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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, October 26, 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

CATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. CARRERA: Mr. Loscombe.

9 MR. LOSCOMBE: Here.

10 MS. CARRERA: Mr. Joyce.

11 MR. JOYCE: Here.

12 MS. CARRERA: Mrs. Evans.

13 MS. EVANS: Here.

14 MS. EVANS: Dispense with the
15 reading of the minutes.

16 MS. KRAKE: THIRD ORDER. 3-A.
17 CONTROLLER'S REPORT FOR THE MONTH ENDING
18 SEPTEMBER 30, 2010.

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

21 MS. KRAKE: 3-B. AGENDA FOR THE
22 ZONING HEARING BOARD MEETING TO BE
23 HELD OCTOBER 13, 2010.

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

1 MS. KRAKE: 3-C. CHECK RECEIVED FOR
2 \$20,213.97 FROM THE SCRANTON HOUSING
3 AUTHORITY, WHICH REPRESENTS PAYMENT IN LIEU
4 OF TAXES.

5 MS. EVANS: Are there any comments?
6 If not, received and filed.

7 MS. KRAKE: 3-D. APPLICATIONS ALONG
8 WITH THE DECISIONS RENDERED BY THE ZONING
9 HEARING BOARD ON WEDNESDAY, OCTOBER 13,
10 2010.

11 MS. EVANS: Are there any comments?
12 If not, received and filed. Do any
13 council-- oh, I'm sorry. I'm jumping ahead
14 of myself, Mrs. Krake. It's time for
15 Clerk's notes.

16 MS. KRAKE: Thank you. We have a
17 response from Miss Aebli, director of OECD,
18 we had requested her to explain the charge
19 of \$82.50 for ECTV on a January 12 billing
20 statement since that loan has long been
21 closed. She sent us a copy of the voucher
22 and the itemized bill from Attorney Greco's
23 Office, so we then further sent her a letter
24 which we replied to asking to know the
25 details since this was for a phone

1 conversation of \$82.50 between Lori Reed and
2 the staff members of OECD and the law firm
3 of Carl Greco.

4 She tells us that, "All matters and
5 information with the OECD solicitor, Carl
6 Greco, is protected by the attorney/client
7 and/or attorney work product privilege and
8 may otherwise be confidential."

9 MS. EVANS: Thank you.

10 MS. KRAKE: Mrs. Aebli also
11 responded to a letter from us on September
12 30 and October 1 and another one from
13 October 22. Unfortunately, the responses
14 are long, but they are not detailed. They
15 simply do not provide the information as
16 council requested of breakdowns, costs, and
17 so on. So, therefore, our office sent a
18 Right-to-Know to the business administrator
19 concerning all of these requests that were
20 not answered to our pleasure and he has then
21 responded with Right-to-Knows that he will
22 need 30 days extension to provide us with
23 that information.

24 MS. EVANS: Thank you.

25 MS. KRAKE: We received a response

1 from the Pennsylvania Economy League
2 providing us with the fire organization and
3 employment review study that they had done
4 in May 2009.

5 We did not receive a response, this
6 is from a second request from Stu Renda,
7 concerning why the audit is not completed.

8 We did not receive a response even
9 though we did a follow-up per Councilman
10 Joyce from Ms. Cobb of Northeast Credit and
11 Collection asking for all -- a breakdown of
12 all of the monies they have collected from
13 2008 to 2010.

14 MR. JOYCE: If you could please
15 resend that request out.

16 MS. KRAKE: Okay.

17 MR. JOYCE: And the request to
18 Mr. Renda as well.

19 MS. KRAKE: Thank you. We did not
20 receive a response from Mr. Barrett from the
21 Scranton Sewer Authority concerning a
22 clearing of the catch basins in East
23 Mountain area.

24 Also, from the Sewer Authority we
25 did not receive a response concerning

1 checking storm drains approaching the
2 Albright Avenue bridge.

3 MS. EVANS: Perhaps we will give
4 that information Mr. Loscombe because I know
5 Mr. Loscombe is in touch on a regular basis
6 with a representative of the Scranton Sewer
7 Authority and I think we may accomplish
8 those issues more quickly if Mr. Loscombe
9 takes over.

10 MS. KRAKE: Thank you. And we have
11 not received a response from Mr. Swanson
12 concerning coming to the caucus on another
13 night nor from Mayor Doherty or Jeff Brazil,
14 and we also asked Director Brazil about the
15 two aerial proximity warning devices that
16 were purchased for the traffic maintenance
17 department as to their whereabouts. He also
18 has not responded to that request.

19 MS. EVANS: Let's send a
20 Right-to-Know request on the aerial devices.
21 I'd like know if the city is still in
22 possession of them or perhaps they may have
23 been given to the company that's handling
24 the traffic lights, I'm not sure, but I
25 would like to know their whereabouts. If

1 they are in the city's possession they
2 should have been given to the fire
3 department long ago.

4 With regard to the other issue, can
5 you just remind me of that again, please?

6 MS. KRAKE: Yes. We had asked for a
7 caucus to be convened concerning flooding
8 issues.

9 MS. EVANS: Yes. Let's follow that
10 up with phone calls and we need to determine
11 over the next two weeks whether or not these
12 representatives of the city are going to be
13 in attendance.

14 MR. LOSCOMBE: Mrs. Evans, I did
15 have a meeting with some of these
16 representatives on the flooding issues and
17 I'll be giving a report a little later, too,
18 so perhaps we may not need that meeting, we
19 can decide at that point.

20 MS. EVANS: Very good.

21 MS. KRAKE: And that's it.

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

25 MR. ROGAN: Yes, just one. I

1 received an e-mail from Mr. Wolff from
2 Scranton High School and he wanted me to
3 announce that Scranton students raised
4 \$1,922 for the United Way LUW drive and
5 there is still one day left in the drive and
6 he said normally the last day is when they
7 raise the most money, so I'd like to
8 congratulate the students at Scranton High
9 School for that.

10 And I spoke with Mr. Wolff on Monday
11 and he was saying that he is in charge of
12 Scranton High School for doing different
13 things, public relations, and he is going to
14 be sending us information periodically
15 whenever things are going on, so we thank
16 him for that.

17 MS. EVANS: Very Good. Mr. McGoff,
18 any announcements?

19 MR. MCGOFF: Please. On Sunday,
20 November 14, 2010, the Deutsch Institute is
21 having it's annual celebrity champagne
22 brunch. The benefits go to the Deutsch
23 Institute which helps and aids disabled or
24 people with disabilities. The brunch is
25 held from I believe 9 to 1 at the St. Mary's

1 Center. Anyone looking or wishing to
2 purchase tickets or more information I know
3 Mrs. Novembrino in the Controller's Office
4 is one of the co-chairmen of the event and
5 she would be able to provide that
6 information.

7 Also, the Commonwealth Medical
8 College is having a 5-K race, the Turkey
9 Trot, to benefit Friends of the Poor. That
10 will be held on November 13, 2010. It's a
11 5-K race and that they also have a run or
12 walk for those who don't -- or a walk for
13 those who don't want to run. You can
14 register on-line at CommonwealthMedical.
15 Com/turkeytrot. Registration is \$15, \$20
16 the day of the race, and that's going to be
17 held downtown. I think the start is at --
18 the start takes place at Lackawanna College,
19 and that's all.

20 MS. EVANS: Mr. Loscombe?

21 MR. LOSCOMBE: Yes, just one quick
22 one. The West Side Falcons will be hosting
23 a Halloween bash. They are asking you to
24 wear your costume, it's a fundraiser for the
25 Falcon's Junior Football League, and that

1 will be Friday, October 29, from 7 to 10
2 p.m., \$10 donation per person and that will
3 be at Haggerty's Tavern at 421 North Main
4 Avenue in Scranton, and that's all I have.
5 Thank you.

6 MS. EVANS: Mr. Joyce, any
7 announcements?

8 MR. JOYCE: No, not at this time?

9 MS. EVANS: The November 2 Scranton
10 City Council meeting will be cancelled due
11 to general election day. The next regularly
12 scheduled meeting will be held on Tuesday,
13 November 9, 2010.

14 The Tripp Park Neighborhood Crime
15 watch will conduct a neighborhood
16 walkthrough this Saturday, October 30.
17 Residents should meet at the Tripp Park
18 Community Center at 7:00 p.m.

19 Providence United Presbyterian
20 Church, 1145 Providence Road in Scranton
21 will have a takeout only chicken barbecue on
22 Saturday, November 6, from 1 to 5 p.m. The
23 cost of the takeout order is \$8.50.

24 The North Scranton Faith Community
25 will hold it's annual roast beef dinner on

1 Sunday, November 7, at Stirna's Restaurant
2 on West Market Street in Scranton from noon
3 to five p.m. Tickets are \$10 for adults and
4 \$5 for children under ten. Theme baskets,
5 instant bingo and a raffle will also be
6 available. Tickets may be purchased at the
7 door or in advance at the Holy Rosary Parish
8 Office. Come out and enjoy a meal with your
9 North Scranton neighbors and friends.

10 Saints Peter and Paul Russian
11 Orthodox Church will conduct it's
12 traditional Thanksgiving turkey dinner on
13 Sunday, November 7, at the parish hall
14 beginning at noon. Donations are \$9 per
15 dinner. Take your family to this delicious
16 early Thanksgiving treat.

17 Finally, the Scranton Wilkes-Barre
18 affiliate of the Pancreatic Cancer Action
19 Network will hold it's "Cheers to a Cure"
20 fundraiser on Saturday, November 13, 2010,
21 at Whistle's Pub and Eatery in Scranton
22 beginning at 6 p.m. Tickets are \$25 and are
23 available at the door or in advance by
24 calling Taran Jones at 570498-9488. "Cheer
25 to a Cure" is an evening filled with live

1 music, food, drinks, basket raffle, prizes
2 and a silent auction. Proceeds will benefit
3 pancreatic cancer research and awareness.
4 That's it.

5 MS. KRAKE: FOURTH ORDER. CITIZENS'
6 PARTICIPATING.

7 MS. EVANS: Our first speaker
8 tonight is Andy Sbaraglia. Welcome back,
9 Mr. Sbaraglia.

10 MR. SBARAGLIA: It's good to be able
11 to be back.

12 MS. EVANS: You were missed.

13 MR. SBARAGLIA: Andy Sbaraglia,
14 citizen of Scranton. Fellow Scrantonians,
15 the first thing I want to do is express my
16 gratitude for the prayers and best wishes I
17 received while I was so incapacitated there.

18 I expect you will do the best you
19 can with the budget, so I'm not even going
20 to mention it, but you know we have a fifth
21 column in Scranton, namely, the authorities
22 and they are as dangerous to our finances as
23 anything in the budget. Your Scranton
24 Recreational Authority, of course, you can
25 build the venue for \$200,000 up at Nay Aug.

1 They are also talking about their greenhouse
2 that they got the bids out and then the
3 visitor's center, but the poor kids in the
4 Hill Section can't use the pool without
5 paying.

6 The Scranton Redevelopment
7 Authority, well, can't give you too much on
8 that other than 326 Penn Avenue they want to
9 put sidewalks in. It's nice to be able to
10 get sidewalks after you get that loan.

11 The Parking Authority, as you know,
12 they are paying for a restaurant inside of
13 one of their buildings so they have bids out
14 for this restaurant that they are going to
15 put inside of one of their buildings which,
16 of course, they to have borrow to pay their
17 debt, but you mentioned something about
18 eight bucks for parking, I didn't get it all
19 on the TV when you said was that \$8 per
20 parking space or was it \$8 total for month
21 week or what?

22 MS. EVANS: I don't believe I
23 mentioned anything like that, but --

24 MR. SBARAGLIA: You mentioned that
25 they leased out parking spaces.

1 MS. EVANS: Yes, that within the
2 garages they are providing free parking
3 spaces for the Commonwealth Medical College
4 for the Connell building and for the Hotel
5 Hilton, which you know, and the revenue of
6 the Scranton Parking Authority is negatively
7 impacted by turning over those free spaces,
8 but at the same time I hear that, for
9 example, the Hilton Hotel is charging for
10 those parking spaces and if, indeed, that is
11 what they are doing then perhaps the Parking
12 Authority should be getting half of that
13 cost.

14 MR. SBARAGLIA: Well, it's their
15 Parking Authority they should get all of the
16 costs like anyone else. Any person in
17 Scranton that wants to use that parking
18 garage has to pay.

19 MS. EVANS: Yes.

20 MR. SBARAGLIA: I mean, why should
21 you give something out to people who come
22 from out of town and the hotel certainly
23 probably charges them enough.

24 MS. EVANS: Yes.

25 MR. SBARAGLIA: Now, we get into the

1 Scranton Sewer Authority. Okay, they give a
2 little statement in the paper, their total
3 assets are \$71,849,500.33. Their total
4 liabilities are \$45,390,222.00, but you
5 never mentioned that they plan to borrow \$42
6 million. Nobody mentioned it at all. I was
7 really surprised. Let me find a little spot
8 in here.

9 "The Scranton Sewer Authority will
10 be submitting to Pennvest Funding Allocation
11 for it's waste treatment plant, WWTB,
12 biological nutrition removal, upgrade
13 projects," and so forth and so on. And let
14 me give you the dollar wise down here. Here
15 it is, they want to borrow \$42,100,000.
16 Okay? Of that \$20 million will be from
17 Pennvest and, of course, the rest probably
18 from local banks and, of course, your water
19 rate is going to go up accordingly, and it's
20 in here, too. Give me a minute and see if I
21 can find it. It says the average annual
22 sewer bill will increase by \$44.40 per year
23 to \$372.00 a year you are paying for sewer.

24 That's your fifth column. I know
25 you can't do nothing about it. I wish they

1 abolished all authorities so everything
2 comes above board.

3 Now, I sat and listened to them talk
4 about SAPA, they did bring that up a few
5 times, but if you take that "A" and put it
6 before the "S" as a prefix that's what
7 Abingtons are trying to do to us, a sap out
8 of us. We have nothing to do with the
9 Abingtons and our -- for them to say you can
10 sit there and do something with your zoning
11 is ridiculous.

12 As you know, you got a factory right
13 next to a house and it's been that way. It
14 will take 20 years or probably 50 years to
15 really get a comprehensive zoning, but
16 grants, grants are available at this project
17 and that's what they're interested in is the
18 money. I told you before when this first
19 came out we are valley people. I believe in
20 the valley people. Usually when they make a
21 good buck they move up into the Abingtons,
22 not Scranton because they don't want to pay
23 our taxes or anything with it, but they want
24 our money to develop into their properties
25 that they own in Scranton. That's why I

1 can't understand people coming up before you
2 and really touting SAPA because, first of
3 all, the zoning is impossible to do in
4 Scranton. It's too hodgepodge.

5 Scranton at one time they said was
6 like 250,000 people and, I mean, if you look
7 at where houses were built they were built
8 on mountains and next together because the
9 real estate was so valuable. Well, that all
10 changed now, but I can only assume a lot of
11 people up in the Abingtons who properties in
12 Scranton that they would like to get their
13 little either low interest loans or grants
14 for them. I thank you.

15 MS. EVANS: Thank you,
16 Mr. Sbaraglia. Marie Schumacher.

17 MS. SCHUMACHER: Good evening,
18 Council. Marie Schumacher, citizen and
19 taxpayer.

20 MS. EVANS: Good evening.

21 MR. JOYCE: Good evening.

22 MS. SCHUMACHER: First of all, I
23 would like to know if there is an answer on
24 my question from last week on how much our
25 pension fund would have to increase to -- if

1 we were to become a nondistressed city?

2 MR. LOSCOMBE: I don't believe we
3 received a response.

4 MS. SCHUMACHER: They have to be a
5 50 percent -- pardon?

6 MR. LOSCOMBE: I don't believe we
7 received a response back, but there was a
8 letter submitted.

9 MS. SCHUMACHER: It did go out?

10 MR. LOSCOMBE: Yes.

11 MS. SCHUMACHER: Thank you. And
12 then I might, just for a minute, I might be
13 able to shed some light on those DPW
14 proximity devices because I believe they
15 were purchased for the group that cuts down
16 trees, so they were not put at risk. I
17 remember talking to the forester and he did
18 mention the utilization by DPW, so that may
19 be part of.

20 MS. EVANS: Thank you.

21 MS. SCHUMACHER: You are welcome.

22 Next, I noticed again in just this
23 morning's paper about the situation in which
24 Madison Township finds itself, and it just
25 brought up, what is the cap of liability

1 reimbursement for the City of Scranton?
2 Does anybody know that?

3 MS. EVANS: No, but we can find it
4 for you.

5 MS. SCHUMACHER: Yeah. I would like
6 that.

7 MS. EVANS: Okay.

8 MS. SCHUMACHER: And again, I don't
9 necessarily dislike agreeing with my friend
10 Andy Sbaraglia, but as you know I am a
11 supporter of the Scranton/Abington Plan,
12 association plan that came up, I attended a
13 lot of meetings throughout the time. I
14 attended their meeting last Thursday evening
15 and I am aware that you all were sent, I
16 don't know if you received a letter dated
17 October 11 --

18 MS. EVANS: Yes.

19 MS. SCHUMACHER: -- that supplied the
20 information that you had requested, and the
21 only commitment that was here was dues of
22 \$200 per year, so I have here with me
23 tonight a check in the amount of \$200 if you
24 would like to add that to the budget I
25 will -- you can either have it now or hold

1 it until you vote on a separate plan.

2 MS. EVANS: I would suggest that you
3 hold it, Mrs. Schumacher, only because we
4 will be responding to that letter. Some of
5 the concerns that we have are that, for
6 example, it is suggested in the letter that
7 the language of an agreement, I believe,
8 would be changed after we voted for
9 membership. And it is my position that the
10 language has to be changed before city
11 council would reconsider membership. That's
12 number one.

13 Number two, when comparing that
14 letter to the actual plan I noticed that
15 within the plan itself implementation
16 indicates that -- the section on
17 implementation indicates that if the
18 municipality should agree to implement this
19 plan that the municipality's capital budget
20 will reflect this plan and that raised
21 another red flag for me in that I don't know
22 that the city's capital budget should be
23 contingent upon a SAPA plan.

24 Now, that's not contained in the
25 letter, as I said, that was contained in the

1 plan itself.

2 MS. SCHUMACHER: Yeah. I did not
3 see that and I have a real concern,
4 especially after reading this and us not
5 knowing what the liability cap is for the
6 City of Scranton if, again, I know you are
7 aware that the last plan for the city was
8 done in 1993, they're supposed to be done
9 every ten years and in 1993 it was 80 -- I
10 believe it was \$80,000 to do that plan and
11 so it's 80 -- so in today's dollars that's
12 probably a little over \$120.00.

13 MS. EVANS: But I think what they
14 may have missed concerning that is, and I
15 agree with you, yes, Scranton does have it's
16 own comprehensive plan and it is from 1993,
17 however, I was told that an OECD employee at
18 that time who was an official in that office
19 at the time that comprehensive plan was
20 adopted reported that the city actually was
21 sued several times after change zoning
22 ordinances. So whereas the letter states
23 that a comprehensive plan shields a
24 municipality from being sued over let's say
25 changes in zoning, that isn't accurate. It

1 really doesn't prevent any municipality from
2 being sued.

3 MS. SCHUMACHER: Well, I mean,
4 anybody can sue, but sue because your
5 comprehensive plan is out of date is where
6 we find ourselves, so it's either approve
7 the plan and then decide next year or in my
8 estimation whether you want to implement or
9 whether you want to drop out at a time then
10 that's one thing, but to let us be open to
11 libelous action or spending \$125,00 or
12 probably even more for a new comprehensive
13 plan as we required by the state I think --

14 MS. EVANS: I'm also wondering
15 though, and I think you would agree, that
16 there is concern of the dollar impact on our
17 capital budget.

18 MS. SCHUMACHER: No. That I
19 don't -- do you remember where it was in the
20 plan? I don't -- I mean --

21 MS. EVANS: I believe it's in
22 chapter four.

23 MS. SCHUMACHER: I'll check that out
24 but we have no capital budget as far as I'm
25 concerned for starters.

1 MS. EVANS: Oh, as of now we don't,
2 I agree. Not for this year, not for last
3 year.

4 MS. SCHUMACHER: So, yeah, and how
5 does that stand? Is any progress being made
6 on that? We know -- Mr. Sbaraglia just
7 mentioned several ongoing capital projects
8 and so at least they were there, did anybody
9 follow through on my suggestion to ask the
10 city controller if she has a capital budget
11 tracking plan which I know she used to?
12 This is my third request on that, so I guess
13 I could do a Right-to-Know, but --

14 MS. EVANS: Did you turn that
15 request into Miss Carrera?

16 MS. SCHUMACHER: I don't remember.
17 I usually write those -- what I do out here
18 and give them to her. I don't keep a
19 tracking record of those.

20 MS. EVANS: Okay.

21 MS. SCHUMACHER: But maybe I could
22 send an e-mail in morning because that's --
23 you know, I would suggest that would be at
24 least a starting point at which point you
25 could amend. I mean, we all know we all

1 agree to projects that are ongoing or that
2 are planned and so --

3 MS. EVANS: And I know Mr. Joyce has
4 asked Mr. Renda, the business administrator,
5 to provide city council with a capital
6 budget that will be in compliance with the
7 Home Rule Charter and in that request he
8 specified exactly what items were to be
9 included and nothing has come before city
10 council and, as you know, there is also a
11 deadline according to the Home Rule Charter
12 for the adoption of the --

13 MS. SCHUMACHER: Well, the 15th of
14 December and that's why I'm saying if, you
15 know, you have waited how long was that?
16 That was August, I believe, that that
17 nonbudget came down. So, you know, time is
18 running, the operating budget is going to be
19 coming and so to have a basis for you to
20 approve anything I think it would be prudent
21 to get a list of the ongoing properties to
22 at least start and then --

23 MR. JOYCE: I agree wholeheartedly
24 with you. Like you said, if you could send
25 that in an e-mail it would be much

1 appreciated. And, Nancy, if we could send
2 that request over to Mrs. Novembrino because
3 I believe we have given the administration
4 ample time to respond by this point, so if
5 we are not receiving the information from
6 them hopefully we can receive that from her.

7 MS. SCHUMACHER: I mean, just this
8 week there was the a new park in North
9 Scranton, and again, that's valid, but
10 according to the Home Rule Charter you have
11 to say it's coming from someplace else
12 instead of the capital -- the city's capital
13 budget so that would be another item to be
14 added to the list certainly.

15 MS. EVANS: And I think you raised
16 an excellent issue tonight which was the
17 city has no capital budget currently for the
18 upcoming year. It had no capital budget as
19 of last year either when council voted down
20 what was presented to it in the form of
21 legislation for precisely the same reasons
22 and yet the administration chooses to ignore
23 the duties and responsibilities and scope of
24 authority of city council.

25 MS. SCHUMACHER: Now, as a private

1 citizen I believe I could file a mandamus
2 action I believe it's called to require --
3 to go to Court to require something to
4 happen that if it's in the charter, can you
5 not do that if --

6 MS. EVANS: I think we would need
7 our solicitor to respond to that.

8 MS. SCHUMACHER: Okay. Thank you.

9 MS. EVANS: Attorney Hughes, do you
10 have an opinion on that?

11 MS. HUGHES: No.

12 MS. EVANS: No?

13 MR. HUGHES: No.

14 MS. EVANS: Well, that seems to
15 solve that. I'm not an attorney, so I
16 really don't know.

17 MS. HUGHES: What was the question
18 again?

19 MS. EVANS: The question was if a
20 mandamus action can be filed by council to
21 press the administration to produce a
22 capital budget in compliance with the Home
23 Rule Charter.

24 MR. HUGHES: I have filed a few
25 mandamus actions. Ordinarily, a mandamus

1 majority for inviting the Taxpayers'
2 Association to attend the PEL meetings and
3 tonight's meeting. As Mr. Loscombe said in
4 tonight's meeting, thank you, Janet, for
5 doing that, and it's the first time there's
6 ever been any kind of transparency that I
7 know of. Not since as long as I have been
8 around, okay, and I think I would be joined
9 on that.

10 The second thing is in regard to
11 SAPA, first, being in government for a long
12 time I know that there are so many studies
13 that cling to us it's unbelievable. You
14 know, why do they want to go and create
15 another agency, SAPA. As a matter of fact,
16 as it's called the Scranton Abingtons when
17 the Abingtons might be changed to Waverly on
18 the ballot next week. I don't know if you
19 know that.

20 MS. EVANS: Yes, I just heard that.

21 MR. QUINN: So the Scranton Waverly
22 Taxpayers' Association, whatever. But the
23 fact is that the Lackawanna County Regional
24 Plan, here is my argument. The Lackawanna
25 County Planning Commission which we pay

1 taxes for and which has a staff and it's in
2 their purview to do this type of planning,
3 why do we need SAPA? You know, let the
4 county commissioners step forward and say,
5 you know, let the Lackawanna County Planning
6 Commission start doing something if there is
7 something that's related to more economic
8 development, zoning, and whatnot. As a
9 matter of fact, they probably do. They
10 probably do have their own master plan by
11 now. So, you know, this SAPA to me, and I
12 agree with Andy it's just a waste of time,
13 money, and it will just collect dust.

14 The other reason I'm here tonight is
15 the budget as we all know is going to be
16 coming down and I shutter when I think of it
17 because of the fact that in this academic
18 paper they want to give a 49 percent tax
19 increase to the property owners in the City
20 of Scranton, which we cannot afford and you
21 know it. Mrs. Evans, you said two weeks ago
22 about the conditions in the city, the
23 poverty rate, the unemployment rate, it's
24 unbelievable, and I read where Mr. Doherty,
25 for instance, I get fearful because he wants

1 to build a library and then I get fearful
2 because know he wants to build a new park
3 and I'm not -- don't say that people
4 shouldn't have a new park up in North
5 Scranton, you know, but the fact is that how
6 can they even put in a budget when we are in
7 debt in the billions? In the billions.
8 Literally almost a half a billion, okay?
9 And I don't know how he can do it.

10 As a matter of fact, last Saturday's
11 Scranton Times on page two they had the most
12 read stories, one of the most read stories
13 is "Scranton pursues new park expects to
14 seek funding in 2011 operating budget."

15 Then right next to it they had a
16 poll question. "Today's poll question: Are
17 you in favor of a new park in Scranton, log
18 onto vote."

19 Well, on Sunday the poll was out in
20 the paper and it said that 26 percent of the
21 readers were in favor, 41 percent were
22 against and -- 43 percent were against and
23 said, no, and 31 percent said depending on
24 where the financing come from. Obviously,
25 that's a "no" because they know -- what

1 they're are saying is, I would translate it
2 to say, "As long as we don't have to pay
3 from city taxes." So.

4 This is very fearful to the
5 taxpayers in the City of Scranton when they
6 see that this man, Mr. Doherty, you know,
7 when you see from a 2.1 million surplus when
8 he took office up to a deficit of 7.1
9 million in the 2011 budget it scares us. It
10 just scares us, and I really hope that this
11 budget is really looked at from the
12 taxpayers' point of view, you being all
13 taxpayers I'm sure you will be.

14 But, you know, it scares me and I
15 appreciate the meeting tonight to see both
16 sides of what's going on when the city,
17 because the only thing I know is what I read
18 in the paper. So thank you very much.

19 MS. EVANS: Thank you, Mr. Quinn.
20 Les Spindler.

21 MR. SPINDLER: Good evening,
22 Council. Les Spindler, city homeowner and
23 taxpayer. I was very enlightening the
24 presentation by Attorney Jennings tonight,
25 but I have been coming here for nine years

1 and a lot of what he said tonight myself and
2 a lot of the other people are coming here
3 all of these years and said a lot of those
4 things that Attorney Jennings said tonight
5 and nobody listened.

6 Most recently I said that PEL
7 doesn't want us to get out of distressed
8 status because then they wouldn't be
9 collecting all of the millions of dollars
10 they've collected up to now, and that's what
11 Attorney Jennings said tonight. That's all
12 I have to speak on that subject.

13 Last week in the Doherty newsletter
14 there was an article "City budget to include
15 a new park."

16 I couldn't believe it when I read
17 it. Just what we need, another park. PEL
18 wants to layoff firefighters, layoff police
19 officers, layoff DPW worker, raise our
20 taxes, raise our parking fees, raise our
21 garbage fees and Chris Doherty wants to
22 build another park. This is ridiculous. I
23 mean, it will be the 23rd park if this is
24 built. I mean, instead of Scranton they are
25 going to call us Park City, Pennsylvania.

1 And I hope that when the budget comes in
2 front of council they cut that out of the
3 budget, we don't need another park. There
4 is lot more important things in this city
5 than a park.

6 Moving on, in Sunday's Doherty
7 newsletter, "Study urges firefighter
8 reductions."

9 Well, I spoke about this before. I
10 think we have to hire more firefighters not
11 reduce the staff. A neighbor of mine told
12 me yesterday he is a scanner, and just
13 recently he was listening to a scanner and
14 there were three fire calls within like a
15 couple of minutes and what happens if we
16 lose firefighters and lose apparatus and we
17 have calls that close together, are they
18 going to able to cover the area?

19 I mean, as was said tonight, PEL
20 knows nothing about firefighting, they don't
21 care about the safety of the residents of
22 this city, and I know council cannot do
23 anything, it's a state thing, but PEL has to
24 go.

25 Something else on the Doherty

1 newsletter, I guess there was a consulting
2 firm reporting to PEL about the fire
3 department, changes that should be made over
4 the years. They want to close fire houses,
5 which we said a long time ago, and Mayor
6 Doherty said they will never happen, but
7 some of these things that jumped out of me.
8 They want to relocate headquarters within
9 three to four blocks of Mulberry Street and
10 Quincy Avenue, within three to four blocks.
11 Right now it's only four and a half blocks
12 away. What is moving it another block going
13 to do? To me that's outrageous. And if it
14 is moving to another block where is it going
15 to be, almost on the University of
16 Scranton's campus. I mean, somebody that
17 doesn't give us anything in lieu of taxes
18 hardly.

19 And the one firehouse on Main Avenue
20 near Solfanelli's Funeral Home, they want to
21 move it closer to Greenridge Street and I'm
22 totally against that because I don't live
23 far from there, they could probably be at my
24 house in less than a minute and where are
25 they going to put it? I have a good place

1 though, maybe they could put a fire station
2 in the old North Scranton Junior High School
3 since nothing else is going there. Well,
4 that's all I want to talk about that.

5 And I just have one announcement,
6 Mrs. Evans, you already made one I was going
7 to make about the walk on Saturday night,
8 that's fine. Sunday, Halloween, at the
9 Tripp Park Community Center there is a free
10 party for all children from 6 to 9 at the
11 Tripp Park Community Center on Dorothy
12 Street and that's been going on for years, I
13 took my kids there when they were young and
14 candy, food and there is a DJ and it's a
15 great time, so I hope everybody shows up
16 Sunday night. I'll be there volunteering.

17 MS. EVANS: Oh, very good.

18 MR. SPINDLER: Thank you.

19 MS. EVANS: Thank you, Mr. Spindler.

20 Ron Ellman.

21 MR. ELLMAN: Hello, Council.

22 MR. JOYCE: Good evening.

23 MR. ELLMAN: Well, Miss Rosie come
24 home with a bib today for me and I didn't
25 have to change my shirt tonight, the first

1 time in probably 15 years or so. She still
2 has to clean up our walls and the floor and
3 the ceiling and everything, but we got this
4 80 pound Bassett hound that's like a big
5 Shop Vac that sits there and sucks up when I
6 drop on the floor.

7 When I bought my house a few years
8 ago I had it appraised and I got this little
9 booklet comparing my house to three houses
10 in the couple of miles they told me, I never
11 looked for it so I don't know where they
12 are, it had a couple of qualities of each
13 house that I had. I have had my son for
14 over two years on his computer, because I
15 don't have one, trying to find a city like
16 Scranton in this whole country, and there is
17 lot of cities with 40,000 people and lots
18 of city with -- I mean, 40,000 taxpayers and
19 70, 75,000 people, but there isn't a city
20 with this kind of debt and problems he just
21 can't find one. Los Angeles had \$500
22 million worth of debt, but they got 4 or 5
23 million people in the city, not the county
24 the city is in debt. Out of this whole
25 country there is nobody like us. That's not

1 saying much for the people that have
2 overseen the city in the past years.

3 Now we've got to a bunch of dimwits
4 from PEL. I have talked to people for the
5 last couple of weeks and I never heard such
6 adverse remarks about what's going on. The
7 indifference and the arrogance of these guys
8 towards the taxpayers of the city it's
9 just -- it's just things so out of tune they
10 just don't seem to understand what's going
11 on in the world, and I don't know.

12 You know, I can't understand why
13 somebody wouldn't want to come to Scranton
14 to live and try to open up a business or
15 something, and this is such a good town
16 the -- such good people, precious people of
17 this city really. Every place I go I just
18 talk to someone. I even found quite a few
19 political enemies lately, but they still --
20 this town is just such a good town and it's
21 going to pot. These people from PEL just
22 don't understand what's going on. You come
23 downtown and there is parking places
24 everywhere now. The stores look terrible.
25 You know, the wall, I was at the mall this

1 week at Boscov's and it's just empty, and
2 believe it or not I don't want to see this.
3 When is Al Boscov supposed to pay us some
4 money back anyway? Did we ever get any
5 money back from him? He brags how much
6 money is he making, I was just wondering.

7 Well, I'm not going to talk about
8 that. I'll just get everybody mad. You
9 five people have just got to challenge some
10 of these nonprofits and these phony KOZ's
11 like that house up there at 1500 Court. I
12 have had lot of people whatever happened
13 about it and I don't know. It's just a
14 crooked deal between the mayor and Todd
15 O'Malley, he was the head of the school
16 board, and the mayor they approved a KOZ on
17 a \$200,000 house in the middle of the
18 neighborhood, you know, that doesn't make
19 sense to anybody. And I have had some
20 people check on it, that's what happened.

21 And this Lackawanna Institute, his
22 property needs to be challenged and put back
23 on the payrolls. The only way you are going
24 to get anything done around here is get some
25 property back on the payrolls. Everything

1 else isn't working. It's not working asking
2 for volunteers to give you money, it's not
3 working. You got to get property back on
4 the payroll -- on the tax rolls.

5 The Scranton Club, they are dying
6 out, they sold that property for \$700,000.
7 It's been tax free for 30 or 35 years I was
8 told. Why can't we get some of that money
9 back? That's taxpayers' money that, you
10 know, people sacrificed for that company and
11 they are going to get the big profit from
12 it.

13 I don't want to alienate myself from
14 you all, I might run for mayor or governor
15 or something next year, you never know, but
16 people want to see something tangible. It's
17 so bad. I mean, I was happy to see the
18 money from the Scranton Housing in the paper
19 today, was it \$20,000?

20 MS. EVANS: Yes.

21 MR. JOYCE: Yes.

22 MR. ELLMAN: And I just want to have
23 everybody come out and vote for -- I keep
24 hearing -- after I say things people say,
25 oh, one vote is not going to matter. It

1 does matter. One vote matters plenty and
2 you all get out there and vote. Thank you.

3 MS. EVANS: Thank you. Lee Morgan.

4 MR. HUGHES: Madam President, if I
5 could, the Scranton club is a for profit
6 entity. It's paid real estate taxes every
7 year on that building since it's been built
8 to the City of Scranton, the Scranton School
9 District and to Lackawanna County.

10 MS. EVANS: Thank you.

11 MR. HUGHES: It was never tax free.

12 MS. EVANS: Thank you.

13 MR. MORGAN: Good evening, Council.

14 MR. JOYCE: Good evening.

15 MS. EVANS: Good evening.

16 MR. MORGAN: You know, I would just
17 like to chime in here on some of my opinions
18 here, you know, I'm not going to talk about
19 SAPA tonight because, you know, that can
20 wait until next week as far as that's
21 concerned. I think a very important issue
22 came up today with PEL and, you know, DCED,
23 and where we are going to go from here and
24 maybe my opinions are different than
25 everybody else's, but that probably wouldn't

1 be the first time.

2 I really think what we need to do is
3 we need to invite the PEL and the DCED, the
4 mayor, this council, a certain amount of
5 concerned citizens in the spring, I mean,
6 because winter is going to be on his pretty
7 soon to take a walk through this city and
8 see just what the economic situation is.

9 You know, a previous speaker came up
10 and talked about the mall. I think the mall
11 is in trouble. I think there is lot of
12 problems here and I just think we need a new
13 plan and I, in my opinion, think that some
14 of the answers are in the legislature in
15 Harrisburg. I don't think the city has all
16 of the tools it needs to make the changes it
17 needs.

18 And I'm almost positive that we
19 can't be cutting fire, in my opinion, and
20 it's only my own, I think DPW needs to
21 enhanced. I think they need to start doing
22 projects in the city to start rebuilding
23 infrastructure. I just think we can't be
24 throwing all of our employees into the
25 water. I don't think it's a prudent step to

1 make. I do agree we have a very serious
2 situation as far as the tax base eroding. I
3 think we have a lot of problems in our
4 neighborhoods and I just think if the mayor,
5 the council, these groups, PEL, DCED, and
6 also private citizens walk through the city
7 and let's all sit down and find a solution.

8 Look it, I'm not saying the
9 solutions are going to be easy because they
10 are not, but I do think we owe it to the
11 city to find some answers, and to be honest
12 with you, I'd like to see the city begin to
13 grow again and I'm not sure it's an easy
14 think to do, but I just think we can't trow
15 the city away. I mean, with all of the
16 problems we have, with all the condemnations
17 we have, with our financial problems I just
18 don't find their plan to be workable. PEL's
19 plan, I don't think PEL's plan was ever
20 workable. I never thought the first
21 Recovery Plan was Recovery Plan, and I don't
22 think that the plans that have been offered
23 to us were ever workable.

24 I really think that we have to
25 invite all of the residents in the city into

1 the decision making process and maybe it's
2 going to take a little while. We have been
3 in distressed status for a long time, soon
4 20 years, and I don't think it would hurt to
5 put it on the ballot with a plan that the
6 residents of the city accept because they
7 are partners here, and with the council
8 working hard.

9 You know, I'm not here to take shots
10 at people, I'm really not. I just think
11 that maybe it's time to take a new look and
12 find a new direction and whether that
13 includes PEL or not I can't tell you that,
14 but I just think that the thing we should be
15 concerned about most is creating a city that
16 we can leave to our children and our
17 grandchildren just like we were left a city.
18 It's been in decline for a long time and I
19 honestly believe we need more citizens and
20 to have more citizens I think we need a new
21 plan and we need a new direction, and I
22 don't know what that direction is, but I
23 think we need to invite everybody in to come
24 up with that plan and that's all I have.
25 Thank you.

1 MR. JOYCE: Thank you.

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

4 MR. HEWITT: Good evening, Council.
5 My name is Larry Hewitt. Janet, Nancy, I
6 want to thank you for having this ready for
7 me. Going through it and looking through
8 some of the -- some of the things here, and
9 one of the things that caught my eye, five
10 police officers to be taken away, six
11 firefighters, four public works, but only a
12 15 percent pay reduction in administration.
13 Come on. How does that work? Tell me. I
14 want to know honestly how that works. You
15 know what, why don't we cut their jobs and
16 see what happens then.

17 Then for this new budget he wants to
18 put in a new park. Where is he getting the
19 money? Is he taking it out of his pocket?
20 No. He wants to raise taxes.

21 This thing with the fire department
22 I have a -- and, you know, I have -- when
23 the first Recovery Plan came out I was here
24 and I can show you tapes. I argued with the
25 Councilman, I'm not going to mention names

1 because I don't think that's proper, but
2 back and forth about engine companies
3 closing and firehouses closing, and we got
4 into a -- you know, a little argument, but
5 it happened.

6 I recall in '98 when my brother John
7 first got on the department there was
8 companies that were closed, maybe
9 Mr. Loscombe you remember? Dave, if you
10 recall? I also recall with engine companies
11 closing they had the -- they are going door
12 to door and they would say, "Is your engine
13 company going to be closed today or night?
14 Call your city council."

15 Well, I think you maybe better get
16 them back out and let the people know that
17 this is real what he wants to do, it's in
18 black and white. And as far as the
19 reductions, I mean, that's been going on
20 that he has been wanting to do that for how
21 long? I have an instant where I was going
22 to a rally for Gary DiBileo and, like I
23 said, I'm not going to mention names because
24 I don't have their permission and I don't
25 think that's proper unless you do, the

1 officer of engine eight they had a brush
2 fire on Leggett Street and it was spreading
3 pretty good. Engine 9 would have been one
4 of the companies shut down if -- if they
5 were to respond Engine 9 would have been
6 shut down. People were actually
7 complaining, "My God, is this all you have?
8 Is this --" two guys, the chauffeur and the
9 officer. Well, chauffeur is working the
10 pumps, one guy on the hose. Now, just
11 emergency if 9 was closed what it would have
12 done? People couldn't believe "This is
13 all you have? This is all you have?"

14 And he said, "Yeah. Call the mayor.
15 Call the office."

16 Now, I don't know. Crime is up with
17 drugs, Chief Duffy I think is doing an
18 outstanding job for his first month there he
19 wants to -- he's dead set on what he wants
20 done on drugs, but you are going to take
21 away cops from him? How? I just don't
22 understand how this is going to happen if --

23 And as far as the reductions go and
24 moving a firehouse three blocks how much
25 would that cost to move a firehouse? I

1 mean, it's centrally located where it could
2 be -- you know, Engine 9 I'm in the Hyde
3 Pare section that's my first-in company.
4 That whole -- that whole -- that's the
5 first-in company. It's gone. Now I got to
6 wait for whoever else is available, like
7 Mr. Spindler said if there is multiple calls
8 who is going to cover?

9 Mr. Loscombe, I believe I heard you
10 ask Mr. Jennings about where they got this
11 study from, and as I heard him say, because
12 I put on the computer myself and came up MS
13 whatever, municipalities offer reducing plan
14 in Scranton and it comes up twice, and I
15 didn't see where -- and it did say Arkansas,
16 but someone who has never been in the city
17 from a population of 20,000 to 70 some, I
18 don't know if that's gone down at all, it's
19 just ridiculous. The garbage fee up from
20 178 to 215. It's ridiculous.

21 And, you know, what's been said here
22 for years and not by me, but I have heard
23 others saying it, Mayor Doherty should be
24 sitting his butt in one of these chairs
25 listening to questions and answering

1 questions not only of the speakers but of
2 council, and why you have to go through him
3 to get his permission for other heads to
4 answer questions concerning -- that's
5 ridiculous, but yet we want to pay all the--
6 payees of the administration all of this
7 money.

8 As Mr. Jennings said there was
9 supposed to be a wage freeze. Well, the
10 chief has got \$13,000 along with his other
11 administration.

12 As Mr. Jennings said PEL/ DCED they
13 got to go. Something -- it's scary. It
14 really is scary when you want to cut your,
15 protection, your fire protection and your
16 police protection. Something has got to be
17 done and his way isn't the right way.
18 Someone else has to come up. Thank you.

19 MS. EVANS: Thank you.

20 MR. GERVASI: Good evening, city
21 council. My name is Dave Gervasi, I'm a
22 member of the Scranton Firefighters.

23 MS. EVANS: Good evening.

24 MR. GERVASI: Just brief tonight
25 since we received a copy of that fire study

1 last week we had a bunch of our guys who had
2 master's degrees and bachelor's degrees and
3 they are state instructors and they know
4 quite a bit about our fire department, many
5 of them are on for a decade or two besides
6 being well-educated and all of this, so we
7 just want to let custody counsel know and
8 the public know we are studying the study
9 and we are going to do like the real life
10 ramifications of some of the recommendations
11 within the study, and generally it wasn't
12 very well done. I don't think that the
13 person doing the study realized we are
14 hourly employees and to say that they are
15 going to put us on a 56-hour workweek they
16 would increase the salaries of the fire
17 department by 40 or 50 percent, so I don't
18 think even the administration would want to
19 do that.

20 I don't think they considered
21 movement and relocations of the firehouse.
22 They didn't consider topography, bridges,
23 hills, size of streets. They haven't
24 really -- they didn't really do their
25 homework, and as far as we know we have

1 talked to just about everyone and we don't
2 know any firefighters in the City of
3 Scranton who had a conversation with this
4 consultant, maybe the chief did, we don't
5 know, but apparently the chief didn't talk
6 to him because Stu Renda knew about this,
7 according to the paper, and our fire chief
8 didn't. He said he was just handed it and
9 just started looking at it, so we have as
10 Attorney Jennings said, bean counters
11 giving -- doing consultation work to other
12 bean counters within the city and apparently
13 they didn't even talk to the fire chief
14 about how they are going to restructure the
15 fire department, and they certainly didn't
16 talk to any of the firefighters.

17 So we are going to put together some
18 information and let the public and let this
19 council know what the true life meaning of
20 what they are saying is and hopefully we can
21 get some costs so that you will walk into
22 this thing with your eyes wide open and
23 you'll know what the study really means, and
24 that's all I have. Thank you.

25 MS. EVANS: Thank you.

1 MR. JOYCE: Thank you.

2 MR. ANCHERANI: Good evening,
3 Council. Nelson Ancherani, resident and
4 taxpayer, First Amendment Rights. I'm not
5 going to say too much tonight, just a little
6 bit of summary. All of these years police
7 and fire employees have been blamed for the
8 inability of the city to exit from
9 distressed status. 85 million saved since
10 '92 in employee givebacks and not a word
11 from the city or the slimes. Why, of
12 course, to make the police and fire
13 employees make us look bad, and that's in my
14 opinion. Combine the 85 million saved with
15 the 111 million budget increases or excesses
16 since Connors. That's approximately 200
17 million. Look at all of the public safety
18 equipment that would have bought.

19 How about the 6.9 million deficit in
20 '92, 2.1 million surplus in 2001 and the 7.1
21 million deficit in 2011. That's a 16
22 million swing and that doesn't include the
23 deficits in the years in-between that we
24 borrowed money for. Can't blame Connors.

25 The graph shows police and fire

1 budgets. They are static. We have been
2 saying that for years, so we had some
3 vindication tonight. Thank you.

4 MS. EVANS: Thank you.

5 MR. SLEDENZSKI: Hello, Jack.

6 MR. LOSCOMBE: Chrissy.

7 MR. SLEDENZSKI: How about that game
8 Friday? Oh. Jack, I couldn't believe it.

9 MR. LOSCOMBE: I told you to suit
10 up. You should have been there.

11 MR. SLEDENZSKI: I did. I did at
12 halftime. I said, "Joe, what are you
13 doing?"

14 He goes, "Suit up."

15 Well, two games left this week,
16 guys. Good luck. Thank you.

17 MR. LOSCOMBE: Thanks, Chrissy.

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

20 MS. KRAKE: 5-A. MOTIONS.

21 MS. EVANS: Mr. McGoff, any comments
22 or motions?

23 MR. MCGOFF: Thank you. I was going
24 to have something to say about SAPA since we
25 received a number of letters and responses.

1 As you know, I voted in favor of SAPA, but
2 after listening to speakers from the podium
3 and Mrs. Evans' responses I guess my
4 questions or my comments are somewhat
5 outdated at this time, but what I would hope
6 in the near future that we do reconsider the
7 SAPA plan given the responses that we have
8 received from such people as the county
9 planning commission and the city planner and
10 SAPA itself.

11 Generally, I feel that people have a
12 right to criticize me, I put myself in a
13 position on council to be criticized,
14 however, when questions about my character
15 and reputation are made I do feel that it's
16 necessary to respond.

17 Last week during motions I asked for
18 an explanation as to why Rossi was chosen
19 for the -- to do the independent audit for
20 the next four years. Mrs. Evans then asked
21 Attorney Hughes for an explanation. I
22 really didn't understand what Mr. Hughes was
23 saying. He was responding to a situation
24 that had nothing to do with the question
25 that I asked, I know it had to do with the

1 independent audit, but I was confused by
2 what he was saying because I had know
3 knowledge of what had taken place, which is
4 why when he was finished I restated the
5 question to Mrs. Evans.

6 She responded and the response that
7 she made was understandable. I agreed that
8 the lowest bid on those was probably unwise
9 to pursue, the middle bid perhaps I
10 disagreed with Rossi over that one, but at
11 least the explanation I understood and when
12 she asked if I had anymore questions I said,
13 no, and then during motions Mrs. Evans --
14 during her motions Mrs. Evans questioned me
15 about where I received information about the
16 audit. I responded that it was from
17 something that I received in the mail and
18 she questioned that. I explained I showed
19 her the paper, and again, I was questioned
20 as to where I had received information.

21 The time line for the information I
22 had about the audit, and she was correct in
23 stating that I had not spoken to Mr. Joyce
24 about the choice. Mr. Joyce had called me I
25 believe in August and at the time that I

1 received the call I was in a car on the
2 turnpike with five other people in the car
3 and was really unable to respond to him and
4 said that I would call him back. I did
5 attempt to call him back, I did not reach
6 him, by that time we are getting close to
7 our first meeting in September. At that
8 meeting I told Mr. Joyce that I was sorry
9 that I did not get back to him and at that
10 point in time neither one of us said
11 anything about the audit.

12 The next information that I had
13 received was this piece of paper in my mail
14 dated October 6. Mrs. Evans questioned why
15 I had not brought it up before at a meeting.
16 That was the -- last week was the first
17 meeting I was at, the one before that I did
18 not attend because of illness and so the
19 first time opportunity I had to ask a
20 question about the choice of Rossi for an
21 audit was last week and that was all there
22 was to it.

23 That I was really -- I really had no
24 reason to lie about where I received any
25 information. If I had talked to someone, if

1 I had received information I would be more
2 than willing to divulge that, I have in the
3 past. I make no bones about that, but I
4 just didn't see that there was any reason
5 and any justification for being questioned,
6 my voracity on that being questioned.

7 Perhaps I over reacted, perhaps my
8 confrontation afterwards with Mrs. Evans was
9 ill-advised, but I take it personal when
10 somebody attacks my character or my
11 reputation and, therefore, I will defend
12 that. And I really don't understand why I
13 was called a liar over this incident. And
14 that's all I have. Thank you.

15 MS. EVANS: Thank you, Mr. Rogan?

16 MR. ROGAN: Thank you. I have a few
17 updates from the OECD report from September
18 of 2010. The Homebuyers' Program there was
19 one application received and one approved
20 and two closed.

21 The Housing Rehabilitation Program,
22 there were two bid openings, 25 contacted
23 for verification, two approved and there are
24 currently eight total projects under
25 contract.

1 Lackawanna County Neighbors has
2 received an award in the amount of
3 \$104,923.95 to purchase, rehabilitate, lead
4 abate and to sell a first time home buyer
5 property. This home will be located in East
6 Scranton or North Scranton and no home has
7 been selected as of October 14, 2010.

8 The home at 208 Pittston Avenue has
9 been completed and the home is for sale
10 through the city's Homebuyer's program in
11 the amount of \$95,000. Anyone interested in
12 purchasing this home should contact OECD for
13 a Homebuyers' program application and
14 contact Lackawanna Neighbors at 963-7616 for
15 information on purchasing this home.

16 The Lackawanna County Neighborhood's
17 project 718 Cedar Avenue, 311 Prospect
18 Avenue, 550 Hickory street, 213 Steven
19 Avenue are all progressing very quickly.
20 311 Prospect Avenue is actually 99 percent
21 complete. 718 Cedar Avenue is 95 percent
22 complete.

23 The Crisp Avenue Bridge, which it
24 seems -- I hope this project will be
25 completed, but a resolution was introduced

1 on October 12 by city council to transfer
2 \$37,500 from economic development to the
3 Crisp Avenue Bridge. And, Mrs. Krake, have
4 we heard anything from Mr. Aebli regarding
5 the Crisp Avenue Bridge?

6 MS. KRAKE: We actually did have a
7 phone call in our office yesterday not from
8 Mrs. Aebli but from Tom Tell who works for
9 State Representative Kevin Murphy and he
10 give me the impression that apparently one
11 of the people that needed to sign off, one
12 of the residents on an easement perhaps had
13 not done so, and he was trying to get that
14 information from the city who had not
15 provided anything to him up to that point,
16 so he asked me to for the name of the city's
17 solicitor and the phone number. I gave him
18 both. I did not hear back from him, but I
19 did want to let them know that it was State
20 Representative Murphy's Office calling and
21 figured that might get them moving a little
22 more -- it might be a little more expedient
23 in answering.

24 MR. ROGAN: Thank you. I will try
25 to get in touch with Mr. Tell this week.

1 This is a long overdue project. I have only
2 been on council for a few months, I can only
3 imagine what you have been through. I know
4 Bill Courtright when I was on council he was
5 pushing for this project as well and
6 it's really needed for the people in West
7 Scranton.

8 Moving on, North Scranton Viking
9 Football, they requested a safety fence for
10 fans and cheerleaders and this was sent to
11 the controller on October 1, 2010, and
12 construction should have started by now
13 October 6.

14 The loan portfolio remains unchanged
15 for the last month, so that will be all for
16 this.

17 And I had one citizens' request. We
18 have received this question in May and we
19 sent it maybe a half a dozen times about a
20 stop sign on the corner of Price and Cameron
21 and the resident would like to know why
22 requests from so many months hasn't been
23 acted on. And I have some comments on the
24 agenda items that I will hold for voting on.
25 That's all.

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

4 MR. LOSCOMBE: Yes. Thank you, Mrs.
5 Evans. Good evening, ladies and gentlemen.
6 I just want to touch on a couple of things
7 that were mentioned this evening. I was a
8 little shocked when I read in the paper the
9 other day about a proposed new park. I just
10 don't understand what they are mixing in the
11 water in the cooler downstairs. I mean,
12 this came out just days after we had a
13 meeting here with the folks from PEL painted
14 such a dim picture of this city. This
15 follows another idea of a 16 million dollar
16 library in South Side.

17 Now, I have been portrayed before of
18 being against the library, I'm not against
19 the library, I'm not against the parks.
20 When I was younger I used to walk to the
21 library every day. I take my children -- I
22 have taken my children and now my
23 grandchildren to as many parks as I can on
24 the nice days, but we have to have a reality
25 check. We are in a touch situation. At the

1 same time they want to cut your basic fire,
2 police, safety, garbage pickup and increase
3 parks and add libraries. We have to get our
4 house in order. I just -- I just can't
5 understand it and I think -- I mean, it's a
6 dream, my dream city would be to a firehouse
7 in every neighborhood, a library in every
8 neighborhood, a park in every neighborhood,
9 and foot patrol police in every
10 neighborhood. That's a dream and maybe some
11 day it could be a reality, but we have to
12 start at square one right now. We can't --
13 if you look in the last ten years from a
14 \$2.1 million dollars surplus to over \$7
15 million in deficit something is wrong and
16 those who have been guiding us for these
17 past 18 years have been guiding us in the
18 wrong direction. I believe that's apparent
19 after our meeting tonight.

20 And for those of you who had
21 witnessed our caucus and saw the information
22 in black and white you saw something that
23 hasn't been done in 18 years. You were able
24 to see what goes on on the other side of the
25 story, the untold side of the story, the one

1 that's usually distorted. I have seen it.
2 I have lived it, and I am proud to have had
3 an opportunity to have the public see the
4 true story of where our city is going.

5 And I wouldn't be going out and a
6 limb to say that there has been a concerted
7 effort between a number of entities over the
8 past 18 years to do just what they have been
9 trying to do, to keep this city distressed
10 and break all of unions. That's exactly
11 what it's all about.

12 In this plan that they -- and we
13 wouldn't have known it unless Mrs. Evans
14 asked last week about any kind of fire
15 service plans or anything like that. I
16 mean, I happened to go on the Internet and I
17 found another company called Bircher Company
18 that's advertising they did, fire, police
19 and DPW plans for the city, so I was
20 wondering, Mrs. Krake, if we can request
21 from PEL if they have any additional studies
22 that they haven't provided with us. It
23 seems we have to ask them, they haven't
24 offered that.

25 Being a resident of West Scranton

1 and a former firefighter I have seen our
2 compliment of fire trucks on the West Side
3 go from four to three now. Now they want to
4 drop it to two. West Side is one of the
5 biggest developing areas in west mountain
6 over there and I looked at their maps and
7 apparently, as Mr. Gervasi stated, they
8 didn't do a -- they didn't do this by
9 topography, they had to do a flat line
10 response, I don't believe they set foot
11 here, although, in the newspaper article it
12 says that MFSC conducted an on-site review
13 of the city's fire experience, but yet no
14 one in this city knows anything about it, so
15 I don't know where their on-site review was
16 from. Maybe on-site in Arkansas,
17 Russellville.

18 And again, in this same article if
19 they did speak to anybody it says Fire Chief
20 Thomas Davis said he just received the
21 report Friday and he was reviewing it's
22 contents. You think if they had invested
23 this much in a report like this don't you
24 think our own fire superintendent should
25 have been consulted, should have advised on

1 that plan, should have been kept up to par
2 on this plan? I find that shocking to be
3 honest with. It's just shows the MO that's
4 been going on for the last 18 years.

5 But getting back to West Side, where
6 I live on the west mountain they are showing
7 a straight line road. My area is cut off by
8 the turnpike, there is a long way to get up
9 there and go around. I'm not even shown in
10 the four minute response. And you know
11 what, we don't have hydrants there. My
12 house would be to the ground with the
13 response that they are showing here.

14 An another unknown fact I think a
15 lot of people don't realize this, and
16 Mr. Gervasi can correct me if I'm wrong on
17 this, but Fawnwood, the large development on
18 west mountain, has fire hydrants there that
19 look very nice, and that's about all they
20 are. They are dead hydrants. They never
21 rang supply lines to these fire hydrants.
22 Right now the people living in Fawnwood it's
23 no different than living out in the country.
24 In fact, the insurance ratings could be a
25 protection class eight or nine for those

1 areas because of the lack of water for fire
2 protection.

3 So to take Engine 8 from North
4 Scranton, which is on the west side of the
5 river which would be one of our first
6 responses coming out Keyser Avenue to that
7 west mountain area, is hypocrisy.

8 Whoever did this study doesn't
9 deserve a dime of what they were paid, but I
10 think any study like this should be done
11 with a cooperation of everybody involved,
12 just like when you're going to arbitration
13 and you pick a neutral arbitrator. You
14 know, this is just a one-sided cut the fat,
15 cut the work, whatever you want to call it,
16 cut the laborers, keep the administrative
17 personnel here. And I'm curious if they
18 ever run a study, an administrative study to
19 see how effective they can be with less
20 administrators. We haven't seen that, but
21 we have seen DPW, we've seen police, we have
22 seen fire studies that they have spent money
23 and money and money after and lawyers.

24 But I think tonight is a good
25 example of what's been going on here in this

1 city and until something is done, and I
2 think -- I'm proud of the fact I believe the
3 majority of us have been taking the bull by
4 the horns and a lot of the people complain
5 they don't see us doing anything. It took
6 ten years and longer to get to this point,
7 it's not going to be changed overnight and
8 as we are stepping forward there is boulders
9 thrown in front of us that we have to move
10 aside, and if you see these meetings you
11 know that's the reality.

12 And just to go -- that's enough on
13 that, but just to go back to before when I
14 was talking about parks and libraries. I
15 just came across something and I was
16 wondering if Mrs. Krake could follow-up on
17 this, also. Back in early September we had
18 sent a letter to Attorney Kelly regarding
19 the repair work that was going to be done at
20 the Silkman House. I believe they were bid
21 out -- not bid out, this funding was
22 approved back when the city owned the
23 library buildings last year.

24 However, since that time the Library
25 Authority still possesses the deeds to the

1 Silkman House, the Albright and Greenridge
2 Libraries even though we have rejected their
3 authority they apparently were handed the
4 deeds by the city, so I just don't want
5 something to happen down the road during an
6 audit that we have to submit those funds
7 back because it's an unqualified project, so
8 if we can check with the proper departments
9 on that?

10 MS. KRAKE: Yes.

11 MR. LOSCOMBE: Thank you. And
12 lastly, I think I alluded to it earlier just
13 to touch base, but this past Wednesday a
14 resident of Keyser Valley setup a meeting
15 with the mayor, with DPW Director Brazil,
16 with Representative Murphy's Office and some
17 members of the state and so forth and I was
18 also invited from Kevin Murphy's Office. It
19 was basically related to several flooding
20 issues that we had been talking about
21 ongoing for the past meetings after every
22 rainfall.

23 We appeared at the meeting, the
24 meeting, first of all, was supposed to be at
25 city hall or the mayor's chambers, it was

1 changed to the DPW compound. We arrived for
2 the meeting Wednesday morning and we were
3 informed that the mayor would be unavailable
4 and also Jeff Brazil, DPW Director, was
5 unavailable as he had to go to Philadelphia
6 or something, so we waited around awhile and
7 Brian Swanson, the city engineer, he showed
8 up, and Mark Seitzinger appeared and he
9 represented the city's interest.

10 We met with Michael Palka from
11 PennDOT, Gene Skeleton from the Sewer
12 Authority, myself, Tom Tell from
13 Representative Murphy's Office, Mike Wallace
14 was also there on some zoning issues and,
15 like I said, Mark Seitzinger, and I hope I'm
16 not forgetting anybody along with the two
17 residents from Keyser Valley that had set
18 this meeting up and we discussed their
19 situation because it was also tied in with a
20 couple of other situations in Keyser Valley.

21 We met for probably a little over an
22 hour in the office there, discussed the
23 difference scenarios and then everyone met
24 back Keyser Valley and we looked at several
25 different issues there. There is an

1 accumulation of problems and if we start
2 naming one at a time we will be able to get
3 to the root of it.

4 And I do have to say the
5 cooperation -- I was impressed. The
6 cooperation from the Sewer Authority, Gene
7 Skeleton and that back there was
8 unbelievable. I mean, he had trucks meeting
9 me out there, they actually started pulling
10 manhole lids for three full days and I was
11 there every day. I didn't stand with them
12 every day, I made the rounds and that, but
13 they had crews out there vacuuming out the
14 lines, surveying the lines, they had their
15 engineers surveying the lines, they dyed
16 some of the water to see where it was
17 flowing and they actually did camera work in
18 them, so are getting a good start on a lot
19 of problems here.

20 Some of the issues are city-related,
21 some of them are state-related, so we are
22 working in conjunction. That's why it works
23 good with Kevin Murphy's office, working in
24 conjunction with all of these departments to
25 figure out who is responsible, who is going

1 to get it done and let's get it done, so the
2 people don't suffer these problems again.

3 And it's not only Keyser Valley, to
4 those out there who are still having
5 problems, trust me, we have several other
6 areas that we will be moving onto, but this
7 seemed to be a pretty predominant area at
8 this point. And I understand from Mark
9 Seitzinger's Office and the DPW there is
10 going to be some people that are going to be
11 cited and some warnings giving out.

12 And a two-block area from Charlie
13 Newcomb's down to Dewey Avenue when they ran
14 the camera through the pipe there they found
15 out it was an old corrugated pipe and it was
16 totally rotted out on the bottom, so it was
17 solidly blocked. Everything that's going
18 through there is just picking up the dirt
19 underneath it, so that definitely has to be
20 replaced.

21 And the Sewer Authority and Gene
22 Skeleton told me they would provide the
23 piping and he said he had already spoke to
24 Jeff Brazil and they would replace it, I
25 believe it was 495 feet of it, and they are

1 looking at two large catch basins, one at
2 the end of Dewey where there was a large
3 opening there, they had to correct two
4 pipes, and another one up off of, oh, boy, I
5 forgot the street now, my mind went blank,
6 but there was a large culvert up there and
7 just an open culvert and it was just
8 clogging everything when we get a heavy rain
9 washing the debris and blocking the hole
10 there, but we resolved that issue. I mean,
11 that issue will be resolved also with the
12 manhole, the catch basin which would be
13 easier to clean and collect the debris and
14 then just clean it out of there instead of
15 blocking the pipes.

16 But there are still some other
17 issues above Keyser Avenue and I just wanted
18 to let you know we have been working on them
19 and I'm happy to report that we've had the
20 full cooperation. Like I said, the Sewer
21 Authority has been out in full force with us
22 there and now we just have to make sure the
23 DPW follows up with their part and the state
24 is working on the Keyser Avenue end of it.

25 And at the same meeting, Mrs. Krake,

1 you alluded to Crisp Avenue before, and I
2 received the same information. I was there
3 with Mr. Tell, the information was that one
4 of the adjacent property owners hadn't
5 signed the easement for them to complete the
6 work, other than that they are ready to go
7 so I hope they resolve that very shortly.
8 And I think that's all I have. Thank you.

9 MS. EVANS: Thank you. Councilman
10 Joyce, any motions or comments?

11 MR. JOYCE: Yes. Just some comments
12 tonight. I wanted to comment on 5-D, which
13 is the audit, and just to educate everyone
14 out there watching and everyone on council
15 of course knows, there were three firms that
16 bid on the undertaking of the council's
17 audit for the years 2010, 11, 12 and 13.
18 The firms that build on audit were Jones &
19 Kohanski, Bonita & Rainey and Rossi & Rossi.

20 After reviewing all of the bid
21 applications, all of the firms have an
22 educated staff, that's easily seen, and all
23 of the firms appear to be reputable,
24 however, I examined all of the bid proposals
25 in fairly great detail and I think that one

1 really needs to look at the pros and cons of
2 each and I'll tell you at the end why I see
3 Rossi & Rossi as the best choice.

4 First, let's start with Jones &
5 Kohanski. Like all of the other firms that
6 placed a bid, Jones and Kohanski appears to
7 have a very qualified staff. They have
8 prior experience in auditing a large
9 government entity such as Lackawanna County,
10 and at first glance, and I just want to say
11 this, at first glance they appear to be the
12 lowest bidder.

13 Now, with the Jones & Kohanski bid
14 proposal now I want to talk about some of
15 the cons, and this is right on page 11 where
16 I just said at first glance they appear to
17 be lowest bidder, but then you read down
18 there's a paragraph directly under that, and
19 let me summarize this. Their proposed fees
20 were determined based on the firm's estimate
21 of time requirements to complete the
22 engagement in the assumption that the city
23 will provide properly adjusted trial
24 balances for each fund and for the
25 government-wide presentation as well as all

1 supporting schedules consisting of
2 depreciation schedule of long-term debt,
3 schedule of compensated absences, etcetera.

4 One thing I wanted to point out is
5 there have already been issues with
6 providing correct information this year
7 being that incorrect information was
8 provided to Rossi & Rossi and I believe it
9 was regarding an OECD account. We received
10 an update from them on this not too long
11 ago.

12 In addition, the city would be
13 expected to provide clerical and accounting
14 support as needed to prepare confirmation
15 schedules, account analysis and polled
16 and/or copy documents for the audit.

17 Furthermore, the fees proposed by
18 this auditor assumes that unexpected
19 circumstances will not be encountered during
20 the audit and that's the important thing
21 that I wanted everyone to realize here.

22 If significant additional time is
23 necessary the auditor will discuss it and
24 arrive at a new fee estimate. This can be
25 referenced on page 11 of their bid. If one

1 looks at their proposed work plan, which is
2 contained on page ten, one can see, let me
3 turn it over for my reference, too, that
4 Jones & Kohanski plans to complete their
5 work on May 10th of 2010 -- or actually,
6 sorry, that would be 2011, and begin their
7 work in the month of the November 2010.

8 This is a total of time frame of six months.

9 Now let's look at some facts. So
10 far for the 2009 audit, which is still not
11 complete, the Business Administrator's
12 Office has been extremely late with
13 providing Rossi & Rossi, our current
14 auditor, information. With this being said,
15 over 11 months has lapsed in preparing the
16 2009 audit which we still have not received
17 as of today. The extra time that is needed
18 to complete the audit for 2009 is a direct
19 result of the business administrator's
20 office not providing the information in a
21 timely fashion to Rossi & Rossi and we know
22 this because we received continual updates
23 from Rossi & Rossi regarding outstanding
24 items on a periodic basis and we have been
25 receiving this I would say -- I would say

1 about every month and I believe we finally
2 now have provided all of the standing
3 information and there is just a few things
4 to wrap up before the audit is complete.

5 But, with this in mind, such a
6 practice as just what we have seen over the
7 past year could result in additional costs
8 for the City if Jones & Kohanski were
9 selected just due to the nature of their bid
10 conditions which, of course, were stated
11 explicitly on page 11.

12 For instance, let me give you an
13 example if a cost of \$40,400 is based on a
14 six-month timeline, which would be the cost
15 that's in the bid proposal for 2000 -- for
16 the 2010 audit, being that their work plan
17 is to begin in November and, of course, end
18 in May, proportionally this would equate to
19 \$74,066 for an 11-month timeline, which is
20 the amount of time it's taken to complete
21 the 2009 audit, being that Rossi & Rossi
22 starts their work in December, and it's now
23 -- well, we are fastly approaching November
24 before we are going to get this audit I
25 would assume.

1 This might be -- maybe we don't
2 know. Maybe this one would be the actual
3 cost, maybe they wouldn't charge us \$74,066,
4 however, we must prepare. We must prepare
5 for the fact that they may given the
6 negligence that the BA's Office has shown in
7 the past with delivering information to the
8 auditor in a timely fashion. If it has
9 taken 11 months for the BA's Office to
10 deliver the information necessary to the
11 auditor now, really there is no reason to
12 believe that anything is going to change in
13 the future.

14 So with Jones & Kohanski though it
15 does look like they are an attractive bid at
16 first, given the conditions we simply cannot
17 afford to take the risk of additional costs
18 being incurred because of some of the issues
19 that I have personally seen with the BA's
20 Office providing information to the auditor
21 and the fact that they may charge additional
22 costs.

23 Okay, let me move onto the second
24 proposal that we received from Bonita &
25 Rainey. Let's look at some of the pros of

1 their proposal. Like all of the other firms
2 that placed a bid Bonita & Rainey appears to
3 have a qualified staff, and one of other
4 pros is that they are willing to charge
5 \$3,000 less than Rossi & Rossi per year.

6 Now let's look at some of the cons.
7 In their prior experience they did not
8 indicate that they have performed an audit
9 for a municipality anywhere near the size of
10 Scranton. They provided -- and also, here
11 is a second one, they provided a seven-step
12 timeline in their work plan if you want
13 to -- if you have the bid proposal in front
14 of you, you can turn to page three, and this
15 timeline, this work plan begins on May 15 of
16 every year. Because of the length of their
17 work plan, which runs a whole year in
18 duration, the work plan to complete the
19 audit each year they would already been five
20 months behind if they are selected as of
21 right now.

22 Furthermore, from the projected work
23 plan they would already be behind for the
24 2010 audit according even to the -- even
25 from the exact date that they submitted

1 their bid, which was way back in June.
2 Given the nature of the delays, as I
3 mentioned before from the BA's Office in
4 providing information to the auditor to
5 complete the audit by May 31, which is the
6 date that's specified in the Home Rule
7 Charter, this can lead to even further
8 delays for the 2010 audit in addition to the
9 five months that they already would be
10 behind according to their work plan.

11 With all of this being said, and
12 given the nature of their work plan and the
13 nature of the BA's Office, personally by
14 reading over this I think it may be quite
15 possible that we wouldn't have a completed
16 2010 audit by the end of the Year 2011 if we
17 choose this firm.

18 And finally, Rossi & Rossi. Let's
19 look at some of the pros. Like all of the
20 other firms that placed a bid Rossi & Rossi
21 appears to have a qualified staff. So what
22 you can see is that there is -- there is
23 no-- there is no firm that's submitted a bid
24 that has a less qualified staff as far as
25 education requirements.

1 Secondly, they are already seasoned
2 in handling an audit for a municipality the
3 size of Scranton unlike Bonita & Rainey
4 since they are our current auditor. And
5 another pro is they have not charged
6 additional fees due to the BA's Office not
7 providing appropriate information to them in
8 order to complete the audit on May 31 as
9 directed by the Home Rule Charter.

10 Also, one thing that can be
11 appreciated about this firm is that they are
12 persistent and that they send continual
13 updates that is according to -- continual
14 updates regarding any outstanding
15 information that they need from the BA's
16 Office and they also provide these to
17 council as well as the mayor.

18 Now, let's look at some of the cons.
19 Their bid is \$3,000 higher per year than
20 Bonita & Rainey. Now, another thing I would
21 like to note it really cannot be truly
22 determined how their price compares to Jones
23 & Kohanski since their price is subject to
24 change based on the time estimate, and we
25 all know it's no secret that our audit is

1 taking quite a long time to be completed
2 this year. We are already over four and a
3 half months late.

4 So just to conclude, after an
5 evaluation of the facts Rossi & Rossi is the
6 best choice for our annual audit contract
7 for the next four years. Though they may be
8 a few thousand dollars higher than the
9 lowest bidder, we know: (A) that we will
10 not be charged any additional costs due to
11 the BA's Office not meeting timelines, we
12 know their work plan begins in December
13 which means that would not already be behind
14 schedule if selected; and (c), we know that
15 they have experience handling an audit for a
16 municipality the size of the City of
17 Scranton since they are our current auditor.

18 And given those facts, this is the
19 reason why I see Rossi & Rossi as our best
20 choice and this is Item 5-D on the agenda
21 tonight and I hope that all of my colleagues
22 will agree with me on this. And that's all.

23 MS. EVANS: Thank you, Mr. Joyce.
24 Good evening. Prior to tonight's meeting,
25 the city council met in public caucus with

1 stakeholders to further discuss the proposed
2 revised Recovery Plan. Speaking on behalf
3 of the IAFF Local No. 60 and the FOP Lodge
4 No. 2, Attorney Jennings presented the other
5 side of Scranton's distressed status and
6 provided information to the public that was
7 unknown throughout these last nine years of
8 ongoing Court battles.

9 City council believes it is vital
10 that you, ladies and gentlemen, receive all
11 of the facts and understand the total
12 picture in order to form a solid conclusion
13 regarding the revised Recovery Plan, the
14 effectiveness of the Pennsylvania Economy
15 League and the financial management of the
16 Doherty administration.

17 This appears to be the bottom line:
18 The Doherty administration has appealed
19 every Court decision rendered against them
20 for the last nine years. Huge sums of your
21 local and state taxes have been wasted on
22 continuous legal battles. The State Supreme
23 Court will hear an important case between
24 the city and it's two municipal unions on
25 November 30. The decision rendered by the

1 Supreme Court will lay the groundwork for
2 the city's future and provide the best
3 financial figures going forward. Neither
4 the Doherty administration nor the
5 Pennsylvania Economy League has prepared for
6 this potential significant financial impact.

7 Minus this crucial information, PEL
8 has developed a revised Recovery Plan which
9 increases taxes and fees and cuts public
10 safety and services. Cuts to the Scranton
11 Fire Department are contained in a study
12 commissioned by PEL and completed in May
13 2009 amid a heated mayoral election.
14 Someone must have known about this study
15 since thousands of Scranton homeowners
16 displayed signs in their yards against
17 closing neighborhood fire stations.

18 City residents sent a strong message
19 that cost Mayor Doherty to state on the
20 record that no firehouses would be closed.
21 Thereafter, the issue was forgotten until
22 the last week when PEL provided a study to
23 city council, the newspaper and ultimately
24 the public. The study boils down to this:
25 Close three fire stations, relocate two fire

1 stations approximately three to four blocks
2 from their current locations, combine
3 operations, build two new stations and cut
4 manpower and equipment.

5 How does a distressed city fund and
6 build two new superstations? How does the
7 city realize savings by cutting firefighters
8 and causing overtime to spike just as it did
9 this year?

10 We currently have 8 first stations,
11 one station per every 3.15 square mile area.
12 The administration and the Pennsylvania
13 Economy League could change that to five
14 fire stations which means one per every 5.04
15 square mile area. None of the seven
16 comparable Pennsylvania cities contained in
17 the fire study own as many square miles as
18 does Scranton. For example, Reading has
19 eight fire stations, one per each 1.22
20 square mile area. Allentown has six
21 stations, one per each 2.95 square mile
22 area, and Bethlehem has five fire stations,
23 one per each 3.86 square mile area.

24 If Scranton closes three fire
25 stations it appears that we will have less

1 fire coverage than any of the other seven
2 comparable cities. This type of
3 restructuring will risk the safety of
4 Scrantonians and I will not approve such
5 measures. Neighborhood firehouses will not
6 be closed on my watch.

7 The revised Recovery Plan developed
8 by the Pennsylvania Economy League in
9 coordination with the Doherty administration
10 comes down to this: Increase taxes and
11 fees, decrease safety and service. You sent
12 an even stronger message regarding tax
13 increases on public safety in 2009 by
14 electing this council majority and we will
15 do our best to get the job done.

16 Next, tonight's agenda includes
17 legislation in Seventh Order for final
18 adoption of the 2011 action plan designed by
19 OECD and the mayor. Since the introduction
20 of this legislation in September, city
21 council and it's staff has researched HUD
22 regulations, spoken with HUD
23 representatives, and searched for specific
24 information and answers from OECD. Numerous
25 letters and requests were sent, phone calls

1 were made, and a day-long visit to the OECD
2 Office was made.

3 However, many questions remain
4 unanswered because OECD insisted it was too
5 laborious and time consuming to provide
6 responses or because it offered only vague
7 general answers to council's specific
8 questions. Thus, five Right-to-Know
9 requests were submitted by council for the
10 remainder of the information.

11 Council faced a difficult task and
12 requirements had to be met. For example,
13 council cannot allocate more funds to an
14 applicant that requested. The DPW director
15 requested only \$600,000 for paving, and
16 although council wanted to provide
17 significantly more it could not exceed the
18 requested dollar amount. At the same time,
19 only 15 percent of total CDBG federal
20 allocations can be given to public services
21 which include programs for the poor,
22 homeless, elderly, hungry and abused as well
23 as police services such as COM-D or beat
24 patrol officers.

25 Consequently, city council cut or

1 decreased what was not documented or was not
2 essential, retained or increased what was
3 documented as essential, and increased areas
4 of primary importance to the people of the
5 Scranton wherever it was able to do so in
6 compliance with the rules and regulations.

7 For example, city council cut
8 funding to CDBG administration because no
9 documents were completed for this funding
10 and only vague responses were received.
11 Council provided every opportunity for Ms.
12 Aebli to answer specific questions regarding
13 administration and program delivery costs
14 but she failed to do so. Council also spoke
15 with HUD for legal verification before
16 making a 20 percent cut to CDBG
17 administrative funding.

18 In addition, I explored Pittsburgh's
19 CDBG allocations to ascertain levels of the
20 funding by other distressed cities, now,
21 Pittsburgh receives approximately 18.3 three
22 million for it's CDBG action plan and
23 approximately 1.4 million dollars or less
24 than 10 percent is allocated to
25 administration. Scranton receives

1 approximately 3.9 million for it's action
2 plan and approximately 865,000 or more than
3 20 percent was allocated to administration
4 without any documentation or justification.
5 Clearly, Pittsburgh spends far less of it's
6 total allocation for administration and far
7 more on projects that benefit Pittsburgh
8 residents. I believe Scranton should do the
9 same.

10 Ladies and gentlemen, would you have
11 city council spend grant monies on the
12 bloated bureaucracy of OECD or would you
13 rather that we eliminate blight in your
14 neighborhoods? Would you prefer federal tax
15 dollars pay for unnecessary political jobs
16 or for a new fire engine?

17 OECD's allocation for blight removal
18 was \$200,000, but city council increased
19 that figure to \$348,000. OECD cut a sorely
20 needed fire engine, but city council put
21 your safety first and provided for a new
22 fire engine. In fact, the fire engine was
23 incorrectly listed as a public service and
24 according to HUD it is not. In fact, fire
25 protection equipment is not subject to the

1 15 percent cap on public services, rather,
2 it is considered to be an integral part of a
3 public facility and is eligible as a public
4 facility according to a HUD special
5 provision.

6 Even more may be learned from the
7 many programs listed in Pittsburgh's
8 allocations. Let's examine street paving.
9 Interestingly, 2.5 million was allocated to
10 pave 35 miles of roads and to provide for
11 continual improvement and enhancement of
12 over 861 miles of asphalt streets. Here in
13 Scranton the DPW, as I said before,
14 requested only \$600,000 to pave nearly
15 several miles of streets. Why is this
16 administration sidestepping major issues
17 like paving while spending far more dollars
18 on parks and administration? Scranton
19 residents tell me they want paved streets
20 not parks and bureaucrats.

21 In addition, Pittsburgh CDBG
22 allocations fund programs for utility bill
23 subsidies to low and moderate income people,
24 for senior citizens and low income residents
25 for painting, home repair and maintenance,

1 for the elderly for energy assistance, fuel
2 rebates and crisis programs, for medical
3 supplies for the elderly, for numerous food
4 pantries, for graffiti removal and for
5 cleanup and maintenance of city-owned vacant
6 lots.

7 Both the administration and the
8 local nonprofits service agencies of
9 Scranton could learn from other cities.
10 These are programs that our senior citizens
11 and struggling families need, our taxpayers
12 deserve and I would like to see funded with
13 CDBG dollars in Scranton.

14 Council will do it's part by urging
15 city department heads and public safety
16 chiefs to apply for increased funding for
17 paving, blight removal, cleanup of vacant
18 lots, public safety equipment and beat
19 officers. In 2011, council will give high
20 priority to such programs. We can and will
21 make better use of our CDBG funds each year
22 just as we have done this year.

23 And finally, neighbors report an
24 illegal vehicle at 2801 Pittston Avenue in
25 the year of the Hamm Court, please send an

1 inspector to check it, and that's it.

2 MS. KRAKE: 5-B. AUTHORIZING THE
3 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
4 OF THE CITY OF SCRANTON TO ACCEPT AND
5 DISBURSE GRANT FUNDS FROM THE FEDERAL
6 EMERGENCY MANAGEMENT AGENCY ("FEMA") AND THE
7 DEPARTMENT OF HOMELAND SECURITY ("DHS").

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

11 MR. ROGAN: So moved.

12 MR. JOYCE: Second.

13 MS. EVANS: On the question? All
14 those in favor of introduction signify by
15 saying aye.

16 MR. MCGOFF: Aye.

17 MR. ROGAN: Aye.

18 MR. LOSCOMBE: Aye.

19 MR. JOYCE: Aye.

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

22 MS. KRAKE: 5-C. ACCEPTING A TWO
23 HUNDRED FIFTY (\$250.00) DOLLAR CONTRIBUTION
24 FROM MCDONALD'S/MARY JOAN CORPORATION
25 PRESENTED TO THE CITY OF SCRANTON POLICE

1 DEPARTMENT.

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

5 MR. ROGAN: So moved.

6 MR. JOYCE: Second.

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

10 MR. MCGOFF: Aye.

11 MR. ROGAN: Aye.

12 MR. LOSCOMBE: Aye.

13 MR. JOYCE: Aye.

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

16 MS. KRAKE: 5-D. AUTHORIZING THE
17 MAYOR AND OTHER APPROPRIATE CITY
18 OFFICIALS TO EXECUTE AND ENTER INTO A
19 CONTRACT FOR PROFESSIONAL SERVICES WITH THE
20 CERTIFIED PUBLIC ACCOUNTING FIRM OF ROBERT
21 ROSSI & CO. FOR THE CITY OF SCRANTON'S
22 INDEPENDENT POST AUDIT FOR THE YEARS ENDING
23 12-31-2010, 12-31-2011, 12-31-2012, AND
24 12-31-2013 PER THE ATTACHED BID PROPOSAL AND
25 SPECIFICATIONS FOR A LUMP SUM OF

1 \$192,000.00.

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

5 MR. ROGAN: So moved.

6 MR. JOYCE: Second.

7 MS. EVANS: On the question?

8 MR. ROGAN: Yes, on the question.
9 Originally while looking through them the
10 lowest bidder seemed to be the most
11 reasonable, but listening to Mr. Joyce I
12 understand why we may wind up paying more
13 with going with the lowest bidder, but
14 personally I think we should be going
15 Rainey, the second bidder. It's \$12,000
16 less per the term of the contract.

17 Mr. Joyce mentioned all three firms
18 have a qualified staff and the one knock on
19 this firm was that they would be behind and
20 we are already four and a half months late
21 this year, so if we are going to behind any
22 ways we might as well save some money along
23 the way, so I will be voting "no" to 5-D.

24 MS. EVANS: Oh, I'm sorry. Go
25 ahead.

1 MR. MCGOFF: Also, I thought that
2 the timeline that was provided by Bonita &
3 Rainey should be a plus. None of the other
4 firms provided a timeline for completion.
5 Now, I know we had a track record for Rossi
6 & Company, but they did not provide any type
7 of timeline within their proposal and the
8 difference does represent -- the difference
9 in cost does represent over 6 percent, you
10 know, savings going with the Bonita-Rainey
11 bid and I also believe that that should be
12 one that was chosen. Thank you.

13 MR. ROGAN: I never thought I'd see
14 the day when we agreed on something.

15 MS. EVANS: Well, I can say that the
16 audit has a very troubled history, at least
17 in the years on which I have sat on city
18 council. The audit has never been completed
19 according to the Home Rule Charter in terms
20 of the timeline. It's grown later and
21 later, however, that is due to the lack of
22 timely cooperation from city authorities and
23 the administration, specifically, the
24 business administrator.

25 Now, when you look at the firm that

1 is recommended by Mr. Rogan and Mr. McGoff
2 you will notice that they haven't handled an
3 audit of this size. They haven't worked
4 with a city the size of Scranton before.
5 And, of course, as Mr. Joyce said, they are
6 going to be starting late according to what
7 they perceive as a workable solution to all
8 of this which is going to cause, and I don't
9 know, perhaps the next audit to come out,
10 that would be the audit for the Year 2010,
11 we may not get that under those
12 circumstances until some time in 2012.

13 So I will be voting to approve this
14 motion. Is there anyone else on the
15 question?

16 MR. LOSCOMBE: Yes, I would like to
17 comment, also. I have looked into it
18 considerably, Mr. Joyce has done a thorough
19 job on it and I believe in what he has come
20 up with, given the circumstances that we
21 have been under and an audit like this, you
22 know, has to be done independently and this
23 company has done it, has fought the fight to
24 try and get this information all of these
25 years and, you know, given different

1 circumstances maybe under a different
2 administration or someone that's more
3 cooperative I would look the other way, but
4 in this circumstance I think we have to go
5 with the experience and based on what
6 condition our city is in now I will be
7 voting in the affirmative. That's all.

8 MS. EVANS: Thank you.

9 MR. JOYCE: And I won't say anything
10 more on the question because I already
11 explained my reasoning and, you know, I
12 really think that if we are to go with
13 Bonita & Rainey I think it could cause
14 substantial delays in addition to what we
15 already experience because of the negligence
16 in the BA's Office with providing timely
17 information, especially starting a brand new
18 relationship on top of that, and I think for
19 \$3,000 per year it's worth it to stick with
20 what we know than take the risk of not
21 ending up with an audit for the year 2010 by
22 the end of 2011 by trying to save \$3,000,
23 which is miniscule in the whole budget when
24 you consider 70 some million dollar budget
25 as a whole, and I don't think that it's

1 worth it for \$3,000 for a small savings to
2 take that risk.

3 MR. ROGAN: I would just like to say
4 even though the number does sound small,
5 \$3,000, you know, the City of Scranton
6 didn't get into the financial shape we were
7 in overnight. It wasn't that we spent \$10
8 million on this and ten million on that,
9 some of it was with respect to the parks,
10 but we have to watch every cent and I firmly
11 believe every chance we have to save any
12 amount of money for the taxpayers we should
13 take that, we should save the money, and
14 that's why I would be voting "no."

15 MS. EVANS: And I agree with
16 Mr. Rogan you do have to watch every cent
17 that's why you have to hire the individual
18 with the highest quality work, experience, a
19 proven work record, and particularly, you
20 know, after all that has occurred tonight
21 and in recent weeks the realization, the
22 recognition that the City of Scranton is in
23 a worse financial mess with a worse
24 financial prediction than previously
25 imagined, I don't think that \$3,000 is going

1 to provide the type of confidence and the
2 type of quality of work that is absolutely
3 crucial at this point in time.

4 We can't play with inexperience, we
5 can't play with someone who is going to get
6 their feet wet and go through a learning
7 process. We are in the middle of huge
8 financial problems and we need every fact,
9 every meticulous fact we can get our hands
10 on as a city council to try to address these
11 problems for you.

12 MR. ROGAN: Well, I think we agree
13 with the shape that the city is in, but it
14 is \$12,000 over the course of the contract
15 not \$3,000. And secondly, the firm,
16 according to Mr. Joyce, said they have a
17 qualified staff.

18 MS. EVANS: Um-hum, but they haven't
19 done an audit for a city of this size.

20 MR. MCGOFF: The individuals
21 haven't, the firm has.

22 MS. EVANS: Oh, so they've just
23 joined? They've just merged?

24 MR. MCGOFF: I don't know what year
25 it was, but it says prior to the merger that

1 the individuals had worked with the City of
2 Philadelphia, Philadelphia Parking
3 Authority, and I think the one partner the
4 State of Delaware.

5 MS. EVANS: And where in the State
6 of Delaware?

7 MR. MCGOFF: I'm sorry?

8 MS. EVANS: Where in the State of
9 Delaware?

10 MR. MCGOFF: It said "The State of
11 Delaware."

12 MS. EVANS: And they have worked for
13 a parking authority and the City of
14 Philadelphia, and it seems like we have
15 gotten into a lot of trouble, not casting
16 any aspersions on them, but we have
17 certainly got into a lot of financial
18 problems here involving Philadelphia firms
19 that have been hired by this administration.
20 That's where a lot of the money that was
21 mentioned earlier tonight has disappeared
22 to.

23 So is there anyone else? All those
24 in favor of introduction signify by saying
25 aye.

1 MR. LOSCOMBE: Aye.

2 MR. JOYCE: Aye.

3 MS. EVANS: Aye. Opposed?

4 MR. ROGAN: No.

5 MR. MCGOFF: No.

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

8 MR. JOYCE: At this time I would
9 like to make a motion to amend Item 5-D as
10 per the following adjustments in Exhibit A,
11 contract, by deleting Article VI,
12 termination of contract, and deleting
13 Article VII, default, and thereby
14 reassigning the article numbers and
15 corresponding contract provisions as
16 follows:

17 Article VI, jurisdiction, and
18 Article VII, entire agreement.

19 MS. EVANS: At this time do we have
20 a second?

21 MR. LOSCOMBE: Second.

22 MS. EVANS: On the question?

23 MR. JOYCE: Yes. Let me explain why
24 I'm doing this first. Tonight I am making
25 the motion to amend the contract to delete

1 two sections which were not included in the
2 previous contract for annual audit, and
3 these two new sections which were added in
4 the contract that was submitted by the
5 administration, this is my interpretation on
6 it and I will also ask Attorney Hughes for
7 his legal opinion as to whether or not my
8 interpretation is correct.

9 Basically, these two sections
10 provides the City of Scranton the right to
11 terminate the contract if the contractor
12 does not complete the audit according to
13 their work plan, and therefore being
14 considered in default. It also states that
15 the auditor should reimburse the city for
16 all costs associated with the default which
17 may mean, in my opinion, costs such as labor
18 costs, providing information to the auditor
19 and in addition to any legal costs such as
20 attorney fees for hearings should ever
21 occur.

22 And, Attorney Hughes, I wanted to
23 defer to you to make sure that's a correct
24 interpretation of what they had added?

25 MR. HUGHES: I don't think I could

1 have said it better myself.

2 MR. JOYCE: Thank you. Anyhow, in
3 an ideal situation where the BA's Office
4 provided information to the auditor in a
5 timely manner with no delays, the conditions
6 set forth that I wish to remove would be
7 fine. However, when examining the facts
8 from this year alone it can be seen that the
9 administration provided some of the
10 necessary information over five months late
11 to the auditor. If these two lines are
12 included in the contract that this means
13 that if the administration provided some
14 information late for the 2010 audit that the
15 past deadline for completing the audit as
16 specified in the Home Rule Charter the
17 contract would be terminated and the auditor
18 would have to be subject to these costs.

19 With this in mind, I would like to
20 ask each of my council colleagues if you
21 were an auditor and there was a condition in
22 the contract that stated that you would risk
23 having the contract terminated if you didn't
24 have the information provided according to
25 your timeline given the fact that the BA's

1 Office been religiously late with providing
2 information, would you sign that contract?
3 Just out of curiosity if everyone would --

4 MR. ROGAN: I wouldn't, but I would
5 not like Rossi & Rossi to be the auditor.

6 MR. JOYCE: Right. Okay. I'm just
7 saying for that specific question.

8 MR. LOSCOMBE: Based on the history,
9 like you said, I wouldn't.

10 MS. EVANS: I certainly wouldn't
11 sign it either. It's designed to make the
12 auditor fail.

13 MR. MCGOFF: Self-fulfilling
14 prophesy.

15 MR. JOYCE: Okay. So what I want to
16 say is this isn't any attempt to protect the
17 vendor it's just simply being realistic. We
18 cannot vote to approve a contract being
19 drafted by the administration that is
20 holding the auditor to some standards that
21 they do not hold themselves to. Since they
22 are religiously late in providing
23 information that is needed to complete the
24 audit, these two lines to nothing but setup
25 the auditor for failure because of

1 negligence that could possibly occur in the
2 BA's Office given the history of what has
3 been provided so far this year to the
4 auditor and the time schedule that has been
5 followed. And that's all.

6 MS. EVANS: Anyone else? All those
7 in favor of the motion to amend Item 5-D
8 signify by saying aye.

9 MR. MCGOFF: Aye.

10 MR. LOSCOMBE: Aye.

11 MR. JOYCE: Aye.

12 MS. EVANS: Aye. Opposed?

13 MR. ROGAN: No.

14 MS. EVANS: The ayes have it and so
15 moved.

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

18 SEVENTH ORDER. 7-A. FOR
19 CONSIDERATION BY THE COMMITTEE ON FINANCE -
20 FOR ADOPTION - FILE OF COUNCIL NO. 43, 2010-
21 SALE OF TAX DELINQUENT PROPERTY MORE
22 COMMONLY KNOWN AS 225 REAR ST. FRANCIS
23 CABRINI AVENUE, SCRANTON, PENNSYLVANIA, TAX
24 MAP NO. 14518-070-03701 TO SHAWN SMITH,
25 224-226 ST. FRANCIS CABRINI AVENUE,

1 SCRANTON, PENNSYLVANIA, 18504, FOR THE
2 CONSIDERATION OF \$2,600.00.

3 MS. EVANS: What is the
4 recommendation of the Chair for the
5 Committee on Finance?

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

9 MR. ROGAN: Second.

10 MS. EVANS: On the question? Roll
11 call, please?

12 MS. CARRERA: Mr. McGoff.

13 MR. MCGOFF: Yes.

14 MS. CARRERA: Mr. Rogan.

15 MR. ROGAN: Yes.

16 MS. CARRERA: Mr. Loscombe.

17 MR. LOSCOMBE: Yes.

18 MS. CARRERA: Mr. Joyce.

19 MR. JOYCE: Yes.

20 MS. CARRERA: Mrs. Evans.

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

23 MS. KRAKE: 7-B. FOR CONSIDERATION
24 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -
25 FOR ADOPTION - FILE OF COUNCIL NO. 44, 2010

1 - AMENDING FILE OF COUNCIL NO. 67, 2009
2 ENTITLED "AN ORDINANCE AMENDING FILE OF
3 COUNCIL NO. 123, 2007, ENTITLED, "AN
4 ORDINANCE AUTHORIZING THE MAYOR AND OTHER
5 APPROPRIATE OFFICIALS OF THE CITY OF
6 SCRANTON TO TAKE ALL NECESSARY ACTIONS TO
7 IMPLEMENT THE CONSOLIDATED SUBMISSION FOR
8 COMMUNITY PLANNING AND DEVELOPMENT
9 PROGRAMS (AS AMENDED) TO BE FUNDED UNDER THE
10 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
11 PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME)
12 PROGRAM AND EMERGENCY SHELTER GRANT (ESG)
13 PROGRAM", BY AMENDING THE CONSOLIDATED PLAN
14 AND THE 2008 ACTION PLAN TO INCLUDE NEW
15 FUNDING UNDER TITLE XII OF THE FEDERAL
16 AMERICAN RECOVERY AND REINVESTMENT ACT OF
17 2009 ("RECOVERY ACT") FOR THE HOMELESS
18 PREVENTION AND RAPID RE-HOUSING PROGRAM
19 (HPRP) AND THE COMMUNITY DEVELOPMENT BLOCK
20 GRANT-RECOVERY (CDBG-R) THAT RESULTED
21 FROM THE RECOVERY ACT" IN ORDER TO TRANSFER
22 FUNDS FROM THE CDBG-R ECONOMIC DEVELOPMENT
23 PROJECT IN THE AMOUNT OF \$37,500.00 TO THE
24 CDBG-R CRISP AVENUE BRIDGE PROJECT.

25 MS. EVANS: What is the

1 recommendation of the Chair for the
2 Committee on Community Development?

3 MR. ROGAN: As Chairperson for the
4 Committee on Community Development, I
5 recommend final passage of Item 7-B.

6 MR. JOYCE: Second.

7 MS. EVANS: On the question? Roll
8 call, please?

9 MS. CARRERA: Mr. McGoff.

10 MR. MCGOFF: Yes.

11 MS. CARRERA: Mr. Rogan.

12 MR. ROGAN: Yes.

13 MS. CARRERA: Mr. Loscombe.

14 MR. LOSCOMBE: Yes.

15 MS. CARRERA: Mr. Joyce.

16 MR. JOYCE: Yes.

17 MS. CARRERA: Mrs. Evans.

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

20 MS. KRAKE: 7-C. FOR CONSIDERATION
21 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -
22 FOR ADOPTION-FILE OF COUNCIL NO. 45, 2010 -
23 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
24 CITY OFFICIALS OF THE CITY OF SCRANTON TO
25 ENTER INTO GRANT CONTRACT NUMBER C000047525

1 WITH THE PENNSYLVANIA DEPARTMENT OF
2 COMMUNITY AND ECONOMIC DEVELOPMENT ("DCED")
3 THROUGH THE ECONOMIC ADVANCEMENT PROGRAM TO
4 ACCEPT AND DISBURSE GRANT FUNDS FOR THE CITY
5 OF SCRANTON FIRE DEPARTMENT.

6 MS. EVANS: What is the
7 recommendation of the Chair for the
8 Committee on Community Development?

9 MR. JOYCE: As Chairperson for the
10 Committee on Community Development, I
11 recommend final passage of Item 7-C.

12 MR. LOSCOMBE: Second.

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

15 MS. CARRERA: Mr. McGoff.

16 MR. MCGOFF: Yes.

17 MS. CARRERA: Mr. Rogan.

18 MR. ROGAN: Yes.

19 MS. CARRERA: Mr. Loscombe.

20 MR. LOSCOMBE: Yes.

21 MS. CARRERA: Mr. Joyce.

22 MR. JOYCE: Yes.

23 MS. CARRERA: Mrs. Evans.

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

1 MS. KRAKE: 7-D. FOR CONSIDERATION
2 BY THE COMMITTEE ON FINANCE - FOR
3 ADOPTION-RESOLUTION NO. 42, 2010 - ACCEPTING
4 A TWO HUNDRED FIFTY (\$250.00) DOLLAR
5 CONTRIBUTION FROM MCDONALD'S/MARY JOAN
6 CORPORATION PRESENTED TO THE CITY OF
7 SCRANTON FIRE DEPARTMENT.

8 MS. EVANS: What is the
9 recommendation of the Chair for the
10 Committee on Finance?

11 MR. JOYCE: As Chairperson for the
12 Committee on Finance, I recommend final
13 passage of Item 7-D.

14 MR. ROGAN: Second.

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

17 MS. CARRERA: Mr. McGoff.

18 MR. MCGOFF: Yes.

19 MS. CARRERA: Mr. Rogan.

20 MR. ROGAN: Yes.

21 MS. CARRERA: Mr. Loscombe.

22 MR. LOSCOMBE: Yes.

23 MS. CARRERA: Mr. Joyce.

24 MR. JOYCE: Yes.

25 MS. CARRERA: Mrs. Evans.

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

3 MS. KRAKE: 7-E. FOR CONSIDERATION
4 BY THE COMMITTEE ON RULES - FOR ADOPTION-
5 RESOLUTION NO. 43, 2010 - APPOINTMENT OF
6 DAVID G. SMITH, PE PLS, 1606 PINE STREET,
7 SCRANTON, PENNSYLVANIA, 18510, AS A MEMBER
8 OF THE HISTORICAL ARCHITECTURE REVIEW BOARD
9 FOR AN ADDITIONAL FIVE (5) YEAR TERM. MR
10 SMITH'S CURRENT TERM EXPIRES ON OCTOBER 11,
11 2010 AND HIS NEW TERM WILL EXPIRE ON OCTOBER
12 11, 2015.

13 MS. EVANS: As Chairperson for the
14 Committee on Rules, I recommend final
15 passage of Item 7-E.

16 MR. ROGAN: Second.

17 MS. EVANS: On the question?

18 MR. MCGOFF: Yes. Have we received
19 any information from Mr. Smith?

20 MS. EVANS: No.

21 MR. LOSCOMBE: No resume?

22 MR. MCGOFF: Which would prompt
23 members of council to vote "no"?

24 MS. EVANS: On my part.

25 MR. MCGOFF: Yes. And the reason I

1 ask, I know Mr. Smith fulfills the
2 requirements for an engineer on the board
3 and I would hate to see his appointment held
4 up or not approved. With that in mind, I
5 would like to ask to table 7-E until the
6 next meeting with the hopes of receiving
7 something from him.

8 MS. EVANS: Is that in the form of a
9 motion?

10 MR. MCGOFF: Yes. I'd like to make
11 a motion to table Item 7-E.

12 MS. EVANS: Do we have a second?

13 MR. ROGAN: I'll second it.

14 MS. EVANS: On the question?

15 MR. ROGAN: Yes, on the question. I
16 know I'm one of the people that's a stickler
17 for getting a resume, but I don't see any
18 problem with giving another week. I think
19 we did that was it two weeks ago for another
20 applicant, so I guess we have to be fair
21 across the board.

22 MR. LOSCOMBE: I agree. By this
23 point in time though we are ten months into
24 this year and it's been presented every
25 meeting, every time there's an appointment

1 and especially someone that's professional
2 I'm sure they've watched our meetings or
3 they have been aware of the requirements, we
4 sent letters, also; right? They should --
5 we should have the resume and I'll agree to
6 tabling it, no problem with that. It's just
7 embarrassing that we have to go through this
8 all of the time. We are asking for simple
9 letter of your background, your
10 qualifications. We are not asking for a
11 20-page resume.

12 MR. ROGAN: I would agree. I don't
13 understand what's so difficult about it.
14 Like you said, they are all professional
15 people. You would think they would have it
16 on file in their computer anyway and just
17 print it out. I know that -- I think Wayne
18 Evans was the only person who sent one in so
19 far.

20 MR. LOSCOMBE: Yes. And again, I
21 have no -- I don't know Mr. Smith and, you
22 know, I accept Mr. McGoff's opinion on that.
23 But, like I said, they have to start
24 providing what we are requesting. It's a
25 real simple request.

1 MR. MCGOFF: I agree. If it weren't
2 for the fact that an engineer is required
3 and he fulfils that requirement I would have
4 voted "no" as well.

5 MS. EVANS: We have a motion on the
6 floor to table Item 7-E. It has been
7 seconded. All those in favor of the motion
8 signify by saying aye?

9 MR. MCGOFF: Aye.

10 MR. ROGAN: Aye.

11 MR. LOSCOMBE: Aye.

12 MR. JOYCE: Aye.

13 MS. EVANS: Aye. Opposed? The ayes
14 have it and so moved. Item 7-E is tabled.

15 MS. KRAKE: 7-F. FOR CONSIDERATION
16 BY THE COMMITTEE ON FINANCE - FOR ADOPTION-
17 RESOLUTION NO. 44, 2010 - AUTHORIZING THE
18 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
19 TO EXECUTE THE PURCHASE OPTION BETWEEN THE
20 CITY OF SCRANTON AND DEERE CREDIT, INC. FOR
21 THE BUYOUT OF EQUIPMENT TO AID IN THE
22 DEMOLITION OF BLIGHTED PROPERTY.

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

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

4 MR. ROGAN: Second.

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

7 MS. CARRERA: Mr. McGoff.

8 MR. MCGOFF: Yes.

9 MS. CARRERA: Mr. Rogan.

10 MR. ROGAN: Yes.

11 MS. CARRERA: Mr. Loscombe.

12 MR. LOSCOMBE: Yes.

13 MS. CARRERA: Mr. Joyce.

14 MR. JOYCE: Yes.

15 MS. CARRERA: Mrs. Evans.

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

18 MR. ROGAN: I would like to make a
19 motion to take Resolution No. 40,
20 implementation of the (CDBG) (HOME) (ESG)
21 program from the table.

22 MR. JOYCE: Second.

23 MS. EVANS: On the question?

24 MR. MCGOFF: Yes. Are there
25 amendments to be made to this?

1 MR. ROGAN: Yes.

2 MS. EVANS: But this motion is to
3 place --

4 MR. MCGOFF: I understand.

5 MS. EVANS: -- legislation back on
6 the table.

7 MR. MCGOFF: I know to put it back
8 on the table, I had requested that we have a
9 caucus of council to take a look at the
10 changes that were made prior to voting on
11 this. I assume that since it's now in my
12 hands that has gone unheeded, and therefore,
13 I don't think it should be placed on the --
14 taken from the table until there is a chance
15 for all members of council to review the
16 amendments that will be made.

17 MS. EVANS: I would say that, first
18 of all, there is a deadline involved in the
19 submission of the 2011 action plan to HUD,
20 that deadline is November 15 and OECD wanted
21 this date, October 26, as the date of final
22 adoption of this legislation in order to
23 comply with the deadline established by PEL.
24 The final changes to allocations were made
25 only in the last few days and were provided

1 to our office today.

2 So if you have any further questions
3 or objections you should register those
4 objections with OECD who dragged it's feet
5 for over a month rather than providing
6 requested information, and as I said
7 earlier, council offered every opportunity
8 for cooperation from OECD right through
9 Friday, October 22, and that caused the
10 constant delay in development of changes to
11 our allocations.

12 MR. ROGAN: I would also like to
13 add, Mr. McGoff, when we all -- when this
14 first came in front of us we all submitted
15 our requests to Mrs. Krake and I believe
16 both of yours, the first one was Catherine
17 McAuley Center was increased and I believe
18 the other one was also on there as well.

19 MS. EVANS: Anyone else on the
20 question?

21 MR. LOSCOMBE: Excuse me. Again, I
22 have just seen the updates for the first
23 time and I have full faith and I want to
24 congratulate Mrs. Evans, Mrs. Krake, and I
25 believe Mr. Joyce did a lot of the work on

1 this, but especially for doing the work with
2 HUD and finding out the information on the
3 fire service, finding out the information on
4 what consisted of a public service and being
5 able to work on some of the programs that we
6 have touted here in the neighborhoods and a
7 lot of this will go back into the
8 neighborhoods and help fight the blight and
9 provide public safety that we have been
10 promising. And I would like to congratulate
11 you all, and if I missed anybody I
12 apologize, but I was working on a number of
13 other issues and I appreciate the work you
14 guys did on this. That's all I have.

15 MS. EVANS: Thank you.

16 MR. JOYCE: Thank you.

17 MS. EVANS: All those in favor
18 signify by saying aye.

19 MR. ROGAN: Aye.

20 MR. LOSCOMBE: Aye.

21 MR. JOYCE: Aye.

22 MS. EVANS: Aye. Opposed?

23 MR. MCGOFF: No.

24 MS. EVANS: The ayes have it and so
25 moved.

1 MR. ROGAN: I make a motion to amend
2 File of Council No. 40, 2010, by attaching
3 Exhibit A, proposed funding for Community
4 Development Block Grant (CDBG) Program, Home
5 Investment Partnership (HOME) Program and
6 Emergency Shelter Grant (ESG) Program.

7 MS. EVANS: Is there a second?

8 MR. JOYCE: Second.

9 MS. EVANS: On the question?

10 MR. MCGOFF: Yes. Again, I
11 reiterate that asking to vote on something
12 that's been seen for the first time and I
13 don't think that that is in the best
14 interest of council.

15 MS. EVANS: And I do understand that
16 concern, but again, I suggest that you have
17 a discussion with OECD and register your
18 complaints in this office because it was
19 their actions that caused all of these
20 changes to occur at the 11th hour and we are
21 simply abiding by the deadline that OECD set
22 and caution us in terms of meeting a federal
23 deadline and not preventing the citizens of
24 the area from receiving funding for 2011.

25 MR. ROGAN: And the biggest change,

1 one of the biggest changes and the one we
2 are most proud of the funding of the fire
3 truck for the fire department, we didn't
4 know about that until yesterday because Mrs.
5 Evans was on the phone with HUD all day and
6 we were able to work it so we could get the
7 money for the new fire truck.

8 MR. LOSCOMBE: I agree with the time
9 factor. We have all had information in our
10 mail boxes requesting that this be voted on
11 by a certain period of time, but we also had
12 information that we are requesting to be
13 able to close it up. And it's, like we
14 said, it was done in the 11th hour and I
15 applaud those who worked on it and worked
16 until the 11th hour, believe it or not, to
17 get this altogether.

18 MR. JOYCE: And I just want to say
19 as well that I think that all of these
20 applicants are very valid applicants and I
21 personally wish we could give them
22 everything that they asked for, but
23 unfortunately, that's not the case. And
24 just to address one of Bob's concerns or
25 Councilman McGoff -- sorry, I didn't mean

1 to --

2 MR. MCGOFF: That's quite already.

3 MR. JOYCE: -- address you by your
4 first name. Anyhow, just to address your
5 concerns I do understand, but I do want to
6 note that the requests that you had made as
7 far as the EOTC and the Catherine McAuley
8 receiving additional funding those were put
9 in there so I just wanted to make sure that
10 you knew that. And that's all.

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

13 MR. ROGAN: Aye.

14 MR. LOSCOMBE: Aye.

15 MR. JOYCE: Aye.

16 MS. EVANS: Aye. Opposed?

17 MR. MCGOFF: No.

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

20 MR. ROGAN: I make a motion to amend
21 Exhibit A by making the following changes,
22 and all of the changes that -- the number I
23 read would be the funding amount:

24 EOTC: \$10,000. Catherine McAuley
25 Center: \$10,000. City of Scranton Parks

1 and Recreation - Novembrino Pool: \$150,000.
2 City of Scranton Fire Department: \$255,000.
3 Lackawanna County Neighbors: \$125,000.
4 United Neighborhood Centers - Project Hope:
5 \$46,500. United Neighborhood Center - Urban
6 Supporting Housing: 0. United Neighborhood
7 Center - Development Corp - Cedar Avenue:
8 \$75,000. City of Scranton Parks and
9 Recreation - Cloverfield playground:
10 \$200,000. Boys and Girls Club - restroom
11 renovation: \$50,000. OECD - Reconstruction
12 of sidewalks: \$75,000. OECD - Economic
13 Development Project Small Business Loan
14 Administrator: \$100,000. United
15 Neighborhood Housing Services of Lackawanna
16 County: \$7,500. Community Intervention
17 Center - permanent housing for homeless:
18 \$20,000. Community Intervention Center -
19 permanent housing for homeless: \$20,000.
20 Friends of the Poor - summer historical
21 education experience: 0. Deutsch
22 Institute: \$10,000. Pinebrook Neighborhood
23 Association: \$80,000. Scranton Public
24 theatre: \$3,000. OECD administration:
25 \$592,000. Saint Joseph's Center - mother

1 infant program: \$1,000. Catholic Social
2 Services - St. James Manor: \$10,000.
3 Catholic Social Services - permanent
4 supportive housing - 0. City of Scranton,
5 LIPS, ADA compliant restroom: \$25,000.
6 City of Scranton, LIPS, blighted property -
7 \$350,000. Northeast PA Philharmonic -
8 ticket subsidy: 0. First Friday Scranton:
9 \$3,000.

10 MS. EVANS: We have a motion on the
11 floor and we have a second?

12 MR. LOSCOMBE: Second.

13 MS. EVANS: On the question?

14 MR. ROGAN: Yes. As Mr. Joyce said,
15 there were many applicants and we could not
16 fund all of them fully, but by going through
17 and funding the projects we believe would
18 help the people the most, we believe we are
19 doing a benefit to the City and the citizens
20 of the Scranton.

21 For example, increasing license and
22 inspection blighted properties by \$150,000,
23 increasing the fire department from zero to
24 \$255,000 to purchase a brand new fire truck.
25 Unfortunately, we cannot increase from more

1 neighborhood paving because we had already
2 funded the max. We hope next year they will
3 apply for more money.

4 We also increased the money for the
5 United Neighborhood Center, Lackawanna
6 Neighbors, their projects that they are
7 doing which also deal with blight.

8 Money was also increased for housing
9 of the homeless. We know the homelessness
10 has been a problem especially in the tent
11 center area, not the tent city -- Pinebrook
12 where the tent city is and we would hope
13 that those people would, you know, try to
14 get off the street and get into a program.

15 And all in all this plan, compared to
16 the plan that was sent down to us, is one
17 that's for the people. It's for the
18 neighborhoods, it's for the police on the
19 streets. We funded police cars at the max.
20 Again, we wish we could put more money for
21 police cares and police patrols, but, number
22 one, they were funded to the max; and number
23 two, they were listed as public service, so
24 we can only use 10 percent of the money for
25 public service, but next year we will be

1 asking the applicants that we feel are most
2 deserving such as the DPW for paving roads,
3 the fire department, licensing and
4 inspections for blight removal to apply for
5 a higher amount of money so we could fund
6 them higher and we could do more to help the
7 people in our neighborhoods.

8 MS. EVANS: Is there anyone else on
9 the question? All those in favor of the
10 motion to amend Exhibit A, as read by
11 Councilman Rogan, signify by saying aye.

12 MR. ROGAN: Aye.

13 MR. LOSCOMBE: Aye.

14 MR. JOYCE: Aye.

15 MS. EVANS: Aye. Opposed?

16 MR. MCGOFF: No.

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

19 MS. KRAKE: 7-G. FILE OF COUNCIL -
20 NO. 40, 2010, AN ORDINANCE - AS AMENDED -
21 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
22 OFFICIALS OF THE CITY OF SCRANTON TO TAKE
23 ALL NECESSARY ACTIONS TO IMPLEMENT THE
24 CONSOLIDATED SUBMISSION FOR COMMUNITY
25 PLANNING AND DEVELOPMENT PROGRAMS TO BE

1 FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK
2 GRANT (CDBG) PROGRAM, HOME INVESTMENT
3 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY
4 SHELTER GRANT (ESG) PROGRAM.

5 MS. EVANS: What is the
6 recommendation of the Chair for the
7 Committee on Community Development?

8 MR. ROGAN: As Chairperson for the
9 Committee on Community Development, I
10 recommend final passage of Item 7-G, as
11 amended.

12 MR. JOYCE: Second.

13 MS. EVANS: On the question?

14 MR. MCGOFF: Yes. Once again, I'm
15 opposed to voting on this because of the
16 fact that we have no prior discussion of the
17 amendments that were being made.

18 MR. ROGAN: I would just like to add
19 that, you know, everyone on council did a
20 great job, everyone put in their requests
21 and, Mr. McGoff, even though you don't want
22 to vote on it both requests you put in are
23 in the amendments and this plan truly is for
24 the people of Scranton and we hope next year
25 for it to be even better.

1 MR. LOSCOMBE: Ditto.

2 MS. EVANS: And again, I'll just
3 have to register my statement that any
4 objections should be registered with the
5 Office of OECD who held this project up
6 needlessly endlessly. For the amount of
7 time that the excuses were provided over a
8 period of the month that information could
9 have been provided and some of it wouldn't
10 take very much work at all to provide, but
11 at this moment in time it still hasn't been
12 provided, and so I would like to see all of
13 our hard work come to fruition. I would
14 like all of these monies to go out to the
15 city departments and the agencies that are
16 so deserving of it, and I would like us to
17 meet the deadline to make all of this
18 happen, so I will be voting "yes."

19 MR. JOYCE: And I'll be voting "yes"
20 as well and I just wanted to reiterate I do
21 understand Mr. McGoff's concerns, however,
22 being that next week is election day and we
23 don't have a meeting then. Postponing it
24 further I can put us in jeopardy of not
25 receiving some of this funding and that

1 would be wrong, and that's why I think it's
2 important that we vote on this now.

3 MS. EVANS: Roll call, please.

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: No.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Yes.

8 MS. CARRERA: Mr. Loscombe.

9 MR. LOSCOMBE: Yes.

10 MS. CARRERA: Mr. Joyce.

11 MR. JOYCE: Yes.

12 MS. CARRERA: Mrs. Evans.

13 MS. EVANS: Yes. I hereby declare
14 Item 7-G legally and lawfully adopted. If
15 there is no further business, I will
16 entertain a motion to adjourn.

17 MR. JOYCE: Motion to adjourn.

18 MS. EVANS: Meeting adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER