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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, July 13, 2010

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

JANET EVANS, PRESIDENT

PAT ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK
(Not present)

CATHY CARRERA, ASSISTANT CITY CLERK

JAMIE MARCIANO, CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. MARCIANO: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. MARCIANO: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. MARCIANO: Mr. Loscombe.

9 MR. LOSCOMBE: Here.

10 MS. MARCIANO: Mr. Joyce.

11 MR. JOYCE: Here.

12 MS. MARCIANO: Mrs. Evans.

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

15 MS. CARRERA: THIRD ORDER. NO
16 BUSINESS AT THIS TIME.

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

20 MR. LOSCOMBE: Yes, I have a couple.
21 There be a fundraising spaghetti dinner for
22 a former firefighter from Scranton, a good
23 friend of mine, Jim Fanning, who is
24 suffering from several medical problems and
25 it will be held at the Clarks Summit Fire

1 Department Hall at 321 Bedford Street on
2 Saturday, July 31, from 1 to 4 p.m.

3 Admission is \$10 per adults and \$5 for
4 children. For more information you can call
5 Rose Costa at 815-7703.

6 Next Saturday, July 17, the
7 Fraternal Order of Eagles is having their
8 third annual ribfest. The doors open at
9 1:00 p.m., with the ribs starting at 3 until
10 8. Tickets are \$15 and must be bought at
11 the club 493 Meridian Avenue by this coming
12 Tuesday. There be will a DJ starting at 3
13 to 7 and a second DJ starting at eight at
14 night. There will be baskets to raffle off
15 and various prizes to give out. All money
16 will go to the American Cancer Society.
17 Tickets can also be bought at the door for
18 \$20, so it's \$15 in advance, \$20 at the
19 door.

20 And the last one is a benefit for
21 Gene O'Malley, Saturday, August 21, 2010, at
22 the Parker House, 12 East Parker Street,
23 Scranton. The time is 7 to 11. Tickets are
24 \$10, includes food, beer and music, and it
25 will be selling chances and 50/50 tickets.

1 Gene grew up in the Greenridge area of
2 Scranton and graduated from Scranton Tech in
3 1985. He suffered a spinal cord injury in
4 April. This benefit will help with his
5 medical costs as he completes his
6 rehabilitation and regains his mobility.
7 That's it. Thank you.

8 MS. EVANS: Are there any other
9 announcements?

10 MR. ROGAN: Yes. The Pinebrook
11 Neighborhood Association block party and the
12 Opal Lucas Memorial Softball Tournament will
13 be held, Saturday, August 21, at the
14 Pinebrook baseball field. Co-ed teams are
15 needed for the softball game and there will
16 be a \$100 team entry fee. You can contact
17 Megan Lucas at 241-4833 or e-mail at
18 MAGZ182@yahoo.com.

19 MS. EVANS: Anyone else? Mrs. Krake
20 is unable to attend tonight's meeting due to
21 a death in her family, therefore, clerk's
22 notes will be resumed next Tuesday.

23 The caucus with the Pennsylvania
24 Economy League has been reschedule for
25 Tuesday, July 27, at 5:30, since council

1 members wish to pay their respects to the
2 Krake family at tonight's viewing.

3 The weekly schedule for street
4 cleaning is as follows: July 12 to July 16,
5 Washburn Street to Elm Street in West
6 Scranton, and July 19 to July 23, Oak Street
7 to Wood Street in North Scranton.

8 Saint Peter's Lutheran Church will
9 host a Friendly's family fun night this
10 Thursday, July 15, at Friendly's in Dunmore
11 to benefit three-year-old Emily Donovan. At
12 age 20 months she was diagnosed with a
13 cancerous brain tumor, has since undergone
14 surgery and radiation and currently receives
15 chemotherapy. Emily will be traveling to
16 St. Jude's Hospital in Memphis for further
17 treatment. Please help Emily and her family
18 by supporting this very worthy event.

19 Saints Peter and Paul Russian
20 Orthodox Church on Washburn Street in
21 Scranton will hold it's annual chicken
22 barbecue on Sunday, July 18, from noon to 2
23 p.m. at the Parish Center. Takeouts are
24 available and donations are \$9.00.

25 Rolling Thunder Chapter III will

1 conduct it's 11th annual salute to Veteran's
2 ride on Sunday, July 18, dedicated to the
3 memory of Lance Corporal Larry M. Johnson,
4 USMC, who was killed in action in
5 Afghanistan on February 18. Larry was a
6 wonderful young man who was also my student
7 at Scranton High School. Registration for
8 the ride is from 9 a.m. to 11:30 a.m. The
9 ride itself begins at one noon in the Gino
10 Merli Veteran's Center at the corner of
11 Mulberry Street and Penn Avenue in Scranton.
12 A picnic with resident veterans will follow.

13 The Greenridge Assembly of God
14 Church will hold a spaghetti dinner
15 fundraiser this Saturday, July 17, from 4:00
16 to 7:00 p.m. Proceeds from the dinner will
17 be used to help purchase a specially
18 equipped handicapped van for Ralph Vanzilli,
19 a 16-year-old boy with cerebral palsy.
20 Tickets are \$8 for adults and \$4 for
21 children 12 and under and can be purchased
22 at the event. If unable to attend, you may
23 mail donations to "Van for Ralphie Fund" PNC
24 Bank, 210 Peen Avenue, Scranton, PA, 18503.

25 And, finally, the annual nine-day

1 solemn novena to St. Ann will be conducted
2 at St. Ann's Shrine Basilica in Scranton
3 beginning this Saturday, July 17, through
4 Monday, July 26, the feast day of St. Ann.
5 Tens of thousands of the faithful will
6 travel to this novena and the City of
7 Scranton is blessed to be home to this
8 international treasure, which is one of very
9 few basilicas located worldwide, and that's
10 it.

11 MS. CARRERA: FOURTH ORDER.

12 CITIZENS' PARTICIPATION.

13 MS. EVANS: Our first speaker
14 tonight is Andy Sbaraglia.

15 MR. SBARAGLIA: Andy Sbaraglia,
16 citizen of Scranton, fellow Scrantonians. I
17 usually comment mostly on agenda items, but
18 I'm going to steer a little away from it. I
19 was reading in the paper extortion.
20 Articles and articles being written saying
21 people are extorting, extortion. All taxes
22 are a form of extortion and when people are
23 paying more than other people that is
24 extortion. When I have to pay taxes for a
25 third of the city that doesn't pay taxes

1 that's a form of extortion. Somethings got
2 to be done with the nonprofits. I don't
3 know if we have to go all the way to
4 Harrisburg, but I read a lot of articles on
5 it down in Pittsburgh and so forth they have
6 a way of squeezing some money from these
7 nonprofits.

8 Now, I'm not going to say there has
9 been not a benefit to have the University of
10 Scranton here, okay, that would be
11 ridiculous to say that because when I worked
12 for the elevator company I took care of the
13 elevators there, so that was a benefit and
14 then, of course, there was many more people
15 who did the same, a lot of tradesmen when we
16 built the place and so forth and so on.
17 Yeah, there is a benefit, but there is also
18 a dark side to it, too. You got a positive
19 and you also got a negative, and the
20 negative is the city is the population of
21 the city keeps dwindling and the nonprofits
22 are growing. When you put them together you
23 see a dark picture ahead for the people of
24 Scranton. You just can't do it. People,
25 you got to do what you can to get what you

1 can from the nonprofits. Maybe through
2 Harrisburg as being a 2-A city there may be
3 a little push there because we are the only
4 ones that are 2-A. Scranton itself was
5 given that title a long time ago when we had
6 a 120 or 130,000 people here, but we are now
7 down to half of that now and we are still
8 going by the same laws we did when we had
9 all of them other people there.

10 Plus, as you know, the industry in
11 Scranton has declined tremendously because
12 of the coal mines, railroads, you can go on
13 and on, and the problem has grown greater
14 and greater and greater. You have to do
15 what you can. Nobody wants to pay more
16 than -- well, put it this way, nobody wants
17 to pay, so they got to be forced into it. I
18 don't want to pay my taxes, but you take my
19 house if I don't pay my taxes. Why should
20 they be exempt? Why should anybody be
21 exempt from paying their fair share of the
22 taxes within the city? I mean, it's
23 ridiculous to sit there and say, "Well, we
24 are a nonprofit."

25 They are not a nonprofit. They are

1 only on the books for being a nonprofit, I'm
2 sure they are generating a lot of money and
3 where that money is going I don't know, but
4 they are generating money. There is no
5 nonprofit in the city, even the hospitals
6 aren't nonprofit. Somewhere they are paying
7 directors, they are paying this, they are
8 paying that. They have to generate money
9 for it or they wouldn't be able to stay in
10 business.

11 So like anything else inside of the
12 city we all got to go -- we all got to join
13 together, there is no question about it.
14 Whether you are an a person that doesn't
15 have a nonprofit and the KOZ's, which I'm
16 glad to see that gone, that alone will bring
17 some of the money from the people who got
18 the KOZ's back into the city coffers, but
19 you can't keep spending like they were doing
20 and looking for more places to spend and
21 that's where we really got the problem.

22 The mayor built too much at once and
23 pushed the city into where we are today. He
24 did too many things at once that put the
25 city where we are today. You can't go

1 forward and let you go backward to
2 understand how these problems were created.

3 As you know, in the very beginning
4 we are paying a lot of the medical costs
5 that they cried. Now we are getting all of
6 these escalations in medical costs. Well, a
7 lot of them was caused by the mayor himself
8 in the very beginning, but he wouldn't
9 listen. He went ahead with whatever his
10 agenda was. He went and started building
11 all over the city, increasing borrowing,
12 borrowing, borrowing, and to the point now
13 where I told you we don't even know who owns
14 the DPW site, that will change hands so many
15 times we don't know who actually owns it
16 anymore. God only knows, but anyway, I will
17 continue some more. Thank you.

18 MS. EVANS: Thank you,
19 Mr. Sbaraglia. Bob Bolus.

20 MR. BOLUS: Good evening. If I may
21 appropriately address you, your majesty, I
22 believe it's an appropriate title for the
23 queen, especially one of the people that I
24 believe you are. I believe the evil, and I
25 will say, the black knight, Chris Kelly,

1 from the Times is ill-informed. I believe,
2 also, he is not a resident of the city so,
3 therefore, he is not subjected to what we
4 have gone through at the hands of King Chris
5 who has put this city in this financial
6 condition. He couldn't settle contracts, we
7 can't pay bills, and we haven't gone
8 forward, but we have eroded the tax base
9 under his ruling. He has given land away,
10 we have given our tax base away, we have
11 given all of that away.

12 I find it offensive that because you
13 and your Court, and I will address you in
14 that form, stood up to the University of
15 Scranton, the profiteering carpet baggers,
16 land grabbers that have taken from the
17 people in this city for nothing, yet they
18 voluntarily want to hand a few dollars.
19 They sit here and say we gave \$441 billion
20 to the economy by their own estimation.
21 Well, I don't know if anybody in here got a
22 check from all of those people that received
23 that money to help us pay our taxes, our
24 heating bills or our expenses of living in
25 the city our own wage taxes. I don't think

1 they shared them with anybody. I find it
2 kind of comical that they would say that.

3 They pay a substantial salary to
4 people, I have known people that have come
5 from all over the country, Texas, Ohio, Iowa
6 and loaded up the buckboards and they came
7 here because they are making so much money
8 out of a nonprofit business that could pay
9 these fees. Well, it's time that they start
10 paying every nonprofit.

11 You know, we saw King Chris give
12 away the South Side Complex. We saw the Ice
13 Box, for whatever they paid and they haven't
14 paid what they owe, and I could go on and on
15 and on. I was kind of taken back that I saw
16 today in the paper that Mr. McGoff, our
17 former council president, who is part of
18 King Chris' Court, and his other council
19 members that gave away the golf course
20 money, they gave away South Side, they
21 vacated streets for the University, yet they
22 sit here and chastise your majesty because
23 you went and took the fight where it had to
24 be, but in their cowardly way, in a sense,
25 they didn't represent us in the past

1 councils because they didn't really care
2 about the people. They concerned themselves
3 about their political aspirations and the
4 good ole' boy club that we call cronyism.
5 Maybe back in the day of king and queens
6 they would been dealt with a little bit
7 differently today, it's a different way.

8 So I take offense to that because I
9 came here when Mr. McGoff was president and
10 said create a fee, create ways to bring in
11 money to this city. Go after professional
12 fees, put them out for bids, start saving
13 money in this city. None of that ever
14 happened, yet, your chastised because you
15 took the fight for the people and I think
16 you are entitled to an apology from
17 Mr. McGoff and others, because they are
18 wrong, they were not for the people, and now
19 finally after years and years of abuse,
20 misleading people, we finally get a council
21 and a leader who is actually taken the fight
22 on behalf of the people and not for personal
23 gain or personalized favoritism and now you
24 are taking the heat for it.

25 Well, your majesty, stay on your

1 thrown, you are wielding the hammer, and I
2 can assure you the people are behind you
3 more than Mr. McGoff statements, Chris
4 Kelly's statements, because sticks and
5 stones could break your bones, we all know
6 the saying, so stay fast, stay the course
7 because we will come up with a way to make
8 the University pay because the extortionists
9 are them. They are extorting the people in
10 this city. They are taking, they are not
11 giving nothing back because we have received
12 nothing, and we don't intend to receive
13 anything from them because it's not their
14 nature.

15 They are takers. They have been
16 doing this since the 1800's, as we are well
17 aware. So, we, the people, are going to get
18 behind you and your Court and we are going
19 to help you get where you need to be and
20 those that are shunning you and trying to
21 push you in the dark corner are really the
22 evil ones of the city because they haven't
23 done anything for us. Just look around us.
24 We are the laughing stock of the State of
25 Pennsylvania, probably part of the country,

1 and it's been at the helm of King Chris and
2 his past Court. They were jesters. Stick
3 with your Honor, stick were your integrity.

4 And, Mr. McGoff, I'd like to hear an
5 apology because it's well deserved to her
6 Majesty because you are under her rule, not
7 the other way around now. Thank you.

8 MS. EVANS: Thank, Mr. Bolus, but I
9 might add, I certainly don't see myself as a
10 queen holding Court, rather throughout my
11 lifetime I was born a serf, I was raised a
12 serf, I have also been a serf, so I am one
13 of the many serfs in Scranton and maybe we
14 should take lessons from history like
15 William Wallace and others who joined
16 together to obtain fair treatment for the
17 people.

18 MR. BOLUS: You are step above.

19 MS. EVANS: Thanks. Lee Morgan.

20 MR. MORGAN: Good evening, Council.

21 MR. JOYCE: Good evening.

22 MS. EVANS: Good evening.

23 MR. MORGAN: You know, I would like
24 to talk a little bit more about SAPA
25 tonight, if I may. Did anybody on council

1 talk to the city planner about SAPA? I'm
2 waiting to see if anybody is going to say
3 whether they have or not.

4 MR. MCGOFF: Yes.

5 MR. MORGAN: Anybody else?

6 MS. EVANS: No.

7 MR. LOSCOMBE: No, I haven't.

8 MR. MORGAN: Have you read the plan?
9 Do you have a copy of the plan?

10 MS. EVANS: Yes. Yes.

11 MR. MORGAN: Have you read that?

12 MS. EVANS: Yes, I have.

13 MR. MORGAN: Okay. I'd just like to
14 ask, where do you think it hurts the city to
15 implement SAPA? I'm just curious.

16 MS. EVANS: I believe that it is
17 irresponsible for the city to enter into any
18 agreement wherein the city does not know the
19 cost of the agreement, particularly, in
20 these financial times that you are well
21 aware of.

22 Secondly, I do not believe that any
23 business can be forced to relocate into the
24 city or to locate itself into the City of
25 Scranton because of a SAPA plan,

1 particularly since our neighbors of Dickson
2 City, Throop, Taylor, etcetera, are not part
3 of this plan and have much more to offer
4 financially than the city does. And knowing
5 that, I had asked back in 2005 that each of
6 those entities be allowed into the SAPA
7 program as well, and they were refused
8 admission because those in charge felt that
9 the group would become too large and
10 unmanageable, disorganized.

11 I'm further concerned about the
12 section in there regarding fair share. When
13 you put these groups together, fair share in
14 terms of the federal government means that
15 every entity has to accept a certain portion
16 of business, of homeowners, of low to
17 moderate income developments, etcetera, but
18 by banding together certain areas are then
19 able to downsize what entities that they
20 would prefer not to allow into their area
21 and because Scranton already, as is noted in
22 the plan, is a home to, for example,
23 numerous low to moderate income projects,
24 etcetera, they would be pointed more towards
25 the City of Scranton.

1 MR. MORGAN: Okay. Now, you know, I
2 have read the Scranton Times like probably
3 all of the council members did, I believe
4 Mr. King is the city planner, and he stated
5 that it might cost up to \$30,000 to
6 implement this plan, and I would just like
7 to say that when you look at existing land
8 use and the draft for use and you look at
9 these grids and these maps, I mean, in my
10 own opinion I can't tell you why Dickson
11 City wouldn't become a part of that plan
12 because they have all of the development
13 they can use and more. I think the person
14 who has a problem with the development is
15 the City of Scranton because we have lost
16 our industrial base and we are losing our
17 merchants.

18 And I really am going to be very
19 honest with you, Mrs. Evans, if I was in
20 Dickson City the last thing I would do is
21 join this plan because you have nothing to
22 offer me, okay? And I just seem to think
23 that when you look at this plan and you look
24 at the proposed employment centers, they are
25 almost all in Scranton, and we have a lot of

1 industrial areas that are empty.

2 I think we need help with our
3 infrastructure and I think we need help with
4 our taxes and I just think that every member
5 of this council should have a copy of this.
6 You may have a copy of this, but there is
7 other council members here who don't have
8 one, at least that's what I have been lead
9 to believe. I believe, Mr. Loscombe, did
10 you say you have a copy of this?

11 MR. ROGAN: Yes.

12 MR. LOSCOMBE: Yes. I think we all
13 received a copy.

14 MS. EVANS: Everyone has a copy.

15 MR. MORGAN: I was under the
16 impression that he was shaking his head no,
17 and I just think you when really look at
18 this and you look at these maps and these
19 grids you find out that the only -- this is
20 a very positive plan for this city because
21 it moves a lot of development here and, yes,
22 I agree with you a lot of the development
23 would take place outside of this city, but I
24 think that would be a development -- that
25 would be a boon to this city because if

1 people are going to build manufacturing it's
2 going to come into this city and create jobs
3 here and evidently this does have a lot to
4 do with zoning, okay?

5 But I just think that we have had
6 our heads stuck in the sand and we have been
7 chasing nonprofits for 20 years. We have
8 been talking about the University of
9 Scranton and nothing has happened, and I
10 just think that in lieu of taxes from the
11 nonprofits we should be really trying to
12 send our students there for free.

13 The other thing I think we should
14 try to do with the nonprofits is we should
15 ask them to put one or two people on their
16 payroll and then let the city use those
17 employees to do whatever work we need do,
18 whether it's infrastructure or whether it's
19 taking care of vacant lots.

20 I think we have done a great job of
21 condemning a lot of properties and a lot of
22 other things and I can't -- you know,
23 Mrs. Evans, you have expressed a couple of
24 thoughts here, but the one thing that I
25 don't understand is why we are so afraid to

1 let the people at SAPA or Mr. King come here
2 and explain this plan to the voters of the
3 city. I mean, that's the real problem I
4 have because you know what everybody is
5 entitled to their opinion, but this is not a
6 serfdom and the people here are not serfs
7 and they were misled as everybody knows by
8 the Recovery Plan, and I think that the
9 people that put this plan together should
10 present it here and the people in this
11 residence in this city should have the
12 opportunity to hear the experts who put this
13 plan together express it to this council
14 because I think that some of this -- some of
15 the members on this council may be wrong on
16 some of these issues and by the same token I
17 may be wrong on some of these issues.

18 But I think it's important to bring
19 the people who created this plan forward
20 because really we have to try a new
21 direction here and at any time that we care
22 to drop out of this plan we can. It's right
23 here in the forward to this. Each member
24 community reserves the right to withdraw
25 from this SAPA plan at any time. So why

1 couldn't we just take a look at it?

2 There is lot of other things, the
3 autonomy of each and every member community
4 shall be permanently protected and
5 maintained. It's right here in the plan.

6 All decisions relative to
7 participating in this plan now and in the
8 future are the sole domain of the elected
9 leadership of each member's community.

10 I'm just wondering what are we so
11 afraid of to bring people here and let them
12 explain the plan? I mean, I really think
13 that every member of council should take a
14 look at the land use maps and see the
15 benefit it would give this city because you
16 know what, we need to turn this city around
17 jobs and opportunity and we don't seem to
18 have either and we need to do something with
19 the tax base. Thank you.

20 MS. EVANS: Thank you. I would just
21 add though that there have been public
22 meetings held by SAPA --

23 MR. MORGAN: There have been and I
24 agree --

25 MS. EVANS: -- for members of the

1 public in Scranton and elsewhere. I would
2 also add that their funding was cut in the
3 state budget. This program works through
4 DCED, that funding was cut in 2009 and again
5 cut further in 2010. It's not a matter of
6 being afraid to sit down with people, each
7 one of us has read this plan. Our fear is
8 more debt adding to the debt that's already
9 historical in this city and not knowing a
10 price tag, I'm sorry, is highly
11 irresponsible. And I think at this point,
12 it might be Mr. Loscombe who said this to
13 me, Scranton is the sap in SAPA and this
14 council isn't going to allow that to happen.

15 The next speaker is Doug Miller.

16 MR. MILLER: Good evening, Council.
17 Doug Miller, Scranton.

18 MS. EVANS: Good evening.

19 MR. MILLER: Just a few issues I
20 have tonight. A few weeks back a gentleman
21 had approached me on the street regarding
22 the problem with people coming in his
23 neighborhood, I guess, and they are dropping
24 off their garbage on the side of the curb
25 and I don't know if they are related to the

1 people that they are putting this garbage
2 out in front of their homes, but I just
3 don't think it's right and I'm sure council
4 would feel the same way, and he told me it's
5 been going on for quite sometime now. I
6 know it's one of those issues it's kind of
7 hard to prove who exactly is doing it and
8 when it's happening, but it is out, it's
9 happening, and he wanted me to address it
10 tonight and see if there is maybe anyway we
11 can get ahold of DPW and just inform them so
12 they can be on the lookout and maybe we can
13 prevent this from happening.

14 I feel that, you know, obviously, if
15 you are not pay taxes in the city and don't
16 live here you obviously shouldn't come here
17 and tax advantage and just drop off your
18 garbage. If you are coming from Old Forge,
19 Taylor or Moosic, I know they operate on
20 garbage stickers, so buy your garbage
21 sticker and contribute to your own
22 community, and I know they are having a
23 problem down there with people trying to
24 reuse their garbage stickers week after
25 week, so they have officials going around

1 and actually inspecting the garbage bags to
2 make sure it's not happening, so I guess
3 there has been a problem and hopefully we
4 can try and solve this problem.

5 This question is for Mr. Loscombe
6 and the public safety department, I was
7 wondering if it's possible we can send a
8 letter to Chief Elliott regarding supplying
9 our police officers with florescent gloves
10 when they are directing traffic in the
11 evening. They may have them already, but a
12 few ago it was on Meadow Avenue and there
13 was an officer directing traffic and with
14 the construction going on on the bridge and
15 he had a florescent vest on, but he didn't
16 have the gloves on. When it's getting dark
17 you have drivers who may have trouble seeing
18 the hand motions and it would certainly help
19 if there was some gloves that you could see
20 where he is motioning and hopefully we can
21 try to prevent, you know, any accidents.

22 This question is for Mr. Joyce, you
23 had made the motions weeks back regarding
24 the issue with I had with the speed bumps on
25 West Locust. I belive it was you that had

1 asked to send a letter to DPW.

2 MR. JOYCE: Yes, I have not heard
3 anything back regarding the speed bumps yet,
4 but Mrs. Carrera --

5 MR. MCGOFF: Didn't you receive
6 something back from Mr. Brazil?

7 MS. EVANS: I don't know.

8 MR. MCGOFF: Mr. Miller, I think
9 something was returned, I'm not sure if that
10 was particular request, but the response was
11 that they do not wish to put speed bumps in
12 or on city streets. It becomes a liability
13 for cars that may be damaged as a result of
14 it.

15 MR. MILLER: The reason I bring it
16 up again tonight is because last week we had
17 a vehicle come flying through and there were
18 two children on the street playing
19 basketball and, I mean, it was this -- it
20 was very close and, you know, something very
21 bad could have happened. You know, I
22 understand the city Mr. McGoff just said
23 they don't want to get involved with speed
24 bumps, I don't know what we can do. I mean,
25 there is a sign there, but signs don't

1 really mean a whole lot when people are
2 driving they tend to ignore them, so I don't
3 know what we can do about it, but like I
4 said, you know, something very, very bad is
5 going to happen if it continues.

6 And just some last and final
7 thoughts, I had the opportunity to attend
8 the Unity Festival last Saturday at Nay Aug
9 and I just thought it was nice to see the
10 various cultures come together in the city
11 and celebrate their heritage and everything.
12 I believe there was some council members,
13 Mr. Loscombe, I believe you were there.

14 MR. LOSCOMBE: Mrs. Evans was there.

15 MR. MILLER: Mrs. Evans, okay. Just
16 another example of the many activities we
17 have in the city that bring everyone
18 together. We may not all agree on where we
19 are in the government, but we can come
20 together and celebrate our heritage.

21 And I also had the opportunity to
22 view the concerts on the square and they
23 were also a success. I had also brought up
24 the idea to Commissioner Washo who was there
25 about possibly having movies on the square.

1 I know we had them at Nay Aug and I'm not
2 sure if they are going to be doing that this
3 summer again, but if not maybe we can join
4 forces with the county and look into doing
5 it on the square, and that's all tonight.
6 Thank you.

7 MS. EVANS: Thank you. Michael
8 Reilly.

9 MR. REILLY: My name is Michael
10 Reilly, I am a resident and taxpayer of the
11 city. Good evening, Mr. Loscombe.

12 MR. LOSCOMBE: Good evening.

13 MR. REILLY: Mr. Joyce.

14 MR. JOYCE: Good evening.

15 MR. REILLY: Her majesty.

16 MS. EVANS: Good evening.

17 MR. REILLY: And Mr. Rogan.

18 MR. ROGAN: Good evening.

19 MR. REILLY: May I ask Mr. McGoff
20 two questions, please?

21 MS. EVANS: Yes.

22 MR. REILLY: Number one, Mr. McGoff,
23 do you feel threatened or insecure in this
24 chamber now that there is no policeman here?

25 MR. MCGOFF: No. Not tonight.

1 MR. REILLY: Do you miss the power
2 of the gavel?

3 MR. MCGOFF: Do I miss the power of
4 the gavel? Sometimes.

5 MR. REILLY: It's obvious. Week
6 after week it's obvious.

7 MR. MCGOFF: Okay.

8 MR. REILLY: There was a question a
9 few weeks ago that you feel -- you feel to
10 think that your credibility was being
11 impugned, and I want to tell you right now
12 that your credibility and your voracity were
13 destroyed a long time ago by none other than
14 yourself. I attempted to come to the podium
15 about three years ago and tell you how you
16 lied to the public and you used the gavel to
17 tell me to sit down, take a seat or I would
18 be escorted out of the chamber by the
19 policeman. Well, those days have passed now
20 in case you don't realize that, Mr. McGoff.

21 MR. MCGOFF: I wasn't the president
22 three years ago.

23 MR. REILLY: Well, two years ago --

24 MR. MCGOFF: Okay.

25 MR. REILLY: -- or whenever it was.

1 Your weapons were humorous, arrogance,
2 confrontation and you used them week after
3 week, pervasive in use. Well, I didn't have
4 a chance to tell you how you lied to the
5 public until tonight, but now I have the
6 podium and you are going to listen to me.

7 You lied to the voters when you were
8 first singled out for this position after
9 the fiasco with Mr. McTiernan at the high
10 school and, oh, who was rewarded
11 incidentally with a new job at a higher
12 salary, but that's not the issue here. The
13 issue here is that you lied to the public
14 when you were interviewed when you said that
15 you would think for yourself. You would be
16 your own person, you would think for
17 yourself, decide the issues not be
18 influenced by anyone. Well, we know that
19 was a boldface lie. You were Chris
20 Doherty's "Yes man" from day one and you
21 still are.

22 The other lie was you said you
23 wouldn't run again.

24 MR. MCGOFF: I did not.

25 UNKNOWN AUDIENCE MEMBERS: Yes, you

1 did.

2 MR. MCGOFF: No. I said I had no
3 political aspirations at this time.

4 MR. REILLY: But did that happen?
5 Did you then politically --

6 MR. MCGOFF: I ran.

7 MR. REILLY: So you lied and I tried
8 to tell you --

9 MR. MCGOFF: No, it wasn't a lie.

10 MR. REILLY: But I couldn't do it.
11 Now you must realize that you are no longer
12 in power. You are in an empty suit.
13 Powerless. You don't seem to understand
14 that you don't have the power that you once
15 had and that you are -- you are just a bump,
16 a cog in the wheel of progress and you
17 continue to exemplify that every week.

18 Betty Davis had you in mind when she
19 made that statement, that beautiful line
20 from the movie "All about Eve" buckle your
21 seatbelt, you're in for a bumpy ride.

22 I also understand that you supported
23 Mr. Marinucci in his bid for the Recreation
24 Authority. I was at a Recreation Authority
25 one evening and I listened to him crucify

1 the English language and so I asked him how
2 far he went in school and he proudly told me
3 third grade. It's refreshing to see a
4 retired teacher supporting higher education.
5 Thank you, Council.

6 MS. EVANS: Bill Jackowitz.

7 MR. JACKOWITZ: Bill Jackowitz,
8 South Scranton resident, member of the
9 Taxpayers' Association. Politics, politics,
10 politics from womb to tomb. That's all we
11 see in this country, this city, this county
12 and this state. The reason why the United
13 States is in the state it's in is because
14 politics. The reason why the state is in
15 the state that it's in is because of
16 politics. The reason why the county is in
17 the state that they're in is because of
18 politics. The reason why the city is in the
19 state that they are in is because of
20 politics.

21 That's all it's all about. Like I
22 said, from womb to tomb. Your entire life,
23 each and every one of us's life is governed
24 by politics and it's got to stop especially
25 in the City of Scranton.

1 Mrs. Evans, can I ask Mr. McGoff a
2 question?

3 MS. EVANS: Yes.

4 MR. JACKOWITZ: Mr. McGoff, will you
5 answer it?

6 MR. MCGOFF: It depends on what the
7 question is.

8 MR. JACKOWITZ: Would you consider
9 an unnecessary raise in taxes extortion?

10 MR. MCGOFF: Depends on what the
11 unnecessary is.

12 MR. JACKOWITZ: Well, your tax raise
13 that you voted on it was unnecessary, do you
14 consider that to be extortion?

15 MR. MCGOFF: Your word is
16 unnecessary.

17 MR. JACKOWITZ: I'm asking you, do
18 you consider it to be extortion?

19 MR. MCGOFF: No.

20 MR. JACKOWITZ: How about putting on
21 24 or 26 fines and fees on regular, normal
22 citizens, working citizens, if they are
23 delinquent with their taxes, but yet you are
24 in favor of nonprofits and the University
25 not paying taxes, would you consider that

1 extortion on the citizens and low income
2 homeowners of the City of Scranton?

3 MR. MCGOFF: It's not extortion.

4 MR. JACKOWITZ: Okay, I think it is,
5 so difference of opinion. Okay, parks and
6 Recreation Authority, on Saturday there was
7 an article in the paper about -- well, when
8 I went to the last Park and Recreation
9 meeting I went to I told them, first of all,
10 that they could not lease the zoo to
11 Lackawanna College for a dollar a year
12 because it was basically against federal law
13 because it was federal money that's being
14 used, federal grant money, which in turn
15 turned out to be that way.

16 I also made a recommendation that
17 they turn it into a community center or a
18 place where people can hold barbecues and
19 parties and so on and so forth. Low and
20 behold on Saturday I read in the paper where
21 that's what they're thinking about doing.
22 And Mayor Doherty totally embraced that
23 idea, but yet when I brought it up to the
24 Parks and Recreation Authority they told me
25 it was the dumbest idea they ever heard, but

1 yet now they are going to implement it.
2 Again, politics, politics, politics. All
3 depends upon who you know.

4 The last time I saw the Mayor
5 Doherty in these chambers was when he voted
6 to cast the deciding vote to put Mr. McGoff
7 on city council, and Mr. McGoff has cast
8 every single vote in favor of Mayor Doherty,
9 the nonprofits, and everything that Mayor
10 Doherty has supported. The only time
11 Mr. McGoff has gone against the mayor was
12 when he voted to bring the cameras back into
13 city council. That's the only time since
14 Mr. McGoff has been sitting on council, so
15 it comes as no surprise that he will support
16 the University and the mayor when it comes
17 to the nonprofits, okay?

18 Now, there is more nonprofits than
19 just the University of Scranton. There is
20 Marywood, there is Lackawanna College, there
21 is the hospital, so on and so forth. We are
22 never going to get any money from any of
23 them because they don't have to pay and they
24 never will pay. That's the said part about
25 it all is they don't have to pay, they never

1 will pay. We have allowed this to go on for
2 too long.

3 You don't think Penn State helps,
4 whatever the name of the city is there, I
5 can't think of it where Penn State is at --

6 MS. EVANS: State College.

7 MR. JACKOWITZ: State College, thank
8 you. You don't think they help out State
9 College, Pennsylvania? You don't think they
10 have help out State College, Pennsylvania?
11 You don't think they give money. Of course
12 they do. They all do except in Scranton
13 because they are not required to. They
14 don't have to. Why? Because politics,
15 politics, politics and more politics. From
16 womb to tomb, especially in Scranton and
17 Luzerne County, Lackawanna County, it's been
18 the way of life since day one, it will
19 probably be the -- when the last person
20 turns the lights off when they leave
21 Scranton it will still be politics, politics
22 and more politics, and it's ashamed.

23 Four years ago Mrs. Gatelli held
24 nonprofit meetings right here in this
25 chambers, right in this chair. I sat in

1 that chair right there and Mayor Doherty sat
2 right directly across from me. I asked him
3 eyeball to eyeball, face-to-face, "Mayor
4 Doherty, are going to support this? Are you
5 going to support this idea to try to collect
6 money from nonprofits?"

7 And he stood there -- or sat there,
8 excuse me, and said, "Yeah, I'm going to
9 support it."

10 Guess what? He never did. He never
11 supported it. And the only way you are
12 going to get money from any nonprofits,
13 which I know you are never going to get, is
14 by support of the mayor. The mayor has to
15 and 100 percent behind it. If he is not
16 behind it, forget it.

17 One second, please. Mrs. Gatelli
18 said she was going to go door to door
19 knocking on doors at the nonprofits to get
20 money, that never happened either, and even
21 if they did she would never have gotten any
22 money anyway, so that's all I have to say.

23 MS. EVANS: Thank you. Les
24 Spindler.

25 MR. SPINDLER: Good evening,

1 Council. Les Spindler, city homeowner and
2 taxpayer. Mrs. Evans, one correction in a
3 comment made before, PNC Bank, you said it
4 was 210 Penn, it's 201 Penn.

5 MS. EVANS: Oh, thank you.

6 MR. SPINDLER: You're welcome.

7 MS. EVANS: Yes, donations for the
8 van for Ralphie.

9 MR. SPINDLER: It's 201 Penn Avenue.

10 MS. EVANS: 201 Penn Avenue, PNC
11 Bank. Thank you.

12 MR. SPINDLER: You're welcome. The
13 SAPA plan, I think it's been talked to quite
14 enough. This is the last that it will be
15 talked about. Mr. McGoff said last week
16 that it had a lot of possibilities, well,
17 Mr. McGoff, we don't need possibilities we
18 need sure things. Our city is littered with
19 empty possibilities. The Southern union
20 building, 500 block of Lackawanna Avenue,
21 Jerry Donahue's building on Lackawanna
22 Avenue which he said he was going to start
23 fixing up against after the bridge was
24 fixed. The bridge was done last December,
25 so that was a lie. The two eyesores on the

1 corner of Penn and Wyoming, Penn and Linden
2 and Wyoming and Linden. They were all
3 possibilities, but they are all eyesores
4 now.

5 No one will come to this city unless
6 our taxes are lowered like Mr. Rogan has
7 been saying for weeks, and the prime example
8 is Mt. Pleasant. Mt. Pleasant didn't get
9 their tax exemption, it's an empty lot now,
10 it's going to city an empty lot because
11 nobody wants to move here and pay the taxes
12 in this city.

13 Mr. McGoff, you said it would
14 minimal cost to this city. Well, if it's so
15 minimal then why don't you and the other
16 people that are for this plan pay it instead
17 of having the city pay it?

18 MR. MCGOFF: It's not my
19 responsibility.

20 MR. SPINDLER: Well, then don't say
21 it's a minimal cost 'cause for any cost to
22 the taxpayers of this city isn't minimum.
23 We are taxed enough in this city and we
24 don't have to pay anymore.

25 MR. MCGOFF: I pay them, too.

1 MR. SPINDLER: Moving on, Mrs. Evans
2 I was wondering that \$12 million from the
3 tax office, I think it was \$5 1/2 million
4 plugged into this budget that we were
5 supposed to get, did we ever receive that?

6 MS. EVANS: No. We received part of
7 it.

8 MR. SPINDLER: Okay. Well --

9 MS. EVANS: I would say
10 approximately 3.2 million was received. The
11 rest, no.

12 MR. SPINDLER: Do we know where the
13 rest of it is?

14 MS. EVANS: No, we do not.

15 MR. SPINDLER: And the rest of that
16 12 million that was supposed to go different
17 places, did that go where it was supposed to
18 go to?

19 MS. EVANS: I believe we have to
20 talk to Mr. Courtright, the tax collector,
21 to learn where the remainder went.

22 MR. SPINDLER: This hasn't been
23 brought up in quite awhile, I think it's
24 important we deserve to get the rest of that
25 money.

1 A story in the paper today about
2 other cities getting cash for nonprofits,
3 more than Scranton gets. Lancaster receives
4 \$1 1/2 million from Lancaster General
5 Hospital Franklin and Marshall. Erie gets
6 \$680,000; Allentown gets about 250 million--
7 \$250,000, I'm sorry, and what do we get from
8 the University of Scranton, 160 some
9 thousand?

10 MS. EVANS: We were receiving
11 \$110,000. I'm not quite sure of what the
12 University is proposing now. I'm going to
13 address it a length under motions, but I can
14 tell you just quickly that was offered to us
15 at the meeting was a 50 percent increase of
16 55,000. Since then the newspaper, I
17 believe, may have reported a figure of
18 perhaps \$175,000 due to a previous meeting
19 with the mayor, but that seems to open it up
20 to questions in that I can't imagine why
21 Father Pilarz would have offered us \$55,000
22 for a 50 percent increase if he had already
23 offered more, so something doesn't fit
24 together.

25 MR. SPINDLER: Even if we got what

1 the paper said you were asking for \$250,000,
2 that's still a drop in the bucket for the
3 money that they made. I mean, for the
4 buildings that very taken off the tax rolls
5 over the years that is nothing. They should
6 be paying a lot more than that.

7 Something else in this article which
8 caught my eye, something the mayor said was,
9 "Mr. Doherty estimates about 32 percent of
10 the property in this city is tax exempt."

11 I found that to be astonishing. No
12 wonder we are almost bankrupt. 32 percent
13 of the property in this city is tax exempt?
14 How are we going to make any money like
15 that? That's ridiculous.

16 And something else, the Recovery
17 Plan states that "The business administrator
18 and city attorney shall aggressively pursue
19 additional voluntary contributions or direct
20 taxpayers from the tax exempt community to
21 support our city services."

22 And in nine years Chris Doherty has
23 been in office I don't think that has ever
24 happened, and how could a solicitor go after
25 nonprofits when they are busy fighting all

1 of the arbitration losses that the mayor is
2 appealing?

3 Okay. Moving on. It's no secret
4 I'm 100 percent behind this council
5 majority. I voted for you, and I said this
6 before, you were off the one week,
7 Mrs. Evans, but when you are wrong I'm going
8 to let you know, and I think you were wrong
9 in replacing Mrs. Cook on the zoning board
10 and she was a fine member, did a great job,
11 and the article in the Doherty newsletter
12 last week proved me right. Mr. Williams
13 failed to get a paving permit to have his
14 property paved. For somebody that is on the
15 zoning board I think that's unacceptable and
16 I think he should resign from the zoning
17 board and Mrs. Cook should go back. Can I
18 just finish my thought here?

19 MS. EVANS: Yes. Yes.

20 MR. SPINDLER: And then with Mr.
21 Stange being on there, I think that's his
22 name, another Republican, Mr. Stange is
23 going to be the head of the local Republican
24 party. Now, you people are all Democrats.
25 If he becomes head of the Republican party

1 he is going to look to replace all of you
2 when you run for re-election. What were you
3 thinking of?

4 MS. EVANS: I don't think we were
5 exactly making political party affiliation
6 any type of qualification or consideration
7 for the position.

8 MR. SPINDLER: Well, if is he the
9 head of the Republican party he is going to
10 look for people to replace you. I don't
11 want that to happen, but that's going to be
12 his job; correct?

13 MS. EVANS: I would assume so.

14 MR. SPINDLER: Okay.

15 MR. LOSCOMBE: I believe the present
16 administration would also be doing the same
17 thing.

18 MR. SPINDLER: Well, as I said, I
19 think Mrs. Cook should be reinstated.
20 Mr. Williams should resign. Thank you for
21 your time.

22 MS. EVANS: Thank you. Ozzie Quinn.

23 MR. QUINN: Ozzie Quinn, president
24 of the Scranton-Lackawanna Taxpayers'
25 Incorporation. First of all, regarding

1 SAPA, you know, we pay taxes to the county
2 and there is a Lackawanna County Regional
3 Planning Commission and I think what we are
4 doing is duplication here, and I don't know
5 whether the Lackawanna County Planning
6 Commission is on this, I think if there is
7 anything that they should be the one that is
8 involved in what's going on in the county so
9 I think you should look into that.

10 On behalf of the Taxpayers'

11 Association I want to thank you, Mrs. Evans,
12 and the supermajority for what you are doing
13 for the taxpayers in this City of Scranton.
14 We really appreciate it because of the fact
15 that nobody else is looking out for them.
16 The administration isn't and, obviously,
17 with the way that they have been treating
18 you, Mrs. Evans, with that extortion it's
19 just unbelievable, and the definition of
20 extortion out of the college library book by
21 a writer from the Times and nothing about
22 intent, obviously, you weren't trying to
23 have criminal intent or try to make any
24 anything personal or profit on it, you know,
25 it's ridiculous.

1 But when you look at things that
2 were spoken about here tonight about taxes
3 and I think Bill hit it closely on the
4 collection agency, NCC, you are looking at
5 what they are doing hey are extorting money
6 from people and they are doing it, you know,
7 you pay an interest on your taxes, if you
8 pay them, but then they go to NCC and you
9 pay a tremendous fine and interest, plus
10 they put a lien on your property and, in
11 addition, they are forcing you to pay that
12 or possibly you go up for tax sale. Now it
13 that isn't extortion of money I don't know
14 what it is.

15 But the fact it is that we are
16 talking here tonight there is so many things
17 gone on in the last nine years or eight
18 years and when -- we sat here with PEL and
19 we saw a considerable amount of debt we are
20 in and what's forecast for the future
21 budget, the five million dollars deficits
22 and, you know, we know that there has been a
23 lot of pay to play. As a matter of fact,
24 NCC they are owners and big financial
25 contributors to the Doherty campaign. Yet

1 the Scranton Times, and I blame them, they
2 have backed the Doherty administration, they
3 never said there was any corruption, and I
4 know that there has been pay to play. I
5 give it them in black and white and they
6 say, "Go on."

7 You know, so the fact is that, you
8 know, as long as there is this one paper
9 newspaper in the City of Scranton we are
10 going to have a tough time trying to
11 overcome the elitists and the Doherty
12 administration, the University of Scranton,
13 the Chamber of Commerce, the people like
14 that. The poor guy doesn't have a chance
15 unless this city council finally, the super
16 majority, backs us and tries to do something
17 because there is no doubt about it you are
18 going to get whipped, you are going to be
19 the whipping boy for the Scranton Times,
20 there is no doubt about it. The Lynetts and
21 the Dohertys are actually neighbors for
22 years and years and years and they are not
23 going to split.

24 So it's ashame when you say that --
25 Mr. Doherty says that the paper that he

1 takes huge tasks for what he said about the
2 University of Scranton when he let's like
3 all of those contracts, no bid contracts go
4 and previous councils go ahead and approve
5 them, you know. Mr. McGoff was part of
6 that, you know, and it's ashame and yet they
7 have done nothing to expose that. No
8 investigative reporting. All they do is
9 come here and they sit here and they write
10 down and then that's it. They don't even
11 put the comments of the taxpayers. It's
12 ashame and I apologize for the taxpayers of
13 the City of Scranton for really for them
14 taking you to task for that. Thank you very
15 much.

16 MS. EVANS: Thank you. Ron Ellman.

17 MR. ELLMAN: Ronnie Ellman. Hello,
18 Council.

19 MS. EVANS: Good evening.

20 MR. ELLMAN: I wish I could speak as
21 well as Mr. Bolus and get my facts. Well, I
22 can't. Like I say about frogs they would
23 hit their rear ends off that little -- oh,
24 well. He took some of the fire out of my
25 little notes here.

1 I guess everybody saw the Kelly and
2 McKenna bombarding, their usual rhetoric,
3 you know, but these are two wanna be
4 journalist, I guess. I got some bad words
5 here describing them, that's why. They
6 never make a recommendation, they never have
7 any solutions to the nonprofits, they just
8 make excuses for them and just keep praising
9 them how fortunate we are to have them here.
10 They are the extravagance that the city
11 can't afford no more, you know, there is
12 just know doubt about it.

13 I think in Saturday's paper, yeah,
14 Saturday, \$310,000 off the books for
15 Marywood. They've got acres and acres and
16 acres of empty land up there and here they
17 bought a house for \$310,000. That just
18 shows that this greed will never stop from
19 these nonprofits, but I see a solution. I
20 think you need to talk to Mr. Murphy and
21 Mr. O'Brien and Mr. Smith and just bypass,
22 you know, like the middleman and have these
23 men go to Harrisburg and tell the
24 legislature this is an enormous problem we
25 have. A third of our property is off the

1 tax rolls, it will off forever, and it keeps
2 getting worse, like \$310,000 this year
3 alone, probably half of your salaries been
4 taken off. Look it at all of the stuff
5 that-- probably more than half your
6 salaries, you know, and there is no
7 stopping. I never seen nothing like these
8 people.

9 You know, anybody that would support
10 this would -- they'd have all of their past
11 sins forgiven, support in Harrisburg. Good
12 God, they would have the support probably of
13 90 percent of the state voters, something
14 has got to be done and this time to go to
15 the legislature because you are not getting
16 anywhere with the city and the time is up.
17 You talk to anybody, you go anywhere in this
18 city and bring up taxes it's just reached
19 the point you can't go to the well no more.
20 I mean, it's just over with.

21 Like Mr. McGoff said last week,
22 these houses that are being torn down there
23 lots are so small and odd-shaped you can't
24 rebuild on them. They are useless, but they
25 are still all off the payrolls.

1 And another thing every time you
2 have to send a police car on fire truck onto
3 that campus for something charge them ten,
4 20,000 and when they start balking about it
5 put a lien on their property like they want
6 to do on the taxpayer property, you know.
7 You've got to start doing somebody to show
8 you are not afraid of them. I don't mean
9 that you are afraid of them. You just got
10 to -- you can't blink with them.

11 These people are just -- you know,
12 one of their staunchest supporters told me
13 on the phone the other day, we were talking
14 about the 441 million, he said, that's
15 rubbish. Tell them to come down here with a
16 chart like that and stand up there like what
17 two weeks ago when they were whining
18 for wanting their favoritism, let them show
19 us -- there is no way in the world that
20 that's a figure. It's like a used car lot
21 guy telling you how much you are getting for
22 their trade-in and they work a pencil.
23 That's all this was.

24 This is just a blatant lie supported
25 by this old trashy newspaper all over again.

1 And Pat McKenna, you know, he has access to
2 the media where most of us don't. He will
3 censor something that he finds objectionable
4 and you don't have no recourse. If you
5 don't print an intelligent letter that, you
6 know, not obscene or something you are
7 censoring it, and he censors letters. He
8 doesn't have enough sense to know the
9 difference between anything and that's
10 probably why I can't write no more. I'd
11 like to write letters to the editor, I see
12 things all of the time in there that are
13 offensive to me, but he won't print my
14 letters, of course.

15 But when one of the staunchest
16 supporters concedes that their figures
17 aren't true it's just time to quit arguing
18 with them and go to Harrisburg. There is no
19 reason you can't go to Harrisburg, is there,
20 I mean, through our representatives?

21 MS. EVANS: No, we can certainly do
22 that, but I am aware that in the past, not
23 very long ago past either, many cities
24 throughout the Commonwealth of Pennsylvania
25 have banded together with this common cause

1 of getting a fair share payment from the
2 nonprofits that exist within the boundaries
3 of their towns, municipalities, boroughs,
4 etcetera. This is a problem that isn't
5 strictly limited to the City of Scranton.
6 Although, there are, as was mentioned
7 earlier this evening, numerous cities
8 throughout Pennsylvania, Pittsburgh notably
9 so, who are receiving healthy contributions,
10 fair share payments.

11 MR. ELLMAN: Ozzie has talked about
12 this at our taxpayers' meeting.

13 MS. EVANS: And I know that, as I
14 said, many of these communities were banding
15 together and had approached the state
16 legislature for their assistance with the
17 nonprofits. Where that is currently at, I
18 do not know, but I would imagine that there
19 would be tremendous lobbying on the part of
20 nonprofits toward our legislator's statewide
21 to resist this movement.

22 MR. ELLMAN: Right there you just
23 said another thing, they are using that
24 money to, you know, to -- they are using own
25 money against us. That's what you just

1 said. You said they are going to have -- be
2 against the legislature.

3 MS. EVANS: Oh, lobbyists.

4 MR. ELLMAN: Yeah, through
5 lobbyists. They are using our own money
6 that's donated tax wise and so forth against
7 us. They have got to put a stop to it. The
8 only truth I saw in that paper was it said
9 5,000 students spend \$21 a week. You know,
10 that is nothing. I wouldn't even print such
11 a minute sum of money to brag about. I
12 probably spend -- most people every time you
13 leave the house you spend ten or \$20. I was
14 at the Taurus Club last night, I guarantee
15 you that six beers and a tip was more than
16 \$21, you know, until they put me out of the
17 door.

18 MS. EVANS: Thank you. Thank you,
19 Mr. Ellman.

20 MR. ELLMAN: I got one other thing
21 just real quick. I had a businessman phone
22 me and ask, he tried to find out why that
23 property on 1500 Court and he couldn't get
24 anywhere.

25 MS. EVANS: No, actually, I did

1 receive, as I think other council members
2 did, an e-mail from a resident of Court
3 Street asking a number of questions about
4 that issue and we have already sent out four
5 requests to these questions. So as soon as
6 we receive it I'm sure Mrs. Krake will be
7 reporting the answers publically.

8 MR. ELLMAN: That's good. One other
9 thing, you need to keep the mayor out of
10 anything as far as us going to the
11 legislature or anywhere else because all he
12 would do is be a cog in the wheel.

13 MS. EVANS: Thank you. Dave
14 Dobrzyn.

15 MR. DOBRZYN: Good evening, Dave
16 Dobrzyn.

17 MS. EVANS: Good evening.

18 MR. DOBRZYN: A member of the
19 taxpayers, resident of Scranton. Well,
20 actions speak louder than words. This is
21 Chris Kelly's article. (Mr. Dobryzn stomps
22 on the article.) I'll pick it up when I go.
23 So that says it for that.

24 Now, in that article, of course, I
25 feel you are slandered pretty heavily and I

1 wonder about this Hitchcock Court deal
2 because a few weeks ago I also read that a
3 Scranton resident had some kind of lawsuit
4 filed about Hitchcock Court and the way the
5 University was infringing on his property,
6 so very possibly, you know, they might have
7 decided that it was unfeasible to fight this
8 and get their building in on time and on a
9 timely basis and decided to just come up
10 with some half-baked reason in trying to
11 kill two birds with one stone.

12 Now, on this SAPA, we can take the
13 very things that they recommend and do
14 ourselves. Why in the heck do we want to
15 get involved with somebody that's been
16 bossing us around for years? Mostly Clarks
17 Summit and Waverly and so forth. And,
18 furthermore, now here is a good example:
19 "Printer to close, shed jobs."

20 This plant was located on East
21 Mountain in 2000 our lovely Chamber of
22 Commerce president, Austin Burke, got a
23 project going to move them out for a KOZ to
24 Scott Industrial park and the very first
25 year that they were in operation up there

1 corporate came in and fired every CEO and
2 officer in this company. The reason being
3 that they are way over budget and now ten
4 years later here is the result, KOZ is over,
5 hasta la vista, baby. You know? So and.
6 Of course, this does affect me in a way
7 because my wife happened to work there since
8 1997 and she is stuck holding their stock,
9 so if the company tanks due to the -- and it
10 was definitely -- I lost the second part of
11 the paper, unfortunately, I'll probably have
12 to replace it at my own expense, but it was
13 definitely Austin Burke.

14 And furthermore, there was where the
15 Salvation Army is currently located there
16 was plenty of land, it was abandoned, there
17 were people in and out of there, small
18 businesses and stuff, and they wouldn't
19 stay, Mr. Mulch or something was there and
20 it was directly adjacent to 81. I put four
21 transmissions in my car since 19 -- or 2004,
22 just over that hill. And, oh, by the way,
23 it's right up by the Times which is probably
24 also a KOZ, so they don't pay any taxes for
25 ten years. They moved up there.

1 And now on this was, I noticed this
2 week the library was cut once again and I
3 would meet with the authority if it meant
4 the end of the world, but please in the Fall
5 maybe when we get some time we could meet
6 with the board and see what kind of help
7 they can get.

8 And, well, the golden parrot award
9 of the week goes to all of the senators that
10 want to treat unemployed people like
11 criminals and speak of them like criminal.
12 They are all multi-millionaires, they know
13 who they are, and shame on them when they
14 can't many up with a couple of billion
15 dollars when some budgets in the federal
16 government have doubled since 2000.
17 Doubled.

18 And now, I have a new award out, and
19 that goes once again to BP, British
20 Petroleum, for negotiating about the
21 Lockerbie bomber to be released on the
22 grounds that he has cancer, incurable
23 cancer, and he is in Libya right now
24 partying and living it up and the quid pro
25 quo for it was to get drilling rights off

1 the shores of Bolivia, so shame on them.
2 They get the golden dagger in the back
3 award. Thank you and have a good night.

4 MS. EVANS: Thank you. Fay Franus.

5 MS. FRANUS: Fay Franus, Scranton.

6 I'd like to take a moment to thank Jeff
7 Brazil for his courteous, his very prompt
8 and excellent work along with his DPW
9 workers in getting me a street sign for my
10 driveway. It was very much appreciated. It
11 felt like Christmas in July. It's
12 wonderful.

13 I also -- anything I have to say now
14 is definitely my own opinion. You know, I
15 have to wonder, I wonder how long ago it was
16 that Father Pilarz forgot that he was a
17 priest, a representative of Jesus Christ on
18 earth and became a scheming CEO and
19 businessman. He should be a Wall Street CEO
20 not a priest. I was reading in the paper
21 where it said that over a month ago or so,
22 and maybe a month ago, that Mayor Doherty
23 and Father Pilarz agreed on \$175,000 like
24 you said earlier. I find that hard to
25 believe.

1 First of all, if that were true I
2 would think that the mayor would put that on
3 the front page of the paper saying he got
4 this extra money from Father Pilarz and if
5 were true who is extorting who? He asked
6 for money, he said he could increase his
7 money for in lieu of taxes for the ease way,
8 well, they also -- Mayor Doherty also said,
9 I believe today, that this has never
10 happened before. Well, maybe I'm wrong, but
11 didn't he pay -- didn't the city pay -- the
12 University of Scranton, I'm sorry, pay the
13 city \$251,000 for the 300 block of Clay
14 Avenue and didn't they buy, the University
15 of Scranton, didn't they pay the city for
16 the 900, 1000 and 1100 block of Linden
17 Street and many other blocks in the Hill
18 Section? So, what's the difference between
19 that and the ease way over the Hitchcock
20 Court, the city-owned property, so why
21 didn't Mayor Doherty give them an easement
22 for all of those properties instead of
23 taking money back then.

24 And you were not wrong, Mrs. Evans,
25 when you requested more money, I even think

1 it should have been more, but I thank you
2 and the rest of the people for fighting for
3 us. We have had enough of the University of
4 Scranton. The Catholic church is running
5 this city and it has to stop and you finally
6 put your foot down, I'm glad. If I were you
7 I wouldn't give them another thing they ever
8 wanted. They are not paying their fair
9 share and it has to stop.

10 Now, the following is something that
11 I read, but I think it's worth reading, so I
12 shall. Let's see here. Maybe it is time to
13 have a review of the nonprofit laws and see
14 if the University is in compliance with
15 these laws regarding the purchasing of tax
16 producing revenues and converting it into
17 profit holdings without having to pay taxes.
18 Maybe they really did not get delegated as
19 nonprofit. Let's get the course in
20 determining what the University of Scranton
21 and other nonprofits can claim to escape tax
22 obligations. Just because the University of
23 Scranton purchases something does not
24 necessarily rendered it free of tax
25 obligations.

1 What if, for the sake of argument,
2 the University of Scranton purchases a
3 convenient store like the one on Mulberry
4 Street. Would that property then come off
5 the tax rolls? I don't think so. So why
6 should other profit generating properties
7 the University buys be exempt?

8 I also noticed in the paper many
9 times that Mrs. Evans and Mr. Hughes today
10 didn't comment when the newspaper apparently
11 must have got in touch with you. I applaud
12 you for that. I if were you or any other
13 council person I could never return a phone
14 call. After what the reporters, the
15 Scranton Times, one sitting here tonight,
16 the way they write the articles, it's
17 disgraceful and they should be ashamed.
18 It's very slanted and only one-sided and I
19 challenge the Scranton Times to write what
20 is said here tonight. Put it in the paper,
21 and I seriously believe, Mrs. Evans, you
22 should write a guess editorial to tell the
23 truth to some of the people that don't see
24 the council meeting to let the other people
25 know what really happened. Thank you very

1 much.

2 MS. EVANS: Thank you.

3 MS. HARRIS: Good evening, Council
4 members.

5 MS. EVANS: Good evening.

6 MS. HARRIS: And ladies whose names
7 I don't know and, Attorney Hughes, whose
8 name I do know. It is nice to stand here
9 and look at what I always refer to as
10 statesmen, not politicians. There is a big
11 difference. A politician only cares about
12 the next election and what he can control, a
13 statesmen cares for the people that they
14 were elected to represent, and I appreciate
15 this city council for the work they are
16 doing on behalf of the people of the City of
17 Scranton, not an easy job, but so far some
18 good.

19 MS. EVANS: Thank you.

20 MR. JOYCE: Thank you.

21 MS. HARRIS: And can anyone here
22 just give me a brief explanation of the word
23 bribery, what it means? No. Bribery is a
24 promise or a favor given to influence. It's
25 an absolute shame that the people of this

1 wants the University of Scranton to be
2 involved in this process. The University of
3 Scranton's relationship with the City of
4 Scranton and it's residents is, therefore,
5 much rooted and grounded in our mission as a
6 Jesuit University. What is perhaps most
7 important, however, is the tremendous
8 potential that exists to cultivate real
9 change which can be fostered through
10 engaging the University of Scranton's vast
11 intellectual assets with the city, and the
12 University rooted and grounded in the vision
13 and the mission of Jesuit involvement with
14 the government."

15 These are the silent borders
16 presented in 2004 by the University
17 president, Reverend Pilarz, SJ. Does the
18 word control kind of come to mind? This
19 city has been far more generous to the
20 University than it should be. Far too much
21 control of the University and what takes
22 place on the hill is -- the hill is not, in
23 at least my estimation, a partnership
24 program. Being a school, the University
25 president should be very much aware of what

1 it says in the Bible and I quote, if I may,
2 "It was said to Jesus -- he said unto the
3 people, who is the image on the
4 superscription of the coins? And they said
5 to him, "It is Caesar's."

6 Then he said unto them, "Render,
7 therefore, unto Caesar the things the things
8 that are Caesars and unto God the things
9 that are Gods."

10 Caesar, in those days was the
11 government. What is Gods is Gods. You
12 cannot put these two things together. The
13 University should not be looking to the city
14 as a partner, it doesn't work. What they
15 have to do, they must do themselves and the
16 city must do likewise. They must remain two
17 separate entities. One cannot control the
18 other and that's what is happening here.

19 I'm sorry if I have offended anyone,
20 I didn't mean to, but you must remember that
21 the sting in any rebuke is the truth.
22 Somehow the word bribery in this case is out
23 of place, but the University does not, and
24 also the Pennsylvania Constitution Article
25 III, Section 15, says: That no money raised

1 for the support of public schools in the
2 Commonwealth shall be appropriated or used
3 for the support of any sectarian school, and
4 shall is mandatory.

5 Recent articles in the newspaper
6 have tried to make Mrs. Evans look foolish.
7 This is always what happens when someone
8 speaks the truth. They always think that
9 overcharging someone they don't agree with
10 will make them look good. Sorry, guys, the
11 opposite happened and you lose.

12 Thank God for Mrs. Evans. She
13 speaks without fear and that's the way it
14 should be. Can all of us here say the same?

15 And as far as the University giving
16 the city more money, they should. They have
17 our fire trucks, they have our policemen,
18 they have enough of things that belong to
19 the City of Scranton that they can give far
20 more than \$150,000, I'm sorry, but that's
21 just not fair. Just not fair. But a
22 payment to the city in lieu of taxes for
23 services rendered, something significant to
24 show appreciation for what the city has
25 already done for them. Thank you.

1 MS. EVANS: Thank you. Does anyone
2 else care to address council?

3 MR. TALIMINI: My name is Joe
4 Talimini, citizen of Scranton. I hope
5 you'll abide the ramblings of a senile old
6 man, but when I first saw the turnip truck
7 and got into this town after I left my cave,
8 I was quite impressed and I have been
9 impressed right along. I mean, I have seen
10 how democracy works and up until recently I
11 wasn't too pleased with it.

12 I also want to say I am pleased with
13 the way democracy is working now with the
14 four to one majority. At least we are
15 getting some action on behalf of the
16 citizens.

17 I guess maybe I'm just a little off
18 base by hammering the Golden octopus, excuse
19 me, the University so much, but I think if
20 I'm not mistaken they take in \$183 million a
21 year just in tuitions alone and, Frank, I'll
22 have to defer to you, I think 1 percent of
23 that would \$1.83 million and 1/2 of 1
24 percent would actually be \$915,000, so they
25 are doing pretty well. I mean, my math is

1 probably way off, but they are doing pretty
2 well for themselves.

3 MR. JOYCE: Your calculations are
4 accurate.

5 MR. TALIMINI: Well, thank you, sir.
6 Thank you. They have our firemen, they have
7 our policemen, none of whom have a contract
8 incidentally, they have our DPW who does an
9 excellent job up there because it looks like
10 the city dump when these kids leave town.
11 And I saw the same thing when I lived in
12 Bethlehem and that was a friend of our
13 mayors, I can't remember what was this
14 mayor's name? Don Cunningham's friend.
15 They did the same thing down there when they
16 sold out the city of Bethlehem to Lehigh
17 University.

18 But, you know, I just don't
19 understand this, how you people can just let
20 this slide when these people are actually
21 poverty stricken and in dire need. They
22 only own 32 percent of the city right now.
23 Of course, we have a medical college coming
24 in here which is going to do so much more
25 for us. They are going to acquire Midtown

1 apartments which means you have to displace
2 750 people, take that thing off the tax rolls
3 and give to the University. They, in turn,
4 are going to have to new property to live on
5 because that's the rules. You can't just
6 take those people out and drop them off at
7 the river, they're going to have to have a
8 place to live which means that property is
9 going to have to be acquired and come off the
10 tax rolls, but I think that's part of
11 Lackawanna College.

12 And if they acquire United House,
13 which is probably the next venture, you are
14 going to have to displace all of those
15 people which means you are going to have
16 another piece of property come off the tax
17 rolls so you can build another high rise so
18 those people have a place to live. And, of
19 course, if they grab up the intermediate
20 school that makes lot of sense, too, because
21 since they want to close part of Pine Street
22 and Adams Avenue that building is useless to
23 anybody else, which means you are going to
24 have to build another intermediate school
25 and there is another piece of property

1 that's going to have to acquired.

2 So I think the mayor's figures might
3 be slightly off when he said 32 percent. I
4 think it's more like the taxpayers are going
5 to wind up with 32 percent of the property
6 in this city and they are going to pay 100
7 percent of the taxes. But, of course, the
8 administration doesn't care about that
9 because, I mean, here is man who he had a
10 \$500,000 mortgage, put six kids through Prep
11 school and college, all on \$50,000 year. He
12 is one hell of a financial genius. I don't
13 know how you do that unless he is great, and
14 his backers, also. I think weren't the two
15 backers of his previous who said they would
16 be here, they would constantly be here
17 monitoring all of this, I haven't seen
18 either one of them yet, but, you know, words
19 are cheap.

20 As I said, just ramblings of a
21 senile old man, so I apologize and I hope
22 that I haven't offended of you, but all I
23 can say is keep up the good work, but don't
24 let them snow you. And as far as you being
25 the queen, Mrs. Evans, I think you are much

1 better than Elizabeth, much better looking
2 and a lot younger. You are not wearing your
3 tiara tonight, but I imagine that's only for
4 official functions. And the other thing
5 that I can't go over is your Court. I mean,
6 you know, you used to have a bunch of
7 jesters up there, but thank God most of them
8 are gone now. I say most of them.

9 The other thing that I was going to
10 say, and if you'll buy me just a few more
11 seconds here, we have an attorney here, I
12 think the university has an attorney,
13 Lackawanna University -- incidentally,
14 Lackawanna doesn't cannot pay anything, do
15 they, in lieu of taxes?

16 MS. EVANS: Correct.

17 MR. TALIMINI: So, you know, they
18 keep gobbling up property, too. I think if
19 our attorney got together with maybe the
20 city attorney, and I'm sure we have one that
21 represents the taxpayers or supposedly, and
22 their attorneys possibly they can get
23 together and negotiate some kind of
24 settlement, but I think 1/2 of 1 percent of
25 just the tuition alone, and that's not

1 including the perks that they get, that
2 would be sufficient to keep the city going
3 for awhile. If I'm not mistaken, the
4 Housing Authority, and they are my favorite
5 subject, the Housing Authority contributes
6 something every year and didn't they just
7 contribute a million dollars a couple of
8 years ago?

9 MS. EVANS: Yes.

10 MR. TALIMINI: Oh, okay, and they
11 take care of the senior citizens and
12 handicapped people. These people up here,
13 well, they take care of mentally handicap
14 people if you watch these kids cross the
15 street in the dark and middle of the night,
16 but I guess that's part of the project, too.
17 Well, thank you for your time, and I hope I
18 can make it back again sometime soon.

19 MS. EVANS: Thank you.

20 MR. ANCHERANI: Good evening.

21 Nelson Ancherani, First Amendment Rights.

22 MS. EVANS: Good evening.

23 MR. ANCHERANI: Two weeks ago
24 representatives from PEL presented part of a
25 program in preparation of preparing a new

1 Recovery Plan for the City of Scranton and
2 that's to replace the Recovery Plan that
3 expired at the end of 2005. This is PEL,
4 the state organization that is supposed to
5 oversee, and I use that word jokingly, the
6 Recovery Plan for the City of Scranton from
7 the Act 47 distressed label. This is the
8 19th year that PEL has coordinated the
9 recovery of the city from Act 47 distress
10 label. Nineteen years distressed and PEL is
11 the supposed saver of the city.

12 For 19 years the city has languished
13 in distress, ten years under Mayor Connors
14 and nine years under this current
15 administration. PEL should be ashamed of
16 themselves. Nineteen years as plan
17 coordinator and the city is still
18 distressed. PEL people are supposedly
19 highly skilled in what they do. The one
20 main thing that very have really, really
21 succeeded in, and believe me, they have
22 succeeded in this, is in guaranteeing that
23 they have been paid dearly for the last 19
24 years and will continue to be paid. They
25 have been paid for the last 19 years for

1 nothing. No success, but paid for failure
2 to bring the city out of the distressed
3 status.

4 They get paid from we, the people's,
5 tax money. That's my opinion. They get
6 paid for nothing. My daughter, if I had
7 one, could do a better job. PEL did nothing
8 when the 2003-2005 Recovery Plan was
9 violated by this administration. You can
10 look at page 64 as an example. Look at the
11 director of public safety office, close to a
12 million dollars for an office not
13 authorized. Look at the raises and new
14 hires over the last nine years, 25 million
15 cumulatively, and the 300 million plus in
16 long-term debt. Where were they all of
17 these years?

18 They are here now to justify what
19 they do. Nothing. So they be back here in
20 front of council and I have a question, will
21 we be able to ask questions or are they
22 going to come just for council?

23 MS. EVANS: Actually, when they
24 return on the 27th we will again have
25 representatives of the municipal unions and

1 the Taxpayers' Association and council, of
2 course, and we are going to be asking some
3 questions.

4 MR. ANCHERANI: Okay. Thank you.

5 MR. SLEDENZSKI: Last one, Jack.
6 Always the last guy.

7 MR. LOSCOMBE: Chrissy.

8 MR. SLEDENZSKI: Hi, Jackie. Well,
9 Jack, what did you think? Are these guys
10 doing a good job downstairs or what down
11 there. The firemen, they do a good job,
12 don't they Jack?

13 MR. LOSCOMBE: Good job.

14 MR. SLEDENZSKI: I love them all
15 down there, especially the big cheese down
16 there. You know who I mean, right, Jack?
17 Thank you.

18 MR. LOSCOMBE: Don't forget, slide
19 down the pole tonight.

20 MR. SLEDENZSKI: Oh, backwards.

21 MS. EVANS: Is there anyone else who
22 would like to address council?

23 MS. CARRERA: FIFTH ORDER. 5-A.

24 MOTIONS.

25 MS. EVANS: Mr. McGoff, do you have

1 any comments or motions at this time?

2 MR. MCGOFF: Please, a number of
3 things. First, there is a precedent for the
4 removal of a member of the zoning board for
5 indiscretions, especially for failure to
6 abide by zoning regulations. I believe it
7 happened in the past resulting in the
8 removal of a member of the zoning board and
9 replacement. I would like to ask if council
10 is going to seek to remove Mr. Williams from
11 the zoning board for his failure to abide by
12 the zoning regulations?

13 MS. EVANS: Well, first of all, I'm
14 not quite sure what precedent you are
15 citing. Since I have been seated on council
16 we did have a zoning member resign from the
17 zoning board of his own volition and that
18 was due to the fact that a city resident had
19 come to council reporting that he, as a
20 contractor, had been installing I believe it
21 was curbs or maybe sidewalks without
22 permits, but being paid and, thereafter,
23 that individual resigned.

24 MR. MCGOFF: Will we ask
25 Mr. Williams to resign?

1 MS. EVANS: I can say I don't
2 condone what Mr. Williams has done, I
3 believe he should have had permits, but
4 again, I know when I've had work done at my
5 own home my contractors have obtained
6 permits from the City of Scranton before
7 they have done the work and then, of course,
8 that was added to my bill for services
9 rendered and the bill was paid.

10 MR. MCGOFF: Well, I would just --
11 it would be -- I would agree with
12 Mr. Spindler, once again, a rare occurrence,
13 I guess, but I would recommend that we ask
14 for Mr. Williams' resignation or seek to
15 remove him and reappoint Mrs. Cook to the
16 zoning board. I hope that might be
17 considered by council in the future.

18 The second thing, also, dealing with
19 the zoning board, I would like to renew my
20 opposition to the amendment dealing with the
21 solicitor for the zoning board. The zoning
22 board acted well within it's authority in
23 it's appointment of or it's extension of
24 Mr. -- Attorney Penetar's term. They did it
25 in a timely fashion. His term was due to

1 expire, they did it within the 30 days prior
2 to his -- the expiration of his term, which
3 is what we have been -- we have been talking
4 about on council. The only -- the one thing
5 that I could find dealing with appointment
6 of or solicitors for zoning boards was a
7 Court case back to 1988, perhaps this is
8 outdated, Attorney Hughes may know, but this
9 says, this Court case determined, that a
10 zoning board had the exclusive right to
11 appoint own solicitor and also that it could
12 do so without the consent of the
13 municipality.

14 Also, I believe that characterizing
15 the members of the zoning board, both the
16 current or the returning members and the
17 outgoing members, as having acted in bad
18 faith in this was an insult to them. Those
19 people have served on the board for a number
20 of years, the outgoing people had served for
21 a number of years and I believe that
22 characterizing them as acting in bad faith
23 after the service they had provided to the
24 city on that board was, as I said, insulting
25 and unnecessary.

1 The tax exempt status that we have
2 been discussing here for the evening, I
3 think -- I agree that we need to do
4 something to increase payments in lieu of
5 taxes, the bill -- I think the bill that was
6 spoken of by someone was the Freeman Bill
7 that was in the state legislature that
8 sought to use money from the Johnstown flood
9 to reimburse cities, that kind -- that
10 languished and I believe the funding that
11 they sought, I forgot how that went,
12 something dealing with the Johnstown flood
13 that money has been used and is no longer
14 available for reimbursement to the cities,
15 but I think the answer is not in the -- not
16 going individually to tax exempt bodies,
17 although, I'm not saying that we shouldn't,
18 I think the answer is in redefining the law
19 and that has to be done at a state level and
20 a federal level to redefine what tax exempt
21 is, to redefine what nonprofits are, to get
22 a better assessment of what actually
23 operates as nonprofit and profit within
24 these institutions, and I mentioned that
25 before. I think we need to look at places

1 like the University of Scranton, Lackawanna
2 College, any place that uses it's facilities
3 for profit. Those things should be taxed,
4 and if they are not we should look in it and
5 make sure they are. I don't know whose
6 responsibility that would be, whether it's
7 on the -- you know, tax collector or whether
8 it's the city or where it goes, but I think
9 that's one way of increasing the amount of
10 money that we received from these
11 nonprofits, these tax exempt bodies.

12 I did receive some information -- as
13 we had talked about nonprofits in the city
14 and tax exempt status in the city, the nine
15 largest employers in the City of Scranton
16 are tax exempt. It's not until we get to
17 number -- the tenth largest employer, which
18 is Diversified, that we find that somebody
19 that actually is paying taxes on the
20 property or whatever. By the way, the
21 University of Scranton is only the ninth --
22 or eighth largest, excuse me, the eighth
23 largest employer in the city, so while they
24 may be the focal point for what we are
25 talking about, there are other tax exempt

1 institutions. Now, some of them can't be
2 taxed, obviously, the federal government we
3 tax or we can't look for money, but there
4 are other institutions in the city that are
5 paying nothing in lieu of taxes and should
6 be sought out.

7 As a matter of fact, out of the top
8 16 employers only five pay taxes in the city
9 and that doesn't include the Diocese of
10 Scranton or the new Commonwealth College, so
11 we have a lot of tax exempt institutions
12 operating.

13 And with that said, and I know it
14 may be an after the fact thing, I will ask
15 the mayor, I know that, you know, I'm often
16 said that -- it's often said that I'm the
17 only one that can get to speak to him, I
18 will ask the mayor to schedule meetings with
19 the local colleges and with the hospitals,
20 that would include the University of
21 Scranton, Marywood, Lackawanna, Johnson
22 College, and the three hospitals to sit down
23 and talk to them about the payment in lieu
24 of taxes. I will ask him to do that before
25 the summer is over, and hopefully he will

1 and see what it brings about.

2 The last thing that I would like to
3 speak to was the comments by Mr. Bolus. I'd
4 like to remind him that Scranton is not a
5 monarchy. We really don't have -- and
6 council is not ruled by a queen or a king in
7 any way and each member -- each member of
8 council is elected independently and is free
9 to have an independent voice. When I was
10 president of council and prior to the status
11 I now have I never asked for an apology from
12 anyone who disagreed with me, I have never
13 asked for an apology from anyone who
14 criticized the way I voted or the way I
15 acted, I think that it's in disagreement
16 that we find solutions, and so I hope that
17 he is not disappointed in the fact that
18 there will be no apology. I did disagree,
19 only part of my disagreement was in the
20 newspaper article, but I did disagree with
21 the way in which the negotiations, if it
22 were, were done with the University of
23 Scranton and I still disagree and I think
24 that it could have been handled better, and
25 that is all I have. Thank you.

1 MS. EVANS: Thank you. And I'm
2 hoping that perhaps you will have a
3 different point of view after you hear the
4 true account this evening of the meeting.
5 Mr. Rogan?

6 MR. ROGAN: Thank you. I guess I'll
7 start off with the zoning board as well, and
8 I know that the situation with Mr. Williams
9 was reported in the paper, but as Mrs. Evans
10 stated, I do not believe Mr. Williams was
11 the contractor. I believe he paid somebody
12 to do with the work, and I believe the
13 responsibility would have been theirs to get
14 the permit, but the that being said, the
15 second thing on the zoning board with the
16 amendment. I firmly believe the incoming
17 members should have a say in who their
18 solicitor is, just as when we were elected
19 to council we were able to appoint Attorney
20 Hughes as our solicitor and it wasn't at the
21 last minute. When you were you in charge,
22 you, Mrs. Gatelli and Mr. Fanucci, you
23 didn't pick our solicitor and I don't
24 believe the outgoing members should appoint
25 the solicitor for the incoming members on

1 the zoning board as well.

2 Secondly, I attended the Pinebrook
3 Neighborhood Association last Thursday and
4 I'm glad to see that they are reorganizing.
5 There was a great group, there were a lot of
6 people there from all different sections of
7 Pinebrook, and I have a list of some
8 concerns that I got from the residents
9 there.

10 The first one is regarding the
11 homeless. I know the newspaper did a nice
12 report when I went down to the Mineral
13 Avenue area and they showed all the blighted
14 houses and the people living in tents along
15 the river, some on railroad property, some
16 right along the river banks, and it really
17 is -- it's a mini-tent city going there,
18 and it's an eyesore for the people in the
19 neighborhood and it may be a safety hazard
20 as well. We don't know where these people
21 came from, what their past is, if they have
22 outstanding arrest warrants and with it
23 being so close to the school that's another
24 concern and I think it's when the children
25 walk to and from school, the high school,

1 who knows what maybe one of these homeless
2 may do.

3 And I will, Attorney Hughes, if you
4 have some time after the meeting I would
5 like to talk to you about possibly a law
6 against vagrancy in the city.

7 Secondly, and this is something we
8 talked about last week, is the beat police
9 officers. And the residents of Pinebrook
10 and all of the residents I speak to in
11 different areas of the city they understand
12 how great the job the police officers do,
13 the beat officers, and we really desperately
14 need them in our neighborhoods. You know,
15 just the presence alone deter criminals from
16 being in the neighborhoods, and I would hope
17 that the Chief Elliott would reconsider and
18 hopefully we could have them on the streets
19 this summer because it's a safety hazard.
20 We need the police officers on the streets.

21 And I also have a list of homes that
22 are blighted in the area, and I will type
23 this up and give these to Mrs. Krake when
24 she comes back, and I will hold off on my
25 comments on the agenda items until they are

1 up. Thank you.

2 MS. EVANS: Thank you, Mr. Rogan.
3 Mr. Loscombe, any comments or motions?

4 MR. LOSCOMBE: Yes. Thank you,
5 Mrs. Evans. You know, I have always had a
6 deep respect for the University of Scranton.
7 I have had several family members who have
8 graduated from there and are doing fairly
9 well. We were involved in confidential
10 negotiations with the University of
11 Scranton. They chose to start a campaign in
12 the newspaper bringing the negotiations to
13 light and in an effort to provide a PR
14 blitz.

15 I would like to set the record
16 straight. Several weeks ago Attorney
17 Hughes, Mrs. Evans, and myself had the
18 pleasure of meeting Father Pilarz in his
19 office at the University of Scranton. Also
20 present at this meeting were Attorney
21 Patrick Lavelle for the University.
22 Attorney Hughes started the dialogue by
23 explaining the process involved for
24 receiving an aerial easement over Hitchcock
25 Court to accommodate the connection of the

1 two buildings that the University is in the
2 process of obtaining approval for from the
3 various city boards.

4 The purpose of my attendance and
5 Mrs. Evans' attendance was to request an
6 increase in the University's payment in lieu
7 of taxes. As Mrs. Evans started her
8 conversation, Father Pilarz volunteered that
9 he had recently had discussions with the
10 Board of Trustees and that they had
11 considered increasing their payment by 50
12 percent or an additional \$55,000 in addition
13 to the current payment of \$110,000 for a
14 whopping total of \$165,000. It was Father
15 Pilarz at that point who connected the
16 increase with the easement not Mrs. Evans.

17 I then produced a map, which I will
18 show you after my presentation, that
19 highlighted the 58 plus acres of property
20 that the University has amassed in the Hill
21 Section since the early 50's. I also
22 produced the spreadsheets reflecting the
23 current assessed value for each of the 166
24 parcels that make up the University
25 property. A lengthy discussion ensued with

1 Attorney Hughes, Mrs. Evans, and myself
2 trying to appeal to Father Pilarz regarding
3 the distressed status of this city and the
4 fact that it could not be a good selling
5 point for the University when trying to
6 recruit students from out of the area.

7 We discussed the rapid pace at which
8 the University has been acquiring taxable
9 properties and turning them into tax exempt
10 properties, thereby, eroding our tax base,
11 and the fact that this was not being looked
12 upon too kindly by the majority of speakers
13 who appeared before us at city council
14 meetings.

15 We mentioned the fact that not only
16 were they decreasing the tax base, but they
17 are also driving tax paying enterprises out
18 of the area and setting up competing
19 businesses in their new buildings that will
20 be tax exempt for the most part. Whereas,
21 in Wilkes-Barre, the colleges down there
22 have formed partnership with private
23 business such as the book store at Barnes
24 Noble, I believe it's Wilkes College. This
25 is something the University should be

1 looking at not driving away private
2 business.

3 I mentioned to Father Pilarz that
4 Scranton wasn't the only city in that
5 position and that I had been in
6 communication with officials from other
7 municipalities who had been banding together
8 like no time in recent history in an effort
9 to require nonprofit entities who are not
10 solely charitable organizations to provide
11 some sort of payment in lieu of taxes
12 through various methods such as tuition
13 taxes, essential services fees in lieu of
14 tax notices based on square foot method or
15 bed fees to name a few. Father Pilarz's
16 response to me was that the University would
17 mount a legal challenge.

18 Attorney Hughes suggested a fee per
19 bed added to the room rental, however,
20 Father Pilarz responded that that would be a
21 tax and he was unwilling to do that. After
22 I'm done with my notes here, I will discuss
23 the enormous amount of fees in addition to
24 tuition that the University has no problems
25 in collecting.

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Near the end of our meeting Mrs. Evans stated that she felt that a 50 percent increase was unacceptable, and I have to say I also agreed. Based upon the documentation that we have provided to the University, the 50 percent increase was deemed unacceptable based on that. The meeting ended amicably with Father Pilarz stating that he would discuss our concerns with the Board of Trustees and get back to us.

As we peeled ourselves from the ultra plush leather couches, being careful not to knock over any of the crystal glasses onto the imported tile flooring in Father Pilarz's office to say our goodbyes, I guess I felt confident that we had presented a good and reasonable case on behalf of the taxpayers. We were probably not even out of the building before the mayor's office was notified at that city council had the gall to approach this sacred institution and request financial help for our cash strapped distressed city.

You see, all that we were trying to

1 do was follow the mandate of the Recovery
2 Plan which states that the business
3 administrator and city attorneys shall
4 aggressively pursue additional voluntarily
5 contributions or direct tax payments from
6 the tax exempt community to support city
7 services right here highlighted from our
8 Recovery Plan that's been in place since
9 2002, this is from the revised one.

10 We picked up where the
11 administration had dropped the ball and that
12 has been evidenced in a statement by the
13 mayor in this morning Times article which
14 states: Recently asked if he approached tax
15 exempt organizations to collect payments in
16 lieu of taxes, Mayor Chris Doherty initially
17 said, no. When pressed further, Mr. Doherty
18 added, "We ask all of the time," but he
19 wasn't able to provide specifics.

20 Yet in Saturday's editorial by the
21 Times, which refers to us as extortionists,
22 the editorial states: Rather than
23 responding to Mrs. Evans extortion, the
24 University increased it's annual
25 contribution by 59 percent to \$175,000 in

1 accordance with it's previous discussions
2 with the Doherty administration.

3 Which one of these statements is
4 accurate? I think that a discussion over
5 something like this should be memorable.

6 The administration has had over nine
7 years to perform had task that was mandated
8 in the Recovery Plan and that he has chosen
9 to ignore it. Only now after our meeting
10 was brought out in the open does the
11 newspaper try to credit the administration
12 for negotiating with the University. You
13 are free to believe what you want, but I
14 know what I believe. You will notice that
15 many of the large nonprofit organizations
16 stack the deck with influential people on
17 their board in an effort to possibly
18 manipulate situations such as this. How
19 many average Joes have you seen on these
20 decision making panels? None. In the case
21 of the University, the mayor's own wife sits
22 on the board.

23 It only makes sense that the Times
24 would mount an attack on Mrs. Evans, somehow
25 they forgot to include me this time as the

1 University is a large benefactor of the
2 Lynett's charity.

3 This past Sunday the Times outdid
4 themselves, Chris Kelly, John Cole, Pat
5 McKenna, they must have been tripping over
6 each other as they attempted to pin their
7 vial diatribe. To claim that we are
8 extortionists borders on liable. If we are
9 extortionists, then the land grabbed by the
10 University while the city is in a distressed
11 status should be nothing less than highway
12 robbery. If the University wants the rights
13 over Hitchcock Court, then they should have
14 to negotiate a fair value for it just as
15 they have when they took over other streets
16 and courts in the Hill Section.

17 As I have stated previously, we are
18 not the only elected officials pursuing
19 payments in lieu of taxes in the country,
20 but we are the only ones in this area with
21 the fortitude to go out and fight for our
22 taxpayers.

23 The newspaper is also assuming a lot
24 when they accuse of us picking on the
25 University. We will be knocking on the

1 doors of all of the large nonprofits in the
2 next couple of months and, yes, Chris Kelly,
3 the Jesuits are here, but in the last ten
4 years they have been made their insatiable
5 appetite for the property in the Hill
6 Section as noticeable as a feeding frenzy at
7 a pig trough. I would like to have all of
8 the newspaper vending machines removed from
9 the streets throughout the city just to see
10 how well the Times would deal with the loss
11 of their revenue. I guarantee they would
12 not like it. Well, that's the circumstances
13 that the city faces with the loss of taxable
14 properties.

15 Ladies and gentlemen, before I go
16 out in front and show you some of the charts
17 that I have compiled, I would like to give
18 you a basic idea of what this majority of
19 council is trying to accomplish for you. We
20 are not afraid to fight the society elite.
21 Those with the country club mentality that
22 only represent a minority of our city's
23 population, and we are here to represent the
24 needs of the majority of our taxpayers who
25 have long been overlooked.

1 neither the prince of city hall, the king of
2 the hill or the Waverly jesters give a damn
3 about the conditions of our city as they
4 hide behind a the frosted glass doors or
5 their ivory towers, but Queen Janet is
6 always available for the Court.

7 I just have a couple of charts I
8 just wanted to show you. You know, one of
9 the reasons we attempted to go after the
10 University first is because, you know, we
11 were in the process of approving some plans,
12 but they are the biggest entity in the city
13 that seems to be acquiring land at a pretty
14 rapid pace and turning into tax exempts.

15 But if you see this map here from
16 the county, all of that area in blue in the
17 Hill Section, and I'm behind a little bit
18 there is probably a few more I could fill in
19 because that's how fast the properties are
20 going, everything in blue is owned by the
21 University of Scranton at this time.

22 I just want to show you a couple of
23 pie charts that reflect the rapidity of the
24 purchases of the property. Since Scranton
25 went to distressed in 1992 the University

1 has purchased over 67 percent of their
2 property, and this is the pie chart showing
3 that. This is the purchase since we have
4 become distressed. This is what the
5 University owned prior to that.

6 This next chart shows the amount of
7 property that the University purchased under
8 the current administration. 52 percent of
9 the university's property has been acquired
10 while the current administration has been
11 seated, 48 percent prior to that.

12 And this map is just a ten-year
13 breakdown starting from 1950 and you can see
14 how it progressively gets larger, but again,
15 52 percent in the last ten years, the
16 biggest piece of this pie has been purchased
17 in the last ten years while we have been
18 struggling under the distressed act and we
19 haven't received an extra penny to this
20 point and I don't think they would even be
21 talking today or there would be anything in
22 the newspaper if we didn't approach them.

23 And again, we are putting everyone
24 on notice that we are going door-to-door and
25 whether the mayor approves it or not we are

1 working for you. We have done a lot of work
2 on this and a lot of research, but these are
3 the spreadsheets and if anybody wants to see
4 them they are welcome to see them, they have
5 the amount of taxable property, the
6 millages, the rates and everything that we
7 based all of this information on.

8 And I won't lengthen this anymore,
9 but on top of their tuitions there are pages
10 and pages of additional fees that the
11 students are required to pay, parking fees,
12 they charge their own parking tickets and
13 stuff, but graduation fees, semester fees,
14 anything. So Father Pilarz said we were --
15 our fee was going to be a tax. Well, I
16 guess these hundreds of fees here are taxes
17 that they charge themselves, but I would be
18 happy to meet with anyone if they have any
19 additional questions on this. In the
20 interest of time, I could probably spend
21 another hour on this, I will turn it over.
22 Thank you.

23 MS. EVANS: Thank you, Mr. Loscombe.
24 Mr. Joyce, any comments or motions?

25 MR. JOYCE: Just a few brief

1 comments. Week after week many people come
2 up to the podium and speak about KOZ's and
3 what will the city be getting in return once
4 KOZ status is up. Now, initially, we did
5 some research with the Single Tax Office as
6 far as 2010 numbers. However, the Single
7 Tax Office since 2010 wasn't totally
8 complete, they were preliminary numbers so
9 we went back to 2009, and through the help
10 of our tax collector, Bill Courtright, as
11 previously stated, he explained that a list
12 had never been generated by the Commonwealth
13 of Pennsylvania showing all the KOZ
14 properties in a taxing district, but he did
15 inform that in 2009 the Single Tax Office
16 abated \$447,000 in 2009 non-delinquent
17 property taxes for the City of Scranton. So
18 if you put two and two together this could
19 be an indication of how much additional
20 revenue the city may receive after certain
21 property's KOZ statuses are up.

22 One citizens' request tonight has to
23 do with 1926 Price Street. This was a
24 recently condemned property. The grass at
25 this property is about knee high and has

1 very high weeds. If we could please send a
2 letter to Mr. Seitzinger to contact the
3 property owner and to have the situation
4 addressed.

5 Also, I was informed by some
6 residents that one of our recent requests to
7 repair one of the defaced stop signs at the
8 corner of Pen-Y-Bryn and Leslie Drive had
9 been completed and that the stop sign looks
10 great and that the residents were very
11 happy, so I would like to thank our DPW
12 workers for handling that as such, and
13 that's I have for tonight.

14 MS. EVANS: Thank you. Good
15 evening. I wish to begin by correcting the
16 misstatements and misconceptions provided by
17 the Scranton Times and Father Pilarz,
18 president of the University of Scranton.
19 It's this simple, when Mr. Joyce, Mr. Rogan
20 and I ran for Scranton Council we pledged to
21 aggressively pursue payments in lieu of
22 taxes from nonprofit organizations because
23 the mayor, the business administrator, Stu
24 Renda, and the city solicitor had never done
25 so.

1 As a result, Attorney Hughes,
2 solicitor for Scranton City Council,
3 Councilman Loscombe and I met with Father
4 Pilarz and Attorney Lavelle, council for the
5 University of Scranton in June. Father
6 Pilarz opened by stating that he had good
7 news, the University was increasing it's
8 payment in lieu of taxes by 50 percent or
9 \$55,000. This would increase it's PILOT
10 from one \$110,000 to \$165,000.

11 Father Pilarz then stated that the
12 University was asking for the aerial
13 easement rights above Hitchcock Court and
14 had decided not to request ownership of
15 Hitchcock Court as a result.

16 In addition, Father Pilarz stated
17 that the University already had two separate
18 development plans, one which contained the
19 aerial easement for construction of one
20 building, and a second plan for the
21 construction of two separate buildings.

22 Thus, it was Father Pilarz who
23 sought to connect the University's voluntary
24 contribution to the aerial easement above
25 Hitchcock Court. In other words, it was

1 Father Pilarz and not I who engaged in the
2 alleged quid pro quo bargaining.

3 After listening to Father Pilarz's
4 offer and extensive discussion among
5 Attorney Hughes, Attorney Lavelle and
6 Councilman Loscombe, I informed Father
7 Pilarz that his \$55,000 offer for the sale
8 of the air rights was unacceptable because
9 it was not enough. As a faithful Roman
10 Catholic, I respectfully asked him as an
11 ordained priest of the Catholic church to
12 understand and compassionately consider the
13 sufferings of the people of Scranton rather
14 than only buildings and construction
15 projects. In meticulous detail, I presented
16 the distressed financial status of the
17 Scranton and it's historic debt, the
18 imminent financial crises facing our city,
19 and the plight of the city's poor, elderly
20 and blue collar working families. I stated
21 that just as he is charged with the welfare
22 of 5,000 students and employees, as an
23 elected councilwoman I am charged with the
24 welfare and protection of the 72,000
25 Scranton residents, most of whom can no

1 longer afford to subsidize the University's
2 ever growing tax exemptions for the largest
3 parcels of city property owned by any
4 nonprofit institution within the City of
5 Scranton.

6 I noted the double digit figures for
7 local unemployment as well as the increasing
8 number of home foreclosures in the city.
9 Further, I remarked how numerous residents
10 cannot even pay for their bills and their
11 children's college educations in this
12 recession. I closed by once again
13 respectfully asking for his reconsideration
14 and no dollar figure for an increased
15 payment for the aerial right was stated by
16 anyone present at this meeting. It was
17 agreed that the University would get back to
18 us in the future.

19 Following that meeting, I had no
20 further contact with any representative of
21 the University of Scranton, rather, Attorney
22 Hughes, Attorney Lavelle, and another party
23 representing the University negotiated the
24 sale of this city asset, the aerial easement
25 above Hitchcock Court which is owned by the

1 city.

2 A few weeks later, we had an
3 agreement for \$250,000 for each of four
4 years for a total of \$1 million. At the
5 11th hour, however, the University changed
6 it's mind and broke the agreement and Father
7 Pilarz proceeded to accuse me of quid pro
8 quo bargaining despite his connecting the
9 voluntary contribution to the aerial
10 easement. And at this time, I ask Attorney
11 Hughes to explain the negotiations further.

12 MR. HUGHES: Thank you, Madam
13 President. I'm going to start with the
14 quote from Vladimir Lenin after the Russian
15 Revolution when he said, "If you say a lie
16 often enough to the people they will soon
17 believe it's the truth."

18 It's called misinformation and
19 that's basically what has been spread in the
20 newspaper about the negotiations with the
21 University of Scranton. As Jack Loscombe's
22 map down here shows, in the last ten years
23 the footprint, what we call the footprint,
24 which is the land which is owned by a
25 developer has increased, has doubled in size

1 in the last ten years. We have to go back
2 to 1964 when the University of Scranton
3 basically had the Scranton Estate, there was
4 an agreement reached between the University
5 of Scranton and the City of Scranton to
6 adopt a redevelopment plan for an area in
7 the Hill Section, it's recorded in
8 Lackawanna County Deed Book 611, page 209,
9 unfortunately, the maps were not recorded
10 with the deed, but basically what happened,
11 this was called the University Urban
12 Redevelopment Plan named after the
13 University of Scranton. It was to condemn
14 various houses, which at that time were some
15 of the major houses in the Hill Section, to
16 condemn them, turn the land over to the
17 University of Scranton.

18 From what the Redevelopment proposal
19 says, the Redevelopment Authority was to
20 demolish the structures and turn the land
21 over to the University of Scranton. The
22 area bounded by Mulberry Street, Madison
23 Avenue, Webster, and the Scranton Estate was
24 to become an institutional district for the
25 University of Scranton. It was rezoned as

1 an institutional district, as you can do
2 with an urban redevelopment plan, and became
3 an institutional district.

4 Ironically, the height limitation in
5 the institutional district was 40 feet. No
6 building could be no more than 40 feet.
7 Every building had to have a setback from
8 the main street of at least 20 feet in the
9 front yard. There were other controls
10 regarding parking for student housing. For
11 every four students there had to be one
12 parking space. For every ten chairs in a
13 classroom there had to be one parking space.
14 For every secular residence there had to be
15 one parking space for every ten and for
16 every nonsecular there had to be one for
17 every unit.

18 That plan was adopted, that's how
19 the University got it's start and today that
20 is the area where it is. If you look, this
21 is from the zoning map, I know you probably
22 can't see it too well, but from the city's
23 zoning map this area right here is the
24 institutional district bounded by Mulberry
25 Street, Madison Avenue, Webster, the

1 Scranton Estate, down to Spruce Street
2 extended the Spruce Street Expressway over
3 to Moosic Street.

4 What has happened now that the
5 University of Scranton, which I'll explain
6 later, most of their expansion is now into
7 residential zones. They are moving across
8 Mulberry Street, there is a small section
9 there which was a commercial neighborhood.
10 Behind that, most of that is all R-2. The
11 area behind Webster Avenue going east is
12 R-2, and most of the area after that where
13 the University of Scranton now is starting
14 to expand is also a R-2 zone. It's not an
15 institutional district.

16 So with most of this area around
17 being an R-2, the University of Scranton
18 cannot expand for it's institutional
19 purposes and it requires variances from the
20 zoning. Where, as Jack Loscombe has
21 previously said, there were 166 parcels
22 which are tax exempt, the assessed valuation
23 just on the land is \$1,889,000. If you
24 apply the city millage to that tax on just
25 the assessed valuation of land only that's

1 almost \$195,000.

2 As Joe Talimini said using the
3 University of Scranton's budget I assumed it
4 was \$174,000 for my information, I'll use a
5 little bit different percentages, but 1
6 percent of 174 million is \$1.74 million. If
7 you take one-thousandth of 1 percent, just a
8 thousand, point 001 of that budget, it would
9 be \$174,000 which was more than the
10 increased voluntary contribution in lieu of
11 taxes that the University of Scranton wants
12 to pay.

13 As numerous speakers, and I'll just
14 highlight have said, as was reported in the
15 paper today that 32 percent of the land
16 value of the city of Scranton is now exempt.

17 To set the record straight, and I
18 don't know who the experts were, I don't
19 know what questions were asked of them from
20 the legal standpoint where all of this
21 started, the zoning board, every zoning
22 board in Pennsylvania is an independent
23 body. The zoning board makes it's decision
24 on giving variances. The variance has
25 already been granted for this apartment

1 building.

2 There is a use variance, which in
3 order to be granted there is five statutory
4 requirements that have to be met. They are
5 in an R-2 zone, to build a building such as
6 this, it's going to run a whole block,
7 assuming we have the aerial easement across
8 Hitchcock Court or even with the two
9 buildings now it's almost going to run one
10 full block of Mulberry Street, to put that
11 apartment building in there is a use
12 variance, very stringent requirements by
13 statute. They got a use variance.

14 The height variance in an R-2 zone
15 is 35 feet. If you take a seven-story
16 building, and I'm just using 12 feet per
17 floor, that would be 84 feet. I believe
18 that they requested a variance for close to
19 100 feet because the roof would go up in a
20 gable.

21 They also had to get a variance for
22 parking. All of these variances were
23 granted, and as a result they also had to
24 get planning commission approval. The
25 planning commission's decision was final, it

1 was already made, that was done. However,
2 the University of Scranton had to buy or
3 attempt to obtain from the city, city
4 property, and the air space over Hitchcock
5 Court is a city asset. It can be sold. It
6 can be given away. There could be
7 agreements reached regarding that.

8 The attorney for the University of
9 Scranton, and I have drafted aerial
10 easements, I have sold aerial space, I have
11 done that before, he had part of my
12 agreements when he talked to me to arrange
13 the meeting, and I discussed what would be
14 done with the aerial easement and I said it
15 could be either an easement or it could be a
16 conveyance in fee, to start with the lower
17 limit in elevation and we could cap it at a
18 higher limit in elevation and I certainly
19 don't want them building the Empire State
20 building over Hitchcock Court. I said I
21 would recommend that we took an upper -- we
22 take a lower limiting elevation and I would
23 cap it out a 100 feet over the commencement
24 point of the lower limit elevation.

25 When we did that, the University of

1 Scranton, of course, they came here, they
2 put on a dog and pony show as to the
3 building, that's generally what's it's
4 referred to as when you come in with all of
5 your boards and all of your experts and you
6 just give everybody what the proposal is
7 going to be. The arrangement, I talked with
8 Attorney Lavelle that night, he said he
9 would arrange the meeting, we agreed upon a
10 date and it was the University of Scranton
11 that approached the City of Scranton for the
12 aerial easement or a fee conveyance.

13 The meeting was arranged, with
14 Father Pilarz and that was held on June 9
15 and, of course, both Mr. Loscombe and Mrs.
16 Evans had stated what happened at that
17 meeting, it would be repetitious for me to
18 state that.

19 After that meeting, about a week
20 later, I received a call from Attorney
21 Lavelle who stated that the University of
22 Scranton would increase it's commitment in
23 return for the aerial easement and pay
24 \$220,000 a year for the next four years.
25 One thing that had been stated that they did

1 not want to publicized to any great extent.
2 I said that's impossible because we are a
3 public institution, we cannot keep anything
4 away from the public, that an agreement
5 would have to be entered into and we then
6 went on and I said, "I don't think that
7 \$220,000 is sufficient," and it came back to
8 me with an offer of \$250,000 which I said I
9 believe that that would work and he was
10 going to draft the agreements.

11 About a week later he called me and
12 he said that there was a meeting and the
13 University of Scranton decided to pull their
14 offer to pay the city \$250,000 for the next
15 four years and enter into an agreement that
16 that would be paid.

17 Basically that there was absolutely
18 no linkage, there was nothing put together
19 to require anything with the zoning or the
20 planning commission. They were done
21 decisions. They could not be done.

22 However, right now it's going to be
23 up to the zoning board of the City of
24 Scranton to take a hard look at any
25 expansion of any institution into

1 residential zones. When they come in for
2 variances it's up to the zoning board. The
3 City of Scranton, any municipality by law,
4 and I have been through a number of cases,
5 where the municipality has often filed
6 appeals to the decisions of the zoning board
7 because they're contrary to the zoning
8 statutes. They all involve different
9 variances, and as a result that the way to
10 stop the intrusion of any nonprofit that
11 is moving into an area outside of it's
12 institutional district or outside of it's
13 current zoning into a residential area is
14 for strict compliance with the zoning law
15 and this is what would have to be done.

16 Council has no responsibility over
17 that. It would be up to the administration
18 to file an appeal of the zoning decisions to
19 the Court of Common Pleas and take appeals
20 up to the Commonwealth Court and ultimately
21 if they are unhappy with that decision it
22 would to file a petition for allowance of
23 appeal to the Supreme Court of Pennsylvania
24 since there is no automatic right of appeal.

25 This is basically what happened and

1 I do not believe that the statements in the
2 newspaper articles, the editorials, are
3 accurate. Hopefully with this information
4 they will recant some of the statements that
5 they have made, take a better understanding
6 as to what council tried to achieve and
7 hopefully back council and go after some of
8 these nonprofit corporations that have
9 budgets in excess of hundreds of millions of
10 dollars by the University of Scranton's
11 budget when they include their capital
12 budget it is well over \$200,000 a year.
13 Thank you, Mrs. Evans.

14 MS. EVANS: Thank you, Attorney
15 Hughes. And one question for you then, the
16 comments made by other sources outside of
17 the area, these municipality attorneys,
18 would their responses have been accurate or
19 maybe I should be saying were the proper
20 questions asked of them or the proper
21 explanation of this situation given to them
22 in your opinion?

23 MR. HUGHES: I have no idea what the
24 questions were that were asked, but,
25 however, the decisions of the zoning board

1 and the planning commission were made. They
2 were final. Council had nothing to do with
3 those decisions. This came solely as a
4 result of the University of Scranton
5 requiring or requesting the sale of a city
6 asset and the city could have given it away.
7 Council could have rolled over and played
8 dead, just said, "Here, we'll give it to
9 you, do what you want, build this building,
10 build it seven stories high and go from that
11 and we get nothing."

12 However, it was the University of
13 Scranton that started it to say that, "Here,
14 we want that, we'll increase the amount of
15 money."

16 When we said, "We think you can do
17 better," they came back and ultimately they
18 are up to \$250,000.

19 One other -- it's my understanding,
20 and one of the speakers alluded to this
21 previously, is that there are appeals to the
22 zoning board decision by residents,
23 homeowners in that area that are affected by
24 this project. Now, I don't know the status
25 of those appeals, but they have appealed and

1 as to whether -- to try to stop the project
2 because of the fact that these variances
3 that were given and the intrusion and the
4 effect it's going to have on a residential
5 neighborhood where you can only go 35 feet
6 now you are go to 100 feet, you are blocking
7 out sunlight, air, all of these other items.

8 One thing that I did present to
9 Father Pilarz in the meeting was the fact
10 that I said one thing the University could
11 consider is this: Is that you could pay the
12 tax on the land, you could enter into an
13 agreement and say, "Here, we'll pay the tax
14 on the land."

15 I believe that the assessed value of
16 that land is \$60,000, that would produce
17 about \$6,000 in revenue. I also said that
18 due to the fact as to what you are going to
19 be using the first floor for, I said one
20 thing you can consider is we can turn that
21 into just tax the first floor as a
22 condominium basis because when you look at
23 the neighborhood what the University of
24 Scranton has done you are acquiring
25 businesses, you are forcing them out of

1 business and then you go into a competing
2 business, which is tax free.

3 They have a convenience store on the
4 first floor, they have a coffee shop, they
5 have all of these other things where they
6 are going to be selling, and there were
7 people up there that had private businesses
8 that were paying real estate taxes, business
9 privilege taxes, sales tax, and other taxes
10 to the city, employment taxes, wage taxes,
11 they are all gone and now you are going to
12 replace them with a competing -- with a new
13 business that the University of Scranton is
14 going to conduct and they are going obtain
15 the revenue from. Whether they pay taxes on
16 that, I don't know.

17 But the thing was that I gave a
18 proposal on that and, of course, they didn't
19 want to hear that from the standpoint that,
20 well, now we will be paying taxes and we are
21 tax exempt, we don't want to set a
22 precedent. I fully understand that, but as
23 some speakers have said I think -- I forget
24 who it was, but the solution to this is
25 probably going to be in Harrisburg where we

1 are going to have to do something and it's
2 just not Scranton, it's every municipality
3 across the state, but I think that Scranton
4 is, by the article in the paper this
5 morning, has the least amount of payment in
6 lieu of taxes of any city of it's size.

7 MS. EVANS: Thank you. I'd like to
8 ask also my honorable colleagues a question,
9 at any time during the last week's council
10 meeting did any council member address or
11 discuss the University of Scranton or it's
12 payments in lieu of taxes?

13 MR. ROGAN: No.

14 MR. JOYCE: No.

15 MR. LOSCOMBE: No.

16 MS. EVANS: Were any announcements
17 made to the public in this regard during
18 last Tuesday's council meeting?

19 MR. ROGAN: No.

20 MR. JOYCE: No.

21 MS. EVANS: Nevertheless, a staff
22 writer for and editorialist at the Scranton
23 Times unanimously asserted that I had made
24 an announcement to the public during our
25 last council meeting regarding the

1 university's PILOT and had denounced the
2 University at length. The articles and
3 editorials are based on false information.

4 Father Pilarz and his apologists and
5 champions at the Scranton Times have
6 strained themselves to paint me as a
7 strong-arming thug. When it reality, as
8 Attorney Hughes and Councilman Loscombe can
9 attest, I conducted myself as a
10 professional, decent and dignified
11 representative of the people of Scranton.
12 In fact, Father Pilarz even complimented
13 council and me for our strength and
14 professionalism at the conclusion of our
15 meeting.

16 I wonder if Father Pilarz while
17 wearing his collar and priestly garments and
18 with his right hand on the Bible would be
19 willing to gainsay my account of our
20 meeting. The people know that I am not a
21 thug or an extortionist. They recognize
22 that I am merely doing what I pledged to do
23 in my campaign and that the mayor was failed
24 to do as charged by the 2002 Recovery Plan
25 seeking increased payments in lieu of taxes

1 from the nonprofits.

2 Consequently, the only purpose
3 served by the Scranton Times' articles and
4 editorials is to now make it nearly
5 impossible to ask nonprofits for fair share
6 payments in lieu of taxes. Thank you,
7 Scranton Times.

8 Further, the University
9 self-produced study that it had provides a
10 \$411 million economic impact within the City
11 of Scranton is preposterous. Here is the
12 hard economic reality. The city losses well
13 over \$500,000 in annual property tax revenue
14 due to the excessive number of taxable
15 properties the University of Scranton has
16 devoured from the tax rolls within the
17 city's environment. The Scranton School
18 District loses at least three times that
19 figure annually, and the county loses
20 slightly less than the city.

21 In addition, the University's tall
22 tail of economic impact is illuminated when
23 one considers the numbers of retail stores,
24 restaurants, and bars that have closed in
25 downtown Scranton and in the Steamtown Mall.

1 In fact, the, malls vacancy rate is more
2 than twice the national rate. University
3 students own cars and intelligence and
4 travel to the Crossings outlets, the Shoppes
5 at Montage, and the Viewmont Mall and it's
6 numerous surrounding retail businesses for
7 many of their purchases, and still other
8 students who are on very limited budgets
9 bring from home the necessary supplies for
10 dorm life as my four children did when they
11 were in college.

12 Further complicating the issue, is
13 the fact that the University has little
14 regard for it's business neighbors and has
15 more than once forced taxpaying city
16 businesses to close their doors by
17 duplicating their services, purchasing the
18 buildings in which they are located or
19 taking them to Court in the hopes of
20 acquiring their property.

21 These are the facts and, ladies and
22 gentlemen, facts are stubborn. You can try
23 to bend them, twist them, and spin them, but
24 they will always remain the facts. As your
25 elected official, I have made and will

1 continue to make good on my pledge to
2 prevent the University or any other large
3 nonprofit institution from appropriating
4 city assets for free and taking advantage of
5 Scranton taxpayers, both of which have
6 occurred during the last nine years of the
7 Doherty administration.

8 I am glad that the University has
9 increased it's voluntary contribution, but I
10 was seeking a larger one due to the city's
11 \$500,000 annual loss in tax revenue to the
12 University and the fact that their offer of
13 \$165,000 represents a mere fraction of 1
14 percent, a mere fraction of 1 percent of
15 both it's \$1,063,000 annual operating budget
16 and it's \$95 million endowment.

17 There was a time when the University
18 of Scranton paid for streets that it wanted
19 from the city, but that was before this
20 mayor gave them away with a smile while at
21 the same time increased your taxes by over
22 25 percent and drove up the city's long-term
23 debt to over \$316 million as of the 2008
24 audit.

25 Remarkably, 50 percent of the

1 University's property has been purchased
2 since 2000. Because the mayor hasn't done
3 his job to pursue PILOTS as charged in the
4 Recovery Plan, city council is trying to do
5 so in conjunction with developing budgetary
6 cuts and additional sources of revenue.

7 Moreover, for the record, I am and
8 always have been an advocate for the
9 Commonwealth Medical College despite the
10 assertions to the contrary by the editorial
11 staff of the Scranton Times. In fact, a few
12 years ago these same editorialist lauded my
13 commitment to the project despite criticism
14 I was taking from citizens regarding the
15 schools tax exempt status. I recognize that
16 the medical school will help ameliorate the
17 doctor shortage in our area and in
18 conjunction with the field of biosciences
19 help transform our local economy.

20 Next, Attorney Hughes, have you
21 received any updates regarding the Comcast
22 contract negotiations since last Tuesday?

23 MR. HUGHES: No.

24 MS. EVANS: Well, it certainly seems
25 that the mayor is holding that up and

1 council awaits his response.

2 And quickly, to clear up
3 Mr. McGoff's earlier statement regarding
4 former members of the zoning board, I said
5 that the departing members operated in bad
6 faith because they were choosing a solicitor
7 immediately prior to the expiration of their
8 terms, they would not be seated members of
9 the board at the next meeting and that the
10 new member members should have an
11 opportunity. I never cast dispersions on
12 the skills, abilities, qualifications or
13 performance of any of the zoning board
14 members not last week, I don't believe since
15 you have been seated ever.

16 Number one: I received a request
17 from - these are citizens' requests for the
18 week now. I received requests from
19 Mr. Longi, president of the Oakmont
20 Neighborhood Association. Please forward
21 them to the zoning officer and the zoning
22 board and if appropriate to PennDOT as well.

23 Request a written response from the
24 zoning officer regarding the placement of
25 the weight restrictions for Lake Scranton

1 Road.

2 In addition, forward the request for
3 paying of Lake Scranton Road to the
4 appropriate party.

5 Two: Residents of Tripp Park report
6 that as of July 5 graffiti was painted on
7 the railroad bridge at the bottom of Euclid
8 Avenue. In addition, graffiti is painted in
9 red on the entrance to the expressway some
10 of which spells out "TPB" which I am told
11 stands for Tripp Park Bloods. Please remove
12 this graffiti as soon as possible. Also,
13 contact the police department and Assistant
14 District Attorney Gene Talerico regarding
15 both locations.

16 A letter to Mr. Oleski, there is an
17 open dumpster placed on a property as 1124
18 Cottage Avenue. The dumpster is marked
19 Bunnell Waste Removal. Neighboring home
20 owners report that he cannot use -- or the
21 neighboring homeowner, I'm sorry, reports
22 that he cannot use his sidewalk and access
23 to his porch is blocked by this dumpster.
24 Please contact council's office to report on
25 a solution to this problem for both

1 homeowners.

2 Residents of East Mountain request
3 the paying of Cross Drive and the 100 and
4 200 blocks of Mary Lane.

5 At the corner of 12th Street and the
6 1200 block of Hampton Street there is an
7 overgrown vacant lot. Cut the overgrowth as
8 soon as possible.

9 Residents of the 12th Street and
10 Hampton Street report a foul odor emanating
11 from sewer lines. Council requests that the
12 Sewer Authority would investigate this
13 complaint.

14 Next, homeowners report that a
15 streetlight has been out for over a month at
16 the corner of Division Street and St.
17 Francis Cabrini Avenue. The streetlight
18 numbered is 56127N46311. I know that I had
19 my husband check that out today, I believe
20 he called these numbers into MAM, but I
21 would like it reported by council's office
22 as well, please, just to ensure that that
23 light repair is going to occur as soon as
24 possible.

25 To DPW: Please trim the overgrowth

1 of weeds, grass and bushes at the corner of
2 Division Street and St. Francis Cabrini
3 Avenue which is obstructing the vision of
4 motorists, and that's it.

5 MS. CARRERA: 5-B. SALE OF TAX
6 DELINQUENT PROPERTY MORE COMMONLY KNOWN AS
7 714-716 MCKENNA COURT, SCRANTON,
8 PENNSYLVANIA, TAX MAP NO. 14677-030-019 TO
9 CHRISTOPHER AND LORETTA DOHERTY, HIS WIFE,
10 715 MONROE AVENUE, SCRANTON, PENNSYLVANIA,
11 18510, FOR THE CONSIDERATION OF \$2,500.00.

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

15 MR. ROGAN: So moved.

16 MR. LOSCOMBE: Second.

17 MS. EVANS: On the question?

18 MR. ROGAN: Yes, on the question. I
19 just noticed the last name Doherty, is that
20 a relationship to the mayor, does anyone
21 know?

22 MS. EVANS: I don't know that for
23 certain, but it is obviously not the mayor
24 himself.

25 MR. ROGAN: I saw the middle initial

1 was "K."

2 MS. EVANS: Well, and the
3 Mrs. Doherty is also different. I believe
4 this is not a relation, but I'm not 100
5 percent certain. We can find -- hope to
6 find that out for you by next week.

7 MR. ROGAN: I'm going to plan on
8 voting "yes" this week, but if it is a
9 relation I think we have to give it a second
10 look.

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

14 MR. MCGOFF: Aye.

15 MR. ROGAN: Aye.

16 MR. LOSCOMBE: Aye.

17 MR. JOYCE: Aye.

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

20 MS. CARRERA: 5-C. ENACTING FEES FOR
21 COPIES OF FIRE, POLICE, DETECTIVE AND
22 AMBULANCE REPORTS, EXEMPTING CRIME VICTIMS
23 FROM PAYING FEES FOR REPORTS AND
24 ESTABLISHING A SPECIAL CITY ACCOUNT FOR
25 DEPOSIT OF THE FEES.

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

4 MR. ROGAN: So moved.

5 MR. JOYCE: Second.

6 MS. EVANS: On the question?

7 MR. ROGAN: Yes, again, I would like
8 to thank Mr. Perry, he was in here I believe
9 it was a little over a month ago and he had
10 a situation where I believe it was credit
11 card was stolen and he brought it to our
12 attention that in order to use the fraud
13 protection on the credit card he had to get
14 a copy of the police report and we all
15 agreed with him after being victimized of a
16 crime you shouldn't be victimized again by
17 having to pay for the police report, and I
18 think this is -- even though it may seem
19 small to all of us, but to a victim of a
20 crime it really is, you know, a good thing,
21 and I know the newspaper isn't going to give
22 this much press, but I hope you can save a
23 little link for it.

24 MS. EVANS: I might also add that
25 the city will not be losing money. Fees for

1 other various police reports will be
2 increased and council is creating a special
3 account for the police department overseen
4 by the city and we are hoping that the
5 monies generated from police reports will be
6 used for the purchase of police cars,
7 tasers, and other equipment essential to the
8 day-to-day functioning of our police men and
9 women. All those in favor of introduction
10 signify by saying aye.

11 MR. MCGOFF: Aye.

12 MR. ROGAN: Aye.

13 MR. LOSCOMBE: Aye.

14 MR. JOYCE: Aye.

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

17 MS. CARRERA: 5-D. APPOINTMENT OF
18 WAYNE EVANS, 717 ALDER STREET, SCRANTON,
19 PENNSYLVANIA, 18505, AS A MEMBER OF THE
20 ETHICS COMMISSION FOR A FIVE (5) YEAR TERM.
21 MR. EVANS' TERM WILL EXPIRE ON JULY 12,
22 2010. HIS NEW TERM WILL EXPIRE ON JULY 12,
23 2015.

24 MS. EVANS: At this time I'll
25 entertain a motion that Item 5-D be

1 introduced into it's proper committee.

2 MR. ROGAN: So moved.

3 MR. LOSCOMBE: Second.

4 MS. EVANS: On the question?

5 MR. ROGAN: Yes, again. I know Mr.
6 Evans well, I know him to be a good,
7 hardworking person, but again, it has been
8 our policy to ask for a resume or cover
9 letter and get in contact with us, so I
10 would hope that he would send that to us and
11 I will try to get in contact with him.

12 MS. EVANS: Okay. Thank you. And,
13 for the record, I want to state that
14 Mr. Wayne Evans is not related to me. All
15 those in favor of introduction signify by
16 saying aye.

17 MR. MCGOFF: Aye.

18 MR. ROGAN: Aye.

19 MR. LOSCOMBE: Aye.

20 MR. JOYCE: Aye.

21 MS. EVANS: Aye. Opposed? The ayes
22 have it and so moved.

23 MS. CARRERA: SIXTH ORDER. NO
24 BUSINESS AT THIS TIME. SEVENTH ORDER. 7-A.
25 FOR CONSIDERATION BY THE COMMITTEE ON RULES

1 FOR ADOPTION- FILE OF COUNCIL NO. 26, 2010 -
2 RATIFYING THE MAYOR AND OTHER APPROPRIATE
3 CITY OFFICIALS EXECUTION OF THE DECLARATION
4 OF EASEMENT AND RIGHT OF- WAY BETWEEN
5 HORSHAM INDUSTRIAL AND COMMERCIAL
6 DEVELOPMENT AUTHORITY AND GF/PENNSYLVANIA
7 PROPERTIES, INC. NOW BY CHANGE OF NAME
8 PENNSYLVANIA LTC, INC., ("GRANTORS") AND THE
9 CITY OF SCRANTON ("GRANTEE") FOR A STRIP OF
10 LAND TEN (10') FEET IN WIDTH AS SHOWN AND
11 DEPICTED ON THE "PROPOSED DRAINAGE PIPE AND
12 DITCH EASEMENT TO THE CITY OF SCRANTON" AND
13 AUTHORIZING THE FILING OF THE DECLARATION OF
14 EASEMENT AND RIGHT-OF-WAY IN THE RECORDER OF
15 DEEDS OFFICE OF LACKAWANNA COUNTY.

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

19 MR. LOSCOMBE: Second.

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

22 MS. MARCIANO: Mr. McGoff.

23 MR. MCGOFF: Yes.

24 MS. MARCIANO: Mr. Rogan.

25 MR. ROGAN: Yes.

1 MS. MARCIANO: Mr. Loscombe.

2 MR. LOSCOMBE: Yes.

3 MS. MARCIANO: Mr. Joyce.

4 MR. JOYCE: Yes.

5 MS. MARCIANO: Mrs. Evans.

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

8 MS. CARRERA: 7-B. FOR
9 CONSIDERATION BY THE COMMITTEE ON RULES -
10 FOR ADOPTION- RESOLUTION NO. 22, 2010 -
11 AUTHORIZING THE ZONING HEARING BOARD OF THE
12 CITY OF SCRANTON TO EXTEND THE CONTRACT FOR
13 PROFESSIONAL SERVICES WITH DANIEL L.
14 PENETAR, JR., ESQUIRE TO ACT AS ITS
15 SOLICITOR FOR A PERIOD OF TWO (2) YEARS FROM
16 JULY 1, 2010 THROUGH JULY 1, 2012 BE AMENDED
17 AS FOLLOWS: REDUCING THE PERIOD OF THE
18 CONTRACT OF TWO YEARS FROM JULY 1, 2010 TO
19 JULY 1, 2012, TO A PERIOD OF TWO MONTHS,
20 FROM JULY 1, 2010 TO SEPTEMBER 1, 2010.

21 MS. EVANS: As Chair for the
22 Committee on Rules, I recommend final
23 passage of Item 7-B.

24 MR. ROGAN: Second.

25 MS. EVANS: On the question? Roll

1 call, please?

2 MS. MARCIANO: Mr. McGoff.

3 MR. MCGOFF: Yes.

4 MS. MARCIANO: Mr. Rogan.

5 MR. ROGAN: Yes.

6 MS. MARCIANO: Mr. Loscombe.

7 MR. LOSCOMBE: Yes.

8 MS. MARCIANO: Mr. Joyce.

9 MR. JOYCE: Yes.

10 MS. MARCIANO: Mrs. Evans.

11 MS. EVANS: Yes. I hereby declare

12 Item 7-B legally and lawfully adopted.

13 Maybe I should make this
14 announcement prior to the reading of 7-C
15 this evening, when contacted on Wednesday,
16 July 7, by Mrs. Krake, city clerk,
17 Mr. Whittaker stated that he does not want a
18 reappointment to the Ethics Commission and
19 this is good time for him to step away,
20 those are his words, so I would ask Ms.
21 Carrera if we could please contact
22 Mr. Whittaker once again and ask him to send
23 his written decision to the mayor and
24 council and I would I believe entertain a
25 motion then to table this legislation.

1 MR. MCGOFF: So moved.

2 MR. LOSCOMBE: Second.

3 MS. EVANS: A motion made to table
4 reappointment of Mr. Stephen Whittaker and
5 seconded, on the question? All those in
6 favor of signify by saying aye.

7 MR. MCGOFF: 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. The legislation is
13 tabled.

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

16 MR. JOYCE: Motion to adjourn.

17 MS. EVANS: We're adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER