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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, November 29, 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 MS. EVANS: Here. Dispense with the
14 reading of the minutes, please.

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

16 MINUTES OF THE SCRANTON-LACKAWANNA HEALTH &
17 WELFARE AUTHORITY'S REGULAR BOARD MEETING
18 HELD SEPTEMBER 15, 2011.

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

21 MS. KRAKE: 3-B. TAX ASSESSOR'S
22 REPORT, APPEAL RESULTS FROM NOVEMBER 2,
23 2011.

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

1 MS. KRAKE: 3-C. AUDIT STATUS FROM
2 ROBERT ROSSI & CO. AS OF NOVEMBER 21, 2011.

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

5 MS. KRAKE: 3-D. AGENDA FOR THE
6 ZONING HEARING BOARD MEETING TO BE HELD
7 DECEMBER 14, 2011.

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

10 MS. KRAKE: 3-E. CONTROLLER'S REPORT
11 FOR THE MONTH OF OCTOBER, 2011.

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

14 MS. KRAKE: 3-F. CHECK RECEIVED FROM
15 101 PITTSTON AVENUE REALTY CORP., IN THE
16 AMOUNT OF \$250.00, WHICH IS A DONATION FOR
17 THE CITY OF SCRANTON.

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

20 MS. KRAKE: 3-G. MINUTES OF THE
21 SCRANTON POLICE PENSION COMMISSION MEETING
22 HELD OCTOBER 26, 2011.

23 MS. EVANS: Are there any comments?
24 If not, received and filed. Do we have any
25 clerk's notes this evening?

1 MS. KRAKE: No, Mrs. Evans.

2 MS. EVANS: Thank you. Do any
3 council members have announcements at this
4 time? In recognition of World Aids --

5 MR. MCGOFF: Just one --oh, I'm
6 sorry.

7 MS. EVANS: Thank you. In
8 recognition of World Aids Day, December 1,
9 the Northeast Regional Planning Coalition
10 will sponsor a display of the Aids quilt at
11 the Camp Center Building at Luzerne County
12 Community College on December 1 and 2, from
13 11 a.m. to 8 p.m., and December 3 from 11
14 a.m. to 5 p.m. Please visit this very
15 moving memorial that honors so many who lost
16 their lives to soon to aids.

17 Under the direction of Helen Gaus,
18 the Scranton Civic Ballet Company will
19 present the Stroyka anniversary celebration
20 of the performance of the holiday classic
21 the Nutcracker at the Scranton Cultural
22 Center on Friday, December 9, at 7:30 p.m.,
23 and again, Sunday, December 11, at 2 p.m.
24 Tickets are available at the Scranton
25 Cultural Center box office or Ticketmaster

1 and cost \$17 and \$14. By three and get one
2 free. Celebrate the holidays with your
3 family and friends at the elegant,
4 entertaining Nutcracker ballet. It is one
5 of the best and most affordable gifts you
6 can give.

7 State Representative Ken Smith is
8 conducting a blanket drive to assist
9 families and the elderly who are struggling
10 to make ends meet this winter. New or
11 gently used blankets can be dropped off
12 until December 19 at either of his
13 constituents service offices located at 1414
14 Monroe Avenue in Dunmore from 8 a.m. to 5
15 p.m. Monday through Friday or at 123 Van
16 Brunt Street in Moscow from 9 a.m. to noon
17 on Mondays and Wednesdays. Blankets will be
18 donated to St. Francis of Assisi Kitchen in
19 Scranton. For more information please call
20 570-342-2710. Councilman McGoff?

21 MR. MCGOFF: I'm sorry for
22 interrupting you. Mathew's Mission is
23 holding a breakfast with Santa on December
24 10 at Scranton High School. It says there
25 will be two sittings, one at 9:00 and one at

1 11 a.m. catering by Stirna's, a craft area,
2 face painting, magician, balloon animals,
3 carolers and a basket raffle. If you
4 remember, Matthew's Mission is a charitable
5 organization that was created in memory of
6 Matthew Newell, and last year they
7 conducting a very successful Easter egg hunt
8 in South Scranton and if this is done as
9 well as the Easter egg hunt it will be a
10 great success. That's breakfast with Santa
11 as Scranton High School December 10,
12 sittings at 9 and 11 a.m.

13 MS. EVANS: Mrs. Krake?

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

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

18 MR. SBARAGLIA: Andy Sbaraglia,
19 citizen of Scranton. Fellow Scrantonians, I
20 was going to give a little background as to
21 how we ended up where we are today. Well,
22 the first thing, of course, was the mines.
23 They did employ a lot of people and that
24 helped the area out then we had the garment
25 industry which the federal government

1 killed. That hurt the area. We are talking
2 about a lot of money. Then we started in
3 with the expansion of all our tax exempt
4 properties and they put more of a burden.
5 Another burden is our population. We have
6 an aging population in Scranton. Of course,
7 they are not getting any older and probably
8 dying off, but anyway, we do have that
9 population. And most of them are retired so
10 hence we are losing the income there, too.
11 When they worked it was fine, when they
12 retired, of course, we don't get nothing.
13 That was some of it.

14 Then we had our great KOZ's that
15 were there. What they did, not very much.
16 The only good thing about it were all them
17 people up there that had built them homes
18 now they got to pay taxes on the homes. Now
19 let's go back to Cordaro and Munchak when
20 they came in and changed the way the Tax
21 Assessment Office worked. We lost millions
22 of dollars there in tax assessments, so
23 every Scrantonian has to pay more in taxes
24 for people who don't pay that much in tax or
25 has a reduction. That was some of the

1 problems.

2 Other ones is, of course, mercantile
3 and business privilege tax, that creates
4 some of the problems, too. Businesses, of
5 course, go out of the area. Then we have
6 the wage tax and school tax that in turn
7 puts a burden on the people who work within
8 the city, so a lot of them didn't move out,
9 especially if they had good paying jobs, so
10 little by little by little we keep losing
11 our tax base and the money flowing into your
12 City Treasurer's, so at that point somebody
13 should have realized that it was
14 unsustainable to spend a lot of money
15 because it wasn't going to come in anymore,
16 but it wasn't.

17 All of a sudden we had a rebuilding
18 project going on in Scranton. A lot of
19 buildings put in for different things that
20 was there, but that started putting the
21 debt, the debt started to climb with that
22 little deal and it's been climbing ever
23 since.

24 We also had the fiasco with the
25 retirees. We gave all of the retirees, the

1 policemen, firemen who retired when the
2 mayor was there, when he first came in, we
3 got them medical benefits for life, so,
4 hence, they are free and, of course, the
5 medical costs goes skyrocketing now so
6 that's part of the problem there.

7 And then you also have the inflation
8 problem that continues all the time. I
9 mean, as the cost of living goes up, of
10 course, you got to pay people who work
11 within the city more money or work for the
12 city. You have to keep up abreast with
13 what's happening within the city, so all of
14 these things started piling up.

15 And then we have the sale of the
16 golf course, it was income to the city, but
17 it's no longer an income to the city. Now
18 he wants -- you have to look at the South
19 Side Complex, I don't know what we are going
20 to do if the federal government, I guess, I
21 think it's still in litigation. I don't
22 think -- because every time I looked at what
23 properties were paying taxes, I mean,
24 liability on that's one of them and we are
25 still liability, of course, on the old DPW

1 site, so I don't know how much that really
2 adds into it, but it's there. It's added.
3 We have a lot of other things that are added
4 so now we are into the point of regressing
5 where we didn't have to. I wish you were
6 around when Brian Reap got up there and
7 said, "Don't do what you are doing."

8 If them people want to work their
9 Medicare comes, in let it go. That would
10 save a lot, but the mayor wouldn't listen,
11 he was so gung-ho about replacing a lot of
12 people. I don't know what he thought he was
13 going to build a political base or not, but
14 them people later on really turned against
15 him, so this is some of the problems that
16 the city faces now. Now you are stuck with
17 it. Well, I won't get back into anymore.
18 Thank you.

19 MS. EVANS: Thank you. Lee Morgan.

20 MR. MORGAN: Good evening, Council.

21 MS. EVANS: Good evening.

22 MR. MORGAN: The first thing I want
23 to talk about is something I touched on at
24 the last meeting that had to do with the
25 Court of Common Pleas of Lackawanna County.

1 There seems to be an ongoing investigation,
2 you know, and I just think it's important
3 for everybody in the community to know, as I
4 stated before, that the president judge sets
5 the mechanism of the Court. I went and I
6 tried to talk to Judge Munley in motions
7 court about the termination of the two
8 employees from Judge Harhut's office, I
9 really didn't get any answers to that, and I
10 went to the Court Administrator and I tried
11 to get an answer from the Court
12 Administrator and I didn't get that either.

13 I have been paying a lot of
14 attention to the Court of Common Pleas in
15 Lackawanna County for probably over ten
16 years besides coming to these council
17 meetings, and I just think it's important
18 for people to know that there is more than
19 one guardian ad litem, attorney ad litem,
20 and I'd just like to say that there is
21 Marjorie DeSanto Barlow, Donald
22 Frederickson, Brenda Koba1, Theresa Pezak
23 and Kim Giombetti in addition to Danielle
24 Ross.

25 And I would just like to say that I

1 hope that the FBI probe here is extremely
2 wide, and I don't want to defame anybody or
3 badmouth anybody from the podium, but it's
4 my opinion that we have had problems in this
5 court for a long time even prior to you,
6 Mrs. Evans, being on this council. There
7 were people who talked about having problems
8 with the family court and Mrs. Ross at that
9 time was not associated with the Court.

10 And I would just like to put that
11 out there and I'd just also like to say that
12 if people have had problems with the Court
13 of Common Pleas in Lackawanna County I think
14 we need to call the Federal Bureau of
15 Investigation, their number is in the
16 Scranton phone book under the federal
17 government, and I think that any information
18 they may share with the FBI may be of a
19 great benefit to all the residents of this
20 city.

21 The other thing I have is, you know,
22 talking about the budget it's my hope at
23 this time that the council and the mayor
24 will work together to find a solution for
25 the problems we have in this city.

1 creating an engine which will be able to
2 create funds for this city through taxation
3 of created industries. I think that that's
4 been our problem for a very long time and
5 can I say that I disagree with some of the
6 things that the council and the mayor have
7 done, yes, I can say that, but I don't think
8 everything that council and the mayor has
9 done has been wrong, but I think it's time
10 to realize that we have massive unemployment
11 across this country and Scranton isn't the
12 only community faced with the problems we
13 are faced with.

14 I don't know how many people
15 remember years ago when the first American
16 Anglican deal came through. I believe that
17 citizens concerned about taxes were given
18 money out of that agreement so that they
19 wouldn't file an appeal to the Court on that
20 document because I remember reading that
21 document when Mayor Connors was mayor, and I
22 just think that maybe the council should go
23 take a look at the initial document, look at
24 the Scranton Times archives and find out if
25 that was actually true or not.

1 Now, in regards to the Municipal
2 Golf Course, I don't know if the people in
3 this community know that this city never
4 paid ten cents for that golf course. That
5 that money -- that was paid with private
6 funds. Thank you for your time.

7 MS. EVANS: Thank you.

8 MR. JOYCE: Thank you.

9 MS. EVANS: Doug Miller. Good
10 evening, Council. Doug Miller, Scranton.
11 I'd like to begin tonight by addressing an
12 issue that I was made aware of yesterday
13 regarding the Nay Aug Park light show.
14 According to the information I was given,
15 these lights are on many hours during the
16 day. For example, on Saturday and Sunday
17 these lights were supposedly on all day.
18 Yesterday they were on at 5 a.m., 6 a.m., 12
19 p.m. and 3 p.m. and I was notified this
20 morning that they were on at 5 a.m.

21 Now, according to the city's
22 website, which I don't usually go on but in
23 this case I went on because I know they have
24 information on the light show, and according
25 to the website this show is supposed to run

1 from 5 p.m. to 9 p.m. and then lights out
2 Monday through Sunday, but I guess my
3 question tonight would be why are these
4 lights on almost 24/7. My understanding is
5 a phone call was made to the mayor's office
6 in which his secretary responded by saying,
7 "Don't worry about it, the bill is paid
8 through donations."

9 Well, we go back to a Scranton
10 Times' story, I believe it was stated in
11 their article that this year all of the
12 donations will be going to towards the
13 Cancer Society, will benefit the Cancer
14 Society. Now, I think the secretary needs
15 to get her facts straight, but that's
16 besides the point regarding the donations
17 with the Cancer Society. The bottom line is
18 we have lights on at all hours of the day,
19 we know we are a financially strapped stir,
20 why aren't these lights being turned off at
21 9 p.m. like they are supposed to be?

22 I mean, do we have timers on these
23 lights? Does DPW know what a timer is, do
24 they know how to operate one? These are
25 simple questions that, you know, we need to

1 ask ourselves. I mean, if we are going to
2 take out a light show we need to know this
3 stuff. I do have pictures of this that I
4 will send and I'm going to send submit those
5 to council for your review. I find this to
6 be unacceptable. We pay DPW employees
7 overtime to put these lights up with an
8 added expense that we can certainly live
9 without and now we have worry about an
10 electric bill that will certainly be through
11 the roof.

12 Tonight I would like to, if I may,
13 submit a Right-to-Know request regarding
14 this issue. I'd like to know tonight, I'd
15 like a copy of the electric bill from last
16 year, the 2010 light show, I'd like to know
17 the expenses and everything else it cost the
18 city to put this light show on, and I'd also
19 like to know at the end of the year what
20 it's going to cost us, and if I can and I'll
21 leave this with Ms. Carrera to possibly
22 forward to Mr. McGowan, and I'd appreciate
23 that.

24 MS. EVANS: Mr. Miller, I think that
25 should also be sent probably to the Scranton

1 Recreation Authority as well so that in the
2 event they handle those issues they can
3 provide the information to Mr. Miller.

4 MR. MILLER: I certainly agree with
5 you, Mrs. Evans on that. I think the
6 Recreation Authority has a lot of explaining
7 to do through the years with all of the
8 things they have done and I'd like to hear
9 what they have to say about that since they
10 operate that park, which I personally don't
11 feel they should be. I believe that
12 authority should be abolished because they
13 have caused nothing but headaches and
14 problems for us since they have been in
15 inception.

16 But yet again, it's just more
17 wasteful spending in the city. What truly
18 infuriates me is that we can waste money on
19 these lights and we can't keep firemen on
20 the streets, we can't keep engine companies
21 open. It's truly appalling and I'm truly
22 disheartened by that we can go and waste
23 money on lights that are on all hours of the
24 day and it just doesn't phase us whatsoever.
25 You know, we deal with arrogance, we deal

1 with responses, oh, well, don't worry about
2 it. Oh, that's nice. Let's not worry about
3 it. That's the philosophy we have had in
4 this town for ten years and look where we
5 are today. And we are just going to
6 continue that philosophy and continue to
7 just drive us deeper in debt because people
8 in this town don't care. I mean, it's just
9 the arrogance. It's unbelievable. It truly
10 is.

11 But I want to move on and go onto
12 the budget. Unfortunately, we didn't see
13 the honorable one here tonight or the BA or
14 the fire chief, he wouldn't accept your
15 invitation here to come before the public
16 and explain themselves and how they intend
17 to cover the city with the budget they put
18 forth, and I just think tonight they truly,
19 once again, have shown how they really feel
20 about not only this council but most of all
21 the residents of this city.

22 They showed their arrogance by again
23 just that slap across the face, not coming
24 forward. The table is here waiting for
25 them. It's been waiting for ten years, and

1 I believe what has to happen here, and this
2 goes back to what I have talked about many
3 times, I commend everybody that comes
4 forward every week. We have had a lot of
5 the same residents come forward for many
6 years now, but what has to happen now is we
7 need news faces, and I don't mean that in a
8 critical way to the people that come here,
9 as I said, I commend them for coming
10 forward, but we need more residents to come
11 forward and demand accountability and demand
12 that this mayor and the BA and his fire
13 chief explain how they intend on covering
14 the city with 29 less firemen and less
15 engine companies and, once again, we had
16 more engine companies close today, but
17 nobody is explaining. Nobody is explaining
18 themselves.

19 You know, the mayor has played the
20 blame game for ten years and has failed to
21 look in the mirror. I think a worthy
22 investment might be a nice little Christmas
23 present for the mayor would be a mirror and
24 every time he wants to come and blame you
25 and blame everybody else he can find he can

1 look in the mirror and he will get his
2 answer right there.

3 And finally, if I may lastly, I just
4 wanted to comment on we all know President
5 Obama will be in the area tomorrow, and I'm
6 sure the mayor will have a lot to brag
7 about, you know, where we live in a city
8 where we can tear down buildings at our
9 people on our expense, we allow individuals
10 to use DPW vehicles for personnel use to
11 take driver's tests not once, twice but
12 three times, and rather than terminating the
13 director of DPW what do we do? We seem him
14 get a promotion.

15 We do construction on our homes
16 without permits, we go and we don't put
17 house numbers on our homes violating
18 ordinances, our fire chief who in the
19 ordinance I cited last week is one of the
20 ones that should be enforcing it. We have
21 DPW employees who solicit prostitutes while
22 on the clock. We have Sewer Authority
23 members who take vehicles home with them.
24 You know, we certainly have a lot to proud
25 of in this town and I'm sure President Obama

1 will look forward to hearing the mayor's
2 advice on how we should run the country
3 since he has done such an exceptional job at
4 running the city. Thank you.

5 MS. EVANS: Thank you. Bill
6 Jackowitz.

7 MR. JACKOWITZ: Bill Jackowitz,
8 South Scranton resident. First of all, I'd
9 like to get some things straight because I
10 don't believe in rumors. Is there any truth
11 to the story that two DPW workers were
12 arrested on Cedar Avenue while on duty for
13 the City of Scranton?

14 MR. ROGAN: Yes.

15 MR. JACKOWITZ: Yes, there is truth
16 to that? Were they in a city-owned vehicle?

17 MR. ROGAN: I'm not sure of that. I
18 spoke to a few members of the police
19 department to confirm the story. I don't
20 have all the details, I am going to request
21 a copy of the police report for all council
22 members.

23 MR. JACKOWITZ: Okay, and has Chief
24 Davis paid the fine for doing work on his
25 house without the proper permits? If not,

1 can we find out why he has not paid to the
2 fines like everyone else would be required
3 to do?

4 Also, I understand is there any
5 truth to the fact that Stu Renda did a lot
6 of work on his house up to about \$40,000
7 worth of work on his house and never paid
8 for any permits to do that work? Again, I
9 want to stop all of these rumors. Is this
10 true, is this not true? We need to find out
11 because if Stu Renda did not pay for his
12 permits to do work on his house then no one
13 in this city should have to pay to do work
14 on their house.

15 Also, I would like to know what
16 administrative punishment was done to
17 Mr. Brazil as a citizen and taxpayer. The
18 mayor's word doesn't mean anything to me.
19 Mr. Brazil's word doesn't mean anything to
20 me. I would like to know what
21 administrative action is taken against
22 Mr. Brazil for allowing civilians to take
23 city-owned vehicles to PennDOT up to the
24 state police barracks to have driver's
25 licenses done, an explanation like we were

1 given last week means absolutely nothing.
2 That is hearsay. That's all it is. I want
3 proof, okay?

4 And remember, we are in the age of
5 transparency so want city government to be
6 transparent and we want all of this out. If
7 it's true that two DPW employees were
8 arrested for soliciting prostitutes while on
9 duty, that is very, very shameful. Seems
10 like we have a big problem with DPW.

11 MS. EVANS: Yes.

12 MR. JACKOWITZ: And I think we need
13 to look at the top, Jeff Brazil and Mark
14 Dougher. They are the two people in charge.
15 They are responsible for this. Also, I'd
16 like to know this new position that Jeff
17 Brazil got. Is this a paid position with
18 the school board?

19 MS. EVANS: Absolutely.

20 MR. JOYCE: Yes.

21 MR. JACKOWITZ: Is this a 40-hour a
22 week job, full-time job?

23 MS. EVANS: Yes, it is.

24 MR. JACKOWITZ: Is he resigning as
25 the DPW director?

1 MS. EVANS: He will have to do so in
2 order to accept that position that he was
3 selected for.

4 MR. JACKOWITZ: It's really amazing
5 how people with certain names can get two
6 political appointees back to back, political
7 appointee jobs, especially behind closed
8 doors like the school board did. That's
9 regretful and sinful to say the very least.

10 Again, it goes back to power and
11 money. You got power, you got money. You
12 got money, you got power, and we have a lot
13 of that going on within the city.

14 Like I said earlier, we have 11,000
15 people in poverty within Lackawanna County
16 and within the City of Scranton and you need
17 to tell me -- and we have the highest
18 unemployment rate in the state and no one
19 else was qualified for the job with the
20 school board except Jeff Brazil who can't
21 even manage the DPW and now he is going to
22 get a promotion? This is unreal. I mean,
23 this is political politics at it's best.
24 Name, recognition, power and money. Money
25 and power.

1 Again, President Obama is going to
2 be here tomorrow and he is going to be
3 speaking his new jobs proposal, his new jobs
4 program that he has, the reason why he is
5 coming to Scranton, he is going to be
6 picking Mayor Doherty's brain because he is
7 going to want to now how Mayor Doherty
8 created 9,000 new jobs in the city of
9 Scranton that nobody can find, so he is
10 going to be here asking Mayor Doherty how he
11 did it, so really, I would like to be a fly
12 on the wall so that I can listen to what
13 Mayor Doherty has to say, especially when he
14 can't produce one job. We have the highest
15 unemployment, Mayor, remember that. Highest
16 18 months in a row, but, President Obama,
17 pay attention, Mayor Doherty will put you on
18 the right street and the country you will be
19 prospering because of Mayor Christopher A.
20 Doherty's advice that he will give President
21 Obama.

22 Okay, a rental's agreement, I'm in
23 favor of the rental's agreement, but again,
24 guess who is getting punished? The people
25 who can least afford it, the renters. The

1 majority of these -- we have a lot of
2 renters and I have talked to a lot of
3 landlords lately and they have a lot of
4 tenants who can't even pay the rent month to
5 month, and the local landlords are pretty
6 good, they actually kind of give people
7 breaks and give them a little bit of leeway
8 if they are little bit late, but the
9 out-of-town landlords they want their rent
10 on time, and again, the only people who are
11 going to get punished are the people who can
12 least afford it, the renters, because that
13 rental agreement will be passed onto the
14 rent -- to the renters and it won't be just
15 like a one-month increase, it will be a
16 12-month increase and in the long-run
17 renters will be getting the shaft again.

18 But, again, I would like to know
19 about these DPW workers and if this is true
20 I hope it's not swept under the rug and I
21 hope it's become -- made public. John, I
22 take it deserves an article in the paper, I
23 think it needs to be publicized. The
24 citizens of Scranton need to know what's
25 going on within their city, especially the

1 taxpayers.

2 MS. EVANS: Thank you,
3 Mr. Jackowitz. Reverend Kathryn Simmons.

4 MS. SIMMONS: Good evening, city
5 council. My name is Reverend Kathryn
6 Simmons and I am a citizen of Scranton,
7 Pennsylvania, and have been for 59 years. I
8 come here tonight to clarify some comments
9 made last week against the taxpayers of the
10 Commonwealth of Pennsylvania and the board
11 of directors of the Bethel AME shelter. I'm
12 not going to get into personality issues,
13 that has nothing do with any of this. The
14 Bethel Board of Directors of the emergency
15 shelter wanted support from you, council, in
16 collecting a debt owed to the taxpayers of
17 this wonderful and blessed Commonwealth.

18 Again, I say, a CDBG grant in the
19 amount of \$175,000 was allotted to Bethel's
20 shelter in the Year 2007. This grant was
21 given with the understanding that the board
22 of directors of the shelter would be allowed
23 the site in the basement of Bethel AME
24 Church to be used by this directory for a
25 homeless shelter for the length of ten

1 years. This agreement was presented to the
2 church conference for approval and was voted
3 for approval in 2007. The grant was then
4 signed by Reverend Kenneth Burnett in the
5 presence of myself, Mr. Michael Ray and
6 Mr. Ozzie Brent.

7 Work began and a year's worth of
8 construction and refurbishing was done. No
9 one, no church member ever approached anyone
10 and asked where was the money coming from
11 and who authorized the construction to be
12 done. If you don't know, if you never voted
13 on something, if you don't know where these
14 people came from, I'm sure you are going to
15 approach someone and ask them what are these
16 people doing here, where did the money come
17 from?

18 The board has not asked for money
19 for ourselves, we simply ask that no profit
20 be made from the backs of the homeless. If
21 they are no longer welcome at Bethel, if the
22 site is not to be returned to this board
23 allowing us to finish out our agreement,
24 then all funds should be returned to the
25 taxpayers to be used for another project in

1 the future.

2 As I close out, let me say that a
3 woman's name was mentioned, her name was
4 Mrs. Julia Moody. She was described as
5 someone who picked me up and dusted me off.
6 No, you see, she walked with me through
7 years of dust such as this for she was a
8 friend, hard to find these days.

9 My ministry was also questioned. I
10 show you my certificate signed by my Bishop
11 and if and when it is removed for the work
12 that I do and the advocacy I do for the
13 homeless and the poor, you will read about
14 me across the street in Federal Court filing
15 lawsuits.

16 This money belongs to the City of
17 Scranton. It does not belong to a church.
18 The church took it because they could not
19 redo the basement that was going to be cut
20 off by the insurance company. They told us
21 to go ahead. We did it with the
22 understanding that the shelter would be
23 allowed to stay open. The minute the work
24 was done, they closed the doors. It almost
25 seems to somewhat like a criminal

1 conspiracy, but we'll save that for another
2 day.

3 We are just asking you for your
4 support because I was here the night that
5 Reverend Andrew K. Newberry came forth to
6 apply for the CDBG grant to the council.
7 There is no question about whether this
8 grant was given or what it was given for, so
9 I hope that you support us as we seek out
10 that no profit by anyone be made from the
11 backs of homeless people.

12 You know, we talk tonight much about
13 poor people, people who are out there
14 struggling to get their taxes paid, I am
15 standing here talking to you about people
16 who don't pay taxes because they have no
17 where to live and they are not welcome in
18 neighborhoods in the City of Scranton. That
19 is why we cannot find another site to open
20 up a homeless shelter because we are not
21 welcome in your neighborhood.

22 We are going to keep on the struggle
23 and the fight and we are going to make sure
24 that our homeless people, whether it be
25 tents along the river or wherever, have a

1 place to lay their head. I thank you.

2 MS. EVANS: Thank you. Justine
3 Simonetti.

4 MR. SIMONETTI: How you doing? I'm
5 Justin Simonetti from Occupy Scranton and
6 I'm here to talk to you about a public
7 safety concern I have, and that is literally
8 cutting the fire department. I mean, the
9 population of the city over the years has
10 dwindled down, we are down to about 70
11 thousand, give or take. At one time we were
12 over 100,000, but the size of the city has
13 not shrunk, it has actually grown. We have
14 more buildings now than we did back then so
15 that means we have more need for our
16 firemen.

17 Minooka in 1950 was barely a spec on
18 the map. Now, it's a thriving section in
19 Scranton. Those houses in Minooka are
20 protected by the South Side firehouse. What
21 happens if you shut it down? What's the
22 closest one, the one on Main Street? Is
23 that the one that gets shut down? The one,
24 you know, the headquarters right around the
25 block, is that getting shut down? Which

1 ones are going to get shut down? How are
2 you going to protect the citizens of
3 Minooka?

4 Look at East Mountain? My son used
5 to go to the Friendship House, God forbid
6 anything happened at the Friendship House?
7 You ever drive up to the Friendship House?
8 It will take you about 20 minutes with all
9 of the bends in a car. Drive it in a fire
10 truck, take them bends on a cold day with
11 ice on the roads with the fire truck. Shut
12 down the South Side fire department, you
13 know, now you are going to have to use the
14 fire trucks out of the headquarters here and
15 you might even need to call the ones from
16 West Side just to rescue the fire truck
17 because God forbid that ever slipped, and
18 I'm not saying anything will happen. God
19 forbid anything does happen. What if. What
20 if something happens? What about them kids?
21 It seems to me Mayor Doherty is putting a
22 price on human life. I hate to say that,
23 but that's what it seems to me.

24 I read over the budget, you know, me
25 and a bunch of the people over at Occupy

1 read over the budget. I really couldn't
2 tell you what it is, but there has to be a
3 way in this budget that we can protect our
4 citizens, we can protect the children, the
5 nursing homes up in, you know, East
6 Mountain, and I'm not saying anywhere else
7 just those two areas, because they seem to
8 be the furthest away from where any fire
9 department would be. I could be mistaken,
10 and especially in East Mountain where the
11 roads are all windy and to get anywhere it's
12 going to be a pain you know where on a sunny
13 day. Put it in a winter day where the roads
14 are icy, it's impossible to drive. Now you
15 get a fire truck, it's just as bad because
16 you got ten times the size of an average
17 car.

18 What's the call time going to be
19 like? You know, what's the response time
20 going to be like? If they are coming from--
21 literally if they are coming from right down
22 town it's about a 15, 20 minute drive up
23 there. It's about a 15, 20 minute drive to
24 Minooka. What's the response time going to
25 be? Why are we putting a price on human

1 life? That's basically all I have to say.
2 Thank you.

3 MR. HUSVAR: How do you do. My name
4 is Jamie Husvar, and I'm with Occupy
5 Scranton.

6 MS. EVANS: Good evening.

7 MR. HUSVAR: As my friend Justin
8 said, I'm here to talk about the public
9 safety issue of the firefighters. The idea
10 that the budget is focusing on cutting
11 people that save our lives on a daily basis
12 is scaring me to my core.

13 As a teenager, I personally was in a
14 fire at my home where I was doing laundry
15 and the dryer caught on fire. To remove the
16 people that protect us, to remove people
17 that we rely so heavily on it makes
18 absolutely no sense. We are already in a
19 situation where we don't have enough as it
20 is to cover such a large area of land. Yes,
21 we are smaller city population wise, but as
22 Justin said, if anything the buildings are
23 growing and there is lot of buildings that
24 are uninhabitable, so if a fire occurs from
25 electrical or even arson in a building

1 that's empty by the time it gets reported
2 and then you add on the response time of an
3 understaffed fire company, how many people
4 are going to be hurt? How many homes are
5 going to be lost? How many lives are going
6 to be directly and violently affected by
7 that? It just boggles my mind to no end.
8 That's all I have to say. Thank you.

9 MS. EVANS: Thank you. Bob Hall.

10 MR. HALL: Bob Hall from Occupy
11 Scranton. I talked a little bit last week
12 about what I thought of the budget and what
13 I thought of cutting firefighters,
14 obviously, I'm here with my friends to talk
15 about how it's unacceptable. When I went
16 back home after that meeting and tried to
17 look with some other people from the
18 occupation and what is actually in that
19 budget, I couldn't figure it out, and I'm
20 not an accountant. I have never dealt with
21 anything like this a city budget before, but
22 when we went through it we found all of
23 these strange things in there that we
24 couldn't explain. If any of you can explain
25 to me it would be really helpful for at

1 least me and I think other people who read
2 it and were confused by it.

3 There were a bunch of things like,
4 for example, I believe it was called a TAN-B
5 that was budgeted for \$10 million, 1 1/2 of
6 that was spent by September. By the end of
7 the year, let's call it -- we can blow it up
8 we'll say 2 1/2 will be spent by the end of
9 the year. What is that? What is TAN-B
10 budgeted for?

11 MR. JOYCE: I can answer this.
12 TAN-A and TAN-B are tax anticipation notes.
13 Every year the city, and Scranton isn't
14 excluded from this, just about all
15 municipalities engage in taking out tax
16 anticipation notes. What this is, it's a
17 short-term loan. It's a one-year loan that
18 the city will receive and they will
19 generally get this money at the end of the
20 year, and I know we have TAN-A and TAN-B and
21 together they add up to let's say it's 5.5
22 and 9.5 so --

23 MS. EVANS: 14.5.

24 MR. JOYCE: \$14.5 million what this
25 does is it allows the city to meet it's

1 payroll obligations and pay it's bills in
2 the first few months of the year before the
3 tax office starts sending revenue to the
4 city which is collected from real estate
5 taxes, wage taxes and business privilege and
6 mercantile, etcetera. That's what those two
7 expenditures are. So it comes in it's --
8 you will see it on the revenue side of the
9 budget and also in the expenditure side.
10 You will see the repayment of it as well, so
11 it's kind of like something that evens
12 itself out.

13 There is an interest rate on that
14 which varies depending on your year and our
15 credit status and our credit rating. The
16 interest on these short-term loans for the
17 city it's generally around 500 and some
18 thousand dollars, and I hope that gives you
19 a little bit more of a background on what
20 these are.

21 MR. HALL: That does explain that
22 one somewhat.

23 MR. JOYCE: All right. Okay.

24 MR. HALL: The other thing that we
25 were looking at that we are trying to figure

1 out, and I don't know if has to do with KOZ
2 or what, but under Act 511 there is a subact
3 24 where businesses in the city are taxed
4 but corporations for some reason are not.
5 Can you explain why that is?

6 MR. JOYCE: Yes. There is some --
7 with the Act 511 taxes there is a business
8 privilege and a mercantile tax and these are
9 levied on certain types of businesses, such
10 as restaurants, eateries, bars, shops,
11 etcetera. There are certain entities that
12 do not have to pay a mercantile tax such as
13 banks, manufacturing, newspapers, etcetera.
14 Actually, that's why I'm in favor of a
15 payroll tax and the eventual elimination of
16 the business privilege and mercantile tax in
17 the future. This is something that needs
18 state approval and it's something that the
19 City of Pittsburgh adopted.

20 Essentially what Pittsburgh does is
21 they levy a tax of .055 percent on every
22 business in the city -- well, on the payroll
23 of every business in the city rather than
24 taxing their gross receipts. For instance,
25 this would help small businesses, say if you

1 have a restaurant and you are paying the
2 workers say \$50,000 a year in total to work
3 at the restaurant, you would pay .055
4 percent on that \$50,000 that are you paying
5 the employees. And say, for instance, the
6 restaurant is bringing in \$120,000, you
7 would be paying the tax on the \$50,000
8 payroll expense rather than the larger gross
9 receipt expense, so this is something that
10 would actually help out small businesses
11 while allowing manufacturers and other large
12 businesses to pay their fair share, and I'm
13 hoping that is something in the future that
14 would can accomplish.

15 MR. HALL: Well, in response to
16 that, wouldn't that encourage small
17 businesses to (a) pay their employees less,
18 and (b) hire less employees?

19 MR. JOYCE: Well, there is a
20 stipulation with that that they can't --
21 well, actually with small businesses they
22 would end up benefiting from it because they
23 wouldn't have to pay the higher business
24 privilege and mercantile tax anymore and
25 instead the small businesses would pay the

1 payroll tax. So say they would be paying
2 say, for instance, on say that restaurant
3 that makes \$150,000 a year and they have a
4 \$50,000 payroll, they may be paying say, for
5 instance, \$7,000 now, but under -- but by
6 changing the tax structure they may only be
7 paying \$3,000 so they would actually be
8 bringing in more revenue.

9 And one of the stipulations in the
10 tax is that it's not levied against the
11 employees and can't be used to lower their
12 salaries, per se.

13 MR. HALL: That's fair enough. I
14 guess I just wanted to close with that I am
15 still, to repeat myself from last week, I
16 really don't think this city can afford to
17 lose the people that's it's going to lose
18 when we raise the property taxes 29 percent
19 if this budget passes, and I don't think we
20 can afford to lose the 29 firefighters that
21 keep the city safe. Thank you.

22 MR. LOSCOMBE: Thank you.

23 MS. EVANS: Sierra Ravine.

24 MS. RAVINE: My name is Sierra and
25 I'm from Occupy Scranton. I, like many

1 others, am here due to the current budget
2 proposal. You do not have to be an
3 economist to know that there are many items
4 proposed in this budget that are ludicrous.

5 I am here as a concerned citizen
6 tonight. I am concerned that we are cutting
7 the jobs of the very people who risk their
8 lives day in and day out for this community.
9 I am concerned that we have already started
10 rolling blackouts and fire stations. As
11 previously said, are we putting a price on a
12 human life? Will it take the tragic death
13 of someone's mother, father, child, brother
14 or sister to realize this is not the best
15 course of action? What if that loved one
16 was your own? What if it was you?

17 There are many sections of this
18 budget that do not even use 1/3 of their
19 allotted spending by September 30th of 2011
20 yet are still budgeted the same amount in
21 2012?

22 Why are the first people on the
23 chopping block our fire department or other
24 public safety departments? I know I'm not
25 the only person with these questions and

1 concerns and I hope more will begin to voice
2 their own thoughts and opinions here as
3 well. Thank you.

4 MS. EVANS: Thank you. I just
5 wanted to make two comments before we
6 proceed. First of all, with regard to what
7 Sierra had stated, as you noted, the budget
8 will present actual figures as of September
9 of a given year, but what we must also
10 remember is you have the remaining months of
11 that year in which those funds will then be
12 used often times an ordinate amount of bills
13 will come in during that final financial
14 quarter.

15 But I think more importantly,
16 council hears the cries of the people of
17 Scranton. We do understand which is why
18 last year we were the first council to lower
19 taxes in my memory, maybe ever, for
20 businesses, for homeowners. Right now we
21 are working very hard to lower these tax
22 increases.

23 However, the decision on the
24 firefighters, and I should inject at this
25 time that I think everyone on city council

1 opposes the layoffs of the firefighters, we
2 -- most of us anyway, adamantly opposed it
3 in August when the first round occurred.

4 In addition, in last year's budget
5 the mayor had cut I believe 27 perhaps
6 firefighters and I forget how many police
7 officers and this council reinstated all of
8 those positions into the budget, however,
9 the mayor proceeded to lay people off
10 regardless and went to Court and the Court
11 decided on the side of the mayor that he has
12 the ability to lay off public safety
13 personnel.

14 So what I'm suggesting to you is
15 this, since council is very understanding
16 and supportive of your message and your
17 needs that the message needs to be taken to
18 the mayor of the City of Scranton because he
19 is the individual who still has the time and
20 the opportunity to change his proposed
21 budget to sit down with firefighters, to
22 work out some type of plan where perhaps
23 those who are able to retire can do so now
24 without losing medical benefits until they
25 reach an age where they are able to obtain

1 Medicare. Where perhaps others might be
2 willing to take an early retirement in order
3 to make room or to make positions available
4 for at least a portion of those 29 that the
5 mayor wants to cut.

6 But, again, as I'm saying the
7 message has to be delivered I believe
8 clearly and in unison by the people of
9 Scranton to the mayor that this is what they
10 want and this is what the mayor needs to do.
11 He needs to change his proposed budget. He
12 needs to sit down with the fire department
13 and negotiate how he can put back in as many
14 people as possible, and maybe the fire
15 department needs to negotiate what costs
16 they can come down onto make this happen.

17 City council, unfortunately, is not
18 authorized by the Home Rule Charter and the
19 Administrative Code to negotiate. It is not
20 within our legal scope of authority, that
21 power belongs solely to the mayor of the
22 City of Scranton which is why he needs to
23 invite all of these individuals to have a
24 seat at the table. He needs to work this
25 out. He is the only one who can make these

1 changes within the fire department and save
2 these individuals, and the clock is ticking
3 because according to the Home Rule Charter
4 City Council must adopt a budget by December
5 15. If we fail to do so, the mayor's
6 proposed budget automatically takes effect,
7 and you will see not only the loss of 29
8 firefighters, but a 29 percent tax increase
9 as well to homeowners, and a 25 percent tax
10 increase to business owners.

11 And so I guess to make this very
12 long message short, and I do apologize to
13 all speakers and audience members, take the
14 message solidly to the mayor of the City of
15 Scranton. That is probably the best advice
16 that we can give you. And council assures
17 you in the meantime we are doing our due
18 diligence and going through that budget as
19 carefully as possible and driving down the
20 tax increase for all the people who live in
21 the City of Scranton.

22 And our next speaker is Les
23 Spindler.

24 MR. LOSCOMBE: Maybe we can occupy
25 the first floor.

1 the mayor and tell him we won't stand for
2 it.

3 As I have said in the past, we have
4 one deadly fire already, which I solely
5 blame him for, and if he lays off 29
6 firefighters we are going to have more
7 deadly fires I'm sorry to say it. Because I
8 have proof to council, I have said in the
9 past, that that deadly fire the response
10 time could have been better if Engine 9 was
11 still in service.

12 So come on, people, let's call the
13 mayor and get your friends, relatives,
14 everybody call the mayor's office.

15 Next thing I want to talk about
16 Chief Davis. Mrs. Evans, I don't know if
17 you were aware last week, you weren't here
18 yet, about Chief Davis having work done on
19 his house without permits and I hope council
20 can try to do something about that.

21 And I also have it on good authority
22 that Chief Davis uses his fire chief car to
23 go to people's houses to give them estimates
24 for his construction company. That, too, I
25 think is -- I don't know if it's illegal,

1 but it's not right. He shouldn't be using a
2 city vehicle to do business for his own
3 construction company, so maybe we can look
4 into that. And maybe you can invite Chief
5 Davis here next week again because I hear he
6 is busy out hunting today. I guess that's
7 more important than taking care of the city.

8 Oh, I also have it on good
9 authority, which Mr. Jackowitz mentioned, I
10 also heard that Stu Renda did \$40,000 -- he
11 had put a \$40,000 addition on his house
12 without paying for a permit, so it's
13 politics at it's best and this stuff has to
14 stop. As Bill said if these people get away
15 with it, myself, everybody on council,
16 everybody here we shouldn't have to get
17 permits either. It's either what's good for
18 the goose is good for the gander.

19 Oh, Mrs. Evans, last week you
20 weren't here when I spoke about this, two
21 weeks ago I said about cameras at all of the
22 intersections, and I heard this story on the
23 radio that a city in Ohio put in cameras in
24 intersections, in the first 20 days of use
25 they gave out \$10,000 tickets, so I think is

1 a worthwhile thing and I hope the city can
2 do that.

3 Next thing, the railroad bridge on
4 Main Avenue where it meets Euclid,
5 Mr. Loscombe, you are probably familiar with
6 that, recently in the last month or so it
7 got hit by two 18 wheelers, they got stuck
8 under there. I'm wondering this happens
9 often, does the railroad inspect those
10 bridges when that happens? And I have a
11 request in writing here, and also I go under
12 that bridge every single day and the
13 supports that hold that bridge up, you look
14 on the bottom there, those are rusted and
15 some of them to the effect where there is
16 part of it rusted away. To me it seems like
17 that -- that doesn't seem safe and those
18 supports are rusting away.

19 Now, whether the railroad is aware
20 of that or not, but, I'm going to ask
21 council to send a letter to the railroad
22 because that does not seem safe to me when
23 parts of the supports is rusting away.

24 Lastly, Mr. Loscombe, you are going
25 to get sick of me asking you about this,

1 what's the status of the Linden Street
2 bridge, have you heard anything lately?

3 MR. LOSCOMBE: Just what I have
4 heard is they are still waiting for the
5 approval from the railroad, the permits on
6 that end of it. The design was all set and
7 everything.

8 MR. SPINDLER: Because that's a
9 safety hazard because if there is a fire, an
10 emergency up on Linden Street there, the
11 emergency vehicles have to go all around up
12 to Main Avenue and come down. That's
13 another thing that's putting people's lives
14 in danger so I don't know why PennDOT is
15 dragging their feet on this. They said they
16 were going to work on it in September, now
17 we are almost to December.

18 MR. LOSCOMBE: To be honest with
19 you, they did request expedited approval.
20 You know, I believe it's the railroad system
21 right of way that's tying it up now.

22 MR. SPINDLER: Well, I hope
23 something is done about that because, you
24 know, I think it is a safety hazard. Thank
25 you for your time, Council.

1 MS. EVANS: Thank you. Marie
2 Schumacher.

3 MS. SCHUMACHER: Good evening.
4 Marie Schumacher.

5 MS. EVANS: Good evening.

6 MR. LOSCOMBE: Good evening.

7 MS. SCHUMACHER: First, agenda
8 items. 5-B establishes a new use category
9 called a mixed use adapted for use. During
10 motions maybe somebody could explain what a
11 mixed use adapted reuse is.

12 MS. EVANS: Yes, I'll take a second
13 to explain that during my motions this
14 evening, but in addition we are going to be
15 asking some individuals to attend a public
16 caucus next week prior to our regularly
17 scheduled meeting so that the changes can be
18 explained, all of the ramifications of those
19 changes, etcetera, to the entire public.

20 MS. SCHUMACHER: Thank you. I do
21 feel that's necessary. It's not very clear
22 when you even read the backup.

23 On "B" can you tell me who sets the
24 consideration amount on these properties?

25 MR. LOSCOMBE: There is an appraisal

1 done on the properties. Appraisals that --
2 I believe Nasser appraisal does the
3 appraisals on each property.

4 MS. SCHUMACHER: And then are they
5 not -- is not part of that process
6 advertising in a newspaper so that if
7 anybody wants to bid over them that --

8 MR. LOSCOMBE: Yes, the property
9 purchaser is responsible for the advertising
10 also and any appraisals.

11 MS. SCHUMACHER: I have been
12 reading -- I have seen a lot of these, I
13 have yet to see one in the legal notices. I
14 have done Right-to-Knows and asked and after
15 the budget is over I'll come back to this
16 item because there is a lot that's wrong
17 with it and if properties are not -- the
18 money that is in here is not being turned
19 over to the treasurer, so I will again get
20 back to that probably next year.

21 6-C, I don't know last week there
22 was talk about trying to move that to
23 Seventh Order tonight.

24 MS. EVANS: No.

25 MS. SCHUMACHER: And I don't know

1 why the rush.

2 MS. EVANS: And I'll address that
3 under my motions. That will not -- the
4 Rules will not be suspended this evening to
5 do so.

6 MS. SCHUMACHER: I'm happy to hear
7 that. More unsecured debt I just can't even
8 begin to imagine what the interest would be
9 on that.

10 And also, maybe you could give us a
11 status then update on using the parking
12 meters as collateral for a loan for a period
13 of ten years at that same time. Thank you.

14 And then over to just a few more
15 things, do we yet have the annual operating
16 cost of a Keyser Avenue satellite police
17 station that you all approved several --
18 about a month ago?

19 MR. LOSCOMBE: No, I haven't seen
20 anything come back yet on that.

21 MS. SCHUMACHER: Could you possibly
22 follow-up on that this week?

23 MR. LOSCOMBE: Sure.

24 MS. SCHUMACHER: Especially with the
25 budget as tight as it is now another

1 satellite seems -- I will talk more on the
2 budget next week, but for tonight just two
3 more quick items. And, one, I'd like to say
4 that I think that the PEL budget would be a
5 better baseline to start from and vary from
6 than the mayor's budget. I think it appears
7 to be fairer across the board, doesn't
8 destroy our public safety, and I would like
9 to suggest rather than waiting until next
10 year you try to use that as the baseline
11 from which you negotiate.

12 I did notice this week, too, that
13 the Apple seller has moved to the Viewmont
14 and we have lost another business.

15 And then the Christmas decorations,
16 two people that I know of that have gone to
17 Nay Aug say that they are -- about half the
18 lights are out already and it's just opened
19 and that's a bit of a concern. People
20 are -- granted, two is only a small
21 percentage of what's going to go through
22 there, but I just think it's a bad way to
23 start the season and bad word to get out,
24 but I also have a question on whether or not
25 these are all incandescent bulbs that are

1 going to be obsolete and we won't be able to
2 replace that bulbs, is that whole light show
3 going to obsolete when the LED bulbs and CFL
4 bulbs come in? I would like to know that
5 for looking ahead to next year when we can
6 no longer --

7 MR. ROGAN: Ms. Schumacher, are you
8 talking about the federal mandate for the
9 light bulbs? I don't think that's become
10 law yet, has it?

11 MS. EVANS: No.

12 MR. ROGAN: No, I thought it was --

13 MS. SCHUMACHER: Yeah, it begins.
14 That was passed. That was passed.

15 MR. ROGAN: I know there has been
16 work on repealing that.

17 MS. SCHUMACHER: Well, if doesn't
18 happen we have got a pretty big investment
19 out there and I guess all I'm saying is then
20 we should really set aside been money to buy
21 ahead based on the hours of usage and maybe
22 that is something to do with why they don't
23 shut them off. I know shutting a bulb off
24 and on causes wear and tear on the bulb and
25 if they don't have replacements and they

1 can't get anymore we are in a world of hurt.

2 And then in town have we decided,
3 and I don't have an objection if this is the
4 decision, I know there is a few lights up
5 here at city hall, although, only a few were
6 eliminated tonight, but the standard utility
7 poll, the red poinsettias that were bought a
8 number of years ago are not up, are we
9 foregoing those to save money this year?

10 MS. EVANS: I don't know.

11 MR. LOSCOMBE: I had heard that.

12 MS. SCHUMACHER: I would like if you
13 could find that out, too, for next week.
14 Thank you very much.

15 MS. EVANS: Thank you.

16 MR. JOYCE: Mrs. Schumacher, before
17 you leave I just want to make two quick
18 comments. One is far as the whole unfunded
19 borrowing issue, we did receive notification
20 from PEL that engaging in unfunded borrowing
21 of \$6.5 million would increase our debt
22 service payment by \$700,000 per year. Just
23 doing a simple ratio of proportion it comes
24 out to about \$722,000 more a year in debt
25 service.

1 As far as other things, I will say
2 there are parts of the PEL budget or
3 Recovery Plan that I do agree with. Some
4 revenue imitatives that they have and it's
5 not the 40 percent tax increase, by the way,
6 just to clarify that, and I have been in
7 discussions with Mr. Cross from PEL about
8 the implementation of some of those so
9 that's something that I would like to see.

10 MS. SCHUMACHER: I hope they will be
11 brought in sooner rather than waiting until
12 2012. Thank you.

13 MR. JOYCE: Yes.

14 MS. EVANS: Dave Dobrzyn.

15 MR. DOBRZYN: Good evening, council.
16 Dave Dobrzyn, resident of Scranton and
17 taxpayer.

18 MS. EVANS: Good evening.

19 MR. DOBRZYN: Once again we should
20 scream it from the rooftops, where is the
21 audit? And this I'll jump ahead on my list
22 here a little bit, with these editorials
23 that seem to appear every Sunday in the
24 Scranton paper, the Times-Tribune about
25 cooperation. How could you even call that

1 cooperation when you can't even show up with
2 the audit on a timely basis or even a
3 monthly. I don't know where people think
4 the sense of logic is, but that's basically
5 an insult to my intelligence.

6 On this Bethel issue, I felt he
7 pointed it out last week but that person
8 needed to have it pointed out a little
9 stronger that anybody can come here and
10 speak if they want to, so I would suggest
11 that if somebody has an opposing view to
12 Reverend Simmons then come and talk about
13 it, but it's not acceptable to accept money
14 and not fulfill your mission. If you need
15 more, you could always apply for more.
16 Shutting down that homeless shelter, we have
17 a terrible homeless problem and we do need
18 people taken care of and helped out.

19 Now, on the property taxes, I seen
20 Wayne Evans here, a local real estate man,
21 and I have to agree with him, you know, when
22 I bought my house it was a miserable \$45,000
23 and I had to come up with \$8,700 in closing
24 costs. That's ridiculous. You can't keep
25 jacking up these closing costs and expect

1 people to want to move here. Only a small
2 portion of that, maybe 30 percent, was a
3 down payment, so it's just getting
4 excessive. I don't know how we expect to be
5 able to sell a house some day with those
6 type of costs involved.

7 And I'd also like to point out on
8 wage taxes and joblessness that every time a
9 person losses his job or her job to a trade
10 pack or whatever, it's less money being paid
11 into social security, less money being paid
12 into city, less money being paid into the
13 state, and last week while we were here at
14 the meeting in South Korea I have been
15 mentioning that trade pack with 400,000
16 people from the north coming down and their
17 wages being paid to the government of North
18 Korea, well, the minority speaker of the
19 Korean house tossed a tear gas grenade at
20 the speaker of the house in the South Korean
21 senate, so -- or house of representatives,
22 so that's how strongly they feel about it.
23 So, obviously, the only people that are
24 benefiting from this are a couple of
25 international bankers who will probably want

1 us to defend them with our military someday
2 by the paltry way they treat people.

3 And one other thing on the fire
4 department and overtime, if any kind of job
5 sharing and police department could be
6 initiated where when somebody reaches 40
7 hours, call somebody else back, it must be
8 terrible to sit on a weekend on your day off
9 and wonder whether you are going to get that
10 call to go into work. You can't even sit
11 down and have a beer during a football game.
12 These people have lives of their own, too,
13 and when you are working with somebody
14 that's overstressed they can make the wrong
15 decisions and cost themselves an injury or
16 their own life or somebody else's or they
17 are just so down and dead tired that they
18 can't get the job done the way it should be
19 done, so I would see job sharing as a big
20 plus and you are not paying off time and a
21 half then.

22 So I would recommend getting on-line
23 and Getmoneyout.com and sign the petition
24 for an amendment to the constitution to ban
25 big money for politics and everybody get in

1 touch with your Congressman or whatever or
2 senator and take your trade packs and shove
3 it.

4 And the golden parrot, well, I had
5 an idea, why don't you write in Mrs. Cain if
6 you are a Republican. That's what I would
7 do with mine. And, also, Newt Gingrich, you
8 know, God forgave him for his marital
9 indiscretions, but I wonder when his wife
10 have to say about that. Bawk, bawk, Newt.
11 Have a good night.

12 MR. ROGAN: Thank you, Mr. Dobrzyn.
13 Is there anyone else who would like to
14 address council?

15 MR. SLEDENZSKI: Jackie.

16 MR. JOYCE: Chrissy.

17 MR. SLEDENZSKI: Frankie. Hey,
18 Jack, Engine No. 7, Jack, let's keep it
19 open, will you? And help them keep their
20 jobs. Thank you.

21 MR. ROGAN: Thanks, Chrissy.

22 MR. ELLMAN: Hello, Council.

23 MR. LOSCOMBE: Good evening.

24 MR. JOYCE: Good evening.

25 MR. ELLMAN: I guess as most of you

1 know I'm a man of few words, I won't be here
2 too long. I certainly like to see all of
3 these fresh young faces out here. They are
4 the future of this city and I think we need
5 to quit worrying about the past and do
6 something about the future, and I'd like to
7 tell council and everybody how well off we
8 are to have Attorney Hughes representing
9 the -- I guess us and the council. His
10 expertise in law just I think it's worth
11 every penny he gets paid. I know last week
12 they were talking about his salary, but
13 whatever it is you are doing a good job.

14 MR. HUGHES: Well, thank you. I
15 appreciate it.

16 MR. ELLMAN: I don't say too much
17 good about anybody, you know that. I had a
18 fellow that asked me again when in the world
19 is somebody going to do something about that
20 old high school that Goodwill is just
21 sitting on there? You know, forget the 2
22 1/2 million dollars in state money let them
23 worry about that, that building should be
24 put up or back on the market and somebody do
25 something with it. They beat out of ten

1 years. It's time something was done with
2 it. I have to agree with the gentleman.

3 I bet you all wish you had some of
4 that KOZ money that we have lost now, don't
5 you? Just think of the millions of dollars
6 down the drain for nothing. There isn't --
7 nobody can just talk about anything that
8 came out of KOZ except some business, you
9 know, people have some businesses.

10 Just every time I go down Keyser
11 Avenue and look at that 150 houses and all
12 of those kids and we had to build a school
13 for it's just heartbreaking, when I talk to
14 10, 12, 15 people during the week that just
15 they told me they just don't have nothing
16 else to do. They can't afford no more --
17 their taxes being doubled. I mean, I talked
18 to one guy who sold his car and people give
19 up the newspaper, the cable, they are
20 sacrificing. You know, these people are
21 being punished because they have a house.
22 There is no other way to look at it.

23 Why I think of, an insurance
24 adjuster told me, Jack, I know you probably
25 know, he said that my insurance rates are

1 drag him out of the 19th hole once in awhile
2 at the Country Club maybe he would have that
3 right home that's out therein Archbald there
4 they are making it larger, building on it.
5 I guess I shouldn't talk about that. I'm
6 sacrificing some things, but not the Taurus
7 Club. That's asking too much.

8 You know, I asked Marie to tell me
9 something about all of these cameras when it
10 was in the news, you know what those 12
11 cameras cost the city? \$220,000. They are
12 not being used. Nobody seems to know what
13 to do with them. You know, if Mr. Doherty
14 had gone out to Harbor Freight he could have
15 bought some of those dummy \$10 a piece and
16 he would have had all of that tax money.

17 And again, I want to thank
18 Mr. Hughes because I watched the -- the
19 library I borrowed the tape and I listened
20 to you the second time and your expertise
21 and all just, you know, just overwhelmed me.
22 I didn't know you were that good. Thank
23 you.

24 MR. ROGAN: Thank you, Mr. Ellman.
25 Is there anyone else who would like to

1 address council?

2 MR. EVANS: How you doing? I'm
3 Brian Evans and I'm with Occupy Scranton and
4 I just wanted to take a minute to address
5 everybody here and address everybody in the
6 crowd.

7 Earlier you had mentioned, you know,
8 that most of the council is on our side and
9 that you respect our position and the fact
10 that we take the time to be here. The
11 process is new to most of us and, you know,
12 even those of us that heavily follow
13 politics and heavily be involved in the
14 local community is something that's new to
15 all of us, but as an organization and a
16 movement of people that care about our
17 future and about this community, I just
18 wanted to reach out to everybody that is
19 here because I think everyone is in the same
20 mindset. You know, even if you are not
21 involved or, you know, supportive of the
22 Occupy Movement, you are aware of what's
23 going on in your community, you are
24 interested in it and you are here to make a
25 difference about it and to be heard and

1 that's all we are doing. We are doing the
2 same thing.

3 And we will take your advice and we
4 will bring it up at our next meeting about
5 going to the governor and we will organize
6 something that will be substantial and will
7 be recognized and I think everybody here,
8 you know, it would be in your benefit and be
9 in your interest to come and support us or,
10 you know, keep an eye on the internet, on
11 the Facebook pages or on our webpage and
12 just keep an eye on our minutes and see
13 what's going on and see where you can get
14 involved because we do a lot of things,
15 especially recently, trying to affect our
16 community and make things better where we
17 live, not just nationally.

18 It's really important and this is
19 your chance to do something about it and,
20 you know, I just wanted to take the
21 opportunity to please invite you, take the
22 time, come out and speak with us and keep an
23 eye on what's going and be part of what's
24 going on because this is our chance to
25 change things. Thank you.

1 MR. ROGAN: Thank you.

2 MR. GERVASI: Good evening, city
3 council. My name is Dave Gervasi. I am a
4 firefighter and homeowner and taxpayer in
5 the City of Scranton.

6 MR. LOSCOMBE: Good evening.

7 MR. GERVASI: I have too many
8 numerous things to say in five minutes, so
9 I'm going to try to be brief. The current
10 situation we are under right now, if these
11 29 layoffs happen, and I want to make this
12 perfectly clear to everybody, there is going
13 to be generally normally, depends on the
14 day, depends on the month, there is going to
15 be two firehouses open in the City of
16 Scranton out of eight. There is going to be
17 three trucks running out of ten. That is
18 completely and totally unacceptable.

19 You need to understand, and I don't
20 know how to say this, there is a reason for
21 what's happening right now, and I think the
22 mayor gave you a big pile of garbage when he
23 handed it to you and he wants you to fix it
24 and I think the pile of garbage he gave you
25 is to the point where it's going to be

1 extremely hard to fix, not like last year.

2 Last year you put in revenue items
3 in your budget, last year you cut some
4 expenses, you did what you had to do, but
5 you upheld the what is at this time a
6 minimal amount of public safety in the
7 police and fire departments, and it may be a
8 little tougher job to do this year.

9 What I'm asking council to do is
10 don't feel defeated. Our experience with
11 Mayor Doherty is you take him to arbitration
12 you win just about every time, he talks you
13 to the local courts and you lose just about
14 every time and you get to the higher courts
15 and you win every time.

16 This little defeat everyone just had
17 whether council had the right or not to
18 determine how much public safety this city
19 should have, I wouldn't feel you should have
20 a defeatist attitude. We are going to win
21 on appeal. The firemen had to do this
22 because obviously council does not have the
23 budget or the wherewithal to take the mayor
24 to Court every day. We didn't either, but
25 we did it anyway and we win all the time

1 because we are right and he is wrong.

2 What I'm suggesting to council is
3 something needs to be done, something needs
4 to be fixed until we can get the power to
5 council to do what's right and to have
6 proper and adequate fire protection and
7 police protection. I think that you would
8 put yourself in a precarious situation if
9 the mayor got his way. I think you need to
10 protect yourselves and do what's right and
11 that if the mayor sabotages like he did to
12 your budget last year then it's all on him
13 and the people can take it's course and
14 things -- bad things happen, the Court and
15 whatever else, so that's all I have to say
16 on that.

17 Another issue, you know, usually we
18 don't react to what happens in the Scranton
19 Times because you never can find the truth
20 and they are not going to tell you why the
21 city is in situation they are in, they are
22 not going to tell you that the mayor blew
23 the sewer deal and it cost \$5 million and he
24 had to borrow money to fix that, and they
25 are not going to tell you that he filled up

1 all the authorities with patronis jobs and
2 we have to subsidize all of them, he is not
3 going to tell you any of that. He is going
4 to tell you the firemen are bad, the police
5 are bad, they have to be cut even though
6 other departments work overtime all the time
7 and there is money for Christmas tree lights
8 to be on 24 hours a day and things like
9 that, so it's never been about money, it's
10 never been about the city's broke, it's all
11 been a fabrication. The reason why you
12 don't have an independent audit right now is
13 because it will prove that this is all a
14 fabrication.

15 The Scranton Times what I'm hearing
16 now is the reason why the fire department
17 companies are closing is because guys are
18 calling in sick. I want to make something
19 perfectly clear right now in public on tape
20 in front of everyone. This union has never,
21 will never and doesn't condone sick leave
22 abuse. We were on the record in Court
23 cases, we are on the record in arbitrations,
24 that if anybody calls in sick and anybody is
25 abusing their sick time that the city has

1 the power to, has the management rights to
2 and will not be defended by this union to do
3 whatever they got to do to correct that, and
4 I'm telling you again right now in the last
5 ten years, because this has been said for
6 ten years under the Doherty administration,
7 there is sick leave abuse. I'm telling you
8 right now to my knowledge, even though I
9 have been the president of the union, I
10 would be defending the person who allegedly
11 was abusing sick time, there hasn't been one
12 person in this department, in the fire
13 department disciplined for sick leave abuse.
14 Not one.

15 So if anyone perceives that there is
16 sick leave abuse going on and that's what's
17 causing companies to close it's simply not
18 true. It's not true. And if there is
19 anyone in the future who abuses sick leave
20 the chief, the mayor and everyone else in
21 this city as long as it's not done
22 discriminatorily or as long as it's done
23 amicably and evenly with all departments and
24 they are not making a gigantic example out
25 of one person and one person gets a

1 promotion because they made a mistake, as
2 long as things like that don't happen this
3 union will not defend anyone that abuses
4 their sick time or even leave time.

5 So when you hear this story that's
6 about to become -- I'm expecting a phone
7 call tomorrow by the Scranton Times, because
8 they are not going to tell you that we don't
9 have enough manpower. They are not going to
10 tell you that we need to work overtime
11 because there is not enough manpower because
12 the mayor already got rid of how many
13 positions, 13 layoffs and 13 vacant
14 positions, you are not going to hear any of
15 that, you are going to hear that the
16 firefighters aren't working overtime and
17 that's why things are closed.

18 You are not going to hear that the
19 mayor forced us on a 24-hour shift that it's
20 not safe any longer to work overtime. It's
21 not safe any longer to work overtime. And
22 you are not going to hear that there is not
23 enough manpower and that's why the company
24 is closing. You are going to hear this
25 rhetoric that somehow that sick leave is the

1 reason why things aren't opening, and I'm
2 telling you again please listen to me,
3 whichever camera is on, no one has ever been
4 disciplined for sick leave abuse in the ten
5 years that I know of and this union does not
6 condone any sick leave abuse and they will
7 not be defended if there is a sick leave
8 abuse.

9 So when you hear this article come
10 out, which I'm assuming now is not going to
11 happen because the truth is now out, don't
12 believe it, it's a lie, it's rhetoric.

13 MS. ROSKY: Good evening, council.
14 My name is Mary Ann Rosky, taxpayer and
15 homeowner and I guess I'd like to start with
16 the fire department and 29 firemen being let
17 go, and I can't come here enough to say how,
18 I don't know, I don't even know the word,
19 it's almost like demented that you are
20 letting our safety go. The mayor is just
21 saying, that's it.

22 You raised the taxes of the
23 taxpayers, and you know what, I'm glad all
24 of these people are here tonight, I applaud
25 them because there are new faces here, there

1 are new faces here, but they are not all of
2 the taxpayers of this city. I mean, I would
3 expect them to be lined up down the hall,
4 down the steps and around the corner.

5 You know, President Obama is coming
6 tomorrow, you know where the mayor is going
7 to be? As close as he can get to the
8 president and he is going to be on
9 television tomorrow. Where was he tonight?
10 How many invitations does this person need?

11 And you know what, I'm not going
12 to-- with all due respect, but you know
13 what, I don't feel that anybody should have
14 a title of anything unless they earn it, so
15 they get put in, they get their trial
16 period, they get a first term if they don't
17 earn it by then oh, well. Oh, well. So to
18 me, I can't call him Mayor Doherty. In my
19 opinion, I don't think he has earned it.
20 There are other names he has earned, but not
21 mayor.

22 Now, Mr. Loscombe, I have to commend
23 you, last week you apologized for ten years
24 of what's happened to this city. You are a
25 man. You are a gentleman. You are quite

1 the man and you have only be been here for
2 so long, the mayor has been here for, oh,
3 how many years, Mayor, do you remember?
4 It's like he doesn't -- he has no clue as to
5 what's going on, but has he once, first of
6 all, he has never once appeared here in ten
7 years or longer that I have been watching,
8 he has never appeared here to face council,
9 to face the camera, wherever they are, to
10 face WBRE, WNEP and the taxpayers, okay?

11 So do I expect him to come -- does
12 anybody expect him to come forward and in my
13 opinion how many, whatever, 100 errors, 100
14 bad judgment calls, as an example, letting
15 police and firemen go. Did he ever once,
16 once stand up to council and say, "I'm
17 sorry, I made a bad judgment call. I am
18 sorry, I made an error. Council, I will
19 work with you to make this city better for
20 our people."

21 Not the lights at Nay Aug. You
22 know, when he built the trike at Nay Aug
23 there and the tree house and all of that, I
24 think in his mind he was trying to build
25 like one of the wonders of the world in

1 Scranton, Pennsylvania. Mayor, it doesn't
2 work. It doesn't work. You have to look at
3 us taxpayers who are paying. We are paying
4 29 percent increase and we got 29 firemen
5 that are gone. One percent hike for every
6 fireman that goes. Does that make -- it
7 doesn't make sense.

8 Now, this is the season, of course,
9 you get more fires in the winter and I do
10 because I focus on the people that do not
11 have homes and they are out in the cold and
12 have to be put up somewhere and that hurts
13 me. It's just -- my heart. Now, does he
14 think that where are these people going to
15 go if God forbid lives are loss, children's
16 lives are lost, a parent, but you know what,
17 is that what he needs to do something
18 different? No, because he won't care about
19 that either. He has never cared about
20 anything in this city. That would not move
21 him. He would still wouldn't bring back the
22 29 firemen that he let go.

23 Council, I commend you. I
24 appreciate you guys being up there because
25 you are the people for us. We could ask for

1 no better council members than you guys
2 right there.

3 Now, Mr. McGoff, I just -- I'm going
4 to get down on you, but I know you have a
5 little pull with the mayor, and that's not a
6 negative thing, but you couldn't get him
7 here tonight either or did you try? And I
8 don't even know, I mean, who was he invited
9 by? Did all council members make a phone
10 call to him and say, "Come to the meeting
11 tonight?"

12 MR. MCGOFF: I don't think he will
13 listen to any of us.

14 MS. ROSKY: Well, I applaud you,
15 Mr. McGoff. No, really, you spoke the
16 truth. You really did. You spoke the truth
17 and I commend you because prior to this
18 council -- this council here, you know, it
19 all of seemed like you were for the mayor no
20 matter what. He could give 1,001 percent
21 right and you would vote no matter what he
22 did, so I commend you for that. I really
23 commend your honesty on that.

24 MR. MCGOFF: It was easy.

25 MS. ROSKY: There were quite a few

1 things I was going to focus on and, as I
2 said, Mr. Loscombe, you are a gentleman. I
3 don't know -- you know, it takes a man to
4 get up and say, "I'm sorry, I made a bad
5 judgment call, I made an error," and I guess
6 the man downstairs, upstairs, whatever he is
7 at the moment next door, across the street,
8 wherever he is I guess he is not in my
9 opinion a man. Thank you very much.

10 MR. LOSCOMBE: Excuse me, just to
11 answer your question, he received a written
12 invitation right from city council.

13 MS. ROSKY: He did?

14 MR. LOSCOMBE: Each person, the fire
15 chief, the business administrator and the
16 mayor.

17 MS. ROSKY: Well, the chief is
18 hunting so, I mean, that a priority, you
19 know. He has got to get his buck or
20 whatever is in now to hang on his wall.

21 MS. EVANS: Mr. Ancherani.

22 MR. ANCHERANI: Good evening,
23 Council. Nelson Ancherani, resident and
24 taxpayer, recording secretary of the FOP,
25 First Amendment Rights. Anyway, I think we

1 have First Amendment Rights. I really came
2 unprepared so I just through this together.
3 I know council will do what's right and I
4 know you're studying the budget and that's
5 going to be a big job, but stay strong. I'm
6 tempted to tell you to let the budget go as
7 it is and when it does implode it won't be
8 put on your shoulders. Let the blame fall
9 where it does. Put the firemen and police
10 back in the budget. If the administration
11 doesn't put them back or hire them back if
12 anybody gets hurt it won't be on you. It
13 won't be on you. But I know you will do
14 what you have to do and come up with a
15 budget that is fair to the residents and
16 taxpayers. Don't be tempted not to come up
17 with your own budget. Don't give into this
18 administration. Stay strong. Don't give
19 up, the taxpayers and residents really need
20 you. I know I won't give up, don't you.

21 I was going through the budget, I
22 really didn't go through it like I usually
23 do, but I just went through it fast and the
24 ones that I read off are all the inflated
25 from two years or from last year.

1 Department of Public Safety Bureau of
2 Police, \$3 million more less police.

3 Department of Business
4 Administration Bureau administration
5 \$2,900,000 than last year. That's 2,900,000
6 in 2012.

7 Department of Business
8 Administration Bureau of Info Technology
9 there is at least \$35,000 there, but they, I
10 believe, need it anyway.

11 Department of License, Inspections,
12 Permits, they are up 5,000 which isn't that
13 much. Department of licenses, Inspections
14 and Permits, Bureau of Buildings, they are
15 up about \$400,000.

16 Department of Public Works Bureau of
17 Engineering, they are up at least \$150,000
18 and it seems like every one of the Public
19 Works Bureaus they are all up. Every one of
20 their budgets are up.

21 Health insurance for the police
22 unions, it's up almost 800,000. There is
23 less police. Health insurance, fire union
24 is \$1.5 million, and these are approximate
25 and budgeted 37 less firemen and up 1.5

1 million. Health insurance clerical at least
2 \$300,000. Health insurance nonunion up
3 \$540,000. For nonunion health insurance DPW
4 union, well, that's up \$100,000
5 approximately. Health insurance Single Tax
6 Office, that's up \$270,00 and he is going to
7 layoff 15 people there.

8 Unemployment insurance 900,000 more.
9 Keep laying people off it will go higher.

10 Social security 175,000.

11 Professional services, 280,000 more
12 and there is some others, but I'll finish
13 now I know there lot of and I'll let you go.
14 Thank you.

15 MS. EVANS: Is there anyone else who
16 cares to address council?

17 MS. RAVINE: Can I go twice?

18 MS. EVANS: I'm sorry, not that's
19 against the Rules of council.

20 MS. RAVINE: Is it really?

21 MS. EVANS: Yes.

22 MS. KRAKE: 5-A. MOTIONS.

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

25 MR. MCGOFF: Yes, thank you. I'll

1 wait.

2 MS. EVANS: If you would like to
3 come and speak we'll wait.

4 MR. PRINGLES: Hello, My name is
5 Michael and just a quick question, is there
6 any process for a recall for Mayor Doherty?

7 MR. JOYCE: No.

8 MS. EVANS: I think that's an issue
9 that would have to come before the state
10 government, the state legislature and
11 governor of Pennsylvania for the removal or
12 recall of the mayor.

13 MR. ROGAN: It would need a new Home
14 Rule Charter, also.

15 MS. EVANS: Yes, if we -- but the
16 development of a new Home Rule Charter is a
17 multi-year task.

18 MR. ROGAN: The mayor's term would
19 be over before that could happen.

20 MS. EVANS: Thank you. If I could
21 before you leave, we need your last name as
22 well.

23 MS. PRINGLES: Pringles.

24 MS. EVANS: Thank you. Councilman
25 McGoff.

1 MR. MCGOFF: The question came up
2 last week about a statement that I had made
3 concerning the mercantile tax and that last
4 year that if it were reduced it could not be
5 raised. I brought it up at the PEL meeting
6 on Monday and asked if I had made an
7 erroneous statement, apparently somewhere in
8 the translation I did get misinformation and
9 I misspoke. What I was told is that there
10 was legislation, and Mrs. Krake was there as
11 well, we are not sure what year the state
12 legislation took place --

13 MS. EVANS: I think it was 1992.

14 MR. JOYCE: '92. I found out from --

15 MR. MCGOFF: That that cannot be
16 raised above the level it was at that date,
17 and I was told that it was unclear that if
18 can you be raised once it is lowered there
19 was nothing in the legislation stating that,
20 but I'm sorry if I provided misinformation,
21 and hopefully if you have found that, you
22 know, there is some more clarity to it than
23 certainly I provided.

24 As far as the budget is concerned,
25 just two things that I would like to ask and

1 I know it was contained, Mr. Rogan has also
2 mentioned it, I would hope that we could
3 have some type of work session prior to the
4 presentation of the amendments, a work
5 session of council so that we can discuss
6 the amendments that will be presented.

7 And the second thing would be
8 hopefully the amendments can be presented at
9 the December 6 meeting so that it allows
10 time for evaluation and discussion prior to
11 a final vote.

12 And a couple of other items just
13 very quickly, as far the light show at Nay
14 Aug is concerned, I would encourage people
15 to attend. It is a great attraction. I had
16 my granddaughters there the night that it
17 opened. They enjoyed it immensely. If
18 there are problems with the hours that they
19 are being lit, we will find out why that's
20 occurring and rectify the situation. But,
21 please, you know, don't forego attending the
22 light show because, you know, there may be
23 some issues about them being on during the
24 day. It's a great attraction and one that I
25 think that, you know, families and the

1 entire area can enjoy and it is free. All
2 that's -- they have someone there for
3 donations at the end of the light show, it's
4 not required, it is, in fact, a donation.

5 And the other thing that I forget to
6 mention earlier is just a little
7 announcement, the Lackawanna Heritage Valley
8 is sponsoring Christmas in a small town
9 program and as part of that program the
10 Santa train will be arriving in Scranton on
11 Saturday, December 3, at 2:45 p.m. at the
12 state office building parking lot. People
13 are, you know, anyone wishing to see Santa's
14 arrival via train, please, there is a
15 schedule that it's going through the entire
16 valley from Carbondale all the way to
17 Scranton, the arrival should be, as I said,
18 at 2:45 at the state office building in --
19 or the state office building parking lot on
20 Lackawanna Avenue, and that's all.

21 MS. EVANS: Thank you, Councilman
22 Rogan.

23 MR. ROGAN: Yes, I will be somewhat
24 brief tonight. First, a few comments on the
25 budget. I did put together some preliminary

1 suggestions that I turned into Councilman
2 Joyce, our Finance Chair, and he ran off
3 copies for everyone so everyone can take a
4 look at them.

5 When going through, I didn't --
6 everyone knows I'm the most fiscally
7 conservative person on this board, it's not
8 much of a secret. I will mention that I
9 went through and I didn't go as far with
10 some of the cuts that I would like to
11 initially since I figured, you know, these
12 cuts here would be agreeable to pretty much
13 everyone on the board.

14 There were a lot of areas, you know,
15 small amounts, but there is symbolic and
16 they do add. Dues and subscriptions, things
17 of that nature. You know, money basically
18 being thrown away. A lot of money in
19 professional services was added to the
20 budget this year, to the mayor's budget.

21 There was a lot of money in the DPW
22 for uniform allowance. Now, I don't know if
23 that's in the contract, I don't believe that
24 DPW employees should have the uniforms paid
25 for by the city. It's basically a t-shirt

1 and a vest. Now, remember, the fire
2 department and police department on the
3 other hand, obviously, we shouldn't be
4 forcing them to pay for, you know, fire
5 retardant gear or bullet proof vests. I
6 think for DPW employees I don't think it's
7 too much of a burden for them to buy their
8 own T-shirt and their vest.

9 There was some other budgetary
10 projections that I wasn't quite clear on,
11 and I'll talk to Mr. Joyce on that. I'm not
12 an expert in that area by any means.

13 Also, I believe that all overtime
14 should be eliminated for the DPW department
15 refuse. That department has used and abused
16 overtime worse than any other department.
17 We all know that many employees at the DPW
18 are not working full days and they are
19 getting paid for full days, and I would also
20 like to see cuts made to the staffing at
21 DPW.

22 Some few additions that I did put in
23 where I did speak to Tax Collector
24 Courtright about the positions in his office
25 and I know there was -- I believe it came

1 from Mr. Courtright in our mail last week --

2 MR. JOYCE: Yeah.

3 MR. ROGAN: -- about positions being
4 restored and, you know, when talking to him
5 it seemed to make sense what he was asking
6 that most of the staff or all of the staff
7 would stay on for at least the beginning of
8 next year, because the beginning of next
9 they'll still be collecting the tax from
10 this year, so we still need the full staff
11 and once he loses some of the taxes he
12 won't be collecting I believe the wage tax.

13 MR. JOYCE: Yeah, Burkheimer will be
14 collecting that.

15 MR. ROGAN: So, obviously, he will
16 have to lose some employees, and when I
17 talked to the tax collector, you know, he
18 believed that he could run efficiently by
19 losing seven employees, which I think is a
20 major concession, which we don't see that
21 happening with the department heads within
22 the city, especially the DPW.

23 Moving onto the DPW, my favorite
24 topic as always, a few speakers did mention
25 that two DPW employees were arrested for

1 solicitation of prostitution in the last
2 week. Mrs. Krake, can we please send a
3 letter to Chief Duffy requesting a copy of
4 those police reports to be provided for all
5 council members and also provide assurances
6 that they will not be released to the
7 public. If this turns out to be true, if
8 this was done on city time, they should
9 absolutely be fired the second someone finds
10 that out. There is no excuse for city
11 employees to be soliciting prostitutes. I
12 can't believe I'm sitting at a council
13 meeting saying this, that we have a problem
14 with city employees soliciting prostitutes
15 while on the job. They should absolutely be
16 fired.

17 And it just goes back to lack of the
18 management at the Department of Public
19 Works. Mr. Brazil got his golden parachute,
20 he is over at or is going to be working for
21 the school district. Who the mayor will
22 want to take his place, hopefully, whoever
23 it is will clean up shop down there, make
24 sure the guys are all working an eight-hour
25 day. If the garbage routes are done in four

1 hours, five hours, have them go out and fill
2 potholes, pick up garbage off the side of
3 the road, something to make the city nicer,
4 and stuff like this absolutely cannot
5 continue in this city.

6 And I'll make a quick comment about
7 the Bethel AME church, I know it's been back
8 and forth at the meetings for the last three
9 weeks. I will say that if it pans out that
10 it is the case that federal funds were used
11 to do these repairs for the homeless shelter
12 and then, you know, they is a breach of
13 contract, those funds absolutely should be
14 returned to the city.

15 I hope, I know Reverend Simmons
16 mentioned about the homeless tents down by
17 the river, I hope we don't have to go
18 through this again. I know Chief Duffy did
19 a very good job with the railroad police
20 getting that cleaned up down there and we
21 hope that, you know, a more amicable
22 situation could be reached for everyone, and
23 that is all, and I look forward to talking
24 to all my colleagues about the budget, and I
25 agree with Mr. McGoff that, you know, it

1 would be good if were all able to meet
2 before a meeting to discuss the proposed
3 amendments, and that's all I have for now.
4 Thank you.

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

8 MR. LOSCOMBE: Yes, thank you. I'm
9 a little bit under the weather, so I'll try
10 and be brief. I really wasn't going to say
11 anything tonight, but it's no secret, you
12 know, how I feel about the budget,
13 especially the cutbacks in public safety.
14 If anybody has witnessed these meetings in
15 the past few weeks my frustration level
16 exceeded where it usually goes. I think to
17 eliminate the police and firefighters like
18 they have been doing or plan on doing under
19 the budget is criminal, and I'm the first to
20 agree to that, and I stated if something
21 drastic happens because of these cutbacks
22 I'll be the first one to go to court for it.
23 That's how strongly I feel.

24 There has been no consideration, no
25 plan, it's just a dart board effort, you

1 know, let's see, what station will we close
2 today. That's basically what it is. I
3 mean, I cannot believe that we have an
4 administrator running this city like that.

5 And many people spoke here, and I
6 appreciate the knew speakers, Occupy
7 Scranton, and the other speakers. We need
8 all the help we can get in this city, all of
9 the fresh ideas. I'm disappointed we didn't
10 have more speakers here tonight especially
11 with the way the budget is turning out.

12 I'm most disappointed that the three
13 people that we invited to find out how they
14 plan on protecting the people in this city
15 were unavailable, the mayor, the business
16 administrator and the fire chief, and now we
17 do have a response from the fire chief which
18 I found out after, but, you know, this is
19 serious. This is everybody's lives.

20 And there was some comments in the
21 paper, and I don't have them with me, but it
22 was a slap in the face to every taxpayer in
23 this city some of the comments that the
24 mayor made regarding the cutbacks using, I
25 think, Noxen and Dickson City as examples.

1 It's an insult to those areas, too, and I'm
2 not going to go into that.

3 I am frustrated over it and I assure
4 you, you know, I get accused of being
5 friendly to the fire department because I am
6 a retired firefighter, but I'm also the
7 Chairman of the Public Safety Committee, and
8 it's in that respect that I look at things.
9 I live in an area of Scranton that's been
10 under protected, there is no hydrants in
11 certain areas, it's going to be devastating,
12 and just because a fire station closes in
13 your neighborhood or another neighborhood
14 doesn't mean it's not going to effect you,
15 trust me. It's going to take a catastrophe
16 before everyone gets shook up, and I don't
17 want to see it come to that point.

18 And I'm working diligently with my
19 colleagues here, I know Mr. Joyce here he is
20 crunching numbers and all of that, I mean,
21 we have been left a pretty daunting task
22 here with this budget. He spiraled this
23 city into the ground the last few years and
24 we had opportunities to raise revenues in
25 the last year. We went to Court two years

1 ago to cut \$700,000, and again I reiterate
2 this, the judge ruled in favor of the
3 administration saying that the cuts to the
4 administrative salaries in a couple of
5 positions would jeopardize the health,
6 safety and welfare of the public. I don't
7 know what is jeopardizing the health, safety
8 and welfare of the public more than losing
9 public safety employees to the extent that
10 we are losing them. It just doesn't make
11 sense, and I would hope to go before that
12 same judge for the same ruling on this case
13 and see how he responds to that. There is
14 no justification for it.

15 You know, I worked on the fire
16 department at a time when we had 150 men. I
17 worked there when we had 200, and we agreed
18 under the original part of this plan to
19 reduce it by 50 men. That was supposed to
20 be the salvation. Where has all of that
21 money that we saved gone? It didn't go into
22 raises or anything, 10 years the public
23 safety unions didn't receive a penny, but
24 yet they have been to blame, the blame for
25 the way this city is right now.

1 1,000 percent, the message has to be sent
2 strongly downstairs to the first floor. If
3 you catch the mayor or wherever, you know,
4 that's where the message has to be brought
5 to and, you know, maybe you can see him
6 huddled up with Mr. Obama tomorrow, I don't
7 know, but that might be a good place to
8 start, but I think another good place to
9 start is to occupy the first floor here
10 until we get some answers, I'm totally
11 disappointed.

12 But I just wanted to comment, too,
13 because this guy sent a letter to the editor
14 in the newspaper Sunday, and I'm only going
15 to read the one paragraph here. It said,
16 "Councilman Loscombe should exclude himself
17 from voting on any budget that affects the
18 fire department. He retired from the
19 department and his close ties to the
20 membership are a conflict of interest."

21 Ladies and gentlemen, when I was
22 appointed here I said I would not vote on
23 anything that personally benefited me.
24 Voting on -- we have nothing to do with the
25 contracts with the police and fire. As far

1 as the budget, we are protecting your public
2 safety. That doesn't personally affect me,
3 it affects everybody. It doesn't give me an
4 extra penny or anything like that. It's to
5 protect you.

6 If I were to use this same
7 gentleman's logic that wrote this letter, I
8 have been a taxpayer most of my life, our
9 budget deals with taxes, I guess I can't
10 vote on that either. It doesn't make sense.
11 But I feel I have the experience and the
12 knowledge to be the public safety chairmen
13 and I'm going to fight for your public
14 safety until the day I'm out of here, and if
15 this gentleman would like to come to city
16 council I'll meet him for coffee. He can
17 call the city council office at 348-4113,
18 I'd be happy to sit down man-to-man and
19 discuss with him where the accountability is
20 that he states in the letter and who should
21 take part of the blame. I would like to
22 show him in black and white exactly why we
23 are in a position we are in today and how
24 it's going to affect his life down the road.

25 So, you know, the gentlemen knows

1 who it is, feel free to call me. You know,
2 no argument or anything I'll be happy to buy
3 your coffee and donut and listen to your
4 side of the story and I'll explain mine, and
5 anybody is welcome to do the same thing.
6 And that's all I have tonight. Thank you.

7 MS. EVANS: Councilman Joyce, do you
8 have any comments or motions?

9 MR. JOYCE: I do. A few quick
10 comments tonight. One, I'm really
11 encouraged to see some of the members of
12 Occupy Scranton here. It's really great to
13 see, you know, well, first of all, it's
14 probably no secret that Councilman Rogan and
15 myself were probably two of the younger
16 council members around in this entire area
17 and it's very nice to see people in my age
18 bracket being involved and getting
19 themselves involved in the process of
20 government. Often too many times you hear
21 people say, well, no one pays attention to
22 the 20 years old and the 30 year olds
23 because they don't care as much, and it's
24 nice to see that trend changing not only
25 here in my home city, but also throughout

1 the country as well.

2 Second, I just had a quick request
3 from Mrs. Krake, and that was to go back
4 into the 1992 budget and determine what the
5 business privilege and the mercantile
6 privilege was back then just so we make sure
7 that we are not above that in the 2007
8 operating budget.

9 On other matters tonight, in both
10 public hearing and during the regular
11 meeting the majority of comments have been
12 directed towards the budget. I think that's
13 pretty clear. There is no doubt that city
14 council realizes the concerns of Scranton
15 residents. Almost all the residents are
16 frustrated with the proposed tax increases
17 and public safety cuts.

18 As many of you know, council's hands
19 are tied with reinstating public safety
20 positions because of the previous court
21 ruling where the mayor was granted the power
22 to layoff fire personnel and police
23 officers. I asked all members of council to
24 provide proposed amendments that they would
25 like to see. Councilwoman Evans and

1 Councilman Loscombe provided me with
2 amendments last week. Councilman Rogan and
3 McGoff provided me with their amendments
4 that they would like to see tonight. I also
5 have my own amendments that I would like to
6 see, and I would like to thank my colleagues
7 for doing so. I think it's important that
8 we are all working in the budget process and
9 that we are all involved in this decision.

10 Over the past two weeks I have
11 reached out to our business administrator
12 with questions as well as the department
13 heads. I have copied our mayor on all of
14 those questions. I have also reached out to
15 our tax collector, Bill Courtright, as well
16 as representatives from PEL, Pennsylvania
17 Economy League.

18 Because we are being hit with a \$1.6
19 million expense from Pennstar Bank due to
20 the fact that the Scranton Redevelopment
21 defaulted on the loan which we are obligated
22 to pay since we financially back
23 authorities, and as well as another \$1.6
24 million deficit that's projected from the
25 SPA and the Scranton Parking Authority in

1 2012, we have quite a task on our hands.
2 This is a much more difficult budget than
3 the last year, but be rest assured though
4 the budget that was passed down will be
5 amended and there will be a reduction to the
6 tax increase. The blow of the Doherty tax
7 increase will be softened by this council,
8 and you can count on that. And that's all I
9 have for tonight.

10 MS. EVANS: Thank you. Councilman
11 Rogan?

12 MR. ROGAN: Yes, thank you, and I
13 forgot to mention this under motions
14 initially, and Mr. Joyce when he mentioned
15 the authorities it jogged my memory.
16 Earlier did you mention the \$400,000 payment
17 to cover the SPA shortfall if the meters are
18 leased and \$1.6 million if they are not?

19 MR. JOYCE: It's a \$1.6 million
20 dollar payment if we pursue borrowing. If
21 we sell the meters to the SPA then their
22 projected deficit goes down to \$400,000,
23 however --

24 MR. ROGAN: The city losses the
25 revenue.

1 MR. JOYCE: The city losses the
2 revenue from the meters and the ticket
3 collections in exchange for that one-time
4 revenue source, so really it's kind of like
5 a lose-lose situation and it's picking out
6 what's the best of two bad things.

7 MR. ROGAN: What I wanted to mention
8 about the Parking Authority is, you know, I
9 firmly believe that the Parking Authority is
10 going to default no matter what we do and
11 selling the meters, I know that I don't
12 think there is one person on this board that
13 supports that or leasing or giving them
14 away, that's obviously not a solution.

15 Unfortunately, to me it seems like
16 the best solution to deal with the Parking
17 Authority is just letting them default and
18 picking up the pieces within the city. Let
19 them default, sell off their assets, sell
20 the parking garages, and whatever debt is
21 left we are going to have to assume the debt
22 at that point, we can bring the meters back
23 in-house, where meter collections and
24 everything can be run through the city
25 through council and the mayor not through an

1 authority of people that are appointed by
2 the mayor that aren't responsible to the
3 voters as we are as elected officials, and
4 that's all I wanted to mention.

5 MR. JOYCE: Right, and I agree with
6 your statements, if I may just have another
7 minute before Mrs. Evans speaks, I do agree
8 with your statements about the authority. I
9 do believe that they should at least put out
10 an RFP to see what others are willing to pay
11 for parking garages.

12 MR. ROGAN: Absolutely.

13 MR. JOYCE: And another thing about
14 the default, as far as their inability to
15 pay debt service, debt service loan
16 payments, I think they should take a good
17 long look into the insurance that they have
18 on bonds that they have because, you know,
19 though we are obligated to pay it in the
20 budget I did speak to our solicitor, and
21 perhaps if you want to make a quick comment
22 on this, and there may be a possibility that
23 they may have insurance that would pick up
24 that cost rather than it being something
25 that the city would have to pick up, and

1 correct me if I'm wrong, Solicitor Hughes.

2 MR. HUGHES: If I could, I believe
3 it was October 19 after council received a
4 letter from Mr. Scopelliti saying that they
5 demanded that council place in the budget
6 \$1.6 million for the Parking Authority to
7 pay it's loan obligations in the Year 2012,
8 I wrote, it was a two-half page letter to
9 Mr. Scopelliti making various requests from
10 him, I didn't say request, I demanded
11 information be furnished to me for the
12 benefit of council on the bond issues, on
13 various demands as to what the balances are
14 in various surplus accounts and loan
15 accounts.

16 Also, as to whether notice had been
17 given to the insurance company that provides
18 the insurance for any default on the loans
19 which means that in the event the Parking
20 Authority is going to default on the payment
21 of any loan obligation they will have to
22 notify -- there is two different insurance
23 companies on the three outstanding bonds,
24 would have to notify them, those insurance
25 companies would make the payments so the

1 loans would not be in default.

2 I demanded information on all of
3 that. It's almost five, it's going on six
4 weeks now, there has been no response other
5 than the fact that they want \$1.6 million
6 included in this budget for an alleged
7 default that may never occur, and I would
8 think that the authority if it is so
9 mismanaged, as I stated last week, I parked
10 -- I had a trial in Wilkes-Barre, I parked
11 in Wilkes-Barre parking authority garage, I
12 was in there for three hours, the rate was
13 \$3. The rate in this garage over here I
14 believe is \$2.65 to \$3 for the first hour,
15 it's over \$5 for two hours. I parked in
16 Wilkes-Barre for three hours for \$3 in the
17 parking authority garage. There is
18 something drastically wrong.

19 I believe that in my opinion and to
20 backup what Mr. Rogan said, this information
21 should have been furnished long before the
22 budget was put together by the mayor and
23 submitted to council and council should have
24 had this information from the Parking
25 Authority. I do not believe council has to

1 go through a Right-to-Know with the
2 authority. They have certainly ignored the
3 letter and to provide any financial
4 information and documentation regarding any
5 of the reserve accounts, regarding any
6 notices to the bonding company, to the
7 insurance companies for any default, and
8 until that information is received by
9 council I don't see how council could
10 include \$1.6 million in the budget for the
11 Parking Authority and just have the Parking
12 Authority say, "Give us the money."

13 It's goes to fall into a deep hole,
14 a deep black hole in space, and I certainly
15 believe with what Mr. Rogan said, if they
16 are in that financial obligation let them
17 file bankruptcy and let it work out that
18 way. That's my opinion.

19 MS. EVANS: The Parking Authority
20 submitted it's budget to us, and as you are
21 well aware because you are the gentleman who
22 discovered the information, that budget has
23 to be approved by city council, and so I am
24 asking you tonight to consider the situation
25 and advise council as to whether or not we

1 proceed by placing legislation for their
2 budget on our agenda, I know that I would
3 not approve their budget because it is so
4 poorly fashioned. It's about -- it's a
5 cursory review that might be two pages in
6 length as compared to quite a hefty city
7 document, and I've really never witnessed
8 such a lack of transparency in any entity as
9 I have with the Scranton Parking Authority.

10 So if you could please determine
11 whether we should put it on or whether we
12 should hold it until the Parking Authority
13 provides us with the financial documents we
14 requested.

15 MR. HUGHES: Madam President, in
16 that letter, I believe it was October 19, I
17 wish I had a copy, I had a copy of it last
18 week, I had the file with me last week, I
19 don't have the file tonight. There was a
20 whole paragraph to Mr. Scopelliti demanding
21 that the budget that is to be submitted to
22 council pursuant to the loan documents for
23 council's approval be put in the format of a
24 line item budget and that it be also have a
25 comparison between the 2011 budget and the

1 proposed 2012 budget. What was submitted to
2 council was very salient and it's really not
3 a budget that I think that council could
4 approve or should approve, and until the
5 Parking Authority complies with -- I mean,
6 it's easy for them to request and say, "Hey,
7 give us \$1.6 million," the city doesn't have
8 the money. In the event the Parking
9 Authority defaults there is insurance to pay
10 it to make sure that the bondholders are
11 paid. Then what happens is that insurance
12 company steps into the position of those
13 bondholders and they get paid then back
14 their interest from the first funds and the
15 principal that they paid.

16 And in the event that the bonding
17 company can come against the city, that
18 would be a 2013 problem. That's a budget
19 year from now, not this budget, so they are
20 going to have to wait. And I certainly
21 think that for anyone to come -- for an
22 authority to come and say, "You must include
23 us in here for \$1.6 million," without any
24 backup, without a budget that you can look
25 at and say line item by line item, "Hey,

1 there is ten employees that should be axed
2 or here is where you should cut expenses or
3 here is what you should do," you know,
4 shouldn't be allowed, and I certainly think
5 that it's reprehensible that the Parking
6 Authority can ignore a letter from me on
7 behalf of council to furnish us with this
8 information so you can make a knowledgeable
9 decision. To me it's malfeasance,
10 misfeasance and nonfeasance of the entire
11 board.

12 And I'll bring a letter next week,
13 but I don't believe, I mean, that they have
14 responded to anything. Even if they sent me
15 back a blank piece of paper and said, "Here
16 Boyd, that's what it is," at least it would
17 have been a response, but we have nothing.

18 MS. EVANS: I'm not sure if you
19 recall, but if we go back in time to maybe
20 the Year 2000 when the Scranton Sewer
21 Authority was privatized. It was my
22 understanding that that deal was worked out
23 by city council.

24 MR. HUGHES: I have no idea.

25 MS. EVANS: Well, that is my

1 understanding that it was, that the city was
2 in a very dire financial situation at the
3 time which is why, you know, there were
4 those upfront payments made by American
5 Anglican to the city and to the Borough of
6 Dunmore, but the only point of that
7 discussion is so that we might be able to
8 determine what steps council took at that
9 time because if, in fact, council issued the
10 RFP's Council negotiated then with American
11 Anglican and brought them in then it would
12 seem to me that the same procedure can apply
13 in this case in that Scranton City Council
14 then should be able to get appraisals of the
15 parking garage, issue RFP's for the sale or
16 lease of the garages, etcetera.

17 Now, I understand that the ultimate,
18 the ultimate agreement has to be approved by
19 the mayor and that, in fact, Mayor Connors
20 provided his agreement to the privatization
21 of the Scranton Sewer Authority, but I think
22 if we wait for this administration to get
23 the ball rolling on that process,
24 particularly in light of the fact that the
25 Parking Authority has demonstrated -- has a

1 record of demonstrating no transparency to
2 other government bodies and to the taxpayers
3 of Scranton, you know.

4 MR. ROGAN: I would agree with that.

5 MS. EVANS: It might behoove city
6 council to have take those actions if, in
7 fact, it has the ability to do so, and I
8 believe if that has been done in the past,
9 if that's what occurred in 2000, I see no
10 reason why it can't occur in 2011 or 2012.

11 MR. ROGAN: I agree completely. We
12 could also get the ball rolling of
13 privatizing the Sewer Authority and the DPW
14 as well.

15 MS. EVANS: Yes. Yes. The Sewer
16 Authority never should have been turned back
17 over to the city, but that's another
18 discussion for another time and place.

19 Good evening. First, on behalf of
20 Scranton City Council I wish to thank 101
21 Pittston Avenue Realty Corporation for it's
22 donation of \$250 to the City of Scranton.
23 This city business not only pays taxes, but
24 also took the lead to support our struggling
25 city. It's certainly behooves our large

1 Scranton nonprofits to step up to the plate
2 and pay their fair share to help their host
3 city survive and to assist their neighbors,
4 the Scranton taxpayers, who cannot and
5 should not shoulder the financial burdens
6 alone.

7 Next, the 2010 independent audit of
8 the city remains incomplete and the city's
9 ability to secure tax anticipation notes and
10 borrowing remains in jeopardy.

11 Further, the absence of this audit
12 makes the production of a proposed city
13 budget and subsequent amendments
14 increasingly more difficult. As we are
15 all aware, the 2009 audit did not arrive
16 until 2011, more than a month after the
17 adoption of the 2011 budget. As a result,
18 city council was never aware of the large
19 hole in the mayor's budget caused by the use
20 of this year's TAN to pay last year's TAN or
21 the raiding of the Workers' Comp Excess Fund
22 until it was able to review the audit.

23 Council may once again be forced to
24 amend and adopt the mayor's proposed budget
25 without the benefit of reviewing the most

1 recent audit.

2 Since 2002, the city audit has never
3 been submitted to city council by the
4 required deadline set forth in the Home Rule
5 Charter, yet, the annual budgets have always
6 been submitted and adopted by their
7 deadline. This practice must stop in order
8 that accurate budgets can be developed and
9 legally adopted. The audit is an integral
10 document which is necessary to borrowing, to
11 securing tax anticipation notes, and to
12 producing annual budgets. The Doherty
13 administration must abide by the language of
14 the charter and insist that city authorities
15 also comply in the new year.

16 In addition, a meeting among local
17 banking institutions, the mayor, the
18 business administrator, city council
19 members, Council Solicitor Hughes, and the
20 city clerk to discuss city finances and the
21 2012 tax anticipation note will be held in
22 December.

23 Included in tonight's agenda for
24 introduction is an amendment to File of
25 Council No. 74, 1993, the city's zoning

1 ordinance to add a mixed use, adaptive reuse
2 category. This new category would allow a
3 mix of any of the uses that are permitted in
4 the IL or light industrial zone, plus the
5 use proposed as permitted for mixed use
6 adaptive reuse. For example, conversion of
7 an existing nonresidential building into
8 apartment dwelling units. Commercial,
9 retail stores, indoor theatre, dormitories
10 and public and private schools, among
11 others.

12 Further, it will amend the table of
13 lot and setback requirements by district and
14 off-street parking requirements. Added to
15 the existing table of the off-street parking
16 requirements will being a 1.5 off-street
17 parking spaces if the development contains
18 less than 100 apartments and 1.25 off-street
19 parking spaces if the development contains
20 100 or more apartments. Also, one
21 off-street parking space per 400 square feet
22 of much habitable floor area would be
23 permitted for institutional, commercial and
24 public and semi-public uses.

25 This zoning change was approved by

1 the Scranton Planning Commission on November
2 16, 2011, and was submitted to the
3 Lackawanna County Regional Planning
4 Commission on November 17, 2011, for it's
5 approval. In order to better inform the
6 public regarding this proposed zoning
7 change, I would like to hold a public caucus
8 with city planner Don King and
9 representatives of the Scranton Lace
10 Project.

11 Therefore, Mrs. Krake, please send a
12 letter to these parties on behalf of
13 Scranton City Council asking them to attend
14 a public caucus on December 6 at 6:00 p.m.
15 in city council chambers. Thereafter, a
16 public hearing on the proposed zoning
17 amendment will be held conducted in
18 December.

19 Next, the information requested by
20 city council during it's last council
21 meeting was submitted by business
22 administrator McGowan the following day.
23 Council members should have had a copy, if
24 you don't, we will make sure you do, of the
25 proposed uses of the 2011 borrowing to

1 address 2011 unfunded debt. And,
2 Mrs. Krake, if you could make sure everyone
3 has a copy of that report that was supplied
4 by Mr. McGowan.

5 Overall, 2.6 million is needed for
6 payroll through yearend, and 6.95 million is
7 owed on the 2011 TAN Series B for a total of
8 9.55 million.

9 In addition the city owes
10 approximately 1.6 million to date in unpaid
11 bills for 2011 and that number, of course,
12 will increase as the bills arrive for late
13 November and December.

14 As of October 31, 2011, the city had
15 5 million in reconciled funds, plus all tax
16 revenues will be submitted by the Single Tax
17 Office for the months of November and
18 December 2011.

19 Advertisements must be placed in the
20 newspaper under the direction of City
21 Solicitor Paul Kelly in order to properly
22 adhere to the required process. Council's
23 office is awaiting Attorney Kelly's
24 direction. Therefore, council will not
25 suspend it's rules to place the legislation

1 into Seventh Order tonight.

2 Also, with the agreement of my
3 colleagues, Scranton City Council,
4 Mr. Joyce, if you would listen to this,
5 Scranton City Council wishes to direct
6 Solicitor Hughes to send letters and copies
7 of the appeal regarding our council office
8 employees to city solicitor Paul Kelly and
9 Human Resource's director Gina McAndrew
10 notifying the city administration of the
11 stay of action resulting from the filing.

12 MR. LOSCOMBE: Yes.

13 MS. EVANS: Do I have your
14 agreement?

15 MR. LOSCOMBE: Yes.

16 MR. ROGAN: Yes.

17 MR. MCGOFF: Yes.

18 MS. EVANS: And finally, just a few
19 citizens' requests for the week. The 2300
20 block of Watress Avenue located after James
21 Avenue before Luke is in need of paving as
22 soon as possible. It hasn't been paved
23 since 1975 and taxi cabs are reticent to
24 pick up customers with medical conditions
25 that require weekly treatments because the

1 road is so deteriorated.

2 To the DPW director, a number of
3 issues: We would like to seeing the
4 Christmas light display turned off by 10
5 p.m. nightly. Is the city foregoing
6 downtown Christmas decorations in 2011. And
7 also most importantly, have police cars been
8 repaired, and with regard to the police
9 cars, Mrs. Krake, I would like to the
10 letters to go both to the DPW director and
11 to Chief Duffy. I understand that it's the
12 intention of the city to buy a new van, I
13 think it might also be known as in
14 colloquial terms as the city's paddy wagon.
15 Certainly we need that equipment, but we are
16 looking I think for a \$1,000 down payment
17 this year so that the purchase can be made
18 in January.

19 My concern is meanwhile that I am
20 receiving e-mails from members of the police
21 department that vehicles are not on the
22 road. They are desperately in need of
23 repair. They were sitting for quite a while
24 down at the DPW garages, and I feel it is
25 most important that before a purchase of any

1 new vehicle occurs, meaning this van that
2 the chief has in mind, the fleet we have in
3 our possession right now needs to be
4 repaired immediately, and those cars need to
5 go back out on the street with those patrol
6 officers.

7 Also, we have some questions tonight
8 posed by audience members and this would
9 probably go to LIPS, was the fire chief
10 fined for doing work on his home without a
11 permit, although, I understand he did obtain
12 a permit after his property was visited by
13 an inspector.

14 In addition, were permits taken out
15 by, I think the audience members mentioned
16 the Rendas, for home improvement and, you
17 know, if so, what the date of that was
18 because, in fact, if we have another
19 situation of after the fact I think what the
20 people are saying to council tonight is
21 right on target. If it were you, any one of
22 you in the audience, if it were me,
23 Mr. Joyce, we would be fined, we would be in
24 the newspaper, but because of certain people
25 arrangements are made, and I feel very

1 strongly as a council person what's good for
2 one person is good for all the people.
3 There should not be special treatment for
4 selected individuals. The law either
5 applies to all of us or none of us and the
6 it needs to be applied uniformly and fairly,
7 and that's it.

8 MS. KRAKE: 5-B. AMENDING FILE OF
9 COUNCIL NO. 74, 1993 (AS AMENDED), ENTITLED
10 THE ZONING ORDINANCE FOR THE CITY OF
11 SCRANTON, BY AMENDING SECTION 306 TABLE OF
12 PERMITTED USES BY DISTRICT; SECTION 307 B.4.
13 TABLE OF LOT AND SETBACK REQUIREMENTS BY
14 DISTRICT; 601.A.5. MIXED-USED ADAPTIVE
15 REUSE; TABLE 6.1 OFFSTREET PARKING
16 REQUIREMENTS; SECTION 602.E. LOCATION OF
17 PARKING.

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

21 MR. ROGAN: So moved.

22 MR. JOYCE: Second.

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

1 MR. MCGOFF: Aye.

2 MR. ROGAN: Aye.

3 MR. LOSCOMBE: Aye.

4 MR. JOYCE: Aye.

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

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

8 READING BY TITLE – FILE OF COUNCIL NO. 56,
9 2011 – AN ORDINANCE- APPROPRIATING FUNDS FOR
10 THE EXPENSES OF THE CITY GOVERNMENT FOR THE
11 PERIOD COMMENCING ON THE FIRST DAY OF
12 JANUARY, 2012 TO AND INCLUDING DECEMBER 31,
13 2012 BY THE ADOPTION OF THE GENERAL CITY
14 OPERATING BUDGET FOR THE YEAR 2012.

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

17 MR. JOYCE: I move that Item 6-A
18 pass reading by title.

19 MR. MCGOFF: Second.

20 MS. EVANS: On the question? I
21 believe that council will entertain the
22 budget and it's amendments in Seventh Order
23 at next week's meeting. Therefore,
24 Mrs. Krake, I think council might look
25 towards scheduling a special meeting perhaps

1 on Monday or maybe even Saturday so that it
2 can present it's amendments publically so
3 that the final vote can be taken on Tuesday
4 evening. Is there anyone else on the
5 question?

6 MR. ROGAN: I would just add, that
7 would be great if we could, you know,
8 Saturday -- Monday or Saturday works for me,
9 but just for the public I think a Saturday
10 because working people will be able to come.

11 MR. JOYCE: I was thinking the same
12 thing, too.

13 MS. EVANS: And then we, of course,
14 will have to advertise that meeting this
15 week, and it will be a special meeting of
16 council just to present the council
17 amendments to the mayor's proposed budgets.
18 Anyone else? All those in favor.

19 MR. MCGOFF: Aye.

20 MR. LOSCOMBE: Aye.

21 MR. JOYCE: Aye.

22 MS. EVANS: Aye. Opposed?

23 MR. ROGAN: No.

24 MS. EVANS: The ayes have it and so
25 moved.

1 MS. KRAKE: 6-B. READING BY TITLE -
2 FILE OF COUNCIL NO. 57, 2011 - AN ORDINANCE-
3 SALE OF TAX DELINQUENT PROPERTY MORE
4 COMMONLY KNOWN AS NORTH CAMERON AVENUE, TAX
5 MAP NO. 14408-060-040, SCRANTON,
6 PENNSYLVANIA, TO ROBERT J. GAHWILER AND
7 ELOISE A. GAHWILER, HIS WIFE, 526 NORTH
8 CAMERON AVENUE, SCRANTON, PENNSYLVANIA,
9 18504, FOR THE CONSIDERATION OF \$5,000.00.

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

12 MR. ROGAN: I move that Item 6-B
13 pass reading by title.

14 MR. JOYCE: Second.

15 MS. EVANS: On the question? All
16 those in favor signify by 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: 6-C. READING BY TITLE -
24 FILE OF COUNCIL NO. 58, 2011 - AN ORDINANCE-
25 PROVIDING FOR THE PROPER OFFICIALS OF THE

1 CITY OF SCRANTON TO PETITION THE COURT OF
2 COMMON PLEAS OF LACKAWANNA COUNTY,
3 PENNSYLVANIA, FOR PERMISSION TO FUND
4 UNFUNDED DEBT IN AN AMOUNT NOT TO EXCEED SIX
5 MILLION SEVEN HUNDRED THOUSAND
6 (\$6,700,000.00) DOLLARS; AUTHORIZING
7 INCIDENTAL ACTION; AND REPEALING
8 INCONSISTENT RESOLUTIONS.

9 MS. EVANS: You've heard reading by
10 title of Item 6-C, what is your pleasure?

11 MR. ROGAN: I move that Item 6-C
12 pass reading by title.

13 MR. JOYCE: Second.

14 MS. EVANS: On the question?

15 MR. MCGOFF: Yes. You said that we
16 received a list from business administrator
17 of the items that would be paid, is it
18 possible to add that as an addendum to the
19 ordinance so that it's on record as to what
20 it would -- what would be paid by the
21 borrowing?

22 MS. EVANS: I don't know if we want
23 to use that exact document, I think we would
24 need to write something else up, but I'm
25 certain that council can amend it to include

1 that list if it's okay.

2 MR. MCGOFF: I just think that it's
3 -- if we are asking for how it's going to be
4 or what's going to be paid through this
5 funding that it be placed in the record
6 somehow.

7 MS. EVANS: Well, if so --

8 MR. MCGOFF: So that can be -- so
9 that there is a record of how that money
10 will be spent.

11 MS. EVANS: Right. But we did amend
12 it I believe last year last week to -- or
13 rather our solicitor included within the
14 legislation because he had to rewrite the
15 legislation, it was presented, remember, as
16 a resolution when it should have been an
17 ordinance and so he rewrote it and included
18 I think paragraph or section two, which
19 states that the moneys, the proceeds from
20 this borrowing, can only be used toward the
21 TAN and 2011 operating expenses and that any
22 other use or any off those funds would
23 require council approval.

24 MR. MCGOFF: Understood. I still
25 think it would be worthwhile to include

1 somehow the specific purposes since we asked
2 for them.

3 MS. EVANS: Um-hum. All those in
4 favor?

5 MR. HUGHES: I would just comment
6 that I haven't seen the list, but I would
7 make sure that all of the items in this list
8 comply with Article II of the ordinance so
9 that the only bills that are being paid is
10 what is in this year's budget because of the
11 shortfall and that there is nothing else in
12 there that would be outside of the budget,
13 so by having that amendment in there that
14 would authorize it to pay those bills. If
15 they are not in this year's deficit.

16 MR. JOYCE: Right.

17 MS. EVANS: There are, however, I
18 think there are a amount, and Mrs. Krake can
19 attest to this, might be a foot high,
20 meaning a stack this high of unpaid bills
21 that have been totaled at \$1.6 million. Now
22 that's besides the TAN and the payroll.

23 MR. HUGHES: Well, that wouldn't be
24 attached as an exhibit, but I certainly
25 think that that could be referenced. I

1 could look at that and could probably draft
2 something that would be included, even if we
3 number them by page, I think we requested
4 that they furnish the name of the vendor or
5 who is going to be paid and what the amount
6 is going to be, so that I certainly think
7 that if it's a document of bills that are
8 120 pages and there is a cover letter with
9 it, it would be those bills that would
10 received on that date and pages one through
11 100, you know, and the backup documentation
12 would have be attached and the documentation
13 would be incorporated into the amendment.

14 MR. MCGOFF: I guess that's what I
15 was asking, the attachment would be --

16 MS. EVANS: What I'm saying is we
17 can pass this ordinance, but what assurances
18 do we have that that is, in fact, occurring
19 because as we all know we have passed other
20 pieces of legislation throughout 2010 and
21 2011 that were completely ignored by the
22 administration or usurped by the
23 administration.

24 So I guess my next question to you
25 would be in the event that occurs after all

1 of these precautionary measures have been
2 taken, if necessary council can go to court
3 over this then?

4 MR. HUGHES: Yes.

5 MS. EVANS: That's all I need to
6 know. Thank you. Okay.

7 MR. JOYCE: Just to clarify before
8 we vote on it, I think many, if not all of
9 those expenses, are carried over into the
10 2012 budget, expenditures such the SRA loan,
11 and I believe there is a three point "X"
12 amount or -- you know, three or \$3.4 million
13 in prior year bills as well as some other
14 expenses.

15 MS. EVANS: I don't think that's
16 been considered in the 2011 or the figure
17 would have reflected that \$1.5 or \$1.6
18 that's owed to the Pennstar Bank.

19 MR. HUGHES: I think as council is
20 aware, the repayment to Pennstar is not in
21 this year's budget.

22 MS. EVANS: Correct.

23 MR. HUGHES: We have no knowledge of
24 that until I was contacted by Attorney
25 Winfield from Rhoades and Sinon in

1 Harrisburg back in June or July about the
2 default of that loan, which we knew nothing
3 about, and it was discovered that was --
4 even though that loan was maturing December
5 15 that it was not put in this year's budget
6 so that would -- that could not be paid out
7 of the unfunded borrowing.

8 MS. EVANS: Right, because it was
9 not part of --

10 MR. HUGHES: The way it was done it
11 was only for items that were budgeted, so
12 that that could not be paid. They can't
13 double dip and say, okay, here we are going
14 to pay that off this year in next year's
15 budget.

16 MS. EVANS: Right. Anyone else on
17 the question? All those in favor signify by
18 saying aye.

19 MR. MCGOFF: Aye.

20 MR. ROGAN: Aye.

21 MR. LOSCOMBE: Aye.

22 MR. JOYCE: Aye.

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

25 MS. KRAKE: SEVENTH ORDER. 7-A. FOR

1 CONSIDERATION BY THE COMMITTEE ON FINANCE
2 FOR ADOPTION-RESOLUTION NO. 53, 2011-
3 ACCEPTING A ONE HUNDRED FIFTY (\$150.00)
4 DOLLAR CONTRIBUTION FROM THE NEPA MINERS
5 FOOTBALL ORGANIZATION PRESENTED TO THE CITY
6 OF SCRANTON FIRE DEPARTMENT.

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

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

13 MR. ROGAN: Second.

14 MS. EVANS: On the question?

15 MR. JOYCE: Yes. I'd just like to
16 thank the NEPA Miners for their contribution
17 to the City of Scranton, that's greatly
18 appreciated.

19 MS. EVANS: The Fire Department of
20 the City of Scranton.

21 MR. JOYCE: Oh, sorry, Fire
22 Department of the City of Scranton, sorry.

23 MS. EVANS: Anyone else on the
24 question? Roll call, please.

25 MS. CARRERA: Mr. McGoff.

1 MR. MCGOFF: Yes.

2 MS. CARRERA: Mr. Rogan.

3 MR. ROGAN: Yes.

4 MS. CARRERA: Mr. Loscombe.

5 MR. LOSCOMBE: Yes.

6 MS. CARRERA: Mr. Joyce.

7 MR. JOYCE: Yes.

8 MS. CARRERA: Mrs. Evans.

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

11 MS. KRAKE: 7-B. FOR CONSIDERATION
12 BY THE COMMITTEE ON RULES FOR ADOPTION-
13 RESOLUTION NO. 54, 2011- APPOINTMENT OF
14 GINA E. MCANDREW, ESQUIRE, 1144 AMHERST
15 STREET, SCRANTON, PENNSYLVANIA, 18504 AS
16 HUMAN RESOURCE DIRECTOR EFFECTIVE NOVEMBER
17 1, 2011. MRS. MCANDREW WILL BE REPLACING
18 LISA MORAN, WHO RESIGNED.

19 MS. EVANS: As Chair for the
20 Committee on Rules, I recommend final
21 passage of Item 7-B.

22 MR. JOYCE: Second.

23 MS. EVANS: On the question?

24 MR. ROGAN: Yes.

25 MS. EVANS: Did we receive the

1 resume?

2 MR. ROGAN: No, I don't believe we
3 did.

4 MS. EVANS: I don't believe we did.
5 Mrs. Krake, did we receive a resume from Ms.
6 McAndrew?

7 MS. KRAKE: No.

8 MS. EVANS: No, we did not.

9 MR. MCGOFF: Well, I think you are
10 looking at this is not a new appointment,
11 Attorney McAndrew has already been working
12 as an employee of this city and is merely
13 being moved to another position. It's not a
14 new appointment, that would be as relevant.

15 MR. ROGAN: I would still say as
16 matter of courtesy to us who have to vote on
17 it we should have been provided it.

18 MR. LOSCOMBE: She did receive a
19 letter request from us, correct?

20 MS. EVANS: Yes.

21 MR. LOSCOMBE: Mrs. Krake, did she
22 receive a letter from us?

23 MS. EVANS: Roll call, please?

24 MS. CARRERA: Mr. McGoff.

25 MR. MCGOFF: Yes.

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MS. CARRERA: Mr. Rogan.

MR. ROGAN: No.

MS. CARRERA: Mr. Loscombe.

MR. LOSCOMBE: No.

MS. CARRERA: Mr. Joyce.

MR. JOYCE: No.

MS. CARRERA: Mrs. Evans.

MS. EVANS: No. I hereby declare
that Item 7-B is not legally and lawfully
adopted. If there is no further business,
I'll entertain a motion to adjourn.

MR. JOYCE: Motion to adjourn.

MS. EVANS: This meeting is
adjourned.

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C E R T I F I C A T E .

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER