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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, June 8, 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

PATRICK ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

CATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. CARRERA: Mr. McGoff. Mr.
5 Rogan.

6 MR. ROGAN: Here.

7 MS. CARRERA: Mr. Loscombe.

8 MR. LOSCOMBE: Here.

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

11 MS. EVANS: Here.

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

14 MS. KRAKE: We now have a
15 proclamation for the O'Malley family.

16 MS. EVANS: WHEREAS, MARGIE HOLODNAK
17 DAVIS, daughter of Ann Marie Holodnak and
18 the late Edward Holodnak, was only two years
19 old and sister Rosie, eight months old, when
20 their father Edward died. Her mother then
21 married Paul "Hook" O'Malley, and they added
22 for more children to their family, Paulie
23 Mary Theresa, Matthew and Patrick. "Margie",
24 the oldest of the six children, was like a
25 mother to her younger siblings, and WHEREAS,

1 "MARGIE" graduated from St. Patrick's High
2 School class of 1971 and went on to earn her
3 nursing degree, and WHEREAS, as a nurse at
4 Allied Services, "MARGIE'S" everyday
5 beautiful smile and compassion brightened
6 the lives of her patients, and WHEREAS,
7 "MARGIE" was a lifelong member of St.
8 Patrick's Church, the Holy Name Society,
9 Catholic Daughters organization, and the
10 treasurer of the Head Start Day Care
11 Parents' Association, and WHEREAS, "MARGIE"
12 was a daughter, sister, mother, aunt,
13 godmother, and the greatest loves of her
14 life were her children who gave her much joy
15 and happiness, and WHEREAS, on June 9, 1980,
16 "MARGIE'S" estranged husband David Davis,
17 took her life. Her children Jeffrey and
18 Allison were only 5 and 2 at the time of her
19 death. Her mother Ann Marie and siblings
20 believe that "MARGIE" lives on in their
21 hearts and everyday actions, and WHEREAS,
22 "MARGIE'S" family firmly believes that no
23 woman or child should fear their home,
24 therefore, the O'Malley family has been
25 involved with the Women's Resource Center

1 for decades. They have raised funds for the
2 Resource Center and have an annual memorial
3 award named the "MARGIE AWARD" whose last
4 recipient was Judge Tina Gartley, and NOW
5 THEREFORE, BE IT RESOLVED that on Tuesday,
6 June 8, 2010, the Scranton City Council will
7 make its final vote to name the 2100 block
8 of Jackson Street, "MARGIE STREET." This is
9 the street where "MARGIE" grew up and
10 represents the happier times in her life.
11 BE IT FURTHER RESOLVED THAT the governing
12 body of the City of Scranton hereby
13 proclaims June 9, 2010, as "MARGIE DAY" in
14 the City of Scranton.

15 MS. EVANS: Would you like to say
16 anything?

17 MR. O'MALLEY: On behalf of the
18 O'Malley/Holodnak families we would like to
19 thank city council, and especially the
20 Office of City Council, the Clerk's Office,
21 they did a tremendous job in getting this
22 proclamation stuff. And a special thanks to
23 Janet Evans, president of council, and
24 Jackie Loscombe and Patrick Rogan, who is a
25 very close friend of mine.

1 today to Honor her memory and what she would
2 have been. She would have done a lot of
3 great things and she is in our hearts every
4 day. Thank you very much.

5 MRS. O'Malley. It still hurts to
6 even talk about it. Patrick is the youngest
7 of my children, I have six children, but I
8 have five now, but it will always be six,
9 but what happened to Margie wasn't fair. I
10 mean, he broke in in the middle of the
11 night, chased her outside, chased her
12 around-- she had her own apartment with her
13 two babies, chased her around the parking
14 lot, got her in an arm lock, put the gun to
15 her neck and that was the end. That's what
16 happened.

17 And we'll never, never really smile,
18 we laugh, but we'll never be the same, and
19 Margie is gone and she was a happy person.
20 She was Patrick's godmother because she was
21 about -- what was she, Patrick, when I had
22 you?

23 MR. O'MALLEY: Sixteen.

24 MRS. O'MALLEY: Sixteen. Fifteen,
25 sixteen, and she took him every place with

1 her, when she went out with her girlfriends
2 or whatever, and all of the other kids we
3 had a big yard and we all always had a pool
4 and every kid in the neighborhood because we
5 were the only ones that had a pool in the
6 yard, which was fine with me because then I
7 knew where my kids were. And then I would
8 make pitchers of Kool-aid because we
9 couldn't afford a ton of soda for them,
10 pitchers of Kool-Aid, peanut butter and
11 jelly sandwiches and they were all happy
12 campers and they came ever day and I knew
13 where mine were, where all of the other
14 kids.

15 MS. EVANS: Well, thank you so much.
16 Mrs. O'Malley.

17 MRS. O'MALLEY: Thank you.

18 MS. EVANS: Thank you for all you've
19 done these 30 years for the Women's Resource
20 Center and keeping other women and children
21 alive and safe.

22 MR. O'MALLEY: Frank, thank you,
23 too. Thank you so much. Thank you very
24 much for the opportunity.

25 MR. JOYCE: You're welcome.

1 (During the proclamation Mr. Joyce
2 entered chambers.)

3 MS. EVANS: THIRD ORDER.

4 MS. KRAKE: THIRD ORDER. NO
5 BUSINESS AT THIS TIME.

6 MS. EVANS: Clerk's notes.

7 MS. KRAKE: Our first response is --
8 came from phone calls from our office since
9 a resident was having trouble getting ahold
10 of License and Inspections, so we actually
11 got a call back from Mr. Oleski. He tells
12 us that at 1402 South Irving they went out
13 today to condemn the property and that will
14 start the process of contacting the owner
15 and then possibly obeying the mortgages
16 involved. If they are involved then the
17 city will step in to keep up the property
18 and until the issue is resolved between the
19 bank and the property owner which then the
20 burden would fall on the bank.

21 The other complaint that those
22 residents had was concerning 1502 South
23 Irving where the city had put a stop work
24 order on the property. They told us that
25 today they contacted the owner who is in the

1 process of securing a bond to continue to
2 rehab the property. He will be also there
3 to cut the grass at the property today.

4 MS. EVANS: Very good.

5 MS. KRAKE: We have responses from
6 Chief Elliott regarding several letters that
7 were sent to him and to Officer Burgett.

8 101-103 Prospect Avenue was cited
9 for ordinance violations. 107 Prospect
10 Avenue was cited also for ordinance
11 violations. 612 Moosic Street also cited
12 for ordinance violations. 723-27 Saginaw
13 Street was forwarded to the city inspectors
14 to follow-up on. 706-708 West Elm was
15 forwarded to the DPW, and that's a city
16 block.

17 Chief Elliott has requested patrols
18 to enforce the legal parking the Nay Aug
19 Park and special attention for motorists
20 parking in the grass area.

21 Regarding our letter concerning the
22 officer at the CMC hospital, an officer is
23 assigned there from 8 p.m. to 5 a.m. on a
24 daily basis. This is through the city, but
25 it is actually the CMC who is hiring the

1 off-duty officer and they have done so for
2 the past 15 years, so the cost for that
3 officer is picked up by the CMC.

4 MS. EVANS: Very good.

5 MS. KRAKE: We have several
6 non-responses here. We did not receive a
7 response back from William King,
8 superintendent of schools concerning Kennedy
9 school issues. I do know that's ongoing
10 though, it was in the newspaper today, and
11 also from Paul O'Malley, president of the
12 school district, the same issue. I look
13 forward to a response from them when that's
14 resolved.

15 We did not receive a response from
16 the city solicitor concerning legislation
17 for the request for equipment from Keystone
18 Landfill and amending the prior legislation
19 to reflect the current landfill tipping fee.

20 MS. EVANS: Mrs. Krake, I noticed
21 that bids will be open for the purchase of a
22 new DPW vehicle, we received that
23 information in the mail.

24 MS. KRAKE: Yes.

25 MS. EVANS: And if we can please

1 determine is that purchase being made
2 through the \$100,000 donations of Keystone
3 Landfill.

4 MS. KRAKE: Yes. We did not receive
5 a response from Chief Elliott concerning the
6 speeding in the 600 block of West Elm.

7 We did receive a response, this
8 letter was sent to Mayor Doherty, Linda
9 Aebli and Chief Elliott concerning the
10 hiring of COM-D or beat patrol officers.

11 We did not receive a response yet
12 from the city engineer, Brian Swanson
13 concerning a stop sign in the 500 block of
14 West Elm and Fifth Avenue.

15 MS. EVANS: Can we send a second
16 request to the city engineer, please?

17 MS. KRAKE: Yes.

18 MS. EVANS: And as for the other
19 department heads who have failed to respond
20 we will keep that information in their
21 files.

22 MS. KRAKE: Yes. I actually spoke
23 to Gary Pelicacci, the acting director of
24 the Scranton Housing Authority, last
25 Wednesday per council's direction. I did

1 inform him-- and we also did follow-up a
2 letter of the issue of the trash around
3 Hilltop Manor. He did say he was going to
4 begin working on getting metal dumpsters for
5 Hilltop Manor, but he has yet to answer us
6 in writing.

7 MS. EVANS: Very good.

8 MS. KRAKE: We have five that were
9 not responded to from Mark Seitzinger,
10 license and inspections director, and seven
11 that were not responded to by Jeff Brazil,
12 director of the DPW.

13 MS. EVANS: As I stated, into the
14 folders for each of the department heads.

15 MS. KRAKE: And that's all we have.

16 MS. EVANS: Thank you. Do any
17 council members have announcements at this
18 time?

19 MR. ROGAN: Yes. The fourth annual
20 "Kids Swim Free" at Nay Aug Park will be
21 held this year for kids between six and 15
22 years old. It is being sponsored by the
23 Lackawanna County Taxpayers' Association and
24 they are actively seeking donations. The
25 checks can be made out to "Kids Swim Free"

1 and sent to 1416 South Webster Avenue,
2 Scranton, Pennsylvania, 18505, and I'm going
3 to give a copy of this to ECTV and ask them
4 to put it on the TV as well.

5 MS. EVANS: Is there anyone else?
6 The weekly schedule for street cleaning is
7 as follows: June 7 to 11, Plot section,
8 Deacon Street to Finn Street and June 14 to
9 18 North Webster Avenue to Madison Avenue.

10 The Lackawanna County Medical
11 Society Health Fair will be held this
12 Saturday, June 12, beginning at 8 a.m. at
13 Nay Aug Park across from the CMC and the
14 Everhart Museum. This free event features
15 screenings, information and medical
16 presentations. For more information contact
17 344-3616.

18 A benefit for Patsy McHugh-Gilbride
19 will be conducted this Saturday, June 12,
20 from 6 to 10 p.m. at Holy Rosary Center in
21 Scranton. Patsy, wife of Blacky Gilbride,
22 has battled cancer for the past four years.
23 Donations are \$10 and may be paid at the
24 door or by contacting Kay Garvey at 561-8601
25 or 346-9754, and that's it.

1 At this time, we are going to as a
2 council move directly into motions followed
3 by the voting portion of this evening's
4 meeting and then finally citizens'
5 participation. I have asked my colleagues
6 for their agreement to rearrange tonight's
7 meeting because my husband had surgery and I
8 need to leave early this evening.

9 Mr. Rogan, any motions or comments
10 at this time?

11 MR. ROGAN: Yes. Thank you. The
12 first thing is it's been every week we have
13 been talking about this again, the Crisp
14 Avenue Bridge. It still has not been put
15 out to bid. Mrs. Krake, could you please
16 send a letter to Linda Aebli and the city
17 engineer, Brian Swanson, asking when the
18 project will be put out to bid and what
19 holdups -- why has it been held up so long.

20 Secondly, I received the monthly
21 report from May 2010 from OECD, and I'll
22 read off some highlights. The Homebuyer's
23 program there was one application received,
24 three approved and two closed. The Housing
25 Rehabilitation Program there has been one

1 bid opening, 19 contacted for verification,
2 one approved for a total of six projects
3 under rehab right now.

4 The Lackawanna Neighbors Home
5 Program at 208 Pittston. This home is now
6 approximately 80 percent completed and
7 renovations should hopefully be done in June
8 of 2010.

9 The CDBG-R paving \$300,000 is
10 currently underway using this funding and,
11 Mrs. Krake, could we please send a letter to
12 Linda Aebli asking for the list of what
13 streets are going to be paved and how that
14 list was compiled, and I know they have to
15 be -- the paving has to be in low income
16 areas using this money, but I would still
17 like to know why certain streets would take
18 priorities over others. I hope it's based
19 on need not based on anything else.

20 Moving on, the sidewalks for various
21 rectifications for the reconstruction of
22 sidewalks on North Washington Avenue and
23 Linden Street. The requested bidders will
24 appear in the Scranton Times on June 3 and 4
25 and a mandatory prebid meeting is scheduled

1 for June 15 and the opening of the bids at
2 council chambers is scheduled for June 22.

3 A prebid conference for both
4 firefighter and police memorials were held
5 on May 27. The bid opening is scheduled for
6 June 19 in council chambers.

7 The neighborhood police patrol, they
8 received, reviewed and approved the parole,
9 daily log sheet and prepared a voucher to
10 reimburse the city.

11 The new tree planting project
12 entitled "Tree Vitalize" will begin on June
13 12. This project is made available through
14 a grant from the Department of Conservation
15 and Natural Resources.

16 I have attached to this report a
17 letter from HUD, and I'm not going to read
18 the whole letter, it's over three pages, but
19 some of the highlights are they congratulate
20 the city on it's many accomplishments during
21 this program year and based on this review
22 they have concluded that Scranton has the
23 capacity to carry out it's programs and has
24 met it's reporting requirements, so that's
25 good news from HUD.

1 And finally, there was a list of the
2 loans for 2002 to present and there is a
3 very -- there is a long list here, but when
4 it comes to status it either says,
5 "Satisfied, open or in litigation."

6 And the majority of them are listed
7 as open, but could we please send a letter
8 to Linda Aebli asking for more clarification
9 on what is meant by open. Are they open in
10 that they are paid up-to-date or are they
11 open and back on payments? I would just
12 like a little more clarification on that,
13 and that is all.

14 MS. EVANS: And, Mrs. Krake, if we
15 might attach the previous letters to the
16 letter that you will be sending to Mr. Aebli
17 regarding paving list I know that we had
18 inquired about that previously and we didn't
19 get the information and so I think if we put
20 it together as a package perhaps we will
21 have A better opportunity now.

22 And, Mr. Loscombe, do you have any
23 comments or motions?

24 MR. LOSCOMBE: Thank you, Mrs.
25 Evans. I guess I would like to reflect on

1 the front page article in the newspaper
2 today. Let me preface that first by stating
3 that none of my colleagues here knew
4 anything about my filing of that lawsuit, so
5 I'm sure it came as a surprise to them as
6 anyone else who read it today. The story
7 will be spun by the city administration and
8 it's newspaper to it's benefit. Although on
9 the advice of my attorney I'm not at liberty
10 to discuss the specifics of my case, I do
11 want to assure you and make it clear that I
12 have not filed had complaint as a reason to
13 personally benefit myself at anyone's
14 expense. I am only seeking to have the
15 benefit that I have earned and contributed
16 to be reinstated. If that is done, I
17 receive my rightfully-earned pension, pay my
18 attorney, and there is no cost to anyone.
19 If the administration wishes to fight the
20 case, it is their decision and their
21 decision alone to spend any taxpayer funds
22 on the ultimate result.

23 Contrary to public opinion, I was
24 not aware of a 1964 ordinance language until
25 the day after I was sworn in. Upon further

1 research, it was determined that the Home
2 Rule Charter prevented me from having the
3 ability to reject my city council salary and
4 maintain my pension benefit. The real story
5 is that this lawsuit has been brought to
6 challenge the inequities of the laws that
7 this city has adopted as just mentioned and
8 to see if they hold up to current federal
9 discrimination or civil rights laws.

10 Just because someone chooses to be a
11 firefighter or a police officer in this city
12 shouldn't make it punishable for them in the
13 future when other municipalities don't
14 infringe on the rights of their retired
15 uniformed officers and oppress their rights
16 to serve their community once retired.
17 Other retired municipal employees in
18 Scranton are allowed to be in employment in
19 other city authorities and departments while
20 maintaining their current benefits.

21 I have been contact by many people,
22 some with legal expertise, who believe what
23 happened was not right. No one ever brought
24 this argument to the courts before and I
25 decided if, in fact, that if this action was

1 a violation of the people's rights I felt an
2 obligation to correct or at least clarify
3 once and for all.

4 This believed constitutional
5 inequity in the city code -- if in fact the
6 courts find there was no violation of my
7 rights, I will gladly accept their decision
8 as I have in the past and continue to serve
9 the citizens without my pension. At least
10 everyone will know in the future what is
11 right and what is wrong so that this
12 question will not have to be raised again.
13 I am simply going by the advice of my
14 attorney and the recommendations of the
15 numerous people who have felt violated over
16 the years that something is not right.

17 I have stated at previous meetings
18 that I'm not about to bail out and that I
19 have no doubt that I can overcome any
20 obstacle and I am still committed to those
21 statements. I have also stated that I did
22 not take this position to see what personal
23 benefits I could receive from it and I also
24 hold true to those words. I don't believe
25 receiving something that I have already

1 earned and trying to provide an opportunity
2 for the many fine uniformed employees the
3 ability to continue their service to the
4 citizens of the Scranton in the future
5 without making additional sacrifice is
6 uniquely self-serving.

7 Before any judgments are made upon
8 me for this action, I would pray that those
9 of you whom I serve would give me the
10 opportunity the balance of my current term
11 to prove to you my dedication to you and our
12 fine city. That is all I have. Thank you.

13 MS. EVANS: Thank you, Mr. Loscombe.
14 Mr. Joyce, do you have any comments or
15 motions at this time?

16 MR. JOYCE: Yes. I have a few.
17 Mrs. Krake, I did not hear in the clerk's
18 notes, I didn't hear you mention anything of
19 a letter that I sent to Mr. Renda two weeks
20 ago regarding some of the outstanding items
21 that need to be submitted to Rossi & Rossi
22 in order to complete our audit. Has he
23 provided a response on that?

24 MS. KRAKE: No, he has not.

25 MR. JOYCE: Would you be able to

1 please resend that letter because I believe
2 that, you know, it's really important or
3 audit is running late and this is something
4 that needs to be addressed.

5 Also, for those of you who may know,
6 last Thursday Representative Murphy and
7 Representative Smith along with council
8 members and Mr. Oleski from the
9 administration met in council chambers to
10 discuss blight issues and creating and
11 drafting stiffer blight regulations on the
12 state level, and I just wanted to publically
13 thank all of the folks who attended as well
14 as Representative Murphy and Representative
15 Smith for their dedication and their
16 willingness to help the city get through
17 some of the blight issues that we do have
18 and this is a problem that affects all
19 Scranton residents. It decreases property
20 value, it creates a lot of burdens on our
21 community, it opens the door to crime and I
22 just -- I'm really pleased that we received
23 the cooperation of our city representatives
24 on that matter.

25 Finally, I have a few citizens'

1 requests: A south Scranton resident as
2 informed me that the plot of land behind the
3 LaSalle suit store on the 600 block of Beach
4 Street has overgrown gras and weeds that
5 have become over two feet high. The
6 resident informed that last year when this
7 happened he contacted Mr. Seitzinger and he
8 did resolve the situation. So, Mrs. Krake,
9 if you could please send a letter to
10 Mr. Seitzinger and informing him of this
11 situation and asking him to handle this
12 appropriately.

13 Another South Scranton resident has
14 informed me that the plot of land adjacent
15 to the Speed Wash Laundry Mat on the
16 Pittston Avenue 600 block has overgrown
17 grass that is a few feet high. In addition,
18 this resident has informed that the adjacent
19 laundry mat has not been kept up to par.
20 Mrs. Krake, if you could please add that to
21 this letter as well.

22 And a West Scranton resident has
23 informed me that the grass in the vacant lot
24 at the corner of Sixth Avenue and Hampton
25 Street contains overgrown weeds and grass

1 time line and, in fact, his response in
2 writing is tardy to us as of this day.

3 MR. JOYCE: Okay. In that case, if
4 you would please be able to send him a
5 letter or contact him via phone and ask him
6 what exactly this time line is for handling
7 this situation up there because it's not
8 just one resident that is complaining at
9 this point it's several residents and I
10 believe that everyone should be entitled to
11 yards without trash blowing in their
12 neighboring plots of land, so that's all I
13 have as far as citizens' requests.

14 And I would like to make a motion
15 tonight, and I would like to make a motion
16 that city council waive the original bidding
17 restriction in the 2007 RFP for accountants
18 performing city audit for the years 2006,
19 2007, 2008 and 2009 which would prevent the
20 bidder of the prior independent audit from
21 participating in the new audit bid for the
22 years 2010 through 2013.

23 Basically, the purpose why I'm
24 making this motion is so to allow Rossi &
25 Rossi the opportunity along with other

1 bidders to be considered for the new audit
2 beginning in 2010 through 2013.

3 MS. EVANS: The motion has been
4 made, do we have a second?

5 MR. LOSCOMBE: I'll second.

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

8 MR. ROGAN: Aye.

9 MR. LOSCOMBE: Aye.

10 MR. JOYCE: Aye.

11 MS. EVANS: Aye. Opposed? The ayes
12 have it and so moved. Is that all,
13 Mr. Joyce?

14 MR. JOYCE: Yes, that is it.

15 MS. EVANS: Thank you. Good
16 evening. At this time I would like to
17 announce that the summer meetings of
18 Scranton City Council will continue to be
19 held at 6:30 p.m. through June and July
20 2010.

21 Since early 2010 council members
22 have worked on the development of budget
23 amendments to the 2011 budget in conjunction
24 with it's staff. Council members have
25 researched numerous departments and

1 collected information and our staff keeps an
2 ongoing file and record on each department
3 head.

4 In order to examine a complete
5 record of each city department, council is
6 requesting the following information from
7 each department head on or before October 1,
8 2010:

9 (1) A complete job description for
10 each employee in the department including
11 the department head.

12 (2) A specific detailed report of
13 each department budget for every account and
14 line item contained in the 2010 operating
15 budget for fiscal year 2010. Provide
16 documentation of each expenditure in order
17 to justify the money spent in 2010. For
18 example, professional services, list every
19 expenditure, the name of the individual
20 and/or company, firm, vendor, dates of work
21 and payment, copies of the paid invoices.

22 Another example, dues and
23 subscriptions. List the organizations,
24 dollar amount of dues, term of membership
25 covered by 2010 payment, purpose of

1 membership, name of subscriptions. Paid
2 invoices for subscriptions and purpose or
3 value of each subscription.

4 (3) Each account and line item
5 within every department budget must be
6 specifically and completely accounted for
7 and justified by the required supporting
8 documentation.

9 (4) For the months of October,
10 November and December 2010, provide a
11 complete and detailed list of all
12 anticipated expenditures and justification
13 and documentation for each.

14 If council does not receive this
15 required information on or before October 2,
16 2010, it will make budget cuts based on
17 information it has gathered independently.
18 Council is providing nearly four months to
19 each department head in which to prepare a
20 detailed report and submit it to council.

21 In October and November council will
22 prepare it's final 2011 budget amendments
23 with or without the cooperation and reports
24 of the department heads. Council also hopes
25 to identify new revenue sources which will

1 require the assistance of the
2 administration.

3 To date, the administration has
4 moved forward on nothing that council has
5 requested. To survive the financial
6 juggernauts on the 2011 horizon, our city
7 and it's taxpayers need the administration
8 to work cooperatively with council.

9 Next, I have been hearing from city
10 employees that there are problems at the Nay
11 Aug Park pool, that other pools may not open
12 on time, if at all, and summer workers and
13 services were sharply cut. The employees
14 tell me that the parks department and the
15 mayor intend to blame these problems on city
16 council. Here is the truth. I mentioned
17 this last Tuesday, but I will say it again
18 this evening because it merits repetition.
19 The Recreation Authority has control over
20 the Nay Aug Pool not Scranton city council.
21 The mayor cut the parks and recreation
22 budget by 31 percent in 2010, not city
23 council. In fact, council did not change or
24 cut even one penny of the 2010 budget as a
25 result of Judge Mazzone's decision. I

1 sincerely hope that what I have been told is
2 nothing more than rumor. Should any of the
3 statements prove accurate whatever pools,
4 jobs and services that are gone this summer
5 are strictly the responsibility of the mayor
6 and the Recreation Authority.

7 At the same time, in fact, just
8 within the last hour I received some very
9 disturbing information. At the free
10 concerts at Nay Aug Park on Sunday, June 6,
11 the Tony Costa band had performed. I have
12 been told that the singer with that band
13 made an announcement to those present,
14 actually made this announcement twice, that
15 everyone seated at the concert needed to
16 call Janet Evans because they received word
17 that council was going to stop the free
18 concerts.

19 Now, I don't imagine that the band
20 or the singer would be to blame because I
21 cannot imagine their fabricating such
22 information. It seems only logical that
23 someone else had to have provided this
24 information and asked this singer to make
25 that announcement. The announcement is

1 absolutely untrue. City council is not
2 stopping any summer concerts, Janet Evans is
3 not stopping any summer concerts. If,
4 indeed, as I said, that occurs, this is the
5 action of Mayor Doherty and the Scranton
6 Parks and Recreation Department.

7 I would hope, however, that at next
8 Sunday's concert the performers would make
9 this announcement and make very clear that
10 what false information was purveyed to the
11 public by whatever source it may have been,
12 perhaps within the administration, that this
13 is absolutely false, that this is disturbing
14 and that such actions are unacceptable and
15 repulsive.

16 Mrs. Krake, please send a memo
17 tomorrow to Mr. Jeff Brazil, PennDOT has
18 been waiting for two months for the report
19 produced from underground camera shots in
20 order to reroute pipes from Keyser Avenue
21 and prevent additional flooding in the area
22 of the North Cameron Avenue. The receipt of
23 the report from Mr. Brazil is holding up the
24 entire project. We would like him to
25 provide that information this week.

1 I also have citizens' requests for
2 the week. 104 Yesu Lane numerous neighbors
3 and residents of East Mountain report
4 garbage in the driveway, on the porch and
5 sometimes in the yard of white pebbles as
6 well as very large holes on the edge of the
7 driveway. Similar issues were addressed
8 last summer by an inspector and this is the
9 second request of 2010.

10 842 and 845 Capouse Avenue, both are
11 abandoned structures that were condemned
12 years ago. According to neighbors as soon
13 as the condemnation signs are posted, they
14 are torn down the following day. Neighbors
15 also report that vagrants often take up
16 residents in these structures and there is a
17 stench of raw sewage and a urine that
18 permeates the properties. Please provide
19 council with a written update on the status
20 of these properties.

21 919-921 Quincy Avenue, neighbors ask
22 that a city inspector would determine if the
23 apartment building is blighted. It houses
24 several units on each side which are
25 occupied. When a tenant moves huge piles of

1 garbage are left in the front of the
2 building for several days until regular
3 garbage collection occurs.

4 Council received an e-mail regarding
5 the uneven and hazardous conditions of
6 sidewalks on Linden Street in front of the
7 Judge and Jury Bar and JC Lunchbox
8 Restaurant. An elderly gentleman recently
9 fell on these sidewalks. Please contact the
10 appropriate departments to try to address
11 this problem.

12 Sidewalks bordering bridges remain
13 covered with cinders and debris from winter
14 months. This is the second request.

15 Residents of East Mountain report
16 that traveling from Yesu Lane to East
17 Mountain Road has become a problem and a
18 minor accident occurred recently. The
19 bushes, grass, etcetera at the corner of
20 Yesu Lane have grown very high and drivers
21 must pull out onto East Mountain Road to
22 avoid a blind spot. This area needs to be
23 cut by the city or the landowner as soon as
24 possible to prevent additional accidents.

25 Bushes and grass are grown over onto

1 East Mountain Road and Mountain Lake Road.
2 Please trim. Residents who attended Friday
3 First Night report that the "Do Not Walk"
4 sign on Lackawanna County by Buona Pizza is
5 not working. They waited through four
6 traffic lights and the sign never changed.
7 As a result, they had to stop traffic as a
8 group in order to cross the street. Please
9 repair this traffic signs immediately.

10 And, you know, again, many of these
11 problems were issues that had been taken
12 care of in previous years almost
13 immediately, at most within a matter of
14 hours, whether it was traffic lights that
15 went out or these "Do Not Walk" signs,
16 etcetera. This was taken care of by the
17 Traffic Maintenance Department of the City
18 of Scranton which, of course, no longer
19 exists, and I'm not quite sure what company,
20 what private company, has been taking over
21 for them if that company has an actual
22 contract. I know the contract was never
23 approved by city council and let us hope
24 that they are certified to do the work that
25 they have been hired to do.

1 The overgrown property at the
2 intersection of River Street and Meadow
3 Avenue has not been addressed. I think this
4 might be the third request.

5 Neighbors report a property on East
6 Mountain Road with overgrown grass and a
7 recycling can lying in the yard for several
8 weeks. There are no address numbers on this
9 house. They tell me the neighbors, it's the
10 third house on the right heading east past
11 the railroad tracks.

12 And 375 Grove Street, an apartment
13 house is owned by an out-of-town landlord,
14 possibly from California, neighbors report
15 that over the last few months the police
16 have been called to the building several
17 times, most recently it was raided for drugs
18 by county agents and I'm told the Scranton
19 Swat team, according to neighbors. Please
20 notify Mr. Seitzinger to investigate
21 regarding the possibility of closing down
22 this building, and that's it.

23 (Mr. McGoff enters council chambers
24 and joins the meeting during Mrs. Evans'
25 motions.)

1 MS. KRAKE: FIFTH ORDER. NO
2 BUSINESS AT THIS TIME. SIXTH ORDER. NO
3 BUSINESS AT THIS TIME. SEVENTH ORDER.

4 7-A. FOR CONSIDERATION BY THE
5 COMMITTEE ON RULES - FOR ADOPTION-
6 RESOLUTION NO. 16, 2010 - A RESOLUTION
7 ADOPTING THE BI-COUNTY HAZARD MITIGATION
8 PLAN FOR THE COUNTIES OF LACKAWANNA AND
9 LUZERNE, PENNSYLVANIA AS THE HAZARD
10 MITIGATION PLAN FOR THE CITY OF SCRANTON.

11 MS. EVANS: As Chair for the
12 Committee on Rules, I recommend final
13 passage of Item 7-A.

14 MR. ROGAN: Second.

15 MS. EVANS: On the question? Roll
16 call, please?

17 MS. CARRERA: Mr. McGoff.

18 MR. MCGOFF: Yes.

19 MS. CARRERA: Mr. Rogan.

20 MR. ROGAN: Yes.

21 MS. CARRERA: Mr. Loscombe.

22 MR. LOSCOMBE: Yes.

23 MS. CARRERA: Mr. Joyce.

24 MR. JOYCE: Yes.

25 MS. CARRERA: Mrs. Evans.

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

3 MS. KRAKE: 7-B. FOR CONSIDERATION
4 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -
5 RESOLUTION NO. 17, 2010 - AUTHORIZING THE
6 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
7 TO EXECUTE AND ENTER INTO SUPPLEMENTAL
8 REIMBURSEMENT AGREEMENT NO. 040809-G
9 WITH THE COMMONWEALTH OF PENNSYLVANIA,
10 DEPARTMENT OF TRANSPORTATION REGARDING THE
11 LACKAWANNA AVENUE BRIDGE PROJECT FOR THE
12 PURPOSE OF INCREASING THE CONSTRUCTION
13 AND UTILITY ACTIVITIES ON THE PROJECT FOR
14 PAYMENT OF FINAL INVOICES.

15 MS. EVANS: What is the
16 recommendation of the Chair for the
17 Committee on Finance?

18 MR. JOYCE: As Chairperson for the
19 Committee on Finance, I recommend final
20 passage of Item 7-B.

21 MR. ROGAN: Second.

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

24 MS. CARRERA: Mr. McGoff.

25 MR. MCGOFF: Yes.

1 MS. CARRERA: Mr. Rogan.

2 MR. ROGAN: Yes.

3 MS. CARRERA: Mr. Loscombe.

4 MR. LOSCOMBE: Yes.

5 MS. CARRERA: Mr. Joyce.

6 MR. JOYCE: Yes.

7 MS. CARRERA: Mrs. Evans.

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

10 MS. KRAKE: 7-C. FOR CONSIDERATION
11 BY THE COMMITTEE ON RULES – FOR ADOPTION-
12 RESOLUTION NO. 18, 2010 - DEDICATING THE
13 2100 BLOCK OF JACKSON STREET AS “MARGIE
14 STREET”.

15 MS. EVANS: As Chair for the
16 Committee on Rules, I recommend final
17 passage of Item 7-C.

18 MR. LOSCOMBE: Second.

19 MS. EVANS: On the question? Roll
20 call, please?

21 MS. CARRERA: Mr. McGoff.

22 MR. MCGOFF: Yes.

23 MS. CARRERA: Mr. Rogan.

24 MR. ROGAN: Yes.

25 MS. CARRERA: Mr. Loscombe.

1 MR. LOSCOMBE: Yes.

2 MS. CARRERA: Mr. Joyce.

3 MR. JOYCE: Yes.

4 MS. CARRERA: Mrs. Evans.

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

7 MS. KRAKE: 7-D. FOR CONSIDERATION
8 BY THE COMMITTEE ON RULES - FOR ADOPTION-
9 RESOLUTION NO. 19, 2010 - APPOINTING LANCE
10 J. STANGE, JR., 117 ARNOLD AVENUE, SCRANTON,
11 PENNSYLVANIA, 18505, AS A MEMBER OF THE
12 BOARD OF ZONING APPEALS FOR THE CITY OF
13 SCRANTON. MR. STANGE WILL REPLACE ROBERT
14 SHUMAKER, WHOSE TERM EXPIRES ON JULY 1,
15 2010. MR. STANGE'S TERM WILL COMMENCE ON
16 JULY 2, 2010 AND EXPIRE ON JULY 1, 2013.

17 MS. EVANS: As Chair for the
18 Committee on Finance, I recommend final
19 passage of Item 7-D.

20 MR. ROGAN: Second.

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

23 MS. CARRERA: Mr. McGoff.

24 MR. MCGOFF: Yes.

25 MS. CARRERA: Mr. Rogan.

1 MR. ROGAN: Yes.

2 MS. CARRERA: Mr. Loscombe.

3 MR. LOSCOMBE: Yes.

4 MS. CARRERA: Mr. Joyce.

5 MR. JOYCE: Yes.

6 MS. CARRERA: Mrs. Evans.

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

9 MS. KRAKE: 7-E. FOR CONSIDERATION
10 BY THE COMMITTEE ON RULES - FOR ADOPTION-
11 RESOLUTION NO. 20, 2010 - APPOINTING JAMES
12 WILLIAMS, 601 LOOP AVENUE, SCRANTON,
13 PENNSYLVANIA, 18508, AS A MEMBER OF THE
14 BOARD OF ZONING APPEALS FOR THE CITY OF
15 SCRANTON. MR. WILLIAMS WILL REPLACE HELEN
16 COOK, WHOSE TERM EXPIRES ON JULY 1, 2010.
17 MR. WILLIAMS' TERM WILL COMMENCE ON JULY 2,
18 2010 AND EXPIRE ON JULY 1, 2013.

19 MS. EVANS: As Chair for the
20 Committee on Rules, I recommend final
21 passage of Item 7-E.

22 MR. ROGAN: Second.

23 MS. EVANS: On the question?

24 MR. MCGOFF: I would just like to
25 ask if anybody had considered reappointing

1 Mrs. Cook to that position?

2 MS. EVANS: Yes, we received her
3 letter and I certainly considered it.

4 MR. MCGOFF: Because she has served
5 on the zoning board for a number of years
6 and never missed a meeting and I thought she
7 would have been worthy to reappointment.

8 MS. EVANS: And I believe she
9 certainly is. She did a wonderful job and
10 we are very, very grateful for all of her
11 service and perhaps at another point in the
12 future she can return. Is there anyone else
13 on the question? Roll call, please?

14 MS. CARRERA: Mr. McGoff.

15 MR. MCGOFF: Yes.

16 MS. CARRERA: Mr. Rogan.

17 MR. ROGAN: Yes.

18 MS. CARRERA: Mr. Loscombe.

19 MR. LOSCOMBE: Yes.

20 MS. CARRERA: Mr. Joyce.

21 MR. JOYCE: Yes.

22 MS. CARRERA: Mrs. Evans.

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

25 MS. KRAKE: 7-F. FOR CONSIDERATION

1 BY THE COMMITTEE ON RULES – FOR ADOPTION-
2 RESOLUTION NO. 21, 2010 - APPOINTING STEVEN
3 BARTNICKI, 425 PRESCOTT AVENUE, SCRANTON,
4 PENNSYLVANIA, 18510, AS ALTERNATE NO.2 ON
5 THE BOARD OF ZONING APPEALS FOR THE CITY OF
6 SCRANTON. MR. BARTNICKI WILL REPLACE
7 SUZANNE ANDRES, WHOSE TERM EXPIRES ON JUNE
8 1, 2010. MR. BARTNICKI'S TERM WILL COMMENCE
9 ON JUNE 2, 2010 AND EXPIRE ON JUNE 1, 2013.

10 MR. JOYCE: As Chair for the
11 Committee on Rules, I recommend final
12 passage of Item 7-F.

13 MR. ROGAN: Second.

14 MS. EVANS: On the question? Roll
15 call, please?

16 MS. CARRERA: Mr. McGoff.

17 MR. MCGOFF: Yes.

18 MS. CARRERA: Mr. Rogan.

19 MR. ROGAN: Yes.

20 MS. CARRERA: Mr. Loscombe.

21 MR. LOSCOMBE: Yes.

22 MS. CARRERA: Mr. Joyce.

23 MR. JOYCE: Yes.

24 MS. CARRERA: Mrs. Evans.

25 MS. EVANS: Yes. I hereby declare

1 Item 7-F legally and lawfully adopted.

2 MS. KRAKE: FOURTH ORDER. CITIZENS'
3 PARTICIPATION.

4 MS. EVANS: Our first speaker is
5 this evening is Bob Martin.

6 MR. MARTIN: Good evening, council.
7 I come before you again with some very, very
8 serious news and I'm hoping to portray to
9 the public, the taxpayers and the council
10 some of the recent Court decisions that have
11 come down and hopefully paint some kind of
12 picture as to just how dire the consequences
13 are could be.

14 As everyone knows in the paper, we
15 received notice that the Supreme Court is
16 going to hear our case. As Attorney Hughes
17 pointed out to me the last time we came to
18 the podium, the Supreme Court only hears 1
19 percent of every case of the applications
20 that are presented to them. That tells us
21 that there something that they see that they
22 really want to look at. Now, we could be
23 wrong, but I just -- it's so important that
24 everybody understands the outcome of what
25 the impact is going to have on the taxpayers

1 if this administration fails at it's present
2 agenda.

3 I mean, everybody knows that the
4 points of interest that the Courts are
5 looking at are the Sections 252, interest
6 arbitration awards, if it applies. It's
7 application to Act 47 against Act 11, if any
8 of these points prevail, I mean, we are
9 going to go all of the way back to 2002.
10 That means that the unions would enjoy both
11 arbitration awards, the one from 2003 to
12 2007 and 2008 to 2014. The numbers would be
13 astronomical. They're astronomical. The
14 pay raises would be 37 percent with backpay,
15 overtime. Just think of all of the hours
16 and years of overtime. The 2003 award had
17 bonus for the first three years and so on.

18 The health care costs, the 2008 has
19 a 20 and out pension benefit with 70
20 percent, and I just want everybody to
21 understand that we have been in this fight
22 from the beginning for nine years, and all
23 we're doing, my job is all I'm doing is
24 protecting our members and their families.
25 All we want is a decent wage.

1 I want everybody to understand that
2 we have a willingness, a burning willingness
3 to settle this issue and that responsibility
4 lies with the administration. I was here
5 last time, spoke about the possibility that
6 this could be heard and I hadn't heard from
7 anyone. No one has contacted me to sit
8 down, talk, see if we could work this out.
9 I mean, the odds this went up, and I'm not
10 going to be able to stop this train when I
11 say that, I'm not going to be able to
12 convince my members that we need to
13 negotiate. If I don't walk away from this
14 podium and I don't get impeached tonight
15 it's going to be a miracle. My members are
16 hardened, they have been put through a lot
17 for nine years and just to add the icing to
18 the cake just moments ago I was handed from
19 the newspaper the city lost again. They
20 did. The SIT award just came down to the
21 tune of about \$800,000 plus interest just
22 this afternoon. The city was notified, we
23 weren't. I haven't seen it. I don't have a
24 fresh document to review, but we will
25 comment on it tomorrow in detail. All I

1 know is that just compounds the burden on
2 the taxpayers.

3 You need to know that we negotiated
4 that. At one point in the negotiations we
5 sat down and said, we will -- my members
6 didn't even know that, we will give you
7 this, give us a fair contract, and they are
8 going to say, oh, we are offered you, we
9 have made you offers and you walked away and
10 we have. We have had at least three and we
11 settled on wages, we have settled on
12 benefits, but in each instance at the end of
13 that the city would walk in with DCED, sit
14 down with the Recovery Plan in front of us
15 and say, "Now you have to adopt this into
16 your contract."

17 That is not going to happen. Those
18 are the points of law, they won't negotiate.
19 They won't negotiate. They sat it down,
20 they said, "This is it, you have to --" they
21 won't negotiate those points of law. Those
22 are mandatory subjects of bargaining under
23 state law that they are requesting us to
24 give up. Our days off, our vacations and
25 our shifts. They are all mandatory subject

1 to bargaining. The Recovery Plan says we
2 are going to change your shift within 14
3 days, with 14 days notice. I challenge them
4 to please come forward and to show me the
5 significant savings to the taxpayers they
6 would accomplish by being able to do that.

7 Maybe on the short days, two to
8 three runs a day, they might be able to save
9 a little overtime, but at the end of the
10 week we are going to have to bump up against
11 40 hours and you're going to have to pay
12 that individual overtime anyway. If
13 overtime is such an issue and they should
14 look at this and see that there is a
15 possibility that they are running short of
16 personnel. That's what happens. That's
17 what overtime is for to fill in in the
18 short-term.

19 I just want everybody to know, I
20 know where I am, they know how to get ahold
21 of me. I want everybody to know that we
22 have a willingness to settle this and, I
23 mean, we are going to want it back because
24 they have taken a lot of away from us. We
25 really don't have a lot more to lose, they

1 can't take much more away from us going into
2 the Supreme Court, and there are some huge
3 issues there and I doubt seriously that the
4 state is going to allow him to do that, but
5 our taxpayers are, you know, they are going
6 to bear that burden to prove a point to the
7 rest of the state whether we win or loss.

8 So if anybody has any questions, but
9 I just want everybody to understand just how
10 dire this is, how big the numbers will be at
11 the end of the day if the Supreme Court
12 rules in the favor of the unions.

13 MS. EVANS: Mr. Martin, we are
14 talking I'm assuming here multi-millions.

15 MR. MARTIN: The '06, the '07 back
16 pay that we were arguing over and we have a
17 hearing date for that in August and eight
18 and nine combined is about \$4 million. You
19 know, I mean, and then there will be
20 interest on it if they continue to appeal.
21 They can appeal -- they can appeal the SIT
22 decision this afternoon, that is collecting
23 6 percent interest from the time of the
24 violation, from the date it was due it is
25 collecting 6 percent interest and they can

1 file an exception within 20 days; correct?
2 But if they do the interest will continue to
3 run.

4 MS. EVANS: Well, what concerns me
5 is that as has been discussed previously at
6 city council meetings, the Pennsylvania
7 Economy League forecasts a \$5.2 million
8 pension hit in 2011 alone and now we are
9 looking at a possibly Supreme Court decision
10 that could cost the taxpayers of the City--

11 MR. MARTIN: Even more. I'm sure
12 that they didn't take into consideration the
13 improvements that were in the 2008 award.

14 MS. EVANS: Yes, so it's more from
15 what you have said tonight.

16 MR. MARTIN: Possibly.

17 MS. EVANS: Much more than just back
18 pay.

19 MR. MARTIN: Oh, yes, it could be.
20 It very well could be.

21 MS. EVANS: And that's what I meant
22 when I mentioned earlier this evening that
23 we are facing a financial juggernaut and
24 there has been no preparation, no financial
25 preparation made by the City of Scranton.

1 Now, the pension payments, I don't
2 know that there is going to be very much
3 that the administration can do to change the
4 amount due for 2011, '12 and '13, but it can
5 do something -- it can do something about
6 this potential Armageddon by sitting down
7 and negotiating now, and I think it's time
8 for the mayor to decide what's going to be
9 more important, the future of the City of
10 Scranton and the residents of the City of
11 Scranton, their financial survival, and the
12 financial survival of all of our city or are
13 management rights more important.

14 And, unfortunately, that isn't a
15 decision that's left up to Scranton City
16 Council. It is not within our scope of
17 authority to negotiate any contract. That
18 power, that ability, lies solely with the
19 mayor and now I'm sure DCED has quite a
20 vested interest since they have made us
21 their financial experiment in Harrisburg.
22 They won't pay for this, you will pay for
23 this, everyone seated up here will pay for
24 this, and I believe if there is any
25 possibility of preventing this from

1 happening the mayor needs to set everything
2 else aside, whatever has been occurring for
3 the last nine years, set it all aside and
4 sit down and negotiate a fair contract
5 before it's too late, and I thank you,
6 Mr. Martin.

7 MR. MCGOFF: May I ask Mr. Martin a
8 question?

9 MR. MARTIN: Sure.

10 MR. MCGOFF: Is the union willing to
11 drop the appeal to negotiate a contract?

12 MR. MARTIN: It would depend upon
13 the negotiated end. I would say that the
14 answer to that question would be yes. If we
15 came out with a substantial, fair contract
16 the answer to that would be yes. Some of
17 the benefits that have already been
18 impinged, I mean, those we expect to see in
19 return from the state.

20 MR. MCGOFF: Hasn't it been stated
21 in the past that you would not?

22 MR. MARTIN: Would not what?

23 MR. MCGOFF: That were offers that
24 if the appeal were dropped that they
25 would -- that there would be negotiations

1 and that on the advice of your attorney
2 refused to drop the appeal?

3 MR. MARTIN: I would have to say it
4 would depend on the outcome of the
5 negotiations. If the outcome of the
6 negotiations were fair we would back away
7 from that litigation. I know they have
8 requested to back away from those
9 litigations. As they said, the litigation
10 for the SIT, we rolled that into a contract
11 offer at the University of the Scranton. In
12 addition to that, I mean, we are all aware
13 that this award came down this afternoon
14 that on June 1 they violated that agreement
15 again and now the meter is running again on
16 that.

17 MS. EVANS: Is the city able to
18 appeal?

19 MR. MARTIN: But I guess the answer
20 to your question is we would absolutely
21 consider that if we got the fair and
22 equitable contract that we have been asking
23 for.

24 MS. EVANS: Mr. Martin, do you know
25 is the city able to appeal today's ruling?

1 MR. MARTIN: Yes, they can file an
2 exception within 20 days which would appeal
3 it to the Labor Board, the full Labor Board
4 and then they'll hear it. The error is in
5 the calculations of the original order.
6 That's what the decision is today.

7 MS. EVANS: I shouldn't be surprised
8 if that would happen. I hope not. I hope
9 we are going to stop spending all of the
10 money that we could have been paying
11 employees for nine years on attorneys' fees
12 because at some point in time this is all
13 going to come to an end through the Supreme
14 Court case because there is no where else
15 you can go after that and there will be a
16 winner and there will be a loser and there
17 isn't going to be any in-between. There
18 will nothing in-between, as I said, except a
19 winner and a loser and I really -- I
20 don't -- I don't believe the people of the
21 city can afford what's going on here because
22 we are not a city that's comprised typically
23 of one or even 10 percent of the nations top
24 wage earners, so I believe the unions
25 deserve a fair contract after all of these

1 years. I also believe the people of
2 Scranton, the taxpayers, they deserve a fair
3 contract here, too, but adding to the
4 Supreme Court, like I said, is a big
5 monumental gamble. And we are gambling the
6 future of Scranton and we are gambling the
7 futures of people like these young
8 councilmen, and that young gentleman in the
9 office who is going to be paying for this
10 until it's my age or longer, so I wish the
11 mayor would do the right thing. Thank you,
12 Mr. Martin.

13 MR. MARTIN: If I could respond to
14 the Supreme question, the Supreme Court
15 wasn't an issue until the last 24 months or
16 so. We hadn't appealed in the previous
17 negation sessions.

18 MR. LOSCOMBE: I echo everything
19 Mrs. Evans said. We had a meeting with the
20 mayor several weeks ago, asked him not to
21 appeal those last awards, felt a little bit
22 confident coming out of there, but obviously
23 we didn't get anywhere with him and we
24 discussed the same thing. I mean, it's time
25 for him to sit down and negotiate fairly and

1 I know he keeps throwing the same plan out,
2 same plan out, so there has got to be some
3 give and take. I know the guys for nine,
4 ten years now have had a lot of take and
5 made a lot of sacrifice and I know, like you
6 said, they are residents of this city the
7 police and firefighters. Their hearts are
8 in this city, they serve you, and they
9 willing to work out something that's fair
10 for everyone because they are in the same
11 boat, they are taxpayers here and
12 everything. But, you know, there has to be
13 some movement on the administrative side,
14 and I agree that they have to sit down, the
15 mayor has to open the door and get some
16 discussions going or we are in dire
17 straights.

18 MR. ROGAN: The most frustrating
19 part about this is when it started it was
20 done in the name of fiscal responsibility,
21 but in the end the only people who are
22 making any money on this are the attorneys,
23 and the taxpayers are the ones who are going
24 to lose out in the end and it's so
25 unfortunate that the mayor chose this course

1 from the beginning when he took over.

2 MS. EVANS: But, again, maybe I'm
3 the eternal optimist, I would rather
4 consider myself a realist if there is any
5 possibility left and I think there still is
6 until the moment that you walk into the
7 Supreme Court chambers there is always that
8 possibility.

9 MR. MARTIN: It's going to get
10 harder and harder for us though --

11 MS. EVANS: I understand that.

12 MR. MARTIN -- to sway my members. I
13 mean -- a number of them are -- they don't
14 want me here tonight.

15 MS. EVANS: The clock is ticking. I
16 do understand. I do understand. And if
17 the-- it appears anyway that if the police
18 and fire were to sit down right now in so
19 doing that's a huge step on their part
20 because it does appear the fact that the
21 Supreme Court is willing to hear this and
22 has combined your cases into one is saying
23 something. Something --

24 MR. MARTIN: Exactly.

25 MS. EVANS: -- is heading our way,

1 so I wish it were easier than that. I wish
2 council had the ability to convince the
3 mayor otherwise. I have spoken to him about
4 it already, Mr. Loscombe has spoken to him
5 about it, he has listened to us, but, as I
6 said, the ball is his Court. He is the one
7 person that can make the difference and so
8 he is also going to be then the one person
9 who is going to have to bear the
10 responsibility. Thank you.

11 MR. MARTIN: Thank you.

12 MR. LOSCOMBE: Thank you,
13 Mr. Martin.

14 (Mrs. Evans leaves the meeting for
15 the night.)

16 MR. ROGAN: Les Spindler.

17 MR. SPINDLER: Good evening,
18 Council. Les Spindler, city homeowner and
19 taxpayer.

20 MR. JOYCE: Good evening.

21 MR. SPINDLER: Councilman Rogan, you
22 stole my thunder on the first thing I was
23 going to talk about tonight the Crisp Avenue
24 Bridge.

25 MR. ROGAN: It's unfortunate. It's

1 unfortunate that we have to talk about it.

2 MR. SPINDLER: Absolutely.

3 MR. ROGAN: It should have been done
4 by now.

5 MR. SPINDLER: Absolutely. This was
6 talked about -- I guess they said it was
7 going to be fixed quite awhile ago, years
8 ago it was supposed to be done, and I guess
9 awhile ago in the paper they said they were
10 finally going to do it, you know. As you
11 said, I recently heard, too, that it wasn't
12 put out to bid yet and that's unfortunate,
13 but I'm glad you are looking into it.

14 MR. ROGAN: We are trying our best.

15 MR. SPINDLER: Thank you. Last week
16 I read the paper that the Hilton is for
17 sale, but it's not for lack of making a
18 profit. They said they are making a profit.
19 It's not too often that you hear people that
20 they are selling businesses that are making
21 a profit. They must think we are very
22 naive. I think the Hilton is losing money
23 and that's why it's for sale. You can see
24 Mohegan Sun making money, they are not
25 looking to sell that, are they? So I don't

1 believe the Hilton is making a profit and
2 they want to sell it.

3 There is a lot of changes going on
4 recently in city hall, it was in the Doherty
5 newsletter on Saturday, different people
6 taking different positions. Kevin Mitchell
7 from OECD is leaving the administration and
8 going to a different job and he said he did
9 everything that the mayor asked him to do.
10 Well, that's like everybody else in this
11 administration. Chris Doherty tells them
12 all what to do and they listen, and that's
13 why the City is in the shape it's in, \$300
14 million in debt, no money sustaining jobs,
15 and it's just keeps get worse. Now with the
16 police officers winning another appeal, that
17 will probably be appealed by the
18 administration again. It just never ends.
19 It just going to keep costing the taxpayers
20 money.

21 Next, Mr. Loscombe, I did read about
22 you in the paper this morning and I'm behind
23 you 100 percent. I think this is a big
24 example of discrimination. On previous
25 councils that were two previous councilmen

1 that were taken to Court for collecting a
2 pension while sitting on council and these
3 council people were told they could collect
4 their pension, so I don't see any reason why
5 you can't. What's good for the goose is
6 good for the gander. I don't see why you
7 can't collect it and I wish you luck.

8 It's no secret that I voted for this
9 council majority and I have been 100 percent
10 in support of this council majority, but
11 what I read recently and how you vote
12 tonight replacing Mrs. Cook on the zoning
13 board I think is a mistake. Mrs. Cook was a
14 very good member of the zoning board. A
15 long-standing citizen of this city, she did
16 a great job, and I just think -- I thought
17 we were doing away with this kind of
18 politics when we voted this majority in and
19 I thank you made a mistake in replacing
20 Mrs. Cook. Was there is a reason you voted
21 somebody into her position?

22 MR. ROGAN: Well, we take turns
23 making selections and it was President
24 Evans, myself and Mr. Joyce and we made our
25 selections based on the applications we

1 received.

2 MR. SPINDLER: Well, I can't see
3 anybody being more qualified than Mrs. Cook
4 since she was on there for so long and it
5 looks like just the same kind of politics
6 that we voted people in to try to get rid
7 of. I'm sorry to say that, but that's my
8 belief and I hope this doesn't continue.
9 Thank you.

10 MR. ROGAN: Thank you. Doug Miller.

11 MR. MILLER: Good evening, Council,
12 Doug Miller, I'd just like to begin tonight
13 by apologizing for a statement that I made a
14 few weeks back regarding the Court costs
15 dealing with the budget battle. The
16 statements that I made were not factual
17 knowledge and I apologize for not having my
18 facts that week. There is an old adage
19 that I have learned and that is to engage
20 the brain before putting the mouth in gear,
21 and it's something I will remember for the
22 future and I would hope that other people
23 coming up will remember it as well.

24 And just lastly tonight, because I'm
25 going to be brief, now that the elections

1 are over I'm hoping that both of our
2 governing bodies can stop the infighting and
3 put politics aside and work for the
4 betterment of the city and to try to find
5 solutions to solve our many problems, and as
6 I brought up a few weeks ago, I suggested to
7 council that we look into town hall meetings
8 and I hope you are still considering that
9 because I really think it would be a unique
10 opportunity to gain input from residents who
11 can't make it here, many of whom are afraid
12 to come and speak before council being on TV
13 and other things, and I think it would be
14 worth council's time to gain input from
15 residents with issues regarding the budget
16 and other issues in the city and I'm hoping
17 that you will definitely take that serious.
18 Thank you.

19 MR. JOYCE: Thank you.

20 MR. ROGAN: Thank you. Bob Bolus.

21 MR. BOLUS: Good evening, Council.
22 Bob Bolus, Scranton. What I heard from
23 Mr. Martin here I feel like I'm standing her
24 buying a ticket on the Titanic in the City
25 of Scranton. It's sad to see where we are

1 heading because some people just don't want
2 to pay attention. As far as Jack goes, I
3 know he walked out the door there, but I
4 think, Jack, you should stay the course, you
5 have the support of many people. As I just
6 said, I felt like I was buying a ticket on
7 the Titanic standing here after listening to
8 Mr. Martin tonight.

9 As far as the landfill goes, I think
10 the city should buy what they need and then
11 go to Keystone Landfill or DeNaples or
12 whatever and then get the check for what we
13 buy. You know, they could go out and buy
14 what they want at a discounted price, let's
15 say hypothetically they are putting a value
16 of 100,000 on, but they could buy it for
17 \$75,000, so the city should turn around, do
18 their own buying and then just go to them
19 for the check. You get more bang for your
20 buck instead of letting them just give you
21 what they think they want in hypothetical
22 and I think you should put that in the form
23 of a motion, that's the way you should do
24 business here in the city. Let's spend our
25 money the way we think it should be spent

1 for our own purchasing rather than somebody
2 just adding a pound of bananas when saying
3 they are worth \$10 when they bought them for
4 three.

5 In the city here, you know, I have
6 had an issue going on with the way the
7 resources of the city were used, Gene Hickey
8 used his law department to raise issues over
9 the containers and he proved that the
10 containers belong in the city, can be in the
11 city, and he was totally wrong, but he was
12 using taxpayer dollars to defend a private
13 citizen in the litigation we had. I
14 couldn't be happier to see that he is gone
15 because I just felt he was a bully on a
16 political scene using our money against us.

17 The issue we have, and I'm asking
18 council to look into it to try and resolve
19 it because it's a city-owned piece of
20 property, it's not a property I own, it's
21 not a property Hartman owns or anybody else
22 owns, it's a deeded waterway to the City of
23 Scranton, whether it's used or not is
24 immaterial. The city turned around, issued
25 a building permit based on the deception.

1 They knew, the builder knew, the surveyors
2 knew, the person building the house was
3 fully aware that that 16 1/2 foot
4 right-of-way was owned by the City of
5 Scranton. He received a certified letter
6 that he knew about yet they went and built
7 and the City allowed it to happen, the law
8 department allowed it to happen and they
9 were fully informed and denied ownership.
10 Well, now they have accepted ownership and
11 allowed somebody to build on our property.
12 It's taxpayer property.

13 The property should be put up for
14 sale, and it starts at East Mountain, the
15 dam, it goes right down through the city.
16 People all along have built on this, as Mr.
17 Hartman said, everybody has built there.
18 Well, that's money that is sitting there and
19 revenue to the city. Any of that land that
20 they built on, they have surveyors, they
21 have title insurance, they know full well
22 they were getting something for free.

23 Well, I think that has to end in the
24 city. There has been too many free rides.
25 The land should be put out for bid to the

1 highest bidder and if their house gets torn
2 down on them, somebody outbids it. So be
3 it. You knew about it. You were deceptive
4 about what you did, now you got to pay the
5 piper and the piper is the City of Scranton,
6 it's the taxpayers.

7 When you heard the millions of
8 dollars we are facing in a deficit right now
9 in awards we need every penny, not every
10 dollar, and I would ask a motion be brought
11 forward to the law department to set down
12 legislation putting these properties up for
13 sale. The people are aware of it and if
14 they lose they could go to their title
15 insurance company, they could go to their
16 surveyors, they can go to the people who
17 told them they could build on something that
18 they don't own, and that's where I'm at with
19 all of this.

20 We have blighted properties in the
21 city, let's start tearing them down, let's
22 start putting them out on the auction block.
23 You saw some of the revenue derived from our
24 tax sale last week. Had you put those nine
25 lots or nine acres up for auction I think

1 you would have got a heck of a lot more
2 money than just selling them at the tax
3 sale, so that's something you need to start
4 looking. They were bought on East Mountain
5 last week all of the lots, you approved
6 them, if that was revenue in an auction you
7 can probably triple that because people
8 weren't aware of it. You have to do your
9 research, you could find a deal everywhere
10 and that was a heck of a deal.

11 The University of Scranton, if I
12 may --

13 MR. ROGAN: Sure.

14 MR. BOLUS: They kicked the kids off
15 the Lacrosse team, the junior kids that
16 played in the Lackawanna Lacrosse, they were
17 using the playing field right here where you
18 come into the city, you told them they
19 couldn't use it anymore. Well, during the
20 week, last week, I was awarded a plaque from
21 them because I turned around when they
22 couldn't play anymore and they came to me
23 and I gave them the use of our playing field
24 in the old Jessup dome I gave it to them for
25 free because kids should be able to do

1 something in the city and they gave me a
2 plaque thanking me for what I did, but the
3 thank you that I really enjoyed was seeing
4 these little kids running around playing.

5 And I fault the University, you have
6 had a free ride on the taxpayers in this
7 city, you are asking for more free rides.
8 You are asking us to give up more real
9 estate and you haven't paid a bloody dime in
10 taxes yet you kicked these kids off the
11 field. That's a disgrace because you really
12 don't care about the taxpayers. You only
13 care about their bottom line and we need a
14 to draw the University in to become
15 accountable and the longer we sit back we
16 have a problem.

17 And finally, Corbett had on I guess
18 everybody has been talking about the
19 explosions in the Marcellus Shale. We have
20 the gas line going from the Alliance
21 Landfill all the way to Taylor and Scranton
22 Dunmore and Throop. This is a mine
23 subsidence area. What plans are in place
24 for the disaster that could take place if
25 that line blows? They put it through permit

1 wise they just went right ahead, right up
2 the railroad spur, laid in a gas line, they
3 could care less, the city should be getting
4 revenue, but more importantly we should have
5 in place one heck of an evacuation plan if
6 that line blows because it's through a
7 residential area, it's not out in the
8 boondocks. Thank you, gentlemen.

9 MR. ROGAN: Thank you. Andy
10 Sbaraglia.

11 MR. SBARAGLIA: Andy Sbaraglia,
12 citizen of Scranton. Fellow Scrantonians,
13 no matter who sits as president of that
14 council I find it offensive when you vote on
15 before you listen to the people. It was
16 done before, previous council, I spoke
17 against it then and I've spoke it against it
18 now or in the future. I think it's a bad
19 practice to vote on something before you
20 hear the people speak, even if -- no matter
21 what and we went through that over and over
22 and over again. I would have more respect
23 for Mrs. Evans if she just excused herself.
24 I'll it needs is three members of council to
25 be there and you can vote legitimately, but

1 since it was done it was done, but I had to
2 speak on it.

3 Okay, 7-B, with this darn bridge
4 again. Originally when it came before I
5 don't know, you weren't there, but anyway,
6 it was like \$1.7 million to fix the bridge
7 then they decided to go up to seven point
8 some million, but the main thing is they
9 said when this bridge was finished it came
10 underbid, that's what they said. It was
11 underbid. That means they would have money
12 left over.

13 Now, maybe four months ago this same
14 piece of legislation came before council.
15 Now this is the second time it came, so
16 whether they got money on the first time and
17 then they had to come back a second time, I
18 don't know. I don't know if it's the same
19 piece of legislation or somebody just needed
20 more money, but anyway, that bridge went
21 from being repaired to what it is now and it
22 keeps rising in cost, and right we have to
23 pay for it. It's just too bad that someone
24 really don't get into these things when it
25 it's done, well, they had a lot of people

1 that voted on it, but why it went from 1.7
2 to replace the whole bridge I don't know,
3 but anyway it's done.

4 And the same now you are talking
5 about the unions. Well, I was there when
6 they did all of this. I spoke, Brian Reap
7 spoke, it fell upon deaf areas then, it's
8 going to fall on deaf ears now, but the
9 thing is the money is being paid for by the
10 international. In other words, this isn't
11 just Scranton, this is the whole darn state,
12 every firefighter or policeman in the state
13 is in on this. I don't think they can
14 negotiate, I think it's going to have to
15 stay the course. There is too much money
16 already invested and besides that I guess it
17 affects a lot more municipalities besides
18 Scranton, so it's going to go no matter
19 what, no matter how the cards fall we going
20 to be struck and there is nothing we can do
21 about it.

22 It's just too bad in the very
23 beginning when this was done nobody listened
24 to Brian Reap. Brian Reap was a voice of
25 compromise and it fell upon deaf ears there.

1 He sat often on council. He resigned for
2 one reason or the other, I'm not going to
3 get into the reason why he resigned, but he
4 was one person that if they listened to you
5 wouldn't have all of those problems today
6 because he was a fair person. He believed
7 in fairness to the union and to the city and
8 it's just too bad. Where we stand now is
9 because they just wanted to do what they
10 did. It didn't make any sense to force all
11 of them people to retire and then rehire all
12 new replacements. No, it didn't make sense.
13 That's what Brain Reap said, let's work out
14 some way where they can get their medical up
15 to 65 and that's what he wanted, and instead
16 of free forever and ever, he wanted to make
17 it up to 65 when they went on Medicare and
18 so be it, and I think they would accept it
19 back then, but instead we stand where we are
20 now it's because people wouldn't listen and
21 that's where we are going to be because
22 people can't listen and you can't change it
23 now. It's too far gone.

24 There is no more point for
25 compromise and there is no more compromise

1 when this mayor, by council, I don't care
2 what you say, you cannot compromise when
3 this mayor. He definitely doesn't listen.
4 He has done whatever he wants he is going to
5 do it or try to do it. I mean, that stupid
6 remark about -- up there at the park that
7 was offensive. To blame council for a
8 lousy -- I guess it was a concert. Why
9 blame council for a concert? You had
10 nothing to do with it. In fact, anybody
11 with brains knew that you lost. You lost
12 with the judge so everything that the mayor
13 did. Thank you.

14 MR. ROGAN: Thank you. Bill
15 Jackowitz.

16 MR. JACKOWITZ: Good evening,
17 Council. Bill Jackowitz, South Scranton
18 resident, member of the Taxpayers'
19 Association. First I would like to remind
20 Attorney Patterson, Mayor Doherty and
21 Scranton City Council and all elected and
22 appointed officials that you work for the
23 taxpayers and the citizens of Scranton.
24 Attorney Patterson, you do not work for
25 Mayor Chris Doherty. Look at your paycheck.

1 It comes from the City of Scranton which is
2 a community composed of citizens and
3 taxpayers so I recommend that you start
4 working for the taxpayers not the mayor.

5 Mr. Mitchell, you also did not work
6 for the mayor, you work for the citizens of
7 the City of Scranton.

8 Hanlon's Grove, has anyone on
9 council been up to Nay Aug Park to look at
10 the Grove?

11 MR. MCGOFF: Yep.

12 MR. JACKOWITZ: You have,
13 Mr. McGoff?

14 MR. MCGOFF: Yes.

15 MR. JACKOWITZ: It is very nice.
16 You have five concrete slabs with two picnic
17 tables on each slab, and two grills on each
18 slab for a total of 10 picnic tables and ten
19 grills. There is only one very important
20 ingredient that is missing. Shade. Has
21 anyone ever been on a flight line? For
22 example, at an air show or maybe you work
23 with blacktop or concrete on the street or
24 highway repair on days when the temperature
25 is between 85 and 95 degrees and the

1 humidity is high? The temperature at those
2 picnic tables will be way over 100 degrees.
3 Why would anyone picnic at the Grove when
4 they can be in the shade or at one of the
5 pavilion plus in order to cool off they
6 would have to pay \$3 to use the pool or
7 slide at Nay Aug park. Whoever made these
8 plans forgot the shade. Another good
9 project poorly designed and thought out.
10 Someone should look into that. There are
11 some small trees that are planted that are
12 going to take 20 years to grow. They need
13 to put some shade in Hanlon's Grove, other
14 than that it's beautiful. It's a beautiful
15 picnic area, but we need shade.

16 Council, I would like to thank you
17 for doing your research and your job. It
18 seems to me that all five of you are trying
19 to work off the same page. Now if we can
20 only get some cooperation from the mayor and
21 his department heads the city just might
22 start to make some progress. Still waiting
23 for all of Mayor Doherty's visions to come
24 to light. Projects are never completed,
25 only started. When the few are completed

1 they have flaws.

2 Unemployment, 10 percent, highest in
3 the state. How can that be since Mayor
4 Doherty created 9,000 jobs in Scranton
5 alone. Maybe the mayor can attend the
6 council meeting and explain how this could
7 happen. Keep up the good work, council, the
8 majority of the residents are backing you.
9 Do not let us down.

10 I am somewhat disappointed to hear
11 that council will not be meeting in August.
12 Maybe a meeting is not necessary every week,
13 but I do believe that the budget work
14 session should be conducted and citizens'
15 participation should be welcomed.

16 Also, have all of the departments
17 complied with the 31 May 2010 deadline?
18 Mr. Joyce already answered that question for
19 me, they have not for the audit.

20 Also, I am also happy to see that
21 the July meetings will be the 6:30. I think
22 it's a good decision, also.

23 I see where a company from Jessup is
24 suing the city for nonpayment, Sardoni also
25 is suing, Mr. Bolus has threatened to sue,

1 Mr. Hartman is threatening to sue,
2 Councilman Loscombe is suing the city, all
3 of these suits must stop. We are losing
4 arbitrations, we are losing Court battles,
5 they have to stop. You know, this must
6 stop, otherwise, you can put a fork in the
7 City of Scranton it is well done.

8 Finally is there any truth in the
9 rumor that none of the companies, none of
10 the companies that did work and the 500
11 block of Lackawanna County have been paid?
12 That's one of the reasons Sardoni was suing
13 because they haven't been paid for the work
14 they have done. Okay, can you check into
15 that? I have been told that none of the
16 companies have opinion paid forth work. If
17 so, why not? What happened to all of the
18 federal and state grant money that was given
19 to the developer? We need to bring this
20 person into council to explain if these
21 bills have not been paid.

22 Again, I have been told that they
23 have not been paid. We have one person
24 suing for nonpayment now. He worked on the
25 park on the 500 block of Lackawanna Avenue.

1 We need to find this out immediately if not
2 sooner even if it means that we have to
3 subpoena the developer, whatever it takes to
4 get him in here and find out for sure.

5 Where are the tenants? There is
6 still no tenants and from my understanding
7 there are no tenants applying for those new
8 buildings on the 500 block of Lackawanna
9 Avenue. Maybe it's because they found out
10 the contractors haven't been paid. That's
11 just my assumption no more than that. But
12 more importantly, where did the grant money
13 go. We need to find out where did that
14 grant money go. We got \$30 million plus of
15 taxpayers' money tied up. Where is that
16 money and who has it.

17 And finally, "Kids Swim Free," six
18 years old to 15 years old. Anyone can make
19 a donation. All donations will be accepted.
20 Make checks/money orders out to "Kids Swim
21 Free", mail it to 1416 South Webster Avenue,
22 Scranton, Pennsylvania, 18505.

23 MR. ROGAN: Thank you. Is there
24 anyone else who would like to address
25 council?

1 MR. GONZALEZ: Good evening, Council
2 and all in attendance. My name is Pedro
3 Gonzalez, city resident and taxpayer. First
4 off, I would like to -- I couldn't hold my
5 tongue and I have to make my mention of
6 article on the placement of council member
7 of -- excuse me, the zoning board member
8 7-E&F. I understand Mr. McGoff and
9 Mr. Spindler may feel the same way, but
10 there is two sides to every coin. We feel
11 that you guys made a great choice. We
12 ourselves, the minority community, have been
13 attacked by these individuals simply because
14 of our support that we have shown for the
15 majority council. And, please, don't allow
16 us to be put back on the firing line by
17 considering to reappoint someone there.
18 Again, I know everybody has their own
19 opinion, there is two sides to every coin,
20 that's ours in the minority community
21 opinion simply because of our show of
22 support for the majority council we were
23 attacked. It wasn't a good feeling and we
24 don't want that again.

25 So moving on, we have two events

1 coming up, one July the 24th is the Day for
2 the Lord event. It's our annual church or
3 house of worship picnic that we do at Nay
4 Aug Park. It's a free event for all houses
5 of worship, for all churches or ministerial,
6 anyone who would like to involved. It's in
7 the grassy knoll section of Nay Aug Park.
8 That's the park all the way in the back end
9 of the park. Again, it's going to be from 1
10 to 7, July 24, 2010, in the grassy knoll
11 section of Nay Aug Park. We welcome all
12 houses of worship, communities, cities and
13 towns to this one-day picnic event filled
14 with food, entertainment and activities for
15 the whole family.

16 Again, it is a picnic so please
17 bring your own covered dish or picnic that
18 we are allowed to grill out there. The show
19 mobile will be out, we will be providing
20 entertainment and that's also going to be
21 free for all who attend.

22 Next, will be the August event.
23 This is our fifth year, August 14 and 15 is
24 our Latin Pride weekend, we have three
25 months to go. We have many individuals that

1 come out and attend this every year, it's
2 growing every single year. We are so happy
3 with the progressive -- positive
4 progressiveness that's come about from this
5 event. I have a letter of intent and
6 participation form for council. I also gave
7 one to Mayor Doherty. Our hopes are that
8 you guys participate in some, shape or form,
9 the same with the mayor and his
10 administration in some shape or form.

11 This year we have a carnival coming.
12 We were allowed by the commissioners, we
13 took over the Linden Street section of the
14 courthouse last year. This year we were
15 given permission to bring a carnival, and
16 again, the progressiveness of this, who
17 knows what it's going to turn into ten years
18 from now. One of the commissioners made
19 mention that the Italian festival started
20 with four vendors on a corner of one the
21 courthouse squares about 30 some odd years
22 ago, so who knows where we are going to be
23 in 30 years and I pray that I'm still alive
24 and that I'm still kicking and it is
25 positive and progressive at the same time.

1 So I'm going to leave this here with this
2 lovely young lady and they she can give it
3 to Councilwoman Evans and hopefully you guys
4 can relay the messages that I have set forth
5 here for this Council to her.

6 MR. ROGAN: Sure.

7 MR. GONZALEZ: And, of course, our
8 constant support for this majority council.
9 And as always, you guys are doing a great
10 job, keep up the good work, everyone here
11 and, you know, we love it that we have to
12 participation and, you know -- when the
13 zoning issue there was an article written in
14 the Times-Tribune which got no response from
15 any of them and such is life, we move on,
16 and that will be the last that I will
17 mention that because there are bigger and
18 better things to do in life than to keep
19 getting fried by a city zoning board, and I
20 thank God that there is that other options
21 out there.

22 So with that said, my name is Pedro
23 Gonzalez. God bless you all and thank you
24 you for allowing me to express myself.

25 MR. ROGAN: Thank you. Is there

1 anyone else that would like to address
2 council?

3 MR. NEWCOMB: Good evening, Council,
4 Charlie Newcomb. I came here tonight to
5 speak on the issue in Keyser Valley with the
6 underground camera report, but Mrs. Evans
7 touched on it before. The holdup on the
8 Keyser Valley project that is going to be
9 brought in through PennDOT is this report.
10 I mean, Representative Murphy's office,
11 Mr. Tell, has been asking the city of for
12 this report as well as PennDOT for nearly
13 two months now since we had a meeting and
14 they need to do where the lines from the
15 city goes so they can tie in with the state.
16 The 400 and 500 block of Cameron Avenue the
17 project I think was completed today, now
18 they need to move down to us to stop us --
19 me from having lake front property.

20 I asked a couple of times about a
21 stop sign on the corner of Price and North
22 Cameron and they put a stop sign shortly
23 after I first asked about it, but like I
24 think I told you before they put it in the
25 wrong direction, it needs to be coming I

1 guess it would be north from Lafayette
2 Street coming up because literally if you
3 clock people coming up that street to take a
4 shortcut from Keyser two telephone polls are
5 200 feet wide, you will get people going 55,
6 60 miles and it's not going to be a good
7 thing if my children step out in front of
8 those cars, so --

9 MR. LOSCOMBE: That was forwarded.

10 MR. ROGAN: We sent that to
11 Mr. Brazil.

12 MR. NEWCOMB: As the summer
13 continues and the baseball fields gets
14 busier it's becoming a major issue. As
15 you're coming up, I don't come to the
16 meetings often, no offense I would rather be
17 home, but I came because of a water problem,
18 but while I was sitting back there I just
19 jotted down two budget ideas that I think
20 you should consider for your upcoming budget
21 and I had stated in here at the podium
22 awhile back, one would be to charge Rescue 1
23 for accidents. I mean, Rescue 1, maybe,
24 Mr. Loscombe, you would know how much times
25 they go out on a call on a daily basis and

1 probably the majority of these people don't
2 even live in the city so it's not like the
3 residents would be double dipping, we are
4 offering that service. If they are going
5 out there and providing a service we should
6 charge for it just like the ambulance
7 companies or anybody else would.

8 And also a cardboard program. I
9 mean, I for one know the amount of cardboard
10 that I throw out in my house on a yearly
11 basis is astonishing, so I can only include
12 that.

13 And finally, as you know, I have
14 been an avid supporter of this city council
15 and, Mr. McGoff, write this date down
16 because I wholeheartedly agree with what you
17 said earlier about Mrs. Cook, I'm very
18 disappointed in this council not
19 reappointing Mrs. Cook to the zoning board.
20 I've never had an issue with the zoning
21 board, I never had to go before the zoning
22 board, but occasionally I watched a couple
23 of the zoning board hearings and I found
24 Mrs. Cook to be very informative as far as
25 what went before her. I don't know what

1 happened, if politics were at play or what,
2 I don't know. I know Mr. Williams, I know
3 Mr. Stange, they are both very good people,
4 I have nothing against them. I just don't
5 know what happened in this particular
6 instance, but I really believe Mrs. Cook
7 should be reappointed to the board, and this
8 comes from somebody that doesn't like
9 politicians or appointed people being in
10 positions of power for a long period of
11 time, but if you are good at your job then I
12 really think you should be given the
13 opportunity to stay there, so I just wanted
14 to put that on the record. Thank you.

15 MR. ROGAN: Thank you.

16 MR. LOSCOMBE: Charlie, I just
17 wanted to let you know on Rescue 1 when that
18 was put into service back in '91 I believe
19 it was, that was the original intention.

20 MR. NEWCOMB: Yep.

21 MR. LOSCOMBE: Because the insurance
22 companies were paying for auto accidents and
23 stuff like that, but subsequent
24 administrations have missed the ball on
25 doing the actual billing on that.

1 MR. NEWCOMB: I specifically
2 remember why I'm here, I was involved in a
3 very bad accident in the city in 1997 and
4 Rescue 1 responded and had to extricate me
5 and the other person. I remember my
6 insurance company specifically being charged
7 for that fee, I mean, through the whole
8 process, and I think at that time it was
9 like \$350 or \$450 and I never knew that that
10 went away. I mean, add that up on a daily
11 basis, I mean, and then the insurance
12 company is responsible to pay that and, I
13 mean, they are not going to stop from paying
14 because it happens in surrounding
15 communities that you charge for that
16 service.

17 Oh, and just on a final note with
18 the Crisp Avenue bridge, I don't want to see
19 our project for five years now since this
20 Crisp Avenue project being on hold because
21 people can't get their act together. I
22 mean, it's completely -- there is no excuse
23 for it. I mean, it's not going to cost the
24 city anything. It really blows my mind, so
25 thank you.

1 MR. ROGAN: Thank you.

2 MR. JOYCE: Thank you.

3 MR. SLEDENZSKI: I got a surprise
4 for you, Jack. I got a surprise for you,
5 buddy. You can't see this. I made a copy
6 for you. Look at you, you handsome devil
7 you.

8 MR. LOSCOMBE: That's a bad mug
9 shot.

10 MR. SLEDENZSKI: You look good. You
11 look good. Okay, Pat, make an announcement
12 for Sunday.

13 MR. ROGAN: Sure.

14 MR. SLEDENZSKI: Jazz festival, 5 to
15 7, June 13, Sunday, stop by for music. All
16 I'm saying it's going to be good. Thank
17 you.

18 MR. ROGAN: Thank you.

19 MR. TALIMINI: Joe Talimini, City of
20 Scranton. First of all, Mr. Loscombe, I'd
21 like to applaud you because it's about time
22 somebody stood up to the First and Fourth
23 and Fourteenth Amendments of the
24 Constitution. Unfortunately, the people of
25 Scranton don't realize that we are under the

1 constitution of the United States, and I'm
2 happy to see you filed the suit, and I hope
3 you will get justice out of this thing.
4 There's an awful lot of people behind you on
5 this and it might open their eyes to see
6 that we do have rights in this city
7 regardless of what the city administration
8 and the state -- or, excuse me, the
9 Commonwealth of Pennsylvania think.

10 Now, with regards to what I call a
11 golden octopus, which is the University of
12 Scranton, I believe I was told not too long
13 ago that there would be no impediment of
14 traffic on Mulberry Street because they were
15 only widening a sidewalk. Well, I can get
16 you a half a dozen retired masons who could
17 have done that sidewalk inside of a week.
18 It's going on for over a month now and I'd
19 like to know exactly what is going on with
20 the expansion of that sidewalk. Not only
21 that, but there was a sidewalk on Jefferson
22 Street which was taken care of as well.
23 There was a gentleman out there directing
24 traffic, they had Mulberry Street down to
25 one lane while they are doing work. I don't

1 know if anything came up along those lines
2 either or was brought up before this
3 council, but they are going to be coming up
4 here and I hope you people will take into
5 consideration the impact that's going to
6 have on Mulberry Street when that heavy
7 equipment comes in and starts building up
8 there because it's going to be a lot more
9 than just a temporary discomfort for the
10 citizens.

11 That is very heavily traveled road.
12 It is an access road for all three
13 hospitals, ambulances are coming in on a
14 constant basis, fire trucks, police cars,
15 there are a lot of emergencies up there, not
16 only during the construction, but what
17 happens when those kids start crossing the
18 DeNaples Center back and forth they don't
19 know where the cross walk is to begin with.
20 They will constantly walk back and forth and
21 I want to see what's going to happen. I
22 hope you do a real close study on the impact
23 it's going to have on traffic before you
24 approve it.

25 And I know the administration is

1 going to have a fit because we're saying
2 something like this, but facts are facts.
3 You cannot keep giving away the City of
4 Scranton to the University. As it is right
5 now, they are just gobbling up everything in
6 sight, and as I pointed out once before they
7 took in \$183 million a year and I think they
8 gave back \$100,000 in lieu of taxes. It's
9 ridiculous. It's absolutely ridiculous. I
10 have nothing against education, but when it
11 infringes upon the rights of the citizens of
12 this city and they are just gobbling up
13 taxpayers' property, uh-huh. Something is
14 rotten in Denmark.

15 And speaking of Denmark, before you
16 start spending anymore money, I would hope
17 that you are studying what's going on with
18 the world economy because we just don't have
19 the resources anymore. We don't have the
20 standing in the world community anymore.
21 You are taking nations in Europe which are
22 going under because they did the same thing
23 the City of Scranton has been doing for
24 years. They have overspent and didn't have
25 the money coming in. Absolutely ridiculous.

1 So before you start spending anymore money
2 and before Mrs. Aebli gives away anymore of
3 OECD funds, I would hope that you would take
4 a good close look at what's going on. There
5 are hundreds of thousands of dollars, if not
6 millions, that are owed to this city by
7 developers who keep coming back for more.

8 Now if you are going to be in the
9 handout business I'm going to be next in
10 line and I want \$250,000 in cash with a
11 promise that I'll pay it back when I reach
12 193, but not before. And I can claim
13 nonprofit status as well because I'm sure as
14 hell don't make a profit with what I'm doing
15 now. So I'd only ask you to use good common
16 sense, which is something that's been
17 lacking in this city council for many, many
18 years, and now that we had a chance to look
19 at it forget the politics and forget who you
20 owe any favors to because those days are
21 gone, and believe me, we are going to hold
22 your feet to the fire because you are the
23 elected representatives now and I would hope
24 that you have that in mind before this
25 budget comes up and cut everything you can

1 write down to the bare essentials until this
2 city gets back on it's feet. Thank you very
3 much.

4 MR. ROGAN: Thank you. Is there
5 anyone else who would like to address
6 council?

7 MS. SCHUMACHER: Good evening, Marie
8 shy maker. City resident and taxpayer,
9 member of the Taxpayers' Association. First
10 thing I would like to know is what is the
11 status of the PEL Recovery Plan? I think we
12 have been without a Recovery Plan longer
13 than the Recovery Plan itself was in effect
14 at this point and is there going to be one,
15 is there not going to be one?

16 MR. ROGAN: I think they are working
17 on it now. I know they requested to meet
18 with us, but they wanted to meet privately
19 and we wanted a public meeting and I know
20 when we first got sworn in Councilman
21 Loscombe and myself we had a meeting with
22 PEL regarding that and we haven't heard
23 anything from them.

24 MS. SCHUMACHER: Well, when you met
25 with them when did they say this was going

1 to be presented?

2 MR. ROGAN: Do you remember,
3 Councilman Loscombe?

4 MR. LOSCOMBE: They were --
5 originally when we met with them I believe
6 they said March and April, but here we are.

7 MS. SCHUMACHER: Did they say which
8 year?

9 MR. LOSCOMBE: Yeah. I don't know
10 what the tie up is this time. I believe
11 Mrs. Evans even mentioned they were supposed
12 to come and present the newer plan, but we
13 haven't heard anything.

14 MS. SCHUMACHER: Well, I would
15 suggest somebody touch base with them
16 because that could have a significant impact
17 on the budget for next year, so I would like
18 to see that.

19 And speaking of the budget, I think
20 there is a couple of things we could look
21 at. Number one, I think if we charged the
22 University of Scranton students 25 bucks for
23 jaywalking, and maybe everybody else who
24 jaywalks, we might be out of the hole in
25 nothing flat. I really do think that's

1 something that should be considered because
2 it's especially frustrating when you go up
3 Mulberry Street and they have crosswalks at
4 both sides of the corner and not just one
5 and they still insist on cutting across, and
6 when the classes get out I don't know what
7 building that is down in the I guess it
8 would be the 100 block or 200 block of
9 Jefferson and class gets out you go around
10 that corner, you know, they just don't care,
11 and I think \$25 jaywalking fine would put
12 some manners on them fast.

13 The other thing is do you know, I
14 guess Mr. Joyce, how much will our property
15 taxes decrease next year due to the
16 expiration of the KOZ status at the end of
17 this year?

18 MR. JOYCE: How much will property
19 taxes increase are you asking?

20 MS. SCHUMACHER: Increase our
21 revenues, what would be the increase in
22 revenues?

23 MR. JOYCE: At this point I'm not
24 100 percent sure, but I will find that out
25 for you. I will look into that.

1 MS. SCHUMACHER: Thank you. And
2 then just a little -- I would like to
3 request that when you schedule caucus
4 meetings that they also be posted on the
5 city council website so we don't have to
6 call and bother the office every week.

7 Regarding the blight, I guess maybe
8 I missed something, but I distinctly heard
9 Mr. Smith say it was his intent if this --
10 if any blight legislation that's developed
11 is going to pass quickly that it has to be
12 specific to a two-way city in which Scranton
13 is the only one, if it's going to go through
14 fast. If it's going to effect everybody in
15 the whole state it would take a whole lot
16 longer.

17 Then last week somebody mentioned a
18 10 or 15 year contract with Comcast and I
19 would hope that's not true. I don't know of
20 anybody on the council has made any contact
21 with Verizon, but Verizon has been doing
22 their own fiber optics and they would be a
23 big competitor should they get their fiber
24 link, so I would think before anything is
25 approved with Comcast that you find out when

1 Scranton area is on the Verizon schedule for
2 their fiber project.

3 Another thing, I have asked this
4 before and nothing has happened and maybe
5 it's not possible, I don't know, but I don't
6 know why it should be impossible and that is
7 that you request that all of the authorities
8 send copies of their minutes both to the
9 city council office and to the Albright
10 library reference department so everybody
11 can read those as it's convenient for them
12 and they will be available without bouncing
13 and making appointments at every single
14 authority.

15 I think the questions that were
16 raised tonight on the status of whether
17 pools are going to be opened or what's
18 happening should certainly be in the Rec
19 Authority minutes.

20 MR. ROGAN: Mrs. Krake, could we
21 send that request?

22 MS. SCHUMACHER: And then a couple
23 of things, questions on Crisp Avenue Bridge.
24 I'd like to go back to a letter that
25 Councilman Courtright read on the 9th of

1 September 2008. It says, "We are
2 corresponding regarding the schedule for
3 replacement of the Crisp Avenue bridge. In
4 November 2007, the city bid and subsequently
5 awarded a contract to design and permit the
6 replacement of the Crisp Avenue culvert
7 damaged by the 2006 flooding. The resultant
8 construction project was to completed by
9 August 23, 2008, and approximately eight
10 months start to finish schedule. During the
11 course of the design and replacement of
12 structure --"

13 May I finish this?

14 MR. ROGAN: Yes.

15 MS. SCHUMACHER: Thank you. "The
16 city's designed consultant discovered
17 discrepancies between the existing site
18 conditions and the FEMA flood study. The
19 Pennsylvania Department of Environment
20 Protection indicated that the general permit
21 originally contemplated for this project may
22 not be issued because the regulatory flood
23 elevations cannot be met. The Pennsylvania
24 Department of Environmental Protection
25 requires that the difference with the FEMA

1 study and the existing conditions be
2 reconciled prior to measure permitting and
3 replacement. They are also requesting a
4 more complex permit be obtained satisfying
5 the Pennsylvania Department of Environmental
6 Protection requirements necessitates a much
7 longer permit time frame than that which was
8 originally contemplated.

9 As the Pennsylvania Emergency
10 Management Agency had a hard deadline of
11 August 23 with no permit from the
12 Pennsylvania Department of Environmental
13 Protection, we asked for a one-year
14 extension to complete the project. Further
15 funding is a potential issue due to the
16 change in the permitting scope. Both PEMA
17 and the DEP are exploring supplementing the
18 existing project fund.

19 Now, since the Crisp Avenue bridge
20 is a FEMA fund that means they only pay 75
21 percent and the municipality or the state is
22 responsible for the other 25 percent.

23 MR. ROGAN: I think we have money
24 from the state for the 25 percent.

25 MS. SCHUMACHER: You think or you

1 know?

2 MR. ROGAN: I'm not exactly sure on
3 that, but I'm pretty sure -- well, the whole
4 project is being financed without Scranton
5 taxpayers' dollars.

6 MS. SCHUMACHER: You are positive of
7 that?

8 MR. ROGAN: 95 percent sure. I'll
9 find out for sure next week.

10 MS. SCHUMACHER: Okay, and I know
11 there was \$150,000 put in the Recovery Plan
12 CDBG budget, but I don't it that's still
13 there because that was supposed to have been
14 spent within the -- the rules said 120 days
15 and that would have been the end of last
16 calendar year.

17 MR. ROGAN: That's the concern that
18 we are going to lose the money that that we
19 have for this project and when we finally --
20 Mr. Courtright's letter was from what year?

21 MS. SCHUMACHER: 2008. September 9,
22 2008.

23 MR. ROGAN: 2008, and we are almost
24 two years later and we just got the DEP
25 approval and I think it was two months.

1 MS. SCHUMACHER: Do you know what
2 DEP approved? Did they do a redesign to
3 make that compatible with the flood --

4 MR. ROGAN: I'm not exactly sure. I
5 just know that we got the approval.

6 MS. SCHUMACHER: Well, I just hope
7 it's the correct approval.

8 MR. ROGAN: Yeah.

9 MS. SCHUMACHER: And I would hope --
10 there aren't that many projects, that I
11 think you could follow-up a lot closer on
12 these and not wait, you know, here we are
13 several years away. Thank you for the extra
14 time.

15 MR. JOYCE: Before the next speaker
16 comes up, Mrs. Krake, can you send a letter
17 to Mr. Courtright and ask him how much tax
18 revenue we will generate from the KOZ
19 properties when they expire next year?

20 Also, in regard to the Comcast
21 agreement, I know Mr. McGoff mentioned that
22 it would be wise to speak with the attorneys
23 before we move forward, correct, and that's
24 something that we have agreed that I
25 personally would like to speak to the

1 attorneys about that handling the
2 negotiations and before we move forward with
3 anything that's something that we are all
4 hoping to do.

5 MR. ROGAN: Agreed.

6 MR. ANCHERANI: Good evening.
7 Nelson Ancherani, First Amendment Rights.
8 For the last nine years, police and fire
9 unions have been getting bad mouthed by this
10 administration for being the cause of the
11 city being in the financial straights they
12 are in. I just want to remind council and
13 the people out there that is not the police
14 and fire unions that have put this city in
15 it's 300 to 400 million dollar long-term
16 debt, a debt that will be paid by our
17 children and grandchildren. I have been
18 saying for years that our police and fire
19 budgets have remained fairly static since
20 2002, when in administration took over.
21 This administration has not given out one
22 raise to the police or fire personnel,
23 that's for nine years.

24 Speaking of raises, the city will
25 have paid out cumulatively 25 million in

1 raises and new hires over the last nine
2 years while police and fire personnel got
3 nothing. So, who do we blame? Not the fire
4 or the police. You heard a little while ago
5 tonight from the president of the FOP when
6 he spoke about the State Supreme Court's
7 decision to hear the police and fire cases.
8 For nine years now, numerous arbitrations
9 brought about by the unions and one by the
10 unions have been appealed by the city. The
11 police and fire contracts were violated so
12 many times by the city a road map is needed
13 to keep us and track for what cases are
14 coming up for hearings, appeals,
15 arbitrations or PLRB hearings.

16 Outside attorneys have been paid
17 well over a million dollars fighting the
18 unions with as much \$600 an hour being paid
19 by the city for some of them. I will ask
20 again if anyone knows how many times the
21 city has filed grievances against the
22 unions? I'll answer you. None. We have to
23 abide by the contracts. The city just
24 violates them. When it comes time to pay
25 Peter, when he is at the door, and it looks

1 like he is coming soon, we are in deep
2 manure. The taxpayers again are going to
3 suffer.

4 At this point the unions have been
5 kicked in the head for the last nine years
6 and see a dim light at the end of the tunnel
7 that the light can be seen. The unions know
8 there are no guarantees as to which way the
9 Courts will decide, but at this point if the
10 Courts take anything away from us at least
11 we won't be giving it away to this
12 administration. I know I can live with
13 that.

14 The only winners here are the
15 attorneys that have been filing appeals.
16 For nine years the city had deep pockets,
17 that's coming to an end. With next year's
18 budget things are going to be stormy once
19 again. Thank you.

20 MR. ROGAN: Thank you.

21 MR. JOYCE: Thank you.

22 MR. ROGAN: Is there anyone else
23 that would like to address council?
24 Entertain a motion to adjourn.

25 MR. MCGOFF: So moved.

MR. ROGAN: Meeting adjourned.

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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