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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, JULY 20, 2010

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

JANET EVANS, PRESIDENT

PAT ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

JAMIE MARCIANO, 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. 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. Mrs.

11 Evans.

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

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

15 APPLICATIONS WITH THE DECISIONS RENDERED BY
16 THE ZONING HEARING BOARD ON, JULY 7, 2010.

17 MS. EVANS: Are there any comments?

18 If not, received and filed.

19 MS. KRAKE: 3-B. MINUTES OF THE

20 REGULAR MEETING OF THE MEMBERS OF

21 SCRANTON HOUSING AUTHORITY HELD ON JUNE 14,
22 2010.

23 MS. EVANS: Are there any comments?

24 If not, received and filed.

25 MS. KRAKE: 3-C. AGENDA FOR THE CITY

1 PLANNING COMMISSION MEETING TO BE
2 HELD JULY 21, 2010.

3 MS. EVANS: Are there any comments?
4 If not, received and filed. Clerk's notes,
5 please.

6 MS. KRAKE: I apologize that it's
7 extra long tonight. First, we have our
8 responses. The first is from the Director
9 of OECD, Linda Aebli. She is answering our
10 request concerning Molly Brannigan's, and
11 she outlines several things there and I'll
12 try to shorten them. First, is concerning
13 the litigation. There is confession of a
14 judgment entered in favor of the city.

15 Second, another confession of
16 judgment entered in favor of the city --
17 well, the first, excuse was for \$615,479,
18 the second \$307,739.

19 The third confession of judgment
20 entered in favor of the city, that's for
21 \$307,739. Regarding Molly Brannigan's and
22 McWilliams writs of execution that have been
23 issued by the Court of Common Pleas and
24 directed to the sheriff of Erie County for
25 judgment or entering a judgment with the

1 Prothonotary's Office of Erie County and
2 seeking attachment and levy on property
3 owned by the defendants that is capable of
4 being attached and levied under the Rules of
5 Civil Procedure to sell their interest
6 therein to pay said judgments. Regarding
7 Mr. Mellody, his new address has recently
8 been returned, and he is in the process of
9 being served required notice.

10 On our second question of the
11 request, what was the financial agreement
12 made with the business which operated Molly
13 Brannigan's on the date of the St. Patrick's
14 parade in 2010? Mrs. Aebli tells us this
15 office was not involved with any financial
16 agreement made with business which operated
17 Molly Brannigan's on that date.

18 (Mr. Joyce takes the dais for the
19 council meeting.)

20 MS. EVANS: Did we send any
21 follow-up letters to the Parking Authority
22 on this matter?

23 MS. KRAKE: As a matter of fact, we
24 did send a letter simultaneously to the
25 Parking Authority and they did not respond.

1 MS. EVANS: Perhaps we can send a
2 Right-to-Know request regarding that
3 information.

4 MS. KRAKE: Thank you. Next, by
5 phone I received a response from Stu Renda,
6 business administrator, concerning the
7 question of how will the city pay for the
8 salaries, health care benefits and pensions
9 of the SIT clerks that they have been --
10 that have been reinstated for an award won
11 by the FOP. He told me that they will be
12 paying the money out now even though there
13 is no money allocated for them in the budget
14 and in November they will doing transfers.

15 MS. EVANS: Thank you.

16 MS. KRAKE: This is from PennDOT,
17 Keith Williams, district traffic engineer,
18 concerning the Harrison Avenue and Gibson
19 Street multi-way stop sign request. As a
20 result of the review and based on the number
21 of crashes occurring at this intersection,
22 the department will install a stop and
23 four-way signs on Harrison Avenue on both
24 approaches to the East Gibson Street
25 intersection. They will also install Stop

1 "R" slash lines on Harrison Avenue for added
2 emphasis. And then they tell us further,
3 that in order to inform motorists of this
4 change they will issue a press release two
5 weeks prior to the day of installation.

6 Furthermore, temporary red flashers
7 will be installed above the new stop sign
8 for a period of 30 days.

9 Finally, temporary "Stop Ahead"
10 signs with yellow flashers will also be
11 installed on Harrison Avenue on both
12 approaches to East Gibson for a period of 30
13 days while motorists become accustom to the
14 new traffic controls.

15 MS. EVANS: Very good. Thank you.
16 And may we also send a thank you to PennDOT
17 for their prompt attention to this matter.

18 MS. KRAKE: Thank you. We received
19 a response from William Courtright,
20 collector of taxes, this is a concerning the
21 KOZ information we requested. As previously
22 stated, a list has never been generated by
23 the Commonwealth of Pennsylvania showing all
24 KOZ properties in a taxing district. During
25 2009 the Single Tax Office abated \$447,000

1 in 2009 nondelinquent property tax for the
2 the City of Scranton.

3 MS. EVANS: Thank you. And just so
4 I have the correct figure, you said the city
5 abated \$447,000 in 2009?

6 MS. KRAKE: Yes.

7 MS. EVANS: Thank you.

8 MS. KRAKE: And as we reported in
9 Third Order, the Scranton Housing Authority
10 did forward their minutes to us, so they
11 were the only authority that -- well, the
12 second authority that have responded and
13 they are the only authority to comply with
14 our request, so they will be sending us a
15 copy of their minutes and we do have them in
16 our office for review for the public.

17 MS. EVANS: Thank you.

18 MS. KRAKE: We did receive a resume
19 from Wayne Evans, and all council persons
20 have gotten a copy of that.

21 MS. EVANS: Yes, we did.

22 MS. KRAKE: From Don King, the city
23 planner, he sends a letter to Mrs. Snee,
24 transportation planner, of Luzerne and
25 Lackawanna County. This is in regards to

1 the traffic signal installation at the
2 corner of Providence Road and Diamond
3 Avenue, so that request has been submitted
4 and we will be anticipating a response from
5 them.

6 MS. EVANS: Very good. Thank you.

7 MS. KRAKE: We also received a
8 response from Anthony Santolli, district
9 forester. The tree at Monroe Avenue is a
10 large maple tree and was marked for trimming
11 of all dead and dying branches. He tells us
12 there is no need to remove this tree at this
13 time. They are marked on the tree as a red
14 horizontal paint line which signifies
15 trimming work.

16 The tree at 209 Colfax Avenue was
17 examined and determined that it should be
18 removed. It is very large white oak which
19 has been dead branches and it has four spots
20 on it which signify the tree should be
21 removed. He tells us he can't give us a
22 timetable as to when they are be able to
23 perform the necessary work on both trees.
24 He has a backlog of tree work, but he
25 assures us that is will be placed on a work

1 order list.

2 MS. EVANS: And may we send a thank
3 you to Mr. Santolli as well for his fine
4 work. He is a volunteer and he always
5 responds immediately to any requests of our
6 citizens.

7 MS. KRAKE: And we have a response
8 from Mark Dougher, Director of Parks, and I
9 believe council has copies of the signs that
10 are posted at the gorge for "No Trespassing"
11 and "No Swimming."

12 MS. EVANS: Yes.

13 MS. KRAKE: We have a response from
14 Mike Wallace, the zoning officer. It's a
15 copy of an e-mail that he sent responding to
16 a resident's request. This group home is
17 allowed under the 1992 Federal Fair Housing
18 Act -- or, excuse me, this is concerning the
19 group home on Court Street and Euclid
20 Avenue. The group home is allowed under the
21 1992 Federal Fair Housing Act in all city
22 residential zones. No zoning action was
23 required. The city does not enforce
24 development covenants. The city allows four
25 unrelated residents per dwelling.

1 Appropriate building permits have also been
2 issued on this group home.

3 MS. EVANS: Thank you.

4 MS. KRAKE: We have a response from
5 Linda Aebli in our request to the Jersey
6 Central Railroad Station building. She
7 tells us that this office does not have a
8 status update on the progress and plans for
9 the former New Jersey Railroad Station
10 building they do not have either.

11 MS. EVANS: Have we sent a request
12 to Mr. Donahue?

13 MS. KRAKE: Yes, and he did not
14 respond.

15 MS. EVANS: Okay. If I can just
16 back pedal quickly for one second, the
17 response received from Mr. Wallace regarding
18 the group home on Court Street, if we can
19 set that aside, please, a copy of that for
20 Mr. Ellman.

21 MS. KRAKE: Sure.

22 MS. EVANS: I know that this was a
23 matter of concern to him and I had promised
24 that as soon as we received a response I
25 would turn them over to him.

1 MS. KRAKE: Certainly.

2 MS. EVANS: Thank you.

3 MS. KRAKE: This is in response to
4 our request on the open status of the loans
5 with OECD and it's from Linda Aebli. And
6 she tells us that she is in contact with
7 their solicitor and that's how they will be
8 responding through him.

9 MS. EVANS: I had noticed, unless my
10 copy was different from those of other
11 council members, that once again the
12 accounting for the loans was not included in
13 the last report, and again, I am asking that
14 that is included as it always has been.

15 MS. KRAKE: We'll send a letter.

16 MS. EVANS: Thank you.

17 MS. KRAKE: Now, these are the non
18 responses. We did not receive a response
19 from the Redevelopment Authority, the Sewer
20 Authority or the Parking Authority
21 concerning our requests for a transcript of
22 the minutes.

23 MS. EVANS: Then let's send a
24 Right-to-Know.

25 MS. KRAKE: We have nine letters

1 that were sent to Mr. Seitzinger, Director
2 of License and Inspections, that he has not
3 responded to.

4 MS. EVANS: And we will add those to
5 the file.

6 MS. KRAKE: Yes. And we have 12
7 requests that were not responded to by
8 Mr. Brazil, Director of the DPW.

9 MS. EVANS: Again, the same.

10 MS. KRAKE: And these are
11 individuals that did not respond: No
12 response from Mr. Rinaldi concerning the 500
13 block of Lackawanna Avenue, and no response
14 from Mr. Donahue concerning the New Jersey
15 Central Railroad Station building.

16 No response from the mayor
17 concerning our request of the first right of
18 refusal to neighbors who interested in
19 purchasing blighted properties in the
20 neighborhood. No response from the mayor
21 concerning police patrolling the Scranton
22 neighborhoods this summer.

23 No response from Mr. Swanson
24 concerning the 1300 block of Powell Court
25 and Birney Avenue nor from Gene Barret,

1 Director of the Sewer Authority, for the
2 same area.

3 MS. EVANS: If you would, please,
4 contact Mr. Barrett and Mr. Swanson
5 tomorrow, remind them of our request and
6 that we are awaiting update.

7 MS. KRAKE: Yes. And also no
8 response from Mr. Swanson concerning the
9 vacant lot in the corner of Jackson Street
10 and South Hyde Park.

11 MS. EVANS: And while we have him on
12 the phone, we can include this matter as
13 well.

14 MS. KRAKE: No response from Stu
15 Renda, Business Administrator, concerning
16 the purchase of a new pavilion for Nay Aug
17 Park.

18 MS. EVANS: I did notice, though,
19 since we sent that request that of all of
20 the bids submitted none were accepted. I
21 don't know if they intend to rebid or if
22 they are simply going to drop the project,
23 so we may send him another memo indicating
24 that we are aware of the process and what
25 direction are they taking at this point and

1 I think we should also send that to
2 Mr. Dougher as well.

3 MS. KRAKE: And to Chief Elliott, we
4 received no request for three items, a
5 three-family home at 1406 West Gibson
6 Street, Birney Avenue, a complaint about
7 speeding motorists, and the cars parked on
8 the sidewalk of the 2000 block of North Main
9 Avenue.

10 MS. EVANS: Well, let's submit that
11 again. I know that most often Chief Elliott
12 responds and perhaps he will provide these
13 responses to us for next week's council
14 meeting.

15 MS. KRAKE: And finally, there is no
16 response from the pave cut inspector
17 concerning the pave cut pothole at the
18 intersection of Hickory Street and Earth
19 Court.

20 MS. EVANS: Let's send that again.

21 MS. KRAKE: That's all I have.

22 MS. EVANS: Thank you. I do have to
23 add though that I feel it is very
24 unfortunate that some of our city developers
25 will not respond to city council and to the

1 public when questioned about their economic
2 development projects. That, as I said, is
3 most unfortunate.

4 Do any council members have
5 announcements at this time?

6 MR. LOSCOMBE: Yes, I do. Enjoy a
7 short stack for a tall cause. You are
8 invited to an Applebee's flapjack fundraiser
9 breakfast to support the West Scranton
10 Falcon's Youth Organization. It's \$6 per
11 person, Saturday, July 31, from 8 a.m. to 10
12 a.m., at Applebee's Neighborhood Grill and
13 Bar, 74 Viewmont Mall, Scranton, PA. That's
14 Saturday, July 31.

15 A benefit for Gene O'Malley, spinal
16 cord injury patient, this is going to be at
17 the Parker House on August 21, from 7 to 11
18 and the price is \$10, and I'll mention it
19 again at the next meeting.

20 There is also a fundraiser for a
21 former firefighter who is battling many
22 health ailments, Jim Fanning, and that's
23 going to be the Clarks Summit Fire
24 Department Hall at 321 Bedford Street,
25 Clarks Summit, on Saturday, July 31, from 1

1 to 4 p.m. It's a spaghetti dinner and
2 admission is \$10 per adults and \$5 for
3 children over the age of three. And that is
4 all I have. Thank you.

5 MS. EVANS: Is there anyone else?

6 The second public caucus with the
7 Pennsylvania Economy League will be
8 conducted Tuesday, July 27, 2010 at 5:30
9 p.m. in Scranton City Council chambers.

10 The weekly schedule for street
11 cleaning as follows: July 19 to July 23 Oak
12 Street to Wood Street in North Scranton, and
13 July 26 through July 30, New York Street to
14 Mineral Avenue.

15 The Scranton Lackawanna County
16 Taxpayers' Association will meet this
17 Thursday, July 22, 2010, at 6:00 p.m. in
18 city council chambers.

19 A fundraiser to benefit Heather
20 Geiswhite-May will be held this Friday, July
21 23, from 5 to 8 p.m. at the Backyard Ale
22 House, 523 Linden Street in Scranton.
23 Heather is a young mother who is battling
24 breast cancer. Live entertainment by Tom
25 Graham, food, and raffle prizes will be

1 provided. Please help Heather.

2 The annual National Night Out
3 celebration will be conducted on Tuesday,
4 August 3, from 5 to 10 p.m. at the Village
5 Park Apartments in Scranton. Included in
6 this event will be magicians, clowns and a
7 DJ. The community is invited to attend.

8 And, finally, I wish my beautiful
9 granddaughter, Cara Evans, a very happy
10 first birthday and many, many more, and
11 that's it.

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

14 MS. EVANS: Our first speaker this
15 evening is Lee Morgan.

16 MR. MORGAN: Good evening, Council.
17 Tonight I'm going to ask that the residents
18 of Scranton would call Scranton City
19 Council, I can give the number 348-4113 or
20 to write to Scranton City Council at 340
21 North Washington Avenue, Scranton,
22 Pennsylvania, 18503, in support of the SAPA
23 plan.

24 I think this is a very, very
25 important piece of legislation. For some

1 reasons I just can't understand why council
2 has -- unless you have, invited the people
3 who put this plan together to meet with
4 council in chambers and have it televised,
5 so that I believe people could become more
6 enlightened as to the SAPA plan.

7 I would also like to say that this
8 week I had an opportunity to talk to
9 Mr. King, the city planner. I have a letter
10 here that sent to city council on June 29,
11 2010. When I had an opportunity to talk to
12 Mr. King he thought the SAPA plan was an
13 excellent plan for the city. I think this
14 letter basically states that. He brought up
15 the question of the cost of implementation
16 of the plan. He has called consultants.
17 They believe the plan might cost as little
18 as \$3,000 to implement. He also stated that
19 CDBG funds could be -- OECD funds could be
20 used to implement this plan. He believes
21 that our ordinances are generally in line
22 with the goals of SAPA.

23 I mean, I'm just trying to
24 understand where this council is to be quite
25 honest, my opinion is that I'm not sure that

1 really council has a real grasp on what the
2 SAPA plan would give the city. I think that
3 some of the speakers who spoke here last
4 week against it really should have been
5 speaking for it. Some of them talked about
6 all the buildings in the city that are
7 empty, whether they are industrial or
8 whether they are residential. I think we
9 have to realize, now, I did attend a meeting
10 of SAPA in Dalton, and Cindy Campbell was
11 there from DCED, I had an opportunity to ask
12 her questions about SAPA.

13 You know, it was very enlightening
14 listening to this lady speak about all of
15 the communities that are involved in similar
16 plans, and I just think that where the city
17 is financially, we have got a \$5.5 million
18 structural deficit in this city. We have
19 talked about doing a lot of things. It's
20 not an easy road to take to make changes.
21 Change is hard. I just think it's time
22 really for this council to consider
23 everything. I think it's time for you to
24 relook at this plan. I think it's time to
25 put a back on the agenda and vote. I'm

1 really sorry that all five members weren't
2 here on the last vote, but, you know, the
3 greatest thing of all is, and, I mean, as
4 many times as we shoot at the Scranton
5 Times, their editorial on Sunday was just
6 fantastic. I think they caught it all,
7 okay?

8 We are talking about funding the
9 Scranton Sewer Authority. We are talking
10 about PennVest loans at 1 percent. We are
11 talking about how they're tying it to
12 regional planning and even here they
13 acknowledge that Scranton would really
14 flourish under this plan considering that a
15 lot of the commercial residential
16 development would be steered toward the city
17 and we have talked about jobs for a long
18 time.

19 I mean, Mrs. Campbell talked about
20 how the state in the future is going to tie
21 funding to plans like this, and I always
22 thought that Scranton City Council would try
23 to make the City of Scranton a progressive
24 city. We have talked about it a lot, we
25 really have. I mean, don't the residents of

1 record stating it may be as high as 28 to 30
2 thousand dollars, too.

3 MR. MORGAN: But the other thing he
4 says here, with all due respect to you, is
5 that we can get funding from OECD for this
6 and there may be only \$3,000, and don't you
7 think it's a good investment to invest
8 \$30,000 in the residents of this city, sir?

9 MS. EVANS: Thank you, Mr. Morgan
10 Natalie Solfanelli.

11 MS. SOLFANELLI: Good evening. I'm
12 Natalie Solfanelli. I'm the executive
13 director the Lackawanna Heritage Valley
14 Authority and with me is Mr. Tom Welby, who
15 is the chairman of the board of the
16 Lackawanna County Heritage Valley Authority,
17 and I believe Mr. -- - you want to?

18 MR. WELBY: Go ahead.

19 MS. SOLFANELLI: I know that tonight
20 you are considering legislation regarding
21 the maintenance of our Lackawanna River
22 Heritage Trail. Maybe you with aware that
23 we just opened the downtown riverfront last
24 week and we are very excited about that.
25 That was a project that's been in the making

1 for about five years, probably more like six
2 or seven years. We had a lot of obstacles
3 to overcome, but we are thrilled and we are
4 thrilled to get feedback that people are
5 really using that trail.

6 This is not the first section of the
7 trail to be opened in Scranton. The first
8 section of the trail, the first section of
9 the entire trail was in Scranton and it
10 still is between he Elm Street and Seventh
11 Avenue, and that section of the trail is
12 already been resurfaced one time. That was
13 the very first section that was on the
14 ground for us. We also have some sections
15 of trail developed in the Mid Valley.

16 We are here because we taken on the
17 task of maintaining the trail and we would
18 like to do it in a consistent way because
19 eventually it is going to be 40 miles along
20 the entire Lackawanna River, and the
21 municipality owns the trail once it's
22 developed, but it would have to be in the
23 budget to maintain it and, unfortunately,
24 when we don't do it sometimes it doesn't get
25 done.

1 So what we have done is arranged
2 with the other municipalities, but we want
3 to have a direct arrangement with the City
4 of Scranton, to charge \$4,000 per year per
5 developed mile of trail for us to maintain
6 the trail, and we are hoping that you will
7 feel that that's a good investment because I
8 just want to tell you I have just some
9 numbers, I'm not going to go through a lot,
10 but so far we have invested in the trail in
11 the City of Scranton \$2,487,000, close to \$2
12 1/2 million, and before the next year and a
13 half or two years are over hopefully as soon
14 as the flood control project is finished we
15 will invest another almost \$5 million,
16 \$4,886,000. That's just for the Scranton
17 section.

18 And part of that cost is for the C &
19 J part of the trail which will extend from
20 Elm Street to Taylor, Depot Street in
21 Taylor, about a third of that is in the City
22 of Scranton, so right now you have about
23 three miles of trail. You have been
24 paying -- well, we have been charging you,
25 we haven't been paid, but we have been

1 charging you for the mile and a half between
2 Elm Street and Seventh Avenue. That's 6,000
3 a year. We are waiving the rest of this
4 year for the riverfront or the downtown
5 river walk, but by next year that will add
6 another mile and a half, so close to it.

7 Next year the cost will be \$10,000,
8 and after that as we develop the trail
9 eventually it will be seven miles of trail
10 in the City of Scranton, and I'll let Mr.
11 Welby tell you some of the benefits of the
12 trail.

13 MR. WELBY: First, thank you for the
14 support you have given us in the trail and
15 that we have an established already that we
16 just opened and what we hope we'll receive
17 council's approval for us to go ahead and
18 seek some optional funding that's very
19 difficult to get, very competitive, to do
20 the rest of the City of Scranton.

21 We need not only your financial
22 support, but your legislative and lobbying
23 support as well. The demand for the few
24 dollars that are out there for this kind of
25 quality of life improvement that communities

1 are looking for, whether they are
2 establishing trails along the rivers and in
3 natural areas that a trail would exist,
4 whether it be a former path through a
5 mountainside or former rail path, the monies
6 that are out there or they very, very few
7 dollars that are out there and the demand
8 for them is just incredible as you might
9 imagine.

10 Every single community across the
11 Commonwealth of Pennsylvania wants these
12 monies, whether it's Dickson City, the
13 Abingtons or Pittsburgh and Philadelphia, in
14 the entire state every community in the
15 state is looking for these dollars, and
16 there is so few dollars out there. It's
17 very difficult to get them, and what we need
18 is your lobbying support to be able to get
19 more dollars to finish the trails in
20 Scranton and investments that we have made
21 so far is just a small amount that we are
22 going to make.

23 But the area that I want to see
24 complete is the levy area. It will then
25 connect over by the Ice Box, through the

1 Plot Section out into Greenridge and all of
2 the way out to Dickson City.

3 From 1980 through '89 I lived in
4 Wilkes-Barre right along the river and there
5 is a levy system in the Kingston Forty-Fort,
6 Wilkes-Barre area that borders Kirby Park
7 that has added so much to the quality of
8 life in the Kingston, Wilkes-Barre, Forty
9 Fort area. It's just a wonderful area where
10 you see people all the time walking, riding,
11 walking their dogs, walking along with their
12 children, and it's added so much to the
13 quality of life in that Luzerne County area
14 and I think we deserve nothing less. We
15 deserve at least that, if not more, with all
16 due respect.

17 And with the volunteers that we have
18 helping us and the partners that we have had
19 helping us, including DCNR and Lackawanna
20 River Corridor Association, the Lackawanna
21 River has changed so much in the last 50
22 years. When I was quite a bit younger, the
23 Lackawanna was not a place that you would
24 want your kids hanging out, and at the
25 ribbon cutting we had one of our speakers

1 should I leave it with --

2 MS. EVANS: You can give it to Jamie
3 and she will give to each one of us.

4 MS. SOLFANELLI: Thank you so much
5 and thank you for allowing us to speak.

6 MR. LOSCOMBE: Can I ask you a quick
7 question?

8 MS. SOLFANELLI: Sure.

9 MR. LOSCOMBE: It's probably a sore
10 subject, but I noticed in the newspaper that
11 there is section in our city that there is a
12 little trouble acquiring or getting the
13 rights to at this point? What do you
14 foresee with that area or do you have any --
15 the Jersey Central?

16 MS. SOLFANELLI: We have worked on
17 that for about the last six years. I will
18 have been at LHVA six years this August and
19 we have been working on that since day and,
20 unfortunately, we have been unable to
21 acquire the easement, it's in private
22 ownership, and finally after about three
23 years of negotiations, all of the state
24 agencies, DCNR, DEP, DCED, and I missed one,
25 PennDOT, all had an interest in getting this

1 trail done and they basically said just go
2 around it.

3 But, fortunately, Mr. Donahue, who
4 owns the property and is not interested in
5 granting us an easement, has allowed us de
6 facto for people to traverse the trail, so
7 it's not paved and it's not an official part
8 of our trail, but for now anyway it hasn't
9 been posted as a "No Trespassing", so as
10 long as he is allowing the citizens to use
11 it we are grateful for that.

12 MR. LOSCOMBE: If that becomes the
13 case would there be a loop or something?

14 MS. SOLFANELLI: Well, originally we
15 thought we were going to have to do that and
16 that we were going to have to go to redesign
17 with our engineers and that would have cost
18 about \$70,000 for people to get off the
19 trail at Lackawanna Avenue and then have to
20 walk on the sidewalks around Seventh Avenue
21 to get up to the Linden Street section. We
22 are hoping that never happens and we'll
23 cross that bridge when we come to it, sort
24 of literally and figuratively. Thank you.

25 MR. WELBY: To be clear, Mr. Donahue

1 is allowing access over that area, and
2 perhaps that's an area where council can act
3 on our behalf as well, and talk to
4 Mr. Donahue.

5 MS. EVANS: Yes.

6 MR. WELBY: But he does allow access
7 right now.

8 MR. LOSCOMBE: Thank you.

9 MS. EVANS: We'll be happy to do so.

10 MR. JOYCE: Mr. Welby, Ms.
11 Solfanelli, I just wanted to take this time,
12 also, to thank you. About two months ago --
13 or one to two months ago we sent a letter to
14 the Authority notifying you of a fallen down
15 street that was blocking the walking path
16 and that was handled very promptly and I
17 want to thank you very much for your
18 consideration in doing so.

19 MS. SOLFANELLI: Thank you,
20 Mr. Joyce, and that's what we will continue
21 to do and we very much appreciate your
22 interest. We will keep you posted all
23 along. We have e-mails going out for
24 everybody and we'd love to build that list,
25 so we will certainly keep you in the loop.

1 Thank you.

2 MR. WELBY: And we appreciate that
3 feedback. Thank you.

4 MS. EVANS: You are both to be
5 commended for the very fine work you are
6 doing on behalf of all of our citizens by
7 improving our quality of life.

8 MR. WELBY: Thank you. Thank you
9 for saying that, and also if we then can
10 thank all of the volunteers that make this
11 possible. Our board is 100 percent
12 volunteers and there have been so many
13 volunteers and volunteer groups that have
14 helped out in cleaning up that river and
15 happy birthday to your granddaughter.

16 MS. EVANS: Thank you.

17 MS. SOLFANELLI: I have one thing
18 I'd like to say, and maybe I shouldn't say
19 it, but this trail has been I think the one
20 topic that everybody agrees on across the
21 political spectrum. It seems to be
22 something that brings us all together and as
23 much as this trail connects the people to
24 each other, it connects the communities to
25 each, Scranton is the keystone, I think the

1 it connects all of the people together
2 because it's one thing we all agree on.
3 Thank you.

4 MS. EVANS: Thank you very much.
5 Doug Miller.

6 MR. MILLER: Good evening, Council.
7 Doug Miller, Scranton.

8 MR. JOYCE: Good evening.

9 MR. MILLER: I just want to quickly
10 respond to Mr. Welby and Mrs. Solfanelli.
11 You know, I do support the plan. Like they
12 stated, it just goes to show how we can all
13 come together and we may disagree on a lot
14 of things politically, but as I talked about
15 last week, the Unity Festival, the concerts
16 on the square, an example of things that go
17 on in the community that at the end of the
18 day bring us together and what's taking
19 place with the trails along the river is
20 just another of how we can come together.
21 And I, too, hope that council will support
22 this mayor on the agenda tonight.

23 I, too, would like to discuss SAPA
24 briefly. Mr. Morgan pretty much said a lot
25 of the same comments that I'm going to make.

1 I, too, had the opportunity to attend the
2 meeting in Dalton last week because I wanted
3 to gain some more information on this plan
4 myself and pretty much the meeting revolved
5 around the City of Scranton and council
6 trying to get council to join this plan. We
7 were told that numerous contacts had been
8 made with city council and that no responses
9 were made.

10 I personally asked members of the
11 SAPA board if they had heard from any
12 members of council and I was told at that
13 Mr. McGoff was the only member that
14 personally made the attempt to contact SAPA.

15 During the course of the meeting,
16 SAPA went on to make a motion to give
17 council another chance to reconsider. I
18 believe they might give you until September,
19 I forget exactly when, but you do have some
20 time, and I just feel that council needs to
21 invite SAPA here to chambers in front of the
22 TV cameras, and just give the public the
23 opportunity to hear what they have to say.
24 I think before you go ahead and make a vote
25 a lot of the public and yourselves need to

1 gain more information. I know you stated
2 already that you read the plan, and that's
3 great, but before you go ahead and make a
4 final decision I would just ask as a citizen
5 that you allow them to come in here and
6 listen to them yourselves, allow the people
7 to listen, a lot of people listen to what
8 they have to say and then make a decision
9 that you feel is in the best interest of the
10 public.

11 You know, I just personally, this is
12 no disrespect and I'm not trying to bring
13 this across as being disrespectful of
14 council, but I just feel that I think you
15 made a decision based on little knowledge at
16 the time and I think that if you just allow
17 them to come in here and present their
18 argument, give the people a chance to hear
19 it, and make a decision that's in the best
20 interest. You know, I just feel that this
21 plan has a lot to offer the community as far
22 as creating jobs, generating revenue, tax
23 revenue in the city, and we need to think
24 about that moving forward.

25 You know, this council has a lot of

1 tough decisions to make and one of the
2 biggest decisions, tough decisions you have
3 to make, is how am I going to create jobs,
4 how am I going to bring in revenue to the
5 city and how do we improve the quality of
6 life for everyone.

7 And I, too, would just urge
8 residents to contact council and send
9 letters, letters to the editor, wherever you
10 need to do it, and offer your support of
11 this plan because at the end of the day
12 council needs to make decisions based on
13 what the public wants not what they want for
14 themselves, so that's all I have tonight.
15 Thank you.

16 MS. EVANS: Thank you. Les
17 Spindler.

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

21 MS. EVANS: Good evening.

22 MR. SPINDLER: I want to talk about
23 the University of Scranton a little bit
24 again. Just one thing, I know how hard you
25 are trying to get them to contribute their

1 fair share to this city and if they continue
2 not to do that I think council should
3 consider any further legislation that comes
4 before council having to do with the
5 University of Scranton you should vote it
6 down until they contribute their fair share
7 and that's all I have to say about that.

8 I walked over the new Lackawanna
9 Avenue bridge today for the first time and I
10 was shocked to see that almost every few
11 feet as I walked on the sidewalk there were
12 cracks in the sidewalk already. That was
13 finished in December, now it's July, and
14 it's eight months and some of those cracks
15 you can see went right down onto the deck of
16 the bridge, so if there is cracks already in
17 the eight months what's it going to be a few
18 years from now. I can't believe that. I
19 mean, I'm no engineer, but I don't think
20 there should be cracks in any concrete after
21 eight months. I don't know if it's the
22 city's responsibility or if it's a joint
23 effort with the state, but I'd like to hear
24 what their response would be to that.

25 MS. EVANS: Mrs. Krake, maybe we

1 could bring that to the attention of Brian
2 Swanson, city engineer, for his evaluation.

3 MR. SPINDLER: Moving on, Mrs.
4 Evans, last week you mentioned about
5 graffiti under a railroad bridge on Main
6 Avenue near Euclid Avenue, well, Saturday
7 as I drove by, because I go by there every
8 single day, there is more graffiti added.
9 To the red letters that had "TPB" there was
10 a black swastika over the "TPB", and
11 underneath it said "WSBK", and I figured out
12 "WS" was West Scranton, and it took me
13 awhile to figure out what the "BK" was, I
14 mean, I'm not an expert, but I think it was
15 blood killers, so it looks like we might
16 have a territorial battle on our hands there
17 and we can't get police on the streets,
18 which leads me to another story.

19 A few weeks ago at a church picnic I
20 bumped into an off-duty Scranton police
21 officer and they told me they were on a day
22 shift, the one day that week they had police
23 officers on days to cover the whole city.
24 So we have 26 miles of roads in this city
25 and five police officers covering this whole

1 city and we have gangs. That doesn't make
2 me feel safe.

3 MS. EVANS: I agree.

4 MR. SPINDLER: We have to get many
5 more police officers on the streets.

6 MS. EVANS: I agree, and you know
7 that that's something I have been --

8 MR. SPINDLER: Absolutely.

9 MS. EVANS: --- pursuing on all
10 summer.

11 MR. SPINDLER: I know that.

12 MS. EVANS: The mayor is not
13 considering it, unfortunately.

14 MR. SPINDLER: When I see this
15 graffiti on walls like that I know for a
16 fact there are gangs in the area and that's
17 scary.

18 MR. ROGAN: Mr. Spindler, on my way
19 over here actually I noticed there is more
20 graffiti if you turn off Main Avenue onto
21 the expressway.

22 MR. SPINDLER: Yeah, I stated that
23 last week.

24 MR. ROGAN: There is even more under
25 the bridge, so it keeps getting worse.

1 MR. SPINDLER: Yeah.

2 MS. EVANS: Mrs. Krake, maybe if we
3 contact tomorrow ADA Gene Talerico, I know
4 that he was part of perhaps a task force
5 that was responding to graffiti in the
6 county, and I know they have stated for the
7 record that they wanted to be informed about
8 it immediately and they intended to remove
9 it immediately, and I know that we did send
10 correspondence to them, but I don't believe
11 we received a response as yet. So if we can
12 make that contact tomorrow that council
13 would appreciate the removal of that
14 graffiti in these areas and if he is unable
15 to provide that assistance to us, can he
16 then please direct us to the party who will
17 address the situation as soon as possible.

18 MR. SPINDLER: Next thing, the old
19 Scranton Ford building on the corner of
20 Franklin and Linden, on the Linden side of
21 the street there was a customer parking lot,
22 I'm sorry, an employee parking lot there,
23 right by their service entrance in the back
24 corner of that lot are maybe 40 or 50 old
25 tires thrown there. I mean, that seems like

1 a safety hazard. Somebody could easily
2 catch that on fire. They have been there
3 for quite a long time, I keep forgetting to
4 bring it up, but I walk by there all the
5 time.

6 MS. EVANS: Mrs. Krake, if we could
7 send maybe a memo to Mr. Oleski regarding
8 that location because I'm sure it isn't
9 legal to be storing old tires in this
10 manner.

11 MR. SPINDLER: I know Northeast Eye
12 owns that property now and they brought that
13 whole area, they bought the parking lot and
14 the whole building, and they are probably
15 even unaware of those tires.

16 MS. EVANS: Northeast Auto?

17 MR. SPINDLER: Northeast Eye.

18 MS. EVANS: Oh, Northeast Eye. Yes.
19 Okay. Thank you.

20 MR. SPINDLER: Okay, last thing I
21 have, an announcement, the Tripp Park
22 Neighborhood Association is having a picnic
23 August 13 and 14, it's a Friday and
24 Saturday, at the Tripp Park Community Center
25 parking lot on Dorothy Street. There is

1 going to be fun and games and good food for
2 everybody and entertainment is going to be
3 by EJ the DJ, and he is very good. He was
4 there last year. He really got the kids
5 going and got them dancing and everything,
6 so I hope to see everybody there.

7 MS. EVANS: Yes.

8 MR. SPINDLER: I'll come and
9 announce it next week, also. Next week is
10 the last meeting for the summer?

11 MS. EVANS: Yes.

12 MR. SPINDLER: Okay. Thank you for
13 the time.

14 MS. EVANS: Thank you. Jim
15 Williams.

16 MR. WILLIAMS: Thank you, Council.
17 My name is Jim Williams, resident and
18 property owner in the City of Scranton. I'm
19 also a member of the Scranton Zoning Board
20 of Appeals and president of Abbey Gale's
21 Pub, Incorporated. I'm here tonight to
22 explain to this council the paving situation
23 that was on the third page and commented on
24 here last week at a council meeting.

25 I hired a bona fide contractor in

1 the City of Scranton, licensed paving
2 contractor, to look at that. He said it
3 could be skim coated, patched, but did not
4 need to be ripped up. He did not get a
5 permit because he said one was not required.

6 Then apparently someone from zoning
7 or the Scranton Times, whoever, discovered I
8 didn't need a permit, which had to be bogus,
9 so they saved that until my first meeting on
10 the zoning board. Then they decided to put
11 that on the third page. The zoning board --
12 or the zoning officer of the City of
13 Scranton knew prior to that meeting there
14 was a problem and it was paved and the
15 Scranton Times knew that, so common sense
16 tells us that someone in that office also
17 knew because they had to call the Times I
18 had no permit, but yet they saved that for
19 my first seating on the zoning board. Not
20 nice at all, but acceptable.

21 I did everything I was supposed to
22 do. I told the zoning officer I would get a
23 permit that night after the zoning meeting,
24 he said he couldn't give me a permit, I'm
25 not a paving contractor. He also told me

1 that I couldn't do anymore work because he
2 didn't know if I had to be a licensed
3 contractor put up a fence, so the next
4 morning he hung a stop work order.

5 I complied with the City of Scranton
6 and my duties as a new zoning officer. I
7 broke no laws. I tried to get cut no
8 corners. Yes, it was paved, it was skim
9 coated. The strip mall across the street
10 from me on Oak Street has two pieces of
11 pavement patchwork that was done both in
12 excess of 2000 square feet, mine was 900, no
13 permit required.

14 The parking lot for which I rent in
15 the strip mall, also, large quantities of
16 patchwork this summer, again, no permits
17 required. Keyser Oak Shopping Center behind
18 me has strips, excess of 10,000 square feet,
19 no permits required. Three different
20 contractors, four including mine, says no
21 permit required for patchwork.

22 I couldn't get a permit, it was up
23 to the contractor to get the permit, they
24 would not give me one. Just like they would
25 not give me one for the fence, I had to hire

1 a licensed contractor again in the city to
2 construct my fence. They said if it was at
3 my home I could put up the fence, I can't
4 put it up at Abbey Gale's Pub.

5 I think that last week someone, a
6 council member, Mr. McGoff, said that
7 Scranton City Council should ask for my
8 resignation. I think the wiser thing would
9 have been to ask Jim Williams what happened
10 since we only took the version of the
11 Scranton Times. It was the Scranton Times
12 found out it was paved without a permit,
13 therefore, the zoning officer knew, the
14 officer zoning officer should have come to
15 me then and did not.

16 This is just the situation of
17 politics, what goes around comes around and
18 it was a fowl ball. City business should
19 not be conducted this day. If I was
20 breaking the law, I was constructing
21 something without a permit that I had to
22 have then it should have been stopped right
23 then and there. It should have been held
24 over for me to sit at a zoning board for the
25 first time and then to appear in the

1 and nothing was wrong. I wanted to get a
2 permit, was told I can't, I'm not a licensed
3 contractor, licensed contractor said he
4 didn't need one. It was his obligation to
5 get one.

6 MR. MCGOFF: Mrs. Evans, may I --

7 MS. EVANS: Certainly.

8 MR. MCGOFF: -- talk to Mr. William.
9 I understand that in talking to some other
10 people, also, that this was a
11 misunderstanding on your part and not
12 negligence and, therefore, I offer my
13 personal apology for bringing this up last
14 week and asking for a resignation.

15 MR. WILLIAMS: I accept that
16 wholeheartedly. Thank you. Anyone else?
17 If I can answer anything?

18 MR. ROGAN: No, but I would like to
19 thank you for coming to council and putting
20 this up.

21 MR. WILLIAMS: I appreciate it. I'd
22 like to thank council for giving me the
23 opportunity to answer for what was in the
24 Scranton Times, I appreciate that. Thank
25 you.

1 MS. EVANS: Thank you for coming.
2 Marie Schumacher.

3 MS. SCHUMACHER: Good evening,
4 Council. Marie Schumacher, city resident
5 and member of the Taxpayers' group.

6 MS. EVANS: Good evening.

7 MS. SCHUMACHER: A couple of quick
8 items first, and I request answers during
9 motions. First, as I drove up 81 this
10 morning I was astounded to see the number of
11 cars in the Nay Aug lower parking lot. Do
12 we have an answer on whether Nay Aug is
13 being compensated for these parking spaces
14 being used by CMC employees?

15 Now, I noticed a legal notice
16 soliciting legal services of a special
17 construction litigation counsel for the city
18 of Scranton. Is anyone able to share the
19 need driving this solicitation? It sounds
20 rather ominous to me.

21 Third, I'm hoping Mr. Rogan will be
22 sharing information on the OECD loan
23 payments, payments progress. Now,
24 Mrs. Krake did a report on that tonight, so
25 I hope that will be forthcoming, and I think

1 it would also be appropriate to ask for
2 UDAG, the balance of the UDAG accounts that
3 we were consolidated.

4 And then Thursday it will be six
5 weeks since the special blight caucus, and
6 excuse me, I lost a bond from my tooth and I
7 have a little bit of a lisp, hopefully the
8 dentist will be in tomorrow, but during that
9 caucus Representative Smith said this, and I
10 quote, "This needs to be addressed in real
11 time, today, not tomorrow."

12 As Representative Murphy had not yet
13 arrived as he was quite tardy, I don't
14 recall a similar urgency from him, but I
15 hope we will get a status report during
16 motions tonight on the progress our
17 legislators have made on the blight
18 legislation.

19 The blight caucus is a good segue to
20 my next topic as the blight caucus was hold
21 on a Thursday as a stand alone meeting. As
22 PEL is scheduled back for next Tuesday, the
23 final meeting I'm assuming prior to the
24 August recess of city council, I ask that
25 you arrange a similar stand alone caucus to

1 hear from Scranton's representatives, too,
2 and other representatives of the Scranton
3 Abington Planning Association.

4 To be honest, I must admit to being
5 somewhat embarrassed for my city having
6 voted down the SAPA plan without publically
7 interacting with this group. The wave of
8 the future motivated I'm sure by tight
9 budgets is towards regionalization. In both
10 of my prior residents, Los Angeles County,
11 California, Fairfax County, Virginia, the
12 county with minute exceptions was the
13 government and it seemed to work well. The
14 state has adopted Act 31 and one of the
15 representatives from Burks County has
16 legislation in process for the county to
17 absorb the municipalities, so
18 regionalization is definitely going.

19 Now, there have been three
20 instances, one in late 2005, February of
21 2006, and the June/July 2008 time period
22 when SAPA was voted upon with nary a concern
23 raised by council. Then after five years of
24 hard work you have dismissed the plan
25 without a public caucus. What have we

1 accomplished?

2 Well, for starters, we have proved
3 we are an unreliable partner in
4 regionalization.

5 Second, council's last minute
6 pullout imposes additional time and monetary
7 expense on our former partners with no
8 guarantee that updating our comprehensive --
9 our stand alone comprehensive plan and
10 zoning regs, which were last update in 1993
11 at a cost of about \$100,000, will not cost
12 more than implementing the SAPA plan.

13 I didn't have time to research the
14 update of our fair share housing plan, but
15 if that's also too old that we could
16 jeopardize our HUD CDBG funds. While it's
17 true the SAPA plan targets industrial
18 components into Scranton and Dunmore, I
19 thought growth of industry and the jobs they
20 bring was a major goal of the city.

21 While it's true we will still be
22 competing with contiguous communities such
23 as Moosic, Dickson City, Taylor, that shows
24 not no participate in a multi-municipal
25 plan, we will now also be competing with the

1 former SAPA partners, both for
2 revitalization dollars and industry.
3 According to demographics included in the
4 plan, there were 4,738 vacant housing units
5 in the SAPA plan. We are sorely in need of
6 revitalization. Thank you.

7 MS. EVANS: Thank you.

8 MR. LOSCOMBE: Would I be able to
9 ask a question?

10 MS. EVANS: Yes.

11 MS. SCHUMACHER: Certainly.

12 MR. LOSCOMBE: I don't know, I think
13 we have tried to explain this before and
14 maybe one of us doesn't understand, but you
15 are stating that industry would come to
16 Scranton, what guarantee do we have with our
17 taxes the way they are that they are not
18 going to just -- there is no guarantee for
19 them to come to Scranton.

20 MS. SCHUMACHER: That's true. We
21 still have to compete, but now we --

22 MR. LOSCOMBE: And we can't do that
23 until our taxes are -- -

24 MS. SCHUMACHER: Well, if I may
25 answer.

1 MR. LOSCOMBE: Sure.

2 MS. SCHUMACHER: We still have to
3 compete with Dickson City, Taylor, all of
4 those surrounding communities that have the
5 lower taxes, that's true, but now with a
6 rejection of this plan you are also going to
7 have to now compete about the Abingtons
8 because they are going to have to go back
9 and put the industrialization components
10 that they gave to Scranton and Dunmore back
11 into their own communities because that's
12 what the law is.

13 You have to -- you have to have all
14 of those components of zoning, so now in
15 addition to competing with those right
16 around us we are going to be competing with
17 those above us that are growth areas, have
18 great school district, and so we have just
19 added what, nine competitors? It doesn't
20 make sense to me.

21 MR. LOSCOMBE: It doesn't appear
22 they really want those businesses, and
23 again --

24 MS. SCHUMACHER: Well, I don't think
25 they do, but if it works both of our

1 advantages, they get what they want, we get
2 not only the businesses, but we also get
3 their support in low interest -- in the low
4 interest loans and putting the dollars into
5 revitalizing Scranton rather than putting
6 new infrastructure and creating additional
7 sprawl in those other membership committees.
8 And I really do ask that you -- you give a
9 special night just as you did to blight,
10 which seems to be stalled, and bring this
11 matter before the public in a televised
12 meeting. Thank you.

13 MR. LOSCOMBE: Thank you.

14 MR. ROGAN: If I may add, I know
15 that in the plan that you're saying it's
16 going to bring businesses into Scranton and
17 that is the goal that we all want,
18 businesses in Scranton, but as I said for
19 the last three or four weeks now, I do not
20 see why they would could come here because
21 --

22 MS. SCHUMACHER: Well, that's your
23 problem. I mean, that's your problem and
24 the administration's problem to solve. Yes,
25 we've got problems, but why on God's green

1 earth do you not understand would you want
2 to add additional competitors? It doesn't
3 guarantee the jobs comes it just puts the
4 jobs in Scranton of that whole geographic
5 region.

6 MR. ROGAN: I believe we already are
7 competing with them as we stand now.

8 MS. EVANS: Well, we are.

9 MS. SCHUMACHER: The plan has not
10 been implemented. Yes, we are competing
11 with them and will continue to and why not
12 take it up --

13 MS. EVANS: Well, maybe as you are
14 mentioning all of these communities, again,
15 I'll say and this is probably the fourth or
16 fifth time I have said it because, you know,
17 the issue was voted on, it was not approved,
18 and basically we are just I think
19 perpetuating the definition of insanity by
20 going over and over and over this again and
21 again and again and expecting a different
22 result, but the point is initially in 2005 I
23 asked them to invite Dickson City, Throop,
24 Taylor, Old Forge, because I foresaw that if
25 these other surrounding areas were not

1 included Scranton would be at a distinct
2 disadvantage because of it's tax structure,
3 but they refused to allow those communities
4 into this plan. By and large it involved
5 the Abington area.

6 MS. SCHUMACHER: Because -- okay, I
7 need to respond to that, because that is
8 where the advantage comes. They are rural
9 and they have the capacity to accomplish
10 their goals and our goals at the same time.
11 All 40, back when this began, all 40
12 municipalities within Lackawanna County were
13 invited, some were followed up with. They
14 chose not to. You can't force people. I
15 mean, Scranton wasn't forced, but they
16 participated for five years and then
17 wouldn't even hear from the group or their
18 own employee who gave five years of effort.

19 MS. EVANS: Well, it doesn't make
20 sense, Mrs. Schumacher, to say everyone was
21 invited when, again, I said, "Why are they
22 not included? Have they been invited."

23 "No, they haven't."

24 MS. SCHUMACHER: I can --

25 MS. EVANS: And it was because of

1 our discussion at this time that Dunmore was
2 allowed in. That seemed to be the one
3 concession that SAPA made to me to actually
4 invite Dunmore into it, but I think minus
5 those two communities we have no level
6 playing field. The advantage goes to the
7 Abingtons in this plan primarily and the
8 disadvantages go to Scranton.

9 MS. SCHUMACHER: (A), I don't think
10 you are seeing that. Dunmore wanted to go
11 in, but the way the laws were set the
12 communities had could contiguous and so when
13 Scranton signed on and Dunmore was allowed
14 to sign on, and I will bring you proof next
15 week and I will --

16 MS. EVANS: No, I agree, but Taylor
17 is contiguous --

18 MS. SCHUMACHER: -- bring evidence
19 that the letters went out to all 40
20 communities and you choose to accept that or
21 not.

22 MS. EVANS: Well, then I can't
23 understand the responses to me because, you
24 know, they are talking out of both sides of
25 their mouths.

1 MS. SCHUMACHER: I don't know. I
2 think --

3 MS. EVANS: Thank you.

4 MS. SCHUMACHER: You are talking to
5 the wrong person. You should be talking to
6 them. Thank you.

7 MS. EVANS: Does anyone else care to
8 address council?

9 MS. FRANUS: Fay Franus. I'd just
10 like to stand here today and say that I hope
11 that you pass legislation on the Heritage
12 trail. I go there every day and it's
13 absolutely breathtaking. It's shaded, you
14 are not in the sun all of the time, you get
15 wonderful exercise. You take your bikes.
16 The senior citizens, it's just amazing. The
17 small children. I take my dog every day.
18 It's just like the best exercise in the
19 world. It's beautiful. It's kept up
20 tremendously, and it's really an asset and I
21 can't wait to get the rest of it so I can
22 get some more miles in. It's just
23 wonderful.

24 And ever day there is more and more
25 people and it's becoming quite the place to

1 be and I really hope that you do this and
2 give it as much money as they need as much
3 as they need because this is one worthwhile
4 cause. You can't even imagine. You should
5 actually go there and see it yourself if you
6 haven't. Thank you very much.

7 MS. EVANS: Thank you. Is there
8 anyone else who would like to address
9 council?

10 MR. DOBRZYN: Good evening, Dave
11 Dobrzyn, member of the Taxpayers', resident
12 of Scranton. I'd also like to express a
13 little support for 5-B, however, we can
14 intensify our attempts to resolve this issue
15 with Mr. Donahue, I think that our city has
16 been tolerant and supporting enough of him
17 and he could extend himself a little bit,
18 even if he had to put a fence in the trail
19 so to preclude any other further intrusions
20 on his property or whatever. We don't need
21 any graffiti artists down there or something
22 like that.

23 I'd also now secondly, once again, I
24 would like to thank the Chamber of Commerce
25 and Austin Burke for moving a tax paying

1 business out of Scranton to Scott Township
2 causing financial hardship and eventually
3 failure and withdrawal of this corporation
4 from the area. And one of the things I've
5 noticed about the Chamber of Commerce is
6 that they seem to be all for locating the
7 nonpaying institutions into our town and
8 moving the paying institutions out.

9 Furthermore, it's time we just said,
10 we have to talk, time for a divorce,
11 Scranton Chamber of Commerce, and let
12 everybody else go their own way, whatever
13 way that may be.

14 Now, on Scranton University and the
15 development I think that the current
16 situation on Mulberry Street is intolerable.
17 I wish they would speed up their work and
18 stop asking for any more property and to
19 shave down Mulberry Street, which is a major
20 artery on the routes to our hospitals, and
21 for a bunch of ornamentation I'm sorry, it
22 just wasn't worth it.

23 Also, I would like to see, and I
24 have before mentioned many times, that the
25 state has to be approached and I'm tired of

1 the cheapskates from other areas that
2 benefit from all of these institutions in
3 our town and don't want to pay a few extra
4 state dollars in taxes to help us support
5 these institutions. It's not that these
6 institutions are terrible or bad, but
7 basically we can't afford all of them and
8 that's just the facts. That's why we are
9 not competitive.

10 I support tax cuts only when the
11 deficits are paid. We can't, like our
12 federal government, I heard over the weekend
13 news station, well, we could cut the taxes
14 and we don't have to worry about the
15 deficit. As long as we cut the taxes that's
16 okay. That's -- well, if you sit down and
17 in these new station's mentality have like
18 CNN and MSNBC have shown clearly that these
19 tax cuts are basically just chopped in and
20 built a massive deficit that we can't seem
21 to overcome, and if somebody doesn't want to
22 pay their taxes then fine, move to some
23 narco country where they are going to wind
24 up kidnaped and they could spend their
25 money -- their money in lieu of taxes on

1 ransom or something, I don't care.

2 Volunteers, I see a lot of people
3 around volunteering for different things and
4 sometimes they are not even asked, like,
5 there is a couple down by the trolley town
6 and they mow the lawn by the trolley town on
7 the South Side of Scranton by Stafford
8 Avenue, and I see them take lot of care and
9 spending a lot of time, and they had two
10 lawnmowers going, and what I'd like to see
11 is possibly a certificate of appreciation or
12 something that may be people could issue
13 from council to these people and, you know,
14 when you see something like that, like a
15 really -- they are will extending themselves
16 and spending their time and their money to
17 keep it and it is a nice little area down
18 there that they cut, and so it would be in
19 the future maybe you could get some kind of
20 certificate of appreciation or citizen's
21 award for people like this that just do
22 something like, for instance, I cut the
23 island in front of my house all of the way
24 down the whole block and the reason I do it
25 is because my philosophy, well, if my

1 neighbors don't like me maybe they'll just
2 leave me the heck alone.

3 MS. EVANS: Well, thank you,
4 Mr. Dobrzyn.

5 MR. DOBRZYN: City pools, I would
6 like to see those open. That's -- I wish
7 they'd get them open and the golden parrot
8 award goes to those senators that don't
9 think that massive tax cuts don't equal
10 deficit. We can't run a deficit anymore in
11 any form of government. The tax cuts have
12 to come after the deficits are paid. Thank
13 you.

14 MS. EVANS: Thank you.

15 MR. SLEDENZSKI: Hi, Janet.

16 MS. EVANS: Hi, Chris.

17 MR. SLEDENZSKI: Hi, ya, handsome.

18 RM. JOYCE: Chrissy.

19 JR. SLEDENZSKI: Jack, I told you.

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

21 MR. SLEDENZSKI: Jack, it's ten
22 months I want to say hi to my best friend.
23 Those two aren't here. He was my best
24 friend, those two aren't here, he's my best
25 friend, right, Jack? Can I say hi tonight

1 to him? Hey, Joe Spindler, you handsome
2 devil, you.

3 MR. OSBORNE: Good evening. I'm
4 Mike Osborne, city residents and council's
5 appointee to the cable advisory panel. I
6 just wanted to address 5-F, the renewal of
7 the franchise agreement with Comcast. I
8 just glanced over the agreement quickly
9 since I just had a couple of things.

10 Number one, under Section 2.2, the
11 term of franchise, it's listed as 15 years.
12 I have spoke on this before, I just feel 15
13 years is just too long of a time. If you
14 look back over the last franchise agreement
15 it was also for 15 years, and a majority of
16 the contract that was outside of the typical
17 things that you would see in, you know, as
18 specified by the FCC, the majority of it
19 dealt with the rebuild of the system that
20 was going on at that time. Well, within
21 seven years that rebuild was obsolete and
22 they were all replacing it, I mean, the
23 technology changes that quick, so to tie us
24 into a 15-year contract I just think it's
25 excessive. I would think something along

1 the lines of seven years would be good or if
2 it has to be 15 perhaps there could be some
3 sort of a renewal clause in there that
4 accommodates for any significant changes in
5 the technology or for the offering of the
6 cable company that would allow the city to
7 open up the franchise agreement to
8 renegotiate it earlier than the 15 years.

9 The second point would be the
10 educational and governmental channel. The
11 last contract specified a very, not complex,
12 but there was a formula in there for how
13 many channels we were allowed, which was
14 probably very excessive, but I noticed in
15 this one it only really mentions one
16 channel, so I'm not sure if that means that
17 we're losing a channel.

18 MS. EVANS: Um-hum.

19 MR. OSBORNE: We are?

20 MS. EVANS: Yes.

21 MR. OSBORNE: I mean, I can see like
22 if there is not a program to support it, but
23 again, over the length of 15 years to not
24 have any room for expansion I just think is
25 boxing ourselves in, and in one of the other

1 subsections of that section there is also,
2 and this is just a small thing, but it
3 caught my eye, the return line, which is I
4 guess the feed from the PEG channel back to
5 Comcast, and it says we are allowed to
6 relocate once during the term of the
7 franchise. I'm not sure what the cost is to
8 relocate it, but I know we've moved it twice
9 within a year, so I'm not sure what we
10 are locking ourselves into, especially since
11 at the moment we really don't have any
12 control over where the operator of the PEG
13 channel operates from. I mean, they got
14 forced out of their last home, I have to
15 guess they are renting space now, who is to
16 say how often that might move or if someone
17 else were to run it where they would
18 relocate. So once every 15 years also seems
19 kind of minor, and I would think we should
20 do something to increase that.

21 The next section is 7.3, which was
22 the grant, which I was happy to see, I think
23 that was a good thing and, of course, I will
24 go back to the 15 years ago again. It's
25 like, you know, the PEG channel I don't

1 believe Scranton Today started operating
2 until after the last franchise agreement was
3 signed, you know, so we had to wait 15 years
4 before we had the chance to negotiate a
5 grant, so again, I just feel that's -- I
6 mean, for that amount of money, I mean, it's
7 great, but over 15 years it's kind of a
8 small sum to have to wait until 15 years to
9 possibly negotiate another grant.

10 I have a couple of other questions
11 on that. I'm just wondering if there is
12 going to be a separate ordinance to govern
13 how that money is distributed and what it's
14 used for. I talk about this in the meetings
15 past is what is the protection for the city
16 for the money that we are investing in the
17 channel or are we going to own the
18 equipment?

19 MS. EVANS: Actually, Mr. Osborne,
20 all of the points that you have enumerated
21 this evening have been issues for
22 negotiation between council and the mayor's
23 office, and as council president I have
24 presented all of those issues. I will at
25 length address the contract later this

1 evening under the voting portion. I also
2 have a list of the changes in the contract,
3 the proposed contract, versus the prior
4 contract and if you are interested we can
5 make a copy for you following tonight's
6 meeting.

7 MR. OSBORNE: I'd appreciate that.

8 MS. EVANS: So you can examine that.
9 I will read it aloud, but I think it would
10 advantageous for you to have your own copy.

11 MR. OSBORNE: Okay, I appreciate
12 that.

13 MS. EVANS: And the contract I would
14 say is not complete at this point. Tonight
15 is the first reading and it will have to be
16 read again next week, so at this point in
17 time council has not yet given it its
18 approval.

19 MR. OSBORNE: I understand that.
20 Just two other points, and I mentioned this
21 earlier this evening, is there have -- I
22 have researched a number of other cities
23 that do have an ordinance that governs how a
24 PEG channel is operated, and again, I'll
25 suggest the city should look into that and

1 should really draft their own so --

2 MS. EVANS: Yes, again --

3 MR. OSBORNE: -- both the city and
4 the station knows what the guidelines are.

5 MS. EVANS: We have asked that the
6 special counsel, Attorney Cohen, out of
7 Pittsburgh who is retained by the city would
8 actually draft specifications for an RFP. I
9 also brought to his attention that our PEG
10 channel operator has never had a contract
11 with the city and he found that outlandish,
12 to be frank, because he has handled many
13 cities throughout the Commonwealth and
14 throughout the United States and he has
15 never encountered this type of situation
16 before, and so he was in agreement, there
17 must be a contract and within the contract
18 the provisions must be clearly spelled out,
19 clearly defined in language that's going to
20 be agreeable to the city and to the
21 operator.

22 MR. OSBORNE: The final thing I have
23 was the cable advisory panel was created as
24 part of the last franchise agreement and I
25 don't see any mention of it the next

1 agreement, so I was curious is it being
2 disbanded or are there -- is there going to
3 be another panel through maybe the ordinance
4 governing how the channel is operated?

5 MS. EVANS: That I do not know. I
6 can look into that for you. I know or I
7 would assume that the cable advisory board
8 was appointed by a mayor of Scranton.

9 MR. OSBORNE: There was all
10 different -- council -- -I don't remember
11 the exact breakdown. It was council has two
12 picks, the mayor I think has two picks,
13 Marywood has one, University of Scranton has
14 one, the council neighborhoods have one and
15 there is a few others, but I forget even
16 now. I think there might be 11 members, but
17 that's all specified in the last franchise
18 agreement, the makeup of it, and who gets
19 the appointments, what the duties are, and
20 that's why I was curious I didn't see it in
21 this franchise agreement so I wasn't sure
22 what the future.

23 MS. EVANS: We'll look into that for
24 you and have the answer and we'll get in
25 touch with you as soon as we obtain that

1 information.

2 MR. OSBORNE: Thank you.

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

5 MR. ELLMAN: Hello, Council. Ronnie
6 Ellman. I think I owe everybody an apology
7 for rushing you so much in the past trying
8 to get answers, but, see, time is an option
9 I don't have. You know, Mr. Rogan and
10 Mr. Joyce got a lot of time, I don't have
11 any time like they do for, you know, to sit
12 around here and wait for something.

13 And, Miss Janet, I got a suggestion
14 for you, next time you have to deal with
15 this bunch at the University take a
16 stenographer because they have no
17 credibility whatsoever. I got a bunch of
18 words down here I won't call them, and like
19 a couple of weeks ago Mr. Bolus said that
20 the University was I think he said a
21 commercial enterprise or something. If you
22 look under the meaning in the dictionary of
23 nonprofit, it says plainly that they are not
24 to be organized or maintained for profit.
25 Here we are talking about a 100 million

1 dollar entity. It's not right for the
2 taxpayers of this city to be supporting this
3 University with a bunch of, you know, that
4 sit over here at the train station or
5 something eating lunch. You just don't know
6 how much it hurts people because I have
7 talked to them, that's all I do. I had a
8 guy tell me today that I'm full of baloney
9 and I should never come up here when I was
10 at Redner's -- I mean, at Price Rite, but he
11 didn't hurt my feelings. He didn't -- he
12 lived in Dunmore anyway so he can't come
13 down here and talk.

14 Yet it seems like all of these
15 people got something to tell us how
16 fortunate we are. Last week some guy named
17 Morgan in South Abington wrote a letter how
18 we should sacrifice. I don't know how
19 people can sign their name on such
20 stupidity, you know, like they do.

21 I know I've made a lot of enemies
22 coming up here because I run into them now
23 and then, but it seems to me that it's very
24 apparent that the University is trying to
25 become the victim and the people of the city

1 are the lynch mob. You know, they have free
2 access to the paper I guess when Pat McKenna
3 to do their bidding for them and this seemed
4 like the only place to get facts out is in
5 here, but they're just enough facts coming
6 out and how bad things are with them and
7 these other nonprofits.

8 They use the word extortion, to me
9 it's survival of the city and that's not
10 my -- I didn't come up with that somebody
11 told me that. I just thought it was good.
12 You know, last week, like I said, Marywood
13 took a \$310,000 piece of property off the
14 tax rolls, if they want this new sewer
15 system or something let them pay for it, for
16 crying out loud. You just can't keep
17 letting these places go. I don't know how
18 to stop them, but there is not one person
19 that keeps telling us how good it is to keep
20 giving and giving has come up with a
21 solution. You know, Pat McKenna has never
22 come in here and told us how we are supposed
23 to make, you know, makeup for the school
24 board's \$50 million or whatever was lost.
25 Nobody has anybody idea expect we are

1 supposed to keep sacrificing. The people of
2 this city just can't sacrifice no more.
3 It's over with.

4 Today was the sale of property,
5 wasn't it or is it tomorrow? Tomorrow?

6 MS. EVANS: Today.

7 MR. ELLMAN: That is just so
8 heartbreaking because I have talked to eight
9 or ten of those people, the man across from
10 me lost his house and it was paid for. Just
11 the expenses, you know, the insurance and so
12 forth they couldn't keep it no more. This
13 is such a common story. I don't know how I
14 keep mine sometimes. You know, six, seven
15 years ago my insurance was \$292 a year and
16 now it's over \$1,000. You know, with car
17 insurance and everything and just living
18 expenses that so many people can't make it
19 that I talk to and it's just -- I don't
20 know, it just makes me feel mad. Sometimes
21 I feel guilty for, you know, having an
22 antique car and all, but you know, I want to
23 buy some more time.

24 MS. EVANS: Mr. Ellman, no can do.

25 MR. ELLMAN: You won't take a bribe.

1 You won't go anywhere in this state in
2 politics, that's for sure.

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

4 MR. ELLMAN: Yes, ma'am. Bye-bye.

5 MS. EVANS: Goodnight. Does anyone
6 else care to address council?

7 Mr. McGoff, you have any comments or
8 motions?

9 MR. MCGOFF: Yes. Very briefly.
10 First of all, two responses to things that I
11 have -- e-mails I received from some
12 citizens. One may have been -- one of the
13 things that -- one of the letters that was
14 sent to Mr. Brazil concerning the paving and
15 resulting flooding problem on Windfield
16 Avenue, was that one of the letters that we
17 sent? I'm not sure.

18 MS. KRAKE: I'm not sure myself.

19 MR. MCGOFF: Okay, but anyhow, if it
20 was I was in contact with the citizen that
21 sent the e-mail and also with Mr. Brazil and
22 they are addressing the problem and
23 hopefully it will be resolved sometime this
24 week.

25 The second was, again, I think the

1 citizen contacted me by e-mail and wanted me
2 to thank the police department for prompt
3 action taken in response to a robbery,
4 things taken from a person's home. They
5 were -- the perpetrators were found very
6 quickly, items returned to the victim, even
7 some items that they were not even aware had
8 been taken, and I know in the past I've been
9 asked by members of the police department
10 not to mention names, but she would like to
11 at least extend an appreciation and a thank
12 you to the police department for their
13 prompt action.

14 And the other thing, I said last
15 week that I would talk to the mayor about
16 perhaps scheduling meetings with the
17 nonprofit organizations, at least the four
18 colleges and the three hospitals, and in
19 speaking with him he has agreed that he will
20 meet with them to discuss the PILOT
21 situation and that will be done as
22 expeditiously as possible, and that's all I
23 have. Thank you.

24 MS. EVANS: Thank you. Mr. Rogan,
25 any comments or motions?

1 MR. ROGAN: Yes. Thank you. I have
2 a few citizens' requests and a few quick
3 comments. The first one is the 800 block of
4 Ash Street. There is a home that's under
5 renovation and the neighbors have contacted
6 me saying that a dumpster is placed on the
7 sidewalk and people have to walk on the
8 street to walk around, so could we please
9 forward that to licensing and inspections?

10 Secondly, there is a vacant lot on
11 the corner of Wheeler and Vine Street that
12 was torn down a few years ago following a
13 fire and the weeds are getting high and
14 there are lots of animals in there as well.
15 Would you please forward that to licensing
16 and inspections as well as the blight
17 officer.

18 Could we please request from
19 Mr. Aebli the UDAG account balances as well
20 as the loan updates they weren't included in
21 the last report.

22 Mr. McGoff already spoke about
23 Windfield Avenue.

24 And the residents report the smell
25 of smoke from Anthracite Auto on Locust

1 Street, West Locust Street and Fifth Avenue,
2 and this was a location of a fire on June 15
3 and residents report they may be operating
4 an incinerator in the junk yard, and they
5 also said that there are tires nearby where
6 the area of the incinerator was and since
7 the property is located in a neighborhood
8 and in West Scranton, residents are
9 requesting that the city inspect this
10 business and enforce all laws that pertain
11 to the safe operation and they also included
12 some pictures. I know on TV you probably
13 can't see them, they are small, but you can
14 clearly see that they are burning something
15 in there, so could we please forward this
16 letter as well as the pictures to licensing
17 and inspections.

18 And, finally, just a few brief
19 comments, just something that's been
20 bothering me for the last few week's
21 actually. Each week Mrs. Krake reads off
22 the clerk's notes and it seems there is more
23 and more nonresponses from department heads
24 and, you know, a lot of times we have been
25 on the majority for six months and people

1 will see me out and say, "Oh, how do you
2 like being on council?"

3 And I say, "I enjoy trying to help
4 people, but it's often times very
5 frustrating," because when we send a request
6 to a department head for something to be
7 done for a resident we are not asking for
8 ourselves, we are public servants and we are
9 asking for the people, and I would just hope
10 that, you know, this is for all of the
11 department heads, there are a few that have
12 been very prompt with their responses, with
13 their information or for requests, but come
14 the end of the year come budget time if the
15 department heads don't want to work for the
16 people of Scranton there are going to be
17 severe cuts and I would just hope that they
18 would do their jobs for the people, and that
19 is all.

20 And one last point, I was out of
21 town the last few days and I have some phone
22 calls to return and people will be hearing
23 from me in the next few days. Thank you.

24 MS. EVANS: Thank you.

25 Mr. Loscombe, any comments or motions?

1 MR. LOSCOMBE: Yes. Thank you,
2 Mrs. Evans. Just a couple of quick comments
3 regarding some news articles this week.

4 First, last Wednesday after our
5 meeting there was an article finger pointing
6 based on our discussion with the University
7 of Scranton. I just want to tell you, I
8 stand by my statement and I stand by
9 Mrs. Evans' and Mr. Hughes' statements that
10 were made live on TV here, our explanation
11 of the meeting and we did it in person, we
12 didn't go through a spokesman, but we are
13 here to answer questions and we answered and
14 discussed it truthfully and honestly and
15 that's all I have to say on that because,
16 you know, the University is a great
17 institution and we don't want to get into a
18 back and forth. We went there for a reason
19 and the reason is to help a distressed city
20 out which would benefit them greatly, also,
21 and that's basically that.

22 The next item is an article in the
23 editorial this Sunday, "Flushing
24 Opportunities Down the Drain." Again, not
25 trying to beat a dead horse, but this is

1 also on SAPA. Ladies and gentlemen, yet
2 again the Scranton Times is using it's power
3 of the editorial by distorting facts and
4 utilizing heavy-handed scare tactics by
5 trying to link this council's rejection of
6 SAPA to the potential loss of millions of
7 dollars to Scranton and Dunmore residents.

8 You see, now through a letter
9 written to city council president Janet
10 Evans, my very good friend Gene Barrett,
11 executive director of the Scranton Sewer
12 Authority, explains some facts that we have
13 already previously discussed here in a
14 public caucus. That the Sewer Authority
15 must be in compliance with the Chesapeake
16 Bay project by May of 2013. He goes onto
17 state that the estimated cost of the project
18 is \$30 million depending on the best
19 available technology that is compatible with
20 our treatment plant.

21 The Times editorial states: The
22 Authority plans to seek 20 million in low
23 interest financing from PennVest. PennVest
24 interest rates are as low as 1 percent for
25 the large amounts needed for major

1 infrastructure projects, even marginally
2 higher rates would result in substantial
3 extra costs for the authority.

4 Mr. Barrett's letter states:
5 Typically, the interest rates for funds
6 drawn down during the construction period is
7 a little over 1 percent. The takeout for
8 permanent financing is about 2 to 3 percent
9 depending on the community's affordability.
10 It sounds to me like a distressed
11 municipality should be considered in that
12 statement.

13 The Times editorial states: In a
14 letter last week to council, Scranton Sewer
15 Authority executive and director, Eugene
16 Barrett, noted that the state government has
17 made participation in regional planning a
18 component of formulas it uses to approve low
19 interest loans and grants.

20 Mr. Barrett's letter states: In a
21 recent planning consultation with state
22 officials, the authority was told that
23 participation by Scranton in a regional
24 planning entity such as SAPA is looked upon
25 favorably during their review of the

1 application, and I ironically this was in
2 the newspaper before I received my copy of
3 the letter Monday. They were placed in the
4 boxes late Friday, it was addressed to
5 Mrs. Evans. And I didn't see the cc to the
6 Scranton Times, so I'm curious as to who
7 sent it there.

8 Beyond that, it's amazing how an
9 editorialist can change a few words and the
10 impact of the statement also changes. I do
11 not envy Mr. Barrett as he has a very
12 daunting task ahead of him and I know that
13 he has the ability to perform the task and
14 council will be there with him all along the
15 way.

16 The Scranton Sewer Authority has
17 successfully applied for and was granted
18 PennVest loans in the past without our
19 participation in any regional planning
20 entity. The Scranton Sewer Authority has
21 also missed opportunities in the past to
22 apply for available grants. It is ironic
23 that the state supports these regional
24 planning efforts in theory, but not in
25 action as they have cut funding for these

1 programs in 2009 and 2010. This is another
2 attempt by the state to transfer the burden
3 onto the local municipalities.

4 According to the Pennsylvania
5 Economy League, the City of Scranton is
6 facing a deficit in excess of \$5 million
7 over the next three years. And, Folks, the
8 Pennsylvania Economy League has been here
9 for 18 years and they sold us the same bill
10 goods, they are going to straighten the city
11 out and they are going to be in better
12 shape. I don't see it, so how could I take
13 a leap of faith that SAPA is going to do
14 anything different because we're paying the
15 freight. This is some of the reasons behind
16 my decisions.

17 In this economic climate, we just
18 watch how every dollar is spent. I and my
19 colleagues I am sure support regional
20 planning and cooperation to save redundancy
21 in government services. We don't know the
22 cost of SAPA, however, we do know that our
23 taxes scare developers to the neighboring
24 communities, just as we have explained many
25 times. Let's SAPA provide city council with

1 a definitive membership cost and let us work
2 together to lower our taxes in Scranton so
3 that we can attract commercial industrial
4 development in Scranton instead of steering
5 it to our competitors. Until that time, we
6 will just be the sap in SAPA. That's all I
7 have to say.

8 MS. EVANS: Thank you, Mr. Loscombe.
9 Mr. Joyce, do you have any comments or
10 motions?

11 MR. JOYCE: Yes. Just a few brief
12 comments. The Single Tax Office passed onto
13 city council the city funds distributed
14 comparison from 2009 to 2010, and just to
15 give you an idea of where we are as far as
16 tax collections, at this time in 2009 real
17 estate taxes we had collected \$10.6 million,
18 this year roughly for the same time period
19 \$11.25 million for an increase of \$650,000.

20 Earned income tax from last year to
21 this point \$9.4 million, this year \$12
22 million for an increase of \$2.6 million.

23 LST/EMS tax \$827,000 at this point
24 last year, \$819,000 this year for a slight
25 decrease of about \$8,000.

1 Business privilege mercantile tax
2 \$1.5 million at this point last year, at
3 this point this year \$1.61 million for an
4 increase of \$110,000.

5 Doing some simple mat, we could
6 calculate that overall the tax office has
7 brought in 3.37 million more dollars this
8 year according to these comparisons that in
9 a comparable period last year.

10 Also, one citizens' requests or
11 citizen's requests rather that would be
12 sense it's singular, the Capouse Avenue
13 pool, Mrs. Krake, if we could send a letter
14 to Mr. Dougher and ask him if this pool will
15 be opening this summer and also if a new
16 liner will be installed.

17 Also, has Mr. Renda replied back yet
18 regarding the status of the audit?

19 MS. KRAKE: No, he has not.

20 MR. JOYCE: Okay. Would you be able
21 to please send that request again and that
22 is all. Thank you.

23 MS. EVANS: Thank you, Mr. Joyce.

24 MR. ROGAN: If I could echo what Mr.
25 Joyce said, Mr. Courtright must be doing a

1 great job over at the tax office if he is
2 bringing in that much more money than his
3 predecessor did in the midst of this
4 horrible economic time he is still getting
5 the money in so we thank him for that.

6 MS. EVANS: Good evening. I'll hold
7 my comments on agenda items until the voting
8 portion of our meeting. Notably absent from
9 council's final agenda, however, is
10 legislation for the competitive bidding of
11 professional services and for the city
12 rental registration program, both of which
13 were to be drafted by the administration
14 over four months ago.

15 However, I learned late this
16 afternoon that a draft of professional
17 services was finally submitted to Attorney
18 Boyd Hughes and council hopes to include
19 that in its agenda in the near future.

20 The rental registration program has
21 the potential to significantly increase
22 revenue and to hold absentee landlords
23 accountable for their apartment dwellings
24 citywide. Although, legislation was
25 recommended by the business administrator,

1 once again, the administration seemingly has
2 no intention to generate much needed revenue
3 and to tighten the reigns on out-of-town
4 landlords.

5 The 2010 budget contains a \$120,000
6 figure for rental registration fees which
7 will most likely go uncollected this year.
8 Not collecting these fees creates an
9 additional hole in the already unbalanced
10 2010 budget and a burden on the 2011 budget.
11 This is an example of a lack of cooperation
12 council receives from the mayor and his
13 administrators to the detriment of the
14 citizens and taxpayers of Scranton.

15 I was glad to learn, however, that
16 the administration has finally switched
17 electricity providers to Glacial Providers
18 for a savings of roughly \$60,000. City
19 council had been proposing to and urging the
20 administration to switch electricity
21 providers since January. This is an example
22 of the results that can be achieved when the
23 administration works with city council.

24 Next, I have citizens' requests for
25 the week: A city resident has questions

1 regarding parking facilities for the
2 apartment complex on Linden Street and the
3 Commonwealth Medical College. Please
4 forward her questions to Mr. Wallac, zoning
5 officer, and Attorney Penetar, zoning board
6 solicitor for written responses.

7 Neighbors of 895 Providence Road,
8 the old Atlas Glass building, are requesting
9 for the third time this summer that the
10 property is cleared of overgrown grass and
11 weeds. The property was recently condemned,
12 by the way, but LIPS was given the name and
13 phone number of the realtor who is handling
14 the sale of the property. Please contact
15 Mr. Oleski and ask what the problem seems to
16 be that causes the eyesore to continue.

17 Despite the presence of a "Do Not
18 Enter" sign, DPW garbage trucks continue to
19 enter the street at the intersection of
20 Cooper and Ward Place. Residents have
21 contacted DPW to complain and to request the
22 replacement of the curb broken off by the
23 DPW truck. Please contact Mr. Brazil
24 tomorrow regarding this problem. The street
25 was paved last year after decades and the

1 residents are livid about the ongoing
2 destruction of the street.

3 In the 900 block of Greenridge
4 Street between Penn Avenue and Capouse
5 Avenue, there are holes in each traffic
6 light caused by the utility company who
7 performed work at that location, perhaps for
8 a homeowner. Please contact the pave cut
9 inspector to address this problem.
10 Residents complain of loud noises made by
11 vehicles that constantly hit these holes.

12 Residents reports that the corner of
13 Orchard Street and Pittston Avenue is
14 overgrown. Please cut overgrowth as soon as
15 possible.

16 403 Stafford Avenue, neighbors of
17 the area have contacted Mr. Brazil,
18 Mr. Seitzinger, and the mayor's office
19 regarding this blighted property without any
20 positive results. Please notify Chief
21 Elliott so that he can direct the blight
22 officer, Officer Herchick, to address this
23 property.

24 A city resident wishes to know the
25 number of police and firefighters who are

1 currently off duty on work-related injuries.
2 If we could please contact the appropriate
3 parties to obtain this information.

4 Request an update on the overgrowth
5 at the intersection of Meadow Avenue and
6 River Street from Mr. Oleski and Mr. Brazil.
7 City residents have registered complaints
8 about this problem for two years and asked
9 why the city ordinance is not applied to the
10 property owner.

11 And to the residents of the Park
12 Gardens, your complaints regarding the
13 parking problems on Housing Authority
14 property were sent to Mr. Gary Pelicacci,
15 executive director of the Scranton Housing
16 Authority, and council awaits his response.
17 When that is received I will announce that
18 publically.

19 And to respond to some of the
20 concerns Ms. Schumacher enumerated earlier
21 regarding the Nay Aug lower parking lot, we
22 requested that information from the business
23 administrator, Mr. Renda, he failed to
24 respond. As a result, we sent a
25 Right-to-Know request for that information

1 and at this point in time I don't believe
2 that the time limitations have expired and
3 so when and if we should receive that
4 information we will be very happy to share
5 that publically.

6 Also, Miss Schumacher raised an
7 issue that I share with her, and that is the
8 bidding of special construction litigation
9 attorney. I would like to know exactly the
10 necessity, the purpose for this bid. It
11 isn't something with which I'm familiar. I
12 can't recall having seen this throughout my
13 seven years on council and so I would like
14 more information on that, please.

15 Regarding the blight caucus that was
16 held approximately six weeks ago with
17 Representative Smith and Murphy, actually,
18 progress is occurring. Mr. Murphy is in the
19 process of drafting a bill for the State
20 House. He has requested the input of all
21 council members. I know that I have been
22 drawing up my own list of suggestions that I
23 am going to forward to his chief of staff.
24 I know in addition to that, Mr. Quinn, who
25 formerly worked in OECD's Office and who is

1 also president of the Scranton/Lackawanna
2 County Taxpayers' Association has forwarded
3 to me his suggestions and let us say input
4 for inclusion into the legislation, so it
5 is, indeed, moving along. Granted, it is
6 not moving as quickly as you would like, but
7 there has been progress and this is being
8 pursued. In other words, no one is going to
9 drop the ball on this legislation and
10 Mr. Murphy is very, very anxious to have
11 this ready, and that's it.

12 MS. KRAKE: 5-B. AUTHORIZING THE
13 MAYOR AND OTHER APPROPRIATE CITY
14 OFFICIALS TO EXECUTE AND ENTER INTO A TRAIL
15 MAINTENANCE AGREEMENT BETWEEN THE CITY OF
16 SCRANTON AND LACKAWANNA HERITAGE VALLEY
17 AUTHORITY FOR THE MAINTENANCE AND UPKEEP OF
18 THE LACKAWANNA RIVER HERITAGE TRAIL (THE
19 "TRAIL").

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

23 MR. ROGAN: So moved.

24 MR. JOYCE: Second.

25 MS. EVANS: On the question?

1 MR. MCGOFF: Yes. I would like to
2 say that I wholeheartedly support this
3 effort and I would also, as was said before,
4 commend Mrs. Solfanelli and the Authority
5 for their efforts in putting this together.
6 River walks and trails of this nature are a
7 benefit to a great many communities
8 throughout the United States and I think it
9 will be a great benefit to the City of
10 Scranton as well.

11 MR. ROGAN: I don't get to say this
12 often, but I agree with Mr. McGoff.

13 MR. MCGOFF: It's getting cold
14 somewhere, I think.

15 MS. EVANS: And I'd like to
16 particularly thank Miss Solfanelli for her
17 assistance with this legislation. She and
18 her staff were always available and it was a
19 pleasure to work with them. When this
20 legislation was first presented, I had
21 questions which ultimately determined that
22 the legislation was inaccurate and after
23 much work on the part of many individuals
24 tonight's legislation is correct I'm pleased
25 to note.

1 Valley Trail promotes the health, welfare,
2 and enjoyment of all of our citizens and I
3 believe this is a good investment of tax
4 dollars. Anyone else on the question?

5 MR. LOSCOMBE: You said it all.

6 MR. JOYCE: I think everybody said
7 it all. I think this is a -- I am, too, in
8 favor of this and I would like to thank Miss
9 Solfanelli and Mr. Welby for coming in to
10 speak on behalf of the Authority.

11 MS. EVANS: All those in favor of
12 introduction signify by saying aye.

13 MR. MCGOFF: Aye.

14 MR. ROGAN: Aye.

15 MR. LOSCOMBE: Aye.

16 MR. JOYCE: Aye.

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

19 MR. MCGOFF: Mrs. Evans, now that we
20 have voted on it, might I suggest that
21 perhaps next week we could possibly if we
22 vote on this in Sixth Order that we can move
23 it to Seventh Order as well.

24 MS. EVANS: Yes. In fact, I believe
25 we will be doing just that with more than

1 one piece of legislation.

2 MR. MCGOFF: Thank you.

3 MS. EVANS: You are welcome.

4 MS. KRAKE: 5-C. CLOSING FUND 02
5 SPECIAL CITY ACCOUNT AS IT IS NO LONGER
6 NEEDED FOR THE CONDUCT OF CITY BUSINESS AND
7 TRANSFERRING THE FUNDS IN THIS ACCOUNT TO
8 THE GENERAL FUNDS.

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

12 MR. ROGAN: So moved.

13 MR. MCGOFF: Second.

14 MS. EVANS: On the question? This
15 piece of legislation I believe closes out
16 the East Market Street Bridge account since
17 the project was completed and the funds are
18 no longer necessary for this purpose. The
19 remaining funds are being transferred into
20 an active account.

21 All those in favor of introduction
22 signify by saying aye.

23 MR. MCGOFF: Aye.

24 MR. ROGAN: Aye.

25 MR. LOSCOMBE: Aye.

1 MR. JOYCE: Aye.

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

4 MS. KRAKE: 5-D. TRANSFERRING FUNDS
5 FROM SPECIAL CITIES ACCOUNTS TO GENERAL FUND
6 ACCOUNT TO PROPERLY REIMBURSE THE CITY'S
7 GENERAL FUND.

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

11 MR. ROGAN: So moved.

12 MR. JOYCE: Second.

13 MS. EVANS: On the question? This
14 transfer was recommended by the independent
15 city auditors. The issue at hand dates back
16 to 2009. Apparently, invoices were
17 improperly paid through the 2009 operating
18 budget which possibly should have been paid
19 through various special accounts. Now those
20 accounts are being used to reimburse the
21 operating budget.

22 MR. MCGOFF: This is -- I believe a
23 total of \$127,000.

24 MS. EVANS: Yes. Thank you. All
25 those in favor of introduction signify by

1 saying aye.

2 MR. MCGOFF: Aye.

3 MR. ROGAN: Aye.

4 MR. LOSCOMBE: Aye.

5 MR. JOYCE: Aye.

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

8 MS. KRAKE: 5-E. AUTHORIZING THE
9 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
10 TO EXECUTE AND ENTER INTO A UTILITY EASEMENT
11 AGREEMENT FOR A SANITARY SEWER LINE OVER
12 LANDS OF THE CITY OF SCRANTON SITUATE ALONG
13 OLYPHANT AVENUE ON BEHALF OF MARYWOOD
14 UNIVERSITY.

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

18 MR. ROGAN: So moved.

19 MR. JOYCE: Second.

20 MS. EVANS: On the question? When
21 representatives of council went to the
22 University of Scranton for an increased fair
23 share payment in lieu of taxes, Father
24 Pilarz connected his voluntary contribution
25 increase of 50 percent to the aerial

1 easement rights. He admitted to having two
2 different plans for construction, the first
3 which included one large building with a
4 bridge connecting each side; the second
5 which included two separate buildings.
6 Since his offer was unacceptable when
7 considering the over 166 tax paying
8 properties the University has removed from
9 the tax rolls, evidently, he chose to pursue
10 Plan B, the construction of two separate
11 buildings. Legislation for the aerial
12 easement over Hitchcock Court was never
13 presented to city council.

14 Council began it's visits to the
15 nonprofits with the University of Scranton
16 because it has the largest footprint of tax
17 exempt properties in Scranton. Council also
18 hopes to talk to Marywood and other
19 nonprofits regarding a fair share
20 contribution in lieu of taxes, but our talks
21 with Marywood are exclusive of an easement
22 for it's installation of a sewer line.

23 In addition, Marywood University has
24 no history of putting taxpaying businesses
25 out of business or purchasing 166 plus

1 residential and business properties and
2 removing them from the tax rolls. On the
3 contrary, Marywood is expanding on it's own
4 property. It's construction project began
5 weeks ago and the installation and
6 maintenance of the sewer line will be the
7 sole financial responsibility of Marywood
8 University.

9 By granting this easement for the
10 sewer line, the Sewer Authority in turn will
11 receive increased revenue which helps to
12 lessen the burden on all sewer rate pairs.

13 All those in favor of introduction
14 signify by saying aye.

15 MR. MCGOFF: Aye.

16 MR. ROGAN: Aye.

17 MR. LOSCOMBE: Aye.

18 MR. JOYCE: Aye.

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

21 MS. KRAKE: 5-F. AUTHORIZING THE
22 MAYOR AND OTHER APPROPRIATE CITY
23 OFFICIALS TO EXECUTE AND ENTER INTO A CABLE
24 FRANCHISE AGREEMENT BETWEEN THE CITY OF
25 SCRANTON AND COMCAST OF

1 COLORADO/PENNSYLVANIA/WEST VIRGINIA, LLC.

2 MS. EVANS: At this time I'll

3 entertain a --

4 MR. LOSCOMBE: I'm sorry. I would
5 like to make a motion that the ordinance be
6 amended so that the mayor and other
7 appropriate city officials are not
8 authorized to execute and enter into the
9 cable franchise agreement and separate side
10 agreement negotiated with Comcast, including
11 all of the terms and conditions contained
12 therein, and attached to the ordinance and
13 marked as Exhibit A and incorporated herein
14 by reference thereto, until Article 7.3 (1)
15 is deleted from the cable franchise
16 agreement, Exhibit A, and a new Article
17 7.3(1) is inserted into the cable franchise
18 agreement, Exhibit A, as follows:

19 7.3 (1) The sum of \$100,000 shall be
20 payable by Comcast to the City only after
21 the passage of an ordinance by the City
22 subsequent to the effective date authorizing
23 the (\$100,000.00) payment to be made by
24 Comcast to the City.

25 MS. EVANS: We have a motion on the

1 floor to amend Item 5-F, do we have a
2 second?

3 MR. ROGAN: Second.

4 MS. EVANS: On the question?

5 MR. MCGOFF: Do we have a copy of
6 the motion, I know we said we would do that.
7 And what is the purpose of this,
8 Mr. Loscombe, if you could give me a brief
9 summary?

10 MR. LOSCOMBE: I think maybe our
11 attorney can explain it a little bit better
12 more in detail.

13 MS. EVANS: Actually, if you want to
14 wait one minute I can jump in with some
15 things that I wanted to say that may help
16 you with this, and then Attorney Hughes can
17 clarify further.

18 Approximately one year prior to the
19 expiration of the Comcast cable contract in
20 December 2009, proposals were sought by
21 council from additional cable companies.
22 Unfortunately, the only company interested
23 in a cable franchise agreement was Comcast.

24 As a result, the specialized
25 Attorney, Daniel Cohen, was hired to

1 represent the city in cable negotiations
2 after the position was put out for bid.

3 The new contract has both
4 advantages and disadvantages, and I would
5 like to read for you what's been gained in
6 the new contract. First of all, this is a
7 nonexclusive contract. The previous
8 contract, of course, was exclusive to the
9 cable franchise provider.

10 A franchise fee percentage remains
11 at 5 percent as per FCC regulations.

12 Definition of gross revenues: In
13 the previous agreement we have a limited
14 definition with eight enumerated revenue
15 sources. The new agreement comprehensive
16 definition 22 enumerated revenue sources
17 that will increase revenue to the city.

18 Penalties for franchise fee
19 underpayments, there were none, now 10
20 percent of underpayment. If franchise fees
21 are underpaid by 5 percent or more then
22 Comcast must pay the total cost of an audit.

23 Protection from reduced franchise
24 fees due to bundled service, there was no
25 protection in the previous agreement, we do

1 now have that protection.

2 A franchise grant. There had been
3 none in the previous agreement, in this
4 particular contract there is an allotment of
5 \$285,000 in three installments: \$100,000
6 within 30 days, \$100,000 within one year,
7 and finally, \$85,000 within two years.

8 Complimentary Internet service.
9 Previously, none. In this contract free
10 service to 18 city facilities, eight
11 business class connections including static
12 IP addresses, and ten residential class
13 connections. Estimated value \$16,536 per
14 year or \$248,040 over the term of the
15 agreement.

16 Complimentary cable service.
17 Previously, free basic level service to city
18 facilities and schools. Currently -- or I
19 should say in the new contract free expanded
20 basic level service to city facilities,
21 schools and libraries.

22 Cable systems specifications.
23 Previously required bandwidth of 550 MHZ and
24 75 channels. In the new contract required
25 bandwidth of 750 MHZ, 150 channels,

1 Internet, video on demand.

2 Next, state of the art requirements
3 to ensure city residents received advance
4 services on time. Previously, this was not
5 included. In the new contract, it is.

6 Educational government channels.
7 Previously, one initial channel with
8 possibility of the additional channels, and
9 we do know that that came to fruition.
10 There have been two PEG channels. In the
11 new contract only one PEG channel.

12 Requirement that PEG channel be
13 cable cast to all customers. Previously,
14 no. In the new contract, yes.

15 Requirement that cable operator
16 maintain PEG channel return line. In the
17 previous agreement no. In the proposed
18 contract, yes.

19 Free relocation of PEG channel
20 return line. In the previous contract no.
21 And as was mentioned earlier this evening,
22 in the proposed contract, yes, but only one
23 time.

24 Technical quality requirement for
25 PEG channel. Previous contract, no. And

1 the proposed contract, yes.

2 PEG channel reassignment
3 restrictions. Previous contract, no.
4 Proposed contract, yes.

5 Customer service standards. In the
6 previous agreement they were limited. In
7 the proposed agreement they are
8 comprehensive.

9 Repair and restoration requirements
10 for public and private property. There were
11 none in the previous agreement. They are
12 included in the proposed agreement.

13 Right-of-way protections including
14 for public safety. There had been none.
15 Now there are right-of-way protections.

16 Reporting requirements. In the
17 previous agreement there was only a
18 franchise fee report. In the proposed
19 agreement franchise fee reports, customer
20 complaint reports, FCC reports, and
21 regulatory violation reports.

22 Monetary fines for violations of
23 franchise agreement. One fine, this is
24 previously, one fine for cable system up
25 grade violations and in the new agreement,

1 20 categories of fines for 20 separate
2 violations.

3 Insurance coverage. Previously
4 \$500,000 for injury to one person, 1 million
5 for injury to two or more persons. 500,000
6 dollars for property damage. No automobile
7 coverage requirement. In the new agreement,
8 1 million for bodily injury and property
9 damage, 3 million umbrella coverage, 1
10 million for automobile liability.

11 Performance bond had been previously
12 \$500,000. In the new agreement \$100,000.
13 Right to conduct compliance review of cable
14 operator. Previously, we had no right to do
15 so. In the new contract, yes, the city now
16 has that right.

17 The length of franchise term,
18 previously 15 years. The proposed agreement
19 is 15 years.

20 And I ended with the bad news, and
21 this is news with which council is not
22 pleased. We were told by Attorney Cohen
23 that in order to obtain the aforementioned
24 benefits and upgrades, the city must agree
25 to a term of 15 years. Should we press

1 further for a ten-year contract, according
2 to Attorney Cohen, we may lost many of the
3 benefits and upgrades we have been offered.

4 Among the other proposals I
5 presented, I requested a senior citizen
6 discount which Comcast denied.

7 The final stalemate, however,
8 occurred between the mayor and council over
9 the operations of the public education and
10 government channel or PEG Channels 19 and
11 21.

12 First, council demanded a contract
13 between the PEG channel operator and the
14 city. Having presented -- or, excuse me,
15 having represented numerous cities
16 throughout the United States in cable
17 negotiations, Attorney Cohen was shocked to
18 learn that Scranton has no contract with the
19 PEG channel operator and agreed this must
20 occur.

21 Second, council urged that requests
22 for proposal for a PEG channel operator be
23 advertised after specifications for
24 submission of proposal are designed by
25 Attorney Cohen. The process will be open to

1 all, including ECTV. The operator of the
2 PEG channel will be selected by the mayor,
3 but it must receive the approval of city
4 council through legislation. If council
5 does not approve the mayor's selection then
6 council will chose the PEG channel operator.

7 Once approved by council, the
8 operator will receive a contract with the
9 city. Council felt it necessary to put
10 management of the PEG channel out for bid
11 because it has received constant complaints
12 about ECTV's poor programming and failure to
13 live up to it's proposal.

14 Third, all equipment purchased by
15 ECTV is the property of the City of Scranton
16 since it was purchased with \$90,000 of
17 government funds through the Office of
18 Economic and Community Development less than
19 two years ago. The equipment must be
20 returned in excellent working condition.

21 Fourth, a total of \$285,000 is to be
22 given by Comcast to the PEG channel operator
23 over the period of two years according to
24 the new contract. \$100,000, as I mentioned
25 a few years ago, will be given within 30

1 days of the effective date of the new
2 contract, another \$100,000 will be
3 distributed 12 months later, and the final
4 \$85,000 will be distributed at the end of
5 the 24 months.

6 The mayor demands that ECTV be given
7 the first \$100,000 for payment of overdue
8 bills it incurred and salaries dating back
9 to October 2009. Council takes issue with
10 this demand for the following reasons:

11 One, there is no contract between
12 the city and ECTV, hence, there is nothing
13 in writing that states the city is
14 responsible for the bills of this
15 organization. It seems we can only assume
16 that the mayor may have made verbal promises
17 to Mr. Darcy, president of the ECTV.

18 Two, ECTV failed to conduct regular
19 fundraisers to raise money for it's
20 operations as it done by other PEG channel
21 operators.

22 Three, ECTV requests funding solely
23 from the City of Scranton, although it
24 broadcasts governmental meetings of the
25 school board and county commissioners. The

1 prior operator received funding from the
2 county and possibly the school board.

3 Four, ECTV received \$10,000 from the
4 East Scranton Business Association of which
5 Mr. Darcy is an officer. The same \$10,000
6 was given to the East Scranton Business
7 Association by OECD.

8 Five, ECTV received a \$90,000 loan
9 from OECD, all of which was forgiven within
10 12 months so no payments were ever made.

11 Six, the prior PEG channel operator,
12 Scranton today, received a total of \$13,000
13 from the City of Scranton for a period of
14 nine years work.

15 Seven, ECTV has failed to fully
16 abide by the proposal it submitted to the
17 City of Scranton for selection as a PEG
18 channel operator in 2008.

19 Eight, countless complaints have
20 been registered by Comcast subscribers
21 regarding ECTV's poor performance.

22 Nine, ECTV has failed to be
23 accountable and transparent to city council
24 and the PEG Channel Oversight Committee.
25 Most often refusing to answer questions and

1 provide financial information from 2008
2 through 2010.

3 Ten, the first and only financial
4 snapshot of ECTV was just provided in July
5 2010. Vague invoices for salaries and over
6 300 hours of carpentry work, for example,
7 were submitted absent job descriptions,
8 salaries per person, services provided,
9 etcetera.

10 In an effort to compromise with the
11 mayor, council offered \$50,000 to be paid by
12 Comcast to ECTV for outstanding bills as
13 it's forth proposal, and the remaining
14 \$50,000 to be paid to a new PEG channel
15 operator as startup funding by contract.
16 This was a reasonable offer since there is
17 no written contract stating that of the city
18 is responsible for any of ECTV's bills.

19 Thereafter, the new operator will
20 receive an additional \$100,000 at the
21 conclusion of 12 months and the final
22 \$85,000 at the conclusion of 24 months. For
23 the remaining term of the contract with the
24 cable channel operator, a set dollar amount
25 will be paid to the PEG channel operator

1 from the city's operating budget.

2 The mayor has refused this proposal
3 and demands the initial \$100,000 be given to
4 ECTV for payment of it's sometimes vague,
5 outstanding bills. If this were to occur,
6 how then will ECTV operate from July 2010
7 and into the future 12 months with no money?

8 Equally important, who will bid on
9 PEG channel operations and management when
10 there will be no funding available for the
11 first 12 months of operation?

12 While refusing council's proposal
13 the mayor offered no answers to these
14 crucial questions. Once again, it's simply
15 his way or the highway. Therefore, council
16 is amending this contract to prevent the
17 release of the first \$100,000 to ECTV. By
18 amendment, the money can only be released by
19 council legislation and without this
20 amendment council and the people of Scranton
21 have no guarantee that the mayor will keep
22 his word to request proposals for a new PEG
23 channel operator, to select a responsible
24 operator and to enter into a contract with
25 an operator.

1 As follow-up action I believe
2 council will draft additional legislation in
3 the near future, but for now Attorney
4 Hughes, Attorney Cohen and I have tried to
5 negotiate this portion of the contract for
6 nearly two months and the stalemate must be
7 probing broken through this amendment in
8 favor of accountability and in the best
9 interest of the people.

10 Attorney Hughes, do you have
11 anything to add to that?

12 MR. HUGHES: I probably should say,
13 no.

14 MS. EVANS: Not at all.

15 MR. HUGHES: No, the only thing I
16 would add is that looking at the PEG channel
17 that the one thing that came up is that, as
18 you stated, Attorney Cohen was pretty amazed
19 that the city did not have a contract with
20 the operator and didn't have any control
21 over the operator and what it's content
22 could be, and that's how all this came about
23 and you have put it very succinctly as to,
24 you know, what we have tried to accomplish.

25 We cannot accomplish that through an

1 amendment to this ordinance because it does
2 not involve Comcast. Comcast only makes the
3 channel possible. There is two channels,
4 the city has agreed to give up one of the
5 channels for \$85,000, and as a result if the
6 ordinance is passed as proposed, Article
7 7.3.1, actually it's paren one, end paren,
8 that that money that would come in and could
9 come into the city's budget, council would
10 have no control over the money and it would
11 probably go to ECTV without any -- without
12 them even having contract.

13 So as a result, what the amendment
14 will do is that Comcast will keep the money,
15 the \$100,000, which it owes the city, and
16 that it will be paid to the city only upon
17 further legislation from council authorizing
18 the release of that money either into a
19 special city account or into an escrow
20 account or upon agreement with a subsequent
21 ordinance that the award of the PEG channel
22 operator or administrator would be the
23 cities giving them a franchise agreement for
24 them to operate the channel, such as in this
25 agreement we have given a franchise

1 agreement to Comcast to operate the cable TV
2 channel, so that this would be, again, a
3 contract not quite for professional
4 services, but very similar to it like the
5 legislation that we have gotten today.

6 And that's why this legislation was
7 drafted so that \$100,000 will not be paid
8 immediately to the city -- it will be paid
9 to the city so that then the city can
10 determine how it's going to be paid out
11 either part of it to ECTV as was proposed to
12 pay their, you know, outstanding bills,
13 whether none of it will be paid to them and
14 all of it will go to the big operator, and
15 that's the purpose of the amendment.

16 MS. EVANS: Thank you.

17 MR. LOSCOMBE: If I could just add
18 that I would hope as a result of this our
19 meetings do not go dark now until this is
20 resolved or we will know why.

21 MR. HUGHES: Pull the plug.

22 MS. EVANS: Let us hope that doesn't
23 occur.

24 MR. HUGHES: From a procedural
25 standpoint, I don't know if the actual

1 Motion E was introduced or was made and
2 seconded. The proper procedure for Robert's
3 Rule of order would be to adopt, it would be
4 to have a motion and second on that.

5 MS. EVANS: Yes. We had the motion,
6 we had the second, and we were on the
7 question.

8 MR. HUGHES: Okay, then it would be
9 the motion to amend and then vote on the
10 motion to amend first.

11 MS. EVANS: Well, that's what we are
12 doing.

13 MR. HUGHES: I didn't hear that.
14 Thank you.

15 MS. EVANS: You are welcome.

16 MR. MCGOFF: Just to -- this
17 amendment then would hold up the funds so
18 that the bills presented by ECTV could not
19 be paid unless authorized by council? Would
20 that be the effect of the --

21 MS. EVANS: Attorney Hughes?

22 MR. HUGHES: That could be one of
23 the effects, yes.

24 MR. MCGOFF: Okay. I guess what
25 I -- ECTV has been operating this channel,

1 two channels. They are here every week as
2 proof that they are. I'm assuming that it's
3 reasonable to assume that in doing so they
4 are incurring expenses and that the city
5 would be liable for those expenses since
6 they are operating under the auspices of the
7 city. Whether there is a written contract
8 or not, they were granted the right to
9 operate the channel. It's, again, I think a
10 reasonable assumption that they, you know,
11 would be paid according to whatever, you
12 know, agreement for those services.

13 MS. EVANS: Well, they actually have
14 received more money than their previous
15 operator, as I stated in all of my comments.

16 MR. MCGOFF: I understand that.

17 MS. EVANS: They received \$100,000.

18 MR. MCGOFF: I understand all of
19 that.

20 MS. EVANS: And Scranton Today over
21 a nine-year period received \$13,000 and it
22 wasn't for lack of asking the city for
23 money, the city refused them, and as a
24 result, they held fundraisers, they received
25 funding from the county, I believe, and

1 possibly the school board. But more than
2 that, you know, you were informed of all of
3 these proposals by myself, by Attorney
4 Hughes and at the time you agreed with your
5 council colleagues and you told me you were
6 going to speak to the mayor about it and now
7 tonight you oppose it.

8 MR. MCGOFF: I didn't say I opposed
9 anything. I'm merely trying to ask
10 questions.

11 MS. EVANS: And you have the answers
12 to the questions.

13 MR. MCGOFF: Well, I'm receiving
14 some of them, yes, and --

15 MS. EVANS: Well, Scranton --

16 MR. MCGOFF: I'm sorry that I'm
17 upsetting you by asking questions about this
18 but --

19 MS. EVANS: I'm not upset at all,
20 but what you are refusing to see is that you
21 had the exact situation that your decrying
22 now is precisely what went on for nine
23 years. They performed services for nine
24 years.

25 MR. MCGOFF: I'm not decrying

1 everything.

2 MS. EVANS year after year after
3 year, and they were never paid. Would it
4 not have been reasonable to expect that they
5 should have been paid, but they were not.
6 Perhaps --

7 MR. MCGOFF: All I'm asking is, is
8 that ECTV has presented bills to the city
9 for services provided. If they are not
10 paid, at some point in time I would think
11 that they would seek some type of judgment
12 to have these bills paid, and if it can be
13 shown, if it can be shown that there was,
14 even if it's a verbal agreement that they
15 would be paid for these services, that we
16 are going to end up paying them one way or
17 another, and that's my only point on this
18 that I don't know that we are going to avoid
19 paying the cost of ECTV.

20 MS. EVANS: Well, you know, as I
21 mentioned, I offered a reasonable compromise
22 and that reasonable compromise has been
23 rejected and, in fact, I believe Attorney
24 Hughes spoke to me about this and in a last
25 ditch effort if was increased to \$60,000

1 with -- or, excuse me, yes, \$60,000 with
2 \$40,000 remaining as startup costs because,
3 in fact, if you pay the entire \$100,000 to
4 ECTV I question how they can continue to
5 functioning because they have no money and
6 they claim they have \$115,000 in unpaid
7 bills as of June 2010.

8 Now, going further there, how do you
9 put something out to bid and say to any
10 other potential bidders, "We are offering
11 you nothing for the first 12 months. That
12 was not done in this case because in this
13 case ECTV came right in with money. So, in
14 fact, if you give ECTV \$100,000 what you are
15 doing then is locking the city into ECTV and
16 preventing the request process, preventing,
17 you know, anyone else from having the
18 opportunity to take over this station,
19 etcetera.

20 MR. MCGOFF: I believe you said that
21 the part of the negotiations with the mayor
22 included providing -- or an RFP for a new
23 provider, could the second hundred plus or
24 part two of that go along with the second
25 provider as, you know, a compromise.

1 MS. EVANS: I know what you are
2 saying, but that's 12 months from now
3 according to Comcast.

4 MR. MCGOFF: It says on or before.

5 MS. EVANS: Well, from what I
6 understand from Attorney Cohen it would be
7 12 months later and Comcast is providing
8 this money as a grant, if you will, to the
9 city as one of the perks for a 15-year
10 contract, but they also or someone as part
11 of that arrangement for the grant eliminated
12 the second peg channel so that there will
13 now be only one rather than two.

14 MR. MCGOFF: Understood.

15 MS. EVANS: So, you know, I just --
16 I don't see how this is to the city's
17 advantage to be paying these bills minus, as
18 I said, minus a written contract, minus
19 bills that are specific and then locking
20 itself in because it has nothing to offer
21 any other PEG channel operator who might
22 wish to submit a proposal based on Attorney
23 Cohen's specifications.

24 In other words, it's an entirely
25 different process than has ever been

1 followed before. It's going to be done very
2 professionally, and because he has handled
3 these types of things for other cities he
4 knows exactly what should go in those
5 requests for proposals. He knows what a
6 very professional contract with a PEG
7 channel operator should include, and those
8 are the types of things we are looking for,
9 but we are not going to achieve much of this
10 by just giving everything away and taking
11 the mayor's word for it that he is going to
12 live up to the things -- live up to these
13 conditions after the \$100,000 is given away.
14 I can't trust in that, I'm sorry.

15 MR. MCGOFF: Then I -- well, maybe I
16 would -- I guess my suggestion is that --
17 would be to, you know, pay the bills, put
18 out an RFP for a new provider and move on.

19 MS. EVANS: Well, council can't put
20 out the RFP. That has to be done by the
21 administration and so we know how that goes.
22 We don't have that rental registration.

23 MR. MCGOFF: I would have -- I would
24 look into that because I do fear that
25 eventually we will pay these bills one way

1 or the another.

2 MS. EVANS: Is there anyone else on
3 the question? Once again, we had a motion
4 on the floor to amend Item 5-F. The motion
5 was seconded. All those in favor signify by
6 saying aye.

7 MR. ROGAN: Aye.

8 MR. LOSCOMBE: Aye.

9 MR. JOYCE: Aye.

10 MS. EVANS: Aye. Opposed?

11 MR. MCGOFF: No.

12 MS. EVANS: The ayes have it and so
13 moved. Now, we will return to the original
14 piece of legislation "F" as read by
15 Mrs. Krake. I'll entertain a motion that
16 Item 5-F, as amended, be introduced into
17 it's proper committee.

18 MR. ROGAN: So moved.

19 MR. JOYCE: Second.

20 MS. EVANS: On the question.

21 MR. MCGOFF: I would like to see
22 this agreement be passed. I think there is
23 a need to get this done. I obviously said
24 that -- opposed to the motion that was made,
25 but I am in favor of the overall contract.

1 MS. EVANS: Thank you. Is there
2 anyone else on the question? All those in
3 favor signify by saying aye.

4 MR. MCGOFF: Aye.

5 MR. ROGAN: Aye.

6 MR. LOSCOMBE: Aye.

7 MR. JOYCE: Aye.

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

10 MS. KRAKE: 5-G. APPOINTMENT OF
11 JERRY WEINBERGER, 611 NORTH WEBSTER AVENUE,
12 SCRANTON, PENNSYLVANIA, 18510, AS A MEMBER
13 OF THE SCRANTON LACKAWANNA HEALTH & WELFARE
14 AUTHORITY FOR A FIVE (5) YEAR TERM. MR.
15 WEINBERGER'S TERM EXPIRED ON DECEMBER
16 31, 2009 AND HIS NEW TERM WILL EXPIRE ON
17 DECEMBER 31, 2014.

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

21 MR. ROGAN: So moved.

22 MR. LOSCOMBE: Second.

23 MS. EVANS: On the question?

24 MR. ROGAN: Yes. As with all of the
25 other appointments first we are going to

1 ask, but we would like a resume and cover
2 letter for next week's reading.

3 MS. EVANS: Thank you. Is there
4 anyone else on the question? All those in
5 favor signify by saying aye.

6 MR. MCGOFF: Aye.

7 MR. ROGAN: Aye.

8 MR. LOSCOMBE: Aye.

9 MR. JOYCE: Aye.

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

12 MS. KRAKE: 5-H. APPOINTMENT OF
13 DAVID V. PHANEUF, 1812 ACADEMY STREET,
14 SCRANTON, PENNSYLVANIA, 18504, AS A MEMBER
15 OF THE SCRANTON LACKAWANNA HEALTH & WELFARE
16 AUTHORITY FOR A FIVE (5) YEAR TERM. MR.
17 PHANEUF'S TERM EXPIRED ON DECEMBER 31, 2009
18 AND HIS NEW TERM WILL EXPIRE ON DECEMBER 31,
19 2014.

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

23 MR. JOYCE: So moved.

24 MR. LOSCOMBE: Second.

25 MS. EVANS: On the question.

1 MR. LOSCOMBE: Yes. I'd just like
2 to -- Mr. Rogan mentioned before about a
3 resume, but I do know Mr. Phaneuf and his
4 family personally and he has been in this
5 position prior, I guess this is just
6 renewal, but I'm sure he will have his
7 letter and his resume in here, but I do know
8 him personally and he is very well
9 qualified. Thank you.

10 MS. EVANS: All those in favor of
11 introduction signify by saying aye.

12 MR. MCGOFF: Aye.

13 MR. ROGAN: Aye.

14 MR. LOSCOMBE: Aye.

15 MR. JOYCE: Aye.

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

18 MS. KRAKE: 5-I. AUTHORIZING THE
19 CITY OF SCRANTON'S PARTICIPATION IN THE
20 NEPA COOPERATIVE PURCHASING ALLIANCE PROGRAM
21 WITH LACKAWANNA COUNTY AND THE NORTHEAST
22 PENNSYLVANIA ALLIANCE.

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

1 MR. ROGAN: So moved.

2 MR. JOYCE: Second.

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

6 MR. MCGOFF: Aye.

7 MR. ROGAN: Aye.

8 MR. LOSCOMBE: Aye.

9 MR. JOYCE: Aye.

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

12 MS. KRAKE: 5-J. RATIFYING AND
13 APPROVING OF THE EXECUTION AND SUBMISSION
14 OF THE GRANT APPLICATION BY THE CITY OF
15 SCRANTON, ON BEHALF OF 317 LINDEN, LLC, TO
16 THE PENNSYLVANIA DEPARTMENT OF COMMUNITY
17 ECONOMIC DEVELOPMENT FOR A LOCAL SHARE
18 ACCOUNT GRANT, PURSUANT TO THE PA RACE HORSE
19 DEVELOPMENT AND GAMING ACT, FOR A REAL
20 ESTATE DEVELOPMENT PROJECT LOCATED AT
21 324/326 PENN AVENUE, SCRANTON, PA, AND
22 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
23 CITY OFFICIALS OF THE CITY OF SCRANTON TO
24 EXECUTE AND ENTER INTO A LOCAL SHARE ACCOUNT
25 GRANT CONTRACT AND COMMITMENT LETTER WITH

1 THE COMMONWEALTH OF PENNSYLVANIA TO ACCEPT
2 AND UTILIZE THE GRANT IN THE AMOUNT OF
3 \$472,317.00 AWARDED BY THE COMMONWEALTH OF
4 PENNSYLVANIA FOR SUCH PROJECT.

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

8 MR. ROGAN: So moved.

9 MR. JOYCE: Second.

10 MS. EVANS: On the question? After
11 having done research on this type of state
12 grant and having spoken publically with Ms.
13 Aebli and Mr. Daniel Joyce, I am confident
14 that this grant cannot be used by the city
15 for any other project. Should council
16 reject it, the money will be used elsewhere
17 in Lackawanna County, outside the City of
18 Scranton, for another economic development
19 project.

20 Further, this is a three-month
21 project from beginning to end of
22 construction and renovations and a formerly
23 deteriorated unsafe area of downtown
24 Scranton.

25 Since the grant cannot be used for

1 public safety purposes or for our
2 neighborhoods in calendar year, we should
3 gladly accept it for use on Penn Avenue.
4 All those in favor signify by saying aye.

5 MR. MCGOFF: Aye.

6 MR. ROGAN: Aye.

7 MR. LOSCOMBE: Aye.

8 MR. JOYCE: Aye.

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

11 MR. MCGOFF: Mrs. Evans, might I
12 suggest that this is, too, be considered for
13 two readings next week?

14 MS. EVANS: Absolutely. Yes. Thank
15 you. Mrs. Krake.

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

17 READING BY TITLE – FILE OF COUNCIL NO. 27,
18 2010 – AN ORDINANCE - SALE OF TAX DELINQUENT
19 PROPERTY MORE COMMONLY KNOWN AS 714-716
20 MCKENNA COURT, SCRANTON, PENNSYLVANIA,
21 TAX MAP NO. 14677-030-019 TO CHRISTOPHER AND
22 LORETTA DOHERTY, HIS WIFE, 715 MONROE
23 AVENUE, SCRANTON, PENNSYLVANIA, 18510, FOR
24 THE CONSIDERATION OF \$2,500.00.

25 MS. EVANS: You've heard reading by

1 title of Item 6-A, what is your pleasure?

2 MR. ROGAN: I move that Item 6-A
3 pass reading by title.

4 MR. LOSCOMBE: Second.

5 MS. EVANS: On the question?

6 MR. ROGAN: Yes. On the question,
7 last week I brought up the name happened to
8 be Chris Doherty, and we looked into it, it
9 was no relation.

10 MS. EVANS: Thank you, Mr. Rogan.
11 All those in favor signify by saying aye.

12 MR. MCGOFF: Aye.

13 MR. ROGAN: Aye.

14 MR. LOSCOMBE: Aye.

15 MR. JOYCE: Aye.

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

18 MS. KRAKE: 6-B. READING BY TITLE -
19 FILE OF COUNCIL NO. 28, 2010 - AN ORDINANCE
20 - ENACTING FEES FOR COPIES OF FIRE, POLICE,
21 DETECTIVE AND AMBULANCE REPORTS, EXEMPTING
22 CRIME VICTIMS FROM PAYING FEES FOR REPORTS
23 AND ESTABLISHING A SPECIAL CITY ACCOUNT FOR
24 DEPOSIT OF THE FEES.

25 MS. EVANS: You've heard reading by

1 title of Item 6-B, what is your pleasure?

2 MR. ROGAN: I move that Item 6-B
3 pass reading by title.

4 MR. JOYCE: Second.

5 MS. EVANS: On the question?

6 MR. ROGAN: Yes. As I stated last
7 week, this is an excellent piece of
8 legislation, something that all of us at
9 council should be proud of, and I hope that
10 Mayor Doherty will sign it into law after
11 it's passed next week and to protect the
12 victims of crime.

13 MS. EVANS: And I do understand the
14 mayor's comments that were made today that
15 none of the money collected prior to our
16 legislation would be designated for the
17 purchase of police cars or equipment for the
18 police department, but I would expect that
19 from the effective date or the adoption of
20 the formal adoption of this ordinance going
21 forward all of those monies will be put into
22 that special account.

23 MR. MCGOFF: In speaking with the
24 mayor, he was in favor of the legislation.

25 MR. ROGAN: Good.

1 MS. EVANS: Thank you, Mr. McGoff.

2 All those in favor signify by saying aye.

3 MR. MCGOFF: Aye.

4 MR. ROGAN: Aye.

5 MR. LOSCOMBE: Aye.

6 MR. JOYCE: Aye.

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

9 MS. KRAKE: SEVENTH ORDER. 7-A. FOR
10 CONSIDERATION BY THE COMMITTEE ON RULES -
11 FOR ADOPTION-RESOLUTION NO. 24, 2010 -
12 APPOINTMENT OF WAYNE EVANS, 717 ALDER
13 STREET, SCRANTON, PENNSYLVANIA, 18505, AS A
14 MEMBER OF THE ETHICS COMMISSION FOR A FIVE
15 (5) YEAR TERM. MR. EVANS' TERM WILL EXPIRE
16 ON JULY 12, 2010. HIS NEW TERM WILL EXPIRE
17 ON JULY 12, 2015.

18 MS. EVANS: As Chairperson for the
19 Committee on Rules, I recommend final
20 passage of 7-A.

21 MR. ROGAN: Second.

22 MS. EVANS: On the question? As was
23 noted earlier, Mr. Wayne Evans had submitted
24 a data sheet to city council and his
25 reappointment has occurred in a timely

1 fashion according to ordinance, and I do
2 know Mr. Evans, although he and I are not
3 related. He does a fine job in any position
4 in which he is appointed.

5 MR. ROGAN: And I would just agree
6 with what you said. I know Mr. Evans as
7 well and he seems to be a very hardworking
8 person and I know he has been very active in
9 the neighborhood organizations in South
10 Scranton.

11 MS. EVANS: Yes.

12 MR. ROGAN: We thank him for
13 supplying this information as well.

14 MS. EVANS: Yes, indeed we do. Not
15 everyone has submitted that information and
16 that has been noted by council. Roll call,
17 please?

18 MS. MARCIANO: Mr. McGoff.

19 MR. MCGOFF: Yes.

20 MS. MARCIANO: Mr. Rogan.

21 MR. ROGAN: Yes.

22 MS. MARCIANO: Mr. Loscombe.

23 MR. LOSCOMBE: Yes.

24 MS. MARCIANO: Mr. Joyce.

25 MR. JOYCE: Yes.

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MS. MARCIANO: Mrs. Evans.

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

I'll entertain a motion for
adjournment.

MR. JOYCE: Motion to adjourn.

MS. EVANS: This meeting is
adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER