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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, July 19, 2011

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

JANET EVANS, PRESIDENT

PAT ROGAN, VICE-PRESIDENT

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

1 (Pledge of Allegiance recited and moment of
2 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. Mrs.

11 Evans.

12 MS. EVANS: Here.

13 MS. KRAKE: THIRD ORDER. 3-A.

14 AGENDA FOR THE CITY PLANNING COMMISSION
15 MEETING TO BE HELD JULY 20, 2011.

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

18 MS. EVANS: Clerk's notes?

19 MS. KRAKE: We don't have any
20 tonight, Mrs. Evans.

21 MS. EVANS: Thank you. Do any
22 council members have announcements at this
23 time? Then we shall proceed to Fourth
24 Order. Our first speaker this evening is
25 Les Spindler.

1 MR. SPINDLER: Good evening,
2 Council. Les Spindler, city resident and
3 taxpayer.

4 MS. EVANS: Good evening.

5 MR. SPINDLER: Last week council
6 took a vote not to have people swim at Nay
7 Aug. Mr. McGoff voted against it. It means
8 he doesn't want kids to swim free. People
9 with four or five people in their families I
10 guess he thinks they -- it's okay for them
11 to pay all of that money, and then in the
12 paper he makes a comment, "Free swimming --
13 the city has free swimming elsewhere."

14 Novembrino is closed. Capouse
15 Avenue is closed. Where is there free
16 swimming, Mr. McGoff? You have to pay to go
17 to Nay Aug. Where are people from West
18 Scranton going to swim for free?

19 MR. MCGOFF: There are three pools
20 open.

21 MR. SPINDLER: In West Scranton?

22 MR. MCGOFF: In the city. I didn't
23 say which pool.

24 MR. SPINDLER: Well, the poor
25 children of West Scranton won't be able to

1 get to wherever else there is free swimming,
2 and it seems like the Novembrino pool they
3 are catering to all of the young children
4 and they don't care about the teenagers. If
5 they are going to close one of the pools
6 there and put a splash park in they should
7 close the smaller pool and leave the big one
8 open for bigger teenagers. This city
9 doesn't do anything right.

10 I read in the Doherty newsletter
11 where this Thursday is the mayor's
12 conference in our city, I wonder if the
13 mayor is going to give all of the other
14 mayors a tour of our beautiful downtown with
15 all of the empty store fronts and the two
16 huge eyesores on Linden Street. That will
17 be a real site for the mayors to see. Makes
18 me real proud for the other mayors of the
19 city of the country to see those two young
20 eyesores. They should just fill those
21 things in instead of having the trees
22 growing.

23 Next, in the paper the other day
24 with the shale commission is going to
25 suggest to the governor that they tack fees

1 on the gas companies, and never mind we have
2 something that Bob Bolus has coming here for
3 years and said, that council should look
4 into an impact fee on the leachate coming
5 from the landfill. I mean, if the state
6 could put an impact fee onto the gas
7 companies I think council should look into
8 what Mr. Bolus was talking about. We are
9 always looking for extra sources of revenue,
10 I mean, that could be a good idea. If the
11 state could do it, maybe we could do it.

12 This isn't the first time I heard
13 this, but I heard Sunday night there were
14 four police officers to cover our whole
15 city, Sunday night, and it's just -- this is
16 just unbelievable. I mean, we are not New
17 York City, but this is a fairly big city for
18 four police officers to cover. If there is
19 a dangerous situation going on, God forbid,
20 somebody with a gun or whatever, four police
21 officers cannot handle it.

22 I mean, Chris Doherty is closing our
23 fire companies, he won't hire police
24 officers, he doesn't give a darn about the
25 people of the city, all he cares about it is

1 management rights and he doesn't care about
2 the public safety of this city and this is
3 wrong. There is going to be a tragedy in
4 this city, one way or the other, I don't
5 want to see that, but it's a darn shame and
6 if somebody bad does happen it's all Chris
7 Doherty's fault. This is just ridiculous
8 that we have police officers on a night
9 shift when most of the crime is happening
10 and I have heard that many times, it's a
11 darn shame.

12 Last week I came and spoke about the
13 Rockwell Avenue Bridge which I noticed was
14 on the DohertyDeciet website about two weeks
15 ago and just today it was the Doherty
16 newsletter, a/k/a the Times-Tribune. This
17 paper is late on everything. They posted
18 the story a month late about the Sewer
19 Authority worker fired for using Sewer
20 Authority equipment, now they are a few
21 weeks late on the Rockwell Avenue Bridge,
22 maybe they should go to DohertyDeciet.com
23 and get their news from there. They would
24 get it more on time.

25 Lastly, will council be back from

1 their break on September 6? That's the day
2 after Labor Day?

3 MS. EVANS: Yes.

4 MR. SPINDLER: Okay, because Glenn
5 on DohertyDeceit.com posted that you won't
6 be back until September 13, and I figured
7 that was wrong.

8 MS. EVANS: Well, I believe council
9 has always traditionally returned to the
10 first meeting after Labor Day, so that
11 would --

12 MR. SPINDLER: He must have this
13 council confused with the Judy Gatelli
14 council that always took days after holidays
15 off. So, Glenn, you better get with the
16 program. This is a different council.

17 One last comment, big story today
18 about the hospital being sold and
19 CMC-Geisinger and how this will effect the
20 city, but I was glad to see the same company
21 that bought Mercy is buying Moses Taylor and
22 that will add to the tax base of our city
23 again, so that's a good thing. Finally some
24 good things are starting to happen maybe and
25 get some taxes coming into this city.

1 And just in case I don't make it
2 next week, I know next week is the last
3 meeting before the break, again, I want to
4 announce August 12 and 13, Friday and
5 Saturday, is the Tripp Park picnic put on
6 the by the Tripp Park Neighborhood
7 Association at the Tripp Park Community
8 Center, 2000 Dorothy Street, and thank you
9 for your time.

10 MS. EVANS: Mr. Spindler, at what
11 time?

12 MR. SPINDLER: You know what, I'm
13 not sure, but laster year it was six to ten,
14 so I'm sure it's probably in this same time
15 slot.

16 MS. EVANS: Thank you. Bill
17 Jackowitz.

18 MR. JACKOWITZ: Good evening,
19 Council. Bill Jackowitz, South Scranton
20 resident, Taxpayers' Association member.
21 Times-Tribune, our opinion, 15 July 2011.
22 If the parade of crooked public officials
23 from Northeastern, Pennsylvania, who have
24 paraded in the Federal Court have performed
25 a public service, it has been demonstrated

1 conclusively that secrecy breeds corruption.
2 I still remember the caucus and meetings in
3 the city council secretary's office that the
4 past council presidents were so proud of.
5 Reminded me of six sardines packed into a
6 can.

7 The state has passed a state law
8 that all state spending to be posed on-line.
9 Maybe the Honorable Mayor Doherty should
10 generate legislation that all city and
11 Authority spending should be posted on-line
12 and made public. But then again, the
13 honorable Mayor Doherty will not even make
14 himself public. 37 states make all its
15 revenue and spending data readily available,
16 it's time for the city to following suite.

17 An act or instance of working or
18 acting together for a common purpose or
19 benefit. Joint action. More or less active
20 assistance from a person, organization.
21 Willingness to cooperate, joint operation or
22 action. Assistance or willingness to
23 assist, definition of cooperation, something
24 that Councilman McGoff advocates, but in my
25 opinion, does not practice. Otherwise, he

1 would have found a way to bring the
2 Honorable Mayor Doherty and the city council
3 together along with the appointed city
4 authorities. Problems would have been
5 resolved and solutions found, instead, we
6 have the same old political nonsense without
7 any solutions, there are more arguments than
8 failures.

9 We are building a better Scranton by
10 creating new jobs and investing in our
11 infrastructure, attracting new businesses
12 and supporting our existing ones. It's a
13 plan to build or future today so we are
14 ready for the challenges that tomorrow may
15 bring. Chris Doherty, Honorable Mayor of
16 Scranton, City of Scranton web page.

17 Number one, creating now jobs. The
18 mayor himself takes credit for 9,000 new
19 jobs. We are just unable to locate the jobs
20 or the honorable Mayor Doherty for that
21 matter.

22 Number two, investing in our
23 infrastructure. Just drive around the city,
24 potholes, crumbling bridges, vacant
25 overgrown lots or condemned buildings. We

1 just recently had three new holes opened in
2 Scranton. At one time they were swimming
3 pools, now they are just empty holes.

4 Number three, attracting new
5 business. Just drive down the 500 block of
6 Lackawanna Avenue, \$29 million of empty new
7 buildings and across the street another
8 empty building, used to be a restaurant, all
9 built with taxpayers' money.

10 Number four, supporting our existing
11 business. Just ask Buona Pizza and Coney
12 Island how much support they received from
13 the Honorable Mayor Doherty.

14 Number six, Honorable Mayor Doherty,
15 your plan has not worked. The time has come
16 for you to start cooperating. Maybe you and
17 Councilman McGoff can work on a new plan so
18 that the City of Scranton can face the
19 challenges of tomorrow.

20 Business Weekly, best place to raise
21 kids. Bring the checkbook so your kids can
22 swim at Nay Aug Park for \$4 a day because
23 two of the three pools have being closed.
24 One member of the Parks and Recreation
25 Authority was quoted as saying, "The fee to

1 swim at Nay Aug Park is necessary to keep
2 the riffraff out of the pool, "five years
3 ago.

4 Best place to raise kids. Last week
5 Councilman McGoff stated that any
6 identifiable group would receive a discount
7 if they had 251 swimmers. I called Parks
8 and Recreation on Thursday 14 July 11 and
9 again today and spoke with the secretary who
10 was very adamant that there are no
11 discounts. Also, Mark Dougher told me that
12 there would be no discounts for 2011 at Nay
13 Aug for swimming.

14 The secretary also questioned where
15 Councilman McGoff received his information
16 because she stated, "I have been telling
17 everyone who asked about a discount that
18 there was no discounts this year."

19 I also had four other people call
20 and they all got the same response. Makes
21 me wonder, our group was identifiable by
22 ages of six through 15. How much more
23 identifiable do you need? Spoke with three
24 qualified persons who applied for lifeguard
25 positions within the Parks and Recreations

1 this year, all three were not hired and are
2 currently working at other pools in the
3 area.

4 Forbes, Scranton is ranked 30th as
5 one of America's fastest recovering cities.
6 They forgot to mention that Scranton has
7 been distressed for 19 1/2 years and that
8 the Recovery Plan expired in 2005. We have
9 no recovery, no cooperation or future for
10 that matter. We do have 3.4 percent wage
11 tax, one of the highest in the states. We
12 do have the highest unemployment rate in the
13 state. We do have the lowest per capita
14 income rate in the state, and also the
15 lowest median family income in the state.
16 We have an honorable mayor who wanted to be
17 governor, lieutenant governor or state
18 senator, I'm almost finished, so he could
19 leave the city, but he was rejected by the
20 voters of Pennsylvania and remains as the
21 honorable mayor of Scranton along with his
22 admitted rubber stamper, Councilman Robert
23 McGoff.

24 If there are no discount rate for
25 swimming at Nay Aug Park, let's just look at

1 the figures. Let's say 500 people a day at
2 \$4 equals \$2,000 a day swimming, season
3 approximately six weeks, 42 days, that's
4 2000 times 42, equals \$84,000 that they will
5 bring in at \$4 a day, and that's using very
6 conservative figures of only 500 people a
7 day.

8 I hope the Parks and Recreation
9 Authority and the departments are keeping
10 good records. This is all cash money. I
11 could not get an exact amount of the day
12 from Parks and Recreation, they said it's
13 based on availability of lifeguards, that's
14 why I can't give you a closing date. Also,
15 could not give an exact number of swimmers
16 on a daily basis, no records, just using
17 free swimming events 11 as a point of
18 reference and we only count kids. Adults
19 pay the \$4 a day, also, so we were bringing
20 in 500 kids to the swimming event, that's
21 not counting adults, okay?

22 I would like to offer my condolences
23 to Howard Ufberg's family. Howard was our
24 biggest contributor to the Kids Swim Free
25 Program. He went as far as to offer

1 discounts on school uniforms to the families
2 who attended the free swimming event one
3 year. Howard will be greatly missed.

4 And again, I'd like to find out are
5 there discounts offered or are there not
6 discounts offered? Mr. Dougher told me no,
7 the secretary of Parks and Recreation told
8 me no. Mr. McGoff told me yes. I would
9 like to know, are there discounts or are
10 there not discounts offered.

11 MS. EVANS: Thank you,
12 Mr. Jackowitz. Ron Ellman.

13 MR. ELLMAN: Hello, Council.

14 MS. EVANS: Good evening.

15 MR. ELLMAN: Tonight I think I'll
16 stick to the subject, that being Scranton.
17 People mentioned that I get off the subject
18 a lot. Across the street and down the block
19 is a fellow that is extremely mentally
20 challenged. He shouldn't be by himself
21 really, his mother died a couple of years
22 ago and he has gone downhill just terrible.
23 He will cross the street and doesn't look
24 and walks the street day and night and he
25 sits in a park bench. I mean, you know, he

1 is just -- the poor soul, he used to talk to
2 me and Roseanne but he doesn't come by for a
3 couple of years now.

4 Oh, I don't know about a month ago I
5 was sitting on the porch and he puts some
6 dishes outside, they were real bright
7 colored, and I noticed them and a couple of
8 seconds the woman next door run over, picked
9 up the dishes and took them home, which I
10 don't see a think wrong in that, you know,
11 I'm not complaining about it. I took slugo
12 for a walk and when I come back she had her
13 truck parked in front of his house and was
14 carrying boxes of stuff out. Now that's not
15 right, but, you know, I didn't know the
16 circumstances.

17 Last week I was cutting my hedge a
18 little bit and here comes the truck and they
19 carried out his freezer. Now, here is a
20 person that can't make a sound decision
21 anymore and these people are looting his
22 house. The other day I think I went to get
23 the mail or something I saw a run out the
24 door in her bathrobe, and I don't what the
25 deal was, I thought something might have

1 happened to him. A little while later her
2 pickup is in front of his house again.

3 Now, I phoned Scranton Counseling
4 to-- you know, this isn't right. So I
5 talked to a couple of women and they put me
6 on hold and then hung up. I phoned back,
7 this time I was mad and I told them I wanted
8 to talk to someone, and I got this bimbo on
9 the phone that told me -- actually, she
10 wanted to know the story, and she said this
11 is none of my concern. This is a tax -- you
12 know, these people -- we pay taxes to
13 Scranton Counseling to protect this man and
14 others like him and she tells me to phone
15 the police is what she said, it's not her
16 concern.

17 So I phoned the police and a very
18 professional young guy came by and he has
19 had experience in this before. He said this
20 is really -- the police can't stop him
21 because he knows -- you know, he does have
22 enough sense to know what he is -- he is
23 just giving everything away and they are
24 taking advantage of him, we can't arrest
25 anybody, but I don't see a bit of difference

1 in this case of Scranton Counseling not
2 protecting him like they should be and that
3 woman in Luzerne County that looted her aunt
4 of \$100,000 or something that has been on
5 the news. It's exactly the same as far as
6 I'm concerned. I just can't understand why
7 this man is not being protected, you know,
8 and I don't what else I could do because I
9 just feel sorry for the guy. I talked to
10 him maybe once in awhile when I walk the dog
11 and he is out to lunch bad.

12 Well, that's our tax dollars at
13 work, just a big waste of money. My
14 pharmacist is over there on Adams at the
15 prescription shop, and I'm there a couple of
16 times a month, and I know everybody here has
17 seen the product of Scranton Counseling,
18 they look like a bunch of the zombies
19 walking up and down the street and there is
20 people there that I could remember ten years
21 ago that, you know, could take care of
22 themselves and now they just don't act
23 right.

24 Well, to change the subject real
25 quick, I saw in today's paper what our

1 esteemed governor says it's time to raise
2 the license plates and driver's license and
3 everything else rather than tax
4 multi-millionaire oil companies. That's
5 just -- I don't know. You know how the
6 chinese have -- they name all of the years,
7 the year of the dragon, the year of the
8 shrimp, this has to be the year of the
9 worst. It just has to be. You know, we got
10 the worst mayor the city has ever had. We
11 got -- we got the county commissioners that
12 are just -- they are just -- you know, they
13 just don't care about this. We got a
14 governor that he told everybody what he was
15 going to do before he was elected, so, you
16 know, we are not getting a bit of help on
17 taxes from him and it's not just the
18 president, it's all of Washington, we are
19 just so far out of tune with American people
20 it's just unbelievable.

21 You know, like I said, it's just
22 coming to me real quick, this has to be the
23 year of the worse. I was 75 years old this
24 year and in my whole life I just don't ever
25 remember times like this. The people ask me

1 once in awhile when we are talking, the best
2 time of my life was when President Clinton
3 was in, and I didn't vote for him, but
4 financially I never had it so good those
5 years, and here Washington has just gotten--
6 the American people have let Washington just
7 get away from them. We don't have any
8 control anymore what goes on. You know, I
9 don't know. I think people ought to just
10 put their taxes in escrow or something.
11 Thank you.

12 MS. EVANS: Thank you. Marie
13 Schumacher.

14 MS. SCHUMACHER: Good evening.
15 Marie Schumacher. First, I would like to
16 commend the West Side Crime Watch for the
17 many events they held last week and it was
18 really-- it was really special and I know
19 they put a lot of work in and the heat
20 didn't help any. I'm sorry that I missed
21 the basketball scrimmage, but I had a prior
22 -- had to leave, but Mr. Joyce made it so I
23 guess he survived.

24 MS. EVANS: Actually none of the
25 scrimmages occurred. No one, I think other

1 than Councilman Joyce, appeared to
2 participate in the scrimmage, so --

3 MS. SCHUMACHER: Well, I know that
4 the three-on-three Mr. McGoff had a death in
5 the family and I guess Mr. Rogan was out of
6 town.

7 MR. MCGOFF: Hold her time, I was
8 going to do this later, I -- due to the
9 aforementioned death in my family I was
10 unable to be there Sunday night. I
11 contacted Mr. Rogan and I believe he
12 contacted the Crime Watch and cancelled us
13 from that event, so that we were -- I was
14 unable to participate and, therefore, my
15 colleagues felt that they didn't want to
16 participate if I didn't have the
17 opportunity, so -- and I did go up there
18 Saturday night and I apologize to the people
19 at the little festival and --

20 MR. JOYCE: And, Mrs. Schumacher --

21 MS. SCHUMACHER: Those things
22 happen, yes.

23 MR. JOYCE: If I could add though,
24 my teammates weren't able to attend, I did
25 choose to go and participate because Ms.

1 Foster from the Crime Watch Association just
2 said show up and we'll find a team for you.
3 Unfortunately, the heat was a little bit
4 unbearable for everybody there, so by the
5 time 6:00 came around on Sunday nobody felt
6 like playing basketball.

7 MS. SCHUMACHER: Oh, okay. I had a
8 commitment in church so I couldn't stay for
9 6:00. I was disappointed, but now that
10 makes me feel some better.

11 Regarding the emergency certificate
12 and the resolution, I don't see a number on
13 it so I don't know if that's 5-C tonight,
14 but is the modification to allow Boscov's to
15 stop paying both the principle and interest
16 payments?

17 MS. EVANS: Yes, and I'm going to
18 discuss that at length during my motions.

19 MS. SCHUMACHER: Well, I believe if
20 it's what was proposed earlier this year the
21 -- they also were asking us to subordinate
22 our loan and since that loan is already
23 significantly under water I guess that means
24 if you all vote in favor of this resolution,
25 although, a resolution I guess has no power

1 of law, I did check that out myself, and
2 it's just a recommendation, so I guess it
3 really doesn't matter, but I would hope you
4 would vote against it because it certainly
5 makes us almost guaranteed losers of even
6 yet more money.

7 MS. EVANS: Well, actually, if we
8 were to vote against this we would be
9 immediate losers because as part of the
10 inter-creditor agreement among the city,
11 Steamtown Mall Partners and HUD, if the
12 Steamtown Mall Partners were to default on
13 their primary loan which, in fact, basically
14 is the case here without this agreement, no
15 junior liens, no subordinate loans can be
16 paid, so you can either lose everything
17 right now or you can provide the
18 opportunity for the mall to get back on it's
19 feet.

20 MS. SCHUMACHER: So it's lose it now
21 or lose it later, I guess, because they are
22 really significant, as I had the figures a
23 couple of weeks, so that's disappointing --

24 MR. ROGAN: Mrs. Schumacher, I will
25 also --

1 MS. SCHUMACHER: But, Mr. Joyce, I
2 hope maybe you can provide to me the 2010
3 and 2011 -- or 2009 and 2010 audit input
4 delinquencies, so I can perform the
5 comparison I'm interested in.

6 MR. JOYCE: Yes.

7 MS. SCHUMACHER: And I can certainly
8 do that myself, and also I'm hoping during
9 motions Mr. Loscombe will report on how many
10 neighborhood police patrol officers have
11 been deployed, as I requested last week.

12 And then I would like to ask, I
13 talked a bit back probably last year about
14 the fact that Pennsylvania's constitution
15 does not automatically exempt nonprofits
16 from paying property taxes, and I read the
17 five, and I also talked about the risk of
18 the assessment appeals and you've all
19 reported that you're getting the assessment,
20 the scheduled assessment appeals, and I
21 wonder have any of those been challenged so
22 far this --

23 MS. EVANS: Have any of those
24 been --

25 MS. SCHUMACHER: Been challenged.

1 MS. EVANS: No, they haven't.

2 MS. SCHUMACHER: I would ask that
3 you be on the lookout for one. I received
4 some well-researched information from a city
5 taxpayer and the University of Scranton has
6 purchased two more residential properties at
7 408 and 414 Quincy Avenue, and they are in
8 the R-2 zoning district, and I am reading
9 from this. The properties are adjacent to
10 another University-owned property at 406
11 Quincy Avenue which is also in the R-2
12 zoning district.

13 The University recently applied for
14 a variance to build the parking lot on 406
15 Quincy and was denied by the Zoning Board of
16 Appeals on May 11, 2011. The vacant
17 property at 406 Quincy Avenue has been
18 removed from the property tax base for
19 several years and you can be sure that the
20 University will request that the recently
21 purchased vacant properties next door will
22 also be listed as tax exempt.

23 The question on this matter is as
24 follows: One, why is the University paying
25 a real estate tax bill on the vacant

1 property it owns in Roaring Brook Township
2 and not being sent a property tax bill for
3 all the numerous vacant properties that it
4 continues to purchase in Scranton? And I
5 did verify with the tax collector that, in
6 fact, they have a couple of hundred acres up
7 in Roaring Brook that they have been paying
8 taxes on since all of this decade, so I
9 think, you know, maybe one of those things
10 that you need to look into with many of the
11 other nonprofits.

12 Frankly, that's one of the things I
13 was hoping you would do during August is go
14 through the nonprofits who are on the tax
15 exempt rolls and look at them and see if
16 they meet the five criteria of the
17 Pennsylvania constitution and if not, get
18 them back on the tax rolls.

19 So I'll finish this letter, and it
20 says, "Most of the properties acquired in
21 this tax exempt are in the residential R-2
22 zone. As per the Scranton zoning ordinance,
23 the University cannot utilize any of these
24 R-2 zone vacant properties until they
25 receive a variance from the zoning board or

1 city council rezones the area to an
2 institutional district."

3 Since the University cannot legally
4 use any of these R-2 properties until the
5 proper zoning permits are obtained, all of
6 these properties should have the same
7 taxable status as the property the
8 University pays real estate taxes on in the
9 North Pocono School District. Please look
10 into this matter before the recently
11 acquired 408 and 414 Quincy Avenue
12 properties are given tax exempt status.

13 MS. EVANS: Ms. Schumacher, can you
14 submit all of that to Ms. Carrera, please?

15 MS. SCHUMACHER: I'll get copies and
16 get them to her. Certainly.

17 MS. EVANS: Because that's something
18 I think that most definitely we should look
19 into.

20 MR. JOYCE: We'll absolutely look
21 into it.

22 MS. SCHUMACHER: And I think there
23 are many others, so I think this is the tip
24 of the iceberg, so thank you.

25 MS. EVANS: Thank you.

1 MR. JOYCE: Thank you very much.

2 MS. EVANS: Is there anyone else who
3 cares to address council?

4 MR. DOBRZYN: Good evening, Council.
5 Dave Dobrzyn.

6 MR. JOYCE: Good evening.

7 MR. DOBRYZN: Citizen of Scranton,
8 taxpayer. On the pool business, we are
9 hammering it to death here, but if there is
10 any way to prevent that pool from being
11 turned into a splash park you have my full
12 support, please, stop that grant, and I'm
13 wondering, how much are these grants costing
14 us in matching funds? Does anybody know
15 that? No? You wouldn't know what these
16 grants are costing us in matching funds?

17 MS. EVANS: Could you repeat that,
18 Mr. Dobrzyn.

19 MR. DOBRYZN: How much say would
20 these grants cost us in matching funds say
21 for the swimming pool or the splash park?
22 What would be our cut of the action or do we
23 have to come up with any money to match it?

24 MR. ROGAN: I don't think anything.

25 MR. DOBRZYN: 20 percent, 50

1 percent, 30 percent?

2 MS. EVANS: No. These are CDBG
3 funds.

4 MR. DOBRYZN: So we don't -- but,
5 please, whatever you do try and put a stop
6 to it. I'd just as soon see it stand idly
7 for a year than see a 13 foot pool turned
8 into a splash park. It's silliness. You
9 are destroying the property you are not
10 enhancing it.

11 And these hospitals, I see we have a
12 lot of changes here and I don't know if
13 anybody in the community has done anything
14 with this, but be careful what you wish for,
15 how will this affect uninsured carriers?
16 You might see people being turned away some
17 day from emergency rooms and so forth.
18 Under the laws that remain, tax exempt they
19 very to take the indigent into care and
20 suppose they don't? Suppose it all winds up
21 being dumped on in other hospitals or
22 whatever or go to this place they are tax
23 exempt, well, the next thing you know that
24 hospital is in trouble, so I'm wondering if
25 you are not just batting the ball around

1 here like a big pool game more or less.

2 Now, okay, the golden parrot award
3 goes to Obama, John Baynor and Mitch
4 McConnell for negotiating more trade packs
5 with Panama, narco money-laundering state;
6 Columbia shoots labor organizers, and South
7 Korea uses North Korean labor. It's amazing
8 how all of these so-called capitalists get
9 along with commoners so well, as long as
10 they don't pay a wage, I guess, which is
11 fine.

12 And there is an assembly man from
13 Ohio, Beckeburg, he introduced a picture ID
14 required law for voting and he no longer has
15 a driver's license or picture ID now because
16 he is caught with Viagra drunk and with a
17 professional lady in his front seat, so --
18 and another concern I have, and it might --
19 I see where are raising the license fee and
20 I'm also hearing of a picture ID in the
21 State of the Pennsylvania requirement for
22 both, so from what I saw we are looking at
23 about \$160 a year to maintain a driver's
24 license, or maybe have half of that and half
25 it would go to a registration of a vehicle

1 or whatever, but that's very concerning
2 because voting should be free and available
3 to everybody with a voter registration card
4 and that's all there is to it. There is no
5 other fair way, it's just a poll tax, so all
6 of the above get the golden parrot. Bawk,
7 bawk, bawk, money talks. Have a good night.

8 MS. EVANS: Thank you.

9 MR. UNGVARSKY: Good evening, city
10 council. I'm Tom Ungvarsky.

11 MS. EVANS: Good evening.

12 MR. UNGVARSKY: I understand that
13 the mayor wants to sell the parking meters
14 to the Parking Authority, perhaps during
15 motions some member of council can tell me
16 how the Parking Authority can float a loan
17 for ten million dollars when they are
18 already so deeply in debt. It's easy to see
19 why the mayor postponed having the meters
20 rendered out or a new company take over the
21 meters, I'm sorry, I can't think of the name
22 of the companies.

23 MS. EVANS: StreetSmart.

24 MR. UNGVARSKY: It's easy to see why
25 he did it. Also, several years ago I

1 counted up at least 300 apartments that were
2 proposed to be built. The only ones that I
3 can recall being built are probably the 300
4 block of Penn Avenue. I have heard nothing
5 about the St. Peter's Square, the school up
6 on East Scranton, East Scranton Elementary
7 School or Intermediate school, excuse me,
8 and several others. Maybe during motions
9 you can tell me if city council follows up
10 on any of these.

11 Also, the Jersey Central Warehouse,
12 what's going on with that? If anybody knows
13 during motions you would you please tell us?
14 Thank you.

15 MR. JOYCE: Thank you.

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

18 MR. ANCHERANI: Good evening.
19 Nelson Ancherani, resident and taxpayer,
20 recording secretary of the FOP, First
21 Amendment Rights. I don't have much to say
22 tonight, I just have a question on 7-A. I
23 really should have been following it better,
24 but I wasn't. 7-A, does that include the
25 audit back or just 2010? Back years or just

1 2010?

2 MS. EVANS: I believe it's only for
3 2010.

4 MR. ANCHERANI: Only for 2010, it's
5 not going to include going back and looking
6 about for that \$1.6 million?

7 MS. EVANS: No.

8 MR. ANCHERANI: Okay. I just want
9 you guys to remember and not forget when you
10 get back in September, it will be two and a
11 half months before you will be getting the
12 budget from the mayor. The federal
13 government is struggling with trillions in
14 debt. The city is struggling with \$310
15 million in debt. They say we are going to
16 have a deficit, just remember it's not your
17 deficit, you didn't borrow from Workmens'
18 Comp, so that's not going to be you, it's
19 going to be somebody else's mistake or if
20 you want to say a mistake.

21 Our money problems, like I said,
22 \$310 million long-term debt, and we are
23 going to pay back, and it's just the
24 savings, 59 million in interest on that \$35
25 million owed from the Scranton Parking

1 Authority. That's a lot of money interest,
2 \$59 million. Just something to think about.
3 Thank you.

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

6 MS. KRAKE: FIFTH ORDER. 5-A.

7 MOTIONS.

8 MS. EVANS: Mr. McGoff, do you have
9 any motions or comments this evening?

10 MR. MCGOFF: Thank you. I'd just
11 like to respond to a couple of things that
12 were, first of all, mentioned last week and
13 I guess I'll be beating a dead horse over
14 the Perry Street playground grant. Someone
15 mentioned last week that money should be
16 spent on other projects, other council
17 members, that money cannot be spent anywhere
18 else. It's project specific. It can't be
19 used for any other projects anywhere, that
20 grant is for the Perry Street playground and
21 for that project only.

22 The second thing, there was
23 something mentioned last week about the
24 rental registration program and the lack of
25 anyone running the program. When that

1 legislation came before us, council amended
2 the original proposal to hire a rental
3 registration coordinator, that amendment
4 would have required opening the budget and
5 hiring someone to that position. At the
6 time it was right after the Court
7 proceedings in which the city argued against
8 opening the budget and so it was obvious
9 that that was not going to happen, and
10 consequently, no one was ever hired to take
11 care of the rental registration program.

12 The city inspectors that were -- the
13 housing inspectors that were rehired were
14 not specific to -- or the positions that
15 were put in were not specific to the rental
16 registration program and the fact was that
17 for whatever reason not all of the housing
18 inspectors were working at, you know, during
19 the course of this budget year, and
20 therefore, no one -- the person that was
21 trying to do something with the rental
22 registration program was doing it basically
23 as a second job, and consequently, nothing
24 or very little has been accomplished through
25 that program.

1 It is still my belief that we need
2 to hire someone specific to operate the
3 rental registration program, whether it's
4 put into the budget as a salaried position
5 or whether it's put in as originally was
6 requested as a professional service on a
7 contingency basis, it does need someone
8 specific to that program if it's going to
9 generate the revenue that we want.

10 Third, there was mention of the
11 property at the corner of River Street and
12 Meadow Avenue and complaints that nothing
13 had been done despite frequent calls to
14 council. That's not necessarily true. In
15 the past, I remember going there last summer
16 and having -- you know, looking at it and
17 having work done around that area. It is
18 basically, and let's start with the property
19 that is owned where the house is, that's
20 maintained very well. Yes, it's an older
21 house, but the property around the grass is
22 cut, you know, everything is taken care of
23 on that property.

24 The properties adjacent to it are
25 basically vacant lots and unbuildable lots.

1 Yes, they are overgrown, they have been
2 overgrown since I was a child. It's not
3 something that's new, it's just that they
4 are vacant lots that very little can be done
5 to control the vegetation and trees growing
6 on whatever else, and part of that is
7 privately owned, part it owned by the little
8 league, and adjacent to the entrance to 81
9 is owned by PennDOT or maintained by
10 PennDOT, so it's not just one owner that we
11 are looking at, it's a number of people that
12 are involved there that would have to be,
13 you know, contacted to take care of that.

14 And I pass by there every day,
15 basically and, yes, there are some
16 situations that probably should be taken
17 care of, but I don't -- to me it doesn't
18 appear to be a dire emergency of any kind,
19 but just to clear it up, things have been
20 done in the past to maintain that area and I
21 just wanted to make that clear.

22 As far as the Nay Aug Pool and the
23 question about reduction of the fees, I
24 reported was I was told. As to why, you
25 know, a separate answer is given to Mr.

1 Jackowitz I don't know. I can't answer for,
2 you know, someone else. I asked a question,
3 I received an answer, and I conveyed that
4 answer. Why it was different for
5 Mr. Jackowitz I do not know.

6 As far as the idea of an
7 identifiable group, I do know that I was
8 told that identifiable group meant that you
9 could specify who was going to be at the
10 pool that day, you know, an approximate
11 number and I was told that the Kids Swim
12 Free is not an identifiable group simply
13 because you don't know who is coming it's
14 not under any one auspice, you know, any one
15 particular group that is coming. It's a
16 collection of children, you know, ages and
17 whatever the ages are that provide for.

18 And I know Mr. Jackowitz mentioned
19 it in an e-mail that I read about numbers, I
20 have told been told that some people are
21 taking -- do take advantage of the
22 generosity of the Kids Swim for Free
23 program, groups that would never have any
24 intention of swimming at Nay Aug find the
25 dates or see the dates when swimming is

1 occurring and use it as a kind of a free
2 field trip.

3 The one person that I talked to was
4 a collection of DayCare centers that they
5 look at the date and they know that they can
6 bring kids there and swim for free. They
7 never have any intention of going to Nay Aug
8 on any other days other than when those Kids
9 Swim for Free days occur and so I think that
10 the numbers on those days are probably
11 somewhat inflated, you know, because of the
12 fact that groups know that they can go there
13 and swim for free.

14 I guess one suggestion that I would
15 think, if we are looking to make an
16 identifiable group perhaps one of the things
17 that could be done is to partner with an
18 identifiable group, a United Neighborhood
19 Center or Project Hope, Friends of the Poor,
20 somebody, Housing Authority and, you know
21 provide that free swimming. That would be
22 an identifiable group and perhaps, you know,
23 if, in fact, there is a reduction for
24 identifiable groups it could be done that
25 way. Again, I don't know if there is or

1 not.

2 And then the last thing, last week
3 was mentioned that members of the council
4 had met with the mayor and business
5 administrator, I was unaware of that
6 meeting, I would like to know what the
7 details were of that meeting, if there were
8 any suggestions made by the administration
9 or by council as far as dealing with the
10 projected deficit and what the response of
11 either side was, if there were proposals
12 made and maybe someone will address that
13 later, and that's all I have. Thank you.

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

16 MR. ROGAN: Yes, thank you. I'd
17 just like to apologize, there are few
18 e-mails that I didn't get back to, I was out
19 of town over the weekend until late Sunday
20 and upon my return on Sunday I attended a
21 family party and I was having a problem with
22 my knee so I was going to the emergency
23 room. Around 7:00 I was driving on Mulberry
24 Street and going to Moses Taylor Hospital I
25 noticed a very bad automobile accident. It

1 was reported in the papers. It was a van
2 that was hit by a drunk driver, and when I
3 went to the emergency room the people from
4 the accident were there and, you know, they
5 were all in tears, I felt awful for them,
6 and then a few minutes later two Scranton
7 police officers brought in a handcuffed man,
8 couldn't speak English and was extremely
9 unruly, they were about to have -- they were
10 almost about to taser him.

11 In talking to the nurses before
12 getting my knee taken care of, which was a
13 minor problem, I come to find out that he
14 was suspected of being an illegal immigrant.
15 Mrs. Krake, would you please a send a letter
16 to Chief Duffy asking, and I have his name,
17 it was in the newspaper, if the person who
18 was driving drunk and hit that family was,
19 in fact, an illegal immigrant and if he was
20 if he was turned over to ICE?

21 And one other fact I forget to
22 mention, that was reported in the Scranton
23 Times, was not only was he drunk driving and
24 hit a family returning from an amusement
25 park, after he hit them he fled the scene

1 and the Scranton police officers found him
2 two blocks away hiding behind a tree. That
3 is problem that illegal immigrants are
4 having in this area and, unfortunately,
5 Mayor Doherty said it time and time again
6 that everyone is welcome in Scranton, but I
7 would disagree. Mrs. Krake, if you could
8 please send that letter, I will e-mail you
9 the name, I don't want to say it over the
10 air.

11 I have a few citizens' requests that
12 came in: A resident requested potholes are
13 fixed in the following areas: Corner of
14 Coyne and Price Street, in front of 3200
15 Coyne Avenue, and also in front of 3208
16 Coyne Avenue. The resident states that she
17 had called DPW over and over again and no
18 one has ever come out in the past three
19 years.

20 Secondly, a resident having problem
21 with the vacant overgrown lot behind his
22 nine unit complex and he lists the address.
23 He said in the past he paid somebody \$1,600
24 to cut down tall trees and clean up by the
25 side of his property. And he has talked to

1 a couple of city inspectors months ago, but
2 nothing was done and he hasn't received any
3 calls back, so could we please forward that
4 to LIPS.

5 And finally, one more for LIPS, it's
6 a resident who informed the office to report
7 construction that's being done in violation
8 of the noise ordinance with prohibited
9 tools, so if we could also send that, too?

10 I know one of the speakers mentioned
11 the sale of the meters, and I know Mr. Joyce
12 mentioned I think it was two weeks ago \$2
13 million a year the city brings in?

14 MS. EVANS: 2.1, wasn't it?

15 MR. JOYCE: Roughly. Yes roughly.

16 MR. ROGAN: Well, even if we use the
17 lower number of \$2 million, if the meters
18 were sold for \$10 million in five years,
19 after the five years that will be the \$10
20 million right there every year after that
21 would be losing out on that revenue, so that
22 would be an additional \$2 million that would
23 have to be either made up in cuts or made up
24 by increasing taxes, which is something that
25 I have said numerous times I won't do. I

1 think it's a bad plan and I don't know if
2 the administration just plans on that being
3 one part of a package to deal with our
4 budgetary problems, you know. If the other
5 parts of the package are the sale of the
6 Sewer Authority and the privatization or
7 reduction of the DPW maybe I would consider
8 it, but as a standalone solution to fix our
9 problems that's not it. We have sold away
10 asset after asset after asset and it's only
11 costing us more, and I will comment on
12 agenda items when the vote comes up. Thank
13 you.

14 MS. EVANS: Thank you, Mr. Rogan.
15 Councilman Loscombe, do you have any
16 comments or motions this evening?

17 MR. LOSCOMBE: Yes, thank you.
18 First, Mrs. Schumacher, we did request -- we
19 sent a written request for that information,
20 we haven't received anything back yet, there
21 is nothing in my mail box as of today. As
22 soon as I receive it I will be in touch with
23 you, and I will also be making a personal
24 visit myself because I have some other
25 issues to go over.

1 I just want to comment on the
2 newspaper article today regarding the city
3 bridges. Mr. Mrozinski from the Times did
4 call me the other day or I don't remember if
5 it was yesterday or the other day and asked
6 me to comment. He left a voice message, but
7 I haven't been commenting to the newspaper
8 so I just let it go.

9 But in reading the article, just
10 skipping down here, if you recall last week
11 I discussed the West Lackawanna Avenue
12 bridge, I was there with the bridge
13 engineer, Dave Elmer from PennDOT and
14 although he assured me that structurally it
15 was sound, the sidewalks were in danger of
16 collapsing and that cheek wall is ready to
17 push out.

18 I have submitted photographs and he
19 agreed that, you know, it was a dangerous
20 situation, requested the sidewalks be closed
21 off and, you know, barricades be set down
22 below the bridge in case that section falls
23 down and no one below would be injured.
24 That same day I spoke personally with Mayor
25 Doherty. Mr. Brazil was away on vacation, I

1 had left a message for Mr. Dougher to
2 contact me, apparently Mr. Dougher had Mr.
3 Doherty contact me and I did explain the
4 whole scenario to Mr. Doherty as I explained
5 last week in this meeting, but in reading
6 the paper, I'm just skipping a few
7 paragraphs here, it says, "A PennDOT
8 engineer last week recommended closing the
9 sidewalk on West Lackawanna Avenue to
10 Councilman Jack Loscombe. After a visual
11 review, Scranton Department of Public Works
12 Director Jeff Brazil said neither PennDOT
13 nor council has told him the sidewalk, which
14 requires repair, needs to be closed. "If
15 they recommended me closing them, I would
16 close them absolutely, Mr. Brazil said."

17 Well, Mr. Brazil's immediate
18 supervisor is the mayor. I spoke to him
19 personally, he should have passed that onto
20 him, but on top of that our city clerk does
21 due diligence every week with our requests
22 and we have letters that were sent out
23 immediately to Mr. Brazil, Mr. Doherty, and
24 our engineer, Mr. Pocius, I also spoke to on
25 the phone that day and there is no reason,

1 here we are a week later with this situation
2 still maintaining the same standards, no
3 barricades. I don't know what they are
4 waiting for.

5 But, you know, I don't know
6 understand if it's trying to say, "I caught
7 you" or whatever. I acted on citizens'
8 complaints. There is no lighting on that
9 bridge basically because of the structure,
10 the conduit is actually broken. The only
11 thing holding that cheek wall is two pieces
12 of wire, two pieces of Romex wire which are
13 going to go any day. It is a safety hazard.
14 It may not be an immediate hazard for
15 vehicular traffic, but the pedestrians are
16 in danger right now and as Chairman of the
17 Public Safety Committee I felt it was my
18 duty to contact PennDOT, we do have, in
19 fact, Mrs. Krake was able to present me with
20 an inspection that was performed last year,
21 I was believe it was November or December of
22 last year, on that same bridge which
23 recommended many of these repairs, but it
24 gave the city two years to complete them.

25 The problem is, as we read down

1 here, "Mr. Mey, who is the spokesman for
2 PennDOT, states the bridge structure is
3 fine. He said PennDOT's engineer made the
4 recommendations because the cheek wall which
5 maintains and supports the sidewalk appears
6 to be compromised."

7 He said, "PennDOT feels it has
8 notified the city and the state officials
9 are not sure why Mr. Loscombe called in when
10 the city would normally have the bridge
11 inspected."

12 Well, first of all, I guess Mr. Mey
13 doesn't know that I'm actually part of the
14 city officials here, so I'll introduce
15 myself to him tomorrow, I didn't deal with
16 him, but also further as a safety situation
17 and I just don't understand it, but
18 everybody was contacted and we have to do
19 something about this.

20 I lost my train of thought, but I
21 had some more to say on there, but we do
22 have to address this issue, and to further
23 advance this, Mrs. Krake, if you could send
24 a letter to Director Brazil, if he did not
25 read his mail from us, or maybe a phone

1 call, tell him I will be available at any
2 time to take him and show him where the West
3 Lackawanna Avenue bridge is and to address
4 the situations on that bridge, and if he has
5 any questions you can pass my cell phone
6 number onto him, I believe he has it, and I
7 will be willing to meet him at any time
8 because I do believe it's a safety
9 situation. And that's all I have to say.
10 Thank you.

11 MS. EVANS: And thank you,
12 Councilman Loscombe. Councilman Joyce, do
13 you have any motions or comments this
14 evening?

15 MR. JOYCE: I do. As we all know,
16 the amount of funding that Scranton is to
17 receive in Community Development Block Grant
18 funds CDBG has been cut from what was
19 originally projected last year. As a
20 result, Mrs. Aebli, Executive Director of
21 the Office of Economic and Community
22 Development, has revised the monetary
23 amounts that will be given to the various
24 organizations.

25 In Fifth Order tonight, more

1 specifically, Agenda Item 5-B, I will be
2 voting to introduce the amendment and move
3 it along, however, I would ask that if any
4 council members have suggestions of funding
5 that they would like to see reinstated that
6 differ from what Ms. Aebli submitted, if
7 they could please contact me preferably by
8 Saturday and we could form an amendment.

9 Also, tonight in Item 7-A we will be
10 voting on entering into a contract between
11 the city and the school district with Joseph
12 Alu & Associates to perform an audit on the
13 Single Tax Office. I would first like to
14 reiterate that an audit of the Single Tax
15 Office is something that is sorely needed as
16 it has not been conducted in over a decade.
17 I'm also pleased to see that the Scranton
18 School District is participating in the cost
19 associated with this audit as the Single Tax
20 Office collects taxes for the Scranton
21 School District as well as the city.

22 . With that being said, I also have
23 a few citizens' requests, I know
24 Mrs. Schumacher came up and spoke about
25 police staffing and Mr. Loscombe stated that

1 we had sent in that request and did not
2 receive a response, and ironically over the
3 past week I have been contacted by several
4 residents, primarily in the West Scranton
5 area, inquiring about the number of the
6 police officers that are scheduled on each
7 shift during various days of the week.

8 I know that in the 2011 operating
9 budget submitted by the administration there
10 was a plan for police deployment which had
11 specified the number of officers scheduled
12 on each shift each day of the week. Since
13 there were officers added back to our police
14 force in the 2011 operating budget as
15 amended by city council, it's only logical
16 to think that these plans have changed.

17 With this in mind, Mrs. Krake, if
18 you could please resend this request to
19 Chief Duffy and ask him for a schedule
20 indicating the number of officers on each
21 shift during each day of the week.

22 Also, residents in the Keyser Valley
23 section of West Scranton have informed me
24 that the sign located on Jackson Street
25 between South Dewey Avenue and Keyser Avenue

1 indicating that there is a traffic light at
2 the top of the street that has been defaced
3 with profanity. Residents report that this
4 is becoming an eyesore in our community and
5 would like the sign cleaned as soon as
6 possible, and I understand that we are now
7 being required to replace street signs so
8 this may be a good sign to start with.

9 This is also a request that was
10 brought forth last year and nothing has been
11 done as of this date. Mrs. Krake, can you
12 please contact Mr. Brazil and ask him to
13 have this sign cleaned or replaced.

14 Residents in the Keyser Valley
15 section of West Scranton have also reported
16 that the home located across from the Keyser
17 Valley Community Center is in subpar
18 condition as grass and weeds have grown to
19 over three feet high. In addition,
20 residents report that they do believe that
21 anyone is residing in the home and that it
22 is abandoned. Mrs. Krake, please contact
23 Mrs. Seitzinger and notify him of this
24 property and ask him to address it in the
25 best manner that he sees fit.

1 East Mountain residents residing on
2 the 1300 block of East Elm Street continue
3 to report the poor shape of their road. I
4 made a request in an earlier meeting,
5 however, the residents that I spoke to have
6 informed me this week that no action was
7 taken to rectify the problems on this block
8 and, Mrs. Krake, have we received a response
9 from Director Brazil?

10 MS. KRAKE: No.

11 MR. JOYCE: Okay, with that in mind,
12 can you please submit this request to
13 Mr. Brazil and ask him to address this
14 situation promptly, if possible.

15 Also, I see we have received another
16 notification from Rossi & Rossi, our
17 independent auditor, indicating various
18 delinquent items that are to be provided to
19 the auditor by the Business Administrator's
20 Office and, Mrs. Krake, at the previous PEL
21 meeting was Mr. McGowan able to provide a
22 status report regarding the submission of
23 the overdue items to Rossi & Rossi?

24 MS. KRAKE: For the portion of the
25 meeting I was at that topic was not

1 addressed by PEL.

2 MR. JOYCE: Okay. With this in
3 mind, can you please ask him for a status
4 report at the next upcoming meeting?

5 And regarding the few comments that
6 were made earlier, I know Mr. McGoff
7 addressed some issues that were brought up
8 at last week's meeting, and I did bring up
9 some of the issues that he addressed, one
10 was rental registration and I wanted to
11 point out that in the budget it is clearly
12 separated -- or housing inspectors and the
13 rental registration assistant work
14 coordinator, the job titles are clearly
15 separated. Whether or not the rental
16 registration coordinator that is listed in
17 the budget acts as a housing inspector, I
18 believe is irrelevant.

19 If a position is in the budget and
20 titled "Rental Registration Coordinator"
21 they should be working on the rental
22 registration program. This person's salary
23 is roughly about \$35,000 plus benefits and
24 longevity pay, so if we are paying \$50,000
25 in total for an employee to handle this

1 program I think they should be handling the
2 program, especially since it has been
3 projected in the last two years to generate
4 \$120,000 in revenue and, in fact, those who
5 did not pay the rental registration fee will
6 be subject to delinquencies which could
7 create extra revenue for this year if the
8 program was under control and not done on a
9 voluntary basis.

10 Also, I did receive a letter about
11 the property on the 1000 block of River
12 Street. I did not specifically state last
13 week to send any type of a request, I did
14 have a chance to go up and look at the
15 property and I do agree with Mr. McGoff's
16 comments about the property being maintained
17 though it is an older home. Last week I
18 simply stated that I did receive a request
19 from a resident on the 1000 block of River
20 Street and that I didn't want them to think
21 that I ignored the request and that I would
22 be traveling to the location later on that
23 week.

24 Also, in regard to the meeting
25 between the administration and Scranton City

1 Council members, I was one of the
2 individuals who met with the business
3 administrator Ryan McGowan and other
4 attendees at the meeting were Mr. Gervasi,
5 the president of the Scranton Firefighters'
6 Union, as well as Chief Duffy and
7 Councilwoman Evans. Details of the meeting
8 and the proposals placed forth from the
9 administration were provided and copies, I
10 believe, were made and to be put in every
11 council members mailbox.

12 As far as the other items or other
13 suggestions that were brought up during that
14 meeting, I would be happy to discuss them
15 with any council member privately for the
16 mere reason that at the meeting itself, the
17 administration requested that the contents
18 of what was discussed during the meeting
19 remain confidential, and that's all I have
20 for tonight.

21 MS. EVANS: Thank you, Councilman
22 Joyce. The only thing I would like to add
23 to your comments regarding that meeting
24 would have been that it was the business
25 administrator who had requested this

1 meeting, most particularly with the Finance
2 Chair. He also requested my attendance and
3 because I wanted to take the first step and
4 have a discussion, a serious discussion
5 addressing the 2011 deficit, we attended
6 that meeting.

7 As I mentioned last week, however,
8 the mayor was not present at this meeting
9 and the meeting closed with my statement
10 that any further meetings would be held in
11 public and that the mayor would be required
12 to attend as well as the business
13 administrator because the business
14 administrator is rather an employee of the
15 city, he is not an elected official. The
16 mayor is an elected official, city council
17 members are elected officials, and as such
18 we are the individuals making the decisions
19 and that it would behoove the mayor to be
20 present at these discussions with council
21 and I think Mr. Joyce has supplied the
22 remainder of the content during his comments
23 this evening.

24 MR. JOYCE: And also, if I might
25 add, I have made the request for the mayor

1 and the business administrator to meet with
2 Scranton City Council five times since that
3 meeting occurred. Not once has the BA or
4 the mayor even responded to any of those
5 requests with either a yes or a no.

6 MS. EVANS: Thank you. As many of
7 you are aware, our city is littered with
8 abandoned and condemned properties, some of
9 which are city-owned while many others are
10 privately owned. Neighbors of such
11 properties who faithfully maintain their
12 homes and grounds, have reported to me
13 throughout my terms as a Councilwoman that
14 these abandoned nuisance properties are
15 overgrown and are habitats for insects and
16 vermin.

17 Within the Scranton Administrative
18 Code, there are provisions for the cutting
19 of the weeds on these properties by the City
20 of Scranton. Article III, Section 434-25,
21 prohibited acts, states that it shall be
22 lawful for any person owning or holding real
23 estate to allow or maintain on any lot
24 within the city any growth of weeds to a
25 height of over eight inches and such growth

1 of weeds -- or, excuse me, and such growth
2 of weeds is hereby declared to be a nuisance
3 injurious to public interest and public
4 health. All grass, hedges, vines, shrubs
5 and brush should be reasonably cut or
6 trimmed and the trimmings removed therefrom.

7 Section 434-26, notice to cut,
8 states that the Director of Health shall
9 cause written notice to be served upon the
10 owner, lessee, agent or tenant having charge
11 of any plot or lands that weeds are growing
12 on and that they must be cut, removed and
13 destroyed within ten days after the service
14 of such notice.

15 If such owner or person having
16 charge of such lands is a nonresident whose
17 address is known, such notice shall be sent
18 to his address by registered mail.

19 If the address of such owner is
20 unknown, it shall be sufficient to publish
21 such notice once in a newspaper of general
22 circulation in the city.

23 Section 434-27, removal by city,
24 states that if the owner, lessee, agent or
25 tenant fails or refuses to comply with such

1 notice, the director of the DPW shall cause
2 the weeds to be cut out and destroyed for
3 such purpose. He may employ the necessary
4 labor to carry out the provisions of this
5 section.

6 Section 438-28, lien for costs
7 incurred by city, states that the amount
8 expended by the DPW for the removal of a
9 nuisance shall be certified to the city
10 solicitor who shall cause a lien to be filed
11 against the parcel or real estate involved
12 to ensure the collection of the debt until
13 paid or he may collect the same as any other
14 debt is collected.

15 Now, I took the time to read these
16 particular provisions of the Administrative
17 Code aloud because for too long many were
18 lead to believe that there was nothing the
19 city could do to address privately owned,
20 abandoned and condemned and nuisance
21 properties when, in fact, there is a
22 defining process which can and should be
23 followed by the Departments of Licensing,
24 Inspection and Permits, the DPW, and the
25 city solicitor to clean up such properties.

1 I anticipate that the city
2 departments will perform their respective
3 responsibilities and that each property
4 reported should be addressed within
5 approximately four weeks time, weather
6 permitted. When an owner cannot be located,
7 the advertisement should be placed
8 immediately in the newspaper for one day and
9 within ten days thereafter the property
10 should be cleared by the DPW and a lien for
11 costs incurred should be filed by the city's
12 solicitor.

13 In this way, these nuisance
14 properties will be properly addressed for
15 the neighborhoods and the city may realize
16 additional revenue from the costs of the
17 clean up, mailing, and filings of the liens
18 among others. The city needs to do it's job
19 and apply the code at 1606 Ash Street, the
20 corner of Wheeler Avenue and Olive Street,
21 four lots adjacent to 350 North Garfield
22 Avenue, 934 Hemlock Street, the old Atlas
23 Glass property, and the intersection of
24 Meadow Avenue and River Street among others.

25 Next, a newspaper article published

1 on July 16, 2011, stated the following:
2 Business administrator Ryan McGowan said the
3 park is city owned and properly insured. He
4 said documents showing the city's properties
5 are properly insured had been provided to
6 council's office. However, no such
7 documents were provided to council.

8 In fact, a letter was sent to Mayor
9 Doherty and Mr. McGowan on July 13, 2011,
10 asking the cost in additional insurance
11 premiums that would have to be paid by the
12 city to ensure a newly proposed Perry Avenue
13 Park, but no response was received.

14 In addition, when questioned by the
15 Scranton Times' reporter regarding such
16 insurance information, I responded that, no,
17 council had not received any insurance
18 information and to date it still has not
19 received this information. I wish to
20 clarify that inaccuracy contained in the
21 Scranton Times.

22 Next, with my colleagues' agreement,
23 I would like to send letters of support for
24 House Bills 89 and 90, which are companion
25 pieces, and House Bill 94 to Majority

1 Chairman Chris Ross, of the House Urban
2 Affairs Committee where all three have been
3 referred. House Bills 89 and 90 would
4 remove the three-year time limit after
5 discharge to purchase military service time
6 that currently exists only in the City of
7 Scranton since it is the only city of the
8 second Class A in the Commonwealth. The
9 military separation time limit was changed
10 for all other municipalities throughout the
11 Commonwealth except for those within Class
12 2-A, specifically, Scranton.

13 House Bill 94 amends the Second
14 Class A city code to ease the current burden
15 of some real estate tax billing and
16 collection procedure on taxpayers for taxes
17 owed to the City of Scranton, the County of
18 Lackawanna, and the Scranton School
19 District. Real estate taxes owed to these
20 three taxing bodies are issued by the tax
21 office on one statement, often causing
22 confusion to taxpayers. This legislation
23 would eliminate any confusion by providing
24 two separate bills, one bill for real estate
25 taxes owed to the city and one bill for the

1 real estate taxes owed to the county and
2 school district.

3 Additionally, this bill will oblige
4 cities of the Second Class A to offer an
5 installment payment option for delinquent
6 taxpayers. This bill passed the House
7 unanimously during the last session by a 194
8 to 0 vote as House Bill 1942. State
9 Representative Kevin Murphy is the prime
10 sponsor of these three pieces of legislation
11 which were drafted to aid the City of
12 Scranton in doing the people's business.

13 Do I have the agreement of my
14 colleagues to send that letter of support?

15 MR. MCGOFF: Yes.

16 MR. ROGAN: Yes.

17 MR. LOSCOMBE: Yes.

18 MR. JOYCE: Yes.

19 MS. EVANS: Thank you, gentlemen.

20 Although, the modification extension
21 of the loan agreement with the Steamtown
22 Mall Partners, LP, was approved by HUD in
23 December 2010, the administration just
24 recently sent legislation to city council on
25 July 5, 2011, to execute and enter into a

1 modification extension of the loan agreement
2 between the City of Scranton and Steamtown
3 Mall Partners, LP, for a period of two
4 years. Because the legislation raised
5 questions from council and OECD, it was not
6 placed on the July 12, 2011, agenda. OECD
7 worked well with council during these last
8 two weeks and yesterday, July 18, Attorney
9 Hickey, who represents the Steamtown Mall
10 Partners, finally responded to calls and
11 questions.

12 At the same time yesterday, the
13 Office of City Council was notified by Jason
14 Triplet of the US Department of Housing and
15 Urban Development that it required this
16 legislation to be approved on July 19, 2011.
17 As a result, emergency procedures have been
18 followed in order to introduce and approve
19 this legislation during tonight's council
20 meeting.

21 I'd like to provide a summary of the
22 background of the mall's loans and the
23 legislation that council must consider
24 shortly. Scranton has two outstanding 108
25 loans with the Steamtown Mall Partners, LP.

1 The first 108 loan includes the final
2 principle installment of \$880,000 due on
3 August 1, 2011. The second loan has an
4 approximate principle balance of \$2,375,000
5 and matures on August 1, 2014. Neither of
6 these loans, however, is considered the
7 primary loan.

8 Steamtown Mall Partners is currently
9 in default on it's primary loan and has
10 renegotiated it's loan with it's primary
11 lender which holds a \$37 million first lien
12 on the mall. One of the demands from the
13 primary lender for modification of that loan
14 is to defer all payments on secondary debt
15 on the facility, including both 108 loans
16 funded through the City of Scranton.

17 In order for Steamtown Mall Partners
18 to receive a 3 percent interest rate
19 reduction on the primary loan, all junior
20 debt must forego all payments of interest
21 and principle until the primary loan matures
22 on July 12, 2013. Equally notable, the
23 inter-creditor and subordination agreement
24 among the primary lender, the city, and
25 Steamtown Mall Partners prohibits Steamtown

1 Mall Partners from making any payments to
2 subordinate lenders as long as they are in
3 default on the primary loan. Thus, because
4 Steamtown Mall Partners, LP, are in default
5 on their primary loan, no payments can be
6 made to the city for Section 108 loans.

7 Also, Section 108 loan regulations
8 limit the repayment period for such loans to
9 20 years, however, the City of Scranton made
10 a request for waiver from HUD to authorize
11 the repayment period of the Section 108 loan
12 with the final principle installment of
13 \$880,000 and originally due on August 1,
14 2011, to exceed 20 years. Thus, the
15 financial management division of HUD granted
16 the waiver to extend the final maturity date
17 to August 1, 2013.

18 In the interim, the city will
19 continue to make interest payments as due
20 and a final balloon payment for the balance
21 of the principle and interest will be paid
22 on or before August 1, 2013, following
23 payment to the primary lender and that will
24 be made by the Steamtown Mall Partners.

25 The interest payment due on January

1 31, 2011, was paid by Steamtown Mall
2 Partners. The interest payment for 2012
3 will amount to a total of roughly \$10,689.
4 The sum will be paid through CDBG
5 allocations. I will be voting in favor of
6 this legislation for the following reasons:

7 Number one, if the city fails to
8 enter into this modification extension of
9 the loan agreement, the city will be
10 required to apply CDBG funds to the payment
11 due, and that is now, thereby drastically
12 depriving the city of financial resources
13 that would otherwise be used to meet the
14 needs of a distressed city comprised of high
15 numbers of elderly, unemployed and poverty
16 stricken individuals as well as public
17 safety requirements. Our federal CDBG
18 dollars were already cut for 2011 by
19 Congress, and the city can ill-afford to
20 dedicate the remaining dollars to repayment
21 of the Section 108 loans.

22 Two, without this modification
23 extension of the loan agreement. There is a
24 substantial likelihood that Steamtown Mall
25 Partners will remain in default on the

1 primary loan, thus resulting in defaults on
2 all secondary obligations. Therefore, the
3 city would likely never recoup it's money
4 and the city must use it's CDBG monies
5 starting immediately to repay those Section
6 108 loans.

7 Number three, if the city fails to
8 approve this modification extension of the
9 loan agreement there will be a loss of
10 hundreds of jobs, numerous store closings
11 and an anchor of the downtown could be empty
12 by year's end.

13 With it's unemployment figures
14 higher than the state average, Scranton
15 cannot afford to place hundreds of people
16 into the unemployment lines. Further, our
17 city stands to lose tax revenues if the
18 Steamtown Mall closes.

19 I hope my colleagues will join me in
20 taking the best financial course of the
21 action for our city and it's people and in
22 preserving jobs during this great recession
23 by voting to approve the legislation
24 tonight.

25 And in the interest of the time, I

1 will submit my citizens' requests to
2 council's office rather than reading them.
3 And that's it.

4 MS. KRAKE: 5-B. AMENDING FILE OF
5 COUNCIL NO. 40, 2010, ENTITLED "AN ORDINANCE
6 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
7 OFFICIALS OF THE CITY OF SCRANTON TO TAKE
8 ALL NECESSARY ACTIONS TO IMPLEMENT THE
9 CONSOLIDATED SUBMISSION FOR COMMUNITY
10 PLANNING AND DEVELOPMENT PROGRAMS TO BE
11 FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK
12 GRANT (CDBG) PROGRAM, HOME INVESTMENT
13 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY
14 SHELTER GRANT (ESG) PROGRAM."

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

18 MR. ROGAN: So moved.

19 MR. JOYCE: Second.

20 MS. EVANS: On the question?

21 MR. ROGAN: Yes, on the question, I
22 agree with Mr. Joyce, I only had a chance to
23 glance through it, there were a few changes
24 that I saw, but I would think it would be
25 appropriate, but I'll get a chance to look

1 it over more over the week.

2 MS. EVANS: And if I might add, I
3 know that Councilman Joyce and myself have
4 been reviewing the cuts that have been
5 submitted by OECD and council does fully
6 expect to amend this legislation at the July
7 26 meeting before final passage of this
8 particular item. Is there anyone else on
9 the question? All those in favor of
10 introduction signify by saying aye.

11 MR. MCGOFF: Aye.

12 MR. ROGAN: Aye.

13 MR. LOSCOMBE: Aye.

14 MR. JOYCE: Aye.

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

17 MR. JOYCE: I make a motion pursuant
18 to the emergency certificate to place on the
19 agenda Resolution No., with the appropriate
20 number, of 2011, entitled, "AMENDING
21 RESOLUTION NO. 175 OF 2003, ENTITLED
22 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
23 CITY OFFICIALS OF THE CITY OF SCRANTON TO
24 EXECUTE AND ENTER INTO A SECTION 108 LOAN
25 AGREEMENT BETWEEN THE CITY OF SCRANTON AND

1 THE STEAMTOWN MALL PARTNERS, LP, FOR THE
2 REFINANCING OF THE LACKAWANNA AVENUE MALL
3 PROJECT BY AUTHORIZING THE MAYOR AND OTHER
4 APPROPRIATE CITY OFFICIALS OF THE CITY OF
5 SCRANTON TO EXECUTE AND ENTER INTO A
6 MODIFICATION/EXTENSION OF THE LOAN AGREEMENT
7 BETWEEN THE CITY OF SCRANTON AND THE
8 STEAMTOWN MALL PARTNERS, LP, FOR A PERIOD OF
9 TWO YEARS."

10 MR. LOSCOMBE: Second.

11 MS. EVANS: On the question?

12 MR. ROGAN: Yes. Is this vote just
13 to put it on the agenda?

14 MS. EVANS: Yes.

15 MR. ROGAN: This is the first
16 reading to bring it up for a vote.

17 MS. EVANS: To bring it up to the
18 agenda tonight. All those in favor of said
19 resolution 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-C. "AMENDING
2 RESOLUTION NO. 175 OF 2003, ENTITLED
3 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
4 CITY OFFICIALS OF THE CITY OF SCRANTON TO
5 EXECUTE AND ENTER INTO A SECTION 108 LOAN
6 AGREEMENT BETWEEN THE CITY OF SCRANTON AND
7 THE STEAMTOWN MALL PARTNERS, LP, FOR THE
8 REFINANCING OF THE LACKAWANNA AVENUE MALL
9 PROJECT BY AUTHORIZING THE MAYOR AND OTHER
10 APPROPRIATE CITY OFFICIALS OF THE CITY OF
11 SCRANTON TO EXECUTE AND ENTER INTO A
12 MODIFICATION/EXTENSION OF THE LOAN AGREEMENT
13 BETWEEN THE CITY OF SCRANTON AND THE
14 STEAMTOWN MALL PARTNERS, LP, FOR A PERIOD OF
15 TWO YEARS."

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

19 MR. ROGAN: So moved.

20 MR. JOYCE: Second.

21 MS. EVANS: On the question?

22 MR. ROGAN: Yes. On the question, I
23 wasn't on council when this bailout was
24 passed for the mall, if I had been on
25 council then I would have voted against it.

1 It was a bad idea then, it's a bad idea now
2 to give them another break. I think that
3 the people not only in Scranton but all
4 across the country are sick of seeing big
5 businesses get bailed out every time things
6 get tough. We saw it with banks twice, with
7 the auto industry, and I do not believe it's
8 government's job to bail out businesses who
9 have failed, and anyone who walks through
10 the Steamtown Mall knows that it's nothing
11 like the Steamtown Mall of five or six years
12 ago. When the mall first opened it was one
13 of the nicest places in Scranton to go and
14 shop, and I try to shop in the city as much
15 as I can, but if you go to the Viewmont Mall
16 or the Shoppes at Montage and then you go up
17 to the Steamtown Mall, there is a big
18 difference. Whether this passes or not
19 tonight I have no doubt that the Steamtown
20 Mall, unfortunately, isn't going to make it
21 and we are just kicking the can down the
22 road.

23 You know, the statement was already
24 made by bailing them out to begin with and
25 the only winner by passing this legislation

1 is the primary lender because then the
2 primary lender will still be getting some
3 money from Steamtown Mall Partners and Al
4 Boscov for the remainder of the time they
5 that the mall is open.

6 I know all of the people out there
7 who are having trouble making ends meet wish
8 they could get a bailout from the
9 government, but they don't, and it's not
10 right when these big businesses do, so I
11 will be voting "no".

12 MS. EVANS: I just wanted to respond
13 to some of that. This actually is not a
14 bailout. I, too, was not on council when
15 these loans were originated. As I said,
16 it's a 20-year period so we are going back
17 to approximately 1992 and what we are
18 looking for here is not for the city to pick
19 up the payments, but rather for the payments
20 to be deferred until such time as we hope
21 the Steamtown Mall will be able to make
22 those payments, so it is not a matter of the
23 city expending any of it's money to bail out
24 the Steamtown Mall, but I do know this, if
25 the city doesn't take this action, as I said

1 before, you are very likely going to see the
2 mall close at the end of the year.

3 Now, it may well happen anyway. Am
4 I thrilled about all of this? No. But I do
5 know there are many lovely stores in the
6 downtown, most of which are quite pricey,
7 and beyond the means of the people who live
8 in this city, and for the people, many of
9 the people who shop in the downtown the
10 Steamtown Mall provides the products that
11 are affordable to them.

12 In addition to this, you know, the
13 middle of -- and we have all been informed
14 of this by the television and the
15 newspapers, this recession is far from over
16 and Scranton's unemployment rate is the
17 highest, if not one of the highest in the
18 State of Pennsylvania. I am not going to
19 put people out of their jobs and on the
20 street --

21 MR. ROGAN: We are not putting
22 people out of their jobs.

23 MS. EVANS: -- in this. Yes, we
24 would be.

25 MR. ROGAN: We are absolutely not.

1 MS. EVANS: Excuse me, I'll finish
2 and then you can --

3 MR. ROGAN: It's a private business.

4 MS. EVANS: -- rebut if you would
5 like. According to the inter-creditor
6 agreement, and if you would read through the
7 information you would see, that this is
8 verified that no payments to the city will
9 be made while that loan remains in default
10 with the primary lender, so you will not be
11 getting your money back, which means CDBG
12 monies will automatically be deducted by the
13 federal government for the City of Scranton.

14 Now, I'd like to ask you some
15 questions, Mr. Rogan. What would you
16 suggest we cut within the CDBG program?
17 Police vehicles, a fire engine, street
18 paving, blight, blight removal, help for
19 Meals on Wheels for veterans? What are the
20 programs that you think we can afford to
21 give up so that we can get \$880,000 of our
22 CDBG right now to make this payment if this
23 council were to vote no?

24 MR. ROGAN: Once again, you are
25 changing the subject.

1 MS. EVANS: I haven't changed the
2 subject, this is the reality.

3 MR. ROGAN: And you also said that
4 this happened in the 1990's, if I recall
5 there was a vote of 2009 while we were
6 running for council to give Boscov's another
7 bailout.

8 MS. EVANS: And that is not what is
9 being addressed in this legislation. We are
10 talking about the Section 108 loans that are
11 granted by the office of Housing and Urban
12 Development who have overseen this entire
13 process and have all of the information and
14 recommend that this be done, so much so that
15 they have set a deadline of today, so that
16 the paperwork can be finalized by August 1,
17 2011.

18 MR. ROGAN: Actually, the deadline
19 was July 25, according to the emergency
20 certificate, but either way that will be
21 before the next meeting -- or after the next
22 meeting.

23 Regardless of how you slice and dice
24 it, Boscov's, the mall, Steamtown Mall
25 Partners, LP, formerly known as the

1 Steamtown Mall, Al Boscov's mall, has been
2 failing for years. They came back to the
3 city in 2009. I remember an article in the
4 newspaper, Al Boscov greased the wheels of
5 all the local politicians with donations and
6 he got what he wanted and he is coming back
7 for more and it has to stop somewhere.

8 It was wrong when the federal
9 government did with the banks and the auto
10 companies. It's unfortunate that the mall
11 is failing. I would love to see the
12 Steamtown Mall full and go there every day
13 to shop, but it's not our job as people on
14 city council to regulate the private sector
15 and how the mall ran their businesses.

16 Unfortunately, the competition beat
17 them. If you go to the Shoppes at Montage,
18 it's much busier than the mall. If you go
19 to the Viewmont Mall it's much busier than
20 the Steamtown Mall. It's unfortunate. I
21 would prefer Scranton to have a mall like
22 the Viewmont mall with all of the hustle and
23 bustle and busy and all of the jobs, but
24 that's not the case and it's no one fault on
25 here that the Steamtown Mall has failed.

1 MS. EVANS: Well, in fact we are
2 obligated as elected officials to cast a
3 vote in this situation. We are obligated by
4 the federal government because we have been
5 obligated since 1992 when two Section 108
6 loans were taken out, so you can't simply
7 disassociate yourself from it because it's a
8 private business. We are in the midst of
9 this by virtue of the Section 108 loans, but
10 again, I still haven't heard an answer on
11 why CDBG cuts you would like to make?

12 MR. ROGAN: You if you would like me
13 to look through the CDBG and get back to you
14 next week, I would be glad to do that,
15 obviously, I've not looked through it all
16 right now.

17 MS. EVANS: Actually, we are already
18 in the process of making cuts because, as I
19 said, our funding has already been downsized
20 for 2011.

21 MR. ROGAN: I'm glad as the chair
22 for OECD I was called about that.

23 MS. EVANS: Well, actually we were
24 hoping that as the chair for OECD this year
25 you might actually do all of the allocations

1 that will be made, well, will be proposed
2 for 2012, and then submit them to me.

3 MR. ROGAN: I would be more than
4 happy to do that work.

5 MS. EVANS: Thank you.

6 MR. MCGOFF: May I --

7 MS. EVANS: I'm sorry.

8 MR. MCGOFF: -- interject? It seems
9 as though the Steamtown Mall has put a gun
10 to our head again to some extent, and it was
11 done in the past and we did vote, council
12 did vote at the time to provide funding to
13 the mall. Whether you agreed with that
14 funding or not, I think it's a moot point at
15 this stage, however, what's before us
16 tonight does not appear to cost the city
17 anything to vote for it. If, in fact, it
18 was going to cost us more money, if we were
19 going to be supplying more money, all it's
20 asking us to do is to defer the loan for a
21 period of two years.

22 And I think in terms of doing what's
23 best for the city, even though it seems as
24 though we are being placed in a no-win
25 situation I don't think it's a lose

1 situation. Like I said, it's not going to
2 be a cost to the city, if it were I may
3 agree with you that we, you know --

4 MS. EVANS: As I would have.

5 MR. MCGOFF: -- might look at it, but
6 as it is it's a possibility that in the
7 future we will get repaid on these as
8 opposed to the distinct possibility that we
9 could lose an awful lot if we don't pass
10 this legislation, and so for me it's rather
11 than losing a lot now, I'd rather -- I'd
12 rather give the mall an opportunity, you
13 know, a two-year opportunity to do what's
14 right by the city and hopefully, you know,
15 in two years we don't have to deal with this
16 again, but right now as I see it it's just a
17 -- it's a win situation as far as I'm
18 concerned since it does not cost the city
19 anything.

20 MS. EVANS: And just to add to that
21 though so that the public understands, what
22 Mr. McGoff said is correct, no moneys are
23 affected in the city's operating budget. We
24 are talking about CDBG moneys solely, and
25 actually OECD would be making the interest

1 payment in 2012, and I think I said that was
2 roughly \$10,000 versus the \$880,000 that's
3 due by August 1e, 2011.

4 So, as Mr. McGoff said, it's not the
5 best situation in the world and if this were
6 costing the taxpayers, if this were coming
7 out of the city budget I would be the first
8 to adamantly refuse, we have a deficit, so I
9 know there is no where to turn to find that
10 money, but right now having been faced with
11 constraints, downsizing from the federal
12 government of our federal funds, and then
13 looking to take an immediate hit of almost
14 another million dollars there will be
15 very little surviving in those CDBG
16 allocations this year and next year. Is
17 there anyone else on the question?

18 All those in favor of introduction
19 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 MR. ROGAN: I'm sorry, if you could
2 change my vote to "no." I was completely
3 entranced there. That's a "no" vote.

4 MS. EVANS: That's fine.

5 MR. ROGAN: I'm extremely
6 frustrated. I apologize, Ms. Carrera.
7 Force of habit with all these tax sales
8 coming up.

9 MR. JOYCE: I make a motion to
10 suspend the rules to move Item 5-C to
11 Seventh Order to be considered for final
12 passage based on the attached emergency
13 certificate.

14 MR. LOSCOMBE: Second.

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

17 MR. MCGOFF: Aye.

18 MR. LOSCOMBE: Aye.

19 MR. JOYCE: Aye.

20 MS. EVANS: Aye. Opposed?

21 MR. ROGAN: No.

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

24 MS. KRAKE: 6-A. READING BY TITLE -
25 FILE OF COUNCIL NO. 44, 2011 - AN ORDINANCE

1 - SALE OF TAX DELINQUENT PROPERTY MORE
2 COMMONLY KNOWN AS 2108 PRICE STREET, TAX MAP
3 NO. 14509-010-015, SCRANTON, PENNSYLVANIA,
4 TO FRANCIS J. WALSH, 217 NORTH GRANT AVENUE,
5 SCRANTON, PENNSYLVANIA, 18504, FOR THE
6 CONSIDERATION OF \$3,500.00.

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

9 MR. ROGAN: I move that Item 6-A
10 pass reading by title.

11 MR. JOYCE: Second.

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

14 MR. MCGOFF: Aye.

15 MR. ROGAN: Aye.

16 MR. LOSCOMBE: Aye.

17 MR. JOYCE: Aye.

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

20 MS. KRAKE: 6-B. READING BY TITLE -
21 FILE OF COUNCIL NO. 45, 2011 - AN ORDINANCE
22 - SALE OF TAX DELINQUENT PROPERTY MORE
23 COMMONLY KNOWN AS 917 EYNON STREET, TAX MAP
24 NO. 15609-080-035, SCRANTON, PENNSYLVANIA,
25 TO SEAN MCGAGHRAN, 1221 EYNON STREET,

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

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

5 MR. ROGAN: I move that Item 6-B
6 pass reading by title.

7 MR. JOYCE: Second.

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

10 MR. MCGOFF: Aye.

11 MR. ROGAN: Aye.

12 MR. LOSCOMBE: Aye.

13 MR. JOYCE: Aye.

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

16 MS. KRAKE: 6-C. READING BY TITLE -
17 FILE OF COUNCIL NO. 46, 2011 - AN ORDINANCE
18 - SALE OF TAX DELINQUENT PROPERTY MORE
19 COMMONLY KNOWN AS 919 EYNON STREET, TAX MAP
20 NO. 15609-080-036, SCRANTON, PENNSYLVANIA,
21 TO SEAN MCGAGHRAN, 1221 EYNON STREET,
22 SCRANTON, PENNSYLVANIA, 18504, FOR THE
23 CONSIDERATION OF \$600.00.

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

1 MR. ROGAN: I move that Item 6-C
2 pass reading by title.

3 MR. JOYCE: Second.

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

6 MR. MCGOFF: Aye.

7 MR. ROGAN: Aye.

8 MR. LOSCOMBE: Aye.

9 MR. JOYCE: Aye.

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

12 MS. KRAKE: 6-D. READING BY TITLE -
13 FILE OF COUNCIL NO. 47, 2011 - AN ORDINANCE
14 - AUTHORIZING THE VACATION OF THE RIGHT OF
15 WAY KNOWN AS PAGE PLACE LOCATED BETWEEN
16 THE 200 BLOCKS OF FRANKLIN AVENUE AND
17 MIFFLIN AVENUE.

18 MS. EVANS: You've heard reading by
19 title of Item 6-D, what is your pleasure?

20 MR. ROGAN: I move that Item 6-D
21 pass reading by title.

22 MR. JOYCE: Second.

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

25 MR. MCGOFF: Aye.

1 MR. ROGAN: Aye.

2 MR. LOSCOMBE: Aye.

3 MR. JOYCE: Aye.

4 MS. EVANS: Aye. Opposed? The ayes
5 have it and so moved.

6 MS. KRAKE: 6-E. READING BY TITLE -
7 FILE OF COUNCIL NO. 48, 2011 - AN ORDINANCE
8 - AUTHORIZING THE MAYOR AND OTHER
9 APPROPRIATE CITY OFFICIALS TO APPLY FOR AND
10 EXECUTE A GRANT APPLICATION AND IF
11 SUCCESSFUL A GRANT AGREEMENT AND ACCEPT THE
12 FUNDS RELATED THERETO THROUGH THE BJA FY 11
13 EDWARD BYRNE JUSTICE ASSISTANCE GRANT
14 ("JAG") PROGRAM LOCAL SOLICITATION IN THE
15 AMOUNT OF \$29,216.00.

16 MS. EVANS: You've heard reading by
17 title of Item 6-E, what is your pleasure?

18 MR. ROGAN: I move that Item 6-E
19 pass reading by title.

20 MR. JOYCE: Second.

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

23 MR. MCGOFF: Aye.

24 MR. ROGAN: Aye.

25 MR. LOSCOMBE: Aye.

1 MR. JOYCE: Aye.

2 MS. EVANS: Aye. Opposed? The ayes
3 have it and so moved.

4 MS. KRAKE: SEVENTH ORDER. 7-A. FOR
5 CONSIDERATION BY THE COMMITTEE ON FINANCE
6 FOR ADOPTION-RESOLUTION NO. 43, 2011-
7 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
8 CITY OFFICIALS TO EXECUTE AND ENTER INTO A
9 CONTRACT BETWEEN THE CITY OF SCRANTON AND
10 THE SCRANTON SCHOOL DISTRICT WITH JOSEPH M.
11 ALU AND ASSOCIATES TO PERFORM THE SCRANTON
12 SINGLE TAX OFFICE INDEPENDENT AUDIT FOR
13 THE YEAR ENDING DECEMBER 31, 2010.

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

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

20 MR. ROGAN: Second.

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

23 MS. CARRERA: Mr. McGoff.

24 MR. MCGOFF: Yes.

25 MS. CARRERA: Mr. Rogan.

1 MR. ROGAN: Yes.

2 MS. CARRERA: Mr. Loscombe.

3 MR. LOSCOMBE: Yes.

4 MS. CARRERA: Mr. Joyce.

5 MR. JOYCE: Yes.

6 MS. CARRERA: Mrs. Evans.

7 MS. EVANS: Yes. I hereby declare
8 Item 7-A legally and lawfully adopted. Is
9 there anyone who wishes to address council
10 on Item 7-B, the emergency certificate
11 Section 108 loan agreement between the City
12 of Scranton and the Steamtown Mall Partners
13 legislation that has been moved to Seventh
14 Order?

15 MR. JACKOWITZ: Bill Jackowitz,
16 South Scranton resident. Mr. Rogan, I agree
17 with you wholeheartedly, I disagree with
18 your four colleagues. Again, we are bailing
19 Al Boscov out again and in two years from
20 now when they are -- that Mall Association
21 is not able to pay that money guess who is
22 going to get stuck with it? Remember the
23 Hilton? How many times have you bailed the
24 Radisson out? We are going to do the same
25 thing. That mall should never have been

1 built in 1992, I was not living in Scranton
2 at that time, that was a mistake, it's been
3 a failure ever since 1992, and now we are
4 going to give Al Boscov, remember when Al
5 Boscov came here begging and crying for
6 money and then two months later he had a
7 report in the newspaper saying how business
8 has improved and how much money he has made?

9 How many boats does he have? How
10 many houses does he have? I know that's
11 personal. Vote "no". I'm tired of bailing
12 people out. You know, why don't we give
13 \$25,000 to the Kids Swim Free Program?
14 Council, approve it. If you are going to
15 approve this then approve \$25,000 for the
16 Kids Swim Free.

17 As far as those jobs in the mall,
18 they are all minimum wage jobs and part-time
19 jobs, that's what they are. We have the
20 highest unemployment, yes, we do. We have
21 the lowest minimum wage in the state, yes,
22 we do. We have the lowest per capita income
23 in the state, yes, we do. Why? Because of
24 people like Al Boscov and now you are going
25 to give him more money and give his

1 association more money?

2 Tear the mall down. We don't need
3 it. It's a hindrance. It's costing this
4 community money. Turn it into a flea
5 market, but don't give Al Boscov any more
6 money.

7 MS. EVANS: I just wanted to clarify
8 that, again, we are not giving Mr. Boscov
9 money.

10 MR. JACKOWITZ: In two years you
11 are.

12 MS. EVANS: Any more money. This is
13 a --

14 MR. JACKOWITZ: In two years you
15 are.

16 MS. EVANS: Mr. Jackowitz, please,
17 you are no longer at the podium. It's a
18 deferment of the payments and it's
19 certainly, like I said, not an ideal
20 situation. Is there anyone else?

21 MS. SCHUMACHER: Marie Schumacher.
22 I am really sorry that this is being pushed
23 through because I think if you all have the
24 information on just how underwater this loan
25 is, it was just a couple of weeks ago I was

1 here and had got the figures and shared them
2 again and how many tens of millions of
3 dollars is owed on that primary loan as
4 opposed to the market value of that
5 property? It's not going to make it. In
6 the last two years ago, two years ago we
7 gave Al Boscov to reestablish that store, we
8 gave from the state, we gave from the
9 county, we gave from the city, and why all
10 to one person? If Mr. Boscov has all of
11 this money, and yet his money is to do what
12 he wants, but if he is in default he can
13 stop making some of these political
14 contributions that he makes and pay off his
15 debts.

16 I'm sorry, this is -- all this money
17 going to one person is it going to be any
18 easier to cut the CDBG funding in 2013 than
19 it is now. I seriously doubt it. Why not
20 bite the bullet now and be done with it and
21 then get out of the hole.

22 MS. EVANS: Well, actually, I think
23 there is great sense in what you are saying,
24 but I'm hoping that in two years time the
25 economy will have further recovered and that

1 we might see a change in Washington in the
2 membership of Congress.

3 MS. SCHUMACHER: Well, yeah, we were
4 sold hope a couple of years ago and what did
5 we get. Yeah, no hope. It's bad and this
6 is -- if you vote in favor of not biting the
7 bullet now, it's a mistake and I'll be here,
8 good Lord willing, in 2013 to remind you.
9 Thank you.

10 MS. EVANS: Thank you. Is there
11 anyone else?

12 MR. DOBRZYN: I'm in-between on
13 this. I understand both sides of the
14 argument, but it's always been a dream of
15 mine to see Mr. Boscov replaced with a
16 K-Mart or something, somebody that's
17 successful, somebody that can pay the bills,
18 and hopefully you people can drop a
19 statement at least telling Mr. Boscov
20 please, please, pay back the loans and get
21 things going or pack it in and try to find
22 somebody to lease to that can pay a few
23 bills for a change, hopefully pay a wage,
24 too.

25 I agree that it's really ashame,

1 it's a nice mall, but you go down there and
2 there is one store closing after another and
3 hopefully we will get our money, but like I
4 said, I see both sides of the coin. We are
5 stuck with the legacy that we are left with
6 from the last generation, be it a strip mine
7 or gold mine. Thank you and have a good
8 night.

9 MS. EVANS: Thank you. Is there
10 anyone else?

11 MR. ELLMAN: Council, I implore you
12 not to allow this to go any further. I have
13 been up here several times complaining, you
14 could see this a couple of years ago this
15 was coming. I remember last year and before
16 the medical school was built I said
17 something about the mall is folding up. Why
18 can't they let the first floor stay there
19 and use the second floor for Lackawanna
20 College or the medical school? Do you
21 remember I said something like that, I don't
22 remember.

23 But the people in the city have had
24 enough of Al Boscov and his reluctant to
25 give his reluctance to give us any money and

1 like Bill just said before he was bragging
2 in the newspaper about the income for -- I
3 think it was two years ago, but he didn't
4 have -- we didn't get nothing out of it.
5 This has got to stop. You people don't need
6 to be in the loan business to start with.
7 If he had such good credit he could have
8 went over to one of these banks.

9 This was an extremely bad loan just
10 like that Michael's that all of the rest of
11 them that were involved in. It's time to
12 quit. Let Lackawanna College or somebody
13 have the place. I'd rather lose some low
14 paying jobs there than have layoffs with the
15 city, and like you just said, where are we
16 going to cut? We got to cut someplace and
17 it's just time to quit with Al Boscov.
18 Thank you.

19 MS. EVANS: Thank you.

20 MR. HUGHES: Madam President, if I
21 could?

22 MS. EVANS: Yes.

23 MR. HUGHES: I have been though many
24 Section 108 loans not only in Scranton but
25 in other municipalities throughout the

1 state. One thing with Section 108 loans is
2 there a personal guarantee of all of the
3 partners who are involved in the loan.
4 Mr. Boscov, Mr. Lakin, and whoever else is
5 the current partners of Scranton Mall
6 Associates, they personally guarantee this
7 loan.

8 What would happen if this
9 legislation is not passed is that the
10 primary lender, and I was involved in the
11 first loan that was done when it was done
12 and the closing took three days down in
13 Philadelphia on the mall. I was there for
14 the entire three days on the closing.

15 The City of Scranton and others were
16 junior lenders. All of the second tiers,
17 there were actually four, second, third and
18 fourth tier lenders. All of those loans
19 were placed together in what's called pari
20 passu, so that they are all considered
21 second loans and in the event there was a
22 nullification on the first loan then the
23 second, third and fourth tier lenders would
24 share all of the second mortgage.

25 The Section 108 loan is personally

1 guaranteed. What would happen is that with
2 this loan that the primary lender is
3 reducing the rate of interest to the mall by
4 3 percent and in exchange for that when that
5 loan matures in approximately two years this
6 loan which will have a hiatus of payment of
7 any interest in accordance with the
8 inter-creditor's agreement that it will
9 become due and payable in two years.

10 What would happen right now is that
11 in the event there was a default the loan is
12 personally -- the loan is guaranteed with
13 the city's UDAG payments by Housing and
14 Urban Development to the people that have
15 borrowed the \$3 million or that have
16 borrowed the Section 108 loans, most of them
17 have been made now except for the \$880,000,
18 and as a result if there is a default the
19 primary lender would come in, all of the
20 secondary lenders would be wiped out, the
21 HUD would pay on the bonds the \$880,000,
22 deduct that from the city's UDAG
23 repayments -- not UDAG repayments but from
24 the city's COM-D payment, the City of
25 Scranton would then have to go after

1 Mr. Boscov on the other agreement that he
2 personally guaranteed the loan.

3 This is not a refinancing, it's an
4 interruption. This is what we call a
5 forbearance agreement that the loan will not
6 be paid, it will be extended, and that
7 hopefully the mall will survive, the primary
8 lender will be paid and then the secondary
9 lenders will be paid. This is not a
10 bailout. It is merely a postponement of
11 this payment which is concurred to by HUD
12 according to the documentation. I was not
13 involved in any of that, but just in reading
14 the correspondence, so as a result what
15 people say there might be a risk there
16 definitely could be a risk, but there is the
17 personal guarantee of all of the principals
18 of the Scranton Mall Associates on that
19 loan.

20 The City of Scranton could lose
21 \$880,000 if this legislation is not passed,
22 let's just take it out of the COM-D funds,
23 then the city would have to go after
24 Mr. Boscov, Mr. Lakin and the other
25 principals of the Scranton Mall Associates.

1 I just wanted to clear the air on that.

2 MR. ROGAN: I shouldn't have used
3 the term bailout, I should have used the
4 term stay of execution, I guess.

5 MR. HUGHES: Well, I think that --
6 and I have involved, you know, no matter --
7 I remember that when the mall was qualified
8 for LERTA, the LERTA program, however, when
9 the mall was built the actual real estate
10 revenue that was produced by the mall just
11 by paying the taxes on the land was more
12 taxes each year than was previously received
13 by all of the taxing agencies, the City, the
14 county and the school district than before
15 the mall was built because many of the
16 properties were not -- weren't paying real
17 estate taxes. The property went to what was
18 called the China Wall, everything from the
19 China Wall to Rail 10 was tax exempt, that
20 was in the national park, however, as a
21 result of the mall being built all of the
22 that land was deeded by the federal
23 government to Scranton Mall Associates.

24 When it was reassessed just on the
25 land only, the payments on the land to all

1 of the taxing agencies were more than the
2 previous payments on land and improvements
3 and it's continued that way for the last 20
4 years until ten years now, over ten years
5 now the taxes on the improvements have been
6 paid.

7 MS. EVANS: Is there anyone else?
8 Roll call, please.

9 MR. JOYCE: We are at the reading.
10 We just had the -- that was public comment.

11 MS. EVANS: I'm sorry, I got off
12 track with our attorney's comments.

13 MS. KRAKE: 7-B, FORMERLY 5-C, FOR
14 CONSIDERATION FOR THE COMMITTEE ON FINANCE -
15 FOR ADOPTION - RESOLUTION NO. 34 OF 2011 -
16 EMERGENCY CERTIFICATE ATTACHED - AMENDING
17 RESOLUTION NO. 175 OF 2003, ENTITLED
18 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
19 CITY OFFICIALS OF THE CITY OF SCRANTON TO
20 EXECUTE AND ENTER INTO A SECTION 108 LOAN
21 AGREEMENT BETWEEN THE CITY OF SCRANTON AND
22 THE STEAMTOWN MALL PARTNERS, LP, FOR THE
23 REFINANCING OF THE LACKAWANNA AVENUE MALL
24 PROJECT BY AUTHORIZING THE MAYOR AND OTHER
25 APPROPRIATE CITY OFFICIALS OF THE CITY OF

1 SCRANTON TO EXECUTE AND ENTER INTO A
2 MODIFICATION/EXTENSION OF THE LOAN AGREEMENT
3 BETWEEN THE CITY OF SCRANTON AND THE
4 STEAMTOWN MALL PARTNERS, LP, FOR A PERIOD OF
5 TWO YEARS.

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

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

12 MR. MCGOFF: Second.

13 MS. EVANS: On the question?

14 MR. ROGAN: I don't want to belabor
15 the point, but just a procedural question,
16 since this was from the OECD office why
17 wasn't this the Committee on Economic and
18 Community Development?

19 MS. EVANS: I didn't particularly
20 make the assignment, I think the most likely
21 it's because of Mr. Joyce being the Chair of
22 Finance and since we are dealing with
23 finances, yes.

24 MR. ROGAN: When in the past all of
25 the federal monies -- it doesn't matter the

1 vote counts the same at the end of the day
2 anyways, but I think everyone on here knew
3 how I was going to go before the vote even
4 happened, but let's just vote.

5 MR. LOSCOMBE: If I could just make
6 a quick comment. I have listened to all
7 sides, I do have a mixed emotions, but most
8 of us were not in these seats when these
9 loans were structured. We have a heavy
10 decision to make and I think that the
11 ramifications will be far greater on
12 everyone, the mall, the employees, the
13 taxpayers, if we don't approve this at this
14 point. I mean, all we are doing is
15 deferring the payments.

16 This is nothing different than right
17 now the federal government, and up until
18 last month the state government, has a
19 homeowners foreclosure program where they
20 would work to remodify your loans to defer
21 your payments or extend your payments out
22 because a lot of homeowners were facing
23 foreclosures and situations right now. I
24 say the state, governor Corbett in his
25 infinite wisdom took it out of the budget

1 for this year, and I think the program ended
2 last year to help homeowners that were under
3 water, but there are still some federal
4 programs.

5 But, you know, as we look at the
6 whole scenario, it does -- we are going to
7 lose money, but if the mall does close there
8 will be jobs lost. At a time right now when
9 we have hospitals coming in and merging I
10 think we are going to lose a lot of jobs
11 there, too. Where are we going, you know?
12 We are not taking any money out of our
13 pockets with this program right now. We are
14 deferring it. In two years I hope I'm right
15 and I hope we are all right. You know, in
16 all deference to the speakers, I agree
17 wholeheartedly, but you know, in my heart I
18 think we have to at least give them the
19 benefit of the doubt at this point and keep
20 the pressure on them and hopefully things
21 will turn around, but I don't think it's
22 something that's coming out of our pocket at
23 this point and we still have two years to
24 work on it, so I will be voting in favor of
25 it.

1 MR. JOYCE: Well, since I'm the only
2 one that didn't comment on this item I might
3 as well. I know this is a tough situation,
4 but I do have a say after listening to all
5 of the arguments I agree with Mr. McGoff,
6 Mr. Loscombe and Mrs. Evans on this issue.
7 What are we to do if the mall goes under if
8 we don't do this? What happens to the real
9 estate tax revenue that comes out of this or
10 if those people that work at the mall lose
11 their jobs that is wage tax revenue that
12 does come out of the city budget. So in
13 this particular instance though -- well, I
14 don't consider it technically a bailout,
15 technically it's more of a forbearance, I
16 would like to leave that the mall will
17 return to fiscal health in two years, but at
18 this point no one could see in the future,
19 so for now I believe this is in the best
20 interest of the city.

21 MS. EVANS: Roll call, please.

22 MS. CARRERA: Mr. McGoff.

23 MR. MCGOFF: Yes.

24 MS. CARRERA: Mr. Rogan.

25 MR. ROGAN: No.

1 MS. CARRERA: Mr. Loscombe.

2 MR. LOSCOMBE: Yes.

3 MS. CARRERA: Mr. Joyce.

4 MR. JOYCE: Yes.

5 MS. CARRERA: Mrs. Evans.

6 MS. EVANS: Yes. I hereby declare

7 Item 7-B legally and lawfully adopted.

8 If there is no other business, I'll
9 entertain a motion to adjourn.

10 MR. JOYCE: Motion to adjourn.

11 MS. EVANS: This meeting is
12 adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER