

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

SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, May 31, 2011

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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

PAT ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

JAMIE MARCIANO, 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. MARCIANO: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. MARCIANO: Mr. Rogan. Mr.

7 Loscombe.

8 MR. LOSCOMBE: Here.

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

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

13 MS. KRAKE: THIRD ORDER. 3-A.
14 MINUTES OF THE NON-UNIFORM PENNSYLVANIA
15 MEETING HELD APRIL 27, 2011.

16 MS. EVANS: Are there any comments?
17 If not, received and filed.

18 MS. KRAKE: 3-B. MINUTES OF THE
19 COMPOSITE PENSION BOARD MEETING HELD APRIL
20 27, 2011.

21 MS. EVANS: Are there any comments?
22 If not, received and filed.

23 MS. KRAKE: 3-C. MINUTES OF THE
24 SCRANTON POLICE PENSION COMMISSION MEETING
25 HELD APRIL 27, 2011.

1 MS. EVANS: Are there any comments?
2 If not, received and filed.

3 MS. KRAKE: 3-D. MINUTES OF THE
4 SCRANTON-LACKAWANNA COUNTY HEALTH AND
5 WELFARE AUTHORITY REGULAR BOARD MEETING HELD
6 JANUARY 20, 2011.

7 MS. EVANS: Are there any comments?
8 If not, received and filed.

9 MS. KRAKE: 3-E. AGENDA FOR THE
10 MUNICIPAL PENSION FUND HELD MAY 25, 2011?

11 MS. EVANS: Are there any comments?
12 If not, received and filed.

13 MS. KRAKE: 3-F. AGENDA FOR THE
14 ZONING HEARING BOARD MEETING TO BE HELD JUNE
15 9, 2011.

16 MS. EVANS: Are there any comments?
17 If not, received and filed.

18 MS. KRAKE: 3-G. MAY 10, 2011,
19 REPORT OF ROBERT ROSSI & COMPANY ON THE
20 STATUS OF THE 2010 AUDIT.

21 MS. EVANS: Are there any comments?
22 If not, received and filed.

23 MS. KRAKE: 3-H. MAY 24, 2011,
24 REPORT BY ROBERT ROSSI & COMPANY OF THE
25 STATUS OF THE 2010 AUDIT.

1 MS. EVANS: Are there any comments?
2 If not, received and filed. Are there any
3 clerk's notes?

4 MS. KRAKE: We don't have any this
5 evening, Mrs. Evans.

6 MS. EVANS: Thank you. Do any
7 council members have announcements at this
8 time?

9 MR. LOSCOMBE: I have none.

10 MS. EVANS: The Architectural
11 Heritage Association will conduct it's
12 annual awards ceremony this Friday, June 3,
13 at 5:30 p.m. at Scranton City Hall.
14 Preservation awards and letters of
15 commendation will be presented and
16 refreshments will be served.

17 And on behalf of my council
18 colleagues, I'd like to congratulate
19 Councilman Pat Rogan on his graduation from
20 the University of Scranton this past Sunday.
21 Mr. Rogan has an impressive diploma and I'm
22 sure years of student loans to prove it. We
23 are proud of his achievements and are
24 certain that this educational milestone will
25 serve him well throughout his future, and

1 that's it.

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

4 THE COURT: Our first speaker this
5 evening is Andy Sbaraglia.

6 MR. SBARAGLIA: Andy Sbaraglia,
7 citizen of Scranton. Fellow Scrantonians, I
8 was a little shocked when we found out the
9 SRA defaulted on their letters of credit.
10 Many times I have spoken about these letters
11 of credit, I believe there is two out, one
12 then when I think the Scranton Parking
13 Authority has one.

14 Now the question is with with the
15 default of the Scranton Parking Authority --
16 I don't know if the Scranton Parking
17 Authority is going to default. Are they
18 going to come up with the two million or are
19 we going to do this the same as the SRA?
20 Anybody know?

21 MS. EVANS: I don't know the Scranton
22 parking Authority hasn't informed us on that
23 particular matter, but then again, the
24 Scranton Redevelopment Authority never
25 informed us of their financial straights.

1 MR. SBARAGLIA: Well, I realize
2 that's why they wanted to keep me off when
3 you appointed me, they didn't want to seat
4 me because they didn't want somebody there
5 that would be able to tell what was going
6 on. I understood that. That's sort of a
7 closed society, but when a society like
8 that, the Scranton Redevelopment Authority
9 has gross negligence, because this is what
10 it is, gross negligence, actually
11 incompetence, and if I was you I would send
12 a letter to them asking them politely to
13 resign. That's all you can really do
14 because we need a new board there, there is
15 no question about that, and if the Scranton
16 Parking Authority goes under that should be
17 the same thing, too.

18 Your budget is going to be so shot
19 you will never get out of it, and it's just
20 going to blame you. In fact, I heard a lot
21 of rumors where he wants to run now for
22 congress against Barletta. He wants to get
23 away from Scranton as fast as he can because
24 everything is collapsing and they're his
25 fault. It's the mayor's appointees that

1 caused these problems, not the citizens.
2 They are actually closed governments and
3 that's a bad thing about it, but I do
4 believe there is state laws that when
5 something gets gross negligence or
6 incompetence they can't be removed.

7 Now, I know you can, but you
8 certainly could ask the attorney general to
9 look into it and see if they can remove him,
10 but somewhere along the line you must be
11 replace that board because it's obviously
12 what they did, what they are going to do and
13 what they have done. I'm not even talking
14 about Piccolino, God knows how much money
15 there is going to be gone with their
16 condemnation projects and these lawyer fees
17 constantly building. They appealed it, I
18 talked to Piccolino and they said they
19 appealed it.

20 There is no money to build that
21 office building, none at all. That's
22 probably why they dropped it because they
23 used up all the money they got because you
24 remember they were supposed to put an office
25 building there. It's not there and it never

1 will be there.

2 You must hold these boards
3 accountable. I mean, I know you have
4 limited power because they are independent
5 governments, that's the bad thing about
6 authorities, I always said that. There
7 should be no authorities, everything should
8 come into the city, but when we stock -- and
9 I feel sorry if the Parking Authority
10 defaults on their \$2 million bond and we
11 have to pick up that along with the million
12 and a half from our Redevelopment Authority
13 that's quite a bet, that's 3 1/2 million.

14 You also heard everybody talking
15 about us having an eight 8 1/2 million
16 dollar deficit at the end of the year. God,
17 we may have a lot more deficit than that and
18 the end of the year because he blew this
19 budget apart and I think he did it for
20 spite. Obviously he did it for spite
21 because if they knew they were going to have
22 problems, they knew -- they must have known
23 this months and months ago and they didn't
24 inform them.

25 They could come out with a budget

1 without all of these little hidden charges,
2 I feel sorry for your budget that you put
3 out, but somewhere along the way they got to
4 be held accountable. If nothing else, you
5 can request they resign. That's the least
6 you can do for their incompetence because if
7 I was there and I did that I definitely
8 would resign. I wouldn't have the gall to
9 come before the citizens of Scranton and say
10 I did this, but that's how I'd do it, God
11 knows how they are. Thank you.

12 (While Mr. Sbaraglia was speaking
13 Mr. Joyce and Mr. Rogan take the dais.)

14 MS. EVANS: Thank you, Mr. Sbaraglia.
15 James Streznicki.

16 MR. STREZNICKI: Good evening,
17 Council. My name is Jim Streznicki.

18 MS. EVANS: Good evening.

19 MR. JOYCE: Good evening.

20 MR. STREZNICKI: I will start out, I
21 was here a year ago for a memorial we are
22 having for Jimmy Reddington, a marine that
23 was -- okay, I'm sure you remember that?

24 MS. EVANS: Yes. In fact, you sent
25 us some information several months ago that

1 I read many times before council meetings.

2 MR. STREZNICKI: Right. Okay. What
3 I want to say though is when I was here last
4 year from speaking to this podium we had
5 John Marshall School they brought up their
6 children from the school to attend that
7 memorial and it was great and we really
8 appreciated them coming. I didn't get a
9 chance to thank them at the time it was so
10 hot. And believe me, it was hot. It was
11 like it is today out there, all right, and
12 the kids are actually fainting and that so
13 they had to go, but before I say what I have
14 to say I just wanted to thank John Marshall
15 and the kids for attending that memorial.

16 Now, this year we are going to have
17 something for Jimmy, it's a little bit
18 different, okay, and I think it's fantastic
19 myself, okay? But let me read here, and I
20 hope I can explain. If you have any
21 questions at the end, don't hesitate, you
22 know I'll answer them the best I can. I'm
23 here tonight on behalf of the Weston Field
24 friends of James T. Reddington. For those
25 listeners out there who didn't know Jimmy

1 Reddington, he was a US marine who was
2 killed in action going to the Vietnam War in
3 1967. He attended Scranton Public Schools,
4 Technical High School, graduated from Tech
5 in 1965. Jimmy loved all sports. He played
6 baseball for the Central City Little League
7 and a multitude of other sports for North
8 Scranton Junior High and Scranton Tech.

9 Having said that, I'm here tonight
10 to inform everyone that on this Saturday,
11 June 4, at 9:45 a.m., Central City Little
12 League will be formally naming the Little
13 League field the Reddington Field at Dick
14 Holmes Memorial Sports Complex on the top of
15 Woods Street in Scranton, that's the
16 Bullhead section if they are not familiar
17 with which street it is.

18 We would like to thank Mr. Joseph
19 Berardelli, president of the Central City
20 Little League, and and also the board.
21 Special thanks to the Northeast Marine Corp
22 Detachment who purchased the plaque which
23 will also we will unveil at Saturday's
24 dedication and we would also like to thank
25 everyone else who donated time and the

1 effort into making this dedication happen,
2 and we would like to invite everyone to the
3 this dedication, whether you knew Jimmy
4 Reddington or not, at Central City Little
5 League. Again, it will be held this
6 Saturday, June 4, at 9:45 a.m., and if any
7 of you can make we would really be
8 appreciated.

9 And before ending there is one
10 thing, I would also like to thank Steve
11 Corbett who has helped us tremendously over
12 the years, the last year couple of years.
13 And also this Friday, June 3, he will have a
14 one-hour dedication for anyone who knew
15 Jimmy that would like to talk about Jimmy to
16 call in. I believe it's going to be
17 starting at 3:30 p.m., so after saying that,
18 you know, we would appreciate anyone that
19 knew Jimmy if they can make it to the
20 dedication. Thank you very much for your
21 time. Appreciate it.

22 MS. EVANS: Thank you. Before I call
23 up another speaker, let the record reflect
24 that Councilman Joyce and Councilman Rogan
25 have joined the meeting. Is there anyone

1 else who cares to address council?

2 MR. MORGAN: I'd just tonight like to
3 start off by saying that the
4 Scranton/Lackawanna County Taxpayers' and
5 Citizens' Association this year is going to
6 do another free swim at Nay Aug Park and we
7 are just asking the public to consider
8 sending donations to Mr. Jackowitz, he is
9 the co-chairman at 416 South Webster Avenue,
10 we have done this since 2007. I really
11 don't have numbers, an awful lot of children
12 have really enjoyed it and, you know, some
13 pools are going to be closed and I think it
14 would be a really nice thing if anybody
15 could afford to do that they would consider
16 sending a check to Mr. Jackowitz at 416
17 South Webster Avenue in Scranton.

18 MS. EVANS: Excuse me, Mr. Morgan, is
19 it 416 or 1416?

20 MR. MORGAN: 1416. 1416.

21 MS. EVANS: And you can make checks
22 payable to "Kids Swim Free"?

23 MR. MORGAN: Yes, in care of Bill
24 Jackowitz.

25 MS. EVANS: Thank you.

1 MR. MCGOFF: The date?

2 MR. MORGAN: What's that now?

3 MR. MCGOFF: The date for it?

4 MR. MORGAN: Date for?

5 MR. MCGOFF: For the Kids Swim Free?

6 MR. MORGAN: Well, we announce them
7 throughout the course of the summer and the
8 pools haven't opened yet, but usually
9 sometime in the middle of July we start,
10 Mr. McGoff.

11 MR. MCGOFF: Thank you.

12 MS. EVANS: After they gather enough
13 donations to --

14 MR. MCGOFF: Okay, I didn't know if
15 you had a date.

16 MR. MORGAN: We also intend to ask
17 the Recreational Authority to consider
18 giving us a reduced rate for these children.
19 I don't know if they can or not, but we are
20 going to ask that at the next meeting, which
21 I believe is Monday.

22 The other thing I have here is I was
23 looking at the towing ordinance that is on
24 the agenda tonight and, you know, I'd just
25 like to make a couple of comments on it. I

1 really think that it may be in the best
2 interest of the city to create it's own tow
3 yard so that the vehicles are towed into the
4 city, the city has control of them. I also
5 believe that the city should receive a fee
6 for every day they are impounded and share
7 that with the tower, I think that would be a
8 way to raise some revenue.

9 I think on heavy duty tows I think
10 also the city should -- I don't see it in
11 here, I didn't really get a chance to read
12 it very well, I just picked it up this
13 evening, but I do think that, you know, you
14 state how much you are going to get for a
15 tow and heavy duty towing is something much
16 different because it's much more expensive,
17 and also if there is a cleanup it usually
18 costs an awful lot more. If Mr. Bolus was
19 here he could explain that because he does a
20 lot of that stuff that, you know, the
21 cleanups for heavy duty trucks usually
22 sometimes cost an awful lot of money, and I
23 just think that the city should share in
24 that.

25 And in regards to the salvage tows

1 where if somebody doesn't, you know, come
2 back and pay to get their car back, I mean,
3 the days of \$35 junk cars in the junk yards
4 are done now and now they are \$500, four or
5 five hundred dollars depending on the value
6 of the car and I just think that the city
7 should get a percentage of the salvage of
8 that vehicle, whether it's a fifth or an
9 eighth or whatever it is.

10 I mean, flat fees are fine, but, I
11 mean with the city with the shape it's in
12 and, you know, I just think it's time to
13 really reconsider a lot of things, maybe I
14 have more comments to make, you know, but I
15 want to be brief tonight, but maybe it's
16 time to really consider a city tow yard
17 that's, you know, going to be to the benefit
18 of the city because we are going to get our
19 revenue first and then pass the money onto
20 the tower.

21 So, I mean, I agree with a lot of
22 things I see here, like I said, I only
23 looked at it briefly but this is a way for
24 the to revenue and I appreciate your time.

25 MS. EVANS: Thank you.

1 MR. JACKOWITZ: Good evening. Bill
2 Jackowitz, South Scranton resident and
3 member of the Taxpayers' Association. First
4 of all, I'm a week behind so I'd like to
5 congratulate Mr. McGoff for winning the
6 primary for city council and also being the
7 highest vote getter. I'd also like to
8 congratulate Mr. Loscombe for also winning
9 and Mr. Morgan on the Republican side, like
10 I said, I'm a week behind.

11 Okay, you know, what I'd like to
12 talk about, the Kids Swim Free, this is our
13 fifth year, and again, we survive on
14 donations and donations only. You can mail
15 the check to 1416 South Webster Avenue, make
16 it out to "Kids Swim Free", or if you want
17 to make a cash donation you can either see
18 myself or you can see Mr. Sbaraglia or
19 Mr. Morgan and, you know, that will be
20 accepted, also.

21 We'll probably be having our first
22 swim free probably after the Fourth of July.
23 Our most successful one was on the Fourth of
24 July, but we decided not to do them on the
25 holidays anymore, so it will probably be

1 around the 10th or 11th, somewhere after the
2 first week after the Fourth of July.

3 Another thing I would like to talk
4 about is lately there has been a lot of
5 publicity with the crime in the Scranton
6 area especially some of the -- lack of
7 better words drug bars and places that have
8 been raided, and a lot of people have been
9 taken off the street, which I think is a
10 good thing.

11 Now, I have always been an advocate,
12 I probably will always be an advocate of
13 hands on first. What I mean by that is I'm
14 63 years old, but I actually have gone into
15 Finn McCool's and been in there from 9:00 at
16 night to 2:00 in the morning just to see for
17 myself what was going on in places like
18 that. I have actually been in the Sun
19 Hotel, again, just to see for myself what
20 goes on in there, not secondhand
21 information.

22 Now, how how many of you on council
23 know about the Castle, the old Castle
24 Restaurant in North Scranton. Does anybody
25 know anybody about the Castle? Anybody on

1 city council? Well, I'll tell you what,
2 after I left Finn McCool's at 2:00 in the
3 morning I went to the Castle Restaurant in
4 North Scranton, it's an after-hours place,
5 and I'm going to tell you what, you want a
6 contact high go into the Castle Restaurant.
7 That place is going wild every Friday and
8 Saturday night. It's an after-hours bar and
9 I guarantee you there is not too many
10 residents in the City of Scranton that even
11 know about it, but I bet the Scranton Police
12 Department knows about it.

13 Again, I'm an advocate. I would
14 like to see the Neighborhood Associations, I
15 would like to see people who live in the
16 neighborhood association if they know they
17 got a troubled bar in their neighborhood,
18 they know they got a problem in their
19 neighborhood, organize and go visit the
20 place, you know? Get like 25 or 30
21 60-year-olds sitting in that place and I
22 guarantee you the troubled people will
23 eventually leave. Don't go in there by
24 yourself, but go in there and see what's
25 going on for yourself. Check it out. Don't

1 rely upon the police department and everyone
2 else to do it, go on in.

3 If you've got a known, suspected
4 drug dealer in the area make life miserable
5 for that person, you know? I'm not saying
6 go out there and be a policeman, I'm not
7 saying that, but let them know that you know
8 they're there. You see somebody walking
9 down the street with their pants down to
10 their ankles do like I do. I walk up to
11 them and I say, "Excuse me, you're offending
12 me. I do want to see your boxer shorts, can
13 you please pull your pants up."

14 If more people would do things like
15 that, maybe one or two of these young people
16 will get the hint and stop doing it. You
17 know, you are not paying attention that's
18 where that all started is in the
19 penitentiary because you don't have belts in
20 the penitentiary and they walk around with
21 their pants down to their knees. You should
22 not be doing it in public in my opinion.
23 Worse thing in the world when I go in the
24 hall or go I here and I see that I walk
25 right up to them and say, "Hey, you're

1 offending me, can you please pick your pants
2 up?"

3 If they don't fine, but at least I
4 feel like I did something. If more people
5 would get involved and start doing things
6 maybe we can cut back on some of the crime
7 we have in this area.

8 Now, as far as the election goes,
9 it's very disappointing that only 40 percent
10 of the people in Lackawanna County voted in
11 the primary. Very disappointed. You know
12 why? I don't think most of the people who
13 live in Lackawanna County or in the City of
14 Scranton anymore are even legally able to
15 register to vote because the demographics so
16 have changed and the fact that we have so
17 many people with felony convictions who
18 cannot legally register to vote.

19 Right now over 70 percent of the
20 people in the City of Scranton are renters.
21 We need to do something about that rental,
22 we are losing a lot of money and we
23 definitely need to do something with
24 StreetSmart because here we are in June and
25 nothing has been done yet. We are losing a

1 lot of revenue. But again, really, I'm not
2 telling people to go out there by
3 themselves, I'm saying go out in a group.
4 Let these people know that we know that the
5 element is in this city and we don't want
6 you in this city, and if you go in a group I
7 guarantee you they will start going to other
8 places, maybe even different cities.

9 MS. EVANS: Thank you, Mr. Jackowitz.

10 MR. DOBRZYN: Good evening, Council.
11 Dave Dobrzyn, resident of Scranton.

12 MS. EVANS: Good evening.

13 MR. JOYCE: Good evening.

14 MR. DOBRZYN: I had an idea awhile
15 back and I think it's time has come. If
16 anybody in these authorities and departments
17 within the city cannot deliver the
18 information that's needed for an audit by 30
19 days late maybe we should call for their
20 resignation. It's about time. The time has
21 come and no more of this holding information
22 back until December 31 and after the budgets
23 are made up and then pull bills out of the
24 woodwork that are falling due and, well, we
25 blame it all on council, you know, so once

1 again, you have no -- maybe you don't have
2 any ability, but if I were a member of
3 council I'd just send them a letter, please
4 resign. You know, if you can't come up with
5 the information on time you are not running
6 the department the right way, please resign.

7 And I know it's out of your control,
8 but with authorities once again, but that
9 swimming pool not opening up is a real
10 source of concern, whatever you can do and,
11 once again, I don't understand what's with
12 the Novembrino thing, they want to start
13 work now on this pool to make it a wading
14 pool so we, therefore, have to shut it down
15 or something like that?

16 MS. EVANS: That appears to be the
17 case. I think it's a splash pond though, so
18 they would be I imagine filling in the pool
19 and creating a splash pond and picnic areas
20 that are --

21 MR. DOBRZYN: Yeah, it's a good idea.
22 Why couldn't it be done in September or
23 starting. Some of the timing on these
24 projects, I remember the 500 block of
25 Lackawanna Avenue they went on and on for a

1 couple of years, people talk about it, but
2 when did they start it? A week before
3 Christmas, so if you went on Lackawanna
4 Avenue a week before Christmas, which we are
5 trying to attract customers for the mall and
6 downtown shopping what did you have,
7 aggravation. There are three blocks of
8 backed up traffic, why did the
9 administration decide to start it then?
10 That's just so silly. They could have
11 started on December 31, it wouldn't have
12 made a bit of difference, but it must have
13 been like December 18 or something because I
14 was downtown and I was like Holy Handle, you
15 know, I'm going to have to pack a lunch to
16 get out of town here. So who knows, we just
17 like to make everybody look bad or penalize
18 people for know apparent reason.

19 And I have a comment on some of the
20 things I have been reading in the Scranton
21 Times. Madam President, is your father
22 secretly Vito Corleon?

23 MS. EVANS: No, he is not. Actually,
24 my father --

25 MR. DOBRYZN: Are you sure?

1 MS. EVANS: I'm sure.

2 MR. DOBRYZN: Why are you in the
3 Scranton Times so often, you'd think he was.
4 They get the golden parrot. Bawk, bawk,
5 bawk. Have a good night.

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

8 MS. HOLDEN: Good evening, Council.
9 Marilyn Holden, taxpaying citizen, Hyde
10 Park. I have a question, why is the
11 Novembrino pool not going to open this year?

12 MS. EVANS: Through the Community
13 Development Block Grant Program allocations
14 for 2001, the swim complex is to be
15 converted from a swimming pool into a splash
16 pond for young children, and I believe a
17 picnic area will be constructed as well so
18 that it can be a very family-oriented park,
19 let us say. But as has been mentioned by a
20 number of the other speakers tonight and
21 last week, I do feel that it is fool-hardy
22 to make that transition during the summer
23 months, thereby disallowing children in West
24 Scranton the ability to swim free this
25 summer. So I am hoping that the mayor and

1 the DPW director would reconsider that
2 decision and wait for the beginning of
3 construction until September.

4 MS. HOLDEN: Because where are these
5 children supposed to go for the summer? I
6 mean, it's needed, the pool is needed as
7 everyone agrees.

8 Okay, I'm sorry, last week I really
9 didn't tune in so I'm a little behind here,
10 but thank you for your time, I appreciate
11 it.

12 MS. EVANS: Thank you.

13 MR. LOSCOMBE: Mrs. President, may I
14 ask a question?

15 MS. EVANS: Certainly.

16 MR. LOSCOMBE: Would it be possible
17 to Mrs. Krake to send a letter to the
18 Department of Public Works and the mayor
19 asking if they have a definitive starting
20 date for the project at Novembrino complex,
21 because I thought read in the paper they
22 still didn't have all of the money in place
23 or whatever. If not, if they could open the
24 pool as it presently stands until later in
25 the year when the funding and the project is

1 complete. I mean, this could end up to be
2 another Crisp Avenue Bridge and they will be
3 closed for the next five years, so if they
4 don't have a definitive date on it I would
5 request that it be opened this year.

6 MS. EVANS: And I think, Mrs. Krake,
7 you can correct me if I'm wrong, we have
8 already sent a letter to the mayor
9 requesting that the pool, the Novembrino
10 Pool Complex, remain open this summer.

11 MS. KRAKE: We did, and also Mrs.
12 Aebli has informed me that the monies are
13 not in place, as Councilman Loscombe just
14 said, for the CDBG, so that is a very good
15 point, also.

16 MS. EVANS: Yes. Thank you,
17 Mrs. Krake.

18 MR. LOSCOMBE: Thank you.

19 MS. EVANS: Is there anyone else who
20 cares to address council? Mrs. Krake.

21 MS. KRAKE: 5-A. MOTIONS.

22 MS. EVANS: Councilman McGoff, any
23 comments or motions?

24 MR. MCGOFF: Please. First, I would
25 again just like to request that the grant

1 for the Perry Avenue playground be put on
2 the agenda. I believe that it really is
3 unrelated to the insurance issue that we
4 have talked about. I asked about the -- I
5 asked about the insurance, they said that
6 everything would be, you know, covered under
7 the current insurance and I don't see any
8 reason why we should delay putting that on
9 the agenda.

10 And as far as the insurance
11 legislation was concerned, last week I
12 didn't agree with the override of I'm going
13 to call it a veto, I'm not sure what it was
14 that we did, but I do agree that I think
15 something like that would set a dangerous
16 precedent if it were allowed to continue,
17 but at the same time I believe that I voted
18 against the original legislation, I can't
19 really remember, but I'm not sure that
20 rebidding or putting that out to, you know,
21 for an RFP, I think I said at the time that
22 I'm not sure that it would be cost effective
23 to rebid this again, to advertise it, and
24 I'm not sure that the savings definitely
25 would make it worthwhile, but, like I said,

1 I do just wish that we could separate the
2 two issues and deal with the grant that we
3 are going to receive for the Perry Street
4 playground, deal with that first, and deal
5 with the insurance issue separately.

6 And just one last thing, didn't we
7 maybe a year or so ago, maybe it's two
8 years, have something about the Castle
9 Restaurant that there were complaints about
10 it being after hours and it was going to
11 be -- I just remember it being brought up
12 and I don't know if there was ever anything
13 done, but certainly it would be something
14 that if it is becoming a nuisance then
15 something should be done to curtail it and,
16 you know, perhaps, you know, some citizen
17 participation in that would be, you know,
18 helpful with the citizens groups in those
19 areas, that area, would put some pressure on
20 the administration to do something if it is,
21 in fact, a problem, and that's all. Thank
22 you.

23 MS. EVANS: Thank you. Councilman
24 Rogan, any comments or motions?

25 MR. ROGAN: Yes. First I received an

1 e-mail from Mr. Wolff from Scranton High
2 School and he asked me to announce this and
3 it says, Ms. Shannon's art major four class
4 will be doing a community project fundraiser
5 for breast cancer. Students will be doing a
6 collaborative painting as well as small
7 individual paintings. This event will
8 prelude the Race for the Cure and there will
9 be a stilleto race at the Collonade on June
10 3. The students will also be on WNEP with
11 Ryan Olecki to promote the event.

12 I know a recent topic of
13 conversation at council meetings and in the
14 media has been the Washburn Street Cemetery
15 and with Memorial Day just on Monday a
16 resident sent me I think it was about seven
17 or eight pictures and I forwarded them to
18 Mrs. Krake. I didn't print them off because
19 they were in black and white and you can't
20 really get the full picture of what's going
21 on there. You know, it's a mixed bag. Some
22 areas of the cemetery have improved
23 dramatically, but from the people I talked
24 to those areas the grass is maintained not
25 by the owner of the cemetery, but by the

1 families of the people who are buried there.

2 So, Mrs. Krake, could we please
3 forward those pictures to Licensing and
4 Inspections and take the proper action.
5 Thank you.

6 I spoke to Mr. Paisley from Pine's
7 Creek construction on the Crisp Avenue
8 bridge today and he said that he has been in
9 contact with Mr. Pocius and what they have
10 to do is part of the bridge is going to be
11 prefabricated, it's a form, a concrete form
12 that they are going to put down and what he
13 told me was the specs for the form are sent
14 out and sent back and some small changes
15 were being made and, you know, I said this a
16 million times and I think -- I'm sure
17 Mrs. Evans and Mr. Courtright when he was on
18 council many times throughout this project
19 it's finally going to be started. It does
20 appear that things are in motion and
21 hopefully by the summer we will see the
22 construction again of this project finally
23 be completed for the people in West
24 Scranton.

25 And finally, this was passed along

1 to me from a resident, and it's just an idea
2 and I ask that we send this to Mayor Doherty
3 and Chief of Police Duffy, it's regarding
4 illegal immigration in the city and this is
5 from ICE. Fact sheet: Delegation of
6 Immigration Authority Section 287(g)
7 Immigration and Nationality Act. And what
8 the 287 (g) program is, it's a law
9 enforcement partnership between the ICE
10 agents and the local government, and I'll
11 just read this off and then comment on it
12 afterwards.

13 It says, "The US Immigration and
14 Customs Enforcement (ICE), the largest
15 investigative agency in the Department of
16 the Homeland Security, is responsible for
17 enforcing federal immigration laws as part
18 of it's homeland security mission. ICE
19 works closely with federal, state and local
20 law enforcement partners in this mission.

21 The 287 (g) program, one of ICE's
22 top partnership initiatives, allows state
23 and local law enforcement entities to enter
24 into a partnership with ICE, under a joint
25 Memorandum of Agreement (MOA), in order to

1 receive delegated authority for immigration
2 enforcement within the jurisdictions."

3 Which means if the city was involved
4 with this partnership, Scranton police would
5 be partnered with ICE to enforce immigration
6 laws.

7 "In 2009, ICE fundamentally reformed
8 the 287 (g) delegated authority program,
9 strengthening public safety and ensuring
10 consistency in immigration enforcement
11 across the country by prioritizing the
12 arrest and detention of criminal aliens.

13 ICE ACCESS: A Partnership Approach.
14 The 287 (g) program is one component of the
15 ICE ACCESS program. ACCESS stands for
16 Agreements of Cooperation in Communities to
17 Enhance Safety and Security, which provides
18 local law enforcement agencies the
19 opportunity to team up with ICE to combat
20 specific challenges in their communities.

21 The 287 (g) program is only one
22 component of ICE ACCESS umbrella and the
23 program offers assistance through local law
24 enforcement officers.

25 ICE developed the ACCESS program in

1 response to widespread interest from local
2 law enforcement agencies who have requested
3 ICE assistance through the 287 (g) program
4 which trains local officers to enforce
5 immigration laws as authorized through
6 Section 287 (g) of the Immigration and
7 Nationality Act.

8 Terrorism and criminal activity are
9 most effectively combated through a
10 multi-agency/multi-authority approach that
11 encompasses federal, state and local
12 resources. State and local law enforcement
13 play a critical role in protecting our
14 homeland as they are often first responders
15 on the scene where there is an incident or
16 attack against the United States. During
17 the course of daily duties, they will often
18 encounter foreign-born criminals and
19 immigration violators who pose a threat to
20 the national security or public safety.

21 The Memorandum of Agreement. The
22 MOA defines the scope and limitations of the
23 authority to be designated. It also
24 establishes the supervisory structure for
25 the officers working under the

1 cross-designation and prescribes the agreed
2 upon point of process governing officer
3 during the life of the MOA. Under the
4 statute, ICE will supervise all
5 cross-designated officers when they exercise
6 their immigration authorities. The
7 agreement must be signed by the ICE
8 assistant secretary, and the governor, a
9 senior political entity, or the head of the
10 local agency before trained local officers
11 are authorized to enforce immigration law.

12 Other Selection Requirements.

13 Participating officers in the 287 (g)
14 program must meet the following
15 requirements: U.S. citizenship, current
16 background investigation completed, minimum
17 of two years experience in current position,
18 and no disciplinary actions pending.

19 Currently ICE has 287 (g) agreements
20 with 69 law enforcement agencies and 24
21 states across the country. Since January of
22 2006, the 287 (g) is credited with
23 identifying more than 200,000 potentially
24 removable aliens, mostly at local jails.
25 ICE has trained and certified more than

1 1,240 state and local officers to enforce
2 immigration laws."

3 It's no secret that illegal
4 immigration is a growing problem not only in
5 Scranton and across the country and by
6 entering into this program with ICE it would
7 give the local authorities, our police, the
8 authority to detain people who are in this
9 country illegally.

10 And, Mrs. Krake, I have the website
11 with all of the information that came off
12 from the Department of Homeland Security and
13 I have a website for it if we could forward
14 that to the Mayor and Chief Duffy and
15 request that either a meeting is set up or
16 we have some correspondence about
17 considering entering Scranton into the 287
18 (g) program, and that is all I have. I will
19 comment on the agenda items when they come
20 up. Thank you.

21 MS. EVANS: Thank you. Councilman
22 Loscombe, any motions or comments this
23 evening?

24 MR. LOSCOMBE: Yes, just a couple of
25 brief comments. I would like to basically

1 just touch on, Mr. McGoff -- just what
2 Mr. McGoff just said regarding the Perry
3 Avenue Park and all. And again, I have
4 nothing against parks. In January we passed
5 legislation for six months on this insurance
6 policy we requested the administration to
7 rebid it or to bid it out for July 1
8 effective date. Mr. McGoff said it would be
9 costly to rebid on the insurance. The
10 question is we have never bid it, so it's
11 not a rebid. In this administration there
12 has not been one bid placed for insurance
13 coverage. The same broker has handled it
14 and renewed it year after year. All we are
15 looking for, and again, nothing against the
16 brokers, I wouldn't know them if they
17 sitting here, I would hope they would be the
18 successful broker. The whole point is due
19 diligence has to be done, the buildings have
20 to be insured properly, the coverage has to
21 be in place properly and any commercial
22 insurer would review your policy annually
23 when renewing it, and I can imagine there is
24 many changes on there that have to be made
25 and maybe a fresh set of eyes looking at it

1 would bring out some of this to our
2 attention.

3 But I read in the paper just this
4 week that the mayor stated he has no
5 intention of bidding it out. He said the
6 insurance is paid for the year. That
7 doesn't matter. The legislation is only
8 good until July 1. I would be happy to
9 approve the Perry Avenue Park if the
10 insurance broker would give us a letter
11 stating that it would be fully insured
12 throughout the balance of the year even
13 though legislation has been passed by the
14 city council that there is no coverage this
15 effect after July 1. They will be operating
16 at their own risk. This is uncharted
17 territory. They are risking their own
18 errors and omissions insurance, and the
19 clock has ticked away and ticked away while
20 the administration has sat on this, as has
21 they sat on everything else.

22 I find it very interesting they
23 don't want to bid this out, but we had a
24 sure thing with StreetSmart, we had sole
25 source technology, and they fought to bid

1 that out. When we finally said, okay, bid
2 it out three months ago it took another
3 three months before they put an RFP out.

4 I don't know what's going on, but
5 it's frustrating. If this city is looking
6 to save money and do the proper thing then
7 start acting like a business and saving
8 money and doing the proper thing. It just
9 frustrates me. When we sit up here week
10 after week passing legislation and they
11 thumb their nose at us. We are trying to
12 help the city. We know the condition the
13 city is in, we didn't put it in this
14 position, but we are willing to help, but
15 the city has to go to bat themselves, and it
16 just frustrates me. That's all I have to
17 say on that.

18 Mrs. Krake, if you could request
19 some information from the proper departments
20 on the Meadow Brook Creek project. I have
21 had some inquiry on that. Since I live in a
22 different part of town I wasn't apprised on
23 this here, but it's been very low key, and I
24 understand there were two phases to it and
25 this has been going on for years and years.

1 Phase I has been completed, but apparently
2 Phase II there is no future Phase II, it's
3 been dropped. Apparently monies were put
4 aside, used and whatever, but I would like
5 to have any of the information possible on
6 both Phase I and Phase II, and any of the
7 maps that were presented for this project
8 just so I can follow-up on it and proceed
9 where I have to proceed to see that these
10 people in this area are allieved of this
11 problem after over 40 years.

12 And what's happening here, this
13 project is only half done. It's created
14 more of a problem at Phase II part, it's
15 almost like having two fingers with gangrene
16 and cutting one off and leaving the other
17 there. It's only getting worse. We wasted
18 eight to ten million dollars on that first
19 phase. I don't know. It's just the
20 situation we keep getting yourselves in.

21 I apologize for my frustration
22 tonight, Folks, but it does get frustrating.
23 When we are trying to do the work here, the
24 people are getting paid ten times what we
25 are getting to paid to do and nothing is

1 getting done and we are stonewalled. Every
2 time we go for an answer or a question or
3 pass legislation. I think it's about time
4 the city came to the table to work for you
5 along with us. We keep hearing if we'd work
6 together with the administration, we can
7 work together with the administration. I
8 don't see it happening.

9 To the administration we are
10 nothing, but we are fighting for you, and we
11 will continue to and I just hope things get
12 a little better. Thank you.

13 MS. EVANS: Thank you, Councilman
14 Loscombe. Councilman Joyce, any comments or
15 motions this evening?

16 MR. JOYCE: Yes. April 20 I sent a
17 Right-to-Know request to determine the
18 amount of money paid out up until April 16
19 for the four DPW foremen that Mayor Doherty
20 hired back to the city positions were
21 eliminated in the 2011 operating budgets as
22 amended. Originally these four foremen were
23 scheduled to earn \$40,000 annually in 2011
24 which is about the same as what they earned
25 by 2010.

1 Therefore, by Mayor Doherty hiring
2 back the four foremen one would think that
3 the cost would be an extra 160,000 in salary
4 not to mention about \$50,000 on top of that
5 in benefits and instead of hiring the four
6 foremen back to the city payroll as salary
7 workers, which is what they were in 2010, he
8 hired them back as hourly workers and
9 indicated that they would be making less
10 money than what they previously did.

11 By examining the payroll documents
12 received from the Right-to-Know request,
13 which stated the amount of money paid out to
14 each of the four foremen up until April 16th
15 of 2011, it can be seen that the amount of
16 money paid is greater in 2011 than it was in
17 2010. For the sake of not mentioning
18 employee names, I'll read off some of the
19 amounts of money paid to each of the four
20 foremen up until April 16th of 2011 along
21 with the comparable amount that they were
22 paid in 2010 up until that same time. I'll
23 just refer to them as foremen one, two,
24 three and four.

25 Foreman one in 2011 paid up until

1 4-16, \$18,821.41. The same time in 2010,
2 \$12,000.

3 Foreman two paid up until 4-16,
4 \$10,922.06, in 2010, \$11,692.32, so this
5 person actually made a little bit less this
6 year than last year.

7 Foreman number three, this year
8 \$15,1716.37 as compared to \$12, 246.16 in
9 2010.

10 Foreman number four, \$14,430.76 this
11 year as compared to \$12,000 in 2010.

12 As one can determine, not only were
13 the four foremen added back to the city, but
14 they have been paid nearly 20 percent more
15 on average than 2010 for the same timeframe
16 of work up until April 16.

17 Therefore, with all being said, this
18 is a great part of the reason why council
19 wishes to see a breakdown of all DPW
20 overtime when asked to transfer money to an
21 additional -- or to fund additional overtime
22 for DPW workers. We must examine what this
23 overtime is being used for.

24 At the present time, Mayor Doherty
25 already added what appears to over \$160,000

1 in salaries if the current payment trends
2 are upheld for the rest of the year coupled
3 with the extra \$50,000 in benefits to the
4 city's expenses that funds were not
5 allocated for.

6 With this in mind, Mrs. Krake, have
7 we received and answer to the Right-to-Know
8 request regarding DPW overtime?

9 MS. KRAKE: Not yet. Technically,
10 they have a few more days.

11 MR. JOYCE: Okay. Honestly, in no
12 way, shape or form am I trying to single out
13 the DPW. However, the DPW they are the
14 group that's asking for the extra money. If
15 the fire, police or any department for that
16 matter was coming to council asking for more
17 funding for overtime I would ask for the
18 same information. It's simply a matter of
19 doing due diligence, and actually there are
20 many good things that our Department of
21 Public Work's workers do that are very
22 admirable, in fact, last week I had a
23 request to reinstall some signs "No Parking"
24 in front of a resident's driveway as well as
25 a "No Crossing" sign and those were

1 reinstalled back up within I'd say about
2 five days time, so it's not a matter of
3 singling them out, it's just a matter of
4 doing the due diligence to make sure that
5 overtime is being used wisely and not
6 frivolously.

7 On other matters, last week Mayor
8 Doherty said that part of the problem why
9 the SRA loan, which they're saying now is
10 \$1.56 million will go into default, is that
11 council removed fees from the collection
12 agency hired by the authority. The
13 statement that Mayor Doherty made, and this
14 was in the GO Lackawanna Sunday edition, was
15 extremely misleading.

16 The first statement of the fact is
17 that NCC, which was the collection agency
18 originally hired by the authority to collect
19 delinquent taxes, for the years covered by a
20 loan from Pennstar Bank and stopped working
21 for us in August.

22 Secondly, once NCC quit collecting
23 these delinquent taxes, the onus of
24 collecting these delinquent taxes fell to
25 the SRA since they were the ones that

1 originally took out the loan. At no time
2 was a new agency employed by the SRA to
3 collect delinquent taxes for the years that
4 the loan covered.

5 Also, at one point in time there was
6 an RFP put out to even seek an agency to
7 collect these taxes. NCC quit in August.
8 Council did not pass the ordinance to
9 eliminate some of the exorbitant fees that
10 NCC was previously charging city residents
11 in addition to the penalty and interest that
12 the city imposed until December 7, 2010. At
13 that time we did not have an outside agency
14 even collecting the taxes, so how could
15 Mayor Doherty actually state that council
16 removed fees from the collection agency
17 hired by the authority when there was no
18 collection agency that was actually hired?

19 Mayor Doherty has a track record of
20 vetoing what he does not agree with.
21 Apparently, everybody must know that by now.
22 In the case of Knowell's insurance he even
23 tried to rescind his signature and veto
24 legislation that was passed into law. File
25 of Council No. 50, which was the ordinance

1 that Mayor Doherty criticized, was passed
2 into law by Mayor Doherty himself on
3 November -- or December 9, 2010, two days
4 after it was passed by council.

5 Therefore, if Mayor Doherty truly
6 thought that the ordinance, as amended by
7 council, would cause the SRA loan to go into
8 default, I doubt that he would have actually
9 signed it.

10 And with that I have a few citizens'
11 requests. The property located at 1926 and
12 1928 Price Street is becoming an eyesore to
13 neighbors. Grass has not been cut so far
14 this summer and grass in front of the
15 property at this time is reaching about two
16 feet in height. This property is owned by
17 an out-of-town landlord that lives in New
18 York state. The grass situation at this
19 property is coming a yearly issue now.

20 With this in mind, Mrs. Krake,
21 please send a letter to Mr. Seitzinger and
22 ask him to have this property addressed. In
23 addition, I will provide you with the
24 property owner's name and address that I
25 found on the county tax assessor's website

1 to make the burden a little bit easier for
2 them as far as doing the search. This is
3 also a rental property, therefore, with this
4 this mind, please have this added to the
5 rental registration data base.

6 And I arrived a little bit late
7 tonight due to a work situation, but one
8 thing I did want to announce was that the
9 Hyde Park Neighborhood Watch on Saturday,
10 June 18, from 8:30 to 10:00 at night will
11 present a Kids Night Out movie night at the
12 Jackson Street skate park located at 1304
13 Jackson Street. And in case you live in
14 Hyde Park, West Scranton area, they now have
15 a baseball group and I know that they are
16 trying to reach out to members of West
17 Scranton through social media networks to
18 inform people of some of their events and
19 their meetings to get people involved in
20 being part of the solution, per se, to fight
21 some of the crime and violent activities
22 going on in the West Scranton region.

23 I also know that Minooka
24 Neighborhood Association has a similar page
25 as well, so if you do have a Facebook

1 account and live in these regions or live in
2 the city and would like to get involved with
3 these groups, I would definitely encourage
4 you to go to their page and join up on their
5 page, and that's all I have for tonight.

6 MS. EVANS: Thank you, Councilman
7 Joyce. Good evening. I'd like to comment
8 on a few city issues which require
9 clarification and/or correction. At last
10 week's meeting, city council and it's
11 solicitor, Boyd Hughes, made the public
12 aware of the \$1.5 million default by the
13 Scranton Redevelopment Authority for the
14 collection of 2004, 2005 and 2006 delinquent
15 taxes. Tonight, I want to discuss the
16 December 2010 legislation that set a fee
17 schedule for the collection of delinquent
18 taxes following the departure months before
19 of Northeast Credit Collections or NCC.

20 City council took two actions:
21 First, it eliminated the sheriff's sales of
22 properties; and second, it restored the
23 prior legal interest and costs attached to
24 delinquent taxes by eliminating the 23 fees,
25 costs and interest received by NCC which

1 appeared to have been legally questionable
2 and, in fact, may have been illegal. This
3 is further evidenced by the following
4 paragraphs in entitled "Compensation"
5 contained in the new contract between the
6 city and Northeast Revenue Services, and I
7 quote: "Northeast Revenue shall be
8 compensated for the collection of delinquent
9 real estate taxes for the years 2004 through
10 2006, according to the fees authorized by
11 the Ordinance No. 82 of 2007 of the City of
12 Scranton. In the event said fees are
13 declared illegal, Northeast Revenue Service,
14 LLC, will be compensated at a rate of 15
15 percent of the total face amount collected."

16 Thus, it is clear that Northeast
17 Revenue Services and the City of Scranton
18 recognize that the 2007 ordinance granting
19 23 additional fees may not have been legal,
20 therefore, the fee schedule set in the
21 December 2010 ordinance did not hamper the
22 city's efforts to attract a company to
23 collect delinquent taxes as stated by
24 business administrator Ryan McGowan.

25 In fact, the city didn't place a

1 contract for delinquent tax collections out
2 to bid until long after the departure of NCC
3 and both Attorney Carl Greco, SRA solicitor,
4 and Attorney Paul Kelly, city solicitor,
5 failed to respond to written and phone
6 communication repeatedly sent by Rhoades and
7 Sinon, the law firm representing Pennstar
8 Bank in the default action. It seems the
9 Doherty administration once again attempts
10 to blame council for it's own legal mess and
11 it's failure to timely respond to a critical
12 financial matter.

13 Further, the contract included in
14 the legislation currently before city
15 council for it's consideration, includes the
16 numerous apparent contradictions and
17 language that does not protect the taxpaying
18 residents of Scranton. As a result, a
19 public caucus will be conducted with
20 Northeast Revenue Services, members of the
21 Doherty administration, Tax Collector
22 Courtright, City Council and Solicitor
23 Hughes in June. Final consideration in
24 Seventh Order will be postponed until
25 following this caucus.

1 that carries potential harm to our city and
2 can drive up preventable costs for the
3 people.

4 Next, the Doherty administration
5 recently announced that the Capouse Avenue
6 pool will remain closed throughout the 2011
7 summer swim season. As many of you are
8 aware, this same pool was closed throughout
9 last year's swim season for repairs as well,
10 according to the Doherty administration,
11 although, repairs did not occur. This low
12 to moderate income area of our city has one
13 pool to serve it's children and residents.
14 Yet, this pool was allowed to remain in
15 disrepair.

16 In 2010, city council wished to
17 appropriate funds to this pool within the
18 2011 CDBG program, but we were prevented
19 from doing so because the administration had
20 not requested any funding for this project.
21 It would better serve the people of Scranton
22 if the Doherty administration would focus
23 more effort into ongoing maintenance of
24 pools, playgrounds, and parks. Many require
25 upgrades, mulching, repairs, graffiti

1 removal, etcetera, and it is the job of city
2 government to provide these necessities.

3 Further, the Doherty administration
4 should not remove two city pools from public
5 use at the same time. The Novembrino swim
6 complex should remain operational in summer
7 while the Capouse Avenue pool, which had
8 been relegated to the back burner, undergoes
9 renovations and repairs. The children of
10 the poor and struggling middle class
11 families in our city should not be locked
12 out of free swimming at two city pools while
13 the swimming fees at Nay Aug Park remain out
14 of their reach. The job of government is to
15 help the people, particularly those who are
16 most in need. Don't lock the children out
17 of their neighborhood pool.

18 Finally, I have some citizens'
19 requests for the week: Residents of
20 Providence Road request that the blight
21 staff of city inspectors and a police
22 officer will visit a house at 886 Scanlon
23 Avenue located in the rear of 887 Providence
24 Road across from the Glider Diner. They
25 state that the house is in deplorable

1 condition and negatively impacts the value
2 of the neighboring homes.

3 Also, a resident requests that the
4 following potholes be fixed: The
5 intersection of Jefferson Avenue and Spruce
6 Street near the Radisson Hotel, Lackawanna
7 Avenue, in front of the Hilton Hotel, at the
8 intersection of Seventh Avenue and West
9 Lackawanna Avenue, and at the intersection
10 of Hickory Street and South Irving Avenue.
11 This resident stated he has called DPW over
12 and over again and has received no results.

13 And finally, council today received
14 a letter from a city resident, Mr. Bob
15 Bolus, asking council to pursue an issue in
16 writing from Attorney Paul Kelly as to why
17 he has not accepted Mr. Bolus' bid of
18 \$50,000 or put this land up for public
19 auction to the highest bidder. And so,
20 Mrs. Krake, I would ask that with the
21 agreement of my colleagues a letter is sent
22 to Attorney Paul Kelly and if you would
23 please attach Mr. Bolus' letter to city
24 council and that council is making this
25 request at the request of Mr. Bolus, and we

1 would like a written response on or before
2 June 14, please, and that's all.

3 MS. KRAKE: 5-B. AMENDING FILE OF
4 COUNCIL NO. 83, 2009, ENTITLED, "AN
5 ORDINANCE AUTHORIZING THE MAYOR AND OTHER
6 APPROPRIATE OFFICIALS OF THE CITY OF
7 SCRANTON TO TAKE ALL NECESSARY ACTIONS TO
8 IMPLEMENT THE CONSOLIDATED SUBMISSION FOR
9 COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS
10 (AS AMENDED) TO BE FUNDED UNDER THE
11 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
12 PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME)
13 PROGRAM AND EMERGENCY SHELTER GRANT (ESG)
14 PROGRAM", BY TRANSFERRING \$200,000.00 FROM
15 PROJECT 05-15 EMERGENCY FLOOD RELIEF TO
16 PROJECT 10-04 RECONSTRUCTION OF ROADS AND
17 HANDICAP CURB CUTS.

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

21 MR. ROGAN: So moved.

22 MR. JOYCE: Second.

23 MS. EVANS: On the question?

24 MR. MCGOFF: Yes. Do we know what
25 that money was originally for, that \$200,000

1 that was under the emergency flood relief?

2 MS. EVANS: It was my understanding,
3 I think Mrs. Aebli sent us information about
4 this, that it came from allocations made
5 several years ago that haven't been used,
6 and so they are advising the transfer from
7 that program to the paving and road cuts --
8 or curb cuts, I should say.

9 MR. MCGOFF: So that the assumption
10 is that it's no longer needed for the flood
11 relief program?

12 MS. EVANS: According to Ms. Aebli.

13 MR. MCGOFF: And I guess my second
14 question was is that the entire amount from
15 that fund or is it a portion of that
16 emergency relief fund?

17 MS. EVANS: That I don't know, but we
18 could certainly make that inquiry.

19 MR. ROGAN: This \$200,000 was from
20 unspent money from 2005, six years ago.

21 MR. MCGOFF: Yeah. But again, I
22 guess my question was why wasn't it spent?
23 Was it something that should have been done
24 that we --

25 MS. EVANS: Well, I think in many

1 cases we would find that a number of prior
2 allocations made several years ago were
3 never used for a certain projects.

4 MR. MCGOFF: And I wasn't
5 questioning, you know, using it improperly I
6 was just wondering where it came from and
7 also I guess the second thing was whether we
8 were taking all of the money out of this
9 fund or whether there was a balance in that
10 emergency flood fund?

11 MS. EVANS: And, Mrs. Krake, if we
12 can please send a letter and contact Ms.
13 Aebli with Councilman McGoff's questions.

14 MS. KRAKE: Okay.

15 MS. EVANS: Thank you. Is there
16 anyone else on the question? All those in
17 favor of introduction signify by saying aye.

18 MR. MCGOFF: Aye.

19 MR. ROGAN: Aye.

20 MR. LOSCOMBE: Aye.

21 MR. JOYCE: Aye.

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

24 MS. KRAKE: 5-C. ESTABLISHING THE
25 LIST OF AUTHORIZED TOWING COMPANIES FOR

1 THE CITY OF SCRANTON AND ESTABLISHING THE
2 RULES, QUALIFICATIONS AND STANDARDS TO BE
3 FOLLOWED BY ALL SAID TOWING COMPANIES,
4 ESTABLISHING FINES AND PENALTIES FOR
5 TOWING AND FEES RELATED TO THIS ORDINANCE.

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

9 MR. ROGAN: So moved.

10 MR. JOYCE: Second.

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

14 MR. MCGOFF: Aye.

15 MR. ROGAN: Aye.

16 MR. LOSCOMBE: Aye.

17 MR. JOYCE: Aye.

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

20 MS. KRAKE: 5-D. CREATING AND
21 ESTABLISHING SPECIAL CITY ACCOUNT NO. (TO
22 BE DETERMINED) ENTITLED "COMMUNITY MEDICAL
23 CENTER PARKING REVENUE ACCOUNT" FOR THE
24 RECEIPT OF ALL PAYMENTS TO BE MADE BY THE
25 COMMUNITY MEDICAL CENTER TO THE CITY OF

1 SCRANTON PURSUANT TO FILE OF COUNCIL NO. 26,
2 2011, (AS AMENDED), AND FOR THE
3 DISBURSEMENTS OF DEPOSITS FROM SPECIAL CITY
4 ACCOUNT NO. (TO BE DETERMINED).

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

8 MR. ROGAN: So moved.

9 MR. JOYCE: Second.

10 MS. EVANS: On the question?

11 MR. ROGAN: I opposed putting the
12 meters up --or, I'm sorry, opposed to
13 removing the meters from CMC, but I will
14 vote "yes" since the vote is already taken
15 and was voted three to two, so I will vote
16 for the account.

17 MS. EVANS: Is there anyone else on
18 the question? All those in favor of
19 introduction signify by saying aye.

20 MR. MCGOFF: Aye.

21 MR. ROGAN: Aye.

22 MR. LOSCOMBE: Aye.

23 MR. JOYCE: Aye.

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

1 MS. KRAKE: 5-E. APPOINTMENT OF
2 STUART RENDA, 1114 WOODLAWN STREET,
3 SCRANTON, PENNSYLVANIA, 18509 AS A MEMBER OF
4 THE BOARD OF THE SCRANTON SEWER AUTHORITY.
5 MR. RENDA WILL FILL THE UNEXPIRED TERM OF
6 MATTHEW FLYNN, WHO PASSED AWAY ON MAY
7 5, 2011. MR. RENDA'S TERM WILL EXPIRE ON
8 DECEMBER 31, 2012.

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

12 MR. ROGAN: So moved.

13 MR. JOYCE: Second.

14 MS. EVANS: On the question?

15 MR. ROGAN: Yes, on the question.
16 Generally I do vote for anyone who is up for
17 an appointment that sends in a resume, but
18 when Mr. Renda was business administrator he
19 had a very lackluster record of getting back
20 to city council regarding various issues, so
21 I will be voting "no" on this appointment.

22 MS. EVANS: Is there anyone else on
23 the question?? All those in favor of
24 introduction signify by saying aye.

25 MR. MCGOFF: Aye.

1 MR. LOSCOMBE: Aye.

2 MR. JOYCE: Aye.

3 MS. EVANS: Aye. Opposed?

4 MR. ROGAN: No.

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

7 MS. KRAKE: SIXTH ORDER. 6-A.

8 READING BY TITLE – FILE OF COUNCIL NO. 34,
9 2011 – AN ORDINANCE - AUTHORIZING THE MAYOR
10 AND OTHER APPROPRIATE OFFICIALS OF THE CITY
11 OF SCRANTON TO ENTER INTO LEASE AGREEMENTS
12 WITH VARIOUS LITTLE LEAGUE, TEENER LEAGUE,
13 MISS-E LEAGUE, AND JUNIOR AND/OR MIDGET
14 FOOTBALL LEAGUE ASSOCIATIONS FOR USE OF CITY
15 OWNED PROPERTY IN CONNECTION WITH APPROVED
16 LITTLE LEAGUE, TEENER LEAGUE, MISS-E
17 LEAGUE, AND JUNIOR AND/OR MIDGET FOOTBALL
18 LEAGUE ACTIVITIES FOR A THREE-YEAR PERIOD
19 COMMENCING APRIL 15, 2011 AND ENDING APRIL
20 14, 2014.

21 MS. EVANS: You've heard reading by
22 title of Item 6-A, what is your pleasure?

23 MR. ROGAN: I move that Item 6-A pass
24 reading by title.

25 MR. JOYCE: Second.

1 MR. LOSCOMBE: I would like to make a
2 motion to amend Item 6-A for the following
3 amendments: Capitalize the word "premises"
4 wherever it appears in the ordinance.

5 In Section 2, inserting on the
6 fourth line after Weston Park Little League,
7 "Hereinafter referred to as premises."

8 Also, in Section 2, inserted on the
9 eighth line after buildings, "Map of parcel
10 of land as attached hereto as Exhibit A in
11 the premises are outlined in red thereon."

12 Number three, in Section 4,
13 inserting on the fourth line after games
14 "the monthly schedule."

15 Also, in Section 4 on line seven,
16 deleting "actual."

17 Also, in Section 4, on line eight,
18 after "premises inserting "not on the
19 monthly schedule submitted by the tenant."

20 Number four, in Section 9, on line
21 five, after "the" deleting "prior written
22 consent and approval of the mayor of the
23 City of Scranton" and inserting "amendment
24 of this agreement by ordinance approved by
25 the governing body of the City of Scranton."

1 And number five, in Section 11, on
2 line three, after the City of Scranton
3 deleting "Should be joined" and inserting
4 "must be named."

5 And that is it.

6 MS. EVANS: We have a motion on the
7 floor to amend File of Council No. 34 of
8 2011. Do we have a second?

9 MR. ROGAN: Second..

10 MS. EVANS: Are there any questions
11 on the amendment?

12 MR. MCGOFF: Two things: Number one,
13 I'm not sure what any or all of this means
14 since I don't have a lot of the backup for
15 it. And second, again, I would ask that if
16 we plan to make motions to existing
17 legislation that please do so beforehand so
18 that we have an opportunity -- or at least I
19 would like an opportunity to read it and see
20 what effect it has prior to, you know,
21 seeing it now and being being asked to vote
22 on it immediately. I think that obviously
23 it was prepared beforehand it would have
24 been useful to have this, you know, in a
25 more timely manner.

1 MS. EVANS: If I might respond, I
2 asked Solicitor Hughes to review the
3 legislation prior to placing it on the
4 agenda, and as he did he noted that there
5 were, let's say, errors within the
6 legislation that required correction, and
7 rather than our resubmitting this to the law
8 department for all of the corrections, which
9 undoubtedly would have taken weeks to return
10 based on their track record, Solicitor
11 Hughes went through and made corrections to
12 better the legislation, to make it
13 appropriate and correct.

14 The one main change that I had
15 sought was regarding number four deleting
16 "Prior written consent of and approval the
17 mayor the City of Scranton" and inserting in
18 it's place "Amendment of this agreement by
19 ordinance approved by the governing body of
20 City of Scranton."

21 Meaning that approval would have to
22 come from the mayor and by ordinance from
23 city council. I think this was an important
24 action to take. Often times the
25 organizations who lease the fields from the

1 City of Scranton may be asked by other
2 entities to use those fields, but you must
3 keep in mind that the organization, whether
4 it be a little league, a midget football
5 league, a teener league, etcetera, they
6 maintain the fields at their own costs
7 entirely. They provide insurance at their
8 own costs, and they make improvements
9 entirely at their own costs. And so if
10 another entity, let us say it's a school,
11 for example, approaches one of these
12 organizations to use the fields during the
13 times which the organization is not actively
14 using the field, it should really be the
15 decision of the organization that is leasing
16 the field and maintaining the field.

17 And what we have as part of this
18 legislation was the removal of that decision
19 from the organization and placement into the
20 hands of the mayor, and I felt that rather
21 than having the mayor solely make these
22 decisions that really I feel should be made
23 by the organizations who are leasing those
24 fields. It must also come to city council
25 and I'm sure that council will do it's due

1 diligence, contact the organizations, ask
2 them if this is, you know, any type of
3 additional use of the field is to their
4 agreement and, of course, to their knowledge
5 and then council will support their
6 decision.

7 MR. ROGAN: I would just like to echo
8 what Mrs. Evans said. I would say of the
9 five pieces on here, four of them seem to be
10 more just in the wording of it, and number
11 four is the only one that really changes the
12 legislation, and I agree that the youth
13 sports organization should have more say in
14 what's going on in their league. They know
15 how the league is run better than the mayor
16 does or better than council does and council
17 is always open to the public where, you
18 know, the organizers or the coaches from the
19 league could always come to the podium or
20 also contact us by e-mail, and I'm sure I
21 speak for all of us up here that we are
22 going to do what's in the best interest of
23 the leagues, whether it be football,
24 baseball, basketball, etcetera. So I would
25 vote for the amendment.

1 MR. MCGOFF: And again, I didn't say
2 that I was arguing with anything that was in
3 here, all I'm saying is that the nature of
4 these amendments I can't actually see what
5 they are because we don't have the entire
6 backup to the legislation, and it would have
7 been more useful if we had -- if I had known
8 this before -- beforehand, and could have at
9 least looked at that and that was my only
10 issue. Thank you.

11 MR. LOSCOMBE: I don't have the
12 backup myself, I have a full faith in our
13 solicitor on his research on this here
14 because I wouldn't be able to make these
15 changes myself. In this particular case, we
16 are not legal expertise and that's why we
17 have him as solicitor and I believe he has
18 done his due diligence and acted in the best
19 interest of everyone here. Thank you.

20 MS. EVANS: Is there anyone else on
21 the question? All those in favor of the
22 motion to amend Item 6-A signify by saying
23 aye.

24 MR. ROGAN: Aye.

25 MR. LOSCOMBE: Aye.

1 MR. JOYCE: Aye.

2 MS. EVANS: Aye. Opposed?

3 MR. MCGOFF: No.

4 MS. EVANS: The ayes have it and so
5 moved. All those in favor of Item 6-A, as
6 amended, signify by saying aye.

7 MR. MCGOFF: Aye.

8 MR. ROGAN: Aye.

9 MR. LOSCOMBE: Aye.

10 MR. JOYCE: Aye.

11 MS. EVANS: Aye. Opposed? The ayes
12 have it and so moved.

13 MS. KRAKE: 6-B. READING BY TITLE -
14 FILE OF COUNCIL NO. 35, 2011 - AN ORDINANCE
15 - AUTHORIZING THE MAYOR AND OTHER
16 APPROPRIATE CITY OFFICIALS TO ENTER INTO A
17 CONTRACT FOR PROFESSIONAL SERVICES WITH
18 NORTHEAST REVENUE SERVICES, LLC AND CAVERLY,
19 SHEA, PHILLIPS AND RODGERS, LLC FOR THE
20 COLLECTION OF DELINQUENT REAL ESTATE TAXES
21 FOR THE COLLECTION OF YEARS 2004, 2005,
22 2006, 2007 AND 2008.

23 MS. EVANS: You've heard reading by
24 title of Item 6-B, what is your pleasure?

25 MR. JOYCE: I move that Item 6-B pass

1 reading by title.

2 MR. MCGOFF: Second.

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

5 MR. MCGOFF: Aye.

6 MR. LOSCOMBE: Aye.

7 MR. JOYCE: Aye.

8 MS. EVANS: Aye. Opposed?

9 MR. ROGAN: No.

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

12 MR. JOYCE: I would like to make a
13 motion to table Item 6-B.

14 MR. ROGAN: Second.

15 MS. EVANS: On the question?

16 MR. ROGAN: Yes, on the question.
17 Normally I do support giving legislation an
18 up or down vote, but since our caucus or
19 hearing is scheduled I believe it's two
20 weeks.

21 MS. EVANS: Hopefully June 14.

22 MR. ROGAN: Hopefully for June 14 I
23 don't think anyone would be able to give
24 this their final approval before hearing
25 from all of the parties involved, so we look

1 forward to the caucus or hearing, whichever
2 it may be.

3 MS. EVANS: I think it will be a
4 caucus.

5 MR. JOYCE: Yes.

6 MS. EVANS: Is there anyone else?

7 MR. JOYCE: Just to explain the
8 reasoning for tabling Item 6-B is simply to
9 allow the caucus to occur before we make a
10 final vote in Sixth Order.

11 MS. EVANS: And very likely as a
12 result of the caucus and very careful review
13 of the legislation, which actually began at
14 least a week ago, it was noted that, for
15 example, contract itself contradicts an
16 agreement attached to the contract, and it's
17 seems to be a very poorly drafted piece of
18 legislation, so undoubtedly council will be
19 amending this as well. All those in favor
20 signify by saying aye.

21 MR. MCGOFF: Aye.

22 MR. ROGAN: Aye.

23 MR. LOSCOMBE: Aye.

24 MR. JOYCE: Aye.

25 MS. EVANS: Aye. Opposed? The ayes

1 have it and so moved. Item 6-B is hereby
2 tabled.

3 MS. KRAKE: 7-A. FOR CONSIDERATION BY
4 THE COMMITTEE ON RULES FOR ADOPTION -
5 RESOLUTION NO.27, 2011- APPOINTMENT OF WAYNE
6 HILLER, 303 SEYMOUR AVENUE, SCRANTON,
7 PENNSYLVANIA, 18505, TO THE BOARD OF THE
8 SCRANTON PARKING AUTHORITY FOR AN ADDITIONAL
9 FIVE (5) YEAR TERM. MR. HILLER'S CURRENT
10 TERM WILL EXPIRE ON JUNE 1, 2011 AND HIS NEW
11 TERM WILL EXPIRE ON JUNE 1, 2016.

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

15 MR. JOYCE: Second.

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

18 MS. MARCIANO: Mr. McGoff.

19 MR. MCGOFF: Yes.

20 MS. MARCIANO: Mr. Rogan.

21 MR. ROGAN: Yes.

22 MS. MARCIANO: Mr. Loscombe.

23 MR. LOSCOMBE: Yes.

24 MS. MARCIANO: Mr. Joyce.

25 MR. JOYCE: Yes.

1 MS. MARCIANO: Mrs. Evans.

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

4 MS. KRAKE: 7-B. FOR CONSIDERATION
5 BY THE COMMITTEE ON RULES FOR
6 ADOPTION-RESOLUTION NO.28, 2011- APPOINTMENT
7 OF ARIANNE N. SLOCUM, 2104 NORTH WASHINGTON
8 AVENUE, SCRANTON, PENNSYLVANIA, 18509, TO
9 THE CIVIL SERVICE COMMISSION EFFECTIVE
10 JANUARY 14, 2011. MS. SLOCUM WILL BE
11 REPLACING REV. REGINALD MCLAIN, WHO RESIGNED
12 EFFECTIVE JANUARY 13, 2011. MS SLOCUM'S TERM
13 WILL EXPIRE WITH THE TERM OF MAYOR
14 CHRISTOPHER A. DOHERTY.

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

18 MR. JOYCE: Second.

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

21 MS. MARCIANO: Mr. McGoff.

22 MR. MCGOFF: Yes.

23 MS. MARCIANO: Mr. Rogan.

24 MR. ROGAN: Yes.

25 MS. MARCIANO: Mr. Loscombe.

1 MR. LOSCOMBE: Yes.

2 MS. MARCIANO: Mr. Joyce.

3 MR. JOYCE: Yes.

4 MS. MARCIANO: Mrs. Evans.

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

7 MS. KRAKE: 7-C. FOR CONSIDERATION BY
8 THE COMMITTEE ON RULES FOR ADOPTION -
9 RESOLUTION NO.29, 2011- APPOINTMENT OF MRS.
10 CAROL OLESKI, 1124 ROCK STREET, SCRANTON,
11 PENNSYLVANIA, 18504 AS A MEMBER OF THE
12 SCRANTON MUNICIPAL RECREATION AUTHORITY TO
13 SERVE THE UNEXPIRED TERM OF JAMES MCDONNELL
14 THROUGH DECEMBER 31, 2013.

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

18 MR. ROGAN: Second.

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

21 MS. MARCIANO: Mr. McGoff.

22 MR. MCGOFF: Yes.

23 MS. MARCIANO: Mr. Rogan.

24 MR. ROGAN: Yes.

25 MS. MARCIANO: Mr. Loscombe.

1 MR. LOSCOMBE: Yes.

2 MS. MARCIANO: Mr. Joyce.

3 MR. JOYCE: Yes.

4 MS. MARCIANO: Mrs. Evans.

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

7 MS. KRAKE: 7-D. FOR CONSIDERATION BY
8 THE COMMITTEE ON RULES FOR ADOPTION-
9 RESOLUTION NO.30, 2011- APPOINTMENT OF
10 JOSEPH A. MURPHY, 610 DEPOT STREET,
11 SCRANTON, PENNSYLVANIA 18509, AS A MEMBER OF
12 THE SCRANTON CITY PLANNING COMMISSION TO
13 SERVE THE UNEXPIRED TERM OF THOMAS PREAMBO.
14 MR. MURPHY'S TERM WILL BE EFFECTIVE MARCH
15 22, 2011 THROUGH DECEMBER 31, 2015.

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

19 MR. ROGAN: Second.

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

22 MS. MARCIANO: Mr. McGoff.

23 MR. MCGOFF: Yes.

24 MS. MARCIANO: Mr. Rogan.

25 MR. ROGAN: Yes.

1 MS. MARCIANO: Mr. Loscombe.

2 MR. LOSCOMBE: Yes.

3 MS. MARCIANO: Mr. Joyce.

4 MR. JOYCE: Yes.

5 MS. MARCIANO: Mrs. Evans.

6 MS. EVANS: Yes. I hereby declare

7 Item 7-D legally and lawfully adopted. If

8 there is no further business, I will

9 entertain a motion to adjourn.

10 MR. JOYCE: Motion to adjourn.

11 MS. EVANS: This meeting is

12 adjourned.

13

14

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

1
2
3 I hereby certify that the proceedings and
4 evidence are contained fully and accurately in the
5 notes of testimony taken by me at the hearing of the
6 above-captioned matter and that the foregoing is a true
7 and correct transcript of the same to the best of my
8 ability.
9
10
11

12 CATHENE S. NARDOZZI, RPR
13 OFFICIAL COURT REPORTER
14
15
16
17
18
19
20
21
22
23
24
25