

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, February 2, 2012

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SCRANTON COUNCIL:

JANET EVANS, PRESIDENT

PAT ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

JAMIE MARCIANO, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

.

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

3 MS. EVANS: Roll call, please.

4 MS. MARCIANO: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. MARCIANO: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. MARCIANO: Mr. Loscombe.

9 MR. LOSCOMBE: Here.

10 MS. MARCIANO: Mr. Joyce.

11 MR. JOYCE: Here.

12 MS. MARCIANO: Mrs. Evans.

13 MS. EVANS: Here.

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

15 MINUTES OF THE COMPOSITE PENSION BOARD
16 MEETINGS HELD NOVEMBER 16, 2011 AND DECEMBER
17 14, 2011.

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

20 MS. KRAKE: 3-B. MINUTES OF THE
21 NON-UNIFORM MUNICIPAL PENSION MEETING HELD
22 DECEMBER 14, 2011.

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

25 MS. KRAKE: 3-C. MINUTES OF THE

1 FIREMEN'S PENSION COMMISSION MEETING HELD
2 DECEMBER 14, 2011.

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

5 MS. KRAKE: 3-D. MINUTES OF THE
6 SCRANTON POLICE PENSION MEETING HELD
7 DECEMBER 14, 2011.

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

10 MS. KRAKE: 3-E. MINUTES OF THE
11 SCRANTON-LACKAWANNA HEALTH & WELFARE
12 AUTHORITY'S REGULAR MEETING HELD DECEMBER
13 15, 2011.

14 MS. EVANS: Are there any comments?
15 If not, received and filed.

16 MS. KRAKE: 3-F. AGENDA FOR THE
17 NON-UNIFORM MUNICIPAL PENSION FUND MEETING
18 TO BE HELD JANUARY 25, 2012.

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

21 MS. KRAKE: 3-G. AGENDA FOR THE
22 ZONING HEARING BOARD MEETING TO BE HELD
23 FEBRUARY 8, 2012.

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

1 members have announcements at this time?
2 Mr. Krake?

3 MS. KRAKE: Yes, we have a brief
4 clerk's notes. We had a miscommunication
5 this past Monday about a special meeting
6 between our office and ECTV in so as far as
7 requesting them to be here for the special
8 meeting, so we have since spoken with them
9 and ironed out that, so any time in the
10 future when we have a special meeting we
11 have a way of verifying that each party is
12 aware.

13 MS. EVANS: Thank you very much. Is
14 there anything else?

15 MS. KRAKE: No. That's it.

16 MS. EVANS: Then I think we can move
17 on.

18 MS. KRAKE: CITIZENS' PARTICIPATION.

19 MS. EVANS: Our first speaker this
20 evening is Ozzie Quinn.

21 MR. QUINN: Good evening. Ozzie
22 Quinn, Scranton Taxpayers' Association --
23 Scranton and Lackawanna County Taxpayers'
24 Association.

25 MS. EVANS: Good evening.

1 MR. JOYCE: Good evening.

2 MR. QUINN: First of all, I'd like
3 to address the fact that the last week the
4 half a million dollars was not approved --
5 it was approved, but to be transferred into
6 another project which included the HNAs
7 which was hanging around for ten years and
8 met the criteria. I understand, I didn't
9 know about this, but they told me at the
10 Homeowners' Association that after the
11 meeting Mr. -- I left and Mr. Rogan made a
12 comment that he drove by.

13 I want to give this to Mr. Rogan
14 because of the fact they have two people
15 working there, okay, one is the National
16 Council on Aging, and it is funded by the
17 United States Department of Labor, and the
18 other is a volunteer and they work Monday
19 through Thursday every day, they are a 501
20 (c) (3) and I if I can, approach? Okay?

21 MS. EVANS: Yes.

22 MR. QUINN: And I want to give this
23 to Mr. Rogan and I want to ask, I want to
24 give you a list, I don't know if you saw
25 this, all of the things that they do, okay?

1 As a matter of fact they are going to
2 distribute food. They have recently
3 distributed 900 cases of food, okay? I
4 would appreciate if you could consider that,
5 looking at that and visit the site?

6 MR. ROGAN: Sure.

7 MR. QUINN: Thank you. The second
8 thing is, Mr. Joyce, the audit?

9 MR. JOYCE: Yes.

10 MR. QUINN: The situation on the
11 audit?

12 MR. JOYCE: Yes, I'll address that
13 during motions. Right now as it stands
14 final audit and an exit conference is
15 scheduled for -- well, is tentatively
16 scheduled for the week of February 13.

17 MR. QUINN: Okay. This was due May
18 31 or June 1?

19 MR. JOYCE: That is correct.

20 MR. QUINN: I'm asking Mr. -- I'm
21 asking Madam President of city council to
22 ask Mr. Hughes for a Writ of Mandamus to get
23 the audit, to petition the Courts to receive
24 that audit from Rossi & Rossi. There is
25 quite a delay and I want to know if that \$3

1 million was in there and it has been -- has
2 it been in there for the past four years.
3 That's very vital, okay, and there seems to
4 be a hell of a delay there and for some
5 reason or another it just don't jibe, okay?
6 I really believe that Mr. Doherty was
7 playing games with it, okay?

8 The next thing is the fact that I
9 asked and I asked some of the members of the
10 Taxpayers' Association to write to Rossi &
11 Rossi and for them to consider a surcharge
12 because what's going on in this city in
13 regards to the accountability of the
14 officials for misuse of public funds, you
15 know, misuse of public funds can be
16 mismanagement or misappropriation or
17 otherwise wrongful or unlawful use or
18 expenditure of public monies. It doesn't
19 mean fraud, it doesn't mean double payments
20 to somebody else or anything like that.

21 But I do know that about year ago
22 and Mrs. Evans had a -- council passed
23 legislation in regard to the UDAG, okay?
24 Mr. Doherty, and this is taxpayers' money
25 and this is the fact why he should be

1 surcharged. Doherty spent taxpayers' money
2 with a proclivity of \$17,550 for a \$300
3 program, a table of ten for guests of 1,250.
4 \$5,000 donation to Scranton Tomorrow, paid
5 Tomorrow payroll, sponsorships, luncheons,
6 dinners, and other things. Budgets and
7 Court awards were outstanding and he didn't
8 use that money and he used it for the
9 greater Scranton Jaycee's Santa parade, St.
10 Pat's parade, First Night, book festivals
11 and, you know, that money should have been
12 used to offset what were -- the debt we
13 have, okay?

14 Obviously, this guy was just
15 spending and spending and spending, he is
16 paying -- you know, he is paying this debt
17 off with what we already paid, you know, and
18 it's not right. And he has got to be
19 stopped somehow and I can only see a
20 surcharge against this guy and if he doesn't
21 do it we have to do something about it.

22 One other thing before I leave, the
23 SSA, you know, arbitrarily he took it out of
24 your hands and he gave them the right to do
25 whatever they want to do. This man is just,

1 you know, wants to do what he wants to do,
2 and one more thing, that was fast, on "K",
3 okay? In regards to that money for \$220,000
4 that money has been hanging around, that
5 mortgage since 2000, that was Brian Murray's
6 Insurance and he was a big supporter and
7 financial donator to Mr. Doherty and that's
8 why I think it's been hanging around for
9 that long. Thank you.

10 MS. EVANS: Thank you. Our next
11 speaker is Bill Jackowitz.

12 MR. JACKOWITZ: Bill Jackowitz,
13 discouraged South Scranton resident and
14 member of the Scranton Taxpayers'
15 Association.

16 MR. LOSCOMBE: Good evening.

17 MR. JACKOWITZ: "City Life Raft Ready
18 to Sail" in today's newspaper. The life
19 preservers provided for that raft by the
20 Scranton taxpayers. The mayor was relieved
21 to see that 12.5, which actually was reduced
22 to 11.5 million was approved. I can
23 understand why he was relieved because it
24 sure took a lot of pressure and burden off
25 the mayor. Again, the taxpayers are going

1 to be picking up that burden and we are just
2 going to have to wait and see if everything
3 will be paid off by the 30th June. I hope
4 for the sake of the Scranton taxpayers that
5 he is and that everything goes according to
6 plan.

7 The information that city council
8 provided to me on Monday -- oh, by the way,
9 Mr. Rogan, I was pretty tough on you Monday
10 for not being here, I just wanted to let you
11 know that. I was very disappointed that
12 probably the most important meeting in my
13 opinion the City of Scranton ever held we
14 only had four council members here and we
15 only had five residents here and --

16 MR. ROGAN: Mr. Jackowitz, I'll
17 respond to that. I was planning on -- I had
18 a trip planned two months in advance and I
19 just received word of the meeting to be held
20 Monday that Friday, and it was too late to
21 cancel and I apologize for not being here.
22 You know, I hate to miss a meeting.

23 MR. JACKOWITZ: Yeah, I understand
24 that. I mean, like I said, I'm a very
25 discouraged South Scranton resident right

1 now.

2 MR. ROGAN: No, I understand your
3 frustration.

4 MR. JACKOWITZ: You know, for many
5 things, but I just felt that that meeting
6 was the most important meeting and no one
7 was here and everything was rushed through
8 in one night and I still believe that people
9 knew about this, that this was going to
10 happen, and I don't know, I just think it
11 happened too quickly with a lot of money
12 involved and a lot of people's lives
13 involved.

14 And also, you know, if this meeting
15 was so important I don't know why the mayor
16 wasn't here and why the business
17 administrator wasn't here. Again, this was
18 an emergency meeting and so important I feel
19 that they all should have been here and
20 given the opportunity to speak and the fact
21 that the meeting was not televised here,
22 like I said, I'm not very happy, let's put
23 it that way. I'm not a happy camper for a
24 lot of reasons.

25 The information that city council

1 provided me on Monday I have read it, I have
2 reread it, I have read it again, I have had
3 some other people look at it and read it.
4 The payments for the proposed turn sheet, it
5 says, "Monthly principle and interest
6 payments equal to all real estate taxes
7 collected monthly. Real estate taxes
8 collected to be sent directly to the
9 designated debt service escrow account
10 established at Fidelity Bank."

11 My question is, and I hope it's
12 answered during motions, is that normal? Is
13 that the way it's always been done before or
14 is this something new for this year and this
15 year only? I hope I can get an answer on
16 that.

17 The collateral, full faith credit
18 and taxing power of the City of Scranton
19 secured as follows: UCC filing, all taxes
20 and revenues of the city including, without
21 limitations, subsidies and reimbursements
22 from the date of the proposed note. Again,
23 I would like to know, I understand that
24 collateral is taxpayers' money, but we are
25 taking a lot for granted and what happens if

1 that money doesn't come in as scheduled do
2 we have a backup plan, plan B, plan C to
3 cover expenses because it seems to me that
4 if all of the money is going in to pay the
5 debt off what are we going to use to pay the
6 day-to-day expenses of the city? Again, I
7 hope someone can answer that during motions
8 tonight for me.

9 And there's is just a lot of things
10 here that I don't -- I don't agree with. I
11 personally believe that the City of Scranton
12 now is under the control of the banks, the
13 PEL, the Pennsylvania Economy League, and
14 DCED. I think the politicians, the elected
15 officials, have been taken out of the scope
16 because of the fact that we owe them money,
17 and just reading this it seems like they are
18 very bossy and very pushy, and I do not ever
19 remember voting for a bank president to be
20 an elected official nor I have voted for
21 anybody on PEL or DCED, and I don't like the
22 idea of them controlling this city and the
23 residents because we owe them a lot of
24 money, and I understand this is going on
25 throughout the entire country, Wall Street,

1 banks, so on so forth, but, like I said, I'm
2 a very discouraged individual right now and
3 I will apologize for Monday, maybe I was a
4 little rude, well, let me rephrase that, I
5 was a little rude, but you know what, I'm a
6 very angry person. Thank you.

7 MS. EVANS: Thank you.

8 MR. JOYCE: Before the next speaker
9 comes up, and I know Mr. Jackowitz wanted me
10 to answer these questions during motions,
11 the escrow account, this is something that
12 is new this year, essentially because of
13 situations in the past and the banks not
14 getting their money on time they want to
15 ensure that the TAN will be paid, therefore,
16 they are drawing off of our real estate
17 taxes. If the money doesn't come in from
18 real estate taxes, which it should, it's
19 projected to, the money would then be
20 drawn -- the excess money would then be
21 drawn from the earned income tax that would
22 come into the city throughout the year.

23 MS. EVANS: Thank you. And our next
24 speaker --

25 MR. HUGHES: Madam President, if you

1 want to me to comment on that?

2 MS. EVANS: Yes.

3 MR. HUGHES: From the standpoint, as
4 Councilman Joyce said that this was a new
5 condition to have the escrow account for the
6 paying of the taxes, the banks looking at it
7 did not want to repeat of the situation for
8 the last couple of years where the TANS were
9 not paid and that they had to be paid by the
10 end of the year. I think the \$5 million TAN
11 was paid on June 30 and the nine -- the
12 other TAN for 7 1/2 million was to be paid
13 by the end of the year but the last two
14 years it wasn't paid on time. What they
15 wanted was to have the tax anticipation note
16 paid timely and to be paid so they required
17 the escrow account.

18 As to the UCC filings, that's normal
19 with every TAN that the city has probably
20 ever floated. I can only go back a few
21 years, but that's a normal condition for
22 them to have the UCC secure transaction on
23 the city tax accounts when all the tax
24 revenue comes in. The fact they have it,
25 that the TAN isn't paid, they can then

1 secure it, not that they ever have, but this
2 secures their repayment. This year this TAN
3 will be paid by the end of the June.

4 MS. EVANS: Thank you.

5 MR. HUGHES: Or at least what I did,
6 I have a commitment from Fidelity Bank, and
7 I believe I explained it last Monday night,
8 that there is a grace period of 10 to 15
9 days that they agree to because of the vast
10 amount of real estate taxes that come in on
11 June 30, that's a Saturday, by the time the
12 deposits are made Fourth of July I believe
13 is a Wednesday so they gave the city more
14 time so we wouldn't be in default, but that
15 our TAN should be paid by the end of June so
16 that then all of the tax monies that come in
17 after that will be the city's money.

18 What we are doing is that the float
19 of the \$11.5 million Minor's Bank withdraw,
20 they only had a tentative commitment,
21 because of the financial condition of the
22 city they did not participate at the end.
23 As I stated, PNC Bank did not participate
24 either, the consortium of banks came up with
25 the \$11 1/2 million and that's future tax

1 revenues that are coming and this is the way
2 that every municipal government probably in
3 the United States is financed, so there is
4 nothing unusual about it.

5 And the only thing that's different
6 this year is the bank wants to make sure
7 they are paid. They are going to be paid
8 because the real estate tax is going to be
9 escrowed. The city won't have to worry
10 about coming up and paying the TAN by the
11 end the year, it will be paid.

12 MS. EVANS: Thank you. And probably
13 I'll just add to that the only other
14 difference is the fact that rather than two
15 TANS the city was issued only one TAN this
16 year and for the first time during my tenure
17 as a councilwoman the TAN has been reduced
18 from 14.5 million and that, of course, was
19 the combination of the two TANS, TAN A and
20 TAN B, to now 11.5 million. So that's a
21 reduction of \$3 million. And our next
22 speaker is Doug Miller.

23 MR. MILLER: Good evening, Council.
24 Doug Miller, Scranton. I'd just like to
25 begin tonight by once again addressing the

1 city's finances briefly here and once again
2 reiterate my feelings on the \$3 million
3 found in the Fidelity bank account.

4 As I have stated before, I believe
5 that this negligence on the administration's
6 end on not knowing this money was available
7 must still be addressed and, as I have said,
8 I believe it also should be investigated.

9 What I'm truly concerned about is
10 the fact that this money was spent without
11 council having any influence, and we have
12 discussed cooperation and we have discussed
13 joint decisions on many occasions, and yet
14 the administration continues to play by its
15 own rules and place its own game.

16 As I requested last week, I would
17 like to see a breakdown of what this money
18 was spent on. I believe we as the taxpayers
19 have a right to that information, but I
20 certainly hope that the breakdown we do
21 receive isn't similar to the typical high
22 school class treasurer breakdowns that we
23 get on a daily basis.

24 We need to be professional around
25 here. These are serious issues. This is

1 real business. This isn't high school
2 games.

3 Regarding the 11.5 million TAN, as
4 we all know \$5 million of that was put back
5 into the Workers' Comp Trust Fund to bring
6 that back to the required 75 percent level,
7 but I would also certainly like to see a
8 breakdown of what the remaining funding from
9 that TAN was used, not vague references such
10 as gas, vehicles and bills. We need to
11 start being more specific, and I'm hopeful
12 we will get that.

13 And also, I do have some concern
14 relating to MEM, the Municipal Energy
15 Management firm that in the past provided
16 streetlight maintenance throughout the city.
17 The contract with this firm did end in
18 November of 2010, however, the concern
19 tonight dealing with the article in the
20 paper today is the overdue payment that is
21 in the area of \$500,000 to \$600,000 and I
22 think there is certainly some issues with
23 this, with MEM, and we know that at this
24 time I believe during some litigation and
25 due to that I believe that did require us to

1 enter into a contract with another firm,
2 Joyce Electrical, last March, but my
3 question tonight would be what the status is
4 on this issue and if, in fact, we do have to
5 make payment when and how do we plan on
6 doing this and where is this money going to
7 come from?

8 And to conclude tonight, you know,
9 looking at the paper today the headline
10 regarding the finances was that pretty much
11 the city is ready to set sail, but I just
12 have to say I think we need to start being
13 realistic and it starts with -- it does
14 start with the media. By no means are we
15 ready to set sail. All we did is get
16 ourselves by for the next few months and
17 that seems to be the case throughout each
18 year. We do enough just to get by. I still
19 think we are a city where we are all
20 floating in the ocean with life jackets on
21 and we've got a long way to go yet. We
22 didn't accomplish anything. We have got
23 many tough decisions to make and we need to
24 find long-term solutions.

25 I'm quite confident in this council,

1 and I know you will get the job done, you
2 have proven it with your track record, but
3 we can't be happy and accept just getting
4 by. You know, we mode to find a long-term
5 solution and provide a bright future and get
6 ourselves out of distressed status and, as I
7 said, I'm confident you will do that and I
8 do look forward from hearing your comments
9 later on MEM, the \$3 million, as well as the
10 TAN, and I appreciate your time tonight.
11 Thank you.

12 MS. EVANS: Thank you.

13 MR. JOYCE: Before the next speaker
14 comes up I'll just comment quickly on MEM, I
15 did ask about this last week and it's in
16 litigation right now as far as the entire
17 bill, so I'm not exactly sure how much the
18 city is going to end up paying being that's
19 in litigation. I'm not sure if the
20 administration is trying to settle on a
21 figure with MEM or if they are trying to
22 fight it altogether.

23 MS. EVANS: Les Spindler.

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

1 and homeowner.

2 MR. JOYCE: Good evening.

3 MR. SPINDLER: I wasn't here last
4 week so I would like to talk about this \$3
5 million. The article in the Doherty
6 newsletter last week Mr. Doherty said he is
7 not replacing Mr. McGowan who, "Has done a
8 good job."

9 He has done a good job? \$3 million
10 was found, which in Mayor Doherty's own
11 words fell through the cracks. As Attorney
12 Hughes just said, two TANS were paid late
13 last year and Mr. McGowan is doing a good
14 job? They knew there was \$3 million in that
15 account they just waited until all of the
16 layoffs came and then said, "Oh, look, we
17 found \$3 million."

18 You can't fool the people in this
19 city all the time and something has got to
20 be done with this mayor, and I agree
21 Mr. McGowan should resign.

22 And, Mr. McGoff, you said it's silly
23 and people make mistakes. Well, Mr. McGoff,
24 there are people that shouldn't make
25 mistakes. Doctors shouldn't make mistakes.

1 The business administrator of a city that's
2 in distressed status for 20 years shouldn't
3 make mistakes. \$3 million isn't \$3,
4 Mr. McGoff, and if you think that's
5 acceptable you should follow Mr. McGowan out
6 the door because you are pathetic. That's
7 why this city is in the shape it's in
8 because of people like you, McGowan and
9 Chris Doherty. We have to get rid of these
10 people, including you. You and the past
11 rubber stamp councils, that's why we are in
12 this mess.

13 Moving on, watching the meeting last
14 week, I got disturbed hearing that Chris
15 Doherty is hiring back DPW workers, wasted
16 no time laying off firefighters and police
17 officers, but he is disregarding a budget
18 that was legally and lawfully adopted and he
19 is hiring back DPW workers.

20 Attorney Hughes, can Chris Doherty
21 legally do this? Can he disregard a budget
22 that was passed?

23 MR. HUGHES: Can he disregard the
24 budget? No. I believe that what he is
25 doing, and I haven't -- I don't have the

1 information on this, but probably what he is
2 doing is that making changes within budget
3 items, within the line item of the DPW
4 budget in order to pay the salary and then
5 hiring those people.

6 MR. SPINDLER: Can he do that?

7 MR. HUGHES: The transfers are legal
8 under the Home Rule Charter and under the
9 code that he can make interoffice transfers
10 in order to supplement and that's -- the
11 budget that he submitted that council passed
12 I haven't really looked into it, but I
13 believe that's what he is doing. I don't
14 have the information as to how he is doing
15 it. I have heard what he is doing, but I
16 haven't had -- nobody -- council hasn't
17 presented me with that question so I don't
18 have anything to look into, but I believe
19 that's the way he is doing it, is making
20 interline item transfers within the province
21 of the Home Rule Charter and then using that
22 to hire people which he has the right to do.

23 MR. SPINDLER: Okay. Thank you.

24 MS. EVANS: Mr. Spindler, just real
25 quickly, I had asked for a report on this

1 from the city controller and she did provide
2 a prompt response, which I'm going to
3 address under motions this evening, but I
4 also intend to send a second request so that
5 we can receive monthly updates in terms of
6 how many individuals are reinstated. In
7 other words, the same information that we
8 have received thus far council is going to
9 request a monthly report so that we will be
10 aware of all positions that are reinstated.

11 MR. SPINDLER: Okay. Thank you.

12 It's just so frustrating. Like I said, he
13 wasted no time laying off our public safety
14 people. You know, I would much rather have
15 my garbage being picked up a week late but
16 knowing a fire truck would come to my house
17 or a police officer in a timely manner, and
18 this man does not care about public safety,
19 I think it's ridiculous and I don't want
20 what we can do to stop them. I hope there
21 is something legally that can be done.
22 Thank you for your time, and I have one last
23 thing, go Giants.

24 MS. EVANS: I hear you. Thank you.

25 Mr. Tobin.

1 MR. TOBIN: The old gripper is back
2 only I'm not here to gripe too much, a
3 little bit. I'm here to answer some quotes
4 that's made in the newspaper article about
5 our door down here. Mr. Seitzinger did know
6 about that door down there before he spoke
7 to me because the day he spoke to me his
8 answer to me about the letter that he got
9 from city council was, "That came from the
10 council," and he walked away. So you take
11 your conclusions from that.

12 I have one other question I would
13 like to ask, I don't know who I would have
14 to ask to find out, has any of the DPW
15 gentlemen been laid off?

16 MR. ROGAN: Yes.

17 MR. TOBIN: They have.

18 MS. EVANS: It appears so.

19 MR. TOBIN: Many?

20 MR. ROGAN: Not as many --

21 MS. EVANS: As has been budgeted.

22 MR. TOBIN: Has any of them been
23 brought back that were laid off?

24 MS. EVANS: No.

25 MR. ROGAN: Yes.

1 MR. TOBIN: Because a comment was
2 made in the paper by Mr. Dougher that we
3 won't be able -- with these cutbacks we
4 won't be able to clean the handicapped ramps
5 of the snow and stuff. Well, what were they
6 doing before these people got laid off?
7 These handicaps were never cleaned. Because
8 I had one of your DPW men when I called and
9 complained, oh, I would say eight years ago,
10 tell me, "I have worked for the city hall or
11 the city for 35 years, we never clean the
12 ramps off."

13 That's back I would say eight years
14 ago, which would be true. But Mr. Dougher
15 made it sound like they always cleaned the
16 handicap ramps off and now the poor
17 handicapped people are going to be suffering
18 because you laid us off, we won't be able to
19 handle it.

20 There is another thing I would like
21 to bring to the council, hope that if
22 anything happens it don't take three or more
23 years like our great door has taken, is
24 these cutouts. I understand a man from the
25 United House, who has got cerebral palsy,

1 took his chair, I don't know where he was
2 going or where it happened, and he hit one
3 of your cutouts that sent him flying and
4 broke a piece on his scooter. It's going to
5 cost him \$300 to get fixed. There is no
6 insurance, he has to pay it out of his own
7 pocket. Well, I'll tell you this much, if
8 that ever happens to me this boy won't pay
9 it out of his pocket, you people will be
10 paying it.

11 And if anybody wants an address to
12 write to complain about these disability
13 handicapped ramps and Disability Act I have
14 it and I am giving -- have been giving the
15 city a couple of weeks to straighten that
16 door out, otherwise, I'm sending a complaint
17 into the Federal Court for disabilities.
18 And I don't think the mayor wants to tackle
19 that one because the way I understand, and
20 maybe I'm wrong, you will lose your federal
21 aid. Can you function without that federal
22 aid? I don't believe you can.

23 And I think it's ashame that
24 citizens have to go that route, that the
25 mayor can't do what he is supposed to do,

1 and I don't go to them anymore, I'm not
2 going to them anymore, because I found out
3 they are nothing but a bunch of liars and
4 they are all listening to dictator, the
5 mayor. I thought we got rid of dictators,
6 but we got one in Scranton.

7 MS. EVANS: Thank you, Mr. Tobin.

8 MR. LOSCOMBE: Thank you.

9 MS. EVANS: Marie Schumacher.

10 MR. JOYCE: Before Marie comes up to
11 speak, Mrs. Krake, I know that in the budget
12 under LIPS and the building repairs there is
13 over \$300,000 and I was told that this
14 amount was going to be used to make for
15 repairs to the building in order to get it
16 up to ADA compliance code. With that in
17 mind, can you please send a request to
18 Mr. Seitzinger and McGowan and ask them what
19 repairs will be made as well as when they
20 will be made?

21 MS. EVANS: Ms. Schumacher.

22 MS. SCHUMACHER: Good evening.

23 Marie Schumacher, resident and taxpayer.

24 MS. EVANS: Good evening.

25 MS. SCHUMACHER: First I would like

1 to start by thanking Cathy Ungvarsky for
2 reading what I prepared Monday evening as I
3 was unable to attend and for council's
4 indulgence in allowing that to happen.

5 First and foremost, I would like to
6 know the outcome of the negotiations between
7 council, the bankers and the administration
8 regarding when the revised Recovery Plan
9 will become a reality? Do we have a date
10 certain for --

11 MS. EVANS: We have a target date.
12 I don't know that it's going to be a date
13 certain because so much has to be done
14 between now, February 2, and April 30.

15 MS. SCHUMACHER: Okay. So April 30
16 is still the target?

17 MS. EVANS: It's the target.

18 MR. JOYCE: That's the target, yes.

19 MS. SCHUMACHER: Thank you. Now,
20 regarding the escrow account and for that
21 matter all accounts that are collected by
22 the Single Tax Office, could you please
23 request council to be supplied a deposit
24 slip or transmittal letter and report in
25 this chamber the following -- the week

1 following the receipt of what the revenue
2 stream is?

3 MR. JOYCE: Absolutely.

4 MS. SCHUMACHER: Thank you. I
5 understand there was also discussion Monday
6 night of a bond to pay for the firefighters
7 and police payments that were coming due or
8 are already due. I would like to know what
9 the -- when that's going to happen and the
10 amount and the term and what kind of an
11 interest rate we might be looking at with
12 our stellar bond rating.

13 MS. EVANS: You are right saying
14 stellar bond rating, however, I don't
15 believe that any of that has yet occurred.
16 I think the task before the administration
17 right now is to receive -- or to rather seek
18 banking institutions to provide the 9.85
19 million that was recently approved by the
20 Court.

21 MS. SCHUMACHER: Okay.

22 MS. EVANS: As far as I am aware,
23 Ms. Schumacher, there hasn't been any firm
24 movement on the payments by the city for the
25 Supreme Court award.

1 MS. SCHUMACHER: Okay.

2 MS. EVANS: At this time.

3 MS. SCHUMACHER: Has the amount been
4 quantified yet?

5 MS. EVANS: I don't believe so. For
6 every piece of information I believe that
7 council would have received it appears that
8 that total has still not been determined.

9 MS. SCHUMACHER: Do we know what
10 the-- why we don't know that yet? I mean,
11 wasn't that last November or December or --

12 MS. EVANS: I think the decision was
13 announced in October actually, and since
14 that time I believe that both the police and
15 the fire unions have been working adamantly
16 to determine a correct amount for each union
17 and I would assume that the administration
18 is calculating its own figures as well.

19 MS. SCHUMACHER: Okay. Again, was
20 there a -- is there a date at which time
21 they have to be paid or is that also a
22 matter of negotiation or --

23 MR. LOSCOMBE: Basically from what I
24 understand once the ruling was issued, I
25 don't know what the time factor was then,

1 but it's basically like 30 days, so there is
2 an interest clock running.

3 MS. SCHUMACHER: Oh, okay. And how
4 is that interest rate determined.

5 MR. LOSCOMBE: That's determined by
6 the Court. I don't know what the rate is at
7 this point.

8 MS. SCHUMACHER: Okay. Thank you.

9 MR. LOSCOMBE: And what makes it
10 complicated as far as the calculating is
11 it's just not a straight cut situation.
12 Every individual that was involved in those
13 departments some have retired, some have
14 come on later on, so it's not just like a
15 process where you take 150 and divide it,
16 you know, they have to do each individual
17 with their longevity and all that stuff,
18 too.

19 MS. SCHUMACHER: Thank you. I think
20 I have a better feeling for that now. And
21 then has a response been received, Mrs.
22 Evans, awhile back. I think probably the
23 end of last fall you said a letter had been
24 sent to was it DCED regarding the
25 classification of the city?

1 MS. EVANS: Actually, the letter was
2 sent to Governor Corbett asking him to
3 certify the results of the 2010 census
4 because that is, I believe, one of the first
5 steps, if not the first step, that has to
6 occur in the process and we have never heard
7 back from the government.

8 MS. SCHUMACHER: Okay. Thank you.

9 MR. JOYCE: I have also spoken to
10 some representatives of PEL about this in
11 the past and this is something in order to
12 change the classification of the city it
13 would be a lengthy process, it's not
14 something that could just be done overnight
15 from what they had to say this is something
16 that would maybe take a few years to do.

17 MS. SCHUMACHER: Well, since you
18 have brought up PEL, what was their feeling
19 on pursuing that change?

20 MR. JOYCE: I can't speak for PEL,
21 but I think that we are -- I think that we
22 all have realized that Scranton is a Class 3
23 city just by population. If you look at the
24 populations of Allentown and Erie, which are
25 Class 3 cities, they are larger cities than

1 Scranton is.

2 MS. EVANS: I think -- and,
3 Mrs. Krake, if I'm not wrong please correct
4 me, but I believe that the Pennsylvania
5 Economy League also felt that the city
6 should be reclassified to third --

7 MS. KRAKE: Yes.

8 MS. EVANS: As a third class city.

9 MS. SCHUMACHER: Thank you. And
10 then do we know yet how many rental
11 registration bills have been mailed? No?
12 Do we have -- again, you know, I have said
13 this over and over, but I really think this
14 entire program needs to be outsourced to a
15 dedicated vendor, but I would like to know
16 which councilmen is assigned to ride herd on
17 this program.

18 MS. EVANS: I don't think that we
19 particularly have any assignments-

20 MR. MCGOFF: I don't know about
21 riding herd --

22 MS. EVANS: -- or that riding herd,
23 but I know that -- I think it would have
24 been Mr. McGoff who originally had the idea.

25 MR. MCGOFF: As of now, I think that

1 they were waiting until the -- and I'm not
2 sure, I think they were waiting until the
3 new legislation was introduced before
4 sending out bills for the rental
5 registration and that should be coming to us
6 I thought it was going to be here this week,
7 hopefully next week it will on the agenda,
8 and once it's passed I think that then we'll
9 send out the information or send out the
10 bills to the parties.

11 MS. SCHUMACHER: Okay. Thank you.
12 Next, I'd like to know what, if anything,
13 makes the Geisinger deal on the land, paying
14 taxes on the land on which they are
15 apparently nonprofit structure is located.
16 I mean, this seems like it would be a
17 wonderful thing if we could tax all land
18 upon which tax exempt entities have parking
19 lots placed, and I would also further go to
20 say I would like to see that revenue, if it
21 should be obtainable, to be earmarked for
22 the bringing back, restoring our
23 firefighting positions. So I don't know,
24 does anybody know if this is unique and why
25 it's unique or if it's something that we can

1 go forward with on all -- no?

2 MS. EVANS: I really just learned
3 about it today in the newspaper.

4 MS. SCHUMACHER: Okay. And when
5 will there be more information on the April
6 tax sale? Who is doing that and when will
7 details be forthcoming?

8 MS. EVANS: The Treasurer's sale?
9 I'm not quite certain which -- by the
10 county?

11 MS. SCHUMACHER: No, no, the city.
12 That was part of --

13 MS. KRAKE: If I may?

14 MS. EVANS: Yes, please.

15 MR. JOYCE: Yes.

16 MS. KRAKE: NRS did stop in our
17 office, representatives, about a week ago
18 and I just casually asked them if they were
19 on track with it and they said, yes, they
20 were. And how it used to happen when I was
21 in that office was the properties would be
22 liened and then at a certain day per state
23 law in the month of the June a Treasurer's
24 sale takes place and it's strictly -- you
25 know, it's just on the properties, and it

1 was as we normal had a Treasurer's sale, not
2 the same as the county judicial sale.

3 MS. SCHUMACHER: Okay. Thank you.
4 So that will happen -- the thing we do know
5 is it will happen in June?

6 MS. KRAKE: I didn't specifically
7 ask that, but I am assuming it would be the
8 same process.

9 MS. SCHUMACHER: Okay, and it's
10 called a Treasurer's sale. Do you know when
11 the last time we had one?

12 MS. KRAKE: Excuse me, it was in
13 1998 which would have been from 1995 taxes.
14 So this should be very good for the city in
15 a lot of respects.

16 MS. SCHUMACHER: Thank you. And
17 then finally for this evening, I know our
18 police are strained, but I think we need to
19 nip the jaywalking that's occurring on
20 Mulberry Street in the bud and hand out --
21 do we have even an amount that you have to
22 pay for jaywalking? Is there an ordinance?
23 I mean, I know when I lived in LA and that
24 was, you know, an eternity ago it was like 45
25 bucks and it got your attention and it

1 stopped it because even though at the
2 corners, both corners there are double
3 walking lanes, pedestrians lanes, and I can
4 understand certainly, you know, you are
5 coming out of the one hall and your dorm is
6 across the street to just cross in the
7 middle of the street, but, you know,
8 everybody can use a little exercise, even
9 students, and I think they should be
10 encouraged --

11 MS. EVANS: We'll look up the
12 ordinance.

13 MR. JOYCE: We will look that up.
14 Thank you.

15 MS. SCHUMACHER: Thank you.

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

18 MR. DOBRZYN: Good even, Council.
19 Dave Dobrzyn.

20 MS. EVANS: Good evening.

21 MR. DOBRZYN: Resident of Scranton
22 and taxpayer.

23 MR. JOYCE: Good evening.

24 MR. DOBRZYN: With as little as
25 possible, but nonetheless a taxpayer. You

1 didn't have a good year this year, you got
2 about \$150 bucks out of me for wage tax due
3 to the economy. All I'd like to say is do
4 your best, please address last Monday's
5 development and listen carefully and
6 currently I think PEL facilitates this so
7 they can take over, that's all there is to
8 it. It's the very people that they
9 facilitated and recklessness they
10 are putting in charge or attempting to put
11 in charge.

12 And with your permission, I have a
13 thing that's been on my mind. I hoped that
14 this other stuff was out of the way, but who
15 knows you knows. My hair was about an inch
16 long when some of these bills were being
17 made and it keeps getting longer. Maybe if
18 they figure out down there how to pay all
19 the bills I'll decide to get a haircut.
20 Although, they are the people that could use
21 the haircut anyway.

22 I'd like to talk about, and
23 hopefully the people in there filming we
24 could get the gerrymandering elimination
25 amendment for the PA constitution. Now,

1 currently, let's say, if the current
2 situation holds true, and I don't mean to
3 pick on Mr. Barletta, but he is out of our
4 district now and what if he has the people
5 he represents once say like an industrial
6 park and he could bring in and we wanted it
7 industrial park, too.

8 Now, I mean, there is conflict there
9 and we are left -- we are nearly left
10 without any representative that we ever
11 voted for in the first place in our South
12 Side district. I have been informed that
13 I'm with Merkin, so a basic idea is say that
14 the population goes up the border moves out
15 in a reasonable straight line, only small
16 towns kept in the district, so I'll try and
17 show that to the audience. The population
18 in this county went up, and this one moves
19 out because this county went down. And a
20 population loss, it always has to move in a
21 reasonably straight line, up or down, west
22 or east, but not orange hearts and pink
23 clovers and lucky charms and bacon strips
24 and watermelon strips and half moons and if
25 the district loses population more square

1 mileage in the district. If the district
2 gains in population, the area becomes less,
3 the geographic area, so this would eliminate
4 a lot of the politics and the baloney and
5 take a lot of uncertainty.

6 Now in the paper today we have where
7 they don't even know how they going to hold
8 the next election for these representatives,
9 so it's really ashame and, like I said,
10 currently we are being represented by people
11 that we may not have voted for and --

12 MR. ROGAN: Mr. Dobrzyn, your
13 representative staying, for instance -- say
14 you live in Scranton, you are still
15 represented by Representative Barletta until
16 the next election.

17 MR. DOBRZYN: Yes. Yes, I know
18 that, but it creates a conflict of interest
19 where he has to -- he knows in his own mind,
20 and I'm not accusing him of anything, but in
21 his own mind some day he is going to have to
22 represent somebody else and the borders are
23 going to switch and the people that he -- he
24 might even wish that he was here instead of
25 there, you know, you never know. You know,

1 there is uncertainty there, whereas in this
2 case we couldn't municipal it political
3 means. And, you know, we wouldn't have no
4 pink hearts and green clovers and lucky
5 charms and bacon strips and watermelon
6 slices and half moons and whatever, you
7 know, spread across the state and I think --
8 I feel that it's a way better idea than what
9 the so-called situation that's occurred now
10 and it's tied up in the Courts, so there is
11 more uncertainty and we are talking 2014 or
12 whatever.

13 With your permission, I'll leave
14 this here and maybe some time in the future,
15 I'll roll it up for you outside, but in the
16 future we could get a -- once we get off
17 from under all of this baloney, unpaid bills
18 and nonsense, we could get it. And the
19 golden parrot goes to Citizens United States
20 once again, it's nice to see the super pacts
21 cannibalizing each other instead of us for a
22 change. Have a good night. Bawk, bawk.

23 MS. EVANS: Is there anyone else who
24 would like to address council?

25 MR. SLEDENZSKI: Janet.

1 MR. LOSCOMBE: Jackie.

2 MR. JOYCE: I like that hat.

3 MR. SLEDENZSKI: I got a question
4 for you, Jack, Luzerne street that's down
5 that way, Jack, the potholes are murder down
6 there. They are murder.

7 MR. LOSCOMBE: The what?

8 MR. JOYCE: The potholes.

9 MR. SLEDENZSKI: The potholes.
10 You'll take care of them for me, you
11 handsome devil you.

12 MR. LOSCOMBE: Thanks, Chrissy.

13 MR. SLEDENZSKI: Okay, Jackie.

14 MR. JONES: Hi. Bob Jones, city
15 resident. I haven't been up here in a while
16 so long time no see, hello.

17 MS. EVANS: Hello.

18 MR. JONES: I just have one quick
19 question, it's regarding oversight if you
20 can explain if there is any oversight for
21 collection of say permits, licenses, parking
22 fees, and if there is any oversight with
23 regards to transferring the money. In other
24 words, who signs for it, who keeps track of
25 who signs for it and all of that, and that's

1 the question I received. Is there enough
2 information? I guess if you want to go over
3 that in motions or something to explain?

4 MS. EVANS: Well, in both cases I
5 can say that city council doesn't have any
6 authority over the day-to-day operations of
7 the city or any particular department. We
8 don't physically transfer the money, we
9 don't sign for the transfers of the money.

10 When money is transferred within a
11 department it's handled by the business
12 administrator. If money is going to be
13 transferred between departments, let's say,
14 for example, you'd like to -- the Police
15 Department needs funding and the
16 administration decides that it will use some
17 of the allocations from the License and
18 Inspections Department, that's a transfer of
19 funding between departments and the business
20 administrator must bring that to city
21 council for it's approval.

22 So in that event we see from what
23 account the money is being taken and then
24 into what account the money is being
25 transferred and for what purpose.

1 MR. JONES: Oh, okay. So basically,
2 yeah, you guys have most of the oversight,
3 but pretty much it's up to them to be
4 honest.

5 MS. EVANS: Well, the business
6 administrator, the treasurer and certainly
7 the city controller plays her role in the
8 system of the checks and balances.

9 MR. JONES: Okay. Well, thank you.
10 That's very clear. Thank you.

11 MS. FRANUS: Fay Franus, Scranton.

12 MS. EVANS: Good evening.

13 MR. LOSCOMBE: Good evening.

14 MS. FRANUS: I was here on Monday
15 evening and I was sorry to see it wasn't
16 filmed, but I'd like to ask council if they
17 would -- I know time is of the essence, but
18 if you would try to repeat many of the
19 things that you mentioned on Monday because
20 the newspaper certainly didn't have it in
21 and I felt that meeting was super important
22 and when you explained it was very clear all
23 of the transpired.

24 Unlike Mr. Jackowitz, I don't feel
25 you rushed anything through because last

1 Thursday, if people remember, you would not
2 vote on this legislation that the mayor
3 presented because you didn't know
4 everything, but between last Thursday and
5 this past Monday you must have been working
6 non-stop day and night. Mr. Hughes,
7 Attorney Hughes, did a magnificent job
8 preparing all of this for you to have ready
9 for the banks yesterday morning and I
10 commend him. He is worth ten times more
11 than what he is getting paid. I mean, he
12 just works non-stop as you, all of you did
13 such a tremendous job getting this through.

14 And I think the people need to know
15 it and if, Mrs. Evans, if you could possibly
16 and, Mr. Joyce, could explain some of the
17 things that you explained, like I said, so
18 people will know where you were coming from
19 last Thursday and what changed between last
20 Thursday and Monday because nobody knows
21 because nobody heard it and I think it's
22 well worth repeating because you did such an
23 extraordinary job and when the people here
24 what you have done and you have changed
25 things.

1 Last Thursday things weren't in the
2 best interest of the people, that's why you
3 are here, so in the mean time between
4 Thursday and Monday you did a whole about
5 face and change things to happen the people,
6 let them know what you did because I heard
7 it Monday but nobody else did, and like I
8 said, the paper never puts it in. So,
9 please, if you would, tell the people so
10 they will know what happened and they know
11 how hard you worked and, believe me, you
12 did. And thank you very much for your doing
13 that.

14 MS. EVANS: Thank you. Is there
15 anyone else?

16 MS. KRAKE: FIFTH ORDER. 5-A.
17 MOTIONS.

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

20 MR. MCGOFF: Very briefly, I hope.
21 I just want to comment on the -- a couple of
22 people have talked about the role that the
23 banks seem to be playing in the city at this
24 point in time. I'd just like to point out
25 that the banks do not have to deal with TANS

1 or the unfunded debt or any of the unfunded
2 borrowing. The banks very easily could have
3 walked away from all of that and left the
4 city in very desperate straights, and I
5 think what the banks are doing is -- the
6 banks have a stake in the city as well in
7 the economic welfare of the city, and I
8 think what they are doing is they are trying
9 to look out for the welfare of the city, but
10 also protecting their own interests at the
11 same time, and all they have really done is
12 maybe provide some stipulations that
13 force -- that may force the city -- the
14 difference components in the city to work
15 together toward a common goal.

16 I have mentioned it before, one of
17 my favorites sayings about government came
18 from James Madison who said that government
19 works when you have self-interests properly
20 motivated. And I think that's what we are
21 looking at here, that we all have the best
22 interests of the city in mind, it's a matter
23 of motivating all of the different
24 components to work together towards that,
25 and I think the banking community has done

1 that. Yes, maybe they have intruded a
2 little bit into government more than they
3 have in the past, but it was a different
4 situation and they are responding
5 differently, and I hope that we can continue
6 to work with the banking community to bring
7 about the economic welfare of the city, and
8 that's all I have to say. Thank you.

9 MS. EVANS: Thank you. And,
10 Councilman Rogan, do you have any comments
11 or motion?

12 MR. ROGAN: Yes, I would be brief as
13 well. I would like to again apologize for
14 missing last Monday's meeting. It was
15 called on very short notice and I was unable
16 to cancel my trip out of town. I am very
17 disappointed in ECTV once again that the
18 meeting wasn't televised. I was hoping to
19 come home and watch the meeting and see what
20 transpired before coming here tonight.
21 Unfortunately, I wasn't able to do that.
22 Again, it's just excuse after excuse with
23 ECTV.

24 Just addressing a few of the points
25 that were brought up by speakers, somebody

1 brought up MEM, about the litigation going
2 on, and MEM they were our provider, they
3 were terrible. I'm sure we all remember
4 getting requests after request after request
5 for we need a light here and need a light
6 there and then Joyce Electrical took over it
7 was like instantaneous you saw the trucks.
8 Just drive anywhere in the city you see the
9 trucks fixing lights. Hopefully, everything
10 gets settled. If we get more information
11 we'll be sure and pass that along.

12 The total for the union awards.
13 This is over three months and from what
14 Mr. Loscombe said it sound like the unions
15 are doing the calculations when that's why
16 we have a business administrator. It should
17 be the administration's job to calculate
18 what's owed out, not the union's job. They
19 were the ones that were wrong and went into
20 Court.

21 And again, it just seems to me like
22 that they are pushing everything back just
23 like they do with the audit, just like they
24 do with the money in the accounts,
25 everything just keeps getting pushed back

1 and we really can't get a true picture of
2 what we owe. I hear from the administration
3 that it's around the \$10 million. I hear
4 from the unions around \$20 million. If the
5 solution is to issue a bond that interest
6 rate is probably going to be 15, 20 percent.
7 Who is going to want to invest in the city?
8 Municipal bonds are already a risky
9 investment. Look across the country, it's
10 not just here it's happening, it's worse in
11 Scranton than it is many places because the
12 years of overspending and mismanagement, but
13 people aren't going to want to invest in the
14 city that can't even keep their finances
15 straight. They don't even know there is
16 money in an account or what they owe out on
17 a quarter when this was fought for almost a
18 decade.

19 The DPW jobs, and I know Mrs. Evans
20 is going to comment on this as well, we
21 received a response from Mr. Novembrino and
22 I thank her for being one of the few people
23 that gets back to us, and it lists three
24 employees that were laid off, I'm going to
25 list the names, that were laid off on

1 12-31-11 to report back on 1-17-12, so there
2 were three employees that were eliminated
3 from council's budget and had a two-week
4 vacation and came back to work. Four
5 employees were going to retire. One on
6 12-3-2011, and one on 1-27-2012, and two
7 that will be retiring this month, both in
8 November, one on the 14th and one on the
9 16th.

10 Now, if employees retire and the
11 administration wants to replace them with
12 employees that were laid off, that's fine.
13 It doesn't affect the budget anyway when you
14 have positions that were cut you are just
15 staking people back in. So you have four
16 positions, people that retired, three that
17 were laid off and had a two-week vacation
18 and came back, and then the last line here
19 the following have been appointed by the
20 mayor, and it lists three more employees.
21 So we have a total of six employees it
22 seems that were put back in the budget while
23 only four retired.

24 Now, where the money is coming for
25 those other two employees, I don't know. I

1 would gander to say, as in the past, it's
2 coming from the lifeguards. I know
3 Mr. Joyce talked about that I think last
4 week or two weeks ago that he would rather
5 take care of his buddies in the DPW than
6 have pools open in the summer.

7 And again, this is still not a year
8 away, but maybe next year when we do the
9 budget we could establish a completely
10 separate department for lifeguards so he
11 can't move this money around within the
12 department. Everything we do he finds a way
13 around it.

14 The mayor is the executor of the
15 city, he is the executive branch. He
16 doesn't have the authority to appropriate
17 funds, that's council's authority, and time
18 and time again the mayor continues to move
19 money around and it seems on a day-to-day
20 basis when we don't even know what's there.

21 And finally, I rarely comment about
22 the editorial page in the Scranton Times,
23 but I think for once Chris Kelly got one
24 right. You know it's bad when you have one
25 of your biggest supporters doing a full page

1 cartoon and editorial saying how incompetent
2 your administration is. Council -- I have
3 called for Ryan McGowan's resignation or for
4 the mayor to fire him, four of us on council
5 still have. Still nothing. Still nothing
6 from the mayor. He thinks he is doing a
7 good job.

8 So, Attorney Hughes, I wanted to
9 ask, what would be the process to subpoena
10 Ryan McGowan and Mayor Doherty to try to get
11 to the bottom of this situation?

12 MR. HUGHES: Under Article 503 of
13 the Home Rule Charter council has the power
14 to subpoena, I believe in my opinion the
15 mayor, Ryan McGowan and native legislation.
16 There has to be a purpose, a legislative
17 purpose for the council to issue the
18 subpoena. I have been looking into this. I
19 don't have everything concluded as of
20 tonight as to the actions that council can
21 take, but there must be a legislative
22 purpose with a view to adopt legislation
23 that would be the basis that we can do it.

24 There is a case of Philadelphia vs.
25 The Philadelphia Housing authority that was

1 decided by the Commonwealth Court where the
2 Housing Authority executive director refused
3 to comply with the subpoena of Philadelphia
4 City council twice. They filed a petition
5 with the Court of Common Pleas of
6 Philadelphia to compel attendance and
7 productions of the documents which the
8 Philadelphia Court of Common Pleas granted.
9 The Housing Authority took an appeal to the
10 Commonwealth Court and the Commonwealth
11 Court affirmed the City of Philadelphia's
12 subpoena power in native legislation and
13 bring in the Housing Authority director in
14 order to draft legislation.

15 I have just started to look into
16 this, not only applicable to the mayor, I
17 mean, and to other department heads. As you
18 know, council has been stonewalled over the
19 last two years in requesting documentation
20 not only from members -- from department
21 heads, but also from the authorities and as
22 a result of this I have started to look into
23 the issue as to Council's ability not only
24 to subpoena, but that in the event the
25 subpoena is ignored is to what our

1 procedures are to enforce the subpoena.

2 Of course, once the Court of Common
3 Pleas of Lackawanna County would affirm a
4 subpoena any refusal to abide by that
5 subpoena would be contempt of Court. I'm
6 looking into that, I'm not going to have an
7 answer by next week, I hopefully will have
8 everything done by the end of the month so
9 that we can have solid footing as to how to
10 proceed and let everybody know that council
11 means business. And especially
12 Mr. Jackowitz what he said tonight about
13 the -- no, Mr. Quinn, you know, about the
14 audit, under the Home Rule Charter the audit
15 is due by May 31, the administration did
16 everything they could to preclude Mr. Rossi
17 from concluding the audit. In my opinion I
18 could not file an action against Mr. Rossi,
19 a mandamus action to compel him to complete
20 the audit, there are different standards
21 under auditing procedures for municipalities
22 and government and government units than
23 there are for private corporation which are
24 governed by a gap.

25 Mr. Rossi did disclose in accordance

1 with governmental auditing standards the
2 amounts that were in the city -- the amount
3 that was in Fidelity account for revenue.
4 That amount was disclosed as of December 31,
5 2009, 2010, however, it is not disclosed as
6 a separate line item. It is disclosed as
7 commingled, put together with cash on hand.
8 I believe the audit that he has prepared for
9 the end of the year in 2010 that the city
10 had \$4 million cash on hand, in all of its
11 bank accounts of which as of 2010 I believe
12 there would have been approximately \$2
13 million of that amount was in the revenue
14 account at Fidelity Bank.

15 I am still awaiting the complete
16 financial records from Fidelity, including
17 the other ten checks that were written in
18 this account since it opened, I believe it
19 was in October -- in October of 2007 or I
20 forget the exact date, but I am awaiting for
21 the complete account to have that analyzed
22 and hopefully when we have that we can then
23 have legislation, and we are also looking at
24 some other legislation that should be
25 adopted by council to have better control

1 over the finances on a day-to-day basis so
2 that the Finance Chair could have -- will
3 have the information, he won't have to rely
4 on verbal statements from various
5 administration personnel as to what's
6 available and what bills have to be paid. I
7 am looking into it, but it's not an easy
8 process.

9 MR. ROGAN: Thank you.

10 MR. HUGHES: We are researching it.

11 MS. EVANS: Actually, I know the
12 solicitor and I have been in discussion
13 about this for probably the last two weeks,
14 and because he has had so many assignments
15 from us starting with the TAN mostly lately
16 and he is currently reworking the parking
17 tax legislation, and hopefully that will be
18 prepared properly for next Thursday, I know
19 that Attorney Kelly submitted some
20 legislation to our attorney and once
21 Mr. Hughes reviewed it he found several
22 problems and issues with it and he is
23 currently working on that, and as he noted
24 already, this is an area of interest for
25 him, for myself as council president, and I

1 think for a number of the council members,
2 but because we have kept him so busy week
3 after week over the last probably two months
4 or so I agreed that, you know, when he
5 should take his time and review and analyze
6 all of the information carefully and then at
7 the appropriate time, which will be as soon
8 as possible, council and our attorney will
9 be making some very unprecedented moves.

10 MR. ROGAN: I certainly trust
11 Attorney Hughes' opinion, he has been a
12 great asset to this board. From talking to
13 everyone in the city still the big talk has
14 been this missing \$3 million and I think it
15 ties into every other aspect -- every other
16 budgetary aspect, you know, throughout the
17 city whether it be the TAN, whether it be
18 the unfunded debt, which I think should have
19 been reduced by \$3 million, or it ties into
20 everything and, you know, I know there were
21 some speakers at council that have been
22 saying since day one we got to subpoena the
23 mayor, subpoena the business administrator.
24 I think now we have a valid reason to go
25 through with bringing them in here, you

1 know, not going to be -- doesn't have to be
2 something, you know, to bring them in just
3 to bash them, it's to get to the bottom of
4 this. You know, it's -- even though some
5 people try to say it's a political issue,
6 it's not a political issue at all, it's
7 about getting to the bottom of the city
8 finances, and that's all I have to say.

9 So I will look forward to hearing
10 what you learn, Attorney Hughes. Thank you.

11 MS. EVANS: Thank you, Councilman
12 Rogan. Councilman Loscombe, do you have any
13 comments or motions?

14 MR. LOSCOMBE: Yes, thank you, just
15 briefly. I wasn't really going to say
16 anything tonight, but as Mrs. Franus
17 mentioned earlier, a lot of people didn't
18 have the opportunity to see or hear what
19 transpired last Monday, which was a very
20 important meeting and, you know, you can't
21 blame -- I don't think we can blame ECTV
22 because it was a last minute meeting.

23 Also, you know, it was an emergency
24 meeting and we had to do it that evening and
25 I think Mr. Joyce will explain some of what

1 transpired last Monday because that's pretty
2 much his bag, financial anyway, but thank
3 God we have him, but I do want to -- again,
4 Mrs. Franus said, I do commend our solicitor
5 and our president, Mrs. Evans, and, of
6 course, Mr. Joyce for all of the hard work
7 they did with this stuff. All of us were
8 involved in the conversations back and forth
9 on the issues, and again, there was a lot of
10 changes made before we were able to approve
11 that and I was glad we are all able to come
12 together and do something like that.

13 And for those that didn't have the
14 opportunity to be here last Monday I think
15 it will be able to explain Mrs. Evans or
16 Mr. Joyce in that aspect.

17 My buddy Chrissy mentioned Luzerne
18 Street here, I had issues too, Chris, trust
19 me.

20 MR. SLEDENZSKI: It got worse, Jack.

21 MR. LOSCOMBE: But I got to tell
22 you, I don't know if you've been there the
23 last few days, but I did call them at the
24 end of the week I spoke to Ms. Marciano here
25 from our office and she called TSC and I do

1 have to thank them, they were out there and
2 they patched those holes, you know, at this
3 point the best they can. Right now they are
4 good. They are still working on the
5 project, so hopefully, you know, once it's
6 all done we'll have a new paved streets
7 there, but it was rough and I knew we are
8 going to have nice weather this week and I
9 do want to commend them for coming out as
10 they did and I believe they spent two days
11 there just repairing the patches.

12 Streetlights were mentioned, and I
13 also would like to thank Joyce. I had the
14 same issue when I called Ms. Marciano, I had
15 some lighting issues, and they were taken
16 care of, and I'll have a few more I have to
17 give her, but this evening on my way in I
18 noticed the street lights on the South Side
19 of Mulberry Street from Penn Avenue to
20 Wyoming Avenue were out. There is
21 approximately three so, Mrs. Krake, if we
22 could notify Joyce Electric on those three
23 on Mulberry Street between Penn and Wyoming
24 on the South Side.

25 MS. KRAKE: If we have the pole

1 numbers that's much better, if not we need a
2 more accurate address if you have them.

3 MR. LOSCOMBE: Right. Yeah, I just
4 caught them as I was --

5 MS. KRAKE: Actually if anyone would
6 like to go on-line when I called Joyce
7 Electric today they asked me if we would
8 kindly use that because then when they have
9 the people, as Mr. Rogan mentioned, they
10 check that throughout the day, the people
11 that are on the road so --

12 MR. LOSCOMBE: Could you announce
13 that website again or do you have it?

14 MS. KRAKE: It's actually on the
15 city's website.

16 MR. LOSCOMBE: Oh, it's on our
17 city's website, you can just go to that,
18 okay; I didn't if they had their own that
19 they were requesting at that point.

20 And lastly, we have had lot of
21 questions and complaints about the condition
22 of the police vehicles, and I believe
23 Mrs. Evans will probably go into a little
24 more detail on that, but Mrs. Evans and
25 myself had made a visit to the DPW the other

1 morning, specifically to see what the status
2 is, I believe there is 14 police vehicles
3 out of service. We met with Mr. Dougher and
4 he showed us some paperwork and explained
5 some things and, you know, we had a good
6 conversation back and forth that, you know,
7 the importance of these vehicles and the
8 importance of keeping the police out on the
9 street we have to keep them up and running.

10 So I think it's an understanding we
11 all have there and we will follow-up on it
12 and, in fact, I had requested to meet with
13 Mr. Dougher perhaps next week to go over
14 that plus some issues that we have had in
15 the past that have still not been taken care
16 of, issues that I personally brought to
17 Mr. Brazil and are still languishing and
18 hopefully under Mr. Dougher we will be able
19 to get some of these things out of the way,
20 and that's about it at this point.

21 MS. EVANS: Thank you, Councilman
22 Loscombe. And, Mr. Joyce, do you have any
23 comments or motions?

24 MR. JOYCE: I do. First thing I
25 wanted to provide everyone with a quick

1 update on the status of the 2010 audit.
2 Apparently on Tuesday business administrator
3 Ryan McGowan had indicated that it was his
4 intention to have the city's management
5 discussion analysis section of the audit
6 completed by the end of this week. This is
7 the final task that the administration must
8 complete in order for the audit to be
9 completed and finalized.

10 After Rossi & Rossi reviews the
11 city's management discussion analysis,
12 provided there are no changes required, an
13 exit conference will be scheduled and held
14 on the week of February 13 in which a final
15 audit copy will be made available and the
16 audit will then become available to the
17 public at this time.

18 In the mean time, I do want to say
19 that Rossi & Rossi has already had contact
20 with the business administrator's office
21 regarding the 2011 audit and we have
22 received a copy of a number of the items
23 that are due on or before March 31, so
24 hopefully the 2011 audit could be handled in
25 a more timely fashion than the 2010 audit

1 was because February 13 is way, way, way too
2 late to have an exit conference for an audit
3 that should have been completed in the
4 middle of the last year.

5 Secondly, as one may know
6 refinancing of current debt is part of the
7 2012 budget that was passed by the
8 administration -- or passed down by the
9 administration and the 2012 budget that was
10 amended by Scranton City Council. With this
11 in mind, in order to maximize savings that
12 can be seen by refinancing, legislation must
13 be passed down to council for approval. If
14 we are able to refinance early enough, we
15 will realize an additional savings of \$1.4
16 million than the original \$5 million savings
17 that was reflected in the 2012 operating
18 budget that was passed down by the
19 administration originally.

20 With in this mind, it's mandatory
21 that legislation be drafted and that the
22 refinancing process begin sooner than later
23 as the city can't afford to drop the ball.
24 With this in mind, Mrs. Krake, can you
25 please send a letter to the law department

1 asking them to draft legislation for the
2 refinancing of debt.

3 And I wanted to just recap a little
4 bit about the TAN meeting. On Monday, as
5 everyone knows, we had a special meeting of
6 council that passed the tax anticipation
7 note for 2012, and since it wasn't televised
8 I wanted to just go over a few things again
9 just so the public could know as well as
10 some speakers who may have not had the
11 opportunity to be here.

12 To briefly educate the public, a tax
13 anticipation note, commonly referred to as a
14 TAN, is a short-term loan that's paid back
15 to the lending institution before the year's
16 end. This year the repayment of the TAN
17 will be due on the last day of June due to
18 the fact that over the past few years the
19 city has had some issues with paying the TAN
20 on time. For instance, two years ago it was
21 apparent that we actually paid a TAN -- or a
22 the prior year TAN with a TAN from the
23 future.

24 To elaborate more on TANS, TANS help
25 governments smooth out the ups and downs in

1 their revenue cycles. For instance, the
2 city has ongoing expenses throughout the
3 year, however, we don't receive the bulk of
4 our revenue from the collection of real
5 estate taxes until May, therefore, with this
6 being said, the timing of the city's
7 receipts does not match the timing of the
8 city's expenditures.

9 For instance, last year the month of
10 the January the city had over \$6 million in
11 expenditures and received only \$2.7 million
12 in revenue. However, in May of last year
13 the city had received \$7.9 million in
14 revenue and had \$4.6 million in
15 expenditures, so throughout the year there
16 is not an even flow of revenue and
17 expenditures at the same time so, therefore,
18 this is the reason why we need these -- why
19 need the tax anticipation note.

20 TANS are used by just about every
21 municipal governments since every municipal
22 government has a similar revenue cycle as
23 Scranton unless, of course, the municipal
24 government is lucky enough to have a great
25 cash reserve on hand where they don't need a

1 tax anticipation note.

2 The reason that the special meeting
3 was held was due to the fact that Scranton
4 City Council did not agree with all of the
5 terms and conditions of the TAN in the
6 emergency certificate that was passed down
7 last Thursday and, therefore, council with
8 the great assistance of Boyd Hughes further
9 negotiated with Fidelity Bank for more
10 agreeable terms and conditions.

11 In short, council needed to pass the
12 TAN before the end of January or else grave
13 consequences could have occurred. This is
14 why the meeting was held so quickly. We
15 owed the Workers' Compensation Trust Fund \$5
16 million that needed to be paid back by the
17 end the January. Also, if council waited
18 until our regular meeting tonight, it could
19 have opened up us up to state sanctions and
20 this could have included the elimination of
21 our liquid fuels funding for the year, which
22 could have cost us \$1.4 million, among other
23 consequences that could have occurred.

24 So we didn't -- so we felt it was
25 proper to have the special meeting to get

1 this done to satisfy the state and to save
2 the city from being sanctioned, which could
3 have created some dire circumstances. And
4 that's all I have for tonight.

5 MS. EVANS: Thank you, Councilman
6 Joyce. Good evening. On Tuesday, January
7 31, the City of Scranton received a \$11.5
8 million tax anticipation note or TAN. It
9 seems that one bank within the consortium
10 did not commit formally and withdrew from
11 participation in the 2012 TAN prior to
12 Tuesday morning. However, council doesn't
13 believe that the \$1 million decrease in the
14 tax anticipation note will have a
15 significant effect in light of the recently
16 discovered \$3 million which apparently was
17 used to fund the January 20 payroll and to
18 pay outstanding bills with the remainder of
19 the approximately \$500,000 placed into the
20 general fund.

21 Further, 5 million of the \$11.5
22 million TAN had to be dedicated to the
23 reimbursement of the Workers' Comp reserve
24 account thereby leaving the city with \$6.5
25 million to cover operating expenses. Since

1 the unfunded debt borrowing was approved by
2 the Court in an amount not to exceed \$9.85
3 million the administration is in the process
4 of seeking financial institutions willing to
5 provide a loan to the city.

6 Additional taxes will not be levied
7 in the current fiscal year to repay this
8 loan, however, Judge Jerome Cheslock ordered
9 that the unfunded debt shall be repaid
10 through an increase in the millage
11 dedication of the real estate taxes over a
12 ten-year period. He further ordered that
13 the funds shall only be used to pay for 2011
14 operating expenses and payments required to
15 be made on the city's outstanding
16 indebtedness as set forth in the city's 2011
17 budget. The funds cannot be used for any
18 other purpose without additional legislation
19 approved by council as set forth in
20 Ordinance No. 58 of 2011 which authorized
21 the petition to borrow.

22 Therefore, Judge Cheslock provided a
23 safeguard for this borrowing by means of
24 Scranton City Council when included this
25 statement in his order.

1 Next, as he already mentioned,
2 Councilman Loscombe and I visited the DPW
3 this week to observe firsthand the number
4 and condition of the police vehicles that
5 are currently out of service. On that
6 particular day, it was reported that 14
7 vehicles were off the streets but, of
8 course, that number does not include those
9 vehicles parked at the DPW that are
10 permanently out of service, you know, those
11 cars have remained in that location now for
12 quite awhile and two vehicles were in the
13 active process of repairs that day.

14 DPW Director Dougher stated that a
15 total of 17 police vehicles had been
16 repaired since January 1. I asked
17 Mr. Dougher if police cars were the top
18 priority in the DPW garage and he responded,
19 yes. I do believe what Mr. Dougher is
20 telling me. On the other hand, I have
21 reports from the police department this week
22 that show that all police cars were out of
23 operations and that many officers are using
24 their own vehicles which is not -- well,
25 it's not appropriate according to the law.

1 Now, I also inquired if additional
2 funds were needed for repairs to police
3 vehicles, but Mr. Dougher responded that it
4 wasn't necessary at this time.

5 With my colleagues' agreement,
6 Mrs. Krake, please send a letter to
7 Mr. Dougher thanking him for taking the time
8 to tour the DPW and discuss DPW procedures.
9 Also, remind the director that city council
10 expects a biweekly report of police vehicles
11 as per our discussion of 1-31-12, including
12 the number of vehicles currently located at
13 the DPW, their license plate numbers, the
14 numbers serviced throughout the two-week
15 period, a complete list of service repairs
16 and a list of vehicles and plate numbers
17 that currently await repairs.

18 MR. MCGOFF: Mrs. Evans?

19 MS. EVANS: Yes.

20 MR. MCGOFF: I'm sorry to interrupt
21 you, how many mechanics do they have devoted
22 to working on the police vehicles? I know
23 that there is one for supposedly the fire
24 equipment, is it the same with the police
25 vehicles?

1 MS. EVANS: That I don't know if
2 each is assigned a category, as you are
3 saying, for fire equipment, I know there was
4 a fire engine in the garage that day as
5 well, and then there was a police pickup
6 truck that was up on a lift and another
7 police car parked in the garage next to
8 that. I saw a few people working in the
9 garage at that time, but I have also been
10 notified by some members the police
11 department that there may be a problem
12 associated with one of the mechanics, and
13 that's something I think that we have to
14 address as soon as possible.

15 MR. LOSCOMBE: If I could just throw
16 something in there quickly, too, at one time
17 the fire department did have a master
18 mechanic that was from the fire department,
19 but that is no longer.

20 MR. MCGOFF: Right.

21 MR. LOSCOMBE: You know, it's my
22 understanding that maybe, you know, one of
23 the mechanics keys on the fire engines and
24 one keys on the police, but all of the
25 mechanics there together work on the

1 equipment together as the day we were there
2 there were two working on one vehicle and
3 there was a tire man working on another
4 vehicle at that time. So, I mean, I'm not
5 sure, but I believe that now, you know, they
6 all work together.

7 MS. EVANS: It looks like they are
8 working together, but the tire man evidently
9 doesn't have constant job duties and
10 responsibilities, but I had also -- I had
11 also learned that two of the mechanics are
12 often out and about by car daily sometimes
13 more often than they are present to repair
14 the police cars and something has to be done
15 about that immediately.

16 MR. LOSCOMBE: Yes.

17 MS. EVANS: Also, city council is
18 very interested in provided CDBG funding for
19 the Condemnation Assistance Program. Thus,
20 with my colleagues' agreement, council
21 wishes to send a letter to Linda Aebli
22 requesting the transfer from the available
23 project account to the Condemnation
24 Assistance Program. If Ms. Aebli determines
25 that a transfer can occur, request that she

1 send the legislation to the legal department
2 to draft legislation as soon as possible.

3 Next, city council received a
4 request for a proclamation recognizing the
5 125 anniversary of St. Paul Parish in
6 Scranton on or before March 1, 2012.

7 Council asks Mrs. Carrera to prepare this
8 proclamation, please.

9 Also, city council received a copy
10 of a notice dated January 26, 2012, from
11 Robert Rossi & Company to Ryan McGowan which
12 presented a timetable for the completion of
13 the 2011 audit by May 2012. Just to
14 probably repeat, but perhaps add to what has
15 been said by our Finance Chair, the business
16 administrator intends to complete the city's
17 final section of the 2010 audit the
18 management discussion and analysis portion
19 on February 3, tomorrow. Thereafter, Rossi
20 & Company intends to issue the 2010 audit
21 during the week of February 13.

22 Because Home Rule Charter includes
23 no consequences for failure to complete the
24 annual audit by the required deadline, the
25 administration has been able to postpone

1 it's completion up to 9 months past the
2 deadline for the last few years. Some
3 consequences should be developed to
4 encourage the administration and municipal
5 authorities to abide by the charter.

6 Next, city controller,
7 Mrs. Novembrino, provided a response to
8 council's inquiry regarding reinstating DPW
9 employees as of January 27. Three employees
10 reported back to work on January 17, and
11 three were appointed by the mayor between
12 January 3 and January 17, 2012.

13 Mrs. Krake, on behalf of City
14 Council please forward another letter to
15 Mrs. Novembrino thanking her for her prompt
16 and complete response and requesting the
17 same information for February through
18 December 2012.

19 Finally, I have a few citizens'
20 requests: Please forward the letter from
21 residents of Mulberry Towers to Chief Duffy
22 and to Mr. Volve, president of Lackawanna
23 County College. Please add the 300 block of
24 Hamm Court to the 2012 paving list. Attach
25 photos provided by residents. Council has

1 requested paving in this court since 2010.

2 City residents report that extremely
3 long light poles have been lying on the
4 ground in front of the parking lot of the
5 Ice Box Complex for months posing a safety
6 hazard and liability issue. Also, vehicles
7 park regularly in a "No Parking" zone by
8 Preno's Pizza thereby adding to the
9 congestion when pulling in and out of the
10 parking lot. Forward these complaints to
11 Mr. Seitzinger and Chief Duffy.

12 A letter to Mr. Courtright on behalf
13 of City Council requesting copies of all
14 checks and deposit receipts for 2012 real
15 estate taxes deposited into the account at
16 Fidelity Bank created for the repayment of
17 the 2012 TAN. I think we might also want to
18 add to that any of the delinquent taxes that
19 Mr. Courtright's office is collecting if
20 those are forwarded into that account as
21 well, and I think we might also want to send
22 a letter to Fidelity Bank and PNC Bank on
23 behalf of Scranton City Council asking that
24 it receive or at least Finance Chair of City
25 Council would receive monthly statements

1 from both banks.

2 MS. KRAKE: I will, and your first
3 request concerning Mr. Courtright, he
4 actually addressed that the day of the
5 signing and had volunteered to do that.

6 MS. EVANS: Very good.

7 MS. KRAKE: But we should follow-up
8 on that.

9 MS. EVANS: Thank you very much.
10 Yes.

11 MR. MCGOFF: You mentioned the 300
12 block of Hamm Court, we have addressed that
13 one before and there was -- I did --

14 MS. EVANS: Linde was supposed to
15 make repairs and they did come out and fill
16 potholes, but, as you can see, these are
17 recent photos taken by the residents and so
18 it really does need to be paved. Obviously,
19 I guess Linde is not going to pave.

20 MR. MCGOFF: They just threw some
21 loose stuff in there and called it a day.

22 MS. EVANS: Right, so I think the
23 city has to -- maybe the pave cut inspector
24 has to force Linde to do the paving itself
25 since it's caused most of this destruction,

1 and if not then I think it really has to go
2 on the city's paving list because it's --
3 you know, it's been ongoing for a very long
4 time and the citizens have been more than
5 patient and they deserve better than this,
6 so that's it.

7 MR. ROGAN: Just two things I wanted
8 to add that were brought up. If okay with
9 everyone, could we also add with the request
10 to Mrs. Novembrino the salaries for the
11 positions they were paid, and also with
12 everyone's agreement can we also request to
13 send a letter to Mark Dougher that public
14 safety vehicles are given priority over
15 other vehicles?

16 MS. EVANS: Well, like I said, that
17 was discussed. That was the first point I
18 made during our visit and he insisted, yes,
19 they are given first priority, but that they
20 are also repairing DPW vehicles, vehicles
21 for the fire department, for city inspectors
22 and, of course, we recognize that, but the
23 police officers have to be the first
24 priority because they need the vehicles to
25 be on the street in order to take care of

1 all of the residents of this city, so the
2 cars cannot continue to back up and sit for
3 a period of time as has been the case here.

4 So I think we -- you know, I did
5 discuss the report biweekly report with
6 Mr. Dougher and he had agreed to that and we
7 are reminding him of that conversation and I
8 am -- I have absolutely no doubt that there
9 is going to be a good deal of follow-up in
10 this entire situation.

11 MR. ROGAN: I'm sure you have heard
12 the same things I heard, you know, from the
13 officers and different people in the
14 community and my worry is that the DPW is
15 going to take care of the DPW first instead
16 of the public safety.

17 MR. LOSCOMBE: And just to add to
18 that, too, we have a liability exposure with
19 the police officers using their own vehicles
20 and they are exposing themselves under their
21 own insurance, too, to some problems.

22 MS. EVANS: And I think perhaps if I
23 could just add one more thing, Mrs. Krake,
24 maybe we should send a letter to the BA,
25 Chief Duffy, regarding the following

1 matters: It appears that the printers in
2 the police headquarters don't have ink, the
3 heater on the roof of the new building isn't
4 working, and either the administration can't
5 or won't fix these concerns and certainly
6 might have been because of the financial
7 situation, but again, the TAN has come in.
8 We have the money, I'm sure, received from
9 Mrs. McNulty for the realty transfer tax of
10 the Moses Taylor Hospital. We received
11 additional tax revenue from the
12 delinquencies owed to the city from the
13 Community Medical Center parking garage, so
14 I think the administration needs to take a
15 look at police headquarters, what are the
16 needs in that building, and equally
17 important, if not more so, the needs
18 involved with all police vehicles have to be
19 addressed immediately.

20 MR. JOYCE: If you don't mind me
21 adding, we also received a check for a
22 little bit or \$200,000 from Comcast as well
23 for the fourth quarter of the franchise fee.

24 MS. EVANS: Yeah, that comes in
25 during the first financial quarter of each

1 year.

2 MR. JOYCE: Yes, there was a note of
3 a check in our mail, so we could add that to
4 the list, too, of money we received.

5 MS. EVANS: And that's it.

6 MS. KRAKE: 5-B. NO BUSINESS AT
7 THIS TIME.

8 SIXTH ORDER. NO BUSINESS AT THIS
9 TIME.

10 SEVENTH ORDER. 7-A. FOR
11 CONSIDERATION BY THE COMMITTEE ON FINANCE -
12 FOR ADOPTION-RESOLUTION NO. 6, 2012 -
13 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
14 CITY OFFICIALS FOR THE CITY OF SCRANTON TO
15 ENTER INTO A MORTGAGE ASSUMPTION AGREEMENT
16 TO FACILITATE THE SALE FROM SCRANTON
17 DOWNTOWN, LLC TO BARRISTER INVESTMENT
18 GROUP, LLC. OF THE PROPERTY LOCATED AT
19 410-412 SPRUCE STREET, SCRANTON, PA, ON
20 WHICH THE CITY OF SCRANTON HAS A RECORDED
21 MORTGAGE DATED NOVEMBER 5, 2002 IN THE
22 PRINCIPAL AMOUNT OF \$220,000.00.

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

1 MR. JOYCE: As Chairperson for the
2 Committee on Finance, I recommend final
3 passage of Item 7-A.

4 MR. ROGAN: Second.

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

7 MS. MARCIANO: Mr. McGoff.

8 MR. MCGOFF: Yes.

9 MS. MARCIANO: Mr. Rogan.

10 MR. ROGAN: Yes.

11 MS. MARCIANO: Mr. Loscombe.

12 MR. LOSCOMBE: Yes.

13 MS. MARCIANO: Mr. Joyce.

14 MR. JOYCE: Yes.

15 MS. MARCIANO: Mrs. Evans.

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

18 If there is no further business,
19 I'll entertain a motion to adjourn.

20 MR. JOYCE: Motion to adjourn.

21 MS. EVANS: This meeting is
22 adjourned.

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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