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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, March 8, 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 moment of reflection
2 observed.)

3 MS. EVANS: Roll call, please.

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. CARRERA: Mr. Loscombe.

9 MR. LOSCOMBE: Here.

10 MS. CARRERA: Mr. Joyce.

11 MR. JOYCE: Here.

12 MS. CARRERA: Mrs. Evans.

13 MS. EVANS: Here.

14 MS. KRAKE: THIRD ORDER. NO

15 BUSINESS AT THIS TIME.

16 MS. EVANS: Clerk's notes?

17 MS. KRAKE: We do not have any
18 clerk's notes in evening, Mrs. Evans.

19 MS. EVANS: Thank you, Mrs. Krake.

20 Do any council members have announcements?

21 MR. MCGOFF: Just briefly. The DPW
22 is behind one day, one refuse pickup due to
23 the snowstorm on Monday, so please be
24 advised accordingly.

25 MS. EVANS: I just wanted to add

1 that I thought the DPW addressed this most
2 recent unexpected storm very well.

3 MR. ROGAN: The last two storms.

4 MS. EVANS: Yes. Our recognition
5 and thanks go out to all of the members of
6 the DPW.

7 MR. JOYCE: Yes, very much. I
8 definitely agree.

9 MR. ROGAN: And I would just add
10 that it seems when they push the garbage
11 collection back a day, as they did in the
12 last two storms when we can get everybody
13 out on the streets plowing roads and salting
14 the roads and even the bridges have been
15 clear, which is a good for the pedestrians,
16 and I think it's a much better arrangement
17 if we continue to operate that way.

18 I have two announcements. The
19 Northeast Attachment of the Marine Corp
20 League, 1340 Alder Street, is serving a ham
21 and cabbage dinner on Saturday, March 12,
22 this Saturday, beginning at noon. The cost
23 is \$8.50 per person. Stop by after the
24 parade.

25 And a group of students at Scranton

1 High School are holding a dance-a-thon
2 Saturday March 19 in Scranton's High School
3 gym from 2 to 9 p.m. Registration is
4 starting at 1 p.m. it is \$15 to dance or \$5
5 to enter the door and take place in the
6 basket raffles. All proceeds benefit the
7 Ft. Evan's fund, a fund that supports
8 children with cancer. We are encouraging
9 everybody, young and old, to take part in
10 amazing event.

11 Also, the students are still looking
12 for businesses to donate gifts card and
13 baskets. Any businesses or persons wishing
14 to participate may contact Alyssa at
15 ALAUER93@aol.com.

16 MS. EVANS: Is there anyone else for
17 announcements?

18 MR. JOYCE: I'll hold mine tonight.

19 MS. EVANS: In keeping with the
20 Rules of City Council, please submit all
21 requests in writing to Ms. Carrera and be
22 sure to include your contact information.
23 This will allow our staff the ability to
24 contact you if they require further
25 information while processing your requests.

1 Christopher R. Rossi, a member of
2 Boy Scout Troop 16, recently achieved the
3 rank of Eagle Scout. Christopher's Eagle
4 service project was remodeling two rooms in
5 a local church. In recognition of his
6 elevation to scouting's highest rank, Ms.
7 Carrera, please prepare a proclamation for
8 Christopher on behalf of Scranton City
9 Council, and I'll provide you with the
10 contact information following tonight's
11 meeting.

12 Saints Peter and Paul Church, 1309
13 West Locust Street in Scranton will hold a
14 pierogi and clam chowder sale every Saturday
15 before and after the four p.m. mass, and on
16 Sundays before and after the 11 a.m. mass
17 during the Lenten season. Pierogies are \$6
18 per dozen and clam chowder is a \$7 per
19 quart. There will also be a bake sale and
20 basket raffle on Palm Saturday and Sunday
21 before and after the masses.

22 There will be a benefit for Donna
23 Moran on Saturday, March 19, 2011, at Holy
24 Rosary Hall from five to ten p.m. Tickets
25 are \$15 and are available at the door.

1 And I just wanted to add, I also
2 have responses that council received to
3 questions posed by Ms. Schumacher and
4 Mr. Ungvarsky, and if you can see me after
5 the meeting I will give those responses to
6 you. And that's it.

7 MS. KRAKE: FOURTH ORDER. CITIZENS'
8 PARTICIPATION.

9 MS. EVANS: Our first speaker this
10 evening is Andy Sbaraglia.

11 MR. SBARAGLIA: Andy Sbaraglia,
12 citizen of Scranton. Fellow Scrantonians,
13 has the Parking Authority decided how they
14 are going to makeup the deficit?

15 MS. EVANS: I'm not aware of any
16 decision that they have come to. Nothing
17 has been forwarded to city council.

18 MR. SBARAGLIA: I know there was an
19 article in the paper saying if you try to
20 refinance it will only help for a short
21 while and then it becomes a deeper hole.
22 Keep up on it and ask them because that's
23 important. If they should have to go under,
24 we're all stuck, and I hate to see that
25 happen.

1 Now, what's up with the city
2 engineer, did he resign or what?

3 MS. EVANS: Actually, there was an
4 RFP put out for city engineer. I am
5 assuming that the previous contract would
6 have expired and in the interim, however, I
7 noticed that Mr. Swanson, who I believe did
8 submit a proposal for a renewed or a new
9 contract, has continued in the service of
10 the city.

11 MR. SBARAGLIA: Yes. I was just
12 wondering because it seemed -- usually they
13 just renew a contract and now they are
14 sending out for -- because city engineers, I
15 guess, aren't a dime a dozen, especially
16 those that may want to work for the city.
17 Usually they're all in engineering houses,
18 and they like to stay where they are.

19 Well, there is lot of things
20 happening in the city. I guess you'll
21 explain it a little later when you get the
22 facts. There is no sense asking, you know,
23 saying about it because I really don't know
24 all of the facts. I do know that when Brain
25 Reap sat on that council he made sense and

1 what we are happening today if they only
2 listened to that man, and that was a sorry
3 state of affairs that was done at that time
4 and it puts up on the road to where we are
5 now. Well, thank you.

6 MS. EVANS: Thank you,
7 Mr. Sbaraglia.

8 MR. JOYCE: Thank you.

9 MS. EVANS: Ozzie Quinn.

10 MR. QUINN: Ozzie Quinn, Taxpayers'
11 association. Good evening.

12 MS. EVANS: Good evening.

13 MR. QUINN: 7-B and "C", if you are
14 to approve those resolution and ordinances,
15 does that mean that they UDAG repayments
16 have to -- if they go into a special account
17 they have come back to the city council
18 before they are used again?

19 MS. EVANS: Actually, on tonight's
20 agenda you will see there are four pieces of
21 legislation pertaining to the UDAG accounts.
22 Those that appear in Seventh Order pertain
23 to the first repayment, so that any monies
24 paid -- repaid from an economic development
25 project must then go out on once again to

1 another economic development project, and
2 then tonight in Fifth Order we have two
3 additional pieces of information or
4 legislation that provide restrictions on the
5 second round of UDAG repayments, and in
6 terms of those, before any money can be
7 disbursed from the account, legislation must
8 come to city council.

9 MR. QUINN: Very good. It's about
10 time somebody put the handcuffed cuffs on
11 the mayor on that.

12 I just want to make a note of the
13 fact that, you know, I read last Thursday's
14 paper about the budget and worrying about if
15 they are going to get enough revenue and so
16 on. You know, I had to laugh because, you
17 know, I can't ever remember when Mr. Doherty
18 ever had a deficit that he had to borrow?
19 You know, and then he had to borrow again
20 the next year to pay off the money he
21 borrowed and borrow, borrow, borrow, borrow.
22 And he has got us into a situation now that
23 is unbelievable.

24 You know, I'm just looking at the
25 City of Scranton taxpayer right now, in the

1 county they owe -- they owe in excess of
2 \$230 million. Now, 27 percent of that is
3 going to be paid by the city taxpayers going
4 to the assessor's office, o, that would be
5 \$62.5 million. The school has a deficit of
6 \$139 million and they are looking at
7 possibly building a new school,
8 rehabilitating an existing school or their
9 third option was relocating the students
10 around the city.

11 In the City of Scranton, we are well
12 over \$300 million, so we are talking about
13 over \$500 million just the City of Scranton
14 taxpayers. That is just unfathomable. I
15 don't know how we are going to pay it off.
16 I really don't. And, you know, this mayor
17 thought that he was going to bail out -- he
18 was going to use this as a jumping stone as
19 the mayor and then ran for governor and then
20 he ran for state senator, you know, hoping
21 that, you know, he would be gone before this
22 year was -- accumulation was up on the
23 taxpayers, but we are left here now with all
24 of this money to pay off and I don't know
25 how the heck we going to do it, you know.

1 And Mr. McGoff said that they
2 administration was looking at the
3 possibility of refinancing and they want to
4 refinance, according to the newspaper, and
5 if we refinance, you know, we are just going
6 to deeper and deeper and deeper. We are
7 just tough luck here. Tough shape, you
8 know?

9 And you know, even -- everything
10 that goes out it, it's just -- you have to
11 put some ease on the taxpayers in the City
12 of Scranton because of the fact that it's
13 going to come to a point where we are going
14 to have to pay this and I don't know how we
15 are going to pay it all, you know, and it's
16 a serious matter, and as Andy said about now
17 you have the Parking Authority, you know,
18 their deficit, Holy gosh, we are in a heck
19 of a mess, you know?

20 MS. EVANS: Yes.

21 MR. QUINN: So what I'm saying is
22 that, please, this mayor, you know, he may
23 get that picture of that tree house and that
24 what's in the greenhouse up in Scranton up
25 in the Nay Aug Park and everything else, we

1 poured so many millions into that, and that
2 even that UDAG money that is spent, and his
3 own people are suffering going to pay an
4 increase, and he could at least spend some
5 of that money to give to the pantries in the
6 city, you know? But he didn't. He gave it
7 for luncheons and to subscriptions and for
8 contacts he had with his station and his
9 newspaper and so on, it's unbelievable
10 what's going on.

11 And he is like a sailor that's out
12 on leave that's been out at sea for over a
13 year. He just keeps on spending, spending,
14 and spending. So, please, please, anybody
15 related with this mayor that will back him,
16 please don't support him in any way, okay?
17 Please, please, out there, we are in tough,
18 tough shape. Thank you.

19 MR. ROGAN: Mr. Quinn, the
20 difference between the mayor's spending and
21 a sailor is the sailor only spends the money
22 they have. The mayor is spending money we
23 don't have.

24 MR. QUINN: That's true there,
25 Patrick.

1 MS. EVANS: I think, Mr. Quinn,
2 during motions this evening I am going to be
3 discussing some financial issues, and some
4 budget holes that have opened up and I think
5 you will see at that time that the
6 conditions have become so significant that I
7 can't see that the amount of money necessary
8 to close these holes can be cut out of a
9 budget because it would cause the complete
10 elimination of many departments within the
11 city and the crippling of public safety.

12 And I think, you know, I agree with
13 you, much borrowing occurred in the past and
14 I think when the borrowing finally stopped
15 through bonds or financial institutions then
16 the administration turned perhaps towards
17 the worker's comp trust for it's borrowing,
18 but as much as I did adamantly oppose
19 borrowing, as you know, for a period of at
20 least seven years, I felt that it was
21 unnecessary at the time that many of these
22 projects should been assumed singularly
23 rather than all at one time because in the
24 back of my mind was always this day of
25 reckoning concerning municipal unions and

1 Court awards, concerning the debts of the
2 city where the financial house of cards
3 would come tumbling down, and at that point
4 in time and only at that point in time might
5 borrowing become necessary, and that's why,
6 as I said, all of these years I opposed it
7 because I saw the inevitable coming and that
8 it should be reserved for those types of
9 significant emergencies.

10 MR. QUINN: And no one listened. I
11 know.

12 MR. JOYCE: And, Mr. Quinn, I will
13 also be addressing financial matters during
14 Fifth Order as well.

15 MS. EVANS: Doug Miller.

16 MR. MILLER: Good evening, Council.
17 Doug Miller, Scranton. About three weeks
18 ago I made a request regarding clearing the
19 sidewalks in front of the school. Well, I
20 figured tonight I will take a new approach
21 and going with what you have done in the
22 past, I would like to submit a written
23 request to Mrs. Carrera, if I may, and
24 perhaps you can pass it along to Mr. McGoff.

25 MS. EVANS: Certainly.

1 MR. MILLER: And maybe we can
2 address the issue. The other request I have
3 tonight, and I will submit this, it will be
4 addressed to Mr. Joyce, deals with Attorney
5 Carl Greco and some of the comments I made
6 last week regarding the fees we paid him
7 throughout the last several years, and the
8 services that he was provided. I think I
9 said last week that the mayor using the
10 RE-RE money gave him \$16,000, and I would
11 just like to get a breakdown of the fees we
12 paid and what services we have gotten and
13 maybe, you know, we can get a response to
14 that. I appreciate it.

15 MS. EVANS: I might just add though,
16 Mr. Miller, that as one prong of that
17 request, city council did ask the Scranton
18 redevelopment Authority to provide us with
19 the cost and breakdown of his service on
20 their behalf with particular emphasis on the
21 eminent domain lawsuit involving Buona Pizza
22 and it's neighbors, and we did receive a
23 response from Mr. Laser, who I believe is
24 the chairman of the SRA, stating that he
25 couldn't provide the information to us at

1 this point, but as soon as they are able to
2 compile that information he will send it to
3 council and then we will be happy to provide
4 you with the information as well.

5 MR. MILLER: Thank you.

6 MR. JOYCE: And if I might add, as
7 you know there was, I believe, correct me if
8 I'm wrong, was it \$16,000 in change out of
9 the RE-RE fund? Also, there was -- I saw a
10 20 -- I believe it was 23 thousand and
11 change out of the Court awards out of the
12 operating budget, and as you know, Attorney
13 Greco racked up fees that were -- that
14 surpassed the contractual amount by I
15 believe it was 40 -- I believe it was
16 somewhere in the 40 thousands, and I'm
17 assuming that 20 some thousand was paid out
18 of the operating budget, and the other 16
19 was taken out of the RE-RE account. That
20 surpassed the \$125,000 that he was
21 originally contacted for.

22 MR. MILLER: All right. You know, I
23 just think when you throw all of these
24 figures out and you just think of the
25 millions or dollars because that's what it

1 will end up adding up to be, and I think the
2 general public would just like to know, you
3 know, what are we getting out of it? You
4 know, we have squandered all of this money
5 and, you know, how are we benefiting from
6 this, and I look forward to, you know,
7 hearing back on that.

8 I'd like to take this time to
9 personally commend the fire department for
10 the response to a false alarm that we had my
11 house the other day. I wasn't home at the
12 time, but I guess somebody had left a
13 steamer on upstairs and it set off the smoke
14 alarms in the house and, obviously, prompted
15 the fire department to, you know, come to
16 the house coming from Luzerne Street, and I
17 just want to commend them for their quick
18 response, and the reason I'm doing that is
19 because I can only imagine what the
20 residents over near Tripp Park and the
21 surrounding area, how long they have to wait
22 with Engine 9 being shut down, and not only
23 there, but everywhere else in the city where
24 people are being affected by the system that
25 the administration put into place, you know,

1 to see how quick they arrive from what I was
2 told, I really want to thank them for that,
3 and I just think this is an example of why
4 we really need to -- we need to support our
5 public safety and we need to make sure that
6 we're not closing fire stations. We can't
7 be playing around with people's lives, and
8 that's exactly what's going on here. And,
9 you know, fortunately it was only a false
10 alarm, but, like I said, in the future I'm
11 concerned about anything that is serious and
12 how response times will be effected and it
13 could obviously, you know, be a difference
14 of whether or not, you know, someone lives
15 or not, so it's very serious issues here.

16 And I am going to be brief tonight,
17 I do only have one more comment. With the
18 parade this weekend I would just like to ask
19 everyone to be smart, be safe and enjoy your
20 time, remember children are involved and
21 it's a family, event so just do the right
22 thing, make smart choices, and enjoy your
23 time. And that's all for tonight. Thank
24 you.

25 MS. EVANS: Thank you. And Joe

1 Talimini.

2 MR. TALIMINI: Joe Talimini, City of
3 Scranton. Sorry, Mr. Jackowitz. The
4 problem I have is a very simple one, and
5 that is that I think it's incumbent upon the
6 council to try to enact an ordinance, not an
7 alternate side of the street parking
8 ordinance that, you know, in effect forever
9 and ever and ever, but during snow days it's
10 something that should be addressed, and I
11 brought two pictures which were taken this
12 afternoon at 2:00 right in front of
13 Washington West which, as you know, is the
14 senior high rise, we have a lot of people in
15 there who are handicapped. This is the
16 handicapped area. That snow is sitting
17 there. And the sad part of it is, it's
18 right at the entrance to the building, the
19 steps. So you will see the sign, it's for
20 handicapped only, you drop off and pick up
21 spot. Out of the question. Impossible.

22 This other one --

23 MS. EVANS: Mr. Talimini, can you
24 provide that photo to Ms. Carrera --

25 MR. TALIMINI: Yes, I will.

1 MS. EVANS: And then she can send a
2 memo to the DPW to get that taken care of.

3 MR. TALIMINI: And this other one,
4 which is just a little bit more tragic,
5 shows you the handicap bus which comes in
6 and out of our building. This is the
7 problem all over with the high-rises. Snow
8 removal in front of them is impossible.
9 This is a severe handicapped person trying
10 to get out of the bus. The bus driver had
11 parked in an area, climb over the snow to
12 get to the back of the bus to lower the ramp
13 to get that wheelchair out of there. That's
14 completely unnecessary.

15 It's something that can be done. If
16 it's takes a truck for snow removal, then by
17 God let's do it. But, you know, you had
18 Mr. Tobin here a couple of weeks ago and
19 Mr. Tobin had the same problem. Mr. Tobin
20 is in a low rise wheelchair, he cannot get
21 around. Now, how do you think these people
22 are that don't have access other than with
23 the bus and they can't get in and out of the
24 bus? Or somebody comes to pick them up to
25 take them to the doctors, they cannot get

1 over that snow. And even if it's only for
2 that small section there, those four or five
3 parking spaces in the front, something
4 should be done. They should have a truck to
5 come in there for snow removal, and it could
6 be done with a pickup truck.

7 But, I mean, I'm not saying that
8 this is a problem that has to be addressed
9 because of DPW, it's not DPW's fault. It's
10 just when the plow gets in there and he
11 plows it there is no place else for it to go
12 and if you get cars parked there during a
13 storm like we had there is just no way he
14 could get in and out.

15 Another thing that I'd like to say
16 is today is Fat Tuesday, as you well know,
17 and Cajun people have a saying, it says,
18 "Laissez Les Bon Temps Roulez" which means
19 let the good times roll. I would like to
20 say that, except for one thing, we do have
21 major problems which we just inherited and
22 in view of that, it may not be a happy time,
23 but anyway, especially to Ronnie Ellman,
24 "Laissez Le Bon Temps Roulez," Buddy.

25 MS. EVANS: Thank you. Bill

1 Jackowitz. And I have to apologize because
2 I did skip over Mr. Jackowitz and I
3 apologize very much.

4 MR. TALIMINI: Thank you, Mrs.
5 Evans.

6 MR. JACKOWITZ: Thank you. I know
7 you like Joe Talimini better, so I
8 understand. Bill Jackowitz, South Scranton
9 resident and member of the Taxpayers'
10 Association. "I take no joy in determining
11 that the city has engaged in bad faith in
12 this case nor in showcasing the litany of
13 prior decisions demonstrating the pattern of
14 bad faith demonstrated by the city over the
15 years."

16 Latest arbitration loss for the City
17 of Scranton, Thomas J. McConnell, Jr., dated
18 7 March 2011. Current and former
19 firefighters and police officer win another
20 arbitration award awarding them backpay --
21 back raises for the years 2006 and 2007.
22 The taxpayers loss again. Thanks, plus we
23 have to pay the interest and the attorney
24 fees. Thanks, Mayor Doherty, and your
25 high-priced Philadelphia attorneys.

1 They Recovery Plan expired in 2005,
2 Mayor Doherty, and you rubber stampers,
3 Times-Tribune staff writers and editorial
4 staff refused to accept that fact. And the
5 arbitrator, Mr. McConnell, was very specific
6 in his ruling that the plan expired in 2005.
7 Not one word in today's Times-Tribune. Not
8 one word. Can't believe it.

9 Developers have received far too
10 many breaks in the City of Scranton. You do
11 not start a complete \$250,000 sidewalks
12 projects and then come back to the grant
13 feed bag asking for more grant money.
14 \$250,000 free money once should be more than
15 enough. Considering if the project is
16 successful and the developer will reap the
17 profits, if it fails the taxpayers suffer
18 the loss. What a deal. Remember the
19 saying, we milk cows, not taxpayers.

20 The Doherty Three milked you us for
21 a 25 percent tax increase a few years back
22 which really has not solved any of
23 Scranton's financial problems. As a matter
24 of fact, I would venture to say that the tax
25 increase created more problems for the city.

1 We are still a distressed city, our
2 long-term debt is over \$300,000, we still
3 have outstanding balances on the loans and
4 bonds that have been taken out in order to
5 balance budgets in the past. Cabinet
6 members were given raises while the rank and
7 file have not.

8 The city vehicle fleet has
9 deteriorated, especially the fire apparatus
10 and police vehicles. We wasted taxpayer
11 dollars and cameras that either do not work
12 are not monitored. Streets are in total
13 disrepair. Streetlights are not being
14 replaced as they go dark. Blight is at an
15 all time high, although, we continue to tear
16 buildings down. Kids still pay to use Nay
17 Aug Park pool. Pools have been closed for
18 the swimming season. Four supervisors
19 positions that were removed from the budget
20 were hired into newly created positions,
21 most importantly, Mayor Doherty and his band
22 of merry men and women are jeopardizing
23 public safety with cuts, brownouts, and not
24 filling positions as people leave.

25 I just do not see what was

1 accomplished with the 25 percent tax hike,
2 except creating four positions for friends
3 and supporters of mayor Doherty.

4 City officials, ready options in
5 case of revenue shortfall. The speakers at
6 city council and Mrs. Evans have been
7 speaking about this situation for years.
8 What was missing from this article were the
9 millions of dollars that Mayor Doherty has
10 wasted fighting the firefighters and police
11 officers. If contracts would have been
12 negotiated and signed years ago, the city
13 would have saved well over \$1.5 million.
14 The Times-Tribune really needs to get their
15 facts straight. Ask the tough questions,
16 otherwise, do not write the story.

17 Members of the administration are
18 already talking about layoffs, taking on
19 additional debts or using money from the,
20 worker's compensation fund as an option if
21 \$1.5 million in new revenue projected by the
22 council fails to materialize. That happens
23 every year. Where has the reporter been?

24 If the administration and city
25 council would sit down together at a public

1 forum and discuss the financial situation of
2 the city and ask for input from the
3 citizens, my belief is that some of the
4 shortfalls can be filled with input from all
5 sides. Reduction in real estate tax was an
6 excellent idea, much better than the Doherty
7 Three outrageous fines and fees and the
8 delinquent taxes. The reduction of business
9 privilege and mercantile tax is well
10 overdue, should have been done years ago.

11 Councilman McGoff, you have been
12 speaking with the administration, how about
13 inviting the administration to hold a public
14 televised meeting to discuss the city
15 problems and the administration plans on how
16 the mayor wants to raise revenue to cover
17 shortfalls for the past nine years.

18 The budget effects all of the
19 taxpayers of Scranton, not just the Doherty
20 real people. Most of them have no financial
21 problems. My very first appearance at
22 Scranton City Council I stated that the most
23 successful cities are the cities where the
24 government works together and not against
25 each other. My opinion is the City of

1 Scranton will never recover. The city fell
2 into one of the huge potholes.

3 I see where Mr. Brazil was in the
4 newspaper again. Although, I did not see
5 anything in the paper today about the city
6 losing the arbitration award, maybe tomorrow
7 there will be a nice big front page
8 headline, but I doubt it.

9 New buildings do not help the
10 economy, family sustaining jobs is the
11 answer and solution. Thank you, Councilman
12 Rogan and Council President Evans for
13 responding to my questions in a timely
14 matter. I am looking to Councilman McGoff's
15 responses.

16 MS. EVANS: Thank you,
17 Mr. Jackowitz. Les Spindler.

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

21 MR. JOYCE: Good evening.

22 MR. SPINDLER: First thing I want to
23 talk about is an article in the Doherty
24 newsletter last week saying, "City officials
25 ready options in case of revenue shortfall."

1 The quote, Business Administrator
2 Ryan McGowan, he said, "We have to look at
3 every option to use and prepare if revenues
4 don't come in, Business Administrator Ryan
5 McGowan said. Every month we are going to
6 look at our numbers. They are a lot of
7 potential risks."

8 This is coming from a man who
9 thought we were a million dollars short from
10 the tax office, turned out we weren't and
11 they blamed it on the clerk, when the truth
12 is I recently bumped into taxpayer Bill
13 Courtright, he told me to straighten that
14 situation out he had to send his controller
15 over and show Ryan McGowan what the problem
16 was.

17 This is just an ongoing example of
18 how incompetent this whole administration is
19 and it's really, really sad. It's ashamed
20 that we have at least three more years to
21 put up with this.

22 Last week I couldn't make the
23 meeting because we had our neighborhood
24 meeting which I'm a part of it, I watched
25 the replay and I think Councilman Rogan was

1 unjustly attacked by Ms. Franus for him
2 saying that he was willing to forgive the
3 penalties and fees for Mr. Jefferson on the
4 Chamber of Commerce building. She said that
5 we're going through difficult times and
6 people are struggling and this and that.
7 Well, I'm struggling, too, I'm in the
8 process of looking for a second job to try
9 and make ends meet, but I agree with
10 Mr. Rogan about I'm -- I'm one that's in the
11 minority. I say we should forgive all of
12 the taxes and, you know, it's not the people
13 that bring revenue into the city, like that
14 building would be, and Ms. Franus said, you
15 know, we shouldn't have to pay taxes either.
16 Well, I think that's wrong, because the
17 normal taxpayer wouldn't bring in the
18 revenue that that building will bring into
19 this city, so I think that was unjust.

20 Next thing, a couple of times I have
21 been here and I criticized DPW for not doing
22 their job well, well, when I see a job well
23 done I am going to give credit, also. I
24 have a few good stories today. Yesterday it
25 was terrible out and my wife knows somebody

1 that lives on Glinko Street, which is --
2 it's the side street, I guess, off Keyser
3 Avenue, someone had to transported in an
4 ambulance and they called DPW to come and
5 plow the street and they did it in a very
6 timely fashion, so kudos, to them.

7 Today it was nice out, I was walking
8 through town on my lunch, I came across two
9 DPW workers cleaning off the ice and snow
10 from the corners so they would be accessible
11 to disabled people, and I thought that was a
12 really good job they did, and I want to
13 mention their names, I told them I would
14 mention them on the air, they were Charlie
15 Mattes and Dave Mitchell, the artist.
16 That's what he told me. I guess he is an
17 artist.

18 And while I'm talking about DPW, I
19 didn't make the meeting, as I said last
20 week, but I did bring a request to Ms.
21 Carrera and she put the request in every
22 person's box and Councilman Rogan did read
23 it, it was a request to have DPW repair my
24 corner again. My question is, Mr. McGoff,
25 did you get that request in your mailbox

1 last week?

2 MR. MCGOFF: Yes.

3 MR. SPINDLER: Is DPW your
4 committee?

5 MR. MCGOFF: Yes.

6 MR. SPINDLER: Why wouldn't you have
7 read that request instead of Councilman
8 Rogan?

9 MR. MCGOFF: I didn't think it was
10 necessary to read it.

11 MR. SPINDLER: That's typical of the
12 kind of person you are.

13 MR. MCGOFF: Why does it need to be
14 read publically?

15 MR. SPINDLER: It's a citizen's
16 request --

17 MR. MCGOFF: Why can't it be --

18 MR. SPINDLER: It was a citizen's
19 request and you didn't want to read it.
20 That's typical. I hope the people remember
21 come election day. You don't give a darn
22 about the taxpayers and you never did.

23 MS. EVANS: Mr. Spindler, if I could
24 just inject, I know that I saw your request
25 as well, and although I didn't read it a

1 loud, I did submit it immediately to
2 Ms. Carrera and ask that the report be made
3 ASAP to have that repaired, so sometimes,
4 you know, we are not reading it out loud
5 because when one person reads it then, you
6 know, we are not going to repeat it, but I
7 think you will find that you get a response
8 from a lot of council members.

9 MR. SPINDLER: I understand that,
10 but Mr. McGoff does speak first in comments
11 and that is his committee.

12 MR. JOYCE: Right, and also to
13 interject, a lot of the requests are sent to
14 council by the public just addressed to city
15 council and not one specific council member,
16 so many times requests that are sent in will
17 be read off generally by the first council
18 member that decides to speak on it. So if
19 something is mentioned by another council
20 member I generally don't repeat it. Unless
21 I missed what they had to say.

22 MR. SPINDLER: Okay. I have a
23 question, that StreetSmart program, does
24 anybody know when that trial period is going
25 to start up with that?

1 MS. EVANS: That's another issue
2 that I'm going to be addressing under
3 motions this evening.

4 MR. SPINDLER: Okay. Thank you.
5 Lastly, about this lost arbitration again,
6 it just keeps on rolling along. I think
7 that's 25 out of 26 the mayor has loss and
8 as Bill Jackowitz said it's the taxpayers
9 that are the real losers. It's, again, it's
10 just the attorneys that are stuffing their
11 pockets and it's a really sad situation and
12 I don't know when this is going to end, but
13 in the long run the taxpayers are the
14 losers, and I'm happy fore the firefighters
15 and the police officers. It's ashame it has
16 to be that way. If he would have only have
17 sat down in the very beginning and settled
18 with these people, none of this would have
19 happened, and it's scary that we have three
20 more years of this to put up with. Thank
21 you for your time.

22 MS. EVANS: Thank you. Ron Ellman.

23 MR. ELLMAN: Hello, Council.

24 MS. EVANS: Hello. You know, it's
25 said a little knowledge is a dangerous

1 thing. This morning on the editorial page
2 there is a good example of somebody that has
3 a minute bit of knowledge of something and
4 wrote paragraphs and paragraphs that they
5 don't what they are talking about. There is
6 a letter here in defense of Mr. Jefferson
7 and his group. He thinks that the city is
8 trying to extort money from the poor soul.
9 That's what it says, extort money. His last
10 sentence says we should forgive taxes, blah,
11 blah, blah. He has no understanding of what
12 went on. Up here he says after -- I guess
13 he heard what was going on last week he said
14 the city was trying to collect the
15 delinquent taxes and they had -- it was
16 impossible to do it, we had no way to
17 collect the delinquent taxes. He doesn't
18 understand the building was for sale for
19 delinquent taxes. He doesn't understand
20 that the man asked the building be taken
21 off, pay a fine, assume the taxes, he missed
22 all of this.

23 You know, I don't even know how
24 somebody can show their gross stupidity in
25 such a letter. I had some other things I

1 wanted to talk about, but after I read this,
2 it just infuriated me saying that the city
3 is trying to extort. I have talked to a
4 dozen, 15 people and every single one of
5 them are the man on the street that's
6 supports you. You just can't keep giving
7 in. The facts were out there. I just don't
8 know how someone could be just not
9 understanding anything and write such a
10 letter.

11 Well, I hope our new laid on the
12 school board who I know a little bit doesn't
13 turn her back on us like the other members
14 seem to have done, you know. I'm a noble
15 advocate for the poor and the homeless and
16 the low income people, I just have a place
17 in my heart for them, but you can't have
18 some mother of six or eight kids in the
19 project dictate we need a new school and we
20 need this or we need that, schools are
21 nothing but babysitters for these people. I
22 guarantee you that. And I won't go on, I
23 won't get in an argument about that.

24 And I got some homework for
25 Mr. Hughes, if he wouldn't mind.

1 MR. HUGHES: I think I would.

2 MR. ELLMAN: You might enjoy it.

3 MR. HUGHES: Only Mrs. Evans, she is
4 the teacher, she can give me the homework.

5 MR. ELLMAN: I want you to find out
6 for me the law on black and white for the
7 county, this county, where the state --
8 where the county has given tax exemptions in
9 writing to the churches and nonprofits --

10 MR. HUGHES: I suggest you go to the
11 county itself and ask them, I'm not in the
12 business to do that.

13 MR. ELLMAN: You're what?

14 MR. HUGHES: I don't do any work for
15 anyone other than directed by the President
16 of Council. I suggest you go to the County
17 Assessor's Office and ask them for that
18 list.

19 MR. ELLMAN: I didn't know that.

20 MR. HUGHES: There is a list that's
21 published and they have it.

22 MR. ELLMAN: This article in the
23 paper this week from Wyoming County, it
24 states in black and white that exemptions
25 are a courtesy, it's not a law in Wyoming

1 County. They could give them for religious
2 buildings that is the real property. There
3 is no law requiring the county to exempt
4 anybody in Wyoming County and I was
5 wondering if we got it here.

6 MS. EVANS: That I don't know, but I
7 would agree with Attorney Hughes that those
8 questions are probably better posed to
9 county government. Maybe you could speak
10 with the Tax Assessor's Office or you might
11 want to pose it to the county commissioners,
12 I think they would be better prepared to
13 respond that what Lackawanna County laws are
14 in comparison to the example you cited.

15 MR. ELLMAN: Well, as I have said 20
16 times, something sure needs to be done about
17 all of these predators. They pry on such
18 poor people, you know, that just can't
19 afford -- I just talk to people almost every
20 day that are holding onto their property by
21 their fingertips. Yesterday, somebody was
22 telling me about their father gave up the
23 cable TV to save some money. I mean, you
24 know, people are just doing everything and
25 half of them -- half of the people in this

1 city haven't had children in school in ten,
2 20, 30, years. Somebody has got to give
3 somewhere for crying out loud. It just
4 can't keep up. Well, thank you.

5 MS. EVANS: Thank you, Mr. Ellman.
6 Lynn Bloom.

7 MS. BLOOM: Good evening. Lynn
8 Bloom, North Scranton. Does anyone know --

9 MR. JOYCE: Good evening.

10 MS. BLOOM: Hi, good evening. Lisa
11 Moran, her education credentials? Does
12 anyone know?

13 MS. EVANS: I really am not certain
14 about that.

15 MS. BLOOM: Because I have heard,
16 you know, rumors are a viscous thing, I
17 would like to apologize to Mrs. Krake, I
18 have been in your position in a meeting
19 where I just had to observe and I want to
20 say thank you for taking such great notes at
21 that PEL meeting and I wish I was sitting
22 there with you, because you are not paid
23 enough, you are really not for -- I don't
24 know if it's their amusement or what, but
25 thank you so much for the job you do.

1 I believe Ms. Moran's degree is in
2 fashion. No degree, and I think I look
3 okay. The comments made at that meeting are
4 disgusting, plain and simple. Bags of
5 money. The facetiousness is appalling, and
6 if anyone was to have bags of money it would
7 be those appointed in the administration
8 because they got raises all along and now
9 the city, because it's time to pay the
10 piper, every resident, even those in the
11 administration, which is I find kind of a
12 little odd, we are all going to be in more
13 jeopardy next month, next year, than last
14 year.

15 So maybe, God forbid, when it
16 impacts them close to home, maybe they will
17 stop laughing. Maybe when their family
18 members don't have means to pay for a
19 private ambulance or the best security
20 system or a fire suppression system, maybe
21 they will take it a little more seriously.

22 To threaten massive layoffs in this
23 economy is just awful. When I worked for
24 the federal government, no one wanted to
25 work for the government because everyone in

1 the private sector was making money hand
2 over fist. Now, the private sector tanked
3 and public sector jobs look good, but the
4 economy will come around again, because it
5 always does, you just got to ride it out,
6 and there will be an opening in the public
7 sector.

8 And for those people at that
9 meeting, Mr. Krake, they forgot one very
10 important lesson, the people you meet on
11 your way up are the same people you meet on
12 the way down, and you always come down.
13 Nothing lasts forever and everyone is
14 replaceable.

15 Now, that my little vent is over, I
16 apologize. Finding money for the city.
17 Blight is a big problem in Scranton. I
18 don't know the laws in Pennsylvania because
19 the few I know are very shocking and
20 confusing to me, but instead of demolishing
21 houses why can't the city have a lottery for
22 it's residents, and then instead of knocking
23 down houses and having empty lots where
24 heroine users will go and shoot up or
25 underage kids will go have sex or a kegger,

1 you can reinvest in our neighborhoods. They
2 cannot be for nonprofit, it could not be
3 corporate, it would have to be current city
4 residents, 50 bucks a pop, \$10 a pop, and
5 whoever wins get the property. They can
6 rehab it, they could -- we get the tax role,
7 a deserving family that is willing to work
8 gets a home, a neighborhood gets restored,
9 and maybe we'll actually start attracting
10 citizens that aren't going to be here for as
11 long as the good job lasts, that have been
12 here like my in-laws for 100 years or more.

13 Maybe creative financing, not going
14 into a worker's comp fund and hoping nobody
15 finds out about it for a year or two. Just
16 something to think about. I hope the mayor
17 gets a clue. I really do, because I'm not
18 going anywhere and there might be more
19 people like me coming, sorry, everyone, I'm
20 really sorry, because if you think taxes are
21 bad here a three bedroom, one-bath ranch,
22 without my husband's VA tax break \$10,000
23 was my property tax. \$10,000. Yes, I ran
24 off of Long Island, anybody would. We are
25 not rich. Civil servants. I was forced to

1 retire, he was working at a national
2 cemetery. It will happen. We have to be
3 smart.

4 I had mentioned a few weeks ago --
5 I'm sorry, everyone in my neighborhood was
6 priced out. I don't want that to happen in
7 Scranton. I really don't. Thank you very
8 much.

9 MS. EVANS: Thank you.

10 MR. JOYCE: Thank you very much.

11 MS. EVANS: Dave Dobrzyn.

12 MR. DOBRZYN: Good evening, Council.

13 MS. EVANS: Good evening. Dave
14 Dobrzyn, member of the Taxpayers' and
15 resident of Scranton. Last week I spoke
16 about anonymous tips to the city, and I'd
17 like to elaborate on that a little bit
18 because last year after the -- the blight
19 policy was adopted, and I'm not criticizing
20 anybody from the city, but I noticed pickup
21 trucks going around South Side and they
22 didn't have municipal license plates, and I
23 am wondering with this anonymous if it could
24 be possible for a repair person or a
25 contractor to pose over the computer as a

1 plaintiff, a related plaintiff where it's
2 not coming -- where it's coming from the
3 neighborhood and possibly turning people in
4 and trying to conjure up business and so
5 forth, so that's one of my concerns.

6 Just basically there shouldn't be
7 anonymous tips, they should certainly be
8 kept confidential, but no pranksters, don't
9 make it easy for pranksters to cause
10 problems for people.

11 Okay. I mentioned a few -- a week
12 or two ago about a support letter for WFTE
13 for a grant and I talked to Nancy about it
14 today, is that available or -- if you people
15 are willing, I'll catch you after the
16 meeting, and sign it. It's a nonprofit
17 radio station. I don't know how long I'll
18 be connected with it, but we'll see.

19 And I don't have much to complain
20 about, so it's time for the golden parrot.
21 The golden parrot for this week, one golden
22 parrot for the COLA bashers in Congress.
23 Years back Reagan, Ronald Reagan withdrew
24 the housing cost and so forth from the cost
25 of living assessment and many other things,

1 and then two or three years ago George Bush
2 said energy prices have nothing do with
3 inflation, well, I mean, what is COLA after
4 that for somebody that's making 800 or 900 a
5 month on social security.

6 And then the big oil, well, they're
7 jacking prices up, as you may know.
8 Unfortunately, we have to charge way more
9 just because we can, and some day they'll
10 wind up stuck like AIG was struck with a
11 whole tanker full of oil, they didn't know
12 what to do with it, they couldn't get their
13 money out of it, and that's part of what
14 caused the collapse of AIG or caused the
15 need for bailout funds.

16 And the third one is NATO. You are
17 friends in Europe, they did nothing about
18 Bosnia, they did nothing about Kosovo, every
19 time I turn the news on I'm hearing about
20 Libya now. They have their socialized
21 medicine, they got free medical care, they
22 got retirement at 60 and 62 years old, but
23 once again, let America pay for it. 65
24 years of something, maybe 75 by now, since
25 in World War II, how is my math? That's 65

1 mismanaged and it's gone on for an extremely
2 long time, even before the mayor was mayor.
3 I will say that in some ways I think he has
4 accelerated it.

5 You know, Mr. Spano came to the tax
6 group that I belong to and tried to talk
7 about the Home Rule Charter and the
8 revisions they wanted to make. I tried to
9 have a very frank conversation with him on
10 that issue because I attended a lot of those
11 public meetings as an interested citizen,
12 and I found the changes they wanted to make
13 then were just not relevant, just like the
14 present council we -- I mean, not the
15 council, but the Home Rule Charter we have
16 now. It's not -- it's almost useless
17 because if you are not willing to wield the
18 power that you possess, well, then power has
19 no meaning.

20 I think for a very long period of
21 time the citizens in this city have to make
22 a determination whether they are all going
23 to work together to bring change here. I
24 honestly believe that they have to determine
25 the change necessary. They need to join

1 neighborhood associations, they need to make
2 demands of this council. We have had a lot
3 of councils, and I'm not necessarily talking
4 about this one, that have come in and said
5 they had a new vision for the city. With
6 the visions that they've had, we're left
7 with a nightmare. I think some of the
8 people came up to the podium spoke about the
9 blight in the neighborhoods, well, we are
10 still spending money to all of these
11 developers and in my opinion not enough
12 money is going into the neighborhoods. I
13 think the city is mismanaged then and I
14 think it's mismanaged now.

15 I think that -- I think there really
16 is a need for a real change. I think it's
17 time for the citizens to stop, you know, you
18 talk to citizens and they tell me, well,
19 this person ran for office and they told me
20 they were going to be their own person and
21 why aren't they?

22 The one question I have is why do we
23 keep electing people that have never
24 attended a meeting for an office they want
25 to possess? I can't understand it. I just

1 -- I mean, evidently people can grow into a
2 position, but this city's problem are so
3 severe, you know, we have talked about
4 mismanagement here for over 20 years, I have
5 sat in here and talked them with Mr. Pocius
6 and Mr. -- whoever you want to bring up. I
7 mean, it's like 20, 25 years of just
8 discussions and now we have come to the
9 point where, in my opinion, we may have too
10 few policemen, we are getting ready to lose
11 our fire department, now Dunmore can't count
12 on us to come over and allegedly help them,
13 and I always thought you help your
14 neighbors.

15 You know, you go in the
16 neighborhoods and people ask why they don't
17 have curbs, why -- and now, I mean, people
18 are telling me should they buy a truck to
19 drive on city roads? And we keep discussing
20 our financial problems. I honestly have to
21 say that I know the answers to the problems
22 in the city aren't simple. I really have to
23 tell you that I'm not sure what they are
24 other than asking the Court to allow the
25 city to reorganize.

1 But, you know, I just find, like
2 Attorney Hughes said here today, that he
3 only moves at the direction of the President
4 of Council, and my point is that it seems
5 that government has created circlings on
6 various levels. People are concerned about
7 what the school board is doing. People are
8 concerned about what the county is doing,
9 people are concerned about, you know, what
10 the city is doing, but all of the revenue is
11 coming from one place. I think the mall has
12 12 or 15 vacant stores, they have all gone I
13 guess on the mountain or they are going into
14 Taylor where Wal-Mart is. People are
15 fleeing and all we keep talking about is
16 more revenue.

17 And I just think that the people in
18 this city have to determine whether they
19 want to work together to bring the change
20 necessary that we need and we've needed for
21 a long time. Stop the borrowing, a
22 willingness of an administration to sit down
23 with organized labor and come up with an
24 agreement that serves the people, and a
25 government that represent the people.

1 I think we keep bringing who come to
2 our city and tell us they want to create
3 jobs and we keep giving them the money and
4 we keep ignoring our neighborhoods, and now
5 that the neighborhoods are just continuing
6 to decline, and now we are starting to --
7 you know, I don't know where we are going.

8 I mean, we elect people they talk
9 about no nepotism at the Scranton school
10 district and the next thing you know
11 somebody in their family has a job. Who do
12 we believe? That's what people ask me, how
13 can we believe our government when they say
14 one thing when they ask for their vote and
15 they do something else, and I just think
16 that it's time it save this city and I think
17 this council can do it. I just think that
18 we all have to work together.

19 The last closing thing I have to say
20 is this, when you walk up these steps you
21 look at that picture on the wall, it's
22 Abraham Lincoln. He took a country that was
23 fractured and he brought it together because
24 there were two opposing camps and they were
25 at war and he managed to save our nation and

1 we have to save ourselves. Thank you.

2 MS. EVANS: Thank you.

3 MS. FRANUS: Fay Franus, Scranton.

4 Last week at council's meeting, council
5 stated that the administration took millions
6 of dollars from the workmen's compensation
7 fund again. In 2009 and also in 2010
8 without city council knowing anything about
9 this. How do they pull this off? Isn't
10 there anyone besides the mayor or the city
11 administrator who oversees the city money on
12 a daily basis? Isn't there a written record
13 someplace showing where millions of dollars
14 were taken from one place and deposited
15 somewhere else? Someone or some other
16 office must have known about this as well as
17 the city administrator and the mayor. I
18 thought -- I thought the city controller. I
19 thought that was their job, the city
20 controller's, to watch over the money in the
21 city. Wouldn't the city controller know
22 about this?

23 MR. JOYCE: Ms. Franus, not to
24 interrupt you, sorry, I am, I will be
25 addressing that later on this evening during

1 motions --

2 MS. FRANUS: Okay.

3 MR. JOYCE: -- regarding council
4 being left in the dark with this borrowing
5 of \$2.95 dollars in 2009 and 2010
6 respectively.

7 MS. FRANUS: Thank you, Mr. Joyce.
8 But as I was saying, that's the city
9 controller's job to watch over the money in
10 the city and I would think that they would
11 know about this.

12 I can't even comprehend how they did
13 not notice when suddenly a million dollars
14 appears to pay the bills. If I were paying
15 my bills last week and I didn't have enough
16 money, then all of a sudden this week money
17 appears in my account, I'd surely notice.
18 Red flags would be going up and I certainly
19 would know because I would be writing the
20 checks. So think about this, everything I
21 have said and all of these questions I have
22 asked, think about it. How does one not
23 notice this money?

24 So when the bills are being put in
25 to be approved and paid how does the

1 people -- how do the people in that office
2 not notice this? I'm asking council to
3 please check into this, to find out in any
4 way you can to get to the bottom of this.
5 And also, I don't how you manage your
6 finances when things like this are done
7 behind your back. I also don't understand
8 the mayor who feels it's necessary to hide
9 his finances and keep this from the city,
10 the people in the city. I hope that you
11 check with the city administrator and I hope
12 you check with the controller's office to
13 find out about this, and I also would like
14 to say I'd like to also wonder what else is
15 being done behind your backs? Thank you
16 very much.

17 MR. LOSCOMBE: Thank you.

18 MS. EVANS: Thank you.

19 MR. SLEDENZSKI: Hello, Jackie.

20 MR. LOSCOMBE: Chrissy. What's up,
21 Buddy.

22 MR. SLEDENZSKI: Wearing the shirt,
23 Jack, I told you.

24 MR. LOSCOMBE: Ready for the parade.

25 MR. SLEDENZSKI: Well, Pat, they did

1 it again, didn't they? The girls won the
2 championships Saturday. The girls came
3 through. Good luck Friday -- Saturday.
4 Good luck. Thank you.

5 MS. EVANS: Thank you, Chrissy. Is
6 there anyone else who cares to address
7 council?

8 MS. KRAKE: 5-A. MOTIONS.

9 MS. EVANS: Councilman McGoff, do
10 you have any comments or motions?

11 MR. MCGOFF: Please. I probably
12 should have mentioned this before, but
13 PennDOT is conducting a public meeting on
14 the Harrison Avenue Bridge project, that
15 would on Thursday evening, March 10, at
16 Scranton High School. The informational
17 displays will be available by 6:30, p.m.,
18 and presentation by PennDOT at 7:00 p.m.

19 From what I have -- we have seen
20 from the past, there are a number of
21 possibilities for what will take place with
22 the Harrison Avenue Bridge. They have a
23 number of scenarios. It would probably be
24 in the best interest of, you know, people
25 especially that live in that area to be

1 there and take a look at the presentations
2 that are being made. I know a lot of it
3 involved -- some of it involves the moving
4 of the bridge from -- you know, slightly,
5 and eminent domain, taking some properties
6 through eminent domain. So, again, it would
7 probably be a worthwhile meeting to attend
8 for, you know, citizens of the South Side
9 and Hill Section areas.

10 The second thing, as far as the -- I
11 received or in speaking with Mr. Brazil at
12 DPW and also with Mr. Vitris talking about
13 paving and patching of the city streets,
14 they are attempting to make repairs when
15 possible. I know a week or so ago when it
16 looked like we were going to have some
17 better weather they had crews out almost,
18 you know, for five days or a number of days,
19 you know, all through the day patching
20 different parts, different streets, and then
21 another storm and more cold weather and a
22 lot of -- a lot of what they did was, I
23 guess -- I don't want to say useless, but it
24 came right out. The patching didn't take.
25 And I know the one section almost every day

1 I'm up along Lake Scranton Road which is in
2 pretty bad shape and they tried to patch it
3 and it was, you know, reasonably good for
4 about a day and then, you know, two days
5 later it was, you know, full of potholes and
6 the patching was gone, so they are making
7 attempts so that -- I know it's tough to be
8 patient with that in driving some of the
9 roads, it is very difficult.

10 You know, it's been mentioned here
11 South Webster Avenue from about Willow
12 Street back to Maple Street it is like a war
13 zone. There are parts of it that are just
14 undriveable. I don't know how you can in
15 coming down Beach Street from the Seventh
16 through the 600 block of Beach Streets is
17 absolutely terrible and a lot of it is the
18 result of the work that's being done on the
19 streets during the summer and into the fall,
20 but they are attempting to, you know, do
21 what they can and to make repairs until, you
22 know, real paving and paving projects can
23 begin.

24 The second thing, I know it was
25 mentioned about Meadow Avenue and we did

1 receive a response from PennDOT that Meadow
2 Avenue, while many people see it as perhaps
3 a state route, it's not. It's not -- it's
4 not under the jurisdiction of PennDOT in any
5 way, so any paving or repair work that would
6 be done on that section of Meadow Avenue
7 from Moosic Street to River Street would be
8 the sole responsibility of the city and not
9 of PennDOT. And again, if you drive that
10 frequently while there are parts of it that
11 are bad, it does need some repair and
12 hopefully it will be gotten to by the city
13 as soon as possible.

14 And just a response to a couple of
15 things that were mentioned by people at the
16 podium. I know we have gone and back and
17 forth on the -- about housing demolitions.
18 While it's a nice idea to say, "Why can't
19 we -- why can't we do something to
20 rehabilitate homes," many of them are beyond
21 rehabilitation. Many of them are homes that
22 are in such disrepair that it would be
23 practically impossible to rehab them in any
24 functional way, and many of the homes that--
25 I shouldn't sat many, some of the homes that

1 I have seen that have been demolished are
2 homes in areas in courts, and in a places
3 that are small lots that are -- that by any
4 standards they couldn't be rehabilitated.
5 There is just not enough space for bedrooms
6 and, you know, bathrooms and that type of
7 thing, and that they actually need to be
8 demolished and removed.

9 And the second part of that is I
10 have seen a number of homes rehabilitated in
11 South Side area through Lackawanna County
12 Neighbors, I think they do a great job with
13 the homes that they have to rehab I know a
14 couple around where I live, one that was in
15 a fire that I thought it was just, you know,
16 totally destroyed, Lackawanna Neighbors took
17 it and rehabbed it, and it's a beautiful
18 home, it's now occupied and back on the tax
19 roles and all, so there is rehabilitation
20 being done and as money is available I'm
21 sure there be more done, but it is a costly
22 thing to do.

23 And last, in the four years that I
24 have been on council I have rarely, if ever,
25 talk about citizens' requests during the

1 meetings. If I get a citizens' request I
2 usually call the necessary department and
3 speak with whoever needs to be spoken with
4 and take care of it in that way. I don't
5 think that it's necessary to publically, you
6 know, talk about all -- any citizen's
7 requests really, and in fact most of the
8 people that have called me have asked that I
9 not do it publically. They'd just as soon
10 not be in -- you know, have their names or
11 problems mentioned and so I think it's --
12 and I'm sure it's for many of the members of
13 the council that there are a lot of people
14 that call with requests, calls, you know,
15 for various things and we simply take care
16 of the problem rather than having to do it
17 publically, and thank you. That's all.

18 MS. EVANS: Thank you, Mr. McGoff.
19 And, Councilman Rogan, any motions or
20 comments?

21 MR. ROGAN: Yes. Just a few
22 comments and some citizens' requests. While
23 I do make a habit of announcing the majority
24 of my citizens' request publically, only
25 because I believe in the old saying that

1 says the long spoon gets the grease, and by
2 getting it out there that there is a problem
3 I think it's puts more pressure on
4 department heads to actually go out there
5 and fix it.

6 But a lot of time, as Mr. McGoff
7 said, sometimes just a phone call, just a
8 letter, will get it repaired promptly which
9 is the best scenario for everyone, but often
10 times, you know, we are waiting week after
11 week after week.

12 Last Friday I had the privilege of
13 reading to the third and fourth graders at
14 John Marshal Elementary School as part of
15 "Read Across America" week and they were
16 great kids, I had a great time and they
17 actually had a lot of very good ideas for
18 the city, and one of them that really stuck
19 with me that I think is a good idea, is the
20 students asked if recycling cans be placed
21 next to the trash cans in the downtown area.
22 So, Mrs. Krake, could we please send that to
23 the DPW asking -- because I know the DPW
24 does collect the garbage cans that are down
25 there now, but there are no trash -- or

1 there are no recycling cans, just garbage.

2 Next, about the DPW, I have probably
3 been the most critical of the DPW of
4 everyone on this council, but I do have to
5 say the last two snowstorms they have done a
6 very good job of removing the snow, and I
7 think the big reason for that is because
8 they are pushing the garbage collections
9 back a day to get everyone out and focus on
10 the snow. And also there was a letter to
11 the editor, I forgot to bring it to the
12 meeting, I think it was in two or three days
13 ago and it was on North Sumner Avenue, not
14 too far from where I live, and I would just
15 like to congratulate the men on that truck
16 for doing such a great job in helping the
17 person who needed the help.

18 The Mulberry Plaza, the taxes
19 continue to be an issue. There are some
20 people who think all of the taxes should be
21 forgiven, there are some people who think
22 they should pay everything including the
23 fees and interest. Personally, I take the
24 middle ground where if he would pay the
25 \$50,000 that's owed the \$13,000 in fees and

1 interest would be forgiven, but as it was
2 stated last week, the ball is not in our
3 court. It's in Mr. Jefferson's court to
4 come to the city. I think all five of us on
5 here want that project to move forward, but
6 if we did forgive the entire amount that
7 would set a dangerous precedent for future
8 developers in the city who would buy
9 properties with back taxes and think just
10 because they're going to develop it they
11 would have their taxes forgiven.

12 A resident on Cameron Avenue called
13 me earlier today and wanted me to publically
14 thank Mr. Skeleton from the Sewer Authority.
15 We all have heard about the problems going
16 on in that neighborhood with flooding, and
17 with the recent rain and snow fall,
18 Mr. Skeleton was right on top of it and
19 actually they are going to be putting a
20 drain in the one area where the water is
21 ponding. It might not fix the whole
22 problem, but it definitely is a good step
23 towards that.

24 And finally, I have responses from
25 OECD. Last week I requested a response

1 regarding the Crisp Avenue Bridge and I will
2 read it off: "Pine Creek Site Contractors
3 received a contract on February 28, 2011.
4 Pine Creek Site Contractors will now request
5 the shop drawings from the box manufacturer.
6 The time frame of receiving the precast box
7 will be subject to the chosen manufacturer.
8 The total timeframe for this process is
9 somewhere around six weeks. The contractor
10 would like to have the precast box in place
11 prior to the spring runoff."

12 In sum, just to sum it up, they
13 expect to begin work in six to eight weeks
14 at the site, which is great news, but then
15 again, it says depending on everything
16 moving forward quite rapidly, so we hope
17 that everything will continue to move
18 forward and hopefully in six to eight weeks
19 we won't have to talk about this on council
20 anymore because it will be done.

21 Next, on a request that was is there
22 a current revolving loan fund not including
23 RE-RE? And the response we received was,
24 "The following are the revolving loan funds
25 that this office currently has available:

1 OECD, commercial and industrial revolving
2 loan account. EDZ revolving fund account.
3 EDA revolving loan fund."

4 And this was sent in I think just
5 yesterday from Ms. Aebli, and we thank her
6 for the prompt response once again.

7 And finally, I have some citizens'
8 requests: The first one is to the business
9 administrator's office: In the last ten
10 years how many arbitrations have the city
11 loss? How many have the city won? And how
12 much money has been spent on attorneys for
13 fighting the city's unions?

14 Second, what is the procedure for
15 making a two-way street a one-way?

16 And the third was regarding the
17 recycling cans downtown which we already
18 have.

19 And finally, this is a letter that
20 was sent to all of us on council, and I'd
21 like to read it out. It says, "Members of
22 council, first let me introduce myself. My
23 name is Fay Turley, companion of Harry
24 Granville. I am writing on behalf of myself
25 and the Granville family. Harry F.

1 Granville passed away on November 12, 2010.
2 His properties are now part of the Harry F.
3 Granville estate and his children will be
4 the new owners of this property. Prior to
5 Harry's passing, we discussed the matters of
6 requesting the board to change the name of
7 Clark Place to Granville Lane. The
8 Granville has and continues to reside and
9 retain Clark Place for 101 years according
10 to the 1910 census. Clark Place is not
11 owned nor maintained by the city and,
12 therefore, as mentioned above, is maintained
13 by the Granville family.

14 Enclosed is a copy of the property
15 map. Also enclosed is a list of the
16 residents, tenants of the Granville's
17 properties, as well as their signatures who
18 are in favor of the name change."

19 Mrs. Krake, this a first for me, I
20 don't know how we would go about this, but I
21 guess I'll just attach this and talk about
22 it after the meeting to figure out which way
23 to go about it, and I will hold my comments
24 or the agenda items until Fifth Order.

25 MS. EVANS: Thank you, Councilman

1 Rogan. Councilman Loscombe, any comments or
2 motions?

3 MR. LOSCOMBE: Yes. Thank you,
4 Mrs. Evans, I have a couple. I'd like to
5 continue -- and a lot of times we are quick
6 to criticize employees or departments or
7 whatever and I'm going to continue the
8 applaud tonight because I think it's been a
9 pretty good week and give a pat on the back
10 and a shout out to the Department of Public
11 Works, first of all. Fortunately, my area I
12 don't know if it's the crews or whatever,
13 how it's hit and miss in other areas because
14 I do get complaints about certain areas, but
15 I have never had a problem in my area and
16 that's been a long time and I think it's the
17 same gentleman that handles the plow up
18 there, so he is right on the money. So I do
19 want to applaud them for that.

20 You know, we have to realize it's a
21 tough job. In the summer, you know, they
22 are walking out in 90-degree weather behind
23 garbage trucks that you don't know what's
24 falling out of those garbage bags. You
25 don't want to know what's falling out of

1 them garbage bags. In the winter, like this
2 here, they have got -- this has been a
3 wicked winter all around, I mean, rain and
4 storm, ice, melt, pulling the garbage bag it
5 might be frozen in the ice or a garbage can
6 or slipping on the ice and walking behind
7 the trucks in five below zero weather. You
8 know, it's tough until you walk a mile in
9 somebody else's shoe, but there are some
10 times when things have to be pointed out and
11 corrected, and I think a lot of that has
12 been resolved and I think, you know, we are
13 on the uphill slide on that.

14 But as Mr. Rogan stated there was an
15 article in the paper this week, I would like
16 to commend the Department of Public Works
17 employees, their names weren't mentioned
18 here and I forgot to call Sam to get them so
19 I could publically give them their
20 accolades, but they had helped an ambulance
21 crew lift a patient in the ambulance in this
22 weather, and I believe it was in your
23 neighborhood you said, Mr. Rogan.

24 So I to want to applaud them on
25 that, but I do have to caution some of the

1 Public Works employees to be careful with
2 their radio communications because people
3 have scanners and, you know, they're live
4 broadcasts, and some things are being said
5 off and on that, you know, shouldn't be
6 handled that way, but I didn't say that to
7 detract from their applaud.

8 And in this week's paper, a police
9 officer, Peter Balchus, he responded to a
10 youngster that was held up by knife point in
11 West Side and he ended up rounding up the
12 assailants and they had a nice article in
13 the newspaper about him.

14 Just a few weeks ago Engine 7 on
15 Luzerne Street had responded to a cardiac
16 arrest in Keyser Valley because the county
17 dispatcher he had enough intelligence to
18 call him to see if there was any EMT's on
19 board because the closest ambulance was
20 responding from Dunmore, and due to their
21 quick response and when the ambulance from
22 Dunmore got there they had already revived
23 the patient and from what I understand
24 everything was going fine, so these are the
25 city employees that sometimes we criticize,

1 sometimes we -- I mean, we like to praise
2 them when we can, but and when they are
3 wrong we definitely want to hear it and
4 straighten it out, but I do believe
5 everybody that does, you know, goes above
6 and beyond deserves a pat on the back once
7 in awhile, definitely in these times of low
8 morale.

9 Let's see, next we discussed
10 citizens' requests. I handle my citizens'
11 requests as you can see pretty much like
12 Mr. McGoff. I don't usually read them out
13 probably because I tend to get carried away
14 with my other articles, so I don't want to
15 prolong the meeting, but for the most part I
16 do believe, you know, a lot of them the
17 people don't want their neighbor to know
18 they're complaining about this or that, but
19 we do turn them in and they are handled in
20 that aspect. We have different philosophies
21 on how to do it, and that tends to be the
22 way I do it. So for Les, I mean, I handle
23 it the same as Mr. McGoff. I would rather
24 just follow-up. I usually go out and take
25 photos and everything first and then hand it

1 into Mrs. Krake and the staff and they
2 respond to it.

3 Blighted properties, again, it's
4 probably one of our biggest issues in the
5 city here. The number of blighted vacant
6 properties and the economy is one thing, and
7 I do commend the police department because
8 they are actively enforcing regulations in
9 the neighborhoods because they believe that
10 drugs create blight, blight creates drugs,
11 and from what I have seen of the chief and
12 the rest of the police department recently
13 they have been actively pursuing these
14 issues, and that's a big help, but also, I
15 mean, we constantly have demolition programs
16 going on. There is another list of
17 properties to be demolished, but I do
18 believe, I have seen several properties that
19 were condemned or falling apart that have
20 been rehabbed and they look fantastic. I
21 mean, they look better than they looked when
22 they were brand new. There are properties
23 out there like that and I think it's a
24 matter of, you know, maybe our License
25 Inspections Department tagging certain homes

1 that are rehabable that are structurally
2 sound.

3 I mean, there was one in West Side,
4 there was two houses side-by-side, they just
5 tore the one down because the foundation was
6 bad. It was unrehabable, but if you saw the
7 one next to it you wouldn't believe it. It
8 looks like a brand new home on Washburn
9 Street and I commend, that was a private
10 owner that did that, and I commend them for
11 their work there and that's what we would
12 like to see, more private investment.

13 Ms. Bloom has some good idea and
14 that's something that I'm looking into is
15 trying to get some more of these blighted
16 properties in the hands of private owners
17 and maybe we could work on some kind of
18 incentive for them down the road like we do
19 for the developers of these big buildings at
20 least to help them because sometimes these
21 lots are too small to rebuild on, too, so
22 you have an empty lot there forever, and
23 sometimes the neighbors don't want to take
24 it. There is a lot of variables there, but
25 I think it goes both ways.

1 I think there are a number of
2 properties out there rather than just
3 tearing them down that can be rehabbed, but
4 we have to get a viable program together for
5 that.

6 And the last thing I just wanted to
7 discuss, and I believe my colleagues will
8 get more into detail later, is the latest
9 arbitration award. For many, I mean, prior
10 to me being on council you have witnessed
11 police representatives and fire union
12 representatives come to this podium and
13 explain to you what it was like going
14 through arbitration trying to negotiate and
15 what transpired how they were treated. We
16 are listening to their side, we didn't hear
17 the other side, but in this arbitration
18 report I'm just going to read this paragraph
19 to you, and this is a neutral arbitrator
20 that ruled in favor of the police and fire
21 and you don't find many arbitration awards
22 that have language this strong, in fact,
23 probably would have been stronger if they
24 were allowed. And Mr. Jackowitz, he started
25 his comments before with the first sentence

1 on this here.

2 This is the arbitrator speaking: "I
3 take no joy in determining that the city has
4 engaged in bad faith in this case nor in
5 showcasing the litany of prior decisions
6 demonstrating the pattern of bad faith
7 demonstrated by the city over the years. I
8 am much more inclined to restrain myself
9 from unduly interfering with the labor
10 relations balance which has been struck by
11 the parties, but the city's pattern of bad
12 faith exhibited again in this case strongly
13 suggests that the city has jettison notions
14 of maintaining any semblance of a true
15 collective bargain relationship with these
16 unions. And it is sad irony that it is
17 these union members who risk their own lives
18 to protect the security and welfare of this
19 city.

20 Whether the city will take any sort
21 of instruction from what I write here or
22 whether the city will continue to act with
23 intransigence in it's conduct of labor
24 relations policy, is beyond my control."

25 That's one of the strongest

1 arbitration reward languages that I have
2 ever seen, and it tells you that the tale
3 from the other side, so you are hearing from
4 another party not just those that come to
5 the podium here, and they have listed ten
6 cases, this arbitrator has ten cases prior
7 where he using these examples from.

8 I would just hope that this
9 administration will get it and sit down and
10 stop appealing. The employees of this city
11 are taxpayers here, too. They are willing
12 to work with us and with the city. But, you
13 know, when the morale is broken and they're
14 constantly thrown out the door and they have
15 to go spend their money on arbitration, and
16 this arbitrator even ruled that the city has
17 to pay all of the legal fees, too. I'm just
18 disappointed that it continues to get to
19 this point.

20 You have heard comments from us here
21 asking do not appeal, please. Mrs. Evans
22 and myself have met Mayor Doherty personally
23 and tried to get him to reason and not
24 appeal and not appeal. I don't know if he
25 thinks he is going to be gone by the time

1 these come due, but they are all coming due
2 now and he is still here, so we have to work
3 together.

4 You know, I know it's going to be
5 hard, but there is a resolution, and I
6 believe we can work together and I know the
7 unions would work with us because they are
8 taxpayers here, their families are here and
9 they need to survive within the city, also,
10 but they are given a lot over the past
11 several years just to have the door closed
12 on them.

13 So I would just hope that the
14 administration would be willing to sit down
15 with us, sit down with the unions and
16 discuss these issues. It's not going to get
17 any better, and I'm going to leave further
18 discussion on this to my colleagues here and
19 that's all I have to say.

20 MS. EVANS: Thank you, Councilman
21 Loscombe, but I think I'll just add one
22 point to what you have said, I learned just
23 about two hours ago from employees of
24 Channel 16 that the mayor and the
25 administration have decided to appeal the

1 most recent award, so I thought that would
2 be important for the public and members of
3 council to know, that the decision has
4 already been made because they were seeking
5 my opinion on the mayor's decision.

6 MR. LOSCOMBE: I mean, with this
7 language on appeal the next Court is going
8 to read this, I don't know how it could be
9 changed. This is incredible. All it's
10 going to do is tack on more interest and
11 more penalties to us, the taxpayers, to make
12 some attorneys rich. I'm sorry to hear
13 that, Mr. Evans. I didn't know that.

14 MS. EVANS: Thank you. And
15 Councilman Joyce, do you have any motions or
16 comments tonight?

17 MR. JOYCE: Yes, very briefly.
18 First off to report, we did receive
19 notification from the Tax Office that on
20 2-24 of 2011, \$2,972,000 was transferred to
21 the city for real estate taxes.

22 Second order of business, some
23 requests on behalf of Mr. Sbaraglia who
24 spoke earlier tonight, please send a letter
25 to Mr. Scopelliti at the Parking Authority

1 inquiring how they plan on repaying their
2 deficit.

3 Second -- or second of all, on
4 behalf of Mr. Miller, please send a request
5 of all invoices submitted by Attorney Greco
6 paid by OECD and city funds rather than a
7 simple breakdown of the dates submitted and
8 the payment that was reimbursed. I think
9 it's about time that we see more details on
10 what we are paying money for rather than
11 just a simple statement that says, "On
12 2-13-2010, Attorney Greco received \$8,000."

13 For what? We don't know. I'm sure
14 there are many costs that could very well be
15 justified and I would like to see what those
16 are, so please request a copy of the
17 invoices that he submits.

18 Also, residents in west Scranton
19 have reported that there are numerous deep
20 potholes and cracks in the road near the
21 corner Oxford Avenue and Ninth Street
22 leading to roughly travel. Mrs. Krake, if
23 you could please contact Mr. Brazil and ask
24 him to have road crews patch the potholes in
25 this area once weather permits.

1 And in addition, various residents
2 in the 1400 block of West Gibson Street have
3 informed me that the original barricade to
4 the door of the condemned property located
5 at 1406 West Gibson has been removed. In
6 turn, residents inform that this is turning
7 the condemned property into a safe haven for
8 stray animals as well as trespassers.
9 Mrs. Krake, please contact Mr. Seitzinger
10 and notify him of the situation and ask him
11 if the barricade to the entrance of this
12 property can be restored.

13 In addition, this property
14 previously contained four rental units
15 before condemnation. Please also ask him to
16 add this to the list of rental properties in
17 the rental registration database if it is
18 not already included.

19 Finally, I would like to speak a bit
20 about financial matters. It's quite
21 disheartening that auditors as well as local
22 media sources find out vital information
23 before city council members do on occasion.
24 Such was the case when \$2.9 million was
25 borrowed from the Worker's Compensation

1 Trust Fund in 2009 to pay salaries. This
2 had first been reported to council by our
3 independent auditor Rossi & Rossi. Though
4 we borrowed money out of the Worker's Comp
5 Trust Fund, Mr. Renda, our former BA, stated
6 that this money was paid back.

7 In addition to that, council
8 recently found out that the city borrowed \$5
9 million in 2010 to pay salaries. This was
10 first mentioned at a recent PEL meeting,
11 however, when it happened it was not
12 reported to council. Since this money was
13 borrowed late in 2010 before the 2011 budget
14 was originally issued to council, I am
15 curiously wondering how it will paid back
16 since there is no line item in the 2011
17 budget that indicates how this money will be
18 pay back to the Worker's Compensation Trust.

19 If this money being paid back -- if
20 it's being paid back by 20110 revenue, this
21 would automatically start the 2011 budget
22 with a \$5 million shortfall since we would
23 have to pay \$5 million expense that was not
24 included.

25 I feel in some sense that city

1 council is being left on the dark on vital
2 matters such as this and I wonder if other
3 elected officials are as well.

4 With this in mind, Mrs. Krake,
5 please send a letter to Mrs. Novembrino,
6 since she is also an elected official, and
7 since as the city controller she is also
8 ultimately responsible for paying the bills
9 asking her if she was aware that \$2.9
10 million was borrowed from the Worker's Comp
11 Trust in 2009, and that \$5 million was
12 borrowed from the Worker's Comp Trust in
13 2010 as well as to why there was a sudden
14 influx of funding to pay salaries in the
15 final quarters of 2009 and 2010.

16 In addition, also ask if she was
17 aware of the balances of the Worker's Comp
18 Trust Fund in 2009, 2010, and so far to date
19 in 2011.

20 Now, last week I spoke briefly about
21 unions and that negotiations in a successful
22 city should not favor the side of management
23 on one side of the pendulum or the side of
24 union on the other side of the pendulum, but
25 rather meet in the middle, and I also

1 mentioned how over the past eight or ten
2 years or so negotiations have been heavily
3 in favor of the management where in the past
4 before that maybe there were instances where
5 they were in favor of the unions.

6 Recent Court awards have been a
7 result of failure of negotiations. The most
8 recent Court award, Case No. One -- or
9 arbitration award 1439099509 CN, the city is
10 required to pay 3.5 percent of a wage
11 increase for firefighters and police
12 officers in '06, and 4 percent in wage
13 increase in 2000 or for the Year 2007.

14 Not only is the city required to pay
15 these increases, but it is also required to
16 pay interest on top of that because the city
17 acted in bad faith as it was ruled. And as
18 my colleague, Mr. Loscombe, had mentioned,
19 the city is also responsible for incurring
20 the costs of legal fees due to acting in bad
21 faith. And I had a chance to review some of
22 this -- some of the verbiage in the award
23 and the ruling of the arbitrator, and I
24 would like to read a few of these off as to
25 the history of bad faith.

1 One of the points made, on July 23,
2 2003, the Commonwealth Court in the City
3 Scranton vs. FOP found that the city had
4 filed a frivolous appeal of an award
5 justifying an order directing the award of
6 attorney's fees.

7 On October 21, 2004, Arbitrator
8 Charles Long concluded in the Firefighters
9 Local Union No. 669 in the City of Scranton
10 that the city acted in bad faith when it
11 irresponsibly acted without justifiable
12 reason in failing to comply with the unions
13 and the attempting to control health care
14 costs.

15 On June 26th of 2006, Arbitrator
16 James Darby concluded the Firefighters Local
17 No. 60 in the City of Scranton, that the
18 city had acted in bad faith by disregarding
19 explicit language of the contract in failing
20 to pay health insurance benefits.

21 On November 9 -- or November 2nd of
22 2009, the late arbitrator, Charles Coleman,
23 concluded in EB Jermyn Lodge No. 2 in the
24 City of Scranton, that the City had acted in
25 bad faith when it offered no sensible

1 reasons for failing to pay police officers
2 in accordance with their contract.

3 And a more recent one, on August 21,
4 2010, arbitrator Stanley Agis concluded in
5 Firefighter Local 60 EB Jermyn Lodge No. 2
6 in the City of Scranton that the city's
7 defense to unilateral implementation of
8 health insurance co-payments defies logic or
9 reason and that the city has taken an
10 antagonistic litigious approach or reason,
11 and that was towards labor relations, that
12 cannot rationally be reviewed as being in
13 the best interest of the city, it's
14 taxpayers or it's employees.

15 And furthermore, from the comments
16 that Mr. Loscombe previously stated, this
17 current arbitrator stated that, "The city's
18 pattern of the bad faith exhibited, again,
19 in this case strongly suggests that the city
20 is jettison of notions of maintaining any
21 semblance of a true collective bargaining
22 relationship with the fire, police unions
23 and it is the sad irony that these unions
24 who contain members who risk their own lives
25 to protect the security and welfare of this

1 city. Whether the city will take any sort
2 of instruction from what I write here or
3 whether the city will continue to act in
4 it's conduct of labor relations is beyond my
5 control."

6 And obviously, as Mrs. Evans just
7 stated, she had recently learned that the
8 city intends to appeal this, and this is
9 also just another instance of where city
10 council is somewhat left in the dark and we
11 tend to hear about things a lot later than
12 some of the local media sources do.

13 Well, we have a few situations here,
14 we have the SIT award, we have this award,
15 which obviously the administration stated
16 that they will appeal, and we have \$5
17 million borrowed from the Worker's Comp
18 Trust Fund. My friends, these are the real
19 budget busters, not \$20,000 to cover the
20 costs of some extra overtime or not \$50,000
21 to cover the cost of some extra road salt
22 needed for bad weather, this is what will
23 break the budget, not council's revenue
24 projections.

25 With that in mind, Mrs. Krake, and

1 one final request, I would like to send a
2 Right-to-Know to Mayor Christopher A.
3 Doherty asking how he intends to repay the
4 \$5 million back into the Worker's Comp Trust
5 Fund, the SIT award, as well as any further
6 arbitration or Court awards for the
7 firefighters or police in the following
8 year, and please copy the Right-to-know
9 officer, Mr. Ryan McGowan, as well. And
10 with that, that is all I have to say
11 tonight.

12 MS. EVANS: Thank you, Councilman
13 Joyce. Good evening. I would like to begin
14 by addressing the potential shortfall in the
15 2011 budget. Although, a recent Scranton
16 Times newspaper article reported on a
17 potential for revenue shortfall this year,
18 the article missed the big target despite
19 public discussion held during the council
20 meeting only days earlier. The concern is
21 not council's budget, as Mr. McGowan,
22 recently appointed business administrator
23 had you believe, much of the new revenue
24 figure of \$1.5 million included in the 2011
25 budget by city council depends on the

1 Board decision regarding SIT clerks.

2 Three, \$300,000 for incremental pay
3 increases in July 2011, for police and fire.

4 Four, \$1.6 million for payments owed
5 to PennStar Bank regarding the sale of
6 delinquent tax claims for calendar years
7 2004, 2005, and 2006.

8 Five, Court awards in favor of the
9 police and fire ordering payment of back
10 pay, interest and attorney's fees for which
11 I have no total figure.

12 Six, despite having \$14.5 million
13 available from TAN-A and TAN-B in early
14 2011, the administration Mas our finance
15 chair noted, urgently requested a check from
16 the Single Tax Office on Monday, February
17 28, for all available tax revenue. Over
18 \$2.9 million was turned over to the city
19 immediately, which appears to be an unusual
20 action this early into only the first
21 financial quarter of the year.

22 For what purpose did the
23 administration need that tax revenue so
24 urgently and what is the status of the TAN-A
25 and TAN-B?

1 These current financial obligations
2 amount to a total of \$8.2 million. Add to
3 that the Court award for backpay, interest
4 and attorney's fees to the Scranton police
5 and fire. This is the shortfall. These are
6 the facts that were not provided in the
7 newspaper article and, for the record, I
8 want to address city council's direct
9 involvement in these outstanding financial
10 obligations.

11 Number one, city council did not
12 raid the Worker's Comp Trust Fund. City
13 council learned on March 1, 2011, that the
14 administration raided the Comp Fund once
15 again in 2010 to make payroll purportedly
16 and balance out it's budget. Thus, city
17 council was not aware that the
18 administration would need \$5 million this
19 year to reimburse that account.

20 According to Business Administrator
21 Ryan McGowan, the \$5 million taken in 2010,
22 has been reimbursed to the Worker's Comp
23 Fund, thus, creating a \$5 million whole in
24 the 2011 budget.

25 Number two, city council did not

1 fire the SIT clerks. Council did not appeal
2 this Court case for the last seven years.

3 Number three, city council did not
4 take the police and fire to court for the
5 last nine years. In fact, council, as was
6 noted by my colleague, Councilman Loscombe,
7 council advised the mayor to negotiate and
8 halt the appeal processes to save the
9 taxpayers' money.

10 Fourth, city council did not write
11 the legislation to sell delinquent tax
12 claims and it didn't write the legislation
13 to repeal the 23 fines, fees and costs.
14 Both were generated and driven by the
15 administration.

16 City council approved both pieces of
17 legislation respectively in order to prevent
18 the mayor's borrowing and generate revenue
19 in 2007, and to stop the sheriff's sale of
20 resident's homes in 2010.

21 Further, neither the administration
22 nor the Scranton Redevelopment Authority
23 informed city council of the departure of
24 NCC, Northeast Credit and Collections, and
25 neither informed council that only \$700,000

1 of \$2.3 million in delinquent tax claims had
2 been collected by NCC over the last three
3 years.

4 City council is a legislative body
5 without the ability to execute raids of
6 worker's comp, Court appeals, and union
7 contracts. Council has no authority over
8 the Scranton Redevelopment Authority, the
9 purchaser of the tax claims, and recipient
10 of the \$2.3 million dollar loan. The SRA
11 communicates solely with the administration
12 and the mayor appoints it's members.

13 Like so many of you, city council
14 would like to know how the administration
15 intends to solve it's problems and fill this
16 \$8.2 million whole in the budget, plus the
17 newest Court award for backpay, interest and
18 attorney's fees and postponing this solves
19 nothing and only adds to this ever growing
20 budget shortfall.

21 It's clear, I think, to anyone with
22 working knowledge of the city's operating
23 budget that \$8.2 million plus can't be cut
24 from the budget without eliminating entire
25 departments of city government, thereby,

1 ending some public services while
2 significantly crippling all remaining public
3 services. When the administration decides
4 how they will address each of these
5 shortfalls, it should first inform city
6 council because it will require the
7 cooperation of council to act on related
8 legislation.

9 Throughout the last two weeks on
10 behalf of city council, our solicitor, Boyd
11 Hughes, has been addressing the issues of
12 the SRA's possible loan default with
13 PennStar bank's attorney and the sluggish
14 selection and implementation of the
15 StreetSmart Parking Program. Attorney
16 Hughes provided each council member with
17 documentation for each of these issues.

18 And so at this time, Attorney
19 Hughes, I would ask that you would report to
20 the public on these developments, please.

21 MR. HUGHES: Yes. Thank you, Madam
22 President. I think I will start with the
23 easy one first, that's the StreetSmart
24 Program. I sent a letter to Attorney Kelly
25 on March 2 in response to his letter about

1 StreetSmart and whether it should be bid or
2 whether it was a sole source contract. I
3 sent a copy to Mr. Loscombe and I believe
4 that every council person has received it, a
5 copy of my letter, I sent it on March 2.

6 Basically what I said is that I have
7 investigated this, I found out that the City
8 I'm Allentown -- or, I'm sorry, the City of
9 Easton, Pennsylvania, approximately 25,000
10 people, started a PILOT program of
11 StreetSmart on 50 meters, and as a result of
12 that they were very pleased with it. Their
13 overall revenue of their entire system with
14 only 50 meters being monitored by
15 StreetSmart, increased 15 to 20 percent.
16 They were going to expand it to another 100
17 meters and as a result of the StreetSmart
18 Program, that while many of the merchants in
19 downtown of Easton were against the
20 installation of StreetSmart, what they found
21 out was that after it was installed their
22 sales had increased and virtually all of the
23 stores, they were very pleased with the
24 program and as a result of awarding it on a
25 sole source basis the overall parking

1 revenues had increased 15 to 20 percent in
2 that time period, even though it was not
3 installed systemwide.

4 I sent that to Attorney Kelly on
5 March 2 regarding that. I haven't had any
6 response. It was my opinion that while I'm
7 not -- haven't reviewed the other
8 specifications on the other people that --
9 the other two companies that have protested
10 and want to bid it, it's my understanding
11 that that program that StreetSmart has they
12 integrate a lot of these other units into
13 their program, which the other ones do not.

14 I also spoke with -- I didn't put it
15 in the letter, I don't believe I did, it's
16 been awhile since I wrote the letter, about
17 a week ago, but one of the competitors uses
18 a credit card only and what the City of
19 Reading found, the director of the Parking
20 Authority in Reading was that people who
21 used the credit card, the city was getting
22 charged in accordance with the contract a
23 transaction fee by the company, but also
24 they got charged a transaction fee by the
25 credit card company.

1 So based on their rates of
2 somebody -- and I think it might have been
3 75 cents for a half an hour, I think they
4 got 75 -- I think that they go a quarter
5 every ten minutes, the people that would
6 come in and charge 75 cents, by the time
7 they got the transaction fee the city was
8 only getting 30 cents because it was 45
9 cents on a 75 cent charge, so that the
10 Parking Authority was only getting 30 cents
11 and they cancelled that contract. I believe
12 that was with IPS, if I'm not mistaken, so
13 they cancelled that pilot program because
14 their revenues drastically went down.

15 But I haven't had any response from
16 Attorney Kelly. I informed him to talk with
17 the business manager of Easton, I gave him
18 his name and phone number to verify what
19 they had to done as to why they went sole
20 source on their investigation. So that's
21 what I have updated on the StreetSmart
22 Program. I don't know if council has any
23 questions on that, but I also sent to
24 Attorney Brazil who represents
25 Mrs. Novembrino, the city controller,

1 because Attorney Kelly's letter went out to
2 seek input from my both myself and Jack
3 Brazil as to whether it should be a sole
4 source or whether it should be bid. And
5 that was -- everybody has a copy of my
6 letter to Paul Kelly.

7 The next item regards the sale of
8 the City of Scranton's delinquent taxes,
9 real estate taxes, for the Years 2004, five
10 and six, to the Scranton Redevelopment
11 Authority for the purchase -- for the price
12 of approximately \$2.3 million. I don't know
13 if that went into the city's budget in 2003
14 or if it went into the city's budget of
15 2008, how those funds were distributed.
16 However, legally it's known as a "with
17 recourse" transaction which means if it's
18 with recourse, if the Redevelopment
19 Authority did not collect the \$2.3 million
20 the City of Scranton was obligated to buy
21 back the amount of the delinquent taxes that
22 the city had received the money for, which
23 were not collected.

24 The Redevelopment Authority did not
25 have the money, the Redevelopment Authority

1 entered into an agreement with PennStar Bank
2 to borrow the \$2.3 million dollars from
3 PennStar Bank, I'm sorry, it's 2.23 million
4 from PennStar Bank. The Redevelopment
5 Authority got the money, did not give all of
6 the money to the city, the \$2.3 million,
7 kept certain monies out for expenses, and
8 also for reserve fund. The city's full
9 faith and credit and it's taxing power is
10 set forth in the loan agreement so that this
11 loan can never be in default.

12 A transaction was done in December
13 of 2007, the note is to mature on June 1,
14 2012, in ten months. On Thursday, March 3,
15 I received a call from the attorney Michael
16 Windfield with the law firm of Rhodes &
17 Sinan in Harrisburg questioning me about the
18 transaction, actually informing me about the
19 transaction first, and then questioning me
20 about File of Council No. 49 of 2010, which
21 repealed File of Council No. 82 of 2007
22 which established rates for NCC to collect
23 the delinquent taxes.

24 I told them that I know that council
25 can not draft that legislation it had to

1 come from the solicitor's office. He said
2 that there is a serious issue here that the
3 city could be declared in default, that the
4 amount -- if it were, the amount of the
5 entire loan would be accelerated and become
6 immediately due and payable. I told him I
7 had never seen the agreements and he said
8 that he had written to Attorney Greco and
9 Attorney Kelly, I believe it was on February
10 25, because they had not responded to his
11 correspondence or phone calls he gave them
12 seven days, which would have been until last
13 Friday, March 4, to immediately get in touch
14 with him to pursue options on behalf of the
15 city so that PennStar would not move to
16 declare the city in default.

17 I asked him how much was due and
18 owning on the note, he said it was \$1.6
19 million, which means in the last almost
20 three and a half years, NCC has only
21 collected on the note approximately \$600,000
22 to \$700,000.

23 He sent me an e-mail letter
24 regarding our conversation on Friday along
25 with the Federal Express package of all of

1 the loan documents. I told Attorney
2 Winfield, I said, "This is not council's
3 problem, this is the administration's
4 problem."

5 I knew very little about it. I
6 perused everything and wrote a two-page memo
7 to each councilmen recording this issue and
8 I have -- I went through the audit that was
9 just completed by Mr. Rossi for the Year
10 2009, in that audit under Footnote No. 7, it
11 refers to page -- on page 51 it refers to
12 the city's obligation that regarding the
13 note of \$2,296,570, and as of December 31,
14 2009, it was approximately \$1,872,990 that
15 was due on it. So it was disclosed,
16 however, anybody that is familiar with
17 reading financial statements and footnotes
18 knows it can be very laborious and time
19 consuming project to sift through it, and
20 for what I'll say laymen, and very politely
21 and in due deference, to understand what an
22 accountant discloses in his footnote.

23 As a result of this, I wrote a --
24 like I said, I wrote my opinion letter, at
25 least I wrote a letter on Friday to

1 councilmen regarding this and the severity
2 of it. What happens is I also reviewed the
3 city's budget that was prepared by the mayor
4 this year and submitted to council November
5 15 for loans and liabilities payable at the
6 end of this year, and what the loan
7 agreement with PennStar states is that in
8 the event the loan is not fully paid within
9 30 days of due date, which would mean by
10 December 1st of 2011, that the city must
11 within 15 days pay the balance due.

12 At \$1.6, and based on the past
13 history of the collection of the SRA and
14 it's agent NCC which has tendered it's
15 resignation and is no longer collecting it
16 so now there is nobody collecting it, the
17 city could face a substantial default and
18 would have to pay this loan off in full by
19 December 31 of this year.

20 The budget as submitted by the mayor
21 on November 14 did not include any item for
22 repayment of this loan. I direct your
23 attention to it would be on page 28 of the
24 budget summary, interest and debt service
25 without TANS, tax anticipation notes, is

1 \$7,106,000. With the TANS, there is an
2 additional \$15,190,000. If you turn to page
3 130 of the mayor's proposed budget, and as
4 to nondepartmental expenditures for
5 repayments of TANS and other debt, there is
6 no mention of the obligation to the Scranton
7 Redevelopment Authority.

8 I also prepared for council's review
9 what -- I faxed this to Mrs. Krake and she
10 has provided me with most of the virtually
11 all of the documentation I had except which
12 Mr. Winfield, Attorney Winfield submitted to
13 me, they have spent a lot of time in the
14 City Clerk's office in putting this together
15 so I could give this -- so I could give this
16 analysis, but if you -- Mrs. Evans, the
17 exhibit that I gave you, did you pass it out
18 to the rest of council?

19 MS. EVANS: Yes, I did.

20 MR. HUGHES: Oh, you did?

21 MS. EVANS: Yes.

22 MR. HUGHES: Okay. In accordance
23 with the line of credit loan and security
24 agreement dated September 20, 2007, between
25 the Redevelopment Authority and PennStar

1 Bank, there was an exhibit attached, which
2 each council person has, and I would say
3 this, when this legislation was submitted to
4 council by the solicitor's office and was
5 adopted by council in 2007, there was no
6 agreement attached. And what it said is
7 that council authorizes the mayor to execute
8 a document as determined should be signed by
9 the mayor and the city solicitor. That
10 agreement is this December 20 agreement
11 which was not the legislation that was
12 passed in September I believe, it was done
13 previously, is not attached to the
14 legislation.

15 One of the things I have always told
16 council is that any legislation that is
17 submitted the agreement must be attached so
18 it can be reviewed and know exactly what
19 they are reviewing, but attached to the loan
20 agreement, and council has it, and this is
21 with PennStar Bank, the total amount of the
22 taxes that were delinquent for 2004, five
23 and six, the face value was \$2,343,439.
24 They have a formula and what PennStar agreed
25 to do in accordance with this document is

1 that to deduct from that amount certain
2 items nothing was deducted, so they took the
3 face value of the delinquent real estate
4 taxes for the three years of \$2, 343, 459,
5 assumed a collection of 90 percent of them,
6 take 90 percent of that \$2,190,095.

7 The Scranton Redevelopment Authority
8 added a collection fee or costs of the
9 Authority related to the advance of \$187,475
10 to that amount, to the 90 percent. That's
11 almost -- actually it works out to 8.88888
12 infinity as to what the percentage of the
13 loan would be that the Scranton
14 Redevelopment Authority got paid to do this.
15 I just rounded it up off to 8.9 percent.
16 When you add that to the 90 percent, the
17 amount that was loaned was virtually 100
18 percent of the total delinquent tax, which
19 would assume for the city to be whole NCC
20 would have to collect every dollar of
21 delinquent real estate taxes. The figure
22 was \$2,296,570, which is an about 60 some
23 thousand dollars less than the entire
24 delinquent taxes.

25 However, from the check that

1 PennStar wrote to the Redevelopment
2 Authority for \$2,296,570, the Redevelopment
3 Authority deducted \$187,475. There was a
4 loan reserve account established for
5 \$114,829. That was so that the loan
6 couldn't be in default depending on what the
7 collections as they come in.

8 And also, there was an amount that
9 was paid to the Clerk of Judicial Records
10 for the recording of about \$95,000, which
11 meant that of the total length the City of
12 Scranton received \$1,994,266 of which on
13 that amount there is still \$1.6 million owed
14 on the loan.

15 As I said, NCC has resigned and/or
16 terminated their contract with the
17 Redevelopment Authority. The Redevelopment
18 Authority is currently in a position of
19 advertising for a new collection agency, and
20 it would mean that of that amount that's
21 left of \$1.6 million dollars of delinquent
22 taxes that are left, virtually all of the
23 delinquent taxes for the Years 2004, five
24 and six, every dollar would have to be
25 collected between now and the end of the

1 year so that the city would not have any
2 liability. I wish them good luck.

3 But, unfortunately, assuming even if
4 they collected \$600,000, PennStar is going
5 to make the demand to have the million
6 dollars paid by the end of the year. It
7 could be sooner, depending on how soon
8 Attorney Kelly and Attorney Greco meet with
9 Attorney Winfield as to how to resolve this.
10 Attorney Winfield wants me to be involved in
11 that, I told him we were a legislative body.
12 I don't believe I should be involved,
13 however, in the Redevelopment Authority's
14 RFP that they have put out they have also
15 included the collection of the delinquent
16 taxes for 2007 and eight, probably knowing
17 that it's virtually going to be impossible
18 just to collect the taxes that they have,
19 and I would believe that -- not believe, I
20 could state unequivocally that they will be
21 providing legislation to council to include
22 the delinquent 2007 and eight real estate
23 taxes in order to have -- increase the size
24 of the pool or increase the size of the
25 delinquent taxes that would be available to

1 be collected by the end of the year.

2 I would anticipate that they are
3 going to say that those taxes must be
4 included to be collected without the city
5 receiving anymore money just so that the
6 city doesn't have to come up with any money
7 by the end of the year.

8 That's my report on this situation
9 and on the sale of the delinquent 2004, five
10 and six real estate taxes which the solution
11 might include the 2007 and eight at no
12 consideration, which means that instead of
13 the Treasurer's Office collecting those
14 monies for the city that it would be going
15 out to pay off this indebtedness.

16 MS. EVANS: Thank you, Attorney
17 Hughes, and based on our solicitor's
18 findings, city council would like detailed
19 information from the SRA. Mrs. Krake,
20 please send a letter to the Scranton
21 Redevelopment Authority requesting the
22 following:

23 The detailed breakdown of the SRA's
24 cost of \$187,475 included in the 2007
25 PennStar bank loan. A breakdown of

1 documents recorded by the Clerk of Judicial
2 Records at a cost of \$95,609 included in the
3 2007 PennStar Bank loan.

4 It is very troubling to note that
5 the city may be on the hook for a mandatory
6 repurchase of delinquent tax claims at a
7 cost of \$1.6 million this year.

8 Since council was not informed by
9 the SRA or the administration of this
10 matter, council requests the following
11 information from business administrator Ryan
12 McGowan, Mrs. Krake: Did the administration
13 provide for the \$1.6 million repurchase of
14 delinquent tax claims in the 2011 budget? I
15 know that our office has gone through the
16 mayor's proposed budget, as has our council,
17 but I am posing this question nevertheless
18 to Mr. McGowan for a written response: Into
19 what budget account was the \$1.6 million
20 placed, if so.

21 As I previously noted, city council
22 did not create any of these budgets holes
23 and as a legislative body it's not
24 authorized to address them. However, in
25 retrospect, I must wonder if the judge'

1 decision last year at this time handed down
2 in favor of the mayor might have been very
3 different if some of these important facts
4 had come to light. Nevertheless, council
5 awaits the decision and action of the
6 administration to solve each of it's budget
7 holes.

8 And next, I just have a few items to
9 report. Ryan McGowan, Open records officer,
10 responded to council's Right-to-Know request
11 which required clarification of prior brief
12 responses. His most recent responses
13 include the following: Monetary donations
14 to First Night of December 31, 2010, were
15 made by OECD on June 3, 2010 for \$25,000 and
16 on December 8, 2010, for \$3,500. This is in
17 addition to the \$60,000 already paid in the
18 first quarter of the 2010 from the operating
19 budget.

20 The four DPW foremen reinstated by
21 the mayor are receiving health benefits paid
22 by the City of Scranton and being drawn from
23 Account No. 4112, health insurance,
24 nonunion. Casual workers will not be
25 contributing to the pension fund. And

1 according to DPW Director Brazil, a 24-hour
2 dispatcher service is being provided by DPW.

3 Finally, I have citizens' requests
4 for the week. City residents ask that local
5 newspapers would include all DPW
6 announcements regarding garbage pickup
7 delays because of holidays. They hope that
8 I would remind citizens not to put out
9 garbage too far in advance of the pickup
10 since garbage often spills and litters our
11 city streets.

12 A Right-to-Know letter to
13 Mr. McGowan, for what purpose was the tax
14 revenue check for approximately \$2.9 from
15 the Scranton Single Tax Office during the
16 week of February 28, 2011, used? Into what
17 budget accounts was it deposited? Was this
18 tax revenue used for payroll? Provide
19 documentation of the dollar amount and date
20 of the 2011 reimbursement to the Worker's
21 Comp Trust Fund. Is the city using TAN-A
22 and TAN-B of 2011 to pay off 2010 bills and
23 to reimburse the Worker's Comp Trust Fund
24 for the 2010 withdrawal of five million.
25 What dollar amount remains in TAN-A? What

1 dollar amount remains in TAN-B.

2 And then finally, a resident of the
3 Parker Street area would like to know when
4 the flood project will be completed and the
5 road will be returned to two-lane traffic,
6 and that's it.

7 MS. KRAKE: 5-B. AUTHORIZING THE
8 DISBURSEMENTS FROM THE SPECIAL CITY
9 ACCOUNT NO. (TO BE DETERMINED) ENTITLED
10 URBAN DEVELOPMENT ACTION GRANT SECOND
11 REPAYMENT ACCOUNT FROM WHICH THE CITY
12 OF SCRANTON CAN MAKE LOANS OR GRANTS WITHOUT
13 THE LIMITATIONS IMPOSED BY THE HOUSING AND
14 COMMUNITY DEVELOPMENT ACT OF 1974, SECTION
15 119(f), 42 U.S.C. §5318(f).

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

19 MR. ROGAN: So moved.

20 MR. LOSCOMBE: Second.

21 MS. EVANS: On the question? About
22 two weeks ago, I enumerated several of the
23 RE-RE withdrawals from the calendar years or
24 fiscal years, if you will, 2011, 2010. I
25 did receive the list of payments in receipts

1 made from the UDAG repayment checking
2 account for 2008 and 2009 in the interim
3 from Ms. Aebli, executive director of OECD,
4 and at this time I just wanted to read off
5 some of the expenditures from that RE-RE
6 account for the Year 2008.

7 We have WNEP TV for \$1,700. The
8 Capital Hilton hotel expenses, \$565.29.
9 Actor's Circle Sponsorship \$500. Brucelli
10 Advertising Company, \$151. St. Patrick's
11 Day Parade funding, \$10,000. WNEP TV ad
12 \$5,000. WWC Pro Wrestling, \$1,000.
13 Michael's for 25, 18 by 24 photos, \$2,750.
14 Scranton Tomorrow, \$2,905. Courtyard
15 Gettysburg, Governor's conference, \$259.42.

16 The Friends of the -- and I don't
17 know it's -- it's not completed, it might,
18 you know, often times I have seen, for
19 example, Friends of the Scranton Knights or
20 Friends of the Invaders, so I'm sure it's
21 that, \$500. Northeast Boxing, \$5,000.
22 Pathfinder Productions for the Scranton
23 Pocono 500 \$6,000. Craig Freidman
24 Productions, \$9,400. Chris Doherty, mayor's
25 conference, \$1,039.46.

1 Lou Marcus, care of NEPA, I'm
2 assuming this is some type of local
3 magazine, and I think this would be the same
4 individual that Councilman Loscombe read a
5 recent article at last week's meeting from.
6 This individual had penned kind of an
7 anti-council article. There's quite of
8 number of entries here for Mr. Marcus from
9 the RE-RE account. Swank Motion Pictures,
10 \$400. Allied Services Foundation, \$500.

11 Dan Simrell, stumped mayor in, and I
12 remember that was some type of video or a
13 commercial or something that might have been
14 on YouTube or was played somewhere.

15 MR. JOYCE: Actually, if you don't
16 mind me interrupting you, it's currently on
17 the city website and I was actually just
18 browsing the city website and it mentions --
19 it's a video of Mayor Doherty and it's some
20 other former council members, and I believe
21 some former commissioners, I believe
22 Mr. Cordaro in it as well as Mrs. Gatelli.
23 Mrs. Gatelli and some local figures.

24 MS. EVANS: That's \$1,397.25. Wilt
25 Chamberlain, care of, and it's for electric

1 theatre, \$2,244.43. Metro Public Relations,
2 \$2,244.43. Broadway Theatre League with a
3 memo, "Senator Mellow" \$5,000. University
4 of Scranton, a luncheon \$50. M & M
5 Publishing, a new book about, it doesn't say
6 what, \$5,600. The Friends of something
7 else, for \$5,000. Lou Marcus, \$600.
8 Michael's Photography, photo prints, \$3,375.
9 The University of Wisconsin, \$2,000. Park
10 East Media, Incorporated, a TV ad, \$3,500.

11 And then we can move into 2009,
12 Electric City TV, a donation, \$4,500. Park
13 East Media, May Aug, \$1,650. Electric City
14 television donation \$4,800. The Scranton
15 Club, donation for, and it doesn't say what,
16 \$200. Vintage Theatre, \$500. Keystone
17 College, "The Gathering," \$5,000. Lou
18 Marcus, \$800. Lackawanna College, a
19 sponsorship, \$1,000. Park East Media, May
20 Aug holiday, \$3,500. The Women's Resource
21 Center, tickets for "Great" something for
22 \$600. First Night Scranton \$5,000. Lou
23 Marcus, \$800. Architectural Heritage for
24 Pages and Places, \$2,500. Lou Marcus, \$800.
25 Mayor's prayer breakfast, a table sponsor

1 for \$150. Deutsch Institute Celebrity
2 Champagne Brunch, \$100. District I IMA ad
3 book \$500. Electric City television \$3,500.
4 PJ Scanlon's, does anyone know what --

5 MR. JOYCE: Yes, it's a restaurant
6 located in downtown, and they happen to have
7 very good food, if I might add.

8 MS. EVANS: Well, PJ Scanlon's,
9 there is no memo, it's a blank, and that's
10 \$236. And those are just some examples of
11 how the money has been spent and as we face
12 all of these budget holes that have been
13 created by the administration when you are
14 driving down the street like Councilman
15 McGoff mentioned, on roads that are almost
16 impassable, you should be remembering that
17 these roads could have been paved, these
18 potholes could have been filled. Money
19 could have been set aside for these types of
20 emergencies that arise for Court orders that
21 have been appealed forever and ever Amen.

22 But, you know, it's just -- it's
23 astounding to me the waste. The waste. And
24 would could have been done with that money
25 to help the people of this city, and every

1 time you hit a pothole, folks, think to
2 yourself, there is another ticket to lunch
3 for the mayor or there is another -- you
4 know, when you're driving down the entire
5 washboard two, three blocks, there is
6 another commercial or there's the stunt
7 mayor video that could have been our streets
8 paved.

9 MR. ROGAN: I would just say I would
10 urge the people to check out the city's
11 website and check out the stunt mayor video.
12 It's definitely an abuse of taxpayer
13 dollars.

14 MR. LOSCOMBE: If I might add, the
15 list that Mrs. Evans just read, I don't
16 believe she read 10 percent of the items on
17 there. She just picked a few highlighted
18 items. So it's pretty extensive.

19 MR. JOYCE: And I might as well as
20 add something, just to make some clarify --
21 just to hopefully clarify something, I know
22 that Lou Marcus does have an on-line
23 magazine, so I'm assuming that maybe the
24 city took out some ads, perhaps, hopefully,
25 over the course of time, but I'm not 100

1 percent sure, just a perception.

2 MR. ROGAN: That's what makes this
3 even more disturbing is some of them, for
4 instance, "Friends of," when you run for
5 office your committee is also "Friends of,"
6 so when it says "Friends of" and then it's
7 blank, I really don't know where the money
8 went.

9 MS. EVANS: Exactly. And I might
10 just add to that, that I know that when --
11 and I said this before, when each of us
12 places an advertisement in a booklet or each
13 of us attends a luncheon or each of us makes
14 donation to "Friends of the Invader Mat
15 Boosters" or "Friends of the Scranton
16 Knights" or whatever it may be, that's
17 coming from our money, not OECD, not
18 taxpayers' money. That's our checkbook, our
19 personal checkbook, our own office, because
20 we would not use public funds in this
21 manner.

22 Anyone else on the question? All
23 those in favor of introduction signify by
24 saying aye.

25 MR. MCGOFF: Aye.

1 MR. ROGAN: Aye.

2 MR. LOSCOMBE: Aye.

3 MR. JOYCE: Aye.

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

6 MS. KRAKE: 5-C. CREATING AND
7 ESTABLISHING SPECIAL CITY ACCOUNT NO. (TO BE
8 ESTABLISHED) ENTITLED "URBAN DEVELOPMENT
9 ACTION GRANT SECOND REPAYMENTS ACCOUNT" FOR
10 THE DEPOSITING OF REPAYMENTS OF LOANS MADE
11 BY THE CITY OF SCRANTON TO BORROWERS WHO
12 RECEIVED LOANS FROM THE URBAN DEVELOPMENT
13 ACTION GRANT REPAYMENT ACCOUNT.

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

17 MR. ROGAN: So moved.

18 MR. LOSCOMBE: Second.

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

22 MR. MCGOFF: Aye.

23 MR. ROGAN: Aye.

24 MR. LOSCOMBE: Aye.

25 MR. JOYCE: Aye.

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

3 MS. KRAKE: 5-D. AMENDING FILE OF
4 COUNCIL NO. 243, 2003 ENTITLED "ADOPTING
5 A COMPREHENSIVE HUMAN RELATIONS COMMISSION
6 ORDINANCE FOR THE CITY OF SCRANTON REGARDING
7 EMPLOYMENT, HOUSING, REAL ESTATE AND PUBLIC
8 ACCOMMODATIONS INCLUDING PROCEDURES FOR
9 REDRESS OF VIOLATIONS" IN ORDER TO BE
10 CERTIFIED AS SUBSTANTIALLY EQUIVALENT TO THE
11 FAIR HOUSING ACT, AS AMENDED IN 1988, 42
12 U.S.C. §3601, ET SEQ.

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

16 MR. ROGAN: So moved.

17 MR. LOSCOMBE: Second.

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

21 MR. MCGOFF: Aye.

22 MR. ROGAN: Aye.

23 MR. LOSCOMBE: Aye.

24 MR. JOYCE: Aye.

25 MS. EVANS: Aye. Opposed? The ayes

1 have it and so moved.

2 MS. KRAKE: 5-E. AUTHORIZING THE
3 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
4 FOR THE CITY OF SCRANTON TO ENTER INTO A
5 LOAN AGREEMENT AND MAKE A LOAN FROM THE
6 COMMERCIAL INDUSTRIAL REVOLVING LOAN
7 PROGRAM, PROJECT NO. 150-31 IN AN AMOUNT
8 NOT TO EXCEED \$55,000.00 TO LEARN AND GROW
9 EARLY CHILDHOOD CENTER TO ASSIST AN ELIGIBLE
10 PROJECT.

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

14 MR. ROGAN: So moved.

15 MR. JOYCE: Second.

16 MS. EVANS: On the question?

17 MR. ROGAN: Yes, on the question. I
18 would like to thank the owners of the Learn
19 and Grow Early Childhood Center for coming
20 in last week. They came in and they
21 explained it very thoroughly to us what was
22 going on, I drove by myself and checked it
23 out and, you know, they are going to create
24 a few more job, they are already an existing
25 business so it's not a giveaway to a

1 start-up, they have already been there and
2 I'm glad to see it's on the agenda tonight.
3 I completely support it and I would hope
4 that we could do the same with future loans
5 to have them to come in in front of us
6 before voting.

7 MS. EVANS: I just wanted to add
8 that OECD received a \$11.5 million audit
9 finding in 2010 and the Office of Inspector
10 General, OIG, performed the audit had told
11 us that they are an independent office and
12 will not appear before council to explain
13 their findings. Maydab Inam from HUD told
14 us he will be available to come to a public
15 caucus once his office has reviewed the
16 responses from OECD concerning the audit
17 findings. HUD sent a letter to OECD on
18 January 27, 2011, asking them to address the
19 issues that were identified in HUD. OECD
20 was required to respond by February 25,
21 2011. City council asked several weeks ago
22 for copies of both letters and nothing has
23 been received, and so city council, quite
24 naturally, is reticent about approving
25 additional loans until all of these problems

1 are addressed properly.

2 As Mr. Rogan mentioned, this
3 business is already in operation and it has
4 been doing well and so the decision was made
5 to place this on the agenda for approval.
6 But again, until we receive the copies of
7 the correspondence between OECD and HUD and
8 a visit from HUD discussing the \$11.7
9 million finding, council will remain
10 reticent to move forward with any additional
11 loans.

12 Anyone else on the question? All
13 those in favor of introduction, signify by
14 saying aye.

15 MR. MCGOFF: Aye.

16 MR. ROGAN: Aye.

17 MR. LOSCOMBE: Aye.

18 MR. JOYCE: Aye.

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

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

22 READING BY TITLE - FILE OF COUNCIL NO. 16,
23 2011 - AN ORDINANCE - SALE OF TAX DELINQUENT
24 PROPERTY MORE COMMONLY KNOWN AS 2730 BIRNEY
25 AVENUE, SCRANTON, PENNSYLVANIA, TAX

1 MAP NO. 16717-030-040 TO THOMAS F. BARRETT
2 AND TERRI F. BARRETT, 2734 BIRNEY AVENUE,
3 SCRANTON, PENNSYLVANIA 18505 FOR THE
4 CONSIDERATION OF \$2,500.00.

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

7 MR. ROGAN: I move that Item 6-A
8 pass reading by title.

9 MR. JOYCE: Second.

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

12 MR. MCGOFF: Aye.

13 MR. ROGAN: Aye.

14 MR. LOSCOMBE: Aye.

15 MR. JOYCE: Aye.

16 MS. EVANS: Aye. Opposed? The ayes
17 have it and so moved.

18 MS. KRAKE: 6-B. READING BY TITLE -
19 FILE OF COUNCIL NO. 17, 2011 - AN ORDINANCE
20 - AUTHORIZING THE MAYOR AND OTHER
21 APPROPRIATE CITY OFFICIALS OF THE CITY OF
22 SCRANTON TO ACCEPT AND DISBURSE GRANT FUNDS
23 IN THE AMOUNT OF \$4,000.00 FROM SANOFI
24 PASTEUR INCORPORATED FOR THE CITY OF
25 SCRANTON POLICE DEPARTMENT FOR THEIR CRIME

1 PREVENTION EDUCATIONAL PROGRAMS.

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

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

6 MR. JOYCE: Second.

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

9 MR. MCGOFF: Aye.

10 MR. ROGAN: Aye.

11 MR. LOSCOMBE: Aye.

12 MR. JOYCE: Aye.

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

15 MS. KRAKE: 6-C. READING BY TITLE -
16 FILE OF COUNCIL NO. 18, 2011 - AN ORDINANCE
17 - APPROVING AND AUTHORIZING THE ACQUISITION
18 BY EMINENT DOMAIN, DEED IN LIEU OF
19 CONDEMNATION, OR OTHERWISE OF THE NECESSARY
20 RIGHTS, FRANCHISES, LICENSES, EASEMENTS OR
21 TITLES OF LAND REQUIRED FROM JOSEPH S. SAITA
22 AND JUDY E. SAITA IN ORDER TO COMPLETE THE
23 CRISP AVENUE BRIDGE PROJECT.

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

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

3 MR. JOYCE: Second.

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

6 MR. MCGOFF: Aye.

7 MR. ROGAN: Aye.

8 MR. LOSCOMBE: Aye.

9 MR. JOYCE: Aye.

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

12 MS. KRAKE: SEVENTH ORDER. 7-A.
13 FOR CONSIDERATION BY THE COMMITTEE ON
14 FINANCE FOR ADOPTION-FILE OF COUNCIL NO. 13,
15 2011 - CREATING AND ESTABLISHING SPECIAL
16 CITY ACCOUNT NO. 02.229599 ENTITLED "LAW
17 ENFORCEMENT TORCH RUN" TO ACCEPT DONATIONS
18 AND PAY FOR ALL RELATED EXPENSES FOR THE
19 TORCH RUN.

20 MS. EVANS: What is the
21 recommendation of the Chair for the
22 Committee on Finance?

23 MR. JOYCE: As Chairperson for the
24 Committee on Finance, I recommend final
25 passage of Item 7-A.

1 MR. ROGAN: Second.

2 MS. EVANS: On the question? Roll
3 call, please?

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: Yes.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Yes.

8 MS. CARRERA: Mr. Loscombe.

9 MR. LOSCOMBE: Yes.

10 MS. CARRERA: Mr. Joyce.

11 MR. JOYCE: Yes.

12 MS. CARRERA: Mrs. Evans.

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

15 MS. KRAKE: 7-B. FOR CONSIDERATION
16 BY THE COMMITTEE ON FINANCE FOR
17 ADOPTION-FILE OF COUNCIL NO. 14, 2011 -
18 CREATING AND ESTABLISHING SPECIAL CITY
19 ACCOUNT NO. (TO BE ESTABLISHED) ENTITLED
20 "URBAN DEVELOPMENT ACTION GRANT REPAYMENTS
21 ACCOUNT" FOR THE DEPOSITING OF REPAYMENTS OF
22 URBAN DEVELOPMENT ACTION GRANT FUNDS MADE TO
23 THE CITY OF SCRANTON BY THE OWNERS OF
24 PROJECTS WHO RECEIVED THE URBAN DEVELOPMENT
25 ACTION GRANT FUNDS.

1 MS. EVANS: What is the
2 recommendation of the Chair for the
3 Committee on Finance?

4 MR. JOYCE: As Chairperson for the
5 Committee on Finance, I recommend final
6 passage of Item 7-B.

7 MR. ROGAN: Second.

8 MS. EVANS: On the question? Roll
9 call, please?

10 MS. CARRERA: Mr. McGoff.

11 MR. MCGOFF: Yes.

12 MS. CARRERA: Mr. Rogan.

13 MR. ROGAN: Yes.

14 MS. CARRERA: Mr. Loscombe.

15 MR. LOSCOMBE: Yes.

16 MS. CARRERA: Mr. Joyce.

17 MR. JOYCE: Yes.

18 MS. CARRERA: Mrs. Evans.

19 MS. EVANS: Yes. I hereby declare
20 Item 7-B legally and lawfully adopted.

21 MS. KRAKE: 7-C. FOR CONSIDERATION
22 BY THE COMMITTEE ON FINANCE FOR
23 ADOPTION-FILE OF COUNCIL NO. 15, 2011 -
24 AUTHORIZING THE DISBURSEMENTS FROM THE
25 SPECIAL CITY ACCOUNT NO. (TO BE DETERMINED)

1 ENTITLED URBAN DEVELOPMENT ACTION GRANT
2 REPAYMENT ACCOUNT ONLY FOR ECONOMIC
3 DEVELOPMENT ACTIVITIES THAT ARE ELIGIBLE
4 ACTIVITIES AS REQUIRED BY FEDERAL LAW.

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

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

11 MR. ROGAN: Second.

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

14 MS. CARRERA: Mr. McGoff.

15 MR. MCGOFF: Yes.

16 MS. CARRERA: Mr. Rogan.

17 MR. ROGAN: Yes.

18 MS. CARRERA: Mr. Loscombe.

19 MR. LOSCOMBE: Yes.

20 MS. CARRERA: Mr. Joyce.

21 MR. JOYCE: Yes.

22 MS. CARRERA: Mrs. Evans.

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

25 MS. KRAKE: 7-D. FOR CONSIDERATION

1 BY THE COMMITTEE ON FINANCE FOR ADOPTION-
2 RESOLUTION NO. 15, 2011 - ACCEPTING A FIVE
3 HUNDRED (\$500.00) DOLLAR CONTRIBUTION FROM
4 THE GREATER SCRANTON JAYCEES PRESENTED TO
5 THE CITY OF SCRANTON FIRE DEPARTMENT.

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

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

12 MR. ROGAN: Second.

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

15 MS. CARRERA: Mr. McGoff.

16 MR. MCGOFF: Yes.

17 MS. CARRERA: Mr. Rogan.

18 MR. ROGAN: Yes.

19 MS. CARRERA: Mr. Loscombe.

20 MR. LOSCOMBE: Yes.

21 MS. CARRERA: Mr. Joyce.

22 MR. JOYCE: Yes.

23 MS. CARRERA: Mrs. Evans.

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

1 MR. ROGAN: I would make a motion to
2 take File of Council No. 9, 2011 from the
3 table.

4 MR. LOSCOMBE: Second.

5 MS. EVANS: On the question?

6 MR. ROGAN: Yes, on the question.
7 Both this piece of legislation and the next
8 piece that I'm going to make a motion to
9 back on the table are regarding the Mount
10 Pleasant project, accepting -- the city
11 accepting responsibility for the road on one
12 and the drain on the other, although I do
13 not support these I do believe they deserve
14 an up or down vote.

15 MS. EVANS: Thank you, Councilman
16 Rogan. Is there anyone else on the
17 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: FOR CONSIDERATION BY THE

1 COMMITTEE ON COMMUNITY DEVELOPMENT FOR
2 ADOPTION-FILE OF COUNCIL NO. 9, 2011 -
3 PROVIDING FOR THE ACCEPTANCE OF MOUNT
4 PLEASANT DRIVE IN THE MOUNT PLEASANT
5 SUBDIVISION LOCATED IN THE CITY OF SCRANTON,
6 PENNSYLVANIA. ALSO AUTHORIZING THE MAYOR
7 AND OTHER APPROPRIATE CITY OFFICIALS TO
8 ACCEPT FOR THE SUM OF ONE DOLLAR (\$1.00) AND
9 RECORD IN THE LACKAWANNA COUNTY RECORDER OF
10 DEEDS OFFICIAL RECORDS A DEED FOR THE ABOVE
11 MENTIONED RIGHT OF WAY.

12 MS. EVANS: What is the
13 recommendation of the Chair for the
14 Committee on Community Development?

15 MR. ROGAN: As Chairperson for the
16 Committee on Community Development, I do not
17 recommend final passage of Item 7-E.

18 MS. EVANS: Do we have a second?

19 MR. LOSCOMBE: Second.

20 MR. ROGAN: The reason for the
21 recommendation is it's been mentioned by
22 speakers at council and by us on council
23 that although when the project is completed
24 we would be more than happy to vote "yes" to
25 accept responsibility, but until that time

1 we don't want to accept a road and accept
2 responsibility while construction is going
3 on and then once the construction is
4 finished we would be on the hook to repair
5 it.

6 MR. LOSCOMBE: I would agree with my
7 colleague, Mr. Rogan, and to add to that we
8 had requested, you know, approval from our
9 city engineer which we never received
10 either. We never received documentation
11 from our own engineer, but even with that
12 based on, you know, what had transpired
13 there at this point, plus there is only one
14 storm sewer, too, I have a question with
15 that. I don't want to see another Tripp
16 Park problem, so I would definitely be
17 voting against this.

18 MR. JOYCE: I'd like to add that
19 I'll be voting against it as well and until
20 the projects are complete I don't think that
21 we should have to assume the responsibility
22 as Mr. Rogan stated before for costs of
23 repairs that may be incurred on the road due
24 to construction vehicles traveling back and
25 forth to include the project.

1 MS. EVANS: The only thing I would
2 like to add is to my council members this is
3 going to be a reverse vote in that the Chair
4 of Community Development did not recommend
5 final passage of Item 7-E, and if you are in
6 agreement with the chair that this is not
7 recommended, in other words, you wish to
8 vote it down, you will vote in the
9 affirmative, yes. If you do not agree with
10 the chair of the committee, you will be
11 voting in the negative, thereby voting, no.

12 MR. MCGOFF: I would just -- in the
13 original legislation it was approved by the
14 city engineer as well as the city planner.
15 Also in speaking with members of the Chamber
16 of the Commerce, they indicated that any
17 future construction at this site they would
18 make it incumbent upon the developer for any
19 repair or damage that would be inflicted to
20 the roadway and, therefore, would not be a
21 burden to the city.

22 And as far as the project being
23 completed, the development phase of the
24 project is completed. Now they are awaiting
25 to -- looking for developers of the five

1 pods or whatever they are referred to as to
2 move in, but as far as the site development
3 that's completed, and I think that given
4 those -- that those facts that we should
5 approve --

6 MR. ROGAN: I would disagree -- I
7 would disagree on both fronts personally.
8 There is nothing in the legislation that
9 says the city will not be responsible for
10 any damage during the future construction;
11 and secondly, although the landscaping is
12 done, they are just beginning to build the
13 first building on the site and it's not even
14 a skeleton, it's basically just starting.

15 MS. EVANS: And I know that this has
16 been an issue that has been tabled for many
17 weeks, and though I appreciated Councilman
18 McGoff's work and comments, it would have
19 behooved the Chamber of Commerce or SLIBCO
20 to put that in writing. It's very difficult
21 to say or for us as a council to merely
22 accept on hearsay a verbal agreement. I
23 think if the -- the interest were truly
24 apparent that type of agreement could have
25 been submitted to city council long ago, so

1 I will be voting "yes."

2 MR. LOSCOMBE: If I may add, I
3 discussed this previously about our engineer
4 approving it. In the letter it stated he
5 approved it. I had requested a letter
6 signed by our engineer as was the one by the
7 project engineer and that we haven't
8 received. That was one of the big things,
9 but again, you know, accepting something
10 before a project is complete is only going
11 to open up us to problems such as we have
12 already experienced in this city from
13 approving things when they are not complete.

14 And again, once that project is
15 complete, I'll be happy to approve it.
16 There is still infrastructure that's going
17 to be tied in from that road to every
18 construction site there, and that's going to
19 tear it up and there is no way around that
20 and there is no guarantee without a written
21 statement.

22 MR. JOYCE: Right, and if the
23 Chamber does want to provide us with a
24 written statement perhaps in the future this
25 is something that could be placed back on

1 the agenda.

2 MR. ROGAN: Again, as soon as, you
3 know, as soon as the project is complete, as
4 Mr. Loscombe said, if they want to come to
5 us I would have no problem voting "yes"
6 then.

7 MS. EVANS: And I agree with you,
8 Councilman Rogan. Roll call, please.

9 MS. CARRERA: Mr. McGoff.

10 MR. MCGOFF: No.

11 MS. CARRERA: Mr. Rogan.

12 MR. ROGAN: Yes.

13 MS. CARRERA: Mr. Loscombe.

14 MR. LOSCOMBE: Yes.

15 MS. CARRERA: Mr. Joyce.

16 MR. JOYCE: Yes.

17 MS. CARRERA: Mrs. Evans.

18 MS. EVANS: Yes. I hereby declare
19 Item 7-E defeated.

20 MR. ROGAN: I would like to make a
21 motion to table File of Council No. 10,
22 2011, from the table.

23 MR. JOYCE: Second.

24 MS. EVANS: On the question?

25 MR. ROGAN: Yes. This is on the

1 second piece of legislation involving Mount
2 Pleasant.

3 MS. EVANS: All those in favor by
4 saying aye.

5 MR. MCGOFF: Aye.

6 MR. ROGAN: Aye.

7 MR. LOSCOMBE: Aye.

8 MR. JOYCE: Aye.

9 MS. EVANS: Aye. Opposed? The ayes
10 have it and so moved.

11 MS. KRAKE: FOR CONSIDERATION BY THE
12 COMMITTEE ON COMMUNITY DEVELOPMENT FOR
13 ADOPTION-FILE OF COUNCIL NO. 10, 2011 -
14 PROVIDING FOR THE ACCEPTANCE OF A STORM
15 WATER BASIN IN THE MOUNT PLEASANT
16 SUBDIVISION LOCATED IN THE CITY OF SCRANTON,
17 PENNSYLVANIA. ALSO AUTHORIZING THE MAYOR
18 AND OTHER APPROPRIATE CITY OFFICIALS TO
19 ACCEPT FOR THE SUM OF ONE DOLLAR (\$1.00) AND
20 RECORD IN THE LACKAWANNA COUNTY RECORDER OF
21 DEEDS OFFICIAL RECORDS A DEED FOR THE ABOVE
22 MENTIONED RIGHT OF WAY.

23 MS. EVANS: What is the
24 recommendation of the Chair for the
25 Committee on Community Development?

1 MR. ROGAN: As Chairperson for the
2 Committee on Community Development, I do not
3 recommend final passage.

4 MR. JOYCE: Second.

5 MS. EVANS: On the question? Again,
6 this is a reverse vote. If you agree with
7 the Chair of the Committee for Community
8 Development, who has not recommended final
9 passage of this piece of legislation, you
10 will be voting "yes." Roll call, please.

11 MS. CARRERA: Mr. McGoff.

12 MR. MCGOFF: No.

13 MS. CARRERA: Mr. Rogan.

14 MR. ROGAN: Yes.

15 MS. CARRERA: Mr. Loscombe.

16 MR. LOSCOMBE: Yes.

17 MS. CARRERA: Mr. Joyce.

18 MR. JOYCE: Yes.

19 MS. CARRERA: Mrs. Evans.

20 MS. EVANS: Yes. I hereby declare
21 item 7-F defeated.

22 MR. ROGAN: I would like to a make
23 to take Resolution No. 13, 2011, from the
24 table.

25 MR. JOYCE: On the question?

1 MR. ROGAN: Yes, on the question.
2 This is the piece of legislation that was
3 tabled. I believe this falls under
4 Mr. Joyce's committee. It was regarding the
5 flood protection grant.

6 MS. EVANS: All those in favor
7 signify by saying aye.

8 MR. MCGOFF: Aye.

9 MR. ROGAN: Aye.

10 MR. LOSCOMBE: Aye.

11 MR. JOYCE: Aye.

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

14 MS. KRAKE: FOR CONSIDERATION BY THE
15 COMMITTEE ON FINANCE FOR ADOPTION-
16 RESOLUTION NO. 13, 2011 - AUTHORIZING THE
17 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
18 TO EXECUTE AND ENTER INTO A GRANT AGREEMENT
19 WITH THE COMMONWEALTH OF PENNSYLVANIA,
20 DEPARTMENT OF ENVIRONMENTAL PROTECTION
21 ("DEP") FLOOD PROTECTION GRANT PROGRAM TO
22 ACCEPT GRANT FUNDS IN THE AMOUNT OF
23 \$3,128.00 TO PURCHASE THREE (3) MOWERS, FOUR
24 (4) TRIMMERS AND REPAIR CONCRETE AT FIVE (5)
25 LOCATIONS ON THE SOUTH SCRANTON FLOOD

1 PROTECTION PROJECT.

2 MS. EVANS: What is the
3 recommendation of the Chair for the
4 Committee on Finance?

5 MR. JOYCE: As Chairperson for the
6 Committee on Finance, I recommend final
7 passage of Item 7-G.

8 MR. ROGAN: Second.

9 MS. EVANS: On the question?

10 MR. LOSCOMBE: On the question, we
11 tabled this because we had requested some
12 information from Mr. O'Hora, which he has
13 provided and apparently he has assured us
14 that there is sufficient funding for the
15 matching grant or for the match for this
16 here in his budget at this time.

17 MS. EVANS: And we do remind
18 Mr. O'Hora, since we were not aware when
19 developing a budget, of his application for
20 this grant that he must stay within the
21 confines of his flood budget. Roll call,
22 please.

23 MS. CARRERA: Mr. McGoff.

24 MR. MCGOFF: Yes.

25 MS. CARRERA: Mr. Rogan.

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MR. ROGAN: Yes.

MS. CARRERA: Mr. Loscombe.

MR. LOSCOMBE: Yes.

MS. CARRERA: Mr. Joyce.

MR. JOYCE: Yes.

MS. CARRERA: Mrs. Evans.

MS. EVANS: Yes. I hereby declare
Item 7-G 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
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