

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, April 19, 2012

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SCRANTON COUNCIL:

JANET EVANS, PRESIDENT

FRANK JOYCE, VICE-PRESIDENT

ROBERT MCGOFF

PAT ROGAN

JOHN LOSCOMBE
(Not present.)

NANCY KRAKE, CITY CLERK

JAMIE MARCIANO, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. MARCIANO: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. MARCIANO: Mr. Rogan.

7 MR. ROGAN: Here.

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

10 MR. JOYCE: Here.

11 MS. MARCIANO: Mrs. Evans.

12 MS. EVANS: Here. Before we
13 proceed, we have tonight's meeting, we would
14 like to present a special proclamation to
15 Mrs. Peggy Ruddy from the Women's Resource
16 Center.

17 WHEREAS, Sexual Assault Awareness
18 Month is intended to draw attention to the
19 fact that sexual violence is widespread and
20 has public health implications for every
21 community member of the City of Scranton;
22 and.

23 WHEREAS, rape, sexual assault, and
24 sexual harassment impact our community as
25 seen by statistics indicating that one in

1 five women will have experienced sexual
2 assault by the time they complete college;
3 and

4 WHEREAS, as must work together to
5 educate our community about what can be done
6 to prevent sexual assault and how to support
7 survivors; and

8 WHEREAS, with leadership,
9 dedication, and encouragement, there is
10 compelling evidence that we can be
11 successful in reducing sexual violence in
12 the City of Scranton through prevention
13 education, increased awareness, and holding
14 perpetrators who commit acts of violence
15 responsible for their actions; and

16 WHEREAS, the City of Scranton
17 strongly supports the efforts of national,
18 state, and local partners, and of every
19 citizen to actively engage in public and
20 private efforts, including conversations
21 about what sexual violence is, how to
22 prevent it, how to help survivors connect
23 with services, and how every segment of our
24 society can work together to better address
25 sexual violence.

1 NOW, THEREFORE, BE IT RESOLVED, that
2 Scranton City Council wishes to join
3 anti-sexual violence advocates of the
4 Women's Resource Center and support service
5 programs in the belief that all community
6 members must be part of the solution to end
7 sexual violence. Along with the United
8 States Government and Commonwealth of
9 Pennsylvania, we hereby proclaim the month
10 of April 2012 as "SEXUAL ASSAULT AWARENESS
11 MONTH" in Scranton.

12 BE IT FURTHER RESOLVED, that this
13 Proclamation be made a permanent part of the
14 Minutes of this Council, Thursday, April 19,
15 2012.

16 Would you like to say a few words?

17 MS. RUDDY: Sure. This is a very
18 special proclamation for the Women's
19 Resource Center. We have existed in this
20 community for 35 years and on a day-to-day
21 basis work with, unfortunately, over 2000,
22 2000 community members each year who are
23 victims of both domestic violence and sexual
24 abuse. Men, woman, little boys, little
25 girls, and so we are very proud to be here

1 tonight and recognized for the work that we
2 do and for all of the work and help that
3 city council has provided us over those
4 three decades, so thank you very much.

5 MS. EVANS: And thank you for the
6 wonderful services that you provide.

7 MS. RUDDY: Thank you very much.

8 MS. EVANS: Dispense with the
9 reading of the minutes, please.

10 MS. KRAKE: THIRD ORDER. 3-A. A.
11 CITY OF SCRANTON GENERAL FUND CASH FLOW FOR
12 THE YEAR 2012.

13 MS. EVANS: Are there any comments?
14 If not received and filed.

15 MS. KRAKE: 3-B. LACKAWANNA COUNTY
16 TAX COLLECTION COMMITTEE FINANCIAL
17 STATEMENTS FOR THE YEAR ENDED DECEMBER 31,
18 2010.

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

21 MS. KRAKE: 3-C. AGENDA FOR THE
22 LACKAWANNA COUNTY EARNED INCOME TAX
23 COLLECTION COMMITTEE MEETING HELD JANUARY
24 26, 2012.

25 MS. EVANS: Are there any comments?

1 If not received and filed.

2 MS. KRAKE: 3-D. DEPARTMENT OF THE
3 AUDITOR GENERAL BUREAU OF MUNICIPAL PENSION
4 AUDITS EXIT CONFERENCE FOR THE PERIOD,
5 JANUARY 1, 2009 TO DECEMBER 31, 2010 HELD ON
6 MARCH 29, 2012.

7 MS. EVANS: Are there any comments?

8 If not received and filed.

9 MS. KRAKE: 3-E. 2011 CITY OF
10 SCRANTON AUDIT STATUS UPDATE AS OF
11 APRIL 11, 2012.

12 MS. EVANS: Are there any comments?

13 If not received and filed.

14 MS. KRAKE: 3-F. AGENDA FOR THE
15 ZONING HEARING BOARD MEETING HELD APRIL 11,
16 2012.

17 MS. EVANS: Are there any comments?

18 If not received and filed.

19 MS. EVANS: Do we have any clerk's
20 notes this evening?

21 MS. KRAKE: No, Mrs. Evans.

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

25 MR. ROGAN: Just one. We received

1 this in our mailbox. The Everhart Museum
2 will be having a display honoring the 100
3 year anniversary of the sinking of the
4 Titanic. Support the Legend and 100 years
5 of history April 15 to June 24 at the
6 Everhart Museum of Natural Science, History
7 and Art, so definitely there is little more
8 information on the back, it seems like an
9 interesting exhibit, might have to head up
10 to the museum and check it out.

11 MS. EVANS: Is there anyone else?

12 MR. JOYCE: Yes. St. Joseph's
13 Malachite Catholic Church located on 130
14 North St. Francis Cabrini Avenue will hold
15 it's annual breakfast fundraiser this
16 Sunday, April 22, from 8 a.m. to 1 p.m.
17 Tickets are available at the door. The cost
18 of the breakfast is \$7 for adults and \$4 for
19 children under ten.

20 The PLCTA, Parents Loving Children
21 Through Autism, their annual awareness walk
22 will be held Saturday, April 21, at Nay Aug
23 Park in the Scranton's Hill Section. The
24 walk begins at 11 a.m.. and if you would
25 like more information about the walk please

1 contact PLCTA at 341-3388.

2 And on April 22 from 1:30 to 4:30
3 West Scranton Senior Center will hold a big
4 Bingo fundraiser, the cost will be \$5 for
5 two cards and there will be food for
6 purchase and cash prizes. If you would like
7 more information please call 961-1592,
8 extension 101, and that's it.

9 MS. EVANS: Thank you. The Scranton
10 Fraternal Order of Eagles No. 314 will
11 conduct it's spring craft fair this
12 Saturday, April 21, from 10 a.m. to 3 p.m.
13 Admission is free and crafts include
14 jewelry, woodworking and homemade bows to
15 products from Avon, Mary Kay and Dove
16 chocolate. For more information call the
17 Eagle's Club at 961-5495, and that's it.

18 MS. KRAKE: FOURTH ORDER.

19 MS. EVANS: Our first speaker
20 tonight is Ron Ellman.

21 MR. ELLMAN: Hello, Council.

22 MR. JOYCE: Good evening.

23 MR. ELLMAN: I hate to be lead man
24 and put everybody in a foul mood right off
25 the bat. I think I ought to get a

1 proclamation for being up here first.

2 MR. MCGOFF: You should get
3 something.

4 MR. ELLMAN: Well, I hope Marie and
5 we aren't the only ones that saw this
6 article yesterday in the paper about the
7 Intervention Center bought four pieces of
8 property for \$510,000 from the Rinaldis.
9 You know, even if these properties he sold
10 them for just about what was in them to get
11 rid of them evidently, even if he did so
12 this is inflated price because the way the
13 downtown on the real estate market. This
14 hole deal stinks. The Intervention Center
15 is using -- they get like 90 percent or so
16 grants and so forth they are using tax money
17 to buy four houses for \$510,000 and they
18 don't ask to take them off the tax rolls.

19 You got to draw the line in the sand
20 someplace and stop this kind of insanity
21 that's going on around here. This is
22 just -- you just can't go on. Besides that,
23 as soon as they get these houses they are
24 going to have to spend a fortune to improve
25 them and bring them up to code and

1 everything else and I think the whole deal
2 ought to be investigated. This smells like
3 some of the things that goes on with ARC
4 with their 35 cars for ten houses.

5 You know, the people at ARC I know
6 because Rose has a brother that's in a home
7 out in Newfoundland or someplace, and I have
8 never been there she has been there, they
9 take his total social security disability so
10 I take it for granted that ARC takes the 85
11 checks from the people which would be
12 probably, you know, \$50,000 a month so they
13 can afford to pay some taxes, I don't care
14 how bad everybody gets. This whole city
15 nobody wants to pay taxes around here except
16 the low income people.

17 But, like I said, taking tax money
18 to buy houses to take off the tax rolls is
19 just you can't do it. It's like our mayor
20 plans to borrow us out of debt. I don't
21 know when at the are going to go before a
22 board to ask for tax relief, but I think
23 somebody from council and somebody from our
24 so-called school board needs to be there and
25 put an end to this.

1 You know, you are talking about
2 trying to do something here's a good way to
3 start, and another way would be doing
4 something about Paul Mansour. He has
5 collected money all these years on that
6 Woolworth house and nothing has been
7 touched. Nothing. All he is doing is
8 running a real estate business on the
9 taxpayers' dollar.

10 Well, I never cared much for the
11 Rinaldis to start with for what he has done
12 to the city. I just don't see anything
13 myself.

14 I'd like to say I have been up here
15 probably three, four, five times,
16 complaining about cars parked in the
17 sidewalk and it just gets worse. There is
18 no excuse for cars to be parked on the
19 sidewalk with all four wheels where you
20 can't use it. On the 25 -- I think it's
21 2515 North Main there is an old house on the
22 hill, they don't have any parking, you are
23 allowed to park in the street in front of
24 it, they used to park there. Now there is
25 four or five or six cars overnight on the

1 sidewalk where you cannot use it, which this
2 doesn't effect me too much, but in the
3 morning when I walk Slugo I see little kids
4 going to the bus stop, which is next to the
5 house on North Main Avenue. That's just--
6 it's a matter of the safety and across the
7 street on Parker where Main and Parker is
8 it's the same thing, there is a little
9 house, there is three apartments they made
10 from a store and there is two, three, four
11 cars every morning completely on the
12 sidewalk where the mommas are out in the
13 street. I just wish something can be done
14 about it you know. Like I said, it doesn't
15 effect me because I can cross the street
16 without much trouble. Thank you.

17 MS. EVANS: Thank you. Our next
18 speaker is Gerard Hetman.

19 MR. HETMAN: Good evening, Council.
20 Gerard Hetman from the Lackawanna County
21 Department of Community Relations. A few
22 brief announcements this evening. First, we
23 would just like to issue a reminder to all
24 local residents about the annual Armed
25 Forces Day Parade which is coming up in just

1 a few weeks. The annual Scranton Lackawanna
2 County Armed Forces Veteran's Parade will be
3 held on Armed Forces Day, May 19, 2012, at
4 11 a.m. in downtown Scranton to cap off a
5 week of activities celebrating Armed Forces
6 week. The parade will begin at the Gino
7 Merli Veteran's Center on the corner of
8 Mulberry Street and Penn Avenue and travel
9 South on Penn Avenue, east of Lackawanna
10 Avenue, and north onto North Washington
11 Avenue to conclude at courthouse square.

12 Any group interested in
13 participating in the parade is asked to
14 contact Sergeant First Class Tammy Maslowski
15 at 57-963-4558 or e-mail Tammy, that's
16 T-A-M-M-Y-Y, dot Maslowski M-A-S-L-O-W-S-K-I
17 at US.Army.mill no later than May 5. Again,
18 the phone number is 570-963-4558 no later
19 May 5.

20 We should note that we are doing the
21 best we can with our department to promote
22 and enhance the Armed Forces Day parade this
23 year. Going forward, it will certainly be a
24 point of the emphasis for the County
25 Department of Community Relations and

1 an application to participate in this
2 program. The rate of pay is \$200 per day,
3 but artists must provide their own supplies
4 and design and create their own projects for
5 children to use.

6 The second program is the brand new
7 County Arts Engage Day which will be held on
8 Wednesday, July 11, at the Electric City
9 Trolley Museum, 300 Cliff Street in Scranton
10 from 9:00 a.m. to 12 p.m. This new program
11 is partnership with the Lackawanna County
12 Arts and Cultural Department, Children and
13 Youth Service and the county library system
14 passport program. Our activities will be
15 featured in the trolley museum and admission
16 will be free for children who have a
17 Lackawanna County Library passport card.

18 Again, here the stipend rate of pay
19 is \$250 per day. Artists must provide their
20 own supplies and design their own projects.
21 To submit an application form, artists can
22 contact Mari McWiggan, Lackawanna County
23 Deputy director for Arts and Culture at the
24 trolley museum, 300 Cliff Street, Scranton.
25 They can e-mail artsculture that's

1 A-R-T-S-C-U-L-T-U-R-E at Lackawanna
2 County.org, and they can also call
3 570-963-6590, extension 106. That's
4 570-963-6590, extension 106, and a complete
5 artist's proposal form must be received no
6 later than Friday, May 25, 2012. Again,
7 artists have until Friday, Mary 25, 2012, to
8 submit their proposals to participate in
9 this project which will provide free arts
10 activities for children during the summer
11 months in Lackawanna County.

12 Last, but not least, we are still
13 waiting to hear for an official date for the
14 hearing for the proposed baseball sale and
15 as soon as we have a date for a public
16 hearing the public will be notified ASAP
17 through local media outlets and also our
18 county social media channels and the website
19 of the Lackawanna County. Anything I can do
20 for you this evening?

21 MS. EVANS: I don't believe we have
22 any questions at this time.

23 MR. HETMAN: Not a problem. I will
24 be here until the end of the meeting. I can
25 talk to you afterwards or if any member of

1 audience wishes to speak to us we will be
2 here. Thank you, Council.

3 MS. EVANS: Thank you.

4 MR. HETMAN: I'm just going to leave
5 these proposal forms for the county
6 programs, if possible.

7 MS. EVANS: Our next speaker is Doug
8 Miller.

9 MR. MILLER: Good evening, Council.
10 Doug Miller, Scranton.

11 MR. JOYCE: Good evening.

12 MR. MILLER: I'd like to begin by
13 discussing 6-A on the agenda. I'd just like
14 to tonight publically express my support for
15 this piece of legislation. I think it's a
16 credit to this council and what you have
17 done here in developing a much needed
18 revenue enhancement for the city. Obviously
19 with this legislation and the 15 percent
20 parking tax it's a pretty common sense thing
21 to think that the city is going to generate
22 hundreds of thousands of dollars and
23 certainly in our financial situation we need
24 every penny with can generate. My hope is
25 that this will be successful without any

1 issues down the road or objections from
2 others. You know, we have been talking an
3 awful lot about the Recovery Plan recently
4 and what we expect to go on with that.

5 A lot of this goes back to the
6 creativity in terms of coming up with the
7 revenue enhancements we have needed. I have
8 said that many times before. You have done
9 that, you have put your grants together and
10 you have come up with some pretty
11 intelligent proposals. We talked about a
12 commuter tax, amusement taxes have been
13 brought up. One of the other topics that
14 was brought up before, and I think maybe PEL
15 might have suggested this or it may have
16 come from council and you can correct me if
17 I'm wrong, but we did discussion advertising
18 on city property, whether it was on garbage
19 containers or city vehicles, maybe that's
20 something we should really take a look at.
21 You know, some might think it's an idea
22 that's pretty out there, but, like I said,
23 when you are a city that's over \$313 million
24 in long-term debt no idea is crazy at this
25 point so we need to really put our heads

1 together and think what we can do to
2 generate the revenue we need.

3 I do believe we need to continue
4 reaching out to the nonprofits in the city
5 and seek payments in lieu of taxes. It's my
6 understanding that this council has been
7 working closely with the county and the
8 school district to come together and develop
9 a plan where we can seek that revenue from
10 those out there that aren't paying their
11 fair share, and I do appreciate your
12 commitment to that. You have had that
13 commitment since day one, obviously its
14 taken some time, it's not as easy as just
15 going after and assessing a fee on someone,
16 it does take some times and there are some
17 laws and regulations that you do have to
18 follow, but I do appreciate your commitment
19 to that and certainly we know that there are
20 millions out there that this city has missed
21 out on for decades and it's my hope that
22 with this council majority and your
23 willingness to cooperate with county
24 officials and school district officials that
25 we will finally generate that much needed

1 revenue that we need.

2 And finally tonight, I'm going to be
3 brief here, this has been a concern for many
4 in the past few years and we know we are
5 approaching the summer months here, a
6 question I have tonight is to council is
7 have we at this time received any
8 notification from Director Dougher as to
9 what we plan on doing with the operation of
10 the city pools this summer?

11 MS. EVANS: No.

12 MR. JOYCE: No.

13 MR. MILLER: It's been a concern of
14 many people, people who I have talked to
15 have been concerned with Novembrino,
16 obviously, last year going all summer the
17 issue was they were putting a splash park, I
18 found that to be totally silly. I don't
19 believe there ever will be a splash park
20 over there, I think that was just a ploy to
21 keep people quiet over there.

22 Capouse Avenue, what is that, three
23 summers now that has been shut down, you
24 know, I just don't understand how we can
25 deprive children the opportunity to swim and

1 I would just request tonight maybe if we
2 didn't receive anything perhaps we can send
3 a letter down to DPW and hopefully get a
4 timely response on that because it is a
5 concern for the residents of this city. We
6 know Nay Aug Park will be taken care of, but
7 that's not the only pool in the city, so
8 hopefully we can get a timely response to
9 that and I think will satisfy a lot of
10 people. Thank you.

11 MS. EVANS: Thank you. Lee Morgan.

12 MR. MORGAN: Good evening, Council.

13 MR. JOYCE: Good evening.

14 MR. MORGAN: Did anybody hear
15 anything about what happened to the bars at
16 the former zoo yet? Does anybody know what
17 happened to the cages there and all the
18 metal?

19 MS. EVANS: No.

20 MR. MORGAN: I'd just like to start
21 by saying that, you know, we've got a lot of
22 volunteers in the city come out and not just
23 volunteers of Weston Park, but other places,
24 and I just think that over a very protracted
25 period of time it seems like almost

1 everybody who has come forward somehow has
2 gotten kicked in the teeth by the city and
3 it's been a very -- it hasn't been very
4 good for the volunteers. As the years have
5 rolled on, you have seen so many people
6 volunteer and then like the people who are
7 over at the West Scranton Crime Watch and
8 then the city came over and took over the
9 site, but they were there for a long time
10 and basically got thrown out of there and
11 there has been many other instances, and I
12 think we need to really be very appreciative
13 of the people who come forward and are
14 willing to do good things for the city at no
15 cost and I think we need to really take a
16 good look at what we are doing.

17 Another thing is, you know, a lot of
18 people may believe that the parking fees
19 that we are going to generate are a good
20 thing. There is no doubt that we need the
21 money, and I agree in a particular kind of
22 way with Mr. Miller about the millions of
23 dollars in revenue, but not the millions of
24 dollars of revenue that we can collect, but
25 the millions and millions and millions of

1 dollars in revenue we have misspent, and as
2 we continue to raise taxes in this city I'd
3 like to ask the council, I mean, everybody
4 at council might have been amused when
5 Wal-Mart built all those shops, well, they
6 are not being taxed by the City of Scranton
7 and businesses are leaving here and going
8 there, I think that the council members
9 should take a little drive up to Clarks
10 Summit and go across State Street and see
11 what's happened to private residences there.
12 They are converting them into doctor offices
13 and a lot of other uses, and we have to
14 realize that the city downtown and all of
15 these apartments we're making downtown,
16 well, at one time they all had businesses in
17 them, they are gone. We have a great way of
18 overtaxing everyone and mismanaging our
19 finances.

20 Now we are asking FEMA to come and
21 save our fire department while the people in
22 Troy and Towanda and Meshoppen and all of
23 these, Hot Bottom, they were flooded and
24 some of these people got no money at all.
25 So what we are trying to do is we are trying

1 to divert federal money here to makeup for a
2 lack of responsibility by this city to
3 budget, to pay a pension to money, we have
4 had a lot of infighting and it's lead us to
5 where we are, and I just think that we need
6 to take a good hard look at the way we
7 conduct business because for many decades we
8 haven't conducted it properly and we can tax
9 everybody until there is nobody here, but I
10 don't really think that's the solution.

11 I really think, and we need a
12 regional plan in this city and major
13 economic development push, and we need to
14 find jobs to turn this community around like
15 every place else does, but I guess, you
16 know, the American people want to buy cheap
17 goods from China and Vietnam rather than
18 employ Americans, and it's really very
19 silly.

20 And the last thing I have here is,
21 you know, I would like to see the City of
22 Scranton send legislation at least to
23 council, to the mayor, because I think that
24 any home two stories and above should have
25 stops on the windows we don't have anymore

1 tragedies. I mean, all of these buildings
2 that we have, we have all of these renters
3 who -- or this new renters ordinance, so, I
4 mean, why aren't we making sure that we
5 don't have anymore tragedies in this city
6 and for the life of me I can't understand
7 when we need recently why there wasn't stops
8 on those windows, and I just think it would
9 be a wonderful thing if this council would
10 go talk to the mayor and come up with a plan
11 to safeguard people by asking that all
12 windows two stories and above only be
13 allowed to open so far so we don't have
14 anymore problems.

15 And, you know, I just hope that the
16 council and the mayor would finally realize
17 that it's time to look for employment
18 opportunities. Before I'd leave here I'd
19 like to say think of somebody who is paying
20 \$50 a week in wage tax. That's \$2,600 a
21 year. We are condemning rental units in
22 this city at just at a pace that's
23 unbelievable. That's \$2,600 possibly in tax
24 revenue we are not going to receive and it
25 might seem like \$50 a week is a lot in wage

1 tax, but I seem to know quite a few people
2 paying that and more, so I just hope that
3 council would think more often before they
4 create legislation. Thank you.

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

7 MR. DOBRZYN: Thank you. Good
8 evening, Council. Dave Dobrzyn, resident of
9 Scranton, taxes paid. Okay, I don't have
10 very much to comment on with the city
11 current legislation, but I have a few things
12 that I wrote them down by hand, next week
13 I'll try and get them in the computer
14 generated renege, but I will submit them.

15 I had a thought, an early bird for
16 the Parking Authority, a few electric
17 charging stations for hybrid cars which
18 could possibly generate an additional fee,
19 so it will be another year or so before you
20 start seeing it with the Chevy Volt and all
21 that is getting a lot of publicity and it
22 cost about a \$1 to drive the same amount of
23 distance as a gallon of gas with the Chevy
24 Volt so people that can afford them might be
25 interested in buying them.

1 And once again, the trash fee, and
2 I'll submit this to Ms. Marciano here, tip
3 fee per ton of recycle as opposed to
4 landfill, so I never knew what it was and I
5 would rather not toot my horn if it's more
6 expensive to recycle then that's the way it
7 is.

8 And does the city permit and post
9 and post-inspect utility repaves because
10 that's where 80 percent of our potholes are
11 coming from.

12 And on the caucus, I'm willing to
13 sit through them and if I don't make it to
14 them I do watch it, I watched that caucus
15 twice on the tax with Berkheimer, so -- but
16 the fourth sewer river caucus, there is a
17 local guy I know, Bernard Grill, you may
18 know him, he is not a Sewer Authority
19 employee, but he is an expert and activist
20 especially on federal mandates, so we could
21 sort out what some of these sewer charges
22 are as opposed to somebody getting hired
23 for, you know, political patronage.

24 Okay, and don't forget to get out to
25 vote next Tuesday. I have been working with

1 get out to vote. There is lot of
2 misinformation there. A lady told me last
3 night that a representative told her all she
4 has to do is ask for an absentee ballot.
5 Well, after November you will be required to
6 give a -- some type of ID, whether it's in
7 the hands of the person requesting the
8 ballot or whatever, and call ahead the
9 Licensing Bureau for a photo license because
10 certain days are very busy and other days --
11 I walked in there last Thursday and had my
12 picture taken in five minutes and I was out
13 of there.

14 MR. ROGAN: Mr. Dobrzyn, actually I
15 was looking into this the other day
16 regarding the absentee ballots for -- as you
17 stated, for the primary election there is no
18 change.

19 MR. DOBRZYN: No, there is no
20 change; right.

21 MR. ROGAN: For the general election
22 the requirement to vote by absentee will now
23 be you will either have to submit a
24 photocopy of your driver's license, the last
25 four digits of your social security number

1 or your driver's license number, any one of
2 those three.

3 MR. DOBRZYN: Okay. Okay. I'll
4 look that up a little more because I am
5 advising people on it.

6 MR. ROGAN: Yes, that was straight
7 from the --

8 MR. DOBRZYN: You know, I was
9 talking to people that were 90 some years
10 old yesterday and --

11 MR. ROGAN: That answer was from the
12 Department of State who handles the election
13 and actually the counties are going to have
14 to design new absentee ballot applications
15 as well to elicit a spot for ---

16 MR. DOBRZYN: Okay, I'll catch you
17 after the meeting.

18 MR. ROGAN: Sounds good.

19 MR. DOBRZYN: And I could jot that
20 down so it stays fresh in my memory, and the
21 golden parrot, you know, a couple of years
22 ago we heard if we automated all of the jobs
23 and gave tax breaks and shipped them off to
24 China we could all go to college and learn
25 to be rocket scientists and soar off to

1 greater heights and what have you, well, 38
2 billion in student loans owed by seniors
3 with social security checks garnished.

4 And a little piece of other
5 information, one of the people that lied in
6 the Sandusky trial or hearing was named
7 Schultz and his retirement from Penn State
8 is \$331,000 a year. Excuse me, I don't know
9 whether the president makes that or maybe he
10 makes about 15 or 20 more \$331,000. Now,
11 that's where your education funds are going
12 and he lied to a grand jury about child
13 abuse.

14 And Ted Nugent, I don't know if you
15 heard this one, but he made some provocative
16 statements about the president, he is going
17 to be in jail or dead if Obama wins again,
18 during the Vietnam war he pottied in his
19 pants and went into the draft board and they
20 kicked him out as a degenerate and he did
21 this for days. He literally did this for
22 days, walked around with dirty underwear,
23 and he loves the same rights most
24 neoconservative do, but he never fought for
25 anything, so bawk, bawk, bawk to Ted Nugent,

1 I hope the Secret Service goes a little easy
2 on him, not that I'm opposed to Second
3 Amendment Rights I just don't believe in
4 chasing people around and shooting at them.

5 MS. EVANS: Thank you. Is there
6 anyone else?

7 MR. SLEDENZSKI: Hello, Janet.

8 MS. EVANS: Hi, Chris?

9 MR. SLEDENZSKI: Hi, Frankie.

10 MR. JOYCE: Hey, Chrissy.

11 Mr. SLEDENZSKI: What's up, Pat?

12 MR. ROGAN: Hi, Chrissy.

13 MR. SLEDENZSKI: Frank, I have a
14 question for you, Buddy, up by the bank up
15 there, Frank, the potholes are a mess up
16 there. They are a mess.

17 MR. JOYCE: Okay.

18 MR. SLEDENZSKI: All right? Thanks,
19 Frankie.

20 MR. SLEDENZSKI: No problem,
21 Chrissy.

22 MS. SCHUMACHER: Good evening,
23 Council. Marie Schumacher, city resident.

24 MS. EVANS: Good evening.

25 MS. SCHUMACHER: I'll start with the

1 follow-up with a few open items. At the top
2 of my list is a revelation of the nature of
3 the possible misconduct of the Scranton
4 police officer. I found today's
5 Times-Tribune article about the nature of
6 misconduct and speed with which an officer
7 violated procedure made it to the front page
8 most interesting.

9 Juxtaposition this with the WNEP
10 report of February 21 that state police were
11 investigating the possible misconduct of a
12 Scranton police officer. A little over a
13 month later our police chief refused to
14 reveal the nature of the possibly misconduct
15 as the investigation was ongoing, but hoped
16 to wrap it up in about two weeks. Well,
17 here we are almost four weeks later and we
18 still don't know the nature of the possible
19 misconduct or whether this officer is on
20 duty. Depending on the nature of this
21 misconduct, it could be a travesty of
22 justice and we citizens need to know this
23 information and I hope someone will let
24 Mr. Loscombe -- make sure that Mr. Loscombe
25 obtains that information for next week's

1 meeting or maybe one of the newspapers will
2 follow-up and get the story.

3 There are other municipal issues
4 that drag on too far, which I'll bring to
5 council in the future, save one, and that is
6 the granting of a variance to Affordable
7 Senior Housing. Several weeks back,
8 Mrs. Evans, you raised the issue of filing
9 an appeal, but was informed it was well past
10 the 30-day window. However, it appears that
11 the variance itself has run out of time,
12 allowed in the ordinance to obtain a permit
13 and would, therefore, be automatically
14 rescinded.

15 And now onto rental registration,
16 just a year -- just over two years ago
17 Michael DePolla developed a rental
18 registration procedure and provided copies
19 to council. I am prepared, if I'm allowed,
20 to give you an additional copy tonight and
21 would like to emphasize the portion dealing
22 with outsourcing of the database creation.
23 Outsourcing the database creation is the
24 fastest way to take the first critical step
25 in implementing your new ordinance, and I

1 definitely think it should be outsourced as
2 soon as possible, and to save on postage in
3 the future, I further propose that the
4 annual rental registration renewal invoices
5 be sent out with the property tax bill
6 itself, and if I may approach, I'll give you
7 these.

8 Again, the month of the April is
9 waning fast away, so I'm also inquiring
10 about the status of the Treasurer's sale
11 which I had understood was to be conducted
12 this month.

13 MS. EVANS: No, that was to be
14 conducted in June, June 4, I believe.

15 MS. SCHUMACHER: June 4, okay.
16 Thank you. Now, a question for Mr. McGoff,
17 I just handed him some materials and I don't
18 know if he knows whether the DPW uses
19 infrared technology to patch potholes.

20 MR. MCGOFF: No, I do not.

21 MS. SCHUMACHER: I would assume not
22 from the way they washout, but I would also
23 like to -- I have given Mr. McGoff something
24 there, there are other people, I think that
25 one is called Dr. Pothole where people can

1 be trained and you can buy the materials,
2 that just happened to be one, but I also
3 gave him and Mrs. Evans a copy of New York
4 City planning to use -- at least try it. I
5 did not have to time to follow-up to see
6 what the results that the New York Times'
7 article was -- or New York City article was
8 from October of last year, so it would be
9 interesting to know what their experience
10 has been, but it does seem as though perhaps
11 if it is something that produces what it
12 advertises that maybe we should investigate
13 or suggest to DPW that they send some people
14 to be trained in that technology.

15 MR. MCGOFF: I will pass this on to
16 Mr. Dougher.

17 MS. SCHUMACHER: Thank you. And
18 now, Mr. Joyce, a question for you, would
19 you please share with me the assumed 2012
20 structural deficit or the size of the hole
21 we have to fill?

22 MR. JOYCE: For 2012?

23 MS. SCHUMACHER: Um-hum.

24 MR. JOYCE: Right now we are looking
25 at a \$4 million hole.

1 MS. SCHUMACHER: Four million is it,
2 hum? Thank you. That's good news. I
3 thought it would be more in the nature of
4 seven or 12, so that's -- seven to 12 is
5 where I would thought it would be so that's
6 wonderful news. Thank you.

7 MS. EVANS: Thank you. Is there
8 anyone else who cares to address council?
9 Mrs. Krake?

10 MS. KRAKE: FIFTH ORDER. 5-A.
11 MOTIONS.

12 MS. EVANS: Councilman McGoff, do
13 you have any comments or motions?

14 MR. MCGOFF: Just very quickly,
15 probably something that we did receive in
16 our mail from the Lackawanna County Children
17 and Youth Services seeking donations of
18 furniture and appliances to help benefit
19 families in dire need of items. Primary
20 items sought include cribs, toddler beds,
21 crib liners, household appliances, bed
22 frames, dressers, bunk beds, flatware,
23 dinnerware, pots and pans, strollers, car
24 seats, toys, swings, school uniforms.

25 Arrangement for pickup and drop off

1 with donations can be made by calling
2 Lackawanna Children and Youth Services and
3 the number provided is 570-963-6781, and I
4 will ask if ECTV would run something with
5 that number and with, you know, the
6 information provided. I just got this in
7 the mail and I probably should have read it
8 before, but I just noticed it, and that's
9 all I have for tonight. Thank you.

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

12 MR. ROGAN: Yes, just a few items.
13 This week I submitted my suggestions to
14 Council President Evans for the Revised
15 Recovery Plan. I hope that all five members
16 of council and the mayor will be meeting to
17 discuss this. I know that it has to be done
18 publically because of the Sunshine law, so I
19 hope we can all get together and I think
20 much of what's included in the plan people
21 agree on, some of the new revenue ideas.
22 The problem is with some of the new taxes
23 and obviously the big one is the real estate
24 tax that PEL wants to propose, possibly 100
25 percent tax. So hopefully we will be able

1 to work together to accomplish a Recovery
2 plan that works for everyone.

3 Secondly, and I didn't see anything
4 in our mail, I still question does -- and I
5 don't know if anyone knows this, if not I'll
6 direct it to Mr. McGowan, does the city
7 still owe money to Blue Cross for health
8 coverage or are we paid up-to-date?

9 MS. EVANS: I don't know, I think we
10 have to ask Mr. McGowan.

11 MR. ROGAN: Mrs. Krake, could we
12 plead send that letter to Mr. McGowan asking
13 what payments have been made this year and
14 how much we owe in the arrears if there is
15 anything.

16 MR. MCGOFF: That sometimes is
17 mentioned at the PEL meetings on Monday, I
18 was not there, so I don't know if it was
19 discussed or not.

20 MR. ROGAN: Well, hopefully Mr.
21 McGowan will reply or just let us know.
22 Just in response to a couple of things that
23 were mentioned from the podium, Mr. Miller
24 mentioned placing ads on city property, I
25 don't have a problem I think it's a good

1 idea, I don't think it's going to create a
2 phenomenal amount of money, but at this
3 point we need every dime we can get.

4 MS. EVANS: And I believe that's
5 already included in the Recovery Plan by the
6 Pennsylvania Economy League.

7 MR. MCGOFF: That was the one that
8 was asked, market basted revenue opportunity
9 agreements.

10 MR. ROGAN: Yeah, they used a fancy
11 term for it, but it's basically just placing
12 ads on city property. I feel that's one of
13 things in the Recovery Plan I think
14 everybody supports. It's basically money
15 just for placing ads on the city's property.
16 Now, I wouldn't support placing a billboard
17 on city hall or at Nay Aug Park, but there
18 are a lot of ways you could go about it.
19 The DPW vehicles could have advertisements
20 on them. I know Colts bus if you look on
21 the back of the Colts bus there is an
22 advertisement.

23 MR. MCGOFF: The entire bus.

24 MR. ROGAN: The entire bus, and I
25 believe the rates are pretty high as the bus

1 is always traveling, so for an advertiser
2 you are getting a nice bang for your buck
3 because you are putting an ad on a vehicle
4 that's moving all throughout the area
5 instead of just a billboard where if you put
6 a billboard up you are going to get the
7 people that drive down that street.

8 Mr. Miller also mentioned the city
9 pools, and this has been something that
10 council has been very frustrated with and,
11 you know, unfortunately, it's not our call,
12 it's the head of the DPW. Mrs. Krake, and I
13 have these in writing as well could we also
14 send a list or ask Mr. Dougher for a list of
15 what pools will be opening and closed this
16 year. I know Nay Aug already has -- they
17 already have chemicals in the -- not in the
18 pool, but in the little house you go in the
19 pool area. I was up there for a walk the
20 other day and I noticed, so I'm sure Nay Aug
21 will open on time, but I'm hoping our
22 neighborhood pools will as well.

23 Mrs. Schumacher brought up the
24 database collection for the rental
25 registration to be outsourced. I think

1 that's a great idea. I think it would take
2 far too many man hours for somebody to
3 manually try to create this database and I
4 know from running for office that you could
5 purchase almost every type of list you want.
6 If you want a list of single family homes, a
7 list of double homes, you could purchase it.
8 There is companies out there that all they
9 do is sell the list and that's definitely
10 the first step in contacting the landlords,
11 so I definitely think in the outsourcing
12 would be a quicker and more efficient way to
13 accomplish that.

14 MR. MCGOFF: Mrs. Schumacher, you
15 probably would remember this at the time
16 that this was originally brought up that was
17 one of the suggestions and the county had
18 done -- as part of the reassessment had done
19 a bit of that work or had compiled a list I
20 believe it was through Century 21 and there
21 was an attempt to contact Century 21 to, you
22 know, ask for that list and there was some
23 problem in obtaining it, whether it was a
24 cost thing or whether it was something that
25 they weren't willing to -- I just remember

1 that we had to discussed that and there was
2 some difficulty with obtaining it through
3 the county. You may remember as well.

4 MR. ROGAN: I remember it being
5 discussed.

6 MR. MCGOFF: But it is a good idea
7 and you are right there are lists out there
8 that are accessible.

9 MR. ROGAN: Next, just a few items
10 to follow up on from last week and a few new
11 ones, last week I spoke about the former
12 Pennswood Manor located at 929 Cedar Avenue
13 that I was contacted by resident that it was
14 being operated as a halfway house without a
15 zoning permit, and we did receive a response
16 from Mr. Wallace, and I think him for his
17 speedy replay, and it says, "Pennswood Manor
18 has appealed to the zoning board denial of
19 the halfway house at 929 Cedar Avenue to the
20 Lackawanna County Court of Common Pleas. No
21 date has been set for this hearing. Pending
22 a Court decision in our favor and no further
23 appeals by Pennswood, the city can take no
24 action."

25 I do have a follow-up on this, and

1 I'll e-mail it to you, because it's a little
2 lengthy, my question is I believe they went
3 in front of the zoning hearing board and was
4 denied and then I also believe from what I
5 have been told that they were already in
6 front of the Courts, so if you are denied
7 twice how are you allowed to operate in the
8 mean time? So that's definitely something
9 that I'll be looking into over the next few
10 weeks to see if it is, in fact, operating
11 illegally in South Scranton. I know the
12 residents are very concerned about it.

13 Next, I received -- we all received
14 a letter from OECD regarding bid openings
15 for demolition of hazardous structures and
16 I'll read those addresses. The addresses
17 listed are 2517 to 2519 North Main Avenue.
18 2149 North Main Avenue. 950 and 952 North
19 Main Avenue. 93 Mount Vernon Avenue. 898
20 Mount Vernon Avenue. 1015 Clearview Street.
21 2043 Margaret Avenue, 307 and 321 South 9th
22 Avenue. 347 and 349 East Locust Street.
23 323 East Locust Street and 435 Ripple
24 Street.

25 And finally, we received a call in

1 the office this week in regard to potholes
2 that need to be filled on Hemlock Street and
3 Stafford Avenue, the intersection, the 100
4 block of Meadow in front of the Flannery
5 Beer distributor, and on River Street in
6 front of the Salvation Army building. Could
7 we please also send these to the DPW?

8 And finally, next Tuesday is
9 election day and I hope everyone in the city
10 will go out and vote, and that is all.
11 Thank you.

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

15 MR. JOYCE: Yes, very briefly
16 tonight. Tonight's agenda in Sixth Order
17 there is a 15 percent parking tax. I have
18 received a few questions regarding the tax,
19 therefore, I'll just provide a little bit of
20 a background on the tax, where it came from
21 and what it is. The parking tax is a 15
22 percent tax that will be levied on all
23 parking operations in the city that are
24 generating revenue. This was a part of the
25 original Recovery Plan that was sent to us

1 in November by the Pennsylvania Economy
2 League, commonly referred to as PEL. The
3 parking tax of the 2012 operating budget --
4 or it's budgeted for in the 2012 operating
5 budget rather, this line item was projected
6 at \$500,000. After speaking with our
7 business administrator, Ryan McGowan, he
8 felt that this was a more accurate
9 projection of how much revenue this would
10 bring in in comparison to PEL which had
11 projected that the tax would bring in 600
12 plus thousand dollars, therefore, council
13 went with a more conservative projection.

14 One question that has come up is
15 whether or not nonprofits are effected by
16 this tax. After consultation with Boyd
17 Hughes, Scranton city solicitor, it is his
18 opinion that they are. Therefore, this is a
19 good way of getting money out of nonprofits
20 who many feel are not contributing enough to
21 the city.

22 In addition, as I stated before,
23 this tax only affects parking garages and
24 parking lot that charge a fee to park there.
25 This isn't a tax on parking lots or

1 restaurants or other business establishments
2 that provide free parking for their
3 customers, for instance.

4 And with that, I have a few
5 citizens' requests: The first West Scranton
6 residents have informed me that the
7 condition on the 1000 and 1100 block of
8 Grady Place are in very poor condition as
9 they are many potholes and cracks in the
10 road making travel conditions very
11 difficult. Mrs. Krake, could you please
12 contact Director Dougher, notify him of the
13 situation and have him handle this
14 accordingly.

15 Also, some Minooka residents have
16 informed me that motorists continue to speed
17 up Birney Avenue. Residents fear, this one
18 resident actually had their driver's side
19 mirror damages as a result of speeding. So,
20 Mrs. Krake, can you please contact Chief
21 Duffy and make him aware of the situation
22 and ask him to handle it appropriately, and
23 that's all I have for tonight.

24 MS. EVANS: Thank you. Good
25 evening. I wish to begin with update. City

1 council continues to work on the Revised
2 Recovery Plan with the administration.
3 Also, as he mentioned, Councilman Rogan
4 forwarded his suggestions to me this week
5 which will be attached to additional
6 recommendations discussed with the
7 administration and submitted to all city
8 council members for their review, additions
9 and/or deletions.

10 This is an arduous, time consuming
11 task that cannot be hurried or taken lightly
12 since it affects the daily lives of all
13 Scranton taxpayers and residents and the
14 future of the City of Scranton. I asked my
15 council colleagues to take note of two
16 particularly significant issues as they
17 review all recommendations and formulate
18 decisions.

19 First, once a Recovery Plan is
20 adopted by this or any city council only the
21 Act 47 overseer, which in this case is the
22 Pennsylvania Economy League, can amend the
23 Recovery Plan. Both the mayor and city
24 council lose the ability to amend the plan
25 following it's adoption.

1 Second, there is a significant
2 component missing from the proposed Revised
3 Recovery Plan, the complete Supreme Court
4 awards to Scranton police and fire are not
5 included. In this respect, I would ask if
6 the Pennsylvania Economy league is putting
7 the cart before the horse by insisting that
8 a Revised Recovery Plan should be adopted
9 this very month. The Supreme Court award
10 appears to be the elephant in the room and
11 if the award should amount to half of the
12 city's annual operating budget, which
13 appears to be a decent estimate, it is
14 clearly necessary to include the complete
15 award in a Revised Recovery Plan.

16 Consequently, PEL appears to have
17 two options: Either it can include the
18 complete award in it's revised plan and
19 submit the revised document to the mayor and
20 city council or it can support negotiations
21 toward a settlement between the municipal
22 unions and the administration, incorporate
23 the results into the Revised Recovery Plan
24 and then submit it to the mayor and city
25 council.

1 Ladies and gentlemen, the Supreme
2 Court award isn't going away and by
3 seemingly ignoring it the Pennsylvania
4 Economy League appears to be encouraging
5 additional costly Court battles or perhaps
6 even bankruptcy, and the revised plan
7 becomes one of failure rather than of
8 recovery.

9 Equally important for consideration
10 is the fact that if this plan were to be
11 adopted without the inclusion of the
12 complete Supreme Court award, only PEL can
13 amend the plan to address it as it chooses.

14 Now, PEL will certainly state that
15 it intends to communicate and work with the
16 administration on it's potential amendments,
17 but no where, no where is that committed to
18 writing.

19 Since our city is financially far
20 worse today than it was ten and even 20
21 years ago while under the oversight of the
22 Pennsylvania Economy league, it seems that
23 commitment to a Revised Recovery Plan
24 without the final figures of and provisions
25 for the Supreme Court award not only serves

1 to give the Pennsylvania Economy League a
2 hammer over our city and its taxpayers, but
3 also to produce a flawed Recovery Plan, both
4 of which I cannot support.

5 In addition, as the Pennsylvania
6 Economy League oversaw Scranton's
7 increasingly fragile financial condition, I
8 must wonder why it has seemingly ignored our
9 city's declining population, why it failed
10 to advocate the change from a Class 2-A to a
11 Third Class city, a classification which
12 includes taxing advantages. Pennsylvania
13 municipalities are not fighting to join the
14 2-A classification, rather, they retain a
15 Third Class rating even in light of their
16 population growth.

17 Following the announcement of census
18 results in 2011, city council sent a letter
19 to Governor Corbett requesting that he
20 certificate Scranton census results.
21 However, the governor never responded.
22 Therefore, with my colleagues' agreement, I
23 ask Mrs. Krake to send a second request to
24 Governor Corbett to certify the 2010 census
25 results for the City of Scranton, a

1 municipality that has remained in Act 47 for
2 20 years. The population of the City of
3 Scranton has dropped below the minimum
4 required population of 80,000 for
5 classification as a 2-A municipality.
6 Therefore, it is the duty of the governor to
7 certify the fact accordingly for recording
8 in the Office of the Recorder of the Deeds.

9 Next, the administration sent
10 legislation for unfunded debt borrowing and
11 refinancing to be included on tonight's city
12 council agenda. I asked Council Solicitor
13 Hughes to review the legislation and
14 following his review he advised that the
15 legislation should be held and indicated
16 that he had numerous concerns, so many, in
17 fact, that I asked him to commit them to
18 writing. I received his written report
19 immediately prior to this meeting and I will
20 distribute a copy to each council member,
21 but at this time I defer to Attorney Hughes
22 for his comments regarding the legislation.

23 MR. HUGHES: Yes. Thank you, Madam
24 President. I received the ordinance for the
25 unfunded debt, it's 11 pages long. The

1 title of the ordinance was a page and a half
2 long, there is 21 whereas clauses and 31
3 sections. I reviewed it. It's my opinion
4 it has to be rewritten for various reasons.
5 As Mrs. Evans stated, when I discussed it
6 with her I said that I had approximately 28
7 items in this ordinance that had to be
8 addressed before council could consider it
9 and I'm not going to read all 28, but the
10 most important thing is that the title of
11 the ordinance authorizing the City of
12 Scranton to borrow \$26 point -- \$26,600,000,
13 the unfunded debt as approved by Court order
14 was \$9,850,000. What the mayor did in his
15 proposed budget for this year he pulled what
16 I call a Grecian trick. He kicked the can
17 down the road for the 2003 Series bond
18 issues that are due on September 1st of
19 2012, which amount to a little bit over
20 about \$2.3 million and will not include the
21 2003 Bond issues on Series A, B, C or D in
22 the 2013 budget which amount to another \$2.3
23 million for a total of \$4,670,000 in bond
24 payments. While the Court approved the
25 unfunded debt of \$9.85 million, it did not

1 approve the including of the bond payments
2 on the Series 2003 Bonds A, B, C and D for
3 2012 and '13, but they were included in the
4 amount in this ordinance in the whereas
5 clauses.

6 You add them up and you get a total
7 of \$14,520,000 of borrowing and, of course,
8 you are postponing two payments of bond
9 issues of the 2003 Series and instead of
10 paying them in 2012 and 2013 they are going
11 to be paid over a period of ten years so you
12 are stretching those payments out over
13 another ten years. That's why I call it a
14 Grecian situation. It's like the country of
15 Greece. You just keep kicking it down the
16 road.

17 As a result, there is \$12,080,000
18 unaccounted for. If council approved the
19 legislation without review, I'll say my
20 review, under Section 1 of the ordinance the
21 mayor has cart blanch authority open ended
22 to at any time that he sees fit to issue
23 bond issues totaling \$12,080,000 without
24 coming back to council.

25 I thought that this was such a

1 itemized so council will know exactly what
2 they are and what they are approving.

3 I also stated that council has
4 several options, which include requesting
5 that Brian P. Koscelansky, Esquire, bond
6 counsel to the City of Scranton on this bond
7 issue, appear before council and fully
8 explain the ordinance and then return the
9 ordinance to the solicitor's office to be
10 redrafted in accordance with the actual
11 amount required for the borrowing which
12 would be \$14,520,000 plus underwriting costs
13 and expenses; or two, to introduce the
14 ordinance and have Attorney Koscelansky come
15 before council and fully explain these
16 issues to the satisfaction of council and
17 then council would amend the ordinance as it
18 determines after Attorney Koscelansky's
19 testimony before council. In the event that
20 this cannot be done two weeks after the
21 ordinance was introduced, of course, it
22 would be tabled.

23 It is my recommendation that it not
24 be placed on the agenda because by the time
25 we got done amending this ordinance there

1 would probably be five or six pages of
2 amendments, it would be ridiculous. That's
3 why I recommended Mrs. Evans, I didn't get
4 this done until late this afternoon, that
5 this not be placed on council's agenda,
6 actually I told her yesterday because I
7 didn't have it done, I was just fermenting
8 in my mind, I didn't have it done, I wanted
9 it reduced to writing so that it could be
10 properly reviewed.

11 That's my opinion and, as I stated
12 before, under Section 1 if that was approved
13 as written there would be a bond issue for
14 \$14,520,000 and then at any time in the
15 future, the end of this year, the mayor
16 could say, "I want to issue a bond for \$5
17 million," he could do it without coming back
18 to council, either go into 2013, issue
19 another bond, until the \$12 million was used
20 up without council having any idea where
21 that money was going or what it was going to
22 be used for. That's my opinion. If council
23 has any questions I would be glad to answer
24 them.

25 MS. EVANS: Thank you, Attorney

1 Hughes.

2 MR. ROGAN: Attorney Hughes, I have
3 one question, actually a few questions.
4 First, I thought it was April 1 when I got
5 this because I thought it was a joke when I
6 saw the number on there, obviously I didn't
7 get a chance to read it I just received it.

8 MR. HUGHES: You thought it was
9 April 1 when you got my memo?

10 MR. ROGAN: Now, you said what the
11 mayor is proposing he would be putting off
12 payments that should be paid next year.

13 MS. EVANS: This year and next year.

14 MR. ROGAN: This year and next year
15 and then they would be paid --

16 MR. HUGHES: They would be included
17 in the bond issue. What happened is is that
18 when the Court approved the unfunded debt
19 bond issue that was for 19 -- that was for
20 \$9,850,000. In this year's budget that was
21 drafted by the mayor and submitted to
22 council on November 15 there was no
23 provision in that budget for payment of the
24 2003 Series A, B and C bond issue. Those
25 payments are -- well, I'll dig them out, it

1 will just take me a second here, but --

2 MR. ROGAN: Was that Item 13?

3 MR. HUGHES: Well, that's what's
4 going to be left after the 2012 and '13 bond
5 issues are not paid. Just give me a second,
6 please, Pat. What it amounts to for the
7 Series A -- or for the 2003 Series A would
8 have been \$490,000 bond payment this year.
9 On the Series B it would have \$815,000. On
10 the Series C would have been \$395,000 and on
11 the Series D would have been \$590,000. That
12 comes to a little bit over \$2 million that
13 should have been paid on those bond issues
14 this year.

15 Next year on the Series A on 2013 it
16 would have been \$205,000; \$845,000 on "B";
17 \$410,000 on Series C; and \$620,000 on Series
18 D. Again, that's a little bit about \$2.3
19 million on each one, so what they have
20 anticipated is that don't pay this year's
21 2003 Series A, B C and D bond issues, that
22 was not included in this year's budget, and
23 don't include it in next year's budget and
24 what we will do is take that \$4.6 million of
25 bond payments that should be paid in these

1 two years, we'll capitalize them for ten
2 years, so we will stretch them out for the
3 next ten years because we don't have the
4 money.

5 So I don't think this was ever
6 envisioned by council, but you are caught
7 for this year because by law you have to
8 appropriate the money to pay the bond issue
9 or you are going to be in default.

10 MR. ROGAN: This the second time the
11 mayor has done this with not filling in
12 council in on his plans until the last
13 minute and --

14 MR. HUGHES: So what they have done
15 is they've wrapped this up into the bond
16 issue. The Court only approved \$9.85
17 million. Council could say, "Here, that's
18 all we're going to pay," then you are going
19 to be in default of the 2003 bond issue in
20 the amount of \$2.3 million and won't be able
21 to make your payment September 1.

22 MR. ROGAN: And this right here is
23 the history of the last ten years of
24 Scranton. It's paying debt with more debt.

25 MR. HUGHES: That's what I said,

1 this is a Grecian -- this is like the
2 Country of Greece, you are kicking the can
3 down the road.

4 MR. ROGAN: That's why we are in the
5 shape we are in. What I must find most
6 peculiar about it is we are postponing
7 approximately \$2.3 million in payments this
8 year and \$2.3 million next year. Everyone
9 knows what's next year, the mayor is up for
10 reelection, and he is trying to keep taxes
11 what he thinks are low, where they are, to
12 protect his chances for reelection. That's
13 all this. He is paying off debt with more
14 debt. He has been trying to get out of
15 here, everyone knows that. He tried run for
16 three offices last year unsuccessfully so it
17 seems to be more of the mayor's escape plan.

18 MS. EVANS: Well, if I may, I think
19 that some of this, perhaps much of it, could
20 have been avoided because originally
21 Attorney Hughes was working in conjunction
22 with the bond counsel Brian Koscelansky on
23 these issues. However, again, those are
24 duties that are above and beyond those of a
25 council solicitor because it is the

1 responsibility of the administration to
2 draft this legislation.

3 Nevertheless, our solicitor was
4 originally working on this with, as I
5 mentioned, Attorney Koscelansky and others
6 and then we were notified that
7 Mrs. Novembrino didn't intend to pay
8 Mr. Hughes. The administration and
9 Mrs. Novembrino don't believe that he should
10 be paid.

11 As a result, the work was stopped
12 and what resulted was the legislation that
13 was sent to me, oh, a week ago today and
14 that our attorney reviewed, he has found all
15 of these issues and now the process has to
16 be prolonged for I don't know what amount of
17 time and none of this would have been
18 necessary if we were all working together on
19 these issues as we should be, but for some
20 reason it just appears that Attorney Hughes
21 isn't welcomed into it.

22 And so, Mrs. Krake, I would ask you
23 to please schedule a public caucus for April
24 26, 2012, at 5:30 p.m. with Attorney Brian
25 Koscelansky, bond counsel to the City of

1 Scranton. Council hopes that these concerns
2 will be addressed in a satisfactory manner
3 in order that the appropriate legislation
4 can be placed on it's agenda for
5 consideration as soon as possible.

6 MR. ROGAN: Mrs. Evans, could we
7 also invite the business administrator and
8 the mayor.

9 MS. EVANS: Certainly.

10 MR. ROGAN: I'm sure the mayor won't
11 come, but maybe Mr. McGowan will.

12 MS. EVANS: That's fine.

13 MR. HUGHES: As I stated in my
14 memorandum, this should be returned to the
15 solicitor's office I think after next
16 Thursday evening's hearing, but based on
17 correspondence I have from the city
18 solicitor I believe that Attorney
19 Koscelansky was the one that drafted the
20 ordinance based on the cover letter and the
21 memo that I received from Attorney Kelly,
22 "Re: Unfunded debt ordinances. I have
23 reviewed the ordinances e-mailed to me by
24 Attorney Koscelansky on April 4, 2012, and
25 same are acceptable and very well written

1 and it is my opinion that we forward same to
2 council for approval and signature."

3 So it's just not that Attorney
4 Koscelansky is bond counsel to the city on
5 this, it's my interpretation of the cover
6 letter that was sent to me with the
7 ordinance enclosed or attached was that he
8 is the author of it, so I think just to have
9 him in and then send it back to the
10 solicitor's office, it would only go back to
11 Brian anyway.

12 MS. EVANS: Yes.

13 MR. HUGHES: So really the unfunded
14 debt ordinance should have only been for the
15 unfunded debt and I think that before when I
16 was working with Attorney -- with Brian on
17 this I didn't have any problem with putting
18 the two debt payments in there and I would
19 have recommended that to council. However,
20 when all of a sudden it comes up to \$26.6
21 million and the mayor has cart blanch, open
22 ended authority just to issue a bond issue
23 in the amount of \$12 million afterwards and
24 at any time he sees fit or any portion
25 thereof there is something drastically

1 wrong.

2 MS. EVANS: And I think the only
3 thing I would like to add to that is having
4 been on council this long and having been in
5 the presence of Attorney Koscelansky in the
6 past because, of course, he has handled bond
7 issues for the city previously, he is paid
8 handsomely for his service. I would prefer
9 that Attorney Hughes would be active in the
10 process. In other words, I would prefer to
11 be paying Attorney Hughes for his services
12 as he is protecting the people of City of
13 Scranton as a far lower price tag.

14 Now, I have just one or two, two
15 citizens' requests for the week: Residents
16 of Oswald Avenue continue to report the
17 ongoing drainage problem at 131 Oswald
18 Avenue. There is a weather forecast for
19 possible heavy rains this weekend and
20 neighboring residential properties will be
21 flooded yet again. Please contact Mr.
22 Seitzinger who is aware of this problem
23 tomorrow morning and inquire why he has not
24 addressed this issue and what action will be
25 taken and follow-up with a written inquiry.

1 Also, a letter to Chief Duffy: A
2 resident reports that vehicles are parking
3 on sidewalks at 2515 North Main Avenue
4 overnight and at Main Avenue in Parker
5 Street. As a result, school children must
6 walk in the street on weekday mornings, and
7 that's is.

8 MS. KRAKE: 5-B. NO BUSINESS AT THIS
9 TIME. SIXTH ORDER. 6-A. READING BY TITLE -
10 FILE OF COUNCIL NO. 30, 2012 - AN ORDINANCE
11 - AN ORDINANCE IMPOSING A TAX FOR GENERAL
12 REVENUE PURPOSES ON OPERATORS OF PARKING
13 SPACES AT THE RATE OF FIFTEEN PERCENT (15%)
14 UPON EACH PARKING TRANSACTION AND
15 ESTABLISHING ANNUAL LICENSE PROCEDURES AND
16 FEES AND PROMULGATING THE RECORD KEEPING AND
17 REPORTING RULES AND REGULATIONS ON PARKING
18 TRANSACTIONS PURSUANT TO THE LOCAL TAX
19 ENABLING ACT 53 PA. C.S.A. 6901 ET SEQ.

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

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

24 MR. JOYCE: Second.

25 MS. EVANS: On the question?

1 MR. ROGAN: Yes. I would just like
2 to reiterate, I know Mr. Joyce mentioned it
3 and I mentioned it last week as well, I did
4 receive a few call from business owners who
5 were concerned that the tax applied to them.
6 I just want to state once again this tax
7 does not apply to a business owner who has a
8 parking lot for their customers. It only
9 applies for garages that are charging a fee
10 for people to park and that is all.

11 MS. EVANS: I would just add, not
12 only garages, but --

13 MR. ROGAN: Or lots.

14 MS. EVANS: Or parking lots as well.
15 Anyone else on the question? Roll call,
16 please?

17 MS. MARCIANO: Mr. McGoff?

18 MS. EVANS: Oh, I'm sorry. I
19 thought I was in Seventh Order and I'm back
20 in Sixth. All those in favor signify by
21 saying aye.

22 MR. MCGOFF: Aye.

23 MR. ROGAN: Aye.

24 MR. JOYCE: Aye.

25 MS. EVANS: Aye. Opposed? The ayes

1 have it and so moved.

2 MS. KRAKE: SEVENTH ORDER. 7-A. FOR
3 CONSIDERATION BY THE COMMITTEE ON FINANCE
4 FOR ADOPTION -RESOLUTION NO. 18, 2012 -
5 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
6 CITY OFFICIALS FOR THE CITY OF SCRANTON TO
7 ENTER INTO A SUBORDINATION AGREEMENT WITH
8 ANDBACK, LLC, LOCATED AT 5 WEST OLIVE
9 STREET, SCRANTON, PA 18508 (THE "BORROWER")
10 IN CONNECTION WITH A THIRD LIEN MORTGAGE ON
11 THE BORROWER'S PROPERTY IN THE AMOUNT OF
12 \$250,000.00.

13 MS. EVANS: What is the
14 recommendation of the Chair for the
15 Committee on Finance.

16 MR. JOYCE: As Chairperson for the
17 Committee on Finance, I recommend final
18 passage of Item 7-A.

19 MR. ROGAN: Second.

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

22 MS. MARCIANO: Mr. McGoff.

23 MR. MCGOFF: Yes.

24 MS. MARCIANO: Mr. Rogan.

25 MR. ROGAN: Yes.

1 MS. MARCIANO: Mr. Loscombe. Mr.
2 Joyce.

3 MR. JOYCE: Yes.

4 MS. MARCIANO: Mrs. Evans.

5 MS. EVANS: Yes. I hereby declare
6 Item 7-A legally and lawfully adopted. If
7 there is no further business, I'll entertain
8 a motion to adjourn.

9 MR. JOYCE: Motion to adjourn.

10 MS. EVANS: This meeting is
11 adjourned.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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