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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, November 22, 2011

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

JANET EVANS, PRESIDENT

PAT ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

1 (Pledge of Allegiance recited and
2 moment of reflection 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 MR. ROGAN: Ms. Evans will be
14 joining us later on today. She is attending
15 the meeting regarding the proposed closing
16 post offices in the Scranton area. Please
17 dispense with the reading of the minutes.

18 MR. KRAKE: THIRD ORDER. 3-A. TAX
19 ASSESSOR'S REPORT, SCHEDULED HEARINGS TO BE
20 HELD DECEMBER 7, 2011.

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

23 MS. KRAKE: 3-B. TAX ASSESSOR'S
24 REPORT, APPEAL RESULTS FROM OCTOBER 12,
25 2011.

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

3 MS. KRAKE: 3-C. AUDIT STATUS FROM
4 ROBERT ROSSI & CO. AS OF NOVEMBER 15, 2011.

5 MR. ROGAN: Are there any comments?
6 If not, received and filed.

7 MS. KRAKE: 3-D. MINUTES OF THE
8 MUNICIPAL PENSION FUND MEETING HELD OCTOBER
9 26, 2011.

10 MR. ROGAN: Are there any comments?
11 If not, received and filed.

12 MS. KRAKE: 3-E. APPLICATIONS ALONG
13 WITH DECISIONS RENDERED BY THE ZONING
14 HEARING BOARD ON WEDNESDAY, NOVEMBER 9,
15 2011.

16 MR. ROGAN: Are there any comments?
17 If not, received and filed.

18 MS. KRAKE: 3-F. AGENDA FOR THE
19 MUNICIPAL PENSION FUND MEETING HELD NOVEMBER
20 16, 2011.

21 MR. ROGAN: Ms. Krake, do we have
22 clerk's notes tonight?

23 MS. KRAKE: We do not have any
24 clerk's notes, Mr. Rogan.

25 MR. ROGAN: Thank you. Do any

1 council members have announcements to make?

2 If not, we'll move onto fourth
3 order. The first speaker on the sign-in
4 sheet is Andy Sbaraglia.

5 MR. SBARAGLIA: Andy Sbaraglia.
6 Citizen of Scranton, fellow Scrantonians. I
7 picked up the paper and read PEL's report.
8 Well, as you know, PEL has been saying we
9 should raise our taxes for the last three,
10 four, five years. Every time they came up
11 they came up with a different plan. Now, we
12 are in a good plan they want to raise it 47
13 percent. Well, from PEL's standpoint
14 economics it does make sense. I'm not
15 saying that it doesn't make sense, it's just
16 that we can't afford it. The businesses
17 can't afford it. The city cannot afford it,
18 so there we stand. I don't know if we are
19 going to end up paying the bonds off from
20 Scranton Parking Authority, the two points
21 on a million, I know we have to pay I think
22 it's 1.3 or 1.4 million from the SRA, okay,
23 but you people don't realize we are also
24 paying a lot of 108 loans for other people
25 that's piled onto our debt. I wish somebody

1 would finally get out there and really go
2 through everything and put on a good report
3 where we actually are. I know there is no
4 word for worse other than worse, worse,
5 worse, and we are finally at that position,
6 and I don't envy you, I really don't, but I
7 told you that in the very beginning, I don't
8 envy you at all because I knew what was
9 going to happen. That sword that was
10 hanging over our head by a thread has broken
11 and has fallen into the heart of the
12 taxpayers.

13 You can hear people talking,
14 businessmen talking, they are not going to
15 be able to afford the taxes between the
16 county, the city, and I guess the school
17 board I guess they are fixed at 2.1 or
18 something like that, but every penny adds
19 up. For a long time you have been coming
20 before you and trying to avoid this day over
21 and over and over again, we have been saying
22 this is going to happen and it will happen.

23 One and one does make two, it does
24 not make one and that's what they were
25 doing. They were looking at their figures,

1 this figure, that figure, and they didn't
2 make sense. There is so many other things
3 that's happening, you people don't realize
4 how many people went out and got their taxes
5 reduced, okay? Every person that got their
6 tax reduced raised your taxes. People don't
7 go out there and check it. They have to get
8 down there to that county office and really
9 get on their backs.

10 When you don't have any paperwork or
11 paper trail to say why you got that
12 reduction there is something definitely
13 wrong down there, and I wish you make
14 that request. I know you don't have anybody
15 down there, I know Bill gives you sort of
16 some paperwork about it, but he even don't
17 know the reason why they got that reduction,
18 so is it fair? No, I doubt it. And even if
19 they had that assessment they keep saying
20 they are going to run down and get more
21 reduction. Something is wrong down there.
22 There is definitely something wrong. At
23 least they should have a paper trail. When
24 you give somebody a reduction in taxes they
25 should have a reason why that reduction was

1 MR. MILLER: Good evening, Council.
2 Doug Miller, Scranton. I'd like to begin
3 this evening by presenting council and the
4 public with some very disheartening
5 information that I received over the past
6 few days. Earlier last week I was made
7 aware that a member of our Scranton zoning
8 board witnessed the installation of new
9 windows at the home of not only our fire
10 chief, Mr. Tom Davis, but unfortunately we
11 can't stand here tonight and say that this
12 was a normal construction project.

13 This zoning officer noticed work
14 being done without the proper permits needed
15 to proceed with any construction. The
16 officer at this point proceeded to contact
17 the LIPS office to clarify if any permits
18 were pulled at that time and that individual
19 was told that at that time no permits were
20 pulled, so therefore, right off the bat it
21 violates city ordinances, laws and
22 everything else to allow an individual to
23 perform work on their home without permits.

24 This is our fire chief. This is an
25 individual who is a licensed contractor in

1 the City of Scranton. This is someone who
2 knows the laws and knows the permit
3 procedures and went around it trying to take
4 advantage of it. This is also a man to
5 under the mayor's proposal finds that this
6 individual is worth a \$17,000. Does this
7 sound like someone that deserves a \$17,000
8 raise? I don't think. This is someone to
9 tried to take advantage of the taxpayers in
10 this city, he is full aware of the situation
11 we are in. We are a financially distressed
12 city, we are struggling to take in revenue,
13 and he can't even go and get a lousy permit
14 to do the windows? Is this the politics and
15 games that we want to play in this city?

16 And I have pictures here to prove
17 it. I'm going to present them to council.
18 As you can fully see here, brand new windows
19 in Mr. Davis' home with the old windows on
20 the porch, and you can see in this photo
21 here we have more windows here, he is
22 leaning up against the garage, what's
23 believed to be a garage at Mr. Davis'
24 residence.

25 What I find truly appalling is that,

1 as I said, this individual went and did this
2 without the permit. I found out today that
3 after the issue being persistent by the
4 zoning board that Chief Davis finally went
5 to the licensing office and pulled a permit
6 after the fact, after he went around,
7 disobeyed the law and installed windows. I
8 believe he should be fined to the fullest
9 maximum expense. What he did was wrong. He
10 violated the law. Not only do I believe he
11 should be find, but I also believe as
12 contractors license should be pulled and
13 this story gets even more comical.

14 According to the information I was
15 also given, Chief Davis also had failed to
16 put house numbers on his home. A little
17 research takes us back to File of Council
18 No. 13, 2001, an ordinance passed to require
19 numbering of houses on homes and other
20 buildings throughout the city. We take a
21 look at Section 6, penalties, "Any person
22 violating this ordinance shall upon
23 conviction be fined no less than \$100."

24 Section B here, if the evidence
25 shows that a person died from fire, disease

1 or other reason due to at least in part an
2 inability to locate an address on the
3 structure that the fine shall be \$300.

4 Let's go to Section 7, enforcement,
5 this is where it gets really good here.
6 "The following officials and city employees
7 are hereby authorized to enforce this
8 ordinance: All police officers, the
9 superintendent of fire and his deputy, the
10 fire prevention officer," which from what I
11 understand we no longer have, and fire
12 inspectors in the department, in the
13 Scranton Fire Department.

14 So here we have a fire chief who in
15 this ordinance File of Council No. 13, 2001,
16 is required by law to enforce it and he
17 doesn't have it on his home. This is some
18 example he is setting I'll tell you. Yet
19 again the politics and games that we allow
20 to go on this city. And you know what's
21 ironic? Guess who was on council when this
22 passed? Guess who spearheaded this? Our
23 Honorable mayor, Christopher A. Doherty.
24 And isn't it funny now how it's the other
25 way around and he is letting one of his

1 cronies get away with this. It's time to
2 start holding these people accountable. We
3 have let this nonsense go on for far too
4 long. We have seen it with what the mayor
5 is trying to do in the budget, and I have
6 about had it, I'm truly disgusted. I have
7 been involved in this city for ten years and
8 I have never seen it like this, and all I
9 have to say is that it's truly disheartening
10 to the future that one man can leave for my
11 generation. He has completely ruined it.

12 But I'm not going anywhere. I'm
13 going to continue to come up here and fight
14 for what I believe in and fight for my
15 generation and I'm not going to stand by and
16 let this man continue to tear this city
17 apart. I was notified today that Engine 7
18 was shut down. That's the closest engine
19 company to my house. God forbid anything
20 were to happen there. I'm not only holding
21 our mayor accountable, but I'll hold Tom
22 Davis and Ryan McGowan responsible.

23 And I'd like to piggyback on what
24 Councilman Loscombe said, I agree with him
25 1,000 percent, Chris Doherty, Tom Davis and

1 Ryan McGowan need to come forward right here
2 at this table and explain how they intend on
3 covering this city with 29 less firemen and
4 less engine companies, and you want to talk
5 about response times, we have individuals
6 like Mr. Loscombe said sitting behind a desk
7 with a pen and paper who have absolutely no
8 clue what they are doing, they are not
9 qualified to make these decisions
10 determining what engine companies they are
11 going to shut down, how many more firemen
12 they are going to take off the street, and
13 they continue to jeopardize the health,
14 safety and well-being of the residents of
15 this city, and what's truly sad about this
16 the bottom line they don't care. Their
17 actions have proven it time and time again,
18 and as I have said, I've about had it. I'm
19 disgusted and I want these three individuals
20 to come forward and come forward now and I
21 hope council will continue to pursue that,
22 and I thank you for your time. And I'd like
23 to leave you with these pictures if I could.

24 MR. ROGAN: Absolutely.

25 MR. MILLER: Thank you.

1 MR. ROGAN: Thank you, Mr. Miller.
2 Bob Bolus.

3 MR. BOLUS: Good evening, Council.
4 Bob Bolus, Scranton.

5 MR. LOSCOMBE: Good evening.

6 MR. BOLUS: I'd like to kind of
7 start off, I was coming down Mulberry Street
8 last night and the way it's lit up there
9 with the crosswalks with the kids from the
10 University, they don't pay attention to
11 anybody. I mean, for kids going to school
12 they are pretty stupid. They just come
13 walking right out, they see the crosswalks,
14 you can't even sit them dressed in dark
15 clothing and they just literally walk right
16 out in front of you. We almost hit one of
17 them last night while we are driving up
18 Mulberry Street, and I think the "U" has to
19 be notified here to either wear some type of
20 reflective clothing if they are walking or
21 they light up the intersections a lot
22 better, but these kids just think because
23 they see a crosswalk and it's a state law
24 they forgot about the thing they learned
25 when they were kids, stop, look and listen,

1 so I think something has to be done here and
2 I'd like to see you get a letter about it,
3 but it's dangerous. Somebody is going to
4 get hurt or worse.

5 The last thing is last week I had
6 brought in the signs of Mr. Loscombe, well,
7 so everybody is aware I filed criminal
8 complaints against Dr. Oakes and
9 Slotterback, professors from the "U", that
10 did this. You got the pictures, they are on
11 video, we submitted it to the district
12 attorney and we have been waiting now for
13 the DA to make up their mind what they want
14 to do. Now, I don't want to see a
15 procrastination with them that because of
16 the influence of the University that they
17 think this is going to get swept under the
18 rug, it's not. So you know, we don't want
19 to see something that happened like Penn
20 State where everything just sits on the
21 burner and nothing comes out where it's
22 supposed to be because of the clout
23 University has over the citizens of this
24 city.

25 The issue isn't going to die, and I

1 can assure you, Jack, I'm going to take it
2 all the way to the end until we get a
3 resolution because people like this that
4 have been taking a free ride from us in the
5 city should have more respect for our
6 legislators and the people in the city and
7 for property that doesn't belong to them.

8 The other part is that we have
9 here -- we had the Hartman issue that I
10 brought here and, you know, you kind of get
11 sick and tired of coming here and talking
12 about it, there is 16 1/2 foot, he built
13 this house on it, it's deeded, I produced
14 the deeds, Paul Kelly came in and wrote an
15 opinion letter that the city doesn't deed or
16 own it. Well, what I think Paul Kelly needs
17 to do is put a deed where his mouth is and
18 show the city does not own it. Our title
19 search by a very credible and reputable
20 company proved that the City of Scranton
21 owns this property.

22 I put a \$50,000 bid on it. This
23 city is broke and they are turning their
24 back on 50 plus thousand dollars that could
25 come into the coffers, yet it's being

1 ignored. I would like council to send a
2 letter to Paul Kelly to put his deed where
3 his mouth is to show that the city, in fact,
4 had deeded this property out to Hartman,
5 it's not owned by the city, and that's the
6 end of it. He has not done that and it's
7 time that we start bringing him to task.

8 And I'd really like to know what
9 Paul Kelly really does. He is a full-time
10 solicitor in the city? I seen him in
11 courthouse yesterday and, really, I don't
12 know if he is doing private business or city
13 business, but we are paying him to do that.
14 He is the solicitor for the authorities. I
15 mean, enough is enough yet we are in trouble
16 because of ignorance in this city or
17 protection of the cronyism.

18 The other thing is with PEL, I think
19 they're the biggest first class joke that we
20 ever had in this city. You know, business
21 is business, common sense is common sense.
22 Now they want to see us pay more than we are
23 already getting hammered on in the county,
24 we didn't get the school district's hammer
25 yet, and PEL wants us to pay more money.

1 Like, what kind of stupidity did they
2 possess over all of the years we paid them,
3 God knows how many thousands of dollars to
4 direct this city and look where the heck we
5 are. We are sunk. We are not sinking, we
6 have sunk. We are in dire need of
7 direction. You have KOZ's, you have
8 nonprofits, you have everybody on a free
9 ride. You've got the gas line that's going
10 through this city that you should be getting
11 something on, you got the leachate line from
12 Dunmore because you are afraid to take on
13 the landfill, yet these idiots from PEL want
14 us to pay a higher garbage fee than we are
15 already paying, and we pay taxes to have our
16 garbage picked up and we have to pay a fee.
17 Actually, the fee that was put on is illegal
18 because it's taxation without
19 representation, it doesn't go across
20 everybody.

21 And if people start looking at it
22 they will see more and more what we need to
23 do in this city. We got vacant land all of
24 the over city. My house got a condemnation
25 on it and I live in it. What about the

1 houses that the rats are living in, windows
2 are knocked out, that have never been
3 knocked down. That's why I came to this
4 council. It's time now that council starts
5 standing up for us.

6 People like Paul Kelly, Grazianos,
7 the zoning board, need to be held
8 accountable to the people in this city.
9 I've put up with their nonsense, their
10 embarrassments, thousands of dollars in
11 money got out in lawsuits, now it's go to
12 cost the city a lot more because now their
13 depositions are going to be taken in
14 Carlisle, Pennsylvania, so now the cost is
15 going to come to bear on the city.

16 I went to Doherty four different
17 times and asked him to intervene and we put
18 this to bed. This is the guy who still
19 wants to see the recreation is taken care of
20 in his whole budget deal, yet he is the one
21 that pulled 3 1/2 dollars of the golf course
22 money that was put for recreation and he
23 won't be in here asking for it, he blew it,
24 he spent it and he put the screws to
25 everybody in this city and it's time the

1 rubber stamping that went on in the past
2 with PEL and everybody else comes to an end
3 and we get a firm decision and the people
4 start speaking out and we will change
5 Scranton around, and that's where we need to
6 go. Thank you and, incidentally, have a
7 good Thanksgiving.

8 MR. ROGAN: Thank you, Mr. Bolus.
9 You, too.

10 MR. HALL: Bob Hall. Occupy
11 Scranton. I'm not going to use all my four
12 minutes, but we have been talking since the
13 very beginning that we want to become more
14 involved in local issues and it just happens
15 that this budget came up. It's seemed like
16 a perfect opportunity for us to speak on it.
17 The standard of living in the city is so low
18 to begin with we cannot afford to put 29
19 percent tax increase on the backs of the
20 lower class, the working class.

21 It seems very strange to me that
22 when we start talking about how to deal with
23 this debt crisis it all lies on the backs of
24 the working class and for some reason the
25 firefighters. This is a fairly large city

1 the population may be declining somewhat,
2 but square mileage-wise the city is not
3 shrinking. If we close firehouses people
4 are going to -- the firemen aren't going to
5 be there on time to save the lives that they
6 need to save. It's strikes me as very odd
7 that those would be the first ones to come
8 up to save the debt crisis that was caused
9 by a lot of the city's waste in the first
10 place. If you ask anybody in the city, they
11 know there is waste and there are solutions
12 to it, the firemen ain't one of them. Thank
13 you.

14 MR. ROGAN: Thank you. Bill
15 Jackowitz.

16 MR. JACKOWITZ: Bill Jackowitz,
17 South Scranton resident. First of all, a
18 couple of weeks ago, a few weeks ago, it was
19 brought to our attention that director Jeff
20 Brazil authorized people to utilize a
21 flatbed truck, a city-owned flatbed truck to
22 go up to the Dunmore barracks and take
23 civilian driver's license tests. Now we
24 find out that, and I just found this out now
25 from Doug Miller listening to him speak,

1 that our fires chief, Tom Davis, is having
2 work done on his house without the proper
3 permits. Again, is this not the same fire
4 chief that has a 93 percent no confidence
5 vote? Why is he still the fire chief? Is
6 this the same fire chief that's in the
7 proposed budget for a \$17,000 pay increase?
8 Again, why is he the fire chief?

9 I hope this is not swept under the
10 rug. I hope it's investigated and checked
11 into, and if Chief Davis did put those
12 windows in without the proper permits then
13 he needs to be fined, he needs to be cited
14 just like anyone else in this city is, and
15 I'm counting on city council not to let this
16 slip under the rug and go by the wayside.

17 Also, I want to know what happened
18 with Jeff Brazil. Has anything been done
19 with this? His authorization to use a
20 government owned, a city-owned truck, to
21 have a civilian driver's license test taken
22 by a civilian. He is not even a city
23 employee, he is a civilian. Again, I hope
24 it's not being swept under the rug. Here's
25 another director, a cabinet member of this

1 city.

2 Okay, now, we have got the proposed
3 budget, \$84 million budget. Last year's
4 budget was 75 million. Why do we have a \$9
5 million proposal increase? I don't
6 understand this. I thought the city was
7 distressed. I thought we didn't have any
8 more money. How could we be spending \$9
9 million more in 2012 than we are spending in
10 2011? We are having a reduction in the fire
11 department. They are talking about
12 reduction in the DPW. They are talking
13 about raising taxes anywhere from 29 percent
14 to 70 percent depending upon who you want to
15 believe, PEL or the mayor. I don't believe
16 any one of them because I think they both
17 lie.

18 But, anyway, again, what's going on?
19 How can our budget, proposed budget, be \$9
20 million higher? It doesn't make sense to
21 me. Maybe someone, maybe Mr. Joyce can
22 explain it to me in motions, but again, this
23 budgets needs to be looked at, cuts need to
24 be made, especially if we have cabinet
25 members, Chief Davis and Jeff Brazil just

1 doing whatever they want to do because they
2 were appointed, and I'm going to use that
3 word appointed. That means they brown nosed
4 their way into the position. That's how
5 they got their job. Qualifications don't
6 matter. Our past president Judy Gatelli of
7 city council stated that. Qualifications do
8 not matter and you know what? I think the
9 City of Scranton follows that advice because
10 qualifications do not matter.

11 Again, I'm going back to the budget,
12 you know, where is the audit? Has anybody
13 received the audit yet? Has anyone looked
14 at the audit yet?

15 MR. JOYCE: No.

16 MR. JACKOWITZ: How can we possibly
17 have a discussion on a budget when we don't
18 even have the audit? The mayor promised us
19 that the audit would be here. By law the
20 audit should be here by the end of May. We
21 are in the end of November for God's sake
22 and we still don't have the audit but yet we
23 are going to have a budget and we are going
24 to have tax increases? How does he justify
25 tax increases if we don't even know anything

1 about the audit or what money has been sent
2 and where the money has gone? Come on,
3 people.

4 And again, I'm counting on Scranton
5 city council to hold this man's feet to the
6 fire. I'm counting on you to hold Jeff
7 Brazil's feet to the fire, and I'm counting
8 on you to hold Chief Tom Davis' feet to the
9 fire. Just because they are appointed
10 cabinet members ask not give them the right
11 to do whatever they want to do. They must
12 follow the rules and regulations just like
13 everyone else in this city. And again, I
14 hope you hold their feet to the fire.

15 You have know, we talk about people
16 -- the city not having money, but yet we got
17 a fire chief that is too cheap to purchase
18 the permits and he is going to get a \$17,000
19 raise and he got a raise two years ago and
20 he has a 93 percent no confidence vote?
21 Let's be for real, people, and I hope
22 something is done about this.

23 MR. ROGAN: Thank you,
24 Mr. Jackowitz. Ron Ellman.

25 MR. ELLMAN: Hello, Council.

1 MR. LOSCOMBE: Good evening.

2 MR. ELLMAN: This morning about
3 5:30, quarter to six, I was at the junk yard
4 and there was a fellow waiting for it to
5 open and we started talking for a couple of
6 seconds, he told me he had owned his house
7 22 or 23 years and he had three or four more
8 years on his mortgage and he has lost it.
9 Twenty-some years of paying house loans and
10 he has lost it. This is just such a great
11 sadness. He didn't pay taxes this year, he
12 said there is no way in the world he could
13 go on and he -- I said to phone Ozzie Quinn
14 about some of these institutions he knows
15 about it he said he has tried, he has tried
16 to sell it. He said it's gone.

17 I think we can thank all of these
18 colleges that took a third of our tax base
19 off. This just shouldn't happen in this
20 city and this country. This is just so sad
21 that somebody pays on a house, you know.
22 You know, I saw the article this weekend in
23 the paper that the University of Scranton
24 opened the dormitories \$41 million. \$41
25 million and you know they are going to have

1 a nice income coming in, they are living off
2 the tax base. You've got to put a cap on it
3 like they did in California. Something has
4 got to be done. Half the people in town are
5 supporting the other half. Maybe they need
6 a zone. If they want to buy outside of that
7 zone let them pay the taxes. Keep them in
8 the zone. It's just can't go on. Let them
9 buy and take over everything.

10 Two or three days ago -- I think
11 it's today's paper, Blue Cross is going to
12 give the medical school \$54 million. They
13 promised them \$54 million over the next five
14 years. What did they promise us? They
15 promised to take five acres of taxable
16 property around them off the payroll the
17 next five years. That's why everybody is
18 talking about their house taxes doubling in
19 one year because of these obscene people
20 that are overseeing these -- these are
21 financial institutions, they are money
22 making businesses.

23 I saw some jerk at PNC Bank gave the
24 Lackawanna College a \$2,500 check. Does
25 anybody know what it was for? The paper

1 said for tax donations. Here they have
2 taken that one building that they turned
3 into the dormitory probably was \$10,000 it
4 had businesses in it and, you know, they are
5 getting -- it just doesn't make sense.
6 Somebody is giving them money while the city
7 is broke, the people are losing their
8 houses, 400 houses coming up in January.
9 Have you seen that big sheet with the
10 foreclosures? It's huge. Next year think
11 what it's going to look like with the taxes
12 doubled.

13 I don't know, people won't be able
14 to pay rent, you know, they will be gone.
15 The tax base is just leaving town. This guy
16 told me this morning his wife got on the
17 list for apartments in Scranton Housing. I
18 mean, it's over with for him and then I see
19 Paul Mansour's name in the paper for selling
20 a house \$177,000, he has had it for years,
21 hasn't paid taxes, he got a completely 100
22 percent bogus nonprofit organization,
23 nothing has been done. All you have to do
24 is check on it. He doesn't qualify for
25 anything and he is in a real estate business

1 at our expense. I complained two years ago
2 about it, he sold a house, and I forgotten,
3 like four or five months later, it's still
4 the people that bought it had never put it
5 on the tax rolls. I've forgotten where it
6 is and now it's like a year ago and this is
7 going on everywhere.

8 Here Austin Burke is supposed to
9 support the city and he is paying next to
10 nothing for building permits, never caught
11 up with him. Every time you turn around
12 somebody -- a position is just stepping on
13 the little man of this city.

14 I'd like to say that Mr. Miller's
15 talk was very good. I seen him all fired up
16 and it made me happy, you know, but you
17 people have got to help the little people of
18 this city or they will be gone. You know,
19 where are you going to go with taxes
20 doubled? I don't know where they get \$88,
21 they are doubled. No matter if you have a
22 500 house or -- I'm talking about your taxes
23 or a 1,000, 2000, they are going to double
24 at 30 percent, 40 percent, then the school
25 board. You got to complete runaway school

1 board talking about building another school.

2 MR. ROGAN: Thank you, Mr. Ellman.

3 MR. ELLMAN: You're going to have a
4 ghost town here if something isn't done to
5 stop these colleges. Thank you.

6 MR. ROGAN: Thank you. Les
7 Spindler.

8 MR. HUGHES: Excuse me,
9 Mr. Chairman, if I could, in response to Mr.
10 Ellman's statement, the University of
11 Scranton is in an institutional district
12 which -- whose northerly boundary is
13 Mulberry Street. Where the new dormitories
14 are built they are not built in the
15 institutional district where these
16 dormitories are permitted. As a result of
17 that, they wanted to have the alley between
18 the two parcels where the dormitories are
19 constructed they wanted that vacated and
20 they wanted the air rights over it.

21 We met with them, the condition was
22 and we got excused of extortion by the
23 Scranton Times that we would convey the air
24 rights for a certain amount of money. They
25 expanded over there because they went before

1 the zoning board and they obtained a
2 variance. Right now any expansion by the
3 University of Scranton beyond the northerly
4 side of Mulberry Street, I believe it would
5 be the easterly side of the Clay Avenue,
6 they are outside of the institutional
7 district. They can only expand by getting a
8 variance from the zoning board, so that
9 anybody that -- it's up to the zoning board
10 to deny the variances. If they do, that
11 will stop the expansion of the University of
12 Scranton outside of the institutional
13 district then they would have to come to
14 council and they would have to request, at
15 least we might be able to negotiate and say
16 that if you do want to expand we could at
17 least go to a zoning board and say that you
18 are going to pay the tax on the real estate
19 that you are taking which is now exempt.

20 That would be a way that the
21 University of Scranton and any other
22 institution that keeps buying properties to
23 expand outside of the their district and
24 they have to get variances, the way to stop
25 it is to through the zoning board.

1 MR. ROGAN: Thank you, Attorney
2 Hughes.

3 MR. SPINDLER: Good evening,
4 Council. Les Spindler, city resident and
5 homeowner and taxpayer. First of all, I
6 want to echo what Doug Miller and Bill
7 Jackowitz said. If these allegations
8 against Chief Davis are true, he has got to
9 be held accountable. He is no better than
10 any other citizen in this city. Everybody,
11 myself and anybody else in here, we have to
12 get permits to have work done. If he got
13 his permit after the work was done, that is
14 wrong. He should be fined and he should
15 have his license taken away, but this is the
16 height of politics again in this city.
17 Chris Doherty make sure nothing happens to
18 him. I hope council holds his feet to the
19 fire, something should be done, and also
20 with Jeff Brazil.

21 I woke up this morning and saw the
22 headline in the paper. You know, it wasn't
23 funny, but I had to laugh. It's really sad.
24 They want to raise taxes 42 percent. Where
25 do they think the people of this city are

1 going to come up with money like that? I
2 mean, there is mainly elderly in this city
3 on a fixed income, we are getting whacked 38
4 percent by the county, 42 percent by the
5 city, these people have to go. We have been
6 distressed for 19 years. PEL has been here
7 for 19 years and we are in worse shape now
8 than when they first started. All they're
9 doing is stuffing their pockets, making
10 millions on this city, and Mr. McGoff
11 doesn't think they should go. He didn't
12 want to a letter sent to the governor asking
13 him to be replaced. These people have to
14 go. I have said it in the past, they are
15 just stuffing their pockets with our money
16 and not doing a darn thing. It's a shame.
17 It's really ashame.

18 I wish council would get Mr. Cross
19 in this room here and ask him why we have to
20 raise taxes 42 percent. What's been going
21 on or what they have done in 19 years? I'd
22 like to ask that question.

23 Last week I mentioned about a good
24 revenue source, which I think putting
25 cameras in each intersection, the next day

1 on WILK talk radio there was a different
2 host on there, Lane Toroler, and he just
3 brought it up at the end of the show, he
4 said -- I forget the name of the city, it
5 was a city in Ohio that put them in and in
6 the first 20 days of use they gave out
7 10,000 tickets. In the first 20 days. So
8 multiply that by a year and it's an
9 unbelievable revenue source. I think we
10 should really look into cameras at every
11 intersection where there is traffic lights,
12 and not only for people running red lights
13 for any traffic violation, as I said last
14 week, people making wrong turns, turns on
15 red.

16 Lastly, what Doug said about Engine
17 7, my wife went out before for a hoagie, in
18 the shop a woman came up to her really upset
19 that she said Luzerne Street fire station
20 was closed today. When is this going to
21 end? This guy just doesn't care about the
22 people of this city. Mr. Loscombe, do you
23 know if that was just a brownout or is that
24 permanent?

25 MR. LOSCOMBE: No, it's a brownout,

1 but it's been closed quite frequently in the
2 last couple of weeks. I mean, look at
3 today, I believe, there is three engines and
4 one truck company in service and that's with
5 the existing manpower, I don't know what's
6 going to happen --

7 MR. SPINDLER: That's just
8 ridiculous. That's to cover 27 square
9 miles.

10 MR. LOSCOMBE: That's why the
11 administration has to be here to answer
12 these questions.

13 MR. SPINDLER: It's covering 27
14 square miles of this city, and with all due
15 respect to Doug --

16 MR. LOSCOMBE: Without any water
17 either. Without hydrants, without water. I
18 mean, that's a pretty significant coverage
19 area that Engine 7 protects, they even
20 respond into the Newton-Ransom area there,
21 too.

22 MR. SPINDLER: And they would cover
23 what Engine 9 was going to cover, also. I
24 don't know what's going to happen with this
25 city. With all due respect to Doug, we are

1 never going to get Chris Doherty in these
2 chambers. He will never come here, he just
3 hides in his office downstairs. He will
4 never come face to face with the citizens of
5 this city and it's a darn shame. Something
6 has got to be done and we need more people
7 coming here calling his office, I have
8 called his office before telling him my
9 dissatisfaction with what he is doing, but
10 we need a lot more people calling.
11 Something has got to be done.

12 As one of the people that spoke here
13 last week on three out of the four days
14 there were only three fire stations open.
15 That's unacceptable. They can't cover the
16 whole city. You don't have to be expert to
17 figure that out and something has got to be
18 done. Thank you for your time. I hope you
19 follow through with this complaint about
20 Chief Davis.

21 MR. ROGAN: Thank you, Mr. Spindler.
22 Dave Dobrzyn.

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

1 MR. LOSCOMBE: Good evening.

2 MR. DOBRZYN: First, each week
3 Scranton City Council meeting can be found
4 from now on at WFTE.org, audio only, thanks
5 to help from Mark from ECTV. WFTE FM is a
6 nonprofit community radio at 105.7 Scranton.
7 There is quite a bit of interesting stuff on
8 there so if you want to hear something
9 different from a different perspective tune
10 in.

11 Now, last week I went over some
12 ideas that I thought PEL devised a suggested
13 donation list for all nonprofits. I mean,
14 every year I see this in the paper, oh, we
15 should approach nonprofits and ask them for
16 a donation. They are the ones suggesting
17 it, why they don't come with the suggested
18 nonprofit and nonprofits call it block
19 zoning or whatever you want to call it, but
20 they should be zoned in and it's time that
21 if the "U" wants to expand they just have to
22 start paying taxes, and that's it. If they
23 want to build up that's fine, but if they
24 build out it's time to start paying taxes,
25 I'm not that impressed with their standards

1 at all.

2 And on trash fees, we must begin to
3 enforce standards for citizens on method of
4 disposal and a required recycle. It's just
5 ungodly what I see in the courts and stuff
6 when I take a walk through.

7 We need to review grants and health
8 insurance under Affordable Care act for the
9 fire department and police, and require the
10 administration to cooperate with union
11 advisors. I have heard quite a few things
12 over the last couple of months where money
13 was available and wasn't applied for by the
14 administration. It's time to bury the
15 hatchet when it's -- it's always over our
16 heads instead.

17 And no raises for department heads
18 and safety chiefs. That's crazy. That is
19 nuts. \$17,000 a year. Some people if you
20 work in a convenient store, and they make
21 sure you don't go over 40 hours a week, you
22 will not make \$17,000 a year. Shame.

23 Inspect utility work on road
24 repairs. This hasn't been done and
25 basically they stink. They come in, they

1 dig up the street, do what they want and
2 leave what they want, and it's a -- you can
3 start -- mine coal in some of them.

4 And finally, advocating lobbying
5 state officials and the fed officials to
6 make changes to ensure that we don't lose
7 following their directives especially for
8 PEL. And it's just ashame the way they lead
9 the mayor around for years and we not going
10 to have to pay this and then went on and
11 look where we are at now in addition to a
12 couple of million dollars probably worth of
13 lobbying or legal fees.

14 And finally I'll make it quick, the
15 golden parrot goes to Newt Gingrich he
16 accepted in excess of \$25 million in
17 lobbying fees and he claims it's only for
18 history lessons, so last week I criticized
19 Jan Brewer under the golden parrot for
20 firing the chairman of their redistricting
21 committee, which was established in Arizona
22 by a referendum by the citizens to prevent
23 gerrymandering, well guess what? This week
24 she is being recalled. Thank you, there
25 might be a God. Have a good laugh on the

1 way down, Jan. Bawk, bawk. Have a good
2 night.

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

6 MR. MOODY: Good evening, Council.
7 My name is Carl Moody, I'm a member of
8 Bethel AME Church, but I want to make this
9 very clear, I am not a representative of
10 Bethel AME Church. I cannot be a
11 representative of that church unless my
12 pastor appoints me as a representative of
13 that church, so I'm speaking purely as a
14 citizen, and I'm just letting you know I'm a
15 member of the Bethel AME Church.

16 At your last council meeting, I
17 caught it on tape on a public service
18 channel, and I was shocked, shocked, that a
19 woman, Kathryn Simmons, calls herself
20 Reverend Kathryn Simmons, was allowed to
21 stand in this chamber before this dock and
22 simply make a statement that the new
23 minister was sent here to Scranton by the
24 Bishop to remove, one, the white minister,
25 and two, to close down the shelter. And no

1 one in this panel challenged her.

2 Challenged her.

3 I find that personally extremely
4 offensive, and once again, I am not a
5 representative of Bethel AME Church, I'm
6 just a member of the church. I would like
7 to ask has any of -- do any of you gentlemen
8 know any parishioners of Bethel AME Church
9 personally? Do you know somebody who knows
10 somebody? Has anyone ever went over and
11 spoke to the new minister or any previous
12 ministers? Talked about this shelter
13 project? Has anyone done that?

14 Okay then, if you haven't learned
15 this information for yourself, what you were
16 told last week, a lot of that was false. It
17 was false. And I like I said, I find it
18 most offensive that it was left hanging in
19 the air that our bishop would send a
20 minister in here to tell a white parishioner
21 of our church, "Get rid of the white
22 woman."

23 We don't do that in my church, and I
24 would invite you to come and join us for
25 fellowship and you will see what kind of

1 church we are. Come join us, but that
2 statement should not have been allowed to
3 hang in the air and linger like that. She
4 should have been challenged on that.

5 The fact of the matter is this, as a
6 parishioner, what I know, am not speaking
7 for the church, previous ministers have told
8 Reverend Simmons, well, Kathryn Simmons,
9 because I'm not certain she is a minister.
10 I am not certain. I would encourage you to
11 check her degrees on that, you might be
12 surprised. A previous minister had told
13 Kathryn Simmons, "You are not a
14 representative of Bethel AME Church."

15 She was told a number of times that,
16 and the situation was thusly that the
17 minister had to bring it to the congregation
18 to make it plain and simple and clear to
19 everyone, you are not a representative of
20 that church unless I say so. The minister
21 is in charge. He reports to the bishop, but
22 as our church is set up the minister is the
23 one that calls the shots. That previous
24 minister didn't want federal funds brought
25 into our church. We did not -- he did not

1 want the federal entanglements and he played
2 it plain and clear, so who was it that
3 signed this contract? Who was it? Whose
4 name is on that contract? As I understand
5 it, the contract can't be found.

6 You need to do a little deeper
7 research. I think all of you gentlemen are
8 smarter than this. Smarter than this. To
9 allow this woman to leave that statement
10 hanging in the air and walk away. It
11 doesn't pass the smell test, gentlemen, and
12 it shouldn't pass the hearing test. It
13 should fall on a tin ear. It doesn't sound
14 right. It doesn't sound right.

15 Nobody, a previous minister had made
16 it plain and clear we do not want the
17 federal entanglements. You take federal
18 money, you have to follow their rules. What
19 church wants to do that? Federal government
20 is really not in-line with most churches.
21 Churches do the right thing. They go out
22 and assist the community. The federal
23 government is not involved in religion.

24 Find out who signed that contract.
25 Find out which minister signed that

1 contract. The current minister we have,
2 wonderful woman, intelligent woman, strong
3 black woman. I would encourage you to sit
4 down with that woman for five minutes and I
5 will assure you, I assure you, you will be
6 surprised. You will come away with a whole
7 different appreciation of that woman. You
8 need to do your duty. You need to get up,
9 go down to that church and talk to somebody.

10 Kathryn Simmons came up here and
11 sold you a bill of goods. That's my say.
12 That what I'm saying. You need to do
13 further investigation. What that woman was
14 allowed to do in coming here was a slander
15 on our church, and to finish with -- and for
16 her to finish with, "I was a member of the
17 church for 42 years and I don't want to hurt
18 my church."

19 Well, didn't she just throw her
20 church under the bus? It doesn't smell
21 right, doesn't sound right. It sounds to me
22 it wasn't -- sounds like to me, "It wasn't
23 me, it was them."

24 Kathryn Simmons was intricately
25 involved, deeply involved with seeking those

1 federal dollars, but did Kathryn Simmons
2 approach the bishop about this entire thing?
3 Do your due diligence. Check it out.

4 MR. ROGAN: Thank you. I just do
5 want to mention, Reverend Simmons, just like
6 everyone else in the public, is allowed to
7 come to the podium and state their position
8 and, you know, it wouldn't be right for us
9 to gavel her or, you know, rule her out of
10 order for stating her position just as it
11 would be wrong for us to do the same with
12 you.

13 MR. MOORE: Exactly, but, sir, I
14 would proffer to you, all of you gentlemen,
15 if I were to walk in here and say something
16 like, "Well, the bishop fired me because the
17 new bishop in here because he wanted to get
18 rid of the black priest and the shelter,"
19 you would laugh me out of here. It would
20 shock your senses, wouldn't it? It doesn't
21 make sense. That's why I'm asking you
22 please, gentlemen, take a walk down the
23 street and have a conversation with somebody
24 other than Kathryn Simmons. This woman
25 chose when the bishop is visiting on a

1 dinner to welcome the new minister, she
2 chose that time not to speak with the
3 bishop, she chose to try to picket the
4 bishop with people who weren't even a member
5 of our church. It's ridiculous.

6 MR. ROGAN: Thank you. We will.

7 MR. MOORE: Please do your due
8 diligence, sir.

9 MR. ROGAN: Thank you.

10 MR. MOORE: But, as I said, as a
11 member I take that as a slander upon my
12 church, and my mother, Julia Moody, who
13 worked for the City of Scranton for a number
14 of years, she was one of those same women
15 that helped pick Kathryn Simmons up, dust
16 her off, and turned her around.

17 MR. ROGAN: Thank you.

18 MR. MOORE: Okay? Thank you very
19 much, gentlemen.

20 MR. ROGAN: Thank you very much. Is
21 there anyone else who would like to address
22 council?

23 MR. SLEDENZSKI: Hello, Jack.

24 MR. LOSCOMBE: Chrissy.

25 MR. SLEDENZSKI: Frankie.

1 MR. JOYCE: Chrissy.

2 MR. SLEDENZSKI: Well, Jack, Engine
3 7, keep it open. We need it, Jack, for West
4 Side. We need it. We need it bad. Jack,
5 you are my man downstairs. Remember that.
6 I love you, Jack. Take care, buddy.

7 MR. ROGAN: Thanks, Chrissy. Is
8 there anyone else who would like to address
9 council?

10 MR. ANCHERANI: Good evening.
11 Nelson Ancherani, resident and taxpayer,
12 recording secretary of the FOP, First
13 Amendment Rights, at least I think we have
14 them. Last week you were presented with the
15 city's budget for 2012. This budget is the
16 second highest budget in the history of the
17 city. First was three or four years ago
18 when an \$84 million plus budget was
19 presented to council, but that one was
20 adopted without being amended. Council, you
21 have a monstrous challenge ahead of you to
22 come up with a budget the city could live
23 with that doesn't punish the taxpayers and
24 business owners of the city.

25 If I were sitting up there, I would

1 be tempted to let the budget go as it is and
2 when it doesn't work council won't get the
3 blame, the blame will go where it is rightly
4 deserved. You face an uphill battle because
5 the city has an ally in the Scranton slimes
6 and you can't win an argument when the ally
7 buys ink by the barrel. The slimes will
8 support this administration as long as it's
9 not the Connors' administration.

10 Now, who woke PEL up? They now come
11 here with their revised Recovery Plan that
12 has a 71 percent tax increase going into the
13 year 2014. Wasn't it four years ago that
14 they were here looking for a 75 percent tax
15 increase that was divided up in three 25
16 percent increases? They only got one, a 26
17 percent increase, and were shot down for the
18 other two.

19 Weren't they also looking for a \$44
20 loan at the same time? You have to admire
21 their persistence. They're now back for the
22 rest and more. How do you trust their
23 reliability when this is the 20th year that
24 they have been the Recovery Plan
25 coordinator? Their record is dismal in

1 accomplishments. What they are good at is
2 being able to remain as plan coordinator for
3 20 years and to keep their do nothing jobs.
4 How many millions did they get paid for
5 nothing, in my opinion. Trump would have
6 fired them 19 years ago, and I should have
7 bet Mr. McGoff about the tax increase, the
8 second record budget, and the 15.1 million
9 that PEL proposes to borrow. We can't
10 forget, also, that they want 22 more dollars
11 on the tip fee, garbage tax, and then
12 another 42 coming up after that. Thank you.

13 MR. ROGAN: Thank you. Is there
14 anyone else who cares to address council?

15 MR. GERVASI: Good evening, city
16 council. My name is Dave Gervasi, I'm a
17 firefighter in the City of Scranton,
18 president of the firefighters' union.

19 MR. LOSCOMBE: Good evening.

20 MR. GERVASI: I don't even know
21 where to begin tonight there is so much
22 stuff happened this week. Let me start with
23 just a few things. The budget came out with
24 a 29 percent tax increase, and correct me if
25 I'm wrong, I read the budget, there is

1 nothing in the budget that has to do with
2 the award, the Supreme Court award, the fire
3 and police won; am I correct?

4 MR. ROGAN: Correct.

5 MR. GERVASI: So they want to raise
6 your taxes 29 percent and that's not even
7 factored in, that's the mayor's budget. The
8 Recovery Plan comes out, the new Recovery
9 Plan comes out Monday morning, yesterday
10 morning, and they want to raise your taxes
11 42 percent next year, this year coming, then
12 5 and 7 percent each year for the next four
13 years, and correct me if I'm wrong, but
14 there is nothing in the Recovery Plan that
15 reflects the Supreme Court decision on the
16 police and firemen; is that correct?

17 MR. MCGOFF: That is correct.

18 MR. GERVASI: That is correct.

19 Thank you, Mr. McGoff. As a matter of fact,
20 the Recovery Plan even states, and I'll read
21 it to you, "The cost impact of the October
22 19, 2011, Pennsylvania Supreme Court
23 decision that remanded for reinstatement
24 prior City of Scranton fire and police
25 arbitration interest awards was not

1 available when this 2011 revised Recovery
2 Plan was prepared. Therefore, any potential
3 revenue and expenditure impact that may be
4 associated with the Supreme Court decision
5 is not included in the revenue and
6 expenditure projections that follow."

7 Now, if you read the papers and you
8 listen to the mayor on TV, it makes it sound
9 like he had to raise your taxes 29 percent
10 and the Pennsylvania Economy League wants to
11 raise your taxes 42 percent because of the
12 police and firemen award when it is
13 specifically not even a part of the budget
14 or the Recovery Plan.

15 It's only going to get worse and in
16 the mean time while they are raising your
17 taxes, you know, I hate to beat a dead
18 horse, but when I started coming here I told
19 everybody that the experience that I learned
20 from other municipalities that were under
21 Act 47 is the end result is you will pay
22 much more for much less services. That is
23 the result of Act 47. The Pennsylvania
24 Economy League was her for 19 years, we
25 started to recover, as a matter of fact, we

1 ran a surplus since 1999 and then they did
2 nothing. They stood by with the full
3 consent and knowledge of DCED, the state,
4 and allowing the mayor to run us to \$300
5 million in debt, and at the same time they
6 said, "Don't worry about it, we are going to
7 beat the cops and firemen."

8 Something that really made me
9 appalled when I read the paper this morning
10 was a statement by Mayor Doherty, and the
11 people need to listen to this very, very
12 carefully, maybe even the Scranton Times
13 should listen to this very, very carefully.
14 It said because of the 70.7 percent
15 cumulative tax increase that PEL is calling
16 for in the Recovery Plan, the mayor said,
17 "Obviously, it's very high and we believe
18 that's very unfair," even though the mayor
19 was touting two weeks ago that he was going
20 to raise taxes 100 percent over the next
21 five years.

22 But he did express this one
23 statement, which baffles my mind, "I think
24 it is a working document."

25 "I think it is a working document."

1 I take that to mean it's a work in
2 progress. The proper thing to say is it's a
3 fluid document, that's the proper
4 terminology I believe.

5 The reasons why the police and
6 firefighters were at war in Court for the
7 last nine years is because Mayor Doherty,
8 the last Recovery Plan, wouldn't change one
9 word in it. Not one word. If you go back
10 about six years from now you can read the
11 transcript of what I said from this podium,
12 and I said what a shame it was that the
13 Recovery Plan, even though the citizens
14 voted for it, because frankly no one read
15 it, it had violations of the heart and lung
16 act, it had violations of the labor law in
17 it, it had many, many numerous Tammany
18 Hall-type management rights that had nothing
19 to do with the impact or recovery --
20 financial impact or the recovery of the
21 city.

22 They perverted the intent of Act 47
23 and they drove it down everyone's throat
24 with a threat of a tax increase and, yes, 70
25 percent of people, but we weren't going to

1 sit back and have a Recovery Plan and have
2 Chris Doherty take our rights away, so we
3 fought and the city was extremely aware that
4 Recovery Plans could be amended.

5 When we said this article in the
6 Recovery Plan violates the state Heart and
7 Lung Act. We are never going to give you
8 that because it's our right, it's everyone,
9 every police and firefighter, state trooper
10 and correction officer in the State of
11 Pennsylvania has that right, and for good
12 reason, and we said we are not going to give
13 that up, so why don't you just drop that
14 from the Recovery Plan, and few other
15 things, and you know what, the rest of the
16 stuff we are going to have to eat and they
17 wouldn't change one word. Not one word in
18 the Recovery Plan.

19 And as a matter of fact, during
20 arbitration we had Charlie Waters from DCED,
21 and I forget who was from PEL testifying,
22 and we asked him specifically, "Can Recovery
23 Plans be amended or changed after they are
24 adopted?"

25 And they said of course they could.

1 It's been done twice in Scranton, it's been
2 down in Johnstown, it's been done in
3 Chester, it's been -- recently it's been
4 done in Pittsburgh and they said the mayor
5 and DCED this time said not one word is
6 going to be changed, and that's why we are
7 in Court for nine years and that's why the
8 mayor spent \$3 million on legal fees to drag
9 this thing out for so long, and that's why
10 the city is going to pay this court award
11 now because they wouldn't change a word.

12 But today he wants to have an
13 epiphany, "I think it's a working document.
14 We can work with it."

15 All of a sudden. Isn't that a
16 shame. Thank you.

17 (Whereupon while Mr. Gervasi was
18 speaking Ms. Evans takes the dais and joins
19 the meeting.)

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

22 MR. DOCKLEY: You have to excuse me.
23 Good evening, Council.

24 MS. EVANS: Good evening.

25 MR. DOCKLEY: My name is Sam

1 Dockley, life-long resident of Scranton. I
2 love Scranton, this is my city. First, I
3 want to congratulate brother firefighter
4 Jack Loscombe on his victory and Mr. McGoff,
5 I'm a little choked up.

6 I'd like to tell you a little story
7 about my dad. He was a firefighter, also,
8 in Scranton 22 years. He went to work one
9 day working night shift, Truck 1, a hook and
10 ladder they call it, they called the back
11 seat driver the filler man. He had two
12 drivers on the truck, on the back. He
13 wasn't feeling good. He said to a couple of
14 his men, he said, "I don't feel so good, I'm
15 going to lay down for a little while."

16 At that time they had bunk rooms, a
17 kitchen, washroom, lockers, so one of the
18 men decided to go up and check on him and he
19 was gasping for air, he was having a heart
20 attack. He was in his 21st year so they
21 rushed him to State Hospital, he recovered.
22 Thank God. So my mom and I took him to
23 Dr. Cross, at the time he was a heart
24 specialist, he came around about six months,
25 the doctor gave him the okay to go work.

1 Down the road about another six
2 months he had another heart attack, took him
3 back to Dr. Cross, he said, "Sam," we both
4 had the same name, I'm not a junior, he
5 said, "Sam, if you want to live, you got to
6 quit fighting fires."

7 At that time my dad retired, he went
8 on disability. I myself am a retired
9 firefighter of 32 years. Retired captain of
10 the Scranton Fire Department. I got hurt on
11 the job. I was 54 years old fighting a fire
12 in South Side, three herniated discs. My
13 point is getting across we had a compliment
14 of men, we had in 1961 when I come on we had
15 248 firefighters, and we had men getting
16 hurt then. It's a stressful job, a lot of
17 pressure.

18 And with this reduction now my point
19 is how many more men are you going to have
20 out on workers' compensation with this
21 reduction? It's bad enough now. I know the
22 job. 32 years I was on the job, I know. I
23 also was a filler man, they broke me in
24 filler man in Truck 1. We had two in the
25 city at that time. We also at that time we

1 had 15 fire stations, 18 companies, we are
2 down to eight and ten now, eight stations
3 and ten companies.

4 What is going to be before this man,
5 I won't even call him the mayor, I don't
6 respect him, like I said, this is my city
7 and yours. Is it going to take somebody to
8 die? A firefighter get killed or a resident
9 of this town get killed? A child, a sister,
10 brother, mother, father, grandmother,
11 grandfather, uncle, aunt?

12 This man has no respect for the
13 people. Where is the money our department
14 alone gave back? The position firefighters,
15 the fire stations closed. I want a full
16 investigation of city hall. There is
17 corruption going on. The judges in Luzerne
18 County thought they were God they couldn't
19 get caught, where are they? In jail. Where
20 is Cordaro and Munchak going? To jail.
21 They thought they were God.

22 This guy thinks he is God, he can't
23 be touched. Him and his henchmen up there.
24 I know politics, I have been around it for
25 years I know how it operates. I was

1 vice-president of our local for six years
2 back in the 60's. We sat down and
3 negotiated with council across the board
4 cost of living raise. You are not getting
5 nothing.

6 This guy's father was a councilman.
7 I don't disrespect anybody, I'm a nice guy,
8 but you back somebody into a corner and they
9 are going to fight. They are going to come
10 out fighting whether they want to or not.
11 His father was the same way, him and
12 Melnick, Hansel. Mr. Geritty was a
13 councilman. There is a man that I respect
14 that stood up for us. He even went to
15 fires. He wanted to see how it was
16 operated, the manpower we had, the
17 operation. He come out at three in the
18 morning to a fire, I seen him. We had many
19 fires.

20 This man has no respect for this
21 city. I could read something here to you if
22 I have another minute. It's called a city
23 hall's recent flip flops. This man back May
24 6th of '09, Mr. Renda, said about the
25 Recovery Plan, it will allow the city to go

1 ahead with Mr. Doherty's plan to layoff
2 almost 40 firefighters. That was May 6th of
3 '09.

4 Public safety director Ray Hayes
5 says, "Restructuring the department part of
6 the Recovery Plan is a major transition and
7 complex enough without consolidating
8 companies."

9 Public safety director Hayes stated,
10 "Scranton is seriously exploring plans to
11 shut down two fire engine companies."

12 My point is these people are
13 hollering, crying about their taxes, where
14 the hell when they kept this guy in office?
15 He is ruining this town. We all know it.
16 You know what impeach means? I have it
17 here. Impeach means to bring an accusation
18 against a public official before a
19 compliment with a misconduct in office."

20 In other words, he doesn't no
21 responsibility to public safety. They bring
22 PEL in here and this other concern company
23 what the hell they know about fighting
24 fires? When does this guy now? What does
25 any of his henchman know up there in city

1 want to rob the city, 3 percent or whatever
2 the cost of living raise, you wouldn't be in
3 this mess today. He thinks he is God, he
4 can't be touched. He thinks he can do
5 whatever he the hell he wants and get away
6 with it, him and rest of his henchmen, I'll
7 say it again, and I don't care I'm not
8 afraid of anybody, I never was and never
9 will be.

10 I'm a nice guy, but don't get me
11 mad. Jack will confirm that and Dave
12 Gervasi will attest to that.

13 MS. EVANS: Thank you very much for
14 all of those comments.

15 MR. DOCKLEY: I'm glad I got my
16 point across.

17 MR. LOSCOMBE: Thank you.

18 MR. DOCKLEY: I want to congratulate
19 you people. Happy Thanksgiving.

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

22 MS. KRAKE: FIFTH ORDER. 5-A.

23 MOTIONS.

24 MS. EVANS: Mr. McGoff, do you have
25 any comments or motions this evening?

1 MR. MCGOFF: Please. First thing
2 I'd like to talk about was once again is the
3 2011 deficit. I believe that this is the
4 first and initial problem that we need to
5 deal with. The mayor had sent proposals to
6 us, they have not been put on the agenda. I
7 would ask that they be put on the agenda or
8 something or some proposal in order to deal
9 with the deficit that we have. I would like
10 see the mayor --

11 MS. EVANS: Mr. McGoff, I'm sorry to
12 interrupt, it's on tonight's agenda.

13 MR. MCGOFF: It is?

14 MR. JOYCE: Yes, it is.

15 MS. EVANS: Yes.

16 MR. MCGOFF: I didn't even notice
17 it.

18 MS. EVANS: It's under 5-A.

19 MR. MCGOFF: Thank you. Is that the
20 updated proposal that he has made?

21 MS. EVANS: I'm going to address it
22 under motions and I am going to have
23 Solicitor Hughes comment on the entire
24 situation and I'm certain that then you will
25 better understand the situation, but I can

1 tell you now that it is not tied into the
2 sale or the lease of the parking meters.

3 MR. MCGOFF: Thankfully.

4 MS. EVANS: I apologize for
5 interrupting.

6 MR. MCGOFF: Oh, no, thank you for
7 interrupting. I did not see that when I
8 looked, my apologies. I'm glad that it is
9 placed on the agenda.

10 The second thing that I did want to
11 speak about was the rental registration
12 ordinance. I would ask permission to take
13 that to Attorney Kelly and have him write
14 that so that -- and hopefully it can be
15 placed on next week's agenda.

16 MS. EVANS: Do you have the
17 recommendations from --

18 MR. MCGOFF: Yes.

19 MS. EVANS: -- Councilman Loscombe,
20 too?

21 MR. MCGOFF: Yes, and the things
22 that it seems as though the recommendations
23 primarily dealt more with the rental
24 registration coordinator or director and
25 would be more appropriately included in any

1 RFP that was, you know, placed for that. I
2 think there may have been one of the
3 recommendations that actually applied to the
4 ordinance itself. I would like to see the
5 ordinance put on the agenda and then we can
6 deal with the RFP, you know, at a later
7 date, you know, for the coordinator, but I
8 think it's imperative that we get that done
9 as soon as possible.

10 MS. EVANS: I agree.

11 MR. MCGOFF: I have your permission?

12 MS. EVANS: Yes, please.

13 MR. MCGOFF: Thank you. The third
14 thing, obviously, the major concern is the
15 budget and the Recovery Plan. We had a look
16 at the mayor's budget, a short look at the
17 proposed Recovery Plan. I think -- I don't
18 think that either one is a workable plan. I
19 think that both would need revision and I
20 know I'm probably saying something that we
21 all know, but I think that the answer and
22 the revisions that's needed is one that
23 would come through cooperation and
24 compromise with all three parties involved
25 in this. While we may not like what, you

1 know, the fact that PEL is here, they are at
2 this point in time the Recovery Plan
3 coordinator or whatever title they have, and
4 we are at some point in time going to be
5 looking at adopting a revised Recovery Plan.

6 I think it would be in the best
7 interest of all, if three parties, the
8 administration, council and PEL were to work
9 together to produce not only a budget for
10 2012, but also to produce a workable and
11 acceptable Recovery Plan and I hope that
12 takes place within the next few weeks and
13 before the final vote on a budget, which I
14 know is coming very quickly.

15 The other thing that I did want to
16 mention that is talk about the audit, it was
17 mentioned at a PEL meeting yesterday that
18 the administration and NCC are meeting with
19 Rossi & Rossi to try a resolve the remaining
20 items. I realize that this is long after
21 the fact, but they are meeting and hopefully
22 that they will be resolved and that we can
23 receive an audit prior to the end of the
24 calendar year.

25 And last thing, I was asked a number

1 of weeks ago to look into the -- and it's
2 been mentioned tonight, the situation with
3 Mr. Brazil. I spoke with the mayor, he was
4 aware of the situation and I was told that
5 it was dealt with administratively and that
6 Mr. Brazil had come to the mayor, that they
7 were aware, and the mayor had been aware of
8 the problem, and it was dealt with within
9 the administration, and that's all. Thank
10 you.

11 MS. EVANS: Thank you, Mr. McGoff.
12 And before I call on Councilman Rogan I just
13 wanted to comment on one of your statements.
14 I agree that cooperation is necessary,
15 cooperation is a two-way street and I don't
16 know if you are aware or not but council has
17 been highly cooperative with the
18 administration. I know that Councilman
19 Joyce, for example, has been in regular
20 contact by e-mail with the business
21 administrator. There is borrowing placed on
22 tonight's agenda in order to save the
23 administration for their decisions in 2011
24 and fill this 2011 deficit against many of
25 our better wishes.

1 So I think what's important is that,
2 as I said, the administration must
3 cooperate. City council has been
4 cooperating. The administration, on the
5 other hand, when asked for information by us
6 has replied, "Send a Right-to-Know request."

7 That's not the proper answer.
8 That's certainly not reflective of
9 cooperation, so I believe if we want to
10 discuss cooperation week after week after
11 week, you are not doing it in the proper
12 venue because, like I said, you need to get
13 the other side of the street to begin to
14 cooperate with us, please.

15 And, Councilman Rogan --

16 MR. JOYCE: I had a question if you
17 don't mind me asking? I have been doing a
18 lot of work researching over budgetary items
19 and sending out e-mails and trying to
20 contact Mr. McGowan and various department
21 heads and they have been adequately
22 responding to some of the requests I have,
23 but I was looking over my notes from last
24 year and for Councilman McGoff I had a
25 question because I remember at one point you

1 said it was against state law to raise the
2 mercantile tax once it had been lowered?

3 MR. MCGOFF: That's what I was told.

4 MR. JOYCE: Okay, and I see in the
5 budget that we are raising -- or the mayor's
6 proposed budget we are raising the
7 mercantile tax from last year's level. I
8 was just wondering if you know where in the
9 state law that it's explicitly stated or if
10 there was certain person that said that
11 perhaps we can ask him.

12 MR. MCGOFF: I could go back and
13 ask. I don't have that.

14 MR. JOYCE: Okay, that would be
15 great because if, in fact, it's state law
16 that we can't raise the mercantile tax then
17 what we have in the budget is something that
18 we can't do so we will have to make due for
19 the mistake.

20 MS. EVANS: Well, no, I think what
21 should happen is --

22 MR. JOYCE: Or the administration --

23 MS. EVANS: If Councilman McGoff
24 could please contact his source and provide
25 for council the law, the state law,

1 governing business taxes so that --

2 MR. MCGOFF: I will try.

3 MS. EVANS: So that we can, in fact,
4 learn what the truth of the situation is and
5 if your source is correct then I would
6 believe that it's the duty of the
7 administration to make that correction in
8 the mayor's proposed budget and resubmit is
9 budget to city council reflecting those
10 changes.

11 MR. ROGAN: I would also add that
12 PEL, I believe it was Mr. Cross when he was
13 here, said the same thing. And, obviously,
14 PEL doesn't have a problem with the mayor's
15 budget or objection.

16 MR. JOYCE: Actually, in the
17 Recovery Plan I do look over some of it and
18 they actually recommended raising the
19 business privilege and mercantile to 1 mill,
20 however, their have ben questions in the
21 past as to whether this violates state law
22 or not, so I think it's mandatory that we
23 actually know if it's against state law or
24 not.

25 MS. EVANS: Yes, and that's an

1 excellent point made by Councilman Rogan,
2 for PEL to state publically that an increase
3 cannot occur and then to include it in it's
4 plan and to give it's blessing to apparently
5 the current budget that contains that item
6 is certainly highly questionable.

7 MR. ROGAN: We have to look back at
8 the minutes, but I remember pretty clearly
9 looking at a graph presented to us from PEL
10 and Mr. Cross mentioned how in the 90's
11 where the mercantile tax was reduced by
12 Mayor Connors he mentioned that that can't
13 be increased to that level again because it
14 was cut, which I think is a good thing, but
15 we'll see what the law is.

16 MS. EVANS: Thank you very much.
17 Please continue.

18 MR. ROGAN: I'll be pretty brief
19 tonight, just a few comments on the Recovery
20 Plan and few comments on the budget. I
21 obviously haven't had a chance to read the
22 entire Recovery Plan yet, but from the
23 highlights in it, and again, I disagree with
24 the mayor, I think the best part of the
25 Recovery Plan is the 50 percent decrease in

1 parks and recreation spending. We have
2 spent far too much money in the parks in the
3 city. It's something nice to have when
4 times are good, but when times are tough we
5 need the basics.

6 5 percent decrease in non-employee
7 spending. I would like to see a little, but
8 5 percent is a start. Decreases in work
9 force. Three police officers, three
10 firefighters, one clerical, one public works
11 and one administration. Now, obviously,
12 Mayor Doherty wants to cut far in excess of
13 three firefighters, three police officers.
14 Our police officers and firefighters are
15 stressed to the max with the limited amount
16 of manpower that they have.

17 On the other hand, I firmly believe
18 you could cut a lot more than one employee
19 in the Public Works Department. I believe
20 that we can collect garbage in the city in
21 four days with the amount of people we have
22 and I definitely think cuts need to be made
23 in public works.

24 Clerical employees, 5 percent
25 reduction in their base salary.

1 Administration employees, 15 percent
2 reduction in base salary on an hourly wage
3 either on January 2011 or January 2012.
4 Public Works Department 15 percent reduction
5 in base salary. Police department 15
6 percent reduction in base salary. Fire
7 Department 20 percent reduction in base
8 salary.

9 And, obviously, these cuts even
10 though they are not the same percentage
11 across the board are a little more fair than
12 what has been pursued in the past when our
13 public safety unions has been almost
14 exclusively targeted by the administration.

15 All city employee health care
16 monetary contributions will be based on a
17 percentage of base salary or hourly wage and
18 the -- again, the sale of the city's parking
19 meters to the Scranton Parking Authority. I
20 don't know why the mayor and PEL keep
21 bringing up the sale of the parking meters.
22 It's the one asset we have left in this
23 city. It's the last thing we should be
24 selling. Now, if they came to us and said,
25 okay, well, here is \$100 million, it's going

1 to take up 50 years to recoup the money
2 before we make a profit, then I'm sure all
3 of us would consider it. You know, that sum
4 of money could solve a lot of money in the
5 city, but when we are selling them for six,
6 seven, eight, nine, ten million dollars it's
7 not worth it.

8 If I had the kind of credit where I
9 could go to a bank and get \$15 million I
10 would buy the parking meters. Do you see
11 how much money they bring in? Selling the
12 parking meters to the Parking Authority is
13 simply a bailout for the Parking Authority.
14 That's all it is. It's not going to address
15 any of the city's financial problems, it's
16 only going to put us deeper in the whole.

17 15.1 million in new borrowing
18 consisting of unfunded borrowing of \$6.1
19 million to pay outstanding bills in 2011,
20 and that's what I have a question with the
21 agenda items, when the administration is
22 requesting \$6.7 where it conflicts with
23 what's in PEL's report. I don't know who is
24 right, but there is about a six or eight
25 thousand --

1 MS. EVANS: What we will be doing
2 this evening, Councilman, is requesting from
3 the administration a list of all of the 2011
4 expenses that will be paid by the 2011
5 borrowing and it must be restricted solely
6 to those issues. Should it ever reach
7 beyond that limit, it will require council
8 approval. And I'm recommending tonight
9 before we would take a final vote on this
10 borrowing that not occur until we receive
11 that information from the administration.
12 They have to give us item by item what will
13 be paid using that \$6.7 million.

14 MR. ROGAN: I couldn't agree more
15 and, you know, if there is a \$600,000
16 difference we definitely don't want to give
17 the mayor free reign on how to spend that
18 money. We will have another tree house up
19 at Nay Aug if that's the case.

20 70.7 cumulative increase in the tax
21 dollars for real estate over four years. A
22 new \$22 refuse collection fee in 2012
23 increasing by \$72 for January 1, 2014. I
24 think that could be avoided by privatizing
25 the DPW or by making drastic cutbacks in

1 public works. And finally, a new 15 percent
2 parking tax in 2012. Again, I'm only
3 reading you the bullet points. It's a
4 pretty thick document, I didn't get a chance
5 to read the whole thing yet. How they plan
6 on levying that tax I'm not 100 percent
7 sure, I'm sure once I read through the whole
8 document I will have a little more
9 information on that, but for the most part
10 it seems PEL is just giving us more of the
11 same as they have been for 20 years. Up
12 taxes, cut public safety and the people pay.

13 It's easy for somebody to come from
14 out of town or from some organization to
15 tell us how to run the city, but they are
16 not the ones that have to see the people of
17 the city when they go different places and
18 hear their stories, a senior citizen who can
19 barely afford to pay their property tax
20 because their husband passed away and she is
21 on a fixed income, and a family that wants
22 to move to Scranton and live here. People
23 aren't going to come to Scranton when they
24 see this.

25 Scranton has been getting such a bad

1 reputation in the media not only because of
2 PEL, because of the mayor, because of the
3 previous council increasing taxes and
4 reducing services why would anyone come to a
5 town like that? You are paying more and
6 getting less. We definitely need to look to
7 allocate money in new ways in this city.

8 And few brief notes on the budget.
9 As I mentioned to Mr. Joyce before the
10 meeting, I know he requested input, but I
11 need another day or two I'll have some
12 recommendations for you for the budget,
13 mainly consisting of a lot of the cuts that
14 I would like to see made, and I definitely
15 think that council as a whole needs to get
16 together and discuss what our priorities
17 are, whether it be restoring positions or
18 reducing the tax increase, because I want to
19 see the firefighters put back in the budget
20 more than anyone.

21 My greatest fear is that council
22 would make cuts in other areas, put the
23 police and fire positions back in that
24 should be in the budget, and then the mayor
25 goes and eliminates those positions anyways.

1 I would hate to see that happen. The tax
2 increase, again, that's hurting everyone,
3 the cuts in public safety, so I definitely
4 think all of five of us need to get together
5 and, you know, making the cuts is the easy
6 part, at least for me, it's figuring out
7 where we want to put that money is where it
8 becomes a challenge.

9 And finally, I would just hope that
10 once everyone does submit their suggestions
11 to Mr. Joyce, and I know you did a great
12 presentation last time, I just hope we all
13 get the final document a couple of days in
14 advance so everyone can read it over and,
15 you know, if we work together we can make
16 this not hurt as much for the people in the
17 city.

18 And as far as PEL goes I agree with
19 what many of the speakers have said and what
20 many council members have said they are
21 useless. We should throw them out of the
22 city. They haven't done anything for us.
23 We are in much worse shape now than we were
24 when they got here, and that's all I have
25 for tonight.

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

4 MR. LOSCOMBE: Yes, just a couple of
5 things. I have been stopped by a few people
6 on the street that said I appeared quite
7 agitated last week in the meeting regarding
8 the fire department cuts and my response to
9 them was they haven't seen anything yet if
10 we have a fatality in this city. I wasn't
11 even near agitated. Trust me.

12 Just like I said last week, those
13 that are responsible will be held
14 accountable, but I would like to apologize
15 to all the taxpayers for the condition of
16 our city right now, and I'm not apologizing
17 on behalf of us sitting up here, I'm
18 apologizing for the last ten years. The
19 reason why we are in this position, you
20 know, and we have heard speakers at the
21 podium, we have had other reports, and part
22 of the big problem has been over the last
23 ten years has been abuse of power,
24 misconduct and also the abuse of power of
25 the printed press. They have sort have been

1 an accomplice to what's going on here in the
2 last 10 years, more specifically, the
3 Scranton Times. They have covered every
4 issue that has been presented to them that
5 would be negative to this administration, so
6 they are just as accountable as anyone for
7 the condition of this city.

8 You know, we have been -- this
9 council this year has been handed a daunting
10 task with this budget. We have been here
11 two years, the mayor has been here for ten,
12 never anything put aside for contingencies.
13 I'd like to know where all of the spending
14 has gone because the fire and police budgets
15 for ten years up until this ruling have been
16 flat lined. There has about been no
17 increase on their end.

18 Something is wrong here and someone
19 called for an investigation before, I hear
20 that from everyone, and I would certainly
21 hope that there is an investigation going
22 on. I mean, the Court system here is being
23 investigated, the Court system in Luzerne
24 County while things are going on blatantly
25 right here in city hall on a daily basis,

1 and I'm not afraid to say that because
2 everybody is aware of what's going on, and
3 they don't seem to give a damn. I would
4 definitely hope anyone that has any
5 evidence, as I stated before, anybody that
6 has done anything, used their abuse of power
7 or favors to certain people we have had, in
8 fact, that DPW incident I got it from a good
9 source it wasn't one time, it was three
10 times that truck was taken to Dunmore. But,
11 you know, apparently, we didn't get a slap
12 on the hand on that either.

13 Now I understand that the fire chief
14 is, you know, going without permits. And
15 again, like Mr. Dockley said before, I
16 worked with Chief Davis on the fire
17 department, he was a good firefighter, a
18 very good firefighter, but, you know, to
19 stand idly by and let your department get
20 decimated like this I don't know. I don't
21 know what they are thinking.

22 But, you know, not only have we had
23 abuse of power and misconducts, we also have
24 the authorities that are out of control,
25 they become employment agencies and, you

1 know, and the pay scale has been pretty high
2 at those departments, too. They have been
3 used to bank roll this administration
4 whenever they needed a loan for something.
5 All this debt is not even included in the
6 debt we are being shown in the budget, and
7 again, without an audit we still don't know
8 where we are at.

9 Two years ago, our first year as the
10 supermajority, we tried to amend the budget,
11 save over \$700,000. That was thrown out by
12 Judge Mazzone as stating that it would
13 effect the health, safety and welfare of the
14 people of this city. Again, I ask how would
15 that effect the health, safety and welfare
16 of the people of this city and not the
17 police and fire cuts? I would certainly
18 hope that that's looked into a little bit
19 deeper.

20 We have provided revenue initiatives
21 for the last budget year, and again, the
22 administration ignored every revenue
23 initiative that we put in that budget. Our
24 budget was sabotaged from day one. We have
25 a man sitting downstairs that's the head of

1 this city watching us spiral down and the
2 only thing he can do, his only excuse is to
3 blame the unions and to blame city council.
4 Blame the unions, blame city council. He
5 hasn't taken one ounce of ownership for the
6 conditions we are in, and that's the most
7 frustrating part.

8 And as Mrs. Evans said, we have been
9 open to discuss things with the mayor, but
10 we are not going to do it in a back room
11 because that's not the way we operate. We
12 operate in the light and if he wants to come
13 here and sit down with us the door is always
14 open. Instead of driving down to
15 Wilkes-Barre, he just has to come up one
16 flight of steps and we'll meet with him at
17 any time, but it's going to be open and it's
18 going to be in the light because we have
19 nothing to hide. Obviously, they must. We
20 don't have an audit yet and they will not
21 meet with us.

22 Again, Mrs. Evans stated that we
23 have a lot of reasons why we are in these
24 problems, but you never read about it. I
25 mean, we have the nonprofits who in the

1 prior plan the mayor was told to go
2 aggressively after the nonprofits. That's
3 not written in this new plan, and because he
4 didn't do it Ms. Evans and myself started
5 the ball rolling and the rest of our council
6 people had gone to different institutions
7 and what do we get for it? Just about
8 nothing.

9 I understand one of the colleges now
10 is going to be employing one of our other
11 people that's leaving the Sewer Authority,
12 so now I think every college in the city is
13 covered with former city employees or board
14 of director members or whatever they have,
15 board of directors on them that have
16 contacts, you know? I mean, is this done
17 purposely so they are not approached?

18 We have to go after them more
19 aggressively. We have to ask him to give
20 their fair share. I don't know how they can
21 market their schools in a city that's this
22 distressed. They have to help. A lot of
23 these schools have for profit businesses
24 right in them. You have an apartment house
25 next door to one of their dorms, you are

1 paying the taxes on those apartments and
2 they are not.

3 Let's get with it. Fair is fair.
4 We are not going to sit here and read the
5 paper and hear on the news week after week
6 it's council's faults, it's the union's
7 fault, and we keep saying I have heard,
8 well, don't use the blame game. Ladies and
9 gentlemen, all we have done was try to cut
10 the fat, try to keep your safety. That's
11 your first priority. You deserve it with
12 your taxes that are you paying. Now do you
13 think you deserve to pay a lot more taxes
14 for less services? There is no reason we
15 should be in this position.

16 Again, this didn't happen in the
17 last two years, it happened over ten years
18 and I don't think if we didn't take the
19 purse strings over the last few years how
20 much deeper we would be in right now. We
21 don't get active responses when we ask
22 questions. We have to request Right-to-Know
23 and we still don't get the responses. Now,
24 let's be open. Mr. McGoff touted we have to
25 work together and the administration keeps

1 pulling this stuff.

2 Now, I know a lot of people don't
3 watch this, but those who do pass it onto
4 your friends and neighbors what the reality
5 is here. I think we have take over city
6 hall. That group that was here before they
7 should occupy city hall. Maybe then
8 somebody would wake up. I mean, it's just
9 crazy, but we have a public hearing next
10 week I believe it's on the budget?

11 MS. EVANS: Yeah, I'll announce that
12 under motions.

13 MR. LOSCOMBE: But what I would like
14 to do personally is request that the mayor,
15 the business administrator and the fire
16 chief, attend that public hearing and
17 explain to us and the public how they plan
18 on protecting their safety with the
19 cutbacks. They were put in those positions,
20 those positions have a lot of authority,
21 they have to respond to the people they
22 represent.

23 I mean, even like when we spoke
24 about nonprofits, the University, they
25 couldn't -- they gave us a measly increase.

1 At the same time there was a house right up
2 the street from them on the court that was
3 only purchased, it was purchased in 2006,
4 \$27,000, not another penny put into it, you
5 know what the university purchased it for in
6 2010? \$505,000. Now does that seem right?
7 In a court yet. I wish I could get that
8 kind of profit on my real estate, but they
9 are willing to buy up taxable properties and
10 they don't care what they are spending on
11 it, that's off the tax rolls now. They gave
12 them 500 and some thousand dollars and we
13 can't get \$150,000. I'm sorry, \$185,000,
14 our increase was what, \$60,000. That's just
15 one example.

16 But I would certainly hope that
17 there isn't an investigation going on in
18 this city. If not, I will have no faith in
19 the legal system whatsoever.

20 Another thing that we had requested
21 from the beginning of last year was an RFP
22 for our insurance coverages. Come January 1
23 this city is going to be totally uninsured
24 because we issued a letter to Mrs.
25 Novembrino last year not to pay it,

1 apparently it was paid for the full year, we
2 only authorized it for six months, but as
3 far as I know that's still stands and if it
4 doesn't I would ask that my fellow council
5 people amend that or agree with it that that
6 would still stand or send a letter to Mrs.
7 Novembrino, but we need an RFP on our
8 insurance companies. They have had plenty
9 of opportunity to know about it, they have
10 had plenty of requests, and we still don't
11 have an RFP for our insurance coverages.

12 And lastly, I would like to make a
13 motion authorizing the council solicitor to
14 take an appeal of Arbitrator McNeal's
15 decision in a matter of grievance filed by
16 the International Association of Machinists
17 and Aerospace Workers, Local Lodge 2462,
18 regarding the unilateral elimination of
19 bargaining unit positions.

20 MS. EVANS: A motion has been made
21 for the council solicitor TO take an appeal
22 of Arbitrator McNeal's decision in the
23 matter of a grievance filed by the IAM Local
24 2462 regarding the elimination of bargaining
25 unit positions. Is there a second?

1 MR. JOYCE: Second.

2 MS. EVANS: On the question?

3 MR. MCGOFF: Could someone please
4 explain?

5 MR. LOSCOMBE: Well, on the
6 question, basically an arbitrator has ruled
7 that the city can remove our executive
8 assistant, Ms. Carrera, from our office, and
9 our confidential secretary, Jamie, and this
10 was done unilaterally. City council was not
11 a party to this arbitration.

12 MR. MCGOFF: Who filed the
13 grievance?

14 MR. LOSCOMBE: I don't have a copy
15 of the grievance, I just have the decision.

16 MR. HUGHES: The grievance was filed
17 by the union against the City of Scranton.

18 MS. EVANS: And I think, as
19 Mr. Loscombe was saying, Scranton City
20 Council was not a party to the proceeding,
21 which is wrong, and if anyone were to check
22 in the Home Rule Charter as well as the
23 Administrative Code, council is given the
24 Authority to hire and fire it's employees.

25 Further, there is also a Court case,

1 this situation went to Court years ago Judge
2 Harhut ruled on just this type of situation
3 in favor of city council and it's ability to
4 hire and fire, and so I am asking or I had
5 asked our council solicitor to pursue legal
6 action against the union so that city
7 council can remain and retain it's rights.

8 MR. ROGAN: I would just say this, I
9 agree with the motion. I don't like voting
10 for things that I see for the first time the
11 day we are voting on it, but I do agree that
12 council staff should be at will positions by
13 council. We were lucky enough to have Ms.
14 Carrera and Ms. Marciano come in and they do
15 a great job and, you know, they came in as
16 union positions, they were retained by
17 council, I think there is not one of up here
18 that can say that our whole staff they do a
19 great job. And, you know, I think the union
20 is just trying to handle power, but I know
21 the Times try to paint council as
22 pro-unions, but it's not always the case.
23 It's just what right is right and this time
24 the union is wrong.

25 MS. EVANS: And I should probably

1 add this, Councilman Rogan, city council was
2 never informed about this arbitration. We
3 were never asked to be present at the
4 hearing, I believe the only individual who
5 represented the city at this hearing would
6 have been Business Administrator Ryan
7 McGowan, who certainly does not speak for
8 Scranton City Council. I am appalled by the
9 fact that all of this could transpire
10 without our knowledge, without having been
11 informed by the IAM Local 2462 until after
12 the decision arrived, and because the clock
13 is ticking on this issue I had asked our
14 attorney to look into it and to respond
15 accordingly.

16 MR. MCGOFF: So just so -- these are
17 the two positions that were removed from the
18 bargaining unit --

19 MS. EVANS: Um-hum.

20 MR. MCGOFF: -- two years ago?

21 MS. EVANS: A year ago.

22 MR. MCGOFF: A year ago. When was
23 the grievance filed?

24 MS. EVANS: I don't even know. I
25 have never even received.

1 MR. HUGHES: That's the question.
2 No one knows when it was filed, no one knows
3 who was served. It was never submitted to
4 council. Council did not have any knowledge
5 of it until after the arbitrator's decision.
6 Not only that, but the solicitor's office
7 did not defend it, the president of the IAM
8 works for Mr. McGowan's office, Mr. McGowan
9 is not an attorney and he appeared solely at
10 the arbitration proceeding, and as a result
11 nobody knows what happened. The appeal will
12 be filed tomorrow by noon.

13 MS. EVANS: Is there anyone else.

14 MR. HUGHES: If I'm authorized.

15 MR. DOCKLEY: Is it possible I have
16 a little --

17 MS. EVANS: I'm sorry, no, we can't.

18 MR. DOCKLEY: Next week?

19 MS. EVANS: Next week. Is there
20 anyone else on the question? All those in
21 favor signify by saying aye.

22 MR. MCGOFF: Aye.

23 MR. ROGAN: Aye.

24 MR. LOSCOMBE: Aye.

25 MR. JOYCE: Aye.

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

3 MR. LOSCOMBE: And that's all I have
4 this evening.

5 MS. EVANS: Thank you, Councilman
6 Loscombe. So, Solicitor Hughes, you are
7 indeed authorized to file that petition
8 first thing tomorrow morning in Lackawanna
9 County Court.

10 MR. HUGHES: It will be filed by
11 noon, not first thing in the morning.

12 MS. EVANS: Very good. As long as
13 it is done tomorrow.

14 MR. HUGHES: If I don't sleep
15 tonight maybe I could do it first thing in
16 the morning.

17 MS. EVANS: Councilman Joyce, do you
18 have any comments or motions tonight?

19 MR. JOYCE: Yes, I do. In the 2012
20 operating budget there has been a great deal
21 of focus placed on raises and police and
22 fire unions as being the rationale for the
23 layoffs and tax increases. While members of
24 the police and fire unions are receiving
25 raises as mandated by the Supreme Court,

1 other unions are also receiving raises, not
2 just the police and fire, such as the
3 Department of Public Works. While there are
4 raises for very various union members, there
5 are also additional costs that the city is
6 obligated to pay. A great deal of these
7 costs stem from the Scranton Parking
8 Authority and the Redevelopment Authority.

9 Now, just to provide everyone with a
10 quick background on the authorities,
11 municipal authorities are separate
12 government entities whose board members are
13 appointed by the mayor. Authorities
14 generally only handle a specific function.
15 For instance, the Scranton Sewer Authority
16 handles sewer operations. Though the
17 authorities do not have the power to tax
18 residents per se, they do have the power to
19 increase rates as they see appropriate.

20 Though municipal authorities operate
21 independently of the municipality, the city
22 is obligated to guarantee their debt
23 obligations.

24 In regard to the Redevelopment
25 Authority, before this council was even in

1 place he city sold delinquent taxes to the
2 SRA, which is the Scranton Redevelopment
3 Authority who in turn took out a loan on
4 these delinquent taxes. Unfortunately, the
5 loan was essentially taken out assuming that
6 the delinquent taxes sold would be realized
7 at over a 90 percent collection rate.

8 As you may or may not know, this was
9 not the case and the Redevelopment Authority
10 defaulted on the loan that was taken out.
11 The amount of money that the city owes on
12 this loan is \$1.6 million, which is an
13 additional expenditure in the 2012 budget
14 since the city is obligated to pay for it
15 the authority's poor judgment.

16 In addition to this, after receipt
17 of the Scranton Parking Authority's budget,
18 it's also evident that they will have a
19 deficit that will hold us back. City
20 council received a budget from the Scranton
21 Parking Authority that projects a realized
22 \$3.1 million in revenue from parking garage
23 and other operations. Unfortunately, for
24 debt service payments on loans that they
25 took out to fund the construction of the

1 parking garages as well as other structures
2 in the past is nearly \$3.7 million for 2012.

3 With this being said, the Parking
4 Authority is projected to be \$600,000 in the
5 whole before even paying it's employees.
6 When adding the cost of the employee
7 expenditures associated with operating the
8 Parking Authority, the estimate is about a
9 million dollars as indicated by the SPA's
10 budget.

11 With this being said, the Parking
12 Authority is projected to have a \$1.6
13 million deficit in 2012 that the city will
14 also be obligated to pay.

15 When one adds the cost of the
16 default of the loan from the SRA with the
17 projected deficit of the Parking Authority,
18 the total amount that the city will be
19 obligated to pay is \$3.2 million. The \$3.2
20 million amount is roughly equivalent to the
21 amount of Mayor Doherty's projected tax
22 increase.

23 With this in mind, it's evident that
24 the board members that Mayor Doherty put in
25 place in the Parking Authority and the SRA

1 provide suggestions that they had in regard
2 to the budget, I realize that there is some
3 questions that I had followed up on and in
4 particular in regard to health insurance, I
5 am asking all council members to provide me
6 with their suggestions next week.

7 And to conclude tonight, council is
8 still in the process of reviewing the budget
9 line item by line item, questioning
10 expenditures when appropriate, and working
11 to soften the blow that the Doherty tax
12 increase will impose on taxpayers.

13 For the sake of the brevity, I have
14 a couple of citizens' requests that I am not
15 going to read aloud tonight, however, please
16 be assured if you e-mailed me or sent me a
17 request about an issue in your neighborhood
18 or any other matter that I would be handling
19 that with the appropriate party, and that's
20 all.

21 MS. EVANS: Thank you, Councilman
22 Joyce. Good evening. I apologize for my
23 late arrival to tonight's meeting. I was
24 attending the public hearing regarding the
25 closing of the Stafford Avenue Mail

1 Processing and Distribution Center. It is
2 our hope that Scranton would not lose yet
3 another business and source of tax revenue,
4 employees would not lose their jobs and
5 Scrantonians would not incur decreased and
6 delayed services from the US Postal Service.

7 As all are aware, the mayor's
8 proposed budget includes a 29 percent tax
9 increase, the elimination of 29 fire
10 department positions, and the lease of the
11 parking meters to the Scranton Parking
12 Authority for 15 years for an upfront
13 payment to cover the 2011 Doherty deficit,
14 among numerous other items.

15 Ladies and gentlemen, let me assure
16 you that city council is working hard to
17 reduce the mayor's 29 percent tax increase.
18 His significant increase was revealed almost
19 immediately after a 38 percent increase was
20 unveiled by the county and it could be
21 followed by Scranton School District tax
22 hike.

23 I do understand the financial
24 hardships inflicted on Scranton taxpayers.
25 Unlike other county residents, Scrantonians

1 have received a one-two punch and a knockout
2 could soon arrive from the school district.
3 I know that more than half of you cannot
4 survive these tax increases because your
5 incomes simply did not provide enough
6 dollars. Therefore, city council will make
7 every effort to lessen the blow and decrease
8 a burdensome 29 percent city property tax.

9 Unfortunately, although, it has
10 received numerous requests from residents to
11 save jobs, city council's hands are tied
12 concerning the elimination of the 29 fire
13 department positions because the Court ruled
14 in 2011 that the mayor has the right to cut
15 them. Even if city council were able to
16 restore some of the positions in the budget,
17 there is nothing to prevent the mayor from
18 cutting them once again in January. This
19 decision lies with the mayor.

20 If you are opposed to losing 29
21 firefighters, 70 percent of your fire
22 protection, and more than half of your
23 neighborhood fire stations, you need to call
24 the mayor, visit his office, send an e-mail
25 or a write him a letter. Also, if you are

1 opposed to the mayor's 29 percent tax hike,
2 you should voice your opposition in these
3 same ways.

4 In addition, Scranton City Council
5 will not approve the sale of parking meters
6 nor will it approve the lease of parking
7 meters to the Scranton Parking Authority for
8 15 years. City council presented a plan to
9 the lenders and the public to borrow \$6
10 million and use annual parking meter and
11 ticket revenue to repay that borrowing.

12 Since the city administration did
13 not complete and submit the 2010 audit and
14 various other significant financials
15 requested by the banking community, the
16 administration has been unable to attract
17 bids for 2012 tax anticipation notes and to
18 arrange borrowing to fill the 2011 deficit.

19 As a result, I discussed unfunded
20 debt borrowing with Solicitor Hughes
21 recently, and he drafted an ordinance for
22 placement on tonight's agenda for
23 introduction. At this time I will defer to
24 Solicitor Hughes for his comments.

25 MR. HUGHES: Thank you, Madam

1 President. I received a fax -- my office
2 received a fax last week when I was on
3 vacation regarding a proposed ordinance to
4 borrow unfunded debt in the amount of \$6.7
5 million. When I got back into my office on
6 the 11th I saw it, I reviewed it, I
7 discussed it with you. And, first of all,
8 the manner in which was done was done by a
9 resolution. In accordance with Article
10 302-7 of the Home Rule Charter it must be by
11 ordinance, so the legislation as submitted
12 was not properly drafted.

13 We reviewed it and I redrafted it as
14 an ordinance and I put in a new section two
15 because there is nothing in the cover letter
16 that came up from Ryan McGowan, actually it
17 went to President Evans with a copy to me,
18 there was nothing in there as to how the
19 funds were be distributed and how they were
20 going to be used. We stated a long time ago
21 that the \$6.7 million dollars comes from two
22 areas, one is the fact that the city right
23 now cannot pay Fidelity the \$5 tax
24 anticipation note that's due the end of the
25 year because the \$5 million was really a

1 deficit last year which was camouflaged by
2 not paying that at the end of the year when
3 it was due and taking \$5 million of this
4 year's tax anticipation note and in early
5 January paying back Fidelity with the
6 funds -- with the TAN funds for last year's
7 TAN. That automatically put the city in a
8 \$5 million whole this year.

9 In order to use this year's tax
10 anticipation notes to pay off last year's
11 tax anticipation note, it's a violation of
12 the Unit Debt Act, it was a violation of the
13 ordinance passed by council, it was an
14 unauthorized act, it was totally unwarranted
15 and it was used to cover up last year's \$5
16 million deficit which put us the city in a
17 \$5 million deficit this year.

18 What I would propose is that this
19 year with any -- assuming the city gets the
20 TAN, that the legislation be forwarded to
21 Mrs. Novembrino so that she will know that
22 any tax anticipation note for this year that
23 is not paid cannot be used to be paid with
24 next year's funds with the 2012 budget.

25 The next area that the \$6.1 million

1 comes from is the fact that council for the
2 first time in I believe it was June I was
3 notified by Attorney Mike Winfield of Signon
4 and Rhoades in Harrisburg about the fact
5 that the city was in default -- or actually,
6 the Redevelopment Authority was in default
7 of a loan on the sale -- on what was termed
8 the sale and was structured to look like a
9 sale of the 2004, five and six delinquent
10 real estate taxes by the city to the
11 Redevelopment Authority using those
12 delinquent real estate taxes which had gone
13 to approximately \$2.1 million, using them to
14 borrow from Pennstar Bank. Pennstar Bank
15 used -- lent the Redevelopment Authority 90
16 percent of the delinquent real estate taxes
17 for the years 2004, five and six, which is
18 an absurdly high amount to loan on
19 delinquent real estate taxes, but to
20 complicate matters they ended up also
21 increasing the loan. There were about
22 \$186,000 of fees involved with the
23 Redevelopment Authority to various agencies
24 in underwriting that loan, which amounted to
25 about 98 percent financings.

1 This was a default from the day that
2 the documents were signed. There was no way
3 it could be paid. It was due to be paid his
4 year by December 15. It was not put in last
5 year's budget and as a result the money is
6 not available. Litigation has been
7 instituted by Pennstar Bank against the city
8 and there is no way to pay that. There is
9 an amount outstanding of about \$1.6 million.

10 It would appear that the \$6.7
11 million loan which the city would -- the
12 council would authorize the borrowing by
13 this ordinance, would be used to pay those
14 two items. However, there is nothing in the
15 use of the funds in any of the cover letters
16 sent by Mr. McGowan or in the legislation.
17 As a result, I drafted a new paragraph two
18 in the -- that's been placed into the
19 ordinance and it states that the funds,
20 which is the \$6.7 million, shall only be
21 used by the city to pay for 2011 operating
22 expenses and payments required to be made on
23 the city's outstanding indebtedness as set
24 forth in the city's 2011 budget, and the
25 funds cannot be used for any other purpose

1 without additional legislation approved by
2 council.

3 In addition to that, in order to try
4 to get this thing a little bit tighter, I
5 wrote to Attorney Kelly on November 21, I
6 submitted to him the ordinance, I told him
7 that I welcome his comments, that we would
8 place this on the agenda tonight and that it
9 would have it's first reading, that it is
10 possible that council could suspend the
11 rules next week in order to adopt it in two
12 sessions, however, I stated that, "As you
13 are undoubtedly aware, the 2000 --"

14 No, I said that, "I must request in
15 order for council to suspend the rules to
16 have the ordinance adopted at it's November
17 29, 2011, meeting that Ryan McGowan, the
18 business administrator, submit a detailed
19 list of the names and amounts of how the
20 funds of \$6.7 million would be dispersed to
21 pay for current operating expenses and
22 outstanding indebtedness."

23 In the event that's not received
24 next week, it would be my recommendation
25 that council does not suspend the rules. It

1 should be received the week after so that
2 before council adopts the legislation that
3 you know exactly what the use of the funds
4 are going to be. In the event they are used
5 to pay the Fidelity loans then at least the
6 money that would be available would then be
7 used to pay unpaid bills for this year.

8 I also stated, "As you are
9 undoubtedly aware, the 2010 audit for the
10 City of Scranton, which was to be completed
11 prior to May 31, 2011, and to be published
12 in a local newspaper by May 31 of each year
13 pursuant Section 313 of the Home Rule
14 Charter, Robert Rossi & Company has been
15 able to complete the 2010 audit which is now
16 six months past due even though he has made
17 repetitive requests for the over the last 10
18 months to various department heads for
19 required information necessary to complete
20 the audit. I do not see how the Court of
21 Common Pleas can approve the petition for
22 permission to fund unfunded debt without an
23 audit being completed. Even if the petition
24 is approved, I do not see how any lending
25 institution would lend the city up to \$6.7

1 million to fund unfunded debt without the
2 2010 audit being completed."

3 As a result, with this and knowing
4 that at least to get it on the agenda it
5 would be my recommendation that the
6 ordinance, I think it's "G" tonight, 5-G,
7 that that would be passed and have it's
8 first reading tonight, and that hopefully by
9 next week Mr. McGowan will submit how these
10 funds are exacted to be used and what bills
11 are be to paid, and in the event it's not
12 received by next week it would be my
13 recommendation that the rules not be
14 suspended and that hopefully two weeks
15 tonight that the use of the funds will be
16 submitted to council so that we will have an
17 idea as to exactly how this money, if the
18 Court approves the borrowing, and then
19 secondly, if they can even borrow from a
20 lending institution without the audit or
21 hopefully the audit will be completed by
22 then, that how those funds will be spent so
23 it's just not a cart blanch check for \$6.7
24 million.

25 MS. EVANS: And thank you very much,

1 Solicitor Hughes. First, I wanted to make
2 clear one thing though, when the legislation
3 was faxed to Attorney Hughes' office during
4 that period of time in which he was on
5 vacation, I understand because to this
6 moment I have never seen this legislation,
7 that the cover letter was addressed to me.
8 Well, that letter and the legislation was
9 never sent to me nor was it ever sent to the
10 Office of Scranton City Council. It was for
11 whatever reason faxed to Attorney Hughes and
12 that was unbeknownst to myself or to any
13 member of the city council.

14 In summary, council's solicitor
15 corrected the legislation sent to him by the
16 administration and inserted language so that
17 the proceeds of the borrowing shall only be
18 used to pay for the 2011 TAN series and
19 other 2011 expenses. It will not, and I
20 repeat, it will not be used for the lease of
21 parking meters.

22 Further, Scranton City Council
23 requests a written list of any and all 2011
24 expenses to be paid with the proceeds of the
25 \$6.7 million borrowing for unfunded debt on

1 or before November 28, 2011, in order to
2 proceed with the final vote on the
3 legislation on November 29, 2011.

4 Mrs. Krake, please hand deliver this
5 request to the mayor and the BA tomorrow
6 morning.

7 Also, Mr. Scopelliti, executive
8 director of the Scranton Parking Authority
9 failed to respond to a request for financial
10 information on or before November 15, 2011,
11 and submitted to him on October 27, 2011, by
12 Council Solicitor Boyd Hughes. Because
13 Mr. Scopelliti never responded and refused
14 to provide financial documents, city council
15 will be forced to make decisions regarding
16 the SPA budget regardless.

17 Further, city council never received
18 a responses from business administrator Ryan
19 McGowan and Mr. Scopelliti regarding the
20 monies paid by the CMC Hospital for bagged
21 parking meters and parking permits is that
22 owed to the City of Scranton, but may have
23 been paid instead to the Scranton Parking
24 Authority.

25 The SPA's total lack of transparency

1 and apparent confiscation of monies due to
2 the City of Scranton are yet further
3 justification for the city to retain it's
4 own meters and revenue and to proceed with
5 an appraisal and request for proposal for
6 the sale or lease of parking garages.

7 Also, in early 2011 Mayor Doherty
8 stated for the record more than once in the
9 Scranton Times that he would place the
10 city's insurances for a broker of record out
11 for bid at the end of the 2011. And,
12 Councilman Loscombe, I think our minds are
13 certainly thinking alike lately. The clock
14 is winding down and the mayor has not
15 addressed this important issue and has sent
16 no legislation to council. This issue must
17 be taken care of immediately. Council will
18 not entertain legislation for the status quo
19 again in 2012 particularly since some city
20 insurance coverages are incorrect. The
21 mayor must keep his word or the city will be
22 without insurance in 2012.

23 Next, according to documents
24 provided by HUD, Scranton spending of
25 federal money that is deemed ineligible

1 requires repayment by the city. The annual
2 city CDBG allotment is not reduced in order
3 to make repayment.

4 Therefore, Mrs. Krake, city council
5 wishes to send a letter to Mayor Doherty and
6 Business Administrator McGowan asking if the
7 mayor's proposed to 2012 budget contains
8 funding for repayment of ineligible use of
9 HUD monies in the Office of Economic and
10 Community Development. If so, provide the
11 account number, line item and page number of
12 the 2012 proposed budget for this
13 appropriation. If no funding has been
14 appropriated, please send a revised budget
15 to city council which includes these
16 necessary changes.

17 Much work is ongoing and will
18 continue until the 2012 operating budget of
19 the City of Scranton is legally and lawfully
20 adopted by council. Mayor Doherty has
21 chosen to address the Supreme Court decision
22 through additional borrowing in 2012 and has
23 not included this matter in his budget.
24 Mayor Doherty has cut 29 firefighters and
25 closed neighborhood fire stations. Mayor

1 Doherty wants a 29 percent property tax
2 increase, among other tax increases.

3 As a part-time legislative body,
4 city council is making every effort within
5 it's scope of authority to help you, the
6 taxpayers. A public hearing regarding the
7 mayor's proposed budget will be conducted
8 next Tuesday, November 29, 2011, at 5:30
9 p.m., in city council chambers.

10 In addition, a public hearing on the
11 \$6.7 million in 2011 borrowing will be
12 scheduled in the near future. Please check
13 the newspaper's legal advertisement for the
14 starting time and date.

15 Scranton City Council will hear from
16 people of the Scranton and thereafter make
17 it's final amendments to the mayor's budget.

18 Now, I'd like to just weigh in since
19 I understand even throughout my absence this
20 evening that the Recovery Plan or the
21 revised Recovery Plan has been a topic of
22 discussion as tonight's meeting, and I do
23 have a few comments regarding the Recovery
24 Plan. The arrival of the plan came as a
25 surprise shortly after the announcements of

1 the Supreme Court decision regarding Act 111
2 and Act 47. Mr. Cross of the Pennsylvania
3 Economy league went on record in the
4 Scranton Times stating that because of this
5 Supreme Court decision PEL would not
6 complete and submit it's plan until sometime
7 in 2012. Arriving on heels of the mayor's
8 2012 budget, places this plan in an
9 increasingly questionable light particularly
10 since it's proposed 42 percent tax hike
11 seems to make the mayor's 29 percent appear
12 more reasonable than it is.

13 I received the 110 page plan just as
14 I walked in this evening and I will need
15 significant time to read and carefully exam
16 all 110 pages of it's provisions before I
17 can reach any conclusions.

18 City council is engaged obviously in
19 more pressing and critical matters such as
20 the 2012 operating budget and 2011 borrowing
21 at this time and will not deliberate on the
22 Recovery Plan until sometime in the new
23 year. We will address one issue one crises
24 at a time.

25 Now, PEL has amassed a nearly

1 20-year record of the failed leadership.
2 Together with DCED, it has lead Scranton
3 down a path to the deepest level of distress
4 and destruction in it's history. Some of
5 it's recommendations throughout the years
6 have been faulty and it has allowed the
7 mayor to violate the plan in numerous
8 instances.

9 Further, this plan is not legally
10 adopted. As a result, it's merely
11 supplementary material at this point in
12 time. PEL will have to revisit it's newly
13 presented revisions in 2012 following the
14 adoption of the 2012 budget and the
15 financial resolution to the Supreme Court
16 awards to police and fire and only then will
17 council consider PEL's Recovery Plan.

18 Most of all, I am amazed by the
19 arrogance of PEL and DCED. As I said
20 earlier, they lead Scranton down the path to
21 financial destruction in the Supreme Court
22 of Pennsylvania and what is their solution
23 now? They're handing the taxpayers of
24 Scranton a bag of bills they actively helped
25 to create to the tune of a 42 percent tax

1 hike today and overall a 70 percent tax
2 increase. This is unacceptable, and just as
3 PEL and DCED say they won't share these
4 costs, as president of Scranton City Council
5 I am saying that the people of Scranton will
6 not share in these devastating taxes
7 increases.

8 I will never give my approval to
9 this plan as it stands. My advice to PEL is
10 to go back to the drawing board and create a
11 plan that truly addresses the needs of our
12 city, not a piecemeal plan that has been
13 thrown together very rapidly using portions
14 of other distressed city's plans. I see
15 much of Harrisburg as I peruse this tonight.
16 Some of the I think numbers included in
17 there with regard to perhaps it was to even
18 our fire department are not correct for our
19 fire department, they apply to the
20 Harrisburg fire department.

21 Now, each city is unique and one
22 size doesn't fit all. Get to work and use
23 independent CPA's to develop the financials
24 instead of accepting the convoluted numbers
25 submitted by this administration.

1 Finally, I would like to wish
2 everyone a very blessed and happy
3 Thanksgiving, and that's it.

4 MR. HUGHES: Madam President, if I
5 could just on the Scranton Parking
6 Authority?

7 MS. EVANS: Yes, please.

8 MR. HUGHES: I wrote a letter to
9 Mr. Scopelliti on October 27, it was
10 probably about three pages long requesting
11 detailed information regarding the bond
12 issues, the reason I wrote that was in
13 anticipation of the budget coming up, but
14 also we received documentation that they
15 were demanding it was going to \$1.6 million
16 shortfall and that would be put in the
17 budget this year, I mean, for the city's
18 budget next year.

19 Prior to that I had done, it took me
20 a long time to trace down the trustee which
21 was Bank of the New York Mellon, the
22 Philadelphia office, finally went through
23 various people, I did talk to, I forget the
24 lady's name right now who is in charge of
25 the Scranton -- the Scranton Parking

1 Authority. I told her what I requested, she
2 told me to put it in writing. I put it in
3 writing and the documentation I wanted was
4 all the trust agreements that were used to
5 float the public bond issues of the Scranton
6 Parking Authority, I requested every one of
7 them. A few days after that I got a reply
8 from her stating that they would not submit
9 them to me even though I stated that they
10 were public documents.

11 After I received that letter I wrote
12 to Mr. Scopelliti and I submitted to
13 council, I believe it was with your
14 correspondence, a copy of that letter. In
15 my October 27 letter to Mr. Scopelliti I
16 demanded that he submit a budget to council
17 on a line item by line item basis, for his
18 request for 2012 in comparison to 2010 and
19 to this day almost four weeks later
20 Mr. Scopelliti has not replied to my letter
21 and there is information in there which is
22 necessary for council to receive to make
23 informed decisions about funding the Parking
24 Authority or to provide any funding in issue
25 to the Parking Authority.

1 Authority instead of just what we lawyers
2 call a balled conclusion. You go from A to
3 Z without any supporting documentation to
4 say, hey, we are going to have a deficit of
5 \$1.6 million. Yeah, I believe in the Easter
6 bunny, too.

7 MR. LOSCOMBE: If I may add, they
8 didn't abide by the budget either.

9 MS. EVANS: No.

10 MR. LOSCOMBE: Position-wise last
11 year just like the administration. It seems
12 they all work together.

13 MS. EVANS: Well, clearly because
14 all of the boards are appointed by the
15 mayor.

16 MR. LOSCOMBE: Is it possible to
17 have a board appear at a caucus here?

18 MS. EVANS: We have requested in the
19 past for that the representatives of the
20 SRA, that Mr. Scopelliti of the Scranton
21 Parking Authority would come before council
22 for a public caucus, they have refused to do
23 so time and time again, and this again
24 points back to my remarks earlier about the
25 blatant lack of transparency at the Scranton

1 Parking Authority.

2 MR. LOSCOMBE: I was just wondering
3 if we could get the board members themselves
4 here and find out, you know, how they are
5 letting things go the way they are.

6 MS. EVANS: Well, you can certainly
7 ask.

8 MR. LOSCOMBE: I mean, that \$1.5
9 million if it's explained the way Mr. -- or
10 Attorney Hughes explained it, I would think
11 they should be liable to some point under
12 their directors and officer's policies. I
13 mean, if it was as blatant at that and
14 something that we can look into. But I
15 would like them to, you know, explain why
16 the Parking Authority is missing their
17 budget every year.

18 MS. EVANS: And perhaps at this time
19 we would be able to find out where the CMC
20 parking meter revenue is.

21 MR. HUGHES: I don't want to take up
22 anymore time, but I had a trial in
23 Wilkes-Barre this week, I parked in the
24 Wilkes-Barre parking garage, I came out and
25 the lady, I give her my ticket and she

1 looked at me and she said, "Three dollars,"
2 and I said, "Three dollars?"

3 And she looked at me and she says,
4 "Yeah."

5 I said, "Well, how much is it to
6 park here?"

7 She says, "A dollar an hour."

8 I said, "It's \$3 for the first hour
9 in the Scranton Parking Authority Garage."

10 I said I believe that the city
11 should hire the Wilkes-Barre parking
12 Authority to come up and manage the Scranton
13 Parking Authority, but that's the rate in
14 Wilkes-Barre, it's a dollar an hour, I think
15 here in Scranton it's \$2.65 for the first
16 hour, it's \$3.50 and it keeps going up, but
17 the rates in Scranton are significantly
18 higher than the rates in Wilkes-Barre. I
19 think council should know that and so should
20 the public.

21 MS. EVANS: And it's never enough to
22 balance the budget annually at the Parking
23 Authority who has had to borrow every year
24 since they received that \$35 million bond
25 issue.

1 MR. LOSCOMBE: Not just to belabor
2 it, but I understand they are doing
3 extremely well down there with the
4 StreetSmart parking system and the meters.
5 Another missed opportunity for Scranton.

6 MS. EVANS: Mrs. Krake.

7 MS. KRAKE: 5-B. APPROPRIATING FUNDS
8 FOR THE EXPENSES OF THE CITY GOVERNMENT FOR
9 THE PERIOD COMMENCING ON THE FIRST DAY OF
10 JANUARY, 2012 TO AND INCLUDING DECEMBER 31,
11 2012 BY THE ADOPTION OF THE GENERAL CITY
12 OPERATING BUDGET FOR THE YEAR 2012.MS.

13 EVANS: At this time I'll entertain a motion
14 that Item 5-B be introduced into it's proper
15 committee.

16 MR. MCGOFF: So moved.

17 MR. JOYCE: Second.

18 MS. EVANS: On the question? I
19 think it's very clear that council must vote
20 "yes" to the introduction of this document
21 in order that council will then have the
22 ability to amend it. You can be assured
23 that the document will not stand in it's
24 current state.

25 MR. ROGAN: I would just add,

1 although we all know council will be
2 amending it, I will be voting "no" just as a
3 matter of conscience on this vote.

4 MS. EVANS: Well, I thank you for
5 that, I wish we could all do the same.

6 MR. ROGAN: I agree.

7 MS. EVANS: And I feel very strongly
8 that I should be able to say "no",
9 Mr. Loscombe, Mr. Joyce, Mr. McGoff if he
10 would like to, but in so doing we then stop
11 the budget process.

12 MR. ROGAN: And council could chose
13 their own budget at that point.

14 MS. EVANS: Basically, according to
15 the Home Rule Charter, the mayor must
16 present his budget, it has to be put before
17 council for it's approval, council has the
18 right to amend that budget. That budget,
19 including the council amendments is then
20 passed and the mayor has ten days in which
21 to veto. Should he veto, then council has
22 the opportunity to override the veto.

23 MR. ROGAN: I understand it's just a
24 procedural vote basically.

25 MS. EVANS: Right. Right. It's a

1 procedural vote. It is ugly, but necessary.
2 All those in favor signify by saying aye.

3 MR. MCGOFF: Aye.

4 MR. LOSCOMBE: Aye.

5 MR. JOYCE: Aye.

6 MS. EVANS: Aye. Opposed?

7 MR. ROGAN: No.

8 MS. EVANS: The ayes have it and so
9 moved.

10 MS. KRAKE: 5-C. ESTABLISHING A "NO
11 PARKING" ZONE ALONG THE WESTERLY SIDE OF THE
12 1300 BLOCK OF NORTH WASHINGTON AVENUE FROM
13 THE VEHICLE ENTRANCE OF THE LACKAWANNA
14 COUNTY PRISON TO THE VEHICLE EXIT FROM THE
15 LACKAWANNA COUNTY PRISON TO ALLOW FOR SIGHT
16 DISTANCE FOR VEHICULAR TRAFFIC ENTERING ONTO
17 THE 1300 BLOCK OF NORTH WASHINGTON AVENUE
18 FROM THE LACKAWANNA COUNTY PRISON.

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

22 MR. MCGOFF: So moved.

23 MR. JOYCE: Second.

24 MS. EVANS: On the question?

25 MR. ROGAN: Yes, on the question. I

1 don't know if people out there recall or my
2 colleagues recall about a year ago I was
3 contacted by residents of Cottage Avenue and
4 council sent multiple requests to the
5 administration asking for a "No Parking" on
6 one side of that road because the residents
7 on that road were fearful that in the event
8 of a fire a fire truck wouldn't be able to
9 move down that road. We received no
10 response from the administration.

11 I believe, again, as a matter of
12 principal why would the administration
13 choose to do the "No Parking" on one side of
14 the road for the prison, but not for the
15 residents of Cottage Avenue? There were
16 multiple letters sent, I talked to members
17 of the fire department, it would be
18 challenging to get a truck down that road
19 and, you know, I explained that at the time
20 and it was a very simple solution to make it
21 no parking on one side because the people on
22 that side of the road all had driveways.
23 The people on the other side of the road no
24 one had a driveway. People without
25 driveways would be able to park on the

1 street. People in the driveways would park
2 in their driveway. Again, the mayor
3 completely ignored council's request, so I'm
4 going to ignore the mayor's request and vote
5 "no".

6 MS. EVANS: What I would like to add
7 to that just quickly is that quite a number
8 of years ago I had made many requests
9 regarding two spaces at the corner of North
10 Washington Avenue and New York Street
11 because as one is traveling up New York
12 street to North Washington Avenue if you --
13 whether you are going to turn left, right or
14 proceed straight, the line of vision there
15 is almost nonexistent because cars are
16 parked right to the corner on both sides, so
17 you are literally taking your life in your
18 own hands trying to pull out on New York
19 Street either across from North Washington
20 to turn either way. To this day, that
21 request remains unanswered. And, as I said,
22 that was for merely two parking spaces.

23 Now I'm seeing that because I did
24 pass the county prison, even though this
25 legislation comes to us tonight, those "No

1 Parking" signs are already up.

2 MR. ROGAN: Yes.

3 MS. EVANS: They have been up for
4 quiet a while.

5 MR. ROGAN: That's what it says in
6 the chief's letter.

7 MS. EVANS: And they extend, I'm not
8 sure if it's the entire block or from the
9 drive-in for visitor parking, all the way
10 down to nearly the end of the block, but
11 this -- I mean, Mrs. Krake, did we receive
12 any requests or petitions from any city
13 residents requesting --

14 MS. KRAKE: No.

15 MS. EVANS: -- this legislation?

16 MR. LOSCOMBE: Mrs. Evans, I think I
17 can clear this up a little bit more.
18 Earlier I spoke about abuse of power, I'm
19 going to go out and a limb here and I
20 received it from a very reliable source that
21 the mayor was over at the prison visiting
22 one of his friends who was a correction's
23 officer over there and he almost had an
24 accident pulling out of the driveway, so
25 therefore, the signs were put up the next

1 day, and it just goes to show you what's
2 going on here. You now, those parking spots
3 are for the prison guards and for the
4 visitors there. The other side of the
5 street is all permit parking, so they have
6 no place to park. I could see them taking
7 one car, like, for clearance, but leave the
8 rest for parking. I mean, if that's the
9 case then every street should have half a
10 block of no parking, but this is just
11 another example of I am who I am. And
12 that's all I have to say.

13 MS. EVANS: Is there anyone else on
14 the question? All those in favor of
15 introduction signify by saying aye.

16 MR. MCGOFF: Aye.

17 MR. JOYCE: Aye.

18 MS. EVANS: Opposed? No.

19 MR. ROGAN: No.

20 MR. LOSCOMBE: No.

21 MS. EVANS: The nos have it and the
22 legislation dies. And, Mrs. Krake, I would
23 advise you to please send a letter to the
24 DPW notifying them that the legislation was
25 not passed and that the signs must be

1 removed.

2 MR. ROGAN: And also any residents
3 who are watching the meeting if they were
4 cited at those spots to challenge them
5 because they are not lawfully put up.

6 MS. EVANS: Correct. Thank you.

7 MS. KRAKE: 5-D. SALE OF TAX
8 DELINQUENT PROPERTY MORE COMMONLY KNOWN
9 AS NORTH CAMERON AVENUE, TAX MAP NO.
10 14408-060-040, SCRANTON, PENNSYLVANIA, TO
11 ROBERT J. GAHWILER AND ELOISE A. GAHWILER,
12 HIS WIFE, 526 NORTH CAMERON AVENUE,
13 SCRANTON, PENNSYLVANIA, 18504, FOR THE
14 CONSIDERATION OF \$5,000.00.

15 MS. EVANS: At this time I'll
16 entertain a motion that Item 5-D be
17 introduced into it's proper committee.

18 MR. ROGAN: So moved.

19 MR. JOYCE: Second.

20 MS. EVANS: On the question? All
21 those in favor of introduction signify by
22 saying aye.

23 MR. MCGOFF: Aye.

24 MR. ROGAN: Aye.

25 MR. LOSCOMBE: Aye.

1 MR. JOYCE: Aye.

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

4 MS. KRAKE: 5-E. ACCEPTING A ONE
5 HUNDRED FIFTY (\$150.00) DOLLAR CONTRIBUTION
6 FROM THE NEPA MINERS FOOTBALL ORGANIZATION
7 PRESENTED TO THE CITY OF SCRANTON FIRE
8 DEPARTMENT.

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

12 MR. ROGAN: So moved.

13 MR. JOYCE: Second.

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

17 MR. MCGOFF: Aye.

18 MR. ROGAN: Aye.

19 MR. LOSCOMBE: Aye.

20 MR. JOYCE: Aye.

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

23 MS. KRAKE: 5-F. APPOINTMENT OF GINA
24 E. MCANDREW, ESQUIRE, 1144 AMHERST STREET,
25 SCRANTON, PENNSYLVANIA, 18504 AS HUMAN

1 RESOURCE DIRECTOR EFFECTIVE NOVEMBER 1,
2 2011. MRS. MCANDREW WILL BE REPLACING LISA
3 MORAN, WHO RESIGNED.

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

7 MR. ROGAN: So moved.

8 MR. JOYCE: Second.

9 MS. EVANS: On the question?

10 MR. ROGAN: Yes, as with all
11 appointments did anyone receive a resume?

12 MS. EVANS: No.

13 MR. ROGAN: So if we don't receive
14 one by next week everyone knows the
15 protocol.

16 MS. EVANS: Thank you. All those in
17 favor of introduction signify by 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: And, Mrs. Krake, if you
25 would just send a reminder to Ms. McAndrew

1 that a resume is required by council for
2 it's approval for appointments.

3 MS. KRAKE: 5-G. PROVIDING FOR THE
4 PROPER OFFICIALS OF THE CITY OF SCRANTON TO
5 PETITION THE COURT OF COMMON PLEAS OF
6 LACKAWANNA COUNTY, PENNSYLVANIA, FOR
7 PERMISSION TO FUND UNFUNDED DEBT IN AN
8 AMOUNT NOT TO EXCEED SIX MILLION SEVEN
9 HUNDRED THOUSAND (\$6,700,000.00) DOLLARS;
10 AUTHORIZING INCIDENTAL ACTION; AND REPEALING
11 INCONSISTENT RESOLUTIONS.

12 MS. EVANS: At this time I'll
13 entertain a motion that Item 5-G be
14 introduced into it's proper committee.

15 MR. ROGAN: So moved.

16 MR. JOYCE: Second.

17 MS. EVANS: On the question?

18 MR. MCGOFF: Yes. Once again I
19 would like to apologize for not seeing that
20 on there trying to making a fool of myself.

21 MS. EVANS: All is forgiven. I
22 think it's important that this moves along
23 and this is certainly contingent on the
24 administration's cooperation in this matter.

25 MR. ROGAN: Absolutely.

1 MS. EVANS: In order for it's
2 approval, for our approval to be given to
3 this we must receive the requested
4 information from the business administrator.
5 As our very learned solicitor stated, if we
6 should receive it prior to next week's
7 meeting we can suspend the rules and move it
8 into Seventh Order. Should we not, it will
9 continue into the following meeting, and
10 beyond that, however, if there is no
11 response given to this council then council
12 will not vote to approve the borrowing.

13 MR. MCGOFF: I agree.

14 MR. HUGHES: Madam president, I know
15 I shouldn't comment, but my letter was
16 solely to Attorney Kelly, he had the letter
17 to Ryan McGowan wrote to you was to the
18 received in council chambers, had about four
19 or five, I think 6 cc's on it, I would
20 suggest that my letter to Attorney Kelly
21 that it be hand delivered to Mr. McGowan
22 tomorrow.

23 MS. EVANS: Yes, that's an excellent
24 idea.

25 MR. HUGHES: So that he will have

1 it. I did not send it to him, I thought
2 that would be Attorney Kelly's function to
3 send it to Ryan.

4 MS. EVANS: Absolutely. Absolutely
5 and perhaps I think with a copy to the
6 mayor.

7 MR. HUGHES: Yes, he was copied by
8 Ryan McGowan, also, and PEL was, I think
9 there was six or seven people copied, but
10 anyway.

11 MS. EVANS: Thank you.

12 MR. MCGOFF: Five.

13 MS. EVANS: Anyone else on the
14 question? All those in favor of
15 introduction 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: SIXTH ORDER. NO
23 BUSINESS AT THIS TIME.

24 SEVENTH ORDER. 7-A. FOR
25 CONSIDERATION BY THE COMMITTEE ON FINANCE

1 FOR ADOPTION-RESOLUTION NO. 52, 2011-
2 ACCEPTING A ONE THOUSAND (\$1,000.00) DOLLAR
3 CONTRIBUTION FROM SANOFI PASTEUR PRESENTED
4 TO THE CITY OF SCRANTON FIRE DEPARTMENT.

5 MS. EVANS: What is the
6 recommendation of the Chair for the
7 Committee on Finance?

8 MR. JOYCE: As Chairperson for the
9 Committee on Finance, I recommend final
10 passage of Item 7-A.

11 MR. ROGAN: Second.

12 MS. EVANS: On the question? Roll
13 call, please?

14 MS. CARRERA: Mr. McGoff.

15 MR. MCGOFF: Yes.

16 MS. CARRERA: Mr. Rogan.

17 MR. ROGAN: Yes.

18 MS. CARRERA: Mr. Loscombe.

19 MR. LOSCOMBE: Yes.

20 MS. CARRERA: Mr. Joyce.

21 MR. JOYCE: Yes.

22 MS. CARRERA: Mrs. Evans.

23 MS. EVANS: Yes. I hereby declare
24 Item 7-A legally and lawfully adopted.

25 If there is no further business,

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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.

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER