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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, September 20, 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

FRANK JOYCE, VICE-PRESIDENT

ROBERT MCGOFF

PAT ROGAN

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

JAMIE MARCIANO, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. CARRERA: Mr. Loscombe.

9 MR. LOSCOMBE: Here.

10 MS. CARRERA: Mr. Joyce.

11 MR. JOYCE: Here.

12 MS. CARRERA: Mrs. Evans.

13 MS. EVANS: Here. Dispense with the  
14 reading of the minutes.

15 MS. KRAKE: 3-A. AUDIT STATUS FROM  
16 ROBERT ROSSI & CO. RECEIVED SEPTEMBER 13,  
17 2012.

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

20 MS. KRAKE: 3-B. APPLICATIONS ALONG  
21 WITH DECISIONS RENDERED BY THE ZONING  
22 HEARING BOARD ON WEDNESDAY, SEPTEMBER 12,  
23 2012.

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

1 MS. KRAKE: 3-C. TAX ASSESSOR'S  
2 REPORT, HEARING DATES FROM AUGUST 29,  
3 OCTOBER 3RD, AND 11TH OF 2012.

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

6 MS. KRAKE: 3-D. TAX ASSESSOR'S  
7 REPORT, APPEAL HEARINGS FOR OCTOBER 10,  
8 2012.

9 MS. EVANS: Are there any comments?  
10 If not, received and filed.

11 MS. KRAKE: 3-E. TAX ASSESSOR'S  
12 REPORT, COMMERCIAL APPEALS HEARING DATE  
13 OCTOBER 31, 2012.

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

16 Do we have any clerk's notes  
17 tonight, Mrs. Krake?

18 MS. KRAKE: No, Mrs. Evans.

19 MS. EVANS: Thank you. Do any  
20 council members have announcements at this  
21 time? The Fraternal Order of Eagles, No.  
22 314 in Scranton will hold a chicken barbecue  
23 from 1 to 6 p.m. this Saturday, September  
24 22. The cost is \$8 and takeouts are  
25 available. All proceeds will benefit ALS.

1 For additional information call the club at  
2 961-5495.

3 Ruby Tuesdays located at 15 Radcliff  
4 Drive in Moosic invites everyone to  
5 participate in it's giveback program on  
6 Wednesday, October 3, from 4 to 8 p.m. 20  
7 percent of your purchase will donated to St.  
8 Francis of Assisi Kitchen in Scranton to  
9 feed the poor and homeless. You need only  
10 to present a flyer to your service for the  
11 donation to be made. Flyers are available  
12 in council's office or visit the restaurant  
13 online at [www.RubyTuesday.com](http://www.RubyTuesday.com). That's it.

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

16 MS. EVANS: Our first speaker  
17 tonight is Les Spindler.

18 MR. SPINDLER: Good evening,  
19 Council. Les Spindler, city resident and  
20 homeowner and taxpayer.

21 MS. EVANS: Good evening.

22 MR. SPINDLER: First off, I want to  
23 talk about the University of Scranton, Mr.  
24 Ellman's favorite subject. I agree with a  
25 lot of what he said and the other day in the

1 paper it was a letter to the editor and the  
2 gentlemen had a great idea, he said council  
3 should pass an ordinance. If the University  
4 buys any more properties, that it's not  
5 protected by their nonprofit status that  
6 they have to pay taxes on them.

7 As Mr. Ellman said, they are just  
8 taking away all of the taxpaying properties,  
9 for example, he mentioned last week the  
10 corner of Jefferson Avenue and Mulberry  
11 Street. They tore town a tax paying  
12 property, it's a green space with a big hunk  
13 of the concrete saying "University of  
14 Scranton." What a waste. The city is  
15 making no money on that. I think that's a  
16 great idea to have an ordinance where if  
17 they buy anymore property it's not tax free.

18 MS. EVANS: Well, Mr. Spindler,  
19 actually if Solicitor Hughes joins us  
20 tonight I'm going to ask him to report on  
21 several issues, one of which will be  
22 council's direction regarding the University  
23 of Scranton.

24 MR. SPINDLER: Thank you. Next  
25 thing, big pet peeve of mine, I have been

1 here many times, Pit bulls. I'm sure  
2 everyone heard about the attack in Olyphant  
3 the other day, it's tragic and there is a  
4 little dog -- I have a little dog right now,  
5 to hear about that it made me sick and thank  
6 God there was a person there that shot him  
7 because God knows what would have happened  
8 to that woman if he wasn't around. She  
9 might have been severely injured or killed.

10 May I approach, Mrs. Evans?

11 MS. EVANS: Yes.

12 MR. SPINDLER: Sorry for the small  
13 print, but that's how it printed out for me.  
14 People come here and defend Pit Bulls saying  
15 it's the owner, it's not the dog, well, what  
16 I have here printed out is ten myths about  
17 Pit Bulls and the number one myth is that  
18 it's the owner, not the dog. Well, it's the  
19 dog and I'm going to read the first one.

20 "The outdated debate it's the owner  
21 not the breeder has caused Pit Bull problem  
22 to grow into a 30-year-old problem.  
23 Designed to protect Pit Bulls breeders and  
24 owners, the slogan ignores the genetic  
25 history of the breed and blames these

1           horrific maulings inflicted by the Pit Bulls  
2           genetic hold and shake bite style on  
3           environmental factors. While environment  
4           place a role in the Pit Bull's behavior, it  
5           is genetics that leave Pit Bull victims with  
6           permanent and disfiguring injuries.

7                     The Pit Bull genetic traits are not  
8           in dispute. Many US Courts agree that Pit  
9           Bulls pose a significant danger to society  
10          and can be regulated accordingly. Some of  
11          the genetic traits, Courts have identified  
12          are unpredictability of aggression,  
13          tenacity, high pain tolerance, and a Pit  
14          Bulls hold and shake bite style.

15                    According to forensic medical  
16          studies, similar injuries have only been  
17          found elsewhere on victims of shark attacks.  
18          Perpetuators of this myth also cannot  
19          account for many instances in which Pit  
20          Bulls and family members are victimized by  
21          their own pets. From 2005 to 2011 Pit Bulls  
22          killed 128 Americans, about one citizen  
23          every 20 days. Of these attacks, 51 percent  
24          involve a family member in a house with a  
25          Pit Bull. In the first eight months of



1           2011, nearly half of those killed by a Pit  
2           Bull was its owner. One was even an avid  
3           supporter of Bad Wrap, a recipient of  
4           Michael Vick's dogs."

5                   And there is nine other myths on  
6           here. So, again, I'm urging council to pass  
7           a dangerous dog ordinance. Pittsburgh has  
8           one where if you own a dangerous dog, I  
9           forget all of the facts, but I think you  
10          have to have like a seven or eight foot high  
11          fence and you have to have special insurance  
12          and we need something like that. I mean,  
13          this wasn't in Scranton, but it was right in  
14          our backyard, it's Olyphant. There is Pit  
15          Bulls all over the place.

16                   I've seen that happen to a coworker  
17          that lived four days away, she didn't know  
18          that the Pit Bull was there. So, again, I  
19          hope council takes this into consideration.  
20          That's all I have tonight. Thank you.

21                   MS. EVANS: Thank you. Ron Ellman.

22                   MR. ELLMAN: Hello, Council.

23                   MS. EVANS: Hello.

24                   MR. JOYCE: Hello.

25                   MR. ELLMAN: You know, Scranton is

1 just being attacked in all corners it seems  
2 like. It seems like all of these little  
3 jerk water towns all they need is for us to  
4 leave to have a projects and dump all their  
5 nonprofits with us. Nobody wants to help  
6 us, but you know they want us to join this  
7 and join that. It's time for everybody to  
8 realize all of this is nonsense when all of  
9 the -- I hear all of these people running  
10 for office promising jobs and promising this  
11 and that thing, there is not going to be any  
12 more jobs. There is not going to be any  
13 more Chamberlain and Haddon factory and  
14 Haddon Books and RCA, it's over with. We  
15 can't compete with nobody anymore because  
16 the nonprofits have taken the heart of the  
17 city out. We have lost our tax base.

18 You know, you people are going after  
19 the wrong one, you are going after the  
20 taxpayers. You need to go after the  
21 universities and the colleges and all of  
22 these phoney nonprofits for a change and you  
23 get in their achilles heal and their  
24 achilles heal is very simply these two  
25 little paragraphs and five rules under.

1 This is the Nonprofit Charity Act. The  
2 University, there is no way in the world  
3 they can fall under it anymore. On their  
4 own admission, I forget what month it was,  
5 they had an editorial saying they generated  
6 \$400 million in the City of Scranton. You  
7 remember this, Ms. Janet? We talked about  
8 it.

9 MS. EVANS: Yes, I do.

10 MS. ELLMAN: Anybody that generates  
11 \$400 million certainly can't come under the  
12 Pure Charity Act any longer. You got  
13 Marywood buying \$250,000 houses for  
14 investment, it's as plain as the nose on  
15 your face. One day the banks are going to  
16 say no more. There is just no way we can  
17 pay for any loans from banks, it's going to  
18 end and everybody is going to be in bad  
19 shape except these universities. They won't  
20 have any depression, they will just be  
21 living high on the hog, you know.

22 When these guys go eat lunch over  
23 there from the University at the Radisson  
24 they have to pay a tax on their food bill.  
25 When they put gas in their car, in their

1           Cadillacs and Cadillacs and Lincoln  
2           Escalades they pay tax, they don't mind  
3           that, but they don't want to pay a penny to  
4           us. It just got to end. You got to go  
5           after their Achilles heel, this Nonprofit  
6           Pure Act.

7                     You know, I don't know always agree  
8           with council, but I want you all to know  
9           that I respect your decisions and I support  
10          them and I support this council, even when I  
11          get mad at you for something that I don't  
12          agree on, which hasn't been too much. Just  
13          a couple of weeks ago, Jack, and I'm not  
14          saying this adversely, you minimized the  
15          \$200. It's not just \$200, it's everything  
16          is going up for a homeowner and it's not  
17          stopping you getting -- it's getting -- you  
18          got 2000 people in the city didn't pay  
19          taxes, you know, nobody seems to be going  
20          after them. There is no reason there is  
21          2,000 people, there must have been another  
22          four or five thousand in the whole county  
23          didn't pay taxes and our two new  
24          commissioners they are too busy with their  
25          nepotism inventing jobs for their friends

1 and then they complain that they can't get  
2 \$100,000 people. You know, they need to  
3 come down-to-earth. The school board keeps  
4 hiring and talked about building schools and  
5 \$3 million and they don't get bids they just  
6 want to -- the whole town just needs the FBI  
7 to come in here and do something like down  
8 in Wilkes-Barre.

9 And Andy Jarbola he seems afraid to  
10 attack them, just like the school board.  
11 They took bribes and nothing is done about  
12 it and people talk about it. This town is  
13 just as bad as Wilkes-Barre and it's such a  
14 good city. It is. I love this city and I  
15 have told you I live here by choice. Well,  
16 I wish that you would reconsider attacking  
17 the cause of all our problems, which is this  
18 university and the nonprofits, and all these  
19 developers that come in here and blow smoke  
20 in people's ears what they are going to do.  
21 We have empty apartments that people are  
22 paying taxes on because they move into the  
23 new building that's not paying taxes for 10  
24 years. This just doesn't make good sense.  
25 Thank you.

1 MS. EVANS: Thank you. David Lewis.

2 MR. LEWIS: Good evening.

3 MR. LOSCOMBE: Good evening.

4 MS. EVANS: Good evening.

5 MR. LEWIS: My name is David Lewis.

6 I'm the president and general manager of LA  
7 Lewis Moving and Storage here in Scranton.  
8 The story of my life it seems like I'm a  
9 week late. I should have come to the  
10 council meeting last Thursday after the  
11 zoning hearing, which was on the 12th of  
12 September. This hearing was the lowest blow  
13 to my family in over 100 years. My family  
14 started the business here in 1899. I reside  
15 in the City of Scranton, 75 percent of my  
16 family members reside in the City of  
17 Scranton, and what happened last Wednesday  
18 night is still just beyond words. It's  
19 beyond comprehension.

20 First of all, I own a business  
21 property at 1621 Washburn Street. The  
22 building was built in 1963, my family  
23 operated the facility as their main office  
24 up until 1989. We moved our main portion of  
25 the business to 2401 Luzerne Street here in

1           Scranton which, you know, we are continuing  
2           to operate. I employ approximately 20 to 25  
3           people at a given time right here in  
4           Scranton, Pennsylvania, believe it or not.  
5           About half of the people are Scranton  
6           residents.

7                     The sale of the property at 1621  
8           Washburn Street was very vital to my  
9           business plan in order to survive. I'm  
10          going to say the biggest kick that I got was  
11          the city controller lives next to my  
12          property and she got up and gave very  
13          damaging testimony and was on -- the  
14          testimony, you know, it was just repetitive  
15          with neighbors and it's just beyond words  
16          that neighbors have a very, very large  
17          impact on how this city is going to grow.

18                     It's a perfect example of last  
19          evening you had a zoning hearing, one block  
20          away, 1600 block of the Jackson Street,  
21          basically the same thing happened to that  
22          property owner that happened to me. The  
23          neighbors kicked up their heels and  
24          basically the neighbors made the decision  
25          for the zoning board.

1 My question to city council this  
2 evening is what kind of plan does the city  
3 have in place for existing businesses like  
4 myself and the properties that we have  
5 maintained for years? How can we market  
6 these properties if this is going to be  
7 status quo of how the outcome of these  
8 zoning hearings are? How many people are on  
9 the board? I was scheduled to be heard in  
10 August, had to have a special meeting for me  
11 because there was only three people that  
12 showed up for the meeting or three zoning  
13 board members showed for the hearing and,  
14 unfortunately, one of the zoning members had  
15 to recuse himself because he knows me.  
16 Probably, you know, most of you folks on the  
17 board know me, so you would have to recuse  
18 yourself, too. You know, it was just one  
19 comedy of error after the other. You know,  
20 how many people are on the board? You know,  
21 aren't they supposed to be a full board  
22 every time the zoning board has a regular  
23 meeting? Why are they not attending?

24 Now, three people that showed up in  
25 August weren't the same four people that



1           showed up last week. Now, another kick in  
2           the pants, the fourth member disappeared and  
3           only three people voted, you know? It's --  
4           it's one error after another after another.  
5           You know, and it's just clear, you know, the  
6           neighbors are going to make the decisions on  
7           how this city is going to somehow recover.  
8           How do you expect to attract business?

9                     You know, another one last week  
10           Parodi Cigar, what did we do to -- they are  
11           going to Dunmore. What did we do to keep  
12           those 50 jobs or whatever it is on Main  
13           Avenue? Could we find them another  
14           location? Seems to me not. How are we  
15           going to grow this city? How are we going  
16           to get these taxes down to where they belong  
17           because we can no longer afford to pay the  
18           taxes in this city, especially as you  
19           propose right now you have another disaster  
20           that you are about to face.

21                     You are about to face the disaster  
22           where people that are commuting into the  
23           city are no longer going to come into the  
24           City of Scranton which, you know, that's  
25           another issue down the road. I don't know

1 if that was the one-minute warning or what.

2 MS. EVANS: No.

3 MR. LEWIS: You have a very  
4 disgusted -- I manage a business that's over  
5 100 years old in this city and I need some  
6 guidance from the city of how we are going  
7 to proceed further. How can I sell my  
8 property? This sale was vital to the  
9 vitality to my business plan and,  
10 unfortunately, I had to give the man his  
11 deposit back.

12 MR. ROGAN: Mr. Lewis, I did receive  
13 an e-mail from Mr. Borthwick that I believe  
14 you spoke to yesterday regarding the  
15 concerns, we will be in touch.

16 MR. LEWIS: Okay. Thank you very  
17 much.

18 MR. ROGAN: You are welcome.

19 MS. EVANS: Gerard Hetman.

20 MR. HETMAN: Good evening, Council.  
21 Gerard Hetman, Lackawanna County Department  
22 of Community Relations. First, we would  
23 like to report this evening that our first  
24 annual Lackawanna County Senior Health Fair  
25 held last Tuesday, September 11, at the

1 Lackawanna County Trolley Museum was a  
2 resounding success. We had over 200 senior  
3 citizens visit the health fair. A great  
4 many of whom were City of Scranton  
5 residents.

6 We would like to city council as  
7 well as everyone that attends our meeting  
8 and everyone watching at home live and on  
9 the rebroadcast who helped us spread word of  
10 the senior fair to friends, neighbors,  
11 relatives. In talking with many visitors,  
12 we learned that many of them had learned of  
13 the fair by watching council, being at  
14 council or getting a referral from a friend  
15 or a neighbor who somehow witnessed the  
16 council meetings or spoke to folks who were  
17 here regularly, council staff, etcetera,  
18 etcetera.

19 So we would like to thank you for  
20 your cooperation in making our event a  
21 success and we are certainly working hard  
22 already to look at new ideas no make the  
23 next senior fair next year even better and  
24 hopefully grow in population that we are  
25 able to serve with the events and continue

1 to provide the quality event that is of  
2 service to all our senior residents in  
3 Scranton and Lackawanna County.

4 With that in mind, our next event  
5 coming right up this coming Saturday,  
6 September 22, is our Heroes' Day celebration  
7 held from 10 a.m. to 2 p.m. at the  
8 Lackawanna County 911 Center, and again,  
9 this constitutes an open house at 911 Center  
10 with guided tours and also a large amount of  
11 emergency equipment on display, fire trucks,  
12 police cars and other emergency vehicles and  
13 equipment, and I should note that these  
14 apparatuses and vehicles and equipment items  
15 are coming from agencies around the county.  
16 We try to spread it around so we can get as  
17 much participation over as broad of a  
18 geographic area as possible, and we will  
19 have Scranton representatives with the  
20 Scranton Police Department's Canine Unit  
21 which in conjunction with the Lackawanna  
22 County Sheriff's team I know will be doing a  
23 joint canine demonstration for all in  
24 attendance, so we looking forward to  
25 welcoming the Scranton Police Department as

1 well as all of the city residents who wish  
2 to come out to the 911 center this Saturday  
3 for our events, and hopefully it will be a  
4 good day weather wise. It will be rain or  
5 shine and we would like to welcome everyone  
6 who would wish to attend of all ages.

7 With the events in mind, I'd like to  
8 call upon a suggestion from Mrs. Evans at  
9 the last meeting I attended regarding our  
10 announcements possibly appearing on ECTV. I  
11 did speak with Mr. Joe Direnzio, our  
12 Lackawanna County Communication director,  
13 and he does issue press releases to all our  
14 media outlets in Lackawanna County and  
15 Northeast, Pennsylvania, which does include  
16 ECTV whenever they plan events such as the  
17 Senior Health Fair or Heroes' Day, and we  
18 will actually work with Mr. Direnzio to  
19 increase that participation with ECTV for  
20 some of the other events that are planned by  
21 other departments such as the county parks  
22 and recreation announcements that we do  
23 read.

24 We do have a level of cooperation  
25 with ECTV, and as we do have every avenue

1           that we look to publicize these events, we  
2           will certainly look to improve that and  
3           build on that in the future as we do more  
4           and more things coming up.

5                         With that said, we have two  
6           announcements from the county parks and  
7           recreation department this evening. The  
8           first is concerning their 2012 Boys and  
9           Girls Basketball Clinic. For boys and girls  
10          in the fourth, fifth and sixth grades only  
11          that will be six campsites around the county  
12          during the month of October, one of which  
13          will be held at Scranton High School on  
14          October 22, 23, 24 and 25. All clinics  
15          start at 6:30 p.m. sharp and end at 8:30  
16          p.m., and information on this can be  
17          obtained by contacting Lackawanna County  
18          Parks and Recreation Department at 963-6764.

19                         And also, the Lackawanna County  
20          Parks and Recreation Department will hold  
21          their 20th annual children's fishing derby  
22          at Merli Sarnowski Park on Saturday, October  
23          6, 2012. This is open to children ages four  
24          through 12, and all ages will fish from 11  
25          a.m. to 1:15 p.m. and registration begins at

1 10:30 a.m. and the cost is \$5 per child.

2 And for more information they can  
3 also contact the Lackawanna County Parks and  
4 Recreation Department as 570-963-6761.

5 Again, our thanks to council for helping  
6 make the senior fair a success. We look  
7 forward to serving senior residents in the  
8 county and, of course, the City of Scranton  
9 well into the future, and that's all I have  
10 this evening.

11 MS. EVANS: Thank you. Doug Miller.

12 MR. MILLER: Good evening, Council.  
13 Doug Miller, Scranton.

14 MS. EVANS: Good evening.

15 MR. MILLER: I'd just like to begin  
16 with a brief follow-up from last week, as  
17 you know I had a few questions of Councilman  
18 Loscombe, I know he was absent last week. I  
19 had just received some notification from a  
20 citizen who was actually had some interest  
21 in the issue of the police cars, I believe  
22 it was 13 that were out of service, and we  
23 were waiting for four new vehicles to arrive  
24 in New Jersey and I just think we were just  
25 curious to know if we did receive those and

1 if the other vehicles were back in service?

2 MR. LOSCOMBE: I will be back in  
3 action tomorrow actually speaking with the  
4 police chief, and I apologize, I was ill,  
5 I'm just getting back.

6 MR. MILLER: I understand. I  
7 appreciate it. Thank you. You know, it's  
8 unfortunate I have to address this issue,  
9 but, you know, I do have to respond to the  
10 Sunday newspaper article, I should say  
11 headline by the Scranton Times. Once again,  
12 they want to go back to the scare tactics  
13 and deceive the public in believing there is  
14 going to astronomical tax increases with the  
15 recovery plan, and I just think it's quite  
16 frankly at this point it's beyond  
17 frustrating.

18 I don't know how many times this  
19 newspaper has to be told that it's at 35  
20 percent tax increase, not 79, not 80, not  
21 90, not 100, not 1,000, whatever number they  
22 want to float out there. It's a 35 percent  
23 tax increase over three years. 12, 9, and  
24 13. It's very simple and yet they want to  
25 continue to play the worst case scenario.



1           They want to continue to scare the public  
2           into believing that their taxes are going to  
3           be raised through the roof, and I am beyond  
4           frustrated. Like I said, I don't know how  
5           many times this council has to tell them  
6           consistently that you have stated on the  
7           record it's a 35 percent tax increase.

8                         We want to continue with the scare  
9           tactics, we want to make the issue  
10          political. You know, I think if we want to  
11          do investigating reporting, well, not  
12          investigating reporting, but if we want to  
13          talk tax increases and astronomical amounts,  
14          why don't we go talk to the county? Why  
15          don't we go over here and talk to the school  
16          district? Nobody ever says a word about the  
17          county or the school district yet everybody  
18          is up here week after week at this podium or  
19          the newspaper constantly criticizing this  
20          council and the city, the taxpayers. Take a  
21          look at your tax bill.

22                         How many times have we gone over it  
23          here? Councilman Loscombe has gone over it,  
24          Mrs. Evans has gone over it, Mr. Joyce has  
25          gone over it. The city makes up the

1 smallest portion of your tax bill. I  
2 believe the highest we said was the school  
3 district. We never see anybody at the  
4 school board meetings ever. Never see any  
5 letters to the editor. Never see any  
6 reporters. We never see anybody doing  
7 stories, any front page headlines, "Oh, 100  
8 percent tax increase, 1,000 percent tax  
9 increase," but we want to constantly go  
10 after the city and criticize council. We  
11 need to start reporting fact.

12 It's just totally -- it disgusts me,  
13 it truly does. We have been told it's  
14 wishful thinking, it's pie in the sky, that  
15 our revenue enhancements aren't going to  
16 come through. As I've said before, and as  
17 council stated, how do we not know we can't  
18 realize anything unless we try. We told we  
19 are never going to receive anything from the  
20 nonprofits. We are told the commuter tax  
21 isn't fair. You know, we are the told the  
22 sales tax isn't fair, the amusement tax  
23 isn't fair.

24 We need revenue. We face serious  
25 deficits and without the revenue we are

1 going to continue to stay the course and  
2 continue year after year and continue to  
3 face deficits. We need money and, as I have  
4 said before, if we want to be critical at  
5 plans then I suggest you come up with one  
6 yourself, and the infamous response I get  
7 all of the time is, "Well, Mr. Miller, I  
8 wasn't elected."

9 You are right, you weren't elected,  
10 but if you are going to come up to the  
11 podium and you are going to write letters to  
12 the editor and be critical of the recovery  
13 plan well then you have one thing, it's a  
14 mouth. You do have a say in this town. You  
15 do have the ability to go out and vote and  
16 if and you don't like the things you see you  
17 have the ability to make changes. Nothing  
18 prevents you from coming forward and  
19 adopting a plan yourself.

20 No plan is perfect. We never  
21 claimed that this plan was perfect, but at  
22 the same time when you are objective and you  
23 go against somebody I've always believed  
24 that you should do the homework yourself,  
25 and I can't say that we all did our

1 homework. In fact, we didn't all do our  
2 homework. We thought no was the easy way  
3 out. No gets you nowhere, it just continues  
4 to lead down the path we are in right now.  
5 We can't continue to stay the course, we  
6 need to move in a new direction. We need  
7 innovative ideas, that's what we need here.

8 You might not like the plan, you  
9 might laugh, might even think it's a joke.  
10 These are difficult decisions and anybody  
11 that thinks that this council made decisions  
12 that were easy they need to get their head  
13 examined. They weren't. Raising taxes is a  
14 very difficult decision to make, especially  
15 a year before election. They are not  
16 popular. You face criticism.

17 I find it be unfair because you were  
18 placed in this position. This doesn't all  
19 happen overnight, this isn't something  
20 that's going on for three years, this is a  
21 decade's worth of fiscal mismanagement that  
22 all of a sudden was dumped into your lap and  
23 now you had to come up with the  
24 enhancements.

25 But what really infuriates me is

1           that if we go back to when this council  
2           initially put forth revenue enhancements  
3           that maybe today we would be singing a  
4           different tune, as I said, and if this  
5           administration had followed through on  
6           StreetSmart and every other enhancement that  
7           you had we wouldn't be talking about all of  
8           these other so-called nuisance taxes that  
9           people are against.

10                         And that leads me to this morning's  
11           article on the commuter tax. We now have a  
12           group that is rallying people to come into  
13           protest the 1 percent commuter tax. As I  
14           stated before, it goes back to what I said  
15           before, what's your plan? And I'm going to  
16           continue to say it and I know people are  
17           going to come back with the same response,  
18           "I wasn't elected."

19                         I don't care that you weren't  
20           elected, it has nothing to do with being  
21           elected. When you go against something you  
22           do the homework yourself and you present a  
23           plan. How many times, Mrs. Evans, you sat y  
24           up for there for years as a lone majority  
25           council member knowing full well that past

1 rubber stamp councils they weren't going to  
2 look at your budgets at all, they weren't  
3 even going to give you the time of day, but  
4 you knew that he couldn't just simply say  
5 no, you had to have a plan, you had to have  
6 a vision and you always did.

7 So what I'm asking all the critics  
8 to do is come up with a plan, come up with a  
9 vision, what course do you think we need to  
10 follow? If you don't like what you see then  
11 come up with something. Thank you.

12 MS. EVANS: Thank you. Lee Morgan

13 MR. MORGAN: Good evening, Council.

14 MS. EVANS: Good evening.

15 MR. MORGAN: Well, I guess I'll  
16 start with -- and then I'll switch off here,  
17 but recovery plan isn't real, it's not a  
18 recovery plan. Anybody who believes that  
19 has to be either crazy -- well, they just  
20 have to be crazy. Okay, I don't see of any  
21 those things coming to light and I'm glad  
22 that people are fighting against them. I  
23 think that our city has got a lot of  
24 problems and we have elected a lot of people  
25 that I think weren't competent and have

1 taken us the wrong way, but the residents  
2 here voted for them so be it, and I'm would  
3 like to say that borrowing money isn't going  
4 to make us successful.

5 And with that said I'd like to  
6 switch gears here a little bit and talk  
7 about the zoning board. I own a house on  
8 1215 Stafford Avenue that was a triplex from  
9 the day it was built. Now, Mr. Wallace, and  
10 you know some people seem to believe I get  
11 along with the mayor and that's definitely  
12 not right, because the mayor sent  
13 Mr. Wallace up to condemn my home with the  
14 city's inspection's department. Well, they  
15 came through, there was nothing to condemn  
16 it on or any of my properties as Stacy Brown  
17 wrote in the Scranton Times newspaper at the  
18 time, but we proceeded into the zoning  
19 board.

20 Well, Mr. Wallace and the zoning  
21 board stripped my home of its right to be a  
22 rental because they said it was an illegal  
23 conversion. So when Mr. Lewis gets up here  
24 and speaks I think it's really time to  
25 recognize in my opinion what's occurred

1 here. We have created a city that is  
2 hostile to development, hostile to success,  
3 things that at this point when all of the  
4 chips are down, you know, I have sat in the  
5 council chamber for over 20 years and  
6 listened to people speak, okay? I remember  
7 when bankruptcy was actually brought up by  
8 the council and they stayed it and that was  
9 probably the way to go, but they had a  
10 different vision for this city.

11 Well, you know, it doesn't take a  
12 rocket scientist to understand that the  
13 residents of this city can't afford this tax  
14 and the time has come for them to decide if  
15 they want to still keep electing spaghetti  
16 dinner politicians to run the city and it's  
17 really hurt us. You know, when you read the  
18 Ryan's book on zoning, your solicitor  
19 probably knows what that is, it sets rules  
20 for zoning.

21 MR. HUGHES: Pardon me for laughing  
22 at this.

23 MR. MORGAN: Well, it's a book that  
24 exists and in many instances the zoning word  
25 pays attention to it whatsoever, and then



1           you take people that have to be forced into  
2           the Court of Common Pleas and a higher court  
3           and spend money, fight their own city.

4                     And, you know, appointments for the  
5           zoning board, I think people should have to  
6           take a test before they are allowed to be  
7           given that power because the great amount of  
8           harm they can do to an individual, a  
9           property owner, a business or a city.

10                    And when you take a look at where  
11           this city is, as Ozzie Quinn spoke, you  
12           know, we are tearing down so many homes it's  
13           ridiculous. I came here I think it was last  
14           week and talked about 202 that were torn  
15           down with federal money. Now, one of the  
16           council members smiled and laughed about  
17           that, but you know something, I just think  
18           that goes to show that when you elect people  
19           that don't understand the people they  
20           represent then we get a city like we have  
21           now and the people outside of the city that  
22           are fighting the commuter tax and the sales  
23           tax they are right. They didn't create this  
24           problem, the city does. The city had a  
25           commuter tax before, the city knew it had

1 problems, but you know the big thing that  
2 hasn't been discussed is a shortfall in the  
3 pensions. Not even the legislature I think  
4 wants to address that and, you know, with  
5 the nation \$16 trillion in debt, 40 cents of  
6 every dollar spent is borrowed, I think we  
7 have got a real problem and I think the  
8 problem is, to be honest, we are electing  
9 the wrong people. We should be electing  
10 dishwashers, cooks, just people that have an  
11 understanding of what money is and what it  
12 means when you place a debt on somebody  
13 else's property.

14 You know, you don't have to go to  
15 Harvard to understand how the economy should  
16 work. We have exported all our jobs and the  
17 people that did this to us they were all  
18 Democrats and Republicans, alleged leaders.  
19 Thank you.

20 MS. EVANS: Thank you. Andy  
21 Sbaraglia.

22 MR. SBARAGLIA: Andy Sbaraglia,  
23 citizen of Scranton. Fellow Scrantonians.

24 MR. LOSCOMBE: Good evening.

25 MR. JOYCE: Good evening.

1 MR. SBARAGLIA: Good evening to you,  
2 too. Your 7-B, final reading of a  
3 resolution and ordinance. Let's go back to  
4 background. The mayor took out an option on  
5 the old Penn Security building up there in  
6 South Side. Mr. McGoff sets up an authority  
7 with Fanucci and Gatelli, okay? Now, he  
8 wants this library built so how does he do  
9 it? Look at your "B". By restricting the  
10 people from using this library from it's  
11 intent. It wasn't an intent for that  
12 library to be used as a depository. It was  
13 to be used as a library for the general  
14 public. Why would you want to restrict it?  
15 Why is that even in there?

16 MS. EVANS: Actually, Mr. Sbaraglia,  
17 we directed our solicitor to work on this  
18 particular piece of legislation and it's  
19 going to be amended tonight as you  
20 requested.

21 MR. SBARAGLIA: Because I see no --  
22 this is like, I'm willing to give you money  
23 but under these conditions, and it's not  
24 right. When they founded this library long  
25 ago they must have been in love with the

1 city like I am. They had to be to spend  
2 that much money and put that much beauty  
3 into that building, and they put it in there  
4 for a specific reason, that the public could  
5 use that library as long as it stood, and  
6 that was the intent. Why they would put  
7 this in to negate that intent is beyond me.

8 First of all, the grant is fine, I  
9 have nothing against the grant, I had  
10 something against you taking this library  
11 and saying you can only use it for 50 years.  
12 The Times editorial in the paper where it  
13 says they want to use this as a depository,  
14 that wee build a new library and spend more  
15 millions and millions of dollars and put us  
16 in debt for a new library that we don't  
17 need.

18 When this was brought up long ago I  
19 said why can't we have the school admin  
20 building where they can get out and they  
21 spoke the college has an option on it. Why  
22 should the college be more important than  
23 the people of Scranton? If anything should  
24 have been done we should -- if that should  
25 ever come up we should use eminent domain

1 and make that the library if we still need  
2 one, but to sit up there and spend millions  
3 and millions of dollars because he likes  
4 that bank up at Penn Security is beyond me.  
5 There was no need nor it, there is no need  
6 for it, and there shouldn't ever be a need  
7 for it as long as that library stands. It  
8 should be open to the public forever.

9 Mr. McGoff, you can shake your head  
10 all you want --

11 MR. MCGOFF: Mr. Sbaraglia --

12 MR. SBARAGLIA: That's what you did.  
13 No one else did that. You were even going  
14 to lose your ability to control the  
15 legislation. That's why you pushed that  
16 library authority. You were already --  
17 Fanucci and Gatelli were already gone and  
18 you pushed that though with three votes.  
19 Don't tell me what happened I sat there and  
20 council sat there and watched you do things  
21 like that until we are where we are.

22 This didn't happen for two years  
23 ago, this happened under your watch. A lot  
24 of damage was done under your watch and the  
25 previous council watch. I seen them gave a

1 parcel of a land for 198 years for a dollar  
2 a year and that makes sense to the council.  
3 It didn't make sense to me, but it made  
4 sense to the council, and when the hit men  
5 said, "Subordinate your loan, we'll give you  
6 electricity lights the fixtures as  
7 collateral," and I told that council then  
8 there was stupid and they are dumb.

9 He had said, "Well, they are going  
10 to go bankrupt."

11 I said, "Let them go bankrupt."

12 At least we wouldn't be on the toll  
13 for this money that we owe now for these 108  
14 loans. We watched these councils destroy  
15 this city. People came up and spoke. Many,  
16 many people came up and spoke and they made  
17 sense, but no one listened because they had  
18 their own agenda and the agenda was to  
19 destroy the city's financial stability.  
20 Thank you.

21 MR. MCGOFF: Mrs. Evans, if I can  
22 just speak, just one comment. The  
23 legislation dealing with the library 7-B  
24 does nothing to restrict the use of the  
25 library. All it says is that in order to

1 accept these funds it must stay as a library  
2 for a minimum of 50 years. It does nothing  
3 to change the original charter. Thank you.

4 MR. HUGHES: Mrs. Evans, if I could  
5 respond?

6 MS. EVANS: Certainly.

7 MR. HUGHES: There is, and I drafted  
8 legislation tonight to amend this,  
9 Mr. Sbaraglia, it goes back to 1890 when  
10 Mr. Albright transferred the property to  
11 Mr. Smith and three other people to then be  
12 transferred to the city after he built the  
13 library in accordance with a deed. That  
14 library must be a free public library for  
15 the citizens and residents of the City of  
16 Scranton forever. The legislation has been  
17 amended to provide for that tonight, so that  
18 there is no misunderstanding this council  
19 tried to disband the Scranton Public Library  
20 Authority. We did everything we could to  
21 have it disbanded before the deed was  
22 conveyed so it would still be city property.  
23 However, it was done we are really powerless  
24 to disband that Authority, but what it is,  
25 this is a condition of the state grant that

1           it must be open for 50 years. However,  
2           legislation has been amended so that it  
3           states that the Albright Library must be a  
4           free public library. It can't be  
5           depository, it's a free public library for  
6           the residents and the citizens of the City  
7           of Scranton forever, and as we say in the  
8           ordinance, in perpetuity.

9                   MS. EVANS: Thank you. Our next  
10           speaker is Dave Dobrzyn.

11                   MR. DOBRZYN: Thank you. Good  
12           evening, Council.

13                   MS. EVANS: Good evening.

14                   MR. LOSCOMBE: Good evening.

15                   MR. DOBRZYN: Okay. Today I bumped  
16           into a few of John's friends and they were  
17           on the fire truck and they made a mention to  
18           me about this commuter tax and all, and if  
19           any of these outlying communities wish to  
20           avoid the commuter tax maybe they could take  
21           all of the donations that they give to  
22           certain politicians in this town and donate  
23           it to our bankruptcy fund instead. They  
24           mentioned election campaign poster on lines  
25           up in Dalton stating who they wanted to be



1 running in Scranton. Shame, shame, shame.  
2 I mean, you know, if you want to spend money  
3 that way you could always help us out with a  
4 few contributions to our firemen's fund or  
5 whatever.

6 And I'd also like to mention the  
7 University once again, and this goes for  
8 everybody, I have been saying this now for a  
9 couple of months and I'd really appreciate  
10 it if we can look into how we could zone out  
11 any further nonprofits and just tell them  
12 they have to pay the taxes if they want to  
13 move here. That's all there is to it. We  
14 can't do it anymore. It sounds like, oh,  
15 under \$500, but then you have property tax  
16 most of us, but then you have -- you have  
17 your wage taxes and everything else that are  
18 high, and then on top of that we have a lot  
19 of problems being a city where we have  
20 people that are homeless, people that have  
21 been driven crazy by homeless. We are  
22 increased crime and so forth, people that  
23 are -- actually you could measure the amount  
24 of the crimes you can expect by the amount  
25 of poverty from recessions and depressions

1 and so forth, so we really need to give them  
2 a zone and whatever is lost is lost and then  
3 after that they have to pay taxes on it.

4 The pools, I don't want to hear  
5 anymore about any splash parks or bathhouses  
6 being built or whatever, let's keep the  
7 poles open that we have. If we have to  
8 mothball them for a year or two so be it,  
9 but I don't want to take down something and  
10 then, of course, who knows what has to be  
11 contributed from the city, maybe 20 percent  
12 or whatever, and it sounds like money coming  
13 in, but all it is is enriching somebody  
14 else, some construction outfit that does a  
15 slip shot job in most cases from what I can  
16 see.

17 And I'll be listening careful on 5-B  
18 and C and that's where I'll go from there.

19 And once again, any meters that came  
20 into town have to accept change. I don't  
21 know if somebody has change in their pocket,  
22 they probably don't have two nickles to rub  
23 together, but I always have a quarter  
24 because I want to pull in and pull out. I  
25 stop at Markowitz Tobacco or something and

1 buy a cigar and I'm out of there in 10 or 15  
2 minutes, and that's what I want to pay. I  
3 don't want service charge and all kinds of  
4 baloney with my credit card in addition to  
5 the exposure of identity theft.

6 On this library, I apologize for  
7 anything that was misconstrued, but I do  
8 appreciate that if it's for perpetuity and  
9 it's the Scranton Times that's coming up  
10 with this bright idea. They have a lot of  
11 bright ideas for our town, too bad they  
12 didn't stay here. Basically their editorial  
13 board can stay up in the Abingtons where the  
14 hell they belong as far as I'm concerned.

15 And also available at the library,  
16 once again, is "Free Lunch. How the  
17 Wealthiest Americans Enrich Themselves at  
18 Government Expense and Stick you with the  
19 Bill."

20 How the pension plans are looted,  
21 like our firemen and police, it's down about  
22 \$30 million, the consequences of clowns and  
23 thieves on Wall Street, and he also has a  
24 new book out "Fine Print" where employees  
25 were being taxed and used for renovations on

1 the plant and the state of Ohio is letting  
2 them do it and there is probably a hundred  
3 other examples in there.

4 And once again the vote, that was a  
5 joke. I don't know where our Supreme Court  
6 is, I don't know where these people get law  
7 degrees from, I don't know maybe Dolittle  
8 Tech or something like that, but shame on  
9 them. Shame on our Supreme Court now they  
10 kicked the can down the road further and  
11 there is all kinds of people, I was at a  
12 conference last night, there is all kinds of  
13 people having all kinds of troubles getting  
14 a vote, getting the right to vote. And Mr.  
15 Metcalf they booed him off today, you know,  
16 I'm glad I don't have to vote for him or it  
17 would be nice to vote against him.

18 And once again, the golden parrot,  
19 I'll make it quick, Yohan -- Mr. Hoyah, Mr.  
20 Burke and Pat Toomey they put a by partisan  
21 vet employment bill cosponsored and amended  
22 and voted to continue the filibuster. One  
23 vet every 80 minutes commits suicide so they  
24 need jobs. We have 225,000 unemployed vets  
25 in this country and probably the reason they

1 are unemployed is because they had to go  
2 over there, which they really didn't want to  
3 do. Thank you have a good night and don't  
4 forget, bawk, bawk.

5 MS. EVANS: Is there anyone else who  
6 would like to address council?

7 MS. SCHUMACHER: Good evening,  
8 Council. City resident and taxpayer.

9 MR. JOYCE: Good evening.

10 MS. SCHUMACHER: I would like to  
11 clarify the figures I used before because  
12 they were based totally on those who only  
13 paid \$500 a year in taxes or less, but I  
14 still do believe that some level based on  
15 assets and age and income are 65 years old  
16 and disabled folks need help and I think  
17 that economic development is a perfect place  
18 to use it.

19 Okay, I played around with the  
20 figures that I done much as Boris had done  
21 with the entire county and what I did was  
22 take the local taxes that we pay. The  
23 school, the wage, county, municipality, and  
24 I used the median household income to make  
25 all of my calculations and it turns out that

1 in the City of Scranton you are sort of  
2 buying your house twice because if you get a  
3 30-year mortgage it takes -- every 27 months  
4 you have paid the principal in -- using  
5 local taxes, so you paid the principal yet  
6 you have three more years probably to pay on  
7 your mortgage because that's got the  
8 principal and the interest, so that's pretty  
9 short.

10 The longest in the county is Scott  
11 Township, they don't get their house  
12 rebought for 52 years and, you know, that's  
13 like almost double what it is in Scranton,  
14 and frankly, we can't afford it. You know,  
15 Norm France in his book "Money and Wealth in  
16 the New Millennium" that came out in 2001  
17 has this quote, "Gold is the money of Kings,  
18 silver is the money of gentlemen, barter is  
19 the money of peasants, but debt is the money  
20 of slaves."

21 And I fear the City of Scranton is  
22 turning into the latter category, we are  
23 slaves to debt. We are in this year alone  
24 we are going to increase our debt somewhere  
25 between a third and a half what it was when

1 we started the year, and I can't tell  
2 exactly what -- what that is because that  
3 will segue into a question on when we are  
4 going to see the 2011 audit. We don't even  
5 know what our status was at the end of the  
6 last year, so I would hope that we will get  
7 some information on that tonight.

8 With respect to 7-A since it's going  
9 to be voted on tonight and since it's a  
10 five-year budget I think you need to amend  
11 it to include the parks and rec, the  
12 addition of the South Side Sports Complex  
13 replacement that we were promised when the  
14 existing one was sold to the University of  
15 Scranton. I think young people and young  
16 adults need a place, and that was a terrible  
17 thing that happened and I do think it should  
18 be amended to include that.

19 And then now I'll go back to my list  
20 from last week, first of all, do we have now  
21 the parking -- who received the parking --

22 MR. JOYCE: Actually I did receive  
23 an e-mail back from our business  
24 administrator today with the list and I'll  
25 forward that over to you.

1 MS. SCHUMACHER: Thank you. And now  
2 that the Scranton Parking Authority garages  
3 are under the control of the for profit does  
4 that mean they will also be paying the sales  
5 tax?

6 MR. JOYCE: That's actually an  
7 interesting point. Mr. Hughes, could you  
8 clarify more on that?

9 MR. HUGHES: It's my opinion that  
10 they do not have to pay the parking tax  
11 based on the City of Pittsburgh vs.  
12 Pittsburgh Parking Authority case which was  
13 a ruling by the Supreme Court of  
14 Pennsylvania. They are merely administering  
15 it for the trustee. They are not a lessee  
16 of the garage. Even if they were a lessee,  
17 there might be an issue on that, but they  
18 are merely managing it for the trustee on  
19 behalf of the Scranton Parking Authority.

20 MS. SCHUMACHER: Thank you. And  
21 while we are on the parking garages do the  
22 parking garages include all of the retail  
23 space or does the Authority still take  
24 responsibility for the leasing and --

25 MR. HUGHES: No. The parking



1 garages are under the control -- I mean, the  
2 retail space in the parking garages is under  
3 the control of the receiver. The retail  
4 spaces do pay real estate tax. They are  
5 assessed and do pay real estate tax.

6 MS. SCHUMACHER: Understand.

7 MR. HUGHES: And they will continue  
8 to pay real estate tax.

9 MS. SCHUMACHER: Thank you very  
10 much. But while I'm Solicitor Hughes, do  
11 you have any new -- if I may ask? Several  
12 weeks ago you brought up the Ice Box and the  
13 fact that they very properly owe us  
14 \$600,000.

15 MR. HUGHES: If I didn't have to  
16 sleep I could probably work at this job 24  
17 hours a day, and if I didn't have a private  
18 practice I devote a considerable amount of  
19 time, you know, to this. I have done  
20 research on it, I believe right now based on  
21 my research and discussions with the  
22 assessors the assessors will be taking  
23 action on that. I believe that -- not I  
24 believe, but when I do have time I would  
25 want to discuss this with Attorney Kelly, so

1           that, you know, I cannot bring a lawsuit on  
2           behalf of the city. That's up to the city  
3           solicitor's office. I think the entire  
4           transaction has to be looked at and I have  
5           looked at it, it was a redevelopment plan  
6           adopted down there in accordance with the  
7           original lease.

8                        MS. SCHUMACHER: I have all of these  
9           dates.

10                      MR. HUGHES: And as I stated two  
11           years when I looked into this, I thought  
12           that there was something drastically wrong.  
13           It's on my list to give Attorney Kelly a  
14           call and give him my ideas on this as to how  
15           the city should proceed.

16                      MS. SCHUMACHER: Thank you. That's  
17           all I was asking.

18                      MR. HUGHES: In order to collect the  
19           \$600,000. It's my opinion the \$600,000 is  
20           due and owing today and it should be paid by  
21           BRT Ice.

22                      MS. SCHUMACHER: That's been mine  
23           for a long time. Thank you. I'll be back  
24           with the rest of my list next week, the good  
25           Lord willing.

1 MR. JOYCE: Is there anyone else who  
2 cares to address council?

3 MR. SLEDENZSKI: Hi, Frankie.

4 MR. JOYCE: Hi, Chrissy.

5 MR. SLEDENZSKI: Jackie, glad to see  
6 you back. I missed you last week.

7 MR. LOSCOMBE: Jack is back.

8 MR. SLEDENZSKI: What's up, Jackie?  
9 Well, Frank, the other night we got our butt  
10 kicked. You know that, don't you, Frankie?  
11 Dunmore beat us by one lousy point. Frank,  
12 what's going with these guys? Well, you  
13 want to know something, Jack, these firemen  
14 are doing a good job down there. Keep it  
15 down there, boys. We love every one of  
16 you. Thank you.

17 MR. LOSCOMBE: Thank you, Chrissy.

18 MR. JOYCE: Is there anyone else who  
19 cares to address council?

20 MR. LEWIS: Could I add a public  
21 service announcement?

22 MR. JOYCE: Very briefly.

23 MR. LEWIS: I was very impressed  
24 with Mrs. Evans earlier announcing all of  
25 the activities for the next week, this

1           upcoming weekend the Junior League of  
2           Scranton is participating or has a Touch a  
3           Truck program at our Nay Aug Park. Local  
4           trucking companies as myself will be there  
5           with trucks and that starts at 11:00 in the  
6           morning at Nay Aug Park and ends at 3:00 in  
7           the afternoon. Bring your kids and touch  
8           the truck. Thank you.

9                     MR. JOYCE: Thank you.

10                    MR. LOSCOMBE: Mr. Lewis, was that  
11           Saturday or Sunday?

12                    MR. LEWIS: Saturday.

13                    MR. JOYCE: Is there anyone else who  
14           cares to address council? Mr. McGoff, do  
15           you have any comments or motions?

16                    MR. MCGOFF: Yes. Thank you. I  
17           would like to address the issues of the  
18           zoning board. Ironically, I was speaking  
19           with one of the members of the zoning board  
20           today about some things that were going on  
21           and one of the things that he did bring up  
22           was that attendance at the zoning board  
23           meetings has been very lacks. That very  
24           often there are only three members present  
25           and many times it's not three of the

1 permanent members, that they are -- it's  
2 necessary to call the alternates and very  
3 often the alternates have been unwilling to  
4 come, and that does pose a problem.

5 The primary -- not only with some  
6 consistency in a vote, but one of the  
7 problems and he said it's bringing up and  
8 Mr. Lewis kind of alluded to was very often  
9 they are having to re-advertise for  
10 meetings, which is an added expense, you  
11 know, to advertise the meetings because they  
12 don't have a quorum to make decisions.

13 I don't know what we as a council  
14 can do about that, but the way in which the  
15 appointments to the board have worked in the  
16 past, we have all -- we are all responsible  
17 for one member of the board, the zoning  
18 board, I think that the maybe one of the  
19 things that we should do is that we should  
20 contact those people that we are responsible  
21 for appointing and find out if they are, in  
22 fact, going to be members or active members  
23 of the zoning board and if they are not to  
24 resign from the position and allow for us to  
25 reappoint those positions. I think it's

1           important that there is some consistency on  
2           the zoning board, so that we are getting a  
3           consistent vote on things pertaining to  
4           zoning.

5                         And the other thing that we did talk  
6           about today, again something that Mr. Lewis  
7           brought up, that very often some of these  
8           votes are being -- are being made based  
9           simply on influence from the outside, the  
10          neighbors or other businesses, whatever, and  
11          in opposition to what the zoning codes are  
12          that they are -- that rather than, you know,  
13          making that difficult decision and saying to  
14          the neighbors, no, this is, you know, what's  
15          being proposed in the law or the codes and,  
16          therefore, you know, we are going to approve  
17          it, they are really voting in opposition to  
18          what is legal and what really should be  
19          done.

20                        So I think that perhaps that we  
21          should take a -- really take a look at the  
22          nature of the zoning board at this point in  
23          time and perhaps do something to at least  
24          improve the operation of it. I just think  
25          it's something we should at least look into

1 at this point in time, especially the  
2 attendance.

3 MS. EVANS: Well, yes, because they  
4 have alternates.

5 MR. MCGOFF: And that's what I just  
6 said when you were out of the room that the  
7 alternates have not been very responsive,  
8 that many of them are called and have  
9 refused to -- you know, or not gone to the  
10 meetings. So, you know, how many alternates  
11 are there, three? I'm trying to - there is  
12 five board members and two --

13 MS. EVANS: Two alternates.

14 MR. MCGOFF: Two alternates.

15 MR. JOYCE: Yes.

16 MR. MCGOFF: So to get three out of  
17 seven people for most meetings is really I  
18 don't think that that's the way it was  
19 intended to be. So with that, you know,  
20 that's something I think we can discuss at  
21 some point in time.

22 Rental registration, just very  
23 quickly, I am told that bills have been sent  
24 out, that the billing has begun and  
25 hopefully, you know, we will, you know, get

1 the ones that are identified, the bills that  
2 those properties identify, and I know we  
3 have talked about various ways of improving  
4 the database that we have, and I was  
5 contacted by a number of the I think it's  
6 South Side Neighborhood Association, South  
7 Scranton Neighborhood Association, and they  
8 said that their members would be willing to  
9 go through their neighbor -- that, you know,  
10 whatever neighborhood they define as their  
11 kind of area to identify rental properties,  
12 and I thought personally it was, you know,  
13 maybe a way to build the database.

14 I don't know if it's within -- if we  
15 want to get involved in neighbors doing  
16 that, but again, I would like to propose to  
17 the council, as you know, something to  
18 discuss and possibly if we feel it's a good  
19 idea to possibly, you know, propose to other  
20 neighborhood associations to do the same  
21 thing. But I think it is something that we  
22 need to discuss and whether we want to give  
23 that power or authority to these  
24 associations.

25 And the last think that the recovery



1 plan, perhaps one of -- that we as a  
2 council, I think one of the things that we  
3 can start to -- there is so many things that  
4 need to be done in order to bring this  
5 recovery plan or make this recovery plan  
6 viable, I think it's imperative on our part  
7 that we get to work on some of the things  
8 that we can control, and I look at first the  
9 amusement tax. If we could -- if we could  
10 possibly work on this and have it, you know,  
11 put something that we want on the agenda  
12 prior to 2013 so that when we are looking at  
13 the budget for 2013 it's already in place  
14 and ready to be implemented.

15 Also, perhaps the real estate  
16 transfer tax that we can, you know, do the  
17 legislation on that and have that ready for  
18 the budget.

19 And lastly, going back to the rental  
20 registration, perhaps we can discuss the  
21 idea of a rental registration coordinator to  
22 hopefully improve that and maybe have an RFP  
23 in 2012 so that that person can be in place  
24 for 2013. Just some ideas for things that  
25 we can do to get prepared for the budget and

1 for 2013. And that's all I have. Thank  
2 you. I'm sorry, one last thing.

3 MS. EVANS: Sure.

4 MR. MCGOFF: I meant to mention it  
5 earlier, October 7, the 17th annual  
6 Steamtown marathon will be held. It is too  
7 late to register. They have full  
8 registration. I think they have registered  
9 close to 3,000 runners, but I'm sure that  
10 they would still be looking for volunteers  
11 and it really is a little too late to start  
12 training for it so you are really lucky the  
13 registration is closed. You won't be  
14 tempted to go out there and try, but be  
15 prepared for it, it's a great day, it's a  
16 great weekend, you know, but it does tie up  
17 the city for a few hours just so you know.  
18 Thank you.

19 MS. EVANS: Thank you, and I just  
20 wanted to add that I happened today to run  
21 into one of the inspectors from LIPS who  
22 said that over 700 letters went out for the  
23 Rental Registration Program within the last  
24 week and that the last few days I believe  
25 it's \$3,400 was remitted, so it's a start.

1 MR. MCGOFF: It's a start.

2 MS. EVANS: Mr. Rogan, did you have  
3 any comments or motions?

4 MR. ROGAN: Yes, very briefly. Most  
5 of the items I have are positive this week,  
6 which is very nice. Yesterday I met with  
7 residents from the Pinebrook Neighborhood  
8 Association, Sandy Banks and Mark Seitzinger  
9 from LIPS regarding some of the problems  
10 they had in the neighborhood. It seemed to  
11 be a very productive meeting and Mark  
12 actually just followed up with an e-mail  
13 before the meeting started down in that  
14 neighborhood again started to work on some  
15 of the blight issues, and since rental  
16 registration was brought up that was one of  
17 the other issues that we discussed.

18 And as Mr. McGoff mentioned in the  
19 past, they are working on numerous ways of  
20 putting this list together. Some of them --  
21 one of them is through the sewer bills that  
22 come in. You know, the other thing is in  
23 the past people have tried to get around the  
24 rental registration by listing the property  
25 as an LLC and now that's putting up a red

1 flag so they can look into it.

2 He explained a bunch of different  
3 things that they were doing to try and make  
4 sure they can get a database that will be  
5 accurate and get these notices out to the  
6 landlords that need to pay, and I was very  
7 encouraged by that.

8 And also he informed me, you know,  
9 we were speaking a little bit about the  
10 issues of Pinebrook and the blight in  
11 different neighborhoods, when the rental  
12 registration safety inspections begin I  
13 asked that they would first take place in  
14 neighborhoods that are blighted. We  
15 wouldn't want to start off in, you know,  
16 Mayor Doherty's block of Greenridge Street  
17 when there is no blight, but we have other  
18 neighborhoods throughout the city that have  
19 blight that would be the logical place to  
20 start the inspections. Although, at the end  
21 of day they all have to be inspected, and we  
22 also spoke about the idea of hopefully in  
23 the future the program being  
24 self-sustaining, that if it could bring in  
25 enough revenue after it's setup possibly

1 another inspector could be brought on to do  
2 rental registration inspections throughout  
3 the city and just to crack down on blight in  
4 the neighborhoods in general.

5 Another good thing in the community,  
6 the Keyser Valley flooding issue residents  
7 at Keyser Valley have let me know that the  
8 Sewer Authority has been doing great work  
9 down there. I know I'm hard on the Sewer  
10 Authority many times, but they deserve  
11 credit for doing good work there. The  
12 project should be wrapping up soon and  
13 hopefully the residents in that neighborhood  
14 won't have to be deal with the constant  
15 flooding in their front yards every time we  
16 get a little bit of rain.

17 And the issues that came up  
18 regarding the CDBG money, I will be bringing  
19 all of these up to Ms. Aebli, and a lot of  
20 them that were brought up I think are good  
21 ideas, we just have to check to make sure  
22 that they are eligible for the funding, and  
23 that is why I'll put all of this together in  
24 the morning and get that to her and then  
25 report back and then, you know, after

1 hearing from the public we will compile the  
2 amendments. I know a few of you have  
3 already provided, others wanted to wait  
4 until after the public hearing, so we will  
5 be getting those and getting that together  
6 and trying to allocate the money in the  
7 areas that will be best for the most amount  
8 of people in the city.

9 And finally, I just have one  
10 request, Mrs. Krake, could we please send a  
11 letter to the administration and the fire  
12 chief asking if there is any city fire  
13 trucks that have been loaned out to any  
14 other municipalities?

15 And that is all I have. Thank you.

16 MS. EVANS: Thank you. Councilman  
17 Loscombe, do you have any comments or  
18 motions this evening?

19 MR. LOSCOMBE: Yes, thank you. Just  
20 briefly, I apologize for my absence last  
21 week, I have had a few health issues I had  
22 to take care of and I'm glad to be back  
23 here. I will -- because I had a lot of  
24 catching up phone calls, e-mails and stuff  
25 like that, I will be working on that before

1 prior to the next meeting. I will have  
2 reports on the fire department over the past  
3 month, station closings and responses how it  
4 affects your neighborhoods. I will have a  
5 report on the police department vehicles,  
6 the maintenance and the vehicles that are  
7 under order and I will have an update next  
8 week on that.

9 Just to add to what Mr. Rogan  
10 mentioned about Keyser Valley, I do have a  
11 letter that I would like to read. "Dear  
12 Honorable Council Members: As most of you  
13 are aware, I have been begging for help with  
14 the major water and flooding issues in  
15 Keyser Valley, mainly my street. I  
16 approached City Council and the City of  
17 Scranton in 2005 after the flooding in  
18 November of that year and asked for help. I  
19 continued to ask the city for help for seven  
20 years. Neighbors have been looking for a  
21 resolution prior to me and my wife  
22 purchasing our home for nearly 30 years.

23 I had meetings with two former state  
24 representatives, three city DPW directors,  
25 representatives of the Governor's Office,

1 numerous city council members, and two state  
2 senators. I have also had an unsuccessful  
3 caucus with former DPW Director Jeff Brazil.  
4 He committed to fixing the problem and never  
5 did. The only response of individuals were  
6 four members of this current City Council  
7 and the Scranton Sewer Authority.

8 After seven years, 43 letters,  
9 numerous unsuccessful phone calls and  
10 meetings, I am extremely happy to notify  
11 this City Council that the Scranton Sewer  
12 Authority has been working tirelessly for  
13 almost three weeks on fixing the issue.  
14 They are in the process of installing new  
15 lines down Lafayette Street from Keyser  
16 Avenue. They connected into a 18-inch main  
17 that comes from Keyser Avenue and drain into  
18 our neighborhood. They also put in new  
19 catch basins along Lafayette Street and they  
20 believe this will resolve the issues.

21 Mr. Gene Skeleton of the Authority  
22 has personally spearheaded this project and  
23 is determined to get this fixed. He has  
24 been in contact with me almost on a daily  
25 basis. He is the reason this project is



1 getting completed. After seven years of  
2 flooding and frustration, he needs to be  
3 highly commended for giving this project the  
4 attention it needed and deserved.

5 I would also like to thank the men  
6 that are working on the project. I can only  
7 speak for myself and my family, but we are  
8 extremely grateful for this project finally  
9 getting attention and coming up onto  
10 completion.

11 I also want to sincerely thank this  
12 council, and more importantly, Gene  
13 Skeleton, the Board of the Sewer Authority,  
14 and the men that have been working  
15 tirelessly to get this job done."

16 And I would just like to add, you  
17 know, all of us here have been involved in  
18 this situation as we are with many others.  
19 It's nice to see progress and something we  
20 have been working on for a few years happen,  
21 especially these kind of conditions. We  
22 have these problems elsewhere in the city  
23 and I hope the Sewer Authority will continue  
24 to work with them. I have met and discussed  
25 situations with Mr. Skeleton on many

1 occasions and he has also tried to do  
2 whatever he can.

3 I think that the final fruition of  
4 this came about when it was clarified that,  
5 you know, the sewers, the storm sewers are  
6 the responsibility of the Sewer Authority  
7 and not the city, because I believe they  
8 were sort of holding back at that time so  
9 there were no cross problems between the DPW  
10 and the Sewer Authority at that time, so  
11 being that that was resolved I think we can  
12 see further advancement with the help of our  
13 Sewer Authority to progress into the other  
14 areas of the city that we still have some of  
15 these problems and I, too would, like to  
16 commend them for the job they are doing.  
17 And this was Charlie Newcomb actually, and  
18 Mr. Newcomb for, you know, staying on top of  
19 it and keeping us advised, also.

20 And that's I have for this evening.  
21 Thank you.

22 MS. EVANS: Thank you, Mr. Loscombe.  
23 Councilman Joyce, do you have any motions or  
24 comments?

25 MR. JOYCE: Yes. To begin tonight

1 I'm going to address the Scranton Single Tax  
2 Office. We have received correspondence  
3 from Tax Collector Bill Courtright regarding  
4 the Scranton Single Tax Office's collections  
5 and distributions for the period ending on  
6 August 31, 3012.

7 First, in regard to real estate tax  
8 collection, for this year so far the tax  
9 office has collected \$11,616,728.80 in real  
10 estate taxes that -- current real estate  
11 taxes. In the same period last year, the  
12 tax office collected \$10,965,343.96. With  
13 this in mind, there has been an overall  
14 increase in real estate tax collections of  
15 \$651,384.84 thus far.

16 Secondly, in regard to the  
17 delinquent real estate tax collections for  
18 this year, so far the tax office has  
19 collected \$470,445.86. In the same period  
20 last year, the tax office collected  
21 \$550,938.74. With this in mind, there has  
22 been an overall decrease in the delinquent  
23 real estate tax collections of \$80,492.88  
24 thus far.

25 Third, in regard to the local

1 service tax, for this year so far the tax  
2 office has collected \$1,023,182.04. In the  
3 same period last year, the tax office  
4 collected \$1,299,619.34. With this in mind,  
5 there has been an overall decrease in the  
6 local service tax collections of  
7 \$276,437.30.

8 Fourth, in regard to the business  
9 privilege and mercantile taxes for this year  
10 so far, the tax office has collected  
11 \$1,703,798.94. In the same period last  
12 year, the tax office collected  
13 \$1,281,051.54. With this in mind, there has  
14 been an increase overall of \$322,747.40 in  
15 business privilege and mercantile  
16 collections thus far.

17 Also to report, the Scranton Single  
18 Tax Office has collected \$6,106,987.09 this  
19 year in earned income taxes. As far as  
20 offering comparison to the amount collected  
21 last year, it would not be comparing apples  
22 to apples since Berkheimer took over the  
23 collection of 2012 earned income taxes. The  
24 \$6,106,987.09 figure collected by the  
25 Scranton Single Tax Office this year is

1 primarily fourth quarter tax receipts from  
2 2011 that were made in this current year.

3 While we are on the subject of the  
4 tax office, to inform proposals were open on  
5 Monday, September 17, 2012, for the rebid of  
6 the Scranton Single Tax Office independent  
7 audit for the year ending 12-31-2011. Both  
8 Joseph Alu and Associates as well as Bonita  
9 and Rainey, certified public accountants,  
10 submitted a bids.

11 With this in mind, Mrs. Krake,  
12 please contact Mrs. Novembrino and inquire  
13 whether or not a firm has been selected to  
14 complete the audit of the Scranton Single  
15 Tax Office.

16 In addition to the bids being opened  
17 for the Scranton Single Tax Office audit,  
18 RFP proposals were opened on Wednesday,  
19 September 12, 2012, in council chambers for  
20 the city pharmacy benefit manager services.  
21 Proposals were submitted by three companies  
22 being Cat Moran, Express Scripts and  
23 Millennium.

24 With this in mind, Mrs. Krake,  
25 please contact Ms. McAndrew and inquire if a

1 pharmacy benefit manager for the city has  
2 been selected yet.

3 Regarding the capital budget, I'm  
4 going to make a motion tonight during  
5 Seventh Order to table this legislation. To  
6 this date I have only received input from  
7 one council member regarding the amendments  
8 and the prioritization of the sections of  
9 the capital budget.

10 In addition, with our council  
11 solicitor being busy this week due to minor  
12 surgery, he has not had enough time to draw  
13 up amendments to the capital budget. With  
14 this in mind, I would ask that all city  
15 council members e-mail by next Tuesday with  
16 the suggested prioritization of sections and  
17 also with any amendments they would like to  
18 make to the capital budget.

19 And finally, I do have a few  
20 citizens' requests. West Parker Street  
21 residents have informed me that the  
22 condition of the home on 122 West Parker  
23 Street is deplorable, to say the least.  
24 Residents have voiced their concern  
25 regarding overgrown grass and weeds.

1 Residents have also voiced their concern  
2 there are many rodents in the neighborhood  
3 because of this property as well numerous  
4 stay cats.

5 Mrs. Krake, with this in mind,  
6 please contact Director Seitzinger and ask  
7 him to handle this situation in the best way  
8 that he sees fit as the property is  
9 abandoned and it's becoming quite a problem  
10 for neighbors in that specific community.

11 Also, since school season has begun  
12 I have been contacted by residents of  
13 Greenbush and Reese Street as well as  
14 employees of the Career Technology Center  
15 regarding the condition of both streets.  
16 Neighbors and workers have informed me that  
17 they are numerous potholes making travel  
18 conditions difficult on both of these  
19 streets which serve as the entrance and exit  
20 paths to the Career Technology Center.

21 With this in mind, Mrs. Krake,  
22 please contact Director Dougher and ask him  
23 to handle this situation in the best way  
24 that he sees fit.

25 And finally, various Keyser Valley

1 residents have reported to me that the 2600  
2 block and 2700 block of Frank Street are in  
3 very poor shape. There is numerous potholes  
4 and cracks in the road and these blocks make  
5 travel conditions very difficult. Residents  
6 request that the situation be handled  
7 accordingly and that these blocks are  
8 repaired so they are in a more drivable  
9 state.

10 With this in mind, Mrs. Krake,  
11 please add this to the list of issues to  
12 contact Director Dougher about, and that's  
13 all I have for tonight.

14 MS. EVANS: Thank you. Good  
15 evening. I have only a few issues to  
16 discuss, but before I do, I'd like to call  
17 on Solicitor Hughes to update the public  
18 regarding the Parking Authority and  
19 council's plans for the University of  
20 Scranton. Attorney Hughes, give the public  
21 the good news, please.

22 MR. HUGHES: Thank you, Madam  
23 President and Council. As everyone is  
24 aware, the city is in the process of having  
25 a private placement of the bond issue



1 through Janney, Montgomery, Scott under the  
2 Securities Exchange Commission Rules is that  
3 there is a private placement memorandum. I  
4 reviewed it, there is a section about two  
5 pages on pages 13 and 14 regarding the  
6 Parking Authority which really was outdated,  
7 it did not have the current facts regarding  
8 the City of Scranton and the Parking  
9 Authority, especially determination of the  
10 cooperation agreement.

11 I contacted bond counsel regarding  
12 that in Philadelphia. She requested me to  
13 rewrite the section, which I did, and the  
14 pertinent part, you know, regarding the  
15 Central -- actually, regarding the receiver  
16 taking over the operations of the Parking  
17 Authority and hiring Central Parking garage  
18 to manage the facility on his behalf, and  
19 what was reported in the Scranton Tribune on  
20 Saturday regarding Central Parking's  
21 proposed budget, that budget was attached to  
22 the management contract and is for the  
23 fiscal period of the September 11, 2012, to  
24 September 30, 2013.

25 Central anticipates that the revenue

1           during that we'll say calendar year will be  
2           increased from what was estimated by the  
3           Parking Authority of \$3 million to  
4           \$3,717,953.

5                         In accordance with the management  
6           contract, Central Parking will receive a 3  
7           percent commission on all revenues in excess  
8           of \$3.1, which to me is a very modest fee  
9           for the increase of revenue, so that the  
10          operating expenses including the \$18,000  
11          plus for the increase of revenue would be  
12          typical and paid to Central Parking would be  
13          \$938 -- I'm sorry, \$738,000. This is  
14          approximately two-thirds of what the  
15          Scranton Parking Authority's current  
16          management was taking out or what their  
17          expenses were, which is a savings of  
18          one-third or almost \$350,000 savings there.

19                         That would mean an estimated net  
20          revenue for the Parking Authority to pay its  
21          bond indentures of \$2,979,000. To that we  
22          must add because of the cooperation  
23          agreement being terminated the \$100,000  
24          commission that the Parking Authority got  
25          and collecting all of the parking meter

1 revenue which was around \$1 million. So  
2 that has to be added back in because now the  
3 Parking Authority will now get that  
4 \$100,000.

5 In addition to that, the city in  
6 this year's budget made a grant or makes a  
7 grant of \$586,000 to the Scranton Parking  
8 Authority, that's divided up into increments  
9 every two weeks. Included within that,  
10 that's for the seven employees, the seven  
11 meter employees, that would be \$80,000 a  
12 person, which it is not. The salaries are  
13 around \$30,000.

14 Included within that figure is  
15 \$140,000 management fee. Now, what the  
16 management fee is I have no idea, but you  
17 have the back up back out the management fee  
18 so that that would not payable to the  
19 Parking Authority. The reason the  
20 cooperation agreement was terminated was to  
21 deny the Parking Authority any funds so it  
22 would not have any funds to pay anybody.  
23 When you add that back in, the \$100,000, the  
24 \$140,000 it would be \$3,200,000 available to  
25 pay the pond issue.

1                   Added to that has to be in the  
2                   recovery plan is the enhanced meter program  
3                   which for 2013 the estimated increase in  
4                   that is \$700,000. That would bring the  
5                   total revenue that would be available to pay  
6                   the bond issue to \$3.9 million. The  
7                   100,000, 140,000 and the 700,00, of course,  
8                   the city money the city is the guarantor of  
9                   the Parking Authority debt.

10                   So as of a result of that it will  
11                   now be \$3.9 million available to pay the  
12                   bond payment at least almost \$3 million from  
13                   the Parking Authority.

14                   It was estimated and was stated in  
15                   the Tribune article that the bond payments  
16                   were \$3.7 million. When I did my original  
17                   calculation and I sent this e-mail out last  
18                   Wednesday, yesterday morning, I used that  
19                   figure which meant that the city would have  
20                   by the current management and having Central  
21                   involved, the city would be able to keep  
22                   \$200,000 that it would not have to pay  
23                   because of the Parking Authority not having  
24                   sufficient monies. You know there is \$1.6  
25                   million in this year's budget, we are going

1 to spend all of that.

2 This turns out to be an immediate  
3 turn around of \$1.8 million of funds because  
4 of this action that council took back in  
5 January, I'm sorry, back in June when the  
6 Parking Authority came in and requested a  
7 million dollars and council did not pass the  
8 legislation authorizing the transfer of that  
9 money from the contingency fund to make that  
10 bond payment.

11 There has been a lot of criticism,  
12 especially from the Scranton Times, what  
13 it's done to the city. What it's done for  
14 the city is the fact that it brought to  
15 light the ineptitude, the incompetence of  
16 the Scranton Parking Authority management.  
17 The bond insurers came in, the next day they  
18 informed me, they called me, and I had a  
19 conversations with them after that council  
20 did, based on the assurances that I had from  
21 the attorneys for the insurance companies,  
22 the next week we provided for that payment,  
23 the bond payment was made.

24 During those discussions they told  
25 me that, number one, they would replacing

1 the trustee. Number two, they would  
2 immediately move -- after the trusty was  
3 replaced they would immediately move to have  
4 a receiver appointed, and that they would  
5 then seek and hire a competent manager whose  
6 goal would be to raise the revenues for the  
7 Scranton Parking Authority and decrease its  
8 expenses.

9 My time estimate for that to be  
10 accomplished would have been six to nine  
11 months. However, it was accomplished in an  
12 extremely short period of time of three  
13 months. Mr. Washo was installed within two  
14 months. Central Parking was hired within  
15 three months. And as a result, if these  
16 figures hold -- well, if these figures hold,  
17 the turnaround that I put forth in my e-mail  
18 to probably about 15 lawyers and consultants  
19 and Janney Montgomery was that the  
20 turnaround would have been approximately  
21 \$1.8 million so that the city would not have  
22 to come with \$1.6 million payment next year  
23 and would have an extra \$200,000.

24 I have done further investigations  
25 on that and have determined that the

1 estimate of \$3.7 million was incorrect, it's  
2 actually lower, and the total bond payments,  
3 and I'm using the calendar here next year  
4 from January through December, are actually  
5 \$3,487,461.25. When you add the bond  
6 payment from the anticipated revenues, that  
7 would mean that the city by taking the -- by  
8 council taking the action it did, and really  
9 putting the Scranton Parking Authority out  
10 of business per se, has resulted in almost  
11 \$2 million swing of monies available.

12 If these figures hold there will not  
13 have to be anything in next year's budget,  
14 any monies, to provide for payment of any  
15 Parking Authority bonds. That's a \$1.6  
16 million savings.

17 In addition, there will be an extra  
18 \$400,000, so that's a \$2 million swing to  
19 the positive for the City of Scranton and to  
20 me it's extremely good news. As I said in  
21 my e-mail, I said that -- this is my  
22 response to Attorney Kelly's inquiry and I'm  
23 only the solicitor for Scranton City  
24 Council, and it is information for  
25 informational purposes only. We put it in a

1 prospectus and it should be reviewed by a  
2 financial analysis, financial consultant and  
3 a certified public accountant, and I believe  
4 they rely on the same figures that I have,  
5 but based on this and, of course, we'll see  
6 what happens by December when the budget  
7 comes up, but it would appear that because  
8 of the action that council has taken that  
9 right now based on preliminary figures we  
10 will not have to put in \$1.6 to \$2 million  
11 in next year's budget, that the amount of  
12 revenue raised by Central Parking if it's \$3  
13 million the City of Scranton will only have  
14 to contribute -- we will have to have some  
15 money in there, but it would be from the  
16 \$100,000 revenue the Parking Authority got  
17 and \$140,000 management fee, there is  
18 \$240,000 of almost \$480,000, so we will have  
19 to come up with some money but it's a  
20 tremendous swing to the positive.

21 And that's all I have to report on  
22 the Parking Authority. If anybody has any  
23 questions, I'd be glad to answer them.

24 MS. EVANS: Would you like to move  
25 ahead with the University of Scranton?



1 MR. HUGHES: Oh, I'd love to. I've  
2 read with great consternation the fact that  
3 the University of Scranton is going to  
4 oppose the City of Scranton parking tax. I  
5 will state that there is probably many  
6 directors that are on the board of directors  
7 of the University of Scranton, there are  
8 probably many people in management positions  
9 up there that do not have the history of the  
10 University of Scranton, and that the  
11 University of Scranton would not have a  
12 footprint that it currently has if it were  
13 not for the city.

14 The University of Scranton is  
15 located where it is because of donations  
16 from the Scranton family with the Scranton  
17 Estate and somewhere in the early 60's on  
18 Monroe Avenue they built a new classroom  
19 facility, that was in the early 60's. That  
20 was pretty much the confines of the  
21 University of Scranton. It could not expand  
22 beyond that footprint because virtually all  
23 of the land to the east was a residential  
24 area. I don't know how it came about, but  
25 the University of Scranton is what it is

1           today because of the actions that the City  
2           of Scranton and Scranton Redevelopment took.

3                     They adopted what was known as the  
4           University plan, which is an area bounded by  
5           Moyer Court on the west, Webster Avenue on  
6           the east, Mulberry Street on the north, and  
7           Ridge Row on the south. Virtually all of  
8           that area was a residential area. Many  
9           stately homes were in that area, and it was  
10          adopted as a blighted area in order to  
11          conform to the urban redevelopment laws so  
12          that the properties could be condemned,  
13          acquired by the Redevelopment Authority and  
14          conveyed to the University of Scranton.

15                    The plan was never challenged by any  
16          residents and as a result many properties  
17          were condemned and that is how the  
18          University of the Scranton gained it's  
19          foothold in the Hill Section and a major  
20          residential high tax producing area of the  
21          city.

22                    If it were not for that plan, the  
23          University of Scranton never would have been  
24          able to expand eastward, northward or  
25          southward, in fact, in any direction. The

1 city really came to the rescue of the  
2 University of Scranton and in later years  
3 even vacated large portions of Linden Street  
4 in order to make a campus.

5 I thought it very ironic that, and I  
6 looked at it after giving this some  
7 consideration, that the City of Scranton  
8 created it's own Trojan horse, such as the  
9 Greeks did with the ancient city of Troy,  
10 and I'm sure everybody knows the story of  
11 the Trojan horse. This is, I think, very  
12 apropos especially since the former dean of  
13 the graduate business school of the  
14 University of Scranton wrote a very  
15 influential book called "Inside the Trojan  
16 Horse." It is currently out of publication.  
17 There are copies available at the University  
18 of Scranton library and probably also at the  
19 Scranton Public Library.

20 Dr. Strickland has his PhD in  
21 economics from the University of Pittsburgh,  
22 taught economics at the University of  
23 Scranton and ultimately he became the Dean  
24 of the graduate school at the University of  
25 Scranton. "Inside the Trojan Horse" is a

1 book that's very critical of authorities in  
2 Pennsylvania, especially since they become  
3 more powerful, they end up controlling or  
4 having much more influence over the  
5 municipalities that they are supposed to  
6 serve, they end up to be out on a frolic of  
7 their own. They are free will, free spirit  
8 and there is really no way to control them.

9 Because he was so critical of the  
10 authorities, Gene Peters, Mayor Eugene  
11 Peters, appointed Dr. Strickland to both the  
12 boards of the Redevelopment Authority and  
13 the Scranton Housing authority. I served  
14 with great pride on both the Scranton  
15 Redevelopment and the Scranton Housing  
16 authority with Dr. Strickland, and what has  
17 happened now and it's been echoed I'll say  
18 week after week, month after month, almost  
19 year after year, that the city should do  
20 something in order to curtail the University  
21 of Scranton.

22 What can be done is that right now  
23 the University of Scranton is beyond its  
24 institutional district. It is spreading  
25 into the residential areas up in the Hill

1 Section. They have acquired vast amounts of  
2 property. They have built a dormitory on  
3 Mulberry Street in an R-1 zone. There is a  
4 small sliver of that, it is a C-1 zone, but  
5 most of it is constructed within an R-2  
6 zone. They had to go before the Scranton  
7 Zoning Board in order to get variances.

8 One variance should never have been  
9 granted, and that's a use variance. Every  
10 variance they request should have been  
11 denied. They have established parking lots  
12 in residential zones for which they had to  
13 have had a variance. It is my  
14 recommendation to the council since the  
15 Scranton Zoning Hearing Board is an  
16 independent agency totally separate and  
17 distinct from the City of Scranton, that the  
18 City of Scranton has standing to oppose any  
19 variance as filed by anyone.

20 I believe that from this day forward  
21 due to the fact that the University of  
22 Scranton that has a budget which ended May  
23 31, 2011, of \$227,883,304, that's on the  
24 charitable tax return, that was their gross,  
25 which is approximately three times the

1 city's budget, they had expenses of  
2 \$185,038,781, which means that they have a  
3 gross profit of \$42,844,523. Now, I know  
4 I'll be chastised for saying it's a profit.  
5 This is what they filed with their  
6 charitable -- their 990, I think it's 999-S  
7 tax return.

8 It has to be determined, if they are  
9 going to take the City of Scranton to Court  
10 how much of that \$42 million actually goes  
11 towards charitable purposes, and I think  
12 that the city should vigorously, and this is  
13 not my function, it's easy for me to say,  
14 but I think the city should vigorously  
15 challenge the filing that they are a  
16 eleemosynary institution. There is lot of  
17 money in here that they can use to pay the  
18 city's -- to pay help the city and pay a  
19 fair share to the City of Scranton as is set  
20 forth in the recovery plan.

21 They should take a good luck at this  
22 and everything that the City of Scranton has  
23 done for the University of Scranton over the  
24 last 50 years and take a look and do what  
25 Brown University did to the City of

1 Providence, Rhode Island. They should kick  
2 in a couple of million dollars to the city  
3 because if weren't for the city they  
4 wouldn't have the institution they have.

5 And, as I said, it's a Trojan horse  
6 because now they are outside gobbling up  
7 more and more property, taking it off the  
8 tax rolls, going in because they are outside  
9 of the institutional district and having to  
10 get variances.

11 It would be my recommendation to  
12 council that Mrs. Krake write a letter to  
13 the Scranton Zoning Hearing Board and that  
14 every time the University of Scranton files  
15 an application for a variance that the  
16 zoning hearing board give the mayor and  
17 council notice of the fact that they have a  
18 variance. If the city does not file an  
19 objection to the granting of a variance  
20 anywhere to the north of Mulberry Street, to  
21 the east of Webster avenue, to the south of  
22 Moyer Court, and I know they can't go  
23 anymore than Ridge Avenue because I think  
24 the Lackawanna river is there, but anyway,  
25 that I will appear before the zoning board

1 on behalf of council and object to the  
2 granting of any variance.

3 It's one way to stop the University  
4 of Scranton from gobbling up anymore  
5 properties knowing that they will not  
6 receive variances, that they will not able  
7 to get a variance to construct anything  
8 north of Mulberry Street or east of Webster  
9 Avenue.

10 One of the speakers tonight gave me  
11 another idea, I really think that so we will  
12 be fair to all nonprofits, I think any time  
13 a nonprofit makes application for a variance  
14 before the zoning hearing board, no matter  
15 who the nonprofit is council should be  
16 notified --

17 MS. EVANS: Yes.

18 MR. HUGHES: -- and we should object.  
19 I don't care if it's the medical school,  
20 Marywood, you know, a hospital, I don't care  
21 if it's a small nonprofit that wants to  
22 acquire a property, knock it down and put a  
23 parking lot in a residential zone, it should  
24 be denied, and that's the way we are going  
25 to get control and it's the only way that we



1 can get control of this area of the city,  
2 many areas of the city, back to where it  
3 should be. And I have nothing further. If  
4 anybody has any questions on council I can  
5 answer them.

6 MS. EVANS: And, Mrs. Krake, if we  
7 can send that letter as soon as possible  
8 please to the zoning board that council  
9 wishes to be notified of the appearance of  
10 any nonprofit before the zoning board  
11 seeking a variance for expansion, and I'm  
12 sure members of the council and our  
13 solicitor will be present and vigorously  
14 opposing any further expansions in this city  
15 which has been financially raped by the loss  
16 of tax paying properties.

17 MR. HUGHES: Madam President, one  
18 thing I didn't say is the fact that that  
19 dormitory on the north side of Mulberry  
20 Street legally never should have been built.  
21 The two residents that took exceptions were  
22 on solid ground because that was a use  
23 variance -- in accordance with the law, that  
24 use variance could not be granted and the  
25 granting of all of these variances for

1 parking lots in these residential districts  
2 do not meet the requirements of the law, and  
3 as such those two people that did take -- I  
4 don't know why they withdraw their appeal  
5 that's not my concern, but they did, if they  
6 continued with their appeal I have no doubt  
7 in my mind that they would have won.

8 MR. LOSCOMBE: Maybe that they were  
9 bought out.

10 MR. HUGHES: Jack, I have no idea.

11 MR. LOSCOMBE: I've seen some  
12 properties over there that were purchased  
13 for \$27,000 and the University paid 550 two  
14 years later without any improvements. So,  
15 you know, when you have big money, I'm not  
16 saying that's what happened, but we can all  
17 surmise.

18 MS. EVANS: And there is never an  
19 issue in making those purchases. They are  
20 done regularly. And as you said, at quite  
21 increased prices. And I have noticed as  
22 well that the University, for example, is  
23 moving farther and farther into the  
24 downtown.

25 MR. HUGHES: Well, the thing is it's

1 zoning. Moyer Court is between Jefferson  
2 and Madison Avenue. It's behind the old  
3 Emmanuel Baptist Church. That's the end of  
4 the line for an institutional district. Now  
5 as they start coming into town you are into  
6 different areas of zoning where maybe some  
7 of the things that they are purchasing and  
8 doing they can legally do because it's in  
9 the proper zone. What I'm saying is that  
10 even if they are a commercial district and  
11 they want to do something there where they  
12 are to have a variance, we should object.

13 MS. EVANS: Yes, and we will.

14 MR. HUGHES: And that until they  
15 realize that they cannot expand, if they buy  
16 another house up there with the idea that  
17 they are going to knock it down and add  
18 another vacant lot and add another dormitory  
19 they have to have a use variance and there  
20 is no way that they legally can get it, and  
21 we have to object. It's the way to get the  
22 pressure, to keep them -- we can't push them  
23 back inside of the institutional district,  
24 but we can keep that institutional district  
25 from further expanding into a residential

1 zone.

2 MR. LOSCOMBE: Well, just while we  
3 are on that subject something touched my  
4 mind and we have written letters about this  
5 previously, the street signage on Mulberry  
6 Street, since the University is working on  
7 that corridor is it their responsibility to  
8 replace the signage or is it still the  
9 city's responsibility, because there are no  
10 street signs from I believe Jefferson up to  
11 Webster or beyond and we have had numerous  
12 rear end accidents for people looking for  
13 Quincy Avenue from out of town going to  
14 Moses Taylor Hospital, we brought this issue  
15 up several times here and sent letters with  
16 no response. I was just wondering can we  
17 send a letter and who do we find out who is  
18 responsible since those light poles and are  
19 all part of the project of the University,  
20 is the signage part of their, you know,  
21 their deal with this Mulberry Street?  
22 Something has to be done. It's been without  
23 signs for a long time and I have had a lot  
24 of people come to me and they have sent  
25 letters previously, and another situation,

1           where we don't get any response. But I  
2           don't know, you know, who we would send --

3                   MR. HUGHES: Who do I look like, the  
4           answer man?

5                   MR. LOSCOMBE: Pardon?

6                   MR. HUGHES: Who do I look like, the  
7           answer man? I mean, I have no idea with  
8           that Mulberry Street corridor, I mean, that  
9           was there with the state money and with  
10          PennDOT and everything else, I have no idea  
11          on that, but maybe you write a letter to the  
12          city solicitor and ask them.

13                   MR. LOSCOMBE: Because I know it's  
14          not a state road from Jefferson up, it's  
15          city.

16                   MR. HUGHES: I would add one further  
17          comment, and it goes to what was stated  
18          before about BRT Ice, Paul Kelly and I have  
19          had discussions, he is upset about it just  
20          like I am and that's why I am coordinating  
21          my thoughts with him as to how to proceed.

22                   MS. EVANS: Thank you.

23                   MR. LOSCOMBE: Thank you.

24                   MR. HUGHES: And if I could, I would  
25          like to be excused.

1 MS. EVANS: Yes. Thank you very  
2 much.

3 Because of the 2013 increase in city  
4 real estate taxes, I would like to ask  
5 Scranton Tax Collector Bill Courtright to  
6 extend the 2013 discount period from the  
7 last working day of February to the last  
8 working day in March. I spoke with Mayor  
9 Doherty yesterday and he agreed with this  
10 proposal.

11 Also, I spoke with Mr. Courtright  
12 and he is most willing to help the city  
13 taxpayers. He asks only for a letter from  
14 the city administration stating it's  
15 concurrence with city council in requesting  
16 an extended discount period in 2013.

17 In order to prepare for this change  
18 in a timely fashion, Mr. Courtright needs  
19 this letter quickly and thereafter he will  
20 speak with the county and school district on  
21 our behalf to obtain their approval. I  
22 thank Mr. Courtright for his gracious  
23 assistance in this matter.

24 Therefore, Mrs. Krake, please  
25 deliver council's letter tomorrow if

1 possible to the mayor requesting that the  
2 administration provide a letter to Tax  
3 Collector Courtright concerning the  
4 extension of the discount period for 2013  
5 city real estate taxes. Thank you.

6 City council recognizes the hardship  
7 incurred with the tax increase. As a  
8 result, we will do whatever we possibly can  
9 to assist taxpayers.

10 Next, OECD director Linda Aebli will  
11 participate in a public caucus at 6:00 p.m.  
12 next Thursday, September 27, to explain  
13 Items 5-B and C which are included in  
14 tonight's agenda for introduction. Both  
15 pieces of legislation pertain to use of CDBG  
16 monies for advanced payment of the Hilton  
17 Hotel Section 108 loan.

18 Finally, due to the scheduling of  
19 the public caucus prior to next week's  
20 regularly scheduled council meeting,  
21 Mrs. Krake, please reschedule the caucus  
22 with representatives of Central Parking and  
23 Mr. Washo to another date. And that's it.

24 MS. KRAKE: 5-B. AMENDING FILE OF  
25 COUNCIL NO. 53, 2011, ENTITLED, "AN

1           ORDINANCE AUTHORIZING THE MAYOR AND OTHER  
2           APPROPRIATE OFFICIALS OF THE CITY OF  
3           SCRANTON TO TAKE ALL NECESSARY ACTIONS TO  
4           IMPLEMENT THE CONSOLIDATED SUBMISSION FOR  
5           COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS  
6           TO BE FUNDED UNDER THE COMMUNITY DEVELOPMENT  
7           BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT  
8           PARTNERSHIP (HOME) PROGRAM AND EMERGENCY  
9           SOLUTIONS GRANTS (ESG) PROGRAM". THE  
10          PURPOSE OF THIS AMENDMENT IS TO ALLOCATE  
11          UNOBLIGATED FUNDS IN THE AMOUNT OF TWO  
12          HUNDRED EIGHTY ONE THOUSAND SEVEN HUNDRED  
13          EIGHTY TWO AND NINETY-NINE CENTS  
14          (281,782.99) TO THE ACTIVITY KNOWN AS THE  
15          SCRANTON 108 LOAN REPAYMENT FOR THE HOTEL  
16          AND CONFERENCE CENTER UNDER PROMISSORY NOTE  
17          B-99-MC-42-0014.

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

21                   MR. ROGAN: So moved.

22                   MR. JOYCE: Second.

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



1 MR. MCGOFF: Aye.

2 MR. ROGAN: Aye.

3 MR. LOSCOMBE: Aye.

4 MR. JOYCE: Aye.

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

7 MS. KRAKE: 5-C. AMENDING RESOLUTION  
8 NO. 674, 2000, AS AMENDED "AUTHORIZING THE  
9 MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE  
10 CITY OF SCRANTON TO EXECUTE AND ENTER INTO  
11 PROMISSORY NOTES B-99-MC-42-0014 SERIES  
12 AND ALL OTHER NECESSARY LOAN DOCUMENTS IN  
13 THE AMOUNT OF THREE MILLION DOLLARS  
14 (\$3,000,000.00) WITH THE REGISTERED HOLDER  
15 AFTERWATCH AND COMPANY AS SECURITY FOR AN  
16 ADVANCE OF MONIES FROM THE U.S. FEDERAL  
17 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,  
18 FOR THE HOTEL AND CONFERENCE CENTER  
19 PROJECT", THE PURPOSE OF THIS AMENDMENT IS  
20 TO AUTHORIZE A DEFEASANCE OF THE CITY OF  
21 SCRANTON'S REMAINING OBLIGATION UNDER A  
22 PORTION OF PROMISSORY NOTE B-99-MC-42-0014;  
23 AUTHORIZING THE ESTABLISHMENT OF A  
24 DEFEASANCE ACCOUNT WITH THE BANK OF NEW YORK  
25 MELLON, AS TRUSTEE AND FURTHER AUTHORIZING

1 THE FUNDING OF THE DEFEASANCE ACCOUNT WITH  
2 FUNDS FROM THE CITY OF SCRANTON CDBG ACTION  
3 PLANS OF 2011 AND 2012; AND FURTHER  
4 AUTHORIZING THE MAYOR AND APPROPRIATE  
5 OFFICIALS OF THE CITY OF SCRANTON TO  
6 EXECUTE ALL DOCUMENTATION NECESSARY TO  
7 ACCOMPLISH THE DEFEASANCE OF A PORTION OF  
8 THE PRINCIPAL DUE UNDER THE ABOVE-REFERENCED  
9 NOTE.

10 MS. EVANS: At this time I'll  
11 entertain a motion that Item 5-C be  
12 introduced into its proper committee.

13 MR. ROGAN: So moved.

14 MR. JOYCE: Second.

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

18 MR. MCGOFF: Aye.

19 MR. ROGAN: Aye.

20 MR. LOSCOMBE: Aye.

21 MR. JOYCE: Aye.

22 MS. EVANS: Aye. Opposed? The ayes  
23 have it and so moved.

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

25 READING BY TITLE - FILE OF COUNCIL NO. 56,

1           2012 - AN ORDINANCE - AUTHORIZING THE MAYOR  
2           AND OTHER APPROPRIATE OFFICIALS OF THE CITY  
3           OF SCRANTON TO TAKE ALL NECESSARY ACTIONS TO  
4           IMPLEMENT THE CONSOLIDATED SUBMISSION FOR  
5           COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS  
6           TO BE FUNDED UNDER THE COMMUNITY DEVELOPMENT  
7           BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT  
8           PARTNERSHIP (HOME) PROGRAM AND EMERGENCY  
9           SOLUTIONS GRANT (ESG) PROGRAM FOR THE PERIOD  
10          BEGINNING JANUARY 1, 2013.

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

13                   MR. ROGAN: I move that Item 6-A  
14                   pass reading by title.

15                   MR. JOYCE: Second.

16                   MS. EVANS: On the question?

17                   MR. MCGOFF: When would the final  
18                   reading of this be?

19                   MS. EVANS: I believe it is October  
20                   20.

21                   MR. MCGOFF: It's a 30-day wait.

22                   MS. EVANS: Yes.

23                   MR. MCGOFF: Thank you.

24                   MS. EVANS: You're welcome. And,  
25                   Mr. Rogan, since Ms. Aebli will be present

1 next week at the caucus, perhaps you could  
2 at that point ask her about the suggestions  
3 that were presented this evening by --

4 MR. ROGAN: Absolutely, and I'll  
5 also e-mail those to her in advance just in  
6 case she has to look into them a little bit.

7 MS. EVANS: Thank you. All those in  
8 favor signify by saying aye.

9 MR. MCGOFF: Aye.

10 MR. ROGAN: Aye.

11 MR. LOSCOMBE: Aye.

12 MR. JOYCE: Aye.

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

15 MS. KRAKE: 6-B. READING BY TITLE -  
16 FILE OF COUNCIL NO. 59, 2012 - AN ORDINANCE  
17 - PROVIDING FOR THE ACCEPTANCE OF CERTAIN  
18 STREETS, OPEN SPACE PARCELS AND STORMWATER  
19 FACILITIES IN THE MOUNTAIN LAKE ESTATES  
20 SUBDIVISION LOCATED IN THE CITY OF SCRANTON,  
21 PENNSYLVANIA. ALSO AUTHORIZING THE MAYOR  
22 AND OTHER APPROPRIATE CITY OFFICIALS TO  
23 ACCEPT FOR THE SUM OF ONE DOLLAR (\$1.00) AND  
24 RECORD IN THE LACKAWANNA COUNTY RECORDER OF  
25 DEEDS OFFICIAL RECORDS A DEED FOR THE ABOVE

1 MENTIONED LANDS AND RIGHT-OF-WAYS.

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

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

6 MR. JOYCE: Second.

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

9 MR. MCGOFF: Aye.

10 MR. ROGAN: Aye.

11 MR. LOSCOMBE: Aye.

12 MR. JOYCE: Aye.

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

15 MS. KRAKE: 6-C. READING BY TITLE -  
16 FILE OF COUNCIL NO. 60, 2012 - AN ORDINANCE  
17 - CREATING AND ESTABLISHING A GENERAL FUND  
18 ACCOUNT #01.101860 TITLED "FIRST LIBERTY  
19 BANK-ESCROW ACCOUNT CITY OF SCRANTON EARNED  
20 INCOME TAX SINKING FUND" FOR THE RECEIPT  
21 AND DISBURSEMENT OF 2012 EARNED INCOME TAX  
22 REVENUE TO BE DRAWN DOWN BY AMALGAMATED BANK  
23 ON A MONTHLY BASIS FOR PAYMENT ON THE TAN  
24 SERIES B- 2012.

25 MS. EVANS: You've heard reading by

1 title of Item 6-C, what is your pleasure?

2 MR. ROGAN: I move that Item 6-C  
3 pass reading by title.

4 MR. JOYCE: Second.

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

7 MR. MCGOFF: Aye.

8 MR. ROGAN: Aye.

9 MR. LOSCOMBE: Aye.

10 MR. JOYCE: Aye.

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

13 MR. JOYCE: I'd like to make a  
14 motion to table Item 7-A.

15 MR. ROGAN: Second.

16 MS. EVANS: We have a motion on the  
17 floor and a second, on the question? All  
18 those in favor signify by saying aye.

19 MR. MCGOFF: Aye.

20 MR. ROGAN: Aye.

21 MR. LOSCOMBE: Aye.

22 MR. JOYCE: Aye.

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

25 MR. JOYCE: I'd also like to make a

1 motion to amend Item 7-B per the following:

2 Number one, amending the last line  
3 in the title by inserting, "After 50 years  
4 as required by the grant. "

5 Number two, in the second whereas  
6 clause insert the number "42" after  
7 resolution.

8 Number three, in the third whereas  
9 clause insert, "After the grant for 50 years  
10 as required by the grant."

11 In the fourth whereas clause insert,  
12 After for 50 years as required by the  
13 grant."

14 Number five, after the fourth  
15 whereas clause insert "Whereas, the deed  
16 from the City of Scranton to the Scranton  
17 Public Library Association is subject to the  
18 deed from William Smith, et. al., to the  
19 City of Scranton dated April 5, 1890, and  
20 recorded in the Lackawanna County Deed, Book  
21 100, page 47, which requires the Albright  
22 Memorial Library building to be a free  
23 public library for the use and benefit of  
24 the citizens and residents of the City of  
25 Scranton forever (the deed.)

1                   Number six, in the now, therefore,  
2                   clause insert, "After for 50 yeas as  
3                   required by the grant and in perpetuity as  
4                   required by the deed."

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

7                   MR. LOSCOMBE: Second.

8                   MS. EVANS: On the question?

9                   MR. MCGOFF: I would personally like  
10                  to thank Attorney Hughes for doing these  
11                  clarifications and really putting into words  
12                  what the original intent of the legislation  
13                  was, and I thank you.

14                  MS. EVANS: Anyone else? All those  
15                  in favor signify by saying aye.

16                  MR. MCGOFF: Aye.

17                  MR. ROGAN: Aye.

18                  MR. LOSCOMBE: Aye.

19                  MR. JOYCE: Aye.

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

22                  MS. KRAKE: 7-B. FOR CONSIDERATION  
23                  BY THE COMMITTEE ON RULES FOR ADOPTION -  
24                  RESOLUTION NO. 41- 2012, AS AMENDED -  
25                  AUTHORIZING THE MAYOR AND OTHER APPROPRIATE



1 CITY OFFICIALS TO ENTER INTO A GRANT  
2 AGREEMENT WITH KEYSTONE RECREATION, PARK AND  
3 CONSERVATION FUND REQUIRING THE CITY OF  
4 SCRANTON TO COMMIT TO A GRANT REQUIREMENT TO  
5 ASSURE THAT THE ALBRIGHT MEMORIAL LIBRARY  
6 BUILDING WILL BE USED AS AN UNDISTURBED USE  
7 BY THE PUBLIC AS A LIBRARY ONLY FOR FIFTY  
8 (50) YEARS AS REQUIRED BY THE GRANT.

9 MS. EVANS: As Chair for the  
10 Committee on Rules, I recommend final  
11 passage of Item 7-B, as amended.

12 MR. ROGAN: Second.

13 MS. EVANS: On the question?

14 MR. MCGOFF: This is Seventh order?

15 MS. EVANS: Pardon?

16 MR. MCGOFF: Seventh Order, we need  
17 a roll call.

18 MS. EVANS: No one is on the  
19 question. Roll all, please.

20 MS. CARRERA: Mr. McGoff.

21 MR. MCGOFF: Yes.

22 MS. CARRERA: Mr. Rogan.

23 MR. ROGAN: Yes.

24 MS. CARRERA: Mr. Loscombe.

25 MR. LOSCOMBE: Yes.

1 MS. CARRERA: Mr. Joyce.

2 MR. JOYCE: Yes.

3 MS. CARRERA: Mrs. Evans.

4 MS. EVANS: Yes. I hereby declare  
5 Item 7-B, as amended, legally and lawfully  
6 adopted.

7 MS. KRAKE: 7-C. FOR CONSIDERATION  
8 BY THE COMMITTEE ON RULES FOR ADOPTION -  
9 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
10 CITY OFFICIALS TO APPLY FOR A GRANT  
11 APPLICATION AND, IF SUCCESSFUL, TO ENTER  
12 INTO A GRANT AGREEMENT AND ACCEPT THE FUNDS  
13 RELATED THERETO A KEYSTONE RECREATION, PARK  
14 AND CONSERVATION FUND GRANT IN THE AMOUNT OF  
15 \$500,000.00 FOR REPAIRS TO THE HISTORIC  
16 ALBRIGHT MEMORIAL LIBRARY.

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

20 MR. ROGAN: Second.

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

23 MS. CARRERA: Mr. McGoff.

24 MR. MCGOFF: Yes.

25 MS. CARRERA: Mr. Rogan.

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MR. ROGAN: Yes.

MS. CARRERA: Mr. Loscombe.

MR. LOSCOMBE: Yes.

MS. CARRERA: Mr. Joyce.

MR. JOYCE: Yes.

MS. CARRERA: Mrs. Evans.

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

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

MR. JOYCE: Motion to adjourn.

MS. EVANS: This meeting is  
adjourned.

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C E R T I F I C A T E

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

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CATHENE S. NARDOZZI, RPR  
OFFICIAL COURT REPORTER