

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, April 12, 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

FRANK JOYCE, VICE-PRESIDENT

ROBERT MCGOFF

PAT ROGAN

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. Mr.
5 Rogan.

6 MR. ROGAN: Here.

7 MS. CARRERA: Mr. Loscombe.

8 MR. LOSCOMBE: Here.

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

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

13 MS. KRAKE: THIRD ORDER. 3-A. TAX
14 ASSESSOR'S REPORT HEARING DATE APRIL 25,
15 2012.

16 MS. EVANS: Are there any comments?
17 If not, received and filed. Do we have any
18 clerk's notes this evening, Mrs. Krake?

19 MS. KRAKE: No, Mrs. Evans.

20 MS. EVANS: Thank you. Do any
21 council members have announcements at this
22 time?

23 MR. LOSCOMBE: I have one here.
24 Again, tomorrow evening, April 13, from 6 to
25 11 p.m., there is -- it's called "Mur, The

1 Final Hurrah" for Tim Murray, a firefighter
2 who recently passed away. It will be at the
3 Divine Mercy Parish Center at 312 Davis
4 Street, cost is \$20 and there will be food,
5 libations, entertainment, baskets, 50/50s,
6 and money tree. For tickets or sponsorship
7 or to make an in-kind donation please call
8 Al Lucas at 347-8553 or Joe O'Hora at
9 212-0961. Thank you.

10 MS. EVANS: Mr. Rogan? Mr. McGoff
11 will be late to tonight's meeting. The
12 Scranton/Lackawanna County Taxpayers'
13 Association will hold a State Representative
14 Forum on Tuesday, April 17, at 7 p.m. in
15 Scranton City Council Chambers. The public
16 is invited and the forum will be broadcast
17 live on Channel 19 by ECTV. The schedule of
18 candidates is as follows:

19 7:00 p.m., Theresa Kane, Republican
20 candidate for District 115 seat. 7:20,
21 Frank Forina, Democratic candidate for
22 District 115 seat, and 7:40 p.m., Kevin
23 Murphy, Democratic incumbent for District
24 112 seat. Don't miss this important event.

25 The Scranton Fraternal Order of

1 Eagles No. 312 will conduct it's spring
2 craft fair on April 21 beginning at 10 a.m.
3 Admission is free and crafts include
4 jewelry, woodworking and homemade bows to
5 products from Avon, Mary Kay and Dove
6 chocolate. For more information call the
7 Eagle's Club at 961-5495.

8 The Friends of the Scranton Knights
9 will conduct their annual Night at the Races
10 on Saturday, April 28, 2012, from 7 to 11
11 p.m. at St. Anthony's Center, 1013 Wood
12 Street in Scranton. Tickets are \$10, are
13 available at the door, and include light
14 fare, beer, soda, water and music and fun.
15 You must be 21 years old to attend. All
16 proceeds benefit the Scranton Knights
17 football team.

18 And finally, due to errors in ECTV's
19 disc, if anyone has record the April 11
20 zoning board meeting please call the council
21 office at 348-4113. Again, that's 348-4113
22 so we may forward the information to ECTV.

23 Also, the handicapped entrance doors
24 are now fully operational both in the court
25 behind city hall and at the entrance to city

1 hall. And that's it.

2 (While Mrs. Evans was speaking Mr.
3 Joyce took the dais and joined the meeting.)

4 MS. KRAKE: FOURTH ORDER. CITIZENS'
5 PARTICIPATION.

6 MS. EVANS: Our first speaker
7 tonight is Andy Sbaraglia.

8 MR. SBARAGLIA: Andy Sbaraglia,
9 citizen of Scranton, fellow Scrantonian.

10 MR. LOSCOMBE: Good evening.

11 MR. SBARAGLIA: Mr. Joyce?

12 MR. JOYCE: Yes.

13 MR. SBARAGLIA: Where do we stand on
14 our TAN now and what percentage has been
15 paid?

16 MR. JOYCE: We are about between two
17 and two and a half million I believe from
18 having it fully paid off.

19 MR. SBARAGLIA: In other words, out
20 of our was it 9.5 or something like that --
21 or 11.5? No, 9.5, something like that, so
22 we are about 80 percent paid?

23 MR. JOYCE: Yes. We are about 80
24 percent paid out of the tax money.

25 MR. SBARAGLIA: That's all I wanted

1 to know. Well, you got a little notation in
2 here 5-C, it has to do with this third place
3 loan, what building is that? Does anybody
4 know exactly what building we are referring
5 to for this \$250,000 third place?

6 MS. EVANS: I believe it's the
7 Riverfront Sports Complex; is that correct,
8 Attorney Hughes?

9 MR. HUGHES: Yes, that's correct.

10 MR. SBARAGLIA: Okay, so the
11 riverfront. And your original loan on that
12 was given back in 2002, 2003?

13 MR. HUGHES: I'll report on that, if
14 you want me to give you a little summary on
15 it.

16 MS. EVANS: Yes, please.

17 MR. SBARAGLIA: Yeah, okay. I won't
18 get into it. If you are going to give a
19 report on it, I will wait for it, all I
20 would like to know --

21 MR. HUGHES: December 15, 2004.

22 MR. SBARAGLIA: Okay. And do you
23 know what position we were originally when
24 we gave out that loan?

25 MR. HUGHES: Third.

1 MR. SBARAGLIA: We were in third
2 when we gave it out?

3 MR. HUGHES: Actually it was fourth.
4 There were three loans from Fidelity, there
5 was one loan from PNC and then the City of
6 Scranton. I don't know what the priorities
7 were, but in all of those transaction the
8 City of Scranton would have been
9 subordinated usually to all of the other
10 debt.

11 MR. SBARAGLIA: Okay. So we are
12 exactly where we were before basically.

13 MR. HUGHES: Actually, we are going
14 to be in the third position now.

15 MR. SBARAGLIA: Instead of the
16 fourth.

17 MR. HUGHES: There will also be less
18 money in front of us. There is no new money
19 coming in on the refinancing. The City of
20 Scranton is now owed like \$68,000 on a
21 quarter of a million.

22 MR. SBARAGLIA: Yes, I saw the
23 original loan, I just wasn't sure where it
24 was originally when it was given out, but
25 they said third. The waterfront has been

1 there awhile and they have been -- I wish it
2 was still the trucking terminal though.

3 Thank you.

4 MS. EVANS: Thank you. Gerard
5 Hetman.

6 MR. HETMAN: Good evening, council.
7 Gerard Hetman from the Lackawanna County
8 Department of Community Relations.

9 MS. EVANS: Good evening.

10 MR. HETMAN: Good to see you folks
11 again this evening. I just have three brief
12 items I'd like to touch on, three important
13 items, but just to going through my list.

14 First, some ongoing programs again
15 as the summer continues to get closer and
16 the weather continues to get closer we have
17 a number of programs from the Lackawanna
18 County Department of Parks and Recreation
19 that will be offered for local residents.
20 One is the gymnastics clinic. I should note
21 that with any of these programs there are
22 several sessions that run for both and girls
23 throughout the summer months. That's the
24 case with our gymnastics' class, and the
25 information on that can be obtained, it's

1 for ages 4 to 16, boys and girls, and
2 information can be obtained by calling
3 963-6764.

4 The other program that we have is
5 our Lackawanna County tennis clinic offered
6 to the age of 16, also boys and girls, and
7 information on that, again, can be obtained
8 by calling 963-6764. That's 963-6764.

9 Also, Lackawanna County Children and
10 Youth Services are seeking donations of
11 furniture and appliances in good condition
12 to help benefit families in need of these
13 items. Arrangement for pickup and drop-off
14 of these donations can be made by calling
15 Children and Youth Services at 570-963-6781
16 that's 570-963-6781.

17 Our second item is with regards to
18 the ongoing issue of AAA baseball in
19 Lackawanna County. A public hearing will be
20 scheduled in the very near future. Before
21 any action can be taken in terms of an
22 agreement between Lackawanna County and SWB
23 Yankees, LLC. Again, there is an agreement
24 in principal in place before the county can
25 finalize any agreement there must be a

1 public hearing held on that issue and as
2 soon as that's scheduled there will be a
3 media release to all of our local media
4 outlets and the information will also be
5 posted on the county website at
6 www.LackawannaCounty.org, and it will also
7 be posted on our Facebook page, our Twitter
8 feed, both of which I maintain, so they will
9 be there for sure.

10 And again, that will be -- the
11 public will have a chance to review and
12 voice their opinion on this legislation
13 before anything is made official regarding
14 that proposed sale.

15 And third, I just want to note, last
16 week in response to one of the speakers that
17 came after me in speaking order, someone
18 voiced the idea of having a public meeting
19 between the Lackawanna County Commissioners,
20 Scranton City Council and the Scranton
21 School Board and some of our local, state
22 and federal elected officials. The county
23 commissioners would be happy to explore that
24 idea. We can and will discuss it with them
25 for future consideration, but in the mean

1 time I would remind everyone here, all of
2 our city residents who are my default county
3 residents, that they are all invited to the
4 regularly scheduled meetings of the
5 Lackawanna County Board of Commissioners
6 which are always held the second and fourth
7 Wednesdays of each month at 10:00 a.m. in
8 the Lackawanna County administration
9 building on the sixth floor on the corner of
10 Spruce Street and Adams Avenue.

11 I should note that there is security
12 in place at the entrance to the county
13 building, as many of you know, so it may
14 take a few minutes to get through security,
15 especially if you come with change in your
16 pockets as I often do, so just a plan ahead
17 a little bit, we don't have that here at the
18 city council and many of the other
19 municipality meetings, but residents are
20 always invited to come and voice their
21 opinion just as they do here to the county
22 commissioners.

23 Again, we will explore the idea of
24 having a joint public meeting very similar
25 to the intergovernmental meeting that

1 Mr. Joyce and Mrs. Evans were present for,
2 but in the mean time, again, all of our
3 residents are invited to attend regular
4 meetings of the Board of Commissioners. I
5 know some already do and those that aren't
6 are welcome to come. Our next meeting is --
7 their next meeting is Wednesday, April 25,
8 at 10 a.m.

9 Anything else I can do?

10 MS. EVANS: Not at this time.

11 MR. HETMAN: Thank you, Council,
12 have a good evening.

13 MS. EVANS: Thank you.

14 MR. HETMAN: I will leave these with
15 you. I have copies of the baseball release
16 actually for all of you and I have copies of
17 the program flyers and you will each get
18 your own copy of the media release on the
19 baseball issue. And again, as soon as the
20 public hearing is scheduled, we will let
21 everybody know.

22 MS. EVANS: Thank you. Ron Ellman.

23 MR. ELLMAN: Hello, Council.

24 MS. EVANS: Good evening.

25 MR. ELLMAN: Last week I read or

1 heard that Mr. Boscov made some payments on
2 his loan, is that true and what were they?
3 I mean, you know, he is paying like \$25 a
4 month out on it or something? I don't know
5 if I saw it in the paper or somebody told
6 me. That's so surprising I should remember.
7 Anyway, it don't mean nothing.

8 In Mr. DeNaples' office he has got a
9 painting of Dunmore corners and there is a
10 little biblical verse on it and it says
11 something like, "The earth is meant to be
12 inhabited" or something and where I'm going
13 with all of this, about ten years ago we had
14 about 40,000 tax statements mailed out, last
15 year it was 37,000. That's one reason you
16 can't make a budget around here, 3,000.

17 And now the school board of all
18 things they are considering whether to
19 remodel the school or tear it down or build
20 a new school for 17 million for 200
21 children. You know, I'm not sure, that's
22 like 80, \$85,000 a piece. If it was up to
23 the school board we would probably have a
24 school in every corner, but I have built
25 enough schools in my lifetime. I don't have

1 nobody in school. Half the people in town
2 don't have nobody in school. It's time
3 something is done to try and control this
4 lead of a school board. We just finished
5 building a school last year. You know, how
6 in the world do they have the gall to talk
7 about another school? I would go to a
8 meeting, but they won't recognize me when I
9 go. But they are just out of touch with the
10 people of this city. It's just senseless.

11 Jack, did you go by that house?

12 MR. LOSCOMBE: Yes, actually, I went
13 by and I took the photos, you are correct.

14 MR. ELLMAN: I would like to ask if
15 there is some way I can get ARC to give out
16 their, you know, about their expenditures
17 and all. I made a phone call and they hung
18 up on me and they said it's none of my
19 business what goes on at ARC, but they have
20 a savings and, you know, United Way gives
21 them money to buy houses and I just -- there
22 is something going wrong with ARC.

23 I was at Walmart last week with my
24 son in Taylor and there is a car from ARC,
25 one of those vans, had a little circle on it

1 from ARC and he is not only there at
2 nighttime he is parked in a handicapped
3 place. You know, that's like adding salt to
4 the wound for me, but I just -- 35 cars for
5 85 people and 10 houses. There is
6 something -- there is something going on at
7 ARC that the public ought to know about.
8 Thank you.

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

11 MR. DOBRZYN: Good evening, Council.
12 Dave Dobrzyn --

13 MR. LOSCOMBE: Good evening.

14 MR. DOBRZYN: -- resident of Scranton
15 and so forth. Last week I talked about
16 people coming down on council and one thing
17 that caucus that you felt the week before, I
18 felt that was a very important issue. We
19 have a 5 million hole in the budget because
20 of this and nobody had anything to say about
21 it, no state representative, the
22 administration, nobody until the chickens
23 came home to roost. Once again, you know,
24 it's really ashamed that an employer is
25 allowed to keep money for three months and

1 then keep it another month and then this
2 Berkheimer can keep it another month on top
3 of it and I smell an alley rat, but I'll get
4 to that later.

5 And I still am curious as to whether
6 there are any recycle fees, tipping fees for
7 recycling, and I had a little thought this
8 week, we are getting citizen patrols and so
9 forth in town, how about if we watch out for
10 improperly repaired streets because it's
11 really ashame. I would love to see a
12 post-inspection because a lot of our street
13 problems aren't the fact that the street
14 isn't paved often enough, it's that it's
15 destroyed too often by these utilities and
16 so forth and they put the money in their
17 pocket and raise our gas bill and raise our
18 water bill and they are on their merry way
19 and leave us. They eat the free lunch and
20 we get struck with the debt for it.

21 And, well, there was a fire in our
22 neighborhood this weekend, a pretty big one,
23 and I seen firemen up in that building at
24 around 4:30 in the morning and they were
25 actually -- the roof was burned off and that

1 was the only way they could get to the fire
2 was -- it was amazing the amount of risk
3 they were taking not knowing whether the
4 building would collapse or whatever and how
5 much damage was done to it and people should
6 try and be a little more careful with -- I
7 heard it was a smoker on the back porch is
8 what started it.

9 A little tip, I cook with charcoal
10 and I always don't bother to light it on the
11 porch or cook on the back porch, and I dump
12 the water on the charcoal when I'm done and
13 that way the sun comes and dries it and I
14 have it for most of it for the next time
15 around, so I save a little money that way
16 with my charcoal because it's actually a
17 little luxury compared to throwing something
18 on the stove.

19 And make sure your fire alarms and
20 so forth are working because it's a disaster
21 when they are not. I have several in my
22 house in many rooms and then I have a live
23 fire alarm, he barks whenever something is
24 up.

25 Okay, on the voting we have ALEC,

1 American Legislative Exchange Council, and
2 they are like a big clearing house financed
3 by a lot of people that have special
4 interests to get special legislation. That
5 incident in Florida with the poor black kid
6 that got shot, whether right or wrong, under
7 stand your ground law it was an ALEC law and
8 it's really ashamed the kind of legislation
9 they are pushing, and they also pushed the
10 voter registration laws which personally I
11 feel is nothing but un-American.

12 And some of the people responsible
13 are McDonalds hamburgers, Coke, Pepsi,
14 Intuit, Wendy's and, unfortunately, I can't
15 strike against Microsoft, but I'm not
16 consuming any of those products for the next
17 several years. Maybe I'll forgive them some
18 day, and they get the golden parrot along
19 with Allen West calling a progressive caucus
20 in Washington communists, card carrying
21 communists, so baw, baw, people. Thank
22 you and have a good night.

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

25 MR. SLEDENZSKI: Hi, Jackie.

1 MR. LOSCOMBE: Chrissy, what's up?

2 MR. SLEDENZSKI: Hi, Janet.

3 MS. EVANS: Hi, Chrissy.

4 MR. LOSCOMBE: No hat tonight?

5 MR. SLEDENZSKI: No hat tonight.

6 Oh, Jack, you know what's Saturday, don't
7 you? You know what Saturday is, don't you?

8 You didn't even announce it, did you?

9 Announce it, will you? About the parade for
10 little league Saturday, remember?

11 MR. LOSCOMBE: The opening for the
12 little league?

13 MR. SLEDENZSKI: Yeah, it's the
14 little league Saturday.

15 MR. LOSCOMBE: That's what I figured
16 you'd do.

17 MR. SLEDENZSKI: I'll do it right
18 now. Saturday is the little league parade
19 so everybody support the kids. Everybody
20 come out and support the kids. Really, the
21 kids enjoy it. Support the kids. Thank
22 you.

23 MR. LOSCOMBE: Good job, Chrissy.

24 MS. SCHUMACHER: Good evening,
25 Council. Marie Schumacher.

1 MS. EVANS: Good evening.

2 MS. SCHUMACHER: I was happy to see
3 the handicap openings working this evening.
4 Is today the first day they have been
5 operational? Does anyone else no?

6 MS. EVANS: I don't know.

7 MR. JOYCE: No, it was working last
8 council meeting.

9 MS. SCHUMACHER: Well, then somebody
10 needs to do something to make sure that it's
11 open whenever there is a meeting. Last
12 night I came in that back door or I
13 attempted to I should say for the zoning
14 hearing meeting last night and it was -- you
15 couldn't access it. You could get out after
16 the meeting, I could get out, but you
17 couldn't get in so --

18 Okay, two weeks ago I noted that I
19 observed the building that housed the Castle
20 Deli is available for rent and that back in
21 December of 2009 council approved a not to
22 exceed \$25,000 loan to Castle Deli. I
23 inquired whether Castle Deli received the
24 entire \$25,000 and whether that loan has
25 been repaid in full, is there an answer to

1 that question this evening, Mr. Rogan?

2 MR. ROGAN: No, I will call Linda
3 first thing tomorrow. I'll respond to it.

4 MS. SCHUMACHER: That's what you
5 said two weeks ago.

6 MR. ROGAN: I apologize if I forgot.
7 It may have been sent and we didn't get a
8 reply. I don't recall.

9 MS. SCHUMACHER: Okay. Also, two
10 weeks ago I asked if any councilman was able
11 to shed light on why the city had paid the
12 Department of Justice \$51,206.64 in February
13 to settle an EPA issue. Specifically I
14 asked what was the issue and how has the
15 city changed to prohibit a recurrence, and
16 again Mr. Rogan offered to check that out
17 and same response?

18 MR. ROGAN: I was looking back
19 through some old paperwork and the only
20 thing I could find regarding the papers were
21 the Sewer Authority. Why the city would be
22 paying a bill for the Sewer Authority if
23 that's the case I don't know, I hope that's
24 the not the case, but I really couldn't find
25 anything other than that one citation from

1 the Sewer Authority when the Sewer Authority
2 was cited and they the money was to plant
3 trees.

4 MS. SCHUMACHER: How do you suggest
5 we find out? Right-to-Know to
6 Mrs. Novembrino?

7 MR. ROGAN: I would think so or
8 maybe the business administrator.

9 MS. SCHUMACHER: I don't have much
10 success with the business administrators
11 or --

12 MR. ROGAN: Me either.

13 MS. SCHUMACHER: Okay. Then moving
14 onto the rental registration program, I'm
15 sorry Mr. McGoff is not here yet, but two
16 weeks ago again I asked if there would be
17 on-line listing of the registered rental
18 properties that neighbors could check.
19 Mr. McGoff responded that it wasn't, but
20 that it might be a good idea and tonight I
21 want to formally ask council to consider
22 amending the ordinance to require such a
23 list be made available.

24 And then I have another question,
25 and next week I'll share some

1 recommendations, more recommendations on the
2 rental registration, I planned to do that
3 tonight until I found my last ink cartridge
4 was running low and I wouldn't have
5 sufficient to make copies for each of you,
6 so I put that off until the next week, but
7 the question is will our city be at risk of
8 a lawsuit in the event of fire loss, be it
9 person or property, in which failure to
10 perform the inspections covered by the
11 permit fee could have been either prevented
12 or mitigated? If so, this could be a costly
13 ordinance unless the ordinance is amended to
14 make some clear -- something clear that
15 either the inspection doesn't equate to
16 responsibility or some staggering that that
17 doesn't kick in until after the property has
18 been inspected because that would be -- that
19 could be devastating to our city.

20 Two weeks ago again I spoke of
21 noncompliance with the parking meter
22 ordinance, specifically, replacing of the
23 parking meters in the four and five hundred
24 blocks of Lackawanna Avenue with time
25 limited parking signs. My question tonight

1 is what will be done about that
2 noncompliance. Will the parking meters be
3 restored and, if so, when or will the
4 ordinance be changed to cover the
5 noncompliance and, if so, would that require
6 a public hearing?

7 I really think it's shameful that we
8 burden relatives and friends who are
9 visiting hospitals with parking meters
10 around the hospitals while allowing others
11 in commercial areas to park free and I think
12 something needs to be done and I'd like to
13 hear what will be done.

14 Also, at the 22 March meeting Mrs.
15 Evans mentioned that an agreement has been
16 made on several Revised Recovery Plan issues
17 and joint initiatives and recommendations
18 would be submitted to the Pennsylvania
19 Economy League and the people of Scranton
20 tentatively in midApril. I would like to
21 know whether the tentative date has been
22 firmed up such that we will receive these at
23 next week's meeting?

24 MS. EVANS: The tentative date has
25 not been firmed up. It's still an ongoing

1 process.

2 MS. SCHUMACHER: Do we have an
3 estimate of when that process will complete?

4 MS. EVANS: I honestly don't. I can
5 only tell that you as soon as everything is
6 finalized and council has provided its input
7 it will be presented.

8 MS. SCHUMACHER: Thank you. I'm
9 also curious as to whether the initiatives
10 on 5-B on tonight's agenda are a part of
11 this and if this ordinance is in addition to
12 the \$15 annual fee or will the prior
13 ordinance be superceded by 5-B if it passes?

14 MS. EVANS: The \$15 that you
15 mentioned is for what?

16 MS. SCHUMACHER: Annual fee per
17 parking space.

18 MS. EVANS: Oh, I'm going to address
19 all of this under motions, so I can explain
20 it.

21 MS. SCHUMACHER: Okay. Thank you.
22 Also, if I may finish up two quick things.
23 I noticed in Tuesday's Times-Tribune that
24 the Borough of Dunmore has successfully
25 refinanced their debt, something that was on

1 the city's plate, and I wonder if Mr. Joyce
2 could in motions bring us up-to-date on the
3 status of that restructuring.

4 MR. JOYCE: Yes, that's still in
5 progress. Our business administrator is
6 discussing the refinancing of our debt with
7 several banks right now.

8 MS. SCHUMACHER: Do we have any date
9 for --

10 MR. JOYCE: I could ask him of a
11 more firm date.

12 MS. SCHUMACHER: And the other
13 really has to do with DPW so I'll wait until
14 next week also when Mr. McGoff is here.
15 Thank you.

16 MS. EVANS: Thank you. And I just
17 wanted to add that when you have questions
18 for council for information that are you
19 seeking, once again, please commit those
20 questions and requests to writing so that
21 council can find the proper responses for
22 you. It's very difficult for our office to
23 keep up with lists of requests that are made
24 orally, so if you would like a response
25 please, as I said, commit that to writing

1 and submit it to Ms. Carrera. is there
2 anyone else?

3 MR. MARTIN: Bob Martin, resident of
4 420 Adams Avenue. Actually I was reading
5 the paper, the building down there where,
6 you know, the building they had the zoning
7 hearing, so that not going to be a -- for a
8 women offenders? Remember, the building
9 down there that had the fire and had the
10 apartments for the Commonwealth, at the
11 zoning meeting last night so that's shot
12 down, they are not going to have that
13 anymore?

14 MS. EVANS: I believe what was voted
15 down would have been the halfway house in
16 downtown Scranton. The issue involving the
17 placement of women and children who have
18 substance abuse problems has been continued.

19 MR. MARTIN: Now, that used to be
20 run by Mr. Joyce and the banks took that
21 back; right? The banks own it.

22 MS. EVANS: The proposed halfway
23 house, yes.

24 (Whereupon Mr. McGoff takes the dais
25 and joins the meeting.)

1 MR. MARTIN: There is another thing
2 I'm concerned about, a couple of years ago
3 Mayor Doherty was talking about possibly in
4 the Connell building putting a supermarket
5 at one time, do you remember hearing about
6 that? I really think we do need a
7 supermarket. I remember across the street
8 on 400 block of Adams Avenue where the IHOP
9 used to be across from the high-rise there
10 used be to be a supermarket there. I really
11 think we need a supermarket downtown. I
12 know there is proposals in many of the malls
13 now to try and put a supermarket.

14 Now, I don't know what's going to
15 happen with that building down there, but we
16 need a supermarket downtown, and I know a
17 lot of the malls are trying to go into the
18 future in getting supermarkets, but the
19 closest supermarket we have, I live
20 downtown, you got to go to Redner's. I
21 really think we need a super market downtown
22 and I wish --

23 MS. EVANS: I agree.

24 MR. MARTIN: -- we could -- I mean, I
25 don't agree with Mayor Doherty a lot, but, I

1 mean, he tried to put something in the
2 Connell building and I don't know what
3 happened to it, it just got shot down, but,
4 you know, there is openings in the mall and
5 they said there is times when they would
6 like to do things like that, you know.

7 The final thing I would like to talk
8 about, Jack, the two only engine companies
9 that are closed right now are Engine 15 and
10 Engine 9? Are they the only two that's not
11 open right now?

12 MR. LOSCOMBE: As far as I know, on
13 different -- excuse me, I think Engine 4 has
14 been closed on different occasions this past
15 week.

16 MR. MARTIN: Is there a possibility
17 that they will be a full force are they are
18 looking for some other money to be able to
19 open up the rest of the engine companies?

20 MR. LOSCOMBE: Yes. Myself and my
21 colleagues have been working with the
22 administration and the unions to, you know,
23 try and get some grants and funds and free
24 up some money. We know we are not done yet.
25 We know --

1 MR. MARTIN: I know you are working
2 your best.

3 MR. LOSCOMBE: Yes.

4 MR. MARTIN: Because I know you care
5 for that and it's just a -- you know, I was
6 talking to Chrissy earlier about this, you
7 know, we were -- because he helps out there
8 with the engines.

9 MR. LOSCOMBE: We have to keep
10 Chrissy working because he works out of
11 Engine 7.

12 MR. MARTIN: Buy anyhow that would
13 be something that would we can get a full
14 force, you know what I mean? Like I said, I
15 was talking to Chrissy and you just can't
16 open it up, you got to have the funds, but,
17 I mean, it's just -- like I said, I love the
18 firefighters and I love the police
19 department and I just hope that everything
20 can come together.

21 Did you find out anything about, you
22 know when I was talking about the response
23 there at 420, I know they did a good job in
24 getting there, but I don't know if -- it
25 seemed like there was a delay. Usually they

1 are there within minutes, maybe two minutes,
2 you know what I mean?

3 MR. LOSCOMBE: I haven't gotten that
4 information yet because I'm checking on
5 another situation too as far as timing.

6 MR. MARTIN: Because I know we have
7 already had -- believe it or no, we had
8 somebody that actually opened up a smoke
9 bomb in their building because they had bugs
10 in there or something was in there, you
11 don't do that. You don't do that, it knocks
12 the alarms off, but I will say I just
13 appreciate everything you are doing up there
14 and every council member there and
15 appreciate everything, you know, working for
16 the people. Okay. Thank you.

17 MS. EVANS: Thank you.

18 MR. LOSCOMBE: Thank you.

19 MS. EVANS: Is there anyone else?
20 Mrs. Krake?

21 MS. KRAKE: 5-A. MOTIONS.

22 MS. EVANS: Councilman McGoff has
23 just joined us, do you any comments or
24 motions this evening?

25 MR. MCGOFF: Actually in just

1 getting here, no, I don't.

2 MS. EVANS: Councilman Rogan, do you
3 have any comments or motions?

4 MR. ROGAN: Yes, a few items
5 tonight. First, I am very pleased with the
6 decision that the zoning hearing board made
7 last night to shoot down the opposed halfway
8 house in the middle of downtown Scranton. I
9 know myself and I'm sure my colleagues have
10 been contacted by countless residents who
11 are very concerned about having criminals in
12 downtown Scranton. Call it what you want, a
13 halfway house is basically the state putting
14 inmates in downtown Scranton in a facility
15 that I believe was only -- there was only
16 going to be two employees to oversee over
17 100 inmates, so I'm very happy that that was
18 taken care of and the response from the
19 community has been great.

20 Another zoning issue that was
21 brought up to me while discussing the one
22 that was last night is 929 Cedar Avenue and
23 I received a message from a resident, and
24 I'll read it, it says, they are curious why
25 the zoning board shot down a halfway house

1 in downtown Scranton, but yet a Cedar
2 residence at 929 Cedar Avenue, this the
3 former Pennswood Manor Nursing Home, is
4 allowed to open. This is also a halfway
5 house. It's located in a residential area
6 and only one block away from a middle
7 school. They do understand the safety was a
8 concern and they are very happy that the
9 zoning shot down the halfway house in
10 downtown Scranton and they asked why this
11 wasn't shot down.

12 So I did some research today and I
13 spoke to a few zoning members and this is
14 one of the zoning board member's
15 recollection of how the Pennswood deal went
16 down. Initially Pennswood was a senior care
17 facility. Without approval from zoning they
18 expanded it into a halfway house.
19 Mr. Wallace heard about it and asked them to
20 seek a variance. It was denied. They were
21 ordered to cease operations as a halfway
22 house.

23 After that, I believe they went to
24 -- they appealed to the Commonwealth Court,
25 which is the next step in the appeals

1 process. It was again rejected affirming
2 the decision made by the zoning hearing
3 board, which was the correct decision not to
4 have a halfway house in a neighborhood in
5 south Scranton, and from what residents
6 report this building is still being operated
7 as a halfway house. To me it appears
8 illegal.

9 I will be contacting Mr. Wallace
10 tomorrow morning to try to get to the bottom
11 of this because it definitely -- if they are
12 operating it is illegal and a few neighbors
13 in the community mentioned it to me and,
14 Mrs. Krake, I also have something written up
15 that we could send over in writing as well
16 and I will try to get them by phone in the
17 morning.

18 You know, and I don't know want
19 anyone to be confused between the different
20 projects that are going on right now with
21 halfway houses, rehabilitation and things of
22 that nature. There are really three that
23 have been talked about over the last few
24 weeks, the main issue has been the halfway
25 house in downtown Scranton that luckily was

1 shot down yesterday. This issue just came
2 up, and luckily because the zoning board
3 shot down the other halfway house residents
4 inquired as to why this one is allowed to
5 operate, and from I researched, I don't
6 believe they are allowed to operate, I think
7 they are doing it against the law.

8 The third issue in front of the
9 zoning board that was continued last night
10 is for a women and children center, which is
11 quite different than the other two, so I
12 just wanted to differentiate between the
13 three projects, but either way definitely I
14 want to give a good shout out to everyone on
15 the zoning board. A 5-0 decision definitely
16 sends a message that residents of Scranton
17 and the government of Scranton we don't want
18 more halfway houses in the city. We want to
19 increase our population, but we certainly
20 don't want to increase it with criminals.

21 Moving onto a few more issues, I was
22 contacted I believe is it -- were bids open
23 for a new city engineer contract last week?
24 Does anyone know?

25 MS. EVANS: I believe so.

1 MR. ROGAN: I haven't seen the bids
2 yet, I know CECO has always been the city
3 engineer for a few years now, I believe it's
4 a two-year contract. I think a one-year
5 contact would be a much better way to go
6 especially with the fiscal constraints the
7 city is facing right now, and there have
8 been residents who have complained to
9 council about CECO Associates in the past,
10 so I don't know if they are the best choice
11 to continue to do the engineering services
12 for the city.

13 So, Mrs. Krake, I will type all of
14 this up for you, so you don't have to worry
15 about taking notes.

16 Next, I'm glad to see that the city
17 will be making payroll this week. We
18 received our checks today so other employees
19 will as well, but I do have a few questions
20 I know from Mr. McGowan's e-mail last week
21 that, you know, he seemed very concerned
22 that we weren't going to make payroll. I'm
23 glad we did, but I'm curious to where the
24 money came from. Did we borrow from the
25 Workmens' Comp Trust Fund again?

1 MR. MCGOFF: Yes.

2 MR. ROGAN: Yes?

3 MR. JOYCE: Yes.

4 MR. ROGAN: And how much was
5 borrowed?

6 MS. EVANS: 1.5 million.

7 MR. JOYCE: 1.5 million.

8 MR. ROGAN: 1.5 million. Was any
9 money taken out of liquid fuels?

10 MS. EVANS: That I'm not sure.

11 MR. ROGAN: Okay. Because and,
12 Mrs. Krake, I'll send these to you, these
13 will all go to the business administrator
14 because I question whether that's even
15 legal.

16 MS. EVANS: Now, the 1.5 million
17 from the Workers' Comp Fund I believe will
18 be repaid by May 31 of this year.

19 MR. ROGAN: So I'm very happy all of
20 the city employees are going to be paid, but
21 the money has to be paid back. It's not
22 that the money magically appeared, and I'm
23 still -- I'm sure we are all very concerned
24 about the wage tax with Berkheimer. I think
25 that's a detriment to the city the way the

1 system is setup now and it's not the fault
2 of anyone on the board or the mayor it was
3 forced down our throats. It wasn't anyone
4 that asked for that.

5 Next, I'd just like to warn
6 everyone, a friend of mine actually a block
7 away in the Hyde Park section had his home
8 broken this afternoon in broad daylight and
9 many items were stolen, so I would just like
10 to warn out everyone in the community to
11 make sure their doors are locked, even in
12 the middle of the day and try to get keep an
13 eye on your neighbors, and that's what great
14 about Scranton, we help each other, and we
15 definitely need to keep an eye out for our
16 neighbors.

17 Mrs. Krake, can we please send a
18 second request to Mr. Dougher asking about
19 flooding on Cameron Avenue and Keyser Avenue
20 and that area. I know it's been an ongoing
21 issue and hopefully it's something that can
22 be resolved in the near future.

23 And just two more. I was contacted
24 actually just when the meeting started by a
25 resident who sent me a text message

1 regarding the zoning board meeting last
2 night how ECTV was requesting a copy, he
3 relayed to me that he has it saved on Tivo,
4 which is a digital recording and he said if
5 ECTV has a DVD recorder or there is a way to
6 convert that into a DVD he would be more
7 than happy to provide that to ECTV, so I
8 will give you that person's contact
9 information as well.

10 And finally, a representative from
11 the county mentioned intergovernmental
12 meetings, and that's something I fully
13 support. I would love to have a public town
14 hall in a major venue, maybe at the
15 University of the Scranton or Lackawanna
16 County College where we could pack in
17 hundreds of people and have everyone from
18 city council, the mayor or state
19 representatives or state senators, our
20 county commissioners, federal
21 representatives, everyone that could be
22 involved to listen to the people because I
23 think it's very important that as elected
24 officials we listen to you. And, you know,
25 council meeting once a week at 6:00 doesn't

1 work for everyone. The commissioner's
2 meetings during the day doesn't work for
3 everyone, so if we could have two town hall
4 meetings a year, I would be prefer four, but
5 even if we had two a year, you know, at
6 varying times and varying days where people
7 could come out and come to us and relay
8 what's important to them, and a lot of times
9 I know people will contact us with issues
10 that aren't city issues, and I'm sure the
11 county gets contacted many times with issues
12 that aren't county issues, so if we get
13 everyone together in one place and establish
14 good lines of communication I think it will
15 be a lot easier for everyone to work
16 together.

17 And one final request that was in
18 our mailbox today, it was also to the DPW.
19 There's a pothole around 129 Parker Street
20 and this has been going on for a few years,
21 so if we can please forward this to the DPW
22 as well, and that is all I have tonight.
23 Thank you.

24 MS. EVANS: Thank you. And,
25 Councilman Loscombe, do you have any

1 comments or motions?

2 MR. LOSCOMBE: Yes, thank you, just
3 briefly. First, I want to give a shout out
4 to my grandson Sam who watches our meetings
5 religiously, but he happened to see another
6 municipal meeting in this chamber and I
7 wasn't in this chair so he was a little bit
8 upset. He saw a lot of different faces
9 here, so I just want to let you know, Sam,
10 we are back.

11 But I do have several issues that I
12 will be giving to Mrs. Krake. I have been
13 going around taking some photos and some
14 citizens' concerns, like Mr. Rogan has
15 stated. I ran into Mr. Ellman and
16 Mrs. Rosie was out spending all his money
17 the other day and he apprised me of a couple
18 issues, too, so I went and took some photos
19 and I'll have them to add to this here, but
20 that's all I have tonight.

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

24 MR. JOYCE: Yes, I have a few.
25 Business Administrator Ryan McGowan has

1 submitted an audit status report to Scranton
2 City Council. As one knows, it's of utmost
3 importance that we complete our audit in a
4 more timely manner this year as exit
5 coverages for the 2010 and 2009 audit were
6 held in 2012 and 2011 respectively, and this
7 is far past the due date which is specified
8 in the Home Rule Charter, May 31.

9 According to Mr. McGowan's audit
10 status report, there is a list of
11 approximately two items that need to be
12 completed in order to complete the audit.
13 To date, 14 out of the 32 items that must be
14 completed to complete the audit have been
15 completed. The items that have been
16 completed are as follows:

17 Investments were segregated from
18 cash accounts on the trial ballots.
19 Investments were recorded at fair market
20 value. Interest receivable on investments
21 were recorded. Interfund receivables and
22 payables were reconciled. Operating
23 transfers in and out were reconciled.
24 Accounts receivable and payable were
25 recorded on each fund. Wage accruals were

1 recorded on each fund. Appropriate
2 receivables were recorded on the special
3 city's fund or expenditures made.

4 A list of any federal grants
5 received in the Calendar year of 2010 was
6 provided to the auditor. Any explanation of
7 any special city account that had no
8 activity in 2011 as to the status of the
9 preferred revenues was complete. Provided
10 council resolutions for the opening of any
11 new bank accounts or special city general
12 ledger accounts was completed.

13 Parking meter revenues collected and
14 management fees paid to the Parking
15 Authority has been reconciled. City pension
16 records to financial statements prepared by
17 Thomas Anderson have been reconciled, and
18 reclassification of revenues and
19 expenditures in the special city's fund for
20 financial purposes has been completed.

21 Most of the remaining items that
22 need to be completed in order to complete
23 the audit are scheduled to be completed and
24 the remaining portion of April or in the
25 month of the May. There are a few items

1 that are scheduled to be completed in June.

2 Currently, as per Mr. McGowan's
3 status report, the exit conference for the
4 audit, which will mark the completion, is to
5 be held during the first week of July of
6 this year.

7 And finally, I do have a few
8 citizens' requests. South Scranton
9 residents have informed me that the 400
10 block of the Front Street is in poor
11 condition as there are many cracks and
12 potholes in the roadway making travel
13 conditions difficult. Mrs. Krake, please
14 contact Director Dougher and notify him of
15 this situation and ask him to have this
16 handled accordingly.

17 Also, South Scranton residents have
18 also informed me that there are cracks and a
19 deep pothole at the corner of River and
20 Cedar making traffic conditions difficult.
21 Mrs. Krake, if you could please add this to
22 the list to contact Mr. Dougher about.

23 North Scranton residents have
24 informed me that the block of West Pass
25 Avenue that is located in-between Ferdinand

1 Street and Theodore Street is in poor
2 condition as there are many cracks and
3 subsidences in the roadway making travel
4 conditions difficult. Mrs. Krake, please
5 add this to the issues to contact Director
6 Dougher about.

7 And West Scranton residents have
8 informed me that the 200 block of North
9 Cameron Avenue as well as the corner of
10 North Cameron Avenue and Lafayette Street
11 are in poor condition as there are many
12 cracks in the road making travel conditions
13 difficult. Mrs. Krake, if you can please
14 add this to the list.

15 And South Scranton residents finally
16 have informed me that the 300 block of
17 Steven Avenue is in poor shape as there are
18 many cracks and potholes making travel
19 conditions difficult and, Mrs. Krake, please
20 add this to the list of the issues to
21 contact Director Dougher about, and that's
22 all for tonight.

23 MS. EVANS: Thank you. Good
24 evening. I wish to begin with the brief
25 update concerning the Revised Recovery Plan.

1 Councilman Joyce and I are working on a
2 preliminary draft of joint recommendations
3 generated by the mayor and council members.

4 During last week's council meeting I
5 asked for recommendations from our three
6 colleagues on or before today's date, but I
7 have received none. The Finance Chair and I
8 had hoped to be able to return a revised
9 preliminary draft to the business
10 administrator next week, however, we can
11 postpone that if council members still
12 intend to present any written
13 recommendations to either Mr. Joyce or
14 myself.

15 MR. ROGAN: I have a few I'm working
16 on. I got tied up with a few other issues
17 the last few days, so I'll either e-mail
18 them to you the next day or two.

19 MS. EVANS: E-mail would be probably
20 the best and quickest for us. Thank you.
21 Thereafter, copies of the revised
22 recommendations will be distributed to
23 council members for their review and
24 additional input.

25 In a determined effort to

1 substantially cut the 126 percent real
2 estate tax increase recommended by the
3 Pennsylvania Economy League and it's Revised
4 Recovery Plan, city council members have
5 proposed to the mayor several new and
6 necessary revenue generators, one of which a
7 new parking tax was including in the 2012
8 operating budget and appears on tonight's
9 agenda for introduction.

10 Council wishes to thank Solicitor
11 Boyd Hughes and Solicitor Paul Kelly for
12 drafting this legislation. The ordinance
13 imposes on operator's of parking lots
14 throughout the City of Scranton a tax of 15
15 percent upon each parking transaction and
16 establishes annual license procedures and
17 fees of \$1 per space. By ordinance, a
18 parking lot is defined as any place within
19 the City of Scranton whether wholly or
20 partially enclosed or open, including a
21 garage or enclosed building at which motor
22 vehicles with parked or stored for any
23 period of time in return for a
24 consideration.

25 Further, an operator is defined as

1 any person conducting the operation of a
2 parking lot or receiving the consideration
3 for the parking or storage of motor vehicles
4 at such parking lot including, without
5 limiting, the generality of the above, any
6 governmental body, governmental subdivision,
7 municipal corporation, public authority,
8 nonprofit corporation or any person
9 operating as an agent of one of the above.

10 Parking lots and garages owned and
11 operated by the Scranton Parking Authority,
12 however, are exempt from this ordinance.
13 The city treasurer is charged with the duty
14 of the receiving the fees, taxes, interest,
15 fines and penalties imposed by the
16 ordinance. The director of Licensing,
17 Inspections and Permits and agents thereof
18 shall enforce the ordinance which will
19 become effective immediately upon approval.

20 In addition, Scranton City Council
21 and the mayor hope to enact an amusement tax
22 in the coming months, a commuter tax in
23 2013, and a payroll tax which will require
24 the assistance of our state legislatures.

25 At the same time, city council and

1 the mayor will continue to work with the
2 county and the school district to address
3 taxable properties owned by nonprofit
4 entities. These are necessary measures
5 which must be taken to avoid bankruptcy and
6 to prevent real estate tax increases of 126
7 percent which would cause a mass exodus from
8 the City of Scranton.

9 I know that Scranton homeowners
10 cannot under any circumstances survive the
11 unreasonable tax increases proposed by the
12 Pennsylvania Economy League. Further,
13 Scranton taxpayers cannot afford and should
14 not be asked to shoulder the city's
15 financial burdens alone while nonprofits and
16 those who enjoy the costly services of our
17 city remain untouched.

18 Also, like it's neighbor
19 Wilkes-Barre, the time has come for
20 Scranton's government to issue RFPs to enact
21 an on-street parking program, such as
22 StreetSmart Technologies in order to
23 increase both city revenue and clientele for
24 downtown businesses and to seek proposals
25 for consideration of the sale or lease of

1 Scranton Parking Authority garages. A
2 proactive approach is needed to meet the
3 Parking Authority's financial obligations
4 which would ultimately fall on the City of
5 Scranton if the status quo continues.

6 Since 2004, I warned city officials
7 and the public repeatedly of the financial
8 consequences if the administration and city
9 authorities failed to curb their borrowing
10 and spending habits, and the former city
11 councils and PEL continue to enable those
12 actions.

13 In 2012, now those consequences must
14 be addressed. The best solution is to work
15 with the mayor to identify and enact new
16 revenue generators to maintain our city, its
17 public safety services and help its people,
18 the poor, the elderly, the hardworking
19 families who cannot support this city alone
20 any longer.

21 Now, during last week's council
22 meeting Mr. Rogan expressed his concerns
23 regarding health care payments. Mayor
24 Doherty since informed me that payment was
25 made this week. The city has been meeting

1 it's financial challenges one step at a time
2 since the mayor and city council have been
3 working together to ensure financial
4 stability. We hope progress can continue at
5 it's previous pace.

6 On another positive note, the
7 residents of East Mountain wish to offer a
8 special thank you to our firefighters. They
9 state that between the fire on Beach Street
10 and the forest fires these men have done
11 their duty and they have done it well.
12 Residents are grateful to each and every one
13 of them.

14 Next, with my colleague's agreement
15 I ask that Ms. Carrera would develop a
16 proclamation proclaiming April as Sexual
17 Assault Awareness Month in the City of
18 Scranton. Please schedule April 19 for the
19 presentation to the Women's Resource Center
20 representatives.

21 Finally, I have a list of citizens'
22 requests that I will submit to our office
23 and letters of requests will be forwarded to
24 the appropriate department heads, and that's
25 it.

1 MR. ROGAN: Mrs. Evans, just one
2 question regarding -- I'm glad to hear that
3 our health insurance was paid, do you happen
4 to know what the amount was and where the
5 money came from?

6 MS. EVANS: I believe the amount was
7 approximately \$625,000.

8 MR. ROGAN: And that has is paid
9 current up-to-date?

10 MS. EVANS: I believe so, yes.

11 MR. ROGAN: Because I was under the
12 impression it was closer to \$2 million that
13 was owed.

14 MS. EVANS: Well, that is not a
15 figure that was given to me or I think Mr.
16 Joyce by the administration.

17 MR. ROGAN: That's the number that,
18 you know, I believe it was with Mr. McGowan
19 that was reported. I may be wrong. I hope
20 it's paid up-to-date. Second, do you know
21 where the money came from?

22 MS. EVANS: I would think part of it
23 would have come from the borrowing from the
24 Workers' Compensation fund. Berkheimer has
25 submitted, I can't recall the figure, a

1 certain amount in the wage taxes, the city
2 should be sending out I believe the garbage
3 bills -- actually, according to Mr. McGowan
4 they should have gone out last week by last
5 Wednesday. Why they have been held up
6 further I'm not quite sure, but that money
7 will be forthcoming. There will be more
8 money coming from the Single Tax Office
9 shortly for the earned income tax as well as
10 Berkheimer.

11 MR. ROGAN: My concern is, and like
12 I said last week and today, I'm very happy
13 it was paid because the last thing in the
14 world anybody would want is city employees
15 without health insurance, but we are
16 borrowing -- we are really borrowing from
17 ourselves --

18 MS. EVANS: Well, it's our money.

19 MR. ROGAN: Yeah, we are borrowing
20 --

21 MS. EVANS: We are using our own
22 money.

23 MR. ROGAN: But it has to be paid
24 back within I think you said May --

25 MS. EVANS: May 31.

1 MR. ROGAN: So we only have a month
2 and a half to get it squared away, so I hope
3 that, you know, the administration will find
4 to borrow it or something.

5 MS. EVANS: I think that with the
6 influx of revenue that's due in April and
7 May to the city --

8 MR. ROGAN: Once we get the money
9 from Berkheimer.

10 MS. EVANS: And the Single Tax
11 Office we are going to be in I think fairly
12 steady financial straights.

13 MR. ROGAN: We certainly hope so.

14 MS. EVANS: Is there anyone else?
15 Mrs. Krake.

16 MS. KRAKE: 5-B. AN ORDINANCE
17 IMPOSING A TAX FOR GENERAL REVENUE PURPOSES
18 ON OPERATORS OF PARKING SPACES AT THE RATE
19 OF FIFTEEN PERCENT (15%) UPON EACH PARKING
20 TRANSACTION AND ESTABLISHING ANNUAL LICENSE
21 PROCEDURES AND FEES AND PROMULGATING THE
22 RECORD KEEPING AND REPORTING RULES AND
23 REGULATIONS ON PARKING TRANSACTIONS PURSUANT
24 TO THE LOCAL TAX ENABLING ACT 53 PA. C.S.A.
25 6901 ET SEQ.

1 MS. EVANS: At this time I'll
2 entertain a motion that Item 5-A be
3 introduced into its proper committee.

4 MR. ROGAN: So moved.

5 MR. JOYCE: Second.

6 MS. EVANS: On the question?

7 MR. ROGAN: Yes. One point and one
8 concern, by reading this I just want
9 business owners to be assured that if you
10 have a parking lot for customers you are not
11 being taxed by this. You know, for instance
12 a local pizzeria that has four spots they
13 wouldn't have to pay for it; correct?

14 MS. EVANS: I think you would have
15 to consult with our attorney.

16 MR. HUGHES: The way the ordinance
17 is drafted they are not charging for those
18 parking spaces so there would be no tax on
19 that. It's only for any remuneration that's
20 being received for the parking space.

21 MR. ROGAN: That's the way I read it
22 as well, just so the local business owners
23 can rest assured if they have a four car lot
24 in front of their pizzeria or restaurant
25 they are not going to have to pay a tax on

1 it, and I don't know if this question would
2 be for Attorney Hughes as well, why was the
3 Parking Authority exempt?

4 MR. HUGHES: When we originally
5 received this I questioned that and I put in
6 there that the Parking Authority should be
7 taxed, however, I did some research on it
8 and there is cases that came out of
9 Pittsburgh regarding the Pittsburgh Parking
10 Authority where the City of Pittsburgh put a
11 tax on the Parking Authority, included them
12 in this type of tax, and they challenged
13 that and I believe it was the Supreme Court,
14 I had researched this a month and a half,
15 two months ago, I don't know if it was the
16 Superior Court or the Supreme Court
17 ultimately stated that the tax of the City
18 of Pittsburgh could not be applied to the
19 Pittsburgh Parking Authority.

20 MR. ROGAN: Thank you.

21 MR. HUGHES: So I wrote to Attorney
22 Kelly and I said -- my comment there is when
23 I questioned it when you redraft the
24 ordinance pursuant to my comments do not
25 including the Scranton Parking Authority and

1 what we have in the legislation tonight is
2 everything in there that I requested to be
3 put in and also all of the -- there were
4 certain things to be deleted which were
5 deleted.

6 MR. ROGAN: Because I would
7 certainly like to see the Parking Authority
8 taxed, but if we legally can't do it we
9 couldn't --

10 MR. HUGHES: So would I, that's what
11 we were trying to do, but I find out, you
12 know, I did the research and I found out
13 that -- I found the Pittsburgh case and
14 informed Attorney Kelly of that and I told
15 him that the Parking Authority could not be
16 included within the ordinance.

17 MR. ROGAN: Great work, Attorney
18 Hughes, and one final question that just
19 came to me, this would include nonprofits
20 though such as the University of Scranton;
21 correct?

22 MR. HUGHES: In my opinion, yes. If
23 they are charging.

24 MS. EVANS: It's in the ordinance.

25 MR. ROGAN: Because they do charge.

1 MR. JOYCE: Correct, and I remember
2 from the meeting we had with the county
3 commissioners you were saying that the
4 University of the Scranton generates almost
5 a million dollars a year, if not a little
6 bit more than that, off of parking revenue;
7 correct?

8 MR. HUGHES: It wasn't parking, I
9 said the tax exempt files a 990 return to
10 the Internal Revenue, if they have any
11 profit making -- any profit making
12 businesses or any operations that are profit
13 making they have to file I think it's a
14 990-T. The University of Scranton files a
15 990-T. They have disclosed revenue
16 producing not businesses, but at least
17 portions of their income that would be
18 taxable because it's nonrelated. As a
19 result of that, there was like a million
20 dollars that they had in their for printing.
21 That's what I raised the issue on is that
22 what was the printing operation that they
23 produced a million dollars on and they said
24 it was exempt, but they had it on the 990-T.
25 It came in a million dollars in and a

1 million dollars out, but it wasn't disclosed
2 for tax. It was disclosed for tax purposes
3 because it's nonrelated income that they
4 have to disclose. Somebody really would
5 have to look over that tax return.

6 MR. ROGAN: As I former student at
7 the University of the Scranton I could
8 attest to how high the fees are to park at
9 that University. I believe it's \$150 a
10 semester, and when I was going there I
11 calculated it out the first semester I
12 bought the permit that it came to almost the
13 same price just to feed the meter, so at
14 that point I made the decision to feed the
15 meter and let the city have the money
16 instead of the school.

17 MR. LOSCOMBE: And they have their
18 own tickets and fines, too, on that.

19 MR. ROGAN: Well, thank you,
20 Attorney Hughes. I have no problem with
21 supporting this now that those concerns were
22 cleared up.

23 MR. MCGOFF: Just one question, do
24 see have any estimate on what revenue this
25 may generate?

1 MR. JOYCE: Yes. In the original
2 Recovery Plan that was sent down by PEL they
3 estimated six-hundred and thirty some
4 thousand dollars I believe. Now, in the
5 budget it's marked for \$500,000. After
6 speaking with Ryan McGowan, he believed that
7 \$500,000 was a better estimate than the
8 numbers that PEL provided originally.

9 MR. MCGOFF: Thank you.

10 MR. JOYCE: You are welcome.

11 MS. EVANS: Is there anyone else on
12 the question? All those in favor of
13 introduction signify by 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-B. AUTHORIZING THE
21 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
22 FOR THE CITY OF SCRANTON TO ENTER INTO A
23 SUBORDINATION AGREEMENT WITH ANDBACK, LLC,
24 LOCATED AT 5 WEST OLIVE STREET, SCRANTON, PA
25 18508 (THE "BORROWER") IN CONNECTION WITH A

1 THIRD LIEN MORTGAGE ON THE BORROWER'S
2 PROPERTY IN THE AMOUNT OF \$250,000.00.

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

6 MR. ROGAN: So moved.

7 MR. JOYCE: Second.

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

11 MR. MCGOFF: Aye.

12 MR. ROGAN: Aye.

13 MR. LOSCOMBE: Aye.

14 MR. JOYCE: Aye.

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

17 MS. KRAKE: SIXTH ORDER. NO
18 BUSINESS AT THIS TIME.

19 SEVENTH ORDER. 7-A. FOR
20 CONSIDERATION BY THE COMMITTEE ON COMMUNITY
21 DEVELOPMENT FOR ADOPTION - FILE OF COUNCIL
22 NO. 28, 2012 - AMENDING FILE OF COUNCIL NO.
23 40, 2010, ENTITLED, "AN ORDINANCE
24 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
25 OFFICIALS OF THE CITY OF SCRANTON TO TAKE

1 ALL NECESSARY ACTIONS TO IMPLEMENT THE
2 CONSOLIDATED SUBMISSION FOR COMMUNITY
3 PLANNING AND DEVELOPMENT PROGRAMS TO BE
4 FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK
5 GRANT (CDBG) PROGRAM, HOME INVESTMENT
6 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY
7 SHELTER GRANT (ESG) PROGRAM, BY AMENDING
8 THE CONSOLIDATED PLAN AND THE 2011 ACTION
9 PLAN TO ACCEPT, RECEIVE AND DISBURSE
10 \$84,412.00 ADDITIONAL FUNDING UNDER A NEW
11 PROGRAM UNDER THE HOMELESS EMERGENCY
12 ASSISTANCE AND RAPID TRANSITION TO
13 HOUSING ACT OF 2009 (HEARTH ACT), ENACTED
14 INTO LAW ON MAY 20, 2009, CONSOLIDATING
15 THREE OF THE SEPARATE HOMELESS ASSISTANCE
16 PROGRAMS ADMINISTERED BY THE U.S. DEPARTMENT
17 OF HOUSING AND URBAN DEVELOPMENT (HUD) UNDER
18 THE MC KINNEY-VENTO HOMELESS ASSISTANCE ACT
19 INTO A SINGLE GRANT PROGRAM AND REVISES THE
20 EMERGENCY SHELTER GRANT PROGRAM AND RENAME
21 IT THE EMERGENCY SOLUTIONS GRANTS (ESG)
22 PROGRAM.

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

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

4 MR. JOYCE: Second.

5 MS. EVANS: On the question? I just
6 have one question, do we know specifically
7 what the \$84,412 will be used for, like what
8 specific projects? I know it was homeless
9 emergency assistance, rapid transition
10 housing, blah, blah, blah, but do we know
11 any specifics beyond that?

12 MR. ROGAN: For instance, a specific
13 group that the United Neighborhood Center is
14 receiving money for? It's not earmarked to
15 exactly go to say United Neighborhood Center
16 that I'm aware of or one of their affiliates
17 or a group that like, but the money is being
18 earmarked for those three items.

19 MS. EVANS: And would we be able to
20 determine through OECD exactly what the
21 allocations -- what the amount of the
22 allocation will be and the recipient?

23 MR. ROGAN: I'm sure Ms. Aebli will
24 gladly provide that to us.

25 MS. EVANS: It may already be

1 included, I'm thinking, in the previous
2 allocations that were passed by city
3 council, but I just wanted to make sure that
4 we are not duplicating.

5 MR. ROGAN: Ms. Aebli of all the
6 department heads is definitely one of the
7 best with actually answering our requests so
8 anything, you know, we need from her I'm
9 confident she will provide us the answers.

10 MS. EVANS: Thank you. Is there
11 anyone else on the question? Roll call,
12 please?

13 MS. CARRERA: Mr. McGoff.

14 MR. MCGOFF: Yes.

15 MS. CARRERA: Mr. Rogan.

16 MR. ROGAN: Yes.

17 MS. CARRERA: Mr. Loscombe.

18 MR. LOSCOMBE: Yes.

19 MS. CARRERA: Mr. Joyce.

20 MR. JOYCE: Yes.

21 MS. CARRERA: Mrs. Evans.

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

24 MS. KRAKE: 7-B. FOR CONSIDERATION
25 BY THE COMMITTEE ON PUBLIC SAFETY FOR

1 ADOPTION - FILE OF COUNCIL NO. 29, 2012 -
2 ESTABLISHING A NO PARKING ZONE IN THE 700
3 BLOCK OF CEDAR AVENUE (S.R. 3023) ON THE
4 WESTERN MOST SIDE OF SAID STREET PURSUANT TO
5 THE HIGHWAY OCCUPANCY PERMIT APPLICATION OF
6 CITIZENS SAVINGS BANK FROM SR 3023 SEGMENT
7 0050 OFFSET 0397 TO SR 3023 SEGMENT 0050
8 OFFSET 0532 FOR A DISTANCE OF ONE HUNDRED
9 THIRTY FIVE (135) FEET.

10 MS. EVANS: What is the
11 recommendation of the Chair for the
12 Committee on Public Safety?

13 MR. LOSCOMBE: As Chairperson for
14 the Committee on Public Safety, I recommend
15 final passage of Item 7-B.

16 MR. ROGAN: Second.

17 MS. EVANS: On the question?

18 MR. LOSCOMBE: Just on the question,
19 I took a ride over to that area because I
20 was concerned with the development in that
21 corridor that taking parking away would
22 affect that area, and it appears that there
23 will be no effect at all. It's an empty lot
24 and it appears where they will be putting
25 the drivethroughs and pacing it off, I hope

1 I was right, but there is a home right next
2 to it that has a handicap spot. I don't
3 believe it's going to go beyond that parking
4 lot, so that was my only fear, and if it
5 does we could amend it down the road to
6 bring that handicap spot back, but I just
7 wanted to make sure it didn't effect the
8 corridor and the handicap spot. That's all.

9 MS. EVANS: Very good. Thank you,
10 Councilman Loscombe. Anyone else on the
11 question? Roll call, please?

12 MS. CARRERA: Mr. McGoff.

13 MR. MCGOFF: Yes.

14 MS. CARRERA: Mr. Rogan.

15 MR. ROGAN: Yes.

16 MS. CARRERA: Mr. Loscombe.

17 MR. LOSCOMBE: Yes.

18 MS. CARRERA: Mr. Joyce.

19 MR. JOYCE: Yes.

20 MS. CARRERA: Mrs. Evans.

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

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

25 MR. JOYCE: Motion to adjourn.

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

MS. EVANS: This meeting is
adjourned.

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