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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, March 1, 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
(Not present)

FRANK JOYCE, VICE-PRESIDENT

ROBERT MCGOFF

PAT ROGAN

JOHN LOSCOMBE
(Not present)

NANCY KRAKE, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MR. JOYCE: Roll call, please.

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. CARRERA: Mr. Loscombe. Mr.
9 Joyce.

10 MR. JOYCE: Here.

11 MS. CARRERA: Mrs. Evans.

12 MR. JOYCE: Council President Janet
13 Evans as well as Councilman Jack Loscombe
14 will not be in attendance at tonight's
15 meeting, both are still recovering from
16 illness. Dispense with the reading of the
17 minutes.

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

19 MINUTES OF THE NON-UNIFORM MUNICIPAL PENSION
20 MEETING HELD JANUARY 25, 2012.

21 MR. JOYCE: Are there any comments?
22 If not, received and filed.

23 MS. KRAKE: 3-B. AGENDA FOR THE
24 NON-UNIFORM MUNICIPAL PENSION FUND HELD
25 FEBRUARY 22, 2012.

1 MR. JOYCE: Are there any comments?
2 If not, received and filed.

3 MS. KRAKE: 3-C. DEPOSIT MADE BY THE
4 SCRANTON SINGLE TAX OFFICE IN THE AMOUNT OF
5 \$1,018,281.44 TO FIDELITY BANK FOR 2012 TAN
6 DEBT.

7 MR. JOYCE: Are there any comments?
8 If not, received and filed.

9 MS. KRAKE: 3-D. MINUTES OF THE
10 FIREMEN'S PENSION COMMISSION MEETING HELD
11 JANUARY 25, 2012.

12 MR. JOYCE: Are there any comments?
13 If not, received and filed. Clerk's notes?

14 MS. KRAKE: We don't have any this
15 evening, Mr. Joyce.

16 MR. JOYCE: Do any council members
17 have any announcements? There will be a
18 benefit spaghetti dinner for Nancy Reuther,
19 who has been diagnosed with multiple
20 sclerosis, on Saturday, March 3, 2012, from
21 2 to 6 p.m. at the Fraternal Order of
22 Eagle's Club and that's located on 493
23 Meridian Avenue in West Scranton. The cost
24 is \$8.

25 MS. KRAKE: FOURTH ORDER. CITIZEN'S

1 PARTICIPATION.

2 MR. JOYCE: Our first speaker
3 tonight is Frank Galdieri.

4 MR. GALDIERI: Good evening. My
5 name is Frank Galdieri. I'm a resident of
6 the City of Scranton and reside on Steel
7 Avenue which is located in a very small area
8 off the Morgan Highway. The only access
9 that we have to our small community is
10 through a road called Pike Street. Pike
11 Street is approximately one-half of a mile
12 distance from the Morgan Highway and runs
13 north and south intersecting with Steel
14 Avenue overstreet.

15 The roadway is deplorable. The road
16 has not been resurfaced in 24 years. I have
17 been trying unsuccessful for 18 of those 24
18 years to try and have this road resurfaced.
19 The only thing holding it together is the
20 patch material from the potholes. I
21 addressed this to Councilman Loscombe months
22 ago. Mr. Loscombe went up and took pictures
23 of the roadway and agreed it is beyond
24 repair. It needs to be resurfaced. It's
25 not only bad condition, it's dangerous.

1 As a retired police officer with the
2 City of Scranton and an accident
3 reconstructionist, I can tell you somebody
4 is going to get hurt or killed and I don't
5 want it to be me. I drive a motorcycle on
6 that road and constantly I'm getting swerved
7 at by people that are trying to avoid the
8 potholes and come at you on a blind curve.
9 I could tell you that my life has flashed
10 before my eyes on many occasions.

11 On two occasions my wife was
12 actually run off the road into a ditch
13 because somebody coming down the road was
14 trying to avoid the holes or the bad terrain
15 of the roadway, came at her head on and she
16 ended up in a ditch. Something needs to be
17 done about this roadway. Councilman
18 Loscombe had promised me unequivocally that
19 that roadway would be paved this year.

20 Several days ago, the Scranton Times
21 came out with a paving list for the City of
22 Scranton, again, we are not on it and I
23 would like to know why. The roadways that
24 are listed on the Scranton Times' paving
25 list I'd like to know how many times they

1 have been resurfaced in the past 24 years.

2 MR. ROGAN: Mr. Galdieri, I just
3 want to mention, the list that was published
4 in the Times is only the paving for OECD,
5 which is federal money that can only be used
6 in low to moderate income areas. The road,
7 Pike Street I believe would have to be paved
8 through city funds.

9 MR. GALDIERI: The only time that
10 that road has been paved it was actually
11 designed in the 1970's, early 70's. When
12 the old traffic circle, which was before
13 your time, was recreated for the North
14 Scranton Expressway only once has that road
15 been resurfaced and that was in 1988, that
16 was because at that time Director Pizano and
17 I had gotten together and after a few years
18 of begging and pleading realized that the
19 road needed to be resurfaced. The way that
20 they did it was a test program through the
21 city. When he had refurbished the paving
22 machine for the City of Scranton and had DPW
23 workers actually the roadway. The road has
24 never been professional or properly
25 resurfaced. It is beyond repair, we are

1 driving on dirt and holes that are just your
2 unimagivable.

3 Please don't take my word for it,
4 please take a ride up there and you will see
5 what we are dealing with on daily basis
6 going up and down that roadway. My
7 neighbor, Mr. Steven Patrick, and I every
8 day we have to traverse that road it's just
9 deplorable. We really need something done
10 about it.

11 MR. MCGOFF: What is the length of
12 the --

13 MR. GALDIERI: It's a little over
14 half a mile.

15 MR. ROGAN: One suggestion I have
16 and, you know, this depends on how the rest
17 of the winter goes, obviously, with the very
18 light winter we have had I would assume that
19 DPW's costs for overtime for plowing, salts,
20 things of that nature should be well under
21 budget.

22 MR. GALDIERI: We agreed. That was
23 one of our issues that we were going to
24 suggest.

25 MR. ROGAN: If it continues to go

1 this way now, who knows March we may be hit
2 with a ten blizzards and the money will be
3 used up, if it's not I would support
4 transferring the money if Council could to
5 or ask the director to transfer for paving.
6 There is few other roads that -- I believe
7 Hamm Court is of one of them as well and,
8 you know, roads that some of them cannot be
9 paved through the money from OECD which is
10 where the city has to step in and everybody
11 has a right to drive to their house on
12 smooth roads.

13 MR. GALDIERI: I could understand if
14 it was ten years, 15 years, 24 years. 24
15 years is long time. As a matter of fact,
16 one of our neighbors allegedly put a sign up
17 at the intersection of Pike Street and
18 Morgan Highway and it says, "Chris, restore
19 the pride, pave this road it's been 22
20 years."

21 The sign has been there for two
22 years.

23 MR. ROGAN: Well, 24 years is -- -

24 MR. GALDIERI: So it's ignorance and
25 apathy they we constantly are dealing with

1 every time we call. We have been told
2 personally there is not enough votes up
3 there to get it done. That's not right. We
4 are paying taxes every year just like
5 everybody else and we deserve to have the
6 same opportunities that everybody else has
7 in this city.

8 MR. ROGAN: Absolutely. 24 years is
9 unacceptable. I'm 24 years old so that
10 means the road hasn't been paved in my
11 lifetime.

12 MR. GALDIERI: Yeah.

13 MR. JOYCE: And you were told that
14 there is not enough votes?

15 MR. PATRICK: That's correct.

16 MS. JOYCE: I find that odd because
17 that's not something we would particularly
18 vote on.

19 MR. ROGAN: I think what they are
20 saying is that the mayor said there is not
21 enough votes to vote for the mayor.

22 MR. GALDIERI: Yeah.

23 MR. PATRICK: That's exactly right.
24 That was done when I was at DPW when Jeff
25 Brazil was in charge of the DPW and I asked

1 him several years, please pave it. And
2 again, nothing. Not enough votes.

3 MR. GALDIERI: I have been writing
4 letters to the city for the past 18 years
5 through DPW. Every year the letter goes
6 unanswered and I have sometimes several
7 times a year have sent letters and I have
8 yet to get a phone call or a response back.

9 I would also like to address the
10 drainage issues that are a serious problem
11 up along that roadway. The westerly side of
12 the street, we are getting huge amounts of
13 runoff. A simple rainstorm turns that
14 roadway into a raging river. When there is
15 serious rainstorms we basically cannot cross
16 that roadway. The water so deep.

17 MR. PATRICK: There is two to three
18 inches of water falling right across.

19 MR. GALDIERI: Gentlemen, I hope you
20 take it in all seriousness and really try to
21 help us out. Twenty-four years is more than
22 enough. I have copies of the letter I just
23 sent to council, if you would like a copy I
24 can provide you with one.

25 MS. JOYCE: I have actually received

1 a copy. Our office makes a copy of all of
2 the letters that are sent to each one of us,
3 but we will try our best for you.

4 MR. GALDIERI: Thank you for your
5 time.

6 MR. JOYCE: Our next speaker is Andy
7 Sbaraglia.

8 MR. SBARAGLIA: Andy Sbaraglia,
9 citizen of Scranton, fellow Scrantonians. I
10 saw that you got a little notation in here
11 that for that SRA loan for them to negotiate
12 it. I was under the assumption that that
13 loan wouldn't be even borrowed on until
14 after June, after the TAN was paid off; am I
15 right in that assumption? We can't get any
16 money until after that TAN is paid off?

17 MR. JOYCE: Until the TAN is paid
18 off our real estate taxes are essentially in
19 the lockbox, but the city is free to do what
20 they wish with the other revenue that comes
21 in.

22 MR. SBARAGLIA: I was under the
23 impression that that 9.5 million wouldn't be
24 acted on until after the TAN was paid off.
25 It is being acted on now? Is it the same

1 with the 40 million or 30 million; is that
2 being done now?

3 MR. JOYCE: I have to research that
4 a little bit more.

5 MR. SBARAGLIA: Well, the paper --
6 the article in the paper stated that we
7 would get no money at all on the 9.5 until
8 after the TAN was paid. Now, whether they
9 just quoted it and miss this and miss that,
10 I don't know. All I know is I saw the big
11 article saying that when we would payoff
12 that SRA default, and I just wondered
13 because all it says here for them to
14 negotiate it, and I don't know when they
15 negotiate it.

16 The same with our firemen and police
17 pension. That interest is being compounded
18 I was told at 6 percent, is that right or
19 wrong?

20 MR. JOYCE: I'm not 100 percent sure
21 what the percentage rate is right now, but I
22 will find that out for you.

23 MR. SBARAGLIA: I mean, we are
24 talking about for \$30 million that's a lot
25 of interest, and you have to get after the

1 administration to start getting that bond
2 out because obviously we are going to have
3 to take a bond.

4 MR. HUGHES: If I could just make a
5 quick comment. Any judgment in Pennsylvania
6 it's simple interest interest, there is no
7 compounding of any judgment, so the 6
8 percent would be the legal limit, on any
9 judgment is 6 percent per year. Simple
10 interest, not compounded.

11 MR. SBARAGLIA: Okay. That's a
12 little better, but it still doesn't really,
13 you know, address the problem that we have.

14 MR. JOYCE: Correct.

15 MR. SBARAGLIA: Because eventually
16 we have to borrow the money and then,
17 unfortunately, that's going to be interest,
18 too. I don't know, I hope it's better than
19 6 percent if that's what he said and that's
20 the law then I hope we can borrow a bond
21 less than 6 percent and get it done because
22 this is a dangerous situation. I mean,
23 really dangerous. Our finances -- well, you
24 know that, they are in the tank. We are
25 just on the knife point whether we should go

1 bankrupt or not go bankrupt. We don't know
2 exactly what's going to happen and you don't
3 know how it's going to effect the people.
4 You don't know if a lot of people are going
5 to move because you know and I know that
6 money has to come from somewhere and the
7 only place it can come from is yours, mine
8 and everybody's else's city pocket. That's
9 where it's going to come from. We ain't
10 going to have no one unless we hit the
11 lottery. Have you talked to the mayor about
12 getting some Powerball tickets? That may be
13 our only chance to get out of this?

14 But other than that we are in
15 trouble. I mean, I read the little notation
16 in there that they are talking about an '06
17 TAN. How could that money have been left in
18 a '06 TAN? When you have a TAN that's a
19 fixed deal. You have interest on that TAN
20 that you have to pay and the certain time to
21 pay it. How could there have been money
22 left over in that TAN? I don't quite
23 understand it unless the bank was very good
24 and said, "Well, you don't have to pay the
25 interest just pay the principal."

1 But somewhere along the line money
2 is being stored, and I'm not even talking
3 about the \$3 million because everyone talked
4 about it already, I am talking about all of
5 those little things that come up like money
6 from the SRA that all of a sudden is found
7 and this money and that money. Now, we got
8 a little music.

9 MR. JOYCE: If I could please ask
10 everyone to just put their cell phones on
11 vibrate or turn them off just to be
12 respectful to the speakers. Thanks.

13 MR. SBARAGLIA: Well, I'm not going
14 to go into it too deep because there is no
15 way. There is no way I can go. I don't
16 want to go back 10 years. I'm afraid that's
17 where you have to go back and I don't want
18 to do that. I'm trying to see where we are
19 now and how we get for it, but you can't
20 forget the past. You definitely -- because
21 we have to pay for it. If we are able to
22 say, you know, if you declare bankruptcy and
23 say, well, you don't have to worry about the
24 past anymore only the future if they let you
25 do it then you can say that, but in our

1 position we got to go back to the past as
2 well as the present and the future because
3 the viability of the city in this question
4 unless you can come up with some way to
5 shake money from our nonprofits that's our
6 only solution really. I mean, all of these
7 other things that come through here isn't
8 going to make a darn.

9 Somewhere along the -- I told them
10 in the very beginning break it down to
11 services. Break down the police protection
12 service, firemen service, this service and
13 that service into a breakdown and then you
14 can enforce the people from the nonprofits
15 to pay for service. Thank you.

16 MR. JOYCE: Thank you. Our next
17 speaker is Doug Miller.

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

20 MR. JOYCE: Good evening.

21 MR. MILLER: I would like to begin
22 tonight just by reiterating some of my
23 thoughts on the whole MEM issue that we have
24 had going on here the last few weeks. You
25 know, we have heard that they allege that we

1 owe them nearly \$600,000 for maintenance
2 they did on our streetlights going back
3 quite a few years, and recently we learned
4 going back two weeks ago that the mayor
5 received thousands of dollars in campaign
6 contributions from MEM from individuals
7 associated with them and it just once again
8 goes to show the pay-to-play politics we
9 have had to deal with, as I said.

10 And I just want to state once again
11 that I feel strongly that we shouldn't be
12 giving this MEM a dime. They did a pathetic
13 job on the maintenance, you know, I don't
14 understand, you know, where we are going
15 here with this. You know, we understand
16 they are in some litigation outside of the
17 city and so for that reason I feel we
18 shouldn't give them a dime and I'm hopeful
19 that, you know, we will continue looking
20 into this matter and make the right move on
21 this because, you know. These are just
22 games we played where we awarded contracts
23 left and right and this mayor has awarded
24 contracts left and right to people who
25 weren't qualified and give campaign

1 contributions and then we wonder why we are
2 in the shape we are in because of this.

3 Moving onto another issue, I'd like
4 to know tonight if we have a status on the
5 investigation of the Scranton police officer
6 that we learned of an investigation last
7 week? Do we have a status on that?

8 MR. JOYCE: I have not been made
9 aware of any updates on that investigation.

10 MR. MILLER: Okay. Thank you.

11 MR. ROGAN: We only know what's in
12 the newspaper and the media as well.

13 MR. MILLER: I appreciate that. You
14 know, I do think this is something that
15 council should be given information on this,
16 I feel you should be given follow-ups on
17 this and I'm hopeful that the proper
18 officials will keep you up-to-date on what's
19 going on because this is city business, this
20 is something, you know, that affects the
21 every day operations of the city and
22 certainly we don't want to see another black
23 mark because, obviously, we know we have
24 quite a few of them as it is.

25 Another issue tonight, this is going

1 back two months now, where I came up here
2 and I made a Right-to-Know request
3 requesting an electric bill regarding the
4 cost to operate the 2010 Nay Aug Park light
5 show. As you know, we had an issue with the
6 light show this year where lights were on at
7 all hours of the day. This was cause for
8 concern because, obviously, as you know,
9 3:00, 4:00 in the afternoon you don't need
10 Christmas lights on. It's a waste of money
11 and certainly we are paying for it,
12 regardless of what others want to say, and
13 to this date I have yet to receive that
14 electric or any type of response and, you
15 know, I'm just quite baffled that it takes
16 two months to locate an electric.

17 I'm not requesting an audit of the
18 city. It's a simple electric bill and yet
19 again we are playing games, lack of
20 cooperation. It's a simple request. You
21 know, it's like pulling teeth around here to
22 get an answer and I don't think it should
23 take two months to locate an electric bill.
24 Within a week I should have had it in my
25 mailbox and had a response, and I haven't to

1 this date, so I'm hopeful that I'll get one
2 and I don't plan on getting one any time
3 soon because it's been this long, but, you
4 know, perhaps if I write out a \$1,500 check
5 and give it to the mayor maybe then I'll
6 have more luck. I think that's kind of how
7 we have to do business around here.

8 And finally tonight, I'd like to
9 talk about the impact fee. We have had a
10 lot of discussion on that in recent weeks.
11 Two weeks ago Mrs. Evans shared some helpful
12 information dealing with institutions
13 throughout the state and outside of the
14 state that contribute to the municipality
15 that they are located in. I do believe we
16 should contact our local representatives and
17 senators and get them onboard and try to get
18 support statewide for an impact fee, not for
19 the city, but for other municipalities who
20 have to deal with, you know, the free rides.
21 The KOZs and the nonprofits who, you know,
22 unfortunately, we have to carry the load
23 because they don't pay their fair share.

24 And I feel very strongly about this,
25 I'm passionate when it comes to this

1 because, you know, when you have
2 institutions such as the University of
3 Scranton, and I understand people think
4 that, you know, we solely pick on the
5 University, but, you know, they are the
6 greatest example we can use, and millions
7 and millions of dollars that University
8 takes in each year and what do we get? A
9 whopping \$175,000. That's the biggest slap
10 in the face this city can take.

11 And yet what are we doing about it?
12 We talk about it, but why aren't we taking
13 action? It's easy to sit around and talk,
14 but it's time to do something about it. And
15 I know this council will and I understand
16 these things take time and we are doing
17 research, but the time to do it is now. We
18 need to be really, you know, quick with this
19 because this is lot of revenue that we are
20 missing out on and I feel strongly that
21 these institutions, KOZs and nonprofits need
22 to start paying their fair share. They see
23 the situation that the city is in, we are
24 basically bankrupt and yet they are trying
25 to attract students to a community that's

1 distressed. How can you be proud about
2 that? And I would certainly think that an
3 institution such as the University would
4 want to attract students into a viable city,
5 a city that has jobs, a city that you are
6 proud to live in. We don't have that, so
7 it's time to put pressure on this and get it
8 done because it's time -- it's not fair that
9 the residents of this city continue to carry
10 the burden for those that don't want to pay
11 their fair share. Thank you.

12 MR. JOYCE: Thank you. Our next
13 speaker is Ron Ellman.

14 MR. ELLMAN: Hello, council. I'm
15 sorry to see some people still not feeling
16 good. I'd like to make a statement or two
17 on our disgraceful school board. I have
18 talked to several people and I guess people
19 are just very disappointed. Like that old
20 saying if it looks like a duck and quacks
21 like a duck, these people have just taken
22 bribes, that's it, and to make a statement
23 that it didn't influence them is -- for a
24 learned man to make a statement like that,
25 you know, like we are naive and don't

1 believe it and then following it up with a
2 statement he ought to be congratulated for
3 telling the truth on all of this I just --
4 it's inconceivable. It's shameful. The
5 whole board has knowledge of this and ought
6 to be resigned.

7 The people who are cut and all we
8 see is hiring everywhere. They have already
9 shoved one school down the taxpayers'
10 throats and months ago they made plans for
11 another school. You know, the reason they
12 get away with this is I guess is because
13 they rely on the fact that 70 percent, 75
14 percent of the people of this city don't
15 vote they just complain and then they get
16 their tax increase every year, but this area
17 has been known for a hundred years or more
18 for graft and corruption and they seem to be
19 just bringing it right up just like what
20 went on down in Wilkes-Barre. I hope it --
21 I hope it's terminated as quick as can be
22 and as each one comes up for reelection we
23 need somebody else to hold their feet to the
24 fire I suppose.

25 And I would like to mention

1 something about I read last week or so that
2 United Way was wondering where their next
3 meal is coming from. Maybe if they quit
4 buying \$200,000 houses for ARC and letting
5 them go off our tax rolls they might have
6 some money, and there should be a thorough
7 of investigation of ARC and their finances.
8 They are just getting away with murder for a
9 nonprofit organization.

10 I just didn't want to take too much
11 time. I bought these at an auction and I
12 thought somebody from the city might want
13 them. They are bonds from the City of
14 Scranton from 1886 and they are in very good
15 shape and, you know, I have no use for them.
16 If somebody would like them and donate them
17 or something, you know, I would give them to
18 you.

19 MR. JOYCE: Yes, you could.

20 MR. ELLMAN: They are very
21 interesting. They have a council, signed by
22 a council then.

23 MR. JOYCE: Thank you.

24 MR. ELLMAN: See if somebody wants
25 them. I have no use for them. I kept one

1 of them. Thank you.

2 MR. JOYCE: Thank you.

3 MR. HUGHES: I'd like to suggest
4 give them to the historical society or keep
5 them here in city hall, one or the other.

6 MR. ROGAN: I think that's a good
7 suggestion.

8 MR. HUGHES: Maybe frame them and
9 put them in council's office, that would be
10 another thought.

11 MR. JOYCE: Our next speaker is Les
12 Spindler.

13 MR. SPINDLER: Good evening,
14 council. Les Spindler, city resident and
15 homeowner and taxpayer.

16 MR. JOYCE: Good evening.

17 MR. SPINDLER: I want to speak about
18 a few articles that have been in the Doherty
19 newsletter the last few weeks. The first
20 one is about the SRA not being able to
21 condemn two business in the 500 block of the
22 Lackawanna Avenue, one being Buona Pizza. I
23 spoke against this since day one that the
24 Redevelopment shouldn't be doing this.
25 Buona Pizza if not the longest standing

1 business in the city it's one of the longest
2 standing businesses and they were treated
3 terribly, and so I hope this is the end of
4 this. The only people that made out on this
5 is Chris Doherty's attorneys. They got
6 their pockets stuffed for years and years
7 now and, Attorney Hughes, I know you were
8 involved in this, is this the end of the
9 case or could the city still keep appealing
10 this?

11 MR. HUGHES: There is no automatic
12 right of appeal to the Supreme Court of
13 Pennsylvania.

14 MR. SPINDLER: Thank you. I hope
15 this is the end of it. The next thing, a
16 few weeks ago the people were talking about
17 MEM execs contributing to Chris Doherty's
18 campaign, well, I brought this up last year,
19 council might remember, during the Cordaro
20 and Munchak trial, PJ McLaine and the person
21 from Highland Associates, I can't think of
22 his name, both received immunity to testify
23 against Cordaro and Munhack and said back
24 then they contributed to Chris Doherty's
25 campaign and there should have been an

1 investigation back then and I still say
2 there should be an investigation because
3 good people don't hang around with these
4 kind of people and Chris Doherty is not a
5 good person.

6 The next thing, Councilman Rogan, a
7 few weeks ago you spoke about the synthetic
8 marijuana being back in the market and a few
9 weeks earlier I heard on the news that bath
10 salts are also on the market now under a
11 different name, and I forget what the name
12 was, I wanted to write it down, so maybe we
13 can look into doing away with that again,
14 too.

15 MR. ROGAN: Yeah, and it seems every
16 time, it's not just the city, every time the
17 city, the state or the federal government
18 makes a law to ban certain substances they
19 find another substance with a different
20 chemical makeup that does the same thing.

21 MR. SPINDLER: It's terrible and it
22 could just use these things and just change
23 the name and just keep using these things.

24 MR. ROGAN: From a lot of the
25 studies that I have read about they are

1 worse than the actual drug.

2 MR. SPINDLER: It's not right.

3 Another thing, the other day in the paper
4 the council has to pay a \$1.5 million that
5 the Redevelopment Authority defaulted on. I
6 have said it for years, these authorities
7 have to go. They serve no purpose. All
8 they are doing is costing us money. Like I
9 said, with the case on Lackawanna Avenue it
10 cost us money, and now with this where are
11 we going to get \$1.5 million? This city is
12 almost in bankruptcy and we've got to foot
13 this bill? Plus the bill for, like I said,
14 for the businesses in Lackawanna Avenue.
15 This just isn't right. I don't know where
16 the money is going to come from. Maybe in
17 motions, Mr. Joyce, you can get into that.

18 MR. JOYCE: I could state quickly
19 that the money for the SRA is in the
20 operating budget.

21 MR. SPINDLER: It is?

22 MR. JOYCE: Yeah, that was something
23 that was put in there because it was a
24 default and the city would be liable to --
25 or to pay that back.

1 MR. SPINDLER: Okay. It's a darn
2 shame because we could have done a lot more
3 things with that money --

4 MR. JOYCE: Agree.

5 MR. SPINDLER: -- than throw it out
6 on something stupid that the Redevelopment
7 did. It's ridiculous. About this rental
8 registration legislation, what buildings
9 does that include? Like, I own a double, I
10 live on one side, am I exempted on that?

11 MR. ROGAN: You would be exempt.

12 MR. JOYCE: Yes, you would be
13 exempt.

14 MR. SPINDLER: Thank you. The next
15 thing, in the paper the other day on the
16 Linden Street bridge they said it's going to
17 be fixed soon, they said they are going to
18 solicit bids in July. Why are they waiting
19 until July? It's just another example of
20 PennDOT dragging their feet. Why wait this
21 long, and they said it might be done by the
22 end of the year. Back in the 80's when they
23 had the earthquake in San Francisco I think
24 the Golden Gate Bridge was fixed faster than
25 the Linden Street Bridge, and that's a lot

1 bigger. This is just politics at it's best.
2 It's unbelievable and people's safety is at
3 harm.

4 Lastly, another article in the
5 Doherty newsletter about another satellite
6 police station opening in South Side. We
7 are opening all these satellite police
8 stations, too bad we don't have any police
9 officers to put in them. Keep laying off
10 police officers pretty soon we will have a
11 police station for every police officer on
12 their force, they will have their own home.
13 I think this is just a waste and the money
14 it took to open these places could have been
15 used for somebody something better like put
16 more police officers on the force. It's
17 just more examples of this city being
18 mismanaged for the last ten years and I
19 don't know when it's going to end. I guess
20 that's it. Thank you for your time.

21 MR. ROGAN: Thank you.

22 MR. JOYCE: Our next speaker is
23 Steve Patrick. Our next speaker is Ozzie
24 Quinn.

25 MR. QUINN: Ozzie Quinn, taxpayer's

1 Association. Good evening. Mr. Joyce?

2 MR. JOYCE: Yes.

3 MR. QUINN: The 9.85 million that
4 was awarded by the Court.

5 MR. JOYCE: Yes.

6 MR. QUINN: Is that legislation --
7 where is that legislation to go ahead and
8 seek RFPs?

9 MR. JOYCE: Currently the city is
10 under negotiations to find a lender for the
11 money and once that is completed then we
12 will receive legislation from what I have
13 been informed.

14 MR. QUINN: I see. Okay. The other
15 thing I want to ask is this here, you know,
16 the Redevelopment Authority, Mrs. Evans hit
17 it right on the head when she said the
18 purpose for the authority is not for what
19 it's been doing under Mayor Doherty, the
20 reason for the Redevelopment Authority is as
21 the Urban Redevelopment law under the
22 Federal 1949 Housing Act started renewal and
23 it was to remove blight, okay? And after
24 the Redevelopment Authority, after all the
25 debts were paid off and all the bonds were

1 gone, that all the staff were gone they kept
2 the board just in case of condemnations or
3 oppositions or whatever.

4 However, Mr. Doherty is using that
5 as his little gadget and that shouldn't be.
6 The Redevelopment Authority -- the purpose
7 of the Redevelopment is not for putting
8 lights up the Nay Aug or trying to sell
9 delinquent properties, you know. And you
10 should amend whatever he is trying to do and
11 add to that because nobody has ever done
12 anything about that until Mr. Doherty and
13 hopefully nobody ever will, but you can
14 never tell. The bad thing and it's got to
15 be stopped right away because of the fact
16 that that Redevelopment Authority should
17 just -- the use of the Vacant Property
18 Review Committee, and very seldom do I ever
19 see a piece of land coming up here for sale.
20 When do they meet? And something is wrong
21 some place. Somebody is holding the cards
22 here and they are just there for the purpose
23 of whatever Mr. Doherty wants to do.

24 I saw part of the independent audit,
25 Mr. Rogan, and this should pertain to you

1 and the fact was I think there was 11
2 findings in the audit on OECD and, you know
3 they still have an outstanding audit by
4 HUD/Office of Inspector General of \$11.7
5 million, you know, so something is wrong.
6 Something is amiss over there.

7 MR. ROGAN: I plan on calling Linda
8 Aebli tomorrow actually about a few issues
9 and that's one of them. The other one is
10 the transfer that is under the agenda on
11 Fifth Order, so I will be addressing that
12 with her tomorrow as well.

13 MR. QUINN: Okay. Thank you. You
14 know, I know you guys are between a rock and
15 a hard place where Mr. Doherty put you and I
16 know darn well that you are going to have to
17 figure out about that \$9.85 million and
18 borrow it and put it out there, and we, the
19 taxpayers, are going to have to pay it back
20 and I don't know, it's going to be tough to
21 do so I really don't know, so I hope you can
22 have a good PR setup before that happens
23 because people are going to be really angry
24 about it. Thank you very much.

25 MR. JOYCE: Thank you.

1 MR. HUGHES: Mr. Chairman, if I
2 could?

3 MR. JOYCE: Yes.

4 MR. HUGHES: Mr. Quinn?

5 MR. QUINN: Yeah.

6 MR. HUGHES: I believe you were on
7 the Redevelopment Authority when council
8 adopted the requirement of HUD that was the
9 called the phaseout agreement.

10 MR. QUINN: Yeah.

11 MR. HUGHES: Where the Redevelopment
12 Authority had to dispense of all of it's
13 staff, had to line everything up and turn
14 over all it's assets to the city and the
15 only function of the Redevelopment Authority
16 would be condemn properties where there was
17 an Urban Redevelopment Plan adopted by the
18 city.

19 MR. QUINN: Yes.

20 MR. HUGHES: I think you were on the
21 authority at the time and the chairman.

22 MR. QUINN: I was the chairman.

23 MR. HUGHES: I think you were.

24 Maybe council would appreciate if -- I know
25 there was a closeout resolution, I believe

1 that Mayor Doherty's father was on council
2 at the time that pushed for the
3 Redevelopment Authority be phased out and
4 closed out, and it was to be kept only as a
5 board for condemnation, not for the things
6 it's doing like you are saying.

7 MR. QUINN: Yes.

8 MR. HUGHES: I don't know if you
9 have some time maybe to talk to Mrs. Krake,
10 you know, what that resolution was and find
11 that. Actually it wasn't a resolution, I
12 think it was an ordinance, and I think there
13 was a deed later on where all -- that all of
14 the Redevelopment Authority's properties
15 would be transferred to the city. I don't
16 know if it was ever done, but if you are --
17 I'll just ask you, you know, since you have
18 an interest in it to maybe discuss that with
19 Mrs. Krake and maybe she could find that
20 phaseout ordinance because I don't believe--
21 and to see if it was ever amended so that
22 the Redevelopment Authority could be doing
23 the things that it is doing, which I don't
24 think it can. I appreciate your help on
25 that.

1 MR. QUINN: Thank you. I will. I
2 will get in touch with Mrs. Krake.

3 MR. JOYCE: Thank you. Our next
4 speaker is Peter Lamandre.

5 MR. LAMANDRE: Good evening,
6 Council. My name is Peter Lamandre, I'm the
7 Greater Scranton Board of Realtors 2012
8 president, and I'm here before you this
9 evening to talk about the rental
10 registration ordinance that's on the agenda
11 this evening.

12 First and foremost, I would like to
13 say that we support the concept. We feel
14 that it is important that properties be
15 registered, that the city have power to know
16 who is the responsible party for a
17 particular property if it's tenant occupied.
18 You need to have to some teeth to be able to
19 get rid of blight, so we definitely support
20 the concepts.

21 We have some concerns concerning the
22 current way in which the ordinance is being
23 enforced and some of that language is a
24 carry over and is in the proposed ordinance
25 that I had the opportunity to review, so I

1 would like to bring a few things to your
2 attention.

3 Just to give you some background for
4 myself, I am a licensed broker and a
5 property manager and I operate within the
6 city limits as well as throughout the
7 county, so I have some experience from that
8 perspective as far as how the ordinance is
9 being currently enforced and how some it can
10 actually be better.

11 So one of the first things I would
12 like to address is the concept of the
13 registered agent. In the Commonwealth of
14 Pennsylvania to be a property manager, to be
15 someone who is responsible for another
16 person's properties, enforce leases, collect
17 rents, those sort of things, you have to be
18 a licensee. The current ordinance as it's
19 written is silent to that effect and we feel
20 that what it does is it creates an
21 opportunity for the unlicensed practice of
22 real estate and if the goal is to have a
23 responsible party who better than someone
24 who is licensed, trained and is under the
25 supervision of the Department of State than

1 that that person to be the responsible
2 agent, as opposed to just a handyman, an
3 uncle, whoever it may be. So I think that
4 needs to be looked at.

5 Access to the reports is actually a
6 concern. When an incident happens on the
7 properties we have a three-strike rule
8 essentially. One of the concern is we can't
9 get access to the reports, it becomes a
10 privacy issue, and if there is a problem at
11 a property how is a landlord, how is a
12 property manager supposed to enforce the
13 lease and get rid of the tenant if they
14 can't get access to the actual report?

15 Now, we have been told by the police
16 department that it is basically unless the
17 landlord or the property manager is named in
18 the report they don't have the right to get
19 access. It would be very helpful if in the
20 ordinance there was some mandate that if it
21 is a tenant occupied property that the
22 property manager, the registered agent or
23 the landlord be named in the police report
24 so that they can obtain access to that
25 particular police report and, thus, enforce

1 the lease and potentially get rid of the
2 tenant.

3 Also, it would be proper notice to
4 the agent. In practice, the agents aren't
5 being notified. What's happening is the
6 owners are being notified. If the owner is
7 separate from the property, living 3,000
8 miles away, and they have hired someone to
9 take care of the property that person should
10 get notice that there is problem. They are
11 the person who is close. They are the
12 reason why you have this ordinance. If they
13 don't know what's going on in the property
14 they can't solve the problem. Often times
15 the landlord, if they are noticed, isn't
16 noticed until the second or third instance.
17 They are not noticed during the first
18 instance. So if they are not given the
19 opportunity to know there is problem they
20 can't react and they can't rid of the
21 problem.

22 Also like to bring to your attention
23 in terms of enforcement. It takes time to
24 evict a tenant, it's not an instantaneous
25 process. It can sometimes take up to two or

1 three months to actually evict a tenant
2 based on the current statutes in the State
3 of Pennsylvania. I would like to see -- we
4 would like to see some consideration in the
5 ordinance if the property owner or the
6 property agent is in the process of evicting
7 the tenant with respect to enforcement
8 concerning the three strike rule because if
9 they are already taking steps necessary to
10 remove the tenant and you are going to hold
11 them responsible for continued disturbance
12 as at the property it seems as if it's
13 punitive.

14 Let's see here, a couple of other
15 things. Also, I'd like to see code
16 enforcement, understand it may be a staffing
17 issue, but they there a lot of properties
18 that just aren't registered. Basically
19 right now you have to volunteer and say, "I
20 have a property, here is my money, here is
21 my registration, I have this."

22 It would be helpful if it was more
23 proactive. I understand that that may be a
24 staffing issue, you may not have the ability
25 and resources to be able to have someone

1 sending out correspondence saying, "We know
2 your property --" if they live in New
3 Jersey, it's a rental property. If they
4 live in New York, it's a rental property. I
5 mean, you can check that from the tax
6 records. So there is a way at least to
7 capture some of them. We understand that
8 you can't capture all of them, but there
9 needs to be some corrective side from the
10 city as opposed to just someone reporting.

11 And very importantly, again, is that
12 when there is an instance at the property,
13 let's say code enforcement goes out, the
14 agent should be contacted. Often times if
15 something is going on in the property if
16 code enforcement is there they can call, I'm
17 sure they can radio city all, find out who
18 the registered agent is and find out what's
19 going on with that property and let them
20 know. Very often they can address that
21 concern within 24 hours if they are
22 notified.

23 Just in closing, again, we support
24 the concept. We just feel that it needs a
25 little bit of help. We hope that you will

1 take into consideration some of the things
2 we brought forth. We are happy to work with
3 council and work with the city, however we
4 can to try to benefit it. Thank you very
5 much for your time.

6 MR. JOYCE: Thank you. Our next
7 speaker is Lee Morgan.

8 MR. MORGAN: Good evening, council.

9 MR. JOYCE: Good evening.

10 MR. MORGAN: I have missed the last
11 couple of meetings, but this 8-A did get my
12 attention today, this last gentleman spoke
13 about some of that. I have a lot of
14 problems with that. I mean, I would like to
15 really have the ability to come here
16 tomorrow and actually read it and understand
17 exactly everything that's in this
18 legislation you want to pass, but I do have
19 a lot of problems with this just from the
20 article I have read in the Scranton Times at
21 this point. Okay, we are going to have one
22 inspector, we are going to charge a \$15 per
23 unit fee. We are going to have a \$50 permit
24 fee per site, and one of the real major
25 problems I have is all of the people that

1 are enforcing this alleged ordinance. I
2 mean, I can understand some people coming
3 out here, but zoning and all of this other
4 stuff. I mean, if this is a legal rental
5 unit why would the zoning officer come out
6 this site? I mean, I have had my own
7 situations with this city where as the
8 Scranton Times put it that my -- the
9 condemnations of my properties were all
10 political, and I really don't care what
11 political people do to me because it doesn't
12 really matter. I just think politics is
13 extremely corrupt and the politicians will
14 do whatever they can to do whatever they
15 have to do, but I'm just really troubled
16 that, you know, you are going to -- in my
17 opinion I think what we are doing here with
18 these ordinances is we're blaming the people
19 that have rental properties for the city's
20 problems. I mean, you know, you take a look
21 at Mr. Pocius when he put the renter's
22 ordinance through.

23 I mean, you know, you have a problem
24 with the tenant and you are worried about
25 how many times the police were called?

1 Well, if the tenant broke the law arrest him
2 and take him out. I think there is lot of
3 other issues we have to worry about. We
4 have to worry about landlords that have
5 tenants who do massive damage to their
6 property and can't collect the money and
7 damage from their property, all right?

8 I think we have to worry about this
9 law being misapplied considering all of the
10 homes that we are condemning in this city
11 and tearing down. I think we have to be
12 concerned that when your one inspector goes
13 into these units he understands that the
14 work that was done in that house is
15 grandfathered in at the time the work was
16 done instead of holding the property to
17 today's standard.

18 I think there is an awful lot of
19 problems with this legislation and I think
20 that before we move forward and cause more
21 harm to people who own property in this
22 city, look it, the last gentlemen talked
23 about people living in New Jersey or
24 wherever they lived. Well, these are people
25 that are investors, they are investing in

1 this city and, you know, that's a really
2 difficult thing, but if you live in this
3 city and you walk around this city, I mean,
4 the city just walks up and if the property
5 has been empty for a certain period of time
6 just condemns it. They have never even been
7 in the property.

8 I mean, when you deal with what's
9 going on in this city as far as rent are
10 concerned people don't even want to buy
11 them. I don't know if this realtor agrees
12 with that, but, you know, the one thing that
13 we don't seem to realize is we rent as we
14 rip these rental properties down, not only
15 do we have holes all over this city and not
16 only have we created blight all over this
17 city by condemning all these homes, but all
18 of these renters that aren't here, they
19 aren't paying the wage tax.

20 And when we come and we use the
21 money that Senator Casey brings here for
22 ripping all of these properties down there
23 is no benefit to the residents of this city
24 because we have no money to pay our bills,
25 so what we are doing is we are roving

1 through a city, we are allowing an inspector
2 to go in and condemn a property, I don't
3 know, is it right? I can't tell you that,
4 but I know of people who have had properties
5 and they were trying to hold it to today's
6 code. These people didn't understand how
7 long they had to go to the building appeals
8 board, all right, and then it became a
9 matter of fact because you have so many days
10 to do it.

11 And what about all of these people
12 that bought these condemned properties and
13 tried to bring them up to code and have
14 invested money in them and then we
15 determined it can't be a six unit anymore,
16 it can't even be a four unit, but maybe
17 we'll let it be a three unit. It's just not
18 the way a city should do business. I mean,
19 we are wondering why the city is in a
20 perpetual downward spiral?

21 I think what we really need to do is
22 we need to create an atmosphere, like I said
23 here once before, and change the
24 contractor's list for the people who can do
25 work in this city so that when you send your

1 inspector out they have got a very large
2 array of contractors they can call to do
3 work on their property. What will that do?
4 It will bring down the price of bringing
5 that property back into code if they have to
6 do that. We can keep wasting our time and
7 wasting our money, but this city isn't going
8 up, it's going down.

9 MR. JOYCE: Thank you. Is there
10 anyone else who would like to address
11 council?

12 MR. DOBRZYN: Good evening, council.
13 Dave Dobrzyn.

14 MR. JOYCE: Good evening.

15 MR. DOBRZYN: Resident of Scranton
16 and taxpayer within the city. On MEM,
17 finally the administration came to their
18 senses and apparently they are going to make
19 them go to Court and prove what they owe.

20 And also, might I add there was an
21 article in the paper a few days ago or maybe
22 a week or two about a man that did
23 contracts, subcontracting work for them and
24 they tried to twist his arm and to turn in
25 phony receipts for work done and he refused

1 and they refused to pay him, so if they can
2 prove that we owe anymore money perhaps they
3 should be forced to pay these people that
4 they owe money to and have refused to pay
5 them their rightful fees for their service.

6 I have a question on Wyoming Avenue.
7 I don't have the exact address, but it's the
8 old Roth Furniture building and it's
9 in-between the Ritz Theatre and I think it's
10 a Episcopalian church or something like that
11 and Andy verified that it was most likely a
12 KOZ now. This man raised his rents whatever
13 way he felt like and nearly drove a local
14 musical concern out of business and it
15 remains to be seen if the guy can even stay
16 in business with the damage he did, and it's
17 really ashame I hope -- and I have a
18 question, I'll get the address, but I'd like
19 to know if any COM-D money went into that
20 place, too. Like I said, I don't have the
21 exact address, but it's really shameful how
22 much money that man's rent went up despite
23 the fact that he had a lease. I don't know
24 why. There was some clause in it that
25 allowed him to raise the rent at that point.

1 But, you know, I tried to deal with local
2 people and throw them the business. I buy
3 my clothes at Tucks and different things,
4 jeans, and things like that, and I get
5 personal service out of them.

6 Say like in Galucci's case I had a
7 guitar reworked that's worth a considerable
8 at of money because it has -- it was built
9 before Brazilian rosewood was banned for
10 importation and it could cost thousands of
11 dollars for a couple of Popsicle sticks of
12 this wood and the guitar started to become
13 poorly playable and was hurting my fingers
14 so I submitted it there for a lousy \$85 I
15 got it fixed, so it really bugs me that this
16 was done to that man and it's ashame.

17 And I would hope that if somebody is
18 given COM-D money and KOZ money that they
19 pass it along, spread the cheer a little bit
20 as we would say.

21 And I see finally the audit, so I'll
22 be listening in for any developments on
23 that, form an opinion later. That's what I
24 try to do in life.

25 I just read a really interesting

1 book, "Free Lunch." How the wealthy stick
2 the government with the bill and get you to
3 pay the taxes on it, and I'm going to give
4 it back to the library pretty soon so I'd
5 recommend anybody that is interested in that
6 book, and you should be, race down there and
7 get a lottery going if you have to get that
8 book fast. I hope it's available in
9 paperback so I could buy one because it's
10 really ashame. The author is David K.
11 Johnston.

12 And, okay, I'll keep it short
13 tonight. The golden parrot goes to Florida.
14 They lowered -- they are looking to lower --
15 the wage -- they lowered their waitresses
16 from -- by \$3.05 an hour to \$4.20 an hour
17 and they are looking to lower it about \$2
18 more so hopefully the restaurants down there
19 will start giving the golden parrot or
20 golden cockroach out with every meal. Thank
21 you and have a good night. Bawk, bawk.

22 MR. JOYCE: Thank you. Is there
23 anyone else who would like to address
24 council?

25 MS. SCHUMACHER: Good evening,

1 Council. Marie Schumacher, city resident
2 and taxpayer.

3 MR. JOYCE: Good evening.

4 MS. SCHUMACHER: First, I noticed
5 two days ago in the paper there was an
6 article on Dunmore hiring an investment firm
7 for their refinancing and they don't expect
8 to -- even though they got somebody hired
9 already, they don't expect to see anything
10 until at least April or May, and I'm really
11 disappointed that our refinancing
12 legislation is not on tonight's agenda.

13 First, agenda items. 5-G. Since 12
14 plus million dollars in property taxes will
15 be unavailable to pay bills until July 1, do
16 we have the funds to both pay this SRA bill
17 as well as meet payroll through June 30?
18 You can answer during motions, but I'm very
19 interested in that.

20 7-A. Last week -- or two weeks ago
21 now, Mr. Joyce said, "Currently there was a
22 clerk in the Treasurer's Office collecting
23 current refuse fees and it's our intention
24 that, and NRS's intention, that this clerk
25 will still be responsible for collecting

1 this fees."

2 Mrs. Evans broke into state, "They
3 will handle the delinquencies. That
4 individual has been successfully performing
5 those duties and responsibilities for quite
6 a number of years and I think we don't want
7 to take -- well, I think the saying goes, if
8 it ain't broke don't fix it."

9 If 7-A passes this evening that
10 means we will be paying Northeast Revenue
11 Services, LLC, to collect both current and
12 delinquent trash fees. That means the city
13 employee will be doing the work and
14 Northeast will be collecting the fee. This
15 is wrong.

16 MR. ROGAN: It's going to amended.

17 MS. SCHUMACHER: Okay. And, also, I
18 still want to know how many years delinquent
19 the \$178 refuse fee must be before the
20 additional 400 plus additional fees are
21 assessed to the property owner.

22 7-B. A few questions regarding the
23 rental registration program, which I still
24 think should be outsourced to someone in the
25 city to perform. First, have all of the

1 rental properties who currently pay the fee,
2 which is a small minority, been inspected?

3 Next, if all currently unregistered
4 rental properties are successfully
5 registered this year do we have adequate
6 city inspectors to inspect all of these
7 properties in year? I suspect the answer is
8 "no" and if I'm not correct I would like to
9 know how the order of inspections will be
10 determined as I suspect this to be a fertile
11 area for abuse.

12 I recommend 7-B be amended to
13 require a monthly random selection occur
14 publically, perhaps during city council
15 meetings, to determine the number of the
16 properties the inspectors will be able to
17 handle the following month.

18 Now switching to other items. In
19 early June of 2010, city council held a
20 special caucus to address blight legislation
21 that could be proposed by Scranton's two
22 representatives despite the fact that a
23 piece of the legislation addressing blight,
24 HB-900, was already working its way through
25 the legislature. I never heard of any

1 blight legislation either of these
2 legislators introduced, but the in-process
3 legislation became law in October of that
4 year. That law allows municipalities to
5 file Court actions against the owners of the
6 properties with serious code violations with
7 judgments against the owner's assets, not
8 just liens against the buildings.

9 It provides for extradition of
10 out-of-state owners of deteriorated property
11 from prosecution. It allows municipalities
12 to deny applications for certain municipal
13 permits and approvals if the applicant is
14 delinquent on taxes or other municipal
15 charges or if the applicant owns property
16 that is in serious violation of codes and
17 has taken no substantial action to bring the
18 property into code compliance.

19 It encourages education and training
20 programs for judges related to blight in the
21 abandoned properties and it authorizes the
22 establishment of housing acts. My question
23 is how many times the City of Scranton has
24 used this statute to address our cities ever
25 growing blight? I asked this question as

1 the regular reader of court notes where I
2 have noticed a significant number of the
3 properties being sold to limited liability
4 corporations and I am concerned this may be
5 a tactic to shield the owner's assets which
6 would render one of the big sticks of this
7 legislation, judgments against the owner's
8 assets, null and void.

9 Am I correct in assuming that a
10 judgment against a LLC property owner would
11 be limited to the equity in that property?
12 If so, we best start using the power of
13 HB-900 before all properties are converted
14 to LLCs. We need to use the tools we have
15 been provided, and the rest I'll finish next
16 week I guess since I'm out of time. Thank
17 you.

18 MR. JOYCE: Thank you. Are there
19 any other speakers?

20 MR. SLEDENZSKI: Frankie.

21 MR. JOYCE: Hey, Chrissy.

22 MR. SLEDENZSKI: Hi, Frank. Hi,
23 Pat.

24 MR. ROGAN: Hey, Chrissy.

25 MR. SLEDENZSKI: Hi, Claire. Thank

1 you.

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

5 MS. KRAKE: 5-A. MOTIONS.

6 MR. MCGOFF: Thank you. A couple of
7 things. First, on a personal -- somewhat
8 personal note, a congratulations and good
9 luck to the Holy Cross boys basketball team
10 as they will play Saturday for the Class AA
11 District Championship, personal because my
12 grandson happens to be the captain of the
13 team and they have been playing well and
14 hopefully will continue to.

15 Secondly, the documents that
16 Mr. Ellman provided I will take those to the
17 Lackawanna County Historical Society, and as
18 Attorney Hughes suggested, I'm sure that
19 they will be happy to have them. I know I
20 have taken things there before and they are
21 happy to get things that are associated with
22 the City of Scranton and Lackawanna County
23 for display and for research as well, so
24 that will be done as soon as I can get
25 there.

1 Third, there was some mention,
2 Mr. Sbaraglia and also Ms. Schumacher
3 mentioned some things about the unfunded
4 debt and the refinancing. I know Mr. Joyce
5 answered some of it so this may be a little
6 bit of a repeat. The banks that were
7 involved in providing the TAN for 2012 were
8 the ones that said they said that they would
9 not entertain unfunded debt or the
10 refinancing until TAN was paid, which would
11 have been May or June.

12 MR. JOYCE: Yes, June 30.

13 MR. MCGOFF: And since that was --
14 that would have prolonged the process, the
15 city went and started to look for additional
16 or other financing for those two items and
17 currently they are negotiating with other
18 financial institutions for the unfunded debt
19 and the refinancing and you are -- and it
20 was correct in stating that the refinancing
21 is late and we will lose some of the
22 benefits from the -- what was suggested or
23 what was proposed in the refinancing, but it
24 is proceeding, and as Mr. Joyce said,
25 nothing can be done until we find a

1 financial institution that is willing to
2 entertain the unfunded debt and the
3 refinancing, so when that is done, when
4 there is assurances then legislation will be
5 provided and it will move forward.
6 Hopefully that will take place in the near
7 future. Hopefully.

8 And finally, a lot has been said
9 about the rental registration, so I'll
10 comment on it now rather than waiting until
11 it comes for a vote. A number of things
12 that were said. First of all, the rental
13 registration ordinance that is on the agenda
14 there are very few changes from what he
15 originally had, most of it was in language
16 and trying to strengthen the position of the
17 city where in some of it said the city may
18 do something, some of the wording was
19 changed to shall do something, so that it
20 gave a little bit more force as to what the
21 city could do as far as inspections and
22 dealing with some of the rental properties.

23 To answer maybe the one concern that
24 was mentioned, one of the primary ideas for
25 doing this, maybe the first thing that we

1 wanted to do was to get a more adequate
2 database from which to work on the rental
3 registration to update the number of rental
4 properties that exist in the city.

5 As was mentioned, you know, unless
6 you basically volunteered to send the money
7 many times we don't even know that these
8 rental properties exist and hopefully though
9 the work of the housing inspectors and
10 rental registration personnel hopefully we
11 can improve on that, on the database that we
12 have, and in that way increase revenue to
13 the city.

14 I probably misspoke about couple of
15 weeks ago when I said part of this was for
16 the increase of revenue. Actually the fee
17 structure there are some changes, but it's
18 not a major change to the fee structure,
19 what I actually should have said was we are
20 looking for a more efficient enforcement of
21 the rental registration fees and in that way
22 we would increase revenue to the city. Make
23 it a self-sustaining program. I think maybe
24 Mr. Rogan mentioned that the week I wasn't
25 here, and in that way it would increase

1 revenue.

2 Also, we received a letter from the
3 Single Tax Office from Mr. Courtright in
4 stating that once we identify any new
5 properties that are rental registration --
6 that come under the rental registration they
7 are also subject to the business privilege
8 tax, which many of them are probably not
9 paying since we haven't identified them as,
10 you know, revenue making properties.

11 So there are a number of ways in
12 which revenue should increase and it's not
13 necessarily by placing a greater burden on
14 the landlord. Yes, there are some changes
15 to the fee structure, but they are not
16 exorbitant and it doesn't place a great
17 burden on the landlord or shouldn't on the
18 tenants either.

19 Other things that that were brought
20 up, the enforcement officers. Mr. Morgan
21 brought up why the zoning officer. Well,
22 there are many provisions in the ordinance
23 dealing with zoning and, therefore, having a
24 zoning officer as one of the people that can
25 enforce the rental registration is I think

1 appropriate and it states, I won't have to
2 quote it, but it's also on -- from the
3 direction of their supervisor that they
4 would go and perform these duties, so it's
5 not just, you know, five different people
6 running around the city trying to enforce
7 something, it will be enforced through the
8 LIPS Department and at the direction of the
9 Director of Licensing and Inspections.

10 So, you know, I think that the
11 people that are designated there are
12 important and need to be in there so we can
13 have proper enforcement of this when it is
14 finally passed.

15 Also, the claim that we are trying
16 to blame the landlords for everything I
17 think is superfluous. I think that we
18 included protections for the landlord as
19 well in here. There are a number of
20 sections, the one section, the duty of the
21 occupants, and we have tried to place
22 more -- some more accountability--
23 some more -- more accountability on the
24 occupants of these properties and give the
25 landlords a little bit more power to remove

1 an occupant if, in fact, there is a problem.

2 Under some of the old ordinance it
3 was, again, the wording was, well, we may do
4 this, we may do that, this gives the
5 landlord, you know, a little bit more force
6 in order to deal with unruly tenants, and so
7 I think that there are -- is it perfect?
8 No. There are some changes that probably
9 could be and should be made, but I think in
10 it's entirety it takes a step forward in
11 trying to deal with what I think everybody
12 sees as a common problem throughout the
13 city, not to all rental properties, but to
14 some, and what we are trying to do was to
15 make this a more equitable situation to try
16 and deal with landlords who -- and tenants
17 who, you know, just simply refuse to abide
18 by the law and that are abusing, you know,
19 the privilege of being a resident of the
20 City of Scranton and hopefully through this
21 ordinance we can, you know, take care of
22 some of those problems.

23 With that all said, we are going
24 to -- because of some conflicts in some
25 wording issues we are going to -- I am going

1 to propose that we table this for this
2 evening, but it will be put back on the
3 agenda when those things are worked out and
4 I believe that this is a positive good for
5 the city and once it is enacted we can get
6 to work on trying to deal with, you know,
7 the problems associated with rental
8 properties in the city, and that's it.
9 Thank you.

10 MR. JOYCE: Thank you, and I also
11 would like to wish you much success with
12 your grandson's basketball team. I hope
13 they are successful in their venture.
14 Mr. Rogan, do you have any questions or
15 comments?

16 MR. ROGAN: Yes. I guess I'll start
17 off on the rental registration fee as well
18 and I am glad it's going to be tabled this
19 week. There were a lot of good points
20 brought up at tonight's meeting. I
21 certainly appreciate the input of realtors.
22 I agree with most of what was said that the
23 problem is -- the problem right now isn't
24 the person who is doing it right, it's the
25 person who is doing it the wrong way and we

1 wouldn't want to see a landlord who, you
2 know, happens to rent, and I'm sure the
3 landlord is going to have met most of the
4 people they rent to, but it happens. You
5 get a bad apple no matter how hard you
6 search for good tenants. They shouldn't be
7 punished for one bad tenant.

8 Now, on the other hand, when we have
9 most -- it's mostly out-of-town landlords
10 that don't live in the area and they are
11 just getting those checks sent to them every
12 month they don't live in our community and a
13 lot of them don't care. Now, some of them
14 are good businessmen just trying to make an
15 honest dollar, but a lot of them are just
16 looking for that check every month, so we
17 definitely have to crack down on the
18 absentee landlords and I think while a
19 rental registration program can do that, the
20 key is the inspection.

21 The fee I'm fine with as long as
22 there is an inspection. If there is a fee
23 without an inspection it's not a fee, it's a
24 tax. You know, if you are paying for the
25 service of an inspection I'm perfectly fine

1 with that. There is no inspection it's
2 simply a tax on landlords.

3 There are many things that were
4 brought up and I'm glad we are tabling it to
5 give everything worked out and there is a
6 lot of good ideas floating around with this
7 and hopefully it will work out, and like I
8 said a few weeks ago and Mr. McGoff just
9 mentioned, the goal is that it will be a
10 self-sustaining program.

11 You know, I would love to see the
12 amount of fees that we brought in was enough
13 to pay for the inspectors to go out and do
14 the inspections and crack down on the blight
15 in the neighborhoods and that's the purpose
16 of the program. It's not supposed to be a
17 cash cow for the city.

18 Moving on, MEM was brought up once
19 again, and for once I agree with the
20 administration and I agree with the few of
21 the speakers, we shouldn't give them a dime.
22 It's been reported in the newspaper by a
23 former MEM executive it was a Ponzi scheme,
24 so I certainly think before we send them any
25 money we have to make sure we actually owe

1 them for a service that was provided.

2 Moving on to a few other matters I
3 would like to address. I received a letter
4 from Linda Aebli regarding 13 properties,
5 the bids came in for the demolition. The
6 properties are 416 13th Avenue, 1125 Rear
7 Luzerne Street, 1908 Luzerne Street, 1144
8 Luzerne Street, 905 Archbald Street, 1507
9 North Main Avenue, 1228 Meadow Avenue, 419
10 and 427 East Market Street, 442 New Street.
11 1413 Dickinson Avenue, 1218 South Webster
12 and 1502 South Irving. I'm very happy to
13 see these on the list. Many of these were
14 properties that we have received calls on,
15 I'm sure not only myself, many of us have
16 seen these properties and they are an
17 eyesore to say the least.

18 The bids do vary pretty widely by
19 price. The lowest bid is \$121,275. The
20 highest bid is \$418,000, so quite a wide
21 range in the bids. I hope Linda and the
22 attorneys at OECD will do a good job sifting
23 these over and see this project completed to
24 get some more blight out of the
25 neighborhoods.

1 Next, we received a letter and
2 regarding property at 519 Grace Street in
3 Scranton. I'll read it, it's very brief.
4 It says, "We are writing to make sure you
5 are aware we are very concerned about and
6 strongly opposed making of a parking lot on
7 the property formerly known as 519 Grace
8 Street. The property was attained by the
9 city under a flood-related project and
10 should be under a restricted deed."

11 Now, it was addressed to the mayor,
12 city council and the zoning board. I have
13 the agenda for the zoning meeting on March
14 14 and there is nothing regarding this on
15 the agenda. I'm not sure what's proposed,
16 who is, you know, proposing to put a parking
17 lot in there. There is about 50 signatures
18 on here.

19 Mrs. Krake, could we please send a
20 letter to the zoning board and the proper
21 authorities to see -- just to get to the
22 bottom of this just to see what is proposed,
23 and I know if it was a FEMA buyout I know
24 the property is very restricted. I think
25 it's supposed to remain green land, I don't

1 think you can do anything on it, so I think
2 if a parking lot was put on there that would
3 actually be in violation if it was a flood
4 buyout. Again, I'm not sure, just something
5 that was sent to us that we can look into
6 it.

7 Next, Mrs. Krake, could we also
8 please send Mr. Galdieri's letter to council
9 to DPW asking that this road be at least in
10 the mean time repaired and placed on a
11 paving list. I'm going to take a ride up
12 there this week to check it out. I have to
13 admit I have never been on the street
14 myself, but I will go up there and check
15 that out. 24 years without being paved is
16 quite a bit of time and, you know, I hope
17 that this will be extra money in the DPW
18 budget from the light winter that we have
19 had can possibly fund other activities, one
20 of them being the flooding on the Cameron
21 Avenue that we had a caucus with a few of
22 the residents from there. I believe it was
23 Mr. Brazil at the time was here and maybe a
24 few more officials, I don't remember
25 everyone that was in attendance, but again,

1 we had a caucus, it seemed the DPW was
2 willing to help the residents in that
3 neighborhood and then it stalled out.

4 So now maybe with Mr. Dougher at the
5 helm down there maybe something will get
6 done, so could we please send a follow-up to
7 Mr. Dougher regarding that as well.

8 Also, Mrs. Krake, could we please
9 send a letter to the IT Department asking
10 that the names of the zoning members be
11 updated on the city's website. Currently
12 the members -- there is three of them that
13 are on there that are correct and two that
14 aren't.

15 Finally, Mrs. Krake, would you also
16 please a letter to the business
17 administrator asking if Blue Cross was paid
18 its premium for health care. I heard from a
19 resident that there was a check that was
20 supposed to be made today and if it wasn't
21 that city employees could be in a lapse of
22 health care. I don't know if there is any
23 truth to it, but just something that you can
24 look into as well.

25 And finally, I should have announced

1 this earlier, but I just noticed it in my
2 mail, West Scranton High School will be
3 presenting the rock and roll hit musical
4 Grease on Friday, March 30, Saturday, March
5 31, and Sunday, April 1. As a West Scranton
6 alumni myself I remember going to the plays
7 through the years, they do a great job, you
8 know, they go out of their way and do a
9 great job and they are selling -- if for any
10 business owners or anyone run for office
11 this year that would like to place an ad in
12 the brochure, the contact people or Judy
13 Kilmer, who can be reached at Judith.Kilmer@
14 CSRSD.org. Or Mary Ann Hazzouri at
15 MaryAnn.Hazzouri@CSRSD.org, and definitely
16 it will be a great presentation judging by
17 the track record at West Scranton High
18 School and I think that is all I have for
19 now. Thank you.

20 MR. JOYCE: Thank you, Mr. Rogan.
21 Tonight I just wanted to begin by commenting
22 on what Mr. McGoff said in regard to the
23 refinancing of the debt and unfunded debt.
24 Currently the city is in negotiations with
25 various lending institutions regarding the

1 unfunded debt as well as the refinancing of
2 debt, and once a lender is found that will
3 be placed on the agenda. I do recall a few
4 of our speakers saying that it wouldn't be
5 entertained until the TAN was paid off.
6 Currently it was the position of the banks
7 involved with the TAN that they didn't want
8 to engage in the unfunded debt or the
9 refinancing until the TAN was paid off, but
10 there are other banks that are interested
11 and that the city is currently in
12 negotiations with.

13 Also tonight I'm going to provide
14 everyone with a detailed summary as brief as
15 I could be of the 2010 audit by Rossi &
16 Rossi, which we have received and is
17 completed, and if anyone wishes to receive
18 an electronic copy of this I suggest that
19 they e-mail or contact our office and we'll
20 see what we could do as far as getting that
21 copy to you.

22 But as one knows in 2011 when the
23 majority members of this city council took
24 office there was an attempt to open the 2010
25 operating budget to save costs, and after

1 Court hearings with the administration in
2 2010 it was ruled that we didn't have the
3 power, however, city council was wise in
4 trying to reduce expenditures in the 2010
5 budget though it was defeated in Court.

6 As per our 2010 audit by Rossi &
7 Rossi, the city was short \$4,471,439 in
8 revenue in other financing sources in 2010.
9 As far as expenditures were concerned, the
10 city spent \$67,145 more than budgeted.
11 Therefore, overall in 2010 the amount of
12 money budgeted for revenue and expenditures
13 obviously were both \$77,865,746, as the
14 budget has to be balanced on both sides.
15 The city in actuality only realized
16 \$73,394,307, while it spent \$77,932,891
17 leaving a hole of \$4,538,584 in the
18 administration's budget.

19 To provide a detailed breakdown of
20 how the city accumulated this hole in the
21 2010 I'll begin by discussing revenue.
22 First, let's begin with the Act 511 taxes.
23 Act 511 taxes are established and permitted
24 under the LTEA, Local Tax Enabling Act,
25 which permits certain type of taxes that

1 cities of various classes are able to levy.
2 The Act 511 taxes that the City of Scranton
3 levies consists of wage tax, real estate
4 transfer tax, mercantile, the business
5 privilege tax, the local service tax, and
6 all of their delinquencies. The total
7 amount of Act 511 taxes that the city was
8 able to collect in 2010 was \$28,421,074.
9 The actual amount that the city collected
10 was \$27,227,468. Therefore, for all Act 511
11 taxes, both current and delinquent, the city
12 came up \$1,193,606 short.

13 Secondly, besides Act 511 taxes, the
14 city also levies the real estate tax and
15 receives revenue from delinquent real estate
16 taxes, public utilities as well as penalties
17 and interest. The total amount of money
18 that was budgeted for these revenue sources
19 along with the Act 511 taxes was
20 \$43,011,633. The city collected \$42,307,622
21 meaning that for tax revenue overall the
22 city came up short by \$704,011.

23 In addition to taxes, the city also
24 receives other sources of revenue. One type
25 of source of revenue that the city receives

1 are in the governmental earnings.

2 Intergovernmental earnings consist of
3 supplemental state pension aid as well as
4 proceeds from the OECD reimbursement from
5 their demolition program. For
6 intergovernmental earnings the
7 administration budgeted \$2,910,000. In
8 2011, the actual amount that the city
9 realized was \$2,788,434, which meant that
10 overall as far as intergovernmental earnings
11 were concerned the city was \$121,566 short.

12 Along with intergovernmental
13 earnings and taxes, the city also receives
14 revenue from departmental earnings which
15 include parking meters, fines and forfeits,
16 pave cuts, copies of police and fire
17 reports, alarm fees and zoning board fees.
18 Over all, the administration budgeted
19 \$2,961,362 for these revenue sources. The
20 actual amount realized was \$2,296,790
21 meaning that the city was \$664,572 short.

22 Another source of revenue that the
23 city received is classified in the budget as
24 other revenues. These revenues consist of
25 refuse disposal fees, license and permits,

1 cable TV franchise revenue from Comcast,
2 payments in lieu of taxes or known as
3 PILOTS, interest income, user fees,
4 donations and rents and concessions. The
5 total amount that the administration
6 budgeted for these revenue sources in 2010
7 was \$9,400,932, the actual amount the city
8 realized was \$7,952,577 meaning that the
9 city was \$1,052,355 short.

10 In regard to other financing
11 sources, the city also took out \$14.5
12 million in tax anticipation notes in 2010,
13 budgeted \$2 million for the advance sale of
14 delinquent real estate taxes as well as
15 budgeted for transfers from liquid fuels and
16 other funds. The total amount that the
17 administration budgeted for other financing
18 sources was \$19,977,819. The actual amount
19 that the city realized was \$18,048,884
20 meaning that the city was \$1,928,935 short.

21 As far as expenditures were
22 concerned in 2010 the administration
23 budgeted for various expenses. To educate,
24 expenditures generally consist of items such
25 as salaries and benefits, workers'

1 compensation claims, professional services,
2 utilities, Court awards, etcetera. The
3 amount of money that the city pays to fund
4 the SPA citation issuers is also another
5 expense, and supplies such as salt, paving
6 material, contingency funds and debt service
7 payments are also examples of the various
8 expenses that the city has. Overall the
9 administration budgeted \$77,865,746 in
10 expenditures. The city ended up spending
11 \$77,932,891, meaning that the city spent
12 \$67,145 over budget regarding expenditures.
13 That would not be a large problem if revenue
14 projections by the administration in 2010
15 were not off by over \$4.4 million.

16 Again, with all being said, in 2010
17 the administration created a \$4,538,584
18 budget hole. And a few weeks ago there were
19 questions as to whether or not the Scranton
20 Parking Authority could consider parcels of
21 land that they own as tax exempt. We had
22 asked our Solicitor Boyd Hughes to look into
23 this and I would like to ask Mr. Hughes, do
24 you have any updates?

25 MR. HUGHES: Yes, Mr. President, or

1 I guess vice-chairman, Mr. Joyce. It was
2 reported in the Scranton Times that
3 Mr. Tunis, a board member, stated that all
4 of the properties of the Scranton Parking
5 Authority are tax exempt and it does not
6 have to pay any real estate taxes on any of
7 its properties. That statement is not
8 accurate based on accordance with the law, a
9 Supreme Court decision involving the
10 Pittsburgh Parking Authority which has been
11 in effect for over 50 years. Its been cited
12 in many cases both in Pennsylvania Courts
13 and in Federal Courts of the US District
14 Courts for the Eastern District, the Western
15 District and also the Middle District of
16 Pennsylvania, that any property of the
17 Parking Authority that is leased
18 commercially can be assessed and taxed.

19 Currently the Assessor's Office is
20 taxing the Parking Authority on properties
21 that they do have commercially leased such
22 as restaurants, I mean, just look around you
23 see that the -- I know on the main -- on the
24 original Scranton Parking authority garage
25 at the corner of Washington and Linden they

1 are being taxed on the commercial properties
2 there. They would also be taxed on any
3 commercial property that they have on any of
4 their other garages, so that statement is
5 not in accordance with the law. They can be
6 taxed and they will be taxed by the city and
7 by the Assessor's Office. They currently
8 are being taxed by the Assessor's Office.

9 I believe that from what I
10 understand, I haven't seen any of the
11 leases, but I believe that the leases that
12 the Parking Authority has with the
13 commercial tenants and all of the buildings
14 require them to pay the real estate taxes
15 that are assessed, so to make a statement
16 that the Parking Authority could collect the
17 real estate taxes that would be assessed on
18 that share of the tenant's property,
19 leasehold property, that they could keep the
20 money and not pay it to the taxing agencies
21 is totally incorrect.

22 MR. JOYCE: Thank you for your
23 opinion. And that is all I have for
24 tonight.

25 MS. KRAKE: 5-B. AMENDING FILE OF

1 COUNCIL NO. 40, 2010, ENTITLED, "AN
2 ORDINANCE AUTHORIZING THE MAYOR AND OTHER
3 APPROPRIATE OFFICIALS OF THE CITY OF
4 SCRANTON TO TAKE ALL NECESSARY ACTIONS TO
5 IMPLEMENT THE CONSOLIDATED SUBMISSION FOR
6 COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS
7 TO BE FUNDED UNDER THE COMMUNITY DEVELOPMENT
8 BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT
9 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY
10 SHELTER GRANT (ESG) PROGRAM, BY TRANSFERRING
11 \$39,800.00 FROM PROJECT NUMBER 08-120
12 ECONOMIC DEVELOPMENT TO PROJECT NUMBER
13 11-229.1 UNITED NEIGHBORHOOD CENTERS OF
14 NORTHEASTERN PA - CONDEMNATION PROGRAM.

15 MR. JOYCE: At this time I'll
16 entertain a motion that Item 5-B be
17 introduced into its proper committee.

18 MR. ROGAN: So moved.

19 MR. MCGOFF: Second.

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

22 MR. MCGOFF: Aye.

23 MR. ROGAN: Aye.

24 MR. JOYCE: Aye. Opposed? The ayes
25 have it and so moved.

1 MS. KRAKE: 5-C. AUTHORIZING THE
2 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
3 TO ACCEPT AND DISBURSE FUNDS FROM THE
4 U.S. DEPARTMENT OF JUSTICE, OFFICE OF
5 COMMUNITY ORIENTED POLICING SERVICES (COPS)
6 FOR THE 2011 COPS HIRING PROGRAM GRANT.

7 MR. JOYCE: At this time I'll
8 entertain a motion that Item 5-C be
9 introduced into its proper committee.

10 MR. ROGAN: So moved.

11 MR. MCGOFF: Second.

12 MS. JOYCE: On the question? All
13 those in favor signify by saying aye.

14 MR. MCGOFF: Aye.

15 MR. ROGAN: Aye.

16 MR. JOYCE: Aye. Opposed? The ayes
17 have it and so moved.

18 MS. KRAKE: 5-D. CREATING AND
19 ESTABLISHING SPECIAL CITY ACCOUNT NO.
20 02.229604 ENTITLED "2011 COPS HIRING
21 PROGRAM" FOR THE RECEIPT AND DISBURSEMENT OF
22 GRANT FUNDS BY THE SCRANTON POLICE
23 DEPARTMENT FOR PAYMENT OF SERVICES
24 FOR A POLICE OFFICER.

25 MR. JOYCE: At this time I'll

1 entertain a motion that Item 5-D be
2 introduced into its proper committee.

3 MR. ROGAN: So moved.

4 MR. MCGOFF: Second.

5 MS. JOYCE: On the question? All
6 those in favor signify by saying aye.

7 MR. MCGOFF: Aye.

8 MR. ROGAN: Aye.

9 MR. JOYCE: Aye. Opposed? The ayes
10 have it and so moved.

11 MS. KRAKE: 5-E.APPOINTMENT OF JACK
12 EMILIANI, 946 NORTH GARFIELD AVENUE,
13 SCRANTON, PENNSYLVANIA, 18504, AS A MEMBER
14 OF THE BOARD OF THE SCRANTON REDEVELOPMENT
15 AUTHORITY FOR AN ADDITIONAL FIVE (5) YEAR
16 TERM. MR. EMILIANI'S CURRENT TERM EXPIRES ON
17 FEBRUARY 14, 2012 AND HIS NEW TERM WILL
18 EXPIRE ON FEBRUARY 14, 2017.

19 MR. JOYCE: At this time I'll
20 entertain a motion that Item 5-E be
21 introduced into its proper committee.

22 MR. ROGAN: So moved.

23 MR. MCGOFF: Second.

24 MS. JOYCE: On the question?

25 MR. ROGAN: Yes. Mrs. Krake, did we

1 receive a resume or did we send a request
2 yet?

3 MS. KRAKE: We have not sent a
4 request. It should be in your backup
5 everything that came down to us. We will
6 double check for that though.

7 MR. ROGAN: If we didn't receive one
8 would you please send out a request?

9 MS. KRAKE: Yes.

10 MR. ROGAN: Thank you.

11 MR. JOYCE: All those in favor of
12 introduction signify by saying aye.

13 MR. MCGOFF: Aye.

14 MR. ROGAN: Aye.

15 MR. JOYCE: Aye. Opposed? The ayes
16 have it and so moved.

17 MS. KRAKE: 5-F. ACCEPTING THE
18 RECOMMENDATION OF THE HISTORICAL
19 ARCHITECTURE REVIEW BOARD ("HARB") AND
20 APPROVING THE CERTIFICATE OF APPROPRIATENESS
21 FOR SCRANTON CONNELL, LP, 595 E. LANCASTER
22 AVENUE, ST. DAVIDS, PENNSYLVANIA FOR
23 INSTALLATION OF A SIGNAGE BAND AND
24 SIX (6) INDIVIDUAL AWNINGS AT THE CONNELL
25 BUILDING, 121-133 NORTH WASHINGTON AVENUE,

1 SCRANTON, PENNSYLVANIA.

2 MR. JOYCE: At this time I'll
3 entertain a motion that Item 5-F be
4 introduced into its proper committee.

5 MR. ROGAN: So moved.

6 MR. MCGOFF: Second.

7 MS. JOYCE: On the question? All
8 those in favor signify by saying aye.

9 MR. MCGOFF: Aye.

10 MR. ROGAN: Aye.

11 MR. JOYCE: Aye. Opposed? The ayes
12 have it and so moved.

13 MS. KRAKE: 5-G. AUTHORIZING THE
14 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
15 TO EXECUTE AND ENTER INTO A SETTLEMENT
16 AGREEMENT BY AND BETWEEN THE CITY OF
17 SCRANTON ("THE CITY"), THE REDEVELOPMENT
18 AUTHORITY OF THE CITY OF SCRANTON (THE
19 "SRA") AND PENNSTAR BANK ("PENNSTAR")
20 TO SETTLE LITIGATION FILED AGAINST THE CITY
21 AND SRA BY PENNSTAR BANK CONCERNING AN
22 AGREEMENT OF SALE AND PURCHASE OF TAX CLAIMS
23 FOR WHICH PENNSTAR PROVIDED FINANCING.

24 MR. JOYCE: At this time I'll
25 entertain a motion that Item 5-G be

1 introduced into its proper committee.

2 MR. ROGAN: So moved.

3 MR. MCGOFF: Second.

4 MS. JOYCE: On the question? All
5 those in favor signify by saying aye.

6 MR. MCGOFF: Aye.

7 MR. ROGAN: Aye.

8 MR. JOYCE: Aye. Opposed? The ayes
9 have it and so moved.

10 MS. KRAKE: 5-H. RATIFYING AND
11 APPROVING OF THE EXECUTION AND SUBMISSION OF
12 THE GRANT APPLICATION BY THE CITY OF
13 SCRANTON, ON BEHALF OF UNITED NEIGHBORHOOD
14 COMMUNITY DEVELOPMENT CORPORATION (UNCDC),
15 TO THE COMMONWEALTH OF PENNSYLVANIA ("THE
16 COMMONWEALTH") ACTING THROUGH THE
17 COMMONWEALTH FINANCING AUTHORITY (THE
18 "GRANTOR") FOR A LOCAL SHARE ACCOUNT GRANT,
19 PURSUANT TO THE PA RACE HORSE DEVELOPMENT
20 AND GAMING ACT, FOR A PROJECT TO BE KNOWN AT
21 "CEDAR 500" LOCATED IN SCRANTON PA, AND
22 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
23 CITY OFFICIALS OF THE CITY OF SCRANTON TO
24 EXECUTE AND ENTER INTO A LOCAL SHARE ACCOUNT
25 GRANT CONTRACT #C000052035 AND COMMITMENT

1 LETTER WITH THE COMMONWEALTH OF PENNSYLVANIA
2 COMMONWEALTH FINANCING TO ACCEPT AND UTILIZE
3 THE GRANT IN THE AMOUNT OF \$435,200.00
4 AWARDED BY THE COMMONWEALTH OF PENNSYLVANIA
5 ACTING THROUGH THE COMMONWEALTH FINANCING
6 AUTHORITY FOR SUCH PROJECT.

7 MR. JOYCE: At this time I'll
8 entertain a motion that Item 5-H be
9 introduced into its proper committee.

10 MR. ROGAN: So moved.

11 MR. MCGOFF: Second.

12 MS. JOYCE: On the question? All
13 those in favor signify by saying aye.

14 MR. MCGOFF: Aye.

15 MR. ROGAN: Aye.

16 MR. JOYCE: Aye. Opposed? The ayes
17 have it and so moved.

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

19 READING BY TITLE - FILE OF COUNCIL NO. 18,
20 2012 - AN ORDINANCE - AUTHORIZING THE MAYOR
21 AND OTHER APPROPRIATE CITY OFFICIALS OF THE
22 CITY OF SCRANTON TO ACCEPT AND DISBURSE
23 GRANT FUNDS FROM THE WALMART FOUNDATION IN
24 THE AMOUNT OF \$2,000.00 TO PURCHASE TOYS AND
25 COATS FROM THE SCRANTON POLICE DEPARTMENT'S

1 ANNUAL TOY/COAT DRIVE.

2 MR. JOYCE: You've heard reading by
3 title of Item 6-A, what is your pleasure?

4 MR. ROGAN: I move that Item 6-A
5 pass reading by title.

6 MR. MCGOFF: Second.

7 MR. JOYCE: On the question? All
8 those in favor signify by saying aye.

9 MR. MCGOFF: Aye.

10 MR. ROGAN: Aye.

11 MR. JOYCE: Aye. Opposed? The ayes
12 have it and so moved.

13 MS. KRAKE: 6-B. READING BY TITLE -
14 FILE OF COUNCIL NO. 19, 2012 - AN ORDINANCE
15 - CREATING AND ESTABLISHING SPECIAL CITY
16 ACCOUNT NO. 02.229602 ENTITLED "SCRANTON
17 POLICE HOLIDAY TOY & COAT DRIVE" FOR THE
18 RECEIPT AND DISBURSEMENT OF DONATIONS
19 RECEIVED BY THE POLICE DEPARTMENT TO
20 PURCHASE TOYS AND COATS DURING THE HOLIDAY
21 SEASON FOR AREA FAMILIES.

22 MR. JOYCE: You've heard reading by
23 title of Item 6-B, what is your pleasure?

24 MR. ROGAN: I move that Item 6-B
25 pass reading by title.

1 MR. MCGOFF: Second.

2 MR. JOYCE: On the question? All
3 those in favor signify by saying aye.

4 MR. MCGOFF: Aye.

5 MR. ROGAN: Aye.

6 MR. JOYCE: Aye. Opposed? The ayes
7 have it and so moved.

8 MS. KRAKE: 6-C.READING BY TITLE -
9 FILE OF COUNCIL NO. 20, 2012 - AN ORDINANCE
10 - TRANSFERRING FUNDS FROM FUND 01 CITY OF
11 SCRANTON 2006 SERIES A TAN ACCOUNT WHICH
12 FUNDS AND ACCOUNT ARE NO LONGER NEEDED FOR
13 THE CONDUCT OF CITY BUSINESS, AND ABOLISHING
14 AND CLOSING SAID ACCOUNT AND TRANSFERRING
15 THE FUNDS REMAINING IN SAID ACCOUNT TO THE
16 PNC GENERAL FUNDING CHECKING ACCOUNT LISTED
17 BELOW.

18 MR. JOYCE: You've heard reading by
19 title of Item 6-C, what is your pleasure?

20 MR. ROGAN: I move that Item 6-C
21 pass reading by title.

22 MR. MCGOFF: Second.

23 MR. JOYCE: On the question?

24 MR. ROGAN: Yes, on the question,
25 did anyone ever receive a reply to the

1 letter we sent regarding other monies that
2 may still be sitting in these accounts?

3 MS. KRAKE: I don't believe that we
4 have, but I will check into that, Councilman
5 Rogan.

6 MR. ROGAN: I don't see anything.

7 MR. JOYCE: I didn't see any.

8 MR. ROGAN: All right. That's all.

9 MR. JOYCE: All those in favor
10 signify by saying aye.

11 MR. MCGOFF: Aye.

12 MR. ROGAN: Aye.

13 MR. JOYCE: Aye. Opposed? The ayes
14 have it and so moved.

15 MS. KRAKE: SEVENTH ORDER. 7-A. FOR
16 CONSIDERATION BY THE COMMITTEE ON FINANCE
17 FOR ADOPTION-FILE OF COUNCIL NO. 16, 2012 -
18 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
19 OFFICIALS OF THE CITY OF SCRANTON TO EXECUTE
20 AND ENTER INTO AN ADDENDUM TO THE
21 PROFESSIONAL SERVICES CONTRACT WITH
22 NORTHEAST REVENUE SERVICES LLC FOR
23 THE COLLECTION OF DELINQUENT TAXES TO EXPAND
24 THE COLLECTION SERVICES PERFORMED BY
25 NORTHEAST REVENUE SERVICES TO INCLUDE THE

1 COLLECTION OF CURRENT AND DELINQUENT REFUSE
2 FEES.

3 MR. ROGAN: I make a motion to amend
4 7-A per the following five changes:

5 One, in the summary title delete
6 "current and."

7 Two, in the whereas clause delete
8 "current and."

9 Three, in the now, therefore,
10 clause, delete "current and".

11 Four, revise addendum Exhibit A as
12 follows: In the third whereas clause delete
13 "current and", and in the, now, therefore
14 clause, Article I, delete "current and".

15 Also, in the now, therefore, clause
16 Article II, delete Subarticle 2-A and
17 reletter 2-B as 2-A to read as follows:

18 "The fee for the collection of the
19 delinquent refuse fees shall be 15 percent
20 of the delinquent refuse fees and interest
21 collected by Northeast Revenue and paid to
22 the treasurer. Northeast Revenue shall also
23 collect the penalties, interest and fees
24 authorized by the City of Scranton."

25 MR. JOYCE: Second. On the

1 question? All those in favor of the motion
2 to amend number 7-A?

3 MR. MCGOFF: Aye.

4 MR. ROGAN: Aye.

5 MR. JOYCE: Aye. Opposed? The ayes
6 have it and it is so moved. My
7 recommendation as Chairperson for the
8 Committee on Finance, I recommend final
9 passage of Item 7-A, as amended.

10 MR. ROGAN: Second.

11 MR. JOYCE: On the question?

12 MR. ROGAN: Yes, just to explain the
13 amendment and the entire process, by
14 deleting "current and" the city will
15 continue to collect the current so instead
16 of having to pay the fee on current and
17 delinquent it would just be on the
18 delinquent so it does save the taxpayers
19 some money.

20 MR. JOYCE: Anybody else? Roll
21 call, please.

22 MS. CARRERA: Mr. McGoff.

23 MR. MCGOFF: Yes.

24 MS. CARRERA: Mr. Rogan.

25 MR. ROGAN: Yes.

1 MS. CARRERA: Mr. Joyce.

2 MR. JOYCE: Yes. I hereby declare
3 Item 7-A, as amended, legally and lawfully
4 adopted.

5 MS. KRAKE: 7-B. FOR CONSIDERATION
6 BY THE COMMITTEE ON RULES FOR ADOPTION-FILE
7 OF COUNCIL NO. 17, 2012 - ESTABLISHING A
8 REGISTRATION PROGRAM FOR RESIDENTIAL RENTAL
9 PROPERTIES; REQUIRING ALL OWNERS OF
10 RESIDENTIAL RENTAL PROPERTIES TO DESIGNATE
11 AN AGENT FOR SERVICE OF PROCESS; AND
12 PRESCRIBING DUTIES OF OWNERS, AGENTS AND
13 OCCUPANTS; DIRECTING THE DESIGNATION OF
14 AGENTS; ESTABLISHING FEES FOR THE COSTS
15 ASSOCIATED WITH THE REGISTRATION OF RENTAL
16 PROPERTY; AND PRESCRIBING PENALTIES FOR
17 VIOLATIONS.

18 MR. MCGOFF: I'd like to make a
19 motion to table Item 7-B.

20 MR. ROGAN: Second.

21 MR. JOYCE: There is a motion on the
22 floor to table Item 7-B and a second. On
23 the question? All those in favor signify by
24 saying aye.

25 MR. MCGOFF: Aye.

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MR. ROGAN: Aye.

MR. JOYCE: Aye. Opposed? The ayes
have it and so moved. Item 7-B is now
tabled.

If there is no further business,
I'll entertain a motion to adjourn.

MR. ROGAN: Motion to adjourn.

MR. JOYCE: This meeting is
adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER