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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, February 16, 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
(Not present.)

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

JAMIE MARCIANO, 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. MARCIANO: Mr. McGoff. Mr.
5 Rogan.

6 MR. ROGAN: Here.

7 MS. MARCIANO: Mr. Loscombe.

8 MR. LOSCOMBE: Here.

9 MS. MARCIANO: Mr. Joyce.

10 MR. JOYCE: Here.

11 MS. MARCIANO: Mrs. Evans.

12 MS. EVANS: Here. Dispense with the
13 reading of the minutes, please.

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

15 APPLICATIONS ALONG WITH DECISIONS RENDERED
16 BY THE ZONING HEARING BOARD ON WEDNESDAY,
17 FEBRUARY 8, 2012.

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

20 MS. KRAKE: 3-B. LACKAWANNA COUNTY
21 PLANNING COMMISSION SUBDIVISION AND LAND
22 DEVELOPMENT EVALUATION.

23 MS. EVANS: Are there any comments?
24 If not, received and filed.

25 MS. KRAKE: 3-C. AGENDA FOR THE CITY

1 PLANNING COMMISSION MEETING HELD FEBRUARY
2 15, 2012.

3 MS. EVANS: Are there any comments?
4 If not, received and filed.

5 MS. KRAKE; 3-D. TAX ASSESSOR'S
6 REPORT, APPEAL HEARINGS FOR FEBRUARY 29,
7 2012.

8 MS. EVANS: Are there any comments?
9 If not, received and filed. Do we have any
10 clerk's notes?

11 MS. KRAKE: No, Mrs. Evans.

12 MS. EVANS: Thank you. And do any
13 council members have announcements at this
14 time? Go ahead.

15 MR. LOSCOMBE: I'm sorry, I said I
16 have none.

17 MS. EVANS: None, I thought you said
18 I have one. The Scranton/Lackawanna County
19 Taxpayers' Association meeting will be
20 conducted on Tuesday, February 21, at 6:00
21 p.m. and will be televised live in City
22 Council chambers.

23 St. Peter's and Paul's Roman
24 Catholic Church, 1309 West Locust Street in
25 Scranton will hold and clam chowder sale

1 every Saturday before and after the 4 p.m.
2 mass, and Sunday before and after the 11
3 a.m. mass during the Lenten season,
4 beginning with this weekend, February 18 and
5 19. Pierogies are \$6 per dozen and clam
6 chowder is \$6 per quart.

7 Also, a bake sale and a basket
8 raffle will be conducted on Palm Saturday and
9 Sunday, March 31 and April 1, before and
10 after the weekend masses. Be sure to pick
11 up these delicious homemade Lenten treats,
12 and that's it.

13 MS. KRAKE: FOURTH ORDER. CITIZENS'
14 PARTICIPATION.

15 MS. EVANS: Our first speaker this
16 evening is Andy Sbaraglia.

17 MR. SBARAGLIA: Andy Sbaraglia,
18 citizen of Scranton. Fellow Scrantonians,
19 today we start -- well, we are not exactly
20 at the beginning of the new year, but I'll
21 say the starting of a new year. Normally we
22 start a new year we have two TANS that we
23 could use, one for 12 1/2 and another 5
24 which adds up to about 17 1/2 million, plus
25 we have some people paying their taxes

1 early, so they come in and you can use that
2 money. We don't have that now. We only
3 got-- from the TAN we have we only got 6 1/2
4 million we could literally use all the money
5 that you pay your taxes is being held up by
6 the bank, they got a lock on it until they
7 get their money back. That means we are
8 actually cash strapped. Normally we have
9 about 25 million we can blow at the
10 beginning of the year, now we are down to
11 about nine and it just -- I don't know, it
12 sends up a flag, a red flag, that we are
13 going to have people that have to be laid
14 off later on because we ain't going to have
15 money, and that's all right we are already
16 down almost bare knuckles as it is now.

17 Our fire department has been, well,
18 what do you want to say, decapitated, I
19 guess you can use that word. It's been that
20 way with it. Your police seems to be doing
21 okay. Your DPW seems to be recouping all
22 the time. You get rid of some, more are
23 hired, so we are almost where we were with
24 the DPW, but the thing is our fire
25 department is getting bad, our services our

1 going to get effected too because eventually
2 we don't have the money. You don't have all
3 of that money we had before to spend and
4 unless he sits there and says we don't have
5 it and we can only do things for emergency,
6 we are going to have huge layoffs and there
7 is nothing you can do about it. I mean,
8 it's there in front of you, and I don't know
9 if he cares or not because, like I said, he
10 gets a salary, too. So to not cut his
11 salary, first, it's not much. I always said
12 that, you get what you pay for. We are
13 paying the mayor probably less than the
14 garbage man, I shouldn't say garbage man,
15 sanitation worker. We are probably paying
16 him less because they are overtime and
17 everything and that's what we are getting.
18 We are getting less.

19 I always said before, the council
20 you should have maybe a three-member council
21 but paid full-time staff on council to check
22 the mayor and really that's the only thing
23 you can do because where we are now didn't
24 start today, yesterday or the day before, it
25 starts when this mayor took office, and the

1 people don't remember the first thing he did
2 was borrow the 72 million for this project
3 and that project and whatever project. We
4 have it, but we started off with a debt then
5 there was no need at that time to buy the
6 lights. As you see they are coming up now,
7 it's in the news and so forth and so on, we
8 didn't need it at that time, but we borrowed
9 money to buy the lights from PPL.

10 Did we make a saving? Nobody knows.
11 Nobody can even calculate if we did make a
12 savings, but the original contract called
13 for the lights to be changed, almost a
14 quarter of the lights to be changed into
15 energy efficient lights. Whether it was
16 done, who knows, but that's what the
17 original contract called for.

18 If you read the contracts that the
19 city gave out in the very beginning you saw
20 they were not needed. A lot of it was not
21 needed, didn't have to be done at that time,
22 could have been disposed, but when you want
23 to run for office you need contracts to go
24 out because people ain't going to give you
25 money because they love you, I don't care

1 what you say. The reason they give you
2 money is because they expect something in
3 return, like anything else in life.

4 So here we are today deep in debt
5 and he still can't run for anything because
6 he put the city so far into debt nobody
7 wants to touch him, and I don't blame him.
8 What he did to the city is the worst thing
9 any mayor could ever do to this city is what
10 he did. He put us so far into debt that our
11 services now have to be curtailed to just
12 survive. That's not right. That wasn't
13 right, I have been saying that for a lot a
14 lot of years it wasn't right and what was
15 going to happen.

16 And I keep saying that you can't
17 vote your name or your party, you got to
18 vote your individual, check each candidate
19 that comes before you and check everything
20 you can on it. Thank you.

21 MS. EVANS: Thank you,
22 Mr. Sbaraglia. Ozzie Quinn.

23 MR. QUINN: Ozzie Quinn, Taxpayers'
24 Association, Incorporated. Good evening.

25 MR. JOYCE: Good evening.

1 MR. QUINN: First of all,
2 Mrs. Evans, I want to thank you for
3 announcing of our meeting on the 21st at
4 6:00 p.m.

5 MS. EVANS: Certainly.

6 MR. QUINN: I hope the public comes
7 to the meeting, and I want to thank ECTV for
8 cooperating and getting this news out, okay.

9 Last Monday I went to a public
10 hearing on Audubon school, the various
11 options, and I brought up the fact that
12 about a former study that was done on
13 Audubon school and the debt of the city, the
14 county, and the school district and, you
15 know, I asked them to hold off on everything
16 to see where we are going, and I actually --
17 and I told them unequivocally that if the
18 four of you did not vote for knocking those
19 taxes down from 29 to 4 percent I'm telling
20 you I don't think anybody would be paying
21 their taxes, you know? It was -- that was
22 unbelievable. A good gesture.

23 Now, what bothers me is that, you
24 know, I thought I had some information there
25 that the public, you know, would be able to

1 look at, you know, and evaluate, you know,
2 and you know there was not one line that I
3 was at the meeting in the Scranton Times, so
4 that's how valuable ECTV is to this
5 community, you know? They should -- you
6 know, there is a situation. They are
7 probably saying, "What does he know" or
8 "Forget about him," you know what I mean, or
9 maybe he is troublemaker, you know he is
10 rocking the Times' boat or something or
11 rocking Doherty's boat, same difference, you
12 know, but it really bothers me.

13 MR. JOYCE: On refinancing, okay?

14 MR. JOYCE: Yes.

15 MR. QUINN: I read in the paper
16 about saying that you have to refinance and
17 it should come down from the law office
18 right away, the \$9.85 million, you know,
19 Mrs. Evans a phrase years ago the Doherty
20 debt, and this is what he has been doing
21 since 2003. He has been, you know, I have
22 repeated it several times, taking one credit
23 card, the bad credit card, paying off with
24 this credit card and you can't do it. You
25 cannot do it. You can't break even.

1 But you're backed into a corner
2 here, you know, and I don't if that judge,
3 he is from Monroe County, I don't know if he
4 has put into consideration the debt in this
5 city and the county and what's going on,
6 okay? And it just ashame that you are
7 backed into this corner and then you have
8 PEL and you have the bankers coming in and
9 you have a -- I think you have a tough road
10 to hoe here. You have a lot of pressure on
11 you. There is lot of pressure being put on
12 you people and it's ashame because of this
13 man, Mr. Doherty.

14 And, Mr. Joyce, the 2010 audit,
15 where are we at on that?

16 MR. JOYCE: There was an exit
17 conference today and a printed copy of the
18 audit will made available in our office
19 tomorrow.

20 MR. QUINN: I want to ask you
21 something, could you mention anything in
22 that about the audit or no?

23 MR. JOYCE: Yes. I could mention
24 everything during motions, if you would
25 like.

1 MR. QUINN: What I want to know is
2 there a surcharge by Rossi & Rossi on
3 Mr. Doherty and Mr. McGowan?

4 MR. JOYCE: No, there was no
5 surcharge on Mr. Doherty and Mr. McGowan.

6 MR. QUINN: What did he do about the
7 \$3 million that was missing for four years?
8 He is the one that -- Rossi & Rossi should
9 be the one surcharged? What was the reason
10 for missing that?

11 MR. JOYCE: They didn't provide a
12 reason of the.

13 MR. QUINN: How could CPAs not do a
14 job and miss \$3 million? You know, it's
15 just unbelievable, and then the business
16 administrator, you know, and then they take
17 that \$3 million and when I saw they used it
18 for Workmen's Compensation insurance, I
19 thought they were going to use it for debt
20 for vendors and everything, I thought, my
21 God, we are really in bad problems when they
22 are trying to catch up with the Workmen's
23 Compensation and with insurances they had to
24 use that \$3 million. My gosh. Where are we
25 going, you know?

1 And as far as that story about MEM
2 and what's going on in regards to the
3 streetlights and about Doherty 35 percent
4 being given to him by two of the partners, I
5 can give you ten contractors right now that
6 I have researched that gave financial
7 contributions to Mr. Doherty that got
8 contracts here in the City of Scranton,
9 okay? So there is a lot out there, so
10 believe me, how people can put up with it,
11 you know, something has got to be done.
12 Thank you.

13 MS. EVANS: Thank you.

14 MR. HUGHES: Madam Chairman, if I
15 could just to be very brief.

16 MS. EVANS: Yes.

17 MR. HUGHES: On the Rossi audit, it
18 is my understanding that the audit for this
19 year and for the previous years did contain
20 the money in the Fidelity Bank account.
21 Under the accounting standards that applies
22 to governmental entities, they are not the
23 same as the accounts when they do it -- when
24 they did an accounting or they do an audit
25 for private entities under GAP. The moneys,

1 you will notice in the Rossi audit, it will
2 be cash on-hand as of December 31 of the end
3 of each year. I believe that for 2010, the
4 amount that was stated in there was the city
5 had \$4 million cash on-hand. It doesn't
6 I've the accounts, they don't have to under
7 the municipal guideline standards for
8 accountants when they do the audit of any
9 municipality. All those monies in that
10 Fidelity account are included in that
11 amount.

12 MR. JOYCE: Yes.

13 MR. HUGHES: So I don't know what
14 the exact figure was, but if it -- it was
15 over \$4 million dollars. That amount, that
16 \$3 million was included in there. It was
17 not footnoted out as to what accounts it was
18 in, and for the previous year if that was \$2
19 million that was in the Fidelity account,
20 that also would have been included with cash
21 on-hand, so those figures were disclosed.

22 And in accordance, as I understand
23 it, in accordance with the accounting
24 principals that were applicable to any CPA
25 when they do municipal audits, that they do

1 not have to break out what accounts they are
2 in for the cash on-hand as long as the full
3 amount is disclosed. Thank you.

4 MR. QUINN: Excuse me, Mrs. Evans, I
5 wish to -- since Mr. Hughes mentioned that,
6 but, you know, that's playing hide and seek.
7 That you can put anything down there. I
8 want to know where my money is, in what bank
9 and what interest rate.

10 MS. EVANS: And council does, too.

11 MR. QUINN: Thank you.

12 MS. EVANS: And Sherry Conan.

13 MS. CONAN: Yep.

14 MR. HUGHES: The only thing I would
15 suggest, and I don't know if Rossi would do
16 it or any auditor would do it when they do
17 the audit would be that when they receive
18 the final audit that because of what
19 happened with the \$3 million in that account
20 that we would request Rossi and future
21 audits to break it out by line item or by
22 bank accounts so council would know what
23 accounts makeup that amount of cash on-hand
24 at the end of the year so this could never
25 happen again.

1 MS. EVANS: Yes.

2 MR. HUGHES: That would be my
3 recommendation.

4 MS. EVANS: And, Mrs. Krake, I would
5 ask, please, that a letter would be sent on
6 behalf of city council to Rossi & Company
7 directing them to provide that information
8 on the recommendation of the council
9 solicitor. Thank you. Yes, please.

10 MS. CONAN: I'm here because I would
11 like to --

12 MS. EVANS: First, I'm sorry, first
13 could you state your name and address,
14 please?

15 MS. CONAN: It's Sherry Conan. It's
16 531 North Bromley. You have that?

17 MS. EVANS: Well, our --

18 MS. CONAN: Oh, I'm sorry. It's 531
19 North Bromley.

20 MS. EVANS: Thank you very much.

21 MS. CONAN: The reason I'm here is I
22 was asking about -- wondering about that
23 bridge that's downtown that's blocked off.
24 I was supposed to ask when that was bridge
25 was going to be taken care of.

1 MR. LOSCOMBE: The Linden Street
2 bridge?

3 MS. CONAN: Yes.

4 MR. LOSCOMBE: We still don't have a
5 target date at this point. I mean, early
6 spring is what they are telling us, but they
7 are still waiting for the right-of-way
8 permit. I believe the railroad right-of-way
9 is the hold up at this point. It's just the
10 bureaucracy in the paperwork that's held up.
11 They have had the design setup a while ago
12 and they're ready to go, but it's just the
13 permits from the different agencies that
14 they have to obtain, but the latest I
15 understand is it will be -- it should be
16 starting shortly, as soon as they get that
17 permit.

18 MS. CONAN: Yeah, because some
19 neighbors were talking about that and they
20 wanted to know when they were going to have,
21 you know, fix the potholes, I guess there is
22 more potholes in the road and they were
23 talking about that.

24 MR. LOSCOMBE: Yeah, I know it's a
25 big inconvenience and we have been asking

1 that, but PennDOT has assured us and, in
2 fact, they showed me they already have the
3 designs ready and everything it was just a
4 matter of the permitting paperwork that's
5 been held up.

6 MS. CONAN: Okay, and then the other
7 thing I already talked to him about
8 something so he heard this already, so thank
9 you on that.

10 MR. ROGAN: You're welcome.

11 MS. CONAN: Because we all care
12 about that, we all appreciate that something
13 would be definitely done with it.

14 MR. ROGAN: Absolutely. You are
15 welcome.

16 MS. CONAN: Because it would be like
17 my niece, you know, I wouldn't want her
18 going in there --

19 MR. ROGAN: Yeah.

20 MS. CONAN: -- and buying that, see.
21 So you do know, and I thank you.

22 MR. ROGAN: Oh, you are welcome.

23 MS. EVANS: Thank you. Bob Bolus.

24 MR. BOLUS: Good evening, Council,
25 Bob Bolus, Scranton.

1 MR. JOYCE: Good evening.

2 MR. BOLUS: I would like to take a
3 moment and publically pay respects to Jimmy
4 Klee. I stopped there this evening before I
5 came here. You know, I think Jimmy was a
6 true hero of the people of this city. I
7 have known him for many, many, many, many
8 years, good, bad and indifferent, but you
9 always knew where Jimmy was coming from.
10 The uniform didn't make a difference. He
11 was truly the people's police officer and he
12 is going to be sorely missed by a lot of us
13 because when you asked him a question he
14 always got a straight answer whether you
15 liked it or not.

16 And he was the guy who gave you the
17 chances, he was the kind of guy that would
18 take a kid home to his parents first and
19 tell them to deal with the kid before they
20 had to deal with the law. So he is a
21 generation that helped make Scranton what it
22 is today, and I think we all owe him a great
23 deal of gratitude and I would just like to
24 say thank you tonight to Jimmy.

25 It gets a little funnier now, we get

1 a little more serious about what makes
2 Scranton what it is back then and what it is
3 today. We got MEM, the light people, the
4 claim in the paper Doherty's donations, I
5 don't know what the big thing is about it.
6 Everybody is all, geez, Doherty got
7 donations, he got 30,000, 5,000, he got this
8 from this one or that one. Who cares? I
9 don't really care and I don't think anybody
10 else in here cares.

11 When Chris Doherty took money from
12 the corporation, when I ran against him, he
13 took money from JA Doherty, Inc., which is
14 illegal to do, you can't take money from a
15 corporation, and he paid it back out of his
16 campaign finances. I made it public. I did
17 it in a debate at the University of the
18 Scranton, and guess what? Nobody gave a
19 darn. And it was illegal to do. Where was
20 law enforcement to enforce the Code of
21 Ethics and take the violation seriously and
22 hold Chris Doherty accountable? It never
23 happened and we are worried about what he
24 took in donations? It's a laughing joke.
25 He can take all of the money wants. He

1 broke the law, and he snickered at
2 everybody, basically thumbed his nose and he
3 got away with it unless today law
4 enforcement takes the challenge to his
5 campaign finances, and in it's his campaign
6 finances, they are public record, and does
7 something about it. That's what law
8 enforcement is. That's what the Code of
9 Ethics is, that's what me follow when we
10 fill out our political paperwork and
11 criticized this we are late or we are short
12 a penny.

13 Here is guy who flagrantly broke the
14 law and he is the head of this city and you
15 want accountings? He can't even account or
16 be held accountable for what he has done in
17 the past let alone what he did with the
18 money that was hidden, \$3 1/2 million and
19 said, "Oh, I explained it."

20 That's stupidity to sit here and
21 tell me today you don't know where \$3
22 million is in the City of Scranton. The
23 people that are accountable, you did this in
24 business and lost \$3 million and then, oh,
25 guess what we found it as a convenience, but

1 we want \$12 million or \$15 million so we can
2 spend it on what, Carl Greco and other
3 people with professional fees, people that
4 are getting paid for absolutely doing
5 nothing? Millions of dollars.

6 We squandered the golf course money,
7 and that's a sore spot with me, to bail
8 Chris Doherty out, and what do we gain? The
9 kids didn't swim in Novembrino Park this
10 year or we are going to make it something
11 else. The interest of that money was for
12 the kids and the park and recreation, not
13 the bottom line, the full amount that was
14 the interest only.

15 The question, and I have asked it
16 many times, where is the interest from that
17 \$3 1/2 million? To this day I have never
18 heard an accounting how much money we made
19 on the interest in one of the pet banks when
20 higher rates were over here we went to the
21 pet bank that basically controls the City of
22 Scranton, but we never had an accounting.
23 Where is that money? Somebody tell me, we
24 lost \$3 million, we lost interest, we lost
25 how many more millions?

1 This city needs a forensic audit.
2 No bones about it. No more pushing the peas
3 around the plate, this council and this
4 administration needs to step back, hire a
5 forensic accountant and count every eraser,
6 every pencil, everything in this city and
7 know where every dime is. Until that day
8 comes we are never going anywhere.

9 And just real briefly, if I may, why
10 don't we look at the gas industry about
11 drilling in the City of Scranton. We have
12 more gas under this city right now that's
13 entrapped in the mines than they are
14 drilling all over for. There is millions
15 and millions of dollars of an asset under
16 this city right now. It's in the mines.
17 Why don't we look into the gas companies and
18 ask them to come in and explore it for us?
19 Everybody else is making millions all around
20 us and we sit here and do nothing about it,
21 yet, it's right here.

22 We have the leachate line, again,
23 nothing doing because DeNaples played the
24 game the minute delayed paperwork, but we
25 can make changes.

1 And then the last thing I have, is I
2 want to give one for the State of
3 Pennsylvania, they knew how to file an
4 impact fee, and I give zero to the City of
5 Scranton for not filing an impact fee or
6 making that happen. There is millions and
7 millions of dollars that could be brought
8 into this city, windmills, there is so many
9 ways we could go, but we can't find \$ 3 1/2
10 million and you are going to let Chris
11 Doherty continue to push us around? I don't
12 think so. The time for change has come now
13 and it's up to us to make those changes.
14 File the charges on Chris Doherty and have
15 him held accountable for his campaign
16 finances. Thank you.

17 MS. EVANS: Thank you. Doug Miller.

18 MR. MILLER: Good evening, Council.
19 Doug Miller, Scranton.

20 MS. EVANS: Good evening.

21 MR. MILLER: I'd use just like to
22 also begin tonight by paying my respects to
23 Chief Klee and remembering him. I had the
24 chance to go down earlier this evening and
25 pay my respects to the chief. Obviously, a

1 man of honor and integrity and certainly a
2 role model, and someone who I had great
3 respect for and looked up to and one of the
4 things I remember about Chief Klee is going
5 back in May when we unveiled the police
6 memorial down in front of police
7 headquarters Chief Klee was recognized for
8 his over 40 years of the service and
9 obviously it was a humbling day for him and
10 certainly a deserving tribute to Chief Klee
11 and we'll always be grateful for his service
12 to the city and just ask everyone to, you
13 know, please remember him.

14 Regarding the Municipal Energy
15 Management claims that we owe them over
16 \$600,000, this is an issue we have been
17 dealing with a few weeks now, but we did
18 find out earlier this week that individuals
19 associated with the company contributed a
20 total of \$36,000 to Mayor Chris Doherty's
21 campaigns. The mayor likes to claim this
22 week that the campaign contributions had
23 absolutely nothing to do with him awarding
24 the contract to MEM.

25 Well, I think the mayor is either

1 living in a fog, a dream world or just quite
2 frankly thinks the taxpayers of this city
3 are stupid that if he thinks we are going to
4 believe that this is the case, but this is
5 yet again just go to show how misinformed he
6 is and just makes us out to be fools. His
7 actions truly once again question his ethics
8 or lack of ethics and his accountability and
9 leadership.

10 We have had to deal with his pay to
11 play politics for over ten years and it's
12 lead us down a bad road and it's lead us to
13 the situation we are in today, once again,
14 cleaning up his mess, his lack of
15 accountability, his mismanagement, \$3
16 million that we went missing and all of the
17 sudden we found out of the blew.

18 You know, we have had to deal with
19 this forever, and I certainly believe that
20 this questions his record and puts yet again
21 another black mark on his record and I
22 hope -- I would hope that the taxpayers of
23 this I city would could forward and demand
24 that he explain himself, demand the
25 accountability because I just can't

1 understand how we can let this continue time
2 and time again.

3 I mean, we know, it's quite obvious,
4 we look at the campaign contributions
5 reports that he has consistently played this
6 game where he has awarded contracts to
7 individuals who contributed to his campaign
8 and it's just that pay-to-play politics
9 rather than opening it up and opening up the
10 playing peeled and making it fair, something
11 that this council did when you did the
12 legislation on the bidding, to open it up,
13 make it fair so that we put an end to the
14 pay to play.

15 You know, I just think that, once
16 again, as I have said many times from this
17 podium, it just goes to show that we need to
18 seriously consider an investigation of this
19 mayor, and I know it sounds pretty harsh,
20 but it's got to happen, and we have talked
21 about subpoenas and we have talked about
22 other things, but now I think it's time to
23 bring the FBI and the secret service to
24 conduct a full investigation in this man.
25 You know, we just talked about him taking

1 money from his campaign from the
2 corporation, JA Doherty Corporation.
3 Illegal. And they let it go and we continue
4 to elect this man and I just don't
5 understand when the taxpayers in the city
6 are finally going to open up their eyes and
7 realize that what this man is doing is
8 illegal and we need to put an end to it and
9 his politics need to come to an end now, and
10 that's all for tonight. Thank you.

11 MS. EVANS: Thank you, Mr. Miller.
12 Lee Morgan.

13 MR. MORGAN: Good evening, Council.

14 MR. LOSCOMBE: Good evening.

15 MR. MORGAN: You know, I'm going to
16 stray off of the issues from tonight because
17 the city is such dire financial shape that
18 it's like beating a dead horse after it's
19 already deceased. I mean, I don't know if
20 there is any chance of the city to bounce
21 back to be real honest with you, and that's
22 not a shot at council, that's not a shot at
23 the mayor, that's just the financial
24 situation the city is in and I don't want to
25 partake in that this evening, I want to talk

1 about something totally different today.

2 I have received a lot of phone calls
3 from individuals, I have to say men and
4 women, so there was discussions that were
5 brought forward to me about funding for the
6 District Attorney's Office, so I went to the
7 county commissioners and asked a very simple
8 question, because there is lot of people
9 troubled by special interest in the District
10 Attorney's Office. As I said, men and women
11 both ask this question, the question they
12 ask is the Women's Resource Center funding a
13 coordinator and an Assistant District
14 Attorney in the District Attorney's Office?

15 Now, if that's the case that's a
16 very troubling thing that happened to the
17 District Attorney's Office, because the
18 District Attorney is supposed to be
19 independent and you lose all your
20 independence if you are working for another
21 entity, so, of course, I asked that under
22 the Freedom of Information Act at the county
23 commissioners.

24 Well, Mr. Jarbola's answer was that
25 they don't keep that information and they

1 are not obligated to do so, they are not
2 going to answer my question.

3 So then I went to the commissioners
4 because I did a Right-to-Know and I sent
5 that off to Harrisburg, okay? They don't
6 want to cooperate, they don't want to -- I
7 have 30 days to appeal their decision, so I
8 went to the county commissioners and I asked
9 them how every position in the District
10 Attorney's Office is funded through the
11 county. Well, they had five days to answer
12 and respond, they didn't do that either.

13 And I just really find it to be
14 extremely troubling when an organization
15 funded by multiple sources, including
16 congressmen -- I mean, Senator Casey who has
17 brought federal funding to the Women's
18 Resource Center and when you have a district
19 attorney, if this is the case, I mean, it
20 was a very simple question to answer, are
21 any of your positions funded by the Women's
22 Resource Center?

23 And then you have a situation where
24 are we allowing a private organization to
25 use the District Attorney's Office to

1 prosecute, because if you have a coordinator
2 and you have a prosecutor in the District
3 Attorney's Office that's a terrible think.

4 Now, I went to talk to Judge Munley
5 on this issue and told him that it's time to
6 move away from Judge Harhut's way of doing
7 business when he was the president judge
8 because this is absolutely causing a lot of
9 harm and an awful lot of women are extremely
10 troubled that their sons are losing access
11 to their children by false PFAs being filed
12 because it basically sets aside visitation
13 and custody issues.

14 I mean, the Commonwealth of
15 Pennsylvania rewrote Chapter 52 last year,
16 okay, in regards to that, but the real
17 troubling thing is that why -- you know,
18 Mr. Bolus got up and talked about things
19 that had happened in this city and why
20 people aren't prosecuted and, you know, it's
21 my opinion that our government is completely
22 broken. Not just city government, I mean,
23 it's pretty simple for the District Attorney
24 to just release that information. What's so
25 hard about saying, yes, that's going on?

1 It just -- it's really heartbreaking
2 to find out that this could actually be
3 happening and when you go to the county,
4 now, we just elected three new county
5 commissioners and when they won't respond
6 it's a very troubling thing because that's
7 just information that should be open to the
8 public because no group has a right, it's
9 like -- it's like granting any organization
10 a right to prosecute. It just -- the
11 District Attorney's Office loses its
12 independence and who is making decisions
13 there?

14 I mean, it's really time -- look it,
15 I said to the FBI guy the one day on the
16 phone, you got to be kidding because they
17 are chasing Danielle Ross, the attorney ad
18 litem, the guardian ad litem around the
19 courthouse. They need to start prosecuting
20 judges and it's really time to bring
21 independence to the District Attorney's
22 Office. Thank you.

23 MS. EVANS: Thank you. Michael
24 Meholtz.

25 MR. MEHOLTZ: Hello. Michael

1 Meholtz, Scranton.

2 MS. EVANS: Good evening.

3 MR. JOYCE: Good evening.

4 MR. MEHOLTZ: Mine is a little off
5 topic from what we have been talking about.
6 I come here today to talk about larger
7 banking institutions, more national issues.
8 They say we should vote with our feet so I'm
9 coming here to ask city council what banking
10 institutions we bank with and can we
11 transfer to more local, more socially
12 conscious banking institutions?

13 Occupy Wall Street has been pushing
14 for this. They had a bank transfer day, in
15 over 90 days 5.6 million people have moved
16 to more local banks, credit unions. 610,000
17 people stated bank transfer day for the
18 reason why they did this.

19 And so some of the bigger banks, the
20 two big banks, Bank of America, Goldman
21 Sachs, JP Morgan Chase, Wells Fargo, to name
22 a few, are the examples of ones that we do
23 not want to bank with, and to name some of
24 the reasons why, there was predatory
25 lending. They pushed loans on people that

1 could not afford it. They did not do their
2 due diligence. They did not do their
3 paperwork and now they are pushing people
4 out of their homes. We did see the \$26
5 billion foreclosure settlement to do with
6 robo signing. There is a plethora of
7 reason. They got bailouts. TARP was -- I
8 don't know the exact number, it was about
9 500 billion or so. Behind the doors the fed
10 did about over -- 700 trillion in loans, I
11 think it was \$7.7 trillion and it was near 0
12 percent interest.

13 So we know the issues with the big
14 banks so I'm just asking city council to
15 please move their money to a local credit
16 union to show the big banks that they need
17 to be good citizens and so I just would like
18 it hear what you think about that.

19 MS. EVANS: I can't speak for all of
20 the monies that the city deals with, but for
21 those with which I'm familiar I can tell I
22 that the city is dealing with local banks
23 those located within the City of Scranton or
24 very close to our boundaries.

25 MR. MEHOLTZ: National -- I mean,

1 there is like you could say -- are they
2 national though? I mean, there is local
3 Wells Fargos around here, but are they local
4 credit unions?

5 MS. EVANS: I don't believe they are
6 credit unions. I think they are local
7 banks. I have not heard mention of Wells
8 Fargo. I know that the city, for example,
9 keeps its general fund in an account in PNC
10 Bank, and I think PNC is a national bank.

11 MR. JOYCE: It is.

12 MS. EVANS: We have other accounts
13 in Fidelity Deposit and Discount Bank.
14 There have been dealings with First
15 Community Bank. With quite a number of the
16 others, as I said, within the area, like,
17 maybe M & T, Peoples, etcetera.

18 MR. ROGAN: I would also add on the
19 idea of banking locally it's nice, we have
20 to go where we get the best deal because at
21 the end it's the taxpayers' money. If we
22 borrowing and we get a lower interest rate
23 from a big bank we have to go to the big
24 bank.

25 MR. MEHOLTZ: Well, there is other

1 issues to consider besides just that.

2 MS. EVANS: No, I think -- I
3 understand what you are saying in that the
4 banks were not regulated in the past and
5 they have had quite a hand in the economic
6 recession of this country and many, many
7 hardworking people have been injured as a
8 result, and I understand what you are
9 saying. We need to send those types of the
10 banking institutions a message, and with
11 that I do agree.

12 And, you know, again, as I said, I
13 don't know that the city, I mean, I could be
14 wrong and there could be -- as everyone here
15 is well aware there could be accounts of
16 which we have no knowledge, but for those
17 that we do, again, it's local banking.

18 MR. ROGAN: I would just elaborate
19 on a few points, you brought up TARP.
20 Personally I think that was, you know,
21 horrible that the government got involved.
22 You know, I don't agree with the idea of
23 going to a different bank just to send a
24 message if it's going to cost the taxpayers
25 more money, but if we had similar rates

1 between a big bank and a local bank I would
2 absolutely want to go with the local bank.

3 MR. MEHOLTZ: Well, you have to
4 consider the local bank would keep the money
5 in the community so it would be reinvested
6 in the community so in the long run it could
7 be better, in my opinion.

8 MR. ROGAN: Well, it depends on the
9 rates. You know, if we were getting 10
10 percent interest locally and 5 percent
11 nationally, you know, we are going to go
12 with the national bank.

13 MS. EVANS: But it seems during the
14 recession that all of the banks have been in
15 the same boat called the Titanic which is
16 low interest rates across the board for
17 everybody, and high interest rates when you
18 want to borrow.

19 MR. MEHOLTZ: Thank you.

20 MS. EVANS: Thank you. Dave
21 Dobrzyn.

22 MR. DOBRZYN: Good evening. Dave
23 Dobrzyn. Resident of Scranton and taxpayer.

24 MR. LOSCOMBE: Good evening.

25 MR. DOBRZYN: There is a little

1 confusion on MEM. Last week it was reported
2 in the paper that I said we should sue them,
3 I disagree with that. What I said was they
4 should sue us and if they think they are
5 getting their money and welcome to the
6 Commonwealth Court. There is ways of
7 dealing with these people. Some of them
8 aren't pleasant, but all of them are very
9 effective ways.

10 I have a question on the Recovery
11 Plan, if you could address that, because
12 that's starting on -- we are starting to
13 hear echoes of that and I'm wondering if we
14 have control by council or if it is going to
15 be put up for a vote, like, the original one
16 was ten years ago already. And when I first
17 moved back to Scranton I was up at Nay Aug
18 Park and I lived near there for awhile and
19 they had the Summer Fest and they had rides
20 and they had music and so forth and about a
21 year or so ago I was talking to somebody
22 that was connected with that, it was
23 discontinued and shipped over that to tent
24 and the food vendors didn't make any money
25 and they were ticked the next year and they

1 didn't want to come back ever.

2 But somebody mentioned that was
3 connected with the city that we used to earn
4 \$10,000 on that food and Summer Music event.
5 It was Mayor Connors' Music Fest at Nay Aug
6 Park and, you know, I moved back and I
7 thought, well, this is it pretty cool, you
8 know, and when it turned out that we are
9 actually not spending money on it and we are
10 actually making money on it and that money
11 could be used to fund different things
12 around Nay Aug Park.

13 I could tell you the person after
14 that I talked to about it and it's somebody
15 you know very well. So it's something that
16 was on my mind and the kids used to come up
17 and they would get on the rides and their
18 parents could listen to music and I met a
19 whole bunch of acquaintances that I hadn't
20 seen in 20 years and so forth and it was
21 interesting, but the point is that it
22 actually made money and it was discontinued,
23 shipped over to that tent in the back of the
24 park and then it was \$15 a day to attend.
25 There was about 10 people in there and we

1 probably had to go into the city coffers to
2 pay off the band.

3 And the regular food vendors up
4 there was the person that got the business
5 as far as any type of the food. I actually
6 skipped my dinner, I used to just come home
7 and get a shower and go over the park and
8 enjoy the music all night, but it would nice
9 to see the revitalization of something like
10 that.

11 And Mr. McGoff isn't here, I didn't
12 mean to be confrontational last week or turn
13 the St. Patrick's Day Parade into a
14 Veteran's Day parade, but what I suggested
15 was that these guys could march and with a
16 little "Welcome Back Iraq Vets" in the
17 parade and they wouldn't have to march on a
18 rainy day where nobody came, you know, and I
19 so I didn't mean to be confrontational, but
20 I think that's a really good idea.

21 And finally, there is two golden
22 parrot awards, maybe three, I'll think about
23 it, but the Correction Corporation of
24 America has been making donations to
25 politicians and trying to buyout the entire

1 prison system in the country and they want a
2 90 percent occupancy rate guaranteed. So my
3 suggestion is, Comrades, go to Court and
4 pray because we may be coming to get you.

5 And Scott Walker of Wisconsin, we
6 just mentioned \$26 billion penalty that the
7 banks paid for illegal foreclosures, well,
8 he gave a bunch of tax breaks out and now he
9 plans to take the money to close the state
10 deficit, so, Scott Walker, bawk, bawk, bawk,
11 and Correction Corporation, I think we
12 should have learned our lesson about
13 privatizing prisons down in Wilkes-Barre
14 with how many kids wound up in prison over
15 throwing a pillow at their mother. Thank
16 you, and have a good night. And by the way,
17 that girl almost died because she was
18 asthmatic and she wasn't given adequate
19 medical treatment. Have a good night.

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

22 MR. ELLMAN: Hello, Council.

23 MS. EVANS: Good evening.

24 MR. LOSCOMBE: Good evening.

25 MR. ELLMAN: I want to say goodbye

1 to my friend Jimmy Klee tonight. I don't
2 think too many people realize what a
3 gentleman that man was his whole life. I
4 remember before Christmas a year ago we were
5 eating and started talking about St. Jude
6 and he had the same passion, you know, he
7 just gets heartbroken talking about sick
8 children with -- we just spoke for a minute,
9 but he was such a gentlemen. He could pass
10 for a senator, I tell you.

11 Every time he used to phone me I
12 would feel -- I couldn't have been happier
13 if it was the Pope or somebody, and for this
14 insensitive deplorable clod downstairs not
15 to lower that flag outside for Jimmy Klee is
16 an absolute disgrace and for our mayor not
17 to even make some kind of statement about
18 this man it's terrible. That's the kind of
19 an arrogant, aloof person that he comes over
20 to me as, I'm talking about Mr. Doherty. I
21 don't know. He is just -- I get so
22 infuriated that this flag wasn't lowered for
23 this gentleman.

24 You know, here's a man that served
25 the city over 40 years, and I just don't

1 think even people that he probably arrested
2 could say something bad about him. I first
3 met him in 1972 drinking coffee before I met
4 the DeNaples and we kept up a relationship
5 all of those years.

6 Like I said, I just got so
7 infuriated when I have been by the
8 courthouse a couple of times and nothing
9 done and I certainly would like to thank
10 Mr. Duffy and the police force for their
11 respect for him.

12 Right when Mr. Duffy took office I
13 phoned him about something minor, and in
14 about five or ten minutes he phoned me back
15 and I was really surprised, and I mentioned
16 this to Jimmy on the phone and he was very
17 complimentary and had high hopes for
18 Mr. Duffy, so I certainly hope that our
19 police chief follows through.

20 The city has lost a leading citizen.
21 I don't know mean this as bragging, but I
22 have met the Beatles, I knew Elvis before he
23 made records, I have met a lot of
24 personalities and I don't think anybody in
25 my lifetime has impressed me more than Jimmy

1 Klee as being a real just down-to-earth
2 person. Thank you all.

3 MS. EVANS: Thank you.

4 MR. SLEDENZSKI: Hi, Janet.

5 MS. EVANS: Hi, Chrissy.

6 MR. SLEDENZSKI: Jack, you handsome
7 devil you.

8 MR. LOSCOMBE: What's up?

9 MR. SLEDENZSKI: Hey, Jack, this
10 year, there are new shirts this year. New
11 shirt. Make sure you get one. Thanks,
12 Jack.

13 MR. LOSCOMBE: Sure.

14 MS. SCHUMACHER: Good evening.

15 Marie Schumacher. I notice happily that
16 Mr. McGoff is not here today tonight because
17 I know Holy Cross is playing in a
18 championship game and his grandson is a
19 player. As a matter of fact, Chrissy gave
20 me a copy of GO Lackawanna and on page 33 is
21 a picture of his grandson in the last game,
22 so I hope they are doing well tonight.

23 First on Item 6-A, I have a concern
24 with the amount of fees that add up to well
25 over the \$178 amount of the bill itself, so

1 do these fees start accumulating immediately
2 after -- the year after the delinquency or
3 are they longer? I don't know why DPW just
4 can't not collect it at the homes of people
5 who -- with unpaid bills. Is that a
6 possibility? Has that ever been done? Does
7 anybody know?

8 MR. ROGAN: I think that's a good
9 idea. I don't know how it would -- just
10 some of it would work out.

11 MS. SCHUMACHER: Because I think
12 that would be more appropriate than, you
13 know, adding on all of these extra charges
14 that amount more to the \$178 bill, if it's
15 after one year.

16 Next, is the annual -- is the budget
17 and annual operating cost for the North
18 Keyser Avenue Police Facility available to
19 tonight, and if not when it will be
20 available?

21 MR. LOSCOMBE: I have -- I had some
22 medical tests done this week and I haven't
23 had the chance to get together with them,
24 but I assure you next week I will.

25 MS. SCHUMACHER: Thank you. Does

1 council have an index of the Pennsylvania
2 Statutes that apply only to 2-A
3 municipalities?

4 MS. KRAKE: We have the Purdon's
5 books in our office if Mrs. Schumacher would
6 like to look at them. I don't --

7 MS. SCHUMACHER: Well, I mean, the
8 library has them, too, but you have to go
9 through everything to see and that's why I
10 thought maybe you all have accumulated just
11 those that apply to 2-A cities.

12 MS. KRAKE: You can always try to
13 find that on-line and that narrows it down,
14 but I don't know.

15 MS. SCHUMACHER: Okay. That's the
16 answer. Got it. Will the change in moving
17 the discount period for paying the property
18 taxes for the end of February to the end of
19 March jeopardize the monthly payment due to
20 the consortium of banks and cause us to
21 incur a penalty?

22 MR. JOYCE: Well, I don't think it's
23 going to -- in my opinion the moving of the
24 grace period -- well, I don't want to say
25 it's a grace period by any means, but

1 discount period, I don't think it will make
2 a huge impact because all of those -- all of
3 the taxes that are going to the bank will be
4 due by June 30, so I don't think that they
5 are going to -- all they are requiring is
6 that the money is going to straight to them,
7 so I don't think so.

8 MS. SCHUMACHER: I thought it was
9 monthly. I thought there was a monthly
10 payment that was scheduled to be completed
11 in June, so it's just so it's completed,
12 paid off by June?

13 MR. JOYCE: Right. We will need to
14 have it paid off by June.

15 MS. SCHUMACHER: Okay. Thank you.
16 Will this council put review of the Home
17 Rule Charter on the ballot, and if so, when?

18 MR. JOYCE: The Home Rule Charter.

19 MR. ROGAN: I would support it.

20 MS. SCHUMACHER: I mean, council has
21 already voted on this several times, but
22 it's never been put on the ballot and that's
23 what I'm asking because that's sort of where
24 the rubber meets the road.

25 MS. EVANS: I'm sorry, I was --

1 MR. JOYCE: I'm sorry.

2 MS. SCHUMACHER: Okay, the question
3 was will council -- will this council put
4 the review of the Home Ruler Charter on the
5 ballot?

6 MS. EVANS: We haven't even
7 discussed that, Mrs. Schumacher, at this
8 point because we don't even have the
9 Recovery Plan, and I'm going to be -- I'm
10 going to be addressing the issue of the
11 Recovery Plan during my motions.

12 MS. SCHUMACHER: The question was on
13 the Home Rule Charter.

14 MS. EVANS: Oh, on the Home Rule
15 Charter. I thought it was --

16 MS. SCHUMACHER: That was the
17 question. No, that was the question.

18 MS. EVANS: -- were we going to put
19 the Revised Recovery Plan on the ballot.

20 MS. SCHUMACHER: I will get to that
21 later, but, no, no, no, it was will this
22 council put the review of the Home Rule
23 Charter on the ballot, and if you intend to
24 do that which election do you intend to do
25 that? I think we have all gained a lot of

1 experience --

2 MS. EVANS: Again, that isn't
3 something that I think council has ever
4 discussed and --

5 MS. SCHUMACHER: Could you? Would
6 you make a commitment to discuss that and
7 possibly get it on the ballot?

8 MS. EVANS: Yes, I think we can
9 certainly discuss it. I can't put a time
10 line though on this for you in that at this
11 time we are working on so many issues,
12 particularly financial issues, that there
13 is -- the plate overload.

14 MS. SCHUMACHER: That's why you get
15 the big bucks. Geez. Come on. Okay. And
16 then will this council every review or get a
17 committee to review and make recommendations
18 to council as to whether each property
19 owning nonprofit is also entitled under
20 state guidelines to be property tax exempt?

21 MS. EVANS: Can you --

22 MR. HUGHES: That's really not up to
23 council, that's up the Lackawanna County
24 Assessor's Office. That has to be done
25 there. Council has no authority over that.

1 We are looking into certain things on that
2 as to whether -- what the exemptions should
3 be. There is a case that has come down
4 regarding the tests that have to be met
5 regarding that, but that's solely up to the
6 solicitor's office. Council has nothing to
7 do with that.

8 MS. SCHUMACHER: Okay.

9 MR. JOYCE: Though I do think it is
10 a good idea.

11 MR. LOSCOMBE: And I think we would
12 be working with the county and the solicitor
13 to try and pursue some of these things.

14 MS. SCHUMACHER: Speaking of working
15 with county that's my next one again, will
16 this council meet with the county
17 commissioners to explain the impact the lack
18 of a reassessment is having on city revenue
19 and urge them to help the city's plight by
20 performing this long overdue assessment?

21 MS. EVANS: We can certainly discuss
22 that.

23 MR. JOYCE: We can certainly talk to
24 the county commissioners about that.

25 MS. EVANS: I think council needs to

1 discuss it and I'm certain we can make phone
2 calls to the commissioners.

3 MS. SCHUMACHER: If you would report
4 back. I mean, that 35 percent is a pretty
5 healthy number.

6 And then I do have, and you said you
7 are going to do it tonight, is explain the
8 process for the Revised Recovery Plan
9 review, amending and approval process
10 including at what points the public be able
11 to input.

12 And then I've asked a number of
13 times how minutes of council meetings are
14 reviewed, corrected as necessary, and
15 approved. Never got an answer. But after
16 all, the minutes are the permanent record of
17 what happened and what transpired at the
18 meeting, and I'm not sure we want to have
19 such things as this gem from the January 26
20 meeting in the permanent record. Mr. Rogan
21 is quoted as saying, "I just don't want to
22 see laid employees not get their money."

23 I'm pretty sure I heard Mr. Rogan
24 say laid off employees.

25 MR. ROGAN: I think so.

1 MS. SCHUMACHER: And so that's just
2 one example of why they should be read and
3 corrected, and I don't know, are they ever?
4 Okay. I'll be back next week, hopefully
5 with what I promised last week. Thank you.

6 MR. UNGVARSKY: Good evening, city
7 council.

8 MR. JOYCE: Good evening.

9 MR. UNGVARSKY: I'm Tom Ungvarsky
10 and I've got a couple of questions about
11 MEM. I understand there was supposed to be
12 an account setup that we would deposit the
13 savings from the streetlights into that
14 account and pay back MEM for an advancement
15 they made; is that correct?

16 MS. EVANS: I don't know.

17 MR. JOYCE: I'm not sure.

18 MR. UNGVARSKY: Does anyone know the
19 amount that MEM advanced the city and what
20 it was used for?

21 MS. EVANS: No, I do not. I think
22 that -- honestly, the situation with the
23 city and MEM predates everyone on this
24 council. It began back in 2002.

25 MR. UNGVARSKY: Yes, I know,

1 because --

2 MS. EVANS: All I know is that it
3 was never bid and, you know, we know as much
4 as you know from the newspaper.

5 MR. UNGVARSKY: Will we be
6 investigating them or are we just going to
7 give them the money they are demanding, and
8 I guess it's in excess of a half a million
9 dollars that they want from the City of
10 Scranton.

11 MR. JOYCE: Personally I would like
12 to see a statement of the work done and all
13 of the bills.

14 MR. UNGVARSKY: Did we ever pay back
15 the money that they advanced to the city or
16 was that spent on other things that were
17 never brought up to the city council? I
18 know it wasn't your council.

19 MR. JOYCE: Right.

20 MS. EVANS: I wasn't even aware they
21 advanced money to the city.

22 MR. JOYCE: Right, that would be
23 something we have to seriously go back and
24 research to find that out.

25 MR. UNGVARSKY: At the time I know

1 that I advised that council not to enter
2 into it because I couldn't see where they
3 could do a better job than PPL was doing at
4 the time, and it's just another thing that
5 this mayor has got to us into that we are
6 going to end up paying for again. Thank
7 you.

8 MS. EVANS: Thank you.

9 MS. HUMPHRIES: May I step up to the
10 podium?

11 MS. EVANS: And, yes. Yes, you may,
12 but we can't post any posters.

13 MS. HUMPHRIES: No, there is not
14 going to be posters. My name is Phyllis
15 Bernadette. My Muslim name is Fatima
16 Yasmine. My Carmelite name is Phyllis of
17 Jesus and Mary. I came into this world to
18 give a message to the world even as poor and
19 simple as I am, the one I tried to help and
20 I tried to tell, I have been preyed upon
21 since a young child. The political parties
22 are sitting in high places that are corrupt.

23 When I went to intercede, even prior
24 to September 11, nobody wanted to listen and
25 to the exact date, time and hour the World

1 Trade Center went down.

2 And I think of James Klee, may God
3 have mercy on his soul and God bless his
4 family, I send my condolences out to them.
5 Nobody knows the way of God or who God is
6 going to call and nobody likes to hear about
7 God.

8 I have been raped, beat, pillaged
9 from one town to another through high
10 political corrupt forces and we are going to
11 end this from every place in Scranton,
12 Mulberry Towers, where they ripped religious
13 documents off, desecrated me and my property
14 and it was just one big secretive joke from
15 Jessup, Pennsylvania, all the way to
16 Scranton, and my case is going to go up
17 because I feel at this point the people that
18 are sitting in the courthouse and the
19 mayor's office, to tell you the truth, I did
20 ask him to step down because I feel when you
21 come to city council and you show your
22 medical records that you have been raped and
23 violated, pictures of being broken into,
24 desecrated religious articles I think these
25 people should be held accountable, but the

1 whole problem is there a clutch, there is
2 the grasp and there is a step on city
3 council members, on police that really do
4 their jobs, but when he get up to the
5 hierarchy of the public politicians they
6 just cover it up and they shouldn't be. It
7 really shouldn't be.

8 Being people have fungus, they have
9 mold, they have rashes that they don't
10 understand what it is, and I have pictures,
11 I have pictures of fungus and mold that was
12 over Mulberry Towers. People dying, they
13 come in, then they end up in Oxygen tents
14 and whatever. People put with blue ribbons
15 on them which means do not resuscitate,
16 which they did it to me and they documented
17 I didn't have a family.

18 From one city to one town where I
19 went they put like an APB out on me and I
20 got the proof. I'm not schizophrenic, I'm
21 not bipolar, I am posttraumatic. We got to
22 come together and the list on these with the
23 Federal Bureau of Investigation. I feel,
24 and I don't like to use this word, but I
25 think a nicer word would be our FBI and our

1 CIA and our United States citizens were
2 betrayed and because the gift I have and
3 bringing it a year before September and
4 knowing that Muhammad that I never knew
5 would entail in my life that they think I'm
6 a terrorist.

7 I'm thrown out of ambulances, I'm
8 thrown from one gurney to another. I'm
9 injected with medicine I shouldn't have, and
10 the pharmaceutical that they give one helps
11 and the other interacts to make you look
12 like if I took the medication I would be
13 falling all over the place, I would be
14 dribbling and look like a hyena and a nut
15 that they would never accept what's going on
16 with me.

17 This is why I came here. You said
18 to me no posters, I want to tell you before
19 you even said that you didn't even know what
20 I had it my hand, so I'm bringing it up to
21 you because it's going to the UN. You said
22 you wanted St. Michael, an angel painting,
23 but I was bringing you another angel for the
24 City of Scranton and for the UN. The
25 documents have been giving to Dr. Mersa,

1 which I hold in high esteem, and that lot of
2 people have been trying to pull down because
3 he is my doctor.

4 So I'm going to come forward, and I
5 want to you look at it, but I have another
6 documents I'm not going to show you this
7 week. It's the people that have the rashes,
8 the people that are dying, and the people
9 that are living in places that nobody would
10 ever expect, my slum landlords, slum
11 landlords, mind you. So I'm going to come
12 up and you wanted an angel, you are going to
13 get one.

14 (Ms. Humphries approaches the dais.)

15 MS. HUMPHRIES: This is -- they are
16 going to -- babies, brother and sister are
17 -- (inaudible.) Here she is, and here is the
18 mother of the tears of the City of Scranton.
19 And if that doesn't help the City of
20 Scranton to believe, I know they you say you
21 are not supposed to mix religion with
22 politics, but you know what, there is the
23 red mass, the white mass and the blue mass,
24 and you are all in there.

25 And I'm on the outside protesting

1 because truthfully I don't even want to be
2 with some of the people what they do to me,
3 and they are going to be exposed, Mrs.
4 Evans, and I really feel -- Mayor Doherty
5 the first time I met him he wanted me to sit
6 on his lap, he wanted to know if I was a
7 Lesbian and so on.

8 MR. JOYCE: I move to recess.

9 MS. HUMPHRIES: And so there I'm
10 telling you and that's the way it is.

11 MR. ROGAN: Second.

12 MS. HUMPHRIES: So God bless ya --

13 MS. EVANS: We're in recess.

14 (A brief recess was taken.)

15 MS. EVANS: The council meeting will
16 resume at this time, and I do apologize to
17 our audience here in council chambers and to
18 those of you at home. We cannot allow
19 speakers to basically make statements about
20 individuals that are untrue. That type of
21 discussion is uncalled for and cannot be
22 permitted in council chambers and so I do
23 apologize and I assure this audience and
24 those of you at home that this will not be
25 permitted to occur again.

1 Mrs. Krake?

2 MS. KRAKE: 5-A. MOTIONS.

3 MS. EVANS: Mr. Rogan, do you have
4 any comments or motions?

5 MR. ROGAN: Briefly. Thank you. I
6 should have announced this earlier, I just
7 noticed this in my mail, this is an
8 announcements for viewers who have Comcast.
9 It's effective immediately. The following
10 change will take place on Comcast, digital
11 channel items in your area: MWSB, ME-TV
12 will be added Channel 245 on an limited
13 basis for local service for customers with a
14 digital converter or adapter. ME, Memorable
15 Entertainment TV, features a wide range of
16 classic TV programs with more than 100
17 regular series including Mash, Perry Mason,
18 the Mary Tyler Moore show, Gunsmoke, the
19 original Star Trek and many more, so I just
20 wanted to let everyone know that's Channel
21 245.

22 Next, just a comment on a few issues
23 that were brought up by speakers and a few
24 comments on Municipal Energy Managers. The
25 first one is it was brought up about getting

1 a new Home Rule Charter on the ballot, and I
2 do agree we need a new Home Rule Charter.
3 Our charter is outdated. I think we need
4 term limits for mayors, term limits for
5 council people. You know, I think two terms
6 is enough. I think, you know, that once
7 somebody has been in the mayor's office for
8 that long, you know, that's when you know
9 bad things happen, they learn to play the
10 system too well.

11 And that, you know, leads me into my
12 next comments. It's been widely reported in
13 the newspaper about the fraud going on with
14 the Municipal Energy Managers. You know,
15 the former president of the country said it
16 was a Ponzi scheme. It's being
17 investigated, they're alleging the city owes
18 them money, we don't know how much or if the
19 administration does, I don't think we should
20 pay them a dime until we get to the bottom
21 of this and find out exactly what it's for.

22 There was a memo in our mail today,
23 the attachments were presented to Attorney
24 Paul Kelly and Ryan McGowan, it's the
25 documents for the PUC approval of the assets

1 that were transferred to the city and it
2 lists the total fixture count identified as
3 part of the asset detail and the PUC
4 agreement of sale was 5,766, which was later
5 amended to 6,163, and Exhibit A describes
6 line item by line item what was involved in
7 the transaction.

8 Thousands of lumen high pressure
9 sodium fixtures, which I assume are a fancy
10 term for a light bulb. Wood polls, wire
11 polls, aluminum polls, steel polls, trolly
12 polls, switches, relays, street wire, things
13 of that nature. They are just itemized by
14 the amount and the item, no prices were on
15 that slip. And then attached on the next
16 page was the billing details for the total
17 fixture account, which I guess is the total
18 is meant 6,163. I don't know where -- if
19 this was requested by anyone or if it was
20 just sent to us, but I have to look it over
21 a little more thoroughly.

22 It's very upsetting to read articles
23 in the paper about a company that received a
24 no bid contract that's donating tens of
25 thousands of dollars to the mayor. I think

1 \$36,000 was the amount that was donated from
2 that company, the workers and president of
3 the company, others, to the mayor. I don't
4 think any of us of here even spent \$36,000
5 in our entire campaigns, granted, it's for
6 city council it's not quite as expensive of
7 a campaign, but it just shows the pay to
8 play that's been going on in the city. The
9 mayor claims it's not.

10 The financial reports are public,
11 you can look at them and connect the dots.
12 You know, it doesn't take a rocket scientist
13 to realize when somebody is contributing
14 tens off thousands of dollars to somebody's
15 campaign and then they are getting contacts,
16 no bid contracts, something is not right
17 there. And in the end it's always the
18 taxpayers that seem to lose out.

19 But I will be looking into this a
20 little more, obviously, all the facts aren't
21 out there yet. There is still a lot of
22 confusion on this issue, but it's definitely
23 something that council won't forget about.

24 And finally, just one last comment,
25 actually two, it was brought up asking for a

1 meeting with the county commissioners
2 regarding the reassessment. I think it
3 would be a good idea to invite them in for a
4 caucus or to go to them to discuss it
5 either, you know, right here or during one
6 of their meetings, and with two new
7 commissioners, you know, maybe the opinions
8 have changed in the sense, you know, two
9 members left. So we certainly need a
10 reassessment, one of the very few things I
11 agree with PEL on.

12 And finally, I have heard from some
13 people in the community that the mayor is
14 considering reopening the East Mountain
15 firehouse on a current basis. I hope this
16 is true. If it is, I'll be very happy.
17 East Mountain is one of those tough areas
18 to, you know, it's kind off on its own. The
19 same thing with West Mountain up where
20 Councilman Loscombe lives. You know, it's
21 not as accessible from the downtown area.
22 It's a long ride to get up there.

23 Mrs. Krake, could we please send a
24 letter to the mayor asking if there are any
25 plans to permanently reopen the East

1 Mountain firehouse and that council would
2 support it. And that is all.

3 MS. EVANS: Thank you. Councilman
4 Loscombe, do you have any comments or
5 motions?

6 MR. LOSCOMBE: Yes. Thank you.
7 Just briefly. At the beginning of the
8 meeting we heard Mrs. Evans say a prayer for
9 several good people that have passed away
10 this past week and I just wanted to mention
11 a couple of them that I had the privilege of
12 serving under, and we have heard many
13 comments about Jimmy Klee, and I was on the
14 fire department he was on the police
15 department and then became police chief and
16 then I was directly under him when he was
17 Director of Public Safety, but even as a
18 police officer we, you know, we worked
19 together a lot on the fire department.

20 And a lot was said about him this
21 evening. He was a perfect gentlemen. He
22 was a policeman's policeman. He always had
23 an ear if you had a question and you had the
24 time to listen to you. Even last year, last
25 summer when they unveiled the police

1 memorial although he was wheelchair bound he
2 was still the same old Jimmy Klee and had
3 time to hang around and talk to everyone,
4 and it's a sad day for this city because he
5 was definitely one of the finest.

6 Gene Jeffers, when I came on the job
7 I was assigned to him, he was my -- he was
8 the assistant chief on "C" shift, and at
9 that time there was a whole group of us that
10 came on, we were the youngest shift in the
11 department, and he had to turn all of us
12 rookies into firefighters, and we all melded
13 together. We had a great shift, still a lot
14 of guys that, you know, that are still there
15 that I worked with under Chief Jeffers, but
16 he was a great mentor. He knew every
17 aspects of the job, sometimes he was
18 excitable, but he definitely knew the job
19 and he was definitely one of Scranton's
20 bravest.

21 And another chief, it's been a bad
22 week for public safety in this city, former
23 public safety officials, but John Lawless
24 who was -- he was retired before I was on
25 the job, but I had met him many times at

1 church and at the diner, and he always had
2 time for conversation, and these three fine
3 men who provided their service to the city
4 all those years and their families I would
5 like to always remember them and remember
6 that they have taught us guys that came on
7 after them and hopefully we can live up to
8 what they did, and that's all I have
9 tonight. Thank you.

10 MS. EVANS: Thank you. And,
11 Councilman Joyce, do you have any comments
12 or motions?

13 MR. JOYCE: Yes. Tonight I am going
14 to be rather brief and just update everybody
15 on some financial issues. First, I have
16 been informed by our business administrator
17 Ryan McGowan, that tax collector Bill
18 Courtright will be forwarding the first
19 payment to the lockbox to pay back the 2012
20 tax anticipation note. The amount will most
21 likely not be too much since residents have
22 just begun to receive their tax bills.

23 To remind everyone that may not
24 know, as part of the terms and conditions of
25 the tax anticipation note all real estate

1 taxes will be used to pay the 2012 tax
2 anticipation note which was \$11.5 million
3 dollars with the final payoff due by June
4 30, 2012.

5 While we are on the subject of the
6 financial matters, Mr. McGowan has already
7 reached out to several banks in the local
8 banking community regarding the lending of
9 money by means of unfunded borrowing that is
10 approved by the Court of Common Pleas. Thus
11 far, the members of the local banking
12 community that Mr. McGowan had been in
13 contact with cannot commit to anything until
14 the 2012 tax anticipation note is paid off
15 since many of the lenders are stakeholders
16 in the TAN and, of course, until a financial
17 plan is passed according to them.

18 Mr. McGowan will be reaching out to
19 other local banks to see if borrowing for
20 unfunded debt and refinancing can be
21 obtained. In addition to reaching out to
22 the local banking community, Mr. McGowan has
23 reached out to two other banks who have
24 showed interest in the unfunded debt lending
25 as well as refinancing. Mr. McGowan has

1 informed that he is still in conversation
2 with these lending institutions and to
3 provide us with updates as time progresses.

4 In regard to cash flow so far this
5 year, after paying back the Workers'
6 Compensation Trust Fund as well as other
7 bills and expenses, the city currently has
8 \$3.7 million in the bank right now.

9 And regarding the audit to inform
10 everyone, the exit conference for the 2010
11 audit was held today. The final copy of the
12 2010 audit will be made available in
13 council's office late tomorrow. After I
14 receive the full audit in its entirety I
15 will elaborate further on it next week and
16 provide a breakdown of the summary of what
17 the audit or the auditors found, and that's
18 all I have for tonight.

19 MS. EVANS: Thank you, Councilman
20 Joyce. Good evening. I would like to begin
21 tonight with some positive updates. First,
22 the delinquent taxes collected by Northeast
23 Revenue Services for the period January 1 to
24 January 31, 2012, are as follows: \$3,709.58
25 in 2004, 2005 and 2006 delinquencies was

1 submitted to Pennstar Bank, and \$40,820.23
2 was submitted to the City of Scranton. NRS
3 continues to provide excellent services and
4 to report monthly to city council and the
5 administration.

6 Second, on Tuesday, February 14,
7 2012, Mr. Gary Schoener, Director of Public
8 Safety for Lackawanna College came to the
9 city council office and asked to meet with
10 our city clerk, Mrs. Krake. The purpose of
11 Mr. Schoener's visit was to discuss the
12 college's concern regarding the anonymous
13 letter sent to council by a resident of the
14 Mulberry Towers Apartments. The resident's
15 concern was the noise and disruptive nature
16 of the college students living in close
17 proximity to their apartments. Mr. Schoener
18 expressed the colleges' desire to be a good
19 neighbor and suggested that Mulberry Tower
20 post a "No Trespassing" sign on their
21 parking lot that is openly visible to anyone
22 and the college could then cite trespassers.

23 The college is in the process of
24 creating their own security force much like
25 the University of Scranton. Mr. Schoener

1 also stated that Lackawanna College
2 currently enforces all existing school
3 policies up to and including expulsion. The
4 council office suggested, and Mr. Schoener
5 agreed, that the Student Affairs Department
6 implement an outreach program to the
7 residents of Mulberry Tower in order that
8 the two groups could become better
9 acquainted and help to dispel the fears and
10 concerns of the apartment residents.

11 Again, Mr. Schoener stated that the
12 college wants to be a good neighbor and his
13 personal visit to council's office to
14 discuss this problem was evidence of their
15 willingness to make it happen. Thus, with
16 my colleagues' agreement, I ask Mrs. Krake
17 please to send a letter on behalf of
18 Scranton City council to the management of
19 Mulberry Towers to recommend the posting of
20 "No Trespassing" signs in their private
21 parking lot in order that authorities can
22 legally address trespassers.

23 And a letter to Mr. Schoener
24 thanking him for his prompt attention to the
25 problems referred to him by Scranton City

1 Council and hoping for a continued
2 cooperation among Lackawanna College
3 officials, residents of Mulberry Towers and
4 Scranton City Council.

5 Next, let's turn our attention to
6 issues that need to be addressed. An
7 article included in the February 13 business
8 and classified section of the Scranton Times
9 attracted the attention of both Council
10 Solicitor Hughes and myself and I would like
11 to share it with you at this time.

12 It's entitled, "City takes on Brown
13 University, Providence Rhode Island." When
14 Providence mayor Angel Taveras recently
15 warned that Rhode Island's capital could run
16 out of cash by June and face bankruptcy, he
17 singled out the city's largest employer, and
18 one of its most prestigious institutions,
19 Brown University, for what he called a
20 failure to sacrifice.

21 The Ivy League School which enjoys
22 tax exempt status makes voluntary payments
23 of a few million dollars a year to the city
24 under an earlier agreement, but Mr. Taveras
25 maintains the University should give more at

1 a time when city taxes have gone up,
2 services have been cut, schools have been
3 closed, and he trimmed his own salary by 10
4 percent. Struggling US cities are
5 increasingly looking to private universities
6 and other tax exempts for cash to cover what
7 they would otherwise fork over in property
8 taxes on valuable parcels.

9 Now, apparently there is a
10 widespread epidemic of private colleges,
11 universities and other tax exempts that have
12 devoured valuable taxable properties not
13 only statewide but also nationwide while
14 some municipalities like Providence have
15 been successful in obtaining agreements with
16 institutions such as Brown University for
17 voluntary payments of the millions of
18 dollars in lieu of taxes. Many cities
19 received a pittance in cash payments or no
20 payment at all. Rather, tax exempts prefer
21 to tout esthetics and intangibles such as
22 cultural and educational contributions to
23 their communities as well as the economic
24 impact of their students on local stores and
25 eateries. As they encroach deeper into city

1 neighborhoods and purchase once taxable
2 properties, they claim to beautify their
3 host city.

4 These are the contributions for
5 which financially struggling cities like
6 Providence, Rhode Island, and Pittsburgh,
7 Harrisburg, Reading, Philadelphia, and
8 Scranton, PA, are told to be grateful by
9 large, wealthy tax exempt institutions.

10 In long distressed Scranton, which
11 serves as the county seat and host to state
12 and federal buildings and private
13 universities and colleges, large nonprofits
14 turn a blind eye and deaf ear to the
15 financial maladies of our city and the
16 struggles of our elderly, working class and
17 poor Scrantonians.

18 As long as tax exempts remain
19 protected by laws that benefit them
20 exclusively, they will continue to
21 shamelessly ignore their financial
22 responsibilities to their host cities.

23 Meanwhile, more than a few
24 Pennsylvania cities continue to teeter on
25 the verge of bankruptcy while providing

1 public safety and DPW services to powerful
2 tax exempts. It's time for the Pennsylvania
3 Economy League and their statewide
4 counterparts who are appointed and paid by
5 DCED to actively assist distressed
6 municipalities by, first, vigorously
7 pursuing fair share PILOT payments; and
8 second, by aggressively lobbying the state
9 legislature to remedy this financial
10 injustice and burden on Pennsylvania cities
11 and taxpayers.

12 Perhaps it's also time for
13 Pennsylvania municipalities to join together
14 to act on our shared problem with the
15 assistance of our elected state officials.
16 A method of taxing large nonprofits that
17 fail to provide fair share payments to host
18 cities should be developed and adopted
19 legislatively.

20 And I am hoping that together with
21 other council members and our office staff
22 that we are going to be able to contact
23 other Pennsylvania cities, ask them to join
24 us in pursuing this plan and we will pursue
25 our own meetings were our state

1 representatives and senator.

2 Next, Scranton's Revised Recovery
3 Plan written by the Pennsylvania Economy
4 League must include the 2012 unfunded debt
5 borrowing, 2012 debt refinancing and funding
6 of the 2011 Supreme Court awards to Scranton
7 police and firefighters, and as I arrived
8 this evening in council chambers I learned
9 that yet another very significant decision
10 came down today in favor of the fire and
11 police that's going to extend these awards
12 through the Year 2014, so this, too, must be
13 included in the Recovery Plan.

14 These significant issues will impact
15 the long-term financial future of our city
16 and its people. A document that fails to
17 include these vital items is bogus and is a
18 feckless attempt to mislead the banking
19 community and the taxpayers.

20 Further, city employees must
21 contribute and agree to a Revised Recovery
22 Plan, otherwise, our city is destined to
23 become embroiled in yet additional
24 multi-year Court battles culminating in
25 another significant and unaffordable Supreme

1 Court award. Thus, the Revised Recovery
2 Plan must demonstrate that DCED and PEL have
3 learned from their mistakes and will never
4 again lead Scranton and it's mayor down the
5 courthouse path to financial ruin.

6 DCED rejected good faith labor
7 negotiations, ordered Scranton onto the
8 Supreme Court where it spoke for our city
9 and then ignored any responsibility to pay
10 for its actions.

11 Now PEL, whose members are appointed
12 and paid by DCED intends to make you, the
13 taxpayers, foot the bill through shocking
14 future tax increases because, ladies and
15 gentlemen, they actually believe that you
16 are under taxed. Through their manner of
17 conducting business, PEL and DCED appear to
18 believe that tax hikes are the easiest and
19 quickest ways in which to attract banks and
20 to develop a Revised Recovery Plan.

21 While PEL appears to strategize with
22 some financial institutions, the only one
23 looking out for you, my friends, is this
24 city council.

25 In summary, PEL must including the

1 their responsibilities to our city and its
2 people, identify new revenue generators,
3 pursue the tax exempts and produce a valid
4 fair and workable Revised Recovery Plan that
5 includes the complete and accurate financial
6 state of our city and is agreeable to all
7 stakeholders.

8 I have something else. Finally, I
9 have two brief pieces of business.

10 Mrs. Krake, please send a letter to Chief
11 Duffy. Scranton City Council requests
12 responses to the following questions on or
13 before February 23, 2012:

14 Do you intend to locate a police
15 precinct in Valley View terrace within
16 building three? Are two police officers
17 assigned nightly or daily for several hours
18 at Valley View terrace? Are these two
19 officers paid through a grant? If so, how
20 will the establishment of a police precinct
21 in Valley View terrace affect this grant?
22 And how does the police department intend to
23 provide coverage and protection for all
24 other South Side neighborhoods?

25 The second letter should be sent to

1 Mayor Doherty. In the February 16 edition
2 of the Scranton Times, an article reported
3 the Scranton Parking Authority's intention
4 to become tax exempt, and Attorney Paul
5 Kelly is exploring whether the Parking
6 Authority's property will qualify. Attorney
7 Kelly's actions on behalf of Scranton
8 Parking Authority are in direct conflict
9 with his duties and responsibilities as city
10 solicitor. Attorney Kelly has an inherent
11 conflict of interest in serving as solicitor
12 to both the City of Scranton and the
13 Scranton Parking Authority and should resign
14 one of these two positions immediately. And
15 that's it.

16 MS. HUMPHRIES: Excuse me, Mrs.
17 Evans.

18 MS. EVANS: I'm sorry. (Whereupon
19 the gavel is banged.) Phyllis, no, we
20 can't--

21 MS. HUMPHRIES: (Untranscribable
22 comments.

23 MS. EVANS: Public comment has
24 ended.

25 MS. HUMPHRIES: Go talk with the --

1 MS. EVANS: Mrs. Krake.

2 MS. KRAKE: 5-B. AUTHORIZING THE
3 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
4 OF THE CITY OF SCRANTON TO ACCEPT AND
5 DISBURSE GRANT FUNDS FROM THE WALMART
6 FOUNDATION IN THE AMOUNT OF \$2,000.00 TO
7 PURCHASE TOYS AND COATS FROM THE SCRANTON
8 POLICE DEPARTMENT'S ANNUAL TOY/COAT DRIVE.

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

12 MR. ROGAN: So moved.

13 MR. JOYCE: Second.

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

17 MR. ROGAN: Aye.

18 MR. LOSCOMBE: Aye.

19 MR. JOYCE: Aye.

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

22 MS. KRAKE: 5-C. CREATING AND
23 ESTABLISHING SPECIAL CITY ACCOUNT NO.
24 02.229602 ENTITLED "SCRANTON POLICE HOLIDAY
25 TOY & COAT DRIVE" FOR THE RECEIPT AND

1 DISBURSEMENT OF DONATIONS RECEIVED BY THE
2 POLICE DEPARTMENT TO PURCHASE TOYS AND COATS
3 DURING THE HOLIDAY SEASON FOR AREA FAMILIES.

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

7 MR. ROGAN: So moved.

8 MR. JOYCE: Second.

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

12 MR. ROGAN: Aye.

13 MR. LOSCOMBE: Aye.

14 MR. JOYCE: Aye.

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

17 MS. KRAKE: 5-D. TRANSFERRING FUNDS
18 FROM FUND 01 CITY OF SCRANTON 2006 SERIES A
19 TAN ACCOUNT WHICH FUNDS AND ACCOUNT ARE NO
20 LONGER NEEDED FOR THE CONDUCT OF CITY
21 BUSINESS, AND ABOLISHING AND CLOSING SAID
22 ACCOUNT TO THE PNC GENERAL FUNDING CHECKING
23 ACCOUNT LISTED BELOW.

24 MS. EVANS: At this time I'll
25 entertain a motion that Item 5-D be

1 introduced into it's proper committee.

2 MR. ROGAN: So moved.

3 MR. JOYCE: Second.

4 MS. EVANS: On the question?

5 MR. ROGAN: Yes, very of briefly. I
6 have no problem with transferring the money
7 into the general account. My question is
8 why this money wasn't moved sooner. It's
9 \$14,000 from 2006 TAN Series A. The mayor
10 just laid off in the last two years numerous
11 public safety employees. I wonder if there
12 is any money in the '07, '08, '09 and 2010.

13 MS. EVANS: I am thinking that
14 perhaps this is interest that was earned on
15 the TAN. I could be wrong, however, and in
16 those progressive years the TANS would no
17 longer have been earning interest.

18 MR. ROGAN: Yeah.

19 MS. EVANS: But I do have questions
20 like you do and I think together these
21 questions should be sent to the city
22 controller and the BA and added to
23 Councilman Rogan's question, Mrs. Krake,
24 please send letters to city controller and
25 business administrator requesting responses

1 to the following questions on or before
2 February 27, 2012:

3 Number one, why is there a balance
4 in Fund 01 2006 Series A TAN account.

5 Number two, in what bank did the
6 2006 Series A TAN account remain from which
7 the transfer to the general fund in PNC Bank
8 will be made.

9 And three, are there balances in any
10 other accounts that have remained dormant
11 for longer than six months. If so, please
12 list the account number, name of the
13 account, dollar amount of the balance in the
14 account, and the bank in which the account
15 is located for any and all accounts.

16 Now, I will vote to introduce this
17 legislation tonight and hopefully city
18 council will receive responses to my
19 questions and those of Councilman Rogan
20 prior to the Seventh Order final reading in
21 order that the transfer can then occur in a
22 timely fashion. Is there anyone else on the
23 question? All those in favor of
24 introduction signify by saying aye.

25 MR. ROGAN: Aye.

1 MR. LOSCOMBE: Aye.

2 MR. JOYCE: Aye.

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

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

6 READING BY TITLE – FILE OF COUNCIL NO. 16,
7 2012 – AN ORDINANCE - AUTHORIZING THE MAYOR
8 AND OTHER APPROPRIATE OFFICIALS OF THE CITY
9 OF SCRANTON TO EXECUTE AND ENTER INTO AN
10 ADDENDUM TO THE PROFESSIONAL SERVICES
11 CONTRACT WITH NORTHEAST REVENUE SERVICES LLC
12 FOR THE COLLECTION OF DELINQUENT TAXES TO
13 EXPAND THE COLLECTION SERVICES PERFORMED BY
14 NORTHEAST REVENUE SERVICES TO INCLUDE
15 THE COLLECTION OF CURRENT AND DELINQUENT
16 REFUSE FEES.

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

19 MR. JOYCE: I make a motion to amend
20 Item 6-A per the following amendments:

21 Number 1, in the summary title on
22 the second last line delete "current and."

23 Number two, in the second whereas
24 clause on the third line delete "current
25 and."

1 Number three, in the, now, therefore
2 clause, on the fifth line delete, "current
3 and."

4 Number four, revised addendum,
5 Exhibit A as follows: In the third whereas
6 clause on the second line delete "current
7 and," and, in the now, therefore, clause in
8 Article I delete "current and", and, in
9 Article II delete subarticle A and reletter
10 B as A.

11 MS. EVANS: We have a motion on the
12 floor to amend item 6-A, is there a second?

13 MR. LOSCOMBE: Second.

14 MS. EVANS: Are there questions on
15 the amendment?

16 MR. ROGAN: Yes, just an explanation
17 of the amendment?

18 MR. JOYCE: Yes. Currently, there
19 is a clerk in the Treasurer's Office
20 collecting current refuse fees and it's our
21 intention that -- and NRS's intention that
22 this clerk will still be responsible for
23 collecting these fees.

24 MS. EVANS: And they will handle the
25 delinquencies, that the individual has been

1 successfully performing those duties and
2 responsibilities for --

3 MR. JOYCE: For years.

4 MS. EVANS: For quiet a number of
5 years and I think we don't want to take --
6 well, I think the saying goes it, "If it
7 ain't broke, don't fix it."

8 MR. ROGAN: The other question I had
9 was I didn't see the addendum in the backup
10 for Exhibit A, but the question was what
11 fees are associated with having them
12 collected? I saw the legislation is in the
13 backup, but I didn't see --

14 MR. HUGHES: It's 15 percent of all
15 delinquent fees collected, including
16 interest and penalties.

17 MR. ROGAN: So by taking the
18 "current" out the city saves money on that?

19 MR. HUGHES: Yes.

20 MR. ROGAN: That's what I thought
21 the reason was. That makes sense to me.

22 MS. EVANS: Is there anyone else?
23 All those in favor of the motion to amend
24 Item 6-A, signify by saying aye.

25 MR. ROGAN: Aye.

1 MR. LOSCOMBE: Aye.

2 MR. JOYCE: Aye.

3 MS. EVANS: Aye. Opposed? The ayes
4 have it and so moved. All those in favor of
5 item 6-A, as amended, signify by saying aye.

6 MR. ROGAN: Aye.

7 MR. LOSCOMBE: Aye.

8 MR. JOYCE: Aye.

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

11 MS. KRAKE: 6-B. READING BY TITLE -
12 FILE OF COUNCIL NO. 17, 2012 - AN ORDINANCE
13 - ESTABLISHING A REGISTRATION PROGRAM FOR
14 RESIDENTIAL RENTAL PROPERTIES; REQUIRING ALL
15 OWNERS OF RESIDENTIAL RENTAL PROPERTIES TO
16 DESIGNATE AN AGENT FOR SERVICE OF PROCESS;
17 AND PRESCRIBING DUTIES OF OWNERS, AGENTS
18 AND OCCUPANTS; DIRECTING THE DESIGNATION OF
19 AGENTS; ESTABLISHING FEES FOR THE COSTS
20 ASSOCIATED WITH THE REGISTRATION OF RENTAL
21 PROPERTY; AND PRESCRIBING PENALTIES FOR
22 VIOLATIONS.

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

25 MR. ROGAN: I move that Item 6-B

1 pass reading by title.

2 MR. JOYCE: Second.

3 MS. EVANS: On the question?

4 MR. ROGAN: Yes. I spoke to
5 Councilman McGoff earlier today and,
6 unfortunately, we didn't get to finish the
7 whole conversation, I had to run and I
8 didn't get a chance to call him back later,
9 but he did -- the initial part of the
10 conversation I know I brought it up last
11 week I was concerned about property owners
12 changing to the name hotel just to
13 circumvent this law. If they were to do
14 that they would then have to -- then have to
15 charge the county hotel fee to their patrons
16 so it wouldn't be advantageous for them to
17 go that route.

18 The other two questions that I still
19 had, I'm going to try to talk to Mr. McGoff
20 tomorrow and work out the amendment before
21 next week.

22 MS. EVANS: Actually, I know that
23 Mr. Loscombe has a lot of the concerns, he
24 wants to read through this carefully and
25 make sure that all of that he had proposed

1 is, indeed, in place. I asked as well
2 Councilman Joyce to read through it very
3 carefully and he did e-mail me his concerns
4 which mirrored mine almost exactly, and so
5 what I am going to ask everyone on council
6 to do would be compile a list of your
7 concerns for the additions or deletions that
8 you would like to make and then all of these
9 will be forwarded to our council solicitor
10 and he can draft the amendment that can be
11 passed at next week's meeting and then with
12 those amendments hopefully the legislation
13 will be passed.

14 MR. ROGAN: Yes, that works because
15 there is some things in there that, you
16 know, absolutely cannot go through, one
17 being the date for --

18 MR. JOYCE: Yeah.

19 MR. ROGAN: -- the initial -- the
20 first year. It's impossible for the city to
21 administer it in that amount of time.

22 MS. EVANS: And I think -- I
23 remember reading Mr. Joyce suggested June 30
24 for this year.

25 MR. ROGAN: Yeah.

1 MS. EVANS: And then beginning in
2 the following year we can go back to the
3 March date.

4 MR. ROGAN: That's fine.

5 MR. LOSCOMBE: If I may add
6 something quickly, I know all of us have
7 received phone calls and e-mails from, you
8 know, landlords and tenants both with
9 questions and it's stuff that we would like
10 to clarify for them. There are several
11 issues like we said. But, you know, we are
12 not doing this ordinance to use strong arm
13 tactics. You know, that's a big fear that
14 big government is taking over. Nobody likes
15 government intrusion in their lives, and
16 this isn't intended to be government
17 intrusion into any anybody's lives.

18 What it's intended on is to, I mean,
19 I think everyone here can see the abuse of
20 these properties from out-of-town landlords,
21 especially, but, you know, you can't
22 single -- I mean, there is some landlords in
23 town, too, that abuse it, that buy a
24 property, throw a quick coat of paint on it
25 and put someone in there with bare wires

1 hanging and stuff like that and charge them
2 an arm and a leg.

3 This ordinance is for the protection
4 of the tenants, it's for the protection of
5 the good landlords, it's for the protection
6 of the neighborhoods. We have seen the
7 blight that's been created by multiplying
8 units in what used to be two-family homes
9 are now four or five, six. Some of them are
10 still listed as two-family homes that may
11 have four, five or six families.

12 This will give us a better way to
13 keep up-to-date on this stuff and, you know,
14 to make sure that the rules are abided by to
15 protect your neighborhood, which is our
16 biggest complaint, the blight in the
17 neighborhoods. This is one of the biggest
18 factors that will help protect that. And
19 that's why, you know, I've definitely been
20 in favor of something like this. It's not
21 about, and I think we mentioned it, raising
22 a large amount of money. Basically, we
23 would hope it to be self-sustaining. That
24 it's being -- whoever is maintaining the
25 licensing and stuff like that it's, you

1 know, offsetting itself, but at the same
2 time we are policing our landlords and our
3 tenants, too. I mean, you know, there is
4 good and bad on both sides there.

5 But I remember a time when the
6 neighborhoods were much easier to walk
7 through and I'd like to see that come back.
8 It will take time. I know the economic
9 situations are tough, but we don't want
10 people coming in, especially from out of
11 town, and taking advantage of our
12 neighborhoods and our people, and with the
13 questions answered hopefully next week with
14 some updated amendments it would be
15 satisfactory to everybody. That's all.

16 MS. EVANS: And I think, Councilman
17 Loscombe, you spoke very successfully and
18 eloquently for all of us with regard to this
19 matter.

20 MR. JOYCE: Yes, he did.

21 MS. EVANS: Is there anyone else on
22 the question? All those in favor signify by
23 saying aye.

24 MR. ROGAN: Aye.

25 MR. LOSCOMBE: Aye.

1 MR. JOYCE: Aye.

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

4 MS. KRAKE: SEVENTH ORDER. NO
5 BUSINESS AT THIS TIME.

6 MS. EVANS: If there is no further
7 business, I'll entertain a motion to
8 adjourn.

9 MR. JOYCE: Motion to adjourn.

10 MS. EVANS: This meeting is
11 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