I have been there for five
18 years. I had a meeting at Representative
19 Murphy's office this past week with the
20 project manager of PennDOT that's going to
21 do the Keyser Avenue project that's going to
22 go from the intersection where McDade Park
23 is all the way up past Lafayette Street.
24 And I'm under the impression after the
25 meeting that the city is ready to go with

1 the project on it's end, laying the pipe and
2 the drains and so on, but they wanted input
3 from the state and assistant from the state
4 before they went through on the project
5 because they want the state basically to
6 meet them half-way with the drainage system
7 and they don't want to do this project and
8 then it not work out, I guess. Because of
9 the state.

10 But I need to thank tremendously
11 Representative Murphy for keeping us in the
12 loop. He has called the neighbors, his
13 office, at least once a month to advise us
14 of the situation that is going on, so I
15 don't know where it's going to go from here.
16 They need to have some more meetings with
17 PennDOT, but I know Mr. Brazil was at the
18 meeting and he said that it will be
19 hopefully rectified by the end of the
20 summer, they just have to do some more legal
21 ramifications on PennDOTS's end, BUT I need
22 to thank Mr. Brazil and Mr. Murphy for this
23 meeting that they had to keep us in the
24 loop, so I just wanted to let's you know
25 what happened at this meeting. Thank you.

1 MR. ROGAN: Thank you. Is there
2 anyone else? If not, fifth order.
3 Mr. McGoff, do you have any motions or
4 comments?

5 MR. MCGOFF: Very brief. First of
6 all, Mr. Gonzales, with your permission I
7 will pass this along to ECTV.

8 MR. GONZALES: Please do.

9 MR. MCGOFF: And have them perhaps
10 scroll it as part of their public
11 announcements.

12 MR. GONZALES: That would be
13 fantastic. Thank you very much.

14 MR. MCGOFF: You are welcome. And
15 the only other thing is to wish members of
16 the Judea community a very sacred Passover
17 and members of the Christian community a
18 happy and Holy Easter, and that's all.

19 MR. ROGAN: Thank you. I just have
20 two things tonight. The first one is a
21 citizen's requests. At the intersection of
22 Crown Avenue and Beach Street there is a
23 small store, Crown Market. Outside of the
24 store there is a one -- there are two
25 telephone polls. One is a pole and the

1 other the bottom part was removed and it
2 says it's being only held into place by two
3 small steel straps and a piece of rope at
4 the top. The resident reported that the
5 pole -- since the pole has been anchored
6 this way it has shifted and the resident is
7 very concerned that the pole will break and
8 that it may fall and hurt somebody or crush
9 a car. So, Mrs. Krake, could we please
10 send a letter to the proper authority
11 regarding this.

12 And the second issue is regarding
13 sex offenders in our neighborhoods, and I
14 spoke with Mr. Loscombe about this the other
15 day and he passed along some information. I
16 received a phone call from a neighbor who
17 lives by a local school and he was concerned
18 that there was somebody on the Pennsylvania
19 Sex Offender Registry that lived right
20 across from the school, and Mr. Loscombe
21 passed along this information, I believe he
22 got it from Chief Elliott in a meeting, but
23 there is an ordinance on the books that sex
24 offenders cannot live within 2,500 feet of a
25 school, child care facility, open space,

1 community center, public park or recreation
2 facility. But in Allegheny County they had
3 a similar ordinance and it was challenged in
4 Court by the -- I think it was by the ACLU
5 and the ACLU won. So, unfortunately, right
6 now there is nothing that is restricting
7 where a sex offender could live within our
8 neighborhoods, but I would urge concerned
9 residents to go to: [WWW.PAMeganslaw.](http://WWW.PAMeganslaw.State.pa)
10 [State.pa](http://WWW.PAMeganslaw.State.pa). There on their website you could
11 do a search to look up sex offenders in your
12 neighborhood by zip code, municipality, and
13 county. And just for instance, I live in
14 the 18504 zip code and there were over --
15 there was around 30 just in that zip code
16 and some were near schools, churches and
17 other areas, so unfortunately this
18 ordinance, the Allegheny County version of
19 this ordinance was struck down, so I don't
20 think we would be able to enforce it, but I
21 just wanted to let that information be out
22 there so neighbors can watch out for their
23 if neighbors and keep track of what's going
24 in our neighborhoods. And that is all I
25 have tonight. Mr. Loscombe?

1 MR. LOSCOMBE: Thank you, Mr. Rogan.
2 Just to follow-up on that a little bit, I
3 did have a meeting with the police chief the
4 other day, it's been a crazy week so I
5 didn't get a chance to put all of my notes
6 together to review here, but, unfortunately,
7 it was before that newspaper article, so I
8 have a couple of things I would like to go
9 over and then next week I could report on
10 it, but the police chief and he had two
11 officers there with him and they did present
12 me with that information because they would
13 like to have an ordinance that has teeth in
14 so they can protect the citizenry from sex
15 offenders. So we to -- council is going to
16 look into it a little bit more, look into
17 other areas where there is legislation. I
18 think the toughest thing was the distance on
19 there. It makes it unenforceable because
20 there is no actual area in the city where
21 they would be enable to inhabit, so there is
22 some items that have could be looked at in
23 there to make it enforceable and put some
24 teeth into it and have the protections. So
25 that's something Mr. Rogan is going to be

1 looking into and I'm sure we all help
2 whatever we can.

3 MR. ROGAN: Absolutely, because like
4 we said on Friday when -- it was perfect
5 timing because I got the call from a
6 resident and then you just got done with the
7 meeting with the chief and had the
8 information, but this is something that is
9 critical in this city and we all see the
10 stories on CNN and Fox news about, you know,
11 repeat sex offenders and the problems that
12 happen because of that and I think it was a
13 good ordinance it's unfortunate that it was
14 struck down, but hopefully council can work
15 together to do something they could protect
16 the children in our neighborhoods.

17 MR. LOSCOMBE: Definitely. And so
18 next week I'll report on my meeting with the
19 police chief because there are some issues I
20 to have to go over since then. One thing I
21 want to report on. Naturally, we have
22 citizens' concerns we pass onto Mrs. Krake
23 and all of that and about two weeks ago I
24 received -- well, actually, I ran into a
25 citizen in the store that told me about a

1 building in South Side that was vacant, it
2 was a hazard, it was hanging over the water,
3 got washed out in the flood, it's been
4 vacant for several years. So I went up
5 there and usually I do my photographing and
6 my visits on the weekends because I have my
7 granddaughter with me, and we went up and I
8 photographed this property, took front and
9 back photos, you could see how it's hanging
10 over the water, part of the foundation is
11 washed out, and the home next door to it is
12 actually vacant, also. It's a two-family.
13 That one is in a little better shape, but
14 ironically I was leaving my home on Sunday
15 to pick up my wife at work and I live on the
16 West Mountain and I saw a plume of smoke
17 over on South Side and took a shot over,
18 just followed the smoke and by the time I
19 got over there the fire was out. The
20 firemen did a tremendous job stopping the
21 fire, but it was a vacant dwelling. And you
22 may have seen in the newspaper 618 East Elm
23 Street, and it's ironic because I was just
24 putting that together to complain about.

25 But doing some research I find out

1 that the apparently this home is owned by
2 the City of Scranton and it's probably owned
3 for the last six years or so or at least
4 five years and I was wondering, Mrs. Krake,
5 if we can send a letter to LIPS or whoever
6 is responsible to expedite the demolition of
7 this property. It's a hazard to any one,
8 the teenagers that hang out there or
9 whatever, but specifically the firefighters,
10 I mean, it would have been easy for them to
11 fall right into the river from that building
12 and the house that they stopped the fire
13 from hitting was probably about four feet
14 away, so that's something that should
15 definitely be expedited and there should be
16 no problem because apparently it is owned by
17 the city.

18 Next item was just I noticed that
19 there was a something in the newspaper
20 regarding the police alarms that they are
21 going to be charging for the police alarms
22 and stuff. This is something definitely
23 that the fire department has done over the
24 years and ironically according to the
25 newspaper last year they realized over

1 \$40,000 from the fines and, you know, you
2 can look at it a couple of ways. Some
3 people say, "I'm going turn my alarm off, I
4 don't want it going off and all that."

5 What happens is with the nuisance
6 alarms is situations where you have an alarm
7 system, it's malfunctioning and you just
8 neglect to take care of it so they're
9 responding all of the time. That's when
10 they will come down on you. I mean,
11 legitimate false alarms, like say a child
12 pull an alarm or circumstances like that,
13 all they are trying to do is reduce the
14 amount of non necessary calls. I mean, you
15 are not go to prevent them all, but, you
16 know, do not --- do not jeopardize your
17 safety by turning off your alarm and
18 worrying about, you know, getting fined or
19 whatever. There is always an explanation,
20 but mostly it's commercial that there is a
21 problem with.

22 But other than that, we have had a
23 busy week in Court this week and we finally
24 ended at the end of the day today and we'll
25 have to wait for the judge's decision. We

1 all went there, we all worked for the
2 people. I hope our duty there was
3 justified. I know we would all do it again.
4 It was definitely an education and that's
5 all I have to say. Thank you.

6 (During Mr. Loscombe's comments Mrs.
7 Evans takes arrives for the meeting.)

8 MS. EVANS: Thank you, Mr. Loscombe.
9 Mr. Joyce, any comments or motions?

10 MR. JOYCE: Yes. Mr. Gonzales, I
11 know that you mentioned that the Mothers
12 United Against Hunger was having a free
13 dinner on April 3 and other Saturdays during
14 the month; correct?

15 MR. GONZALES: That's correct. This
16 will be our very first one that we are ever
17 going to do. This will be our inaugural
18 event, I should say, and we hope to do it
19 once a month in the time to come, but this
20 will be our first very first one giving out
21 food for free for the community.

22 MR. JOYCE: Okay. If members of the
23 community would like to donate any type of
24 food product or monetary donation, is there
25 a place where they could do so at?

1 MR. GONZALES: Yes, they can. The
2 specific flyer I gave Councilman Rogan has
3 the e-mail and my phone number where they
4 could reach us or send us an e-mail and we
5 could provide that information for you.

6 MR. JOYCE: Okay. Thank you very
7 much.

8 MR. GONZALES: Thank you.

9 MR. JOYCE: I'm pleased to announce
10 that the city's application for the Google's
11 fiber -- or Fiber for Communities Program
12 was submitted last week by Scranton's IT
13 Department. Just to provide some background
14 on this program that Google is currently
15 looking into providing for a community,
16 essentially Google has plans to deploy an
17 ultra high speed broadband network in a
18 community that is still yet to be
19 determined. This ultraspeed broadband
20 network would be up to 100 times faster than
21 what is available in the area at the present
22 time. If selected for this program, Google
23 would install millions of dollars worth of
24 free technology right in our own backyard.

25 With this being said, the ultra

1 speed high -- the high speed -- ultra high
2 speed Internet service that Google would
3 provide will be offered to residents a very
4 low competitive cost as to well as to
5 government institutions, private businesses
6 and academia alike. I see this program as
7 being a benefit for both the residents of
8 the city as well as businesses if Scranton
9 is fortunate enough to be selected. If
10 Scranton is able to engage in the technology
11 upgrades that Google would provide through
12 this program, it could have the possibility
13 of attracting more jobs, more businesses,
14 more industry, especially in the IT sector.

15 I first became aware of this program
16 through attending a presentation held by
17 Miss Durkin of the Night Foundation over at
18 the University of Scranton, actually it was
19 both myself and Mr. Loscombe who attended
20 that presentation that night and
21 subsequently from there Mr. Tim Moran, who
22 is currently a large advocate of the project
23 contacted Mrs. Evans which she so gratefully
24 setup a public caucus for him to come in
25 here and explain this program to us.

1 Mr. Moran along with the assistance
2 of others has established a website that the
3 public can visit if they would like to know
4 more about this program. It's called
5 www.thefibercity.org. Also on the website
6 under support one can find letters of
7 various CEO's, president of corporations and
8 elected officials that have written letters
9 in support of it's initiative. I, myself,
10 am one of those elected officials who did
11 write a letter in support of the initiative.

12 In addition to this, Mr. Moran has
13 also setup a Facebook group in support of
14 the initiative for those of you who are
15 listening that are a member of Facebook
16 social network I would ask that you become a
17 member of the support page for this group
18 and you can do so by going to the
19 FiberCity.org webpage and you will find the
20 Facebook link for the site there.

21 As it stands, there are many
22 communities that are applying for this.
23 Obviously, you know, you would be -- it
24 would -- I don't know why no one would.
25 It's a free service. Google is planning on

1 going and installing a lot of free
2 technology into the community it selects, so
3 the more support that the city gets the
4 better our chances and the more support that
5 we have the better the chance that that
6 program could come to Scranton.

7 With that being said, I also have
8 one citizen's request. Late last week I
9 received notification from a Washburn Street
10 resident that during the last snow storm
11 which happened a few weeks ago, one of the
12 plows took out the curb in front of 1516
13 Washburn Street. Mrs. Krake, if you can
14 please send a letter to Mr. Brazil and a
15 copy to Mr. Doherty as well asking them to
16 please restore the curb in front of his
17 property. And that is all I have tonight.

18 MS. EVANS: Thank you, Mr. Joyce.
19 Good evening and I apologize for my
20 tardiness to tonight's council meeting.

21 I'd like to begin with an
22 announcement, in the next few weeks PPL
23 Electric Utilities and it's contractor,
24 Asplundh Construction Corporation, will
25 begin the process of maintenance upgrades to

1 aged power polls and lines in select areas
2 of Scranton. The first section to be
3 completed starts near the Pennsylvania
4 Turnpike, runs across Keyser Avenue and ends
5 at the Scranton Expressway. Throughout the
6 years several other sections are slated for
7 improvements and council will notify the
8 public of that work at such time as we
9 receive further information from PPL. The
10 project will involve replacing aging wooden
11 polls with new wood polls and in some cases
12 steel polls. Also, wires on old polls will
13 be replaced with new wires. The voltage of
14 the lines will remain the same, however.
15 PPL will make every effort to keep
16 disruptions for residents to a minimum. And
17 next, a few items of business. Mrs. Krake,
18 in addition to the four proclamations for
19 West Scranton High School students
20 previously requested, I would like two other
21 proclamations for Justin Ambrosia, a
22 sophomore student who achieved all-state
23 band for wind ensemble, and Gloria Dudek, a
24 junior student who achieved all-state
25 concert band for percussion. These six

1 proclamations can be presented by council on
2 the same evening.

3 I would also ask for a proclamation
4 to honor James Kennedy, as the longest
5 serving district judge in Lackawanna County.
6 Magistrate Kennedy has enjoyed 34 years on
7 the bench providing the residents of his
8 Scranton district with his unparalleled
9 style of wit, wisdom and justice and
10 compassion. And, Mrs. Krake, I'll provide
11 you with a contact numbers for these three
12 individuals following tonight's meeting.

13 Next, I would like to send a letter
14 on behalf of Scranton City Council to the
15 HUD inspector again requesting a meeting at
16 his earliest convenience to discuss several
17 issues including grants, employment and
18 loans and other matters that arose in the
19 Scranton Office of Economic and Community
20 Development within the last few years. Only
21 recently I learned that the inspector had
22 visited the Scranton office in January 2010
23 and had I known of the inspection I would
24 have requested a meeting at this time.

25 Also, with my colleagues agreement,

1 please send a letter to Mr. Frank Swietnicki
2 requesting his attendance at a public caucus
3 on April 6 or 13 at 6:00 to discuss city
4 benefits of the Google pilot program and
5 anticipated department needs in 2011. Also,
6 request mayor's permission for
7 Mr. Swietnicki's attendance and include a
8 reminder that Mr. Seitzinger awaits the
9 mayor's permission to attend a council
10 caucus as soon as possible.

11 Now, one of the best news articles
12 lately is that the once Pinebrook
13 Neighborhood Association is being revived by
14 Mary Chilipko. Mary is a hard worker, a
15 true public servant and an admirable
16 community activist. She has never requested
17 or sought anything for herself, not even a
18 thank you. Rather, she works for solutions
19 within her neighborhood. Mary's strength,
20 resilience and commitment to helping others
21 are inspirational and motivational to not
22 only the residents of Pinebrook, but to all
23 of us who reside in the City of Scranton,
24 and city council is anxious to assist
25 Pinebrook and Mary. Yes, you, Mary, in any

1 way possible.

2 Like many of you, I was also pleased
3 to read in Sunday's paper that local
4 government officials agree that contracts
5 should be bid. When Mr. Doherty first
6 became mayor he increased the bidding
7 threshold from \$10,000 to \$20,000 thereby
8 eliminating many contracts and services from
9 the bidding process.

10 In 2004, when Mr. Courtright and I
11 were first elected to city council, we
12 drafted and passed legislation to lower the
13 bidding threshold back to \$10,000 and that
14 was done in conjunction with Mr. DiBileo.
15 At the time, I also insisted that
16 professional services should be bid, but was
17 met with opposition from some of my council
18 colleagues who argued that the mayor had a
19 legal right to award no bid contracts
20 particularly for professional services.

21 Thus, my professional services
22 proposal died and only the decreased bidding
23 threshold survived. However, Mayor Doherty
24 vetoed that legislation which then died
25 because there was no fourth vote or

1 supermajority on council to override that
2 veto. On March 2, 2010, this council
3 introduced it's only legislation to once
4 again lower the bidding threshold from
5 \$20,0000 to \$10,000 and this legislation
6 passed unanimously on March 16, 2010.

7 Council developed and lowered the
8 city bidding threshold prior to the
9 indictments of county officials for alleged
10 no bid contract improprieties. For the
11 first time the mayor has not vetoed
12 council's legislation and is finally ready
13 to reconsider putting professional services
14 out to bid. Therefore, with my colleagues
15 agreement I would like to send a letter to
16 the mayor and to city solicitor Patterson
17 requesting the drafting of legislation which
18 requires that all professional services
19 shall be put out to bid. Council
20 respectfully requests a written response on
21 or about April 20, 2010, in the spirit of
22 cooperation to benefit local businesses and
23 the taxpayers of Scranton.

24 I also am aware that the
25 Pennsylvania Economy League or

1 representatives thereof intend to schedule
2 meetings with members of Scranton City
3 Council to discuss a revised Recovery Plan
4 and, Mrs. Krake, I know that council has
5 been invited to attend such meetings at the
6 office I believe of PEL in downtown
7 Scranton. They are providing either evening
8 hours or daytime hours, but in response on
9 behalf of council I would like to send a
10 letter to PEL requesting that those meetings
11 be held in council chambers rather than in
12 their headquarters, which I believe is
13 located at the corner of Wyoming Avenue and
14 Lackawanna Avenue.

15 In addition, I would like the
16 meetings to be televised and I would like
17 all of the stakeholders present at the
18 meetings, those being, for example, the
19 mayor of Scranton, all of city council,
20 representatives of each municipal unions. I
21 think we should be having these round table
22 discussions publically since the Recovery
23 Plan will have an impact on the citizens of
24 Scranton or paying all of the bills and I
25 also feel the time is certainly come for all

1 of the stakeholders to have a seat at the
2 table and I think can only benefit the
3 process and the people of Scranton to
4 provide transparency for those meetings
5 rather than conducting them in offices,
6 minus all of the pertinent parties.

7 Finally, city council would like to
8 wish everyone a very happy Easter and a
9 blessed Passover, and that's it.

10 MS. KRAKE: 5-B. FOR INTRODUCTION -
11 A RESOLUTION - AUTHORIZING THE MAYOR AND
12 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
13 AND ENTER INTO A GRANT AGREEMENT WITH THE
14 COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF
15 ENVIRONMENTAL PROTECTION ("DEP") FLOOD
16 PROTECTION GRANT PROGRAM TO ACCEPT GRANT
17 FUNDS IN THE AMOUNT OF \$25,800.00 TO
18 PURCHASE A TRUCK, BRUSH MOWER, RIDE-ON MOWER
19 AND SKID MOUNTED SPRAYER.

20 MS. EVANS: At this time I will
21 entertain a motion that Item 5-B be
22 introduced into it's proper committee.

23 MR. JOYCE: So moved.

24 MR. ROGAN: Second.

25 MS. EVANS: On the question? All

1 those in favor of introduction signify by
2 saying aye.

3 MR. MCGOFF: Aye.

4 MR. ROGAN: Aye.

5 MR. LOSCOMBE: Aye.

6 MR. JOYCE: Aye.

7 MS. EVANS: Aye. Opposed? The ayes
8 have it and so moved.

9 MS. KRAKE: 5-C. FOR INTRODUCTION -
10 A RESOLUTION -AMENDING RESOLUTION NO.187,
11 2009 ENTITLED "AUTHORIZING THE MAYOR AND
12 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
13 AND APPLY FOR A GRANT FOR HOUSING AND
14 REDEVELOPMENT ASSISTANCE THROUGH THE
15 COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF
16 COMMUNITY AND ECONOMIC DEVELOPMENT (DCED) IN
17 THE AMOUNT OF \$450,000.00. IF THE GRANT
18 APPLICATION IS SUCCESSFUL, THE CITY WILL
19 COORDINATE THE USE OF THE GRANT FUNDS WITH
20 THE UNITED NEIGHBORHOOD COMMUNITY
21 DEVELOPMENT CORPORATION (UNCDC) FOR A
22 PROJECT TO BE CALLED THE "CEDAR AVENUE
23 NEIGHBORHOOD HOUSING REVITALIZATION
24 INITIATIVE" ("CEDARNHRI")" BY INCLUDING
25 ADDITIONAL LANGUAGE REQUIRED BY THE

1 COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF
2 COMMUNITY AND ECONOMIC DEVELOPMENT.

3 MS. EVANS: At this time I'll
4 entertain a motion that Item 5-C be
5 introduced it's proper committee.

6 MR. JOYCE: So moved.

7 MR. ROGAN: Second.

8 MS. EVANS: On the question? All
9 those in favor of introduction signify by
10 saying aye.

11 MR. MCGOFF: Aye.

12 MR. ROGAN: Aye.

13 MR. LOSCOMBE: Aye.

14 MR. JOYCE: Aye.

15 MS. EVANS: Aye. Opposed? The ayes
16 have it and so moved.

17 MS. KRAKE: SIXTH ORDER. NO
18 BUSINESS AT THIS TIME. SEVENTH ORDER. 7-A.
19 FOR CONSIDERATION BY THE COMMITTEE ON RULES
20 - FOR ADOPTION - RESOLUTION NO. 9, 2010 -
21 APPOINTMENT OF ANDY SBARAGLIA, 2410 NORTH
22 MAIN AVENUE, SCRANTON, PENNSYLVANIA, 18508,
23 AS A MEMBER OF THE SCRANTON REDEVELOPMENT
24 AUTHORITY FOR A FIVE (5) YEAR TERM TO
25 REPLACE MR. ROBERT TIMLIN WHOSE TERM EXPIRED

1 ON FEBRUARY 4, 2010 AND MR. SBARAGLIA'S TERM
2 WILL EXPIRE ON FEBRUARY 3, 2015.

3 MS. EVANS: This is a motion to
4 override or sustain the mayor's veto. As
5 chairperson for the Committee on Rules, I
6 recommend that we override the mayor's veto
7 of Item 7-A.

8 MR. LOSCOMBE: Second.

9 MS. EVANS: On the question?

10 MR. MCGOFF: Yes. Once again, I
11 will state that I do not believe that
12 council has the power to make these
13 appointments and, therefore, on both 7-A and
14 7-B I will abstain.

15 MS. EVANS: Thank you, Mr. McGoff.
16 Attorney Hughes, I know you have had a very
17 long day.

18 MR. HUGHES: Week.

19 MS. EVANS: A very long probably two
20 to three weeks now, and I do publically wish
21 to commend you for your tireless efforts,
22 your professionalism and the core values and
23 principals that you represent for this city
24 council in the courtroom. It is, indeed, a
25 great honor and privilege to work with you

1 and to be represented by you.

2 MR. LOSCOMBE: Can I second that?

3 MR. HUGHES: I didn't know it was a
4 motion.

5 MS. EVANS: I again apologize
6 because I can certainly understand your
7 fatigue, and for those of you who don't
8 really know too much about Attorney Hughes,
9 he probably puts in on a daily basis, well,
10 weekdays I'd say 16 to 18 hours of work and
11 he works Saturdays and he works Sundays and
12 he is always available to this council and I
13 find that refreshingly unusual, but we are
14 very pleased and grateful that you are a
15 workaholic.

16 Now, with that said, can you briefly
17 comment on these two pieces of legislation
18 again just to clarify for the last time
19 publically on what basis council moved this
20 legislation?

21 MR. HUGHES: Well, first of all, I
22 want to thank council for cooperating with
23 me on being available at the trials and for
24 your diligent efforts and also for your
25 testimony. Our brief is going to be due

1 April 16. The judge limited it to 20 pages,
2 so it sounds like a lot, but it's not when
3 you write. There was quite a bit of
4 testimony and I'm very confident that we
5 will succeed.

6 On 7-A and 7-B, I believe it was
7 Mr. Morgan a few meetings ago commented on
8 the original Administrative Code as adopted
9 which gave the mayor the power to appoint to
10 various authorities, boards and commissions.
11 However, that was amended as a result of the
12 action of council of the mayor, Mayor
13 Connors vs. the council. Council adopted
14 legislation where the term governing body
15 was used that council would have the right
16 to make the appointments to authorities,
17 boards and commissions.

18 As a result of that, there was a
19 stipulation entered into in the trial before
20 Judge Corbett that then amended -- that
21 stipulation was then adopted by ordinance
22 amending the Administrative Code which gives
23 council the power to appoint members to
24 authorities when the mayor does not timely
25 make the appointments. As a result, it was

1 my opinion that the appointment that the
2 mayor made to the Scranton Redevelopment
3 Authority was not in compliance with the
4 ordinance and that as a result of that
5 council had the right to appoint Andy
6 Sbaraglia to the Scranton Redevelopment
7 Authority.

8 The situation is a little bit
9 different on "B" with Mr. Piccolino in that
10 wherever there is a resignation and not a
11 termination of an appointment that council
12 has the right to fill the vacancy, and it
13 always has. That's an opinion from Judge
14 Nealon involving the Scranton Sewer
15 Authority and at that time I believe there
16 were seven different nominations to fill
17 vacancies on the authority and the Scranton
18 Sewer Authority.

19 As a result of that, some of the
20 appointments were held invalid. The one
21 appointment that was held valid by Judge
22 Nealon was appointing council's appointment
23 as the governing body to having that power
24 to replace -- to make the appointment to
25 replace someone who has resigned. That's

1 the distinction between A and B, and as such
2 I believe the council has the right to make
3 both of these appointments.

4 MS. EVANS: Thank you, Attorney
5 Hughes. I just wanted to add that often
6 times in the past, and I think we can go
7 into not just the last decade, but we can
8 probably return to the 90's as well, some of
9 the appointments to boards and authorities
10 have been political appointments for one
11 reason or another and I just wanted to
12 assure the public and explain the
13 appointments that council is making very
14 quickly.

15 These individuals, Mr. Sbaraglia is
16 a community activist. He has attended
17 numerous SRA meetings. He is a retired
18 individual. I believe him to be a man of
19 integrity and honesty and that is not to
20 cast dispersions toward anyone else, I'm
21 making solely a statement regarding Mr.
22 Sbaraglia and the intention of that
23 appointment is to open the door to the
24 authorities. The authorities have been less
25 than cooperative with city council, with

1 providing information to city council, with
2 attending public caucuses of city council.

3 These have been ongoing problems for
4 many, many years now and I feel that the
5 appointment of Mr. Sbaraglia to the
6 Redevelopment Authority will serve to put a
7 dedicated, honest, average individual who is
8 abreast of all of the situations in the City
9 of Scranton, the problems that we face, and
10 by so doing he will be let's say drawing the
11 curtains and letting some sunshine in and
12 just not in terms of city council, but so
13 that the people of the City of Scranton can
14 at long last receive information from these
15 authorities as well. Roll call, please.

16 MS. CARRERA: Mr. McGoff.

17 MR. MCGOFF: Abstain.

18 MS. CARRERA: Mr. Rogan.

19 MR. ROGAN: Yes.

20 MS. CARRERA: Mr. Loscombe.

21 MR. LOSCOMBE: Yes.

22 MS. CARRERA: Mr. Joyce.

23 MR. JOYCE: Yes.

24 MS. CARRERA: Mrs. Evans.

25 MS. EVANS: Yes. I hereby declare

1 the mayor's veto of Item 7-A, Resolution No.
2 9, 2010, legally and lawfully overridden.

3 MS. KRAKE: 7-B. FOR CONSIDERATION
4 BY THE COMMITTEE ON RULES - FOR ADOPTION -
5 RESOLUTION NO. 10, 2010 - APPOINTMENT OF
6 GIOVANNI PICCOLINO, 2639 BIRNEY AVENUE,
7 SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER
8 OF THE SCRANTON PARKING AUTHORITY. MR.
9 PICCOLINO WILL FILL THE UNEXPIRED TERM OF
10 MRS. KATHLEEN MCDONNELL WHO RESIGNED
11 FEBRUARY 17, 2010. MR. PICCOLINO'S TERM
12 WILL BE EFFECTIVE FEBRUARY 18, 2010 THROUGH
13 JUNE 1, 2010. MOTION TO OVERRIDE OR SUSTAIN
14 MAYOR'S VETO.

15 MS. EVANS: This is a motion to
16 override or sustain the mayor's veto. As
17 Chairperson for the Committee on Rules, I
18 recommend that we override the mayor's veto
19 of Item 7-B.

20 MR. LOSCOMBE: Second.

21 MS. EVANS: On the question?

22 MR. ROGAN: Yes, on the question.

23 In 2007 both Mr. Piccolino and myself ran
24 for city council. We got to know each other
25 pretty well and I think he is the perfect

1 person to be on the Parking Authority as the
2 owner of a downtown business who deals on a
3 daily basis with the issues of parking
4 downtown and, you know, he had an issue at
5 his place and luckily by working with him
6 and council and Mrs. Krake did a lot of hard
7 work for us as well --

8 MS. EVANS: Yes, she did.

9 MR. ROGAN: -- getting in touch with
10 the Parking Authority and we resolved that
11 problem, and I know Mr. Piccolino knows most
12 of the downtown business owners.

13 MS. EVANS: Exactly.

14 MR. ROGAN: He has a good
15 relationship with them, so I think he would
16 be a perfect fit.

17 MS. EVANS: And I echo those
18 comments. Mr. Piccolino certainly has his
19 finger on the pulse of the downtown business
20 community. I know he counts among his
21 friends many of the business owners. In
22 addition to that, I feel that Mr. Piccolino
23 will do a great service for the people of
24 the city, for city council and his fellow
25 businesses. I know that the business you

1 own, Buona Pizza, has been a taxpaying
2 business, one of the staples of downtown
3 Scranton for approximately 40 years, and I
4 can't think of anyone who could better
5 represent the people and council and open
6 that window for some information for all of
7 us. Roll call, please.

8 MS. CARRERA: Mr. McGoff.

9 MR. MCGOFF: Abstain.

10 MS. CARRERA: Mr. Rogan.

11 MR. ROGAN: Yes.

12 MS. CARRERA: Mr. Loscombe.

13 MR. LOSCOMBE: Yes.

14 MS. CARRERA: Mr. Joyce.

15 MR. JOYCE: Yes.

16 MS. CARRERA: Mrs. Evans.

17 MS. EVANS: Yes. I hereby declare
18 the mayor's veto of Item 7-B, Resolution No.
19 10-2010 legally and lawfully overridden. I
20 will entertain a motion to adjourn.

21 MR. MCGOFF: So moved.

22 MS. EVANS: Meeting adjourned.

23 Thank you all for your attendance and
24 participation this evening.

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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