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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, March 29, 2011

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

JANET EVANS, PRESIDENT

PAT ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3

4 MS. EVANS: Roll call, please.

5 MS. CARRERA: Mr. McGoff.

6 MR. MCGOFF: Here.

7 MS. CARRERA: Mr. Rogan.

8 MR. ROGAN: Here.

9 MS. CARRERA: Mr. Loscombe.

10 MR. LOSCOMBE: Here.

11 MS. CARRERA: Mr. Joyce.

12 MR. JOYCE: Here.

13 MS. CARRERA: Mrs. Evans.

14 MS. EVANS: Here. Reading of the
15 minutes.

16 MS. KRAKE: Dispense with the
17 reading of the minutes?

18 MS. EVANS: Yes, please.

19 MS. KRAKE: Excuse me, Mrs. Evans, I
20 think I've lost my place. Would we be doing
21 the proclamation next?

22 MS. EVANS: We can. I was going to
23 move through the minutes first, but it
24 really doesn't matter. Perhaps we will go
25 right ahead with the proclamation then

1 instead.

2 (Whereupon the proclamation was
3 given as follows:)

4 We are honoring tonight a young man
5 from Scranton who has achieved the rank of
6 Eagle Scout, a very prestigious rank.

7 WHEREAS, the COUNCIL OF THE CITY OF
8 SCRANTON is desirous of honoring
9 "CHRISTOPHER R. GRASSI", son of Brian and
10 Eileen Grassi and brother of Daniel and
11 Scott; and

12 WHEREAS, "CHRISTOPHER" is a senior
13 at Scranton High School and a member of the
14 National Honor Society; and

15 WHEREAS, "CHRISTOPHER", who is a
16 member of the Elm Park United Methodist
17 Church choir where he plays the hand bells,
18 also plays the violin and is an accomplished
19 pianist who had the distinction of
20 performing in Carnegie Hall when he ws in
21 the 8th grade; an d.

22 WHEREAS, "CHRISTOPHER" is a proud
23 member of Hickory Street Presbyterian Church
24 Boy Scout Troop 16, of the Northeastern
25 Pennsylvania Council, Dan Beard District

1 located in Scranton, Pennsylvania; and.

2 WHEREAS, "CHRISTOPHER: Began his
3 scouting career as a Tiger Cub, worked his
4 way up through t he ranks of Cub Scouts, and
5 earned the Arrow of Light Award; and.

6 WHEREAS, "CHRISTOPHER" held the
7 positions of Assistant Patrol Leader and
8 Patrol Leader during his Boy Scout years;
9 and.

10 WHEREAS, "CHRISTOPHER" attended a
11 high adventure activity in Florida with
12 other scouts from his troop where they spent
13 a week on a boat and explored coral reefs,
14 went scuba diving, and even had time to
15 attend the Florida Marlins baseball games;
16 and

17 WHEREAS "CHRISTOPHER" for his Eagle
18 Scout project cleaned, resurfaced and
19 painted walls of the Youth Group Room at Elm
20 Park United Methodist Church and opened up
21 the stage area for use by the youth group;
22 and

23 WHEREAS, "CHRISTOPHER" passed his
24 Eagle Scout Board of Review on February 16,
25 2011, attaining the rank of Eagle Scout, the

1 highest award a scout can receive;

2 NOW, THEREFORE, BE IT RESOLVED, that
3 on Tuesday, March 29, 2011, Scranton City
4 council wishes to congratulate "CHRISTOPHER
5 R. GRASSI", his Family, Scout Leaders and
6 Teachers for their outstanding achievements
7 and extend our best wishes for success in
8 all their future endeavors.

9 BE IT FURTHER RESOLVED, that this
10 Proclamation be made a permanent part of the
11 minutes of this Council, as lasting tribute
12 to "CHRISTOPHER R. GRASSI."

13 Congratulations. This man is the
14 third Eagle Scout in his family. I think
15 his most definitely deserve a round of
16 applause for raising such wonderful
17 gentlemen.

18 (Council returns to the dais.)

19 MS. EVANS: And now dispense with
20 the reading of the minutes, please.

21 MS. KRAKE: THIRD ORDER. 3-A
22 MINUTES OF THE COMPOSITE PENSION BOARD
23 MEETING HELD FEBRUARY 23, 2011.

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

1 MS. KRAKE: 3-B. MINUTES OF THE
2 NON-UNIFORM MUNICIPAL PENSION MEETING HELD
3 FEBRUARY 23, 2011.

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

6 MS. KRAKE: 3-C. Report on the 2010
7 audit timetable from Robert Rossi & Company
8 dated March 22, 2011.

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

11 MS. KRAKE: We don't have any
12 clerk's notes this evening, Mrs. Evans.

13 MS. EVANS: Thank you, Mrs. Krake.
14 Do any council members have announcements at
15 this time?

16 MR. MCGOFF: Please, just two. Once
17 again, April 2, at 6:00 p.m. at the Ice Box
18 is the Social for Saunders, a very worthy
19 event. It looks like it's going to be a
20 really spectacular event for a great cause.
21 That's April 2, 6 p.m., at the Ice Box.

22 And second would be the Easter
23 Eggstravaganza being sponsored by Matthew's
24 Mission in memory of Matthew Newell, and
25 that's at 11 a.m. on April 9 at Harmon Field

1 with the Easter egg hunt to begin at 11:30.
2 Thank you.

3 MR. ROGAN: Just one. On April 16,
4 2011, there will be an autism walk at Nay
5 Aug Park starting at 11 a.m. and everyone is
6 to meet at the gazebo across from the CMC
7 Hospital.

8 MR. LOSCOMBE: I would just like to
9 thank Louise Hubert in Boscov's for her
10 assistance today. She knows what I mean.

11 MS. EVANS: Mr. Joyce, any
12 announcements?

13 MR. JOYCE: No, I'm fine for
14 tonight.

15 MS. EVANS: The Fraternal Order of
16 Eagles No. 314 in Scranton, will conduct
17 it's annual spring craft fair this Saturday,
18 April 2, 2011, from 11 a.m. to 4 p.m. Items
19 for sale include jewelry, Dove chocolate,
20 Avon products, home decor and many more.
21 Food will also be available for purchase.
22 That's it.

23 MS. KRAKE: FOURTH ORDER. CITIZENS'
24 PARTICIPATION.

25 MS. EVANS: Our first speaker this

1 evening is Doug Miller.

2 MR. MILLER: Good evening, Council.
3 Doug Miller, Scranton.

4 MS. EVANS: Good evening.

5 MR. MILLER: I'd like to begin
6 tonight by responding to an article that I
7 had the opportunity to read over the weekend
8 in Go Lackawanna regarding the West Side
9 Crime Watch. I just wanted to take this
10 time to recognize the group for their
11 commitment to protecting and being watchdogs
12 in the West Side community. Having their
13 presence on the streets along with our
14 police officers certainly sends a strong
15 message to anyone who may look to cause harm
16 in that part of town. My only hope is that
17 this group continues to grow and can have
18 the opportunity to educate the public.

19 I would also like to see council try
20 to build the working relationship with the
21 group in order for you to gain a better
22 perspective of what's going on over there
23 and on anything that may be taking place in
24 the neighborhood in a period of time.

25 While I'm on that subject, I would

1 also like to take this time to commend each
2 and every neighborhood association for all
3 of their efforts. Last night I had the
4 pleasure of attending an open house at the
5 Keyser Valley Community Center to view the
6 improvements that were made to the building.
7 They did some work on the bar, installed a
8 new flat screen TV, and many other
9 improvements and I just want to commend them
10 for that, they should be also proud of their
11 efforts and certainly I would hope that more
12 residents in that part of town would get
13 involved with the Keyser Valley Community
14 Association because they do serve a great
15 purpose.

16 And, like I said, I would encourage
17 residents not in the area, but all over town
18 to join their neighborhood associations
19 because in order to turn the city around
20 it's going to take a total team effort, and
21 when I say team effort, I'm talking about
22 everyone being on the same team. It's also
23 going to take cooperation from all sides and
24 a commitment to solve the city's problems.

25 Moving onto another topic tonight,

1 the Taxpayers' Association will be holding a
2 special meeting this Thursday at 6 p.m. here
3 in council chambers. I'd just like to
4 encourage the public viewing tonight if they
5 are interested to please attend.

6 And I'd also like to ask Mr. Joyce
7 if we have had heard anything regarding the
8 request I made on Mr. Greco, if you have any
9 update?

10 MR. JOYCE: We haven't been done to
11 the office yet, but I will be doing so
12 within the next few weeks.

13 MR. MILLER: Like I said last week,
14 reiterating my statements, I don't feel you
15 should have to go to any office, and that's
16 not just council, that would be anybody. I
17 don't think that -- in my opinion I feel
18 citizens' request should be given -- sent
19 right to the city clerk's office and given
20 to you directly. I don't believe you should
21 be running all over town chasing
22 information. Those are my feelings. I'm
23 sure there is lot of opinions on that, but
24 that's how I feel.

25 And one last issue tonight, it was

1 made -- brought to my attention earlier this
2 evening that I guess coming down the
3 expressway coming into town towards the
4 Radisson if you were to make that right-hand
5 turn at the light there to get onto
6 Jefferson, there is a light there, and I go
7 by there, you know, frequently and I never
8 noticed this, and it was a good point that
9 was brought out, there is a sign that says
10 "No turn on red" and the point that was made
11 was any traffic coming from your left-hand
12 side would be coming from Lackawanna Avenue,
13 well they can only -- that traffic coming
14 from that light can only make that
15 right-hand turn going towards Moosic Street.
16 There is no traffic that can go straight
17 through onto Jefferson because there is that
18 median in the middle of the road.

19 So maybe we can take a look at that.
20 I thought it was a good point that was
21 brought forward. Why would we waste all of
22 that money on a light if we don't need it,
23 so maybe we can look at that. And that's
24 all for this evening. Thank you.

25 MS. EVANS: Thank you. Giovanni

1 Piccolino.

2 MR. PICCOLINO: Good evening, city
3 council and fellow Scrantonians. Giovanni
4 Piccolino.

5 MS. EVANS: Good evening.

6 MR. PICCOLINO: How are you? I
7 would like to begin by applauding Chief
8 Duffy. I think what he is doing is
9 fantastic around this city. I constantly
10 see it in the Times. He is doing a lot of
11 extra footwork, kind of makes you feel a lit
12 bit safer.

13 I would also like to applaud the
14 Scranton School board for voting that bath
15 salt is banned from I guess around the
16 school district, which I was wondering if
17 there is any steps at all, I mean, to take
18 that we could ban the sale of that in the
19 city? There has been a lot of bizarre
20 incidents.

21 MS. EVANS: It's very coincidental
22 that you should mention that tonight
23 because, in fact, Mr. Loscombe, our public
24 safety chair, has been working very
25 diligently on this issue recently and he

1 will be addressing it later this evening.
2 We had gotten together on a few occasions
3 since last week and I know he has done a
4 great amount of work on this and we have our
5 solicitor involved as well, so we will
6 address that later.

7 MR. PICCOLINO: Good. That was a
8 scary picture in the Times, especially with
9 those two children not having restraining
10 seats and stuff.

11 MR. ROGAN: Mr. Piccolino, I would
12 also add, me and Mr. Loscombe spoke about
13 this before the meeting and Mr. Miller
14 actually brought up the neighborhood watch
15 meetings and, you know, before the media
16 really started talking about a bath salts
17 when I heard of it, I think, oh, you know,
18 bath salt, like you pour into your bath, and
19 I know I actually learned a lot about it
20 because of Chief Duffy and Captain
21 Graziano's presentation that they had at the
22 Hyde Park Neighborhood Community Watch and
23 it was a great presentation and they went on
24 to say that they believe that these bath
25 salts, even though they are legal throughout

1 the state, they are more dangerous than hard
2 drugs like heroine and cocaine, and we have
3 been seeing it played out in the news day
4 after day recently.

5 MR. PICCOLINO: Thanks. And last,
6 but not least, it wasn't for the community
7 Buona Pizza wouldn't be where it's at our so
8 our t-shirt sales we have \$200 for the
9 Public Safety and Manpower Initiative for
10 the city.

11 MS. EVANS: Thank you very much.
12 Yes, if you could give that to Ms. Carrera.
13 That's very generous. Thank you so much.
14 I'm sure that both of the police and the
15 fire departments will be very grateful to
16 you.

17 MR. PICCOLINO: Thank you. God
18 bless.

19 MS. EVANS: Thank you. Bob Bolus.

20 MR. BOLUS: Good evening, Council.
21 Bob Bolus, Scranton.

22 MS. EVANS: Good evening.

23 MR. BOLUS: Well, I can't say it's
24 been a heck of a week since I was here last.
25 We've finally come to some of the things

1 that I think need to be addressed tonight.
2 As you all know, and I'm sure most people
3 do, I have been pretty well-hammered in, you
4 know, the press and accusations were made
5 about my home and all, and I have taken
6 really serious exception to the comments of
7 Joe Weschler, Barry Dunleavy and others in
8 the East Mountain Neighborhood Association
9 and I'm going to see that they get their day
10 in Court for the falsely accused lies and
11 misrepresentations they made about me and my
12 home and everything else up there because
13 they are without justification. They made
14 them to the press, they made them to city
15 officials, and they have to be addressed and
16 they are going to be dealt with.

17 I had a dialogue with Attorney
18 Kelly, in fact, yesterday. We had bumped
19 into each other and Paul asked if we can we
20 sit down and talk. And I said, "Paul,
21 that's all I wanted to do. There was no
22 need for anything to get to where it was. I
23 understand the issues you are dealing with,
24 you know, you are in a campaign, you are in
25 a race, being nobody wants to have anything

1 negative one way or the other."

2 But, I said, this could have been
3 resolved with a little intelligence had
4 people supplied the right information and
5 maybe people paid attention to what
6 so-called neighbors that were trying to
7 attain at the expense of other people.

8 Mr. McGoff had stated after I left
9 last week, I reviewed it, oh, let it go to
10 Court. Well, maybe it's a good thing to go
11 to Court on some issues that you can't
12 resolve, but I think intelligent people,
13 mature people, can setup a dialogue and get
14 things done. Your running mate, I didn't
15 hear anything about his illegal aliens and
16 how you perceive him, Mr. McGoff.

17 MR. MCGOFF: Excuse me.

18 MR. BOLUS: No, I'm not going to
19 excuse you because you made a comment last
20 week --

21 MR. MCGOFF: I didn't make any
22 comments.

23 MR. BOLUS: Yeah, you did. You said
24 it should go to Court. What I would like to
25 you to today, Mr. McGoff, on behalf of

1 council, since Mr. Hartman has an issue up
2 there with the land that everybody is trying
3 to protect him with, I'd like to see you
4 send a letter to Attorney Kelly, because we
5 raised that issue with him, to have a legal
6 opinion as to why he built his home on
7 city-owned property, which I presented to
8 this council. I'd like to see you take
9 that --

10 MR. MCGOFF: Don't you have that in
11 Court now? Isn't that one of the --

12 MR. BOLUS: No, that isn't in Court
13 yet, Mr. McGoff.

14 MR. MCGOFF: That's not one of the
15 27 lawsuits you have?

16 MR. BOLUS: No, it's not part of the
17 lawsuit, the easement is my issue that we
18 are dealing with. This is an issue about
19 city-owned property. The question of the
20 subdivision that was approved and he built
21 his home on it.

22 MR. ROGAN: Mr. Bolus, if I can
23 interrupt, I actually had it on my list of
24 requests to send a letter to Attorney Kelly
25 asking if action was going to be taken on

1 your offer for \$50,000, and I know Attorney
2 Hughes mentioned last week that that would
3 be the bid that if somebody else wanted to
4 bid they would have to beat that.

5 MR. BOLUS: Absolutely.

6 MR. ROGAN: And if was agreeable to
7 everyone on else council I would ask that we
8 send that letter to Attorney Kelly. Also,
9 on that letter asking if there is any new
10 information regarding the easement.

11 MR. BOLUS: Okay the -- I'm sorry.

12 MS. EVANS: I just wanted to add
13 that I think, oh I, don't know how long ago
14 this might have been, during one of your
15 previous visits when you had asked council
16 to contact Mr. Kelly asking for his opinion
17 as -- I believe as to that portion of the
18 land being city-owned property, etcetera.

19 MR. BOLUS: That's correct.

20 MS. EVANS: We did, in fact, send
21 that letter to Attorney Kelly, I don't
22 believe we received a response though, did
23 we, Mrs, Krake?

24 MS. KRAKE: I'd have to check and
25 see. I don't believe so.

1 MS. EVANS: I can't recall having
2 read a response because I think had I, I
3 would have provided that to you as I do to
4 other speakers who have posed questions and
5 when we receive the responses we pass it
6 right along.

7 MR. BOLUS: Well, when I spoke with
8 Attorney Kelly we spent about an hour
9 together, and I can say that I believe we
10 covered a great deal of ground and I think
11 we are very close --

12 MS. EVANS: Good.

13 MR. BOLUS: -- to committing an
14 agreement, an understanding between us in
15 writing. Paul had a better grip of the
16 facts now, he had a better understanding
17 after we had the meeting, and I would
18 commend him that he did sit down and he is
19 looking to resolve the issue at the least
20 expense to anybody and, of course, it's time
21 consuming. We were prepared to go to Court
22 on Thursday and I gave Paul my word that we
23 would hold back on it until we see where
24 this agreement goes, and it's basically
25 regarding the trailers. When the house is

1 finished being completed and the work is
2 being done he understood now how the
3 insurance company was involved and all of
4 the things there that the house is
5 definitely not uninhabitable, that there is
6 more to meet the eye than neighbors and
7 people made comments on, and I offered any
8 time an inspector wanted to come in there be
9 more than glad to show him what work is
10 going to be done by the contractor, who is a
11 licensed city contractor, who went in for
12 the permit five weeks ago, and I paid for
13 it, and then we were told we couldn't get
14 it.

15 So the permit will be granted, the
16 work will be done, and he could inspect --
17 or the inspector, as long as he is
18 qualified, can inspect the work that's going
19 to be performed on the house. I have no
20 problem with any of that. There were no
21 secrets. It just took some common sense for
22 people to come forward and do it.

23 And I would really like to thank the
24 press, quite honestly, that's something
25 that's very hard to do sometimes, but they

1 did come forward, Channel 16, Go Lackawanna,
2 the Scranton Times, they did bring the issue
3 to light and I think by them doing that it's
4 made more people attentive to let's resolve
5 this situation rather than let it escalate
6 because they didn't like the idea their
7 names were in the paper no more than I did
8 for something negative that was just unfair.

9 And I ran into the mayor over the
10 weekend at a function for Roseanne
11 Novembrino and he offered to get me a room,
12 but as of today, you know, I didn't get the
13 room yet and I hate to tell the mayor I'm
14 still staying in my house, I'm sorry, but I
15 really don't need the room now, but thank
16 you very much and I appreciate that the
17 efforts being done now. Maybe we can avoid
18 spending money in a lawsuit like Mr. McGoff
19 would like us to do, but I believe dialogue
20 is the best way to resolve the problem.

21 MS. EVANS: Thank you, Mr. Bolus.

22 MR. BOLUS: And I think Attorney
23 Kelly and I will get that done and I'll keep
24 council posted as well as the press. Thank
25 you.

1 MS. EVANS: Thank you.

2 MR. LOSCOMBE: Thank you.

3 MS. EVANS: Andy Sbaraglia.

4 MR. SBARAGLIA: Andy Sbaraglia,
5 citizen of the Scranton. Fellow
6 Scrantonians, there is a lot of things being
7 built on city-owned property. Of course,
8 some of those leased out. I believe the
9 Holiday Inn is being -- they are putting a
10 bank there now where the old Holiday Inn
11 used to be or Holiday Manor? I believe
12 that's a city property, too, and they are
13 also talking about putting a Turkey Hill
14 down at the old DPW site.

15 Now, think about it, they only have
16 to pay a tax on the improvements, not on the
17 land, and if you look at your taxes, the
18 land tax is more expensive than the
19 improvements, so somewhere along the line a
20 lot of shenanigans is going on. Well, there
21 is sense going back to the Ice Box. I think
22 we all went over it 101 times and what is
23 what is.

24 I don't like a 200-year lease, I
25 don't care what for a dollar a year. I

1 could say it 101 times and it still makes me
2 mad, but unfortunately, that's what our
3 mayor did. He gave that piece of property
4 for \$1 a year for 198 years and their only
5 stipulation was, of course, to tear down the
6 buildings.

7 Now, the Holiday Manor, on the other
8 hand, we tore that down. That should not
9 have been leased. That should have been
10 sold. Where does the man get the right to
11 do what he is doing other than the fact that
12 a lot of people vote for him and really,
13 really, really in my mind I can't understand
14 it, but it's done. It's done. That's the
15 reason why it's too bad they don't have
16 recall provisions in the State of
17 Pennsylvania. We certainly need it.

18 Now, let's go on to some of the
19 other issues. You know, the Connell
20 building wanted us to fix their sidewalks.
21 If you look at the original legislation for
22 the sidewalks for the 500 block of
23 Lackawanna Avenue, it was all the sidewalks.
24 We didn't say we would only fix Rinaldi's
25 sidewalks, we said we would fix everybody's

1 sidewalks since the sidewalks are public
2 egress and they should have been fixed, they
3 still should be fixed, and I believe before
4 you do the Connell building you ever bring
5 that back up again you fix the sidewalks on
6 the 500 block of Lackawanna. There is no
7 sense in that. We could have had it all
8 done and be done with it.

9 There is a lot of things happening
10 in this city people don't realize. I wish
11 they had more common sense really. What's
12 the idea of the mayor trying to buy all
13 electrical fixtures and then lease out
14 installation to contractors? I don't
15 understand that. You mentioned that the
16 mayor wants to buy the equipment.

17 MS. EVANS: Actually, I'm going to
18 report on that under motions, the
19 administration has reversed course on that
20 and I'll address it further.

21 MR. SBARAGLIA: Well, thank God,
22 because you would have had to live over
23 there with Novembrino to find out what he
24 was doing with all of these things. He has
25 the discretion to spend \$5,000 without

1 coming before you and he could spend it and
2 there is not a darn thing you can do about
3 it. That's what bothered me about him
4 deciding maybe you wanted to buy the light
5 fixtures. That didn't make sense at all.
6 Obviously, the best person to buy light
7 fixtures is the contractor because he gets a
8 discount. It makes more sense. I had the
9 original contract for the light fixtures
10 when they came out originally. I didn't
11 believe that we have should have bought the
12 light fixtures from PPL. I talked about it
13 then, but like everything else in the city
14 it falls on deaf ears until the streetlights
15 go black. PPL did a good job. They should
16 have never done what they did and I'm still
17 waiting for somebody to come up and say,
18 "Let's see the figures."

19 How much money did we actually save
20 by buying the light fixtures being we had to
21 pay the interest, we still have to pay the
22 electricity, and we have to pay for somebody
23 to install it? PPL did all of that. I
24 don't quite understand, but like I said
25 before, there is a lot of things that happen

1 in the city I don't understand, they didn't
2 make sense then, they don't make sense now,
3 and we got to live with it. Thank you.

4 MS. EVANS: Thank you,
5 Mr. Sbaraglia.

6 MR. LOSCOMBE: Mr. Sbaraglia, if I'm
7 not mistaken, the bank being built on
8 Franklin Avenue, that property is owned by
9 the Tobyhanna Army Depot. That's whose
10 building that -- they are building a new
11 credit union there, and I don't recall if
12 they held the mortgage on the former
13 building that was there and by default they
14 had or they purchased it after, but they
15 are --

16 MR. SBARAGLIA: You have to look
17 into it because originally back then they
18 said it was leased out. You will have to
19 check it out.

20 MR. LOSCOMBE: I'll check it out for
21 you.

22 MS. EVANS: Our next speaker is Les
23 Spindler.

24 MR. SPINDLER: Good evening,
25 Council. Les Spindler, city resident and

1 homeowner, taxpayer.

2 MS. EVANS: Good evening.

3 MR. SPINDLER: Mr. McGoff, I'm
4 wondering since you're a former teacher can
5 you tell me are the words exact and similar
6 do they have the same meaning?

7 MR. MCGOFF: I can't -- I'm sorry?
8 I didn't understand --

9 MR. SPINDLER: Do the words exact
10 and similar have the same meaning?

11 MR. MCGOFF: I don't believe so.

12 MR. SPINDLER: Thank you.

13 MR. MCGOFF: But I wasn't an English
14 teacher.

15 MS. EVANS: I would concur with the
16 history teacher.

17 MR. SPINDLER: You don't have to an
18 English teacher to know the answer to that,
19 and all it takes is a dictionary, which
20 leads me to Attorney Hughes, correct me if
21 I'm wrong, sole source means somebody, a
22 company, providing a service that no one can
23 provide that's exactly the same; am I
24 correct?

25 MR. HUGHES: I think that's a good

1 definition, yes.

2 MR. SPINDLER: Okay, thank you.

3 Well, if that's the case, I think Chris
4 Doherty in this article in the Dougherty
5 newsletter the other day more or less is
6 saying with StreetSmart is a sole source and
7 I will read this. It says, "The city
8 determines StreetSmart cannot be sole source
9 because the city has received calls from
10 other companies that said they provide
11 similar services."

12 Now, similar is not exact, and, Mr.
13 McGoff, you backed me up on that, exact and
14 similar are two different means. Exact is
15 exact. So if these companies do not provide
16 exact services then they are not a sole
17 source and I don't think council should have
18 to put bids out. This is nothing but a
19 stall tactic by the mayor and his
20 administration to make council look bad to
21 have less income coming in to make your
22 budget look bad, and I have said this in the
23 past, and here it is. He more or less says
24 that right in the paper.

25 And this is a terrible way to run

1 the city. He is upset is he didn't get his
2 way with the budget, and as I said, this is
3 nothing but a stall tactic to make council
4 look bad, and who hurts in that is once
5 again the taxpayer, and that's really sad
6 and I know council really didn't want to do
7 it, but you had to give in because this
8 mayor just he's like a little kid that
9 doesn't get his own way and goes home with
10 the ball. He gets his own way or --

11 MR. ROGAN: Mr. Spindler, I would
12 also add two days from now is March 31 which
13 ends the first quarter of the year, so we
14 have already lost a quarter of the year --

15 MR. SPINDLER: Absolutely.

16 MR. ROGAN: -- without anything
17 being done.

18 MR. SPINDLER: And we will probably
19 go at least another month before all of the
20 bids are in. That's unbelievable.

21 Okay, moving on, I have said in the
22 past, it's no secret how upset I am with the
23 mayor what he is doing with the fire
24 department closing down Engine 9
25 permanently, browning out other fire engines

1 and trucks and now I've heard in the last
2 couple of days, I hope this isn't true, but
3 I heard it from a very good source that the
4 mayor is considering laying off 30
5 firefighters and 10 to 20 police officers.
6 I don't know if this man is totally losing
7 his mind or what. If he lays off 30
8 firefighters how in the world do they think
9 they can protect this city from fires? They
10 have their hands full as it is and with the
11 crime in this city also if we lost 10 to 20
12 police officers? That's another thing. I
13 know there were times during the past year
14 where there were days where there were only
15 a few cars on the street to patrol the whole
16 city. Now, if we lose 10 to 20 police
17 officers, God knows what's going to happen.
18 That's -- you might as well put up a banner
19 to all of the criminals, "Come to Scranton."

20 I mean, when is this going to stop?
21 This is just ridiculous. This man doesn't
22 care a darn about the safety of the citizens
23 of this city, and I wish people would rise
24 up and have their say because I called the
25 mayor about the fire department, we need

1 more people to speak up and not let him get
2 away with this.

3 The next thing I have to stick up
4 for Mr. Bolus and say I think this is
5 nothing but politics at it's best. These
6 people, Mr. Weschler, Mr. Hartman, they are
7 nothing but Doherty cronies. If Mr. Bolus
8 was a Doherty crony, which he isn't, this
9 never would have happened. This is nothing
10 but politics. And, you know, this has to
11 stop for this city to get running smoothly.
12 I don't know when it's going to stop, but
13 it's got to.

14 Lastly, about three or four weeks
15 ago I brought in a request about my corner
16 that was damaged again. I wonder if
17 anything was heard about that? If there was
18 any response from DPW?

19 MR. ROGAN: I don't think so.

20 MS. EVANS: No.

21 MR. SPINDLER: Thank you. Just in
22 time.

23 MS. EVANS: Thank you, Mr. Spindler.
24 Tom Ungvarsky.

25 MR. ROGAN: Mrs. Krake, could we

1 please resend Mr. Spindler's request? Thank
2 you.

3 MR. UNGVARSKY: Good evening, city
4 council. I'm Tom Ungvarsky.

5 MS. EVANS: Good evening.

6 MR. UNGVARSKY: Just a word about
7 the streetlights. Years ago PPL used to
8 take care of the streetlights. They had a
9 department that would keep records -- that
10 would keep record of the lights and before
11 the streetlights would burn out or outlive
12 it's life, they would come around and change
13 it. When this mayor took office, for some
14 reason he bought them out and wanted to do
15 it in-house. I have no qualms with
16 Mr. Joyce, I don't know him, but perhaps you
17 could even get a bid next time from PPL to
18 look into it again.

19 Does anyone on council know who
20 takes care of the workmen's compensation?

21 MS. EVANS: I'm not quite sure what
22 the question is specifically. The business
23 administrator I'm sure oversees the finances
24 of it. Are you speaking of that or --

25 MR. UNGVARSKY: No, as

1 administrator.

2 MS. EVANS: Administrator?

3 MR. UNGVARSKY: Yes, as
4 administrator wouldn't it be his duty to
5 inform council or someone else for that
6 matter when a large sum of monies are being
7 withdrawn or returned? It would seem as
8 though you would have to supply some kind of
9 an audit or a report to city council as to
10 what the expenditures were and what the
11 income was.

12 MS. EVANS: Yes, but that's never
13 occurred.

14 MR. UNGVARSKY: Well, it seems like
15 there is no one in this administration who
16 is willing to supply information.

17 MR. JOYCE: That's why we have the
18 Right-to-Know request out there so we can
19 get to the bottom of it.

20 MR. UNGVARSKY: Okay. I'm a member
21 of the Scranton and Lackawanna County
22 Taxpayers. What the taxpayers try to do is
23 inform the public as to what's going on in
24 the city and in the county. Ozzie Quinn was
25 our president. Ozzie was a hardworking,

1 honest man who knew all of the departments,
2 what they could do and what their rules
3 were. Ozzie had no agenda except to see
4 this city succeed. Ozzie will be hard to
5 replace. I was glad to work with Ozzie
6 Quinn. I hope he enjoys his retirement
7 because he earned it.

8 MS. EVANS: Thank you,
9 Mr. Ungvarsky, and I think on behalf of
10 council we can echo Mr. Ungvarsky's comments
11 regarding the resignation of Mr. Quinn from
12 the presidency of the Taxpayers'
13 Association. The level of professionalism
14 and credibility, honesty and integrity that
15 he brought to that office is unparalleled.
16 He will be very, very difficult to replace
17 because he did work for the benefit of the
18 citizens of Scranton and Lackawanna County
19 and that was the pure motivation. Nothing
20 more, nothing less, and we were fortunate, I
21 feel, to have enjoyed his service for these
22 many years and I want him to know that he
23 will be deeply missed in that position. Our
24 next speaker is Marie Schumacher.

25 MS. SCHUMACHER: Good evening,

1 Council. The first thing I would like to
2 address tonight is clarification of an issue
3 raised at the March 8 meeting, that would be
4 the City of Scranton's obligation to
5 reacquire the unpaid delinquent taxes at the
6 maturity date of the note payable in an
7 amount necessary to satisfy the balance of
8 the note.

9 My first question is how PennStar
10 would be able to demand a note be paid by
11 the end of this year when the independent
12 auditor's note states that the note matures
13 in January 2012. What gives PennStar the
14 right to demand early repayment? It seems
15 to me the city would not be obligated to
16 reacquire any unpaid delinquent taxes until
17 2012 with the note is payable.

18 Also, Solicitor Hughes stated a
19 transaction was done in December of 2007.
20 The note is to mature on June 1, 2011, in
21 ten months. This begs an observation and
22 two questions. The observation is that the
23 June 1, 2012 is more than ten months away
24 and one question is which date is correct,
25 the maturity date of the note, June 1, 2012,

1 as stated by Solicitor Hughes or January
2 2012 as stated in the auditor's note?

3 The second question is when council
4 meeting minutes are actually approved. The
5 reading of the minutes is typically
6 dispensed with and as these form the
7 official records, I presume they should be
8 read and approved, but I don't recall ever
9 hearing of minutes being approved.

10 The minutes of the March 8 meeting
11 further record the statements, "It is very
12 troubling to note that the city may be on
13 the hook for a mandatory repurchase of the
14 delinquent tax claims at a cost of 1.6
15 million this year since council was not
16 informed by the SRA or the administration of
17 this matter," etcetera.

18 I agree as to the year in which the
19 repurchase must occur, but the auditor's
20 report for both 2008 and 2009 clearly state,
21 "The City of Scranton has an obligation to
22 reacquire the unpaid delinquent taxes at the
23 maturity date of the note payable in an
24 amount necessary to satisfy the balance of
25 the note."

1 The only thing that has changed in
2 the auditor's note are dollar amounts, but
3 since council had the auditor's report for
4 2009, because it was publically available
5 and before the council amendments were
6 revealed, I'm disappointed council was not
7 apparently sufficiently troubled by the fact
8 that the balance of the note only went down
9 from \$2,051,375 at the end of calendar year
10 2008 to \$1,872,990 at the end of the
11 calendar year 2009 to investigate the poor
12 collection rate.

13 I will conclude with an issue about
14 which I will speak more in a future meeting.
15 Last year council approved the sale of eight
16 tax delinquent properties on East Mountain.
17 On a whim or divine guidance, take your
18 pick, I checked to see whether taxes were
19 current on these properties, and guess what?
20 The taxes are not paid and there is no
21 record of change of ownership in the
22 Assessor's Office. Many changes appear to
23 have been made at these properties so I'm
24 wondering both who obtained the permits to
25 remove trees and substantially rearrange the

1 earth and whether permits are issued on tax
2 delinquent properties as a general rule.
3 Again, I will have more to say on this at a
4 future meeting. Thank you.

5 MS. EVANS: Thank you. Attorney
6 Hughes, would you care to address some of
7 the statements in questions presented by Ms.
8 Schumacher concerning the sale of the city's
9 delinquent taxes to the SRA and the
10 subsequent developments with PennStar bank?

11 MR. HUGHES: I believe I made those
12 statements about three meetings ago. I
13 don't have the file in front of me, however,
14 my memory is, first of all, the notes were
15 sold with recourse which means the maturity,
16 any amount that was not collected, the city
17 of Scranton has to repurchase that amount.

18 The second thing is that, as I
19 remember it, the note matures on January 1st
20 of 2012, however, there is provisions in the
21 note setting forth in the event of default,
22 if there is an event of default, the holder
23 of the note, PennStar, can hold or can give
24 the notice in the event of default, declare
25 them in default, and confess judgment for

1 the amount.

2 If there is no default, and I
3 believe that's what PennStar was attempting
4 to do because the city did not have anyone
5 to collect the taxes -- or the Redevelopment
6 Authority did not have anybody to collect
7 the taxes, that the note requires the city
8 to make provision in it's budget at least 30
9 days before the note is due for the amount
10 that is due and owing to PennStar so they
11 can be paid on January 1, and I believe that
12 that -- there is a requirement of 30 days
13 and 15 days which means it has to be adopted
14 by December 15 which, of course, I believe
15 in the Home Rule Charter the budget has to
16 be adopted by December 15.

17 So they are the requirements that
18 would provide for acceleration, what we call
19 an acceleration if there is a default where
20 the amount that would be due the maturity
21 date would be -- the full amount would be
22 become due and owing if there is an event of
23 default, number one.

24 Number two, the note is with
25 recourse to the city.

1 And number three is that the
2 provision that was put in there assures that
3 it would be adopted in this year's budget to
4 be paid the maturity date on January 1 of
5 2012. That's how those dates are critical,
6 as I remember them, and I haven't looked at
7 that in a couple of weeks, but that's how
8 they come about.

9 I would also, as I stated I believe
10 three weeks ago, that the mayor's proposed
11 budget that was submitted to council on
12 November 15 for this year did not include
13 any amount in his budget to pay that note.
14 I believe council is unaware of that in
15 adopting their budget, and council's budget
16 also did not include it based on the premise
17 that the mayor's budget didn't include it.

18 MS. EVANS: Yes.

19 MR. HUGHES: And as I remember the
20 audits, I do not believe that any audit ever
21 stated what the -- what the uncollected
22 amount of the real estate taxes were so that
23 would be a contingent liability of the city
24 and the audit. The audits did disclose that
25 there could be a contingent liability

1 because of the SRA note which was I believe
2 a footnote and was set forth on page 52 of
3 the audit, and I'm going from memory, I
4 don't have it in front of me, but that's how
5 I remember how this whole thing unfolded. I
6 was certainly you unaware of it until the
7 attorney from Harrisburg called me from
8 Rhodes and Simon and informed me of that and
9 sent me the documents.

10 MS. EVANS: Thank you, Attorney
11 Hughes, and I hope that helps --

12 MR. HUGHES: You're welcome.

13 MS. EVANS: -- to respond to some of
14 your questions, Ms. Schumacher. And our
15 next speaker is Lee Morgan.

16 MR. MORGAN: Good evening, Council.

17 MS. EVANS: Good evening.

18 MR. MORGAN: You know, I'd just like
19 to say that the tax group appreciates the
20 comment that council has made in regard to
21 Mr. Quinn and, you know, I don't know if
22 it's a proper to ask this from the podium or
23 not, but maybe council will consider,
24 because you have said nice things, also,
25 about Mr. Quinn, that maybe the city could

1 give a proclamation to Mr. Quinn for all of
2 the service to the community.

3 MS. EVANS: Yes.

4 MR. MORGAN: You know, I mean, I
5 hope that you word it, if you would, any way
6 you see fit in any way you would see fit. I
7 mean, he's just a man that, you know, really
8 gave all he could to the community for a
9 long time and, you know, I think that our
10 group would really appreciate it, I think
11 the residents of the city would appreciate
12 it who knew of all of the work he did
13 including, you know, Habitat for Humanity
14 and all of the other things that I just --
15 you know, you can't say enough nice things
16 about this man who was committed to our
17 community for a long time and, you know, I
18 hope you consider that.

19 The other thing is tonight I'd like
20 to do a Right-to-Know, and I'm not saying
21 that council has the answers to this
22 questions, but I asked it before and it has
23 to do with the shortfalls in the city's
24 pensions. The PEL said it was 53 percent
25 funded and if council doesn't have the

1 numbers at least, you know, if I could find
2 out exactly where to retrieve that
3 information I would appreciate it. I would
4 just like to give this to you, if I could.

5 MS. EVANS: Um-hum. Thank you.

6 MR. MORGAN: You're welcome. The
7 one other thing I have this evening is there
8 a funding stream for ECTV at this time?
9 Does anybody know how they are operating,
10 what revenue they are operating on?

11 MS. EVANS: I'm not aware of any.

12 MR. MORGAN: Are they waiting -- has
13 the contract with the cable provider been
14 accepted? Has that been implemented or
15 where does that stand?

16 MS. EVANS: If you remember the
17 history of this, the last step that was
18 taken was council had approved the Comcast
19 contract with an amendment to it, and that
20 amendment was that the contract could not be
21 authorized and executed until certain
22 changes were made, one of which was to lower
23 the term of the contract from 15 to 10
24 years, and another was to put out RFP's for
25 government access channel management.

1 MR. MORGAN: We went from one
2 channel to two; is that right?

3 MS. EVANS: Well, we had two, the
4 mayor wanted one, and then council in it's
5 amendments said that we could prefer to
6 retain two stations and forego the \$85,000
7 grant that would have been given to the city
8 24 months following the execution of the
9 contract because we felt that the extra
10 channel was far more beneficial to the
11 people than the \$85,000 grant.

12 MR. MORGAN: No, no, I do remember
13 those things, but I mean, it's gridlocked
14 now and it hasn't moved? Is it --

15 MS. EVANS: The mayor had vetoed
16 that, council overrode the veto and where it
17 went from there, I really don't know. But,
18 obviously, Comcast is still in full force in
19 terms of it's operations. In fact, it's
20 updated it's system quite recently to the
21 dismay of many viewers, I know, that have
22 had quite a bit of trouble with that, and I
23 do notice that under the new system Channel
24 19 is designated as the educational -- or
25 excuse me, the government access channel,

1 and channel 21 as the educational access
2 channel. So I am quite sure that Comcast is
3 well aware of the developments that occurred
4 in Scranton.

5 MR. MORGAN: Okay. I just wanted to
6 ask that because if ECTV isn't receiving any
7 funds then there is a possibility that the
8 community could lose it's public access
9 channel through a lack of funding and that's
10 why I asked about, you know, where
11 everything was because evidently there needs
12 to be some settlement, but I appreciate your
13 time. Thank you.

14 MS. EVANS: Thank you. Dave
15 Dobrzyn.

16 MR. DOBRZYN: Good evening, Council.
17 Dave Dobrzyn, member of the Taxpayers' here
18 in Scranton. Well, tonight that's what I'm
19 here about. Our conference or whatever
20 Friday was total -- or Thursday was a total
21 failure. The camera went on the fritz and
22 it was my personal property and it's -- it's
23 totally mush. It wouldn't be fair to put
24 any of it on television at this time, so we
25 are trying to work out a thing where we can

1 reorganize and see what other options are
2 and Thursday night we are going to meet and
3 see where we are going with Ozzie dropping
4 the presidency, and most of it is my
5 equipment here. There is one or two things
6 that belong to the taxpayers' that they
7 helped buy, and, I mean, I went through 200
8 different cameras of all types of prices
9 last night, I cannot find with the external
10 sound input, so that would nullify all of
11 the mics at the tables or whatever, and I'm
12 going to keep looking, but it's not easy.
13 It's not easy and -- well, hopefully maybe I
14 can change some of the policies or we can
15 get a policy from the Taxpayers' because at
16 times there has been speeches that really
17 didn't help me in dealing with ECTV or
18 whatever and from members of the taxpayers
19 and we just have to level off our emotions,
20 maybe they can help us.

21 But that's been my concern with it
22 and I think I have spoken out about that
23 recently, past where it might be better to
24 try and reach some kind of settlement with
25 ECTV then keep pursuing a course where they

1 are not funded. Sometimes I wonder and it
2 wasn't said to me by anybody from ECTV, but
3 the administration would just love to see
4 them disappear because it's our side of the
5 story that gets heard on the channel more so
6 than the mayor's side or whatever and that's
7 not always convenient for him, but, well,
8 hopefully we can get things together and
9 replace Ozzie as best we can.

10 I was sort of taken back when he
11 resigned, but he has been teetering ever
12 since Gary lost his bid for mayor and his
13 democratic party, we had to talk to him
14 then, make him an offer he couldn't refuse,
15 and drag him back and rough him up whatever
16 when we met up in Nay Aug Park. We took him
17 back to the lion's den. No, just kidding,
18 but --

19 And well hopefully I'll be able to
20 get these together. That camera was bought
21 for about \$150 and they just keep reducing
22 the amount of options you have on them and
23 they have wonderful focusing and zoom
24 characteristics and stuff, but as far as
25 sound they are getting worse and worse and

1 worse. They build the microphone into the
2 camera and that's the only option you have.
3 You could work with a two or three hundred
4 dollar camera, but it has to have external
5 sound inputs or it's worthless as far --
6 unless it's for family entertainment and
7 something.

8 All right, other than that I have
9 been looking at these budget issues and the
10 surprise, surprise bills that have come to
11 light. You know, which ones I mean, the
12 shifting of accounts and what the -- the
13 disability insurance and funds and stuff and
14 next year maybe sooner than any kind of tax
15 decrease or whatever you people could
16 strictly control it, no money gets paid off
17 unless you people say it's okay and put it
18 on the agenda. If you got a surprise bill
19 that you absolutely didn't know because the
20 audit didn't report it or whatever, it would
21 be nice to be able to pay that off and not
22 have it put a dent in your finances for the
23 year. Thank you and have a good night.

24 MR. EVANS: Thank you. Is there
25 anyone else who cares to address council?

1 MR. DOBRZYN: Oh, I would like to
2 apologize to everybody, but maybe we can get
3 something together in a week or two and
4 still slide it in before the election, but
5 it's going to be tough. Thank you and have
6 a good night.

7 MR. SLEDENZSKI: Hello, Jack.

8 MR. LOSCOMBE: What's up, Chrissy?

9 MR. SLEDENZSKI: Hi, Janet.

10 MS. EVANS: Hi there, Chrissy.

11 MR. SLEDENZSKI: Hey, Frankie Boy,
12 What's going on, Frankie.

13 MR. JOYCE: What's going on?

14 MR. SLEDENZSKI: Well, Jack, you
15 know something, Jack, my main man, you know
16 where they're at. They're the best guys
17 down there and my best friends. All of them
18 you downstairs, they're all my best friends.
19 Remember that. Thank you.

20 MR. LOSCOMBE: Chrissy's in uniform
21 tonight.

22 MR. SLEDENZSKI: Yep, uniform
23 tonight, Jack.

24 MR. PILCHESKY: Council, good
25 evening. How are you?

1 MS. EVANS: Good evening.

2 MR. PILCHESKY: Joe Pilchesky, 819
3 Sunset Street, political activist. As this
4 council knows, and I'll remind the viewing
5 public, back in the days of the Gatelli
6 Council when she and Sherry Fanucci were
7 lame duck council members they passed an
8 ordinance, with Mr. McGoff's help, that
9 created the Scranton Library Authority. It
10 was an Authority created at the mayor's
11 insistent to add yet another municipal
12 authority that could autonomously borrow
13 large amounts of money and obtain large
14 grants to the benefit of the mayor's
15 political interests, yet unaccountable to
16 the public. It amounts to non-elected
17 public officials incurring substantial debt
18 as the SHA and the SRA and the SSA does to
19 be paid by the taxpayers having no say over
20 the borrowing or the expenditures
21 whatsoever, as it the case with all of these
22 authorities filled with the mayor's
23 personally appointed members.

24 Once the new Library Authority was
25 created, the city immediately went about the

1 business of transferring to it the deeds to
2 the Albright and Greenridge and the South
3 end libraries. On January 26th of 2010,
4 this council appropriately acted to repeal
5 the ordinance that created the Scranton
6 Library Authority. When that repealing
7 ordinance was passed, it was improper for
8 the Library Authority to take the steps
9 necessary to lawfully dissolve itself in the
10 eyes of the Commonwealth of Pennsylvania and
11 transfer the deeds to the three library
12 buildings back in the city where it
13 belonged. That did not happen which, of
14 course, created a problem of getting our
15 library buildings back.

16 The Home Rule Charter is the law of
17 the city for folks would don't know that.
18 It provides that the mayor is charged with
19 the duty of enforcing all ordinances,
20 unfortunately, it's not strongly worded to
21 include when and how he will enforce
22 ordinances. That being said, it was the
23 mayor's job to make the Library Authority
24 dissolve itself and to make a return of the
25 three library buildings to the people.

1 By June of 2010, a check with the
2 Commonwealth revealed that the Library
3 Authority had not yet acted to dissolve
4 itself corporately or to return the three
5 library buildings to the people. In July of
6 2010, I sent a letter to the mayor through
7 the solicitor's office demanding that he do
8 his job by forcing the Authority to dissolve
9 itself and to surrender the three libraries
10 in a responsive letter refused to do so
11 instead acknowledging that he still believes
12 that the Authority was still lawful.

13 In September, as a matter of
14 required legal procedure, I requested from
15 the Office of the District Attorney that it
16 file an action to force the mayor to do his
17 job. That's called a mandamus action.
18 Mr. Jarbola, a good friend of the mayor,
19 sent me a letter also refusing to take such
20 action. As a matter of procedure and law,
21 Mr. Jarbola's refusal permitted me to file
22 an action in my own name and in October of
23 2010 I filed a Mandamus Action in Equity at
24 Docket No. 7555 against the city, the mayor,
25 and the Library Authority demanding that the

1 mayor do his job by, again, forcing the
2 Library Authority to dissolve itself and
3 give back to the people the three library
4 buildings it owns.

5 While you would think that the mayor
6 would simply do the right thing here, or the
7 Library Authority for that matter, the city
8 and the mayor and the Library Authority
9 hired Attorney Gene Hickey to fight me tooth
10 and nail on this issue.

11 In Court papers recently filed,
12 Mr. Hickey raised two arguments, the first
13 is that I don't have standing. I have heard
14 that objection many other times in actions I
15 filed against the city and that's an
16 argument that I have won every single time
17 even here to Harrisburg, so I'll win that
18 again.

19 However, the second argument is more
20 interesting. Mr. Hickey argues that while
21 it's true that the Home Rule Charter imposes
22 a duty upon the mayor to enforce ordinances,
23 it doesn't say when he has to enforce them
24 or how he has to go about doing it. In
25 other words, he has the discretion to do it

1 or not do it, at his leisure, whenever he
2 feels like it and that's if he ever feels
3 like doing it. Meanwhile, this illegal
4 authority is in possession of these three
5 buildings, including the beautiful Albright.

6 We are waiting for an argument date
7 by the Court, that's where it sits right
8 now. I respectfully suggest that given the
9 mayor's proclivity to play with the valuable
10 property owned by the people in terms of
11 refusing to do his job, because a normal
12 ordinance gives him too much discretion not
13 to act, perhaps future ordinances might need
14 some explicit language to force him to act
15 in a timely manner beneficial to the people
16 who own buildings like these three beautiful
17 library buildings.

18 It's further inappropriate that we
19 now have to spend a great deal of money on
20 Attorney Hickey to get these library
21 buildings back. I don't know how long
22 that's going to take, but it appears
23 Mr. Hickey is digging his heels in as is the
24 mayor and the Library Authority.

25 So I will from time to time keep you

1 informed of the progress of this legal
2 action as these things develop and hopefully
3 I will be successful in the recover of these
4 three library buildings. If there is
5 anything that council might be able to do to
6 impose a little pressure upon the mayor to
7 move that along that might save us some
8 legal fees on Mr. Hickey. Thank you for
9 your time.

10 MS. EVANS: Thank you.

11 MR. JOYCE: Thank you.

12 MR. ANCHERANI: Good evening,
13 Council. Nelson Ancherani, resident,
14 taxpayer, recording secretary of the FOP,
15 First Amendment Rights. Recently two awards
16 won by the unions have been appealed by the
17 administration, thus delaying the
18 inevitable. One award totals 1.3 million
19 because the city violated the SIT clerks as
20 required in the contract. The other is a
21 backpay award that totals approximately
22 three million.

23 The SIT clerks required in the
24 contract was violated by the previous
25 administration resulting in more than 1.1 --

1 a 1.1 million award being paid to the
2 police. We didn't do the work. They didn't
3 have the SIT clerks, so we got paid because
4 they weren't there. Shouldn't have been,
5 but it was. That's the way it's going to be
6 on this one.

7 In this award, the city was found in
8 bad faith and the city will end up paying
9 our attorney fees, along with the award of
10 \$1.3 million. Mr. Ryan McGowan, current
11 business administrator, said it best when he
12 showed the intentions of this city, the
13 delayed inevitable, which is to pay the
14 award. McGowan said, "We are appealing so
15 it won't be paid. It won't be a current
16 year liability."

17 It's going to be a current year
18 liability soon, so Paul is going to be at
19 the door. He can only take so much from
20 Peter. That's right. It won't be this
21 year, but it will be some year. Taxpayers,
22 you are the losers. It did not have to be
23 this way. All of the administration had to
24 do was sit down and bargain in good faith.
25 The police and fire unions have always

1 given. You are not going to hear that from
2 the slimes anymore, they will never say it.

3 What about the 50 fire and the 17
4 police positions given up as an example.
5 Previous mayors may not have liked us, but
6 we always bargained with each other from
7 positions of respect. Oh, well, too late
8 now. The police and fire have been blamed
9 for the financial situation of the city.
10 Our wages have remained static from 2002
11 through this year. It's current -- it's
12 around 13 million and it's been that way for
13 all of those years, but we are still going
14 to be blamed.

15 What does the city owe, over 300
16 million long-term debt, but we are going to
17 be blamed. We are also going to be blamed
18 for the payments of the above awards.

19 Supermajority of council, prepare to
20 get blamed for the layoffs that will more
21 than likely be coming early summer. Even
22 though you lowered taxes, you will still be
23 blamed. It may be said that payrolls can't
24 be met, therefore, the layoffs, but your
25 budget was one million less than the other

1 budget, than the proposed budget. You won't
2 have the luxury to borrow 5 million from
3 workmen's comp to cover payrolls, so,
4 therefore, you don't also have the luxury to
5 recover 1.6 million missing from the tax
6 office.

7 Stay strong, don't waiver, and the
8 taxpayers thank you very much. Thank you.

9 MS. EVANS: Thank you.

10 MR. JOYCE: Thank you.

11 MS. EVANS: Is there anyone else who
12 cares to address council?

13 MR. JONES: Hi, Janet.

14 MS. EVANS: Hello.

15 MR. JONES: Hi. My name is Bob
16 Jones. I'm a member of the still functional
17 Taxpayers' Association, and I would just
18 like to say something short to the mayor. I
19 hope you had your coffee because you are
20 going to need it because we're still going.
21 Thank you.

22 MS. EVANS: Thank you.

23 MR. TALIMINI: Joe Talimini, citizen
24 of Scranton. As I understand it, the
25 Chamber of Commerce is not an official

1 function of the city government, is it?
2 It's a separate entity?

3 MS. EVANS: Yes.

4 MR. JOYCE: Correct.

5 MR. TALIMINI: You are the
6 legislative group to the city, you actually
7 have control of the budget, do you not?

8 MS. EVANS: At budget time, yes.

9 MR. TALIMINI: Right.

10 MR. JOYCE: Yes.

11 MR. TALIMINI: Well, I would like to
12 suggest within your next budget you
13 eliminate \$50,000 from the budget, which is
14 the mayor's salary, since he doesn't answer
15 to the citizens or the council, let the
16 Chamber of Commerce pay his salary. When
17 was the last time he appeared before this
18 council or before the citizens of this city?
19 But he always manages to appear before the
20 Chamber of the Commerce. It's like he and
21 Austin Burke are Siamese twins. Well, if
22 that's the case then, by God, let the
23 Chamber of the Commerce pay his salary
24 because he is not earning it from the
25 citizens, and I would hope that the

1 opportunity will come up that this will take
2 place, and if you've got any backbone you
3 will try to enact that legislation. Just
4 cut his salary from the budget and that
5 \$50,000, even if you gave a \$1 a piece to
6 the firemen and the cops, it's well worth it
7 because he certainly isn't worth it. Thank
8 you very much.

9 MS. EVANS: Thank you, Mr. Talimini.
10 Is there anyone else who cares to address
11 council?

12 MS. KRAKE: FOURTH ORDER. 5-A.
13 MOTIONS.

14 MS. EVANS: Councilman McGoff, any
15 motions or comments?

16 MR. MCGOFF: Two very brief. I was
17 speaking to someone from the Licensing and--
18 from LIPS, and they were asking if council
19 could do anything to provide money for
20 certification, training and continuing ed
21 for inspectors, apparently that any money
22 that was -- or that money was taken out of
23 the budget. I know that we can't reopen the
24 budget and, you know, do that, but I guess
25 there was some concern on the part of the

1 inspectors that that was not there, so I
2 just wanted to make, you know, council aware
3 that that was brought up as an issue and
4 maybe it's something that we can look into
5 as it arises and when that education or when
6 that training is needed that perhaps we can
7 encourage the administration to provide that
8 from some other source.

9 The other thing that, and again,
10 just very briefly, I was informed that the
11 DPW -- on the DPW website that there would
12 be a schedule for street cleaning. Now,
13 that was before the weather forecast for
14 another huge storm or whatever, but
15 supposedly that they were -- by the end of
16 the week there was going to be a schedule
17 for street cleaning and just from my own
18 experience if people would take a look at
19 that schedule and see when their streets
20 were being done it's to their benefit to
21 move cars off of those streets so the entire
22 street can be cleaned rather than just the
23 middle of the street, so please try and take
24 a look and, you know, if you are able to,
25 you know, move vehicles out of the way I'm

1 sure you would be pleased with the result,
2 and that's all I have. Thank you.

3 MS. EVANS: Thank you, Mr. McGoff.
4 And, Councilman Rogan, any comments or
5 motions?

6 MR. ROGAN: Yes, just a few comments
7 and some citizens' requests. It's
8 coincidental that I was planning on talking
9 about the bath salts tonight, I'll let
10 Mr. Loscombe do most of the talking because
11 it's his committee, and I don't envy you.
12 You have the most important committee on
13 this board by far.

14 You know, I spoke briefly about
15 them, and I'm sure everyone has seen it on
16 the news, all the problems that we are
17 having not only in Scranton but in all of
18 Northeastern Pennsylvania with bath salts,
19 and basically what they are is they are a
20 synthetic form of a drug. Instead of like
21 heroin or cocaine or marijuana, which grows
22 from the ground in one form or another,
23 these are made in labs, and unfortunately,
24 they are legal. I know there is one shop in
25 West Side that was approached by the police

1 department and they were asked to take them
2 off the shelves and they refused to. It's
3 unfortunate that some people would put
4 profits before the safety of the people of
5 this city.

6 And generally I'm against government
7 getting involved in people's lives, but when
8 public safety comes into question the
9 government has to act, and I'll let
10 Mr. Loscombe do the rest of the talking
11 since he speaks right after me on that
12 issue.

13 I was pleased, I got a few e-mails
14 from people that had streetlights out and
15 they said that -- a few of them did say they
16 are repaired, and I'm glad to hear that the
17 administration reconsidered the procedure
18 with buying the products and I'm sure Joyce
19 Electrical will do a great job. They were
20 the lowest bidder, which I was glad to see
21 that both council and the administration
22 were on board with that, and hopefully
23 within the next few weeks everyone will be
24 seeing those repaired.

25 Next, you know, I try not to beat up

1 on the mayor too much -- I try not to beat
2 up on Mayor Doherty too much, you know, I
3 don't like to get involved in politics much
4 at the meetings, but the lack of information
5 that we have been getting from the
6 administration is appalling. We can't do
7 our jobs without help not really from the
8 mayor, but more so from the people that
9 answer to him, the department heads. You
10 know, if somebody has a problem with DPW,
11 Licensing and Inspection, any department,
12 and they come to us and we want to help
13 them, we have to go to the department heads.
14 We can't go out and fix the pothole. We
15 can't go out and repair the light. We can't
16 go out and arrest somebody, although, a lot
17 of times it would be a lot easier for us to
18 go out and actually fix the problem manually
19 than send letter after letter and make phone
20 call after phone call. But, you know, after
21 a year and a half it's really getting
22 frustrating, and I know I have said it
23 before, but it's so blatantly obvious the
24 mayor and his administration they don't want
25 to be here.

1 He has ran for countless political
2 offices unsuccessfully and he doesn't want
3 to be the mayor of Scranton, so I hope that
4 in a few years somebody out there will run,
5 it won't be me, will run for mayor and
6 answer to the people and you know the
7 frustration isn't just from us on this board
8 it's from the people out there, and their
9 requests aren't being handled properly by
10 the administration and the buck stops with
11 Mayor Doherty. It's not that we are not
12 relaying the messages, and sometimes it's
13 not that the department head's fault either,
14 they have to answer to the mayor and that's
15 the problem, they should be answering to the
16 people of this city.

17 Finally, just one comment about the
18 sidewalk vote that was tabled. Has there
19 been any information about that?

20 MS. EVANS: I know that our
21 solicitor was reviewing the responses from
22 OECD and I think in the meantime as well we
23 did receive a very hefty number of
24 invoices --

25 MR. ROGAN: Yes, I saw some.

1 MS. EVANS: -- I believe from
2 Mr. Jefferson for all of the work that was
3 performed with regard to the installation of
4 those sidewalks and related work and I do
5 believe we may have that on the agenda for
6 text Tuesday.

7 MR. ROGAN: Okay, great. And I look
8 forward to voting against that. I looked
9 through the -- well, although, tabling
10 legislation does delay it, and usually when
11 we table it it's to gather information, but
12 I don't believe even though as strongly as
13 I'm opposed to spending a quarter of a
14 million dollars on sidewalks, I still
15 believe it should be voted down instead of
16 just tabling it and letting it sit there,
17 kind of like a pocket veto the way the
18 president would do it.

19 But finally, I just have a few
20 citizens' request. The first one is is
21 there a paving list for 2011 yet? If so,
22 can a copy be sent to city council.

23 Also, a resident requests that the
24 1900 block of Sanderson Street and the 600
25 block of Depot Street are considered for

1 paving this year. They are in total
2 disrepair.

3 Also, to the DPW, has the city ever
4 considered cardboard recycling pickups? And
5 I received this from a resident. I think it
6 doesn't sound like a bad idea. I don't know
7 how, you know, going about setting it up,
8 but I was wondering if there was ever any
9 consideration given to that. Could we
10 please a send a letter to State Rep Kevin
11 Murphy and Mr. Brazil to schedule a
12 follow-up meeting regarding the flooding on
13 Keyser Valley? I know we had a caucus I
14 think it was about maybe three or four weeks
15 now and we all agreed that the next step was
16 to have another meeting with all of the
17 parties involved, so hopefully we can all
18 get together and get that taken care of.

19 Could we please resend
20 Mr. Spindler's request to the DPW, and if
21 everyone agrees I would also like to send a
22 letter to Attorney Kelly asking if any
23 action will be taken on Mr. Bolus' offer of
24 \$50,000 for the piece of city-owned land on
25 East Mountain, and as well if there is any

1 opinion on why Mr. Hartman was allowed to
2 bid on city-owned land. I know that it
3 possibly could be going to the Courts, but
4 if there is any information that the
5 administration has I think council would
6 like to see it as well, and that's all for
7 tonight. Thank you.

8 MS. EVANS: Thank you. And,
9 Councilman Loscombe, any comments or
10 motions?

11 MR. LOSCOMBE: Yes. Thank you, Mrs.
12 Evans. First, I would like to comment on an
13 article that was in the newspaper regarding
14 the flood insurance, "Insurance slaves," and
15 I was a little dismayed to read in there
16 that they have to raise the levies even more
17 now before they could change the maps and
18 bring these people lower premiums, and I
19 don't know why, I mean, with all of the
20 research how things have changed as far as
21 flood elevation for 100-year level in that
22 meantime, but I think at the least the
23 people that are in that area are in a better
24 position than they were prior, they
25 shouldn't be paying the highest rate for

1 flood insurance, and I don't know maybe we
2 could get a caucus together with the flood
3 people, maybe Mr. Garbarino, Mr. O'Hora, and
4 maybe someone from FEMA, but, I mean, at
5 least there should be some temporary relief
6 for those people because God knows how long
7 it's going to take to elevate the levies
8 anymore, and if anyone pays flood insurance,
9 especially in the high risk zone, you
10 realize sometimes it's three, four times
11 your own home insurance premium, so I
12 definitely feel for these people and
13 hopefully we can get this resolved at least
14 on a temporary basis until they complete the
15 next step of the project or whatever, but at
16 least we can get some details, but they are
17 not in the high risk zone anymore regardless
18 if they have to raise it another three feet
19 so they shouldn't be paying those rates, so
20 I just wanted to touch on that.

21 The main subject I wanted to discuss
22 tonight, ladies and gentlemen, we are in the
23 midst of crisis that is bordering on the
24 verge of epidemic proportions. That crisis
25 is the sale of hallucinogens or drugs under

1 the guise of bath salts and synthetic
2 marijuanas. It is no secret that we have
3 witnessed an uptake of serious incidents
4 over the past several weeks.

5 As the Chairman of the Committee on
6 Public Safety, I felt it incumbent upon me
7 to immediately get the ball rolling on
8 banning the use, possession, sale, delivery,
9 and distribution of the synthetic Cannabis
10 and other synthetic drugs. We must act
11 swiftly to enact an ordinance protecting all
12 of our city residents and police officers
13 from those under the effects of these
14 so-called legal drugs.

15 With that in mind, and with the
16 permission of Council President Evans, and
17 I'm sure with the agreement of the remaining
18 council members, I have asked our city
19 council solicitor, Boyd Hughes, to draft
20 legislation in the form of an ordinance to
21 ban the use, possession, sale, delivery and
22 distribution of all synthetic drugs within
23 the city limits.

24 I understand that legislation is
25 currently being proposed at the state and

1 federal levels, however, we know the pace at
2 which big government operates. I read an
3 article a few weeks ago in the newspaper
4 that the D.A.'s Office has been meeting with
5 city officials, including our city solicitor
6 Paul Kelly. If they were truly interested
7 in mounting a sincere effort to ban these
8 substances, legislation by the city
9 solicitor office should have been presented
10 to city council weeks ago. Perhaps the
11 solicitor is busy wearing too many hats at
12 this time to be truly concerned about the
13 health, safety and welfare of our residents.
14 I would have expected much more from him,
15 especially an invitation to this meeting
16 that the newspaper reported as being held on
17 this issue.

18 I am the public safety
19 representative of city council, the
20 legislative branch of our government. This
21 problem is too dire an issue to continue and
22 let languish. We have to place legislation
23 on the table now before the substances
24 result in a local fatality.

25 Children and police officer's lives

1 along with a Catholic priest's life have
2 been in danger just in recent days. It is
3 no accident that the marketing geniuses have
4 setup shop in neighborhoods close to
5 schools. One such retailer is located
6 within two blocks of an elementary school
7 and a high school in the city's west side.
8 This particular retailer was highlighted
9 recently by the news media as stating that
10 he would not remove the merchandise from his
11 place of business, but he would not restock
12 it once he sold out his current inventory.
13 Believe that one and I have some swampland
14 for sale in Florida that I would like to
15 sell you, of course.

16 As a matter of fact, a person was
17 sent to this retailer to inquire about
18 purchasing the remaining inventory and he
19 was told by the clerk that they had regular
20 customers that they wanted to sell to. What
21 kind of business does this sound like to
22 you? Ladies and gentlemen, we have to put a
23 stop to this immediately as these drugs pose
24 a growing and grave threat to our children
25 and families. A ban has just been passed

1 through ordinance in Mt. Carmel, the little
2 town of Mt. Carmel, where they cited several
3 incidents, including the attack on Father
4 Landry at St. Ann's Basilica here in
5 Scranton.

6 I believe that this city council is
7 poised to take the bull by the horns and
8 enact our own legislation to protect the
9 health, safety and welfare of all of our
10 city residents now rather than later. We
11 will be proactive and hopefully all of the
12 surrounding municipalities and boroughs will
13 follow our lead.

14 The Scranton school district has
15 taken the initiative to ban these substances
16 from school properties, and I applaud them
17 for that. Although I would like to
18 introduce this legislation for a vote this
19 evening, we must abide by our own Rules of
20 City Council and place it on the agenda for
21 introduction at next week's meeting as our
22 legislation was not completed until today
23 and our rules call for agenda items to be
24 posted by the Friday prior to the Tuesday
25 meeting.

1 I will be willing to provide you
2 with more information at next week's meeting
3 upon introduction, and that's all I have,
4 Mrs. Evans.

5 MS. EVANS: Thank you, Mr. Loscombe.

6 MR. ROGAN: Mrs. Evans, I'm sorry to
7 interrupt, but I just want to reiterate this
8 point, a lot of people out there when they
9 hear bath salts they think of an actual salt
10 that you put when you take a bath. That's
11 absolutely not the case. As Mr. Loscombe
12 said, they are hallucinogenic drugs and when
13 Mr. Loscombe and myself attended the
14 neighborhood group, members of our police
15 force said that they believe they are more
16 dangerous than heroine, and as Mr. Loscombe
17 just said, when somebody tried to purchase
18 the remaining stock they said, well, we have
19 regular customers, and basically it's just
20 legalized drug dealing. That's what it is
21 and it has to stop in the city and, you
22 know, we see it ever day on the news and it
23 has to stop. We have enough problems with
24 the illegal drugs coming here from New York
25 and New Jersey, so I look forward to voting

1 on the legislation next week and maybe even
2 if -- after the first reading next week we
3 could push it forward to get it enacted a
4 little bit sooner.

5 MR. LOSCOMBE: Thank you.

6 MS. EVANS: Yes, we have already
7 given forethought, but I think what's
8 important for the public to understand is
9 that state legislators and federal
10 legislators are actively working on this
11 issue, and I have no doubt that the federal
12 government and the state government will ban
13 this substance, the sale of this substance
14 throughout our Commonwealth and throughout
15 the United States.

16 I have heard Senator Casey, for
17 example, is very involved in federal
18 legislation right now, but as Mr. Loscombe
19 indicated, big government moves slowly and
20 it is possible that the process could take
21 the remainder of this year, God forbid into
22 a following year because, as was noted
23 earlier, we are seeing cases involving bath
24 salts escalating now almost on a daily basis
25 within our city and within our neighboring

1 cities, and so what council is hoping to do
2 is provide a stopgap measure so that until
3 such time as the state passes it's ban
4 throughout the Commonwealth that we have
5 some legislation with teeth in the city that
6 might be able to get a handle on these five
7 stores that are, as Mr. Rogan said, dealing
8 these synthetic drugs.

9 And it is very troubling when one is
10 located so closely to a city high school. I
11 taught teenagers for 25 years, I know the
12 temptations, and the ability to walk down
13 the street and make a legal purchase of a
14 synthetic, but controlled substance, for a
15 mere \$30 is very inviting to the youth in
16 our city and it's going to cause increasing
17 issues within the school district itself,
18 and I think council has the responsibility
19 to protect the people of the city because
20 right now your health, safety and welfare
21 are at risk, and as we sit by awaiting the
22 ultimate legislation how many more incidents
23 will there be? How many more people will be
24 injured? How many will be arrested and
25 imprisoned and, God forbid, how many

1 could -- how many could die?

2 So, Mr. Loscombe, we are very
3 supportive of your effort and we will await
4 our council solicitor's guidance on this
5 matter.

6 MR. LOSCOMBE: Thank you. I'd just
7 add, I mean, we've done a lot of research,
8 there is a lot of incidents across the
9 country and it's only mushrooming every day
10 as you see on the printed media and the
11 televised media. We have to stop it before
12 it gets worse. That's all. Thank you.

13 MR. JOYCE: Right, and I'll comment
14 on it a bit, and I totally agree with the
15 measures that city council is taking and
16 doing something now is a great stopgap
17 measure, and I think the struggle that the
18 federal government and the state government
19 is having is defining exactly what these
20 synthetic Canaboids are and the bath salts
21 are. For instance, from doing some research
22 of this on my own, I have noticed that
23 recently a chemical compound referred to as
24 JWH-18 which was found in pep spice, as it's
25 called in some of these stores, or K-2 was

1 included, so once that was banned or once
2 that was declared illegal, something else
3 was substituted in it's place to give it the
4 same synthetic cannaboid effect, so what we
5 are doing right now is a great measure and
6 hopefully the state will follow-up with
7 their research on these other synthetic
8 cannaboids and hallucinogens which cause the
9 psychoactive effects that you read about
10 leading to these incidents in the news over
11 the past few weeks.

12 MS. EVANS: And you should continue,
13 Mr. Joyce, with your motions.

14 MR. JOYCE: Okay. Well, while I'm
15 at it, in regard to the \$5 million borrowed
16 from the Worker's Compensation Trust Fund in
17 2010, Mr. McGowan when reached for comment
18 after the council meeting held last week,
19 March 22, said -- or said to the newspaper,
20 it would not create a deficit, though, it
21 was paid back and that it was council's
22 overestimation of revenue that would lead to
23 budget shortfalls.

24 When Mr. McGowan made these
25 statements, he must have forgot the cash

1 flow and revenue expenditure analysis that
2 is sent to the Governor Center for local
3 government services as is required on a
4 monthly basis, and I have a copy of this
5 report right here. This was submitted to
6 our office on March 1.

7 In Mr. McGowan's letter to the
8 state, Mr. McGowan clearly states that the
9 revenue and expenditure projections are
10 based on the most reasonable estimates that
11 are available. It states that directly on
12 the front page of the letter. As you know,
13 council increased revenue of various items.
14 Overall Mr. McGowan's report of revenue that
15 he projects the city will bring in it's
16 actually \$183,145 than what council
17 projected.

18 With that being said, Mr. McGowan,
19 though he stated that council's
20 overestimation of the revenue would create a
21 shortfall in the newspaper just a week ago,
22 actually reported to the state that the city
23 would realize more revenue than originally
24 projected. Therefore, he is a saying one
25 thing to the newspaper and another thing to

1 the state and contradicting himself.

2 While Mr. McGowan projected that we
3 would receive more revenue than what council
4 projected in 2011, by the amount of
5 \$183,145, he did project that there would be
6 a deficit of \$4,877,700. When you add the
7 amount of the extra revenue that Mr. McGowan
8 projected that the city would realize in
9 2011, to the deficit that Mr. McGowan
10 projects, the approximate amount is
11 coincidentally about \$5 million, which is
12 equal to the amount of money borrowed from
13 the Worker's Compensation Trust Fund in
14 2010.

15 Though we know that \$5 million was
16 borrowed in 2010, and subsequently paid
17 back, assuming 2011, as Mr. McGowan reported
18 to the newspaper, he states that in this
19 report nearly \$5 million in extra -- in
20 health insurance expenditures would
21 contribute to the shortfall. I find it
22 very, very curious that we would have \$5
23 million in extra expenditures due to health
24 insurance. The reasoning for this is that
25 when council added positions back into the

1 budget, the amounts that expenditures were
2 increased by were numbers that the former
3 business administrator, Stu Renda, provided
4 to the Scranton Times in regard to
5 contributions that the city would be
6 responsible for firefighter and police
7 health insurance plans based on whether they
8 elected for single coverage or family
9 coverage.

10 When adding the positions back into
11 the budget, I personally obtained a list of
12 the firefighters and the police officers
13 that were projected to be laid off and also
14 this list included what type of coverage
15 they had for the previous year, so I used
16 exact numbers that the current business
17 administrator at the time had quoted in the
18 newspaper to add back to the expenditures
19 that we were projecting as far as health
20 insurance is concerned for the firefighters
21 and the police.

22 For the clerical union and nonunion
23 additions, the number that was used was an
24 average amount based on the total cost for
25 health insurance divided by the number of

1 employees that were employed by the city and
2 that average came out to around 12 to 13
3 thousand dollars per employee.

4 Therefore, if the administration is
5 projecting a shortfall due to health
6 insurance, they are admittedly saying that
7 the numbers they provided in the 2011
8 operating budget and the numbers that were
9 submitted to the Scranton Times were
10 ultimately false if, in fact, we have a \$5
11 million deficit due to health insurance.

12 With all of this being said, we knew
13 that in 2010 there was \$2.9 million paid
14 back to the Worker's Compensation Trust Fund
15 from the general fund. As the 2009 audit
16 indicated, \$2.9 million was due back from
17 the general fund to the Worker's
18 Compensation Trust Fund at the end of 2009
19 that was apparently paid back in 2010. We
20 also know that \$5 million was borrowed from
21 the Worker's Compensation Trust Fund in 2010
22 and later paid back most likely in 2011; and
23 that, furthermore, Mr. McGowan projects that
24 there will be a deficit of \$5 million in
25 2011.

1 These numbers seem to add up quite
2 perfectly. How could health insurance cost
3 really cause the deficit if the amounts that
4 council used to add workers back into the
5 budget were based on the administration's
6 numbers themselves and how could it be
7 council's revenue projections if Mr. McGowan
8 admits in the report that he submitted to
9 the State of Pennsylvania that the amount of
10 the revenue he projects the city will
11 realize is more than what council projected
12 that the city would realize?

13 I just find it curiously odd that we
14 the amount of money that we borrow from the
15 Worker's Compensation Trust Fund and
16 subsequently paid back is equal or just
17 about equal to the deficit that business
18 administrator Ryan McGowan is projecting.
19 However, he does quote in the newspaper that
20 this will not contribute to any deficit or
21 shortfalls due to the fact that we had to
22 pay it back in 2011.

23 It just doesn't seem to all add up
24 and the fact that they're submitting to the
25 state that health insurance costs are going

1 to result in a \$5 million shortfall almost
2 solely by themselves is very curious being
3 that we used the numbers that ultimately
4 they provide. So what are they saying, that
5 their numbers are wrong? I just find it
6 awfully odd.

7 With that being said, I have a few
8 citizens' requests: First, a representative
9 of the Keyser Valley Community Center
10 informed me that due to cracks and holes in
11 the parking lot along with the way it is
12 paved any time it rains extremely large
13 puddles form making it very difficult to
14 access the center without getting your foot
15 stuck in a large puddle. The representative
16 from the center informed me that this
17 parking lot is considered city property.

18 With this in mind, Mrs. Krake, can
19 you please check to see if Keyser Valley
20 Community Center, the parking lot, is in
21 fact considered to be city property, and if
22 it is please contact Mr. Brazil notifying
23 him of this situation and ask him if the
24 parking lot can be paved or at least patched
25 up so that this problem is resolved.

1 Beach Street entrances of the South Side
2 Shopping Center and South Side Bowl which
3 are making entering and exiting places of
4 business very difficult. Mrs. Krake, if you
5 could please also add this to the letter to
6 Mr. Brazil, and that is all for tonight.

7 MR. ROGAN: Mrs. Evans, I would just
8 like to comment on what Mr. Joyce said.
9 What you mentioned about Mr. McGowan it
10 really reiterated what I was saying about
11 what we are up against, you know, with the
12 department heads that really don't want to
13 cooperate with city council and they are
14 trying to hide information, they are
15 deceitful, and it's unfortunate that
16 Mr. McGowan seems to be going down the same
17 path as Mr. Renda, and I know just from
18 being on council and watching the meetings
19 over the years that, you know, the current
20 business administrator and the past business
21 administrator have not been on the ball with
22 responding to the public and with making
23 information known and correct information
24 and, unfortunately, with Mr. McGowan it
25 started with the incident with the money

1 that wasn't missing from the tax office that
2 he said was missing.

3 I'm glad I didn't vote for
4 Mr. McGowan. I believe just like many of
5 the other department heads he is not doing
6 the job. He is not answering to the people
7 and, you know, it's not council that's not
8 doing their job, it's the administration. I
9 rarely comment on financial issues because
10 Mr. Joyce does such a good job explaining
11 them, but, you know, it just goes to show
12 you that the mayor and his administration
13 really seems like they don't even want to be
14 here. That's it.

15 MR. JOYCE: Well, with your comment,
16 I'm just going to say, you know, it's just
17 very frustrating when you see a comment pop
18 up in the newspaper that says it's council's
19 overestimation of the revenue that will
20 cause budget shortfalls, but yet at the same
21 time you submit a report to the State of
22 Pennsylvania on March 1 stating that it's
23 projected that the city will realize more
24 money than what council originally
25 projected. That's all.

1 MR. ROGAN: I agree with you
2 completely, and it's like once they say one
3 thing to one person and one thing to another
4 and, you know, this job would be so much
5 easier and we would be able to get so much
6 more done if we had cooperation from the
7 administration which, unfortunately, is
8 lacking.

9 MR. JOYCE: I'm finished.

10 MS. EVANS: Good evening. First, I
11 wish to update the public regarding
12 streetlight repairs. Last week the city
13 reversed course and decided to allow Joyce
14 Electrical to purchase it's own supplies and
15 equipment. As a result, the company was
16 able to enter all streetlight complaints
17 into it's system and began streetlight
18 repairs effective Friday, March 25, 2011.
19 In fact, I was notified by a resident of
20 Alder Street during this past weekend that
21 the two streetlights on Alder Street had
22 been repaired.

23 Further, PPL electric utilities has
24 forwarded streetlight reports it has
25 received from Scranton residents to Joyce

1 Electrical as well. More importantly,
2 Scranton residents are now able to report
3 streetlight outages by logging onto the city
4 of Scranton's website, clicking DPW, and
5 then clicking onto NEPALIGHTS.com. Please
6 be sure to include the pole number when
7 reporting an outage. And once again, that
8 is NEPALIGHTS.com.

9 Last week, council received
10 responses to it's questions regarding permit
11 parking issues at Community Medical Center.
12 Consequently, related legislation will be
13 added on council's agenda on Tuesday, April
14 5, 2011.

15 Next, rumors are swirling of
16 impending public safety and service layoffs.
17 Council members have received numerous phone
18 calls, e-mails, and visits regarding such
19 rumors that are being circulated by city
20 administrator's to the DPW and Scranton
21 police and fire departments. I have been
22 told that the mayor intends to layoff more
23 than 20 police officers and 40 firefighters.
24 I was not provided with a number for the
25 DPW, but I would expect it is similar.

1 In truth, these rumors first began
2 in late December following the passing of
3 the 2011 budget. They have grown in
4 frequency during the three successive months
5 until now when they have peaked into the
6 following: The mayor intends to inflict
7 massive layoffs prior to the May primary
8 election, and workers may receive notices
9 within the next two weeks.

10 I don't believe the mayor should
11 quietly resort to frightening and
12 threatening employees with layoffs through
13 his administrators. Why not let the
14 taxpayers know the truth. Scranton
15 residents are savvy. They know precisely
16 what is going on and what the motivation is.
17 City council reinstated all public safety
18 positions to keep the police -- or, excuse
19 me, to keep the people and our city safe.

20 Now, three months into a new budget
21 year the Doherty administration is looking
22 for layoffs. Facts demonstrate that the
23 Doherty administration runs out of money
24 each year in August or September and
25 payrolls can't be made. In fact, city

1 council has a very recent statement from the
2 city controller that verifies lack of
3 funding for payroll in a prior year. The
4 administration then raids the Worker's Comp
5 Trust Fund and injects the money into the
6 current year's budget to make payroll and
7 complete the financial year. They did it in
8 2009 and again in 2010. They take money
9 out, save the budget, pretend they produce a
10 balanced budget and then replace the money
11 using tax anticipation notes in the spring
12 of the following year until they take it out
13 again in the fall, finishing the year, and
14 pay it back the following spring and so on.

15 It doesn't appear in any of the
16 annual budgets. The problem with this
17 process is that it requires council action,
18 which the Doherty administration ignored.
19 Apparently, they didn't want you to know how
20 their finances really operate.

21 Having repaid the \$5 million the
22 Doherty administration took in November of
23 2010, they now have created a \$5 million
24 budget deficit in 2011. Since council made
25 this information public, the Doherty

1 administration hopes to spin it's budget
2 hole into layoffs just in time for election
3 day. If council had not discovered this
4 practice, it seems the Doherty
5 administration may have quietly borrowed
6 back the \$5 million this fall to make
7 payroll and pay it's bills as it has
8 historically done. Again, the only
9 difference is that city council learned the
10 truth and told you, the people.

11 Should the Doherty administration
12 layoff police, fire, and DPW workers?
13 Absolutely not. They have many available
14 options to fill their budget hole. They can
15 once again borrow from the Worker's Comp
16 Trust Fund which they have done, as I said,
17 for the last two years to meet payroll and
18 in this case they can repay the fund over a
19 five-year period as it allowable according
20 to the labor department.

21 Because they would no longer be
22 hiding their actions, the administration
23 would not have to rush to replace the full
24 amount before anyone found out.

25 They can refinance the Doherty debt

1 as recommended by PEL several weeks ago.
2 They can sell or lease the parking garages
3 on 60 days notice to the Parking Authority.
4 They can privatize the Sewer Authority as
5 Mayor Connors and Mr. Doherty agreed to do
6 while he sat on council as it's Finance
7 Chair. In 2000, the city had no money for
8 payroll and bills, yet neither Chris Doherty
9 nor Mayor Connors insisted on massive DPW,
10 police and fire layoffs. Rather, a solid
11 agreement was quickly obtained by then
12 Councilman Reap and the budget hole was
13 filled jointly by the mayor and council.

14 Whatever the mayor wishes to do in
15 2011, he cannot do it alone. In the event
16 of a deficit, the mayor must recommend
17 solutions for which only council may make
18 appropriations. As we noted in Court last
19 spring, the budget language of the Home Rule
20 Charter and the Administrative Code is very
21 specific.

22 Ladies and gentlemen, here is the
23 bottom line, layoffs in 2011 are simply
24 retaliation by the Doherty administration
25 for the reinstatement of public safety

1 positions and a desperate attempt to sway a
2 council election in order for the mayor to
3 resume complete control of council and,
4 therefore, even more importantly complete
5 control of the finances of the City of
6 Scranton.

7 City council is prepared to once
8 again fight for you and protect you, show
9 the Doherty administration that you won't
10 tolerate losing your safety and services for
11 it's private agenda.

12 Finally, I have citizens' requests
13 for the week: Residents of the 900 block of
14 Birch Street report that large dead trees
15 were marked for removal several years ago by
16 Mr. Santolli. They have contacted
17 Mr. Santolli throughout the years, but
18 unfortunately, the city never removed these
19 dangerous trees. One resident states that a
20 large chunk of tree fell down during a storm
21 over a year ago that would have crushed her
22 vehicle if she hadn't already left for work
23 five minutes earlier. The residents live in
24 fear during each storm and ask that the city
25 would reexamine these trees and remove them

1 when the weather improves.

2 Repair potholes on Boulevard Avenue.
3 Now, I am aware that that process began
4 recently and quite a number of potholes have
5 been taken care of on Boulevard Avenue, but
6 the residents report that there is still
7 remained a number that need to be addressed.

8 Residents of East Mountain report
9 that Lieutenant Glynn Thomas the SPD
10 recommend the posting of a "No parking this
11 side" sign on the west side of Yesu Lane.
12 The sign should be installed on the grassy
13 side several feet off East Mountain Road on
14 the side opposite of the houses.

15 A city resident reports two large
16 cracks running across the roadway on the
17 Parker Street bridge. He believes these
18 cracks may compromise the integrity and
19 safety of the bridge since all vehicle
20 weight is focused onto the middle bridge
21 rather than onto the entire span as
22 designated. He requests an immediate
23 inspection, and since the time that I
24 received this e-mail I received an
25 additional e-mail from a resident of the

1 area stating that the cracks appear to be
2 spreading with the passage of the time.

3 A city resident reports that
4 numerous vehicles parked illegally in
5 downtown courts while others park in clearly
6 marked "No parking" zones on downtown
7 streets without being ticketed.

8 Also, he reports that 15 to 20
9 vehicles park daily on Ridge Row in the Hill
10 Section and in courts off Prospect Avenue.
11 This is a safety issue and a lost revenue
12 source.

13 East Mountain residents ask if
14 Councilman McGoff, Councilman, if you could
15 help them, these residents of East Mountain,
16 please, to look into cleaning the area -- I
17 know we have talked about this in prior
18 years, cleaning the area at the top of the
19 Meadow Avenue and River Street in
20 observation of the Earth Day. They say they
21 have waited a very long time for this exit
22 and entrance to our city to be spruced up.

23 And finally, I do request from our
24 office, and poor Ms. Carrera, a proclamation
25 to honor Mr. Robert Quinn's service not only

1 to the Scranton Taxpayers' Association, but
2 to the people of our community in the many
3 endeavors that he has participated in
4 through the years. And that's it.

5 MR. MCGOFF: Mrs. Evans, I thought
6 somebody else was going to mention this that
7 we received, I was wondering if we could
8 contact or send a letter to the Scranton
9 Police Department asking why there is a
10 police officer on Davis Street near the
11 Maine's Food Store between the hours of 4
12 and 6 p.m. Someone else had asked me about
13 this before, and I'm sorry but I did forget
14 to ask about it, but apparently it's not
15 just patrolling it's actually parked on
16 Davis Street between those hours and not
17 quite sure why, and the resident would like
18 to know who is paying for it and what's the
19 cost.

20 MS. EVANS: Thank you very much.

21 MR. MCGOFF: Thank you.

22 MS. KRAKE: 5-B. ACCEPTING THE
23 RECOMMENDATION OF THE HISTORICAL
24 ARCHITECTURE REVIEW BOARD ("HARB") AND
25 APPROVING THE CERTIFICATE OF APPROPRIATENESS

1 FOR A+SIGNS, INC., 259 SOUTH KEYSER AVENUE,
2 OLD FORGE, PENNSYLVANIA, FOR INSTALLATION OF
3 ONE SINGLE-SIDED SIGN ON FRONT FASCIA OF
4 BUILDING; ONE NON-ILLUMINATED PANEL TO BE
5 4' 6"X 28'; LETTERS ON PANEL TO BE
6 INTERNALLY ILLUMINATED CHANNEL LETTERS;
7 LETTERS TO BE INTERNALLY ILLUMINATED
8 WITH LED LIGHTING SYSTEM; LETTERS TO BE
9 FABRICATED OF ALUMINUM RETURNS WITH PLEXI
10 GLASS FACES AND EXISTING AWNING TO BE
11 REPLACED WITH BURGANDY COLORED FABRIC AT 135
12 WYOMING AVENUE, SCRANTON, PENNSYLVANIA.

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

16 MR. ROGAN: So moved.

17 MR. JOYCE: 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: SIXTH ORDER. NO
3 BUSINESS AT THIS TIME. SEVENTH ORDER. 7-A.
4 FOR CONSIDERATION BY THE COMMITTEE ON
5 COMMUNITY
6 DEVELOPMENT FOR ADOPTION-RESOLUTION NO. 17,
7 2011 - AUTHORIZING THE MAYOR AND OTHER
8 APPROPRIATE CITY OFFICIALS TO GRANT A
9 SPECIAL ENCROACHMENT PERMIT TO CARL VON
10 LUGER, LLC, TO OPERATE AN OUTDOOR RESTAURANT
11 AT THE CORNER OF NORTH WASHINGTON AVENUE AND
12 LINDEN STREET (301 NORTH WASHINGTON AVENUE)
13 SCRANTON, PENNSYLVANIA.

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

17 MR. ROGAN: As Chairperson for the
18 Committee on Community Development, I
19 recommend final passage of Item 7-A.

20 MR. JOYCE: Second.

21 MS. EVANS: On the question?

22 MR. ROGAN: Yes. I would just like
23 to wish the owners of the restaurant good
24 luck and I look forward to eating there.

25 MS. EVANS: Anyone else? Roll call,

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please.

MS. CARRERA: Mr. McGoff.

MR. MCGOFF: Yes.

MS. CARRERA: Mr. Rogan.

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-B legally and lawfully adopted. If
there is no further business, I'll entertain
a motion to adjourn.

MR. JOYCE: Motion to adjourn.

MS. EVANS: This meeting is
adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER