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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, January 26, 2012

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

KATHY 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. Dispense with the
14 reading of the minutes, please.

15 MS. KRAKE: THIRD ORDER. 3-A.

16 APPLICATIONS ALONG WITH DECISIONS RENDERED
17 BY THE ZONING HEARING BOARD MEETING HELD ON
18 WEDNESDAY, JANUARY 11, 2012.

19 MS. EVANS: Are there any comments?
20 If not, received and filed.

21 MS. KRAKE: 3-B. NOTICE OF HEARING
22 SCHEDULED FOR JANUARY 26, 2012 AT 10:00 A.M.
23 IN THE COURT OF COMMON PLEAS OF LACKAWANNA
24 COUNTY, REGARDING THE FUNDING OF UNFUNDED
25 DEBT OF THE CITY OF SCRANTON.

1 MS. EVANS: Are there any comments?
2 If not, received and filed.

3 MS. KRAKE: 3-C. TAX ASSESSOR'S
4 REPORT, HEARING RESULTS FOR JANUARY 11,
5 2012.

6 MS. EVANS: Are there any comments?
7 If not, received and filed. Do we have an
8 clerk's notes, Mrs. Krake?

9 MS. KRAKE: No, Mrs. Evans.

10 MS. EVANS: Thank you. Do any
11 council members have announcements at this
12 time?

13 MR. MCGOFF: Could I just briefly,
14 just a thank you to the county commissioners
15 for declaring today as Jamie Katula day.
16 Jamie died a little over a year ago in a car
17 crash and today would have been his 18th
18 birthday and I'd just like to thank the
19 commissioners for that. I know that the
20 Katula family appreciated it certainly the
21 entire Holy Cross family, Holy Cross high
22 school family appreciated it as well. Thank
23 you.

24 MS. EVANS: Is there anyone else?
25 The Invader Mat Boosters will conduct their

1 annual night at the races at St. Vladimir
2 Hall, 430 North Seventh Avenue in Scranton,
3 this Saturday, January 28, at 7:00 p.m.
4 Admission is \$10 and includes food, soda,
5 beer and coffee. Tickets are available in
6 advance and at the door. You must be 21 to
7 be admitted and you don't need to purchase a
8 horse to attend. Join the boosters for an
9 inexpensive night of fun. All proceeds
10 benefit West Scranton wrestlers.

11 If residents need help paying
12 heating bills or have a heating emergency,
13 the Low Income Home Emergency Assistance
14 Program may be able to help. Apply on-line
15 at www.compass.state.pa.us. Applications
16 are also available at the local county
17 assistance office. To get the phone number
18 for your local office go to
19 www.dpw.state.pa.us or your telephone
20 director.

21 Effective January 2012 the weekly
22 meetings of Scranton City Council will be
23 held on Thursday evenings at 6:30 p.m. ECTV
24 provides live coverage of council meetings
25 each Thursday and broadcasts the meetings

1 again, let me see I have a schedule here, on
2 Friday at 10 a.m., Saturday at 12 p.m.,
3 Sunday at 8 p.m. and Monday at 2:30 p.m.
4 Council requests that ECTV would run the new
5 broadcast schedule of council meetings on
6 the peg channels throughout the next month,
7 and that's it.

8 MS. KRAKE: FOURTH ORDER. CITIZENS'
9 PARTICIPATION.

10 MS. EVANS: Our first speaker this
11 evening is Lee Morgan.

12 MR. MORGAN: Good evening, Council.
13 I just have a brief question here tonight
14 and that's in regard to DPW. I'm trying to
15 understand how cuts took place in DPW when
16 we are paying a garbage fee in the city
17 which helps fund DPW and, I mean, I only
18 have the figures from the budget summary
19 here, but it was a million dollars, a little
20 more than a million dollars, I believe, if
21 I'm looking at these figures right for
22 landfill fees and I just can't understand
23 why we have experienced cuts in DPW if --
24 what happened with the rest of the money?

25 MR. ROGAN: The revenue from the

1 garbage fee doesn't come close to paying the
2 cost of collecting and disposing of the
3 garbage in the city.

4 MR. MORGAN: What was that again?

5 MR. ROGAN: The cost of the garbage
6 fee that each resident pays doesn't bring in
7 enough money to collect garbage and dump it
8 up at the landfill.

9 MR. MORGAN: Okay.

10 MR. ROGAN: In other words, it's not
11 self-sustaining. Tax dollars are being used
12 to subsidize the DPW. It's not just the
13 garbage fee.

14 MR. MORGAN: No, I understand, I
15 understand what you are trying to say there,
16 but, you know, maybe I'm not -- my opinion
17 is little different than everybody else.
18 But, you know, every resident in this city
19 pays property tax and then the fee was
20 enacted initially just to cover the tipping
21 and then it was expanded to cover everything
22 else, and I'm just -- what I'm thinking that
23 if we are paying all this money in property
24 tax and this refuse fee every year it's my
25 opinion that no cut should have occurred at

1 DPW for any reason.

2 MS. EVANS: Well, actually it
3 appears that very few cuts have actually
4 occurred.

5 MR. MORGAN: Well, no, I don't think
6 there should have been any, and the other
7 thing I think is when you start talking
8 about police and fire protection in the
9 city, all right, I think Carbondale may have
10 actually enacted something with some meaning
11 to it because, you know, we can sit here and
12 we can debate until the next budget or the
13 next four or five budgets, you know, and
14 blame whatever parties you want to blame
15 about in my opinion are inadequate police
16 and fire protection and I just think it's
17 time for council and the mayor to sit down
18 and come up with a plan, whatever that plan
19 is.

20 I think Mr. Bolus here has talked
21 about an impact fee on the nonprofits and
22 what I would like to see is I would like to
23 see this council start a discussion based on
24 that because, I mean, it's time to move on
25 and find solutions to our problems and, I

1 mean, there is a lot of people with signs in
2 their yards telling the mayor not to cut
3 fire and police protection, so I'm thinking
4 there is a lot of support in this city to
5 make tough decisions to begin to bring
6 these-- at least these firemen back and
7 possibly even to expand the police presence
8 in the city, and these aren't all easy
9 things to talk about.

10 But I just can't understand why
11 council isn't talking about an impact fee
12 and going after nonprofits. I mean, you
13 know, we can all talk about a lot of
14 different issues here. We seem to have a
15 lot of money to spend at the Scranton Lace
16 building, we have a lot of ability to spread
17 grant money all over the place, but when it
18 comes down to public protection it's just a
19 very mind boggling things some of the things
20 that are said here and some of the things
21 that are printed in the newspaper, like, the
22 alleged finding of \$3 million. You mean the
23 city's auditors never found that money over
24 three years? It just doesn't make any
25 sense. A lot of these things don't make any

1 sense, but the sad part is that if there is
2 a catastrophe in this city and we have a
3 multiple alarm fire and we don't have
4 firemen to go fight it it's not going to
5 something to smile about or if we have just
6 a wave of crime in this city and we don't
7 have the fire -- don't forget, there was a
8 policeman chased down the street with a
9 baseball bat a couple of weeks ago, so maybe
10 that should bring something home here that
11 we have a lot of inequities in this city and
12 we need solutions, and in order to find
13 those solutions in my opinion I think we
14 need a mayor and a council to sit together,
15 start talking about an impact fee, start
16 talking about bringing the nonprofits to the
17 table, start talking about a lot of issues.

18 Because look it, all the taxation in
19 the world hasn't solved our problems and all
20 the money we spent we are in Court now
21 trying to borrow more money, but you know
22 what we really need? We need solutions to
23 our problems. We need an adequate fire
24 department and we need adequate police
25 protection and somebody has to pay for it,

1 and I just think that the City of Carbondale
2 came back to the residents and said, well,
3 look at in order for us to furnish these
4 services to you we have had to do this, and
5 I think that we may not go that far or we
6 may, but we need to start that discussion
7 and a lot of people are going to be very
8 upset, but what do you say to somebody when
9 their house burns down and they lose some of
10 their family members and then you haven't
11 even discussed it. Or if a tragedy happens
12 because we don't have enough policemen and
13 they are running from one side of city to
14 the other understaffed. What are you going
15 to say then?

16 And I just think with all due
17 respect to you and the mayor that's what
18 people are elected for to make tough
19 decisions. Thank you.

20 MS. EVANS: Thank you. Bill
21 Jackowitz.

22 MR. JACKOWITZ: Bill Jackowitz,
23 South Scranton resident and member of the
24 Taxpayers' Association.

25 MS. EVANS: Good evening.

1 MR. JACKOWITZ: Can somebody please
2 give me the status of the 2010 audit,
3 please?

4 MR. JOYCE: At the present time we
5 are currently waiting for conclusion of the
6 audit and an exit conference. I have not
7 heard a date yet that the exit conference
8 will be held. I actually called our office
9 and spoke about this with our city clerk
10 today and actually when she gets back I'm
11 going to have her contact Rossi & Rossi to
12 find out now that since all of information
13 has been submitted when the final audit will
14 be completed. Currently, we have a draft
15 copy.

16 MR. JACKOWITZ: So the bottom line
17 is cutting to the chase we do not have a
18 final copy of the 2010 audit so we do not
19 have a current status of the financial
20 situation of the City of Scranton; is that
21 correct?

22 MR. JOYCE: That's correct.

23 MR. JACKOWITZ: I'm assuming that we
24 haven't started the 2011 audit yet, have we?

25 MR. JOYCE: Well, one of the

1 concerns in, you know, from what I've heard
2 from the auditors is that they wanted to get
3 this done as quickly as possible so they
4 could begin working on the 2011 audit
5 because right now they are already behind
6 the eight ball according to the time line.

7 MR. JACKOWITZ: Okay, but the bottom
8 line is the 2010 audit was due in May, here
9 it January is 2012 and our qualified
10 business administrator and mayor still have
11 not produced any information so the city is
12 in limbo financially.

13 DPW layoffs. Mr. McGoff, two weeks
14 ago I asked has DPW responded to a letter
15 that they received and laid off all people
16 that were requested to be laid off in the
17 DPW department?

18 MR. MCGOFF: I don't know about the
19 responding to any letter.

20 MR. JACKOWITZ: Well, two weeks ago
21 that's what you said that they all received
22 letters saying that they were going to be
23 laid off.

24 MR. MCGOFF: Yes.

25 MR. JACKOWITZ: That was your

1 answer, so I'm asking you -- I'm referencing
2 your answer. Your answer was they all
3 received letters, I'm asking has DPW and the
4 DPW workers who received the letters been
5 laid off?

6 MR. MCGOFF: As far as I know, yes.

7 MR. JACKOWITZ: All of them?

8 MR. MCGOFF: Let me finish. I was
9 told that there were -- and I may be wrong,
10 there may other numbers, I was told that
11 there were three people that were put back
12 to work and that they were replacing three
13 people who were being paid by Workmens'
14 Compensation who are not on the job.

15 I was also told that one of the
16 foremen that was let go was placed into the
17 bargaining unit, if I'm not mistaken, and is
18 working, and the other foremen was appointed
19 to a job. I don't know -- I'm not sure what
20 that position was.

21 MR. JACKOWITZ: Okay, because I'm
22 just curious --

23 MR. MCGOFF: And I'm not sure, there
24 may be other numbers that other members of
25 council may have.

1 MR. JACKOWITZ: No, I'm just curious
2 because we seem to be having all these
3 financial problems and it doesn't seem like
4 we are following the budget that was
5 approved and adopted if they have all not
6 been laid off. So I'll continue to pursue
7 this matter.

8 Malfeasance. The legal definition
9 form malfeasance is to ignore and take no
10 indicated action or neglect. It is to take
11 inappropriate action or given intentionally
12 incorrect advice. (C) is hostile,
13 aggressive action taken to injure the
14 client's interest.

15 That's the legal definition of
16 malfeasance. I believe a lot of this does
17 apply to our current administration and
18 appointees because it seems like the
19 citizens of the city are being injured with
20 high taxes and no accountability whatsoever
21 and money turning up missing and so on and
22 so forth. I understand that this is all
23 silly, but it is truthful. It is not silly,
24 it's truthful.

25 Also, I expect my public servants

1 and elected officials to work for me and to
2 work for every citizen in the city and the
3 county and the state and in the nation
4 depending on what office they are elected
5 to. It is not silly for them to misplace
6 money. They should be terminated. If they
7 cannot do their job, and I'm speaking about
8 Mr. McGowan, he lost a million dollars,
9 blamed the Single Tax office for not giving
10 him the money, and it was under his nose all
11 along. Now, we have \$3 million that was
12 under his nose all along and he couldn't
13 find that money either. The man is not
14 qualified to be in that position. He should
15 be terminated and he should be asked to
16 resign and I hope city council sends a
17 formal letter to Mr. McGowan and Mr. Doherty
18 asking him to resign his position as
19 business administrator. He is not
20 qualified. His excuses in the newspaper are
21 ludicrous at best.

22 Okay, again, I understand that we
23 are like 17 or 16.8 million supposedly like
24 in bills or in the hole. It seems like the
25 number keeps growing and I don't understand

1 this. Why is the number growing? Why is
2 the number not shrinking? If we have all of
3 these qualified people in these positions
4 why do we need \$16.8 million supposedly to
5 pay back bills to get caught up, and that's
6 not even counting the money that the fire
7 department and the police officers are going
8 to get coming? How can this happen? And,
9 Mr. Joyce, can you answer me when I'm done
10 because I'm just about out of time?

11 MR. JOYCE: Okay.

12 MR. JACKOWITZ: And also, I'd like
13 to know about the TANS. You know, are there
14 TANS included in this, and I'd like also to
15 know about the new Recovery Plan. Is the
16 new Recovery Plan, I understand that PEL is
17 requesting a new Recovery Plan. I haven't
18 heard anything official on it yet, I'm
19 hoping that it comes out soon. Is the new
20 Recovery Plan going to include tax
21 increases? Is it going to include increases
22 in fees? I hope not because the citizens
23 can no longer afford this. You know, we are
24 up to \$16.8 million, when is it going to
25 stop? Are we going to get to 30 million?

1 50 million?

2 I mean, the 26 percent tax increase
3 that McGoff, Gatelli and Fanucci gave us
4 three years ago what did that do to help the
5 citizens of Scranton? What did it do to
6 help us get out of -- the situation is
7 worse. I don't know if people understand
8 this, the citizens of Scranton you need to
9 really wake up. You need to start paying
10 attention to it because you're going to lose
11 your home. People are already losing their
12 home. My advice to all citizens of Scranton
13 is don't pay your taxes. Seriously, don't
14 pay your taxes, and when the city comes
15 looking for you explain to them that you
16 made a mistake and that's it all silly
17 anyway. And even so that's what the
18 administration said, that's what Mr. McGowan
19 said, that's what the mayor said, that's
20 what Mr. McGoff said, it was all silly and
21 it was an honest mistake. Can you imagine
22 if the Navy Seal Team 6 made those kind of
23 mistakes? Those hostages would probably be
24 dead.

25 MR. LOSCOMBE: Thank you.

1 MS. EVANS: Bob Bolus.

2 MR. BOLUS: Good evening, Council.

3 Bob Bolus, Scranton.

4 MR. LOSCOMBE: Good evening.

5 MS. EVANS: Good evening.

6 MR. BOLUS: I'd just like to take a
7 quick second, I'd like to thank some of the
8 public officials and all the people that did
9 show up for the dinner I did. I never got
10 here after the dinner, but I would like to
11 thank everybody that did show up.

12 I'd like to start off with Joe
13 Paterno. It was a sad passing for a man
14 that we all looked up to. I think it was a
15 disgrace the way Penn State public officials
16 treated him and then honored him death. I
17 think they were nothing but a bunch of
18 shameless hypocrites for what they did.

19 I want to talk about the City of
20 Scranton tonight, there is impact fees. The
21 garbage fee is a fee, it's no different than
22 if you put an impact fee on everybody else
23 just the same way you implement the garbage
24 fee, you could implement an impact fee. I
25 think when the CMC being sold I don't know

1 if negates their status now as a nonprofit.
2 New owners, new people, hopefully something
3 can be done to change maybe the way they are
4 going to pay taxes or pay a fee in the city
5 now. They can spend hundreds of millions of
6 dollars, I'm sure they could they could
7 throw of them out of their coffer to the
8 people of the City of Scranton for our
9 police and fire protection and everything
10 else we do.

11 Looking back, I thought it was very
12 comical, I want to know did anybody hear
13 speak to Roseann Novembrino at all about the
14 \$3 million? Anybody question her or ask her
15 what happened, how it was handled? Well, I
16 did. I took the time today to talk to
17 Roseann because people are very critical of
18 the controller, they were prior to her
19 running fro office, but I don't think
20 anybody asked her," Roseann, what happened
21 to the \$3 million?"

22 Well I did. She followed procedure
23 as I knew she would. She is an astute
24 business person and she is one darn good
25 controller for the City of Scranton. She

1 followed the procedure, she recorded it,
2 people were aware of it, and she sent it
3 upstairs. They are the ones that squandered
4 it. What happened to it after it got up
5 there is out of her control. She did her
6 job.

7 It's said that the people up there
8 didn't do theirs or yet maybe in a way they
9 did. Maybe it was a way for King Chris and
10 his court to hide \$3 million with his
11 cronyism and the games he played, but it's
12 apparent it didn't start with Roseann
13 Novembrino and some other people in the
14 building. We do have honest people that do
15 work for the city. This is dishonest. This
16 is just a disgrace in any way I could put it
17 to know that we have a mayor, we have
18 administrative people, and they don't know
19 where the money is.

20 And I didn't want to really bring up
21 anything, but I laughed when I read
22 Mr. McGoff's comments. This is a silly
23 mistake, people make mistakes. You are
24 right, people do make mistakes. Millions of
25 dollars in the Single Tax Office that were

1 unaccounted for. \$3 million just found.
2 It's not just the silly mistake or an
3 oversight, but a laughable joke and it
4 proves the mismanagement of the city assets
5 by this administration. I have asked in the
6 past many times for a forensic audit to be
7 taken. This just proves and bears out what
8 I have been saying. You need to count every
9 eraser, every ballpoint, everything in this
10 city and then you will know where your money
11 is.

12 This just proved a very laughable
13 mistake, incompetence I call it. If this
14 were a business these people would be
15 unemployed today. This is plain stupidity
16 and ignorance or is it? Or is it just a
17 good old fashioned scam to get more money
18 out of the taxpayers through the Courts to
19 lie to the people and misrepresent the real
20 true mission of running a city?

21 Look at our police cars. Look at
22 the things that went on and, remember, they
23 blew over \$3 million of golf course money,
24 which is a pet peeve with me to this day,
25 but nobody ever accounted for the interest

1 of this money and this \$3 million, you know,
2 a couple of hundred what 20 some hundred
3 dollars or whatever was in interest? I
4 mean, it's an absolute absurdity that the
5 funds in this city are being thrown around
6 and this administration is really thumbing
7 their hose at the people.

8 You need an impact fee, you need to
9 go after the leachate line and find out if
10 that line and that agreement that was put in
11 place is actually legal the way they
12 misrepresented it when they changed it
13 around to compensate DeNaples who hasn't
14 paid for parking garages and yet wants to
15 sit here and hammer the people in this city
16 on a garbage tipping fee? It's time for us
17 to start knuckling down on those that are
18 knuckling us into the ground. Thank you.

19 MS. EVANS: Thank you. Doug Miller.

20 MR. MILLER: I'm going to let Mrs.
21 Regina Yenkovskis, Scranton resident.

22 MS. YENKOWSKIS: Regina Yenkovskis,
23 Scranton resident. I don't know if I'm in
24 the right place or if any of you can help
25 me, it's regarding the Scranton Housing

1 Authority. They compute the rent for the
2 place where I live, and I'd rather -- you
3 are aware of where I live, Janet. I'd
4 rather not mention it.

5 MS. EVANS: Yes.

6 MS. YENKOWSKIS: They compute the
7 rent, however, they are not giving me credit
8 for my over \$2,000 I have to pay per year
9 for my Blue Cross. I only live on a social
10 security check and I brought all my records
11 to verify what I receive, I don't want to
12 announce it on the air, and you can look to
13 see what I receive. When I pay my \$213.09
14 per month of Blue Cross and my rent and
15 other expenses the third week of the month
16 comes I have no money. I have no money. I
17 pay for my only food, except dinner I
18 receive free of charge. Sometime I'm at the
19 soup kitchen.

20 I get nowhere with the Scranton
21 Housing Authority when I call there -- or
22 when I go there. In fact, one of them made
23 a remark that I want my cake and eat it. I
24 don't know what he meant and I walked away.
25 I have all of my records here and then I --

1 that's the Scranton Housing Authority. They
2 compute, they don't own our building, but
3 they compute our rent and why they don't
4 deduct like every other high-rise in
5 Scranton, they deduct health insurance, they
6 deduct co-pays, my co-pays for medication
7 thank God for PACE, but my co-pays for
8 medication is between averages between two
9 on four dollars hundred per year. I'm on a
10 lot of medicine, and then I have to have
11 over-the-counter prescriptions and I just
12 don't why they don't want to listen over
13 there.

14 I intend to go over there tomorrow,
15 my health permitting, and approach them
16 again. I hope nobody just walks away and
17 let's me stand there because my other
18 alternative is to get the ACLU involved and
19 if I have to, believe me, I will.

20 The other thing is I filed for rent
21 rebate. Because my income is so low, I got
22 the maximum \$650. I paid my bills, I had
23 outstanding bills, I paid them. Then I
24 received in the mail from the Bureau of
25 Individual Taxes in Harrisburg they want the

1 money back within 30 days or file an appeal.
2 I filed for an appeal. I don't understand
3 it. I called City Clerk's Office and I
4 wanted to know is it Mulberry Towers,
5 Washington West, Delaware Tower Apartments,
6 United House Apartments, Geneva House, do
7 they pay property taxes or do they give a
8 donation in lieu of the taxes? None of them
9 do, and yet all of those tenants, take
10 Mulberry Towers, there is 12 floors there
11 and the tenants that are eligible file for
12 rebates, rent rebates and they get it.

13 I have no savings account, I have no
14 IRA's, I have no money stuffed under a rug.
15 I have nothing under the mattress, I mean, I
16 just don't know why they singled us out.
17 I'm not alone, there are three others that I
18 know that were eligible to file and they
19 want their money back as well. They were
20 eligible like for \$422, someone was eligible
21 was for over 400, but I got the max 650 and
22 I thank God for it. Now they want it back?

23 I said, "I'll give you a dollar a
24 month. That's all I could do."

25 They said, "Can you give ten?"

1 I said, "No. No, I can't give ten.
2 I'll give you a dollar."

3 So I have to send a letter that I
4 want to appeal it, but can anyone help me up
5 with there with the Scranton Housing
6 Authority, get them to listen to me that
7 they -- they are computing my rent wrong.
8 It should be so much lower because I'm
9 paying \$213 a month Blue Cross, and I can't
10 drop the insurance because I have many
11 health issues. I'm facing surgery shortly.

12 I want to go -- someone mentioned go
13 on welfare, two doctors told me they don't
14 want me if I'm welfare with this ACCESS fund
15 or whatever you call it. They said get
16 another doctor. I'm with them doctors for
17 years, they know my history. It's not easy
18 to go up to Scranton Temple residency, you
19 have one doctor today, next week you'll have
20 a different one because that one is gone.

21 Can anyone help me with the Scranton
22 Housing Authority to get them to listen?

23 MS. EVANS: Can I ask you though,
24 where you reside, we are not going to
25 mention where, but each resident is paying a

1 different rent?

2 MS. YENKOWSKIS: Yes, according to
3 how much their social security check is and
4 if they have a savings account that's taken
5 into consideration, the interest on it.

6 MS. EVANS: If you could maybe give
7 your information to Ms. Carrera she can make
8 copies of it so that we are not keeping
9 anything that you have. Now, city council
10 really has no authority over the Scranton
11 Housing Authority.

12 MS. YENKOWSKIS: I see. Who would I
13 contact?

14 MS. EVANS: But I think we can
15 certainly make a call over there and find
16 out, you know, ask questions on your behalf,
17 but actually I think it would help a lot of
18 people to get the answers to these
19 questions, you know, how they are basing the
20 rents, on what they are basing the rents.

21 MS. PETITIONER: See, we are not
22 owned by the Scranton Housing Authority, but
23 they compute the rents and they just won't
24 take my Blue Cross into consideration. They
25 won't take my over-the-counter meds into

1 consideration. They won't take my co-pays
2 with PACE into consideration and that's,
3 like, they could check with the pharmacy 400
4 and some dollars.

5 MS. EVANS: Okay, I understand what
6 you are saying, yes.

7 MR. MCGOFF: If you would just leave
8 your name and address where it's at I will
9 go to the Scranton Housing Authority
10 tomorrow and ask on your behalf --

11 MS. YENKOWSKIS: Would you want me
12 there with you?

13 MR. MCGOFF: I'm retired and I have
14 the day free, so I do have an opportunity to
15 go there.

16 MS. YENKOWSKIS: Do you want me to
17 be present there with you?

18 MR. MCGOFF: How about if I were to
19 go and to find out what I can and then I'll
20 contact you.

21 MS. PETITIONER: All right, okay.

22 MR. MCGOFF: That will, you know, if
23 it -- if it would necessitate at some time
24 that I will --you know, that we would go
25 there together then we can determine that.

1 MS. EVANS: I'm wondering, if the
2 Housing Authority is computing the rents
3 then they're obviously in a contract with
4 whoever owns the building so maybe, you
5 know, that's another avenue, the owner.

6 MS. YENKOWSKIS: They have no
7 contract with us. They just compute the
8 rent for us.

9 MS. EVANS: No, I don't mean they
10 have a contact with you, I'm talking about
11 they must have some type of contact with
12 those who own the facilities where you live.

13 MS. YENKOWSKIS: No, they have none
14 whatsoever. None whatsoever. In fact, I
15 was supposed to file for vouchers, but I was
16 taken ill, I have the application, but I
17 had -- I was too ill to file out the form.
18 I would have received a voucher like people
19 do in private housing and --

20 MR. MCGOFF: Let me see what I can
21 find out tomorrow and I'm sure that there is
22 probably some type of case worker that does
23 that work at the Housing Authority and I
24 will make every attempt to speak with them
25 and I will get back to you tomorrow.

1 MS. YENKOWSKIS: Okay, I would
2 appreciate it.

3 MR. ROGAN: I would also with the
4 rent rebate if you contact your state
5 representative or state senator --

6 MS. YENKOWSKIS: I contacted Kevin
7 Murphy, but really there is -- he is looking
8 into it, but there is nothing he can do.

9 MR. ROGAN: They can put an inquiry
10 in with the state and look into it to maybe
11 arrange a better plan or to review it again
12 to see if you do, indeed, owe the money.

13 MS. YENKOWSKIS: Well I did ask for
14 an appeal. I'm asking now in writing.
15 Thank you very much.

16 MR. ROGAN: Stay in touch with your
17 state reps.

18 MS. YENKOWSKIS: Thank you for
19 allowing me to speak this evening.

20 MS. EVANS: Thank you.

21 MR. JOYCE: Stay in touch with us as
22 well.

23 MS. EVANS: Nice to see you at
24 council again. It's been a long time.

25 MS. YENKOWSKIS: Yes.

1 MS. EVANS: Our next speaker is Doug
2 Miller.

3 MR. MILLER: Good evening, Council.
4 Doug Miller, Scranton.

5 MS. EVANS: Good evening.

6 MR. MILLER: I'd like to begin
7 tonight once again addressing the issue of
8 the \$3 million that we found two weeks ago
9 as well as the few other surprises that were
10 thrown at us earlier today, but as most of
11 us are aware at this point in time two weeks
12 ago \$3 million of parking meter revenue was
13 found sitting in a bank account for
14 apparently the last three years, and as we
15 all know that money was supposed to be
16 transferred into the city's general fund
17 and, unfortunately, that never occurred.

18 This irresponsibility and negligence
19 has yet again proven the administration's
20 mismanagement of our city's finances and I
21 can't possibly begin, as I stated last week,
22 to imagine how this administration could
23 have forgotten about \$3 million, and I
24 certainly do not feel we have individuals
25 being totally honest with us here.

1 Last week Attorney Hughes presented
2 checks to council and to the media from the
3 account that had the city's treasurer's
4 signature as well as the mayor's signature
5 on these checks and so with that said,
6 again, I can't possibly understand how we
7 could have forgotten about this account and
8 how this money has been sitting here for
9 three years and nobody apparently knew about
10 it.

11 It's been stated through the
12 newspaper that the mayor and his business
13 administrator, Ryan McGowan, said that it
14 was a mistake and that it was, "forgotten
15 about." Well, this ignorance has caused
16 more problems for the city's finances and
17 yet again another mess for Scranton City
18 Council or the majority of the Scranton City
19 Council will now have to clean up, as if you
20 didn't have enough issues you had to deal
21 this was thrown at you.

22 But tonight I want to echo the
23 statements of Mr. Rogan regarding how we
24 should handle BA McGowan. I'm behind you
25 100 percent on your assessment, I feel he

1 should be terminated, and I think we should
2 take it a step further. Tonight I'd also
3 call for the resignation of Mayor
4 Christopher A. Doherty. We have let his
5 games, his mismanagement go on for ten years
6 and it's time this man's held accountable.
7 We have talked about it, but we haven't done
8 anything about it and tonight I'm calling
9 for his resignation because the only way we
10 are going to turn this city around is when
11 this man leaves office. We have two more
12 years of him, what's going to happen?
13 What's going to happen tomorrow? What are
14 we going to find out about tomorrow morning?
15 When is it going to stop? Quite frankly,
16 it's not going to stop until he is gone and
17 I'm asking for it tonight.

18 You know, we have also heard that
19 the situation is silly, as Mr. McGoff wants
20 it call it. Yeah, this is real silly,
21 Mr. McGoff, that we had \$3 million sitting
22 in a bank account, and I don't feel it is
23 silly to request resignations and
24 terminations. This is a real serious
25 matter, okay? This isn't amusing, I don't

1 find it amusing and I'm very sorry that you
2 find it amusing, but it's a very serious
3 issue and yet again tax dollars being
4 squandered and now we find out that the
5 money has been spent. What happened to the
6 spirit of cooperation that we like to talk
7 about? What happened to this being a joint
8 decision that perhaps we could have opened
9 up the 2012 budget and disbursed these funds
10 and you reduce the tax increase or eliminate
11 it altogether. Restored more firemen, kept
12 fire stations open protecting the people
13 rather than just basically slapping them in
14 the face saying that you know what, I don't
15 care about your public safety, you know, the
16 attitude that Chris Doherty has.

17 But I don't know find it amusing, I
18 don't find it silly. You know, Mr. McGoff,
19 maybe if \$15,000 just mistakenly came out of
20 your pension without you knowing and it was
21 squandered would you find that silly? Would
22 you find that amusing? I don't think you
23 would. I don't think you understand the
24 seriousness of the situation. This is tax
25 dollars and this has been going on for ten

1 years and you have been here and it's been
2 going on under your watch and I haven't seen
3 any investigating on your part, but it's
4 time to take action and it's time to do
5 something because this has been going on far
6 too long.

7 And, obviously, going on to what we
8 heard this morning, obviously we are well
9 aware a hearing was held regarding the
10 city's unfunded debt and we know council
11 initially requested \$6.5 million and from
12 what I have learned today BA McGowan
13 requested I believe, and you can correct me
14 if I'm wrong, and I'm sure you will address
15 this alter, \$17 1/2 million in unfunded
16 debt.

17 And I just have to share the same
18 concerns that Mr. Jackowitz shared tonight.
19 What do we intend on doing with this money?
20 What bills do we have now that need to be
21 paid? What are we doing with the TANS for
22 the year? How do we intend on covering I
23 believe it's \$10 million that we now have to
24 put back in the Workers' Comp Trust Fund
25 that the mayor promised a room full of

1 bankers that he had \$5 million in cash, but
2 we kind of swept that under the rug, I
3 haven't heard much about that, the mayor
4 lying as he tends to do on many occasions to
5 bankers.

6 Are we going to hold him accountable
7 other over that? I sure hope so. Tonight
8 is the night to do it and I'm hopeful that
9 council will address some of these issues,
10 and I'm sure you will, and inform the public
11 on what's going on because, you know, it's
12 sad to say that the only way we'll get the
13 truth around here is Thursday night at 6:30
14 in these chambers because what you read in
15 the paper, what you hear from the mayor and
16 what you hear from the business
17 administrator, it's all lies. They don't
18 have a clue what's going on. They have ran
19 the city into the ground and, as I have
20 said, McGowan needs no be fired and Chris
21 Doherty needs to resign. Enough is enough.
22 Thank you.

23 MS. EVANS: Thank you. Ozzie Quinn.

24 MR. QUINN: Ozzie Quinn, Taxpayers'
25 Association. You know, first I want to go

1 back to 7-C in regards to that Hill
2 neighborhood Association, I called it a
3 community facility, it's a public facility,
4 however, it does still meet the criteria of
5 low to moderate and it meets the CDBG
6 regulations in 2001 and presently for a
7 public facility, okay?

8 I saw on-line about what happened
9 over at the courthouse today and that really
10 astounded me, okay? It did in a way because
11 I knew what was going on, I mean, if you go
12 to these meetings or whatever you know
13 what's going on, and it's been happening and
14 so I took my own responsibility and I looked
15 up the local government and commission
16 comprised of state senators and staff in
17 Harrisburg, and they have what they call a
18 Pennsylvania Legislative Managed Municipal
19 Debt book. I want to hand it out to you and
20 give Mr. Hughes a copy, please?

21 And basically in there they say in
22 the first paragraph that Pennsylvania law
23 provides assistance by which the actions of
24 the municipal officers and employees in
25 context of expenditures or use of public

1 funds may be checked or questioned by other
2 elected officials, taxpayers and courts.
3 While there are limitations on the system,
4 it serves as a powerful tool to ensure the
5 accountability of elected or appointed
6 municipal personnel.

7 And this is surcharge,
8 accountability of officials for misuse of
9 funds, and I think it's time to stop. We
10 have been talking here for years and what
11 happens he just keep on rolling along, okay?
12 And unless we file a petition, I myself have
13 requested Rossi & Rossi in their report for
14 a request for -- what's the name for it, a
15 surcharge, okay? And I never got a return
16 answer from them, all right?

17 However, taxpayers can file or the
18 auditor can file it, a controller can file
19 it or city officials can file it, and I
20 think it's time, okay, that the city council
21 if you want meet with the Taxpayers'
22 Association we would be glad to, our
23 officers, and discuss, you know, the
24 accountability of these officials and see
25 what we can do to petition the Court to look

1 at how they are making fools of city
2 council, and I say that respectfully in
3 regards to that, okay?

4 You know what I heard today and what
5 I hear every day the banks are going to take
6 over city council, okay? We are going to
7 have a Recovery Plan and if that Recovery
8 Plan you are going to have to -- they are
9 going to pay the TAN off, you are going to
10 have to pay for refuge, you are going to pay
11 additional taxes, all part of the Recovery
12 Plan and I don't think anybody in here has
13 been conferred with. That violates --
14 that's malfeasance in this surcharge. My
15 God, if it's there let's use it.

16 We are sick and tired the taxpayers
17 of sitting by and watching this Doherty
18 administration just roll by, and this goes
19 for McGowan, too, it goes for public
20 officials and appointed officials. We got
21 to have -- bring them on the carpet and put
22 a surcharge against them, all right? And
23 that's only way we are going to stop it.

24 Corporations are starting to take
25 over the city council. They are going to

1 tell you what to do. Banks, okay? It would
2 be a good idea if Occupy sat here, but
3 honest to God they are taking over. They
4 are going to tell you what to do. Nobody is
5 asking you anything, the bank is going to be
6 a part of the Recovery Plan and they want
7 you to -- you know, for what, pay the TAN,
8 raise the refuse fee, raise the taxes, and
9 nobody is discussing this with the elected
10 officials. What the hell is the sense of
11 having an election for city council if the
12 mayor just does what he wants it do?

13 So I urge you, members of council,
14 to ask Attorney Hughes to look into this
15 possibility of surcharging this mayor and
16 Mr. McGowan and whoever else is effected
17 with this here, you know, unfunded debt and
18 the way they are manipulating the city
19 council to do whatever they want to do.
20 Thank you very much.

21 MS. EVANS: Thank you. Is there
22 anyone else who would like to address
23 council?

24 MR. DOBRZYN: Good evening, Council,
25 Dave Dobrzyn, resident of Scranton and

1 taxpayer. It would be interesting on that
2 trash fee as opposed to how much is paid
3 into the trash fee and how much is
4 subsidized by taxes. Probably be hard to do
5 with the type of the accounting that we get
6 for these departments, but sometimes when
7 the children know what they're -- what their
8 parents expenses are they don't bother their
9 parents for little toys as Christmas.

10 On this audit business once again,
11 60 days late, whether you have the right to
12 fire this person yourselves or not call for
13 a resignation of the department head and it
14 would be interesting to see if you could
15 possibly fine at least out of the wages for
16 the irresponsible towards their position.
17 It's just crazy.

18 MR. ROGAN: We did cut Ryan
19 McGowan's salary by 10 percent, but that
20 wasn't nearly enough.

21 MR. DOBRZYN: Yeah. Yeah, you're
22 right. But it would be interesting to see
23 that them penalized somewhat, but who they
24 are taking orders from who knows.

25 And I'd also like to note that in

1 other states when these banks come in and
2 take over the council is stripped of all
3 responsibility in the town except to say
4 Pledge of Allegiance to the flag and to
5 begin and adjourn the meetings, and this is
6 happening in Michigan and they can sell
7 properties, they can do whatever they want
8 to and it's not pretty, so we have to
9 struggle our best to have this not ever
10 happen in Scranton.

11 I mean, I like the town despite our
12 faults, I bought a house here about eight
13 years ago and I felt that it was improving
14 at that time, well, since then I'm
15 scratching my head, you know, with all of
16 these conditions that I became aware of with
17 spending and so forth.

18 Now, that a heartbreaking story that
19 we just heard from that poor lady and I'd
20 like to note that persons below the poverty
21 level, especially women, their life
22 expectancy in this time is shrinking. In
23 the Soviet Union we saw the average live
24 expectancy dropped by about five years and
25 we are starting to see it here.

1 And on Joe Paterno and Penn State,
2 one of the people - it's ashame what
3 happened to him in the couple of weeks
4 before he passed away, but colleges, one of
5 the people that apparently is on trial for
6 lying to the grand jury receives a pension
7 of \$331,000 a year. Isn't that nice? Over
8 \$6,500 per week. Shame, you know, with what
9 they are asking college students to pay
10 back.

11 And once again, public employees,
12 please, stick with trade packs, opposing
13 trade packs. We have to stop. The working
14 class has just been decimated. There is no
15 reason why we shouldn't be able to pay
16 better taxes except that there is so many
17 people unemployed and their wages have been
18 dead in the water for 25 or 30 years, so how
19 do you squeeze -- you know, you could tax
20 them and the next thing you know they are
21 down there applying for food stamps and
22 giving poor Newt Gingrich an ulcer.

23 And the golden parrot goes to the
24 redistricting in Pennsylvania, next week I
25 hope to have a show and tell with what I'm

1 going to call straight line redistricting
2 where we are going to have a constitutional
3 amendment where it might spread our or
4 contract towards a certain part of the state
5 as the amount of population, but it will
6 have to be in a straight line. It won't be
7 some watermelon slice or quarter moon or
8 vacant strip or whatever in the heck else
9 they want to draw because now we have a real
10 problem on our hands.

11 And also I was -- just briefly I was
12 talking to a the doctor the other day about
13 taxes and so forth and he can't stand the
14 current guy, and he is a really nice guy and
15 I like him and trust him, but the thought
16 occurred to me, you know, when somebody
17 that's making \$250,000 a year gets taxed at
18 30 percent or 35 percent and somebody in the
19 Caymen Island gets 15 percent or doesn't
20 even pay taxes at all on that money, why
21 don't we have tax breaks for investors that
22 create jobs. Give them their tax break, but
23 create a few jobs and some investment in
24 America. I'm surprised all of these
25 educated people can't think of that. Maybe

1 they are paying too much for that college
2 education. All those pensions at Penn
3 State. Have a good night. Bawk, bawk.

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

6 MR. SLEDENZSKI: Hello, Janet.

7 MS. EVANS: Hi, Chrissy.

8 MR. SLEDENZSKI: Jackie.

9 MR. LOSCOMBE: Chrissy, what's up,
10 buddy?

11 MR. SLEDENZSKI: Wearing my shirt
12 for him tonight up there, Janet. You know
13 something, Jack, he was a good coach. They
14 all respected him. One more thing, we all
15 still love him. Joe, keep it up there, will
16 you?

17 MR. LOSCOMBE: Good job, Chris.

18 MS. SCHUMACHER: Good evening,
19 Council. Before I begin my comments, I did
20 talk to Andy Sbaraglia this week and he is
21 feeling good, but he is sort of homebound
22 for awhile and he just wants everybody to
23 know he is doing well and he looked forward
24 to coming back and seeing all of us.

25 MS. EVANS: Thank you.

1 MS. SCHUMACHER: Mr. Joyce has left
2 so I will have to wait until he returns
3 because I have a few questions for him for
4 the record. On 7-B tonight, does this
5 require the closing of Mattes Avenue, and
6 what is the nature of the equipment that is
7 to be maintained? Will the pumps -- is it
8 pump station equipment or is it vehicles
9 with fuel or something else that's
10 flammable? Do we have that information?
11 And I think it's pertinent.

12 And the other, on the Seventh Order
13 items, on 7-E tonight did you get a -- has a
14 response been received from PEL on whether
15 that agreement negotiated with the clerical
16 workers' union complies with that they are
17 thinking for the Recovery Plan?

18 MR. ROGAN: I could comment on the
19 second issue. I spoke to Mr. Joyce before
20 the meeting and just going through my mail
21 the only letter I received from PEL was
22 regarding the missing \$3 million, the found
23 \$3 million. There wasn't anything regarding
24 the contract. Mr. Joyce asked if I would be
25 in favor of tabling the legislation and I

1 agreed with that.

2 MS. SCHUMACHER: Good. Yeah. I
3 think that's probably the proper action if
4 we don't have a response yet.

5 And speaking of the Recovery Plan,
6 there are only 13 weeks to the end of April
7 and if the newspaper in which I read it is
8 accurate there has been a commitment on the
9 part of the council to get a resolution and
10 a recovery -- a new Recovery Plan by the end
11 of April.

12 MS. EVANS: No. Well, actually, I'm
13 not sure of what agreement you are talking
14 about, the term agreement for the TAN?

15 MS. SCHUMACHER: Negative. No. The
16 new Recovery Plan that will have a
17 five-year, you know, here is how we are
18 going to get well over the next five years.
19 I do remember reading that that was -- that
20 commitment had been made, but again, nobody
21 was quoted, but I do think -- I do believe
22 very strongly that we need the new Recovery
23 Plan we have been too long without it. We
24 need something more than a one-year budget.
25 We need a multi-year budget that shows how

1 we are going to get back to solvency, if
2 ever, so I would to like what the plan is,
3 what council's plan is for the Recovery
4 Plan, if there will be hearings, if there
5 will be special meetings, how we are going
6 to proceed to actually enact the multi-year
7 plan to return us to solvency.

8 Also, does anybody recall when the
9 OECD lease expires at its current location?

10 MR. LOSCOMBE: I believe it was July
11 of this year. July 1 of this year.

12 MS. SCHUMACHER: Well, and so you
13 all didn't give any thought to in the budget
14 to returning them here and saving that --

15 MR. LOSCOMBE: Yes, and I believe
16 we've --

17 MS. SCHUMACHER: And you rejected
18 it? That wasn't in the budget, was it?

19 MR. LOSCOMBE: No, no.

20 MS. SCHUMACHER: Because I think
21 there is a three-month, six-month
22 notification.

23 MR. ROGAN: I think it would be
24 great if we could move OECD into city hall,
25 but the department head and the mayor

1 doesn't want to do it.

2 MR. MCGOFF: They are moving.

3 MR. ROGAN: They are moving?

4 MS. EVANS: Yeah, we were sent
5 something, I can't recall, stating that they
6 would not be renewing the lease.

7 MR. MCGOFF: They are not renewing
8 the lease and I'm told that they are in the
9 process of moving the offices to the first
10 floor --

11 MS. SCHUMACHER: First floor of?

12 MR. MCGOFF: First floor of city
13 hall.

14 MS. SCHUMACHER: Oh, okay.

15 MR. MCGOFF: That they are moving,
16 they are clearing out some of that office
17 space and that OECD is moving there --

18 MR. ROGAN: That means the city
19 should be receiving rent.

20 MR. MCGOFF: By --

21 MR. ROGAN: That means the city
22 should receive rent.

23 MS. SCHUMACHER: Well, I remember
24 Mrs. Gatelli saying that they did receive
25 rent so that should be in the revenue

1 column, the last time they were in here
2 before they moved out, so that's something
3 for you all to -- that's good news.

4 MS. EVANS: Or I might add, if rent
5 weren't charged that makes more CDBG funds
6 available because that's part of their
7 administrative costs and council is able to
8 decrease the administrative costs there so
9 that, you know, in that event if you wanted
10 to take that approach, I should say, then we
11 are going to free up more monies to be used
12 on projects.

13 MR. ROGAN: Yeah, either way would
14 be good, either we have more money for the
15 projects or a little bit of revenue coming
16 in.

17 MS. SCHUMACHER: Okay, and how many
18 years are left on the contact with Rossi &
19 Rossi for the annual audit?

20 MR. ROGAN: Too many.

21 MS. EVANS: I believe it was a
22 four-year contract.

23 MS. SCHUMACHER: Four, okay. I
24 recall three. Can we get a verification?
25 And we are in year two of the four years?

1 MS. EVANS: Pardon me?

2 MS. SCHUMACHER: We are in year two
3 of the four years with -- 2012 will be the
4 second year of the four-year contract?

5 MR. ROGAN: I'm not sure if there
6 was a layover, they were the previous
7 auditor and then there was a layover, so I
8 remember the vote was approximately a year
9 and a half ago, but they were still under
10 contract, the old contract when they had the
11 vote, so we may be in year one.

12 MS. SCHUMACHER: Okay.

13 MS. EVANS: But the problem with the
14 other bidders, a company that had lower bid
15 than Rossi & Company contained hidden costs,
16 meaning they had stated in there that if an
17 audit was not produced by May 31 and
18 additional time and work was required they
19 would be charging for that and they would
20 not tell you what the charge would be. And
21 since we have seen that the administration
22 does not cooperate with the auditors and for
23 two years in a row now we have been into the
24 following year waiting for an audit, I think
25 probably what would have happened at this

1 point is that the city -- we would have owed
2 more money to the different auditor than we
3 would have to Rossi & Company.

4 MS. SCHUMACHER: Well, perhaps under
5 those, but you could also write the RFP
6 requiring that it's a one-time charge and if
7 Rossi & Rossi was the only responder then
8 that would be different, but --

9 MR. ROGAN: I would just add, I
10 don't want to beat a two-year old issue, I
11 think there were three bidders, the lowest
12 bidder wasn't the most -- lowest responsible
13 bidder that was the one with the hidden
14 fees, Rossi was the highest bidder and then
15 I believe it was the second bidder was the
16 one that I supported that I thought was the
17 best and, you know, regardless of the money,
18 you know, something is not working.

19 MS. SCHUMACHER: But, again,
20 sometimes you get what you pay for, and
21 again, it's the RFP, you can structure the
22 RFP so that you don't have that kind of
23 contract. Is Mr. Joyce returning or not, do
24 we know?

25 MR. LOSCOMBE: I assume he is, yes.

1 MS. SCHUMACHER: Okay, because last
2 week he had committed to a date certain for
3 the availability of the 2010 audit to we the
4 people.

5 And, also, just on the record as a
6 result of today's hearing I just wanted to
7 get his input on his recollection of on or
8 about December 19 of last year if he jointly
9 agreed with the business administrator to
10 request an additional \$5 million to pay off
11 TAN-B from the --

12 MS. EVANS: I remember that
13 document, I have seen it. The request was
14 for \$5 million. Period. Not \$10 million.
15 \$5 million for the Workers' Comp Fund
16 because DCED placed a requirement on the
17 city for the borrowing of the money from the
18 Workers' Comp account that had to be
19 reimbursed by January 31, 2012. I
20 understand that Mr. McGowan listed \$10
21 million as a return to the Workers' Comp.

22 MS. SCHUMACHER: That's correct, one
23 early in the year and one in December.

24 MS. EVANS: I'm quite sure, I
25 will ask Mr. Joyce, but as I said, I read

1 MS. EVANS: Good evening.

2 MR. LOSCOMBE: Good evening.

3 MR. ANCHERANI: Expressing my
4 opinion, First Amendment Rights. Not much
5 tonight, I just wanted to ask one question,
6 was there any more money found in any
7 accounts for the past week? That's all I
8 wanted to ask.

9 MS. EVANS: Not to my knowledge, but
10 that certainly doesn't mean that there isn't
11 money anywhere your guess is as good as
12 mine.

13 MR. ANCHERANI: Thank you.

14 MR. LOSCOMBE: You may call the
15 Times, they hear before us anyway.

16 MS. EVANS: Is there anyone else?

17 MS. KRAKE: 5-A. MOTIONS.

18 MS. EVANS: Mr. McGoff, do you have
19 any motions or comments?

20 MR. MCGOFF: Just very briefly.
21 Just one clarification the quote that was in
22 the paper which I used the word silly did
23 not have to do with the actual finding or
24 the use of the \$3.1 million. I thought that
25 the asking for the resignation of the

1 business administrator without having all of
2 the information was a bit premature and
3 maybe I should have used that word instead
4 of silly, but that was all I referred to
5 just for clarification purposes.

6 And the second thing, I know that we
7 started to mention the Recovery Plan and it
8 seems as though a lot of what we are looking
9 at in the 2012 budget such as the TAN,
10 unfunded debt, refinancing, many of those
11 items that we are dependent upon for the
12 2012 budget seemed to be tied to the
13 adoption of the Recovery Plan or at least
14 the banks are placing that stipulation.

15 I would hope that in the coming
16 months that we can, again, that we can work
17 toward a revised Recovery Plan and one that
18 is workable, one that is, and I'll say this
19 for, you know, I realize there has been
20 criticism of the administration, I hope it's
21 one that the administration will abide by, I
22 hope it's one that we can all abide by and
23 one that does effectively work toward
24 recovery, but I think it does require, you
25 know, and will require us working diligently

1 with all of the parties involved in order to
2 bring that about.

3 And, as I said, I think, you know,
4 like it or not council's budget, the 2012
5 budget for the City of Scranton, is
6 dependent on many of the things that banks
7 control and hopefully we can work with those
8 banks and with everyone to work towards a
9 Recovery Plan, as I said. And that's all I
10 have. Thank you.

11 MS. EVANS: Thank you. Mr. Rogan,
12 do you have any comments or motions?

13 MR. ROGAN: Yes, I would be brief.
14 I said most of what I wanted to say tonight
15 in the newspaper article, but I will make a
16 few comments about the article and a few
17 other issues that came up. First of all,
18 you know, I was somewhat surprised by the
19 reaction from the mayor and Mr. McGoff
20 regarding the situation with the missing or
21 the found \$3 million. You know, the comment
22 everybody makes mistakes, mistakes were
23 made, it's a mistake, you know, a mistake is
24 when you send a bill in a day late. When
25 you forget about \$3 million of taxpayer

1 money for more than three years that's not a
2 mistake. That can't be forgiven. There has
3 to be some punishment.

4 And that being said, and as I said
5 in the newspaper, but with my colleagues'
6 agreement I am asking Mrs. Krake to send a
7 letter to Mayor Doherty asking for business
8 administrator Ryan McGowan's resignation, if
9 my colleagues agree.

10 MS. EVANS: I would agree with that
11 and approve, however, I think we have to be
12 cognizant of the fact that, and I'm sure you
13 are since you are sending a letter and not
14 making a motion, that this is beyond the
15 scope of the authority of city council. The
16 mayor hires and fires and apparently the
17 mayor feels for whatever his reasons that
18 Mr. McGowan is doing a good job and he has
19 no intention of firing him.

20 You know, I do agree with what you
21 are saying, so please don't misunderstand
22 that.

23 MR. ROGAN: Oh, no, I --

24 MS. EVANS: I just have a feeling
25 that our letter will hold absolutely no

1 value or weight with the mayor.

2 MR. ROGAN: Well, at the end of the
3 day the mayor does what the mayor wants to
4 do, but this way it will be in writing on
5 council letterhead instead of just in a
6 newspaper article calling for his
7 resignation. Again, that's why I didn't
8 make a motion. He hires and fires,
9 unfortunately.

10 MS. EVANS: Yes.

11 MR. MCGOFF: I would just want to
12 say that I do not approve of it. And again,
13 I think that it's -- we don't have nearly
14 enough information to do that and I think
15 it's premature --

16 MR. ROGAN: He was the business
17 administrator and treasurer during the
18 scandal. They are the two key people that
19 track the money in the city.

20 MS. EVANS: And I believe Mr. Hein,
21 the previous treasurer, stated in the
22 newspaper that he fully explained --

23 MR. ROGAN: Yep.

24 MS. EVANS: -- all accounts to
25 Mr. McGowan before he left his position.

1 In addition, you know, we do have I
2 think this is -- or Ms. Schumacher raised an
3 issue and I'm going to --

4 MR. JOYCE: Fill me in.

5 MS. EVANS: - fill you in right now.
6 Ms. Schumacher wanted to know, she
7 referenced the December 19, 2011, document
8 that you approved and she wanted to know
9 from you if you had -- I believe I'm stating
10 this appropriately, you had agreed to
11 committing or placing \$10 million back into
12 the Workers' Comp Fund.

13 MR. JOYCE: Absolutely not. The
14 Workers' Comp Trust Fund, and I don't know
15 exactly what Mr. McGowan may or may have not
16 said in Court, the document that I signed
17 was to place \$5 million into the Workers'
18 Comp Trust Fund, and it was my
19 understanding, and that's the letter from
20 DCED, that both Mr. McGowan and I signed and
21 it broke down \$9.85 million. \$5 million of
22 it was to transferred into the Workers' Comp
23 Trust Fund. The other \$5 million that was
24 taken out of the Workers' Comp Trust Fund
25 earlier in the year is not required to be

1 put back into the Workers' Comp Trust Fund
2 by the Workers' Comp Trust Fund agreement.

3 It stated that we must fund the
4 Workers' Comp Trust Fund up to 75 percent of
5 the liability. What Mr. McGowan must have
6 been trying to do in Court is say that he
7 wants to put \$10 million back into the
8 Workers' Comp Trust Fund to fund it up to
9 100 percent liability.

10 So what it really seems like the
11 administration was approaching or what they
12 are trying to do here is to borrow as much
13 money as they could and to put some money
14 back into the Workers' Comp Trust Fund that
15 goes above the 75 percent threshold, so
16 perhaps in a way maybe use it as a rainy day
17 fund at a later date if there should be a
18 problem somewhere.

19 MS. EVANS: Well, I just want to add
20 quickly to this, council had made a request,
21 I'll just read it very quickly. "Please
22 provide --" this is to Mayor Doherty and
23 Mr. McGowan.

24 MR. ROGAN: Am I still on my Fifth
25 Order time or --

1 MS. EVANS: You are still -- "Please
2 provide Scranton City Council with a written
3 list of all vendor names, dates and amounts
4 of 2011 expenses which will be paid with the
5 proceeds of the unfunded debt borrowing.

6 Also, provide us with a copy of the
7 proposal which you intend to submit in Court
8 on Thursday, January 26, 2012."

9 And then in bold underlined letters,
10 "Please provide the requested written
11 response on or about Tuesday, January 24,
12 2012."

13 We got that answer today, not on the
14 24th, so no one was aware that, and
15 according to the list of vendors and all of
16 the costs that have been totaled by
17 Mr. McGowan it comes to \$17,393,654.24, so
18 I'm assuming from having spoken with the
19 city clerk who was present at that hearing
20 this morning that's the amount the city
21 requested without the knowledge of city
22 council.

23 MR. ROGAN: Getting back to the
24 letter --

25 MS. EVANS: Sorry.

1 MR. ROGAN: Again, I would like to
2 make the request a formal letter to the
3 mayor requesting Ryan McGowan's resignation.
4 I firmly believe we have at least \$3 million
5 reasons to dismiss Mr. McGowan, if my
6 colleagues also agree to send the letter.
7 Obviously Mr. McGoff is no.

8 MS. EVANS: I think we have -- I
9 think we now have 8 million reasons, \$5
10 million in Workers' Comp and \$3 million in
11 found money.

12 MR. LOSCOMBE: I would agree.

13 MR. ROGAN: All right. Please send
14 the letter, Mrs. Krake.

15 Continuing with the missing money,
16 once again, the mayor -- I keep saying
17 missing money, I guess I'm stuck in the Ken
18 McDowell days at the Tax Office before that
19 got cleaned up, but that found money, I have
20 always been a strong critic of the salaries
21 that the people in the mayor's
22 administration are making, more money than
23 the mayor. You don't see that anywhere else
24 in the world. The boss makes the most
25 money. Mayor Doherty claims to hire the

1 best and brightest. That's what he has
2 always said. I have always said the
3 opposite, that he doesn't and he is
4 overpaying cronies. This is just further
5 proof. I really hope that this is the end
6 of the line for finding money, missing
7 money, money, you know, under the rug. It
8 has to stop, but I truly believe that we
9 won't have a true picture of the financials
10 of this city until Mayor Doherty is gone and
11 we have a new mayor.

12 Again, the mayor is taking council's
13 budget and picking and choosing which parts
14 he wants to listen to. DPW foremen hired
15 back, DPW workers being hired back, who
16 knows what else.

17 MS. EVANS: Parks and Recreation
18 specialist.

19 MR. ROGAN: And we don't know -- the
20 only way we find out about these type of
21 things are when people call us and tell us.
22 The mayor doesn't send a memo down saying,
23 "Oh, yeah, I didn't follow your budget,
24 these three positions were reinstated," he
25 just does what he wants when he wants to do

1 it.

2 Furthermore, the itemized list that
3 we received isn't quite itemized. The last
4 page has a hand total of the breakdown of
5 the money. Workers' Comp, \$10 million. 1.6
6 million for SRA. 1.7 million 2010 -- I
7 can't ready it.

8 MS. EVANS: Payables, paid in 2011.

9 MR. ROGAN: Paid in 2011. You can
10 barely read it. 600,000 MEM, question mark,
11 not finalized yet.

12 MS. EVANS: Oh, and if you recall
13 the money to pay the bill to MEM was
14 included in the council's amendments, so
15 this is a duplication of the money.

16 MR. ROGAN: And wasn't the SRA money
17 placed in contingency?

18 MS. EVANS: That's the SPA.

19 MR. JOYCE: SPA, yes.

20 MR. ROGAN: So when you look at the
21 end of it, you know, they are just throwing
22 out numbers because they want to borrow,
23 borrow, borrow, and then when you move
24 through the itemized list it's not really
25 itemized. It lists where it's going to, but

1 not what it's for. Cleveland Brothers,
2 \$2,000. I never heard of them.
3 Commonwealth of Pennsylvania \$60,000. For
4 what? What do we owe the state \$60,000 for?
5 You know, it goes through one after another.
6 There is, you know, lists of employees'
7 names in here. I'm not going to mention
8 them, various employees, and maybe it is a
9 legitimate reimbursement where they spent
10 their money for something the city needed,
11 it's very possible, but just by seeing an
12 employee's name and \$75, \$140, you know, an
13 amount next to it, doesn't give me any
14 assurance as all that it's legitimate, and
15 the more you dig through this the worse it
16 gets. DG Nicholas, a total of \$17,000.
17 DeNaples' Towing, \$1,000. Electro-Battery,
18 \$3,000. Seems to be a lot for batteries.
19 Again, it's not itemized. Dunmore Oil,
20 Fastenal, F & S Supply. Home Depot.
21 Industrial Electronics. Gibbons Ford, Glenn
22 Summit Springs, \$113 for water.

23 Again, more employees' names, auto
24 companies, Industrial Electronics. What was
25 it, was it a computer or was it some -- an

1 I-Pad that the mayor wanted to take home?
2 Again, you can't tell by looking at this.

3 Furthermore, by talking to the
4 reporter, Josh, from the Times I learned
5 that it's not the administration -- or they
6 are not going to reduce the unfunded debt by
7 \$3 million, so by using just basic logic if
8 we needed to borrow "X" amount of dollars to
9 get the city -- all the past bills paid say
10 for an even number, say, it was \$10 million
11 and then we found three, obviously then we
12 only have to borrow seven because we found
13 \$3 million.

14 I don't know how the mayor is
15 justifying that, oh, well, that money was
16 just spent, you know, to pay the past bills,
17 which I'm completely fine with. I think it
18 should be used to pay past bills so we don't
19 have to borrow more money. None of it makes
20 any sense to me, I don't want any part of it
21 and, you know, this is just more of the
22 problems that we are up against being on
23 council. The most frustrating thing in the
24 world is being up here and not being able to
25 fight the mayor because he has -- he just

1 runs rough shot over everything. He doesn't
2 care.

3 That's all I have to say. I'm going
4 to held off comments on items on the agenda,
5 but this just gets -- every week it's worse
6 and worse and worse, and that's all I have.

7 MS. EVANS: Thank you. I just
8 wanted to add one thing though, because you
9 referenced this document so often, as have
10 I. I'm very disappointed that we received
11 this information two days after the deadline
12 so that, in other words, council didn't
13 receive the intention of the administration
14 for whatever reason until after they went
15 into Court today and dropped that bomb. And
16 I find that very disappointing and possibly
17 underhanded.

18 MR. ROGAN: Agree.

19 MS. EVANS: Thank you, Mr. Rogan.
20 Councilman Loscombe, do you have any
21 comments or motions tonight?

22 MR. LOSCOMBE: Yes. Thank you, Mrs.
23 Evans, just a couple. First, I do have to
24 say Mr. Rogan expressed my sentiments
25 exactly on what's going on here and I think

1 the majority of us here, but I'm going to
2 start by, this evening when I came in I
3 received a note regarding an incident at
4 Summit Point with response by the police and
5 the fire departments in this past week. I
6 don't have all of the details, but I'm going
7 to follow-up on it, but the person that had
8 contacted us did want to stress that the
9 police and firefighters were very
10 professional, they handled the situation
11 very well, what her concern was is that one
12 of the police officers went to go in his
13 vehicle and it wouldn't start, and this
14 isn't an isolated case. And the concern is
15 suppose he was in a situation where he had
16 to get out of there quickly and he had a
17 vehicle that wouldn't start. They actually
18 had to call a tow truck to tow the vehicle
19 out of there.

20 And I did notice coming in this
21 evening that in headquarters Engine 4 is the
22 backup engine, so they are not even
23 maintaining our equipment that we have here
24 for public safety, let alone cutting the
25 numbers on public safety. And this is issue

1 that we have not or forgotten. We are
2 working adamantly on it and you will be
3 seeing some things in the future on the
4 public safety.

5 And just to add to that, prior to
6 this evening's meeting I had the opportunity
7 to stop at the viewing for firefighter Tim
8 Murray, who was a very fine gentleman. I
9 had the pleasure of working with him for
10 many years and, you know, I pray for his
11 family. The consolation is that he was a
12 great guy. He was well-liked, he was a
13 great firefighter, unfortunately, cancer
14 ravished his body pretty quickly. But, you
15 know, in spite of his health in the last
16 couple of months he was still, you know, up
17 and about and the same old Mur, but it's
18 just -- and the nice thing that I found out
19 just as when Jim Robeson passed away is the
20 several of the neighboring fire departments
21 are going to be on hand tomorrow to protect
22 the City of Scranton so Tim's brother
23 firefighters will be able to attend the
24 funeral. They will be backing up the
25 Scranton firefighters, and I'm going to get

1 a list of the departments that have helped
2 out and I will give them a mention next
3 week.

4 And just lastly, I have to agree
5 with Ozzie Quinn, I think last week we
6 mentioned is there any way we can bring this
7 administration to task for what's going on.
8 I think we have to look at every alternative
9 possible and he gave us some good
10 information this evening.

11 As you can see, week after week it
12 gets more bizarre. We think they have
13 thrown everything they possibly could at us
14 and the public and the taxpayers and we come
15 here and get more information that they have
16 pulled another one. I just don't know where
17 they're pulling all these tricks out of it,
18 but there is a big black hole somewhere
19 because we are not getting the benefit for
20 all of the money that has been expended over
21 the last ten years. None of it. You drive
22 these roads you can see, you see all of the
23 closed firehouses you will see. No
24 neighborhood police officers. Where is the
25 money? We have to have an investigation and

1 I'm going to stay on it, there has got to be
2 some investigating body that's going to look
3 at it. I think we are overdue. The things
4 that have been going on here are not normal
5 politics, at least I hope not.

6 But I happened to pick up an e-mail
7 today that was -- it's called the Bond
8 Buyer, and the title of is "A US probe is
9 urged for Harrisburg." If you all know
10 Harrisburg is in some pretty dire straights
11 themselves, and I don't know, and they have
12 tried to get an Act 47 and their council has
13 refused the Act -- the Recovery Plans and
14 stuff like that.

15 Perhaps, I don't know any council
16 members down there, but perhaps their
17 council members have followed Scranton's
18 history here and realized, you know, these
19 are the same people that are trying to tell
20 us what to do here in Harrisburg when 20
21 years they have been up in Scranton and they
22 haven't been able to do anything. We have
23 proven that time and time again. The only
24 plans they keep coming out with is raise
25 your parking fees, raise this fee, raise

1 your taxes. Nothing. All the while putting
2 a blind eye to things that should have been
3 done, while our authorities have run us down
4 and this administration has spent
5 unbelievable amounts of money for what?

6 But in this here article I found
7 something interesting. It starts out, "A
8 forensic audit focusing on incinerator bond
9 deals is largely responsible for driving
10 Harrisburg into insolvency has prompted
11 another request for federal investigations
12 into the transactions."

13 It's a four-page document, but it
14 tells -- I mean, it's something that could
15 probably mirror us here the way we are going
16 and something that was very telling is
17 towards the end of the story the attorney
18 representing council I believe is Schwartz
19 and it says, "Schwartz, Bryn Mawr,
20 Pennsylvania's sole practitioner, agreed on
21 the assessment of poor over site.
22 Additionally, he blamed the DCED which also
23 approves the deals."

24 His comment was, "Send a corpse to
25 them and they will rubber stamp it," he

1 said, and it just seems like the same M0
2 statewide, and that's why they are fighting
3 down there.

4 But, you know, we have to bring in
5 some investigation into this city because
6 several departments didn't cost the city an
7 extra dime for ten years, yet, we are
8 millions and millions and then we find \$3
9 million, and guess what, it's spent the next
10 week. On what? We don't know. We asked
11 for an itemized list and Mr. Rogan just
12 showed you it doesn't tell you what was
13 spent for what. It might give you a name.

14 MS. EVANS: That's not for the \$3
15 million, that's for --

16 MR. LOSCOMBE: I'm sorry.

17 MS. EVANS: That's for the unfunded
18 debt borrowing.

19 MR. LOSCOMBE: I apologize, but
20 basically you could carbon copy it, you
21 know, that's basically what we have been
22 getting, and we are still I believe waiting
23 for a -- I mean, the authorities, too. Why
24 isn't the state looking into tightening up
25 the authorities, oversight with the

1 authorities? We are responsible right now
2 for millions to these authorities that are
3 part of this funding that we are working on
4 and part of our budget to pay their bills,
5 yet we have no say, we have no control as a
6 body here, and as you have seen in the past
7 two years we have no say or no control on
8 anything according to the mayor.

9 But trust me, you know, I didn't
10 come here for a full term to sit back, I'm
11 going to fight, we have to find a way to
12 expose what's been going on here. We don't
13 have a daily printed media that will expose
14 anything. The only exposure to what reality
15 is are these cameras right here, and
16 unfortunately everyone doesn't see this.

17 But I think there is enough smart
18 people out there that are watching that
19 speak to people, that speak at council here
20 and see what's going on, and they know we
21 are not going to give up the fight for them
22 here. It's been a tough fight, and as
23 Mr. Rogan stated before it's a frustrating
24 fight, and I have said is myself many times
25 I'll tell you what, I mean, it's fatiguing

1 just the mental aspect of what's been going
2 on.

3 They have to be sitting in a room
4 somewhere figuring how we are going to get
5 them this time, how are we going to get them
6 that time. This never -- like I said
7 before, it's bizarre. We think we have run
8 across every situation we can run across,
9 every roadblock that they have thrown in
10 front of us and they still find a way to get
11 around it, but that can't continue. I know
12 that there is a legal system out there that
13 will open it's eyes and will hold to task
14 those who are responsible for putting this
15 city where it is right now, desecrating the
16 public safety, spending money on what?

17 Even positions that we cut
18 administrative positions, whatever, it's
19 like playing checkers. None of those
20 administrative people have lost their jobs,
21 they just get put into another job somewhere
22 else. They are all protected that way.
23 Perhaps that's the way politics is played,
24 but I don't want to see it played at your
25 expense. And I know just discussing

1 discussions today with some of the things
2 that have gone on just today we have lot of
3 work ahead of us, a lot of tough decisions
4 to make, and I know most of us are going to
5 make our decisions based on what the
6 majority of our taxpayers need and how they
7 are going to be impacted.

8 And thank for allowing me to let my
9 frustration out again. Thank you.

10 MR. JOYCE: Thank you, Mr. Loscombe.
11 I'll begin with my comments. We have been
12 speaking a lot tonight about the \$3 million
13 and the unfunded debt borrowing, but there
14 is a few other issues that need to be
15 brought to attention here.

16 As one may know if they had watched
17 last week meeting, I spoke briefly about how
18 parking tax legislation had not yet been
19 sent down by the administration. Also, as
20 one my know, this tax is part of the
21 Recovery Plan that was sent to council late
22 last year by PEL, the Pennsylvania Economy
23 League. This tax is also part of the 2012
24 operating budget as amended by Scranton City
25 Council. To provide the public with a brief

1 background on the tax again, the parking tax
2 is a 15 percent tax that will be levied on
3 parking operations both public and private,
4 including nonprofit operations. PEL had
5 advised us that we could do this. This tax
6 is not a tax on residents, it's a tax that
7 is received from parking operations.

8 Also, I also see this tax as a good
9 start at getting some organizations that
10 have not been contributing much to the city
11 coffers to start contributing, such as
12 nonprofits. I know that a few speakers have
13 brought up impact fees on nonprofits and,
14 believe me, I am all in favor of that and
15 that's something that needs to be done,
16 however, right now we are limited by the
17 local tax enabling act on certain things
18 that we can and cannot do. We can't simply
19 just say to a nonprofit, "We want to tax
20 you, we want to put a fee on you."

21 We are guided by, as well as other
22 cities in Pennsylvania based on their
23 classification, are guided by that piece of
24 legislation.

25 Anyhow, last week I requested that

1 Mrs. Krake, our city clerk, send a letter to
2 the law department asking them to draft
3 legislation for this tax. Since that time I
4 have also been informed that Gerry Cross,
5 who is the executive director of PEL, has
6 provided the law department with example
7 legislation from other cities. Since we
8 don't have legislation in our office yet,
9 you know, I have to ask you, what's the hold
10 up?

11 Mrs. Krake, with this in mind,
12 please send another letter to the Law
13 Department asking them to draft legislation
14 for the parking tax, asking them to send the
15 legislation to our office as soon as
16 possible as we would like to start
17 collecting this revenue.

18 There has been a big to-do about the
19 real estate transfer tax and how since that
20 was passed later on in the year even though
21 it was passed earlier than the previous "X"
22 amount of years, how we are missing out on
23 revenue because of that and the Scranton
24 Times actually pointed out a finger at
25 Scranton City Council blaming us for missing

1 out on revenue that could have been
2 collected from the purchase of Moses Taylor.
3 But, on the other hand, we have a tax that
4 we could be collecting revenue on that
5 hasn't been sent down by the administration
6 yet, and PEL themselves has provided the
7 administration with example legislation from
8 other cities, so this is something that
9 needs to be done as soon as possible. You
10 know, one would think this is an urgent
11 matter given the current financial state of
12 the city.

13 Secondly tonight, I would like to
14 say that I'm pleased with the job that the
15 DPW did with our most recent snowfall this
16 weekend. Despite much criticism around the
17 budget time, I'm very pleased that the
18 streets were salted and snow was plowed
19 accordingly.

20 Also, I would like to say that I'm
21 pleased with the job that the DPW is doing
22 in regard to collecting refuse as well as
23 recyclables. Though there were many
24 accusations made during the budget and
25 during that time frame that collection may

1 be hindered, it appears that everything is
2 working in these areas.

3 Yesterday the Scranton Times
4 published an article regarding the DPW
5 transition, and one area where I'm not
6 pleased is the hiring of two supervisors and
7 a Parks and Recreation specialist that
8 funding was not appropriated for in the 2012
9 budget as amended. The cost of hiring back
10 two supervisors including health benefits
11 and other insurances is approximately
12 \$96,000. One must question where this money
13 will come from as it is not budgeted for,
14 therefore, it is creating a Doherty budget
15 hole.

16 In addition to this, the cost of
17 hiring back the Parks and Rec specialist is
18 about \$48,000. With this in mind, Mayor
19 Doherty said that this salary will be taken
20 from an account used to pay lifeguards, so
21 let's start thinking here. In the 2012
22 budget amendments the amount of money
23 allocated for the lifeguard account, which
24 is entitled "Other salary" in the Parks and
25 Recreation Bureau is the same as the amount

1 of money it costs the city to pay for
2 lifeguards in 2011. Therefore, I wonder if
3 Mayor Doherty intends on closing pools in
4 2012 in order to hire back this worker,
5 which is strictly against city council's
6 wishes.

7 With this in mind, Mrs. Krake,
8 please send a letter to Mayor Doherty and
9 Business Administrator Ryan McGowan asking
10 them what accounts the two supervisors
11 salaries and benefits will be drawn from.
12 In addition to this, please send a letter to
13 Mayor Doherty and Business Administrator
14 Ryan McGowan asking them if they will be
15 closing city pools this year in order to pay
16 for the Parks and Recreation specialist
17 position.

18 I fear that this is something that
19 may happen and I want to bring it to light
20 now, because if we are paying for a salary
21 out of the account that we used to pay
22 lifeguards and we cut it down to the amount
23 that is used to pay lifeguards, what's going
24 to happen? Are kids going to be able to
25 swim at city pools later on this year? I

1 know that we are not thinking about that now
2 since it's wintertime and it's cold,
3 however, this is something that we should
4 consider for future consideration here.

5 MS. EVANS: Mr. Joyce, I'm sorry to
6 interrupt, but could your letter also
7 include a question to the administration
8 concerning the Capouse Avenue pool that's
9 been closed for the last two years, and each
10 year I'm sure you remember the
11 administration says they are taking care of
12 it and it's going to be opened the following
13 season, and so according to what's been said
14 most recently and time again, Capouse Avenue
15 pool should be open this summer and manned
16 by lifeguards, so if we could please ask
17 what their intention for that pool is.

18 MR. LOSCOMBE: Along with the
19 Novembrino pool, too.

20 MS. EVANS: And the Novembrino Pool
21 Complex as well, both of which were closed
22 last summer.

23 MR. JOYCE: Yes. I have no
24 objection to that. Okay, the whole unfunded
25 debt issue, as I said before Mrs. Schumacher

1 attended the hearing and, in fact, I read
2 about it in the Scranton Times article that
3 was published, and I strongly oppose to
4 anyone saying that I signed a paper to
5 return \$10 million to the Workers'
6 Compensation Trust Fund. I signed a paper
7 allowing the borrowing of \$9.85 million in
8 December before \$3 million was found, by the
9 way.

10 Anyhow, the Workers' Compensation
11 Trust Fund was to be refunded by \$5 million
12 in that amount. The extra money that
13 Mr. McGowan is requesting, as I said before,
14 would put the city at 100 percent -- at the
15 100 percent threshold. It's only required
16 that the city is at the 75 percent threshold
17 as per the Workers' Comp Trust agreement.
18 Therefore, that \$5 million of borrowing is
19 not needed.

20 We did take that money out in 2011
21 to pay TAN-A, however, it's something that
22 we don't need to put back in there right now
23 and, in fact, I strongly object to borrowing
24 extra money to stick into the Worker's
25 Compensation Trust Fund because with the

1 underfunded borrowing we must also consider
2 that the Court may attach a millage increase
3 to the unfunded borrowing, which will be
4 more money that the residents of Scranton
5 would be taxed in the future. That could be
6 Court ordered. We did not know if it will
7 be, however, that is a possibility, so we
8 should be looking to borrow what's
9 necessary, not over what's necessary and
10 then put money into the Workers'
11 Compensation Trust Fund to use as say a
12 rainy day account.

13 Anyhow, I do have a few citizens'
14 requests. Several South Scranton residents
15 have contacted me regarding the condition of
16 Meadow Avenue, particularly at the juncture
17 of the Meadow Avenue and River Street.
18 Residents report potholes and cracks in the
19 road may making travel conditions difficult.

20 Mrs. Krake, please contact Director
21 Dougher and ask him to handle this situation
22 as appropriately.

23 Residents of East Mountain,
24 particularly in the section of Wintermantle
25 Avenue that intersects with East Mountain

1 Road have reported that the drainage pipe is
2 sticking out of the road and, therefore,
3 when it arraigns it rains is creating a
4 tremendous amount of water runoff and in the
5 winter months this is creating an ice patch
6 on the roads. So, Mrs. Krake, please add
7 this to the issues to address with Director
8 Dougher.

9 Also, numerous West Scranton
10 residents have reported that the 200 block
11 of North Everett Avenue, particularly the
12 section where North Everett intersects with
13 Price Street is in horrible condition as
14 numerous potholes and cracks are making
15 travel conditions difficult. Mrs. Krake,
16 please add this to the issues to address
17 with Director Dougher.

18 And, also, several Minooka residents
19 have voiced their concerns that cars are
20 speeding on Birney Avenue. In fact, more
21 than one resident reported to me that they
22 had their car window sideswiped due to such
23 activities. So, Mrs. Krake, if you could
24 please contact Chief Duffy and make him
25 aware of the situation and ask him if this

1 area could be patrolled more heavily.

2 And finally, this is a troubling
3 matter, I have been contacted by several
4 residents throughout the city about a
5 business JB's Kingdom, which is located in
6 West Scranton, and I have been informed that
7 they have are selling a synthetic form of
8 marijuana which, as you know, city council
9 banned that as well as the county, and this
10 activity is going on on a continuous basis,
11 and it's becoming quite problematic.

12 I have been contacted by a few
13 parents of teenagers who go and buy this
14 substance at this place and they say the
15 effects of it that they see in their
16 children are horrible. That it's even more
17 dangerous than marijuana itself because of
18 it's chemical properties. I don't know if
19 there is a new blend of synthetic marijuana
20 on the market that doesn't have the
21 chemicals that were banned by the state,
22 however, this is becoming problematic.

23 This place of business is also
24 opened almost 24 hours a day to serve its
25 customers and it's being used as a place for

1 people who want to legally get high to do
2 so.

3 With that in mind, Mrs. Krake, can
4 you please contact Chief Duffy, inform him
5 of the situation and ask him if this is
6 something that is permissible because
7 though-- and one of the residents that
8 contacted me said that the containers say
9 "Not for human consumption," however, this
10 is being smoked by people throughout the
11 city, primarily in the upper teens, lower 20
12 age range, so please ask Chief Duffy if this
13 is permissible and inform him of this
14 action, as I think we have a new emerging
15 problem with synthetic marijuana that we may
16 have to look into in future times. And
17 that's all I have for tonight.

18 MR. ROGAN: If I could just
19 piggyback off what Mr. Joyce said, I
20 actually -- I spoke to a few residents, it
21 might be the same people you talked to about
22 the issue and while I was at Walgreen's,
23 which is right across the street, there were
24 a few officers there and I was talking to
25 them and the police department is looking

1 into it. And I actually saw a special, I
2 don't know, it was on 20/20 or Dateline, one
3 of those type of shows, where instead of
4 selling synthetic marijuana now they are
5 sell it as potpourri where they market it as
6 potpourri and they just put it as a scent,
7 but I guess they know what it goes by that
8 it's not really potpourri, it's really a
9 drug, so I don't know if they found a way
10 around the law or, you know, if we have to
11 amend it or, you know, what has to be done,
12 but I know the police are looking into it,
13 which is really good to hear.

14 MR. JOYCE: And I fear that these
15 manufacturers of this substance may have
16 found a legal loophole and I think as
17 lawmakers we should research into what we
18 should do to prevent that legal loophole
19 from expanding and the problem persisting,
20 and that's all.

21 MR. LOSCOMBE: If I may, and if I'm
22 not mistaken, I believe Senator Casey's
23 office is working on the legal loophole now.
24 So, I mean, we have to do our due diligence,
25 too, but we will stay in contact with our

1 other legislators and see what's going on
2 the bigger level. But it is -- it was a
3 problem before and it just seems any way
4 they can, you know, change the name or
5 change the formula they are getting away
6 with it.

7 MR. MCGOFF: Mrs. Evans, could I
8 just--

9 MS. EVANS: Certainly.

10 MR. MCGOFF: -- two things, dealing
11 with the information that we received from
12 the BA's Office, I know that there were
13 complaints that it wasn't extensive enough,
14 but -- and I realize it was two days late,
15 but council asked for a written list of all
16 vendor names, dates and amounts of 2011
17 expenses and that is what we received.
18 Maybe there is more information that should
19 have been received, but we did get what was
20 asked for, albeit it, two days late.

21 But the thing I did want to ask, the
22 \$17 million amount at the end of that is
23 that the amount that the city went to Court
24 and applied for or was this an amount that
25 was used as justification for the 9.85

1 million that was approved?

2 MR. JOYCE: It's my understanding,
3 and actually I did speak to Mr. McGowan
4 earlier in the week, that this amount by law
5 since city council passed the ordinance for
6 9.85, that they couldn't petition the Court
7 for anything more than 9.85. They were
8 using this as justification for the 9.85.

9 MR. MCGOFF: Thank you.

10 MR. ROGAN: My question is why send
11 legislation to council asking for 9.85 when
12 are obligations are almost double that?

13 MR. JOYCE: That's a good question.
14 And, in fact, the first time that I heard
15 the \$17.3 million figure was this week.

16 MR. ROGAN: Yes.

17 MR. JOYCE: Not during the budget
18 process, not when I was being asked to sign
19 the letter authorizing the withdrawal of \$5
20 million from the Workers' Comp Trust Fund
21 from DCED, it's this week.

22 MS. EVANS: It's today.

23 MR. JOYCE: Well, it's today, yes.

24 MR. ROGAN: This borrowing won't
25 solve anything. If we borrow 9 million or 6

1 million it's not going to solve anything if
2 we are still, according to the
3 administration, over \$10 million in arrears.

4 MR. JOYCE: But there are some
5 things in there, and I don't want to belabor
6 the fact, but I'll just conclude with this,
7 \$5 million with the Workers' Comp Trust Fund
8 we don't have to put it back in there right
9 now. The \$600,000 for MEM --

10 MS. EVANS: We have covered that.

11 MR. JOYCE: That's actually in our
12 budget and that's something that's also in
13 litigation so we may not end up paying
14 \$600,000. Ryan McGowan quoted it as
15 \$500,000 to be safe at an earlier date, so
16 we have to consider those things. We are
17 borrowing for -- or we are looking to make
18 an argument to borrow for things that may
19 not be necessary.

20 MR. ROGAN: Yeah.

21 MR. JOYCE: Or that are not
22 necessary.

23 MR. MCGOFF: That's fine.

24 MS. EVANS: Thank you. Good
25 evening. At the January 12, 2012, regularly

1 scheduled meeting, city council introduced
2 amended and adopted legislation to enter
3 into a contract for insurance services by an
4 emergency certificate signed by the mayor
5 and city controller. The mayor signed this
6 legislation this week.

7 Thus, the broker of record position
8 must be put out to bid as soon as possible
9 to ensure that the position is advertised,
10 bids are received, and a broker of record is
11 selected prior to the end of the first
12 financial quarter. This marks the first
13 time in a decade that the broker of record
14 and services for city insurances will be
15 competitively bid. As a result, up-to-date
16 appropriate coverages and deductibles will
17 be obtained and the city may possibly save
18 money.

19 Councilman Loscombe has served as
20 the point man on this issue since 2011,
21 specifically, January 2011, and I ask that
22 he would attend any pre-bid conference as
23 well as the bid opening for insurance
24 services. And with the agreement of my
25 colleagues, city council wishes to receive

1 complete copies of all bids and proposals
2 following the bid openings. Mrs. Krake,
3 please send a letter to the appropriate
4 parties and, Councilman Loscombe, your
5 colleagues will depend on you to evaluate
6 the bid proposals and policies and to report
7 your evaluation to us prior to the
8 introduction of the new legislation
9 regarding the awarding of the contract for
10 insurance services.

11 Next, council received a prompt
12 response from Ms. Aebli, OECD director,
13 regarding future application and allocation
14 of the CDBG funds for police vehicles.
15 Ms. Aebli states that the city will not
16 allocate any CDBG funds for the purchase of
17 police vehicles. Further, at such time as
18 neighborhood police patrols resume in the
19 city, the officers will be on foot or on
20 bicycles within low to moderate income
21 areas. Each council member then must take
22 this under consideration when voting on
23 legislation that transfers the funds for
24 police vehicles to a different project.

25 Next, within it's 2012 budget

1 amendments, city council included payment
2 for Municipal Energy Management or MEM
3 outstanding bills. According to statements
4 made by Ryan McGowan in the January 25
5 edition of the Scranton Times, however, the
6 unfunded debt could have been larger than
7 9.85 million because of possible outstanding
8 bills such as \$500,000 for MEM. Again, Mr.
9 McGowan appears confused about the financial
10 figures.

11 In addition, during Monday's weekly
12 PEL meeting, Mr. McGowan provided one set of
13 figures regarding the administration's use
14 of the newly discovered 3.1 million in
15 parking meter revenue, other figures during
16 a meeting later in the same day with
17 Councilman Joyce, and yet other figures in
18 the newspaper article. Then, of course, I
19 have what I believe to be correct
20 information from this morning's hearing
21 about the \$3 million and that appears to be
22 the following: \$720,000 for 2012
23 obligations. \$500,000 for Workers' Comp
24 Funding account. \$720,000 for vision,
25 prescription dental and supplemental

1 pension, which brings us to a total of
2 \$1,940,000.

3 In addition, \$518,453 is in the
4 account, I believe that's the account of PNC
5 and that holds the general fund. Now, when
6 you add those two figures together the total
7 is \$2,458,453 of \$3.1 million that was
8 found, so approximately \$650,000 remains
9 unaccounted.

10 MS. KRAKE: Mrs. Evans.

11 MS. EVANS: Yes.

12 MS. KRAKE: I have to interrupt you,
13 and I apologize it was my note taking at
14 this meeting, after reviewing them again, as
15 I said to you it was my note taking, I do
16 believe that Mr. McGowan also pointed to the
17 fact that money was used for the first
18 payroll, which was slightly over 1 million.

19 MS. EVANS: Okay.

20 MS. KRAKE: And I can hear the way
21 you just repeated this back to me, so there
22 is still some confusion in my mind adding
23 that figure in now that seems to be above
24 the \$3 million, so I apologize.

25 MS. EVANS: That would take us up to

1 \$3.5 million, which is more than we found.

2 MS. KRAKE: You know, I'm still --
3 I'm just not -- we probably have to wait to
4 look at the actual, you know, records from
5 the Court.

6 MS. EVANS: Thank you.

7 MR. JOYCE: Councilwoman Evans, if
8 you don't mind me interrupting, Mr. McGowan
9 told me that the payroll is 1.3 million.

10 MS. EVANS: Well, as I said, the
11 figures differ according to whom Mr. McGowan
12 is addressing during one day. Therefore,
13 with my colleagues agreement, I ask
14 Mrs. Krake to write a request for a written
15 breakdown from the business administrator
16 for the entire \$3.1 million and copies of
17 any and all checks paid from these funds to
18 be delivered to council's office on or
19 before Monday, January 30, 2012.

20 Further, Council Solicitor Hughes
21 wrote a response to the city's unfunded debt
22 borrowing which was filed with the Court on
23 Monday, January 23, and received by the
24 judge who will decide the case. This
25 response included council's objection to the

1 borrowing of \$9.85 million since \$3.1
2 million was newly available to pay
3 outstanding bills. Therefore, the unfunded
4 borrowing should be reduced by this dollar
5 amount.

6 Councilman Joyce, Finance Chair and
7 I, discussed this matter with Attorney
8 Hughes after we learned that the mayor and
9 business administrator had already spent the
10 \$3.1 million without council's knowledge and
11 approval. The mayor ignored council's
12 request to reinstate public safety
13 employees, who were wrongfully laid off in
14 August of 2011, and to lower taxes, and then
15 the mayor reversed his prior documented
16 statement that the \$3.1 million would be
17 used to lower the unfunded debt borrowing.

18 Therefore, council's response and
19 objection was filed with the Court. To
20 everyone's surprise, the administration
21 increased it's petition to the Court today
22 for unfunded borrowing from 9.85 million to
23 17.3 million and it appears to have been
24 provided questionable information to the
25 Court.

1 At the same time, the administration
2 sent down emergency legislation to council's
3 office today for a 2012 TAN in the amount of
4 12.5 million. City council has questions
5 regarding this legislation that could not be
6 answered this afternoon. Therefore, on the
7 advice of Solicitor Hughes the legislation
8 will not be considered during tonight's
9 meeting and will be placed on next week's
10 agenda.

11 There have been questions and
12 disagreements regarding the terms of this
13 TAN and the Pennsylvania Economy League in
14 concert with the banks has been trying to
15 force city council to accept a revised
16 Recovery Plan by April 2012. Yet, the final
17 plan has not even been presented to council
18 and the plan presented in November 2011,
19 which PEL must update, sells the taxpayers
20 of Scranton down the river with tax
21 increases and garbage fee increases while
22 cutting manpower and reducing public
23 services.

24 The emergency legislation sent today
25 is an attempt at the 11th hour to force

1 council into a plan that sells you, the
2 people, out. When council's questions and
3 concerns are remedied so that it can
4 continue to serve and protect the people of
5 Scranton, it will be introduced and approve
6 the legislation for the 2012 TAN, and that's
7 it.

8 MS. KRAKE: 5-B. AMENDING FILE OF
9 COUNCIL NO. 52, 2010, AN ORDINANCE ENTITLED
10 "GENERAL CITY OPERATING BUDGET 2011 " BY
11 TRANSFERRING \$10,317.99 FROM ACCOUNT NO.
12 01.401.13090.4299 (NON-DEPARTMENTAL
13 OPERATING EXPENSES - CONTINGENCY) TO ACCOUNT
14 NO. 01.040.00040.4190 (BUSINESS
15 ADMINISTRATION UNEMPLOYMENT INSURANCE) TO
16 PROVIDE FUNDING FOR THE 4TH QUARTER 2011
17 UNEMPLOYMENT INSURANCE.

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

21 MR. ROGAN: So moved.

22 MR. JOYCE: Second.

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

1 MR. MCGOFF: Aye.

2 MR. ROGAN: Aye.

3 MR. LOSCOMBE: Aye.

4 MR. JOYCE: Aye.

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

7 MR. JOYCE: I'd like to make a
8 motion to table Item 5-B.

9 MS. EVANS: We have a motion on the
10 floor, do we have a second?

11 MR. LOSCOMBE: Second.

12 MS. EVANS: On the question?

13 MR. JOYCE: Yes. Tonight I'm making
14 a motion to table this transaction. I'd
15 like to know where the money is coming from
16 to make this transfer and whether or not
17 this is part of the unfunded borrowing since
18 it's a 2011 expense.

19 With this in mind, Mrs. Krake,
20 please contact BA Ryan McGowan and ask him
21 where the \$10,000 will come from. I think
22 it's just a matter of doing our due
23 diligence.

24 MR. ROGAN: I believe it says in the
25 legislation it's coming from the contingency

1 fund.

2 MS. EVANS: Yeah, it's saying it's
3 coming from the 2011 contingency fund. This
4 is to open and amend last year's budget to
5 take \$10,000 from the contingency fund to
6 pay for the fourth quarter unemployment
7 insurance in 2011.

8 Now, I don't have a problem with
9 unemployment insurance, but how is there
10 \$10,000 remaining in the 2011 contingency
11 fund? I mean, if indeed there is, wouldn't
12 that then go into the 2012 budget under
13 contingency? And then at the same time I
14 had questions because I know since as far
15 back as August 2011, the administration has
16 been crying poverty so much so that they
17 laid off how many police and firemen because
18 they had no money, and through the months
19 it's been, "We have nothing, we have
20 nothing," and now suddenly we have
21 contingency. I mean, is the entire amount
22 of the contingency from 2011 available?

23 MR. ROGAN: I believe it is. I
24 don't remember drawing it out from there.

25 MR. JOYCE: I believe there have

1 next week.

2 MS. EVANS: Well, I think with the
3 rate events have been progressing lately, I
4 think the wisest thing is to table it until
5 such time as they give us the answers.

6 MR. ROGAN: I just don't want to see
7 laid employees not get their money.

8 MS. EVANS: I understand what you
9 are saying but on the own hand one doesn't
10 know when one will receive that response and
11 one doesn't know if the response is even
12 going to be accurate, so I think we have to
13 be very careful with the money right now.

14 MR. JOYCE: I would think that the
15 employees would still get their money from
16 the state as far as unemployment. I think
17 maybe that would be another bill we would
18 owe to the Commonwealth of Pennsylvania.

19 MR. ROGAN: My concern is the mayor
20 has done everything he could through the
21 years to really put it to the public safety
22 employees. I wouldn't put anything past
23 him. That's all I'm saying.

24 MS. EVANS: And with the money,
25 also. Well, we have a motion, the motion

1 has been seconded, to table Item 5-B, is
2 there anyone else on the question?

3 MR. LOSCOMBE: Just on the question,
4 I understand where Mr. Rogan is coming from
5 and I do agree with Mr. Joyce's statement
6 that, you know, they would be paid
7 ultimately the city would be billed. It's
8 an insurance policy that they pay for, the
9 city has to pay for that. That's what it
10 is, it's basically a premium. So, you know,
11 again, until our finance man is satisfied I
12 agree to table it at this point.

13 MS. EVANS: All those in favor of
14 tabling Item 5-B signify by saying aye.

15 MR. LOSCOMBE: Aye.

16 MR. JOYCE: Aye.

17 MS. EVANS: Aye. Opposed?

18 MR. MCGOFF: No.

19 MR. ROGAN: No.

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

22 MS. KRAKE: 5-C. AUTHORIZING THE
23 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
24 FOR THE CITY OF SCRANTON TO ENTER INTO A
25 MORTGAGE ASSUMPTION AGREEMENT TO FACILITATE

1 THE SALE FROM SCRANTON DOWNTOWN, LLC TO
2 BARRISTER INVESTMENT GROUP, LLC. OF THE
3 PROPERTY LOCATED AT 410-412 SPRUCE STREET,
4 SCRANTON, PA, ON WHICH THE CITY OF SCRANTON
5 HAS A RECORDED MORTGAGE DATED NOVEMBER 5,
6 2002 IN THE PRINCIPAL AMOUNT OF \$220,000.00.

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

10 MR. ROGAN: So moved.

11 MR. JOYCE: Second.

12 MS. EVANS: On the question? All
13 those in favor of introduction signify by
14 saying aye.

15 MR. MCGOFF: Aye.

16 MR. ROGAN: Aye.

17 MR. LOSCOMBE: Aye.

18 MR. JOYCE: Aye.

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

21 MS. KRAKE: SIXTH ORDER. 6-A.

22 READING BY TITLE - FILE OF COUNCIL NO. 11,
23 2012- AN ORDINANCE - AMENDING FILE OF
24 COUNCIL NO. 40, 2010, ENTITLED "AN ORDINANCE
25 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

1 OFFICIALS OF THE CITY OF SCRANTON TO TAKE
2 ALL NECESSARY ACTIONS TO IMPLEMENT THE
3 CONSOLIDATED SUBMISSION FOR COMMUNITY
4 PLANNING AND DEVELOPMENT PROGRAMS TO BE
5 FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK
6 GRANT (CDBG) PROGRAM, HOME INVESTMENT
7 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY
8 SHELTER GRANT (ESG) PROGRAM, BY TRANSFERRING
9 \$50,000.00 FROM PROJECT NUMBER 11-96.2
10 PURCHASE OF NEIGHBORHOOD POLICE PATROL
11 VEHICLES TO PROJECT NUMBER 11-229.1 UNITED
12 NEIGHBORHOOD CENTERS OF NORTHEASTERN PA -
13 CONDEMNATION PROGRAM.

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

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

18 MR. JOYCE: Second.

19 MS. EVANS: On the question?

20 MR. JOYCE: Second. This is the
21 matter that I pointed out to my colleagues
22 under motions, I'm wondering if Chief Duffy
23 might be able to reply to this in terms of
24 his concern. I think Ms. Aebli is pointing
25 out not only is the city not going to apply

1 for police vehicles and fund them, but they
2 are doing so because they feel that they
3 cannot document their use in low to moderate
4 income areas and I am wondering if Chief
5 Duffy might feel differently.

6 MR. ROGAN: I spoke to Linda about
7 this as well and she did talk to Chief Duffy
8 and because of -- they have to monitor where
9 the police cars are being used, they have to
10 used in low to moderate income areas,

11 MS. EVANS: Yes.

12 MR. ROGAN: Otherwise, we could be
13 stuck in a situation where we are paying
14 back money to the federal government once
15 again.

16 MS. EVANS: But, again, if the
17 neighborhood police patrol if the COM-D
18 officer is the only one who can drive that
19 vehicle then he must stay within the low to
20 moderate income area to which he is assigned
21 because even he himself whether he is on
22 foot, on a bike or in a car can't go outside
23 there to work, so what is the problem?

24 MR. ROGAN: Well, if this goes
25 through it would move that money from the

1 police account to the condemnation program.
2 Chief Duffy has told Linda Aebli that he
3 doesn't intend on applying for funding next
4 year. The funding, if approved, would be
5 for police officers on foot and on bike,
6 although, you know, some people may disagree
7 on this, I would like to see foot patrols
8 and bike patrols back in the neighborhoods.
9 I think that's what the majority of the
10 people in the neighbor hoods want, so I
11 support, you know, going from having the
12 cars to bake on foot --

13 MS. EVANS: Well, I think it's a
14 good idea, too, but I think they can do
15 both, but more importantly, I know that the
16 police department overall is suffering from
17 a tremendous shortage of the vehicles,
18 vehicles that are broken down, they are not
19 being repaired and I'm getting e-mail after
20 e-mail from members of the police department
21 who are very concerned about the police
22 vehicles, the lack of vehicles.

23 MR. LOSCOMBE: Again, it would be
24 great to have foot patrols and bike patrols.
25 Now, we have in here police patrol vehicles,

1 what's to say they can't purchase bikes,
2 motorcycles, dirt bikes for the neighborhood
3 at this point if they don't want patrol
4 vehicles? And again, in the condemnation
5 program that's another thing, I think our
6 Inspections Department has to look -- we
7 have to look a little deeper into the amount
8 of condemnations, too. I agree there is lot
9 of blighted property, but we are going in
10 and condemning them on every whim and I
11 think I had a lot of complaints about that
12 too, so I don't know.

13 At this point, I can't see taking
14 more money out of a, you know, neighborhood
15 police project.

16 MR. ROGAN: I would just say the
17 project right now because of the cuts Mayor
18 Doherty made are ineligible. We can't use
19 the money right now.

20 MS. EVANS: But you can hold the
21 money.

22 MR. ROGAN: We could hold the money.

23 MS. EVANS: Because we are eligible
24 again next year.

25 MR. ROGAN: If we don't fully fund

1 the emergency shelter program and they run
2 out of money the city has to pick up that
3 tab because a house is condemned and there
4 is people living in it the city has to put
5 them up if United Neighborhood Centers isn't
6 doing it, so we may wind of paying \$50,000
7 out of the city budget this year to put
8 those people up. I would prefer to just use
9 the \$50,000 we have now to pay for that and
10 then in next year's budget the \$50,000 we
11 save put in for the police cars.

12 MR. LOSCOMBE: We wouldn't be able
13 to utilize that until probably the end of
14 2013 then.

15 MR. ROGAN: But we would control the
16 process then. Council would be controlling
17 the budgetary process, it wouldn't be
18 controlled by having to apply for a grant,
19 having to get a grant approved through OECD.

20 MR. LOSCOMBE: I'm just saying we
21 wouldn't see it until the following year
22 after the money --

23 MR. ROGAN: We wouldn't anyways
24 because we can't purchase the vehicles this
25 year, so we can put that money in the

1 budgetary process.

2 MS. EVANS: Anyone else on the
3 question?

4 MR. JOYCE: Yes. Let me ask you,
5 and I'm sorry if I may have missed this, is
6 Chief Duffy applying for funding for police
7 vehicles next year?

8 MR. ROGAN: For police patrols.

9 MR. JOYCE: For police patrols, but
10 not the vehicles?

11 MS. EVANS: He is not going to make
12 application.

13 MR. JOYCE: So then technically --
14 well, technically next year then there would
15 be no additional funding that we can apply
16 for police vehicles.

17 MS. EVANS: Correct.

18 MR. JOYCE: But there is some
19 funding in the police vehicles account
20 besides \$50,000?

21 MR. ROGAN: I don't think -- I don't
22 know that the exact number offhand.

23 MS. EVANS: And a document we
24 received in December from Ms. Aebli zeroed
25 out neighborhood police patrols and zeroed

1 out the police vehicles.

2 MR. ROGAN: I do think there is more
3 than -- because I remember there was two
4 years it wasn't used. I think it was
5 Mrs. Schumacher that mentioned, you know,
6 why are we putting money in this account
7 when it hasn't been used. So, you know, I
8 believe there is more. I can call Linda
9 tomorrow and ask her.

10 MS. EVANS: Anyone else?

11 MR. JOYCE: No.

12 MS. EVANS: Anyone else? All those
13 in favor signify by saying aye.

14 MR. MCGOFF: Aye.

15 MR. ROGAN: Aye.

16 MS. EVANS: No.

17 MR. LOSCOMBE: No.

18 MR. JOYCE: No.

19 MS. EVANS: What did we have?

20 MR. JOYCE: Two-three.

21 MS. EVANS: In which direction?

22 MR. JOYCE: No.

23 MR. ROGAN: Can we vote by roll
24 call.

25 MS. EVANS: Roll call, please.

1 MS. CARRERA: Mr. McGoff.

2 MR. MCGOFF: Yes.

3 MS. CARRERA: Mr. Rogan.

4 MR. ROGAN: Yes.

5 MS. CARRERA: Mr. Loscombe.

6 MR. LOSCOMBE: No.

7 MS. CARRERA: Mr. Joyce.

8 MR. JOYCE: No.

9 MS. CARRERA: Mrs. Evans.

10 MS. EVANS: No. The nays have it and
11 the legislation is defeated in Sixth Order.

12 MS. KRAKE: SEVENTH ORDER. 7-A. FOR
13 CONSIDERATION BY THE COMMITTEE ON FINANCE -
14 FOR ADOPTION-FILE OF COUNCIL NO. 8, 2012 -
15 AMENDING FILE OF COUNCIL NO. 56, 2011, AN
16 ORDINANCE ENTITLED "THE GENERAL CITY
17 OPERATING BUDGET 2012" BY TRANSFERRING
18 \$20,000.00 FROM ACCOUNT NO.
19 01.401.13090.4299 (CONTINGENCY - OPERATING
20 EXPENSES) TO ACCOUNT NO.01.020.00000.4201
21 (PROFESSIONAL SERVICES) TO PROVIDE FUNDING
22 TO ECTV FOR OPERATING EXPENSES DURING THE
23 YEAR 2012.

24 MS. EVANS: What is the
25 recommendation of the Chair for the

1 Committee on Finance?

2 MR. JOYCE: As Chairperson for the
3 Committee on Finance, I recommend final
4 passage of Item 7-B.

5 MS. EVANS: Do we have a second?

6 MR. LOSCOMBE: Second.

7 MS. EVANS: On the question?

8 MR. ROGAN: Yes, on the question. I
9 would just like to reiterate my opposition
10 from last week. I have been very critical
11 of ECTV since they took over. I believe our
12 previous provider did a better job for a
13 lower price.

14 Additionally, taking \$20,000 out of
15 the contingency fund that now since the
16 previous piece of legislation was shot down
17 my be needed to cover emergency shelter
18 grants. You know, I'm disappointed that was
19 shot down, I could have made the phone call
20 to Linda tomorrow, but either way it's
21 mainly a vote because I don't support the
22 way ECTV has been run.

23 MS. EVANS: Anyone else on the
24 question? Roll call, please?

25 MS. CARRERA: Mr. McGoff.

1 MR. MCGOFF: Yes.

2 MS. CARRERA: Mr. Rogan.

3 MR. ROGAN: No.

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-A legally and lawfully adopted.

11 MS. KRAKE: 7-B. FOR CONSIDERATION
12 BY THE COMMITTEE ON RULES - FOR ADOPTION -
13 FILE OF COUNCIL NO. 9, 2012 - AUTHORIZING
14 THE MAYOR AND OTHER APPROPRIATE CITY
15 OFFICIALS TO EXECUTE AND ENTER INTO AN
16 EASEMENT
17 AGREEMENT FOR THE SCRANTON ARMY AMMUNITION
18 PLANT TO MAINTAIN THEIR EQUIPMENT LOCATED IN
19 A PUMP STATION LOCATED BENEATH MATTES
20 AVENUE.

21 MS. EVANS: As Chair for the
22 Committee on Rules, I recommend final
23 passage of Item 7-B.

24 MR. ROGAN: Second.

25 MS. EVANS: On the question?

1 MR. ROGAN: Yes. I found the answer
2 that was requested. It says, "The sole
3 purpose of this easement for the
4 installation of an oil water separator
5 system under city-owned land to be used by
6 the Scranton Army ammunition plant, so it
7 will be underneath the road.

8 MS. EVANS: Roll call, please?

9 MS. CARRERA: Mr. McGoff.

10 MR. MCGOFF: Yes.

11 MS. CARRERA: Mr. Rogan.

12 MR. ROGAN: Yes.

13 MS. CARRERA: Mr. Loscombe.

14 MR. LOSCOMBE: Yes.

15 MS. CARRERA: Mr. Joyce.

16 MR. JOYCE: Yes.

17 MS. CARRERA: Mrs. Evans.

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

20 MS. KRAKE: 7-C. FOR CONSIDERATION
21 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -
22 FOR ADOPTION - FILE OF COUNCIL NO. 10, 2012
23 - AMENDING FILE OF COUNCIL NO. 40, 2010,
24 AS AMENDED ENTITLED, "AN ORDINANCE
25 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

1 OFFICIALS OF THE CITY OF SCRANTON TO TAKE
2 ALL NECESSARY ACTIONS TO IMPLEMENT THE
3 CONSOLIDATED SUBMISSION FOR COMMUNITY
4 PLANNING AND DEVELOPMENT PROGRAMS TO BE
5 FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK
6 GRANT (CDBG) PROGRAM, HOME INVESTMENT
7 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY
8 SOLUTIONS GRANT (ESG) PROGRAM", BY
9 TRANSFERRING A TOTAL AMOUNT OF \$500,000.00
10 FROM PROJECTS 05-15 EMERGENCY FLOOD RELIEF,
11 07-225 SLIBCO, 05-155 HILL NEIGHBORHOOD
12 ASSOCIATION, 05-172 LACKAWANNA COLLEGE
13 (SCRANTON LACE), 10-199 SCRANTON CULTURAL
14 CENTER, 10-237.2 CENTER FOR INDEPENDENT
15 LIVING, 10-175 TELESPOND SENIOR SERVICES,
16 INC. TO PROJECT 11-04. RECONSTRUCTION OF
17 ROADS AND HANDICAP CURB CUTS.

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

21 MR. ROGAN: As Chairperson for the
22 Committee on Community Development, I
23 recommend final passage of Item 7-C.

24 MS. EVANS: Do we have a second?

25 MR. JOYCE: Second.

1 MS. EVANS: On the question?

2 MR. ROGAN: Yes, on the question, I
3 know there was some concerns raised about
4 the Hill Neighborhood Association.
5 Although, I do support neighborhood
6 associations across the city, from speaking
7 to OECD they weren't going to release the
8 funds to them. They don't believe that the
9 building has been classified as a public
10 building. I did take a swing by there, I'm
11 not an expert on HUD regulations, but to me
12 it looked like a house.

13 Furthermore, I think the larger
14 issue is \$500,000 can go a long way to
15 repair the roads in this city which has been
16 probably one the biggest problems with this
17 city outside of money we are missing for the
18 last decade.

19 MS. EVANS: Anyone else on the
20 question? Roll call, please?

21 MS. CARRERA: Mr. McGoff.

22 MR. MCGOFF: Yes.

23 MS. CARRERA: Mr. Rogan.

24 MR. ROGAN: Yes.

25 MS. CARRERA: Mr. Loscombe.

1 MR. LOSCOMBE: Yes.

2 MS. CARRERA: Mr. Joyce.

3 MR. JOYCE: Yes.

4 MS. CARRERA: Mrs. Evans.

5 MS. EVANS: Yes. I hereby declare
6 Item 7-C legally and lawfully adopted.

7 MS. KRAKE: 7-D. FOR CONSIDERATION
8 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
9 ADOPTION - RESOLUTION NO. 3, 2012 -
10 ACCEPTING A DONATION OF TWO HUNDRED FIFTY
11 (\$250.00) DOLLARS FROM MAGNA FLOW
12 ENVIRONMENTAL, INC. AND A SEVENTY
13 FIVE (\$75.00) DOLLAR DONATION FROM
14 ANTHRACITE HERITAGE MUSEUM PRESENTED TO THE
15 CITY OF SCRANTON FIRE DEPARTMENT.

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

19 MR. LOSCOMBE: As Chairperson for
20 the Committee on Public Safety, I recommend
21 final passage of Item 7-D and also wish to
22 express my thanks.

23 MR. ROGAN: Second.

24 MS. EVANS: On the question?

25 Council is very grateful for the donation of

1 \$250 from Magna Flow Environmental and I'm
2 sure our was will send them a thank you
3 letter.

4 MR. JOYCE: Yes, absolutely.

5 MS. EVANS: Roll call, please.

6 MR. LOSCOMBE: And the Anthracite
7 Heritage Museum, also.

8 MS. EVANS: And the Anthracite
9 Heritage Museum as well for their \$75
10 donation.

11 MS. CARRERA: Mr. McGoff.

12 MR. MCGOFF: Yes.

13 MS. CARRERA: Mr. Rogan.

14 MR. ROGAN: Yes.

15 MS. CARRERA: Mr. Loscombe.

16 MR. LOSCOMBE: Yes.

17 MS. CARRERA: Mr. Joyce.

18 MR. JOYCE: Yes.

19 MS. CARRERA: Mrs. Evans.

20 MS. EVANS: Yes. I hereby declare
21 Item 7-D legally and lawfully adopted.

22 MS. KRAKE: 7-E. FOR CONSIDERATION
23 BY THE COMMITTEE ON RULES - FOR ADOPTION -
24 RESOLUTION NO. 4, 2012 - AUTHORIZING THE
25 MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE

1 CITY OF SCRANTON TO EXECUTE AND ENTER INTO A
2 COLLECTIVE BARGAINING AGREEMENT WITH THE
3 INTERNATIONAL ASSOCIATION OF MACHINISTS AND
4 AEROSPACE WORKERS LOCAL NO. 2462 (CLERICAL
5 UNION)

6 MR. JOYCE: I make a motion to table
7 Item 7-E.

8 MR. ROGAN: Second.

9 MS. EVANS: On the question?

10 MR. JOYCE: Yes. Tonight I'm making
11 a motion to table the clerical union
12 contract. In speaking with PEL regarding
13 the parameters of the contract, I do believe
14 from a financial aspect as far as wages,
15 health insurance, etcetera, that the
16 contract is fair. I do not agree with one
17 part of the contract and that is the
18 reinstatement of two clerical union
19 positions in the office of city council.
20 These positions are in that contract.

21 Currently, the clerical union is
22 suing the city to have our confidential
23 secretary and legislative assistant fired to
24 replace them with workers that which may not
25 have any experience in the job. I don't

1 agree with this. As elected officials and
2 as directed by the Home Rule Charter, we
3 should have the right to hire employees in
4 our office as we see fit, and I spoke with
5 Mrs. Herchick and Ms. Fowler who were
6 representing the clerical union before the
7 meeting, and I obtained the business card of
8 their business manager and they said they
9 had no part in filing the grievance against
10 city council. However, I think it would be
11 our due diligence to contact this business
12 manager to discuss this more with him
13 because I think that these positions that
14 are in our office currently should stay in
15 our office and they should not be replaced
16 by positions from the clerical union.

17 MS. EVANS: In addition, when you
18 are speaking with their business manager you
19 might also ask him why other positions that
20 were removed from the union were not grieved
21 by the union.

22 MR. JOYCE: Right, and I understand
23 that one time there were union workers
24 working in the mayor's office, however,
25 there are now union workers working in the

1 mayor's office and he has a confidential
2 secretary, so I wonder why these positions
3 were not grieved as well.

4 MS. EVANS: I think the bottom line
5 is if we are to approve this contract
6 tonight we would be approving the fact that
7 these are -- the jobs in our office are
8 union positions and this case is in Court.
9 Therefore, this council can't approve this
10 contract, and our intention is to table it
11 at this time.

12 MR. ROGAN: I would agree and, you
13 know, Mr. Joyce summed it up. Every level
14 government we have at-will employees,
15 usually people that agree with your
16 philosophy, agree with what you are trying
17 to do and if a new council majority takes
18 over and they to hire people that believe
19 in, you know, the direction they want to
20 take it, that's what they have a right to
21 do, like with the mayor, and that's how it
22 should be.

23 MS. EVANS: And it's in the Home
24 Rule Charter.

25 MR. MCGOFF: Under what contract are

1 the clerical people currently working, is it
2 the one that we are voting on or is it the
3 prior contract?

4 MS. EVANS: The clerical union
5 members throughout city hall?

6 MR. MCGOFF: Yes.

7 MS. EVANS: I believe they are with
8 the previous contract. Obviously, I don't
9 think they can be working with this contract
10 until it is approved by city council, signed
11 by the mayor, and signed by the union
12 president.

13 MR. JOYCE: And I don't think that
14 it will affect their pay for this year since
15 I believe there was a pay freeze in the
16 first year of the contract, so it wouldn't
17 be impacting the employees' salaries, so I
18 believe they receive a raise until the year
19 after in 2013.

20 MR. MCGOFF: Thank you.

21 MR. JOYCE: That's just my take on
22 it.

23 MS. EVANS: All those in favor of
24 tabling Item 7-E signify by saying aye.

25 MR. MCGOFF: Aye.

1 MR. ROGAN: Aye.

2 MR. LOSCOMBE: Aye.

3 MR. JOYCE: Aye.

4 MS. EVANS: Aye. Opposed? The ayes
5 have it and so moved. Item 7-E is now
6 tabled.

7 MS. KRAKE: 7-F. FOR CONSIDERATION
8 BY THE COMMITTEE ON RULES - FOR ADOPTION -
9 RESOLUTION NO. 5, 2012 - APPOINTMENT OF
10 MARK DOUGHER, 1105 CORNELL STREET, SCRANTON,
11 PENNSYLVANIA 18504, TO THE POSITION OF
12 DIRECTOR OF PARKS AND RECREATION AND PUBLIC
13 WORKS EFFECTIVE JANUARY 1, 2012. MR.
14 DOUGHER WILL BE REPLACING JEFFREY BRAZIL,
15 WHO RESIGNED.

16 MS. EVANS: As Chair for the
17 Committee on Rules, I recommend final
18 passage of Item 7-F.

19 MR. JOYCE: Second.

20 MS. EVANS: On the question? Roll
21 call, please?

22 MS. CARRERA: Mr. McGoff.

23 MR. MCGOFF: Yes.

24 MS. CARRERA: Mr. Rogan.

25 MR. ROGAN: Yes.

1 MS. CARRERA: Mr. Loscombe.

2 MR. LOSCOMBE: Yes.

3 MS. CARRERA: Mr. Joyce.

4 MR. JOYCE: Yes.

5 MS. CARRERA: Mrs. Evans.

6 MS. EVANS: Yes. I hereby declare
7 Item 7-F legally and lawfully adopted.

8 MR. MCGOFF: Mrs. Evans, can I just
9 ask one question I meant to ask?

10 MS. EVANS: Sure.

11 MR. MCGOFF: The previous dealing
12 with the clerical union contract, do we know
13 when that grievance is going to be heard?

14 MS. EVANS: No, we do not. We filed
15 an appeal in Court.

16 MR. MCGOFF: So there is no date for
17 that?

18 MS. EVANS: No, there isn't.

19 MR. MCGOFF: Thank you.

20 MS. EVANS: You're welcome. If
21 there is nothing further, I'll entertain a
22 motion to adjourn.

23 MR. JOYCE: Motion to adjourn.

24 MS. EVANS: This meeting is
25 adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER