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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, December 28, 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 moment of reflection
2 observed.)

3 MS. EVANS: Roll call, please.

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

6 MR. ROGAN: Here.

7 MS. CARRERA: Mr. Loscombe.

8 MR. LOSCOMBE: Here.

9 MS. CARRERA: Mr. Joyce.

10 MR. JOYCE: Here.

11 MS. CARRERA: Mrs. Evans.

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

14 MS. KRAKE: THIRD ORDER. NO
15 BUSINESS AT THIS TIME.

16 MS. EVANS: Do we have any clerk's
17 notes this evening?

18 MS. KRAKE: We do not have any
19 clerk's notes.

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

23 MR. ROGAN: Yes, just one. The
24 Invader Mat Booster's Knight at the
25 Races will be held at the Tripp Park

1 Community Center, 2000 Williams Street,
2 Scranton, PA, 18504, January 29 at 7 p.m.
3 All proceeds will benefit West Scranton
4 wrestlers. Admission to Knight at the Races
5 is \$10. Tickets will be available in
6 advance or at the door. Admission includes
7 food, soda, beer, coffee and fun. Must be
8 21 to be admitted. There will be 15 horse
9 races where one can wager any monetary
10 amount on any or all races. Come join us
11 for an inexpensive night of fund. You do
12 not need to purchase a horse to come to this
13 event, although it does make it a lot more
14 interesting if your horse wins a race.

15 MS. EVANS: Scranton City Council
16 wishes to recognize Covenant Presbyterian
17 Church for it's \$1,000 payment in lieu of
18 taxes for fiscal year 2010. We are most
19 grateful to this church for it's financial
20 support of our city.

21 In addition, council thanks the
22 University of Scranton for it's \$175,000
23 payment in lieu of taxes which represents an
24 increase of \$65,000 over it's prior
25 payments. However, unlike the information

1 accompanying the church's contribution, the
2 paperwork for the University of Scranton
3 does not specify if this PILOT payment is
4 for the Year 2010 or 2011. Mrs. Krake,
5 please send thank you letters to both
6 institutions and in the correspondence to
7 the University, inquire for what fiscal year
8 the payment has been made.

9 On a personal note, I wish to thank
10 everyone who sent my family and me beautiful
11 Christmas cards, thank you notes, Christmas
12 cookies, cakes, candies and other delicious
13 treats, flowers and prayers. Your kindness,
14 support and confidence truly inspire me and
15 I'm deeply honored and grateful to work for
16 you.

17 Finally, I'd like to wish everyone a
18 very happy, healthy and prosperous new year,
19 and that's it.

20 MS. KRAKE: FOURTH ORDER. CITIZENS'
21 PARTICIPATION.

22 MS. EVANS: Our first speaker this
23 evening is Les Spindler.

24 MR. SPINDLER: Good evening,
25 Council. Les Spindler, city resident and

1 homeowner and taxpayer.

2 MS. EVANS: Good evening.

3 MR. SPINDLER: I wish everybody
4 happy holidays.

5 MS. EVANS: And you, also.

6 MR. SPINDLER: First off, the
7 previous council before this one I always
8 criticized them when they cancelled meetings
9 and I want to tell this council I think they
10 wrong not to have a meeting last week and
11 tonight we only have a meeting because of
12 the mayor's veto. I agree with Councilman
13 Rogan I thought there should have been
14 meetings last week. I don't think meetings
15 should ever be canceled and because elected
16 officials you owe it to the people of the
17 city to have meetings whenever possible and
18 that's all I have to say about that.

19 I want to read something that the
20 mayor had to say in the Doherty newsletter
21 last -- there was -- the 21st, whatever day
22 that was. It's about the budget, and he
23 says, "It appears me that the reduction of
24 wages was vindicative because they only
25 targeted management and they didn't touch

1 their department Mayor Chris Doherty said."

2 Well, vindictive is I think putting
3 the people's safety in danger, wanting to
4 lay off firefighters and police officers. I
5 think that's being vindictive. I was at
6 the fire Christmas Eve on Price Street
7 because my in-laws only live like a block
8 away from there and I heard from a good
9 source that a firefighter went into the one
10 house to save somebody's mother's ashes, and
11 these are the kind of people this guys want
12 to get rid of and I think that's wrong and
13 it just showed he cares nothing at all about
14 public safety in this city. He doesn't care
15 what happens to the citizens of this city.

16 Another thing, on a light note, I
17 always thought that the mayor was all Irish,
18 but I think he's got some Italian in him
19 because his middle name is Veto.

20 Something else, a lot of people have
21 approached me with some concerns about the
22 budget and their questions are that council
23 has some revenue sources in there that, for
24 example, the delinquent taxes. What happens
25 if these taxes don't come in, is there a

1 backup plan or what are going to plug in the
2 budget to fill those holes? People have
3 asked me than.

4 MR. JOYCE: I will discuss that
5 during Fifth Order and I will also bring
6 some documents forth to the public from the
7 Pennsylvania Economy League which actually
8 states that the administration
9 underestimated the current wage tax by
10 \$774,500, so that's one of th ways that
11 could be covered.

12 MR. SPINDLER: Okay.

13 MR. JOYCE: But I'll address more in
14 motions.

15 MR. SPINDLER: That's fine. I have
16 all confidence in this council, but people
17 have asked me these concerns and I didn't
18 have the answer.

19 Lastly, I want to commend Bob Bolus
20 for his 16th annual Christmas dinner. I was
21 there, I've volunteered for approximately
22 eight or nine years now, I lost track, and
23 it's very rewarding. I did it once and I
24 walked out of there feeling very good and I
25 have gone back ever since. I think

1 everybody should do it at least once. I
2 mean, last year 75 turkeys, this year we
3 have 80 turkeys, went through all of them.
4 As I said, it's a very rewarding experience
5 and I don't think Bob gets enough credit for
6 doing what he does. Nobody else in this
7 area does anything like that and I think he
8 should be commended. That's all I have.
9 Thank you for your time.

10 MS. EVANS: Just before I call up
11 the next speaker, I just want to make one
12 thing clear, this evening's meeting is a
13 regularly scheduled meeting of Scranton City
14 Council. This is not a special meeting that
15 has been convened because of the vetoes of
16 legislation. Once again, it is a regularly
17 scheduled meeting. And Mr. Bill Jackowitz.

18 MR. JACKOWITZ: Good evening,
19 Scranton City Council. Bill Jackowitz,
20 South Scranton resident, member of the
21 Taxpayers' Association.

22 MS. EVANS: Good evening.

23 MR. JACKOWITZ: During the past four
24 meetings we have learned from Mayor
25 Christopher A. Doherty's sworn testimony

1 14th of September, 2010, the following
2 truthful information about his mismanagement
3 in the City of Scranton during the Doherty
4 administration. Again, I must state this is
5 not rumor, editorial, opinion or made up.
6 This is a Mayor Doherty's sworn statements,
7 so help me God.

8 Number one: The mayor was not aware
9 that he and the City of Scranton were be
10 sued.

11 Number two: That delegation of
12 authority in the Scranton is made orally
13 with no written procedures in place.

14 Number three: That Mayor Doherty
15 was not aware that his appointed director of
16 human resources, a cabinet position, had a
17 degree in fashion design and no training or
18 experience in sexual harassment, ethics or
19 supervision.

20 Number four: That Mayor Doherty
21 appointed a police chief who had no
22 supervisory experience or training in sexual
23 harassment or ethics.

24 Number five: We learned that Mayor
25 Doherty the appointed the Director of Public

1 Safety on a recommendation of one person,
2 District Attorney Jarbola. The Public
3 Safety Director had no experience in sexual
4 harassment or ethics.

5 Number six: We also learned that
6 cabinet members reported to other cabinet
7 members and supervised other cabinet members
8 and that they were not equal although they
9 all were appointed cabinet members. Also,
10 no notes are taken at the weekly city
11 cabinet meeting. Like I said, this is not
12 fiction, it is sworn testimony by Mr. Mayor
13 Doherty.

14 Number seven: We also learned that
15 the people who are tasked with investigating
16 sexual harassment complaints were the
17 above-mentioned cabinet members who had no
18 training or experience in these matters.
19 How were they expected to do an
20 investigation and come to a conclusion as to
21 what had happened and why.

22 Number eight: We also learned that
23 no female has ever been promoted to rank in
24 the police departments such as corporal,
25 sergeant, lieutenant, captain or chief,

1 although the head of Homeland Security is
2 female.

3 Number nine: We also learned that
4 Mayor Doherty would have a relied on the
5 Director of Public Safety work's experience
6 and the police chief's experience in dealing
7 with sexual harassment cases in the
8 departments, but yet the mayor testified
9 under oath that he did not know if these
10 people had any experience. Again, sworn
11 testimony not an editorial.

12 Number ten: Most importantly, Mayor
13 Doherty was not aware this the City of
14 Scranton had a sexual harassment policy in
15 effect since 2004. Mayor Doherty took
16 office in 2003. The policy was kept in the
17 Human Resource Department, you know, where
18 the director has a degree in fashion design.
19 You mean to tell me that the Chief of
20 Police, Director of Public Safety and
21 Director of Human Resources also were not
22 aware of the city policy on sexual
23 harassment and discrimination? You really
24 cannot expect anyone with intelligence to
25 believe this.

1 Maybe the mayor and his band of
2 merry men and women might not have a problem
3 believing this answer, but I sure do.

4 "Question: Do you know whether you
5 were obliged as a matter of law to maintain
6 a policy of the specific policy regarding
7 sexual harassment?

8 Mayor Doherty: If it's a matter of
9 law then I must assure that our department
10 is following it.

11 Question: No, sir. I'm asking the
12 question did you know it. Again, I don't
13 know -- I do not want guessing. If you say
14 I do not know, I do know is all right to say
15 I don't know.

16 Mayor Doherty: I am not aware of
17 any.

18 Question: Did you ever discuss a
19 sexual harassment policy with Ms. Moran?

20 Mayor Doherty: Not that I can
21 remember.

22 Question: Would that be the type of
23 thing that would come up in a cabinet
24 meeting?

25 Mayor Doherty: It would not come up

1 at a cabinet meeting.

2 Question: What types of things come
3 up in a cabinet meeting if that wouldn't be
4 one of them?

5 Mayor Doherty: We talked about what
6 happened the week before and what will
7 happen in the week ahead.

8 Question: Do you discuss important
9 issues at the cabinet meetings?

10 Mayor Doherty: Things that took
11 place during the week.

12 Question: The week before?

13 Mayor Doherty: Um.

14 Question: All right. Would you
15 adoption of the sexual harassment policy by
16 the City of Scranton be important?

17 Mayor Doherty: I don't know. If
18 they would have brought it up.

19 Question: Were you ever given a
20 copy of the policy?

21 Mayor Doherty: Not that I'm aware
22 of.

23 Question: So you do not even know
24 what the city requires of it's employees?

25 Mayor Doherty: Not that I'm aware

1 of.

2 Question: And you're the person
3 responsible for the day-to-day operations in
4 the city?

5 Mayor Doherty: Yes, I am."

6 Again, this is not fiction, it is
7 fact. Why doesn't the news media report
8 this? This deposition and these ridiculous
9 answers should be front page news and Boris,
10 Chris, Josh, Jeremy, Pat and Lynetts should
11 have a field day with this nonsense.
12 Remember, this is the mayor speaking under
13 oath. Where is WNEP, WBRE and FOX 56?

14 But yet on 22 December 2010, the
15 following editorial was written: Several
16 parts of council's apparently unbalanced
17 budget. When an administration such as
18 Mayor Chris Doherty is serious about
19 protecting the public interest in dealing
20 with municipal employees. I asked are
21 police and firefighters, municipal employees
22 or just authority attorneys -- may I finish,
23 I'm just about done.

24 MS. EVANS: Yes, finish your
25 thought, please.

1 MR. JACKOWITZ: Same day, 22
2 December 2010, Scranton Recovery Act
3 coordinator says the \$74.9 million budget
4 adopted by Scranton City Council last week
5 is balanced and could be the first step to
6 getting the city out of distressed status
7 stated Gerald Cross, executive director of
8 PEL. Times-Tribune, get your story straight
9 or higher new editors and quality assurance
10 inspectors. You are embarrassing yourself.

11 And in today's paper they are
12 talking about the cuts to the Night Out and
13 so on and so forth, how about Mayor Doherty
14 charging children the age 6 to 15 \$3 a day
15 to swim in public pools at Nay Aug paid for
16 by the taxpayers with tax dollars or they
17 can by a pass for \$75 for the summer. Never
18 seen that headline in the Times-Tribune or a
19 story written about the injustice done to
20 East Scranton children by the Doherty
21 administration. Maybe \$40,000 for the
22 summer for children 6 to 15 years old to
23 swim and enjoy the park is not important
24 enough, instead, the mayor would spend
25 \$50,000 for one night on fireworks and

1 magic. Just like his visions and budget.

2 Is anybody seeking Mel Thomas?

3 MS. EVANS: Thank you. Ron Ellman.

4 MR. ELLMAN: Hello, Council.

5 MR. JOYCE: Good evening.

6 MS. EVANS: Hello.

7 MR. ELLMAN: Just before I start on
8 the budget, I'd like to say I went to
9 Mr. Bolus' dinner and delivered meals, a few
10 meals and 9:30, 10:00 I was watching
11 television and the phone rings and some
12 gentleman in Olyphant phoned me and thanked
13 me for the food, and I said, "You need to
14 thank Mr. Bolus and his volunteers," but it
15 made me feel good that someone showed some
16 appreciation like that. You know, everybody
17 says thank you when you leave some meals
18 off, but it's just like I say, the city got
19 such good people in it.

20 While I'm in a good mood I'd like to
21 say how fortunate we are to have Mr. Doherty
22 and his 13 years of expertise in finance
23 that I read about in the paper. Just think
24 what a mess the city would be in if it
25 weren't for Mr. Doherty? I had three I

1 guess you would call them successful
2 business people were telling me there is
3 just know way you people can balance a
4 budget with the mess the city is in. As
5 they said, between the nonprofits taken
6 stuff off just weekly in 30 days the medical
7 school took off \$200,000 worth of houses and
8 they're just beginning. They told the city
9 they are going to take an acre of houses.

10 You know, somebody said that it cost
11 twice as much now the past couple of years
12 to pave the streets that's why we haven't
13 been paving the streets. All of these
14 things are coming up. You can't depend on
15 building permits. I have been trying to
16 find out for a year about building permits,
17 they won't tell you, except that you got
18 less than half the money if you worked out
19 what was spent like \$380 million or
20 something, there is less than half the
21 building permits because of favoritism and
22 no other reason. You go down and put up a
23 fence they want 60, 80 dollars for the
24 building permit, but you want to build Mt.
25 Pleasant Austin Burke paid \$19 for a

1 building permit. That's why there is not
2 going to be money like you're figuring.
3 It's a shame what goes on.

4 I think yesterday I was reading in
5 the editorial some guy in Maryland wrote a
6 letter how fortunate we are to be infested
7 with these KOZ's. I have talked to people
8 and nobody can say something positive came
9 out of KOZ's. There is just nothing
10 positive for the public or the city. It
11 just seemed to help a bunch of the property
12 owners and business people, but it sure
13 didn't help the city, like those 150 houses
14 on there. Some of them are for sale already
15 because, you know, you are talking about a
16 couple hundred dollars a month now for your
17 taxes. They are two or 300,000 dollar
18 houses and they are going to be lost or
19 foreclosed on, unfortunately.

20 And lastly, last week I was reading
21 about Mr. Quinn taking over the school.
22 This article, I don't know. This article
23 first he badmouths Mr. -- well, I'm not
24 sure, the editor anyway is badmouthing
25 council and the school board for this

1 go, by my house on Alpha Street there has
2 been a continual problem with a drug house,
3 13 Alpha Street. Finally the city closed it
4 up and the people kept going back, they took
5 the meters out, the wires off it, and they
6 kept hanging around and going back so
7 finally Mr. Liptai or Mr. Seitzinger put a
8 big thing, they had signs on there. They
9 would scrape them off, that red thing, he
10 threw them out one more time and it was nice
11 and quiet for a couple of weeks. My
12 understanding is from the city when a house
13 has been designated a drug house it's six
14 months it's got to be empty. It's condemned
15 for six months. These people went to Court
16 and they had some bleeding heart overcome
17 the six months. I don't know if they want
18 to magistrate or court, they just went to
19 court and appealed the decision and they are
20 back in there.

21 See, this is what ruins the values
22 all over town this is going on. You know.
23 This is just -- you know, the police and the
24 city did what they were supposed to do, the
25 court let everybody down in the

1 neighborhood. I watched them tonight when I
2 walked the dog this afternoon, there's a boy
3 that ran in with his motor running, he is in
4 there for I don't know, five or ten minutes,
5 when he came out I was walking by the car
6 and he is down counting something in his lap
7 either dollars or something, but if this
8 house was condemned how can you overcome
9 what the city has -- what's was done?

10 MS. EVANS: Mr. Ellman, we will ask
11 the police department to keep their eye on
12 that location for you. And I think, you
13 know, if there is something improper,
14 illegal that I may be occurring then the
15 police will be able to do it.

16 MR. ELLMAN: I forgot I had my hat
17 on.

18 MS. EVANS: So thank you very much.

19 MR. ELLMAN: Well, it's ashame.
20 That's where the house I'm talking about is
21 where the lady had the baby in the garage
22 over there. It's a bad mess of people
23 hanging out there.

24 MS. EVANS: Yes.

25 MR. ELLMAN: They're just ruining

1 the neighborhood. It's just one of them.
2 You know, I told you I got eight or ten
3 empty houses around me.

4 MS. EVANS: Well, we'll report them
5 to Chief Duffy.

6 MR. ELLMAN: Well, it's not you all's
7 fault, it's not the city's fault, it's the
8 courts fault. Thank you.

9 MS. EVANS: Thank you. Bob Jones.

10 MR. JONES: Hi. Bob Jones, Scranton
11 resident, taxpayer. Member of the
12 Taxpayers'.

13 MR. JOYCE: Hello.

14 MR. JONES: I would just like to say
15 this mayor has declared war on the residents
16 of this city since he has been elected, and
17 as far as it goes I'd like to thank you for
18 promising to veto this -- yeah, promising to
19 override this veto to this budget.

20 And as far as the war goes I'd like
21 to quote from Henry V, which I think Janet
22 would appreciate: Once more unto the
23 breach, dear friends, once more," which I
24 expect we see another Court case again;
25 right? "Once more into the breach. In

1 peace there's nothing so becomes a man as
2 modest stillness and humility, but when the
3 blast of war blows in our ears, then imitate
4 the action of the tiger; stiffen the sinews,
5 summon up the blood, disguise fair nature
6 with hard-favored rage."

7 That's what I say to the firemen.
8 This mayor is not somebody to be reasoned
9 with, this mayor is somebody to be dealt
10 with. Period. And also, about the KOZ's, I
11 heard TMG Health is leaving the city. They
12 want to keep their KOZ until it expires and
13 then move up to Jessup where they have
14 another KOZ going. So I just narked on
15 them. Thank you.

16 MS. EVANS: Thank you very much.
17 Lee Morgan.

18 (While Mr. Jones was speaking Mr.
19 McGoff joined the meeting and took the
20 dais.)

21 MR. MORGAN: Good evening, Council.

22 MR. JOYCE: Good evening.

23 MR. MORGAN: I could see why Les
24 thought this was a special meeting because I
25 thought council said it wasn't going to meet

1 until January, but I'm glad he is here, I'm
2 glad everybody is here, including council.

3 You know, I don't know if I should
4 ask this question so maybe just in general,
5 maybe council doesn't have the answers, I
6 just have a couple. You know, does the
7 council know what the long-range debt of the
8 city is in money? Can you tell us?

9 MS. EVANS: 303 -- approximately
10 \$303 million.

11 MR. MORGAN: Okay. I just have two
12 more questions, and like I said I'm not
13 trying to grope council, I'm just asking, I
14 think it's important for maybe the residents
15 to have some grasp. What is the city's
16 obligation to the Pennsylvania fund since
17 the PEL said it was only 47 percent funded,
18 so what would the other 52 percent equal or,
19 you know, 53 percent, is that a number you
20 have or is that a number you would have to
21 look for?

22 MS. EVANS: We'll look for that for
23 you.

24 MR. MORGAN: And my last question is
25 what is the -- what is the city's cash

1 reserves? Does the city have cash reserves,
2 a liquid cash reserve? You know, I'm just
3 asking these questions and I think it's
4 important for the press and it's maybe --
5 and I don't expect anybody on council to
6 answer this off the top of their head it's
7 just a question and maybe next week would be
8 a better time to present that.

9 But, you know, I agree with the
10 council on some of these issues, I really
11 do, you know. I don't think we could afford
12 to give up our police protection and I don't
13 think, you know, we could afford to give up
14 our fire protection and a lot of other city
15 jobs and I do agree that we have to save
16 them.

17 I'm happy at that the mercantile has
18 been cut. To be honest with you, I'm
19 lukewarm to the property tax cuts, I mean, I
20 know it's not a lot of money because the
21 city part of the taxes is a lot less than
22 that others, but my opinion is the city is
23 in really bad shape and I just hope that we
24 could begin to look at new ideas. I firmly
25 believe abolishing the authorities and

1 having control of every single bit of money
2 that's spent in this city is vitally
3 important to all of the residents.

4 I had hoped that there would be
5 youth programs. I had hoped that maybe
6 council would find some money to create a
7 youth program. I know the city is really
8 fighting with the drug problems as you know
9 the previous speaker spoke about the drug
10 house over on Alpha Street. It's running
11 rampant through this city and, you know,
12 Judge Barrasse and the other judges in
13 Lackawanna County Court can stand on their
14 head and scream and yell and send people to
15 jail, but the problem is really out of
16 control and I don't know, I think a youth
17 program year round would help the residents.

18 I think we have to realize as you
19 spoke about the city's long range debt that
20 the federal government is seriously
21 concerned about municipal pension, I mean,
22 municipal debt. They think that bond
23 markets are going to collapse in the next
24 two or three years possibly, they are under
25 a lot of stress, not only that but student

1 loans are under a lot of stress, over a
2 trillion dollars worth of debt there.

3 But I just would like to hope that
4 the council would have been able to sit down
5 with the mayor, as hard as that may seem to
6 make happen, because it makes it look like
7 our government, you know, is fighting itself
8 and, you know, just walking around talking
9 to people as I do, you know, they just don't
10 see how we are going to find solutions to
11 our problems unless everybody sits down and
12 hopefully this scenario won't take us into
13 Court again, but again, I would like to see
14 this council sit down with the mayor and the
15 city controller, Mrs. Novembrino.

16 I would have liked to see cuts made
17 in a different way you, but I'm not calling
18 the shots, council is and, you know, I just
19 think that the residents of the city have a
20 lot at stake here. We have a lot of vacant
21 spots in our city, we have torn a lot of
22 houses down. As council already knows, I'm
23 a strong supporter of SAPA. I think we need
24 to create jobs, I think the federal
25 government has finally acknowledged that the

1 problem that we have of unemployment in this
2 country is we have sent all of the jobs out
3 of the country and I think Harrisburg is
4 going to send a very strong signal soon that
5 they're going to start investing in small
6 business incubators because Pennsylvania's
7 unemployment rate is just a little under
8 ten, but places like Michigan allegedly it's
9 14 percent. We have real long-range
10 problems, you know, and none of the
11 solutions are easy. But I just hope that
12 council would try one more time to talk to
13 the mayor, talk to Mrs. Novembrino, sit down
14 and let's plot a course of creating what
15 this city really can be, a progressive city.
16 And, you know, I appreciate what you try to
17 do, and I appreciate if the mayor would try
18 to reach out because in the long-run you
19 represent all of us and I just don't think a
20 government divided can work for us and, you
21 know, we have got a lot of foreign
22 competition we are trying to compete against
23 and as Americans we just have to all come
24 together. Thank you.

25 MS. EVANS: Thank you.

1 MR. JOYCE: Thank you, and I just
2 want to comment for a second. One thing
3 that I do firmly believe that in 2011 since
4 obviously salaries are going to go up,
5 health insurance costs are going to go up,
6 one thing that council will be looking into
7 and would also like to collaborate with the
8 mayor and other city officials in a public
9 forum, possibly maybe at one of the council
10 meetings when there is not too many agenda
11 items, possibly we would have a forum where
12 we would sit down and discuss new sources of
13 revenue in generating new creative ideas and
14 hopefully maybe this is something that could
15 be coordinated with the Taxpayers'
16 Association at some point in 2011, too.

17 I was reading into studies from
18 other cities where something similar to this
19 was done and it was over 50 or 60 ideas came
20 out of it, obviously some of them are
21 realistic, some of them are not, but at
22 least it could get everyone together on the
23 same page and we could move in a direction
24 where we will find new revenue sources for
25 the upcoming years. That's all.

1 MS. EVANS: Our next speaker is Doug
2 Miller.

3 MR. MILLER: Good evening, Council.
4 Dough Miller, Scranton. I'd just like to
5 begin by saying I hope everyone had a good
6 holiday and hopefully with the new year
7 approaching us around the corner, you know,
8 I wish everyone the best and obviously we
9 wish the city the best moving forward.

10 Just a few minutes ago Mr. Ellman
11 approached me, I guess he had a question and
12 he forgot to ask council, and it's a good
13 question he had, it was regarding the
14 hospitals and us possibly getting payments
15 in lieu of taxes from the hospitals, and I'm
16 not sure if any council have any update or
17 if we received any notification from any of
18 the city's hospitals as to what they intend
19 to do?

20 MR. LOSCOMBE: I was going to --
21 during my comments I'll give you a little
22 bit of an update on that.

23 MR. MILLER: I appreciate that. At
24 least it's clear in the record and we know
25 what's going on.

1 I'm glad Mr. Joyce just made the
2 comments he made with regards to the revenue
3 ideas. I don't know if you remember, but
4 months back I had made the suggestion that
5 we do something similar to that. I had
6 taken some time to do some research in other
7 states across the country who, you know, put
8 several committees together, residents in
9 the city, councils, members of the
10 administration who sit down and, you know,
11 just float around ideas for new revenue
12 streams, and I think ideally getting the tax
13 group involved and other residents of this
14 city certainly would be a wonderful thing,
15 and I think it leads into the idea that I
16 brought up many times and that's putting
17 together town hall meetings in the city.
18 You know, I just think we need to realize
19 that people matter and what we are talking
20 about tonight, obviously, is about people
21 with this budget and how it's going to
22 effect them for the next year.

23 You know, I just want to reiterate
24 my statements that I made last time I was
25 here. I'm really please with the direction

1 council went with their budget and when we
2 take a look at the cuts and the new revenue
3 streams. I like the idea of the new parking
4 meter idea that was brought up by
5 Mr. Loscombe that we had them in here to
6 explain it to the public. You know, when we
7 look at our current financial status these
8 are things that had to be done. Council
9 took the bull by the horn and, you know, as
10 of this point did what needed to be done.

11 And I also appreciate the fact that
12 you did restore the police and fire, I think
13 we all understand how important public
14 safety is in this city and providing that
15 protection to the residents of the city.
16 It's truly important.

17 You know, while we have people that
18 might want to challenge the budget, I just
19 don't think they realize that the residents
20 of this city are suffering and that
21 something needed to be done, you know, a lot
22 of the critics that we have, unfortunately,
23 have lead us to where we are today because
24 of decisions that have been made and because
25 we've played a lot of politics over the

1 years, and that's why we are presented with
2 our current situation, but it's nice to see
3 that we finally have officials step up to
4 the plate.

5 There is no secret, you know, last
6 year we had a council race and obviously I
7 ran against three of our members here, but
8 it's nice to step back now and actually
9 appreciate the fact of the things that you
10 have been able to do here and that as
11 residents we all come together and we try to
12 bring our ideas together and we just try to
13 do the right thing and that's look out for
14 the residents of this city, and I really
15 want to commend you for what you are done up
16 to this point.

17 You know, a lot of people might want
18 to criticize you for different things you
19 have done in the past, but you did what you
20 needed to do here. You know, you took a
21 budget, you realized that we had to make
22 cuts, you know, cities and towns all across
23 the country are to doing this and, you know,
24 for years and years here in Scranton for
25 some reason it was always a difficult thing

1 to do. You know, we talked about it, but it
2 just never happened and we had members of
3 council who wanted to see it happen but
4 never had enough power to get it done, and
5 now that we have a team of people up here
6 who realize that we need to get the job
7 done.

8 And I just certainly hope moving
9 forward we can have more cooperation from
10 other officials here in terms the putting
11 budgets together or any other decisions we
12 have to make. You know, and again, it goes
13 back to seeking input from the residents of
14 this city and putting groups together to
15 generate revenue ideas, having town hall
16 meetings because at the end of the day it's
17 about people. People matter and we need to
18 look out for them. So again, thank you and
19 I wish everyone a happy new year. See you
20 next week. Thank you.

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

24 MR. GERVASI: Good evening, city
25 council. My name is Dave Gervasi, I'm

1 president of the firefighters' union. A few
2 things on the budget first. It's very
3 typical, I read in the paper since you put
4 out your budget that the newspaper is
5 banging on every line item they could. I
6 just remind people what happened the last
7 nine years. I mean, correct me if I'm
8 wrong, every year for the last ten years all
9 you heard was this \$5 million deficit, year
10 after year after year there is \$5 million
11 deficit. We knew that wasn't true. We knew
12 that was just an offbeat cruel joke on the
13 taxpayers of the city so that they could
14 look broke so they didn't have to give us
15 anything, so they could fight us -- continue
16 to fight us in Court and act like they were
17 broke so they could continue to raise taxes
18 because people thought there was a deficit.
19 It wasn't true. Never was true.

20 Just look at last year when they
21 took this council and the mayor took this
22 council to Court. There was a \$6 million
23 deficit, miraculously at the Court case they
24 pull out a document we found \$7 million that
25 came in the last quarter or whatever the

1 heck they said in the courtroom that day,
2 and plus the mayor was running for senator
3 so there was a balanced budget all of a
4 sudden. Out of blue there was a balanced
5 budget, \$6 million turnaround.

6 Just a few months ago PEL comes here
7 and says we have to raise taxes by 11
8 percent, we have to raise the garbage fee.
9 I don't remember exactly how many cuts they
10 were talking about but I know it was over a
11 dozen cuts and there would still be a \$3
12 million deficit if they didn't do that. Two
13 weeks later you come out with your budget --
14 I'm sorry, the mayor comes out with his
15 budget, balances the budget, no tax
16 increase, but has to cut 69 employees of the
17 City of Scranton. Two weeks later this
18 council comes out with a budget that's
19 balanced, restores most of those cuts and
20 lowers taxes. That was about a \$7 million
21 turnaround, so whatever the newspaper is
22 saying about you guys, whatever the
23 Pennsylvania Economy League is saying about
24 you guys, just take it with a grain of salt.
25 You guys know the truth now, you finally

1 have a council that actually took the time
2 to look at the budget and find out where the
3 revenues were and where the expenses are and
4 you did the right thing and you kept the
5 levels -- that's what I want to tell the
6 newspaper editorialist, what part of keeping
7 the level of safety and giving us a fighting
8 chance to keep this town safe and lowering
9 the taxes doesn't he like? But they will
10 find something wrong because you are not
11 Mayor Doherty.

12 On another note, all news is not
13 good news. Last week we were ordered by the
14 city to rebid our department and go to three
15 shifts from four shifts. That freed up some
16 people, under the Court order the city
17 wasn't mandated to do it, but they did it
18 and now starting on January 1 we want the
19 public to know that Engine 9 on Main Avenue
20 will be permanently closed, Engine 4 at
21 headquarters will be closed we assume about
22 60 to 70 percent of the time as our
23 estimates right now, and after that the
24 mayor made a decision I believe yesterday we
25 were told that the next company to close if

1 we had a few men injured the next time they
2 come in if they are still off injured,
3 Engine 8 on Market Street will be closed,
4 and then for some odd reason they are going
5 to move Rescue 1 to Engine 8's house to give
6 the people in North Scranton a false sense
7 of there is actually a real engine company
8 out there that can actually put out a fire.

9 What's been said was, I mean, when I
10 let a few of these council people know what
11 was taking place the first thing they said
12 was we thought we could keep everything open
13 with restoring the cuts that the mayor made.
14 Well, yeah, if they didn't put us on the
15 shift there would have been a fighting
16 chance to do that, the problem the mayor
17 refused to use any overtime whatsoever to
18 keep things open, that's what we were told.
19 There would have absolutely, positively been
20 five companies closed if his budget went
21 through, now there is going to be one
22 company closed since you restored those
23 manpower. One company closed according to
24 the city's plan, and two a lot of the time,
25 and three sometimes. That's where we are at

1 this point.

2 Let's put this in perspective. St.
3 Peter's Cathedral last week had a fire.
4 Engine 4 was the first on the scene, they
5 were there in under three minutes. Engine 9
6 was the second company on the scene, kept
7 that from being a catastrophe to the church
8 which is the center of the Scranton Diocese.
9 A small little fire, didn't have time to
10 grow because we got there in time.

11 Engine Nine will be closed on
12 January 1, Engine 4 most likely will be
13 closed on January 1. The other day we had a
14 fire on Price Street, the shift I was on. I
15 was the third company on the scene to fight
16 that fire. Engine 9 was the first one, they
17 were there in under three minutes, I'm
18 sorry, a little over three minutes, truck
19 four was next, Engine 4 was next. Sounds
20 familiar, doesn't it. May I finish?

21 MS. EVANS: Yes, please.

22 MR. GERVASI: Yesterday Albright
23 Avenue, second alarm fire, Engine 9 was the
24 first one on the scene, I think Engine 4 was
25 the second one on the scene, truck four was

1 there also, and Engine 15 came down about
2 six minutes later. Under the mayor's new
3 scenario Engine 15 would have been probably
4 the first one on the scene with an over six
5 minute response time, so that went from a
6 little room and contents fire to be knocked
7 down really quick to probably the whole
8 building, the whole top of the building
9 would have been on fire.

10 So I just want to make you aware. I
11 refrain from wanting to scare anybody or
12 anything else, but that's the part of the
13 Court case we lost, the mayor has control of
14 us now. He is going to shut down what he
15 wants to shut down when he wants to shut it
16 down, and I just want to just remind people
17 in the Tripps Park area, in the Bullshead
18 area and possibly in the North Scranton
19 area, people in downtown, people in the
20 Weston Field area, lower Hill section toward
21 town and South Side and all of the
22 businesses and residents that there is going
23 to be times when there is going to be a much
24 more than four or five minute response time
25 to your home or business and make sure your

1 smoke alarms have batteries in them, make
2 sure you have a plan to get your family out,
3 and good luck because we are going to do the
4 best we could with the cards we are dealt,
5 but it's not going to be the way it is right
6 now.

7 So we just want to make you aware
8 that there is nothing we can do about it.
9 We spent \$700,000 of our own money fighting
10 to keep the city the same level of safety we
11 have. You have restored us to the point
12 where we probably will always have two
13 companies that the mayor was going to close
14 continue to be open, but it's not going to
15 be the same as it is starting on January 1,
16 but we are going to do the best we could and
17 wish us luck with what we're dealt.

18 MS. EVANS: Thank you.

19 MR. JOYCE: Mr. Gervasi, I just
20 wanted to ask you, if the mayor stayed with
21 the four shift system, would all fire
22 apparatuses be able to stay open?

23 MR. GERVASI: With the amount of
24 overtime they are using today, yes.

25 MR. JOYCE: Okay.

1 MR. GERVASI: What you need to
2 understand is the current shift we are on
3 right now, four shifts, we have two men per
4 apparatus, which is an unsafe thing to begin
5 with. We have been running that way as a
6 stopgap measure for probably 18 years now.
7 We are still 168 position department running
8 with 137 people. Going on three shifts we
9 are 148 person department running with 137
10 people, so you need overtime to keep
11 everything open and if he refuses to use
12 overtime something is going to close, so
13 that's the way it is.

14 If we get three people injured at a
15 fire the next day two companies are going to
16 close because there is not enough people to
17 man those companies, so that's the situation
18 we are in right now.

19 MR. JOYCE: Okay.

20 MR. LOSCOMBE: Just another
21 question, Mr. Gervasi, I have heard rumors
22 that in spite of us if we override the
23 mayor's veto on our manning ordinances that
24 he is still going to refuse to fill those
25 positions if they become vacant.

1 MR. GERVASI: That's what we heard.

2 MR. LOSCOMBE: That's going to
3 aggravate the situation even more.

4 MR. GERVASI: Yes, it will. If we
5 have any retirees this year, God forbid one
6 of your guys dies or gets injured and has to
7 retire from disability, we are hearing that
8 they are not going to replace those and keep
9 that manning, we will take him to Court
10 immediately if he does violate that city law
11 or that ordinance you passed, but if that
12 does happen and we lose, as people retire
13 and he doesn't replace them then there is
14 going to be more and more companies closing.

15 But we will fight it. We will fight
16 for the -- we will spend our own money to
17 fight to keep those companies open and it
18 won't cost the city. We will spend the
19 money to keep it open. Thank you.

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

23 MS. KRAKE: 5-A. Motions.

24 MS. EVANS: Mr. McGoff, any comments
25 or motions?

1 MR. MCGOFF: Please. Since we are
2 here to discuss the budget and the
3 possibility of overriding the veto, I would
4 like to make some comments concerning the
5 budget. Given adequate time to review the
6 budget that was passed by council and vetoed
7 by the mayor, I believe that there are some
8 issues that need to be addressed. I
9 expressed some concerns at the time that
10 they were presented and also when we voted.
11 These concerns were tempered a little bit by
12 the fact that we were looking at preserving
13 the public safety services that we had,
14 which I was pleased with, and we were also
15 looking at a tax decrease. With only 24
16 hours to review it, the budget -- some of
17 the items that were of concern I kind of
18 glossed over. I think in an attempt to
19 protect against the layoffs and to preserve
20 the protections provided some new issues
21 were created and I think they are concerns
22 that should be looked at.

23 My concerns aren't necessarily the
24 same as the reasons why the budget was
25 vetoed, my concerns have to do a lot with

1 services and consistency in the budget.
2 Primarily, the services provided by the DPW.
3 I believe that we have removed -- we have
4 removed a number of supervisors, we have
5 removed some casual workers, we have cut the
6 overtime budget for DPW. It's -- I don't
7 see how with the money that -- with the
8 number of workers and the amount of money
9 that's in the budget that -- the current
10 budget how we will be able to provide for
11 all of the services that we now enjoy.

12 With a lack of overtime in the
13 budget, any snowstorms, any emergencies I
14 believe will be costly and force the city to
15 do something, maybe look at private snow
16 removal which in the past I know we have
17 done, but also have been criticized for
18 doing. I don't want to see it come down to
19 a situation where we are deciding whether we
20 are going to pick up garbage or remove snow
21 and I think that's a very serious
22 possibility.

23 Also, I do have some questions
24 about, as some other people do, about the
25 revenue projections that are in the budget.

1 At the time that they were presented I
2 thought that they were done in some
3 cooperation with the Single Tax Office, and
4 then it was later said by the tax collector
5 that he was unable to provide the
6 projections that were needed and that some
7 of the these projections came from employees
8 within the Single Tax Office. I don't know
9 if that's a reliable way to make
10 predictions. To me, it's like asking one of
11 the soldiers on D-Day, you know, what the
12 invasion plans were. It just doesn't, you
13 know -- employees don't always know the
14 entire picture of what's going on.

15 Also, the basis for real estate
16 taxes, how they were projected, whether it
17 was based on current percentages, old
18 percentages, where they came from, I'm not
19 sure. I know I just was reading some things
20 about the EIT tax. That, too, there were
21 some questions about the revenue
22 projections.

23 We are looking to reduce the
24 mercantile which may be a good idea,
25 however, if it doesn't work the mercantile

1 tax can't be raised again. By state law you
2 can't raise the mercantile again, so if
3 there is a need for revenue -- if there is a
4 need for revenue it won't fall on businesses
5 it will need to go back to the taxpayers.

6 And the last think on revenue
7 projections, parking tickets. I don't know
8 how many tickets per day we are going to
9 have to give out in order to reach that
10 number that's projected, but I don't see how
11 that's going to be reached even with the new
12 system in place, the system that will take
13 months to implement, so I don't see -- those
14 revenue projections I think are of concern.

15 Also, salary reductions. I know
16 that Mr. Joyce explained his rationale for
17 reducing the fire chief's salary, however, I
18 believe that's a little bit inconsistent.
19 There are union positions that I believe are
20 on a 40-hour workweek, they were not
21 reduced. If we are going to use that
22 rationale for reducing the chief's salary
23 perhaps we need to use it for other
24 positions.

25 The OECD position that was funded

1 until retirement, the person in that
2 position isn't retiring. I don't know how
3 we can assume that somebody is and then stop
4 funding the position.

5 Confidential secretary to the mayor
6 salary cut, but yet confidential secretary
7 in the Clerk's Office no salary reduction
8 and new position, but without the salary
9 reduction.

10 And speaking of the Clerk's Office
11 no decreases in anything in the Clerk's
12 Office, in fact, increases. The solicitor's
13 salary is increased where other legal
14 services in other departments were either
15 cut or eliminated. The clerk's salary, an
16 appointed position untouched. Not reduced
17 like other positions -- other appointed
18 positions.

19 Maintenance. We have cut
20 maintenance, you know maintenance funding
21 just slashed. What are we going to do to
22 maintain buildings and equipment in the
23 city? I think there are serious questions
24 about the money that's there and whether we
25 are going to be able to maintain both the

1 buildings and the equipment that we use.

2 And last, Parks and Recreation. I
3 know that, you know, maybe it's a -- some
4 people consider that, you know, a frivolous
5 thing, but many people enjoy and are willing
6 to pay for some of the services that the
7 parks provide. The park maintenance is
8 going to come under question with the number
9 of employees reduced in the department. How
10 many pools are we going to be able to open
11 next summer given the fact that we have
12 reduced the expenditures for supplies and
13 also for workers?

14 I think these are all concerns that
15 we need to address. We seem to be a
16 government in opposition to itself. We look
17 to blame rather than solve. I think the
18 mayor's budget was unacceptable, I think
19 that council's budget has some significant
20 problems. Perhaps it's time that we look to
21 sit down and seek sustainable, viable,
22 solutions to this budget issue. I don't
23 think either budget the way it's framed is
24 going to be -- would be sustainable. I
25 think that it's time we have an opportunity

1 for council, administration and any other
2 people to sit down and reach an agreement on
3 the budget that's reasonable and sustainable
4 for 2011, and that's all.

5 MS. EVANS: Thank you. Councilman
6 Rogan, do you have any comments or motions?

7 MR. ROGAN: Yes. A few general
8 comments and then I'll speak about the
9 budget. First, I would like to thank Bob
10 Bolus and Giovanni Piccolino for their
11 generosity in the Christmas season.
12 Mr. Bolus once again held his dinner and
13 Mr. Piccolino for the first year had an
14 event at his pizza shop where children came
15 and received presents.

16 Next, I would like to thank the
17 Scranton Fire Department for their response
18 to the fire on Price Street and I have an
19 e-mail that I would like to read. It says,
20 "I wanted to tell you what a great job your
21 fire department did. They were all great.
22 They went in and covered the Christmas
23 presents with a tarp so they would not get
24 ruined. They had to put a hole in the
25 bedroom closet to run a hose through. They

1 took all the clothes off and laid them on
2 the bed so they wouldn't get ruined. Later
3 that night they took us into the house with
4 a flashlight to help us find our cat, which
5 they did. They did a great job. We need
6 all of our city police and firefighters.
7 Please tell our mayor."

8 And this is just another example of
9 some of the great work that is done by our
10 city employees. And I mentioned this --
11 when I received this e-mail I was talking
12 about it with a few friends and it's not a
13 rare occurrence. It seems every time there
14 is a fire around Christmas time, you know,
15 they will try get the presents. Somebody
16 hence mentioned that there were ashes in
17 there from one of their relatives and the
18 firefighters I have heard other stories of
19 them going into get the ashes, so this just
20 goes to show how we need our firefighters
21 and our police officers in this city.

22 Secondly, I made some comments last
23 week that were meant to be congratulatory
24 towards Chief Duffy and the great job that
25 he is doing and a few people mentioned to me

1 that it came across that I was, you know,
2 bashing the former Chief Elliott as he is
3 out the door and that wasn't the purpose as
4 at all, so if anyone took that out of
5 context I apologize.

6 Now onto the budget. Over the last
7 two weeks it seems in editorials in the
8 Scranton Times and in articles that the
9 newspaper continually tries to beat down
10 this budget and I would like to respond to a
11 few of the issues.

12 The first one is the First Night.
13 First Night is held on New Year's Eve, it
14 lasts about three hours. The cost is about
15 \$50,000. That same \$50,000 is approximately
16 the salary of a police officer that would be
17 patrolling the streets of Scranton for one
18 full year. So when we spoke to the
19 residents of the city they told us that the
20 police and fire protection was one of their
21 top concerns and, personally, I would rather
22 have that police officer on the streets for
23 a full year than have three hours of fun for
24 one night. And in the past the First Night
25 celebration has been funded privately and I

1 think it can continue to be in the future.

2 Secondly, the Boys and Girls Club.
3 Council will continue to fund the Boys and
4 Girls Club through CDBG funding in future
5 years. The newspaper mentioned funding was
6 cut for a restroom for the Boys and Girls
7 Club. And, you know, when we came down we
8 looked at the CDBG funding, you know, you
9 have to look at where the money should be
10 spent. You know, if the Boys and Girls Club
11 applied for that money for a program for
12 children I could assure that money wouldn't
13 have been cut, but to restore a restroom,
14 it's two different stories.

15 Secondly, I would like to respond it
16 a few of the concerns Mr. McGoff had. The
17 first one was on the revenue projections.
18 Now, I didn't have any hand in the revenue
19 projections, but I spoke to Mr. Joyce at
20 length and I know he is going to talk about
21 them a little bit tonight and I'm confident
22 that his numbers will pan out for the course
23 of the next year.

24 Secondly the mercantile tax. As
25 Mr. McGoff mentioned, once it's reduced it

1 cannot be increased. That's a good thing,
2 that's not a bad thing. We want the
3 mercantile tax to go down to bring
4 businesses into the City of Scranton.
5 Businesses that will employ people in the
6 City of Scranton. When these people get
7 jobs they pay wage tax which money will come
8 back to the city. Some people have
9 criticized council about SAPA and our
10 response for not joining the SAPA plan was
11 because we need to reduce the mercantile
12 tax. This is the first step towards
13 reducing and hopefully in the distance
14 future omitting the mercantile.

15 Next, the salary cuts. I had
16 mentioned week after week that I would have
17 preferred to see the council cut the
18 salaries under \$50,000 and I'm sure each of
19 us here and every person out at home could
20 find one thing out of thousands of upon
21 thousands of items that we don't agree with,
22 but that's not the point of a budget. The
23 point of passing the budget is to find the
24 best collaboration of everyone's ideas and
25 think what was done in this budget. Would I

1 like to have seen more cuts? Yes. Would I
2 like to seen in the cuts extend to council's
3 office? Yes. But on the whole when you are
4 faced with one budget that cuts police
5 officers, cuts firefighters, and holds the
6 line on taxes, then you have another budget
7 that keeps police and fire protection and
8 decreases business and property taxes, I
9 think the choice is very clear. There is no
10 debate. Council's budget is the best
11 choice.

12 The editorial in the Times said that
13 are cuts were vindictive in nature. They
14 are not vindictive at all. Council's only
15 goal is to cut the fat in government. When
16 we ran for council we said we were going to
17 do this. This isn't a surprise. Nobody
18 should be shocked by this budget. We said
19 we were going to cut the fat, we said we are
20 going to cut taxes, we said we are going to
21 restore police and fire protection for our
22 neighborhoods and that's what this budget
23 does. There is no surprise in this budget.
24 We campaigned on this issues and we
25 delivered on these issues.

1 So I would hope that the budget, the
2 veto, would be overridden by a 5-0 vote just
3 as how it was passed and I hope the manning
4 legislation will also be overridden, and
5 that is all I have. Thank you.

6 MS. EVANS: Thank you, Councilman
7 Rogan. Councilman Loscombe, any comments or
8 motions?

9 MR. LOSCOMBE: Thank you. I just
10 have a few scattered thoughts. First of
11 all, I also would like to thank Mr. Bolus
12 and Mr. Piccolino for their efforts this
13 holiday season to bring people together and
14 I also would like to echo a lot of what
15 Mr. Rogan has stated. A lot of that is what
16 I believe in, also.

17 A couple of things I just wanted to
18 address some issues, we have talked about
19 the newspaper and stuff like that. If you
20 remember when we brought up our amended
21 budget at that time I said you are going to
22 hear a lot of rhetoric from the newspaper
23 trying to turn our budget upside down and
24 that's exactly what has happened between the
25 newspaper and their cartoons and editorials

1 and whatever. I mean, I just feel at this
2 point that you are going to find more
3 journalistic integrity in a grocery store
4 tabloid than you will find in our daily
5 newspaper, unfortunately.

6 And I do have to applaud GO
7 Lackawanna for having some -- for going at a
8 little bit of a step ahead and actually
9 researching some of these issues and giving
10 a fair side to the public in this city.
11 Something that hasn't been done for a long
12 time and I just hope that they will grow.
13 Maybe we could call it "Grow Lackawanna."

14 But I'm not here to endorse any
15 newspapers or that, but that's a big part of
16 our citizenry here. They believe what they
17 read most of the time and, unfortunately, a
18 lot of it are sound bites and incomplete
19 facts that make things look a lot different
20 than they really are.

21 The budget, Mr. Ellman, is he gone?
22 He had mentioned about, you know, some of
23 our items that we are looking to generate
24 revenue and stuff like that. Well, let me
25 tell you, I know this city council I have

1 been working with this past year, I have had
2 the Honor of being with them this past year,
3 I had the honor of being appointed by them
4 this past year, and I don't know, I have
5 never worked with a council prior to this
6 but this has been one hardworking council,
7 and I know that our initiatives we are going
8 to be aggressive on, we are going to be
9 vigilant on through this next year to make
10 sure that they succeed, and I'm urging
11 anyone out there that plans on sabotaging
12 any of our initiatives to be careful, but we
13 are working hard, we are working hard for
14 the taxpayers, and that's who we are trying
15 benefit. We are not trying to benefit
16 administrative personnel, ourselves,
17 newspapers, anything like that. It's you,
18 the taxpayer out there, who have suffered
19 all of these years.

20 We have been asked by Mr. Morgan
21 mentioned it and Mr. McGoff about working
22 with the mayor. Well, I don't know how many
23 times people have heard that our hands were
24 reached out to the mayor. Mrs. Evans and
25 myself had met with the mayor personally on

1 arbitration awards. Only two weeks later to
2 find out in the newspaper they were vetoed.
3 We went to Court last year and the judge at
4 that time asked us to sit down in a
5 conference room and try to negotiate with
6 the mayor. We thought we were negotiating
7 very well and then the mayor just walked out
8 and turned his back on us.

9 It sounds like the same MO that we
10 have heard repeatedly from the police and
11 fire unions here, too. There is no
12 negotiating. We found that out the hard way
13 as everyone else has. It's his way or the
14 highway, unfortunately. And it hasn't
15 benefited the public. We have to take the
16 bull by the horns and we have to do what we
17 have to do to benefit everyone that's out
18 there. It hasn't been done.

19 He has been the mayor here for nine
20 years, he was on this council as a finance
21 chairman and look where we find ourselves
22 budget wise. They want to criticize our
23 budget? We are farther in debt now than we
24 ever were and who has been at the helm along
25 with PEL. PEL is here 18 years. They could

1 criticize our budget, but they haven't come
2 up with anything positive yet. Give us a
3 chance. Let us show you this year what our
4 budget can do for you. There is only more
5 to come, believe me. We are working hard, I
6 know that.

7 And I'm sorry I seem so impassionate
8 about it, but I believe this council's heart
9 is with the people, and anything, if we are
10 to vote in favor of the mayor's budget as he
11 had written it we would be guilty of
12 criminal negligence. I mean, look what
13 could possibly happen to the safety of the
14 people in this town. That's criminal. And
15 he better listen to our directives and go by
16 our amendments and whatever. I lost my
17 train of thought there, I'm sorry.

18 But, you know, Mayor, stick your
19 hand out with us and work for the people for
20 a change. I know we can work together if
21 you would come here and sit down with us,
22 but we haven't found that. We found every
23 time we attempted to reach out to you, you
24 have turned your back on us. You have
25 turned your back on the public. That's what

1 we are here for and at this point that's all
2 I have to say. I'll speak a little bit more
3 when we are in our business later. Thank
4 you.

5 MS. EVANS: Thank you, Mr. Loscombe.
6 And, Councilman Joyce, do you have any
7 comments or motions at this time?

8 MR. JOYCE: Yes. Tonight I will
9 respond to some of the charges in mayor's
10 veto letter of the 2011 operating budget
11 amendments beginning with revenue
12 projections.

13 To provide some background, in the
14 2010 operating budget the revenue that the
15 administration projected for the wage tax
16 was \$21,400,000. In 2011, that amount was
17 decreased to \$21 million even though
18 individuals living in the 240 KOZ properties
19 being added back to the tax rolls will be
20 paying wage tax.

21 So everyone is wondering so where
22 did council's figures come from? Well, let
23 me explain. As per the current tax office
24 information at the end of November we
25 collected \$20,392,207.42. When one adds the

1 amount of wage tax collected in December of
2 last year to the amount collected so far
3 this year, the amount is \$21,249,545.06, so
4 we are taking the last 12-month period to
5 come up with the projection. This is
6 approximately \$150,000 below what the 2010
7 budget projects, though in documentation
8 provided to council on November 8 the
9 administration projects that we will realize
10 more than the 21.4 million that was
11 originally projected.

12 Assuming no one receives -- assuming
13 that no one receives a pay increase that's
14 paying the wage increase in the work force
15 paying the wage tax is the same. It is
16 common logic that \$21,249,545.06 would be
17 collected in 2011.

18 Now, as far as the KOZ's, the
19 assumption was made that 160 of the 240 KOZ
20 properties that were being added back to the
21 tax rolls were working households and that
22 an average household in these developments
23 would earn \$75,000 per year. Though the
24 average household income in Scranton is
25 \$39,000, one must realize that the average

1 income in the K0Z developments are higher.
2 This assumption can easily be made because
3 the average value of the home in the K0Z
4 development is nearly twice the average
5 value of the home in Scranton which is
6 approximately \$110,000.

7 If one multiplies 160 by \$75,000 the
8 amount is \$12 million in additional wages
9 subject to the wage tax. If one multiplies
10 that amount by 2.4 percent, the amount of
11 the additional revenue is \$288,000.
12 Therefore, when adding \$288,000 to the
13 amount of revenue from the wages taxes we
14 should collect in the upcoming year an
15 amount of \$21,537,545.06, and that is the
16 reasoning why \$537,454.06 in revenue was
17 added back to the current wage tax.

18 The method I just described is more
19 accurate than the administration's method of
20 simply use a four-year average. Using a
21 four-year average does take into account the
22 fact that additional people living in K0Z
23 properties will be paying the wage tax and
24 quite humbly in my opinion is irresponsible.
25 This is also not consistent with the

1 procedures used in previous budgets.

2 Though PEL showed some concern in
3 their letter regarding wage tax collection
4 amongst other matters, they must have
5 forgotten the numbers that they presented to
6 city council in our most recent caucus in
7 October.

8 In this caucus, PEL themselves
9 projected that we would collect \$21,774,500
10 in revenue in current wage tax collection.
11 Thus, in their letter regarding revenue,
12 they are actually contradicting information
13 that they provided us just two months ago,
14 actually less than two months ago. And I
15 have the page directly from their
16 presentation that states this number and I
17 will provide this to both of our reporters
18 after the meeting tonight.

19 So our estimate with everything
20 being said is nearly \$244,000 less than what
21 PEL projects, thus making our estimate more
22 conservative than the same group that is
23 criticizing that our revenues may be
24 overestimated, and that doesn't make too
25 much sense, does it?

1 Okay, second, I'll talk about the
2 local service tax. In the 2010 operating
3 budget the LST was projected at \$1,580,365.
4 Same amount is projected in 2011 by the
5 administration. The same methodology was
6 used for projecting the LST that was used
7 for the wage tax being to estimate based on
8 the actual amount collected at the end of
9 the November and then add the amount that
10 would be collected in December of 2009. At
11 the end of November, the amount of revenue
12 collected from the LST was \$1,657,716.47.
13 After adding the projected revenue amount
14 that was collected in December of 2009 the
15 amount is \$1,738,877.83. Therefore, this is
16 the reasoning why there was a \$158,512.83
17 increase in the LST.

18 Okay, real estate tax. By using the
19 same methodology that I previously
20 described, council projects that the actual
21 amount that will be received will be
22 \$282,300.50 more than the administration's
23 budget. This methodology can actually be
24 further validated by the fact that the
25 administration themselves projected in

1 documentation received by council on
2 November 8 that the city would realize over
3 \$300,000 more than the original projection
4 for 2010.

5 In 2011, the administration projects
6 that the amount that will be collected from
7 real estate tax will be \$14,250. Since we
8 projected by the methodology previously
9 discussed that the amount collected in real
10 estate would be \$282,300.50 higher than the
11 administration's value in 2010, we projected
12 that the amount allocated by the
13 administration in 2011 would be the same
14 amount higher. Therefore, the amount that
15 we projected to be collected from this tax
16 would be \$14,582,300.50.

17 However, as one knows there was a
18 10.5 percent cut in real estate tax. Since
19 the projected value that the cut would be
20 made from is 14,582,300.50, a 10.5 percent
21 reduction from this amount would equate to
22 \$1,533,707.21 and this reduction is a
23 \$1,251,406.71 reduction from the
24 administration's projected value.

25 Next revenue item rental

1 registration fees. The primary reason why
2 rental registration fees were not collected
3 in the amount that was budgeted in 2010 is
4 due to the fact that the administration
5 would not provide legislation to council
6 this year to hire a rental registration
7 coordinator and strength the program despite
8 numerous council requests, thus, this is the
9 fault of the administration. Why is the
10 administration not interested in raising
11 this revenue? Next year council will have
12 to draft this legislation if the
13 administration does not intend to strengthen
14 the program. Council also adding two
15 housing inspectors back to the city paroles
16 to strengthen this program.

17 Also to note, the projected revenue
18 in council's amendments were only increased
19 by \$30,000 from the budgeted amounts in 2010
20 and 2009. If the administration truly
21 believes that we will only collect \$12,000
22 in revenue from rental registration then
23 they are irresponsible for employing a
24 rental registration assistant who costs the
25 city over \$45,000 when factoring in salary

1 and benefits. It's just a matter of common
2 sense, Folks.

3 Parking enforcement revenue.
4 StreetSmart Technology which quoted in
5 caucus that we could see over \$2.2 million
6 of new revenue if their program is
7 implemented though council's estimate is not
8 even 1/7 of that, install the test program
9 of 50 meters in Reading. From this
10 three-month pilot program Reading realized
11 an increase in 20 percent from meter
12 revenue, which council did not even
13 increase, and a 149 percent increase in
14 enforcement revenue based on capture rate of
15 only 4 percent.

16 To note, council projected the
17 amount of increased revenue at a lower rate
18 than the results that Reading had seen.
19 Moreover, many cities, including Easton,
20 have enjoyed an increase in meter and income
21 and parking ticket fees due to the program.
22 Though the administration criticized council
23 for not budgeting startup fees associated
24 with the program, it was verified that there
25 is no setup fee for the program by

1 Mr. Miskell, account manager for StreetSmart
2 Technologies.

3 In addition, though council realizes
4 that there may be some costs incurred if we
5 do choose to install equipment rather than
6 have StreetSmart do it for us, there was
7 nearly \$45,000 allocated towards this in the
8 SPA budget which was passed by council by a
9 5-0 vote and which Mayor Doherty himself
10 signed into law.

11 So though the administration has
12 stated that there is no data to support the
13 increases in revenue that have been
14 projected, I humbly disagree. I have just
15 provided justification for council's
16 additional revenue by using data from the
17 Single Tax Office, StreetSmart Technologies,
18 the Pennsylvania Economy League, and even
19 the administration themselves to support the
20 revenue increases that were included in
21 council's budget amendments.

22 So along with revenue sources, Mayor
23 Doherty his veto letter also charged council
24 with underfunding some accounts. To begin
25 I'll discuss utility costs. All utility

1 costs were projected based on current usage
2 rates which were prorated based on the
3 apartments spent in the first three-quarters
4 of this year with the exception of gas
5 rates. Since gas rates are higher in colder
6 months this expenditure was budgeted at a
7 higher amount than the average usage rate as
8 for the first three-quarters of the year.

9 Overtime costs in the DPW. Though
10 Mayor Doherty has criticized that snow
11 removal could be affected by reducing costs
12 to the DPW I humbly disagree. For years
13 Mayor Doherty has farmed out snow removal
14 work to numerous contractors such as Mr. Art
15 Russo and Mr. Dominic Scartelli due to a
16 lack of equipment. The amount budgeted for
17 the outsourcing of the snow removal on
18 municipal roads was not changed.

19 Also, council's amendments maintain
20 a contingency fund of \$100,000 which can be
21 used for snow removal in the case of major
22 multiple snowstorms, and from the Court case
23 that council was involved in last year
24 Solicitor Kelly questioned me about the
25 contingency fund and it's usage and he did

1 state when I explained that any unemployment
2 costs could be taken out of this fund he
3 questioned, well, what do we do if there is
4 a major snow storm? So there is one of the
5 uses of that extra \$100,000 contingency
6 fund, which I might add we did not use
7 anything out of this year.

8 Professional fees legal. Legal fees
9 for defense purposes were prorated based on
10 the amount that we have actually spent
11 during the first three-quarters of the year.
12 Legal services for labor-related issues were
13 reduced by \$11,000 from what we actually
14 have spent for the first three-quarters of
15 this year since much of the legal services
16 regarding labor that were used are due to
17 the fact that there were constant appeals to
18 Court decisions in favor of the fire and
19 police unions. This should no longer be
20 needed in this excess since most of the
21 issues were settled in the recent
22 Commonwealth Court decision.

23 If we were more conservative with
24 these services in the past and did not
25 choose to engage in a nine-year court battle

1 with the fire and police unions and
2 negotiate a fair and equitable contract we
3 could have avoided some of these expenses in
4 the past, and furthermore, we would not be
5 in a situation we are now in as fire and
6 police union representatives have advised
7 that they would settled for much less and
8 the raise amounts that were awarded in
9 Court.

10 Maintenance expenses. The majority
11 of the expenditures needed to maintain
12 buildings have been prorated to an annual
13 level based on current expenditure rates.
14 In addition, some of the expenses in this
15 account were eliminated. Examples of
16 expenditures that were eliminated include
17 \$8,000 to pave the police parking lot. The
18 new police headquarters has been in it's
19 current location for five years while there
20 are some city streets that have not been
21 paved in the last 35 years.

22 Also, a \$2,000 expense was
23 eliminated for lawn mowing at the police
24 headquarters when we have a full and capable
25 DPW staff that can do this.

1 collection in 2008 along with a \$1.6 million
2 shortfall in the collection of delinquent
3 wage taxes in that same year.

4 Though the administration would like
5 to scare the public into thinking that
6 streets will remain snow covered during
7 storms and that pools will close, lifeguards
8 will be laid off, and paint a picture of
9 overall doom and gloom if council's
10 amendments were enacted this is simply not
11 the case. Money has consistently been
12 transferred into and out of accounts as not
13 all revenue sources are realized on a
14 consistent basis each month. Sometimes you
15 will get a chunk of money at that will come
16 in in one month and then the next month it
17 may be quite a bit lower.

18 Also, regarding health insurance
19 concerns that PEL indicated in their
20 correspondence in the budget, all amended
21 health insurance values were used based on
22 information that was provided for the city's
23 contribution for single and family insurance
24 plans as per the most recent Commonwealth
25 Court decision for police and fire

1 personnel. For all other workers, insurance
2 rates were based on the average cost per
3 employee based on the administration's
4 original values which comes out to roughly
5 estimated around \$12,000.

6 Therefore, with this being said, if
7 health insurance rates result in a shortfall
8 it the fault of the administration and not
9 city council. I would also like to add that
10 Mayor Doherty passed the Scranton Parking
11 Authority budget as amended by council which
12 only effects administrative personnel, not
13 citation issuers or meter collectors in
14 regards to some of the cuts that we made.

15 The SPA budget that was passed into
16 law by Mayor Doherty is directly correlated
17 with the SPA citation issuers line item in
18 the operating budget. With this in mind,
19 the original budget presented by the
20 administration is now technically unbalanced
21 due to the fact that the SPA citation
22 issuers line item in the 2011 operating
23 budget does not match the reimbursable
24 portion of the SPA's budget that Mayor
25 Doherty signed into law just recently.

1 To conclude, the amendments council
2 proposed decrease property taxes, they
3 decrease nuisance taxes that hinder our
4 current business community, they keep police
5 on our street, they keep firehouses open
6 that would have closed otherwise, and they
7 allocate the necessary funding to keep the
8 Griffin Pond Animal Shelter in operation as
9 per the needs that they requested from the
10 City of Scranton. These are the facts. In
11 2011, the administration will need to learn
12 to become more efficient and stop
13 overspending and stop some of the trends
14 that have been going on for the past nine
15 years. And that's all that I have to say.

16 MS. EVANS: Good evening. Recently
17 the Scranton Times reported the sale of the
18 Hilton Hotel and Conference Center at 13
19 million on page one, while under Lackawanna
20 County Court notes, property transactions,
21 the sale was listed at approximately \$10
22 million. I assume the additional \$3 million
23 tacked onto the sale price by the newspaper
24 may be the cost of renovation.

25 The last time the Hilton changed

1 hands in 2005, it was predicted that the
2 future sale of the hotel would realize over
3 \$30 million and the city would receive the
4 \$3 owed to it only when the sale price
5 reached said figure. In addition, hundreds
6 of parking spots in the Medallion Garage
7 were given to the Hilton free of charge.
8 This was the deal made by Mayor Doherty.

9 At the same time in 2005, I
10 predicted this day would come, that the
11 future sale price would be drastically lower
12 than what the mayor agreed to and that the
13 city would lose millions. Consequently, I
14 voted against this deal in 2005 and once
15 again the taxpayer of Scranton have lost
16 millions of dollars under the mismanagement
17 of Mayor Doherty.

18 I would like to see the city and
19 Scranton Parking Authority recoup some of
20 it's losses by resuming ownership of those
21 parking spaces for which the Hilton Hotel
22 charged and earned a profit from it's
23 guests. Mrs. Krake, please send a letter of
24 inquiry on behalf of city council to
25 Mr. Scopelliti and Mayor Doherty regarding

1 the parking spaces in the Medallion garage.
2 Will the City and the Scranton Parking
3 Authority regain these parking spots? If
4 not, why was the new agreement drafted
5 without the return of parking spaces to
6 infuse much needed revenue into the
7 Scranton Parking Authority?

8 Next, I'd like to comment on the
9 letter from the Pennsylvania Economy League
10 regarding the 2011 operating budget.
11 According to PEL, council's budget is
12 balanced, will help lift distressed status
13 and will be used as the basis for the first
14 year of the revised Recovery Plan. However,
15 I wish to make clear that this is the first
16 time since I was elected to city council in
17 2004 that the Pennsylvania Economy League
18 sent a letter to council regarding an
19 operating budget. I suspect this is because
20 it's not the mayor's budget and city council
21 now manages the checkbook. Interestingly,
22 throughout Mayor Doherty's terms in office
23 PEL remained silent when the mayor ran up
24 historical debt and record borrowing and
25 spending, sold city assets such as the

1 municipal golf course and the South Side
2 Complex and created political patronage jobs
3 in city hall and in municipal authorities.

4 Further, PEL sent a letter
5 concerning the \$3 million of overestimated
6 wage tax revenue in 2009. PEL sent no
7 letter when Stu Renda, the business
8 administrator, withdrew \$2.9 million from
9 the worker's comp fund in 2009 seemingly to
10 cover this huge budget hole without the
11 knowledge and consent of city council and
12 the people of Scranton.

13 PEL sent no letters regarding the
14 2009 and 2010 operating budgets which
15 contained inflated projected rental
16 registration revenues. It even remained
17 silent when the administration refused to
18 enforce and collect rental registration
19 revenue during these years, but it now
20 criticizes city council's modest revenue
21 projection and intention to pursue this
22 untapped revenue source.

23 Most importantly, and as Councilman
24 Joyce just stated, PEL itself projected
25 \$21.7 million in wage tax revenue for 2011.

1 Yet, it's critical of Councilman Joyce's
2 wage tax revenue estimate which is
3 significant low less than it's own. How
4 then did PEL arrive at the \$21.7 million
5 dollar figure and how did PEL expect those
6 figures to be realized in 2011? PEL can't
7 continue to talk from both sides of it's
8 mouth. It doesn't benefit our city.

9 The Pennsylvania Economy League has
10 overseen Scranton distressed status for 19
11 years now and produced Recovery Plan after
12 Recovery Plan. In 2011, Scranton will enter
13 it's 20th year of distressed status and,
14 ladies and gentlemen, this unequivocally
15 demonstrates failed leadership, both PEL and
16 our DCED representative promote only three
17 solutions to our financial problems: Tax
18 increases, cutting public safety, and higher
19 garbage and parking fees.

20 It's recommendation and opinions
21 have grown increasingly subjective as it
22 works in close concert with the Doherty
23 administration. In contrast, city council's
24 solutions to our financial problems include
25 among others lowering property and business

1 taxes to retain and attract people and
2 businesses, restoring public safety in our
3 neighborhoods and downtown, and generating
4 new revenue for the city coffers.

5 I would also like to make a few
6 statements regarding council's budgetary
7 cuts to both First Night and the Boys and
8 Girls Club. First, council allocated
9 funding this year for the Lackawanna Valley
10 Heritage Trail, the Everhart Museum, the
11 Johnson Memorial, and the Griffin Pond
12 Animal Shelter. With goals of reducing the
13 property and business taxes, council could
14 not fund everything. Council funded the
15 aforesaid items for the welfare of the
16 people. For instance, the city cannot be
17 overrun by stray animals.

18 The people of Scranton must ask
19 themselves this question, do they want a New
20 Year's Eve party or a property tax decrease?
21 The downtown business owners must ask
22 themselves, do they want a New Year's Eve
23 party or a 25 percent business tax
24 reduction? The mayor is on record stating
25 that he is committed to First Night.

1 Council recommends that First Night seek
2 more private funding and that the mayor
3 appropriate funds through the Office of
4 Economic and Community Development Re-re
5 account as he did for both the Italian
6 festival and the St. Patrick's Day parade.
7 The mayor donated \$5,000 to both the Italian
8 festival and St. Patrick's Day parade this
9 year instead of funding both through the
10 general budget as he does for First Night.

11 As reported in today's Scranton
12 Times, council cut \$10,000 to the Boys and
13 Girls Club. Council made this cut because
14 it had allocated \$84,000 to the club through
15 Community Development Block Grant for 2011.
16 Let me say that again, council allocated
17 \$84,000 to the Boys and Girl Club.

18 And furthermore, I have always been
19 an advocate for this club. The public will
20 recall that I opposed the closing of the
21 West Side Boys and Girls Club in 2005. I
22 sought assistance and funding from
23 Congressman Kanjorksi who visited the club
24 with me and was ready to help until the
25 mayor and club directors decided to close

1 the location anyway.

2 I also brought in former NBA star,
3 Darryl Dawkins, who was willing to hold a
4 charity basketball event to raise funds for
5 the West Side Club until Mayor Doherty
6 decided to close it, cut their funding and
7 give it to United Neighborhood Centers.

8 Moreover, I remind the public that
9 this council has not only committed itself
10 to the Boys and Girls Club through it's
11 \$84,000 allocation, but also to other
12 projects, centers and programs for children
13 including the United Neighborhood Centers
14 Project Hope and Bellevue Youth Program and
15 improvements to the Novembrino pool complex,
16 the Cloverfield playground and the
17 facilities for the West Side Falcons. All
18 of this information, unfortunately, was
19 omitted in today's newspaper article.

20 Next, I'd like to comment on Mayor
21 Doherty's vetoes of the budget-related
22 legislation and city council's budget
23 amendments. In the latest Commonwealth
24 Court decision, the city, not the mayor won
25 management rights. The Home Rule Charter,

1 Section 201, states that the mayor and
2 council shall be the -- excuse me, the mayor
3 and council jointly shall be the governing
4 body of Scranton city government.

5 City Solicitor Kelly states that the
6 mayor is granted all powers, duties, and
7 authority traditionally accrued to the
8 executive authority pursuant to the city's
9 Home Rule Charter. Solicitor Kelly fails to
10 include or acknowledge that the council of
11 the City of Scranton is also granted
12 authority pursuant to the city's Home Rule
13 Charter, and that it is certainly within the
14 purview of the city council to write
15 legislation, to amend the mayor's
16 legislation, to legally and lawfully adopt
17 ordinances and resolutions and to vote down
18 adoption of ordinances and resolutions.

19 Further, it is the duty and
20 responsibility of the mayor to enforce all
21 legislation that is legally and lawfully
22 adopted by the council of the City of
23 Scranton, particularly in matters of veto
24 override of the city. Yet, he willfully
25 chooses not to enforce the law.

1 City council legally and lawfully
2 adopted legislation to require staffing
3 levels for police and firefighters in order
4 to keep fire stations open for fiscal year
5 2011 in response to will of the public
6 expressed at two public hearings and during
7 regular city council meetings. The vast
8 majority of Scrantonians want all firehouses
9 to remain open and they want more police on
10 the streets. Council's legislation will be
11 in effect for one year only and was adopted
12 to restore public safety and keep your
13 firehouses open.

14 . The mayor had suggested in the
15 media that he would not adhere to council
16 budget amendments and he didn't have to
17 reinstate positions if he chose not to do
18 so. More alarming, however, is the mayor's
19 stated intention to close fire companies in
20 his veto of the staffing legislation, and I
21 quote: "The 2009 and 2010 Court opinions
22 also allow the city to temporarily or
23 permanently close three or more fire
24 companies and does not require an increase
25 or any change whatsoever in the compliment

1 of a department as a whole."

2 It is dishonest of Mayor Doherty to
3 have reneged on his 2009 mayoral campaign
4 promise to keep fire stations open, and more
5 so that he refuses to listen to the
6 priorities of the people.

7 And so fire companies and houses may
8 well close in 2011 because the mayor is
9 choosing to close them. Only he makes that
10 decision. If fire companies or stations
11 close in your neighborhood you must appeal
12 to the mayor. Council has done all that it
13 can do to keep your firehouses open.

14 The mayor, based on fabrications in
15 memory loss, has also vetoed the 2011
16 operating budget of the City of Scranton.
17 The mayor warns of lack of services, snow
18 removal, for example. However, city council
19 provided \$60,000 in DPW overtime for snow
20 removal and cut only \$153 from the budget
21 line items for the numerous subcontractors
22 hired by the city each year for snow plowing
23 and removal during each winter storm.

24 In addition, as was said earlier,
25 \$100,000 is available if the contingency

1 fund which is to be used for weather and
2 other nature-related events according to
3 testimony given by Stu Renda in court in the
4 Spring of 2010. If snow plowing and removal
5 should not occur at some point in 2011, it
6 will be the mayor's doing because he has the
7 funding and tools in place to succeed.

8 Mr. McGoff tonight questions the
9 viability of city pools. Within Parks and
10 Recreation the groundskeepers and the pool
11 workers are not cut, not one of them. The
12 lifeguards were not cut. When the Capouse
13 Avenue pool failed to open in the Summer of
14 2010 and Connell pool opened late Mr. McGoff
15 raised no objections or concerns. Again, if
16 problems occur with city pools these
17 problems will be created by the mayor. He
18 has the same funds and tools he always had.

19 The mayor also questions how a
20 potential fiscal shortfall in 2011 will be
21 filled. Should this occur, a fiscal
22 shortfall can be addressed by the
23 administration in the very same way it has
24 addressed many financial shortfalls that
25 occurred in the mayor's past eight budgets,

1 most notably, the 2009 \$3 million budget
2 hole.

3 As Councilman Joyce stated earlier,
4 the fact that the mayor signed the amended
5 Scranton Parking Authority budget means his
6 own budget is no longer balanced. This is
7 highly noteworthy for the public. The
8 numbers contained in the SPA budget only
9 fully coincide with the figures contained in
10 city council's amended budget. Mayor
11 Doherty, Solicitor Kelly, and Business
12 Administrator Renda apparently never picked
13 up on the fact that by vetoing council's
14 amended budget and signing the SPA budget
15 the mayor's budget is no longer balanced.

16 Another example of the mayor's
17 memory loss concerning his own budget can be
18 found in his veto of council's amended
19 budget. Article III, Section 27, of the
20 State Constitution and 53 Pennsylvania
21 C.S.A., Section 307, (a) (4), are referenced
22 for violations regarding the raise for the
23 Scranton Tax Collector. However, the mayor
24 conveniently forgets if he raised the salary
25 of former tax collector of Ken McDowell in

1 his 2002 and 2003 operating budgets by
2 \$3,750 and \$400 respectively. In fact,
3 Mayor Doherty also raised the salary of the
4 tax collector by \$2,118 when he was the
5 council finance chairman for the 2001
6 budget.

7 Unfortunately, the newspaper hasn't
8 gotten around to verifying this for the
9 public. The mayor can remember it anyway he
10 wishes, but the 2001, 2002, 2003 operating
11 budgets state otherwise.

12 On this occasion of our final city
13 council meeting of 2010, I wish to make one
14 point very clear tonight and I hope the
15 public will remember it again and again in
16 2011, if the budget deficits next year, for
17 instance, because the mayor doesn't enforce
18 the rental registration program or implement
19 the StreetSmart parking program, they will
20 be the mayor's doing. His veto speaks
21 volumes. He doesn't want the people to have
22 adequate public safety on protection in
23 their neighborhoods. He doesn't want new
24 revenue generators in Scranton. He
25 purposely deflates revenues and he doesn't

1 want businesses and homeowners to have lower
2 taxes.

3 There is a fundamental difference in
4 philosophy and vision between Mayor Doherty
5 and Scranton City Council. Since 2002, the
6 mayor's nine big boy budgets have caused
7 historical debt, record and unnecessary
8 borrowing and spending, sales of city assets
9 like the golf course and South Side Complex,
10 created and maintained political patronage
11 jobs in management, awarded hefty pay
12 increases in management, crippled public
13 safety, and now closing fire companies and
14 increased your taxes by 25 percent. In
15 fact, the mayor's greatest annual revenue
16 generators in nine years have been the 2007
17 increases in your property taxes and the
18 real estate transfer tax.

19 The city council's first amended
20 budget forces the mayor to be frugal and to
21 do more with less. Our budgetary restores
22 public safety, attempts to keep our
23 firehouses open, eliminates wasteful
24 spending, cuts bureaucracy, provides an
25 equitable number of cuts to both management

1 and union positions, generates new revenue
2 through the StreetSmart program and lowers
3 business taxes and property taxes.

4 City council believes that the
5 people deserve this help. It's most telling
6 that the mayor does not.

7 Finally, I have one citizen's
8 request regarding the blighted properties on
9 Ripple Street. Homeowners were kind enough
10 to forward photos of the blighted
11 conditions. Contact Mr. Oleski tomorrow
12 morning, please, and show him these photos.
13 Council would like a report on this as soon
14 as possible. And that's it.

15 MR. JOYCE: When you stated how PEL
16 came up with it's projection of \$21,774,500
17 I did some quick math while you were
18 speaking and they assumed a 1.5 percent
19 growth rate in the earned income tax for
20 2011 as well as 2012, '13 and '14.

21 MS. EVANS: Thank you. Thank you,
22 Councilman Joyce.

23 MR. JOYCE: You are welcome.

24 MS. EVANS: That's very useful
25 information for us to know.

1 MS. KRAKE: 5-B. NO BUSINESS AT
2 THIS TIME. SIXTH ORDER. NO BUSINESS AT
3 THIS TIME.

4 SEVENTH ORDER. 7-A. FOR
5 CONSIDERATION BY THE COMMITTEE ON FINANCE
6 FOR ADOPTION- FILE OF COUNCIL NO. 52, 2010
7 (AS AMENDED)- APPROPRIATING FUNDS FOR THE
8 EXPENSES OF THE CITY GOVERNMENT FOR THE
9 PERIOD COMMENCING ON THE FIRST DAY OF
10 JANUARY, 2011 TO AND INCLUDING DECEMBER 31,
11 2011 BY THE ADOPTION OF THE GENERAL CITY
12 OPERATING BUDGET FOR THE YEAR 2011.

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

16 MR. JOYCE: As Chairperson for the
17 Committee on Finance, I recommend City
18 Council override the mayor's veto of Item
19 7-A.

20 MR. ROGAN: Second.

21 MS. EVANS: On the question?

22 MR. ROGAN: Yes, on the question.
23 The last few weeks there have been dozens of
24 articles, hours upon hours of commentary on
25 this budget from citizens and council

1 members, but some of my reasons for
2 overriding this veto three quick sentences:
3 One, council's budget does not make cuts to
4 police or fire protection for our residents.

5 Two, council's budget includes a tax
6 decrease for homeowners and business owners,
7 keeping more money in your pockets.

8 And three, council's budget is the
9 first step towards getting Scranton back on
10 the right financial track by cutting
11 wasteful spending and reducing taxes.

12 I would urge my colleagues to
13 override this veto by a unanimous five to
14 zero vote.

15 MS. EVANS: Is there anyone else on
16 the question? I think I would just like to
17 add briefly, I would be very interested to
18 see the local newspapers do an analysis and
19 investigation of the mayor's budget current
20 and previous budgets. I have never seen
21 that occur. The numbers are accepted as if
22 they have been set in stone or empirically
23 proven, which is certainly not the case. I
24 would like to see an investigation of why
25 revenues are deflated. What was the point

1 of so doing and what was the point of an
2 unnecessary 25 percent tax increase several
3 years ago? 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 the mayor's veto of Item 7-A, File of
15 Council No. 52 2010, as amended, legally and
16 lawfully overridden.

17 MS. KRAKE: 7-B. FOR CONSIDERATION
18 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
19 ADOPTION- FILE OF COUNCIL NO. 57, 2010 -
20 ORDINANCE GOVERNING THE STAFFING
21 REQUIREMENTS FOR THE BUREAU OF FIRE,
22 DEPARTMENT OF PUBLIC SAFETY OF THE CITY OF
23 SCRANTON, FOR THE CALENDAR YEAR 2011.

24 MS. EVANS: What is the
25 recommendation of the Chair for the

1 Committee on Public Safety?

2 MR. LOSCOMBE: As Chairperson for
3 the Committee on Public Safety, I recommend
4 City Council override the mayor's veto of
5 Item 7-B.

6 MR. ROGAN: Second.

7 MS. EVANS: On the question?

8 MR. LOSCOMBE: On the question, I
9 have the 78-page Commonwealth Court ruling
10 here for the police and fire department and
11 there is a section here, a whole section
12 based on firefighters' safety, where they
13 realized that they couldn't mandate, the
14 city had 150 firefighters, however, they
15 were concerned of the safety of the
16 firefighters with less manning and there are
17 several sections in here that refer to the
18 manning and it says, "Even a city in it's
19 discretion shall determine after
20 consultation with the firefighters in making
21 this determination."

22 I mean, this just seems that the
23 city is operating unilaterally. Again, as
24 Mrs. Evans has stated before this ruling
25 says "the city" not the "mayor" and the

1 arbitrators as far as protecting the
2 firefighters I believe also because they are
3 dealing with the contract here their concern
4 is with the public as well as the
5 firefighters' safety. They realize it and
6 they put the wording in this here,
7 Commonwealth Court ruling in several cases,
8 and that's one of the factors that there is
9 no way that I could have voted for the
10 mayor's budget with the cuts that he had and
11 anticipate that he wasn't going to do it
12 without our ordinance to protect the safety
13 of all of the citizens of this city and I
14 would just hope he abides by it, and if not
15 I would welcome the opportunity to spend the
16 day in court every day to fight for your
17 public safety and where your tax dollars are
18 spent. And that's all I have to say.

19 MS. EVANS: I know this has been
20 mentioned earlier, but I believe the mayor
21 stated his intention not to cooperate with
22 Scranton City Council. He remarked that he
23 had produced 13 budgets and he operates in
24 the "big boy world." We are all adults.
25 Those were offensive comments. I just want

1 the public to know that the lack of
2 cooperation, the lack of respect, the lack
3 of reciprocity is rooted in the Office of
4 the Mayor of Scranton, not in the Office of
5 Scranton City Council.

6 MR. JOYCE: Also, I want to add that
7 I, too, was somewhat offended by the "big
8 boy world" comment. Personally, I'm
9 employed in a corporation that's owned
10 primarily by Michael Eisner who is a
11 financial guru and has his own television
12 show. I have watched some of the things
13 that he has done to implement revenue
14 increases in the company I work for, and I
15 also take note of other successful
16 individuals who do the same, so though I
17 don't own a business myself I do work in a
18 business that is owned by someone who has a
19 very extensive knowledge of generating
20 profit, so that, too, was somewhat offensive
21 in my view. That's all.

22 MR. ROGAN: I would just add that,
23 getting back to the legislation, that it's
24 basically as we mentioned before, it's just
25 expressing the wishes of the people and the

1 wishes of this council on another piece of
2 legislation. As far as the mayor's comments
3 go, he can say what he wants, I don't take
4 it personally, but the bottom line is last
5 November the people elected us to council
6 and we told them what we were going to do
7 and now we are coming through on our
8 promises, and this is just us holding up
9 another one of our promises to keep police
10 and fire protection.

11 MS. EVANS: And I think, I would
12 like to end with this, I know the mayor says
13 he runs this city like a business, and that
14 was his original comments. Government isn't
15 a business. We are not in business.
16 Government is here to serve the people, to
17 protect the people, to look out for your
18 health, safety, welfare, and happiness.
19 Again, we are not a business. We are not
20 here to make a profit. We are here to take
21 care of the citizens. We serve. Nothing
22 more, nothing less. Roll call, please?

23 MS. CARRERA: Mr. McGoff.

24 MR. MCGOFF: No.

25 MS. CARRERA: Mr. Rogan.

1 MR. ROGAN: Yes.

2 MS. CARRERA: Mr. Loscombe.

3 MR. LOSCOMBE: Yes.

4 MS. CARRERA: Mr. Joyce.

5 MR. JOYCE: Yes.

6 MS. CARRERA: Mrs. Evans.

7 MS. EVANS: Yes. I hereby declare
8 the mayor's veto of Item 7-B, File of
9 Council No. 57 2010, legally and lawfully
10 overridden.

11 MS. KRAKE: 7-C. FOR CONSIDERATION
12 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
13 ADOPTION- FILE OF COUNCIL NO. 58, 2010 -
14 ORDINANCE GOVERNING THE STAFFING
15 REQUIREMENTS FOR THE BUREAU OF POLICE,
16 DEPARTMENT OF PUBLIC SAFETY OF THE CITY OF
17 SCRANTON, FOR THE CALENDAR YEAR 2011.

18 MS. EVANS: What is the
19 recommendation of the Chair for the
20 Committee on Public Safety?

21 MR. LOSCOMBE: As Chairman for the
22 Committee on Public Safety, I recommend City
23 Council override the mayor's veto of Item
24 7-C.

25 MR. ROGAN: Second.

1 MS. EVANS: On the question?

2 MR. LOSCOMBE: Pretty much the same
3 reasons as the fire department for the
4 police and the public safety. We have to
5 come up with this legislation, it has to be
6 abided by. Otherwise, I don't know what's
7 going to happen. It could be -- like I said
8 before, we will be on borderline criminal
9 negligence if a catastrophe should happen in
10 the city and I for one do not want to see
11 that happen.

12 And also, based -- I should have
13 mentioned it before on the fire aspect and
14 all that, one of the other reasons is that
15 the fact that there is never any viable
16 study that they are utilizing for their
17 cuts. What fire stations are closing,
18 anything like that. We have requested every
19 study that has been presented to PEL and
20 none of them have the station closures that
21 were presented to us by the mayor's budget.
22 So again, that was done arbitrarily, and
23 that's all I have to say.

24 MS. EVANS: Is there anyone else on
25 the question? Roll call, please?

1 MS. CARRERA: Mr. McGoff.

2 MR. MCGOFF: No.

3 MS. CARRERA: Mr. Rogan.

4 MR. ROGAN: Yes.

5 MS. CARRERA: Mr. Loscombe.

6 MR. LOSCOMBE: Yes.

7 MS. CARRERA: Mr. Joyce.

8 MR. JOYCE: Yes.

9 MS. CARRERA: Mrs. Evans. I hereby
10 declare the mayor's veto of Item 7-C, File
11 of Council No. 58 2010, legally and lawfully
12 overridden.

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

15 MR. JOYCE: Motion to adjourn.

16 MS. EVANS: And a very happy New
17 Year to all. This meeting is adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER