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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, April 5, 2011

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

JANET EVANS, PRESIDENT

PAT ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. CARRERA: Mr. Loscombe.

9 MR. LOSCOMBE: Here.

10 MS. CARRERA: Mr. Joyce. Mrs. Evans.

11 MS. EVANS: Here. Dispense with the
12 reading of the minutes.

13 MS. KRAKE: 3-A. AGENDA FOR THE
14 ZONING HEARING BOARD MEETING TO BE HELD
15 APRIL 13, 2011.

16 MS. EVANS: Are there any comments?
17 If not, received and filed.

18 MS. KRAKE: 3-B. CONTRIBUTION WAS
19 MADE BY BUONA PIZZA INCORPORATED IN THE
20 AMOUNT OF \$200 TO BE USED FOR MANPOWER FOR
21 THE CITY'S PUBLIC SAFETY DEPARTMENT.

22 MS. EVANS: Are there any comments?
23 Once again, we thank Mr. Piccolino for his
24 very generous donations to our city's public
25 safety department. Received and filed.

1 Clerk's notes?

2 MS. KRAKE: Yes, we have a few this
3 evening, Mrs. Evans. We have a response
4 from our city controller, Roseanne
5 Novembrino, and she tells us there are two
6 RE-RE vouchers issued, the first in February
7 for \$5,000 for contributions to Scranton
8 Tomorrow and the second was made March 9,
9 it's reimbursing the RE-RE fund from the
10 EBCG account and that was for \$582.85.

11 MS. EVANS: Very good. And I'm sure
12 that the withdrawal that was made by the
13 mayor in February would have occurred prior
14 to final passage of council's legislation
15 prohibiting that.

16 MS. KRAKE: Yes.

17 MS. EVANS: Thank you.

18 MS. KRAKE: Our next response is
19 also from Mrs. Novembrino, the city
20 controller, she tells us that the only
21 accounts the controller's sees Attorney Carl
22 Greco being made from would be the law
23 department, professional services account,
24 and the flood account.

25 MS. EVANS: Thank you.

1 MS. KRAKE: The third is also from
2 the city controller. DPW's overtime per our
3 request was paid from the highway department
4 to Department 83, nine men working on St.
5 Patrick's Day on March 12, and three working
6 March 13 for a total of 105.2 hours.

7 MS. EVANS: And I would assume that
8 would be at time and a half.

9 MS. KRAKE: Yes. So the total is
10 \$8,236.68.

11 MS. EVANS: Thank you.

12 MS. KRAKE: Next from our
13 controller, the city contributed from the
14 RE-RE account last year \$5,000 to the St.
15 Patrick's Day parade association. The
16 president is Tom Halinan, they had requested
17 that donation, and Ken McDowell, director of
18 financial development. And to the Armed
19 Force's Committee from the RE-RE account
20 last year \$120, and that was requested by
21 Mr. Tyson. Actually that was for ten
22 tickets at a luncheon at \$12 each.

23 MS. EVANS: Thank you.

24 MS. KRAKE: The next, also from our
25 controller, we had sent requests that city

1 resident and frequent speaker Marie
2 Schumacher had made, and she said she needed
3 to refer this letter to the Right-to-Know
4 officer in order to provide her with the
5 proper answers. Those questions were
6 concerning the Tripp Park Development,
7 worker's compensation it's funding and
8 borrowing from the worker's compensation.

9 MS. EVANS: Thank you.

10 MS. KRAKE: And finally, we have an
11 announcement that Mr. Tom Preambo has
12 resigned as president of the Plot
13 Neighborhood Association.

14 MS. EVANS: And we would like to
15 thank Mr. Preambo for his many years of
16 service and dedication to the Plot
17 Neighborhood Association as it's president.
18 I know that he will remain an active member,
19 but it certainly is a great loss to that
20 neighborhood and I'm sure to the city.

21 MS. KRAKE: And that's it.

22 (Mr. Joyce takes the dais and joins
23 the meeting.)

24 MS. EVANS: Thank you, Mrs. Krake.
25 Do any council members have announcements at

1 that time?

2 MR. MCGOFF: Please. I just have
3 the one. This coming weekend, April 9, the
4 Easter Eggstravaganza at Harmon Field for
5 Matthew's Mission. Proceeds going to people
6 with disabilities. It's an Easter egg hunt
7 and family activities starting at 11 a.m.
8 with the Easter egg hunt beginning at 11:30.
9 A very worthy cause and I'm sure a really
10 nice family day. So please join with them.

11 MS. EVANS: Thank you, Mr. McGoff.
12 Any other announcements tonight?

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

15 MS. EVANS: Our first speaker this
16 evening is Marilyn Murphy Holden.

17 MS. HOLDEN: Marilyn Murphy Holden,
18 West Scranton resident and taxpayer. Good
19 evening, members of city council.

20 MS. EVANS: Good evening.

21 MS. HOLDEN: I felt compelled to
22 come before you tonight to clarify for the
23 public record an article published in the
24 April 3, 2011, addition of the Sunday Times
25 newspaper. I had never before spoken with

1 the Scranton Times and I was shocked and
2 appalled by the way the writer
3 misrepresented and twisted my statements.

4 First, I apologize, Mrs. Evans, for
5 the newspaper's attempt to draw city council
6 president into the controller's race. At no
7 time did I state that I have the backing of
8 Mrs. Evans. The Scranton Times fabricated
9 that statement. In fact, I believe that the
10 controller should be completely neutral in
11 order to serve only the people. The city
12 controller should not be beholden to any
13 mayor or any city council in return for
14 their support.

15 Second, I never stated that Mrs.
16 Novembrino is inept. I am running a clean
17 campaign based on the controller's record.
18 I would never stoop to the personal attacks
19 as the newspaper writer did.

20 Third, I did say that I would work
21 for the people. I will not work for the
22 mayor and not for council, I will be the
23 watchdog of the taxpayer's money.

24 In addition, although my opponents
25 credentials were printed, my work history as

1 operation's manager, compliance officer and
2 Bank Secrecy Act Officer in local credit
3 unions was ignored. When I called the
4 reporter on the carpet about this outrageous
5 article yesterday, his simple response was,
6 "That's politics."

7 Since the newspaper more than likely
8 would not print corrections, I appreciate
9 this opportunity to address the twisted spin
10 of the newspaper and to present the truth to
11 the public. I thank you for your time.

12 MS. EVANS: And Betty and Tom
13 Moreken. I'm sorry, Betty and Tom Moreken.

14 MR. BURKE: Before we start, could I
15 approach and give you something?

16 MR. JOYCE: Absolutely.

17 MR. BURKE: Here is our poster.
18 This will give you a better idea what we are
19 saying.

20 MS. EVANS: Thank you.

21 MS. MOREKEN: Good evening. We are
22 Betty and Tom Moreken. We are residents of
23 East Scranton and taxpayers. We are here
24 today tonight to tell -- here tonight to
25 tell you of an event that we are planning,

1 Tour De Scranton, a noncompetitive bike ride
2 which offers groups for the novice and the
3 skilled rider. Tour De Scranton date will
4 be held on May 1 and registration is at
5 Scranton High School. Again, this year,
6 too, we are offering a tour on foot which is
7 a walk and group one will both -- they will
8 be coming from the Lackawanna River Heritage
9 Trail, which is new, we opened, it's a
10 beautiful trail. The cost is \$30 for
11 registration and can also be pledged --
12 people that are riding in the event will get
13 pledges for that, also.

14 It's for the whole family, the West
15 Scranton students this year are helping to
16 plan the tour on foot, they are using it as
17 a senior project, some of the students are.
18 All of the money raised benefits the Erin
19 Jessica Moreken Drug and Alcohol Treatment
20 Fund which we have established, and Tom will
21 tell you about that.

22 MR. MORGAN: The Erin Jessica
23 Moreken Drug and Alcohol Treatment Fund was
24 established in 2002. Our daughter, Erin, a
25 Scranton graduate, died of a drug overdose,

1 a heroine overdose, in June of 2002, and we
2 wanted to do something positive out of her
3 death that would benefit individuals, young
4 people, as well as their families and what
5 we did was we established this fund.

6 And our mission statement is that
7 this fund was established to provide
8 charitable gifts to qualified organizations
9 for individuals struggling with the disease
10 of addiction, and we have done that for the
11 past eight years and what we have done with
12 that money is contributed to different
13 organizations.

14 We have made generous contributions
15 to the Lackawanna County Treatment Court
16 under Judge Barrasse and Judge Geroulo. We
17 have also donated charitable gifts to a
18 womens' sober home in the area, several
19 different years. We have given charitable
20 gifts to individuals who otherwise would not
21 be able to afford inpatient treatment,
22 obvious scholarships, and we have donated
23 money to purchase books with the Abington
24 Library, which is a series of drug and
25 alcohol books for parents and young people

1 to read, and they can be accessed to
2 anywhere in the county library system.

3 We've had a very good successful
4 turnout the past two years with the bike
5 riders. The weather surely helps us. When
6 the weather is good we have quite a few more
7 than we do when the weather is a like today.
8 The very first year we had, I think, 100
9 riders. With a day like today with snow in
10 high 30's and other years when the weather
11 was good we've had over 400 people and
12 that's generally been the case the past four
13 or five years where we have three to 400
14 people riding, walkers are in addition to
15 that.

16 I'll turn this over to Bill Burke at
17 this time.

18 MR. BURKE: Yeah, I would just take
19 you back about eight years ago after Erin's
20 death and Betty and Tom called us, Carol and
21 myself and a bunch of the friends together,
22 "What can we do to make sure that other
23 children won't have the same problem?"

24 And I suggested a bike ride because
25 we had marathons because we had

1 walk-a-thons. Everybody told me I must be
2 out of my mind because there were no bicycle
3 rides in the area, but lo and behold we did
4 it and we now -- since then we've had to
5 add, the last part of our ride actually goes
6 to Susquehanna County, and on your brochure
7 you will see that. That's the metric
8 century, and that's the most aggressive part
9 of the ride. It's pretty hilly. Once you
10 get out Forest City and you start going
11 north it's hilly.

12 And so by doing the ride, also, I'm
13 a bicyclist, so I'm firmly committed that we
14 say in bicycling, bicycling is such a
15 pervasive activity that if you're hooked on
16 biking you are not going to be hooked on
17 something else, and these days with obesity
18 and all of the health things and all of that
19 we couldn't do our children a better favor,
20 in my opinion, than to get them hooked on
21 bicycling.

22 We have gone outside of our area, we
23 have gone to the southern tier of
24 Binghamton, we have gone to Easton, we've
25 gone to Bucks County, Philadelphia, and New

1 Jersey and we are bringing people in from
2 there. The advantages to the ride, we tell
3 them, you are going to see, as the brochure
4 will tell you, the beautiful Lackawanna
5 Valley.

6 We are in Scranton from Scranton
7 High to Boulevard Avenue. After Boulevard
8 Avenue we are out of the city and we pretty
9 much follow the river all the way to
10 Carbondale. After that, we go up in the
11 mountains. So it's a great ride, we want to
12 get as much publicity out for it as we can,
13 and that's why we are here tonight and we
14 appreciate the time you have given us and
15 certainly if any of you would like to show
16 up at around 9:00 on May 1 at Scranton High
17 you would be more than welcome, and think of
18 us and pray for good weather. Thank you.

19 MS. EVANS: Absolutely. And we were
20 given a lovely poster this evening,
21 advertising the event, and I'll ask that
22 this is posted in city hall. It certainly
23 is a very, very worthy cause and I commend
24 you on behalf of city council for taking a
25 tragedy and turning it into something so

1 very positive for our young people and any
2 of our citizens who struggle with
3 addictions.

4 So thank you so much for all you do
5 and certainly we will continue to announce
6 this weekly for you and encourage everyone
7 who is able to please participate in the
8 Tour De Scranton on May 1.

9 MR. BURKE: The audience we would
10 like to develop, obviously, would be young
11 teenagers who can get on a bike and do very,
12 very well.

13 MS. EVANS: Absolutely.

14 MR. ROGAN: Do you have any extra
15 fliers with you?

16 MR. BURKE: I don't have them, but
17 you know what I'll do, I'll bring them to
18 Nancy sometime this week. I was in to see
19 her today, I'll get more fliers and bring
20 them to you, okay?

21 MS. EVANS: Thank you.

22 MR. ROGAN: Thank you.

23 MR. BURKE: And the main thing is if
24 you can -- you know a lot of people,
25 obviously, and some of you are candidates

1 for office, so as you are meeting people if
2 you would tell people along with asking them
3 to support you, tell them about our bike
4 ride. That's what we are trying to do.
5 Take care.

6 MR. JOYCE: Absolutely. Thank you
7 very much.

8 MS. EVANS: Thank you so much. Our
9 next speaker is Andy Sbaraglia.

10 MR. SBARAGLIA: Andy Sbaraglia,
11 citizen of Scranton. Fellow Scrantonians,
12 I'm here on your agenda here on your 5-B, it
13 has to do with the parking meters, the
14 removal of such. Now, CMC is willing to pay
15 us \$2,000 a year, I guess, for each of the
16 meters that is being removed. I have
17 nothing against that, but why does the
18 Scranton Parking Authority got their hands
19 in it? When you park at a meter you
20 basically rent a space inside of the city.
21 Now, CMC wants to lease a space with inside
22 the city. The Parking Authority is only
23 there to police the meters. You're removing
24 the meters, so we really have do need to
25 have them police it. You are talking about

1 sending that check to the Scranton Parking
2 Authority instead of our Treasurer's Office.
3 That doesn't make sense. That money should
4 be go directly to the city, we need every
5 penny we can get and let the Parking
6 Authority do what they have to do to get
7 their house in shape.

8 We know they are in verge of default
9 and this -- but the city is also on the
10 verge of default, so let's get the money
11 into our Treasury Office and the heck with
12 the Parking Authority and the CMC can police
13 their own parking. Once they rent the
14 spaces, it would be up to them if they got
15 their own police up there to go around and
16 if that person doesn't have a sticker on
17 their vehicle then the sticker could be
18 issued by the hospital themselves and if
19 they don't have a hospital sticker, well,
20 then they could be towed at their own
21 expense like everywhere else. I can't see
22 even letting the Parking Authority get a
23 penny of that \$156,00.

24 Okay, let's go to 7-B, we are back
25 to the sidewalks again at the Connell. Why

1 are we entertaining the Connell building
2 when the sidewalks in the 500 block of
3 Lackawanna Avenue are not completed? They
4 should be done first, that project was
5 before the Connell. You should do whatever
6 you have to do to say to the city you must
7 fix all of the sidewalks, the public
8 sidewalks, on the 500 block of Lackawanna
9 Avenue and the original legislation called
10 for the fixing of the sidewalks in the 500
11 block of Lackawanna Avenue. It has nothing
12 to do with the project. They're public
13 access and they should have been done at
14 that time, and the mayor should never have
15 been able to say, whoever said it, unless
16 you sign off on then you couldn't get your
17 sidewalks.

18 But the main point of this whole
19 thing is every resident inside of the city
20 has to fix their own sidewalks. Why do we
21 all of a sudden figure we have to fix the
22 sidewalks of a few individuals, not only
23 after they had their hand out and took
24 millions of dollars off of us, and then they
25 have the nerve to say, "Fix our sidewalks."

1 Give me a million dollars, I'll fix
2 my sidewalk, I won't ask you for a penny and
3 I'd probably do a better job. This has got
4 to stop. The citizens should come first,
5 not the businesses. We need the business
6 community, but they should not be first.
7 The citizens of the whole city should be
8 first and, in fact, if you look at the money
9 pouring into the city you find it mostly the
10 citizens and not the business community
11 that's pouring money into this.

12 It's the citizens of the City of
13 Scranton that's keeping us afloat and our
14 priorities should be to the citizens of
15 Scranton. I thank you.

16 MS. EVANS: Thank you,
17 Mr. Sbaraglia. Mrs. Krake, if you would
18 please pull all legislation pertaining to
19 the grants for the street scape at the 500
20 of Lackawanna Avenue and then if our
21 solicitor, Attorney Hughes, could take a
22 look at those and advise council as to how
23 we might be able to proceed in perhaps
24 having those right-of-way sidewalks taken
25 care of at both ends of the 500 block of

1 Lackawanna Avenue.

2 MR. HUGHES: I have a little bit of
3 knowledge about that. It's my understanding
4 that the entire unit block was to be
5 improved with new sidewalks.

6 MS. EVANS: Yes.

7 MR. HUGHES: However, Mr. Moran, Mr.
8 Staldoni, Mr. Piccolino and M & S were
9 written out of the project. At this point I
10 don't know what happened to the rest of the
11 money in the grant, but the sidewalks were
12 only installed for the area for the 500
13 Development Corp and not for the rest of the
14 block even though all of the plans were
15 approved by PennDOT to do the complete
16 project. How that occurred, I don't know,
17 but I believe the original plans were to do
18 the entire sidewalks for that block.

19 MS. EVANS: Thank you. So if we
20 find the information this week if you could
21 please take a look at that and advise us
22 then, as I said, as to how best to proceed
23 because I do believe if, in fact, we are
24 able to proceed, Attorney Hughes, this
25 really should be addressed because, after

1 all, both locations you believe on each end
2 are public right-of-ways.

3 MR. HUGHES: I'll put it under my
4 pillow and maybe I'll get it by osmosis.
5 No, I'll take a look at it definitely.

6 MS. EVANS: Thank you. Our next
7 speaker is Lee B. Morgan.

8 MR. MORGAN: Good evening, Council.

9 MR. JOYCE: Good evening.

10 MR. MORGAN: I only have two things
11 tonight. One of them is I have done another
12 Right-to-Know letter and my question is for
13 the appropriate party is what projects were
14 done in the city for \$250,000 or more
15 without grants or loans in the last ten
16 years where the city is the sole payee?
17 Could I --

18 (Mr. Morgan approaches the dais.)

19 MS. EVANS: Thank you, Mr. Morgan.

20 MR. MORGAN: Now, the last thing I
21 have this evening is I think it's good for
22 the general public in the city and outside
23 of the city to know that the tax group had
24 an election and elected me to be the
25 president of the group, and I'd just like to

1 say to everyone there that I intend to come
2 to council as a private individual, as I
3 always have, with my hoodie, my sweatshirt
4 and my jeans because that's who I am. And
5 when I go to represent the group like I did
6 at the North Scranton Neighborhood
7 Association then I'll dress similar to you.

8 I just think it's really important
9 for everybody to understand that in my
10 opinion the tax group and the citizens
11 association is a nonpartisan group, not
12 opposed to council, not opposed to the
13 mayor. I think in my opinion we move in the
14 best interest of the public and that's what
15 our intentions are and at no time do I
16 intend to be disrespectful to anyone, but I
17 intend to say who I am and I just hope that
18 a lot of people would join the group, get
19 involved. At times the group may be in
20 support of efforts of council or efforts of
21 the mayor or, you know, outlying
22 communities.

23 But I just want everybody to
24 understand that I think it's time for not
25 just people in Scranton but throughout all

1 of the communities to come together. I
2 think neighborhood groups are very
3 important, you know, council mentioned the
4 Plot Neighborhood Association today, and I
5 would just like add and let everyone
6 understand that we went to the North
7 Scranton Neighborhood Association. I was
8 going to go to meeting tonight, but, of
9 course, I have a conflict because I would
10 like to be here, and I just want everyone
11 everywhere throughout the county that can,
12 you know, receive this that we are going to
13 reach out to everyone and, you know, I
14 appreciate your time. Thank you.

15 MS. EVANS: Thank you, Mr. Morgan,
16 and congratulations on your new position.

17 MR. JOYCE: Congratulations.

18 MS. EVANS: Doug Miller.

19 MR. MILLER: Good evening, Council.
20 Doug Miller, Scranton.

21 MR. JOYCE: Good evening.

22 MR. MILLER: I'd like to begin this
23 evening by personally thanking Councilman
24 Loscombe for his efforts on behalf of the
25 majority of the Scranton City Council to ban

1 the sale of the bath salts throughout the
2 City of Scranton. I think those efforts
3 really showed leadership and certainly sends
4 a strong message to all that the majority of
5 council truly are guardians for all
6 Scrantonians.

7 Last Wednesday, a news conference
8 was held outside of the Lackawanna County
9 Courthouse regarding this matter and the
10 following day I did notice a photo in the
11 Scranton Times that showed a few of the
12 officials that were in attendance, and I
13 believe that also included Mr. Loscombe.
14 Unfortunately, Councilman Loscombe was cut
15 out of this picture, and it's pretty obvious
16 when you look at it that you can see it was
17 intentional.

18 As a citizen I took personal offense
19 to this. I don't believe that this serious
20 matter should have been made political.
21 Councilman Loscombe did spearhead these
22 efforts and should not have been excluded
23 from this photo.

24 Recently Governor Corbett announced
25 a full slate of cuts within our school

1 system which will ultimately affect our
2 school district by taking away valuable
3 components used to provide our students with
4 the proper education. I strongly encourage
5 the governor to act swiftly and ensure that
6 bath salts and other harmful products will
7 not be tolerated in our schools. We have
8 all been made aware that this is a harmful
9 drug and can cause serious problems for
10 users and those nearby. We shouldn't be
11 jeopardizing the health and safety of our
12 students throughout the Commonwealth.

13 I am confident that through
14 Councilman Loscombe's efforts, Governor
15 Corbett and/or legislature will take action
16 on this serious issue.

17 Moving forward, I am interested to
18 know what procedures will be used to check
19 to see if someone is under the influence of
20 the bath salts. I understand that drug
21 testing does occur in the work places,
22 however, will the same tests pick up this
23 type of drug? Who will be responsible for
24 this testing? And will funding be made
25 available for the private sector to conduct

1 these tests? While this may be a burden on
2 society, saving a life is far more important
3 than the cost of prevention and education.

4 And lastly tonight, on Saturday I
5 had the pleasure of attending a social for
6 our good friend Jay Saunders. I want to
7 commend all those involved in putting this
8 amazing event together. The overwhelming
9 support that evening truly defined who we
10 are as Scrantonians. When the time comes we
11 always join together and we support one of
12 our own. I don't know if many other
13 communities can say the same, and I would
14 just hope that everybody would continue to
15 keep Jay and his family in their thoughts
16 and prayers. Thank you.

17 MR. ROGAN: Thank you. Carl
18 Kupchunas.

19 MR. KUPCHUNAS: Good evening. My
20 name is a Carl Kupchunas, I'm a life-long
21 resident of lower Greenridge. The reason
22 I'm here this evening is to get the word out
23 on what may be the social event of the year
24 in Scranton. As most residents know, the
25 Globe Store was one of the finest stores

1 that were ever in downtown Scranton for many
2 years. It was sad for many of us when the
3 Globe Store closed. Many of you probably
4 had their first real job at the Globe Store,
5 myself included. About a year ago I started
6 a fan group for the Globe Store on Facebook.
7 That group has now more than 1100 members,
8 many of which are currently residing in
9 other states.

10 A few months ago a group of us from
11 the Facebook group, which includes Rich
12 Miller, Lucia Paragrin, Cathy White, formed
13 a committee to have a reunion for former
14 employees and friends of the Globe Store.
15 Here are the details:

16 The Globe Store Reunion Committee is
17 pleased to announce "A Night to Remember."
18 A night with former Globe Store employees
19 and friends of the Globe. It will be held
20 Saturday, September 24, 2011, between 5 p.m.
21 and 11 p.m. at the Clarion Hotel, 300 Meadow
22 Avenue in Scranton, Pennsylvania.
23 Entertainment will be provided by Far
24 In-between, buffet -- there will be a buffet
25 with a cash bar available. The price is

1 first that we are having a money saver of
2 \$29.50 if paid by April 25, 2011, \$39.50 by
3 August 31, and \$41.50 after August 30. No
4 reservations will be accepted after
5 September 17, 2011. Reservations will only
6 be accepted with full payment only.

7 Come out and enjoy the night with
8 old friends and possibly make new friends.
9 Reservations can be made by calling Lucia
10 Paragrín at 558-9247 or Cathy White at
11 341-9220. Also, if anyone has any pictures
12 or memorabilia that they would like to share
13 at this event you can contact me, Carl
14 Kupchunas, 342-3096. There is additional
15 details on the Facebook under Globe Store
16 Reunion. Remember, please call either Lucia
17 or Cathy at the numbers I mentioned if you
18 would like to attend this event.

19 Most importantly, a donation to for
20 the Sound for Scoliosis charity will be
21 given from the event. We hope to see you
22 therefore a night of fun and memories at the
23 same time supporting a very worthy cause.
24 I'll leave a few sheets with the council
25 with information and phone numbers, and

1 thank you very much for your time, and this
2 is some of the information if anybody
3 happens to be interested. Thank you very
4 much.

5 MR. JOYCE: Thank you.

6 MR. ROGAN: Thank you. Mr. Ellman.

7 MR. ELLMAN: I don't have much to
8 say, I won't need any of Phyllis' minutes.
9 I think Andy opened up a Pandora's box
10 mentioning the sidewalks. They will
11 probably end up billing the city or getting
12 some multi-million dollars grants from the
13 state to finish them.

14 Yesterday, I was at the end of my
15 driveway, I need another shovel like all of
16 the guys from the Scranton Sewer Authority
17 do, where you see 14 of them talking to some
18 guy in the backhoe, and a car stopped and
19 said, "I know your little funny looking
20 face," and he wanted to talk about the jail
21 with me for a minute, and I'll get to that.

22 I had a taxpayer ask me if there was
23 some way that the mayor could loan the city
24 that paint striper they used to make the
25 streets green to just to go all over the

1 city where there is no lines anymore, you
2 know? He said he would be happy if it was
3 green lines where to turn each day.

4 Then I got a note here about
5 Mr. Casey came out of hibernation, he said
6 something I'd liked in the paper, but I
7 forgot what it was so I won't talk about
8 that.

9 Now, about the jail. I know it's a
10 county jail, but it's a city problem, too.
11 You know, when they lost the federal funding
12 it cost your budget, didn't it? This isn't
13 a problem with the cards, you talk to
14 inmates, it's a problem with the
15 commissioners from Gilhooley and Hillberg
16 years ago this place has been a runaway
17 train of graft and corruption and it's that
18 way at this very day. It just needs to be
19 taken under toe, God.

20 You know, this city every time you
21 try to get something done you run into
22 politics, you know, it's somebody says,
23 "Well, you do this for me now and I'll catch
24 up with you down the road."

25 It's that way right up to now with

1 every -- no matter where you go and try to
2 talk to anybody. It looked like -- it
3 looked like we could sure get some fresh
4 blood into the government like we have up
5 here.

6 Well, I did have something to say
7 some more about the jail, but I better not.
8 I might get -- my mouth might get somebody
9 else in trouble, but I just never -- I'm
10 pretty familiar with people in the
11 courthouse over the years and I met a lot of
12 them when I was working and there is so
13 many -- the people that are working in the
14 offices and all they are just all so easy to
15 work with, but you try to get ahold of a big
16 boss and they are never there. You phone
17 everybody you get, like I said years ago,
18 all you get is messages that they are not at
19 their desk. But, you know, you can get --
20 it seemed like the wrong people are always
21 promoted around here. The lesser people are
22 doing all of the work and there is just a
23 few, you know.

24 I see Mr. Seitzinger running around
25 town, who I didn't get off to a good start

1 with him, but I sure think he turned out to
2 work just for the city. He seems very
3 conscientious, but I phoned trying to find
4 out about building permits and things, you
5 can't get any help with stuff that
6 is supposed to be public.

7 What if you go upstairs and try to
8 find out about the facts and figures on the
9 new medical building over there being built?
10 It's like it's a secret, a government
11 secret, you know, it's not supposed to be.
12 You know, people are supposed to be able to
13 found out where all of this money is going.
14 There is just -- you wouldn't be trying so
15 hard for a budget if people would tell you
16 the truth or answer your phone calls or come
17 in here.

18 I need a minute. Just in leaving
19 real quick I'd like to say something about
20 Andy Jarbola and Mr. O'Malley addressing
21 that drug problem so quick and getting it
22 taken care of with the police department. I
23 just think that's great and I don't know the
24 particulars of it, but I think the way it
25 was just, what, four or five days it was

1 taken care of very, very good. Thank you.

2 MS. EVANS: Thank you, Mr. Ellman.

3 Is there anyone else who cares to address
4 council?

5 MR. CHAZIN: Jerry Chazin. And
6 incident happened on Saturday which I think
7 council should know about and find out if
8 this is an event that happens often or is
9 just a one-time shot. I'm a landlord in
10 Scranton, and the apartment in question was
11 condemned for unwholesomeness and raising
12 children in a very unhealthy atmosphere.
13 There were feces on the floor. The person
14 that was renting this happens to be a nurse,
15 and to make a long story short, Scranton was
16 called to condemn the apartment on the
17 Saturday and from four people renting it
18 they had to put up seven people for three
19 nights.

20 Now, I understand from the
21 supervisor that was there this is on
22 Scranton. Now, if a tenant has caused
23 problems upon themselves that now the place
24 they are living in is no longer liveable,
25 why should Scranton have to hold the costs

1 for it? We're in such tight stretches to
2 begin with, this just sounds ludicrous.

3 Now, when I tried to get to the
4 bottom of it, of course, nobody wants to
5 answer any real questions. I think you guys
6 should pass a bill which states, and make it
7 very public, that if a tenant is found to
8 cause an eviction by their own resources,
9 Scranton will not pick up the bill for them,
10 and they have to clean up the mess quickly.
11 This person, because I called the police
12 officer, will now not evict for at least two
13 more weeks because that's the amount of time
14 they gave her to take out her apartment. In
15 the mean time, she admitted she had not
16 cleaned her cooking utensils for two weeks
17 and the cockroaches running all over the
18 place and now it has gone to the lower
19 apartment.

20 I, as a landlord -- a land owner
21 have to mitigate my losses, but the city
22 won't let me. Why? Because I can't go in
23 and spray and fog until she is out. Well,
24 the city says she's got 14 days to get her
25 behind out, and that's ludicrous. If the

1 city wants to keep landlords and tenants,
2 then we all have responsibilities and
3 accountabilities. Democracy works two ways,
4 two sides, accountability and
5 responsibility, and as citizens we either
6 got to take the bull by the horns or we are
7 going to pay for whatever we are allowing to
8 happen.

9 More and more people coming in here
10 are coming in because we are a soft city.
11 We have people come in that should never
12 have been allowed in Pennsylvania, forget
13 just Scranton, and the unless we
14 Scrantonians stand up we are going to get
15 deluged with more and more undesirables and
16 until we have stiff laws saying, you know
17 what, you come in here, you have to earn the
18 right to live here. We don't owe you
19 anything. You mess up, go back where you
20 came from. There is no problem. We are not
21 going to put you in jail, but we don't want
22 you here. You don't contribute anything.

23 By the way, this half house that we
24 have in Scranton, you may think it
25 contributes to the welfare economically, but

1 the kind of people we let into the streets
2 from this halfway being in Scranton is
3 horrible. We should put this halfway house
4 somewhere outside of Scranton. Thank you.

5 MR. LOSCOMBE: Thank you.

6 MS. EVANS: Thank you, Mr. Chazin.
7 Mrs. Krake, if you would also pull our
8 ordinances involving condemnations and what
9 pertains to a LIPS Department or what
10 pertains to the property owner, and then we
11 can look through and see if we have any
12 language that addresses tenants. Thank you.

13 MR. JOYCE: And I want to say this
14 absolutely is an example of why a strong
15 rental registration program needs to be
16 established because hopefully once that
17 program is up and running it can prevent
18 some of these issues from occurring in the
19 future.

20 MS. EVANS: Yes, because it would
21 require inspections in that when one tenant
22 would vacate the premises before another
23 tenant would be able to rent the apartment,
24 then inspections would be conducted.

25 MR. CH AZIN: But you're putting the

1 onus on the landowner, I'm saying the other
2 way around. The tenant has to own up --

3 MS. EVANS: I understand,
4 Mr. Chazin.

5 MR. CHAZIN: We already have those
6 laws in place, by the way, that are all
7 against the landlord. The actual laws go
8 back to 1953. This is a different
9 generation entirely that we are talking
10 about.

11 MS. EVANS: Yes.

12 MR. CHAZIN: And nothing has been
13 amended since.

14 MS. EVANS: Thank you. We will look
15 into it for you.

16 MR. JOYCE: We definitely will.

17 THE COURT: And Mr. Dobrzyn.

18 MR. DOBRZYN: Hello. Dave Dobrzyn,
19 resident of Scranton. Okay, a few weeks ago
20 I mentioned about the children's library
21 roof having leaks in it and so forth, and
22 that's not -- that's actually a county
23 affair, but hopefully people could get in
24 touch with somebody after the commissioners,
25 I know we have issues with our Library

1 Authority as opposed to library board, but
2 that doesn't give them the right to abandon
3 those buildings to decay. There is one
4 bathroom down the last time I was there, and
5 I was taking a computer course, I still am
6 downstairs, and there is certain parts of
7 the library being shut off because of the
8 water, and if that lands on those books we
9 are going to have a black mold problem and a
10 lot of the ruined books for -- that's also a
11 storage space from what I could see for the
12 adult library, too. They hold books in
13 reserve or books that they plan to put up
14 for sale they hold book sales under there
15 where you can buy something for a nice price
16 and it goes to the library after the book is
17 out of date or whatever or maybe nobody is
18 interested.

19 So and I had a brain storm a couple
20 of weeks ago about snow removal, it's so
21 much trouble, you remember my steps, you
22 have to remember my front steps, right?

23 MS. EVANS: Yes, I do.

24 MR. DOBRZYN: When you were
25 campaigning you had to get a launch and

1 everything else to get up there, big boots.
2 Well, I rinse off my recycling and put it in
3 the barrel, usually with us it's only like a
4 half a barrel every two weeks and so I just
5 figured, well, maybe the DPW doesn't need to
6 work this week. I'll wait until it's half
7 and, you know, fill up the barrel the rest
8 of the way and I was wondering if something
9 could be done that maybe suspend recycling
10 for that week and dedicate those people to
11 snow removal instead of having -- having
12 them remove the recyclables and they are
13 basically cleaning, if you are doing it
14 right, I mean, I rinse out the cans and I
15 also stomp on the tin cans and stuff that
16 way there is much less volume if you crunch
17 the bottles down, but so it's a full barrel
18 when I get it down there.

19 But I just figure, well, sooner than
20 cope with all of that snow and the hill
21 where I go down my anti-lock brakes kick in
22 and I don't stop until I think it's like the
23 800 block of the middle the 800 block from
24 Alder Street, I'm near the 900 block, so
25 it's just like woah, you know. In fact, I

1 work my parking brake lever to lock up the
2 rear brakes because anti-lock brakes
3 sacrifice brake power and in an attempt to
4 keep it straight, but they actually give the
5 brake in a certain wheels, so you just
6 basically lose it, and I have no other
7 choice it's either there or Willow Street
8 which is just as bad.

9 So I just figured, you know, maybe
10 we could develop a problem that somebody
11 could --or people could hold back on the
12 recycling for that week and let the
13 recycling teams take over the snow plowing.

14 MR. ROGAN: Mr. Dobrzyn, I do know
15 the last two or three snow storms we had at
16 the end of this year the DPW they put all
17 the guys out on snow removal and they pushed
18 the garbage and recycling back a day just
19 the one day.

20 MR. DOBRZYN: Yeah.

21 MR. ROGAN: And there was such a
22 difference.

23 MR. DOBRZYN: Yes, and that was a
24 good idea, but what I'm noticing is that
25 people put the stuff out and it doesn't get

1 taken and they just leave it out and two
2 weeks there is a few on the blocks with that
3 today. I saw newspapers and there is cans
4 and bottles which will go Friday in my
5 neighborhood, but it would just seem like it
6 would have some organization where we, you
7 know, just the recycling doesn't have to be
8 taken out, it's reasonably clean, like I
9 said, if you are doing it right, and I do it
10 right. If I see something has got old
11 mayonnaise in it or something it don't go in
12 the recycling until I use the last of the
13 dishwasher and swish it around or something
14 like that.

15 Okay, I also last week explained
16 about a camera failure and once again I
17 would like to apologize to everybody, but I
18 can't play this stuff back to see what's on
19 the tape and, Mr. McGoff, I didn't have a
20 chance -- we had a lot of trouble during
21 Mr. McGoff's time.

22 And then just briefly, I have been
23 following the news in different states and
24 so forth and I have a message for everybody,
25 public employees, I mean, Wisconsin and Ohio

1 and fire and police gave a lot of support to
2 these people and they are busting the unions
3 and talking about social security benefits
4 and Medicare and so forth, beware. Why
5 should other people support your cause when
6 you vote for others to be cut beware. Watch
7 out for bawk, bawk, double talk. Have a
8 good night.

9 MS. EVANS: Thank you, Mr. Dobrzyn,
10 and if you would like to write down your
11 observations regarding the children's
12 library and get them to Ms. Carrera, we can
13 then contact the Library Board and the
14 county commissioners to make them aware, if
15 they aren't already, of the problems that
16 you enumerated tonight and I agree they
17 should be addressed.

18 MR. DOBRZYN: I felt that we were
19 being slammed into the Library Authority and
20 my only objection to it was we don't need to
21 try and come up with 16 more million
22 dollars, you know, it's just not -- and
23 that 16 million is my opinion could have
24 went to two or three here and two or three
25 up to the West Side and two or three down in

1 Minooka.

2 MS. EVANS: Yes.

3 MR. DOBRZYN: And there is plenty of
4 empty business buildings --

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

6 MR. DOBRZYN: -- instead of just one
7 place --

8 MS. EVANS: Thank you.

9 MR. DOBRZYN: -- in the shadow of the
10 colleges, by the way.

11 MS. SCHUMACHER: Good evening.

12 Marie Schumacher. PEL stated that a revised
13 Recovery Plan would be based on the 2011
14 budget. When do we expect to receive the
15 revised Recovery Plan?

16 Last week several persons expressed
17 appreciation for city supporter and now
18 retired president of the Scranton and
19 Lackawanna County Taxpayers' and Citizens'
20 Association, Robert Ozzie Quinn, and one
21 even suggested a proclamation. Tonight I
22 would like to recommend the highest honor
23 you could bestow on Ozzie would be to
24 recommend the Scranton Redevelopment
25 Authority accept his sincere offer made two

1 months ago back to voluntarily serve with
2 SRA to develop or to help create jobs for
3 many of the 400 home improvement contractors
4 throughout the county, who because of poor
5 economic conditions, are under dire
6 straights financially from the shut down of
7 home improvement jobs.

8 With respect to the flooding at the
9 Medallis property caused by the city
10 approved village of Tripp Park development,
11 would city council please ask DPW to
12 ascertain the estimate for correcting the
13 problem to see whether the \$200,000 sitting
14 in the account for Lackawanna College work
15 or the Scranton Lace Company would cover
16 costs?

17 With respect to agenda items, Item
18 5-B actually brings up two issues, the first
19 is a long requested but unfulfilled request,
20 that is, that agenda Item 5 issues include
21 the backup on the website as many questions
22 from the podium would be answered by reading
23 the backup prior to the meeting. I believe
24 it's as simple as requesting all agenda item
25 five items be submitted electronically.

1 Now, as to the question, during
2 motions would someone please share what
3 accommodations CMC has made relative to the
4 price of parking in their public garage? It
5 is unconscionable to me that they currently
6 park free in Nay Aug Park, have usurped the
7 parking meters around the hospital, and
8 charge the public \$4 whether you are in the
9 hospital all day or five minutes.

10 Also, do you have any time frame for
11 when CMC's employee parking structure will
12 be repaired and back in use? Summer is
13 coming and taxpayers just might want to park
14 at Nay Aug Park during weekdays?

15 Agenda Items 5-C, D, E and F pose a
16 different issue. I'm not against these
17 items, but I am curious as to the speed with
18 which council has acted after a scant number
19 of incidences although the drug has been
20 around for well over a year. One could
21 argue that Items 5-C through F are not
22 within the purview of the municipality as,
23 according to public law 233 of 1972, the
24 Controlled Substances Drugs, Device and
25 Cosmetic Act, the Secretary of Health is

1 responsible for regulating drugs.

2 Now, compare this with the attention
3 paid to driving a motor vehicle while
4 operating a handheld cell phone, a problem
5 which accounts for thousands of deaths each
6 year and in addition much property damage.

7 As I had previously stated, 11
8 municipalities in the state have ordinances
9 regulating the use of the driving while
10 using a handheld cell phone. On June 22 of
11 last year, over nine months ago, the
12 following statement was made from the dais,
13 and I quote, "Several meetings ago I had
14 mentioned we were looking into a cell phone
15 ordinance just like several municipalities
16 the city has, Wilkes-Barre has one and
17 stuff, we are doing a lot of research on it.
18 We are waiting to see if the state came out
19 with a pretty strict one, but it's not too
20 strict, so a lot of times the state's rule
21 supercedes the city rules so sometimes there
22 is no teeth in your own ordinance when it
23 comes to something like that. I mean, I
24 have some information on some challenges
25 already in several of these municipalities

1 and I am looking at one from Harrisburg here
2 right now.

3 And also, I mean, it says, the
4 statement here is that the defense counsel
5 cites the State Vehicle Code. There is a
6 section that prohibits the Commonwealth's
7 2500 plus municipalities from enacting their
8 own driving rules. So in an effort to get
9 together property and safety for all our
10 residents without costing us money and
11 litigation and appeals we are still working
12 on it."

13 Over nine months and nothing. I can
14 tell you I spoke to the Harrisburg Police
15 Department and the city does have an
16 ordinance that was challenged, but the
17 challenge was because there were no signs
18 advising motorists that a cell phone
19 ordinance was in effect within the city.

20 Last November the issue came up
21 again and Mr. Loscombe had this to say, "And
22 quickly on the phone ordinance, I was
23 looking into that last summer and we are
24 awaiting for the state --" I'd like to
25 finish, if I may?

1 MS. EVANS: Yes, please.

2 MS. SCHUMACHER: "We are awaiting for
3 the state because the state has an
4 ordinance, I believe, if you under 18. It
5 doesn't have a lot of teeth, but we cannot
6 enforce our own ordinance any stronger than
7 the state, so all of these cities that have
8 it, it's there. It's a token ordinance. It
9 may scare some people, but really if they
10 took them into Court they wouldn't get
11 anywhere."

12 Strange that waiting on the state
13 wasn't an issue with bath salts. I won't
14 waste time speculating about the motivation
15 for the quick action on bath salts while
16 foot dragging on the use of handheld cell
17 phones while driving, but I would like to
18 know whether council ever sent letters to
19 the city's two state representatives asking
20 for state action on the cell phone issue.
21 Thank you.

22 MS. EVANS: Ms. Schumacher, if I
23 might, I will be providing responses during
24 the voting portion of the meeting to the
25 questions you raised regarding the CMC.

1 MS. SCHUMACHER: Thank you.

2 MS. EVANS: You're welcome.

3 MR. LOSCOMBE: And I will respond to
4 your statements during motions, also.

5 MS. SCHUMACHER: Thank you.

6 MR. SLEDENZSKI: Jack, you handsome
7 devil, you.

8 MR. LOSCOMBE: Chrissy.

9 MR. SLEDENZSKI: Jackie. Hi, Janet.

10 MS. EVANS: Hey, Chris.

11 MR. SLEDENZSKI: Well, our girls
12 lost again yesterday. They outrun them
13 again, Pat. What's going on with them down
14 there? Well, good luck this season. Thank
15 you.

16 MR. LOSCOMBE: Chris, approach the
17 podium.

18 (Mr. Sledenzski approaches the dais
19 and is given a picture by Mr. Loscombe.)

20 MS. EVANS: It's you.

21 MR. SLEDENZSKI: That's me, Janet.
22 That's me.

23 MR. LOSCOMBE: I'll have to give you
24 an autographed copy though.

25 MS. EVANS: You're our sixth

1 councilman.

2 MR. LOSCOMBE: That's our sixth
3 councilman, Chris.

4 MR. SLEDENZSKI: That's right, Jack.
5 Remember that.

6 MR. ANCHERANI: Hard act to follow.
7 Good evening, Council, Nelson Ancherani,
8 resident and taxpayer, recording secretary
9 of the FOP. Again, First Amendment Rights.
10 This evening I thought we should re-address
11 some issues of the last ten years less we
12 forget. These are issues that the residents
13 and taxpayers of the city should and I will
14 repeat, should never forget. The big one is
15 the \$300 million plus long-term debt the
16 city now has for three decades to come. Our
17 grandchildren and children will be paying
18 this bill for 30 years. At least the fire
19 and the police can't be blamed for that.
20 Our salaries and expenses have remained flat
21 or static for the last ten years and nobody
22 has to take my word for that, all they have
23 to do is look at the budgets.

24 Back to the issues, remember the 56
25 percent rate hike the Scranton Sewer

1 Authority put on the residents and taxpayers
2 after the city lost a 5.5 million
3 arbitration from American Anglican after the
4 city didn't live up to the contract. But
5 don't worry, the resident and taxpayers are
6 paying it back.

7 What about paying back 59 million in
8 interest on the 35 million loan the Scranton
9 Parking Authority took out a couple of years
10 ago, but not to worry, residents and
11 taxpayers and our children and grandchildren
12 will help pay it back.

13 How about the 1.2 million plus that
14 was found in the Single Tax Office by
15 MaryLynn Vitali-Flynn, the tax collector who
16 replaced the outgoing tax collector at the
17 time? How could \$12.2 million slip through the
18 cracks? Oh, I forgot, the city at the time
19 and still is was claiming to be distressed
20 and I believe if it had its share of the
21 12.2 million that belonged to the city the
22 city couldn't claim to be distressed.

23 How many years is it since the money
24 was found and at least 2 million is still
25 lost? I just can't figure out why the city

1 of Go Lackawanna in the article by Rich
2 Howells titled, "Forum hosts those seeking
3 seat on Scranton City Council." The forum
4 was hosted by the Scranton-Lackawanna County
5 Taxpayers' Association, I want to add, but
6 anyway, this is how it reads: "Bob McGoff,
7 Democrat "D", a retired schoolteacher,
8 basketball coach, has served on council for
9 about five years. The South Scranton
10 resident feels that the current budget will
11 being increasingly difficult to maintain and
12 would favor a tax increase to boost
13 revenue."

14 Why would the current budget be
15 increasingly difficult to maintain? Could
16 that be because \$5 million was borrowed from
17 the Worker's Comp Fund in 2010 and paid back
18 from the TANS, tax anticipation notes, in
19 2011? That means we started out 2011 five
20 million in the whole. That wasn't your
21 fault, Council, don't let yourselves take
22 the blame for that. Place it where it
23 belongs. Stay strong and keep fighting for
24 the taxpayers. Thank you.

25 MR. ROGAN: Thank you,

1 Mr. Ancherani. Is there anyone else that
2 would like to address council.

3 MR. PILCHESKY: Council, good
4 evening. How are you?

5 MR. LOSCOMBE: Good evening.

6 MR. PILCHESKY: Nelson is always a
7 very tough act to follow, is he not, with
8 all of his numbers and all of that common
9 sense. Joe Pilchesky, 819 Sunset Street,
10 Scranton, PA, political activist.

11 Due to the content of my next
12 several presentations here, I would like to
13 restate for the record that I am extremely
14 well-informed of my First Amendment Rights.
15 My subject matter will be fully privileged,
16 meaning it will be completely truthful,
17 which is what free speech is from a legal
18 perspective.

19 I reiterated that because I said
20 previously that I would in the month of
21 April expose the corrupt judges, lawyers,
22 and public officials involved in the sale of
23 the South Side Sports Complex to the
24 University of Scranton. The month of April
25 is upon us. The complex was a flagship

1 public park that thousands of people relied
2 upon for enjoyment because it had a hardball
3 and softball field with lights, a large
4 parking lot, basketball and tennis courts, a
5 large recreation stand and lots of open
6 green space.

7 For six years now I have been
8 engaged in a very contentious legal battle
9 with the city, the SRA, and the University
10 of Scranton in trying to get this prized
11 park back to it's rightful owners, the
12 people of the City of Scranton, but dealing
13 with the Court is very, very political in
14 Lackawanna County, so I can only hope that
15 some day I'll be successful in this
16 endeavor.

17 Interestingly, this six-year legal
18 work has exposed all of the corrupt and
19 dirty players for who they really are. The
20 people should know who they are. The good
21 people of this City of Scranton have never
22 turned a deaf ear to a good story on vast
23 corruption and this story has as much
24 corruption as any ever told before except
25 that one will be told from this podium

1 because you can be sure it would never
2 otherwise be told in the newspaper.

3 It's not easy to steal a public
4 park, even if the law is the choice of
5 weapons. It's a very corrupt undertaking
6 that requires a lot of very corrupt people
7 in very, very powerful places. That being
8 said, I will name these corrupt people for
9 you this evening and in the coming weeks I
10 will explain in very specific detail how
11 each one of them played out their role in
12 the theft of this public park.

13 By naming all of these people now it
14 provides for them a fair opportunity to come
15 here and dispute anything and everything I
16 will present to you and the listening
17 public. At the elected public official
18 level there were three corrupt players, the
19 first, of course, was the mayor. The second
20 was the president of city council at the
21 time who put the sale of the complex on the
22 agenda, who was Mr. Kevin Murphy, who is our
23 city and state representative for the 113th
24 district. What the public should know is
25 that the president of council has the power

1 and authority to put things on the agenda,
2 and only the president does, so if the
3 president doesn't do it, it never makes it
4 before council. The third person was Rose
5 Novembrino, our city controller.

6 Without the signatures of all three,
7 the sale could not have happened and we
8 wouldn't have lost that very valuable public
9 park to the University of Scranton.

10 At the legal level there are five
11 corrupt lawyers, by corrupt I mean they
12 either lied repeatedly in their pleadings
13 that they submitted or they submitted
14 pleadings intentionally designed to lose so
15 the University of Scranton could ultimately
16 win. Those five attorneys are Carl Greco,
17 the solicitor for the Scranton Redevelopment
18 Authority, Timothy Hinton, legal counsel for
19 the University of the Scranton, Tom Helbig
20 and Gene Hickey, council for the City of
21 Scranton, and Paul Walker, counsel for Chris
22 Phillips, an original plaintiff in this
23 action in his attempt to save that park.

24 At the judicial level there are
25 three corrupt judges who stonewalled justice

1 and acted in concert with the corrupt
2 lawyers to ensure that any challenge to the
3 sale of the complex would be labor intensive
4 or very expensive in terms of time and money
5 and unsuccessful. Those three judges are
6 James Walsh, now retired, former judge of
7 Orphans' Court, Robert Mazzoni, currently a
8 city civil judge in the Court of Common
9 Pleas and up for retention, and a visiting
10 judge named Harold Thomson. These three
11 judges at all times betrayed the trust of
12 the people and made sure the people who own
13 that park, who rightfully own that park,
14 lost it's use forever. No so far as forever
15 if I'm successful will put an end to that.

16 Finally, we have the University of
17 Scranton, a nonprofit corporation worth
18 hundreds off million of dollars, able to
19 build structures up and down Mulberry
20 Street, as we see every day, financially
21 very capable of buying it's own piece of
22 land anywhere it wants to ensue its sport's
23 needs and programs, yet, in an act of
24 incredible greed and disrespect, it used
25 it's political connections with city hall

1 and the courthouse to feed on the taxpayers
2 and steal from them their prized public park
3 in South Side, which includes thousands of
4 young children who participated in using
5 that park.

6 I have clearly stated what I'm going
7 to do. I have just given all of those
8 involved advanced notice that I will begin
9 next week to expose in great and specific
10 detail how each played a very corrupt role
11 in the theft of this prized public park. I
12 welcome their appearance here and I look
13 forward to entertaining the public with my
14 story of vast greed and corruption and how
15 the biggest public park in the city was
16 stolen from them. I thank you and I will
17 see you next week.

18 MR. LOSCOMBE: Thank you.

19 MS. EVANS: Is there anyone else who
20 cares to address council?

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

22 MOTIONS.

23 MS. EVANS: Councilman McGoff, any
24 motions or comments at this time?

25 MR. MCGOFF: Thank you. First of

1 all, again, I'd like to commend the people
2 that organized and conducted the Social for
3 Saunders. It was attended by well over I
4 think 3,000 people. The things that were
5 auctioned off and raffled off were
6 incredible and I'm sure raised a great deal
7 of money to benefit both Jay and the
8 Pancreatic Action Network I think it is, I'm
9 not sure of the name, but the highlight of
10 the evening was certainly was Jay Saunders
11 did attend and it was great to see that he
12 was -- he looked good, he spoke well, and
13 asked that we will continue to pray for him
14 and support him in his battle with
15 pancreatic cancer, but a great evening and a
16 great testimony, you know, to Jay.

17 Secondly, the gentleman talked about
18 the -- I just happened to have a copy of the
19 Rental Registration Act that was -- or
20 ordinance that was enacted in July or August
21 of 2007, at least it was introduced in July
22 of 2007, and the one thing that is
23 noticeable in that Rental Registration Act
24 that there are duties listed for occupants,
25 but there are no consequences if those

1 duties are not followed. The only thing it
2 does state is that if, in fact, a rental
3 unit is closed that the person who is
4 responsible for that, the occupant, is
5 responsible for housing at their own
6 expense, but it does, as Mr. Chazen said --

7 MR. CHAZEN: That did not happen.

8 MR. MCGOFF: Excuse me, I'm just
9 saying what the ordinance says. As
10 Mr. Chazen said, it does not -- it does not
11 say anything about other occupants if, in
12 fact, that entire unit is -- you know, if
13 they are put out of that place who is
14 responsible for housing.

15 And again, he is correct in saying
16 that all of the -- it seems that all of the
17 responsibility or all of the consequences
18 are incumbent upon the property owners and
19 so, you know, this is something that really
20 needs to be addressed and amended in the
21 very near future if it's going to be
22 effective in dealing with situations such as
23 was mentioned, and hopefully we can get to
24 that and do something to improve that
25 situation.

1 Third, I would -- I don't much fight
2 other people's battles usually, but I think
3 in the last past number of weeks there has
4 been a lot of criticism of the city
5 employees by council and it's been my --
6 it's been my experience that most of the
7 people that work in city government, be they
8 uniformed or non-uniformed people, most of
9 them are competent, well-intentioned people
10 who want to do a good job for the City of
11 Scranton, and I think that we take some
12 shots at people here that are -- that really
13 aren't appropriate and I hope that in the
14 future we can, you know, stop doing that.

15 You know, there are people that I
16 realize that there are people in any
17 enterprise that may not work to the best of
18 their abilities at times, but I don't think
19 that what we have done here is due justice
20 to the people that do work for the City of
21 Scranton.

22 And with that said, I was contacted
23 by Mrs. Evans over the weekend and I would
24 like to commend Mrs. Evans and also the
25 mayor for asking the solicitors of both

1 council and the City of Scranton to get
2 together to draw up -- or to work together
3 on this issue of bath salts and, you know,
4 whatever else, is it cannabinoids, is it?

5 MS. EVANS: Synthetic cannabinoids.

6 MR. MCGOFF: I don't have all of the
7 terminology, I'm waiting for Mrs. Krake to
8 read those so I know how to properly
9 pronounce them, but I think that, you know,
10 here was an issue that went beyond politics
11 and I'm really pleased that we put politics
12 aside and that we tried to work together,
13 that council tried to work with the
14 administration. I should also mention that
15 I neglected, you know, Councilman Loscombe
16 for his efforts as well.

17 This was something that needed to be
18 done and maybe a step in the right direction
19 in working with the administration --
20 council working with the administration and
21 the administration working with council to
22 deal with common issues that are a benefit
23 to or resolution that would be a benefit to
24 all of the people of the City of Scranton.
25 And again, thank you very much.

1 MS. EVANS: Thank you, Mr. McGoff.
2 If I might add, as Mr. McGoff may have
3 mentioned at a previous meeting, I asked him
4 on behalf of council to head the rental
5 registration program in terms of the
6 improvements needed and working with the
7 Department of Licensing, Inspections and
8 Permits, so that we could have a program
9 that will address blight and will bring
10 revenue into the city.

11 And so, Mr. McGoff, I ask if you
12 might make a list of the improvements in
13 language to that particular ordinance that
14 you feel would be beneficial and at this
15 point then we can contact Solicitor Kelly as
16 well as Solicitor Hughes and ask if they
17 might again work jointly to improve that
18 ordinance, give it more teeth, make it more
19 fair, and in general take care of the
20 situations for all of the residents of the
21 city.

22 MR. MCGOFF: It will be done.

23 MS. EVANS: Thank you. And
24 Councilman Rogan, do you have any comments
25 or motions?

1 MR. ROGAN: Yes, a few brief
2 comments. I'll hold most of my comments for
3 the voting portion of the meeting because I
4 have a lot to say, but I will respond to
5 Mrs. Schumacher here, we all got the
6 response, and I think yours was about the
7 parking in the garages and the response
8 said, "As I mentioned during the public
9 caucus, CMC's parking garage flat rate of \$4
10 is in-line with the city's other hospital
11 rates and the Scranton Parking Authority
12 rates. However, I believe the issue that
13 was in question at the public caucus was CMC
14 charging each time an individual accesses
15 the garage. Visitors who make more than one
16 trip a day are charged per occurrence. CMC
17 has instituted a visitor pass so that
18 visitors will pay the \$4 parking fee only
19 once per day and can return to the garage as
20 many times as they would like."

21 Now, that's a little bit better than
22 where they stood when they sat there, but
23 what I said was that I wouldn't vote for it
24 unless it was ranked up until the \$4 period
25 because we are going to take away I believe

1 it's approximately 150 parking spots which
2 are billed at a rate of 25 cents per 15
3 minutes, and if somebody went to visit a
4 relative in the hospital for 45 minutes
5 parking at a meter would cost them 75 cents.
6 Parking in the hospital garage would cost
7 them \$4. It might not sound like much, but,
8 you know, I don't think we should be helping
9 out CMC if it's going to cost the people of
10 Scranton more. So, as I said, I will be
11 voting "no" on that.

12 Finally, I have a few citizens'
13 requests, as I said, I will hold most of my
14 comments on the three big pieces of
15 legislation for later. Mrs. Krake, could we
16 please send a letter to Licensing and
17 Inspection as well as the owner of the
18 Washburn Street Cemetery. Residents are
19 wondering if something can be done about the
20 condition of the cemetery and I have a
21 message attached, I don't wanted to read it
22 out because they have their name on it,
23 about the condition and I know it's been a
24 problem for many, many years and now that we
25 are coming upon spring again I'm sure we

1 will have a problem with the overgrown weeds
2 and everything.

3 Next, to the DPW, there is two
4 requests: Residents report numerous
5 potholes on Arnold Avenue right off of East
6 Mountain Road. And finally, a resident on
7 the 500 block of the Willow Street said that
8 the DPW has stopped standing her trash cans
9 up during trash pickups. She is a senior
10 citizen who has trouble picking up the cans
11 because of the fact that she uses a walker.
12 She would request that all trash cans be
13 placed upright and not thrown to the ground,
14 and that's it for now. Thank you.

15 MS. EVANS: And thank you,
16 Councilman Rogan. Councilman Loscombe, do
17 you have any comments or motions?

18 MR. LOSCOMBE: Yes. Thank you. I
19 have a few items, nothing prepared, so I
20 apologize if I'm bouncing around a little
21 bit, but I, too, would like to commend those
22 that put together the Social for Saunders.
23 For those of you who don't know, Jay he used
24 to sit in Nancy's seat here several years
25 ago as city clerk and Jay is fighting

1 pancreatic cancer. He had a great
2 outpouring from the community, a lot of
3 support, and I, too, was happy to speak to
4 Jay. I have known Jay for many years and he
5 did look good, and I would hope the
6 community would continue to support him and
7 pray for him and his family that he is
8 cured.

9 Just another item, I would like --
10 throughout the year I have picked up several
11 different issues that I have been working on
12 and I would like to apologize to some of
13 these people that I have met if they feel I
14 have lost contact or anything. We've had a
15 number of issues since then that I have
16 gotten a little bit more tied up on, not
17 that theirs isn't important, but I will be
18 revisiting all of these issues in the next
19 week or two and getting up to speed with the
20 individuals that were effected, and there
21 were several of them, from flooding to
22 clothing dumpsters and stuff like that, so
23 those people know who I'm talking about and
24 I will be back to you.

25 I do want to discuss the bath salts

1 issue. We brought it to the forefront here
2 at this podium last week. Mrs. Schumacher,
3 I do have to comment. I do -- I mean, you
4 do a lot of homework you bring a lot of
5 issues to us and I appreciate what you bring
6 to us on a weekly basis, and those comments
7 that you quoted were my comments from
8 previous meetings regarding the cell phone
9 phones. Obviously, I don't know, cell
10 phones have been around for years and these
11 bath salts have taken over within months to
12 a more critical level. I think you're more
13 in danger of someone with bath salts to
14 yourself right now than cell phones. Not
15 that cell phones are not an issue, but I am
16 continuing to look into them and I went by
17 the advice from different municipalities
18 when I researched it.

19 One of the things you had mentioned
20 was signage. Well, as you know, we don't
21 have a public -- or highway safety
22 department anymore, you see what it's like
23 to get a street marked, lines and stuff like
24 that. We don't have the capacity at this
25 point for street signage and that, but that

1 is an issue I will look at in the future.

2 I do believe, and think everyone
3 else will agree, that this situation with
4 the synthetic bath salts and the synthetic
5 cannabinoids is a big issue and it's a very
6 life-threatening issue and it is reaching an
7 epidemic proportion, and that's why I pushed
8 it and I did a lot of research on it myself.
9 We have got an ordinance from other areas
10 and we put a lot of information together and
11 with the approval of our president here I
12 was able to present it to our solicitor who
13 has done one heck of a job going over
14 terminology that you or I couldn't even
15 speak. It's amazing.

16 But I did go, and it's ironic
17 because a couple of people mentioned in the
18 newspapers tonight, we do have several
19 newspaper men here representing two
20 different newspapers. We have Mr. Mrozinski
21 and Mr. Kelly from the Times and Mr. Howells
22 from Go Lackawanna. After last Tuesday's
23 meeting, this is the Wednesday paper, the
24 next day, on page three I see the mayor
25 serving Meals on Wheels, let's see back

1 here, back on A-6, "The city moves to ban
2 synthetic drugs," so if you happen to miss
3 that it's back in here.

4 The next day I found out about a
5 meeting at the courthouse, basically the
6 judges were going to get an injunction on a
7 bath salts, I would hope the speed at which
8 they worked was helped along by us, I didn't
9 pursue this or do it as a political thing, I
10 did it as a public safety chairman and I saw
11 the situation getting riskier and riskier.

12 I did appear at the press conference
13 in front of the courthouse, and it's ironic
14 one of our speakers previously, Mr. Miller,
15 noted that, you know, there -- first of all,
16 it made the headlines that day, that was
17 through the DA's Office, and there was a
18 photograph in here, and I know I'm big, but
19 they had to do a good job to edit me out of
20 the photo. I'm sorry, I can't find it right
21 now.

22 However I wasn't there for the
23 photo-op, I was there to hear what the
24 D.A.'s Office had to say. And I met, I
25 spoke with the District Attorney after his

1 press conference and I spoke with Todd
2 O'Malley and the District Attorneys --
3 well, first of all, they didn't even mention
4 by name, and I don't care about the picture,
5 but the fact that I represented the city
6 there was a fact. But when I spoke to the
7 district attorney and Mr. O'Malley, the
8 district attorney had stated that the city
9 solicitor had been working on legislation
10 for about six weeks, and I had to apologize
11 because I said that was news to me. I am
12 part of the city government here, and I had
13 no idea whatsoever.

14 And at that point he said, "Why
15 don't you work together and you could put
16 your ordinances together and come up with a
17 best of all worlds."

18 Well, that's a great idea. That
19 should have been done six weeks ago if that
20 was the case, and I certainly agreed to it.
21 This is a serious situation and, you know,
22 the more hands on deck the better off we are
23 And us in the city being able to pass
24 legislation that's going to give the
25 ammunition for our police officers in the

1 city to protect all of you was my goal, and
2 I am happy to say that our solicitor,
3 Mr. Hughes, worked laboriously on this and
4 he did contact Mr. Kelly, the solicitor, and
5 they had worked on a combination of
6 ordinances that we will be pushing through
7 tonight through emergency legislation, and I
8 feel it's that necessary.

9 But I do applaud everyone getting
10 together on this, and I don't know if it was
11 meant for me for knocking down city
12 employees, I don't think I have ever knocked
13 a city employee down, I was a city employee,
14 so I know what it's all about, but everyone
15 has to do their job. It's not about
16 political opportunities, and I think
17 everyone has to be on the same page, and I
18 also told Mr. Jarbola when he said that we
19 are waiting for -- that he has been working
20 on it for six weeks, why didn't we just wait
21 for his, I said we are waiting for a lot of
22 legislation for a lot more than six weeks.
23 We are waiting for rental registration, we
24 are waiting for insurance coverage RFP's, we
25 are waiting for StreetSmart RFP's.

1 And again, it's not me that's making
2 this political, but if that's the case I'll
3 step back. I don't care whose name is on
4 it, but I was embarrassed the night after
5 our meeting when I happened to see on
6 Channel 16 down in Wilkes-Barre they have
7 StreetSmart in there. They didn't even hear
8 about it until we were here. We are going
9 on this since last December, they are making
10 money, and we still don't have an RFP and at
11 the same time there is threats of layoffs
12 coming up because there is no money because
13 they took \$5 million from the Worker's Comp
14 Fund.

15 Now, let's stop the politics here.
16 I don't care whose name goes on this. This
17 is about you and the taxpayers in this city
18 and I just gets me upset when things like
19 this, when newspapers try to run politics
20 and run the city and it's been proven, and I
21 have said it here before, and I have no fear
22 of what they put in there because I know how
23 I live and I know what I do. What I'm about
24 is about you, trust me. I'm not going any
25 further than this seat and that's as far I'm

1 going.

2 But they like to -- the Scranton
3 Times likes to compare cities when they are
4 doing studies on Scranton, let's compare
5 them with Bethlehem and Allentown and all
6 that. Well, let's compare the other
7 newspaper in the area, Go Lackawanna. Go
8 Lackawanna was at that same press
9 conference, they have whole comments from me
10 there. They have the whole story of our
11 meeting last week. If you go to a council
12 meeting here or if you view it on this TV
13 and you read it in the paper the next
14 morning you wonder if you saw the same
15 meeting because there is very little about
16 what happens here in the newspaper unless
17 it's controversial.

18 And another thing, and
19 Mr. Mrozinski, he has my cell phone, he will
20 call me on a daily basis, I stopped
21 responding and I've stopped responding
22 because they use sound bites, they don't put
23 the whole article in, and we have had that
24 echoed from Ms. Holden here tonight, but the
25 other thing I have told -- when

1 Mr. Mrozinski calls me he will leave a
2 message, "Jack, I want to talk to you about
3 this or that or I've got an issue," but
4 ironically when you read my name in the
5 paper it's John. They do that purposely,
6 folks. Everybody knows me as Jack. My
7 birth name is John but most people known me
8 as Jack, and if we want to get political,
9 that's because my slogan is "Bring Jack
10 back," and I think that has a lot to do with
11 it.

12 I don't mean to get political here
13 because that's not what it's about, but it's
14 what we are reading every day. We have to
15 control the city, not the news media. I'm
16 sorry, I got a little carried away, but --

17 MR. CHAZEN: First amendment.
18 Proof.

19 MS. EVANS: Excuse me, please, the
20 public participation portion of the meeting
21 ended, this is for council to speak. Thank
22 you.

23 MR. LOSCOMBE: And again, I think I
24 vented enough. I apologize if I offended
25 anybody, but I speak from the heart and, you

1 know, I love this city and this is what it's
2 about. Thank you very much.

3 MS. EVANS: Thank you, Councilman
4 Loscombe. And, Councilman Joyce, do you
5 have any comments or motions?

6 MR. JOYCE: Yes. Last week I spoke
7 about how \$5 million was borrowed from the
8 Worker's Compensation Trust Fund in 2010 and
9 later paid back in 2011 using funding from
10 tax anticipation notes in the 2011 budget.

11 To further elaborate and to explain
12 to everyone what tax anticipation notes are,
13 tax anticipation notes, referred to as TANS,
14 are basically short-term loans that the city
15 takes out every year to pay for expenses in
16 the same year that they are taken out. They
17 are accounted for as a revenue item in the
18 2011 budget and they are accounted as an
19 expense in the 2011 budget. If you look
20 through the budget you can see specifically
21 TAN Series A, the account number is
22 01394.39320 and that's a \$5 million TAN; and
23 TAN Series B is 01.394.39330 and that's a
24 \$9.5 million dollars loan.

25 The intentions of these loans are to

1 pay for expenses incurred in 2011. The TANS
2 must be paid back in 2011. The sole purpose
3 of these loans are to use as funding for
4 expenses until tax dollars come in by way of
5 real estate taxes, wage taxes and etcetera.
6 As we know, real taxes aren't due until
7 later in the year.

8 A little bit more about the TANS,
9 TAN Series A is due for repayment in
10 mid-year and TAN Series B is due for
11 repayment towards the end of the year.
12 Well, I have been speaking about this \$5
13 million that was borrowed from the Worker's
14 Compensation Trust Fund for a couple of
15 weeks now with funding and, of course, that
16 this amount has been paid back using the TAN
17 in 2011.

18 In addition to this, upon further
19 review of the report that our business
20 administrator, Ryan McGowan, submitted to
21 city council in early March, it was evident
22 that there was an additional deficit of \$6.3
23 million in accounts payable. I asked our
24 city clerk, Mrs. Krake, to contact
25 Mr. McGowan on my behalf to find out why

1 there was an additional \$6.3 million spent
2 out of money from 2011 on top of the \$5
3 million that was paid back to the Worker's
4 Comp Trust Fund.

5 In speaking with our city clerk,
6 Mrs. Krake earlier, she spoke to Mr. McGowan
7 at the Pennsylvania Economy League meeting
8 today and Mr. McGowan had stated that the
9 \$6.3 million in excess of the \$5 million
10 that was already spent in January to pay
11 back the Worker's Comp Trust Fund was spent
12 on prior year bills from 2010.

13 So now we have a situation where we
14 have \$5 million being spent out of the
15 Worker's Comp Trust Fund and being paid back
16 with the 2011 TANS, and an additional \$6.3
17 million that's being -- that was paid back
18 in January, and I know that some may say,
19 well, isn't it unrealistic to think if you
20 have a bill on the 31st of December that it
21 was going to be paid back with 2011 money.

22 Just to elaborate a little bit more,
23 the amount paid out for prior year bills in
24 January is far in excess of what it was last
25 year. I did some quick calculations, I

1 brought the report from last year versus
2 this year, and the difference is about \$7
3 million more paid out this year for bills in
4 2010 than was paid out in 2010 for bills
5 from 2009.

6 Okay, well, this is just further
7 evidence that if the administration claims
8 that they do not have enough money to pay
9 employees and threaten massive layoffs, the
10 reasons for such actions will be none other
11 than using 2011 money to pay off 2010 bills,
12 not the amendments made by council to the
13 2011 operating budget.

14 What is troubling in this situation
15 is I have elaborated on cash flow issues
16 that the city has been facing over the past
17 two weeks, which is a serious problem facing
18 the city right now in addition to bath
19 salts. There has been no mention of this in
20 the Scranton Times, however, the Scranton
21 Times has no problem stating that the 2011
22 budget needed more money for salt, that we
23 had to use more money for salt after heavy
24 snow storms and the Scranton Times also has
25 no problems mentioning that we approved Carl

1 Von Lugar's outdoor patio for his
2 restaurant. However, we have a serious
3 issue here. This isn't a joke. This is
4 \$11.3 million that's been spent out of the
5 2011 revenue to pay off 2010 bills.

6 So where do we go from here? You
7 know, I'd like to challenge the newspaper to
8 do some investigative reporting on this.
9 The only news media outlet that has so far
10 was Go Lackawanna, which they had an article
11 in the first week that I spoke about the
12 missing \$5 million.

13 As far as where we go from here,
14 well, from the Pennsylvania Economy League
15 meeting, Mrs. Krake, that you were at this
16 morning, as far as cash flow is concerned I
17 understand that Mr. McGowan has sought the
18 advice of PEL how to handle this issue;
19 correct?

20 MS. KRAKE: Yes.

21 MR. JOYCE: Well, at this point
22 hopefully we could all work on finding an
23 effective solution to this problem instead
24 of pointing fingers, well, it's
25 StreetSmart's fault, there is not enough

1 salt so we have to use more money, these
2 aren't the things that are going to be the
3 cause of the employees being laid off if
4 they are. It's this. It's right here in
5 black and white. It's in these reports.

6 So I challenge the newspaper, report
7 on it, tell the public the truth. I'm not
8 here to paint a picture of what I want
9 people to hear, I'm here to paint a picture
10 of what people need to know about what's
11 going to effect their lives, about if there
12 is a possibility of layoffs why it's really
13 going to incur and not create some political
14 story.

15 And with that being said, I have
16 some citizens' requests as well. West
17 Scranton residents request that a three-way
18 stop sign be placed in the region where 16th
19 Avenue and Luzerne Street intersect.
20 Residents have informed me that vehicles are
21 speeding down the street and various
22 accidents have occurred over the years, and
23 I understand that in order for a stop sign
24 to be placed, Mrs. Krake, a traffic study
25 has to be done. So with this in mind, can

1 you please send a letter to Mr. Brazil
2 asking him if such a study can be conducted,
3 and also, if a three-way stop sign could be
4 placed in that region.

5 Also, various residents of South
6 Scranton have informed me that the
7 conditions of the Arnold Avenue is extremely
8 subpar. Various cracks and potholes in the
9 road are making travel conditions difficult.
10 Mrs. Krake, if you could please add this to
11 the request to Mr. Brazil.

12 West Scranton residents have also
13 reported that there are issue with the light
14 outside of the firehouse where Engine 7 and
15 11 are stationed. Residents report that the
16 lights are on during the day and out during
17 the night, which doesn't make a lot of
18 sense. If you could please contact the
19 appropriate party and notify them of this
20 situation and hopefully they could get
21 everything correct with the timer, I'm
22 assuming that's what they must be on.

23 Residents of Keyser Valley inform me
24 that the condition of Dexter Avenue is in
25 poor shape. Various cracks in the road

1 along with potholes are making travel
2 subpar. Please add this to the letter to
3 Mr. Brazil.

4 A resident of Sherman Avenue has
5 informed me that quads and dirt bikes are
6 speeding down the road creating a lot of
7 noise before entering the wooded area
8 adjacent to the street. It's my
9 understanding that these vehicles aren't
10 permitted to travel on the city streets in
11 addition to make noise over a certain
12 decibel level. If you could send a letter
13 to Chief Duffy and ask him if he can address
14 this situation.

15 Also, residents living on the 1900
16 block of Luzerne Street have informed me
17 that the condemned property located at 1908
18 Luzerne is not only creating quite an
19 eyesore, but is also creating rodent issues
20 in the neighborhood with rats and possums.
21 Mrs. Krake, if you could send a letter to
22 Mr. Seitzinger and ask him if the animal
23 control officer could address the situation,
24 and also please inquire if this property is
25 eligible for demolition.

1 In light of Mrs. Schumacher's
2 request, if you could send a letter to State
3 Representatives Murphy and Smith on our
4 behalf regarding our favoritism towards a
5 bill with sharper teeth banning cell phone
6 usage while operating a motor vehicle. I
7 have done some research on this myself, and
8 from what I have gathered actually driving
9 while talking on a cell phone is just about
10 the same level of the impairment as someone
11 who is approaching the state minimum BAC,
12 blood alcohol content, so there actually is
13 some correlation and evidence that driving
14 while talking on a cell phone is very
15 harmful.

16 And in defense of Mr. Loscombe and
17 others, the mayor and to Council President
18 Evans and everyone who acted very quickly on
19 the bath salts, while I do agree that
20 driving and talking on a cell phone is
21 dangerous and causes quite a bit of
22 problems, I do agree that, also, that the
23 bath salts issue as well as synthetic
24 cannabinoids create far more problems, for
25 instance, driving and talking on cell phone

1 does not carry with it psychoactive
2 properties which cause one to break into
3 places and start stabbing walls because you
4 have come down with the belief that 93
5 people are living inside of the wall or harm
6 religious members of our community.

7 And with that being said, I just
8 wanted to express now how much I'm in favor
9 of the legislation tonight to ban the sale
10 and possession of bath salts and synthetic
11 cannabinoids, and I would like to applaud
12 everyone that's worked on this, Councilman
13 Loscombe, President Evans, and Mayor
14 Doherty, and the rest of my colleagues.

15 This is something very, very
16 serious. As we saw before, we have a
17 representative come in from the Tour De
18 Scranton, and I believe their last name was
19 the Moreken family, yes, and I applaud them
20 for their courageousness in standing up and
21 taking something that happened with their
22 daughter's addiction and turning it into
23 something positive to help people with
24 addiction problems. And this is why this
25 bath salt and synthetic cannabinoid issue

1 needs to addressed now. It can't wait. You
2 know, it can't wait until someone dies. It
3 can't wait until more people get hurt from
4 it. It's something that needs our immediate
5 attention.

6 You know, it's just ashame that we
7 see these businesses selling these
8 substances, for instance, such as JB's
9 Kingdom and some of the other places that
10 were referred to in the newspaper, they are
11 making quite a bit of profit off of younger
12 individuals and those in their early 20's,
13 and it's ashame that they are making such a
14 profit at the expense of lives and at the
15 expense of families.

16 You don't understand -- if you don't
17 understand -- if you have someone in your
18 family that is addicted to one of these
19 substances, it just doesn't effect them as
20 we have seen from Mr. and Mrs. Moreken's
21 story, it hurts the whole family, so this
22 ordinance I am so heavily in favor of and I
23 am very, very proud that I will be voting in
24 favor of actually all of the corresponding
25 ordinances tonight, and that's it.

1 MS. EVANS: And thank you,
2 Councilman Joyce.

3 MR. ROGAN: Mrs. Evans, I have one
4 thing I forgot to mention, this announcement
5 is mainly for candidates that are running
6 for political office and their volunteers.
7 Every year a lot of people that are running
8 put signs on public right-of-ways and it's
9 not allowed. Every year the DPW does go
10 through and pick them up and as somebody who
11 has run for office I know how very expensive
12 those signs are, so I would advise them not
13 to put them in the public right-of-ways. If
14 they want to they could, but they are going
15 to be taken by the DPW.

16 MS. EVANS: Thank you. Good
17 evening. In 2010, Mr. Robert Quinn brought
18 to the attention of the public and Scranton
19 City Council the over \$11 million in audit
20 findings issued by the Office of the
21 Investigator General in 2010 regarding the
22 Scranton Office of Economic and Community
23 Development. In the March 27 edition of the
24 Sunday Times, the reporter wrote the
25 following as part of the article which

1 addressed this audit:

2 "Meanwhile, City Council President
3 Janet Evans said the federal agency," and he
4 is referring to HUD, "has failed to provide
5 the lawmakers with adequate information
6 about the audit."

7 I never made that statement, rather,
8 it was Ms. Aebli who did not provide to
9 Scranton City Council her complete responses
10 which she submitted to HUD in the February
11 2011 required audit report. As a result,
12 city council forwarded a Right-to-Know
13 request on March 23, 2011 to OECD for the
14 complete information. On March 29, Attorney
15 Mulligan, OECD solicitor, responded that the
16 request must be sent to Ryan McGowan, now
17 business administrator.

18 Consequently, on behalf of Scranton
19 City Council Mrs. Krake has forwarded our
20 Right-to-Know request to Mr. McGowan.

21 In addition, Scranton City Council
22 requested HUD's participation in a public
23 caucus in order to discuss the audit
24 findings and to determine if HUD has
25 approved OECD's measures to resolve all of

1 the audit findings. The Scranton Times
2 reported that HUD would not attend a public
3 caucus while Mr. Nadab Bynam, HUD
4 representative, told our office in early
5 March that he will be available to attend a
6 public caucus after his office has reviewed
7 the responses from the Scranton OECD to the
8 over \$11 million audit finding.

9 I don't know if the newspaper
10 printed these corrections, but I wasn't able
11 to find them. As a result, I wanted the
12 public to know the correction -- or, excuse
13 me, to know the correct information this
14 evening.

15 Next, I watched with great interest
16 last week the WNEP TV news report regarding
17 the implementation of the StreetSmart
18 Technologies Parking Program in
19 Wilkes-Barre, and I know that my honorable
20 colleague, Mr. Loscombe, alluded to this
21 under his motions this evening.

22 Our neighbor joined the ranks of
23 Easton and State College in Pennsylvania and
24 cities in other states like Maryland, Texas
25 and California. It is disgraceful that the

1 second financial quarter of 2011 has begun
2 and Scranton is no closer to implementing
3 the parking program than it was when the
4 budget, which includes such a program, was
5 passed in December. Even more disgraceful,
6 is the fact that the Doherty administration
7 used over \$11 million from TAN A and TAN B
8 in January 2011. \$5 million to repay the
9 Worker's Comp Trust Fund and over \$6 million
10 for payment of 2010 bills.

11 Thus, the Doherty administration
12 appears to have created not a \$5 million
13 hole but an over \$11 million budget hole in
14 2011. While at the same time it has
15 purposely failed to try to generate new
16 revenue through the StreetSmart parking
17 program.

18 Instead, the Doherty administration
19 here is determined to institute harmful
20 layoffs to police, fire, clerical and DPW
21 workers to clean up it's financial mess and
22 refuses to consider other viable options.
23 Equally troubling, as my honorable colleague
24 and the Finance Chair of Scranton City
25 Council Mr. Joyce noted, the newspaper

1 doesn't report these serious financial
2 issues just as it failed to report the
3 countless, frivolous UDAG repayment checks
4 used by the mayor as his personal checkbook.

5 Next, city council has included
6 legislation for the possession, sale,
7 production, and distribution of both bath
8 salts, and synthetic cannabinoids on it's
9 agenda this evening. Although, a statewide
10 ban is under consideration in Harrisburg, it
11 must receive the approval of both the House
12 and the Senate, and according to
13 representative Murphy, it may require
14 extended time.

15 Further, although, several articles
16 appeared in the Scranton Times noting that
17 the city administration in conjunction with
18 the D.A.'s Office was developing an
19 ordinance, weeks passed, more crimes were
20 committed, and no legislation appeared
21 before city council. As a result of the
22 state and local delays in producing the
23 bans, Councilman Loscombe acted first on
24 Tuesday, March 29, to initiate bath salts
25 and synthetic cannabinoid legislation to

1 protect the health, safety, and welfare of
2 the people of Scranton, and Council
3 Solicitor Hughes was directed that same
4 night to draft this legislation.

5 The following date council was
6 pleased to learn that the District Attorney
7 filed as plaintiff for a preliminary
8 injunction order and equally pleased that
9 legislation and a request for Attorney Boyd
10 Hughes' assistance from City Solicitor Paul
11 Kelly was sent to council's office on
12 Thursday after many long weeks of waiting
13 for administrative action.

14 Together, the council and city
15 solicitor conferred to produce comprehensive
16 ordinances. The legislation sent by
17 Attorney Kelly was modeled, I believe, after
18 an existing city ordinance prohibiting the
19 use of the spray paint by minors. Boyd
20 Hughes believed that Mr. Kelly's ordinances
21 didn't address all of the issues and that
22 production and distribution needed to be
23 included.

24 As a result, Attorney Hughes rewrote
25 each ordinance himself in a matter of the

1 days because Mr. Kelly was tied up in Court
2 and, unfortunately, in arbitrations. Both
3 solicitors were in agreement with the four
4 ordinances which council will shortly pass.

5 Thanks to Jack Loscombe, Boyd
6 Hughes, and Paul Kelly, the City of Scranton
7 has legislation in one week's time rather
8 than the months wasted as the problem grew
9 in Scranton in numbers.

10 The legislation will be passed this
11 evening due to an emergency declaration
12 signed by the mayor. I thank Mrs. Krake,
13 Ms. Carrera and Ms. Marciano for their
14 Herculean efforts today to bring this
15 legislation to fruition tonight.

16 Next, I was pleased to notice the
17 photo of Mayor Doherty and the accompanying
18 article detailing his delivery of the meals
19 on wheels one day each year in celebration
20 of the nationwide Mayor's for Meals
21 Initiative. As a third term councilwoman, I
22 vividly recall when as a minority council
23 member I fought for CBDG allocations for the
24 Meals on Wheels program and the Doherty
25 administration eliminated Meals on Wheels

1 from funding consideration because it felt
2 as a countywide program it shouldn't receive
3 any funds.

4 This city council supported CDBG
5 funding to Meals on Wheels, EOTC, Catherine
6 McCawley Center, Lackawanna Neighbors,
7 United Neighborhood Centers and United
8 Neighborhood Centers Corporation for the
9 Cedar Avenue project, the Pinebrook
10 Neighborhood Association, blighted property
11 removal, paving and equipment and vehicles
12 for the Scranton police and fire department
13 among others.

14 Since taking office in 2010, city
15 council determines the CDBG allocations and
16 much needed funds have been and will
17 continue to be allocated by this council to
18 city neighborhood and agencies that serve
19 our elderly and needy. Particularly, in
20 light of Governor Corbett's budget cuts to
21 agencies which provide essentially services
22 to our people, this council will allocate
23 funds wherever possible to those hardest hit
24 by the state budget and to street paving and
25 the neighborhoods of our city.

1 Next, I have a few additional items
2 of the city' business. Mrs. Krake, please
3 send the following letters: A second
4 reminder to Attorney Paul Kelly that an RFP
5 or bid specification should be drafted as
6 soon as possible for the broker of the
7 record for all city insurances since the
8 current contract expires in June 2011.

9 A reminder to Ms. Aebli that the
10 February and March OECD reports to Scranton
11 City Council must be submitted by April 8,
12 2011.

13 A letter to the Scranton Housing
14 Authority requesting an explanation and a
15 breakdown for the determination of annual
16 payments in lieu of taxes.

17 A letter to Paul O'Hora requesting
18 his justification for bidding the lawn care
19 and maintenance at citywide flood control
20 projects and levies. City council recently
21 approved a grant for the purchase of lawn
22 mowers and other equipment at the request of
23 Mr. O'Hora. Council understands that while
24 his department includes perhaps three
25 employees, the department of Parks and

1 Recreation employees perhaps four or five
2 employees who are charged with the
3 maintenance of the all city parks and pool
4 facilities. Also, from what line item in
5 the 2011 budget will this two-year contract
6 be paid?

7 And to Ms. Aebli, what is the status
8 of the OECD commercial industrial revolving
9 loan account, EDZ revolving fund account,
10 and EDA revolving loan fund. What is the
11 total dollar amount in each of these three
12 revolving loan fund accounts?

13 And finally, I have a few citizens'
14 requests. Residents of the neighborhood
15 report that the white car with the "For
16 sale" sign was again placed at the
17 intersection of River Street and Meadow
18 Avenue sometime during the past weekend.
19 These residents request it's removal since
20 it has the potential to create a safety
21 hazard as it did earlier this winter.

22 Residents of Tripp Park report that
23 recyclables were never collected on Monday,
24 April 4, and as a result debris now litters
25 roads, sidewalks and alleys.

1 A resident of Pond Avenue reports
2 that garbage and mattress litter the hill
3 between the 2300 block of Pond -- I think
4 the microphones have turned off, the 2300
5 block of Pond and the 2300 block of North
6 Main. Until approximately five years ago,
7 the hill was cleaned and grass was trimmed
8 to clear visibility for traffic coming down
9 North Main Avenue. Please clear this area
10 as soon as possible since it has become a
11 safety hazard and an eyesore, and that's it.

12 MR. JOYCE: If you don't mind if I
13 address Mr. McGoff, have you heard anything
14 about the DPW being a day behind on
15 recyclables because I know that we all
16 received that e-mail and I know that
17 sometimes before the meeting you announce
18 that they are a day behind.

19 MR. MCGOFF: I did not.

20 MR. JOYCE: Okay, and perhaps they
21 maybe.

22 MR. MCGOFF: Mine aren't picked up
23 until tomorrow so I couldn't --

24 MR. JOYCE: Because mine weren't
25 picked up on the day they were supposed to

1 be picked up, also, but I was assuming they
2 may have been behind a day.

3 MR. ROGAN: I make a motion to take
4 a brief recess so we can work out the
5 problems with the microphones.

6 MS. EVANS: This council will now
7 recess briefly until the issue with the
8 microphones has been resolved in order that
9 the listening audience at home may be able
10 to hear the voting portion of tonight's
11 meeting.

12 (A brief recess was taken.)

13 MS. EVANS: I apologize for the
14 inconvenience and we will resume our meeting
15 with Fifth Order.

16 MS. KRAKE: 5-B. REMOVAL OF PARKING
17 METERS LOCATED IN THE 200 AND 300 BLOCKS OF
18 ARTHUR AVENUE, BETWEEN MULBERRY AND LINDEN
19 STREETS AND IN THE 1700 AND 1800 BLOCKS OF
20 MULBERRY STREET AND IN THE 1700 AND 1800
21 BLOCKS OF LINDEN STREET, AND THE 300 BLOCK
22 OF COLFAX AVENUE, AS MORE PARTICULARLY
23 DESCRIBED IN THE CORRESPONDENCE AND ON THE
24 DIAGRAM FROM COMMUNITY MEDICAL CENTER
25 ATTACHED HERETO AND THEREAFTER, TO INSTITUTE

1 DAILY PERMIT PARKING FOR COMMUNITY MEDICAL
2 CENTER EMPLOYEES.

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

6 MR. ROGAN: So moved.

7 MR. LOSCOMBE: Second.

8 MS. EVANS: On the question? I know
9 that Mr. Rogan during his motions did
10 include one response that we received from
11 the CMC in terms of the how it intends to
12 revamp parking fees for the public parking
13 garage. We also asked the following
14 questions, did CMC pay taxes on staff
15 parking -- on the staff parking garage. The
16 response indicates that CMC does pay taxes
17 on it's public garage and doesn't pay taxes
18 on the employees' garage. Another question,
19 how many out patients per day utilize the
20 public parking garage? Approximately 120
21 outpatients per day utilize the public
22 parking garage. Parking in the garage is
23 free for these outpatients. How will CMC
24 distribute the parking permits to staff?
25 CMC will utilize a seniority of employees'

1 service. And finally, will CMC charge
2 employees for the parking permits? And the
3 response was, no, CMC will not be charging
4 it's employees.

5 MR. ROGAN: I would just like to
6 reiterate what I said before, reading
7 through the ordinance it mentions that 78
8 meters had be removed, 41 on Linden Street,
9 45 on Mulberry -- I'm sorry, 78 meters, the
10 majority of them are double meters, so two
11 parking spaces, 41 spots on Linden Street
12 will be removed, 45 spots on Mulberry
13 Street, five on Colfax Avenue, 59 on Arthur
14 Avenue and that comes to a grand total of
15 150 parking spots that will be taken away
16 from the public for employees at CMC to park
17 at. And, as I stated before, the rate of
18 those meters is 25 cents per 15 minutes or
19 \$1 per hour.

20 The rate at CMC is \$4 whether you
21 stay for 15 minutes or whether you stay all
22 day. If you plan on staying at the--
23 visiting someone who is at the hospital for
24 more than four hours it would make sense to
25 park in the garage, but most people when

1 they go to visit somebody at the hospital
2 usually they are there for a brief
3 approximately one hour visit, so if this
4 goes through, assuming there wouldn't be
5 parking on the street because the employees
6 would be getting it free of charge, you
7 people would be paying approximately \$3 more
8 every time they would go visit for a
9 one-hour visit.

10 I don't believe that's fair to the
11 taxpayers. I know \$3 per visit doesn't
12 sound like a lot of money, but it's just
13 common sense that we should leave the meters
14 in place for residents instead of opening --
15 letting CMC by out the meters and let their
16 employees park there.

17 MS. EVANS: I should add that this
18 agreement between the city and CMC is only
19 for the 2011 fiscal year.

20 MR. JOYCE: And add on top of that
21 some quick calculations there, just like
22 Mr. Rogan said, it's 25 cents for 15 minutes
23 in the parking meter, that's a dollar an
24 hour, you multiply it by eight hours, that's
25 eight hours a day that's what the average

1 parking spot would bring in at full
2 occupancy, also, taking into the fact that
3 there is only five days where one is
4 required to drop coin in the meter, that
5 gives us 260 days that meters are in
6 operation, if you multiply that by eight
7 that's \$2080, so the \$2000 price that CMC is
8 willing to pay for the actual spot is a fair
9 price in my opinion, so I'll be voting in
10 the affirmative.

11 MR. ROGAN: Mr. Joyce actually just
12 brought up another point that I didn't even
13 think of until you brought it up, with
14 parking meters you only have pay for certain
15 hours during the day, I believe the
16 enforcement stops at four or five o'clock,
17 I'm not exactly sure, I know Saturdays and
18 Sunday you don't have to pay.

19 MR. JOYCE: Correct.

20 MR. ROGAN: And the CMC parking lot
21 doesn't say when you have to pay, I would
22 assume they would have somebody there 24/7
23 because they are making money off it.

24 MS. EVANS: Is there anyone else on
25 the question? All those in favor of

1 introduction signify by saying aye.

2 MR. MCGOFF: Aye.

3 MR. LOSCOMBE: Aye.

4 MR. JOYCE: Aye.

5 MS. EVANS: Aye. Opposed?

6 MR. ROGAN: No.

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

9 MS. KRAKE: 5-C. REGULATING THE
10 SALE OF METHYLENEDIOXPYROVALERONE (MDPV) AND
11 METHADONES COMMONLY REFERRED TO AS "BATH
12 SALTS" AND/OR ANY DERIVATIVES TO MINORS; THE
13 POSSESSION OF METHYLENEDIOXPYROVALERONE
14 (MDPV) AND METHADONES COMMONLY REFERRED TO
15 AS "BATH SALTS" AND/OR ANY DERIVATIVES BY
16 MINORS; AND PROVIDING FOR ENFORCEMENT OF
17 THESE PROVISIONS, INCLUDING PENALTIES FOR
18 VIOLATIONS.

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

22 MR. ROGAN: So moved.

23 MR. LOSCOMBE: Second.

24 MS. EVANS: On the question?

25 MR. ROGAN: Yes, on the question.

1 This is one of the rare occasions when
2 council, the administration, and many other
3 office holders throughout the community
4 agree on one issue. Everyone has seen on
5 the news what these bath salts have been
6 doing to our community. The chief, as I
7 mentioned last week, Chief Duffy has been
8 going around with a program educating the
9 public about drugs and one of the officers
10 said that bath salts were -- he believes
11 they are more dangerous than heroine. These
12 are synthetic drugs manufactured solely for
13 the reason of altering your mind. There is
14 nothing -- they could be -- it's not a salt
15 that could be used in a bath in any way.
16 It's not like a spray paint where I know the
17 administration was going to say, you know,
18 similar to that along there, there is a
19 legitimate use for spray paint, not people
20 that misuse it and use it as a mind altering
21 substance, but these are drugs. There is no
22 other way to put it. It's a drug.

23 And, unfortunately, the people that
24 manufacture these drugs always seem to be a
25 step ahead of government in banning them.

1 You know, every time something new comes out
2 there, you know, it takes a little while for
3 the media and the people in office to get
4 caught up to it and do something with it and
5 if you'd ask me three months ago what bath
6 salts were I would have told you it's
7 something you put in the water if your bones
8 are aching when you take a bath.
9 Unfortunately, that's not the case with
10 these.

11 As far as these four pieces of
12 legislation go, I would like to thank
13 Councilman Loscombe especially for his
14 efforts on this, our solicitor, Attorney
15 Hughes, the city solicitor, the District
16 Attorney, and everyone that was involved
17 because I'm generally somebody who doesn't
18 want government getting involved in people's
19 lives, but I've said it before and I will
20 say it every day up here, the number one job
21 of government is to keep people in the
22 community safe, and that's what these four
23 pieces of legislation are intended to do.

24 MR. LOSCOMBE: If I may add just
25 quickly, I did forget to mention Chief Duffy

1 before. He has been very helpful to me,
2 also. I met with him on several occasions
3 and spoke to him and he did provide
4 testimony for these injunctions and we did
5 witness his program, as Pat said, at
6 neighborhood association, but he has been
7 very helpful and responded to all of my
8 questions, so I do want to thank Chief Duffy
9 for being as proactive as he is. Thank you.

10 MR. MCGOFF: And -- I'm sorry.

11 MR. JOYCE: Oh, I'm sorry. Okay,
12 I'll go ahead. First, like Mr. Rogan said
13 many times drugs -- the development of drugs
14 does happen before the time government gets
15 to ban them. At one point Coca-Cola
16 contained cocaine in it and one point
17 marijuana was legal and since we are taking
18 this step, which I firmly believe is in the
19 right direction, Mrs. Krake, and I'm sorry
20 for doing this, I'm going to ask you to
21 construct a letter to the townships'
22 supervisors, councils and/or mayor's of
23 Taylor, Old Forge, Dunmore, Dickson City,
24 Moscow, Clarks Green, Clarks Summit, Dalton,
25 Jessup, Peckville, Olyphant and Newton

1 Township, East Benton, Childs, Carbondale
2 and Moosic, to encourage them to follow
3 along with what we are doing here because
4 the people in Scranton if they truly have a
5 problem with addiction to these substances
6 they are going to go to Taylor or they're
7 going to go to Moosic or they are going to
8 go someplace close by where they could buy
9 it, so let's encourage our fellow
10 municipalities, boroughs and townships
11 surrounding us to take action now before
12 it's too late. That's all.

13 MR. MCGOFF: And I would just like
14 to-- I know there are some people that may
15 criticize the haste with which we are doing
16 this, some people may question why we are
17 doing it. I firmly believe that if we are
18 going to -- if we are in error with this I
19 would rather err on the side of caution. I
20 think any municipality has the right to pass
21 legislation to protect it's citizens and
22 that's what we are trying to do, and I am
23 whole-heartedly in support of this and any
24 legislation that would protect the citizens
25 of the City of Scranton.

1 MS. EVANS: At this time I would ask
2 Solicitor Hughes if he has any comments or
3 perhaps an explanation to provide to the
4 public.

5 MR. HUGHES: Thank you, Madam
6 President. Like Councilman Rogan, I didn't
7 know what bath salts -- the type of bath
8 salts were until last Tuesday night, and I
9 had no idea what they were and how they were
10 sold or what they did. After that, I
11 started to work on the ordinance on
12 Wednesday. Then, of course, on Thursday I
13 had my secretary typing up the draft
14 ordinance. I found out on the Internet that
15 the Court had issued an injunction.

16 I then found out that with that
17 injunction that the solicitor's office had
18 sent down at 4:30 on Thursday night draft
19 legislation on the bath salts, for the sale
20 of bath salts and also another ordinance for
21 the possession of bath salts by minors.

22 I talked to Attorney Kelly on
23 Thursday night, probably around 5:00. He
24 was going to be tied up all day most of the
25 day and Friday from 10:00 until around 3:00

1 in a labor arbitration. I discussed the
2 ideas that I had with him. I said I think
3 the one thing we should do and the way I was
4 drafting the ordinance was that I also
5 thought that instead of just the possession
6 of it that I didn't know how they
7 manufactured these things, it was like
8 bathtub gin, if you get all of the chemicals
9 and just put them together and I said I
10 think we should also go after the production
11 of it, the distribution of not only the bath
12 salts, but also of the manufactured pot, of
13 the artificial pot, so that was my idea.

14 I worked on it Thursday night. I
15 told him that I would try to have a draft
16 out to him, that I did have something done,
17 and at least have one of them to him by
18 hopefully 10:00 on Friday morning before he
19 went into his arbitration. I did send that
20 out, I completed the ordinances, I had them
21 combined as one ordinance for the artificial
22 pot and also for bath salts combined into
23 one ordinance that would stop for the
24 regulation of the sale and possession and
25 the manufacturer and the production of it,

1 and also had one for minors.

2 The one thing is that the Court
3 injunction that was issued, the temporary
4 injunction, that stopped the sale. It did
5 not stop the possession, the manufacture,
6 and the production of it or the sale between
7 people on the streets, so that while the
8 Court did take and the district attorney did
9 take a giant step on this, it was probably
10 the first county in the state to do it, it
11 was limited to the sale, and as you realized
12 that it was just -- there were six stores
13 that were mentioned in the City of Scranton.

14 Ironically, drafting the ordinance
15 we got it together, I got everything to
16 Attorney Kelly. He called me at noon on
17 Friday and he you can see by the title, you
18 can just imagine -- if two of these titles
19 were together as one, he though maybe we
20 should have separate ordinances regulating
21 the sale of the bath salts and also the
22 synthetic marijuana.

23 I agreed with him, I thought that
24 probably would be easier. Some of these
25 names are pretty hard to pronounce,

1 Methylene -- the MDPV has 25 letters, the
2 alphabet has 26 and it's pretty difficult to
3 state, so I agreed with Paul. I told him
4 that I would get everything together and get
5 it out to him by Friday, at least we could
6 tweak the ordinance if we had to do
7 anything, we could tweak it on Monday and
8 Tuesday before it was introduced tonight as
9 long as we had the title of the ordinance
10 did not change.

11 So that what I did I had draft
12 ordinances went out, were e-mailed out
13 Friday night approximately around by 4:00 to
14 the solicitor's office and also to the city
15 clerk. I had not proofed them. I proofed
16 them over the weekend. My secretary on
17 Monday morning finalized them and they were
18 e-mailed to the solicitor's office. I did
19 make one Freudian slip with the typewriter
20 here. She said to me, "Boyd, I changed one
21 of the words," she said, "You had one of the
22 trade names of the bath salts was space."

23 She was in a store up valley over
24 the weekend and she said she saw it right
25 there on the counter by the cash register

1 was Spice, not space, so she said, "I
2 changed the name from space to spice."

3 I said, "That's fine," I said, "I
4 have no idea what we are doing," so we
5 corrected that. So the proper word I guess
6 in the trade is these bath salts are known
7 as one of the trade names as Spice, and you
8 will see in the ordinance there is probably
9 20 different names of bath salts.

10 So we put this together, I think
11 that it fills a void, not I think I know it
12 fills a void from the standpoint of the
13 injunction even though the Court has made
14 this injunction permanent instead of just
15 temporary injunction for the five days for
16 the sale throughout the county. However,
17 what we have done here is that it not
18 only -- especially when it comes to minors
19 it makes it an offense of the ordinance, a
20 violation of the ordinance for anybody to
21 give, aid, abet, sell, any of these bath
22 salts or of the synthetic marijuana to any
23 minor or for a minor to possess any of these
24 within the City of Scranton. So that I
25 think we have taken a giant step forward

1 here.

2 I think in the arguments the
3 injunction that the Court granted regarding
4 the sale of these bath salts and synthetic
5 marijuana anywhere within the county to make
6 the manufacture, the production, you know,
7 the sale whether it's to give to barter or
8 do any manner of it or to possess it a
9 crime-- or let me put it this way, an
10 offense within the city that's punishable by
11 a fine of up to \$300 and/or 30 days in jail.

12 So that's pretty much the way that
13 this developed. Paul Kelly and I worked
14 together on it. You know, he liked my
15 suggestions, I'd like his and as a result we
16 have legislation that came down to the
17 solicitor's office on Thursday night that's
18 being finally enacted here Tuesday night,
19 you know, three days, four days later.

20 MS. EVANS: Thank you, Solicitor
21 Hughes.

22 MR. JOYCE: Also, before we move to
23 vote, I also want to take the time to thank
24 the Scranton School Board members for their
25 actions on this issue, in particular,

1 Director Lesh, Sheridan, McWiggin, Ruane,
2 Pat O'Malley, Paul O'Malley, Chris Phillips,
3 Nathan Barrett and also Brain Jeffers. All
4 their actions should be commended.

5 MS. EVANS: If there is nothing
6 further, gentlemen, let's get it done. All
7 those in favor of introduction signify by
8 saying aye.

9 MR. MCGOFF: Aye.

10 MR. ROGAN: Aye.

11 MR. LOSCOMBE: Aye.

12 MR. JOYCE: Aye.

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

15 MS. KRAKE: 5-D. REGULATING THE SALE
16 OF METHYLENEDIOXPYROVALERONE (MDPV) AND
17 METHADONES COMMONLY REFERRED TO AS "BATH
18 SALTS" AND/OR ANY DERIVATIVES FOR HUMAN
19 CONSUMPTION OR HUMAN INGESTION; PROHIBITING
20 THE POSSESSION OF METHADONES AND
21 METHYLENEDIOXPYROVALERONE (MDPV) COMMONLY
22 REFERRED TO AS "BATH SALTS" AND/OR ANY
23 DERIVATIVES FOR HUMAN CONSUMPTION OR HUMAN
24 INGESTION AND PROHIBITING THE MANUFACTURE
25 AND PRODUCTION OF METHADONES AND

1 METHYLENEDIOXPYROVALERONE (MDPV) COMMONLY
2 REFERRED TO AS "BATH SALTS" AND/OR ANY
3 DERIVATIVES AND PROVIDING FOR ENFORCEMENT OF
4 THESE PROVISIONS, INCLUDING PENALTIES FOR
5 VIOLATIONS.

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

9 MR. ROGAN: So moved.

10 MR. JOYCE: Second.

11 MS. EVANS: On the question? All
12 those in favor of introduction signify by
13 saying aye.

14 MR. MCGOFF: Aye.

15 MR. ROGAN: Aye.

16 MR. LOSCOMBE: Aye.

17 MR. JOYCE: Aye.

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

20 MS. KRAKE: 5-E. REGULATING THE SALE
21 OF SYNTHETIC CANNABINOIDS AND/OR ITS
22 DERIVATIVES TO MINORS; PROHIBITING THE
23 POSSESSION OF SYNTHETIC CANNABINOIDS AND/OR
24 ITS DERIVATIVES BY MINORS; AND PROVIDING FOR
25 ENFORCEMENT OF THESE PROVISIONS, INCLUDING

1 PENALTIES FOR VIOLATIONS.

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

5 MR. ROGAN: So moved.

6 MR. JOYCE: Second.

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

10 MR. MCGOFF: Aye.

11 MR. ROGAN: Aye.

12 MR. LOSCOMBE: Aye.

13 MR. JOYCE: Aye.

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

16 MS. KRAKE: 5-F. REGULATING THE SALE
17 OF SYNTHETIC CANNABINOIDS AND/OR ANY
18 DERIVATIVES FOR HUMAN CONSUMPTION OR HUMAN
19 INGESTION; PROHIBITING THE POSSESSION OF
20 SYNTHETIC CANNABINOIDS AND/OR ITS
21 DERIVATIVES FOR HUMAN CONSUMPTION OR HUMAN
22 INGESTION AND PROHIBITING THE MANUFACTURE
23 AND PRODUCTION OF SYNTHETIC CANNABINOIDS
24 AND/OR ANY DERIVATIVES AND PROVIDING FOR
25 ENFORCEMENT OF THESE PROVISIONS, INCLUDING

1 PENALTIES FOR VIOLATIONS.

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

5 MR. ROGAN: So moved.

6 MR. JOYCE: Second.

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

10 MR. MCGOFF: Aye.

11 MR. ROGAN: Aye.

12 MR. LOSCOMBE: Aye.

13 MR. JOYCE: Aye.

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

16 MS. KRAKE: 5-G. AUTHORIZING THE
17 MAYOR AND OTHER APPROPRIATE CITY
18 OFFICIALS TO GRANT A SPECIAL ENCROACHMENT
19 PERMIT TO PIZZA BY PAPPAS TO OPERATE AN
20 OUTDOOR RESTAURANT AT 303 NORTH WASHINGTON
21 AVENUE, SCRANTON, PENNSYLVANIA.

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

25 MR. ROGAN: So moved.

1 MR. JOYCE: Second.

2 MS. EVANS: On the question? All
3 those in favor of introduction signify by
4 saying aye.

5 MR. MCGOFF: Aye.

6 MR. ROGAN: Aye.

7 MR. LOSCOMBE: Aye.

8 MR. JOYCE: Aye.

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

11 MR. LOSCOMBE: At this time I would
12 like to make a motion to suspend the rules
13 to move Item 5-C, 5-D, 5-E and 5-F to Sixth
14 and Seventh Order to be considered for final
15 passage based on the attached emergency
16 certificate.

17 MR. JOYCE: Second.

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

20 MR. MCGOFF: Aye.

21 MR. ROGAN: Aye.

22 MR. LOSCOMBE: Aye.

23 MR. JOYCE: Aye.

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

1 MS. KRAKE: SIXTH ORDER. 6-A.
2 READING BY TITLE - FILE OF COUNCIL NO. 22,
3 2011 - AN ORDINANCE - REGULATING THE SALE
4 OF METHYLENEDIOXPYROVALERONE (MDPV) AND
5 METHADONES COMMONLY REFERRED TO AS "BATH
6 SALTS" AND/OR ANY DERIVATIVES TO MINORS; THE
7 POSSESSION OF METHYLENEDIOXPYROVALERONE
8 (MDPV) AND METHADONES COMMONLY REFERRED TO
9 AS "BATH SALTS" AND/OR ANY DERIVATIVES BY
10 MINORS; AND PROVIDING FOR ENFORCEMENT OF
11 THESE PROVISIONS, INCLUDING PENALTIES FOR
12 VIOLATIONS.

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

15 MR. ROGAN: I move that Item 6-A
16 pass reading by title.

17 MR. JOYCE: Second.

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

20 MR. MCGOFF: Aye.

21 MR. ROGAN: Aye.

22 MR. LOSCOMBE: Aye.

23 MR. JOYCE: Aye.

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

1 MS. KRAKE: 6-B. READING BY TITLE -
2 FILE OF COUNCIL NO. 23, 2011 - AN ORDINANCE
3 - REGULATING THE SALE OF
4 METHYLENEDIOXPYROVALERONE (MDPV) AND
5 METHADONES COMMONLY REFERRED TO AS "BATH
6 SALTS" AND/OR ANY DERIVATIVES FOR HUMAN
7 CONSUMPTION OR HUMAN INGESTION; PROHIBITING
8 THE POSSESSION OF METHADONES AND
9 METHYLENEDIOXPYROVALERONE (MDPV) COMMONLY
10 REFERRED TO AS "BATH SALTS" AND/OR ANY
11 DERIVATIVES FOR HUMAN CONSUMPTION OR HUMAN
12 INGESTION AND PROHIBITING THE MANUFACTURE
13 AND PRODUCTION OF METHADONES AND
14 METHYLENEDIOXPYROVALERONE (MDPV) COMMONLY
15 REFERRED TO AS "BATH SALTS" AND/OR ANY
16 DERIVATIVES AND PROVIDING FOR ENFORCEMENT OF
17 THESE PROVISIONS, INCLUDING PENALTIES FOR
18 VIOLATIONS.

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

21 MR. ROGAN: I move that Item 6-B
22 pass reading by title.

23 MR. JOYCE: Second.

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

1 MR. MCGOFF: Aye.

2 MR. ROGAN: Aye.

3 MR. LOSCOMBE: Aye.

4 MR. JOYCE: Aye.

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

7 MS. KRAKE: 6-C. READING BY TITLE -
8 FILE OF COUNCIL NO. 24, 2011 - AN ORDINANCE
9 - REGULATING THE SALE OF SYNTHETIC
10 CANNABINOIDS AND/OR ANY DERIVATIVES FOR
11 HUMAN CONSUMPTION OR HUMAN INGESTION;
12 PROHIBITING THE POSSESSION OF SYNTHETIC
13 CANNABINOIDS AND/OR ITS DERIVATIVES FOR
14 HUMAN CONSUMPTION OR HUMAN INGESTION AND
15 PROHIBITING THE MANUFACTURE AND PRODUCTION
16 OF SYNTHETIC CANNABINOIDS AND/OR ANY
17 DERIVATIVES AND PROVIDING FOR ENFORCEMENT OF
18 THESE PROVISIONS, INCLUDING PENALTIES FOR
19 VIOLATIONS.

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

22 MR. ROGAN: I move that Item 6-C
23 pass reading by title.

24 MR. JOYCE: Second.

25 MS. EVANS: On the question? All

1 those in favor signify by saying aye.

2 MR. MCGOFF: Aye.

3 MR. ROGAN: Aye.

4 MR. LOSCOMBE: Aye.

5 MR. JOYCE: Aye.

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

8 MS. KRAKE: 6-D. READING BY TITLE -
9 FILE OF COUNCIL NO. 25, 2011 - AN ORDINANCE
10 - REGULATING THE SALE OF SYNTHETIC
11 CANNABINOIDS AND/OR ANY DERIVATIVES FOR
12 HUMAN CONSUMPTION OR HUMAN INGESTION;
13 PROHIBITING THE POSSESSION OF SYNTHETIC
14 CANNABINOIDS AND/OR ITS DERIVATIVES FOR
15 HUMAN CONSUMPTION OR HUMAN INGESTION AND
16 PROHIBITING THE MANUFACTURE AND PRODUCTION
17 OF SYNTHETIC CANNABINOIDS AND/OR ANY
18 DERIVATIVES AND PROVIDING FOR ENFORCEMENT OF
19 THESE PROVISIONS, INCLUDING PENALTIES FOR
20 VIOLATIONS.

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

23 MR. ROGAN: I move that Item 6-D
24 pass reading by title.

25 MR. LOSCOMBE: Second.

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

3 MR. MCGOFF: Aye.

4 MR. ROGAN: Aye.

5 MR. LOSCOMBE: Aye.

6 MR. JOYCE: Aye.

7 MS. EVANS: Aye. Opposed? The ayes
8 have it and so moved.

9 MS. KRAKE: 7-A. FOR CONSIDERATION
10 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT
11 FOR ADOPTION-RESOLUTION NO. 18, 2011 -
12 ACCEPTING THE RECOMMENDATION OF THE
13 HISTORICAL ARCHITECTURE REVIEW BOARD
14 ("HARB") AND APPROVING THE CERTIFICATE OF
15 APPROPRIATENESS FOR A+SIGNS, INC., 259 SOUTH
16 KEYSER AVENUE, OLD FORGE, PENNSYLVANIA, FOR
17 INSTALLATION OF ONE SINGLE-SIDED SIGN ON
18 FRONT FASCIA OF BUILDING; ONE NONILLUMINATED
19 PANEL TO BE 4' 6"X 28'; LETTERS ON PANEL TO
20 BE INTERNALLY ILLUMINATED CHANNEL LETTERS;
21 LETTERS TO BE INTERNALLY ILLUMINATED WITH
22 LED LIGHTING SYSTEM; LETTERS TO BE
23 FABRICATED OF ALUMINUM RETURNS WITH PLEXI
24 GLASS FACES AND EXISTING AWNING TO BE
25 REPLACED WITH BURGANDY COLORED FABRIC AT 135

1 WYOMING AVENUE, SCRANTON, PENNSYLVANIA.

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

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

8 MR. LOSCOMBE: Second.

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

11 MS. CARRERA: Mr. McGoff.

12 MR. MCGOFF: Yes.

13 MS. CARRERA: Mr. Rogan.

14 MR. ROGAN: Yes.

15 MS. CARRERA: Mr. Loscombe.

16 MR. LOSCOMBE: Yes.

17 MS. CARRERA: Mr. Joyce.

18 MR. JOYCE: Yes.

19 MS. CARRERA: Mrs. Evans.

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

22 MR. ROGAN: I would like to make a
23 motion to take Resolution No. 14, 2011, from
24 the table.

25 MR. JOYCE: Second.

1 MS. EVANS: On the question? All
2 those in favor of introduction signify by
3 saying aye.

4 MR. MCGOFF: Aye.

5 MR. ROGAN: Aye.

6 MR. LOSCOMBE: Aye.

7 MR. JOYCE: Aye.

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

10 MS. KRAKE: 7-B. FOR CONSIDERATION
11 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT
12 FOR ADOPTION-RESOLUTION NO. 14, 2011
13 (PREVIOUSLY TABLED)- AUTHORIZING THE MAYOR
14 AND OTHER APPROPRIATE CITY OFFICIALS FOR THE
15 CITY OF SCRANTON TO ENTER INTO AN AMENDMENT
16 TO ITS CONTRACT WITH THE COMMONWEALTH OF
17 PENNSYLVANIA DEPARTMENT OF COMMUNITY AND
18 ECONOMIC DEVELOPMENT FOR HOUSING AND
19 REDEVELOPMENT ASSISTANCE CONCERNING THE
20 RENOVATION OF THE CONNELL BUILDING IN
21 ORDER TO INCREASE THE GRANT FUNDING
22 THEREUNDER BY \$250,000.00 FOR SIDEWALK
23 IMPROVEMENTS.

24 MS. EVANS: What is the
25 recommendation of the Chair for the

1 Committee on Community Development?

2 MR. ROGAN: As Chairperson for the
3 Committee on Community Development, I do not
4 recommended final passage of Item 7-B.

5 MR. JOYCE: Second.

6 MS. EVANS: On the question?

7 MR. ROGAN: Yes, on the question. I
8 have stated over and over again that I am
9 100 percent opposed to spending a quarter of
10 a million dollars on sidewalks for one
11 property on one block in the city. Now, I
12 understand that they are state tax dollars,
13 but the people of Scranton also pay state
14 taxes, and in the past I have stated that
15 other projects that came down that were
16 funded by the state may have been
17 questionable to whether it was wise spending
18 or not, but, for instance, the RACP loans,
19 but with the grants -- but with that money
20 we were creating jobs and we are eliminating
21 blight in the city.

22 This \$250,000 is going to only
23 improve one stretch of sidewalks on one
24 property on one block. Just to put it into
25 perspective how much money \$250,000 is, I

1 have a list of how much money the City of
2 Scranton has spent on paving throughout the
3 whole city since 2001 and to 2010. 2001,
4 \$67,540.32. 2002, \$100,000. 2003,
5 \$100,000. 2004, \$65,000. 2005, \$65,000.
6 2006, \$120,000. 2007, \$100,000. 2008,
7 \$150,000. 2009, \$195,000. 2010, \$150,000.

8 Now, those figures are the figures
9 for one entire year for paving throughout
10 the entire city funded by the city. That
11 does not include money from the state or
12 federal government for paving. So we are
13 going to vote -- by voting "yes" for
14 \$250,000 for sidewalks on one property on
15 one block is voting for spending more money
16 for one tiny section of the city than has
17 been budgeted in the last ten years of any
18 one year for road paving. The closest we
19 ever came to the \$250,000 for paving was
20 \$195,000 in 2009.

21 With the recent cuts in the state
22 government I think this should be voted down
23 and we should ask the governor to put the
24 money towards education.

25 MS. EVANS: Is there anyone else on

1 the question?

2 MR. MCGOFF: Yes, I'm sorry.

3 MR. JOYCE: You can go first.

4 MR. MCGOFF: Well, number one, this
5 comes under a grant program that I don't
6 believe that the money can be transferred
7 to, you know, something else. Number two,
8 this is a project that was eligible for the
9 grant -- for these funds. It was -- it
10 falls under the guidelines of DCED for these
11 funds, and it was approved by DCED for these
12 funds, and while it would nice if we had
13 \$250,000 to spend elsewhere on other things
14 that's not possible, and as long as this
15 grant meets the guidelines established by
16 DCED, and we have been furnished with the
17 amounts that were spent for the sidewalks
18 that seem reasonable -- not use the word
19 reasonable, we asked for, you know, how much
20 it cost to do this and we received that from
21 the developer I don't see any reason why we
22 should vote against this grant.

23 As I said, it's already been
24 approved, it's for a project that was
25 eligible and it falls under the guidelines

1 and the money cannot be used elsewhere.

2 MS. EVANS: I just wanted to I think
3 piggyback on what you were saying and in
4 actuality I do have with me this evening the
5 complete list -- the copies of any and all
6 itemized for the installation of the
7 sidewalks located in front of the Connell
8 building. As you can see, it's very
9 extensive and includes not only sidewalks,
10 but installation of underground utilities,
11 they addressed underground vaults. It also
12 includes streetlights and trees and the
13 total cost incurred by the developer was
14 over \$275,000.

15 I just wanted to add to something
16 else that Mr. McGoff said, which is the fact
17 that it appears the state encouraged the
18 developer to apply for this grant funding.
19 Originally, he had a \$500,000 loan with the
20 state and rather than increasing the amount
21 of the loan by the \$250,000, he was
22 encouraged by DCED to apply for those funds
23 through a grant rather than through the
24 increase of the loan.

25 These are state funds, they are not

1 city funds, and my concern is, you know, as
2 I believe you stated in the past, Mr. Rogan,
3 is this the best possible use of the state
4 funds? In my opinion, no, it is not,
5 however, we represent the City of Scranton.
6 We are not state legislators. The state has
7 offered this, has stated that the project
8 meets all requirements in full and should we
9 turn down this grant as a council, and I did
10 speak with our solicitor last week about
11 this situation because he had researched the
12 grant requirements of the grant, etcetera,
13 so that he could better advise us. If we
14 could do not approve this grant in our
15 solicitor's own words where might this money
16 go? Pittsburgh.

17 And so I believe it's important
18 that we act for the benefit of the City of
19 Scranton and for the Scranton residents and,
20 obviously, we have unprecedented complete
21 documentation for the project, so I will be
22 supporting it.

23 MR. JOYCE: And I also I know that
24 Mr. Rogan had stated that it's a misuse of
25 taxpayer dollars, and believe me, I know

1 with recent cuts to the state budget, yeah,
2 would I like to see this money go to
3 education, of course, I would, but, what I
4 do know is that the developer, Mr.
5 Jefferson, did send down substantial
6 substantiation for all of the costs incurred
7 which included more than just putting in
8 sidewalks. There was also electrical work,
9 there were trees that needed to be removed,
10 and by no means am I sitting here advocating
11 on Mr. Jefferson's behalf, I'm doing what I
12 think is right in this situation.

13 If I was a state legislator I would
14 like to see better use of this money, but
15 like Mrs. Evans said, and also Mr. McGoff
16 echoed this, I would rather see the money
17 spent here than somewhere else in the state
18 if the funds are already appropriated for.
19 That's all.

20 MR. ROGAN: I would agree. I would
21 like to see the money spent here as well,
22 but on something that would actually benefit
23 the community. The only people -- person
24 that benefits from this grant is the owner
25 of that property. One property throughout

1 this entire city and we are going to approve
2 a quarter of a million dollars of taxpayer
3 money.

4 MS. EVANS: Well, the issue is
5 though, and I do agree with what you are
6 saying completely, however, you know, and
7 your points are noted, your objections are
8 noted and well taken, however, this money
9 cannot be used in any other way within our
10 city. It's been earmarked, it's DCED money,
11 it's earmarked for these types of projects,
12 so as much as we would like to use it for
13 other sidewalks, curbing, paving, etcetera,
14 it simply can't be done.

15 And in terms of, you know, education
16 certainly no one perhaps more than McGoff
17 and I can understand the concerns related to
18 these Draconian and unnecessary cuts to
19 public education and post-secondary
20 education in the governor's proposed budget,
21 but unfortunately these funds cannot be
22 allocated toward that purpose, so it is a
23 matter of this simple decision do you accept
24 the funding for the sidewalks or do you give
25 up the funding and it will go to another

1 project in another city?

2 MR. ROGAN: I understand that we
3 cannot chose where this money is spent, I
4 understand that we cannot amend it to make
5 it go for sidewalks for people in the
6 community, which I think we would all love
7 to do, whether we can change what the
8 funding is for or not, it's still \$250,000
9 wasted. You would disagree.

10 MR. MCGOFF: I never thought that I
11 would agree with our espouse a Ronald
12 Regan's trickle down economics, but, you
13 know, it does serve a purpose, because it's
14 money that's spent on the development that
15 doesn't go into the pockets of just the
16 developer, but does go to the people who
17 have worked on the project who will, you
18 know, businesses that have contributed to
19 the supplies to the project, and so that
20 money does go into the local economy and
21 just not into, you know, just to the
22 developer.

23 MR. ROGAN: I understand that, but I
24 still will never vote for a quarter of a
25 million dollars for sidewalks for one

1 property. Not today, not tomorrow, not
2 ever.

3 MR. JOYCE: I guess I would like to
4 just like finally add, and this is the last
5 thing I'm going to say about it, if it came
6 down to it, yeah, \$250,000 is a lot to spend
7 on one building, but -- or for sidewalks,
8 but you know what, they are for sidewalks in
9 a building that's located in Scranton. I
10 would much rather see it spent on those
11 costs being that's in our city than having
12 it spent on one piece of property in
13 Pittsburgh, Bethlehem, Allentown or Erie or
14 another city comparable to our size.

15 MR. ROGAN: It's pointless for me to
16 keep belaboring the point.

17 MS. EVANS: And so all points are
18 well-taken, now we shall vote.

19 MR. HUGHES: Madam President, I
20 don't want to belabor the point, but since
21 you asked me to look into, the one thing
22 attached to the resolution is the first
23 amendment to the contract, and one of the
24 things I think is important, because it was
25 raised previously, is for me to look into

1 it, the special conditions is that the
2 contractor assumes the provision of the
3 local share and to reimburse the
4 Commonwealth if expenses are found
5 ineligible at project audit, so there is no
6 liability on behalf the city in the event
7 that any of the funds -- if there is an
8 audit and there has to be a recapture of any
9 of the funds by the state because they
10 weren't spent in accordance with the grant,
11 that the city has no liability, it's solely
12 the liability of the developer. I have
13 nothing further to say.

14 MS. EVANS: Thank you for that
15 additional information.

16 MR. ROGAN: Mrs. Evans, this would
17 be a reverse vote; correct?

18 MS. EVANS: Yes, this is a reverse
19 vote. Roll call, please.

20 MS. CARRERA: Mr. McGoff.

21 MR. MCGOFF: No.

22 MS. CARRERA: Mr. Rogan.

23 MR. ROGAN: Yes.

24 MS. CARRERA: Mr. Loscombe.

25 MR. LOSCOMBE: No.

1 MS. CARRERA: Mr. Joyce.

2 MR. JOYCE: No.

3 MS. CARRERA: Mrs. Evans.

4 MS. EVANS: No. I hereby declare
5 item 7-B legally and lawfully adopted. Is
6 there anyone who wishes to address council
7 on items 7-C, 7-D, 7-E and 7-F, that is
8 specifically the emergency certificate bath
9 salts legislation that we have, all of which
10 we have moved to Seventh Order tonight?
11 Mrs. Krake.

12 MS. KRAKE: 7-C, FORMERLY, 6-A. FOR
13 CONSIDERATION BY THE COMMITTEE ON PUBLIC
14 SAFETY - FOR ADOPTION - FILE OF COUNCIL NO.
15 22, 2011 - AN ORDINANCE - REGULATING THE
16 SALE OF METHYLENEDIOXPYROVALERONE (MDPV) AND
17 METHADONES COMMONLY REFERRED TO AS "BATH
18 SALTS" AND/OR ANY DERIVATIVES TO MINORS; THE
19 POSSESSION OF METHYLENEDIOXPYROVALERONE
20 (MDPV) AND METHADONES COMMONLY REFERRED TO
21 AS "BATH SALTS" AND/OR ANY DERIVATIVES BY
22 MINORS; AND PROVIDING FOR ENFORCEMENT OF
23 THESE PROVISIONS, INCLUDING PENALTIES FOR
24 VIOLATIONS.

25 MS. EVANS: What is the

1 recommendation of the Chair for the
2 Committee on Public Safety?

3 MR. LOSCOMBE: As Chairperson for
4 the Committee on Public Safety, I recommend
5 final passage of Item 7-C.

6 MR. JOYCE: Second.

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

9 MS. CARRERA: Mr. McGoff.

10 MR. MCGOFF: Yes.

11 MS. CARRERA: Mr. Rogan.

12 MR. ROGAN: Yes.

13 MS. CARRERA: Mr. Loscombe.

14 MR. LOSCOMBE: Yes.

15 MS. CARRERA: Mr. Joyce.

16 MR. JOYCE: Yes.

17 MS. CARRERA: Mrs. Evans.

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

20 MS. KRAKE: 7-D, FORMERLY 6-B, FOR
21 CONSIDERATION BY THE COMMITTEE ON PUBLIC
22 SAFETY - FOR ADOPTION - FILE OF COUNCIL NO.
23 23, 2011 - AN ORDINANCE - REGULATING THE
24 SALE OF METHYLENEDIOXPYROVALERONE (MDPV) AND
25 METHADONES COMMONLY REFERRED TO AS "BATH

1 SALTS" AND/OR ANY DERIVATIVES FOR HUMAN
2 CONSUMPTION OR HUMAN INGESTION; PROHIBITING
3 THE POSSESSION OF METHADONES AND
4 METHYLENEDIOXPYROVALERONE (MDPV) COMMONLY
5 REFERRED TO AS "BATH SALTS" AND/OR ANY
6 DERIVATIVES FOR HUMAN CONSUMPTION OR HUMAN
7 INGESTION AND PROHIBITING THE MANUFACTURE
8 AND PRODUCTION OF METHADONES AND
9 METHYLENEDIOXPYROVALERONE (MDPV) COMMONLY
10 REFERRED TO AS "BATH SALTS" AND/OR ANY
11 DERIVATIVES AND PROVIDING FOR ENFORCEMENT OF
12 THESE PROVISIONS, INCLUDING PENALTIES FOR
13 VIOLATIONS.

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

17 MR. LOSCOMBE: As Chairperson for
18 the Committee on Public Safety, I recommend
19 final passage of Item 7-D.

20 MR. JOYCE: Second.

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

23 MS. CARRERA: Mr. McGoff.

24 MR. MCGOFF: Yes.

25 MS. CARRERA: Mr. Rogan.

1 MR. ROGAN: Yes.

2 MS. CARRERA: Mr. Loscombe.

3 MR. LOSCOMBE: Yes.

4 MS. CARRERA: Mr. Joyce.

5 MR. JOYCE: Yes.

6 MS. CARRERA: Mrs. Evans.

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

9 MS. KRAKE: 7-E, FORMERLY 6-C, FOR
10 CONSIDERATION BY THE COMMITTEE ON PUBLIC
11 SAFETY - FOR ADOPTION - FILE OF COUNCIL NO.
12 24, 2011 - AN ORDINANCE - REGULATING THE
13 SALE OF SYNTHETIC CANNABINOIDS AND/OR ANY
14 DERIVATIVES FOR HUMAN CONSUMPTION OR HUMAN
15 INGESTION; PROHIBITING THE POSSESSION OF
16 SYNTHETIC CANNABINOIDS AND/OR ITS
17 DERIVATIVES FOR HUMAN CONSUMPTION OR HUMAN
18 INGESTION AND PROHIBITING THE MANUFACTURE
19 AND PRODUCTION OF SYNTHETIC CANNABINOIDS
20 AND/OR ANY DERIVATIVES AND PROVIDING FOR
21 ENFORCEMENT OF THESE PROVISIONS, INCLUDING
22 PENALTIES FOR VIOLATIONS.

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

1 MR. LOSCOMBE: As Chairperson for
2 the Committee on Public Safety, I recommend
3 final passage of Item 7-E.

4 MR. JOYCE: Second.

5 MS. EVANS: On the question? Roll
6 call, please?

7 MS. CARRERA: Mr. McGoff.

8 MR. MCGOFF: Yes.

9 MS. CARRERA: Mr. Rogan.

10 MR. ROGAN: Yes.

11 MS. CARRERA: Mr. Loscombe.

12 MR. LOSCOMBE: Yes.

13 MS. CARRERA: Mr. Joyce.

14 MR. JOYCE: Yes.

15 MS. CARRERA: Mrs. Evans.

16 MS. EVANS: Yes. I hereby declare
17 Item 7-E legally and lawfully adopted.

18 I commend you gentlemen and ladies
19 on a job well done and for your concern for
20 the people of the City of Scranton. If
21 there is no further business, I'll entertain
22 a motion to adjourn.

23 MR. JOYCE: Motion to adjourn.

24 MS. EVANS: This meeting is
25 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