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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, September 14, 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 moment of reflection  
2 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 MS. EVANS: Here.

14 MS. KRAKE: 3-A. MINUTES OF THE  
15 SCRANTON SEWER AUTHORITY BOARD OF  
16 DIRECTORS MEETING HELD JULY 27, 2010.

17 MS. EVANS: Are there any comments?  
18 If not, received and filed. Clerk's notes,  
19 please.

20 MS. KRAKE: We have a couple of  
21 responses first. The first, Councilman  
22 McGoff was kind enough to refer to our  
23 office on September 8 that OECD does not  
24 have a list of condemned homes that are to  
25 torn down by this department. Mr. McGoff

1 did tell us, however, that the demolition of  
2 condemned homes will be citywide, but will  
3 not include any homes in South Scranton.

4 Also, the project will be put out  
5 for bid. Noted were condemned homes which  
6 are to be demolished with CDBG funding in  
7 low to moderate income areas will be done  
8 in-house by the Department of Public Works.

9 MS. EVANS: Thank you.

10 MS. KRAKE: We received a response  
11 from Linda Aebli, Director of OECD, that she  
12 was in receipt of our letter on September 2  
13 concerning the Silkman House. She will  
14 looking into council's concerns and will  
15 respond in the near future.

16 We also received a response today  
17 from Chief Davis of the fire department in  
18 response to our question about the custom  
19 pumper fire apparatus. He tells us the  
20 lease application is awaiting the 2009 audit  
21 to be completed. As soon as it is complete,  
22 the application will be processed.

23 MS. EVANS: Thank you.

24 MS. KRAKE: And we have a few  
25 nonresponses. We did not hear back from

1 Eugene Barrett, Director of the Scranton  
2 Sewer Authority, as to why the Sewer  
3 Authority did not apply for federal stimulus  
4 funds. That was also a follow-up letter to  
5 our original letter March 9 requesting the  
6 same information.

7 We also did not hear back from Stu  
8 Renda, business administrator, concerning  
9 the improvements to Weston Field and an  
10 explanation of the timelines specifically  
11 starting with the original grant application  
12 to the Weinberg Foundation and all of the  
13 financing therewith.

14 We did not hear back from Attorney  
15 Kelly concerning the Civil Service Test for  
16 the hiring of new police officers.

17 And we had also request the same  
18 information from Director Dougher of Parks  
19 and Rec concerning Weston Field and he also  
20 did not respond.

21 And that's it.

22 MS. EVANS: Thank you, Mrs. Krake.  
23 Do any council members have announcements at  
24 this time?

25 MR. LOSCOMBE: Yes, I have a couple.

1           On October 2 the Holy Rosary Boy Scout Troop  
2           57 will hold a spaghetti dinner fundraiser  
3           at St. Joseph's Church at the corner of  
4           Theodore and North Main Avenue. Price is \$8  
5           for adults or \$5 for children. Children  
6           under two are free. Takeouts are also  
7           available and you can contact Leslie at BPW  
8           for tickets.

9           The West Side Falcons are holding a  
10          gun raffle to benefit the West Side Falcons  
11          and that will be held on November 5 from 5  
12          to 9 p.m. at the Jones' building located in  
13          West Side. There will be 12 guns raffled  
14          off with a combined value of \$5,000. A  
15          donation of \$25 for the raffle only or a  
16          donation of \$40 for the raffle and the  
17          dinner. Dinner and beverages will be  
18          served. There is only a limited number of  
19          tickets available for the dinner and raffle,  
20          so you contact any board member of the  
21          Falcons and they will also be sold at Big  
22          Rich American Sport's Shop in the Jones'  
23          building on South Main Avenue or you can go  
24          to [www.westsidedefalcons.com](http://www.westsidedefalcons.com).

25                   On September 18, the Fraternal Order

1 of Eagles is having a steak bake. The  
2 dinner runs from 3 to 7 and the cost of the  
3 dinner is \$15. All of the steaks are cooked  
4 to order and all of the money will go to  
5 Denise Tropper who is battling lung cancer.  
6 That will be 50/50 raffles and various other  
7 giveaways. Also, entertainment from DJ's  
8 and any questions you can call 460-2132 or  
9 815-1291. I hope you can all help Denise in  
10 her time of need. And that is all I have.  
11 Thank you.

12 MS. EVANS: Is there anyone else?  
13 There will be a benefit for Theresa Borgia  
14 on Saturday, September 25, at Holy Rosary  
15 Center, West Market Street. Mother of three  
16 children, Theresa has been battling cancer  
17 for quite sometime and, in fact, in past  
18 years served as chairperson for the Race for  
19 the Cure. Tickets are \$15 and include food,  
20 beverage and entertainment and are available  
21 at the door. Please help this very special  
22 woman and her fight against cancer. And  
23 that's it.

24 MR. LOSCOMBE: Excuse me,  
25 Mrs. Evans, what was the time on that?

1 MS. EVANS: There is no time that I  
2 was given, but it was on September 25 at  
3 Holy Rosary Center. I would imagine it's in  
4 the evening.

5 MR. LOSCOMBE: Thank you.

6 MS. KRAKE: FOURTH ORDER. CITIZENS'  
7 PARTICIPATION.

8 MS. EVANS: Our first speaker this  
9 evening is Tova Weiss.

10 MS. WEISS: Good evening and thank  
11 you, it's my pleasure to come before  
12 council. I am the director of the Holocaust  
13 Education and Resource Center and I'd like  
14 to talk to you about a month-long community  
15 project that we are spearheading, but it is  
16 truly a community event. The overall  
17 project is called "Heroes of Combat, Heroes  
18 of Compassion" and it is centered around an  
19 exhibit that we are bringing to the Mac  
20 Gallery, 123 Wyoming Avenue, from October 20  
21 through November 20. The exhibit itself  
22 actually recognizes the heroic American  
23 soldiers who liberated Europe and help  
24 nurture the survivors of Nazi persecution  
25 back to life. It is also a remembrance of



1 the Holocaust.

2 There are a number of programs  
3 involved in the project that I would like to  
4 talk to you about especially one, but I will  
5 also tell you that the chairperson, the  
6 honorary chairpersons of the project are  
7 Senator and Mrs. Robert P. Casey and the  
8 Honorable Mrs. David J. Wenzel. We have the  
9 support of the Lackawanna County  
10 Commissioners and the City of Scranton as  
11 well, and the very various departments of  
12 Veteran's Affairs from Northeastern,  
13 Pennsylvania, counties and more.

14 The reason for that is because this  
15 exhibit serves as the heart of the project  
16 and one of the things that grew out of it,  
17 the planning committee felt that it was very  
18 appropriate to use it as an opportunity to  
19 honor all of the World War II veterans in  
20 our area, so one of the things that we are  
21 spearheading, which has taken on a life of  
22 it's own and really grown, is a call to all  
23 World War II veterans, whether you know  
24 veterans themselves or family of deceased  
25 veterans, we put out a call with a form in

1 order to get information of veterans in our  
2 area because there will be an honor roll  
3 meeting. The kick off for the meeting will  
4 be at -- a program at the University of  
5 Scranton on the night of November 10 and it  
6 will continue the next day both in the  
7 exhibit space at the Mac and in other  
8 locations.

9 And I'm here to urge people to  
10 please fill out this form for relatives or  
11 you know, give it to living relatives and I  
12 have some materials, among them black and  
13 white copies of the form, for people to fill  
14 out and it has the mailing address to send  
15 in. The deadline that we are looking for  
16 receipt is October 15 and, as I said, the  
17 kickoff for that will be on November 10.

18 Among other things the exhibit  
19 itself will be open during regular gallery  
20 hours, which are Monday to Friday, from 10  
21 a.m. to 8 p.m. You can go through it. It's  
22 interactive and self-guided, but we are also  
23 taking group tours and that can be arranged  
24 by calling Ray Maglioci at 961-2300,  
25 extension four.

1 I would also like to invite everyone  
2 here and anyone who watches the proceedings  
3 to the public opening reception on Sunday,  
4 October 24, at 1:00 at the gallery. There  
5 will be a reception with a program for all.

6 Another part of the overall project,  
7 and you can see the scope of it is, that  
8 there will be a film series at the various  
9 libraries of the Lackawanna Library System  
10 and among the moderators will be Pete  
11 Chapala, Jack Finnerty, director of the  
12 Albright Memorial, and one very special film  
13 will be shown at the Gino Merli Center and  
14 the moderator will be former Mayor Wenzel  
15 himself. So all of that will appear in the  
16 newspapers, please be on the lookout for it.

17 The program on November 10, in  
18 addition to the honor roll there will also  
19 be a speaker coming in, a man -- the program  
20 itself is called "Hero of Combat, Hero of  
21 Compassion" and he is himself a World War II  
22 veteran and has a phenomenal story to tell  
23 so I invite everybody to the University that  
24 evening at 7:15, I believe. Okay, again,  
25 please watch the publicity.

1                   Is there anything else? The reason  
2                   that we chose the November 10 and 11 is  
3                   because November 10 is the anniversary of  
4                   Kristallnacht, which was one of the events  
5                   in 1938 that really began the long downhill  
6                   road and the development of the Holocaust,  
7                   which is so much a part of World War II.  
8                   Two really throws a major shadow over the  
9                   entire war and over many of our own  
10                  veterans, although, they served in various  
11                  theaters, the European theatre was brutal  
12                  and it was there that they discovered the  
13                  horrors that were setup with, as the exhibit  
14                  itself is called, when humanity fails. When  
15                  humanity failed, and it was really the  
16                  turnaround for the world and that which  
17                  allows us to live here freely is our men who  
18                  fought and thankfully won that war, and  
19                  although we were honoring the veterans of  
20                  all theaters, but Kristallnacht being the  
21                  10th and Veteran's Day being the 11th, the  
22                  connection was so close and the exhibit ties  
23                  it altogether so well that that is the  
24                  reason for the remembrance, and I guess I  
25                  would end with the fact that the focus of

1 the exhibit both with the title of "When  
2 Humanity Fails" and with the fact that we  
3 will be learning so much about our own  
4 veterans and our own heroes is we see the  
5 connection between all of us, between all of  
6 mankind and the fact that it is compassion  
7 and personnel responsibility and appropriate  
8 behavior that really leads to the good for  
9 all of us.

10 With your permission, I would like  
11 to leave these materials?

12 MS. EVANS: Oh certainly.

13 MS. WEIS: I have a variety of, you  
14 no he, fliers on the various programs.

15 MS. EVANS: I think that everyone on  
16 council likely already received the  
17 information, but we can certainly make it  
18 available for the public tonight, but we  
19 will also make it available in our office of  
20 city council, so that anyone who is hearing  
21 your announcement tonight can come to our  
22 office or call our office and pick up the  
23 information and then return what is  
24 necessary to you or to the appropriate  
25 party.

1 MS. WEISS: Thank you. Thank you  
2 very much, and I'll mention one last thing I  
3 hope I'm not taking too much time, there is  
4 for those people who may not be here or may  
5 not be able to get one of these, there is a  
6 form downloadable from the Lackawanna County  
7 website which is LackawannaCounty.org. You  
8 will find a button and you follow it and  
9 they can download the form and fill it out  
10 and mail it in. Okay.

11 MS. EVANS: Great success to you.

12 MS. WEISS: Thank you.

13 MS. EVANS: Our next speaker is Les  
14 Spindler.

15 MR. SPINDLER: Good evening,  
16 Council. Les Spindler, city resident and  
17 homeowner and taxpayer. Last week's meeting  
18 I reported about the graffiti that was under  
19 the Railroad Bridge on Main Avenue and  
20 Euclid Avenue, I'm happy to report that as  
21 of Thursday afternoon, which was less than  
22 48 hours later, it was all cleaned up  
23 already. I'd like to thank council and DPW  
24 for the quick action it took.

25 A few days ago in the newspaper

1           there was an article about an ECTV employee  
2           that harassed two speakers after the last  
3           meeting in July, and I don't know why it  
4           took so long for it to be the paper, I heard  
5           about it the day after that on the  
6           DohertyDeciet.com. As I said, you hear a lot  
7           more on that with website than you do in the  
8           Doherty newsletter. But I think that's  
9           awful despicable behavior for a public  
10          access television employee to have. It's a  
11          sad day when people can't come to this  
12          podium and speak their peace without being  
13          harassed, and I have said it the past, this  
14          station is totally inadequate, they haven't  
15          done anything they said they were going to  
16          do. Their programming isn't nearly what it  
17          used to be unless you are a Betty Boop or  
18          Chicago White Socks Fan, and for the three  
19          people that weren't here when I first spoke  
20          about this, when ECTV first started  
21          programming they are showing Betty Boop  
22          cartoons and replays of people in Chicago  
23          celebrating the 2006 White Socks winning of  
24          the World Series. If that's good  
25          programming, which mayor says they have, I

1 beg to differ.

2 Also, they said they were going to  
3 have on-line streaming of the meetings, they  
4 don't have that. No one answers the phone  
5 when you call and their door is always  
6 locked, so I think ECTV should be shown the  
7 door and look for a new provider.

8 Moving on, I want to talk about PEL.  
9 PEL sanctioned Mayor Connors for  
10 overspending \$600,000 while it did nothing  
11 to Chris Doherty who violated his own  
12 Recovery Plan to the tune of \$8 million.  
13 When asked about that by Mrs. Evans the  
14 gentleman from DCED said it was within the  
15 parameters. Well, \$600,000 wasn't within  
16 the parameters, but \$8 million was? It must  
17 be new math.

18 I read the Recovery Plan and it says  
19 nothing about parameters. What it does say  
20 is there is no raises after 2002. The  
21 bottom line is PEL doesn't want us to get  
22 out of distressed status because they would  
23 be out of a job and they wouldn't be getting  
24 anymore money from the city.

25 Moving on, I talked about article



1           that was in the paper the other day about  
2           council and the mayor not talking about the  
3           nonprofits. I only have one thing to say,  
4           it lists all of the places that the mayor  
5           went to see and ask for more money and it  
6           lists three colleges in the city, but it  
7           doesn't list the University of Scranton.  
8           Why won't Mayor Doherty go to the University  
9           of Scranton and ask for more money? I just  
10          scratch my head and say, you know, why? I  
11          know why. I don't know. I hope everybody  
12          is thinking what I am. I hope the FBI goes  
13          and asks him why he hasn't knocked on their  
14          door.

15                        Last night on the 11:00 news there  
16                        was a story about the meters on Mattes  
17                        Avenue. There was a follow-up story because  
18                        the meters are there for a month. Scott  
19                        Shaffer was talking about it and they talked  
20                        to a Parking Authority employee, the Parking  
21                        Authority employee said that in a month they  
22                        are lucky if they have collected a dollar.  
23                        That was a total waste and Scott Shaffer  
24                        ended, I guess, I didn't see it I was told  
25                        this, Scott Shaffer said he wondered what

1 council was going to do about this. I could  
2 be wrong, but that's not council's hands, is  
3 it? Wouldn't that be up the Parking  
4 Authority and the mayor?

5 MS. EVANS: I believe it would have  
6 been the Parking Authority and the mayor,  
7 both of their ideas perhaps to install the  
8 parking meters. It came before council and  
9 council approved it. If the mayor and  
10 Mr. Scopelliti indicate that they would like  
11 the parking meters removed then I'm sure  
12 council would take whatever steps necessary  
13 to do that.

14 MR. SPINDLER: Well, I don't think  
15 you will see that because neither of one of  
16 them want to admit they made a huge mistake.

17 Lastly, I talked about this, the new  
18 Lackawanna Avenue bridge and the cracks that  
19 I saw in the that were in the sidewalk and  
20 on the deck. Well, I more recently walked  
21 on that and one crack goes almost halfway  
22 across the deck of the bridge. I mean, I'm  
23 not a engineer, but for a bridge that's less  
24 than a year old that doesn't seem like it's  
25 supposed to be like that. That seems to be

1           pretty unsafe, so I know they were supposed  
2           to have sent a letter to Engineer Swanson,  
3           maybe we can do that again?

4                   MS. EVANS: Yes, we'll follow-up on  
5           that.

6                   MR. SPINDLER: I guess there hasn't  
7           been a response about that, was there?

8                   MS. EVANS: No, I don't believe so  
9           or I would have read it.

10                   MR. SPINDLER: I don't think there  
11           should be a crack halfway across the bridge  
12           less than a year old.

13                   MS. EVANS: Mrs. Krake, if we can  
14           send that again, please?

15                   MR. SPINDLER: That's all I have.  
16           Thank you for your time.

17                   MS. EVANS: Thank you. Lee Morgan.

18                   MR. MORGAN: Good evening, Council.

19                   MS. EVANS: Good evening.

20                   MR. MORGAN: You know, I really  
21           wanted to be here last week, but I seem --  
22           in my opinion I think the city really needs  
23           to do a much better job of maintaining this  
24           city. I ran over a small piece of pipe that  
25           held a sign up and it went right through one

1 of my tires and my question is really  
2 simple, why aren't we doing the simple  
3 things here? In my opinion I'm not so  
4 concerned about my tire to be honest with  
5 you, but what happens if some child trips on  
6 it and falls down and impales themselves on  
7 it. I mean, a tire is really nothing, it's  
8 only a couple of dollars.

9 The other thing I have here is I see  
10 the editorial here for ECTV funding. I hope  
11 that this agreement could be rewritten, but  
12 my perspective is a probably a lot different  
13 from everyone else's. I can't understand  
14 why we are only going to have one public  
15 access TV Channel and that the city is going  
16 to be money for them not being a second. I  
17 think the contract is too long, extremely  
18 too long. I think the residents of this  
19 city deserves to have competition for cable  
20 TV rates, I really do. You know, grants are  
21 a beautiful thing, but I don't find that to  
22 be a vast reservoir of revenue for this city  
23 either with these grants. I think that -- I  
24 think we all think we want more especially  
25 with the length of this contract.

1                    Now, you know, you can all talk  
2                    about who is running the public access  
3                    channel. I think we need to take a change  
4                    in direction on that. I think we should  
5                    work with the people, if we can, that are  
6                    presently running it, but I really think  
7                    that we need to enrich it's programming  
8                    considerably. So, I mean, I don't -- I  
9                    think we have to stop calling political  
10                   shots here and who is responsible for what's  
11                   happening. I think we need to make some  
12                   decisions and I think it's time for  
13                   everybody to sit down and renegotiate this  
14                   contract.

15                   On a different subject, which people  
16                   probably don't care to hear very much about  
17                   sometimes, which is SAPA, you know? This  
18                   agreement had everything to offer to this  
19                   city, I firmly believe that. I have read  
20                   it, I understand a lot of it, and I think  
21                   that what they are saying is absolutely  
22                   true. This city's population base is  
23                   declining and it's going to continue to  
24                   decline. We need leadership here. I think  
25                   what we need in this city is an economic

1 engine. We need to recreate industry with  
2 small business incubators. We need to find  
3 funding to make that happen. We need the  
4 cooperation from a lot of different parties  
5 including the Chamber of Commerce, and I  
6 know that a lot of people sometimes don't  
7 have much use for them, but they are a --  
8 they can be quite an ally to this city to  
9 bring about the change.

10 Now, I'm sure every council member  
11 on this council has walked the city looking  
12 for votes, and when you walk through these  
13 neighborhoods and you see what they look  
14 like it's pretty obvious the thing that's  
15 going to change this city is money and we  
16 have to find it.

17 Now, the thing that gets me is we  
18 are always talking about revenue  
19 enhancements. Well, you know, I think that  
20 some of the nonprofits should pay and I  
21 think some of them don't have the ability to  
22 pay. Do I agree that we have too many  
23 nonprofits in this city? I most certainly  
24 do, but I do think what we need is an  
25 economic engine and until we can create

1 industry here and create capital, to create  
2 wealth to give to the residents of this city  
3 to money to spend.

4 How long are we going to keep  
5 tearing houses down? Those houses should  
6 have been homesteaded, the ones that could  
7 be salvaged. We have a lot of problems  
8 here. We are creating a lot of problems in  
9 the neighborhoods. The city can't maintain  
10 these properties, that's been proven over a  
11 long course of time, so I just think the  
12 most prudent step would be for this council  
13 and this mayor to decide to take the course  
14 of action which is going to lead us  
15 somewhere.

16 Now, there's been a lot of  
17 discussions about the amount of money  
18 necessary to implement SAPA, but my question  
19 is we have had a structural deficit in this  
20 city a very long time. People are talking  
21 about one or two year turnarounds, they want  
22 to know how fast this plan can work. This  
23 city has been dying for a long time, it's  
24 had a revenue problem for a long time and  
25 the problem is lack of employers. We need

1 to empower the residents of this city and  
2 give them the opportunity to earn a living  
3 wage and in a lot of different situations  
4 that's not possible. We've got senior  
5 citizens reverse mortgaging their  
6 properties. Lots of them. I think we need  
7 to really take a good look at how we can  
8 change that, and you know something? It's  
9 pretty simple. Anything that you didn't  
10 like about the SAPA plan you could have  
11 changed, but you know something, you have to  
12 make a determination as to whether the  
13 residents of this city are worth investing  
14 in or not.

15 The politics has to stop and we have  
16 to empower people and we have to give them  
17 the ability to change this city because  
18 one-time revenue enhancements aren't  
19 working. The PEL doesn't have any answers.  
20 They haven't had any for a long time. The  
21 best possible thing we can do with them is  
22 send them out of town. Thank you.

23 MS. EVANS: Thank you. Doug Miller.

24 MR. MILLER: Good evening, Council.  
25 Doug Miller, Scranton.



1 MS. EVANS: Good evening.

2 MR. MILLER: I want to begin tonight  
3 items 5-H and 5-I on the agenda. This may  
4 have been brought up on keeping council's  
5 policy, I was just wondering if you resumes  
6 and cover letters that you typically like to  
7 receive in regards to appointments?

8 MS. EVANS: Are you referring to the  
9 appointments on tonight's agenda?

10 MR. MILLER: That's correct.

11 MS. EVANS: No, we haven't received  
12 anything as yet.

13 MR. MILLER: Okay. So I would  
14 assume that obviously no approval will be  
15 made until those are received; correct?

16 MS. EVANS: That is correct.

17 MR. MILLER: Well, I only ask that  
18 because I don't think I have said this in  
19 the past, but I do support that idea as with  
20 any job that you are applying to you should  
21 provide a resume and cover letter whether  
22 it's, you know, in the private sector or the  
23 public service. I mean, irregardless of the  
24 person you want to know their background so  
25 I do agree with that.

1 I would like to begin tonight by  
2 addressing the nonprofit issue. I just  
3 think that it's time for council and the  
4 mayor to just stop playing this political  
5 chest game once and for all in regards to  
6 the city's nonprofits and I think that we  
7 can settle this issue once and for all by  
8 enacting a fee all across the board where  
9 everybody pays their fair share.

10 You know, this idea of just chasing  
11 down all of these nonprofits and thinking we  
12 are going to get something I just don't see  
13 it getting us anywhere and I think that to  
14 put this thing to sleep once and for all and  
15 enact a fee all across the board and I just  
16 think it's time to put political games aside  
17 and do something in the best interest of the  
18 city residents. There is too many people  
19 out there struggling today and lack of jobs  
20 over taxation. I just think that we need to  
21 do something for people for once and we just  
22 have stop playing politics, and I'm not  
23 chastising this council one bit, I'm not  
24 chastising the administration, all I'm  
25 saying is I just think we need to look into

1 alternative plans and in my opinion I think  
2 it's been brought up here before that we  
3 need to create a fee and let everybody pay  
4 their fair share.

5 Also, tonight I want to address the  
6 proposed visitor's center up at Nay Aug.  
7 You know, I question this because it just  
8 seems odd to me to place a visitor's center  
9 up in the middle of a park. I think we can  
10 find other useful resources for this  
11 facility. Obviously, it has a lot of  
12 history and we wouldn't to see anything  
13 happen to it, but at the same time we want  
14 to see something useful happen with it, and  
15 I just think that, you know, you go to  
16 another town, I think typically if you find  
17 visitor's in the downtown not out in the  
18 middle of a park, and I would just hope that  
19 maybe council can look into this and find  
20 out more about it. I don't think the Rec  
21 Authority has really released a whole lot of  
22 the details and I don't know when they  
23 planned to, but I just think that we should  
24 look at another plan because, like I said,  
25 it's just very odd to place a visitor's

1 center in the middle of the park. What are  
2 we going to expect visitors to go and gain  
3 from that? I just, like I said, I just find  
4 it very odd.

5 And, finally, in regards to the  
6 parking meters near General Dynamics, I  
7 think that we need to really take a close  
8 look at this and analyze it and Mr. Spindler  
9 stated from the news story last night, I  
10 didn't get a chance to see it, but, I mean,  
11 if this is true what the Authority is saying  
12 that in a month they've only collected a  
13 dollar, well, evidently the plan is not  
14 working and we need to look at other sources  
15 of revenue. We just can't continue to tax  
16 and charge people in the city, whether they  
17 live here or they don't it's got to stop.  
18 We got to find other solutions to these  
19 problems and people are struggling, like I  
20 said, not only in Scranton, but all across  
21 the region and I just think that we have to  
22 stop taxing people. I mean, we need to find  
23 other sources of revenue and I just think  
24 that if we analyze this issue closely and  
25 determine that these meters need to come

1 down that's going to have to be the case  
2 because, obviously, like I said, they are  
3 not working and people are doing their best  
4 to avoid them and we really need to look  
5 closely at this because, like I said, there  
6 is too many people struggling and we need to  
7 do something for people for a change so I  
8 appreciate it. Thank you.

9 MS. EVANS: Thank you.

10 MR. JOYCE: Thank you.

11 MS. EVANS: Ron Ellman.

12 MR. ELLMAN: Hello, Council.

13 MS. EVANS: Hello.

14 MR. JOYCE: Hello.

15 MR. ELLMAN: Around 80 years ago  
16 Adolph Hitler wrote a book "Mein Kampf". In  
17 it there's a chapter about propaganda and he  
18 said something like you keep telling the  
19 same lie over and over and over again people  
20 will start believing it. Well, evidently,  
21 Pat McKenna came across this because we read  
22 the same distortions and lies week after  
23 week in his newspaper about how fortunate we  
24 are to support all of these nonprofits.

25 I asked someone last week about them

1           having a claim of \$411 million they spent in  
2           city and they told me you would probably  
3           have to make two or three times that much to  
4           save \$411 million, so you just see what an  
5           outright or outrageous, you know, lie this  
6           is. A blatant lie that they have kind of  
7           money spent in this city. I have asked some  
8           people in the businesses and they sure  
9           haven't seen any of it. The only thing they  
10          seem that said that makes sense is 5,000  
11          people spending \$21 a week downtown which  
12          is, you know, probably goes to some KOZ bars  
13          and restaurants.

14                    Last week Mr. McKenna wrote in the  
15          editorial that there is no such thing as a  
16          free ride. I know he was advocating  
17          charging seniors a small amount of money for  
18          their rides, but he certainly believes in a  
19          free ride for the Universities here, you  
20          know, and they are not supposed to -- they  
21          are not supposed to contribute anything,  
22          they are just supposed to keep taking and  
23          taking. This school is a runaway train, I'm  
24          not telling you. They are just overrun with  
25          greed. They seem to think that the

1 taxpayers are just a bunch of dumbbells, you  
2 know, they just -- we seem to just be chumps  
3 and give into them, I don't know.

4 I talked to -- I talked to people  
5 and they don't understand how -- how this  
6 tax base got turned around like it is, you  
7 know, it's -- these nonprofits are insisting  
8 on the misery of the taxpayers of the city.  
9 Down here, if the city taxpayers don't have  
10 the dollars, this is some things that were  
11 told to me, if we don't have the dollars for  
12 these taxes where are we supposed to get  
13 them? There's people out there that just  
14 don't have it. There was hundreds of ads in  
15 the paper two Fridays about all of the  
16 houses in there being lost. I have talked  
17 to some of those people that already lost  
18 their houses right across the street in the  
19 senior citizen building. It's terrible  
20 thing, you know, there is just not much help  
21 when you get -- there is people that lose  
22 their houses that are paid for because they  
23 can't afford all of the expenses involved in  
24 them anymore. I talked to a man said he  
25 give up his car and gave up everything and

1 finally he still lost the house. He just  
2 couldn't afford it.

3 When this money is lost. It's  
4 permanent. You know, there is no making it  
5 up or anything. The tax base is just  
6 permanent when it's lost like this. That's  
7 what -- what doesn't seem to just -- you  
8 people are not just impressing over to us.  
9 This money is lost forever. You know, where  
10 are we supposed to get it anyway when it's  
11 gone? It's just -- it's just a terrible  
12 situation.

13 That bank building pays about \$8,500  
14 a year taxes that Mr. Doherty wants to make  
15 a library out of and if you ever allow such  
16 a thing that big white elephant would cost  
17 millions to make a building out of it to  
18 sure it up. You are going to see the  
19 University go right down that street, Cedar  
20 Avenue, and take property off left and right  
21 aiming for that library. It's coming as  
22 sure as my nose is on my face and 10 or 15  
23 years from now you people up there can  
24 remember that this funny looking little guy  
25 out here with the long hair and sunglasses



1 told you that was coming because it's --  
2 they just don't care about the tax base of  
3 this city. There has been monstrous  
4 destruction of it. It's got to stop  
5 somehow. You can't allow Mr. Doherty, he is  
6 under the thumb of this University. He is  
7 not going to do nothing to stop that and the  
8 newspaper is under the thumb of the  
9 University so you won't get the truth.  
10 Thank you.

11 MS. EVANS: Thank you, Mr. Ellman.  
12 Is there anyone else who cares to address  
13 council?

14 MR. TALIMINI: Joe Talimini, City of  
15 Scranton. I have been listening to people  
16 come up here and complain about the City of  
17 Scranton for a great number of years and I  
18 must say I do thoroughly agree with them.  
19 I'd like to point out a parallel. The City  
20 of Birmingham, Alabama, which is the largest  
21 city in the State of Alabama, a little over  
22 a million people, let the same thing happen  
23 to them that this city is doing 30 years  
24 later. They let the nonprofits take over.  
25 The University of Alabama wanted to build a

1           medical school in downtown Birmingham. They  
2           said, yes. Again, like the golden octopus  
3           us we have here with this University they  
4           destroyed the entire southern path of the  
5           city which was the most absolute part of  
6           city. They took antebellum houses down and  
7           put up after shacks for dorms. They closed  
8           businesses, they forced businesses out of  
9           town. The City of Birmingham downtown was a  
10          very, very vibrant area. They had an annual  
11          feast there every year which would cover  
12          various ethnic groups. One year it might be  
13          Italian, the next thing it would be Polish  
14          and everything else. They destroyed it.  
15          People would not come into town.

16                        There is downtown a federal  
17          courthouse, there are county courthouses,  
18          there are city offices right around a park,  
19          which I'm sure you have all seen back in the  
20          civil right days where they let the dogs  
21          loose, after 2:00 in the afternoon you  
22          cannot get a cup of coffee downtown, and you  
23          know something funny, after 3:00 in the  
24          afternoon unless you go to Subway you can't  
25          get anything to eat in this town either.

1           Isn't that funny?

2                     They spend spent all of this money,  
3           the students spent millions of dollars in  
4           the bars, in the fast food joints, like, the  
5           pizza joints and in the convenience stores.  
6           Where do they spend it downtown?

7                     Another point, the City of  
8           Birmingham lost a lot, a lot of people, you  
9           know what happened? They moved outside of  
10          town. Hoover was a nothing. Hoover is  
11          probably one of the most thriving cities in  
12          the State of Alabama right now. Leeds,  
13          Alabama, was nothing. It's a thriving  
14          community. They moved out of the City of  
15          Birmingham and moved around.

16                    And guess what? I look around  
17          Scranton and I see people in Dickson City  
18          are doing fine, all around the City of  
19          Scranton. Scranton still does not get the  
20          message. I can't blame you people, you  
21          haven't been up here that long, but I can  
22          blame the administration in this community.  
23          You know, if you don't see the handwriting  
24          on the wall then my God you either have  
25          blinders on or you are totally blind and

1 ignorant. That's happening here and if it's  
2 not changed I don't know what you can do  
3 about it other than you now have the  
4 supermajority which can override the mayor  
5 in the following year, but it's the action  
6 depends on you people.

7 You are the ones that are going to  
8 have to do it. I can't do it, we have  
9 tried. The citizens don't have anything to  
10 say in this town. The constitution of the  
11 United States and the Declaration of  
12 Independence do not exist in the City of  
13 Scranton. It's just that simple, so it's  
14 incumbent upon you five people sitting up  
15 there to do something about it or you are  
16 going to watch the city go down the tubes so  
17 fast your heads are going to spin, and I am  
18 hoping for the best. Thank you.

19 MS. EVANS: Thank you, Mr. Talimini.  
20 Is there anything else who wishes to address  
21 council?

22 MR. DOBRZYN: Good evening, Council.  
23 Dave Dobrzyn, resident of Scranton, member  
24 of the taxpayers. Now, last week we had a  
25 forum with Frank Scavo and Mr. Blake,

1 candidates for PA Senate, and it has been  
2 aired twice now, so I would just like to  
3 note that and hopefully later in the fall it  
4 can be aired, if possible. We'll see it  
5 when it gets closer to election time and it  
6 sure beats that attack ads and silly stuff  
7 like that.

8 I requested on a Right-to-Know from  
9 a camera on the corner here outside of city  
10 hall and I was denied and the reason the  
11 record does not exist, okay? And it's about  
12 a year or two ago I seen how our Department  
13 of Homeland Security was financing all of  
14 this lovely stuff and so forth, and from  
15 what I can see we are spending about \$75  
16 million a year through the federal  
17 government on Homeland security, John will  
18 love this one. Up in which Wisconsin they  
19 got a bomb truck, a bomb disposal truck and  
20 what the people need is a fire truck because  
21 it borders Canada and you don't need a bomb  
22 to commit an act of terrorism up there just  
23 a match. You have pine wood forest and they  
24 burn like napalm, so they really wanted a  
25 fire truck but they got a bomb truck, but

1           apparently these cameras are inoperable or  
2           not operational and it's ashame that they  
3           are not.

4                         Other than that, my -- I'll keep it  
5           short this week, the golden parrot award  
6           goes to Coke industries. They financed many  
7           political action groups and they applied for  
8           early benefits for retirees under Obama  
9           care, so -- and then there is 60 companies  
10          laid off 531,000 workers, took in 600  
11          million increased pay for their executives  
12          and also they took in -- they also engaged  
13          in bailout monies, and Ken Maleman, an  
14          anti-gay activist just announced that he is,  
15          in fact, gay himself, so I'll let those guys  
16          deal with him, but they won't give him any  
17          hugs anymore I guess. Thank you. Have a  
18          good night. Thank you.

19                        MS. EVANS: Thank you. Councilman  
20          Loscombe, could you perhaps check in with  
21          the new police chief regarding the  
22          surveillance cameras on North Washington  
23          Avenue. I think what Mr. Dobrzyn is saying  
24          is that they are not working, but I believe  
25          in the past it wouldn't have been I, myself,

1 but another council member had indicated  
2 that the cameras were functional and now I'm  
3 hearing that they are not and so I'd  
4 appreciate and update on that and if,  
5 indeed, they are not working when do they  
6 anticipate repairs so that they are in  
7 service again.

8 MR. LOSCOMBE: I guess it was  
9 several months ago I went down to police  
10 headquarters, and I'm not sure all of the  
11 cameras were working at that time, but I did  
12 review the monitors and I asked them the  
13 questions and they said there were a couple  
14 that were still set to be on-line, but I  
15 will follow-up on that, but I do know that  
16 there were several cameras that were on the  
17 monitor which is probably as big as that  
18 screen there with the lot of different --  
19 each camera was in a separate section, so I  
20 will definitely get an update on that.

21 MS. EVANS: And it does seem a bit  
22 unusual that the cameras near city hall  
23 particularly would not be working. I would  
24 think they would keep a daily watch on that.

25 MR. ROGAN: When I spoke to Chief

1 Elliott he told me the same thing, again, it  
2 was about three months ago that the cameras  
3 were working, so maybe something happened  
4 between now and then.

5 MS. EVANS: Thank you. Is there  
6 anyone else who cares to address council?

7 MS. KRAKE: 5-A. MOTIONS.

8 MS. EVANS: Mr. McGoff, do you have  
9 any comments or motions?

10 MR. MCGOFF: Please. First, that  
11 one of the -- I'd like to address again the  
12 idea of the payments in lieu of taxes. I  
13 don't think there is anyone on council or in  
14 the administration that would not like to  
15 see more money received. This isn't -- at  
16 least from my perspective, this isn't  
17 politics and it's not a struggle, both  
18 council and the administration are seeking  
19 the same goal. The problem is that until  
20 the law is changed any contributions are  
21 voluntary from any of the nonprofits and  
22 what we really should be looking at if this  
23 is a serious problem throughout the state  
24 and the country then maybe we should be  
25 looking at the revision or a redefinition of



1 the idea of nonprofit and then maybe by  
2 doing that we can achieve the common goal of  
3 somehow receiving more revenue from  
4 nonprofit organizations, but until either  
5 there is a great upswing in the economy and  
6 organizations are making money and have more  
7 money to distribute to the city or cities or  
8 until there is revision of the law I don't  
9 see that there is going to be any change and  
10 there is nothing that council or the  
11 administration can do other than ask for a  
12 change and I don't see -- I don't see given  
13 the economy that any of the nonprofits are  
14 going to make any considerable change in  
15 their behavior and in their payments in lieu  
16 of taxes. So as much as we wanted to  
17 happen, I don't think it's going to happen  
18 in the near future.

19 But I certainly would be interested  
20 in any type of legislation that could be  
21 moved forward to try and redefine the law  
22 that -- the laws that create nonprofits.

23 The second thing I would like to  
24 respond to is the editorial that was in the  
25 newspaper concerning Comcast and the

1 contract with Comcast. It painted a picture  
2 where -- I believe that they painted a  
3 picture that was a little bit inaccurate in  
4 terms of what both the city and/or the  
5 administration and the council have done  
6 concerning this cable franchise agreement.

7 I know it's said that things operate  
8 better where there is competition. The  
9 problem was that when we looked at renewing  
10 the contract there was no competition.  
11 There was no other company that was ready to  
12 move in compete with Comcast for providing  
13 the cable services, so as much as we wanted  
14 competition as well it simply didn't exist  
15 and so you can't just go out and create  
16 competition and so we were left with dealing  
17 with the one company that was willing to  
18 provide cable service.

19 The second thing that they failed to  
20 look at is that the contract is I believe  
21 that we have had been voting on is a  
22 nonexclusive contract, that if someone -- if  
23 another company were to somehow come into  
24 the area and someone wished to get services  
25 through, you know, Company "B" they could.

1           It is a nonexclusive contract. Now, there  
2           is not too many companies that are going to  
3           do that because it's extremely costly and  
4           they would either have to rent lines from  
5           Comcast or, you know, do some other deal,  
6           but it is a nonexclusive contract and so it  
7           does allow for competition, although, it's  
8           not likely to happen.

9                         And the last thing that they failed  
10           to talk about is the fact that Comcast does  
11           have competition and the competition comes  
12           from the satellite based operators. If you  
13           are dissatisfied with cable service there is  
14           another option and it is going to one of the  
15           satellite based providers, and so I do take  
16           exception with the editorial that was in the  
17           newspaper concerning what council and the  
18           city has done concerning this contract or  
19           the capable franchise agreement.

20                        I think we all wanted the same  
21           thing. It just wasn't available and I think  
22           the newspaper neglected to take that into  
23           consideration which kind of leads to the  
24           other thing that I -- I'm not sure what the  
25           status of the Comcast agreement is at this

1 time. It was vetoed by the mayor what was  
2 sent to him and we did not act on it at the  
3 last meeting and I believe according to the  
4 Home Rule Charter if we were going to vote  
5 to override that we had to do it at the  
6 last -- at the first scheduled meeting  
7 following the veto and that would have been  
8 last week, so I guess I'm -- I don't know  
9 where the Comcast or where the cable  
10 franchise agreement is at this point in  
11 time. Do we have anything that we are  
12 looking at as far as the agreement is  
13 concerned?

14 MS. EVANS: Actually, under my  
15 motions I'm going to go into detail about  
16 the whole process and where we are today, so  
17 I'll hold that until --

18 MR. MCGOFF: Thank you, and I hope  
19 also that we will address the issues  
20 concerning ECTV and where that stands. I  
21 think it's, you know, negotiations that have  
22 been going on between the council and the  
23 mayor concerning the agreement, I think we  
24 need to end -- you know come to some kind of  
25 decision. We need to stop the kind of the

1           infighting and get to a solution to that and  
2           then place the RFP for a provider for the  
3           PEG channel under the new contract and see  
4           where it takes us. I think that it would be  
5           in the best interest of everyone.

6                        And the last thing that I'd like to  
7           mention, I had the opportunity this weekend  
8           to -- I was with my daughter and grandson in  
9           Washington for a race, a 9/11 memorial race  
10          at the Pentagon. It's put on by the  
11          Arlington Police and Fire Departments, the  
12          first responders to the 9/11 incident at the  
13          Pentagon, and I visited the Pentagon  
14          Memorial there, a very moving place. If you  
15          have an opportunity to visit please do so.  
16          It's exceptional. It's a very, as my wife  
17          said, a very depressing yet impressive  
18          memorial to the victims of that at the  
19          Pentagon.

20                       And with that, it got me thinking  
21          about some other -- another issue and I was  
22          wondering if council would agree to look  
23          into the possibility of dedicating the fire  
24          house on Mulberry Street, making a  
25          dedication to James Robson and name it --

1           you know, something Robson Memorial  
2           Firehouse or something of that nature.

3                   MS. EVANS: Certainly.

4                   MR. LOSCOMBE: Yes.

5                   MR. ROGAN: I would support that. I  
6           know there also a movement to name the new  
7           school over in the Tripp Park Area after  
8           Captain Robson. I think that would also be  
9           a great idea.

10                   MR. MCGOFF: But I just thought that  
11           naming the firehouse where he worked out of  
12           would be an appropriate gesture.

13                   MS. EVANS: I agree.

14                   MR. JOYCE: I agree with that as  
15           well.

16                   MR. MCGOFF: Perhaps we could, I  
17           don't know what we need to do in order to  
18           bring that about, but I would like us to  
19           look into it.

20                   MS. EVANS: I think probably we  
21           would need to speak to the mayor and receive  
22           his agreement first and then perhaps a piece  
23           of legislation can be drafted formally  
24           changing the name and then adopted by city  
25           council, so we'll look into that as soon as

1 possible.

2 MR. MCGOFF: Thank you. And that's  
3 all.

4 MS. EVANS: Thank you. Mr. Rogan,  
5 any comments or motions at this time?

6 MR. ROGAN: Yes. Thank you. I,  
7 too, did attend a 9/11 memorial with  
8 Councilman Loscombe and I would like to  
9 publically thank Mr. Charlie Spano who did  
10 an excellent job running the memorial. It  
11 was very moving and they are currently  
12 raising funds for a new more visible  
13 memorial up at McDade Park.

14 I'd just like to make a couple of  
15 comments about ECTV. I have received, my  
16 short time on council I have received  
17 numerous e-mails and phone calls about ECTV  
18 and I would say 95 percent of them have been  
19 complaints. Complaints about the volume not  
20 being loud enough, complaints about council  
21 meetings not being run frequently enough and  
22 now with the upcoming election I assume we  
23 will be having debates, and I know when I  
24 first ran in 2007 when we had the debate and  
25 candidate interviews they were run on a very

1 frequent basis and it seemed like every  
2 couple of hours if you put on at the time  
3 Channel 61 and there would be a debate on.  
4 When I ran -- when the three of us ran last  
5 time the debate was rarely on. You know, it  
6 was few and far between, you would catch it  
7 at 1 a.m., and not times when people were  
8 up.

9 I think that the most important  
10 thing for a community access government  
11 channel is to inform the public by showing  
12 government meetings, city council, school  
13 board, county commissioners, and showing  
14 debates. I understand that the Taxpayers'  
15 Association hosted a forum with Mr. Scavo,  
16 who is here, and Mr. Blake, and I didn't  
17 have a chance to catch it yet, but I  
18 definitely would like to and I would hope  
19 that ECTV would be replaced.

20 Another broken promise by ECTV was  
21 that they would have city council meetings  
22 live on the air, and as Mr. McGoff mentioned  
23 before if people don't want cable they often  
24 go to satellite, and a few of the satellite  
25 dishes you can't watch our meetings and



1           there are a lot of people who are very  
2           interested in what's going on in the City of  
3           Scranton, but they can't afford the premiums  
4           for Comcast, so they move to the dish, which  
5           is a little bit cheaper, so I would hope  
6           that we would get -- be able to have a new  
7           provider that would run, you know, the more  
8           important things that a government access  
9           channel must do.

10                   Mr. Spindler mentioned they ran  
11           Chicago White Socks winning the World  
12           Series. Yeah, that should be on ESPN, it  
13           shouldn't be on Scranton Community Access.  
14           It's not an issue for the people in  
15           Scranton.

16                   Secondly, the parking meters. Once  
17           again, Mrs. Krake, could we send a letter to  
18           the mayor asking him to reconsider --  
19           consider moving those meters. I drove by  
20           there a few times this week myself and there  
21           wasn't one car, so they are just taking up  
22           space.

23                   I received the summer report from  
24           OECD and would just like to read off some of  
25           the highlights. The Homebuyers' program:

1 In August 2010, two applications were  
2 received, two were approved and one was  
3 closed.

4 The Housing Rehabilitation Program:  
5 There was with one bid opening, 24 contacted  
6 for verification, three approved, and there  
7 are currently seven total rehab projects  
8 under contract.

9 The Lackawanna County Neighbors'  
10 HOME Program at 208 Pittston Avenue. This  
11 home is completed. The home is for sale  
12 through our Homebuyer's Program in the  
13 amount of \$95,000. Anyone interested in  
14 purchasing this home should contact OECD for  
15 a Homebuyer's Program application and  
16 contact Lackawanna County Neighbors at  
17 963-7616 for information on purchasing this  
18 home.

19 Neighborhood Stabilization Program,  
20 Lackawanna Neighbors at 718 Cedar Avenue:  
21 During this reporting period the windows  
22 have been installed, the electrical rough-in  
23 is completed, the installation of the cement  
24 board and siding is underway and a new roof  
25 was installed after it was determined there

1 were numerous leaks because of improper  
2 installation of the old roofing material.  
3 Over the past months the walls have been  
4 reframed, sheetrock was installed and the  
5 walls were painted. The trim work and the  
6 installation of the heating and on-demand  
7 hot water is in progress. This project is  
8 approximately 80 percent completed.

9 The property at 311 Prospect Avenue  
10 is about 85 percent completed. The new  
11 windows have been installed, the heating  
12 system on-demand hot water heater have been  
13 installed. The front porch was built and  
14 railings were installed.

15 The property at 550 Hickory Street.  
16 This is the third foreclosed property that  
17 was purchased. Contract was awarded to  
18 renovate the properties and work has begun.

19 The property at 213 Steven Avenue.  
20 The lead test was performed and the bid  
21 notice was advertised. Pre-bid conference  
22 was held and a contract was awarded to  
23 renovate the properties.

24 The property at 518 South Webster  
25 Avenue, Lackawanna Neighborhood entered into

1 a sale's agreement to purchase this  
2 foreclosed home for \$44,000 from US  
3 Bank/GMAC. The closing is scheduled for  
4 September 10, but cannot occur until the  
5 sheriff's department files the deed.

6 And I have a list of the loans and  
7 instead of reading all of them I will read  
8 the ones that are currently in litigation  
9 and if anyone would like the full copy I  
10 would be glad to provide it to them.

11 Impanema Grill for \$40,000 is in  
12 litigation. Michael's Luxury Eyewear,  
13 \$85,000 litigation. Paperless Practice,  
14 Inc., \$250,000, litigation. Vida Tapas Bar  
15 and Grill \$120,000, litigation. Cartina  
16 Family Wines, LLC, \$35,000, it's in  
17 litigation. Cash Sports Limited, \$60,000 in  
18 litigation. And, of course, Molly  
19 Brannigan's \$650,000 is in litigation.

20 I have received about three or four  
21 citizen's requests for vacant lots that have  
22 had high grass overgrown and I sent them in  
23 three or four times and nothing was done,  
24 but was contacted by someone looking for  
25 community service hours, so I'm going to ask

1 the neighbors if it's okay just to send  
2 somebody doing community service to do it.  
3 So, you know, unfortunately, some of the  
4 departments aren't doing their jobs, but we  
5 just want to do it any ways, and that's all.  
6 Thank you.

7 MS. EVANS: Thank you. And  
8 Councilman Loscombe, do you have any  
9 comments or motions at this time?

10 MR. LOSCOMBE: Yes. Thank you,  
11 Mrs. Evans, and I actually have several, so  
12 bear with me. First, I would be remiss if I  
13 forgot in my announcements to wish my  
14 sister, Cathy Martin, a happy birthday. We  
15 have a lot of birthdays in September in the  
16 family.

17 In my mail today I just happened to  
18 come across this letter that I would like to  
19 read here regarding the Scranton  
20 Firefighters Honor Guard. "Dear sir, the  
21 Scranton Firefighters manage and maintain an  
22 Honor Guard. I know you are aware of this  
23 since you have called upon us yourself when  
24 the need has arisen. The Honor Guard is  
25 manned by members of the fire department and

1 any and all duties are on a purely voluntary  
2 basis. These men do not receive any  
3 compensation for their service and most  
4 times must sacrifice of themselves to  
5 satisfy a call to duty.

6 The Honor Guard has supported and  
7 aided organizations in it's history. Among  
8 those, are fire departments both  
9 professional and volunteer that were in the  
10 need of Honor Guard or color guard services,  
11 funeral services, flag protocol  
12 clarification, consultation and manpower  
13 assistance, just to name a few.

14 There are other various numerous  
15 organizations that have requested our  
16 services and I am happy to say that we have  
17 practically never refused their help. These  
18 included the City of Scranton, Scranton  
19 Police Department, United States Armed  
20 Services, Lackawanna County, Scranton/  
21 Wilkes-Barre Red Barons, Pocono Raceway, the  
22 Race for the Cure, Luzerne County Community  
23 College, and too many more to even attempt  
24 to list.

25 While these events are our pleasure

1 to donate our time and services to, the true  
2 mission of the Honor Guard is to honor our  
3 fallen brothers and sisters, both active and  
4 retired. The members of the Honor Guard  
5 provide services to every Scranton  
6 firefighter both active and retired upon  
7 their passing whether in the line of duty or  
8 of natural or accidental causes.

9 In 2008 we suffered the unfortunate  
10 line of duty death of Captain Jim Robson.  
11 I'm happy to say that Captain Robson was a  
12 long-serving Honor Guard member and, as you  
13 know, the members of the Honor Guard -- Jim  
14 was a long-time member of the Honor Guard.  
15 The Scranton Fire Department and themselves  
16 are very proud with the very solemn tasks of  
17 providing funeral services for one of their  
18 own.

19 In October of 2009, the Honor Guard  
20 traveled to Emmitsburg, Maryland, the site  
21 of the national firefighter memorial. I  
22 have included information for the national  
23 memorial for your review. There, the men of  
24 the Honor Guard participated in honoring not  
25 only Captain Robson, but all firefighters

1           who died in the line of duty nationally in  
2           2008. These men impressed the  
3           administration and command staff of the  
4           Memorial weekend so much that in August of  
5           this year they were requested to provide a  
6           flag folding detail that would ceremonially  
7           fly in full all of the flags representing  
8           the firefighters that have died in the line  
9           of duty for their 2009 calendar year.

10                   These flags will be presented to the  
11           families of the fallen firefighters at the  
12           national memorial weekend on October 3,  
13           2010. This is an Honor that is hard to put  
14           into words. These men were providing the  
15           epitome of what Scranton firefighters Honor  
16           Guard and all Honor guards strive to  
17           deliver, honor and respect to our fallen  
18           brothers and sisters.

19                   I have received a letter from the  
20           National Fallen Firefighter Foundation  
21           expressing how honored and pleased they are  
22           with the members of the Honor Guard. I have  
23           included it here with the names of the  
24           members who made up the detail that traveled  
25           to Emmitsburg both in 2009 and in August of



1           2010. While I believe all of the members of  
2           the Honor Guard display the commitment to  
3           duty, I am compelled to single these men out  
4           due to the powerful letter from the National  
5           Fallen Firefighter Foundation. The services  
6           these men provide to their department,  
7           community and brother firefighters  
8           everywhere truly exemplifies the best the  
9           Scranton Fire Department and fire services  
10          as a whole has to offer.

11                   It is my pleasure to inform you  
12           that, as it says in the foundation letter,  
13           they have requested our Honor Guard provide  
14           not only Honor Guard services, but also  
15           serve on the command staff of the national  
16           memorial weekend. This year on October 1  
17           through the 3rd, a detail will be sent to  
18           fulfill their requests and represent the  
19           firefighters of the City of Scranton once  
20           again on a national stage. I am sure they  
21           will once again make the City of Scranton  
22           Fire Department and their brothers and  
23           sisters very proud.

24                   I request that a copy of this letter  
25           and a copy of the letter from the National



1 evidence of the commitment and dedication  
2 that your Honor Guard unit carries each time  
3 you are called into action. I appreciate  
4 the tremendous support exhibited by your  
5 Honor Guard unit from your arrival on Friday  
6 for event registration to the flexibility of  
7 implementing the many changes we instituted  
8 for last year's event to working within the  
9 compressed time frames requested in the  
10 Honor Guards. You rose to meet the  
11 challenges of the event each and every time  
12 without fail.

13 Your unit again demonstrated  
14 dedication and support for families of  
15 fallen firefighters by traveling to  
16 Emmitsburg, Maryland, on August 18 and 19,  
17 2010. While in Emmitsburg, you and members  
18 of your unit assisted in ceremoniously  
19 raising and folding 120 US flags at the  
20 National Fallen Firefighter Memorial for  
21 presentation to the families of fallen  
22 firefighters on Sunday, October 3, 2010.

23 We invite you and your unit to  
24 assist us with the 2010 memorial weekend,  
25 October 1 and 3. We have assigned you as

1           our staging area commander for the weekend's  
2           event with your personnel assigned to assist  
3           you with this detail. In this role, you  
4           will work in junction with the Deputy Honor  
5           Guard commander to ensure that we have  
6           personnel available to work all of details  
7           over the course of the weekend.

8                         When I report to the National Fallen  
9           Firefighters' Foundation management and  
10          Board of Directors in regards to Honor Guard  
11          operations, I can only take credit for  
12          surrounding myself with the right people.  
13          Without dedicated personnel such as you and  
14          your team we would not be able to adequately  
15          and appropriately honor and remember  
16          America's fallen firefighters. Having  
17          worked with the members of your Honor Guard,  
18          as well as yourself, I feel the services  
19          provided by your Honor Guard goes above and  
20          beyond meeting the purpose of what your  
21          Honor Guard is designated to carry out.

22                         This unit of dedicated personnel is  
23          one the City of Scranton can be proud of.  
24          Yours in brotherhood, Eric D. Mango, program  
25          specialist."

1                   And the list of firefighters as they  
2                   attended the 2009 Fallen Firefighters  
3                   Memorial weekend: Assistant Chief J.W.  
4                   Davis; Captain Dave Schreiber; Chauffeur  
5                   Gary DeStefano; Private Robert Hannon;  
6                   Private Ben Dominic; and Private Gary  
7                   Dennis.

8                   The 2010 attendees for the flag  
9                   folding detail were Lieutenant Brian Scott;  
10                  Chauffeur Robert Zoltewicz; Chauffeur  
11                  Timothy O'Connor; Private Robert Hannon; and  
12                  Private Nicholas Azarella. I think they  
13                  deserve a nice hand for that. It's really  
14                  an honor.

15                  Moving on, last week we had  
16                  requested some information on the fire truck  
17                  that we approved the lease for and we  
18                  received a note back from Chief Tom Davis  
19                  that the lease application is awaiting a  
20                  2009 audit to be completed. As soon as it  
21                  is completed, the application will be  
22                  processed, and there are still a few items  
23                  on the audit that they are waiting for, so I  
24                  hope they get them in soon. They seem to be  
25                  on this list for quite awhile and maybe next

1 week I'll read them because I still have  
2 enough information to go over here.

3 I believe also Mrs. Krake read this  
4 last week, but I must have been taking notes  
5 and I missed it, but I just happened to be  
6 reviewing my mail this week and I was taken  
7 aback by the tone of this one response that  
8 we received. As you know, as Chairman of  
9 the Committee on Public Safety, it is our  
10 duty to provide the utmost in public safety  
11 to all of the citizens of Scranton and we  
12 have been -- myself and the rest of my  
13 council members have been requesting the  
14 administration to put out some Civil Service  
15 Exams to completely fulfill the manpower and  
16 the police department and get some beat cops  
17 out and we have been told next month, next  
18 month, and we have a meeting to do this, so  
19 we have sent several letters out to the  
20 chiefs, the administration and Mrs. Krake  
21 actually had sent out letters to the members  
22 of the Civil Service Commission who, in  
23 fact, it's their duty to setup the exams and  
24 schedule them, and I'll just read you the  
25 letter. Each of the civil service members

1 received this letter.

2 "On June 18, 2010, Scranton city  
3 council sent a letter to Mayor Doherty and  
4 Police Chief Elliott requesting that the  
5 Civil Service Test for the hiring of some  
6 new police officers be administered in  
7 September of 2010. Please let council know  
8 if the Civil Service Test will be  
9 administered in September, and if so the  
10 date. If the test has not been scheduled to  
11 be given in September, please let council  
12 know that the date the test will be  
13 administered."

14 Now, it's just a cut and dry request  
15 for some information from the Civil Service  
16 Commission. This response -- first of all,  
17 I'll read the name last, but, "Dear  
18 Mrs. Krake, thank you for your  
19 correspondence of September 1, 2010. Please  
20 accept this correspondence as my response,"  
21 this is a fax:

22 "Number one, the Civil Service  
23 Commission maintains an office in city hall  
24 and a solicitor. Please direct all future  
25 correspondence to either or both, but not,"

1 in bold letters and underlined, "my home  
2 address. I am sure you would not like  
3 business mail sent to your home.

4 Number two. You, and/or any member  
5 of council is welcome to attend our monthly  
6 meetings the second Wednesday of each month  
7 and pose your questions during the public  
8 participation portion of the meeting.

9 Number three. Please do not make  
10 time sensitive demands on me or the  
11 commission. We are all volunteers with full  
12 private workloads. Thank you for your  
13 attention to this matter. Very truly yours,  
14 Attorney Anthony Trozzolillo."

15 I just -- I was appalled at the  
16 response. I mean, if he doesn't want to do  
17 the duty he volunteered for or is appointed  
18 for, I don't know the gentleman, I never met  
19 him, but this isn't the kind of response  
20 when we are trying to provide public safety  
21 and they are in a position to do the deed,  
22 so I just wanted to bring that to your  
23 attention because I was upset when I saw  
24 that and when I mentioned it to Nancy she  
25 said she read it last week, but I missed it.



1 I was doing some notes, but I had to  
2 emphasize that.

3 Going on. I'll skip that one. A  
4 lot of stuff has happened over the last  
5 week, so I apologize. People think we are  
6 not accomplishing anything, but we are all  
7 busy every day. One thing I have noticed  
8 especially myself driving up in the Hill  
9 Section every day taking my wife to work is  
10 the red light at Harrison and Mulberry for  
11 the past week it's been on flashing. I have  
12 never seen that, and we just had the problem  
13 with the one at 307 and Lake Scranton Road,  
14 in all my time I have never seen a problem  
15 last that long. I have seen them on flash  
16 for a couple of hours at the most.

17 Our Highway Safety Department was  
18 eliminated in this year's budget by the  
19 mayor and I know the gentleman there did a  
20 fantastic job. I mean, they had spare parts  
21 that they took out of all stuff and if  
22 needed a temporary replacement at least it  
23 was working until something came. We have a  
24 contract with the company right now that I  
25 can't understand what I -- I have seen many

1 more just single lights out, also, that  
2 aren't being taken care of. Personally, I  
3 feel they are violating their contract, but  
4 I would like, Mrs. Krake, if you can forward  
5 letter to Director Brazil, the mayor, and  
6 Urban Electric, there is a couple of things  
7 in there contract that I would like to ask:  
8 Where are the surplus or damaged parts,  
9 materials or other equipment, I'll give you  
10 a copy of this after so you won't have to  
11 write it, which are salvageable stored as a  
12 location designated by the municipality?  
13 That's in the contract. Has the city  
14 council office been provided a 24-hour  
15 emergency number for Urban Electric? No?  
16 Because we receive a large number of the  
17 complaints in our office so I would request  
18 that number as this is stated in the  
19 contract they have to provide a 24-hour  
20 number, and I would like an explanation of  
21 the situation at Mulberry Street and  
22 Harrison Avenue and they better not blame it  
23 on a mouse again.

24 MS. EVANS: I just wanted to add,  
25 Mr. Loscombe, I'm sure by now you may have



1 traffic light repairs, I believe I have seen  
2 two recently, one for approximately \$14,000  
3 and another for I think maybe \$19,000, so I  
4 do have to wonder how much money the city is  
5 saving having privatized this particular  
6 work, and I also have to question the wisdom  
7 of the privatization in that the services  
8 we're receiving are certainly not  
9 commensurate with those that were providing  
10 when this department was active and  
11 in-house.

12 MR. LOSCOMBE: And before the news  
13 media characterizes this is a political  
14 witch hunt, as usual, this is a safety  
15 issue. I mean, these are some major  
16 intersections that have been let go for a  
17 long time. I just can't understand it, but  
18 it's a safety issue. I do not know who the  
19 contractor is personally, I have no clue and  
20 I just wanted to state that for the record.  
21 But, I mean, in their contract it says when  
22 notification is received between 7 a.m. and  
23 6 p.m. Monday through Friday the response  
24 time should be no more than one hour. When  
25 an emergency or dangerous situation exists

1 in which case the contractor shall  
2 immediately dispatch qualified personnel to  
3 eliminate such situations.

4 And there is penalties: If the  
5 contractor response time exceeds the time as  
6 outlined in the previous section, a penalty  
7 of \$100 for each additional hour will be  
8 charged. If the contractor's response time  
9 exceeds by eight hours and agreed upon limit  
10 another contractor will be notified to  
11 repair the failed intersection at the  
12 expense of the original contractor. The  
13 municipality shall deduct this amount from  
14 the contractor's latest invoice.

15 MS. EVANS: That hasn't occurred.

16 MR. LOSCOMBE: Nope. And another  
17 issue, just in our mail in reading the  
18 minutes provided to city council the July 7,  
19 2010, meeting of the Redevelopment  
20 Authority, I noticed under Section 7,  
21 unfinished business and it states: Report  
22 of Executive Director, Mr. Shane briefed  
23 board members on Lackawanna College \$1.5  
24 million RACP grant in conjunction with the  
25 Scranton Redevelopment Authority.

1 I was wondering, Mrs. Krake, if you  
2 can please send a letter to the SRA  
3 requesting more information on this grant  
4 and what it is to be used for.

5 I'm getting there. I do have to  
6 mention something about ECTV and also the  
7 editorial that was in the paper today. They  
8 started out by saying that the dispute  
9 between the Doherty administration and  
10 Scranton City Council over the city's public  
11 access cable is an example of why Scranton  
12 politics sometimes seems like a sitcom.

13 And then further down the road, lost  
14 in the dispute is the more important issue.  
15 The franchise agreement itself does nothing  
16 for consumers. It's a lousy deal that in  
17 effect preserves a local monopoly. Why does  
18 that ring a bell? That's coming from the  
19 local monopoly.

20 I read to you a newspaper article  
21 from May 20, 2008, from the local monopoly.  
22 "Electric city television is not seeking  
23 \$300,000 in startup costs from the city  
24 before it takes over the day-to-day  
25 operations of Scranton's two public access

1 cable channels, contrary to figures reported  
2 by city council. The organization which was  
3 awarded a five-year contract in February to  
4 operate Channel 61 and 62 has been busy  
5 raising the \$150,000 it needs to operate and  
6 expects to begin programming in June. Chris  
7 Clark, executive director of programming for  
8 ECTV, said Monday. ECTV has applied for a  
9 \$90,000 grant from the Office of Economic  
10 and Community Development which would  
11 require the company to hire three full-time  
12 employees. Mr. Balton said he expects to  
13 hear from OECD soon. We never asked for  
14 \$300,000 and the city hasn't promised us  
15 anything, Mr. Balton said.

16 Last week city council members  
17 wrestled with the idea of donating \$20,000  
18 to Scranton Today, the long-time operator of  
19 public access Channel 61 and 62. Some on  
20 the panel voiced concern that ECTV wasn't  
21 ready to take over and the \$20,000 gift  
22 would be used for Scranton Today to continue  
23 broadcasting. The motion was shot down by a  
24 three to two vote when council president Bob  
25 McGoff and Council member Sherry

1 Nealon-Fanucci and Judy Gatelli said it was  
2 their understanding that ECTV would soon  
3 begin operating.

4 ECTV was selected in February by a  
5 search committee appointed by Mayor Chris  
6 Doherty to operate Channel 61 and 62 ending  
7 a decade long run by the civic group  
8 Scranton Today. ECTV received a five-year  
9 contract to operate the channels and has  
10 asked the city for 5 percent of it's cable  
11 franchise agreement with Comcast to help  
12 operate. About 22,000 subscribers to  
13 Comcast are city residents and ECTV has  
14 asked for 25 cents per subscriber or about  
15 \$66,000 annually. Mr. Doherty said ECTV  
16 must obtain it's own funding and he has not  
17 agreed to provide money to the organization.

18 We have been able to get people to  
19 underwrite certain programs, said Mark  
20 Migliore, executive director of promotions  
21 for the organization. We have targeted 2010  
22 as when we want to be totally  
23 self-dependent. The organization plans to  
24 run 12 hours of original programming each  
25 day repeating government meetings just once.



1 They will eventually offer streaming video  
2 on their website that will archive up to  
3 three months of government meetings,  
4 Mr. Migliore said. ECTV also joined a  
5 nationwide database that shares public  
6 access channels. While we will broadcast  
7 some programming for cities across the  
8 country, our programs will also be broadcast  
9 in places around the country, Mr. Migliore  
10 said."

11 Now, that seems totally  
12 contradictory to what I have been reading  
13 lately and hearing lately and the comments  
14 that have been made lately, so I don't know  
15 which side of the paper to believe, I mean,  
16 if the quotes are correct.

17 I do have some quotes from our other  
18 newspaper in the area. One of the quotes:  
19 "Mr. Migliore said he added that he hopes  
20 the public doesn't always judge them based  
21 on the word of politicians alone."

22 No, you got to it wrong. The  
23 politicians are judging you based on the  
24 word of the public that are coming to us  
25 with their complaints.

1 "Migliore says, the critics like  
2 Evans aren't seeing the full picture. While  
3 they have no written contract with the city,  
4 ECTV, a nonprofit organization, has been  
5 operating under the impression that they  
6 would receive more funding from the city in  
7 the future as was promised to them by many  
8 city representatives and the three-person  
9 team has been running on a shoestring budget  
10 from the beginning."

11 More contradictory statements. And  
12 then further down, "With their future in  
13 question, they released a statement asking  
14 their viewers to contact council and ask  
15 them not to pull the plug on their  
16 operations. It was a surprise, but we knew  
17 the whole time that their intentions,"  
18 meaning us, "were to have a say in how that  
19 money was spent. What we didn't anticipate  
20 was that they would attempt to take money  
21 from this station and give it to a new  
22 start-up, Mr. Migliore said."

23 It sounds almost the same way that  
24 they were started, but I could be wrong.  
25 I'm just -- I'm just befuddled by some of

1 the contradictions between these articles.

2 "Their original operating budget  
3 proposal to the city was \$300,000, but ECTV  
4 has been running on a budget of only  
5 \$145,000. They applied for and received  
6 \$37,500 from the county over the last year  
7 and a half and they have gained revenue  
8 through fundraisers and some fee-based work  
9 such as taping lectures and other community  
10 events, but the station has still  
11 accumulated \$115,000 in debt since June and  
12 counting.

13 While council has accused ECTV of  
14 not being upfront about their costs,  
15 Migliore feels that they have done the right  
16 thing with public money and have always  
17 operated as a service to the community."

18 The bottom line is that ECTV has not  
19 been accountable. We have Right-to-Know  
20 requests that haven't been fully complied  
21 with. I mean, nearly \$100,000 of your money  
22 has been spent and should be accountable.  
23 To use the excuse that they can't afford a  
24 secretary to account for it, that falls  
25 shallow, and then we have in front of us a

1 contract from the City of Scranton for their  
2 request for proposal for a new PEG channel.

3 And the problem is, first I'll read  
4 you the reservation of rights by the city,  
5 number seven. "The city expressly reserves  
6 the right at any time to (a) reject any or  
7 all proposal submitted in response to this  
8 RFP. (B). Reissue a new RFP. (C.) Procure  
9 any EG channel services specified in this  
10 RFP by any other means. Determine that no  
11 EG channel will be activated and/or  
12 continued in operation. Waive or correct  
13 any defect or error in any proposal or  
14 proposal procedure or prior to the deadline  
15 for submission of proposals modify the  
16 selection procedures for EG channel  
17 administrator, including deadlines for  
18 accepting proposal, specifications for any  
19 services to be provided to the city or  
20 requirements for contents of format of the  
21 proposal."

22 Why do you even need a proposal?  
23 Basically, it gives no rights. It takes  
24 away -- this pretty much takes away checks  
25 and balances that city council is here for.

1 This is a totally one-sided agreement and  
2 personally they could threaten to go black,  
3 people will have to come to the meetings or  
4 hear from others if that's the case, but I  
5 don't think I will be threatened into  
6 agreeing to a contract like this here  
7 because, first of all, we should have a  
8 little bit of a say through city council  
9 here. This totally takes it out of the  
10 checks and balances. This is a one-sided  
11 agreement.

12 And lastly, I know you are all happy  
13 now, I just have to touch on the nonprofits  
14 and the article that was in the paper. You  
15 know, it was the mayor who promised to be  
16 the sixth councilman. We didn't promise to  
17 be the second mayor. We did take the bull  
18 by the horns and get the ball rolling. In  
19 the nine years the administration has failed  
20 to do what the Recovery Plan has mandated  
21 him to do and with the help of the media  
22 constant road blocks are being thrown in our  
23 path and stifling our constant attempts at  
24 negotiating with the nonprofits to the point  
25 that we would like to negotiate with them.

1                   You know, initially, we were keeping  
2                   these negotiations confidential. I thought  
3                   that would be a little bit of a better air  
4                   for all of the nonprofits in the beginning.  
5                   However, as you all know what happened, the  
6                   University of Scranton started touting  
7                   their-- they didn't like what they had  
8                   agreed to or had a change of mind and they  
9                   blew it out of proportion and then the media  
10                  picked it up and it's hard. When we go  
11                  knocking on the doors now they slam the  
12                  doors in our face sometimes when they know  
13                  who we were, they know what we are there  
14                  for. If it wasn't broadcast like that we  
15                  could have gone, had a nice meeting,  
16                  discussed the situation and maybe come to an  
17                  applicable agreement, but now they already  
18                  have their minds set, they already have  
19                  their excuses, they already have their  
20                  reasons.

21                   I think confidentiality was the best  
22                   situation at that point, but I may be wrong.  
23                   Time will tell, but that's all I have to say  
24                   on this. Thank you very much.

25                   MS. EVANS: Thank you, Mr. Loscombe.

1 Mr. Joyce, do you have any comments or,  
2 motions?

3 MR. JOYCE: Yes, just a few. First,  
4 I wanted to give everybody an update as far  
5 as my progression with nonprofits since we  
6 just ended with Jack speaking about the  
7 nonprofits. I'm happy to inform everyone  
8 that I have been in contact with Kevin Cook,  
9 who serves as President of Mercy Hospital in  
10 Scranton. I was able to discuss the  
11 possibility of Mercy making a contribution  
12 to the city in lieu of taxes. We discussed  
13 a wide variety of uses of such funding that  
14 Mercy may be able to provide and just to  
15 give a you update of where that left off at  
16 the present time Mr. Cook is reviewing some  
17 past contributions made to different  
18 organizations in the city by the hospital in  
19 order to reach some sort of dollar amount  
20 that the hospital may be willing to provide  
21 the city.

22 I was very pleased to hear from  
23 Mr. Cook that the hospital wishes to be a  
24 good neighbor and that they are willing to  
25 consider some sort of assistance to the

1 city. I was very excited to hear about  
2 that. I am still awaiting to hear back from  
3 him regarding some of the dollar amounts  
4 that he has in mind and once I do I will  
5 further discuss with him and hopefully both  
6 the city council and hospital could come to  
7 some sort of agreement of something that  
8 Mercy could provide.

9 Secondly, I have also been in  
10 contact with Michael Costello who works for  
11 Moses Taylor Hospital regarding PILOTS as  
12 well. At this time we are both working on  
13 or coming up with a time hopefully next week  
14 where both he, myself and Dr. Murphy, who is  
15 the president and CEO of the hospital, could  
16 discuss the issue of the PILOTS, so that's  
17 just a brief update as to where I am in my  
18 progression with that issue.

19 Secondly, I would like to briefly  
20 discuss the comment made by the BA's Office  
21 that the capital budget update is compliant  
22 with the Home Rule Charter, Section 904.  
23 That was in one of the Scranton Times'  
24 articles during last week. Reading from  
25 Section 904 of the Home Rule Charter,



1 Section 904 explicitly states that the mayor  
2 shall submit to council the first capital  
3 budget after the adoption of the charter  
4 initially at least nine months prior to the  
5 final date for the submission of the budget.

6 Furthermore, Section 904 states that  
7 in all subsequent years it shall be  
8 submitted to council at least three months  
9 prior to the final date for the submission  
10 of the budget.

11 Just to inform everyone the previous  
12 five-year spending plan was submitted to  
13 council in 2007, which became effective in  
14 2008. The update that was submitted to  
15 council was submitted within the three-month  
16 timeframe, however, it's the contents of  
17 this update and the contents of what was  
18 provided to us where I believe that the  
19 issues lie as far as the update not being  
20 compliant.

21 Reading from Section 904, the  
22 capital budget shall, which basically means  
23 must, contain a summary of it's contents,  
24 that's point one. Point two, a list of all  
25 capital improvements, which are proposed to

1 be undertaken during the five fiscal years  
2 ensuing with appropriate supporting  
3 information as to the necessity of such  
4 improvements. Point three, the cost  
5 estimated, method of financing and  
6 recommended time schedules for such  
7 improvements. Point four, the estimated  
8 annual cost of operating and maintaining the  
9 facilities to be constructed or acquired;  
10 and point five, an inventory replacement  
11 schedule for the purchase and replacement of  
12 major equipment.

13 Furthermore, Section 904 states that  
14 the above-information, referring to those  
15 five points that I just mentioned, may be  
16 revised and extended each year with regard  
17 to capital improvements still pending or in  
18 the process of construction or acquisition.

19 When viewing the update to the  
20 capital budget that was submitted to the  
21 council, it simply lists various revenue and  
22 expense accounts for various projects,  
23 however, it does not provide any updates  
24 regarding the status of any projects, if  
25 there have been any changes, if there are

1 any changes in cost estimates or if any  
2 projects have been put on hold.

3 With this being said, Home Rule --  
4 the Home Rule Charter Section 904 states  
5 that the above-information, referring to the  
6 five points that I mentioned, not part of  
7 the information should be revised each year  
8 in the update. What was provided to council  
9 was simply a generic list of revenue and  
10 expense accounts in my eyes. Before voting  
11 on this I would like to see an updated list  
12 of projects as specified in Section 904.2  
13 from the original 2008 capital budget.

14 Also, in addition, I would like to  
15 see an updated estimated annual cost of  
16 operating and maintaining facilities as  
17 specified in Section 904.4.

18 Also, I would like to see an updated  
19 inventory replacement schedule for the  
20 purchase and replacement of major equipment  
21 as specified in Section 904.5.

22 In addition to this, I would also  
23 like to see a revised time schedule of  
24 projects to be completed as Section 904.3  
25 states.



1 week, I will update you regarding the  
2 further progress of discussions with tax  
3 exempt organizations. I had the pleasure of  
4 speaking with Dr. Delassandry of the  
5 Commonwealth Medical College last week.  
6 Because of current financial constraints,  
7 the college is unable to make a monetary  
8 contribution at this time. However, we've  
9 also discussed ways in which the college can  
10 contribute to our community through future  
11 service projects and development of a  
12 potential loan forgiveness program for  
13 graduates of the medical college who would  
14 establish a practice in Scranton for a  
15 designated time period of five to ten years.

16 Funding for the forgiveness program  
17 could come at least in part from our three  
18 area hospitals. This type of program  
19 benefits our medical college by attracting  
20 more students, our three hospitals by  
21 attracting an increased number of local  
22 patients who currently travel to facilities  
23 in New York and Philadelphia for medical  
24 procedures, and most importantly our local  
25 residents by replenishing the local pool of

1 physicians and specialists who left our area  
2 to practice elsewhere. City council  
3 supports the establishment of the  
4 Commonwealth Medical College in Scranton and  
5 will assist the college in persuing these  
6 shared goals.

7 I also spoke with Councilman Padudo  
8 of Pittsburgh City Council regarding the tax  
9 exempt organizations among other issues, and  
10 as a result Mr. Joyce and I are  
11 investigating a number of issues for the  
12 2011 budget.

13 Next, I wish to report to you all of  
14 the facts regarding the Comcast cable TV  
15 franchise agreement and ECTV, the EG channel  
16 operator.

17 (1). In the first half of 2010, the  
18 mayor and Attorney Dan Cohen negotiated the  
19 cable TV franchise agreement with Comcast  
20 which includes a term of 15 years. Comcast  
21 was the only cable company interested in a  
22 franchise agreement with the city.

23 (2). One point of contention for  
24 council is the contract term of 15 years.

25 (3). The mayor also exchanged one

1 PEG channel for Comcast grants for ECTV,  
2 thus, there will no longer be two PEG  
3 channels, only one station for the next 15  
4 years. Council objects to this provision.

5 (4). The Cable Advisory Board was  
6 also eliminated in the new contract.  
7 Council objected to the elimination.

8 (5). Negotiations among Comcast,  
9 the mayor, and city council began in June  
10 and have been ongoing for four months.

11 (6). Another point of contention is  
12 ECTV, the PEG channel, administrator. ECTV  
13 has no contract with the City of Scranton or  
14 Comcast. Consequently, it seems to have no  
15 legal right to compensation.

16 (7). Neither the mayor nor ECTV  
17 ever approached city council for a contract  
18 for ECTV since it's inception.

19 (8.) I informed Attorney Dan Cohen,  
20 and expert attorney representing the city in  
21 Comcast franchise negotiations, that ECTV  
22 had no contract. He responded that he knew  
23 of no other municipality that has no  
24 contract with it's PEG channel  
25 administrator, and Attorney Cohen agreed

1 with me that a contract must be written and  
2 approved for any PEG channel administrator  
3 selected by the city.

4 (9). ECTV received a \$90,000 loan  
5 from the Scranton OECD. That loan was  
6 forgiven within three months and no payments  
7 were ever made. I am in possession of those  
8 documents, which I received from the city  
9 administration through a Right-to-Know  
10 request.

11 (10). ECTV received a \$10,000 grant  
12 from the East Scranton Business Association,  
13 one of whose officers, Mr. John Darcy, is  
14 also the head of ECTV. This \$10,000 Urban  
15 Development Grant was given to the East  
16 Scranton Business Association by the  
17 Scranton OECD at the request of the mayor.  
18 It appears the mayor fulfilled his alleged  
19 verbal pact with ECTV through these funds,  
20 particularly, since the former operator,  
21 Scranton Today, received only \$13,000 from  
22 the city during it's seven years of  
23 operation under Mayor Doherty.

24 (11). The \$100,000 in HUD funds  
25 from the City of Scranton were used, at



1 least in part, to purchase equipment. No  
2 one knows the actual dollar amount with  
3 certainty since ECTV refused to submit an  
4 equipment inventory and appropriate  
5 invoices.

6 (12). ECTV never provided financial  
7 accountability to city council and to the  
8 PEG Channel Oversight Committee from it's  
9 first workday in 2008 through today.  
10 Representatives of ECTV respond only to the  
11 mayor.

12 (13). In July negotiations the  
13 mayor wanted the first \$100,000 Comcast  
14 grant to be given to ECTV. City council  
15 responded that it would agree to \$50,000  
16 together with the return of the equipment  
17 purchased with HUD funds.

18 In addition, council asked for the  
19 bidding of PEG channel management and a  
20 contract for a PEG channel administrator.  
21 The mayor declined but requested \$75,000 for  
22 ECTV he.

23 In a final effort to compromise,  
24 council increased the offer to \$65,000, but  
25 the mayor ultimately refused council's

1           compromise agreement.

2                   (14). The Comcast contract was  
3 amended to include the aforementioned  
4 provisions and adopted by city council on  
5 July 27, 2010. Also, on that date council  
6 directed Mrs. Krake to file a Right-to-Know  
7 request with ECTV. Within ten days the  
8 mayor vetoed the contract.

9                   (15). ECTV ignored the  
10 Right-to-Know request filed on July 28,  
11 2010, for equipment inventory and funding  
12 sources and to date has supplied no  
13 response.

14                   (16). On August 20, 2010, Attorney  
15 Hughes was told during a conference call  
16 that ECTV demanded Comcast grant money by  
17 September 30, 2010, or it would pull the  
18 plug on Channels 19 and 21 and that it also  
19 refused to return equipment it purchased  
20 with HUD funds.

21                   Attorney Hughes then notified me and  
22 at this time I ask Attorney Hughes to verify  
23 that conference call. Attorney Hughes?

24                   MR. HUGHES: On August 20, I think a  
25 few days before it was agreed to be a

1 conference call regarding ECTV and the  
2 Comcast contract to complete everything to  
3 come back for council's agenda when the  
4 recess, the August recess was over. It was  
5 originally scheduled for 11 a.m, I had a  
6 call that it would be changed to 2:00, which  
7 it was. The first item that was discussed  
8 was everything on ECTV. I note the August  
9 20 because I was leaving for vacation that  
10 night and I previously had sent to Attorney  
11 Cohen six items regarding the ECTV contract  
12 in writing.

13 On that conference call with myself,  
14 Mr. Cohen, Paul Kelly, city solicitor, and  
15 Stu Renda, the business manager, we went  
16 over the items, the six items regarding  
17 ECTV. One was that it was council's  
18 position that all of the equipment, the city  
19 equipment, and that since it was purchased  
20 with city funds from OECD, Attorney Cohen  
21 and I had previously agreed that that was  
22 city equipment. However, during the  
23 conversation on August 20 I was informed  
24 that it was not city equipment, it belonged  
25 to ECTV and the city could not negotiate

1           that away.

2                         We went through the various items.  
3           There was always contention or let's say  
4           negotiation over the amount of \$100,000. It  
5           was the administration's position that that  
6           \$100,000 would go to ECTV, it was council's  
7           position on the negotiation it would be  
8           \$50,000 and the \$50,000 would be reserved  
9           for the new PEG administrator. If it was  
10          ECTV they would get the \$50,000. We would  
11          put out for bid -- put out an RFP for a new  
12          peg administrator which would run the ECTV  
13          channel.

14                        It's my position that under the Home  
15          Rule Charter, Section 502, which requires  
16          legislative action by ordinance under  
17          Subsection 5, it says to award, renew or  
18          extend a franchise. Obviously, the Comcast  
19          agreement is a franchise agreement. It's my  
20          position in accordance with the Home Rule  
21          Charter that the award of the PEG  
22          administrator contract to run ECTV or to  
23          operate ECTV is the award of a franchise.  
24          It can only be awarded to a cable franchise  
25          operator through the -- though an RFP and

1 through a franchise agreement.

2 It was agreed in all my negotiations  
3 with Attorney Cohen that finally that there  
4 would be a -- that the administration did  
5 agree that it could be an RFP put out for  
6 the ECTV -- or for the PEG administrator to  
7 operate the public television, which I think  
8 is a big step and they acknowledged that  
9 this is a franchise and that there should be  
10 an RFP.

11 There is various other stations that  
12 are operated by Marywood University, by the  
13 University of Scranton, that could bid and  
14 it could really upgrade and operate the PEG  
15 channel.

16 During that conversation it was  
17 agreed that \$65,000 would be available from  
18 the \$100,000 dred from Comcast, that would go  
19 into ECTV to pay their past bills.  
20 Previously they had at our request, we did  
21 receive a series of bills that they say they  
22 owe, I believe it's upwards of \$110,000.  
23 That was turned over to council, they were  
24 submitted to me, and I submitted them to  
25 council for their review.

1 I was told that unless the money was  
2 received by September 30 that ECTV would  
3 pull the plug because they didn't have any  
4 money to pay the bills. That's where that  
5 came from. It was on that conversation of  
6 August 20. It was a Friday and it probably  
7 lasted, it was a conference call that lasted  
8 from 2:00 to approximately 3:30 or quarter  
9 to four.

10 We did agree that what would happen  
11 would be that Attorney Cohen would redo the  
12 Comcast agreement. He would insert a new  
13 Article 8.5 and that council had passed in  
14 making an amendment to the contract and also  
15 that the language in the original 7.3 of the  
16 Comcast agreement for the payment of the  
17 \$100,000 would be paid to the city 30 days  
18 after the adoption of the ordinance by  
19 council.

20 It was also agreed that the \$100,000  
21 would be placed into a special account that  
22 would be -- the Solicitor's Office would  
23 submit legislation to place in the only that  
24 \$100,000 but the other \$100,000 that would  
25 be coming in the following year and also the

1           \$85,000 into a special city account for the  
2           payment of those monies and ultimately after  
3           that legislation was drafted and it was  
4           received, I recommended that after the first  
5           \$100,000 would be paid that the other  
6           \$185,000 would be paid and spread out over a  
7           period of 14 years in installments of -- I  
8           forget what the installments were, but the  
9           \$185,000 by 14 would be approximately  
10          \$13,000 a year for the next 14 years for the  
11          PEG administrator.

12                     One thing that was put into the  
13           contract that I had previously negotiated  
14           with Attorney Cohen is what I call an opener  
15           clause so that in the event that during the  
16           next 15 years if the FCC would increase the  
17           amount of franchise fee that the city would  
18           be entitled to or that municipality would be  
19           entitled to and it s increased from 5  
20           percent the way the agreement was written is  
21           that City of Scranton would be locked into 5  
22           percent for the next 15 years.

23                     However, with the opener clause that  
24           would what happen is that if the FCC said  
25           two years from now that the municipality

1 would be entitled to 6 percent of the  
2 revenue, automatically the City of Scranton  
3 would make demand on Comcast or the amount  
4 of money that we would receive would be  
5 increased from 5 percent to 6 percent. That  
6 was not in the original agreement. Upon my  
7 review, I thought that should be in there.  
8 Comcast did agree to that, so if there is  
9 any escalation or increase of the amount of  
10 revenue that the city would receive pursuant  
11 to FCC regulations that the city would  
12 automatically increase that and not be  
13 locked into the 5 percent over the next 15  
14 years.

15 I reviewed the contract that  
16 Attorney Cohen has revised and it does meet  
17 my approval. Everything that's in there and  
18 the entire contract that was supposedly to  
19 put in as a result of our August 20  
20 negotiations is in there. And that's pretty  
21 much the summation of what happened on  
22 August 20.

23 MR. MCGOFF: May I ask a question,  
24 Attorney Hughes? Attorney Hughes, I think I  
25 heard you correctly that there was no one



1 from ECTV on the conference call?

2 MR. HUGHES: That's correct.

3 MR. MCGOFF: Who made the statement  
4 that they would shut down services if they  
5 did not receive the funding?

6 MR. HUGHES: That was Attorney  
7 Kelly.

8 MR. MCGOFF: Thank you.

9 MR. HUGHES: I mean, he had -- I  
10 have never had contact with ECTV, I have  
11 never talked to anybody from ECTV. My  
12 position was to negotiate from the  
13 standpoint of the \$100,000 and how it was to  
14 be allocated. It started off between  
15 \$50,000 from council and \$100,000 from the  
16 mayor, and ended up in-between we  
17 automatically increased it to 65, they  
18 remained at 100. Subsequently, it was said  
19 that they would come down to 75 and on the  
20 conference call in August 20 it was agreed  
21 that it would be \$65,000 and that \$35,000 of  
22 that would go to the -- put it out for  
23 public bid or on an RFP and that whoever was  
24 awarded that contract would receive the  
25 \$35,000.

1 MS. EVANS: And then I believe,  
2 Attorney Hughes, you called me on the same  
3 day and you explained to me what had  
4 transpired during that conference call?

5 MR. HUGHES: That's correct.  
6 Fortunately, I didn't have to catch a plane  
7 to go on that vacation, so I was driving so  
8 I did have some time. I did want to leave  
9 at 4:00, but I didn't leave my office until  
10 5:30 that night.

11 MS. EVANS: Right, and you at that  
12 time informed me that the equipment was not  
13 going to be returned.

14 MR. HUGHES: They took that off the  
15 table; correct.

16 MS. EVANS: Correct, and that ECTV  
17 was pulling the plug by September 30 if they  
18 didn't get the money. And my answer to you  
19 was, I believe, if my memory serves me well,  
20 that that was unacceptable because no new  
21 provider would be able to purchase equipment  
22 and handle other startup costs with so  
23 little money.

24 MR. HUGHES: That's correct.

25 MS. EVANS: And as a result, there

1 was no agreement and that, in fact, everyone  
2 should go back to the table and Comcast  
3 should come up with, for starters, a  
4 ten-year contract rather than a 15-year.

5 MR. HUGHES: That was your position;  
6 correct.

7 MS. EVANS: Thank you.

8 MR. HUGHES: What I did do before I  
9 left the office that afternoon is that I did  
10 take the memorandum that I had previously  
11 submitted to Attorney Cohen with the six  
12 points in it and I said that, number one had  
13 been resolved is now open, and I forget what  
14 the sixth one was, that was also still open.

15 MS. EVANS: Right.

16 MR. HUGHES: But we did establish a  
17 timetable in there that for the submission  
18 of the ordinance to control the \$100,000  
19 payment and we also set a timetable for  
20 Attorney Cohen to draft the RFP and submit  
21 it to the city so that that could be put out  
22 for bid for any PEG administrator. And as  
23 you previously stated, Attorney Cohen was  
24 pretty amazed that out of the all of the  
25 municipalities that he represents the City

1 of Scranton is the only one that did not  
2 have a written contract with it's PEG  
3 administrator so there would be control over  
4 the PEG administrator as to what they would  
5 have is to meet the qualitative and  
6 quantitative requirements of the public  
7 channel.

8 MS. EVANS: And the RFP as read by  
9 Councilman Loscombe earlier evidently is not  
10 satisfactory to city council as well. There  
11 are many issues with it, including the  
12 city's ability to change course during the  
13 actual bidding process, meaning that it can  
14 change anything it's asking for or it can  
15 forgive any mistakes made by anybody to put  
16 it in plain, simple language. So there is  
17 much in that contract -- or in that RFP that  
18 council takes exception with as well.

19 But I do want to -- I know it's  
20 getting very late and you have listened a  
21 long time, but I do want to provide the  
22 remainder of the information. Also, and  
23 this is very interesting, also in August  
24 2010, apparently, ECTV developed a separate  
25 agreement with the Scranton School District

1           whereby it will provide 71 hours of daily  
2           programming for broadcasts between the hours  
3           of 12 a.m. and 5 p.m. by the school  
4           district. Since it does not have a contract  
5           with the City or Comcast, ECTV has no  
6           ability to enter into an agreements with any  
7           entity and seems to have misrepresented  
8           itself and any new Comcast contract.

9           Next, ECTV established a history of  
10          failing to provide services contained in  
11          it's 2008 proposal such as live streaming,  
12          etcetera, refusing to provide financial  
13          accountability and providing poor customer  
14          service.

15          Since 2008, council has received  
16          countless complaints by Comcast subscribers  
17          both in and beyond Scranton about ECTV to  
18          include, and this is going to mirror much  
19          that was mentioned earlier by my colleague,  
20          Councilman Rogan, they do not answer the  
21          phone, the voicemail is full and citizens  
22          can't leave messages, representatives are  
23          abusive to callers whose phone calls get  
24          through. There is no program listing.  
25          Citizens objected to the programs and the

1 often time total lack thereof. Viewers  
2 cannot hear the sound during council  
3 meetings. Viewers object to the infrequency  
4 of government meeting broadcasts. Citizens  
5 report the uselessness of the ECTV website  
6 and lack of video streaming, etcetera.

7 According to the Scranton Times  
8 newspaper, ECTV's manager, Mark Migliore  
9 allegedly harassed two city residents  
10 following a city council meeting in July  
11 2010 during which speakers raised problems  
12 concerning ECTV. Mr. Migliore also  
13 displayed unprofessional conduct in the  
14 Office of the City Council during the week  
15 following the final summer meeting of  
16 council.

17 Next, the mayor wants ECTV as the EG  
18 channel administrator. The mayor intends to  
19 hand over the first Comcast EG Channel grant  
20 money to ECTV, although, he has already  
21 given them \$100,000. The mayor will not  
22 begin the bid process for a new  
23 administrator until ECTV gets the money it's  
24 demanding. The mayor then selects the new  
25 EG channel administrator.

1                   ECTV has changed it's statements  
2                   three times concerning continued operation  
3                   broadcasts of Channel 19 and 21. First, the  
4                   channels would never go black and ECTV would  
5                   continue to serve the viewers it has so  
6                   tirelessly worked for.

7                   Second, it demands money by  
8                   September 30, 2010, or it pulls the plug.

9                   Third, it will continue to broadcast  
10                  only as long as it is financially able.

11                  I have a question, if the cable TV  
12                  contract had not expired, thus, no PEG  
13                  channel grants would be available at this  
14                  time, how would ECTV support itself and pay  
15                  it's bills?

16                  Next, city council has no accurate  
17                  financial records for ECTV's operations from  
18                  it's first day of work through today,  
19                  September 14, 2010. We have no inventory of  
20                  the equipment it purchased, no knowledge of  
21                  it's sponsors, donations and other revenue  
22                  sources. We have no list of employees'  
23                  salaries and benefits and if the management  
24                  of the station is ever put out to bid by the  
25                  mayor what knew EG channel operator can or

1 will bid knowing it will not receive  
2 sufficient monies to purchase equipment and  
3 fund it's startup costs.

4 Ladies and gentlemen, those are the  
5 facts. Regardless of ECTV's attempts to  
6 twist them by broadcasting false statements  
7 before and after council meetings on this  
8 very television station which belongs to  
9 you, not them. It's very important that you  
10 are prepared for the possibility of ECTV,  
11 with the mayor's agreement, pulling the plug  
12 on this channel and that you know council's  
13 reasons for standing up to this apparently  
14 disreputable PEG channel administrator.

15 The supermajority of Scranton City  
16 Council believes it is highly irresponsible  
17 to hand money to ECTV without an audit, a  
18 detailed and full disclosure of financial  
19 information.

20 It is unacceptable to provide  
21 insufficient funds to a new operator that  
22 will require financial support, particularly  
23 since ECTV received \$100,000 for it's  
24 startup costs. It is unconscionable to  
25 withhold a fair bidding process. Council



1 demands financial accountability by means of  
2 an audit, a fair bidding process, and EG  
3 channel contract, and appropriate startup  
4 funding for an operator because ECTV will  
5 not return equipment.

6 The ball is now in the mayor's  
7 Court. Ladies and gentlemen, if the screen  
8 does go black it will be the fault of both  
9 the mayor, who supports ECTV's lack of  
10 credibility and accountability, and ECTV who  
11 has demonstrated unprofessional conduct  
12 towards Scranton City Council and the people  
13 of Scranton.

14 If the screen goes black  
15 temporarily, you can be certain that this  
16 council supermajority will remain on your  
17 side, continue to solve your problems, and  
18 fight to save your tax dollars.

19 At such time as a creditable and  
20 responsibility EG channel administrator is  
21 awarded a contract, Channel 19 will resume  
22 broadcasts in compliance with a contract.

23 And finally, I have a few citizens  
24 requests for the week: Residents report  
25 there are five abandoned houses in the 500

1 block of Schultz Court, one of which was  
2 destroyed by fire. Youngsters have broken  
3 windows on the other four houses and gained  
4 entry to one by breaking into the front  
5 door. Neighbors fear for the safety of the  
6 children and believe the structures to be  
7 fire hazards. Are any of these scheduled  
8 for demolition? And if we could please  
9 receive a report on or before September 27.

10 Contact the animal control officer  
11 to remove a dead animal behind a bush in the  
12 front yard of 436 Birch Street. Also,  
13 neighbors report overgrown hedges and weeds  
14 at this property.

15 Neighbors report a vacant property  
16 at 913 North Washington Avenue where weeds  
17 have grown through the fence and now cover  
18 the sidewalks.

19 In addition, the backyard of this  
20 property connects to a house located at the  
21 400 block of Phelps Street. Neighbors  
22 believe this house is vacant and blighted.  
23 They contacted the mayor during August, but  
24 no action was taken.

25 Next, city residents and various

1 sections of Scranton request that catch  
2 basins are cleaned citywide to prevent  
3 additional flooding during fall months.

4 City residents report that the area  
5 on Olive Street used as a walkway for school  
6 children is overgrown and filthy. Adding  
7 rain and snow to these conditions will force  
8 children to walk in the streets to and from  
9 school during the rush hours. Please  
10 address ASAP.

11 residents would like to know why the  
12 Steamtown Marathon information is not posted  
13 on the city's website. When will it be  
14 posted by the IT Department?

15 And finally, Mrs. Krake, please send  
16 a final reminder to all city department  
17 heads regarding the October 1 deadline for  
18 submission of information to council in  
19 preparation for the 2011 budget, and that's  
20 it.

21 MR. HUGHES: Madam President, if I  
22 could, just two very quick comments --

23 MS. EVANS: Certainly.

24 MR. HUGHES: -- on the Comcast  
25 contract. The \$85,000 payment that would

1           come in at the end of the second year was  
2           made by Comcast because during negotiations  
3           the city gave up the one PEG channel, and  
4           that's number one. I think that could be  
5           taken into consideration.

6                         The second thing is the payment of  
7           \$200,000, \$100,000 the first year and the  
8           second year is supposedly because of the  
9           length of the contract. I don't know if  
10          council in considering the Comcast agreement  
11          and also in the editorial in the Times this  
12          morning it could be a negotiating position  
13          on behalf of the council that you could for  
14          give the \$85,000 and keep the other PEG  
15          Channel.

16                        You could also say that we want a  
17          ten-year contract, but we also want to keep  
18          the \$200,000. I think that should be  
19          something that could looked at. I think for  
20          the benefit of the Times and their editorial  
21          this is certain information that might not  
22          have been known and there is really -- the  
23          theory of the two PEG channels, the one is  
24          to be an educational channel for educational  
25          purposes. The other one is to be a

1 governmental channel to broadcast public,  
2 you know, meetings such as this and other  
3 public meetings, you know, throughout the  
4 community. So they are two things that I  
5 think for the benefit of the public that  
6 they should know and that, you know, the  
7 agreement is really put together, the  
8 Comcast agreement.

9 However, the financial things that  
10 would were put in there such as the \$85,000  
11 for terminating the one PEG channel, that  
12 could be a matter that, you know, I don't  
13 know how council wants to handle this and if  
14 they want to revisit the entire thing, but  
15 certainly there seems to be from public  
16 comment and also from the editorial board of  
17 the Times that the 15 years is too long.

18 I think that I went to protect the  
19 city from the standpoint that if there is --  
20 if the rates are increased that at least  
21 there is not a active open clause in there  
22 and whether you had another public -- you  
23 know, if we had another cable operator here  
24 I don't know what else you could give them  
25 from the competition standpoint because the

1 FCC limits the amount of money that can be  
2 made to the municipalities, so I wanted to  
3 bring that up and for the sake that there is  
4 two things there that with the length of the  
5 contract and \$200,000 payment supposedly was  
6 made to go to the PEG channels, to the city  
7 to offer to the PEG channels from the  
8 standpoint that it is 15 years. Whether a  
9 ten-year agreement would reduce that amount,  
10 I don't know, I didn't negotiate the  
11 contract, that's not my job.

12 And the other thing is that if you  
13 give up the other \$85,000 you could have two  
14 PEG channels. You could look at one could  
15 be an educational channel, someone, like,  
16 you know, Marywood or University of Scranton  
17 and the educational programming and, you  
18 know, that way there would be a governmental  
19 channel or it could be both. Anyway, that's  
20 just my comment.

21 MS. EVANS: And I understood that in  
22 the old agreement thea number of PEG  
23 channels to be awarded to a municipality  
24 would have been based on the number of  
25 stations offered by the cable provider

1           itself. Now, many years have passed since,  
2           you know, the initiation of the former  
3           contract and at this point in time I'm sure  
4           the amount of channels provided by Comcast  
5           has probably increased 20 fold.

6                     MR. MCGOFF: With HDTV and separate  
7           channels for sure.

8                     MS. EVANS: There you go, and as a  
9           result, you know, I would also like you to  
10          look into how many stations a municipality  
11          is entitled to. How many -- excuse me, let  
12          me clarify, how many EG Channels a  
13          municipality is entitled to. Is it still  
14          based on the number of cable stations  
15          offered by the cable company or is it now  
16          based on perhaps the number of subscribers,  
17          I really don't know, but I do find it  
18          curious that -- and unacceptable that we  
19          were giving away one of our two stations for  
20          a mere \$85,000 and that, you know, other  
21          cities have many, many stations, PEG channel  
22          stations, and here we are going in the  
23          opposite direction. As they are expanding,  
24          we are decreasing to one. But then again,  
25          as Attorney Hughes said, that wasn't

1 anything that was discussed with council at  
2 the time, that was included in the initial  
3 negotiations, the mayor, Attorney Cohen and  
4 Comcast. Council didn't enter into  
5 negotiations into that process until June,  
6 so we begin by working with what we were  
7 given at that point which was, you know, the  
8 \$285,000 for a PEG channel, the reduction to  
9 one channel, the five-year term, etcetera.

10 MR. MCGOFF: I believe the number of  
11 PEG channels was also dependent upon the  
12 amount of programming, if I remember  
13 correctly, that once the first station  
14 reached a certain percentage of programming  
15 then there was a, you know, an allowance for  
16 a second channel and I believe that if that  
17 channel achieves a certain percentage of  
18 programming that there was also a third that  
19 was available. I may be wrong, I'm just  
20 trying to remember back to when I discussed  
21 this before.

22 MS. EVANS: It would be good to know  
23 if that's still in effect or if they have  
24 changed requirements through the years, but,  
25 you know, it's interesting. I think we



1 should know what we are entitled to.

2 Mrs. Krake?

3 MS. KRAKE: 5-B. SALE OF TAX  
4 DELINQUENT PROPERTY MORE COMMONLY KNOWN AS  
5 609 CEDAR AVENUE, SCRANTON, PENNSYLVANIA,  
6 TAX MAP NO. 156.15-030-023 TO UNITED  
7 NEIGHBORHOOD COMMUNITY DEVELOPMENT  
8 CORPORATION, 425 ALDER STREET, SCRANTON,  
9 PENNSYLVANIA, 18505, FOR THE CONSIDERATION  
10 OF \$5,000.00.

11 MS. EVANS: At this time I'll  
12 entertain a motion that Item 5-B be  
13 introduced into it's proper committee.

14 MR. ROGAN: So moved.

15 MR. JOYCE: Second.

16 MS. EVANS: On the question? On  
17 tonight's agenda, Items 5-B, 5-C and 5-D  
18 relates to the sale of abandoned properties  
19 to United Neighborhood Services of Scranton.  
20 UNC hopes to combine these parcels with  
21 other in the 600 block of Cedar Avenue to  
22 construct six townhouses, four of which will  
23 have commercial space on the ground floor,  
24 and four single-family homes. These  
25 properties will be offered for sale and will

1 return to the city tax rolls.

2 MR. ROGAN: I would just like to  
3 add, I think this will be great for the  
4 Cedar Avenue of South Scranton.

5 MS. EVANS: Absolutely.

6 MR. LOSCOMBE: This definitely falls  
7 in line with our fight against blight with  
8 these organizations helping like that, too.  
9 It would definitely be great.

10 MS. EVANS: Yes. All those in favor  
11 of introduction signify by saying aye.

12 MR. MCGOFF: Aye.

13 MR. ROGAN: Aye.

14 MR. LOSCOMBE: Aye.

15 MR. JOYCE: Aye.

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

18 MS. KRAKE: 5-C. SALE OF TAX  
19 DELINQUENT PROPERTY MORE COMMONLY KNOWN AS  
20 615 CEDAR AVENUE, SCRANTON, PENNSYLVANIA,  
21 TAX MAP NO. 156.15-030-021 TO UNITED  
22 NEIGHBORHOOD COMMUNITY DEVELOPMENT  
23 CORPORATION, 425 ALDER STREET, SCRANTON,  
24 PENNSYLVANIA, 18505, FOR THE CONSIDERATION  
25 OF \$3,500.00.

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

4 MR. ROGAN: So moved.

5 MR. JOYCE: Second.

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

9 MR. MCGOFF: Aye.

10 MR. ROGAN: Aye.

11 MR. LOSCOMBE: Aye.

12 MR. JOYCE: Aye.

13 MS. EVANS: Aye. Opposed? The ayes  
14 have it and so moved.

15 MS. KRAKE: 5-D. SALE OF TAX  
16 DELINQUENT PROPERTY MORE COMMONLY KNOWN AS  
17 619 CEDAR AVENUE, SCRANTON, PENNSYLVANIA,  
18 TAX MAP NO. 156.15-030-018 TO UNITED  
19 NEIGHBORHOOD COMMUNITY DEVELOPMENT  
20 CORPORATION, 425 ALDER STREET, SCRANTON,  
21 PENNSYLVANIA, 18505, FOR THE CONSIDERATION  
22 OF \$3,500.00.

23 MS. EVANS: At this time I'll  
24 entertain a motion that Item 5-D be  
25 introduced into it's proper committee.

1 MR. ROGAN: So moved.

2 MR. JOYCE: Second.

3 MS. EVANS: On the question? All  
4 those in favor of introduction signify by  
5 saying aye.

6 MR. MCGOFF: Aye.

7 MR. ROGAN: Aye.

8 MR. LOSCOMBE: Aye.

9 MR. JOYCE: Aye.

10 MS. EVANS: Aye. Opposed? The ayes  
11 have it and so moved.

12 MS. KRAKE: 5-E. AUTHORIZING THE  
13 MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE  
14 CITY OF SCRANTON TO TAKE ALL NECESSARY  
15 ACTIONS TO IMPLEMENT THE CONSOLIDATED  
16 SUBMISSION FOR COMMUNITY PLANNING AND  
17 DEVELOPMENT PROGRAMS TO BE FUNDED UNDER THE  
18 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
19 PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME)  
20 PROGRAM AND EMERGENCY SHELTER GRANT (ESG)  
21 PROGRAM.

22 MS. EVANS: At this time I'll  
23 entertain a motion that Item 5-E be  
24 introduced into it's proper committee.

25 MR. ROGAN: So moved.

1 MR. JOYCE: Second.

2 MS. EVANS: On the question? Next  
3 Tuesday, September 21, at 5:45 -- or is it  
4 5:30, Mrs. Krake?

5 MS. KRAKE: Actually, we can choose  
6 either at your discretion.

7 MS. EVANS: Let's make it 5:45 p.m.  
8 in Scranton City Council chambers, City  
9 Council will conduct a public hearing to  
10 gather testimony regarding 2011 CDBG, HOME  
11 Program and ESG Program proposed funding.

12 Further, city council intends to  
13 make changes to the allocations contained in  
14 the current legislation. All those in favor  
15 of introduction signify by saying aye.

16 MR. MCGOFF: Aye.

17 MR. ROGAN: Aye.

18 MR. LOSCOMBE: Aye.

19 MR. JOYCE: Aye.

20 MS. EVANS: Aye. Opposed? The ayes  
21 have it and so moved.

22 MS. KRAKE: 5-F. AUTHORIZING THE  
23 MAYOR AND OTHER APPROPRIATE CITY  
24 OFFICIALS TO EXECUTE AND ENTER INTO A  
25 CONTRACT FOR PROFESSIONAL SERVICES WITH THE

1 LAW FIRM OF CARL J. GRECO, P.C. FOR LEGAL  
2 SERVICES INCLUDING BUT NOT LIMITED TO  
3 GENERAL COUNSEL TO THE OFFICE OF ECONOMIC  
4 AND COMMUNITY DEVELOPMENT ("OECD"), URBAN  
5 RENEWAL PROCESS AND PROCEDURE, EMINENT  
6 DOMAIN AND RELATED LITIGATION, DISPOSITION  
7 OF SURPLUS URBAN RENEWAL LANDS, TITLE  
8 SEARCHES AND DEED PREPARATION.

9 MS. EVANS: At this time I'll  
10 entertain a motion that Item 5-F be  
11 introduced into it's proper committee.

12 MR. ROGAN: So moved.

13 MR. MCGOFF: Second.

14 MS. EVANS: On the question?

15 MR. LOSCOMBE: I'd like to make a  
16 motion to amend. I make a motion to amend  
17 the resolution for the mayor and other  
18 appropriate city officials to execute and  
19 enter into a contract for professional  
20 services with the law firm of Carl J. Greco,  
21 P.C., for legal services, including but not  
22 limited to general council for the Office of  
23 Economic and Community Development, OECD,  
24 urban renewal process and procedure, eminent  
25 domain and related litigation, disposition

1 of surplus urban renewal lands, title  
2 searches and deed preparations by reducing  
3 the period of the contract from one term of  
4 one year for legal services in the amount of  
5 \$125,000, whichever comes first, to a term  
6 which is to end on December 31, 2010, or for  
7 legal services in the amount of \$25,000,  
8 whichever comes first.

9 MR. ROGAN: Second.

10 MS. EVANS: On the question?

11 MR. MCGOFF: The purpose of doing  
12 this?

13 MS. EVANS: I'll respond to that.  
14 Council was concerned by the continuously  
15 escalating payments to Attorney Greco. For  
16 several years Attorney Greco's annual  
17 contract covered his services for a period  
18 of one year. In the last few years Attorney  
19 Greco has been depleting his funds months in  
20 advance of the one-year term of contract.

21 In fact, this year the contract was  
22 bid in June, and Attorney Greco appears to  
23 be heading at that rate toward a payment of  
24 \$200,000 annually or more for his part-time  
25 position as solicitor to OECD and the SRA.

1                   Now, interestingly, I noticed in one  
2                   of our grants, I think it was the Economic  
3                   Development Initiative Grant on tonight's  
4                   agenda, that this particular grant provides  
5                   money for legal services in the amount of  
6                   \$5,500, title searches in the amount of  
7                   \$2,000, and recording fees in the amount of  
8                   \$500. How many other grants provide this  
9                   funding as well?

10                   And I have to ask, is Attorney Greco  
11                   receiving any grant monies of this nature in  
12                   addition to what's provided by contract? I  
13                   believe this contract should be rebid in the  
14                   future and that council should discuss these  
15                   grants among other issues with Miss Aebli.

16                   MR. LOSCOMBE: If I may comment,  
17                   also. I agree with everything Mrs. Evans  
18                   has stated. A couple of things that were  
19                   brought to my attention when I was reading  
20                   my mail and stuff. The August 26 letter we  
21                   received from OECD requesting the proposal  
22                   for legal ad, "The last contract with Carl  
23                   Greco, P.C., has a small balance and will  
24                   not last until our next billing period that  
25                   is due September 30, 2010."



1                   So that just reiterates what Mrs.  
2                   Evans has stated. Shortly after I was  
3                   appointed to council and started receiving  
4                   the invoices, I wouldn't actually call them  
5                   invoices, it's just a number, just looking  
6                   at the first statement I received, it was a  
7                   \$125,000 contract, on December 14 of '09  
8                   there was \$125,000, by February 24, just  
9                   slightly over two months, it was reduced by  
10                  \$46,000 or 37 percent of the contract  
11                  already, so that is alarming. It just seems  
12                  to be getting shorter and shorter and this  
13                  contract was just increased a few years ago,  
14                  the amount, as far as I understand and  
15                  that's, you know, that's part of my reason.

16                  MS. EVANS: Yes. I believe it  
17                  happened -- we began at \$100,000 years ago  
18                  and I think it was then increased to  
19                  \$110,000 and then \$125,000 and now we are  
20                  looking for a second contract, you know, in  
21                  June or July of the same fiscal year for  
22                  another \$125,000, so I think something has  
23                  to be done to get costs under control here.

24                  And in addition, you know, I do, as  
25                  I said, have these questions about all of

1 the costs for legal services being built  
2 into the grants themselves, and so is  
3 Attorney Greco receiving that money above  
4 and beyond the money received by contract?

5 MR. MCGOFF: Were all of the  
6 invoices or the payments for legitimate  
7 services provided?

8 MS. EVANS: We don't know because --

9 MR. MCGOFF: Did anyone ask?

10 MS. EVANS: -- the invoices are so--

11 MR. MCGOFF: If you are going to  
12 question it then maybe you should ask.

13 MR. LOSCOMBE: I didn't question the  
14 invoices, I questioned the rapid use of the  
15 amount of money that was put in the  
16 contract.

17 MR. MCGOFF: Did you ask if they  
18 were for legitimate services purposes?

19 MR. LOSCOMBE: Well, I would assume  
20 that they were for legitimate services, but  
21 I mean, it just seems to be exorbitant when  
22 we are trying to bite the bullet here at  
23 city hall ourselves. I think that the other  
24 departments have to start looking to bite  
25 the bullet. And also, as Mrs. Evans ha

1           stated, a lot of these grants contained not  
2           only engineering fees, but legal fees  
3           coverages and stuff like that, so if that's  
4           the request, Mr. McGoff, then maybe we  
5           should request a full accounting of all of  
6           the invoices.

7                     MR. MCGOFF: Was this position bid  
8           properly?

9                     MR. LOSCOMBE: I'm not a lawyer, so  
10          I couldn't state that.

11                    MR. MCGOFF: How many people  
12          responded to the bid?

13                    MS. EVANS: I believe only Mr. Greco  
14          responded to the bid as has been the case  
15          since it first went out for bid several  
16          years ago. Prior to that, it wasn't even  
17          put out to bid. It was just automatically  
18          handed to Attorney Greco, and then it was  
19          finally put out to bid I think maybe in 2006  
20          or 2007, but the specs for the bid were  
21          tailor made for Attorney Greco, and then  
22          after Attorney Greco sued the city that  
23          year, the specs for the bid were altered for  
24          the following year, so that suing the city  
25          was no longer a deterrent to receiving the

1 contract.

2 MR. LOSCOMBE: If you specify a  
3 Humvee you are not going to get a Cadillac.

4 MR. ROGAN: I agree with Councilman  
5 Loscombe. I know there is \$125,000 from the  
6 CDBG money that's for the administration and  
7 coordination of the small business loan  
8 program for OECD, and when I asked about  
9 that I was told that the money was used for  
10 attorneys, so I wonder if that money may  
11 even be going to him as well. And my  
12 biggest objection is that, as Mrs. Evans  
13 stated, that he may near the \$200,000 mark  
14 for a part-time job when most people in the  
15 City of Scranton would dream to make  
16 \$200,000 full-time.

17 MS. EVANS: Well, I actually was I  
18 think incorrect there because it would be  
19 more like a quarter of a million dollars a  
20 year for a part-time position. Even worse.

21 MR. ROGAN: And, you know, as  
22 Councilmen Loscombe said there is only one  
23 bidder, but that's what it makes even more  
24 suspicious because -- I'm not an attorney,  
25 but I would think most of the attorneys out

1           there if they knew they could make that kind  
2           of money part-time they would put in a bid  
3           unless the specs were made specifically for  
4           Attorney Greco. That being said, I would be  
5           voting yes for Councilman Loscombe's  
6           amendment, but I will be voting no on final  
7           passage.

8                        MS. EVANS: Anyone else on the  
9           question? All those in favor of  
10          Councilman's Loscombe's amendment to  
11          Attorney Greco's contract please signify by  
12          saying aye.

13                      MR. ROGAN: Aye.

14                      MR. LOSCOMBE: Aye.

15                      MR. JOYCE: Aye.

16                      MS. EVANS: Aye. Opposed?

17                      MR. MCGOFF: No.

18                      MS. EVANS: The ayes have it and so  
19          moved. At this time I'll entertain a motion  
20          that 5-F, as amended, be introduced into  
21          it's proper committee.

22                      MR. ROGAN: So moved.

23                      MR. JOYCE: Second.

24                      MS. EVANS: On the question?

25                      MR. ROGAN: Yes, on the question. I

1           just believe that an amount of money like  
2           this, even for an attorney, who they do make  
3           good money, more than the average person,  
4           but I think it's offensive to the people of  
5           Scranton that somebody can make this kind of  
6           part-time and I will voting no.

7                        MS. EVANS:  Anyone else on the  
8           question?

9                        MR. MCGOFF:  I'd just like to  
10          respond to that.  If these are for  
11          legitimate services provided then it doesn't  
12          matter who the attorney is, this is the  
13          amount of money that's going to be paid.

14                      MR. ROGAN:  You don't have a problem  
15          with that dollar amount for a part-time  
16          position?

17                      MR. MCGOFF:  If it's for legitimate  
18          services provided then it doesn't matter  
19          what the name is of the attorney, it's going  
20          to be -- that money is going to be given to  
21          someone.

22                      MR. ROGAN:  I didn't say anything  
23          about the name of the person.

24                      MR. MCGOFF:  But what you are saying  
25          is that the amount --

1 MR. ROGAN: Yes, I'm talking about  
2 the amount, but it seems that the way that  
3 the bid was setup, don't you find it curious  
4 that only one person would put in a bid for  
5 such a large amount of money for a part-time  
6 job? If you are an attorney would you put  
7 in a bid?

8 MR. MCGOFF: I don't know.

9 MR. LOSCOMBE: Especially when there  
10 is 100 pages in the yellow pages with  
11 attorney's names in it.

12 MS. EVANS: And the fact is though  
13 that, you know, in the nine years of this  
14 administration only one other attorney has  
15 ever put in a bid on that contract and he is  
16 sitting here tonight, Attorney Boyd Hughes,  
17 who was not selected because at the time he  
18 was told he sued the city. Well, that meant  
19 on behalf of a client. He wasn't suing the  
20 city, the client was, but at the same time,  
21 you know, just walk down the yellow brick  
22 road a few months and Attorney Greco himself  
23 sued the City of Scranton for more money and  
24 then that provision is removed for the next  
25 contract because had it remained it would

1 also have eliminated Attorney Greco.

2 But as Mr. Rogan has said it is  
3 highly unusual that in nine years no one is  
4 interested in Scranton or beyond in earning  
5 this type of money for a part-time position  
6 and I'm sure, you know, depending on law  
7 firms and years of experience and the number  
8 of partners and employees, legal fees vary  
9 from firm to firm and even within a firm  
10 from lawyer to lawyer to paralegal,  
11 etcetera, so it is possible you might get  
12 someone who may not charge as much per hour  
13 for his services and all of the services of  
14 the people who work with him or under him in  
15 his firm who are also producing more work  
16 for the City of Scranton. All those in  
17 favor of introduction signify by saying aye.

18 MR. MCGOFF: Aye.

19 MR. LOSCOMBE: Aye.

20 MR. JOYCE: Aye.

21 MS. EVANS: Aye. Opposed?

22 MR. ROGAN: No.

23 MS. EVANS: The ayes have it and so  
24 moved.

25 MS. KRAKE: 5-G. AMENDING RESOLUTION



1 NO. 17, 2010, ENTITLED "AUTHORIZING  
2 THE MAYOR AND OTHER APPROPRIATE CITY  
3 OFFICIALS TO EXECUTE AND ENTER INTO  
4 SUPPLEMENTAL REIMBURSEMENT AGREEMENT NO.  
5 040809-G WITH THE COMMONWEALTH OF  
6 PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION  
7 REGARDING THE LACKAWANNA AVENUE BRIDGE  
8 PROJECT FOR THE PURPOSE OF INCREASING THE  
9 CONSTRUCTION AND UTILITY ACTIVITIES ON THE  
10 PROJECT FOR PAYMENT OF FINAL INVOICES" TO  
11 INCLUDE A RIGHT TO KNOW CLAUSE AND EXHIBIT  
12 THAT NEEDS TO BE INCLUDED TO ALL LOCAL  
13 PROJECTS.

14 MS. EVANS: At this time I'll  
15 entertain a motion that Item 5-G be  
16 introduced into it's proper committee.

17 MR. JOYCE: So moved.

18 MR. MCGOFF: Second.

19 MS. EVANS: On the question? All  
20 those in favor of introduction signify by  
21 saying aye.

22 MR. MCGOFF: Aye.

23 MR. ROGAN: Aye.

24 MR. LOSCOMBE: Aye.

25 MR. JOYCE: Aye.

1 MS. EVANS: Aye. Opposed? The ayes  
2 have it and so moved.

3 MS. KRAKE: 5-H. APPOINTMENT OF  
4 MARYANNE SINCLAIR, 1310 LUZERNE STREET,  
5 SCRANTON, PENNSYLVANIA, 18504, TO THE BOARD  
6 OF THE SCRANTON HOUSING AUTHORITY FOR AN  
7 ADDITIONAL FIVE (5) YEAR TERM. MRS.  
8 SINCLAIR'S TERM WILL EXPIRE ON SEPTEMBER  
9 27, 2010 AND HER NEW TERM WILL EXPIRE ON  
10 SEPTEMBER 27, 2015.

11 MS. EVANS: At this time I'll  
12 entertain a motion that Item 5-H be  
13 introduced into it's proper committee.

14 MR. ROGAN: So moved.

15 MR. JOYCE: Second.

16 MS. EVANS: On the question?

17 MR. ROGAN: Yes. As Mr. Miller  
18 mentioned before, we didn't receive a cover  
19 letter or a resume. I will vote yes this  
20 week to give them another week to get it in,  
21 but if not I will change to a no vote next  
22 week.

23 MS. EVANS: Yes, Mrs. Krake, if you  
24 could please contact Mrs. Sinclair and  
25 Mrs. Ledbetter and request those documents

1 on behalf of council so that council can  
2 cast it's final vote next week September  
3 2021.

4 MS. KRAKE: Yes.

5 MS. EVANS: All those in favor of  
6 introduction signify by saying aye.

7 MR. MCGOFF: Aye.

8 MR. ROGAN: Aye.

9 MR. LOSCOMBE: Aye.

10 MR. JOYCE: Aye.

11 MS. EVANS: Aye. Opposed? The ayes  
12 have it and so moved.

13 MS. KRAKE: 5-I. APPOINTMENT OF  
14 CHARLOTTE LEDBETTER, 1013 CLAY AVENUE,  
15 SCRANTON, PENNSYLVANIA 18510, AS A MEMBER OF  
16 THE BOARD OF THE SCRANTON HOUSING AUTHORITY.  
17 MRS. LEDBETTER WILL BE REPLACING MARIO  
18 SAVINELLI, WHOSE TERM WILL EXPIRE SEPTEMBER  
19 27, 2010. MRS. LEDBETTER'S TERM WILL EXPIRE  
20 ON SEPTEMBER 27, 2015.

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

24 MR. ROGAN: So moved.

25 MR. JOYCE: Second.

1 MS. EVANS: On the question? All  
2 those in favor of introduction signify by  
3 saying aye.

4 MR. MCGOFF: Aye.

5 MR. ROGAN: Aye.

6 MR. LOSCOMBE: Aye.

7 MR. JOYCE: Aye.

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

10 MS. KRAKE: 6-A. READING BY TITLE -  
11 FILE OF COUNCIL NO. 34, 2010 - AN ORDINANCE-  
12 CREATING AND ESTABLISHING A NEW ACCOUNT FOR  
13 THE CITY OF SCRANTON'S OFFICE OF ECONOMIC  
14 AND COMMUNITY DEVELOPMENT ("OECD") TITLED  
15 DCED GENERAL GRANT FUNDS ACCOUNT NO.  
16 11A.0101 FOR THE RECEIPT AND DISBURSEMENT OF  
17 GRANT FUNDS ("DCED GRANT FUNDS") RECEIVED  
18 FROM THE COMMONWEALTH OF PENNSYLVANIA  
19 DEPARTMENT OF COMMUNITY AND ECONOMIC  
20 DEVELOPMENT ("DCED").

21 MS. EVANS: You've heard reading by  
22 title of Item 6-A, what is your pleasure?

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

25 MR. LOSCOMBE: Second.

1 MS. EVANS: On the question? All  
2 those in favor signify by 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: 6-B. READING BY TITLE -  
10 FILE OF COUNCIL NO. 35, 2010 - AN ORDINANCE -  
11 CREATING AND ESTABLISHING A NEW ACCOUNT FOR  
12 THE CITY OF SCRANTON'S OFFICE OF ECONOMIC  
13 AND COMMUNITY DEVELOPMENT ("OECD") TITLED  
14 EMERGENCY SHELTER GRANTS PROGRAM ACCOUNT NO.  
15 3A.0101 FOR THE RECEIPT AND DISBURSEMENT OF  
16 ALL EMERGENCY SHELTER GRANTS PROGRAM FUNDS  
17 ("ESG FUNDS") RECEIVED FROM THE U.S.  
18 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
19 ("HUD").

20 MS. EVANS: You've heard reading by  
21 title of Item 6-B, what is your pleasure?

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

24 MR. JOYCE: Second.

25 MS. EVANS: On the question? All

1 those in favor signify by saying aye.

2 MR. MCGOFF: Aye.

3 MR. ROGAN: Aye.

4 MR. LOSCOMBE: Aye.

5 MR. JOYCE: Aye.

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

8 MS. KRAKE: 6-C. READING BY TITLE -  
9 FILE OF COUNCIL NO. 36, 2010 - AN ORDINANCE  
10 - CREATING AND ESTABLISHING SPECIAL CITY  
11 ACCOUNT NO. 02.229595 ENTITLED "HARRY AND  
12 JEANETTE WEINBERG FOUNDATION - WESTON FIELD  
13 GRANT" FOR THE RECEIPT AND DISBURSEMENT OF  
14 CAPITAL GRANT FUNDS FROM THE HARRY AND  
15 JEANETTE WEINBERG FOUNDATION, INC.

16 MS. EVANS: You've heard reading by  
17 title of Item 6-C, what is your pleasure?

18 MR. ROGAN: I move that Item 6-C  
19 pass reading by title.

20 MR. JOYCE: Second.

21 MS. EVANS: On the question? All  
22 those in favor signify by saying aye.

23 MR. MCGOFF: Aye.

24 MR. ROGAN: Aye.

25 MR. LOSCOMBE: Aye.

1 MR. JOYCE: Aye.

2 MS. EVANS: Aye. Opposed? The ayes  
3 have it and so moved.

4 MS. KRAKE: 7-A. FOR CONSIDERATION  
5 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -  
6 FOR ADOPTION-RESOLUTION NO. 29, 2010 -  
7 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
8 CITY OFFICIALS TO EXECUTE AND ENTER INTO A  
9 CAPITAL PROJECT AGREEMENT BETWEEN THE HARRY  
10 AND JEANETTE WEINBERG FOUNDATION, INC. AND  
11 THE CITY OF SCRANTON TO SUPPORT THE  
12 IMPROVEMENTS OF THE WESTON FIELD PROJECT AND  
13 TO ACCEPT AND DISBURSE THE GRANT FUNDS PER  
14 THE TERMS AND CONDITIONS DETAILED IN THE  
15 AGREEMENT.

16 MS. EVANS: What is the  
17 recommendation of the Chair for the  
18 Committee on Community Development?

19 MR. ROGAN: As Chairperson for the  
20 Committee on Community Development, I  
21 recommend final passage of Item 7-A.

22 MR. MCGOFF: Second.

23 MS. EVANS: On the question?  
24 Mrs. Krake indicated during Clerk's notes  
25 this evening that council did not receive a

1 response to questions regarding this grant  
2 agreement. I believe those questions were  
3 sent to Mr. Dougher and Mr. Renda.

4 MS. KRAKE: Yes.

5 MS. EVANS: I would ask for a motion  
6 from a council colleague to table Item 7-A  
7 until such time as the administration  
8 provides the requested information?

9 MR. LOSCOMBE: I'd like to make a  
10 motion.

11 MS. EVANS: We have a motion on the  
12 floor to table Item 7-A, is there a second?

13 MR. ROGAN: Second.

14 MS. EVANS: On the question? All  
15 those in favor of the motion to table Item  
16 7-A signify by saying aye?

17 MR. ROGAN: Aye.

18 MR. LOSCOMBE: Aye.

19 MR. JOYCE: Aye.

20 MS. EVANS: Aye. Opposed?

21 MR. MCGOFF: No.

22 MS. EVANS: The ayes have it and so  
23 moved. Item 7-A is hereby tabled until such  
24 time as Mr. Renda and Mr. Dougher respond to  
25 the questions posed by council regarding the



1 grant.

2 MS. KRAKE: 7-B. FOR CONSIDERATION  
3 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -  
4 FOR ADOPTION- RESOLUTION NO. 30, 2010 -  
5 ACCEPTING THE RECOMMENDATION OF THE  
6 HISTORICAL ARCHITECTURE REVIEW BOARD  
7 ("HARB") AND APPROVING THE CERTIFICATE OF  
8 APPROPRIATENESS FOR C. ALLEN MULLINS  
9 ARCHITECT, 606 NORTH MAIN STREET,  
10 WILKES-BARRE, PENNSYLVANIA FOR FAÇADE  
11 MASONRY REPAIR/RESTORATION; CLEANING AND  
12 REPOINTING BRICK AND STONE; REPLACEMENT OF  
13 WINDOWS; FIRST FLOOR CURTAIN WALL DESIGN  
14 WITH AZEK MATERIALS AT 324-326 PENN AVENUE,  
15 SCRANTON, PENNSYLVANIA.

16 MS. EVANS: What is the  
17 recommendation of the Chair for the  
18 Committee on Community Development?

19 MR. ROGAN: As Chairperson for the  
20 Committee on Community Development, I  
21 recommend final passage of Item 7-B.

22 MR. JOYCE: Second.

23 MS. EVANS: On the question? Roll  
24 call, please?

25 MS. CARRERA: Mr. McGoff.

1 MR. MCGOFF: Yes.

2 MS. CARRERA: Mr. Rogan.

3 MR. ROGAN: Yes.

4 MS. CARRERA: Mr. Loscombe.

5 MR. LOSCOMBE: Yes.

6 MS. CARRERA: Mr. Joyce.

7 MR. JOYCE: Yes.

8 MS. CARRERA: Mrs. Evans.

9 MS. EVANS: Yes. I hereby declare  
10 Item 7-B legally and lawfully adopted.

11 MS. KRAKE: 7-C. FOR CONSIDERATION  
12 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -  
13 FOR ADOPTION-RESOLUTION NO. 31, 2010 -  
14 RATIFYING AND APPROVING THE EXECUTION AND  
15 SUBMISSION OF A GRANT APPLICATION BY THE  
16 CITY OF SCRANTON THROUGH THE OFFICE OF  
17 ECONOMIC AND COMMUNITY DEVELOPMENT ("OECD")  
18 TO THE U.S. DEPARTMENT OF HOUSING AND URBAN  
19 DEVELOPMENT ("HUD") FOR AN ECONOMIC  
20 DEVELOPMENT INITIATIVE GRANT IN THE AMOUNT  
21 OF \$292,200.00 FOR ELIMINATION OF SLUM AND  
22 BLIGHT THROUGH THE DEMOLITION OF HAZARDOUS  
23 STRUCTURES IN THE CITY OF SCRANTON  
24 ("PROJECT"), AND AUTHORIZING THE MAYOR AND  
25 OTHER APPROPRIATE CITY OFFICIALS OF THE CITY

1 OF SCRANTON TO EXECUTE AND ENTER INTO A  
2 GRANT AGREEMENT WITH HUD TO ACCEPT AND  
3 UTILIZE THE ECONOMIC DEVELOPMENT INITIATIVE  
4 GRANT IN THE AMOUNT OF \$292,200.00 AWARDED  
5 BY HUD FOR SUCH PROJECT.

6 MS. EVANS: What is the  
7 recommendation of the Chair for the  
8 Committee on Community Development?

9 MR. ROGAN: As Chairperson for the  
10 Committee on Community Development, I  
11 recommend final passage of Item 7-C.

12 MR. JOYCE: Second.

13 MS. EVANS: On the question?

14 MR. LOSCOMBE: Just on the question,  
15 will they be ultimately issuing a list of  
16 properties that will be demolished under  
17 this program?

18 MS. EVANS: We can request --

19 MR. LOSCOMBE: Does this have to go  
20 out to bid for those companies afterwards?  
21 That is just a grant approval?

22 MS. EVANS: Mr. McGoff, I think you  
23 did all of the legwork on this if you could  
24 explain it, please, publically.

25 MR. MCGOFF: They can't move on the

1 properties until the grant is actually  
2 approved. Once that is done then they will  
3 go citywide and see which properties fit  
4 under the grant and then they will, you  
5 know, give us a --

6 MR. LOSCOMBE: Hopefully --

7 MR. MCGOFF: I'm sure that they will  
8 provide us with a list of those properties.

9 MS. EVANS: And will be put out to  
10 bid.

11 MR. MCGOFF: And these -- under this  
12 grant, yes, these will put out to bid.

13 MR. ROGAN: Hopefully they will take  
14 council's suggestions because we all get  
15 multiple requests a week for blighted  
16 properties and we forward them to Licensing  
17 and Inspection and, you know, for one reason  
18 or another nothing ever gets done so --

19 MR. LOSCOMBE: Thank you,  
20 Mr. McGoff.

21 MS. EVANS: Anyone else? Roll call,  
22 please.

23 MS. CARRERA: Mr. McGoff.

24 MR. MCGOFF: Yes.

25 MS. CARRERA: Mr. Rogan.

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MR. ROGAN: Yes.

MS. CARRERA: Mr. Loscombe.

MR. LOSCOMBE: Yes.

MS. CARRERA: Mr. Joyce.

MR. JOYCE: Yes.

MS. CARRERA: Mrs. Evans.

MS. EVANS: Yes. I hereby declare  
Item 7-C legally and lawfully adopted. I  
will entertain a motion to adjourn.

MR. JOYCE: Motion to adjourn.

MS. EVANS: This meeting is  
adjourned.

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C E R T I F I C A T E

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

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CATHENE S. NARDOZZI, RPR  
OFFICIAL COURT REPORTER