

1 SCRANTON CITY COUNCIL MEETING

2

3

4

HELD:

5

6

Tuesday, March 22, 2011

7

8

LOCATION:

9

Council Chambers

10

Scranton City Hall

11

340 North Washington Avenue

12

Scranton, Pennsylvania

13

14

15

16

17

18

19

20

21

22

23

24

AMELIA NICOL - OFFICIAL COURT REPORTER

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CITY OF SCRANTON COUNCIL:

JANET EVANS, PRESIDENT

PATRICK ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. CARRERA: Mr. Loscombe.

9 MR. LOSCOMBE: Here.

10 MS. CARRERA: Mr. Joyce.

11 MR. JOYCE: (No response.)

12 MS. CARRERA: Mrs. Evans.

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

15 MR. KRAKE: THIRD ORDER. 3A.  
16 CONTROLLER'S REPORT FOR THE MONTH  
17 ENDING FEBRUARY 28, 2011.

18 MS. EVANS: Are there any  
19 comments? If not, received and filed.  
20 Clerk's notes, please.

21 MS. KRAKE: This evening we have  
22 a couple responses. The first  
23 response is from Linda Aebli, Director  
24 of OECD. We had asked about the  
25 contributions to the St. Patrick's Day

1 parade and the Armed Forces Day  
2 luncheon. Mrs. Aebli responds that in  
3 2010 the following was dispersed. The  
4 St. Patrick's Day Parade RE-RE  
5 account, \$5,000; Armed Forces Day  
6 luncheon RE-RE account, \$120.

7 MS. EVANS: Mrs. Krake, if we  
8 could contact Miss Aebli once again,  
9 please. I think perhaps the  
10 individual who posed the question  
11 might want to know what was spent  
12 currently in 2011. So we can resubmit  
13 that and than also for council's  
14 benefit what was spent in 2009.

15 MS. KRAKE: We will.

16 MS. EVANS: Thank you.

17 MS. KRAKE: We also received a  
18 response and actually Mr. Joyce from  
19 Joyce Electrical stopped into the  
20 Council Office with this response:

21 "Joyce Electrical is in receipt  
22 of our letters dated March 3rd and  
23 March 16th requesting streetlight  
24 repairs. We absolutely understand  
25 your concerns on streetlights that are

1 out throughout the city. The contract  
2 between Joyce Electrical and the City  
3 of Scranton was signed by all parties  
4 on March 8th, 2011. On March 9th the  
5 City of Scranton's Purchasing Office  
6 directed us to contact the Department  
7 of Public Works for directions on how  
8 the contract and operations will work.  
9 We met with the Director of Public  
10 Works on March 16th. The contract  
11 clearly states that the contractor  
12 will be directed by the Director of  
13 Public Works. At our meeting we gave  
14 a web site address to report outages  
15 along with the telephone number for  
16 residences that do not have access to  
17 a computer to report streetlight  
18 outages. We also learned through the  
19 meeting that the city is going to be  
20 purchasing the material to repair the  
21 lights. The director will notify me  
22 when the material is in place and when  
23 we are to start working on the  
24 repairs. We are ready and willing to  
25 start working on the lights with

1 materials and equipment but cannot  
2 start because the city chose the  
3 option of purchasing the material and  
4 we do not have authorization to start  
5 any work at this time."

6 MS. EVANS: Thank you, Mrs.  
7 Krake. I think that is an important  
8 announcement for the public since so  
9 many streetlights are out that we  
10 understand that they will continue in  
11 that matter until the city purchases  
12 whatever equipment is necessary for  
13 Joyce Electrical and that was the  
14 decision of the city, not Joyce  
15 Electrical.

16 MR. LOSCOMBE: Excuse me. Did I  
17 understand that the web site is not  
18 going to be public either, it's  
19 specifically going to be accessible by  
20 DPW?

21 MS. KRAKE: Well, here's his last  
22 comment, "And then you can direct our  
23 offices as needed. The contract does  
24 not permit us to release the web site  
25 or any other contact information to

1           anybody else but the Director of  
2           Public Works. We have, however,  
3           entered any and all complaints  
4           received as of March 8th to the web  
5           site and the director is notified  
6           every time there is an entry to the  
7           web site."

8           MS. EVANS: I see. So that I  
9           believe what you are saying is all  
10          requests have to be submitted to Mr.  
11          Brazil.

12          MS. KRAKE: Yes, and I can tell  
13          you that we could see where Mr. Joyce  
14          came into our office that he was very  
15          eager to begin work, he is aware of  
16          many of these outages and perhaps our  
17          friends and neighbors are of his also.  
18          So they are ready to go.

19          MS. EVANS: Well, then I believe  
20          that council will have to submit its  
21          request for streetlight repairs to Mr.  
22          Brazil and then it will be up to Mr.  
23          Brazil when the streetlights will be  
24          repaired and which ones will be  
25          repaired. Hopefully he'll be taking

1 care of each and everyone.

2 (Councilman Joyce arrives and  
3 presents himself at council table.)

4 MS. KRAKE: Our next response is  
5 from Chief Davis, Superintendent of  
6 Fire. He tells us that the Scranton  
7 Fire Department spent zero amount of  
8 overtime for the weekend of  
9 March 12th, 2011. Now, we had asked  
10 also the Police Department, DPW, Chief  
11 Duffy; Ryan McGowan, Assistant  
12 Administrator; and the City  
13 Controller. However, we do also  
14 notice that these responses aren't  
15 technically due until April 1st.

16 And that's it.

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

20 MR. McGOFF: Once again I would  
21 just like to announce the Easter  
22 Extravaganza being put on my Matthew's  
23 Mission. It's basically an Easter egg  
24 hunt and other activities for  
25 families. It will be held on



1 Saturday, April 9th, at Harmon Field  
2 in South Scranton beginning at 11 a.m.  
3 with the Easter egg hunt beginning at  
4 11:30 and this is in honor of Matthew  
5 J. Knoll and all funds or profits will  
6 be given to benefit people with  
7 special needs. That's April 9th, 11  
8 a.m. at Harmon, the Easter  
9 Extravaganza. I would like to say  
10 that there were a number -- they were  
11 filling Easter eggs, the plastic eggs  
12 at Kelly's the other day, Kelly's  
13 Restaurant on Sunday and there was a  
14 large crowd there to respond and fill  
15 eggs and this is going to be a very,  
16 very nice event and we encourage  
17 anyone, especially anyone with  
18 children to attend.

19 MS. EVANS: Thank you, Mr.  
20 McGoff.

21 MS. EVANS: The Scranton  
22 Lackawanna Taxpayer's Association will  
23 conduct a primary election forum for  
24 Scranton City Council candidates this  
25 Thursday, March 24th, 2011, in

1 Scranton City Council Chambers at  
2 6 p.m. The following candidates have  
3 agreed to participate: Democratic  
4 candidate incumbent Jack Loscombe,  
5 Doug Miller, Giovanni Piccolino and  
6 Joseph Weschler and Republican  
7 Candidate Lee Morgan. That's it.

8 MS. KRAKE: FOURTH ORDER.

9 CITIZENS PARTICIPATION.

10 MS. EVANS: Our first speaker  
11 this evening is Andy Sbaraglia.

12 MR. SBARAGLIA: Andy Sbaraglia,  
13 South Scranton, Fellow Scrantonians.  
14 When I first started to come to these  
15 meetings at the end of Mayor Connors,  
16 the beginning of Mayor Doherty's  
17 meetings, why do we have trouble with  
18 the streetlights? Because Mayor  
19 Doherty bought them. He didn't have  
20 to buy them. The electric company was  
21 taking care of them. Now we're in the  
22 dark. He's spent a lot money all at  
23 once. Whatever his reasons were, they  
24 didn't pan out. All he did was  
25 actually sink us deeper and deeper in

1 debt. Many of the councilmen that  
2 were up there during that time were  
3 given pensions in violation of the  
4 city charter. Why were they given  
5 pensions? I have no idea. I have no  
6 idea of any of the sequential  
7 councilmen that came if they were  
8 given promises. We don't do not know.  
9 But where we are now started back then  
10 and it has continued from up to the  
11 present. When you get a majority  
12 people that side with the mayor and  
13 care little or nothing about the  
14 community that they're in, something  
15 is wrong.

16 I don't know if you remember back  
17 how many loans were given out with the  
18 provisions to forgive them. They were  
19 given, they were forgiven very little,  
20 they were forgiven the money,  
21 thousands and thousands of dollars  
22 went down that way. What the reasons  
23 were, I don't know. But there had to  
24 be reasons.

25 People got out, look at things as

1           they are and then reason it out.  
2           Sometimes you make a wrong conclusion  
3           but you've got to make a conclusion.  
4           And if you look at what was done in  
5           the city the last -- well, just go  
6           back almost 12 years, the path that  
7           went down, where we stand today, take  
8           a look at that Scranton Parking  
9           Authority. I'm going to bring this up  
10          and continue until we find out how  
11          they're going to deal with that loan  
12          and who okayed it. Who sat down there  
13          and voted for these things. They  
14          should be held responsible for their  
15          votes. All of you should be held  
16          accountable for what you do up there.  
17          It's just too bad there's no recall  
18          provisions in the state or we probably  
19          could have a lot more actually than  
20          earlier. Every four years is a poor  
21          time to try to correct things that  
22          were done in the past. It just can't  
23          be done because you're stuck with  
24          them. You can't get rid of them  
25          wrongs and that's the problem. That's

1 the problem with the government as it  
2 is today. People should to be held  
3 accountable by their actions, maybe  
4 every year, every two years, but  
5 definitely not four years. There's  
6 too much damage being done. And what  
7 I am I going to say, what can anyone  
8 say, Scranton is sliding down into an  
9 abyss is the best way to put it. We  
10 can't let the Parking Authority, of  
11 course, go belly up. That would  
12 reflect on all of us and probably  
13 wouldn't change -- probably make the  
14 burden a lot heavier on us than it is  
15 now. I'm just sorry you have do these  
16 decisions that you don't like to deal  
17 with, because it's probably going to  
18 come before you in some form. And  
19 then you have to look at the two  
20 evils. That's the bad thing about  
21 government.

22 People used to be more  
23 responsible to the needs of people.  
24 In fact, they used to really, really  
25 go out and do whatever they could for

1 each and every individual taxpayer in  
2 the city, you're a resident. Nowadays  
3 they're more interested in themselves  
4 than the people they represent. It's  
5 a sad state of affairs. It's just  
6 something that we have to live with  
7 until either we change the system or,  
8 I don't know, if you don't change the  
9 system, then you're stuck with what we  
10 have now. And although it is good,  
11 you couldn't get a better government  
12 the way you run a government than we  
13 have but you've got to look at every  
14 individual in that government and look  
15 at what they did in the past and how  
16 they're going to reflect on the  
17 future. I thank you.

18 MS. EVANS: Thank you, Mr.  
19 Sbaraglia. Marie Shumacher? Bob  
20 Bolus?

21 MR. BOLUS: Good evening,  
22 Council. Bob Bolus, resident.

23 MS. EVANS: Good evening.

24 MR. BOLUS: Good evening,  
25 Council. Bob Bolus, Scranton. It

1           seems it's been an interesting day in  
2           the city now that I'm homeless. It's  
3           a new experience. As I think most  
4           people are aware that a condemnation  
5           notice has been filed on my house by  
6           the City of Scranton and I took it  
7           very seriously and I'll show council.  
8           This is what was put on my door  
9           condemning my home based on a fallacy  
10          by Mary Dunleavy, Joe Weschler, June  
11          Wintermantel and other people at East  
12          Mountain Neighborhood Association that  
13          said I didn't live there, that my home  
14          was vacant. They've invaded my  
15          privacy, they've spied on me, and  
16          we're going to deal with them now.  
17          They've made a laughing stock out of  
18          everybody with their false accusations  
19          yet they were nowhere to be seen when  
20          Mr. Hartman did an illegal building of  
21          his home on city owned property which  
22          I believe I submitted to council maps  
23          showing where the city owns the  
24          property that Mr. Weschler built on --  
25          or not Weschler but Hartman. It's

1           been ongoing, it's taken us in  
2           litigation. These people didn't come  
3           forward when Mr. Hartman violated the  
4           agreement. Yeah, I was held in  
5           contempt because we blocked it to stop  
6           the abuse that was going on and the  
7           issues that he was creating and the  
8           threats that people were coming on my  
9           property. Now we're going to continue  
10          with litigation and we'll suffice.  
11          But the compromise was when this  
12          subdivision was built you will see  
13          going from East Mountain Lake under  
14          his home and the other home next to  
15          him a 16 and a half foot deeded  
16          right-of-way owned by the City of  
17          Scranton. It's a waterway. It's  
18          meant to drain the lake in the event  
19          of a problem. Well, the dam now has  
20          been compromised by this subdivision.  
21          It was approved by Don King. We  
22          challenged it. Hartman was fully  
23          aware before he built his home, he was  
24          building on city owned property and he  
25          ignored it and went ahead and did it.



1 His actions, that and the actions of  
2 the City of Scranton by allowing this  
3 to happen have caused substantial  
4 damage to my home where a water line  
5 broke and created a problem which is  
6 now going to be a part of major  
7 litigation. It was well televised.  
8 It showed the cement mixer backing  
9 over the easement where it damaged our  
10 line. We have engineering reports on  
11 it we just got this week and now we're  
12 going to proceed, and the city is  
13 going to be involved in it.

14 We sent a letter to Mr. Kelly.  
15 Naturally he wants to be the next  
16 magistrate. Well, to be a magistrate  
17 you have to sit there in the wisdom of  
18 Solomon, not be a political crony. We  
19 sent him a letter, I hand delivered  
20 him the map showing him what was going  
21 on. After repeated attempts to meet  
22 him, we had this hearing, he showed up  
23 at the hearing. He requested now that  
24 I submit this information to him but  
25 he said you're represented by counsel.

1 Well, Attorney Grabowski told him flat  
2 out he did not represent us in the  
3 Salton matter which was the  
4 subdivision and he issued the 16 and a  
5 half foot. And Mr. Kelly tries to  
6 skirt the issue. Well, we sent a  
7 couple letters. He responded with a  
8 letter today and I've sent it back to  
9 him. And let me put it in plain words  
10 and I'll submit this to council. It's  
11 effective -- Paul Kelly, Esquire, City  
12 Council Solicitor. I put in here, "I  
13 received and reviewed your letter of  
14 March 22nd. Let me refresh your  
15 recollection on this matter. When you  
16 appeared at a hearing approximately  
17 one month ago before the Honorable  
18 Judge Thompson seeking to intervene in  
19 a case that you not that long ago  
20 sought to be released from, discussion  
21 was held regarding the map which was  
22 provided to you with the referenced  
23 letter. You requested that you be  
24 provided with the map on the record of  
25 that proceeding, and I agreed with

1           that request. The document you  
2           received is in response to your stated  
3           of request. You may return it if you  
4           know as with the intervention of prior  
5           release have a change of mind and do  
6           not want it any longer, feel free to  
7           give it back. As communicated with me  
8           as represented parties study the  
9           letter more carefully and you will  
10          realize that this is not the Hartman  
11          easement, rather it is a different  
12          matter wherein I am negotiating to  
13          purchase the city asset and formerly  
14          objecting to the elicited authorized  
15          building of homes by Hartman and his  
16          neighbors on city owned property.  
17          Naturally that's placing the city and  
18          abandoned waterway in jeopardy. Be  
19          advised that you are expected to  
20          respond to my offer on March 21st,  
21          2011, letter and demand action  
22          contained herein within the confines  
23          of your job description. This  
24          solicited and approved subdivision is  
25          in violation of the city charter

1 together with a multitude of laws and  
2 regulations. Your failure to do so  
3 will result in the institution of a  
4 mandamus action against you in which  
5 we will seek the Court issue an order  
6 requiring you to perform the job  
7 responsibilities of your position. As  
8 to your sarcasm regarding my  
9 entitlement to possess my conclusions,  
10 be advised that these conclusions will  
11 become legal conclusions of law in a  
12 court decision unless you fulfill your  
13 responsibilities and properly  
14 entertain the offer which was made to  
15 you to rectify this illegal and elicit  
16 subdivision and the flagrant abuse of  
17 authority by your predecessor. It can  
18 only be concluded that you wish to  
19 supercede that flagrance by inactively  
20 and nonfeasance. In conclusion, you  
21 may be assured that this letter and  
22 your action will be brought to the  
23 attention of city council this  
24 evening, for that matter of the voting  
25 public from whom you now seek the

1 endorsement for judicial office,  
2 Robert Bolus."

3 What this letter does, it sets  
4 apart that Mr. Kelly has ignored our  
5 repeated requests. We put an offer of  
6 \$50,000 which council has before them  
7 to buy the waterway. We don't intend  
8 to build on it. We intend to preserve  
9 it. Mr. Hartman has ignored that and  
10 city people here, we came to prior  
11 councils that Mr. McGoff was on also  
12 and it's been ignored and it's been a  
13 big joke. Well, I can assure you, Mr.  
14 McGoff, the joking is over and the  
15 matter is going to be taken very  
16 seriously. This is a city owned  
17 asset. You've squandered assets when  
18 you were in command in the past, and  
19 it's not going to happen this time.  
20 We are going to seek the judicial  
21 issue on this and resolve this matter.  
22 It's before council. I am making it  
23 available to the press tonight, and  
24 we're going to move forward, and we're  
25 going to get it resolved. But right

1           now the City of Scranton has a \$50,000  
2           cash bid or opening bid for that  
3           property right now. And if you think  
4           that's chicken feed, Mr. McGoff, think  
5           twice, because I really don't  
6           appreciate the smirk when I was  
7           talking.

8           MS. EVANS: Mr. Bolus.

9           MR. BOLUS: Yes, ma'am.

10          MS. EVANS: Just two points of  
11          clarification for the audience.  
12          Attorney Paul Kelly is not the council  
13          solicitor. He is the city solicitor  
14          and council can't sell land, city  
15          owned property.

16          MR. BOLUS: I'm aware of that.  
17          It's got to be brought before council,  
18          it's got to come by the Law Department  
19          from the city for council's approval.

20          MS. EVANS: Exactly.

21          MR. BOLUS: And the issues I've  
22          raised are very serious issues. Mr.  
23          Weschler who stuck his nose into this  
24          issue back in '07 hired a whole bunch  
25          of illegal immigrants when he was

1           there. He didn't hire any city  
2           employees. He hired illegal  
3           immigrants and now he wants to run --  
4           and run the City of Scranton and say,  
5           Geez, vote for me. I'm going to be  
6           your best councilman. He's just  
7           another political crony that this city  
8           doesn't need. I wish more people  
9           could face what this council has done  
10          than the cronyism we've had in the  
11          past and it won't be tolerated this  
12          time around. And I can assure I will  
13          publicly be challenging both of you  
14          people for your council seat. You've  
15          got my word on that. Thank you.

16                 MS. EVANS: Thank you, Mr. Bolus.  
17                 Lee Morgan.

18                 MR. HUGHES: Chairman, if I  
19                 could, or president, before city  
20                 property is sold it must be sent out  
21                 to bid so there has to be the public  
22                 advertisement. Of course, if Mr.  
23                 Bolus makes an offer for \$50,000 for  
24                 that property, that would be the upset  
25                 price. Anybody else would have to

1           come in with a higher bid. That would  
2           be the procedure. You just can't sell  
3           city property outright. It has to be  
4           sold to the highest bidder.

5           MS. EVANS: Thank you. I just  
6           wanted the public to understand --

7           MR. HUGHES: That's my opinion  
8           and council cannot -- Since I'm not  
9           the city solicitor.

10          MS. EVANS: Council does not have  
11          the power to sell city owned property.  
12          It must go through -- I'm sure the  
13          administration, Mayor's Office and  
14          most specifically the Law Department  
15          and legislation is then drafted and  
16          sent to city council for its approval  
17          or it's denial.

18          And next, once again, Lee Morgan.  
19          Doug Miller.

20          MR. MILLER: Good evening,  
21          council. Doug Miller, Scranton.

22          I would just like to begin this  
23          evening by addressing the rumored cuts  
24          that we're hearing the administration  
25          is supposedly looking into making in



1 the Fire Department. As I  
2 continuously stated in the past, I am  
3 strongly against any additional cuts  
4 to the department as well as any  
5 additional closures of engine  
6 companies. I think if we all  
7 remember, if the administration had  
8 gotten its way in this year's budget,  
9 we would have seen numerous police and  
10 firemen cut. But thanks to council,  
11 they were all reinstated and we could  
12 all sit back now as residents and be  
13 thankful for that action. As I've  
14 stated before, we can't continue to  
15 jeopardize the health and safety of  
16 the residents of our city. I'm proud  
17 to stand by our public safety members  
18 as I have always been and I won't back  
19 away from this issue as long as it  
20 keeps being addressed and to see how  
21 this is affecting the brave men and  
22 women who put their lives on the line  
23 for us each day. The residents in  
24 this city that pay their fair share,  
25 they deserve to have this protection

1 and they shouldn't have to live in  
2 fear should they face a tragic event  
3 that hopefully would never occur. But  
4 the engine company should remain open,  
5 the firemen should remain in their  
6 position and like I said, I will  
7 continue to express my support and  
8 praise for these brave individuals.

9 The next thing I have here is I  
10 just wanted to take this time to  
11 briefly recognize a Scranton Police  
12 officer. I don't know if anybody had  
13 a chance to see the clipping in the  
14 Sunday Times with Officer Nancy  
15 Baumann. She happens to be a close  
16 family friend for a long time and, you  
17 know, seeing that it was nice to see  
18 that so I just wanted to recognize her  
19 here this evening. There was an  
20 incident that occurred, I believe,  
21 last Sunday which involved a woman who  
22 was involved in an accident off the  
23 McDade Expressway due to a coffee cup  
24 rolling underneath the pedals. But a  
25 long story short, it goes on to

1 explain that the woman was allegedly  
2 wanted for a robbery at a nearby hotel  
3 in Dunmore and that a Dunmore officer  
4 that was on scene happened to here  
5 Officer Baumann's voice on the other  
6 end and asked that this woman be  
7 placed -- taken into custody and while  
8 searching this individual, numerous  
9 amounts of heroin and pills and other  
10 things were found. So I just want to  
11 commend Officer Baumann and Officer  
12 Cali from Dunmore for their teamwork  
13 and taking a drug dealer and certainly  
14 the harm off the street. So I just  
15 wanted to commend them on that.

16 I would like to ask council if we  
17 have received the response regarding  
18 the request I made that dealt with the  
19 list of the payments that were made to  
20 Attorney Greco, I believe. Mr. Joyce,  
21 you were going to try to look into  
22 that.

23 MR. JOYCE: Yes, I haven't  
24 received that yet.

25 MR. MILLER: Okay. Thank you.

1                   MR. JOYCE:  Actually we received  
2                   a notification from the Redevelopment  
3                   Authority that they weren't --  
4                   essentially they're not going to send  
5                   us over invoices and whatnot but we  
6                   could go down there and look at  
7                   everything that was submitted by  
8                   Attorney Greco.  So in the forthcoming  
9                   weeks one of us will be going down  
10                  there to review those.

11                  MR. MILLER:  You know, my opinion  
12                  on that is I believe that as council  
13                  people that information should be sent  
14                  right over to you.  I don't think you  
15                  should have to go down and get it.  
16                  That's my stance on that issue but I  
17                  think that you should be given any  
18                  information that you request.  You  
19                  were elected, you're council people,  
20                  you represent the citizens and you  
21                  shouldn't have to go through that  
22                  aggravation.  I apologize you have to  
23                  deal with that because it just goes  
24                  back to once again not being critical  
25                  but the lack of cooperation in getting

1 simple requests and you shouldn't have  
2 to go through that. But I do  
3 appreciate, you know, your efforts in  
4 trying to solve this matter.

5 And I guess lastly tonight while  
6 I'm on this, a request that I made  
7 four weeks ago. I'm still waiting for  
8 an answer dealing with DPW and I  
9 believe I put this in writing was we  
10 would like to find out who's  
11 responsible for clearing crosswalks  
12 over in front of Willard, and I  
13 thought it was fitting to ask this  
14 tonight due that we're expecting some  
15 snow tonight, it will obviously be an  
16 issue in the morning. And I believe I  
17 made that request to Mr. McGoff so I  
18 guess I'll refer to him. Did you hear  
19 anything?

20 MR. MCGOFF: All crosswalks are  
21 the responsible of DPW as long as it's  
22 in the street. Everything else would  
23 be the responsible of the school  
24 district.

25 MR. MILLER: Okay. Well, I

1 appreciate getting that answer  
2 finally. Now that that's cleared, I'm  
3 sure that will satisfy a lot of the  
4 parents in that area who obviously  
5 were frustrated that it took this long  
6 to get an answer but now it's clear,  
7 it's on the record and we know the  
8 situation.

9 And with that said, I believe  
10 that's all for this evening. Thank  
11 you.

12 MS. EVANS: Thank you. Ron  
13 Ellman.

14 MR. ELLMAN: I've got to tell you  
15 something real quick. I was eating at  
16 that buffet that used to be Charlie  
17 Browns on Commerce Boulevard last week  
18 and this lady came over and she's  
19 looking, I said, What the hell. She's  
20 just looking at me in front and then  
21 she looked at me and said, "Your shirt  
22 is clean." I guess my reputation is  
23 following me. Of course, I hadn't  
24 left there yet.

25 Well, I thought

1 I'd talk about this pathetic governor  
2 under the thumb of the oil people  
3 because when he finishes, I guess the  
4 school board is going have a heyday  
5 with us. I just can't understand --  
6 he just seems so adverse to the people  
7 in this state, you know. He's just  
8 out of tune with us or something.  
9 Like I said, this NEIU, they had  
10 salaries up to \$2,000 a week and  
11 \$4,000 a week benefits, and he's  
12 worried about 42,000 people taking  
13 away their benefits and all this big  
14 money, nothing is being done about it.  
15 It's such a sadness when people need  
16 their medical care so bad. I don't  
17 know. While I'm thinking of budget  
18 cuts. I think United Way is crying  
19 about budget cuts. If they quit  
20 giving our -- I like what they do, but  
21 if they quit giving our money to buy  
22 \$200,000 houses to take off the tax  
23 roll, they'll have more money. But  
24 while I'm thinking \$200,000 house, I  
25 have some people wondered about that

1 house at 1500 Court that was KOZ'd by  
2 Todd O'Malley and the mayor. They  
3 wanted -- that comes up frequently.  
4 You know, I have all these things I  
5 always forget to talk about in here.

6 Again, like I said last week,  
7 Wyoming County states that according  
8 to the state law of tax forgiveness is  
9 a courtesy, not a law. Now, Ronald  
10 McDonald house bought the property  
11 next door last week for \$105,000.  
12 They're going to tear it down and put  
13 a parking lot there. And I strongly  
14 support them. You know, I've sent  
15 them a little check now and then, but  
16 our priorities are for the people of  
17 this city that you put there, not  
18 Ronald McDonald House. There's no  
19 reason for a parking lot to be, you  
20 know, now tax exempt. You've got a  
21 tool to start using it. I don't want  
22 anybody to think I don't like Ronald  
23 McDonald House because I do. You  
24 know, I know they do a lot of good.  
25 And I've had some people ask me, talk



1 about Al Boscov, nobody ever mentions  
2 him, you know. When is he going to  
3 give us the money back or has he given  
4 us any money back? He makes Paul  
5 Savino look like a real piper. Then  
6 comes along, you know, the Goodwill,  
7 they make both these guys look like  
8 amateurs. There's two and a half  
9 million dollars missing which is the  
10 state's problem, I guess. But why  
11 can't we get that property back and  
12 sell it to some legitimate company.  
13 It's sitting there and nothing is  
14 being done. The money that was  
15 supposed to be used is gone. But, you  
16 know, like I said, that's state  
17 problems, I guess.

18 I had some guy tell me last week  
19 that I'm destroying the city talking  
20 against Jefferson. You know, he's not  
21 helping us. You know, my taxes  
22 haven't gone down. Your taxes, your  
23 taxes. What's he done for the city?  
24 He's done for himself. He's greedy.  
25 Charlie Jefferson is destroying the

1 city. Paul Mansour is destroying the  
2 city. You have to pay the taxes. I  
3 just, you know, I don't know why  
4 people -- I used to walk around,  
5 everybody used to like me when I went  
6 to the grocery store and the flea  
7 markets. Now, I've got all kinds of  
8 political enemies. If I say something  
9 this way, they're mad. If I say  
10 somebody the other way, they're mad.  
11 But these people aren't contributing  
12 to the welfare of this city. You  
13 know, every week we all got our cross  
14 to bear, I guess, but every week I  
15 hear such problems and like I've said  
16 before, I had a lady the other day  
17 tell me how her husband worked, you  
18 know, for years and years and they  
19 paid for the house and she couldn't  
20 afford the insurance and so on like  
21 I've heard, like we've all heard. But  
22 it's such a great sadness to hear  
23 somebody that owned a house and  
24 couldn't afford it anymore. You know,  
25 she's living in a high-rise, that one

1 on Washington. I don't know the name  
2 of it. But it's just heartbreaking  
3 that that happens to this country.  
4 Thank you.

5 MS. EVANS: Thank you very much.  
6 And the one -- just one clarification  
7 I wanted to make for everyone. I know  
8 that Mr. Ellman stated that his taxes  
9 haven't been decreased. Well,  
10 actually, yes. Real estate taxes in  
11 Scranton were decreased effective 2011  
12 as well as the business privilege and  
13 mercantile business taxes. That was  
14 as I said effective January, 2011, and  
15 instituted by this council. Is there  
16 anyone else who would like to address  
17 council? Good evening, Dave.

18 MR. DOBZYN: Good evening,  
19 council. Dave Dobzyn, resident of  
20 Scranton, member of the Taxpayer's.  
21 Express some concern on the Fire  
22 Department changes and cuts and  
23 rolling brownouts and whatever.  
24 Everybody out there in TV land make  
25 sure you have your new batteries in

1           your fire alarms, maybe you'll  
2           survive. Okay. I don't have a lot to  
3           complain about this week seeing as my  
4           property taxes were lowered. So we'll  
5           go with the golden parrot. Rick  
6           Synder -- I think it's Michigan or  
7           Ohio, I forgot my -- he wants to  
8           replace and fire all municipal  
9           officials who exceed five percent  
10          deficit and appoint a manager with the  
11          capability of nullifying local  
12          contracts and elections so bawk, bawk.

13                 And the State of Georgia wants to  
14                 eliminate the tax deduction for the  
15                 blind in the name of deficit  
16                 reduction, bawk, bawk, bawk.

17                 And than our own Governor Tom  
18                 Corbett, of course, he has no new  
19                 revenue and we are facing down a raise  
20                 in school taxes, and I noticed reading  
21                 the Sunday Times, the largest cuts are  
22                 up in the counties that vote for his  
23                 party. So he gets a triple bawk,  
24                 bawk, bawk.

25                         Whatever happened to Tax Bill 75



1           about the Street Smart Program and the  
2           Meter Program and some of the problems  
3           are having getting it initiated. I  
4           would like to maybe suggest that we  
5           perhaps stop arguing or trying to seek  
6           the soul source provider and put this  
7           out to bid and at least get into the  
8           process of implementing a program.  
9           If, in fact, Street Smart is the best  
10          program, then that would be -- that  
11          would, you know, play out in the  
12          bidding process and at least we could  
13          then get into increasing revenue from  
14          the parking meters and at least have  
15          part of --

16                 MS. EVANS: I agree with what  
17                 you're saying, Mr. McGoff, and frankly  
18                 I wish that that had occurred back in  
19                 January. I know that it's been the  
20                 administration who's been questioning  
21                 the sole source and postponing this  
22                 over that issue. Our solicitor has  
23                 had to respond a number of times. He  
24                 did not initiate the postponement for  
25                 the correspondences and I do fully

1           agree that this has languished for far  
2           too long and I would like to see it  
3           then put out for bid and as I said,  
4           oh, I wish that was done months ago  
5           because right now we would have  
6           someone in there who is bringing in  
7           new revenues to the city.

8           MR. MCGOFF: Well, then perhaps  
9           maybe as a council we can make a  
10          request at this time to send someone  
11          to the administration or legal office  
12          and ask for an RFP to be developed and  
13          to be bid as soon as possible.

14          MS. EVANS: Mrs. Krake, can we  
15          send that letter, please, on behalf  
16          of --

17          MR. MCGOFF: As long as we are  
18          all in agreement with it.

19          MR. LOSCOMBE: Would it be  
20          possible to have these other companies  
21          come in to a caucus like the previous  
22          provider and answer questions, too?

23          MS. EVANS: I would think as soon  
24          as the proposals are submitted,  
25          certainly we can have every company

1           come in. I think it's probably a good  
2           idea for the public to be advised of  
3           the advantages and disadvantages  
4           presented by each one of the proposals  
5           so as that process, if we can get the  
6           process kick started and as it's  
7           moving along, we can certainly bring  
8           in all of the companies who respond to  
9           the RFP.

10           MR. LOSCOMBE: I agree. Let's  
11           get it on.

12           MR. ROGAN: I agree as well.  
13           There's nothing to lose by putting it  
14           out for bid. We already lost like  
15           three months, four months now in  
16           revenue that we should have been  
17           bringing in. I'm confident that from  
18           the research I've done, the Street  
19           Smart will be the most reasonable  
20           bidder but at least if we can get the  
21           ball moving again.

22           MR. MCGOFF: Thank you. The  
23           second thing that I would like to ask  
24           is for I'd like to see a  
25           representative of Joyce Electric to



1 appear at caucus to perhaps address  
2 some of the concerns that may exist  
3 about the streetlight maintenance. I  
4 know in the past they said that I had  
5 heard from a number of people that  
6 there some concerns with the way the  
7 RFP was worded and the possibility  
8 that there were a large number of  
9 traffic lights -- streetlights  
10 throughout the city that Joyce  
11 Electric would not be able to maintain  
12 and that PP&L would need to do that  
13 which would be a very expensive  
14 situation.

15 MS. EVANS: We can certainly do  
16 that, and I think, in addition, we  
17 should probably request that Mr.  
18 Brazil attend the caucus as well  
19 because I would believe that he would  
20 have selected the bidder. I know when  
21 bids or proposals are submitted, they  
22 are then given to the appropriate  
23 department head for their review and  
24 then their recommendation as to the  
25 lowest responsible bidder. So I'm

1           sure Mr. Brazil can help shed some  
2           light on that. But in addition I  
3           think it's also advantageous to have  
4           Mr. Brazil present so that we can  
5           establish publicly the chain of  
6           command for the repair of the  
7           streetlights and get a timeline on  
8           them as well.

9           So, Mrs. Krake, maybe if we could  
10          schedule that for possibly the next  
11          Tuesday if both parties could be  
12          available. Would 6 o'clock be  
13          sufficient, Mr. McGoff?

14          MR. MCGOFF: I would believe so.

15          MS. EVANS: At 6 o'clock and that  
16          would be March 29th and if by any  
17          possibility it's a conflict, a  
18          scheduling conflict for either of the  
19          individuals, then request the  
20          following Tuesday, please.

21          MR. MCGOFF: We may still be  
22          getting snow next Tuesday.

23          And finally just one last thing,  
24          I'm not going to engage in a war of  
25          words with Mr. Bolus here. I believe

1                   that the issues that he brings to us  
2                   are issues that are being handled in  
3                   the courts and that that is the proper  
4                   venue for them. Thank you.

5                   MS. EVANS: And thank you,  
6                   Councilman McGoff.

7                   Councilman Rogan, do you have any  
8                   comments or motions?

9                   MR. ROGAN: Yes. Thank you.  
10                  First, I would just like to apologize  
11                  for missing last week's meeting. I  
12                  was very sick for the last week and a  
13                  half. Over the last couple weeks I  
14                  received many e-mails and phone calls  
15                  from people around the city talking  
16                  about possible cuts coming down in the  
17                  next few months. And one thing I want  
18                  to make clear is that council cannot  
19                  initiate those cuts in the middle of  
20                  the year. We attempted to make cuts  
21                  in the budget in the middle of the  
22                  year last year and we were sued by the  
23                  mayor and the courts ruled against us.  
24                  Any cuts that are made mid year are  
25                  not going to be done by council. They

1 will be done by the mayor. Council  
2 doesn't have the authority to cut  
3 police, fire, DPW in the middle of the  
4 year. We do our budget at the end of  
5 the year, and after the budget is  
6 passed, there's not much council could  
7 do as far as the cuts are concerned.  
8 So, you know, I've been hearing those  
9 cuts around about 30, 40 firemen being  
10 cut. Obviously I stand against that.  
11 What our budget did was we put those  
12 jobs back in. If it is done, it will  
13 not be done by council. I know the  
14 majority of us on here don't want to  
15 see that happen, and we hope that  
16 Mayor Doherty would listen to the  
17 people and do what's right. Keep our  
18 many firehouses open as we can and  
19 keep our cops on the streets.

20 Next I have a couple comments.  
21 Mrs. Krake, I know there's an  
22 ordinance in the city banning shops  
23 from selling BB guns and things like  
24 that. I talked to a couple residents  
25 who actually own sports stores, owners

1 of sporting stores in the last week,  
2 and they were saying that with the new  
3 Walmart right over the border in  
4 Taylor, they're selling BB guns and  
5 things like that there and he was  
6 saying there are a lot of people they  
7 bring in, they want to introduce their  
8 kids, getting them into hunting and  
9 things like that, the smallest -- the  
10 only thing they can sell them is a  
11 shotgun. They can legally sell that  
12 but not the BB gun. Although I think  
13 we should be selling guns in the city,  
14 people have a right to carry them for  
15 their protection. But if you can just  
16 pull out the ordinance. I don't know  
17 when it was passed. I know it was  
18 probably 10, 20 years ago.

19 Next, I see we received a  
20 response from OECD regarding the  
21 \$250,000 for the sidewalks. Will that  
22 be the put on the agenda for a vote  
23 for next week?

24 MS. EVANS: That is a matter that  
25 I haven't actually read through Miss

1           Aebli's response. I just got the mail  
2           that came in yesterday and today prior  
3           to council meeting. And it is a  
4           matter that I want Solicitor Hughes to  
5           look into carefully. Last week during  
6           your absence Attorney Hughes announced  
7           that the sidewalks are not completely  
8           a public right-of-way.

9           MR. ROGAN: I saw the meeting on  
10          TV. And as I stated, the first three  
11          votes I'm completely against. I don't  
12          want it to be voted forward but I want  
13          it to be voted down.

14          MS. EVANS: So what we're looking  
15          for, I believe, is our attorney's  
16          review of Miss Aebli's response and  
17          his direction on how we proceed and as  
18          soon as we have that, we'll get that  
19          on the agenda.

20          MR. ROGAN: Okay. So looking  
21          forward to a final vote and hopefully  
22          it will be shot down.

23          And finally I just have a couple  
24          citizen's requests. A resident called  
25          today saying the asphalt washed away

1 after the first rainfall in the 1400  
2 of South Webster Avenue near Cherry  
3 Street. The roadway has just been  
4 resurface. And second, I know this is  
5 one that's been laboring, is the  
6 potholes on Kane Street continuing to  
7 be a problem and they're so bad the  
8 vehicles are being damaged. So that  
9 needs to be paved.

10 MR. JOYCE: Actually I mentioned  
11 that last week in your absence.

12 MR. ROGAN: I saw that. And I  
13 know it's been one since we've been  
14 campaigning, it's been a mess. So  
15 it's almost two years now.

16 MS. EVANS: And years before.

17 MR. ROGAN: No. I know it's been  
18 sent to DPW multiple times but I'm not  
19 going to let it die.

20 Mrs. Krake, would you please send  
21 those to DPW.

22 And that's all I have for today.  
23 Thank you.

24 MS. EVANS: Thank you. And  
25 Councilman Loscombe, any comments or

1 motions?

2 MR. LOSCOMBE: Yes. Thank you.  
3 Pardon my voice. I'm just getting  
4 over a cold. But I just want to touch  
5 base on two things and I'm glad Mr.  
6 McGoff brought it up regarding the  
7 street meter program and that.

8 I had the opportunity prior to  
9 this meeting to speak to one of the  
10 gentlemen in the gallery here who is a  
11 regular speaker, and he made me aware  
12 of something that I should have  
13 thought about but, you know, he speaks  
14 to the people on the street just like  
15 I do and I'm glad he brought this  
16 subject up to me. But a few people  
17 had approached him regarding the fact  
18 that I had known the gentleman from  
19 Street Smart previously, and I just  
20 wanted to give a little bit of a  
21 history of how this came about. I was  
22 contacted by Mr. Mansour -- actually I  
23 haven't seen him in about 30 years. I  
24 don't want to say how old -- how many  
25 years I graduated but it's been over



1                   30 years, and my mother had contacted  
2                   me and said she received a voicemail,  
3                   and she didn't know who it was from.  
4                   She didn't know if it was for me or  
5                   whatever. So the next day when I  
6                   stopped down, I listened to the  
7                   message. I said, "Well, here's a  
8                   blast from the past. Yeah, I do know  
9                   this guy." And I happened to give Mr.  
10                  Mansour a call who is living in  
11                  Reading and he said, "You remember  
12                  me?" I said, "Of course, I remember  
13                  you." You know, how could I forget a  
14                  guy that big, you know, especially  
15                  when I was a shrimp. But, you know,  
16                  as old times, we started discussing on  
17                  the phone but gave me a little bit of  
18                  a history of what he was doing and how  
19                  this came about, that he had  
20                  approached the city a year prior to  
21                  his contacting me, several meetings, I  
22                  think we discussed that here and  
23                  explained had several meetings with  
24                  the mayor, Mr. Scopelliti, Mr. Renda  
25                  at that time explaining the program,

1           they were all in favor of it but, you  
2           know, all of a sudden they just drop  
3           the ball. Him being a native  
4           Scrantonian thought it would be a  
5           great idea to help the city out. And  
6           he happened to come across my name  
7           on-line reading the newspaper,  
8           whatever, and saw that I was on city  
9           council. So that's basically how he  
10          contacted me. After he had contacted  
11          me, I said, "Yeah. If you're up this  
12          way, stop by. I'll be happy to sit  
13          down with you and talk over old times  
14          and see what you have to offer us  
15          here." And trust me when he laid out  
16          the program, you know, I said, "This  
17          is exactly something that we need in  
18          the city." It's exactly something  
19          that, you know, I've been touting  
20          since I got on council looking for  
21          innovative ways to generate revenue in  
22          this city without coming out of the  
23          taxpayers' pockets and, you know,  
24          that's as innocent as it was. Other  
25          than that, I have no connection with

1 Mr. Mansour. But after that, I did my  
2 homework, I went on-line, I made  
3 calls, I researched, I contacted these  
4 other cities and trust me and, again,  
5 I don't care if it's streetlight,  
6 Street Smart, Street Top, whatever it  
7 is, whoever gives us the best deal and  
8 it benefits the city, that's what I'm  
9 all about. The problem is we've been  
10 dragging our feet, you know. I mean,  
11 the other cities have used the sole  
12 source designation. I don't know why  
13 the city administration has been  
14 dragging on this other than to  
15 embarrass us in trying to reduce our  
16 income at a time when this income is  
17 so sorely needed. But I appreciate,  
18 you know, the opportunity to explain  
19 that and that's exactly how it came  
20 about. I don't see him, I don't speak  
21 to him on a regular basis. It was  
22 that couple times and he being a  
23 native Scrantonian thought it would be  
24 a benefit to the city also. But  
25 personally after looking at all the

1 programs out there, these other  
2 companies are trying to play catch up  
3 with Street Smart. So I would just  
4 hope when these RFPs are put out and  
5 whoever makes the selection looks at  
6 the whole picture. The only benefit  
7 I'm going to get out of it is the  
8 benefit to help the taxpayers and  
9 that's the truth, and I appreciate the  
10 gentleman for bringing that up to me  
11 so I could clarify that.

12 And just lastly, Mr. Rogan had  
13 touched on it as far as threats of  
14 massive layoffs this summer and all  
15 the city departments and stuff like  
16 that. I mean, look at it, our endless  
17 appeals, the lawyers are getting rich.  
18 The interest is compounding on a  
19 regular basis. These arbitrations,  
20 the language in these arbitrations are  
21 so strong, I don't know where they  
22 think they can appeal it. It's just  
23 as the paper stated today a way to get  
24 out of paying it right now but  
25 eventually we're going to have to pay

1 the piper. It would have been a lot  
2 easier to sit down and pay the piper  
3 years ago, we would only owed half of  
4 what we owe now. It's unfortunate  
5 that the purse strings weren't taken  
6 over ten years ago. That finally  
7 we're starting to tighten it up a  
8 little bit and it may be too little  
9 too late. Trust me, we're all working  
10 here hard to keep this city afloat and  
11 we just wish the administration would  
12 work with us and keep in contact with  
13 us. It's about you. Apparently they  
14 forget about you out there. We don't.  
15 And that's what we're here for. And I  
16 can assure you on my end and I know I  
17 speak for the rest of my colleagues  
18 here that we're going to do everything  
19 we can to keep this city going, keep  
20 all your services that your tax  
21 dollars are paying for intact and, you  
22 know, we'll have to cross that bridge  
23 when we get to it. But I cannot  
24 understand how they can continually  
25 spend, spend, spend as we showed the

1 RE-RE accounts and stuff like that,  
2 yet they're going to cut all your  
3 services, their threats of massive  
4 layoffs. It's time to cut their purse  
5 strings which we have pretty much, and  
6 it should have been done ten years  
7 ago, we never would have been in this  
8 condition. And that's all I have to  
9 say. Thank you.

10 MS. EVANS: Thank you, Mr.  
11 Loscombe. I just wanted to add,  
12 though, these postponements that are  
13 known as the appeals will cost the  
14 city additional money. The interest  
15 due on these decisions is only growing  
16 in the meantime. Now, I tried to  
17 understand the prospective of the  
18 administration in this situation. It  
19 does buy them some time. It very  
20 likely postpones payment of these  
21 decisions from 2011 into 2012, and I  
22 know that that consideration has to  
23 weigh heavily on them since they have  
24 created a five million dollar deficit  
25 currently in the 2011 budget by

1           raiding the Workers' Comp fund in  
2           2010. So they have that situation to  
3           address and very likely they're  
4           looking at what else has occurred  
5           since then and they're scrambling to  
6           find the solutions to these situations  
7           and in so doing they've decided once  
8           again and I couldn't tell you how many  
9           times -- I frankly have no idea how  
10          many times every decision has been  
11          appealed since 2003. But what we do  
12          have to understand is the bottom line,  
13          it's not beneficial to continue to  
14          postpone because you're driving up the  
15          bill. And the only person that's  
16          benefitting or the only persons who  
17          are benefitting are the attorneys for  
18          both sides. But the taxpayers are the  
19          losers in this situation. As bad as  
20          that amount is today, Mr. Loscombe was  
21          correct, had this been settled long  
22          ago as it should have been in good  
23          faith negotiations, it would have cost  
24          this city, I'm sure, half, maybe less  
25          than half of what it's costing today.

1           And, again, by postponing it, you're  
2           driving those costs upward. So it  
3           really isn't the prudent answer to  
4           look at this situation and say, well,  
5           we're safe for this year, I'll deal  
6           with it next year when it comes along.

7           Anyway, I apologize for taking  
8           your time, Councilman Joyce. Do you  
9           have comments or motions?

10           MR. JOYCE: Yes, I do. During  
11           Fifth Order on our March 8th meeting I  
12           placed a request to City Controller  
13           Roseanne Novembrino regarding the  
14           money that was borrowed from the  
15           Workers' Compensation Trust Fund to  
16           pay salaries amongst other bills in  
17           2009 and 2010. Gratefully and I  
18           appreciate this, Mrs. Roseanne  
19           Novembrino responded to the questions  
20           that were posed to her in a timely  
21           fashion, and I would like to thank her  
22           for that.

23           Regarding the questions that were  
24           posed to her, the first question  
25           pertained to whether or not she knew



1           that 2.9 million dollars was borrowed  
2           from the Workers' Compensation Trust  
3           Fund in 2009 and subsequently five  
4           million dollars in 2010. In response  
5           to this question, Mrs. Novembrino  
6           explained that any transfers from the  
7           trust fund to a cash fund were  
8           inter-funds transfers and that these  
9           transfers did not affect the revenue  
10          account and that, furthermore, no  
11          paperwork for such transfers are  
12          processed through her office. Well,  
13          when researching through all of the  
14          controller's reports that I have  
15          received since being a member of  
16          council as well as previous budgets,  
17          I'd just like to state that inter-fund  
18          transfers are accounted for in both  
19          operating budgets and controller's  
20          reports. The majority of funding in  
21          the inter-fund transfers category in  
22          the 2011 operating budget deals with  
23          proceeds or contributions from liquid  
24          fuels as well as a \$300,000 revenue  
25          item from the special city account

1           which originated from the Weinberg  
2           Foundation that will be used to pay  
3           debt due to a capital project at  
4           Weston Field. Therefore, it appears  
5           that some inter-fund transfers are  
6           indicated in the controller's reports  
7           while others are not. In addition to  
8           the first two questions, city council  
9           also asked Mrs. Novembrino if she was  
10          aware of the balance and transactions  
11          in the fund throughout 2009, '10 and  
12          '11 as well as the transfer of funds  
13          from revenue accounts in the 2009, '10  
14          and '11 operating budget. To these  
15          questions Mrs. Novembrino explained  
16          that the only involvement of her  
17          office for the Workers' Compensation  
18          Trust Fund is to review vouchers,  
19          reflecting payments to the Workers'  
20          Compensation administrator and that  
21          she is also not aware of any transfers  
22          from revenue coming into the city from  
23          any accounts in general in the general  
24          operating budget being transferred  
25          back into this fund. With this being

1           said, I would just to like to say I'm  
2           curious that this money was even paid  
3           back to the Workers' Compensation  
4           Trust Fund since Mrs. Novembrino  
5           indicates that she's not aware of any  
6           transfers from the revenue accounts in  
7           the general operating budget to this  
8           fund. Now, I will state that in the  
9           2009 audit it did state clearly that  
10          2.9 million dollars was owed from the  
11          general fund to other funds. So while  
12          the administration is saying that this  
13          money is paid back, Mrs. Novembrino is  
14          indicating that she's unaware of this  
15          money being paid back. So now I  
16          question was the money even paid back  
17          at all. Well, finally city council  
18          asked whether or not Mrs. Novembrino  
19          was aware in the final quarters of  
20          2009 and 2010 the lack of necessary  
21          funds to pay payroll and if she  
22          noticed an influx of funds to pay for  
23          salaries in final quarters of 2009 and  
24          2010. To this question Mrs.  
25          Novembrino directly responded in

1 quotes, "Yes, I am aware of the lack  
2 of necessary funds for payroll and the  
3 need and requirements of the city to  
4 pay its payroll. There was not an  
5 influx of fund, rather the excess  
6 funding above the 75 percent reserve  
7 level that is required to be in the  
8 Workers' Compensation funds that was  
9 used. As you know without using these  
10 excess funds which are the city's  
11 monies, it would have affected the  
12 city's public health and safety which  
13 I truly care about." And I appreciate  
14 that Mrs. Novembrino cares about the  
15 public health, welfare and safety of  
16 our residents. And I'd like to thank  
17 her for responding to these questions  
18 in a timely manner, however, the  
19 responses to her questions leave me a  
20 little bit questioned.

21 And with that in mind, Mrs.  
22 Krake, I would like to send a Right to  
23 Know Request to Mr. McGowan and ask  
24 was the 2.9 million borrowed in 2009  
25 and the five million dollars borrowed

1           in 2010 from the Workers' Compensation  
2           Trust Fund ever paid back and from  
3           what fund was it paid back including  
4           the account numbers and the dates of  
5           the transfer. Mrs. Novembrino as I  
6           stated before indicated that she's not  
7           aware of any money in the general fund  
8           revenue accounts being transferred  
9           back to the Workers' Compensation  
10          Trust Fund, therefore, what's one to  
11          do. You have to question was the  
12          money even paid back. I know that the  
13          administration has stated in the past  
14          that it has been paid back and if it  
15          hasn't been paid out of revenue coming  
16          into the city, especially 2011,  
17          revenue from TANS, TAN Series A, TAN  
18          Series B, any licenses and permits  
19          that are -- any money we received from  
20          that as well as taxes, where is the  
21          money coming from? It has to come  
22          from somewhere if you say it's being  
23          paid back. So with that in mind, I  
24          would also like you to add to that  
25          request to specify the amount of money

1                   that is currently in the Workers'  
2                   Compensation Trust Fund as well as  
3                   what the 75 percent reserve level is  
4                   required by the city to maintain. So,  
5                   therefore, in the event that the  
6                   administration tries to pull off  
7                   massive layoffs of firefighters,  
8                   police officers, DPW workers and say  
9                   that it's council's budget that's  
10                  causing them to do this, I'd like to  
11                  know, are we constantly taking from  
12                  Peter to pay Paul year after year  
13                  after year and if this money was paid  
14                  back in 2011 creating a five million  
15                  dollar hole as Mrs. Evans said, are we  
16                  starting out with this five million  
17                  hole and is the administration going  
18                  to blame council come June or July  
19                  when they try to layoff the public  
20                  safety manpower and say, well, there's  
21                  a five million hole. Well, guess  
22                  what, I wonder if that five million  
23                  dollar hole is because you're paying  
24                  back a debt from last year with money  
25                  being brought in from this year, not

1           because of the projections that  
2           council made when they amended the  
3           budget.

4           In conclusion, I'd just like to  
5           say this five million dollars, it's  
6           being paid by the general fund in  
7           2011, this is the real back breaker,  
8           this is what will cause the massive  
9           layoff, not council's revenue  
10          projections, not the extra \$517,000  
11          that we projected would be received  
12          from wage tax collections or not the  
13          extra \$100,000 that we believed we  
14          would receive in delinquent real  
15          estate tax collections. This is  
16          five million dollars. The amounts  
17          that we increased revenue by were  
18          miniscule compared to this. Well,  
19          enough about that.

20          Let's get onto some citizens'  
21          requests. A Green Ridge resident has  
22          informed me that on the corner of  
23          Poplar Street and Wyoming Avenue there  
24          are various potholes and cracks in the  
25          road making travel conditions very

1                   difficult.

2                   Mrs. Krake, would you please send  
3                   a letter to Mr. Brazil, inform him of  
4                   the situation and ask him to repair  
5                   once weather permits. I have spoke to  
6                   some folks that work for the DPW and  
7                   they have explained to me that in the  
8                   colder weather the coal patch is very  
9                   tough to apply and it breaks apart  
10                  very easily so for those sending in  
11                  requests, I would ask that you are  
12                  patient with some of the DPW workers  
13                  as I know a laundry list of requests  
14                  are starting to pile up.

15                  Secondly, several residents living in  
16                  the Keyser Valley section have  
17                  informed me that the traffic light  
18                  sign on Jackson Street near Keyser  
19                  Avenue has been defaced with profane  
20                  language. Obviously this is very  
21                  unfortunate and neighbors are very  
22                  upset as they feel this is degrading  
23                  their neighborhood and this has been  
24                  there for sometime. If you can also  
25                  add this to the letter to Mr. Brazil



1 and ask if he could have the profane  
2 language removed from the sign as  
3 residents feel that it's very  
4 degrading to the neighborhood.

5 Various residents in the Bulls  
6 Head region of North Scranton have  
7 requested that a left turn arrow be  
8 placed on the northbound lane of  
9 Providence Road where Providence Road  
10 and Main Avenue intersect which would  
11 allow residents to make a left-hand  
12 turn onto Wood Street. I know that a  
13 traffic study may have to be done in  
14 order to do this. However, if you  
15 could please add this to the notes to  
16 Mr. Brazil and ask him if this can be  
17 done and if it's feasible and if one  
18 of these signals could be placed there  
19 for those residents.

20 Another North Scranton resident  
21 has informed me that the end of the  
22 300 block of Cayuga Court is in  
23 extremely poor condition. In fact,  
24 this resident has informed me that she  
25 brings her trash and recyclables up to

1 the main road every week due to the  
2 struggles that they have in this court  
3 getting the refuse trucks down and  
4 back because the road is so torn up.

5 Mrs. Krake, if you could please  
6 add this to the letter to Mr. Brazil  
7 and ask him if this block can be paved  
8 and possibly if they can put this on  
9 the paving list for this year.

10 Resident on the 300 block of  
11 North Bromley Avenue in West Scranton  
12 has informed me that there is a  
13 blighted property which has been  
14 vacated for sometime. The address is  
15 360 North Bromley Avenue. The  
16 resident has also informed that this  
17 property is attracting rodents as well  
18 as possums and other creatures into  
19 the neighborhood. So they would like  
20 to see some action taken. If you  
21 could send a request over to Mr.  
22 Seitzinger regarding this property  
23 informing him of this situation and  
24 asking if there's anything that can be  
25 done to rectify this.

1 MR. ROGAN: Mr. Joyce, sorry to  
2 interrupt. That's my block actually.  
3 That one was actually sent in probably  
4 the first week I was sworn in to  
5 council. We had -- I know animal  
6 control was up there because there's  
7 another problem also on the same block  
8 with a person feeding stray animals.  
9 So hopefully they will be willing to  
10 come up again because they did do a  
11 pretty good job when they came up.

12 MR. JOYCE: Yeah. And I know the  
13 workers in the city, throughout the  
14 city many of them do a very good job  
15 but unfortunately I did receive this  
16 call from a resident this past week  
17 and I guess the animals are out of  
18 control again. So hopefully they  
19 could be put back into control.

20 And last but not least a resident  
21 living on the 500 block of Alder  
22 Street has informed that the  
23 streetlight on this block has been out  
24 for six months now and despite  
25 attempts to contact other offices,

1                   they've seen little to no help.

2                   Mrs. Krake, if we could contact  
3                   Joyce Electrical or if we can get in  
4                   touch with them by next week perhaps  
5                   they'll be in the caucus and I can  
6                   just do it myself and notify them of  
7                   this situation. I'm not sure if  
8                   there's a web site like Municipal  
9                   Energy Managers used to have where  
10                  pole numbers could be typed in and its  
11                  request to be submitted. However, if  
12                  you could also add to instruct Joyce  
13                  Electrical to put this on the high  
14                  priority list. I understand that  
15                  we've heard many residents complaining  
16                  that streetlights have been out for a  
17                  month or two but this has been out for  
18                  half a year so I think that the people  
19                  living on the street are entitled to  
20                  have their streetlight back so they  
21                  could feel safe at night.

22                  And a few pieces of mail that we  
23                  received in today, a note from Rossi  
24                  and Rossi notifying us that there are  
25                  15 open items in which the

1 administration has failed to make good  
2 with on time. I guess they're stating  
3 that a number of items and I'm not  
4 going to go through them and read them  
5 all were to be submitted by March 15th  
6 in order to complete the 2010 audit to  
7 be in a timely manner as directed by  
8 the Home Rule Charter, however, were  
9 late on it.

10 So, Mrs. Krake, if you could  
11 please send a request over to Mr.  
12 McGowan and notify -- or ask him when  
13 these items will be submitted to Rossi  
14 and Rossi.

15 And last but not least I will say  
16 there was a man who I remember was  
17 recently appointed by council to the  
18 city planning commission. His name is  
19 Thomas Preambo and he is resigning  
20 from that commission and we received a  
21 letter from him, and I know with  
22 boards and commissions, many times in  
23 the past people that have been  
24 selected by the mayor to be placed on  
25 these boards have failed to submit

1 resumes, cover letters or even letters  
2 of interest to council regarding their  
3 desire to be on these boards. I will  
4 say that Mr. Preambo did submit a  
5 resume and I am very glad that he did.  
6 As a newer council member, I think it  
7 was simply an opportunity to get to  
8 know more about the people that are  
9 going to be on some of these boards,  
10 and I would just like to wish him well  
11 in his next venture which does not  
12 allow him to be on this board. And  
13 that's all.

14 MS. EVANS: Thank you, Mr. Joyce.  
15 Good evening.

16 On Friday, March 18th, the city  
17 clerk attended the opening of request  
18 for proposals for the collection of  
19 delinquent real estate taxes issued by  
20 the Scranton Redevelopment Authority  
21 at its office located at 538 Spruce  
22 Street, Scranton, Suite 812, which  
23 also serves as the Scranton Office of  
24 Economic and Community Development.  
25 The legal advertisement of this RFP

1 stated that separate sealed  
2 submissions would be received at this  
3 office until Friday, March 18th,  
4 12 o'clock p.m. at which time they  
5 will be read out loud at the SRA  
6 Office for collection of delinquent  
7 real estate taxes. After waiting in  
8 the board room where she had been  
9 directed to be seated, Mrs. Krake  
10 reported that no persons were in  
11 attendance. She then asked the  
12 receptionist if any proposals had been  
13 submitted and was directed to Miss  
14 Venia Blackwell, Secretary for the  
15 Scranton Redevelopment Authority who  
16 stated that she had received two  
17 proposals but was waiting the arrival  
18 of Ryan McGowan, City Business  
19 Administrator. Thereafter,  
20 Ms. Blackwell showed the two sealed  
21 proposals to Mrs. Krake which were  
22 submitted by Northeast Revenue  
23 Services of Wilkes-Barre and received  
24 on March 17th, 2011, and Portonov Law  
25 Association of Norristown and received

1 on March 18th. Ms. Blackwell then  
2 verified Mrs. Krake's notes and made  
3 copy. The RFPs for the collection of  
4 delinquent taxes were never publicly  
5 opened and read out loud as  
6 advertised.

7 Mrs. Krake, please send a letter  
8 on behalf of Scranton City Council to  
9 the Scranton Redevelopment Authority  
10 requesting complete copies of both  
11 proposals.

12 Next, city council received a  
13 copy of OECD's correspondence to the  
14 U.S. Department of Housing and Urban  
15 Development or HUD regarding the  
16 office of the inspector general's  
17 audit report findings. After reading  
18 Miss Aebli's responds to HUD, I noted  
19 that several items were missing.

20 Mrs. Krake, please send a Right  
21 to Know letter to Miss Aebli, OECD  
22 Director requesting the following  
23 information: A copy of the letter or  
24 e-mail sent to OECD by HUD on  
25 January 26th, 2011, requesting that



1 Scranton OECD to provide HUD with  
2 additional information by  
3 February 25th, 2011, concerning the  
4 audit findings, a copy of Exhibit A,  
5 Exhibit B, Exhibit C, Exhibit D1 and  
6 D2, Exhibit E, Exhibit F, Exhibit G,  
7 Exhibit H; Exhibit I, Exhibit J,  
8 Exhibit K, Exhibit L, Exhibit M,  
9 Exhibit N, Exhibit O, Exhibit P and  
10 Exhibit Q. And I specify those in  
11 that manner because oftentimes when  
12 requesting information if it is not  
13 very clearly and very concisely  
14 specifically stated, council does not  
15 receive the response it's been looking  
16 for. Also the chart of accounts  
17 transaction detailed by account for  
18 the income expenditures for each year  
19 audited by the OIG, copies of nine  
20 policies and procedures that have been  
21 updated with the assistance of  
22 Dennisen and Associates and that will  
23 be provided to the HUD. It was also  
24 interesting to note while reading Miss  
25 Aebli's responses that the over

1 eleven million dollars in findings  
2 discovered by the Office of the  
3 Investigator General occurred under  
4 Attorney Carl Greco's watch. While  
5 receiving annual payments from 2002  
6 through 2010 that well exceeded  
7 one million dollars, Attorney Greco  
8 appeared to allow policies, practices  
9 and procedures to continue which the  
10 OIG found objectionable. Ms. Aebli  
11 states as part of her response to HUD  
12 that effective February 28th, 2011,  
13 the Scranton Office of Economic and  
14 Community Development will be hiring a  
15 new solicitor and has forwarded the  
16 new solicitor the guidebook for CDBG,  
17 grantees on sub recipient oversight  
18 which include sub recipient  
19 agreements. Since one audit finding  
20 states that the city couldn't  
21 demonstrate the exact amount of CDBG  
22 funds dispersed to its sub recipients  
23 among other findings. Further  
24 noteworthy is the fact that 11.7  
25 million dollar audit monies also

1           occurred during the years in which Mr.  
2           Ryan McGowan served as OECD Director  
3           of Finance and Compliance. Ms. Aebli  
4           also states in her responses that Mr.  
5           McGowan was replaced by a former  
6           employee of the Business  
7           Administrator's Office who is a CPA.  
8           At the same time, however, Ryan  
9           McGowan was rewarded and promoted to  
10          city business administrator.

11                 Next, I'd like to discuss briefly  
12          the legality of the removal of monies  
13          from the Workers' Comp Trust Fund. I  
14          know that Mr. Joyce talked about the  
15          issue at length during his motions  
16          tonight but I do have something that I  
17          wish to add. The former Business  
18          Administrator Stu Renda in 2010 stated  
19          that the city borrowed -- borrowed  
20          2.9 million in 2009 from the Workers'  
21          Comp Trust Fund and paid it back in  
22          2010. According to the Home Rule  
23          Charter, Article 5, Section 502,  
24          actions requiring an ordinance and I  
25          quote, "Those acts of the city council

1 shall -- shall be by ordinance which  
2 No. 7 authorized the borrowing of  
3 money." Now, the controller states  
4 that the five million dollars taken  
5 from the Workers' Comp Trust Fund in  
6 2010 is a transfer so the language is  
7 now changing from borrowing to  
8 transfer, and I think we've already  
9 established that you cannot borrow  
10 without the consent, without an  
11 ordinance that is approved by city  
12 council. Well, back to the transfer,  
13 the administrative code states the  
14 following in Article 6, Section 6-13,  
15 Appropriation, letter A, and I quote,  
16 "Council may make supplemental  
17 appropriations for any lawful purpose  
18 from funds on hand or estimated to be  
19 received within a fiscal year and not  
20 prorated to any other purpose." You  
21 will notice that the administration  
22 states council may make, not a  
23 business administrator, not a mayor.  
24 Whether these financial transactions  
25 of 2009 and 2010 are termed borrowing

1 or transfers, the Home Rule Charter  
2 and the administrative code state that  
3 city council's knowledge and approval  
4 are required by ordinance. City  
5 council fully expects the Doherty  
6 administration to abide by the Home  
7 Rule Charter and the Administrative  
8 Code. It's called checks and  
9 balances. And the Doherty  
10 administration has circumvented these  
11 checks and balances in 2009, 2010 and  
12 2011 and in the 2010 and 2011 budgets.  
13 Common sense dictates that if the  
14 administration raids the Workers' Comp  
15 Fund and injects that money into a  
16 2010 budget to balance it and meet  
17 payroll, the Doherty administration  
18 must then take 2011 revenue  
19 appropriations to pay off that  
20 five million dollars thereby creating  
21 a five million dollar deficit in the  
22 2011 budget.

23 And finally I have just one  
24 citizen's request, I believe, for the  
25 week because Mr. Joyce you have my

1 other one covered on Alder Street.

2 MR. JOYCE: Well, he must have  
3 sent it me and mailed to both of us  
4 then.

5 MS. EVANS: Yes, I think he's  
6 trying to cover all his basis which is  
7 very wise with regard to streetlights  
8 and the history that we've seen  
9 developed throughout the years and  
10 repair of streetlights. Provide and  
11 update to city council on the  
12 condemned property at 837-839 Prescott  
13 Avenue, residents of the block are  
14 very concerned by Mr. Orleski and Mr.  
15 Seitzinger's broken promise to raise  
16 the structure. They state that they  
17 have lived with continuous  
18 deterioration of the property for  
19 years. And while the issue languishes  
20 at the same time under legal maneuvers  
21 and the owner fails to comply with  
22 city ordinances and magisterial  
23 orders. And that's it.

24 MS. KRAKE: 5B. AUTHORIZING THE  
25 MAYOR AND OTHER APPROPRIATE CITY

1 OFFICIALS TO GRANT A SPECIAL  
2 ENCROACHMENT PERMIT TO CARL  
3 VON LUGER, LLC, TO OPERATE AN OUTDOOR  
4 RESTAURANT AT THE CORNER OF NORTH  
5 WASHINGTON AVENUE AND LINDEN STREET  
6 (301 NORTH WASHINGTON AVENUE)  
7 SCRANTON, PENNSYLVANIA.

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

11 MR. ROGAN: So moved.

12 MR. JOYCE: Second.

13 MS. EVANS: On the question?

14 MR. LOSCOMBE: I was just  
15 curious. Is the indoor restaurant  
16 open yet?

17 MS. EVANS: I don't believe it  
18 has but I have heard that a soft  
19 opening is going to occur very soon  
20 which I think will precede a grand  
21 opening of that.

22 MR. LOSCOMBE: Thank you.

23 MS. EVANS: Anyone else on the  
24 question?

25 (No response.)

1 MS. EVANS: All those in favor of  
2 introduction signify by saying aye?

3 MS. EVANS: Aye.

4 MR. ROGAN: Aye.

5 MR. McGOFF: Aye.

6 MR. JOYCE: Aye.

7 MR. LOSCOMBE: Aye.

8 MS. EVANS: Opposed?

9 (No response.)

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

12 MS. KRAKE: SIXTH ORDER. NO  
13 BUSINESS AT THIS TIME.

14 SEVENTH ORDER. 7A. FOR  
15 CONSIDERATION BY THE COMMITTEE ON  
16 COMMUNITY DEVELOPMENT FOR  
17 ADOPTION-FILE OF COUNCIL NO. 21, 2011  
18 - AMENDING FILE OF COUNCIL NO. 243,  
19 2003 ENTITLED "ADOPTING A  
20 COMPREHENSIVE HUMAN RELATIONS  
21 COMMISSION ORDINANCE FOR  
22 THE CITY OF SCRANTON REGARDING  
23 EMPLOYMENT, HOUSING, REAL  
24 ESTATE AND PUBLIC ACCOMMODATIONS  
25 INCLUDING PROCEDURES FOR



1 REDRESS OF VIOLATIONS" IN ORDER TO BE  
2 CERTIFIED AS SUBSTANTIALLY EQUIVALENT  
3 TO THE FAIR HOUSING ACT, AS  
4 AMENDED IN 1988, 42 U.S.C. §3601, ET  
5 SEQ.

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

9 MR. ROGAN: As chairperson for  
10 the Committee on Community  
11 Development, I recommend final passage  
12 of Item 7A.

13 MR. JOYCE: Second.

14 MS. EVANS: On the question?

15 (No response.)

16 MS. EVANS: Roll call, please.

17 MS. CARRERA: Mr. McGoff.

18 MR. MCGOFF: Yes.

19 MS. CARRERA: Mr. Rogan.

20 MR. ROGAN: Yes.

21 MS. CARRERA: Mr. Loscombe.

22 MR. LOSCOMBE: Yes.

23 MS. CARRERA: Mr. Joyce.

24 MR. JOYCE: Yes.

25 MS. CARRERA: Mrs. Evans.

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

4 If there is no further business,  
5 I would --

6 MR. LOSCOMBE: Mrs. Evans?

7 MS. EVANS: Yes.

8 MR. LOSCOMBE: I would just like  
9 to make one comment. I'd like to wish  
10 Mr. Rogan a happy belated birthday.  
11 His birthday was yesterday.

12 MR. ROGAN: Thank you, Mr.  
13 Loscombe.

14 MS. EVANS: And Miss Kathy  
15 Carrera, a very happy birthday. And  
16 over here our assistant secretary.

17 MR. LOSCOMBE: And I had a piece  
18 of cake with her today.

19 MS. EVANS: You did? How did you  
20 rate?

21 MR. LOSCOMBE: Came in at the  
22 right time.

23 MS. EVANS: Any further business?

24 (No response.)

25 MS. EVANS: I'll entertain a

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

motion to adjourn.

MR. JOYCE: Motion to adjourn.

MS. EVANS: This meeting is  
adjourned.

(Proceedings concluded at 8 p.m.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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 taken by me of the above-cause and that this copy is a correct transcript of the same to the best of my ability.

---

Amelia Nicol  
Official Court Reporter