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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, September 6, 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
(Not present)

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. CARRERA: Mr. Rogan.

7 MR. ROGAN: Here.

8 MS. CARRERA: Mr. Loscombe.

9 MR. LOSCOMBE: Here.

10 MS. CARRERA: Mr. Joyce. Mrs.

11 Evans.

12 MS. EVANS: Here.

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

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

16 MINUTES OF THE NON-UNIFORM MUNICIPAL PENSION
17 MEETING HELD JUNE 22, 2011.

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

20 MS. KRAKE: 3-B. MINUTES OF THE
21 POLICE PENSION COMMISSION MEETING HELD JUNE
22 22, 2011.

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

25 MS. KRAKE: 3-C. MINUTES OF THE

1 SCRANTON-LACKAWANNA HEALTH & WELFARE
2 AUTHORITY MEETING HELD JUNE 16, 2011.

3 MS. EVANS: Are there any comments?
4 If not, received and filed.

5 MS. KRAKE: 3-D. MINUTES OF THE
6 SCRANTON FIREFIGHTERS PENSION COMMISSION
7 MEETING HELD JUNE 22, 2011.

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

10 MS. KRAKE: 3-E. MINUTES OF THE
11 COMPOSITE PENSION BOARD MEETING HELD JUNE
12 22, 2011.

13 MS. EVANS: Are there any comments?
14 If not, received and filed.

15 MS. KRAKE: 3-F. TAX ASSESSOR'S
16 REPORT APPEAL HEARING RESULTS HELD JULY 20,
17 2011.

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

20 MS. KRAKE: 3-G. AGENDA FOR THE
21 NON-UNIFORM MUNICIPAL PENSION FUND HELD JULY
22 27, 2011.

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

25 MS. KRAKE: 3-H. MINUTES OF THE

1 SCRANTON FIREFIGHTER'S PENSION COMMISSION
2 MEETING HELD JULY 27, 2011.

3 MS. EVANS: Are there any comments?
4 If not, received and filed.

5 MS. KRAKE: 3-I. MINUTES OF THE
6 COMPOSITE PENSION BOARD MEETING HELD JULY
7 27, 2011.

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

10 MS. KRAKE: 3-J. MINUTES OF THE
11 NON-UNIFORM MUNICIPAL PENSION FUND MEETING
12 HELD JULY 27, 2011.

13 MS. EVANS: Are there any comments?
14 If not, received and filed.

15 MS. KRAKE: 3-K. AGENDA FOR THE
16 ZONING HEARING BOARD MEETING HELD AUGUST 10,
17 2011.

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

20 MS. KRAKE: 3-L. AGENDA FOR THE CITY
21 PLANNING COMMISSION MEETING HELD AUGUST 17,
22 2011.

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

25 MS. EVANS: Clerk's notes?

1 MS. KRAKE: I have one thing to
2 report on clerk's notes, Mrs. Evans, all
3 council members should see a copy of the
4 paid receipt for the Chamber of the Commerce
5 building's city taxes.

6 MS. EVANS: Yes.

7 MS. KRAKE: I have a voicemail from
8 business administrator saying that that
9 money will be deposited tomorrow. I will
10 follow-up to make sure that the check does
11 clear the bank.

12 MS. EVANS: Thank you very much,
13 Mrs. Krake.

14 MR. HUGHES: Madam President, Jerry
15 Weinberger is here for two matters tonight,
16 he represents Scranton Mulberry Plaza, so if
17 there is any questions you could address
18 them to Attorney Weinberger.

19 MS. EVANS: Thank you.

20 MS. KRAKE: That's it for Clerk's
21 notes. FOURTH ORDER. CITIZENS'
22 PARTICIPATION.

23 MS. EVANS: Well, before we --

24 MS. KRAKE: Pardon me.

25 MS. EVANS: Do we have any council

1 members with announcements tonight?

2 MR. LOSCOMBE: I have none.

3 MR. ROGAN: I would just make one
4 brief announcement. I'm sure everybody saw
5 the tragic fire that happened today, this
6 morning, and one thing that was reported in
7 the newspaper is that I would just like to
8 get out there publically is to remind
9 everyone to check their smoke alarms, check
10 their batteries. If they don't have smoke
11 alarms in their house now to go out and get
12 them. If they can't afford them, contact
13 one of us through our programs available,
14 there are smoke free detectors that are
15 given out and it's something that's very
16 important and it could save a life.

17 MR. MCGOFF: First, the South Side
18 Senior Center is holding it's annual
19 spaghetti dinner. It will be Thursday,
20 September 22. I think they have both
21 takeout and eat in. I will try and get more
22 information, and that's held at the senior
23 center on Alder Street, the 400 block of
24 Alder Street and that's South Side.

25 And also the Lupus Foundation is

1 having their annual Lupus group race/walk at
2 Nay Aug Park on Sunday, October 2.

3 Registration starts at 9:30 and the race and
4 walk start at is 11 a.m.

5 MS. EVANS: Thank you. Councilman
6 Joyce is unable to attend tonight's meeting
7 due to illness. Scranton City Council
8 wishes to recognize Lutherwood Senior Living
9 for their 2011 payment in lieu of taxes of
10 \$6,000. The City of Scranton is most
11 grateful for Lutherwood's annual generosity
12 and it's commitment to our shared community.

13 The Scranton Fraternal Order of
14 Eagles will conduct a chicken barbecue this
15 Sunday, September 10, from 2 to 6 p.m. at
16 493 Meridian Avenue in Scranton. Tickets
17 are \$8.00 per dinner, and takeouts are
18 available.

19 This Sunday marks the tenth
20 anniversary of the 9/11 attacks against
21 America. Over 2,700 victims died at the
22 World Trade Center, including 343
23 firefighters, 60 police officers from New
24 York City and the Port Authority and eight
25 EMT's and paramedics. 184 were killed in

1 the attack on the Pentagon. There were no
2 survivors of any of the four commercial
3 airline flights which were hijacked.

4 The attacks had immediate and
5 overwhelming effects on Americans. From
6 such great tragedy and loss rose stunning
7 generosity, compassion and humanitarianism.
8 Ten years have passed and many of our
9 youngest citizens had never seen the videos
10 and photos of those unparalleled days.
11 While many of us can vividly recall the
12 hours between 8:46 and 10:28 a.m. on
13 Tuesday, September 11, 2001, pause to
14 remember on each of the successive
15 anniversaries of the attacks.

16 Sadly, the months and years between
17 those anniversaries have seen growing
18 divisiveness, apathy or disdain for others
19 and self-absorption. It's important not
20 only that we remember and honor the victims
21 and heroes of this American tragedy, but
22 also how we remember and honor them, through
23 unity rather than divisiveness in solving
24 problems, through respect and appreciation
25 rather than disdain for our men and women in

1 public safety service and through generosity
2 and compassion for one another, and that's
3 it.

4 MS. KRAKE: FOURTH ORDER. CITIZENS'
5 PARTICIPATION.

6 MS. EVANS: Our first speaker this
7 evening is Andy Sbaraglia.

8 MR. SBARAGLIA: Andy Sbaraglia,
9 citizen of Scranton, fellow Scrantonians.
10 The parking Authority apparently is in the
11 process of borrowing \$2.9 million, okay,
12 which is fine, but where is their
13 collateral? What kind of collateral is the
14 Parking Authority putting up to secure this
15 \$2.9 dollars loans? Now, you know, I think
16 we are on the books for about 45 million? I
17 think that article was pretty close here.
18 Now, I think it's 45 million.

19 MS. EVANS: I would think that's in
20 principal debt only.

21 MR. SBARAGLIA: The principal only,
22 the paper? They didn't even put the
23 long-term debt in?

24 MS. EVANS: That's certainly not the
25 loan.

1 MR. SBARAGLIA: What else is new
2 with the Times? But that's the point, the
3 point is what kind of a lien do we have
4 against the Parking Authority to secure our
5 loan in case they default? There is a good
6 chance they can default, I ain't going to
7 see them steal another piece of money from
8 the city just like that Hilton did. That's
9 still galls that Gary DiBileo allowed them
10 to do that. They went bankrupt anyway.
11 When they came before you, I told them, let
12 them go bankrupt, someone else would take it
13 over and we would have got a million, what
14 was it a million four, we would have got
15 that. We got nothing.

16 Now we are in the process of them
17 borrowing \$2.9 million and the only thing
18 they got to put up as collateral, most
19 likely, is a garage. That would be the most
20 likely thing. Now, why should they be
21 allowed to put up a garage that we owe that
22 much money on? I mean, something has got to
23 be done. The people of Scranton has to be
24 protected from them politicians in the city.
25 There is no question about it. I mean, they

1 go do whatever they want.

2 Thank God, I don't know if it has to
3 come before you, but I doubt it, they are
4 just going to -- the bank is going to come
5 up and say, "Hey, you're paying us. The
6 garage is ours."

7 And who has to pay the 45 million
8 plus like you keep saying? The poor stupid
9 people of Scranton. Something has got to be
10 done to protect the people of Scranton.
11 Either some type of a lien has to be placed
12 against all of the parking garages that the
13 money is owed to the people of Scranton.
14 This Authority does not own the parking
15 garage. They are only caretakers. That's
16 all. And when they cease being caretakers
17 and lose the ability to really protect the
18 people that entrusted that garage to them
19 they got to be removed, but I have been
20 telling you this all along. All of these
21 authorities should be disbanded. All they
22 do is work for whoever they are working for,
23 but not for the people of Scranton.

24 Now, let's get off my horse on that
25 and I've been after them for how long now, I

1 always wondered how they were going to pay
2 off that bond and many times I asked how are
3 they going to pay off that bond? Well, now
4 we know. They borrow to pay off the bond
5 and increase the debt, which is normal in
6 this city. Everybody figures you can just
7 borrow your way out of debt.

8 MS. EVANS: Mr. S bargalia, I think
9 in all actuality they may have borrowed this
10 \$2.9 million in part to pay off the
11 borrowing from either last year or the
12 previous year that they had taken out to
13 make bond payments as well. I believe there
14 were two previous borrowings in addition to
15 that last \$35 million dollar borrowing.
16 That was done, I think, through lines of
17 credit in order to make bonds payments and
18 now my understanding is that this newest
19 borrowing is being used in part to repay
20 either last year's or the prior
21 year's borrowing.

22 MR. SBARAGLIA: Yeah, the paper
23 points out the letter of credit. Of course,
24 I'm blue in the face mentioning that letter.
25 I think the SRA had one there, too, if they

1 didn't use it to nothing. We were great.
2 We gave everybody letters of credit. Hey,
3 here they are. The people of Scranton don't
4 know what's going on. Why should they care?
5 But the truth is they have to care because
6 it's coming back to haunt us time after time
7 after time.

8 Something has got to be done and
9 especially to protect the garages as they
10 are now. Somewhere you have to get in
11 there, whatever legally you can do, to
12 prevent them garages from being -- well,
13 actually foreclosed on by the bank until our
14 money is paid. I wish we could put a lien
15 against all of the garages and then first on
16 the lien and not second and third or fourth
17 or fifth, depending on what council is up
18 there.

19 Something has got to be done to
20 protect the people of Scranton and not just
21 lay off firemen and policemen. That doesn't
22 really protect the people of Scranton. In
23 fact, it might even endanger most people in
24 Scranton. Thank you.

25 MS. EVANS: Thank you. And just a

1 point for further clarification, those lines
2 of credit that I noted earlier never came
3 before Scranton City Council for it's
4 approval. The full faith and credit of the
5 city was not pledged for those particular
6 events of borrowing and I believe than this
7 particular issue, this latest loan, will not
8 come before city council for it's approval
9 because, again, the full faith and credit of
10 the city is not being required and that is
11 why I think Mr. Sbaraglia raises a very
12 genuine and real concern when he asks what
13 is the collateral for this particular loan
14 when it's not being backed with the taxing
15 power of the City of Scranton? There
16 certainly is much more to this situation
17 than we are being told. Our next speaker is
18 Ozzie Quinn.

19 MR. QUINN: Ozzie Quinn, Scranton.
20 Good evening.

21 MS. EVANS: Good evening.

22 MR. QUINN: I'm here tonight as a
23 follow-up of an audit that was done last
24 November by the HUD Office of Inspector
25 General whereby they found \$11.7 million of

1 CDBG money that they felt were findings and
2 if they didn't resolve these findings it was
3 to be paid by non-federal funds. Well,
4 there is 11 findings, I didn't even go at
5 that and bird dog them, and on August 5 of
6 this year, practically a month ago, a letter
7 was sent out from HUD, they had a
8 five-person team up here from Philadelphia
9 to review the OIG audit, okay, and they
10 spent ten days here an OECD.

11 Subsequently they sent a letter
12 August 5, 2011, to Ms. Linda Aebli and to
13 the mayor and I wonder if you people
14 received a copy of this? Mr. Rogan, you are
15 the chairman of the CDBG, did you receive a
16 copy of this?

17 MR. ROGAN: I don't believe I have.

18 MR. QUINN: Well, this is nothing
19 but stealth, okay, what's going on here.
20 You know, we are fooling around with \$11.7
21 million of taxpayers' money, not only
22 taxpayers in the city, but throughout the
23 county and whatnot, okay? Here we have a
24 three-page letter giving them 60 days to
25 answer the findings, okay? And they go onto

1 say 34 pages, 34 pages just what they have
2 done and how are they going to correct it,
3 okay?

4 Now, when I looked at the audit, and
5 I just want to read it, I got to put my
6 cheaters on to read this, okay? Do you mind
7 if I read this letter?

8 MS. EVANS: Oh, please, go ahead.

9 MR. QUINN: It's from the Department
10 of Housing and Urban Development and it's a
11 2011 monitor review, City of Scranton, CDBG.
12 "This serves to advise you of the results of
13 our monitoring view of the Scranton CDBG
14 program. This review is conducted by a team
15 lead by Mr. Stephen Stein, community
16 planning and development representative.
17 The team also include Mr. Christopher
18 McDonald, Ms. Stephanie Citiya, financial
19 analyst, Paul Leeman, regional environment
20 officer, Michael Zupert, regional property
21 acquisition and relocation specialist. The
22 views was conducted April 11 to April 21,
23 2011.

24 This review follows up an audit of
25 Scranton CDBG program that's conducted by

1 the HUD regional inspector general audit
2 during 2010. The OIG report was issued on
3 November 8, 2010."

4 It was issued, but you people never
5 received it, no one received it but the
6 mayor and the OECD. It contained one
7 finding that identified multiple
8 deficiencies and listed all Scranton
9 expenditures during the period of 2008 to
10 2010 as questioned costs.

11 "Please note the questioned costs
12 are not the same as the (unintelligible).
13 The purpose of this review is to determine
14 the validity of the OIG findings, assess
15 Scranton's progress and correcting
16 unidentified deficiencies and to determine
17 the corrective action that are needed. The
18 one OIG item is divided into 11 parts."

19 Well, I won't go onto read the list
20 of the letter, okay, it's just a lot of
21 jargon, but the fact is I just want to point
22 out something that really, for instance, and
23 this wasn't in -- like, spelled out in the
24 audit but now it is. One of the two
25 payments was for construction damage. Now,

1 get this. The Scranton Redevelopment
2 Authority paid for damaged that are caused
3 to the roof of an adjacent building during
4 the construction of a parking garage. The
5 SRA was reimbursed for the expense -- for
6 this expense by the city's community
7 development block grant funds. This payment
8 is unallowable cost and the city must
9 reimburse it's local CDBG account using
10 nonfederal funds.

11 How could that happen? Did anybody
12 ever know about that? I never read anything
13 in the paper about anything like that? I
14 know, Mr. Hughes, when you were Chairman of
15 the Redevelopment Authority we made sure
16 that the people who were doing the
17 demolition had insurance? I just don't
18 understand.

19 MR. HUGHES: That's always a bidding
20 requirement.

21 MR. QUINN: I just don't understand
22 this.

23 MR. HUGHES: I don't either, Oz.

24 MR. QUINN: Pardon?

25 MR. HUGHES: I said I don't either,

1 Oz.

2 MR. QUINN: Just a few more things,
3 a couple of other things, okay? The City
4 allowed an apparent conflict of interest.
5 It appears that the former SRA director was
6 writing himself a check for \$1,000 every
7 month for his firm that he hired to do work
8 for the SRA. Now, this is being reviewed by
9 the city's legal counsel, okay? And also,
10 the fact that the Department of Licensing,
11 Permits and Inspections during the period
12 for which the city is required to maintain
13 records there was no records kept. They
14 don't know why this Community Development
15 Department, the OECD, was paying LIPS for
16 department salary for the director and they
17 allowed a none -- an unallowable clause to
18 be paid back by nonfederal funds, and when
19 you go through this whole thing, and it's
20 really a clandestine type of thing that none
21 of you people up there knew except maybe
22 Mr. McGoff knows, were you aware of this,
23 Mr. McGoff?

24 MR. MCGOFF: Of that letter? No.

25 MR. QUINN: Well, you know, I think

1 this is what's going on in government, and
2 I'm sorry for being -- how can we, the
3 taxpayers, keep on shoving out our taxes
4 when we don't know what the heck is going on
5 down there in the mayor's office or over in
6 the sixth floor of the Brook's building or
7 anywhere else in the city hall? I mean,
8 it's a shame that we have to, you know, sit
9 here and take this year after year, millions
10 and millions, \$300 million dollars of
11 long-term debt, and Andy is talking about
12 how they pay their debt, they do it by
13 refinancing. They have been doing that for
14 years. Mr. Evans has been trying to do that
15 and she is criticized by cartoons and by
16 whatever by the Scranton Times and the rest
17 of the council members that go against the
18 Doherty regime.

19 Now, we got to find out what the
20 heck is going on in the mayor's office.
21 When we get 34 pages here, 34 pages of
22 things that are going on, what the heck else
23 is going on? I'm sorry, for keeping up the
24 time, but I ask you, Mrs. Evans, to please
25 arrange a meeting if you can between the HUD

1 officials and the OECD and the mayor to find
2 out what's going on and why you people are
3 not abreast. You were elected by me and the
4 rest of these people and you are sitting up
5 there and I feel sorry for you, you know,
6 what else don't you know that's going on?

7 MS. EVANS: Yes.

8 MR. QUINN: Thank you very much.

9 MR. LOSCOMBE: Mr. Quinn, you
10 haven't read about in the Times probably
11 because the Times and the mayor haven't
12 figured a way yet to blame council for that.

13 MR. QUINN: Well, you probably will
14 get it in the cartoon Sunday.

15 MR. LOSCOMBE: I'm sure.

16 MS. EVANS: I wanted to add that
17 council's office had requested that
18 monitoring report from HUD many, many months
19 ago and it was never forwarded to Scranton
20 City Council. The only way in which I
21 became aware of what has been occurring in
22 OECD was thanks to Mr. Ozzie Quinn sharing
23 his copy of the report with me.

24 I know that in the past we actively
25 sought to schedule a meeting between I

1 believe it is Nadab Bynum of HUD and his
2 signature appears on the letter that you
3 read tonight, and we had been told that HUD
4 would not meet with council until all of the
5 findings and concerns had been resolved
6 because any type of meeting that would occur
7 prior to that particular situation would
8 enable HUD only to report what the typical
9 process of an audit is for any Office of
10 Economic and Community Development
11 throughout Pennsylvania and the United
12 States.

13 In other words, they would come in
14 and tell you what the process is for any of
15 the offices, but they would not discuss the
16 particular problems that the City of
17 Scranton Office Economic and Community
18 Development has encountered, so I think at
19 this point now that this monitoring review
20 at least has been completed, we can once
21 again contact Mr. Bynum and ask him if he is
22 now prepared to come and speak to council
23 about the specific findings and concerns.

24 Mrs. Krake, I don't know if he may
25 postpone such a meeting as he did before

1 based on his desire to allow these Scranton
2 OECD Office to present it's corrective
3 measures or replies to the findings and
4 concerns that they have now forwarded.

5 Nevertheless, you know, I think we
6 can ask for a meeting now. Should they
7 insist that we must wait the additional 60
8 days until the corrective measures have been
9 submitted then we will once again insist
10 that Mr. Binam attend a public caucus
11 meeting of Scranton City Council to address
12 each one of those issues satisfactorily so
13 that the public can know exactly what has
14 been occurring in this office over the last
15 several years.

16 MR. QUINN: Well, I'm sorry I'm
17 over, but you are approving things, here you
18 are approved the Community Development Block
19 Grant Consolidated Plan and that
20 responsibility has fallen on your backs and
21 they should -- they should definitely sit
22 down and talk to you. Now, do you want to
23 be responsible for say the SRA knocking down
24 a building that you knew nothing about or
25 LIPS getting a raise or whatever, okay? You

1 don't know anything about it and you are
2 voting on it and I feel sorry for you in
3 that way and this is the -- there is no
4 transparency between the mayor and the city
5 council and they blame the city council and
6 I say, no, it's the mayor downstairs and
7 this letter is indicative of what's going
8 on.

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

10 MR. LOSCOMBE: Thank you.

11 MS. EVANS: Les Spindler.

12 MR. SPINDLER: Good evening,
13 Council, Les Spindler.

14 MS. EVANS: Good evening.

15 MR. SPINDLER: City resident and
16 homeowner and taxpayer. Welcome back. The
17 laying off of 13 police officers and eight
18 firefighters is just a travesty. This goes
19 onto prove what I have said for years, Mayor
20 Doherty doesn't give a damn about public
21 safety. He said the response times won't be
22 affected and I am calling him a liar on that
23 and he is a liar and my point was proven
24 this morning that deadly fire. Engine 9 on
25 Main avenue would have been the first engine

1 to that house and I don't where the other
2 one came from, but Engine 9 could have been
3 there in no time and the response time was
4 much greater than if Engine 9 was on Main
5 Avenue. These deaths are all on Mayor
6 Doherty and I hope he can sleep well at
7 night, and I know he can because he doesn't
8 give a darn about the people in this city.

9 And why Judge Thomson is the one
10 that comes in to hear all of Chris Doherty's
11 cases I have no idea. Well, I do have an
12 idea because Judge Thomson is in Mayor
13 Doherty's pocket. Every time there is a
14 case that comes up Judge Thomson comes in
15 and he decides in favor of Chris Doherty.
16 Well, every time Judge Thomson is taken to
17 Harrisburg he losses, so I hope the unions
18 take this case to a higher Court and have
19 this case overthrown just like the case with
20 the SIT clerks was, and who ended up paying
21 for that, the taxpayers.

22 And Joe Pilchesky took Judge Thomson
23 to Harrisburg five times and had five cases
24 overturned. It just goes to show this judge
25 is no good, he is brought in purposely to

1 have Chris Doherty win all of his cases.

2 When Chris Doherty ran for
3 reelection after his first term he said he
4 would not close firehouses. Dave Gervasi,
5 myself and other people came here and said,
6 "He is going to close firehouses," and Chris
7 Doherty said, "No, it's just scare tactics."

8 Well, here we go, he is closing
9 firehouses. Engine 15 is closed and Engine
10 10 is probably going to close. Again, Chris
11 Doherty has done nothing but lie since day
12 one when he said he would be the sixth
13 council person here and lives are going to
14 be lost, this is just the beginning and it's
15 a darn shame. I don't know how the people
16 in this city don't revolt against this
17 person. Something has got to be done
18 because more lives are going to be lost.

19 This is just a week after these
20 firefighters were laid off and one of the
21 laid off firefighters tried to get into
22 that house today and save these people.
23 That's the kind of people these guys are and
24 he is laying them off and I hear there is
25 going to be more and there is going to be

1 more police officers laid off, too.
2 Something has got to be done. This mayor is
3 just out of control.

4 I was going to talk about what Andy
5 did, the Scranton Parking Authority
6 defaulting on the loan, and I don't know
7 where the loan came from now, but Bob
8 Scopelliti went to Fidelity Bank and
9 Pennstar and was turned down by both of
10 them. As I've said in the past, I think all
11 of these authorities should be abolished,
12 they are doing nothing but costing this city
13 money as, like, now the city is responsible
14 for 1 1/2 million that the Recreation
15 Authority defaulted on. Well, something has
16 got to be done there, also.

17 This thing about Mayor Doherty
18 disregarding everything council is doing,
19 ordinances council passes, I don't know why
20 something can be done about this man. He is
21 not collecting money from CMC, which I
22 didn't know until the last meeting.

23 MS. EVANS: Mr. Spindler, I'm going
24 to address all of that under my motions this
25 evening.

1 MR. SPINDLER: Oh, okay, good,
2 because he is do everything to make council
3 look bad and it's a darn shame and you don't
4 hear anything about that in the
5 Times-Tribune, you just talk about Mayor
6 Doherty and what a great job.

7 Next thing, I have spoken on ECTV
8 ever since they have been here, they are
9 doing a terrible job and again my point was
10 proven about when council had the emergency
11 meeting in August, Chris Doherty told them
12 not no broadcast that meeting and they
13 didn't. Two people had to do it on their
14 own. I think council should look for
15 another provider to do these deeds because
16 ECTV is, like I said, it's just Elect Chris
17 TV. That's what it stands for.

18 Moving on. Well, I finally got some
19 satisfaction about the stolen DiBileo signs
20 because one of the persons involved in that
21 was arrested on a much more serious theft
22 and he is going to be going to jail for a
23 long, long time, so I'm very happy about
24 that. Maybe if he was arrested for the
25 first crime he wouldn't have committed the

1 second one, and that's all on Chief Elliott,
2 former Chief Elliott, Mayor Doherty, and
3 present Chief Duffy.

4 Lastly, an article, "Money's list of
5 America's Best Small Towns," Scranton isn't
6 in the top 100. If they were in the top 100
7 it would all over the Times-Tribune. They
8 would be blowing their horn what a great job
9 the mayor is doing. Now, we are not in the
10 top 100 of the small cities you don't hear
11 anything in the Doherty newsletter about
12 that. It's a darn shame. This newspaper is
13 so biased it's unbelievable. Thank you for
14 your time.

15 MS. EVANS: Thank you.

16 MR. LOSCOMBE: Thank you.

17 MS. EVANS: Doug Miller.

18 MR. MILLER: Good evening, Council,
19 Doug Miller, Scranton.

20 MR. LOSCOMBE: Good evening.

21 MS. EVANS: Good evening.

22 MR. MILLER: I'd like to begin on
23 Agenda Item 5-C and G, if I could. Now, I
24 just have to kind of admit here tonight I am
25 a little bit puzzled as to why we would be

1 considering this, another playground in the
2 city. I think our current financial
3 position should send us a signal that we
4 can't afford to take on another park and,
5 obviously, we've had a lot of frustration
6 over the summer because we couldn't even
7 operate what we had, we couldn't even open
8 up swimming pools, and I think the mayor
9 really made a mockery out of us this summer.
10 And sure it's nice to accept \$50,000. It's
11 all we heard, oh, ok how can you turn down a
12 \$50,000 grant? But what they failed to
13 mention was where is the funding going to
14 come for the upkeep of this park? Yeah, it
15 would be nice to build parks all over the
16 city, but you have to upkeep them and in our
17 position right now we can't afford to do
18 that.

19 You know, we had the mayor and
20 Mr. McGoff begging council to run this
21 through. I think the mayor and Mr. McGoff
22 need to start setting priorities here. Do
23 we want to focus on parks and all that
24 nonsense, or do we want to address our
25 financial nightmare that these two really

1 had a lot to do with? I would certainly
2 hope that some common sense would be used.
3 I know Mr. McGoff likes to talk about common
4 sense. Well, hopefully we will start using
5 it a little bit, you know, because, Mr.
6 McGoff, we haven't seen much of it.

7 You know, and I'm hopeful that we'll
8 really take a real good luck at this
9 because, you know, Councilman Loscombe made
10 a real good point week's back, this isn't
11 Disney World, all right? We deal in reality
12 here, and reality is we are faced with an
13 alleged \$8.1 million deficit at the year's
14 end and it's time to start finding solutions
15 and worrying about parks right now, we don't
16 have time for that. We have much more
17 important matters to address right now.

18 Moving on. I'd like to discuss the
19 KOZ's and nonprofits a little bit. I know
20 we will certainly continue to address the
21 deficit and by doing so we'll look to
22 increase revenue within the city, and by
23 doing that I'm hopeful that we can continue
24 to pursue higher payments from nonprofits
25 throughout the city and, of course, the

1 University of Scranton always becomes the
2 focal point of the conversation and for
3 legitimate reasons. Their current payment
4 of I believe \$175,000 is lunch money to
5 them, and I think we need to sit down with
6 them once again and work out an arrangement
7 that's fair for both sides.

8 You know, I can't imagine how the
9 University could feel proud about attracting
10 potential students to a distressed city. I
11 mean, look around. There is nothing here.
12 We are a city that focuses on parks. I
13 mean, I don't understand where this
14 administration is trying to go at all.
15 There is no jobs, there is nothing, and we
16 really need to start setting priorities here
17 because, unfortunately, for years we haven't
18 and it's lead us to where we are today. Now
19 council is left with a mess and, of course,
20 you are being blamed for it, which shouldn't
21 be surprising because the man downstairs
22 hasn't taken responsibility for anything for
23 ten years, and nothing is going to change
24 now.

25 I'd like to talk about the ruling by

1 Judge Thomson. Once again, the mayor gets
2 his way. It's a total disgrace that this
3 man is allowed to continue to jeopardize our
4 health and safety. We saw what happened
5 this morning and if that doesn't send a
6 message to him downstairs then I don't what
7 will. What else has to happen? I mean,
8 this is really getting out of hand? I mean,
9 we had to lose lives this morning for this
10 guy hopefully to get it through his head
11 that we can't afford to be taking more
12 police and firemen off the street.

13 You know, because of his actions we
14 have 21 less police and firemen on the
15 street. His actions have also resulted in
16 engine companies being shut down and what
17 has it done? It's effected response times,
18 regardless of what he wants to say. He is
19 not qualified to make that decision. He
20 doesn't know what he is talking about. We
21 have had firemen come up here and explain
22 that response times will be affected. Maybe
23 the mayor should go on an engine and then he
24 can figure out himself that, yeah, it's
25 common sense. Response times will be

1 affected, but until he does that I think he
2 needs to keep quiet because he has no idea
3 what he is talking about and I don't where
4 he gets his information from, but he's
5 false.

6 The games need to end now and the
7 mayor needs to stop blaming other people and
8 he needs to take responsibility once and for
9 all, and as I said at the special meeting,
10 council needs to hold this man accountable.
11 You know, it's time as, you know, a lot of
12 the critics like to come forward and
13 criticize council for not working with the
14 mayor and as I have stated in the past, and
15 you know this yourself, there is no working
16 with this man. It's his way or no way and
17 he needs to put all of that political
18 nonsense aside and work with council not
19 against you. His refusal to enforce your
20 legislation just shows his arrogance and
21 shows that he certainly doesn't have the
22 best interests of the residents in mind
23 because if he did he would be willing to
24 work with you and willing to enforce your
25 ledge.

1 And finally, if I may?

2 MS. EVANS: Yes.

3 MR. MILLER: One last few comments
4 here, I'd like to talk about Sunday
5 columnist Chris Kelly. You know, in recent
6 weeks he has got a lot to say about council
7 and the city. He has taken cheap shots at
8 you, he has made some absurd statements that
9 really serve no purposes. You know, I find
10 it quite comical that Mr. Kelly has so much
11 to say about the job council is doing and
12 yet in all of my time coming here I don't
13 think I can recall Mr. Kelly coming up to
14 this podium and offering any solutions or
15 suggestions. You know, it's easy to hide
16 behind a computer, Mr. Kelly, and take
17 shots, but it takes a real man to come up to
18 the podium and offer some solutions and some
19 productive analogies as to how we can solve
20 our problems.

21 You know, don't criticize council
22 for attempting to relieve the financial
23 burden, ask the mayor why he fails to comply
24 with anything that council puts through.
25 Ask why he failed to enforce StreetSmart or

1 why he failed to properly enforce the rental
2 registration fee. Those are just two
3 examples, the list goes on and on, we can go
4 on 10 year's worth of items. You know, if
5 you want to write articles in the future
6 please go right ahead, but offer something
7 productive, offer something that's going to
8 serve the city in a positive way.

9 You know, as far as the political
10 cartoons, you know, they had one the other
11 day with the Superman costume and I have to
12 say wouldn't take that as a slap in the
13 face, I would actually take that as a
14 compliment, because you know what? You guys
15 are the only true heroes that we have in the
16 city so I'd actually take that as a
17 compliment. You should be proud to wear the
18 Superman costumes because you're all we
19 have. Thank you.

20 MS. EVANS: Thank you. Ron Ellman.

21 MR. ELLMAN: Good evening, Council.

22 MS. EVANS: Good evening.

23 MR. ELLMAN: All summer I went to
24 yard sales and flea markets and those kind
25 of activities like the churches had and I

1 think I talked to a true -- more than a 100
2 people about politics and everybody, every
3 last one of them, just showed disappointment
4 in council. Don't shoot the messenger now.
5 I'm on your side. They just don't think --
6 they haven't said you failed, they just
7 don't think you are up to your potential and
8 I think between taking a vacation, which
9 everybody was against, where a lot of people
10 said if you want a vacation take one without
11 pay and personally I agree with that. I
12 just don't think council is so overworked
13 and stressed out they needed more time than
14 the president.

15 And secondly, was Al Boscov. You
16 just don't know how offended the people of
17 this city were that you gave him one second
18 more. They feel you turned your back on the
19 people of this city for Al Boscov. I don't
20 think you know it, he opened up two new
21 stores this summer in New Jersey with our
22 money. Yeah. That's the man that sits and
23 pleads poverty in here. He had a staff
24 meeting and I was told he told the staff
25 meeting December 31 he wants to see a

1 billion dollars, a billion dollars in sales
2 for his 40 stores or whatever they are.
3 Yep. That's the kind of person -- he is not
4 a honorable person to do business with and
5 people are really offended about that just
6 giving him any leeway whatsoever.

7 I heard I'd say 15, 20 people just
8 brought it up like that. I bet you don't
9 know he is looking for another location
10 downtown to move out of the mall? Yeah.
11 I'm full of surprises tonight. I heard this
12 -- this is from a good source.

13 Well, you know, the city is just so
14 desperately in need of leadership that
15 people look to council because they are not
16 getting nothing out of this guy downstairs.
17 I mean, you know, we have given up on him.
18 It seems like everybody thinks the taxpayers
19 are a cash cow. You know, Al thinks their a
20 cash cow, the school board, the mayor's
21 lawyers, all of these nonprofits, the
22 University, everybody falls back on the
23 taxpayers.

24 Here we are with a third of our
25 money is gone in the tax base, which makes

1 all of us paying a third more in taxes. You
2 know, like I said several times, I don't
3 think any of you all really have talked to
4 people that are just losing everything, just
5 giving up all kinds of things to try to hold
6 onto their house, and I have talked to them
7 that haven't been able to hold onto their
8 houses. It's just -- it's just -- it's sad
9 that, like I have said a couple of times and
10 talked with some widow living across the
11 street that lost a house that was paid for,
12 that just shouldn't happen in this country,
13 in this city.

14 And I was down at Wilkes-Barre, to
15 change the subject a little bit, last week I
16 was reading a Wilkes-Barre paper, the
17 college was so powerful they had a four-lane
18 street down there closed, I'm not familiar
19 with the streets, and they are making it
20 into a two-lane street because the dumbbells
21 don't have enough brains to cross the street
22 without getting run over and causing
23 accidents and everything else. Now, I have
24 told you, you are going to see the same
25 thing with this University pressing to close

1 this street. It's coming. And they will
2 probably win.

3 You know, again, don't shoot the
4 messenger, like, I'm on your side, I support
5 you. The fingers on you, you know, don't
6 fail us. I want to tell you something
7 before I leave just take a -- I walked the
8 dog before and I got caught in a downpour
9 and I told you the Basset hound doesn't
10 run. I got home I was soaked to the skin.
11 I started hanging my coat up and Rosie got a
12 couple of towels out. I said, "Hand me a
13 towel," and she threw me this towel and I
14 was wiping my face and I said, "It's all
15 wet."

16 She said, "Of course it's all wet, I
17 just wiped the dog with it."

18 Thank you.

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

20 MR. ELLMAN: Please don't think I
21 was trying to alienate you. These are just
22 things that I heard during the summer. They
23 are important. You know, there is a lot of
24 people won't tell you, to your face what
25 people are saying. Thank you.

1 MS. EVANS: Thank you.

2 MR. LOSCOMBE: Thank you.

3 MS. EVANS: Lee Morgan.

4 MR. MORGAN: Good evening, Council.

5 MS. EVANS: Good evening.

6 MR. MORGAN: Mr. Rogan, I'd like to
7 apologize for not inviting you to a meeting
8 at the tax group and I just got detained and
9 tied up and I --

10 MR. ROGAN: It's okay.

11 MR. MORGAN: And I want to give you
12 a sincere apology for that.

13 MR. ROGAN: That's all right.
14 Things happen and I would absolutely like to
15 attend one of the meetings in the future.

16 MR. MORGAN: The first thing that I
17 would like to say here is I have really,
18 really paid a lot of attention to what
19 previous speakers have said here tonight.
20 Mr. Miller said something about Disney Land
21 and, you know, I think in my own opinion
22 that this is almost like Disney Land because
23 we keep doing the same thing. We keep
24 getting on the same ride and after it's over
25 we think something should change and, you

1 know, where the city is with the authorities
2 and all of the things going on here in the
3 city, I know that I see things so much
4 different probably than most people here,
5 but it's my sincere opinion that city
6 council has the power of subpoena, and I
7 really felt that anyone in city government
8 can do very of everything that you can't
9 know about if you don't issue a subpoena.
10 We are not talking about criminal acts, we
11 are talking about your oversight authority
12 in city government, that's my opinion and I
13 just think it's lacked for a very long time.

14 I agree with some of the things that
15 Mr. Ellman said about -- and maybe some of
16 the other speakers about the way the
17 residents view city government because I
18 have had opportunities to talk to some
19 people, I was at their door, I don't want to
20 say why because it's probably not proper,
21 but they are very disgusted and we are in
22 very serious economic trouble in this
23 country and unemployment is very high so now
24 we are paying a lot more attention to what's
25 going on in government.

1 I think that the city council have
2 an answer to our problems recently and I
3 think that was the SAPA plan. I still
4 believe that that is the real answer to the
5 city's problems, creating an economic engine
6 which creates jobs. You know, other
7 communities may not want to zone for
8 industrial or light industrial so all of
9 those jobs will come here, Scranton
10 residents will get on a Colt's bus if they
11 have no other transportation and proceed to
12 go there to earn a living, and all of the
13 people that live outside of city, if the
14 city is an economic engine they are going to
15 drive here and spend money here and good
16 things are going to happen here and economic
17 development will start.

18 But I would just hope that the
19 council would reintroduce that, bring the
20 people in from SAPA, let's move forward,
21 let's do the right thing. I really in my
22 opinion think it's time to put politics
23 aside. In my opinion, I think the city has
24 a massive debt, I brought that up before,
25 restructuring the debt, asking the Court for

1 relief. I'm not surprised by what's going
2 on here with the authorities because that
3 writing was on the wall over a decade ago.
4 I guess when you come to council for over 20
5 years and you stand here and you watch
6 people get elected, and then you wonder why
7 government isn't moving in a more proactive,
8 in my opinion, way to empower people and to
9 make their lives better because, you know, I
10 don't know how many more firemen and
11 policemen can we lose, and we have to pick
12 between whether we are going to have pay the
13 debt or whether we are going to have public
14 servants and in the end I think somebody
15 should explain how the city's obligated to
16 meet it's financial obligations.

17 I think there is lot of things that
18 should be brought forward here. I think
19 that we should talk about in my opinion ECTV
20 staying on the air without funds unless
21 somebody knows where they are getting money
22 from because I have no idea where they are
23 getting money from. I mean, I just think
24 it's time for a total change in position and
25 then we have heard people talk about Judge

1 Thomson. Well, look it, I have a very, very
2 very, very low opinion of the judicial
3 system. Extremely low. I think the Courts
4 are extremely corrupt. That's my opinion,
5 but I do realize that Judge Thomson had to
6 allow the mayor to be the mayor because
7 that's the way this government was formed
8 and whether we agree with the way we have
9 decided to run this city, that's one thing.

10 If the residents want to change the
11 Home Rule Charter, let them do it, but we
12 are not using the Home Rule Charter as it's
13 written now, so what's the difference. If
14 we are not going to use subpoena and not
15 what's going on here what's the point.
16 What's the point of having oversight if
17 council doesn't use it, and I'm not -- I'm
18 not -- this isn't the only council that
19 hasn't done it. So, I mean, I'm just
20 thinking that, you know, maybe it's time to
21 use the authority that you possess and do
22 it. Thank you.

23 MS. EVANS: Thank you.

24 MR. LOSCOMBE: Mr. Morgan, I just
25 wanted to address your issue on SAPA again.

1 You know, I have always had an open mind,
2 but we have a large employer in this city
3 right now that's going to be moving out of
4 Scranton, that being Verrastro, because he
5 is unable to find a parcel in this city
6 that's capable of keeping his business, so I
7 really don't know what we have here to offer
8 in that aspect. We have had the same places
9 to offer all of these years, we have given
10 rebates, we've had KOZ's, KOEZ's, I still
11 don't see anything that's going to add any
12 impulse to this city other than getting our
13 tax base down to where it's equal with our
14 neighbors, especially our business taxes.

15 MR. MORGAN: May I respond?

16 MR. LOSCOMBE: Certainly.

17 MR. MORGAN: Well, in my opinion,
18 Mr. Verrastro is leaving because he must
19 feel he is overtaxed, and I just think that
20 when you look at the city's tax structure
21 and you look at the names on the companies
22 that have all fled this city, the Scranton
23 School for the Deaf is up in Clarks Summit
24 and, I mean, they are not even an employer.
25 I just think if you look at all of the

1 former manufacturing sites that are vacant,
2 all of the light industrial zones in the
3 city that are vacant, that's his excuse,
4 because of the residents of this city and
5 the businesses are so severely overtaxed,
6 don't forget when I was a child there were
7 over 100,000 people here. They've fled.
8 Realtors don't even try to list and sell
9 homes because they have given up hope and
10 that's why I'm saying it's time for this
11 council to make a stand, use the Home Rule
12 Charter, proceed, get control over the
13 authorities and do what needs to be done and
14 I'm not saying it's easy. None of this is
15 easy, but I think you are capable.

16 MR. LOSCOMBE: Just a quick response
17 to that, I did speak with Mr. Verrastro.
18 When I saw the "For Sale" sign I actually
19 stopped in and took it upon myself to ask
20 him the questions if there is anything that
21 the city has done or can do to retain
22 anything or anything the city has done to
23 drive him out of here and all he had was
24 praise for the city. He loves being in the
25 city, he loves where he is at, it's just

1 he's run out of room there. He was
2 looking -- he gave me the option, and I have
3 made many contacts to see if there was a
4 parcel large enough for him in the city, he
5 would remain here. Unfortunately, I wasn't
6 able to do it, but he did not vacate the
7 city because of the taxes. He is one of
8 those few businessmen that do appreciate
9 what the city offers in the face of services
10 and stuff like that. But we did have a nice
11 covers and, unfortunately, it wasn't because
12 of the taxes that he is leaving.

13 I imagine there are many that are,
14 like I said, until we get our business taxes
15 structured alongside with our neighbors we
16 are not going to be competitive, and that's
17 all I have.

18 MS. EVANS: And I just wanted to add
19 one clarification to some of the points that
20 Mr. Morgan made. Although, I'm sure there
21 are many of us here seated who would very
22 much like to end the stranglehold of the
23 municipal authorities, and none of us here
24 seated created those authorities, I think
25 it's very important that you understand the

1 law. You cannot dissolve a municipal
2 authority.

3 MR. MORGAN: Yes, your can.

4 MS. EVANS: No, you cannot. You
5 have to be able -- in order to do so their
6 debt has to be paid in full. Now, you have,
7 for example, the Scranton Parking Authority,
8 and the long-term debt of the Parking
9 Authority I'm not even going to attempt to
10 guess, I think maybe we could round it off
11 to possibly \$80 million. Now, if we were in
12 a position to pay it off tomorrow, to pay
13 off that principal, then the next step,
14 according to the Commonwealth of
15 Pennsylvania, is that the board of directors
16 of the Municipal Authority must be willing
17 to dissolve themselves and then notify the
18 State of Pennsylvania that they have done
19 so.

20 Now, I think you can see we face
21 critical issues here. The city is certainly
22 not in a situation whereby it can pay even
23 \$45 million tomorrow, Wednesday, September
24 7, in order to put the wheels in motion to
25 shut down a Parking Authority, and even if

1 it were, do you imagine that the members of
2 the Scranton Parking Authority appointed by
3 the mayor of the City of Scranton will agree
4 to dissolve the Parking Authority?

5 That is one of the issues we were up
6 against with the Library Authority and our
7 solicitor had researched that quite well.
8 No one can force that Library Authority to
9 disband itself. We have been in touch with
10 the State of Pennsylvania regarding this.
11 They have to agree to do it themselves.

12 So, please, in the future when you
13 are discussing municipal authorities --

14 MR. MORGAN: Could I respond?

15 MS. EVANS: No, sir, I am speaking.

16 MR. MORGAN: I mean, after you're
17 done?

18 MS. EVANS: You have -- excuse me,
19 Mr. Morgan --

20 MR. MORGAN: I mean after you're
21 done.

22 MS. EVANS: Mr. Morgan, you would be
23 able to return to council the following week
24 and respond.

25 MR. MORGAN: I will.

1 MS. EVANS: You have already had
2 your five minutes --

3 MR. MORGAN: Will you note that,
4 please?

5 MS. EVANS: -- and others -- excuse
6 me, please.

7 MR. MORGAN: But could you note
8 that?

9 MS. EVANS: And other speakers will
10 have their turn, but I am trying to explain
11 for the sake of --

12 MR. MORGAN: I understand everything
13 you are saying.

14 MS. EVANS: Mr. Morgan, I am trying
15 to --

16 MR. MORGAN: I'm trying to --

17 MS. EVANS: -- for the sake of the
18 public --

19 MR. MORGAN: I understand what you
20 saying to me.

21 MS. EVANS: -- that the statements
22 you have made are incorrect and very
23 misleading --

24 MR. MORGAN: I don't think they are
25 misleading.

1 MS. EVANS: -- to the public. It is
2 not as you presented in terms of just simply
3 being able to do away with any municipal
4 authority.

5 Our next speaker is Pat Hinton.

6 MR. HINTON: Good evening, council,

7 MS. EVANS: Good evening.

8 MR. LOSCOMBE: Good evening.

9 MR. HINTON: Nancy Krake, Attorney
10 Hughes. My name is Pat Hinton of Scranton
11 and I just come to you tonight for a little
12 bit of a positive information and update you
13 on the progress of our organization. I'm
14 here on behalf of myself and the South Side
15 cleanup crew to first thank you for your
16 support and assistance in recognizing or
17 cleanup efforts in South Scranton.

18 Our project started three years ago
19 with a few people who wanted to make a
20 difference in their neighborhood. Through
21 our persistence, hard work and pride in our
22 neighborhood are mission grows each year
23 with more volunteers and less blighted
24 properties. With well over 50 properties
25 cleared and made safe during the last three

1 years, including 32 this summer alone, the
2 South Side cleanup crew is making a real
3 difference in our neighborhood and will
4 continue to fight the battle against blight.

5 In July I spoke to you about a
6 vision, a program called Adopt-A-Lot where a
7 few people and businesses can make a
8 difference for a lot. Our Adopt-A-Lot
9 program is where local residences and
10 business adopt properties throughout South
11 Scranton. Once these properties are
12 initially cleaned, the property is then
13 maintained throughout the summer months,
14 usually May through September.

15 For the businesses this can be
16 achieved in two ways, first, if possible,
17 the business can perform the duty of
18 clearing their own lot or if lack of
19 manpower or time the business can help
20 donate supplies to our group and in return
21 the South Side cleanup crew will clean the
22 designated property. As a compliment for
23 helping our cause, the business will get a
24 sign posted at the property site saying they
25 have adopted it. So far over 35 properties

1 have been adopted by local businesses.

2 Furthermore, and the recent layoffs,
3 members of the Scranton Police and fire
4 departments have reach adopted a lot. They
5 are willing to volunteer their time for the
6 betterment of our community. After speaking
7 with Police Chief Dan Duffy, I must say it
8 was very encouraging. I felt proud to hear
9 how positive and eager Chief Duffy was to
10 jump on-board and support our efforts and
11 what better way to get involved and to be
12 part of this solution. The solution in
13 cleaning up our neighborhood. So a big
14 thank you to both members of the Scranton
15 Police and Fire Departments who have joined
16 to help fight our cause.

17 Also, I would like to thank the
18 following businesses for taking the positive
19 initiative in adopting a lot. The following
20 businesses include: The Dugout Tavern,
21 Molly's Cozy Corner, Costa's Drugstore,
22 Cedar Bike Stop, Scranton Hobby Store, DPS
23 Nutrition, Joe Van Wi, Incorporated, Krispy
24 Kreme Donuts, JB Jewelers, Wayne Evans
25 Realty, Banko North, Gerald Smurl Heating

1 and Air Conditioning, Cedar Residents,
2 Flannery Case Beverage, Vullo Motors, and
3 especially a big thank you to Gerrity's
4 Supermarket who have adopted ten properties
5 throughout our neighborhood. Mike Burt
6 Plumbing, Jordan's Towing, Rossi Rooter and
7 Gary's Sports Guards, plus I'm sure many
8 more are to come.

9 To conclude, I hope our efforts
10 spread throughout the city and I challenge
11 all neighborhoods everywhere in the city to
12 replicate what we have accomplished, and I
13 know they can. Get involved. We can make a
14 big difference. So again, I thank city
15 council and those who took part and believe
16 in our mission, so thank you.

17 MS. EVANS: Thank you.

18 MR. LOSCOMBE: Thank you.

19 MR. HINTON: May I, for the record,
20 may I submit this?

21 MS. EVANS: Absolutely. Our next
22 speaker is David Dobrzyn.

23 MR. DOBRZYN: Good evening, Council.

24 MS. EVANS: Good evening.

25 MR. DOBRZYN: Dave Dobrzyn, resident

1 of Scranton and taxpayer. It has come to my
2 attention tonight we seem to be losing some
3 of the info award here with city hall and
4 inside of city hall with the mayor's office.
5 Some of these articles coming out of the
6 Scranton Times almost totally attribute the
7 deficit to council, which is totally untrue.
8 It's money that really wasn't accounted for
9 over the last two years, and might I also
10 add an election year where we were supposed
11 to have a deficit free year and somehow now
12 all of this gets pulled out later, \$6
13 million or whatever it is or \$8 million.

14 Even the worst you people have done
15 was give a small tax break and, yeah, we
16 could use the money for that, but that is
17 absolutely not the case and I would
18 encourage the people out in the audience on
19 TV land to start doing a little better
20 research because I have also spoken to
21 people and tried to turn their opinion
22 around and I could see it was almost like
23 there was a microchip from these editorials
24 plugged into the back of their heads or
25 something and they are just recanting what

1 they read.

2 And I was curious on these layoffs
3 with the fire department and police
4 department and we come up with all of this
5 overtime and somebody is getting worked to
6 death. I had a job like that and, you know,
7 I appreciated the fact that I was
8 appreciated and wanted on a job all the
9 time, but at some point in the general
10 scheme of things it just doesn't work
11 anymore. You can't produce what you should
12 be producing, and could we introduce some
13 job sharing where people wouldn't have to be
14 laid off or at least partially or
15 significantly employed.

16 And another issue that on health
17 care, some people call it Obama care, it's
18 called the Affordable Health Care Act, but
19 when Dave Gervasi mentioned that we could
20 actually receive money from the federal
21 government to pay for some of the health
22 care of our firefighters and policemen, I
23 went red because that's an ideological thing
24 and we can't afford to be ideological with
25 how little money we have. Coke industries,

1 the two richest people in America, they're
2 third from the top, their industry is
3 applying for Obama Care, but Scranton isn't.
4 We are too are rich. We are too rich and
5 too idealogical. We are opposed to Obama
6 Care so we can't afford -- even though you
7 will be paying taxes some day on it.

8 And I have some sad news for the
9 people that feel that being required to have
10 health care is a violation of their
11 constitutional rights, that was there
12 original idea under Hillary care, which was
13 years ago, but now they insisted on it and
14 it's al being blamed. Irregardless of
15 whether you like it or you don't, if we
16 could reduce our health care costs and,
17 thereby, have more money free to keep people
18 on I'm all for it, and I could see where
19 once again if anybody gets blamed you will
20 get blamed and the administration is the one
21 that dropped the ball on that.

22 And I'd also wonder if we could get
23 anybody in from the DPW to see how they
24 could be more effective on their jobs, our
25 garbage situation just keeps rolling along

1 with this -- I mentioned it before, with
2 bags tossed on the ground and it must take
3 three times the amount of time than to pick
4 up a 30 or 40 pound barrel and toss it on a
5 garbage truck to be, you know, a little
6 here, and some drops out and maybe gets
7 picked up and if they pick it up they are
8 spending more time and if they don't pick up
9 the neighborhood looks a dump anyway, so
10 okay.

11 Oh, we forgot the golden parrot.
12 Can I buy more time? The golden parrot goes
13 to Judge Thomson, blessed are they who are
14 incompetence and retired and stay retired.
15 Bawk, bawk, bawk, Judge Thomson. Hopefully
16 you will get overturned once again. Have a
17 good night. Shame on you, Judge Thomson.

18 MR. ROGAN: Thank you. Is there
19 anyone else who would like to address
20 council?

21 MS. HEIN: Good evening.

22 MR. ROGAN: Good evening.

23 MS. HEIN: My name is Patty Hein. I
24 brought my children with me tonight because
25 there is something that I am very upset

1 morning. We'd appreciate if you could get
2 their shortly after 9:00 so we can get
3 everything setup. We have done this for ten
4 years, this memorial service. It's going to
5 be conducted, of course, over at the
6 Lackawanna County Joseph McDade Park.

7 We have been doing this for ten
8 years and this is a special year out of
9 those ten years because this year we are
10 going to dedicate a memorial statute for the
11 9/11 event, so we would like to have
12 everyone come and join us for this special
13 event and if there is any questions, please.

14 MR. ROGAN: Thank you, Mr. Tyson,
15 and I did attend the event last year and it
16 was a -- I don't want to say nice, because
17 it's not a nice thing to remember, but it
18 was a very well done ceremony and honoring
19 the memory of the ones that lost their
20 lives.

21 MR. TYSON: And that's okay to take
22 event rain or shine, so dress accordingly.
23 Thank you.

24 MR. ROGAN: Thank you. Is there
25 anyone else who would care to address

1 council?

2 MR. FINNERTY: Good evening,
3 Council. John Finnerty. I'm here on behalf
4 of the Minooka Neighborhood Association.
5 I'm here tonight to ask council to override
6 the mayor's veto which he issued on August 5
7 of this year, that vetoed council's
8 legislation which had amended the city's
9 zoning ordinance which had changed 17 acres
10 back in the Minooka section bordering Davis
11 Street from a CN zone to an R-1-A zone.

12 Council I'm sure recalls that the
13 legislation was introduced to amend that
14 zoning ordinance unanimously. Council I'm
15 sure recalls that the legislation was voted
16 on three separate occasions. As required on
17 each occasion the legislation passed
18 unanimously, so my question to the mayor is
19 what's changed since you voted on this three
20 separate occasions to amend the zoning
21 ordinance? What's changed? I submit to you
22 nothing has changed. The mayor vetoed this
23 legislation without any basis.

24 Myself, and a few members of our
25 organization met with the mayor, and after

1 he voted -- or he issued the veto on this,
2 we met with the mayor and the solicitor. We
3 were thankful that the mayor took the time
4 out of his busy schedule to sit down and
5 talk about this issue because it is very
6 important to us and to the association, but
7 I must say I was really speechless coming
8 out of that meeting. The mayor and his
9 solicitor were so uninformed regarding this
10 zoning ordinance legislation, again, I was
11 just speechless. Questions about where the
12 property was, who owned the property, the
13 process that council went through to pass
14 the legislation, it was just one question
15 after another, no answers.

16 The only thing that the mayor's
17 solicitor did bring up quite repeatedly was
18 that he had obtained a letter from a
19 Washington D.C. law firm. I think he
20 referred to it as a big Washington D.C. law
21 firm. Well, as council knows you had that
22 letter before you voted on this legislation
23 last time, which was your final vote, so
24 again, nothing changed. That letter didn't
25 change anything. That letter threatened a

1 lawsuit, and as correctly pointed out by
2 Attorney Hughes before you voted that
3 evening to pass the legislation, anybody can
4 sue anybody. This is America. Proving it
5 is another story, and I submit that that
6 letter isn't proof of anything. It's just a
7 letter with a threat and if the city failed
8 to act every time they got a threatening
9 letter, city government would be paralyzed
10 and it really wouldn't be able to take any
11 action to accomplish anything.

12 I submit, and I'm sure it could be
13 confirmed by Attorney Hughes, that council
14 has followed the proper procedures in
15 passing this legislation. We held a public
16 hearing, the proper public notice was served
17 on all of the property owners, advertising
18 in the newspaper, all of the hoops that had
19 be jumped through, all of the I's that had
20 be dotted and the all the T's that had to
21 crossed, that was all done. And at the end
22 of that process, which was a long process so
23 everyone on this council as you know had a
24 long time to think about this before issuing
25 the final vote, you all voted to adopt the

1 zoning change based on the given factors
2 that were presented at the public hearing,
3 and those were the factors that required by
4 the city zoning ordinance and those were the
5 factors that are required by the State's
6 Municipalities Planning Code.

7 I submit that evidence was presented
8 that the zoning ordinance changed is in the
9 best interest of the city, it's in the best
10 interest of the surrounding property owners
11 and, quite frankly, it's conducive to the
12 surrounding property and zoning around
13 there, and this council correctly voted at
14 the time to protect and maintain the
15 integrity of this neighborhood and it's an
16 important issue and I submit to you that
17 council's decision in this regard can be
18 defended in Court and it's an important
19 enough issue that it should be defended in
20 Court, if need be.

21 I recognize the courage and the
22 foresight of this council in voting on this
23 issue in the past and on behalf of the
24 Minooka Neighborhood Association I'm here
25 tonight to request council to maintain that

1 same courage and that same foresight and I'm
2 asking the council vote to override the
3 mayor's ill-conceived veto and pass this
4 legislation. Thank you.

5 MR. MCGOFF: Can I just ask a
6 question? Excuse me?

7 MR. FINNERTY: Sure.

8 MR. MCGOFF: Has the neighborhood
9 association had any contact with the
10 developer since we voted on the legislation?

11 MR. FINNERTY: I haven't had any
12 contact with any developers.

13 MR. MCGOFF: Thank you.

14 MR. JACKOWITZ: Bill Jackowitz,
15 South Scranton resident and member of the
16 Taxpayers' Association. By the way, the
17 light is out in the men's room in case
18 anybody is interested. \$8.1 million deficit
19 City of Scranton, population just over
20 70,000, 20 years in distressed status,
21 graded as the only 2-A city in the state, I
22 wonder why. How do you resolve the \$8.1
23 million deficit? Layoff 21 public safety
24 employees, cops and firemen. Tonight's talk
25 was written days before this morning's

1 tragic fire.

2 On the brighter side, according to
3 John Mrozinski, of the Times-Tribune,
4 Mr. Jefferson paid his back taxes on the
5 Chamber of Commerce building. Did he? My
6 hope we find out tonight for real. I think
7 we will, hopefully tonight during motions.
8 If he did, I hope the Times-Tribune
9 congratulates city council because you are
10 the ones that are responsible for it because
11 you blocked it and now if he pays them
12 that's a good thing.

13 I see where the Parking Authority is
14 taking out another loan. They are unable to
15 pay back what they currently owe, how will
16 they pay back more? Maybe they will call in
17 David Copperfield to assist with the
18 illusion.

19 Monday, 8 August, 2011,
20 Times-Tribune: "Chief: Cuts won't hinder
21 responses," written by David Singleton,
22 staff reporter. If you read the story, like
23 I did, you will see that the chief
24 contradicts himself several times.

25 Furthermore, anybody with any

1 intelligence at all knows that if you cut
2 manning and fire apparatus it will cut the
3 response time. We all must remember that
4 the firefighters voted 93 percent no
5 confidence in Chief Davis. I can see why.
6 The chief states that some areas will see a
7 one minute or two minute delay in response
8 time. His exact words, "It's going to be
9 another minute or two."

10 "We don't think we are going to lose
11 that much time."

12 Chief Davis, any time lost in any
13 emergency response cannot and should not be
14 tolerated. These statements are totally un
15 acceptable. If the chief refuses to resign
16 then he must be fired before someone is
17 seriously hurt or killed. The fact that the
18 chief was not aware of the reduction of the
19 eight firefighters until the day before the
20 announcement was made in the Times-Tribune,
21 again, points to the chief's inability to
22 manage the fire department.

23 A 93 percent no confidence vote is
24 enough in itself to demand that the chief
25 resigns. Chief Davis also stated, "We will

1 do the best that we can."

2 Chief Davis, you are talking about
3 people's lives and properties. Dairy Queen
4 restaurant uses the same words in their
5 commercial.

6 Four August, 2011, city council
7 convened an emergency meeting to discuss the
8 determination of eight firefighters and 13
9 police officers. Approximately 30 citizens
10 attended the meeting and 18 speakers spoke.
11 All 18 citizens spoke against the
12 termination of 21 public safety employees.
13 The mayor did not appear, neither did the
14 police chief or the fire chief. No citizens
15 spoke in favor of reducing the firefighters
16 or police officers.

17 Friday, 26 August, 2011, visiting
18 judge Harold Thomson, LOL, ruled in favor of
19 the administration and allowed the layoffs
20 to happen. Again, in my opinion just
21 another example of the lack of concern for
22 the citizens of the Scranton. We now have
23 two judges, Mazzoni and Thomson, LOL, who
24 have ruled against the citizens of
25 Scranton's public safety. Neither judge

1 resides in Scranton.

2 Also, neither judge asked for any
3 studies or plans from certified experts on
4 public safety matters. Judge Mazzone ruled
5 that the administration's cuts and salary
6 cuts would hurt public safety, while Judge
7 Thomson ruled that 21 layoffs in police and
8 fire would not hurt public safety. LMAO.
9 They listened to two city attorneys who have
10 no background or experience in law
11 enforcement or firefighting. Hum. Let's
12 not forget about the Honorable Mayor Doherty
13 who is behind the whole entire scam.

14 Scranton is a distressed city with
15 no future. You can have all of the parks,
16 jazz concerts, tree houses, bridges to
17 nowhere and outdoor movies. It will not
18 bring the jobs to Scranton. Furthermore, by
19 reducing the size of the city, fire
20 department and police department, you are
21 showing the business community that you are
22 not concerned about the safety and
23 well-being of your community.

24 I see where the Scranton
25 metropolitan area again has the highest

1 unemployment in the state. 16 months in a
2 row, 9.4 percent. Actually, closer to 18
3 percent. In the past 96 months Scranton has
4 been ranked in the top three for highest
5 unemployment, that's right, eight years.
6 How long has Doherty been mayor?

7 Unemployment rates fell in the
8 majority of US cities in July despite a weak
9 economy that is producing few jobs. The
10 Labor Department said that unemployment
11 rates dropped in 193 large metro areas,
12 increased in 118, and were flat in 61.
13 Scranton is one of the 118 that increased.

14 Area buses, availability, good
15 access, weak. Entry level jobs and
16 production retail services and logistics are
17 mostly outside the business core, meaning
18 not downtown Scranton. The few jobs
19 available are not related to where the
20 population lives and makes it hard. The
21 region is ranking in the bottom four of
22 transit accessibility for work reflects jobs
23 developments away from urban centers. Over
24 half the jobs in Scranton are located more
25 than ten miles from downtown Scranton.

1 We know that employment
2 opportunities have not grown in central
3 city, just look at the 500 block of the
4 Lackawanna Avenue. I understand that some
5 apartments have been rented, but where are
6 the jobs that were promised? Where is
7 Mr. Rinaldi?

8 My condolences to the family of the
9 three casualties in today's fire in
10 Scranton. Thank you.

11 MS. EVANS: Thank you.

12 MR. UNGVARSKY: Good evening, city
13 council. I'm Tom Ungvarsky. I see where
14 the old Chamber of Commerce building is once
15 again on the agenda. I wish to thank
16 Mr. Jefferson for paying the back taxes with
17 the funds the city gave him. I see he is
18 looking for another \$3,500,000.

19 Also, he is one of two people
20 pushing to get LERTA reinstated on the
21 \$3,500,000, is that a matching fund or is
22 that the total amount? Does he have to
23 contribute anything towards it?

24 MR. ROGAN: I don't believe that he
25 does. I'm sure the \$3.5 million will come

1 in the costs of the project, but from I read
2 over the last time, they didn't say anything
3 about matching.

4 MR. UNGVARSKY: I'm sorry, Pat, I
5 didn't hear you much.

6 MR. ROGAN: The last time when I
7 read it over I don't believe I saw anything
8 about matching, that he would have to match.

9 MR. UNGVARSKY: Okay, now, he is one
10 of two people pushing for LERTA. If LERTA
11 goes through, he will get tax free the
12 improvements on the building. He will only
13 have to pay on the purchase price of the
14 building itself. I don't know how much this
15 city has given to Mr. Jefferson already, but
16 how far can we go with this gentleman? I
17 mean, there is money that should be divided
18 up among other potential people coming into
19 the city. Why does one person get so much?

20 I don't know how the city council
21 will vote on LERTA and I don't understand
22 how that building would even qualify to be
23 become a LERTA. Perhaps somebody on city
24 council can tell us, but I think when it
25 does come, and it does have to come before

1 this council, I hope when it does come
2 before council that you will vote it down.
3 If just seems as though all of the money
4 that comes into the city is always going to
5 wealthy developers. The person who wants to
6 develop the Daron Block facility is also
7 looking for a LERTA. Should it be passed
8 the only tax he will pay on those 130
9 apartments is the tax on the land. All of
10 the other taxes will be forgiven for ten
11 years and I think it's time city council
12 started looking at all of these grants that
13 are giving out. I wouldn't care in they
14 were loans, but I disapprove of the grants
15 that we are giving out. Thank you, city
16 council.

17 MS. EVANS: Thank you.

18 MR. HUGHES: If I could, madam
19 chairwoman, this is a state grant. It is
20 not from the city, it's a grant that comes
21 from the Commonwealth of Pennsylvania. I do
22 not know the type of grant it is, but if it
23 would be a Redevelopment Assistance Capital
24 Grant, that would be matching funds, that's
25 that program so that if it were a

1 or the mall which were -- I think the mall
2 was built for 90 some million dollars, the
3 hotel was probably close to \$25 million,
4 they were only forgiven the real estate
5 taxes for a period of ten years. That's a
6 million dollars -- it's one year for each
7 million dollars of investment.

8 MR. UNGVARSKY: So that would be \$7
9 million that he would get tax free?

10 MR. HUGHES: I don't know the
11 answer --

12 MR. UNGVARSKY: Isn't it prorated?

13 MR. HUGHES: What there would be is
14 he would have to take out a building permit
15 to do the current -- there's a current value
16 of the land and the real estate of the
17 improvements for the Chamber of the Commerce
18 building that are taxable. He would go in
19 and get a building permit that would be --
20 the assessors would then state that the
21 assessed value of the property increased
22 from "X" to "Y", I don't know what it would
23 be, you could take an appeal and say it's
24 too high. Whether the LERTA would only be
25 on the amount of the tax improvement, it

1 wouldn't be taxed for the period of ten
2 years, that would have about be looked into,
3 but it could not -- it would be on the
4 amount of the assessment that went in.

5 MR. UNGVARSKY: So if it's
6 reassessed at a lower amount that's all the
7 taxes he would have to pay is on that lower
8 amount?

9 MR. HUGHES: I don't see how it
10 could be assessed at a lower amount. I
11 don't I have no idea what the assessed value
12 of the property, but if you just took an
13 example, and this is all hypothetical, if
14 the land and improvements were assessed at
15 we'll say a million dollars and he puts
16 seven million dollars into it through a
17 grant and his own funds are through another
18 mortgage and then they raise the value of
19 the property for assessment tax purposes to
20 three million and he took an appeal and that
21 appeal would be reduced to 2 1/2 million, he
22 would have it would appear a year and a half
23 or he would have two years of tax abetment
24 on the improvements.

25 MR. UNGVARSKY: Thank you. I don't

1 believe Mr. Jefferson would go through all
2 of this trouble if there wasn't some kind of
3 benefit to him and I just don't know where
4 it ends for this gentleman. Does anyone on
5 city council know how much we have already
6 given him? And should he sell these
7 properties in the next few years he walks
8 away with that money without having repay
9 anything. I think city council had -- well,
10 never mind. Thank you.

11 MS. EVANS: I just wanted to clarify
12 though, having listened to Attorney Hughes,
13 that the \$3.5 million grant, which is
14 included on tonight's agenda in Seventh
15 Order for final passage, is, in fact, an
16 RACP grant.

17 MR. HUGHES: Then that would be a
18 matching grant for three million. He has to
19 come up with three and half million to match
20 it.

21 MS. EVANS: Yes.

22 MS. SCHUMACHER: Marie Schumacher.
23 If I may off my time, Tom and I both
24 attended the school board's LERTA meeting
25 and I understand the terms that the mall had

1 for the paydown of the LERTA, but that I
2 don't believe is in the statute. I believe
3 that's up to the taxing body and it was
4 stated at the school board meeting they
5 intend for a full 100 percent value for the
6 ten years, so obviously there's a long way
7 to go before that happens, but that's what
8 their intent was stated.

9 Okay. Now, first of all, I would
10 like to thank Jeff Brazil for fixing two
11 safety items, one, getting the lines painted
12 on Meadow Avenue, and second for
13 reinstalling a stop sign at a critical
14 intersection that fell in the soft soil
15 during the rains of Hurricane Irene and that
16 was very much appreciated.

17 Second, on agenda Item 5-C, this
18 item is not in agenda 5-B, the 2012 capital
19 budget, nor is the grant, nor is the
20 Cloverfield or the Novembrino splash park,
21 which have been already funded by OECD funds
22 of last year, so I recommend that this be
23 tabled until the capital budget that
24 includes all of the projects that have been
25 announced are included.

1 Next, agenda Item 7-B, is this
2 project contingent, do we know, on the
3 approval of the RACP and do we know whether
4 or not the RACP has been approved by the new
5 governor or whether it's still in the
6 proposed stage? That would be of interest
7 to me.

8 Next, the agenda of council's last
9 meeting of July 26 included an audit status
10 as July 18 in Third Order. Order three of
11 the agenda does tonight does not contain an
12 audit status. Does this mean that the 2010
13 audit has been received or that no audit
14 status report has been prepared in the last
15 six weeks? I might add, I never did get a
16 common date and time for a comparison of
17 common response delinquencies as promised by
18 Mr. Joyce.

19 Now, as to what transpired while
20 were you gone for the month of August.
21 Number one, we learned that failure to use
22 the CDBG paving funds in 2010 is we get to
23 pave roughly 60 percent fewer streets
24 because of the rise in asphalt costs.

25 Also, there is still no parking

1 meters in the 500 block of Lackawanna Avenue
2 which are required as per the city's
3 ordinance.

4 Next, I learned that Mr. Loscombe
5 still has not responded to my question of
6 July 12 regarding how many neighborhood
7 police patrol officers have been provided in
8 calendar engineer 2012, but perhaps he will
9 answer that during motions this evening, and
10 because I probably won't get through
11 everything I'll skip back to another section
12 that deals with the neighborhood police
13 patrols, and that is the report that
14 Mr. Quinn talks about tonight. It states in
15 part, "The city is planning an expansion of
16 the neighborhood police patrol beginning in
17 2011. The number of positions is expected
18 to increase from five to 13 and the patrol
19 will be operating from automobiles."

20 This change eliminates the biggest
21 distinction between neighborhood police
22 patrol and the regular police. It creates a
23 regular risk that Scranton will at some time
24 cut back on the number of regular police.
25 Any reduction in the number of regular --

1 and, unfortunately, you shouldn't cut and
2 paste when you are caring for a one-year
3 old, and I missed a couple of sentences, but
4 essentially what it says is that that would
5 make funding for the neighborhood police
6 patrol go away.

7 MS. EVANS: Yes, I'm going to speak
8 about that tonight under motions.

9 MS. SCHUMACHER: The day after
10 council adjourned for six weeks the
11 Times-Tribune carried an interesting article
12 on the impact of hours worked on safety and
13 effectivity. I would appreciate hearing
14 from Mr. Loscombe, the Scranton police
15 policy on working extra duty. Is there a
16 maximum number of hours they may work in a
17 seven-day period? Do they use city supplied
18 equipment while on private duty? And are
19 they allowed to work two consecutive shifts,
20 one private and one for the city? And any
21 other items that would be covered by that
22 policy.

23 Next item, I have frequently asked
24 city council how minutes are approved as
25 they are never approved at a meeting and

1 form a permanent record. Sometimes there
2 are material errors and I don't know how the
3 minutes or if the minutes are changed for
4 accuracy. For example, the minutes of the
5 last regularly scheduled council meeting of
6 July 26 states, "The HOME program was
7 awarded \$616,948,000, when the actual award
8 was \$616,948. Three little zeroes make a
9 lot of difference. Now, I call that a
10 material change requiring a correction of
11 the minutes, but no one has ever responded
12 when I asked how council minutes are
13 approved so I don't know how that should be
14 affected, but I think that definitely needs
15 to be corrected.

16 Next, I had intended to ask tonight
17 whether anyone explored the funds -- excuse
18 me, explored the funds expended on the
19 Novembrino Pool cited to be replaced by a
20 splash park and whether council -- can I
21 finish this item and then I'll keep the rest
22 for next week? And whether council had
23 considered an injunction to stop this effort
24 until a public hearing could be held, and
25 then I did some fact checking and I found

1 there was a public hearing last year and not
2 a single member of the public or city
3 council expressed a problem with spending a
4 quarter of a million dollars to eliminate
5 the large pool and replace it with a splash
6 pad, demolish the bathhouses and convert it
7 to a picnic spot and retrofit the filter
8 room to include restrooms. Council did
9 reduce the amount requested for the project
10 from 250,000 to 150,000, but approved the
11 project without comment.

12 And I have lots more for next week
13 and probably the week after that. Thank
14 you.

15 MS. EVANS: Thank you. I can
16 probably respond to one of the things that
17 Ms. Schumacher mentioned, we do not have the
18 independent audit, well, the 2010
19 independent audit of the City of Scranton at
20 this time, however, I do believe that
21 another report was sent from Rossi, our
22 auditor, within the last six weeks. The
23 problem, once again, as I said many times
24 before, it was not with the auditor. It is
25 the failure of the city administration to

1 provide the requested information to the
2 auditor.

3 MS. SCHUMACHER: And that's the
4 comparison between like months that I have
5 been asking for Mr. Joyce for since spring,
6 so I would like to see that at some point.

7 MR. HUGHES: Madam President, for
8 the record, I did discuss that with
9 Mr. Rossi, I asked him whether he could
10 issue a report, to finalize a report with
11 the information he has with the footnote
12 that he cannot complete the report due to
13 the failure of various departments of the
14 city to respond. He got back to me and
15 stated that in accordance with GAP and the
16 rules of the accounting profession that he
17 could not do that, so he is stymied to
18 complete the report, to issue it timely like
19 it should have been due, to the failure of
20 the various departments of the city to give
21 him the information necessary for him to
22 complete the report, so it's not as though
23 we haven't tried on that.

24 MS. EVANS: Oh, absolutely. Thank
25 you.

1 MR. SLEDENZSKI: Hello, Janet.

2 MS. EVANS: Chrissy.

3 MR. LOSCOMBE: Chrissy.

4 MR. SLEDENZSKI: Jackie, you
5 handsome, devil, you. Well, guys, what do
6 you think? Friday night a good game or
7 what?

8 MR. LOSCOMBE: How about that?

9 MR. SLEDENZSKI: What do you think,
10 Pat? We whipped them good, didn't we?

11 MR. ROGAN: That's right.

12 MR. SLEDENZSKI: Well, Vince, hi,
13 how you doing? See you later. Thanks,
14 Jack.

15 MR. LOSCOMBE: Thanks, Chris.

16 MR. ANCHERANI: Not much tonight.
17 Good evening.

18 MS. EVANS: Good evening.

19 MR. ANCHERANI: Nelson Ancherani,
20 resident and taxpayer and recording
21 secretary of the FOP, First Amendment
22 Rights. There is much more to the situation
23 then we are being told. Mrs. Evans said
24 that tonight. The situation, what
25 situation? Parking Authority that needs to

1 borrow millions more when they can't pay
2 their bills now, back bills? Is that
3 because they have to pay back 59 million in
4 interest on the \$35 million loan from a few
5 years ago? 59 million in interest. 59 and
6 35, 94 million they are going to pay back.

7 The situation, \$12.5 million found
8 in the Single Tax Office when Marylou
9 Vitali-Flynn became the tax collector three
10 years ago. Why was it there? Is that to
11 keep us distressed?

12 Situation, eight to 11 million
13 deficit at the end of this year. It's not
14 your fault, Council. You didn't know that
15 millions had to be used from the Workmens'
16 Comp Fund and the TANS to pay back last
17 year's debts. How many years did this take
18 place that you or the taxpayers don't know
19 about?

20 Situation, 310 million long-term
21 debt. I keep saying it, our grandchildren
22 and children, they are going to pay it back,
23 we don't have to worry.

24 Situation, Novembrino Pool not open.
25 Why? Splash pool was going to be built, it

1 wasn't, so nobody swam. So when is it going
2 to be built or renovated, whatever. There
3 is so many more, but we'll save them for the
4 future. Thank you.

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

8 MS. KRAKE: 5-A. MOTIONS.

9 MS. EVANS: Mr. McGoff, do you have
10 any motions or comments tonight?

11 MR. MCGOFF: Briefly, I hope.
12 First, someone mentioned SAPA, and I know
13 that we responded somewhat, when SAPA was
14 first introduced I voted for it, I still
15 think it's a good idea. I do not think it
16 is the answer to our problems, but at least
17 I believe it's a step in the right direction
18 and anything that -- certainly at this point
19 in time anything that puts us in a direction
20 of economic development in any way I think
21 would be a welcome program, so I hope SAPA
22 is reintroduced and I hope that we can find
23 a way to approve it.

24 Someone else also mentioned Boscov's
25 and that we had given Boscov's money. I

1 would like to again remind people that we
2 did not give Boscov's any money this time,
3 all we did was extend the loan, and if
4 Mr. Boscov is opening two new stores and
5 wants to make a billion dollars I hope he is
6 extremely successful in doing that because
7 that would then give him an opportunity to
8 repay the loans that he does have and
9 hopefully keep these -- the store and mall
10 in Scranton open, so I wish Mr. Boscov all
11 of the luck with his new stores.

12 One thing I do want to -- it's on
13 the agenda that I do want to maybe ask about
14 before we actually -- or it's not on the
15 agenda, we received information that there
16 was a bid for towing services for 2012, do
17 we know if that bid is based on the initial
18 rates that were presented to us or on the
19 amended rates by council?

20 MS. EVANS: That I don't know. I
21 have heard that -- well, I'll take a few
22 steps back. Yes, council had amended the
23 towing contract and that was legally and
24 lawfully adopted, and I believe signed by
25 the mayor and then the mayor actually

1 forwarded the original legislation, not that
2 which had been amended, to the police chief
3 to enforcement.

4 Thereafter, I also learned that some
5 city towers had paid their bills, but had
6 paid the previous amount, meaning, not even
7 the \$2,000 --

8 MR. MCGOFF: The initial --

9 MS. EVANS: -- that the mayor --
10 that was in the initial legislation and then
11 it was slightly increased by council
12 according to how many lists a tower was
13 placed on. Well, what I had learned in
14 August was that actually the towers were
15 billed and were billed for \$1,500.

16 MR. MCGOFF: Like in 2010.

17 MS. EVANS: Yes. And so I really
18 have no idea why the amended ordinance which
19 was passed and signed by the mayor has not
20 been correctly enforced.

21 MR. MCGOFF: Could we -- and I will
22 go and ask as well, but maybe from council
23 request that for 2012 that it be at the
24 rates that were amended by council. I think
25 that they were fair and did offer us at

1 least some additional revenue.

2 MS. EVANS: Yes.

3 MR. MCGOFF: And that's all.

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

6 MR. ROGAN: Yes.

7 MR. MCGOFF: I would just -- I
8 wanted to -- I did forget one thing. The
9 CDBG the proposed funding, is that what we
10 are voting on this evening?

11 MS. EVANS: No.

12 MR. MCGOFF: No.

13 MS. EVANS: What is on this
14 evening's agenda is the 2011 CDBG
15 allocations.

16 MR. MCGOFF: Allocations, okay.

17 MS. EVANS: And if you recall the
18 federal government had decreased our funding
19 and, therefore, the allocations have to be
20 amended. So we had tabled those at Ms.
21 Aebli's request.

22 MR. MCGOFF: I was getting two
23 things combined.

24 MS. EVANS: Yes, because we also
25 have the newest round coming before us soon.

1 MR. MCGOFF: Thank you.

2 MR. ROGAN: What we received
3 actually just a few days ago, there is not
4 even a city proposed amount, just the
5 applicant's proposed amount for now.

6 First I'll start off on the Parking
7 Authority. A lot of people spoke about it
8 tonight, it was something that, you know,
9 when we are learned about it over the recess
10 I was very upset about. The Parking
11 Authority continues to borrow to pay for
12 it's borrowing. It's not going to work.
13 Eventually, you know, there is going to be a
14 straw that breaks the camel's back and we go
15 into default. We have to sell the garages.
16 I know many people on council for many years
17 have been saying that we have to sell the
18 garages and you absolutely have to. I
19 shouldn't say "we" because it's not the
20 City, it's the Authority, that would do
21 that.

22 Secondly, I know that the deal that
23 the Parking Authority is making borrow more
24 money and this is, again, another one of
25 those things that I found out or heard about

1 through outside sources and before talking
2 about it more, Mrs. Krake, would we be able
3 to get a copy of that for all of the council
4 members, the proposed borrowing agreement,
5 the proposed agreement from the Parking
6 Authority?

7 MS. KRAKE: I think you want to ask
8 for what they actually signed up with the
9 bank?

10 MR. ROGAN: Yes.

11 MS. KRAKE: You want to see the
12 actual agreement.

13 MR. ROGAN: Um-hum. And moving on,
14 Mr. Quinn mentioned the findings over at the
15 OECD Office with the CDBG money, and again,
16 this is another one of those things that
17 seems council members never find out what's
18 going on in the city from the administration
19 or other people in government. Every time
20 the mayor has vetoed legislation, I found
21 out from getting a phone call from the
22 Scranton Times asking for a comment.

23 Again, I find out more information
24 from citizens and the media than the
25 administration. The communication has been

1 will make comments on the agenda items when
2 they come up.

3 MS. EVANS: Thank you. Councilman
4 Loscombe, do you have any motions or
5 comments?

6 MR. ROGAN: Mrs. Evans, I apologize,
7 I do have one more thing. As Mr. McGoff
8 mentioned, we did receive on August 26 from
9 Ms. Aebli the breakdown of what the
10 proposed -- not the city's proposal, but the
11 people who applied for and she gave us the
12 guidelines. Monday, September 5, Scranton
13 OECD advertised in the general circulation
14 section of the Scranton Times for the 2012
15 action plan, proposed activities to be
16 funded.

17 Tuesday, September 6, council
18 advertises in the Scranton Times in the
19 general circulation section a public meeting
20 to be held in council chambers on Tuesday,
21 September 20, 2011 prior to council's
22 meeting for citizen's comments on the
23 proposed action plan for 2012. Two weeks
24 advance notice is considered a safe harbor
25 by HUD.

1 days prior to the start day of the new
2 program which begins January 1st of 2012.

3 And that is all.

4 MS. EVANS: Thank you. Councilman
5 Loscombe.

6 MR. LOSCOMBE: Yes, thank you.
7 First, Mrs. Schumacher, I apologize, but I
8 was wondering if you could possibly submit
9 those questions so I get the correct
10 documentation you are looking for, if you
11 could drop them off with Ms. Carrera.

12 MS. SCHUMACHER: Well, I can e-mail
13 them, I can't drop them off.

14 MR. LOSCOMBE: Okay, yeah, if you
15 could e-mail them I would appreciate that.
16 Last week, as we all know, Hurricane Irene
17 made a visit through our city here, and I'm
18 on a dead end street so before I can --
19 first I lost my power at 7 a.m., didn't get
20 it back until late Tuesday, but before I
21 could get out of my house we had five trees
22 along the road that my son and I had to cut
23 and remove so we could get through, but my
24 concern that day was to make sure the areas
25 that we had been watching for flooding and

1 stuff like that were in good shape, and I
2 had my list and I visited all of the areas
3 and I really -- I was really proud that day.
4 I was proud of our city services, the
5 firemen, the policemen, our DPW workers were
6 out there cutting the trees, getting them
7 out of the way.

8 I was prepared for the trees on my
9 area, that's why I didn't call the DPW area,
10 I know there is some significant -- they did
11 cut later on on Tuesday on my street, but I
12 think it was a valiant effort by all of the
13 departments and it shows their value to all
14 of the citizens in this city. The firemen
15 were running pumping basements, police were
16 controlling traffic, and checking situations
17 out throughout the height of the storm.

18 I think we were fortunate we didn't
19 get the water they were calling for, the
20 rainfall, however, the winds did do
21 significant damage with power throughout the
22 area, downed trees and everything, and I
23 think it was an especially valiant effort,
24 especially for those who knew that that week
25 they would be out of their jobs and they

1 still gave it their 120 percent, so I do
2 applaud them for that.

3 And just yesterday, I'm losing track
4 of my days with the holiday, I don't
5 remember if it was yesterday or Sunday, I
6 apologize, but there was a pretty bad
7 accident on the 300 block of North Keyser
8 Avenue. A vehicle actually snapped a pole
9 in two, knocked the power off momentarily,
10 and I was like, "Here we go again," but it
11 came right back on. Fortunately, the power
12 lines were holding the rest of the pole
13 together.

14 Unfortunately, there was four
15 casualties in that that were pretty bad,
16 four young people who were taken to the
17 hospital by ambulance, but I do again have
18 to commend the ambulance services that
19 responded, the police who came and
20 maintained traffic control and kept everyone
21 away from the power lines, and the fire
22 department who responded with both Rescue 1
23 and Engine 7, which was the closest company
24 at that time. I mean, that's a situation
25 where they are needed and they are EMT's so

1 they took it upon themselves to dispatch
2 themselves, they knew they were closing than
3 Rescue 1, every extra hand on the scene
4 helps.

5 Then going onto to today's
6 catastrophe, it's easy, I think Mr. Spindler
7 said before, it's easy to sit here and point
8 fingers. Unfortunately, this isn't one of
9 those situations that you can point a
10 finger. From my understanding upon the
11 first arriving companies and the people
12 around the scene it did have a pretty good
13 start.

14 Unfortunately, in that case maybe a
15 few seconds would have made a difference,
16 but it's hard to say and we'll never know,
17 but it's unfortunate that something like
18 this had to happen to alert us all to what
19 could happen down the road and this could
20 happen in any section of the city. I mean,
21 lately they have been closing the station up
22 on East Mountain. Today it's open, tomorrow
23 it may be closed. Then by the time another
24 company comes from downtown to respond up
25 there, and again, response times, you could

1 have all of the -- you could have two trucks
2 and a rescue respond there within three
3 minutes but they are no good without an
4 engine. People don't understand the
5 semantics behind who should be there, but,
6 you know, fire like this morning Rescue 1
7 those men would not be able to enter that
8 fire without the hose company there to
9 provide them some water to make entrance.
10 Those clothes that the firemen wear aren't
11 fireproof or heat proof. You do have to
12 have some protection.

13 It is unfortunate, I feel very bad
14 for the family, and I know deep in their
15 hearts that the firefighters that were on
16 that scene are hurting in their hearts,
17 too, because to them it's like losing a
18 battle. They never want to lose anybody.
19 They don't even want to lose a home in the
20 fire. They try to save as much as they can,
21 but it just puts a light on this whole
22 problem we have here.

23 City council is getting blamed for
24 deficits, yet city council, you know, has
25 worked tirelessly to put in revenue sources

1 in our budget that were totally disregarded.
2 You know, that revenue could have helped us
3 out this here year. I don't understand it.
4 I just feel like for some reason this
5 administration is on that roller coaster
6 going downhill and they want to go downhill
7 for some reason. They must like the thrill
8 of that ride, but it's not helping us. It's
9 not benefiting any of us.

10 You know, I have had many sleepless
11 nights over this. I live in an area of town
12 where there is no water. God forbid we have
13 a fire up there, there is no hydrants, and
14 if we don't have a company to respond there
15 trust me, ladies and gentlemen, and I'm not
16 trying to use this as an example again, but
17 it has happened and it's only showing you,
18 you know, police and fire they don't work on
19 volume. You know, there are no slow seasons
20 or busy seasons. They have to be there at
21 the snap of a finger, that's when you need
22 them.

23 And our chiefs have said they could
24 do more with less and as it was quoted,
25 well, maybe another minute or two response.

1 Trust me, seconds are critical, not minutes.
2 Seconds are critical. The fire, in most
3 cases it's the smoke that kills the person
4 not the fire and, unfortunately, we may
5 never know what the cause of this fire is
6 because we -- we have eliminated our fire
7 inspection bureau down to one person. We
8 have a couple of more fires we would be
9 inundated. We have eliminated our fire
10 prevention bureau to go out and educate
11 people to prevent them from having fires
12 like this, so we are digressing to where we
13 were 20, 30, years ago.

14 I mean, naturally the simplest life
15 saver is a smoke detector, and it's easy to
16 tell people that, and they are easy to get.
17 Just stop down fire headquarters here and
18 they will set you up. But, you know, people
19 don't want to be bothered or if a battery
20 goes out they never change them, it's really
21 easy to say.

22 But in this day and age the people
23 of this city pay their fair taxes they
24 expect to have the services that they are
25 paying for and in my heart and my opinion

1 those services are to protect your health,
2 safety and welfare. The same argument that
3 they used against us to cut the budget last
4 year when we were cutting administrative
5 salaries and positions and the judge --
6 Judge Mazzone ruled in their favor that we
7 were actually risking the health, safety and
8 welfare of the public because we were taking
9 some cuts in salaries of the administrators
10 and some administrative positions.

11 In God's name I don't know how any
12 judge in this town, whether he is a visiting
13 judge or a local judge cannot look at this
14 situation and not know it involves the
15 health, safety and welfare of everyone in
16 this city, people living here and the
17 visitors to this city.

18 I don't know where we're going. To
19 me there should be more of a public outcry.
20 I don't know what more it's going to take
21 before people are aware of how fast you can
22 perish when seconds count, but I know these
23 ladies and gentlemen on these departments
24 are dedicated, they are still giving 120
25 percent knowing they are short armed, and

1 that's the truth. That's the kind of people
2 we have employed in this city and they are
3 dedicated and they will continue to be.

4 As a matter of fact, one of the
5 first persons on this scene this morning was
6 a neighbor who was one of the firefighters
7 that was just laid off. He tried valiantly
8 himself to gain access and all he had was a
9 garden hose.

10 Again, I'm not pointing the finger,
11 this situation this morning could have
12 happened whether a firehouse was next door,
13 I'm not saying that, but down the road there
14 are going to be times when response is
15 critical, and this is a perfect example.

16 MS. EVANS: And, Mr. Loscombe, if I
17 could interrupt you for one second?

18 MR. LOSCOMBE: Certainly.

19 MS. EVANS: Actually, if you recall
20 in the 2011 budget the mayor's proposed
21 budget that was presented first contained
22 significant numbers of cuts to police and
23 fire, somewhere between 27 and 34
24 firefighters, and I forget how many police
25 officers, and it was this council that

1 reinstated all of those positions into the
2 budget and we did so by fully funding the
3 salaries and the benefits for each one of
4 those positions.

5 And when the mayor's looking at
6 making cuts, it is a bit questionable this
7 that all cuts are coming from public safety
8 areas rather than across the board. In
9 other words, no clerical were touched. No
10 management positions were touched. No DPW
11 positions were touched, but purely police
12 and fire, but I think my point here that I
13 was trying to make is that even with the 21
14 personnel that were cut as of August 29, we
15 still have more police and fire employed by
16 the city than the mayor had originally
17 intended for us in 2011.

18 And finally, I wanted to say that it
19 is very -- well, it's almost if you can look
20 at this and say anything is comical about
21 it, it is that the mayor would say, oh, all
22 of this is happening because of council's
23 budget. Council changed a budget by 2
24 percent. It's a \$75 million budget. Now,
25 the deficit is anywhere between 8.1 and

1 possibly as much as 15 million right now.
2 Please tell me if 2 percent of 75 million
3 amounts to even the minimum, the minimum
4 figure the administration is looking at
5 right now of 8.5 million? Does that make
6 mathematical sense to anyone? No, it does
7 not.

8 The problem was council caught the
9 mayor with his hand in the cookie jar. It
10 took a long time. When I was here alone I
11 couldn't get the information that I have
12 been able to get since we have this council
13 and we finally caught up with to what was
14 going on and that happened to be the raiding
15 of Workers' Comp excess funds in 2010, for
16 2011, and 2009, for 2010.

17 And then, of course, we had the
18 discovery of the use of a current year TAN
19 to pay off a previous year TAN. Now, how
20 many years that's been occurring I really
21 don't know, but in my opinion there has been
22 a deficit for quite awhile. This just
23 didn't arise this year, it was uncovered
24 this year and now that that has occurred and
25 the mayor can't raid Workers' Comp again and

1 he now is exposed in terms of his
2 mismanagement of the payment of the TANS,
3 there is your deficit. It's all out there
4 now which probably no one would have been
5 aware of. That practice, as someone
6 mentioned earlier, might well have continued
7 this year and the following year until the
8 mayor is no longer the mayor of the City of
9 Scranton.

10 So I guess my bottom line here is it
11 truly is ludicrous to look at city council
12 and say: You are to blame for the deficit
13 or you to are blame for the layoffs, when,
14 as I said, this council reinstated those
15 positions and provided the funding for them.

16 The mayor single handily instituted
17 layoffs in violation of the Home Rule
18 Charter and the Administrative Code of the
19 City of Scranton. He chose to target two
20 groups. The good news is we still have more
21 people than we could have, you know, than we
22 would have had if the mayor's budget as
23 originally presented had been approved by
24 this council.

25 And, as I said, figures, ladies and

1 gentlemen, they don't add up. They just
2 don't add up. You can't look at the changes
3 made by city council and say they come
4 anywhere near 8.5 million, let alone 15
5 million, so I apologize for interrupting --

6 MR. LOSCOMBE: No, that was a very
7 good addition.

8 MS. EVANS: -- Councilman Loscombe,
9 but as you spoke and all of today's tragedy
10 weighs very heavily on everyone's mind, I'm
11 sure everyone who lives in the City of
12 Scranton, it became particularly important
13 that the people of the city understand
14 exactly the financial state of the city and
15 the financial mismanagement the city that
16 has been ongoing.

17 MR. LOSCOMBE: As I stated
18 previously, and I believe Mrs. Evans did,
19 council in our amended budget we provided
20 the sources of revenue to take care of our
21 budget. Again, this administration has
22 totally ignored every one of them. I can't
23 understand it. But, you know, speaking of
24 the cuts on the original budget, this is
25 another thing I'm getting. I speak to a lot

1 of people out there, there is lot of rumors
2 going around that he is looking to cut more
3 each month until the end of the year,
4 possibly 15 more firefighters, I don't know
5 how many more police officers. You know, I
6 think the police and firefighters
7 themselves, let alone the public, deserve to
8 the dignity of the knowing where they stand.
9 One of those laid off had just purchased a
10 house the day before. He read about it in
11 the newspaper. The mayor had not discussed
12 this with council these layoffs, he
13 discussed it with the editorial board at the
14 Scranton Times and didn't have the dignity
15 to go to these police and firefighters.
16 They heard about it the newspaper. Is this
17 any way to be a mayor?

18 I'm totally disappointed. This man
19 is supposed to be running this city. He is
20 supposed to be protecting you, but he is
21 running rampant with giving away money all
22 of these years and not worried about our
23 public safety. I mean, he is using a
24 certain department to take care of certain
25 friends on our tax dollar, and this stuff

1 will be coming up soon, trust me. He is
2 paving school parking lots through the DPW.
3 They just filled a big hole in the ground at
4 Wyoming and Linden Street. That's a private
5 lot. I hope there is a lien on that. A
6 building was torn down at Main and Washburn
7 Street for a private owner, yet we are
8 bidding out to other contractors to tear
9 down blighted properties, but certain
10 individuals are getting the advantage of
11 your tax dollars while you are losing police
12 and firefighters. Is that right?

13 A block away from this one building
14 was torn down the pool was closed all summer
15 so children weren't able to swim and then he
16 closes the pools early this year. He put
17 four people back in that department this
18 year that we had cut out of the budget and
19 they are making more this year than they did
20 previously. There is something wrong with
21 this picture, and I know the public here has
22 become apathetic because of the politics as
23 usual, and I feel the same way. I feel the
24 frustration that Ron Ellman feels here every
25 week, trust me.

1 We have to be able to turn the tide
2 and I think we are going to be able to do it
3 through the right legal system. The gloves
4 are off, we are going to fight through the
5 legal system for you. We tried to do it the
6 right way the past year and a half and they
7 could say all they want. They could blame
8 us all they want. We know up here where the
9 problem lies and in black and white down the
10 road you will be able to see it. Maybe not
11 in the Scranton Times, but another future
12 award winning newspaper.

13 You know, they have all of these
14 fancy slogans: Restoring the Pride, Part of
15 the Solution, unfortunately, he just removed
16 a big chunk of a part of the solution, our
17 police and fire protection. So they can use
18 all of the slogans they want, but we are up
19 here to take back the city and I know the
20 majority of us are going to fight for you.
21 That's all I have to say tonight. Thank
22 you.

23 MS. EVANS: Thank you, Councilman
24 Loscombe. Good evening, city council is
25 pleased to be in it's 2011 fall session and

1 update you concerning it's work and
2 financial discoveries of the last few weeks.

3 First, I wish to thank my fellow
4 council members and Mr. Ron Kolajeski for
5 successfully resolving the delinquent tax
6 issues surrounding the Mulberry Loft's
7 property, formerly the old Chamber of
8 Commerce building.

9 Because this council took firm stand
10 in early 2011 against approval of the \$3.5
11 million RACP grant for the developer until
12 all tax delinquencies were, paid and because
13 Mr. Kolajeski held the line on behalf of the
14 county, the city, county, and school
15 district recently received full payments.

16 And to I believe it might have been
17 Mr. Jackowitz's question, yes, we do have a
18 copy of the checks that were paid to the
19 City of Scranton by Scranton Mulberry LP for
20 delinquent taxes, and as a result I have
21 placed the RACP grant on tonight's agenda to
22 receive final approval.

23 In addition, the contract that was
24 developed by council and Solicitor Hughes
25 for the collection of delinquent taxes by

1 Northeastern Revenue Services, was finally
2 enacted. Although, the mayor had
3 substituted an administrative contract for
4 that of city council, officers of Northeast
5 Revenue Service stood firmly with city
6 council and the proper contract was signed
7 by city officials and NRS recently.

8 This action is important because it
9 enables. City to begin payment of the \$1.5
10 million owed to Pennstar Bank for the loan
11 taken by the Scranton Redevelopment
12 Authority to purchase delinquent taxes. It
13 is my hope that the mayor together with the
14 city's solicitor will notify Pennstar Bank
15 and it's representative law firm immediately
16 that the city has taken action to pay this
17 debt and will arrange a payment schedule to
18 prevent further legal action against the
19 city, particularly since the city received
20 correspondence from Rhodes and Sinnon, legal
21 counsel for Pennstar Bank stating that if a
22 resolution or sufficient terms are not
23 agreed upon by September 15, 2011,
24 litigation will be commenced without further
25 notice to recoup all amounts currently due

1 as a consequence of the default.

2 Should the City and the Scranton
3 Redevelopment Authority wish to avoid
4 litigation, a proposal must be presented
5 promptly because the administration had
6 failed to respond to calls and letters from
7 Rhodes and Sinnon in past months. There is
8 just viable concern for providing a timely
9 response right now.

10 Next, council had been concerned
11 that the city was not receiving payments
12 from the CMC Hospital for bagged parking
13 meters as required by File of Council No. 26
14 of 2011 and signed by the mayor. I have
15 recently learned that the CMC has been
16 making payments to the Scranton Parking
17 Authority since June 2010, and not the City
18 of Scranton. This discovery raises several
19 important questions. Why did city
20 solicitor, Paul Kelly, draft legislation and
21 send to this council for approval when as
22 the Scranton Parking Authority solicitor he
23 had to be aware that the CMC was already
24 paying the Parking Authority?

25 Why did Solicitor Kelly send a

1 letter to city council in 2011 asking about
2 procedures for billing the CMC when he knew
3 the Parking Authority was billing the CMC?

4 Even more troubling, is the
5 examination of File of Council No. 38 of
6 2011, approved on June 14, 2011, and signed
7 by the mayor on June 27, 2011. This
8 ordinance designated that CMC parking meter
9 revenue was to be deposited into two
10 accounts for police and fire. According to
11 the fees set by the Parking Authority, CMC
12 pays \$20 per meter per day.

13 Also, the Parking Authority is
14 charging only for 78 meters rather than the
15 actual 150 metered parking spaces.
16 Therefore, weekly revenue amounts to \$7,800.
17 In 2010, the parking meters were bagged for
18 28 weeks for a total payment of \$218,400.

19 In 2011, meters were bagged for 35
20 weeks as of September 2 for a total payment
21 of \$273,000. After the 10 percent owed to
22 the Parking Authority it deducted only from
23 the 2010 total, the city should have
24 received \$196,560 in 2010 from the CMC
25 alone.

1 In 2011, the 10 percent fee owed to
2 the SPA was eliminated by ordinance and the
3 city should have received \$273,000 in meter
4 revenue from the CMC and deposited these
5 funds into the police and fire accounts.

6 In addition, this revenue equals the
7 total savings that Mayor Doherty claims to
8 enjoy from the August 29 layoffs of the 21
9 police and firefighters. However, council
10 doesn't know if the city received it's money
11 from 2010 and 2011.

12 Therefore, Mrs. Krake, city council
13 wishes to file a Right-to-Know request with
14 the Scranton Parking Authority for the
15 following: Copies of any and all invoices
16 billed to the CMC Hospital from June 1,
17 2010, up to and including September 2, 2011.
18 Copies of any on all checks issued by the
19 Scranton Parking Authority to the City of
20 Scranton from June 1, 2010, up to and
21 including September 2, 2011. And dated
22 receipts of invoices from the CMC for bagged
23 parking meter revenue and permit parking
24 from June 1 2010, up to and including
25 September 2, 2011.

1 Also, city council wishes to file a
2 Right-to-Know request with the Office of the
3 Scranton business administrator for copies
4 of any and all checks issued by the Scranton
5 Parking Authority to the City of Scranton
6 from June 1, 2010, up to and including
7 September 2, 2011.

8 Now, if the City of Scranton has not
9 received \$218,400 in 2010, and \$273,000 in
10 2011 from the Parking Authority for those
11 bagged meters at the CMC Hospital then, and
12 this is where it gets truly interesting,
13 then the City of Scranton must sue the
14 Scranton Parking Authority for payment of
15 funds due to the city. In so doing, City
16 Solicitor Kelly on behalf of the City must
17 bring proceedings against the Scranton
18 Parking Authority and himself as the
19 solicitor of the Parking Authority.

20 Paul Kelly's conflict of interest in
21 serving both parties is blatant in this
22 entire matter. Because city council intends
23 to stop the mayor's violative actions, I
24 asked City Solicitor Hughes in August -- or
25 not the city solicitor, I'm sorry, our City

1 Council Solicitor Hughes in August to
2 examine all incidents of Mayor Doherty's
3 violations of the Home Rule Charter and
4 Administrative Code and his willful
5 negligence of council authority.

6 Attorney Hughes had considered the
7 issue of the CMC parking meter revenue since
8 the mayor had crossed off his signature on
9 legislation he had signed months before,
10 however, since the CMC employee parking
11 garage is slated for completion by November
12 and the parking meters should become
13 operational to the public in the near
14 future, council and Attorney Hughes will
15 turn our efforts to collection and receipt
16 of the sizable revenue owed to the City by
17 the Scranton Parking Authority and will
18 enter litigation instead on another matter.

19 Next, the recent decision by Judge
20 Thomson, who neither resides in Scranton nor
21 is elected by the voters of Scranton and
22 Lackawanna County, has been appealed. The
23 numerous citizens who have contacted me
24 since August 26 are extremely disappointed
25 that this vital case was not heard by a

1 panel of local judges as had been agreed
2 upon, but rather by a jurist who does not
3 have to live with the weighty public safety
4 and political consequences of his ruling.
5 Many Scranton taxpayers question his
6 decision and hope to see it overturned.

7 Perhaps Judge Thomson may not have
8 read the report of the Government Study
9 Commission of the City of Scranton dated
10 March 1, 1974, and published two months
11 before the vote that approved it's
12 recommendations for the adoption of a Home
13 Rule Charter establishing, and this is most
14 important, establishing a mayor-council,
15 mayor-council form of government for the
16 City of Scranton.

17 Its stated purposes were to provide
18 the division of an executive and legislative
19 authority, to provide for complete
20 administrative follow through and to provide
21 for initiative and referendum. The study
22 commission also reported that it purposely
23 made no outside visits to other
24 municipalities, as had been done by other
25 government study commissions around the

1 state. It was their feeling that the best
2 information on the government of the City of
3 Scranton could be found here in the Scranton
4 nor were any representatives of the
5 Philadelphia or Pittsburg invited to testify
6 before the Government Study Commission.
7 This information is contained in the report
8 of the Government Study Commission.

9 Further, Judge Thomson seems to have
10 ignored the explicit powers and authority of
11 city council granted by and included in the
12 Home Rule Charter. Instead, he chose to
13 reduce the authority of council to that of a
14 rubber stamp and gave the mayor the right to
15 act as both the executive and legislative
16 branches of the Scranton government against
17 all city residents who had chosen in 1974 to
18 divide those powers as I previously noted.

19 Stunningly, Judge Thomson ignored
20 the language of the charter that states, and
21 I quote, "With the approval of the mayor and
22 council," the mayor and council, "the
23 business administrator shall revise the
24 allotments so as to forestall expenditures
25 in excess of the revenue to be realized."

1 And the following statement:

2 "Should a deficit develop, the mayor shall
3 make recommendations to minimize the deficit
4 and for that purpose council, council may
5 reduce other appropriations."

6 No where does the charter state that
7 the mayor be reduce appropriations. It is a
8 fact that the mayor violated the Home Rule
9 Charter and Administrative Code by failing
10 to send legislation to city council to
11 reduce budget line items in order to layoff
12 21 public safety employees.

13 If Judge Thomson, infamous for
14 rulings in favor of the Doherty
15 administration, considered the language of
16 the charter and the code, he would have
17 noted that the mayor has no authority to
18 impose layoffs single handily. Yes, he can
19 hire. Yes, he can fire and do that most
20 certainly, unequivocally single handedly,
21 but layoffs, no, he cannot.

22 Apparently, he missed the mark and
23 really didn't consider the strong and clear
24 language of the Home Rule Charter and the
25 code. Instead, it is my opinion that he

1 liberally interpreted a Home Rule Charter to
2 justify his decision.

3 Further, supplemental income not
4 included in the annual operating budget must
5 come to council in the form of legislation
6 and this, too, has not occurred in the cases
7 of the supplemental revenue received by the
8 city for the sale of the Mercy Hospital and
9 the supplemental revenue received from CMC
10 payments for bagged parking meters which was
11 designated for deposit into police and fire
12 accounts.

13 It seems that the strong mayor
14 confiscated those monies and council is not
15 aware into what accounts they were placed
16 and for what purposes they were used. In
17 fact, council is now trying to determine if
18 the city did, indeed, receive the CMC
19 parking meter revenue from the Parking
20 Authority as I previously noted.

21 Therefore, with the agreement of my
22 honorable colleagues, city council
23 authorizes Solicitor Hughes to prepare and
24 file an amicus curiae brief on behalf of the
25 city council in support of the police and

1 firefighters to Commonwealth Court for the
2 reversal of Judge Thomson's decision. The
3 mayor must submit legislation to council for
4 it's approval of layoffs and he has failed
5 to do so, that is a fact.

6 And before the mayor single handedly
7 inflicts additional public safety layoffs on
8 the people of our city he should pursue the
9 \$600,000 owed to the city for the property
10 on Providence Avenue on which the old DPW
11 garage once stood, implement StreetSmart
12 program as other Pennsylvania municipalities
13 have done, and read the August 2011, HUD
14 monitoring review forwarded to Linda Aebli
15 of OECD.

16 With the generous assistance of
17 Mr. Quinn over the last week or so, I have
18 learned that the mayor may have created
19 problems with HUD and CDBG allocations used
20 for neighborhood police patrols as well as
21 his layoff of police officers. The 2011
22 monitoring review of the City of Scranton
23 CDBG programs dated August 5, 2011, and
24 addressed to Ms. Aebli by HUD includes the
25 following statements:

1 "Since police services are provided
2 with local funds, it is critical for the
3 city to be able to show that it as
4 maintaining it's efforts to fund these
5 services. The project file contains
6 guidelines for neighborhood police patrol
7 which designates areas for the patrol and
8 clearly indicates that the neighborhood
9 police patrol is distinct from the regular
10 police.

11 The neighborhood police patrol
12 operates under separate supervision, has
13 separate duties, and has identifiable
14 uniforms, most importantly, the neighborhood
15 police patrol operates on a foot or on
16 bicycles.

17 The city is planning expansion of
18 the neighborhood police patrol beginning in
19 2011. The number of the positions is
20 expected to increase from 5 to 13 and the
21 patrol will be operating from automobiles.
22 This change eliminates the biggest
23 distinction between the neighborhood police
24 patrol and the regular police. It creates a
25 major risk that Scranton will at some time

1 cut back on the number of regular police.

2 Any reduction in the number of the
3 regular police will make the entire
4 expenditure of CDBG funds for the patrol
5 ineligible from that point forward."

6 The report further states upon page
7 21, "To be eligible for CDBG assistance, a
8 public service must be either a new service
9 or a quantifiable increase in the level of
10 an existing service above that provided by
11 the local government through it's own or
12 state funds in the 12 calendar months
13 preceding the submission of the action plan.

14 It is extremely important for
15 Scranton to document that it is maintaining
16 it's efforts in funding it's regular police
17 and not using the CDBG funded community
18 police as a substitute to save money. The
19 city must maintain --" and again, I'm
20 quoting from the HUD report, the city must
21 maintain it's full regular police force as
22 it was constituted in 2010 before adding any
23 community police. Any reduction in the
24 number of the regular police below the
25 previously established level will make all

1 of the community police ineligible for CDBG
2 funding from that point forward."

3 Now, according to this report and
4 page 75 of the 2011 operating budget, the
5 mayor paid 13 police officers using CDBG
6 funds in 2011. Further, the mayor has not
7 maintained the number of the regular police
8 officers as it was constituted in 2010.

9 In addition, it seems that the city
10 must repay it's local CDBG account using
11 nonfederal funds for a minimum of \$59,500
12 and a possible maximum of \$106,337 for using
13 CDBG monies for ineligible costs and failure
14 to document and maintain records. In fact,
15 it is unclear whether half the salary of
16 director of Licensing, Inspections and
17 Permits can be paid using CDBG funds and
18 those monies may have to be paid as well.

19 I would ask that Councilman Joyce,
20 who is absent this evening, would please
21 determine all employee positions that are
22 funded through CDBG and HUD, so that
23 Councilman Rogan make certain that their
24 positions are actually eligible activities
25 and their work includes documentation

1 interest now on.

2 Also, Councilman Rogan, please
3 prepare amendments to the 2012 CDBG
4 allocations and provide council's office
5 with a copy of those recommendations by
6 September 15, and thereafter, you could
7 determine the eligibility of the city
8 positions for CDBG funding if necessary.

9 MR. ROGAN: Absolutely.

10 MS. EVANS: I would keep a very
11 close eye.

12 MR. ROGAN: I would encourage,
13 everyone else to submit those suggestions as
14 well.

15 MS. EVANS: Thank you. Ladies and
16 gentlemen, as you can see it's very
17 difficult to address the city's financial
18 problems when each week we discover more
19 financial issues that have been hidden or
20 mismanaged by the Doherty administration.
21 It's been a challenging year that began with
22 council's discovery of the mayor's raiding
23 of Workers' Comp excess fund to pay off
24 prior year's debt and his use of the 2011
25 TAN to repay a 2010 TAN.

1 concerning revenues and expenditures
2 concealed from us. The mayor has not
3 presented council with an honest plan for
4 solving the deficit and has not come clean
5 with the city's finances.

6 However, council is not deterred and
7 hopes to begin 2012 with a clean and clear
8 financial slate. We have kept our promises
9 to you and we are more determined than ever
10 to hold the mayor and the Pennsylvania
11 Economy League accountable for fiscal
12 mismanagement and for solutions that benefit
13 all of the taxpayers of Scranton. If the
14 mayor fails to abide by the law and to
15 enforce the law, we will see him in Court in
16 the future. And that's it.

17 MR. HUGHES: Madam President, just
18 one thing you mentioned in motions, I
19 believe a motion would be in order
20 authorizing me as council solicitor to file
21 an amicus curiae brief on behalf of the
22 Scranton City Council in the appeal of, it's
23 a long caption, I won't read it, I'll just
24 say the police and firemen versus Mayor
25 Chris Doherty and the City of Scranton, so

1 that I could file the brief on behalf of
2 council with the Commonwealth Court.

3 Amicus curiae means friend of the
4 Court. Those briefs are usually filed in
5 appellate cases where there is a person that
6 has an interest in the outcome files a brief
7 just to let the Court know what their issues
8 are and the importance of it, and by the
9 lower court should it be affirmed or be
10 reversed.

11 MS. EVANS: I know that when this
12 council first convened in 2010 we had made a
13 motion that any request coming from council
14 members during a public council meeting will
15 be made on behalf of all of council,
16 however, I have learned my legal lessons
17 from our esteemed solicitor, I believe in
18 belts and suspenders, and so I ask if one of
19 my colleagues will make that motion at this
20 time.

21 MR. LOSCOMBE: I will make the
22 motion.

23 MS. EVANS: We have a motion on the
24 floor to authorize Council Solicitor Boyd
25 Hughes to file an amicus curiae brief on

1 behalf of Scranton City Council in
2 Commonwealth Court in the case of the police
3 and fire of the City of Scranton.

4 MR. ROGAN: Second.

5 MS. EVANS: All those in favor --
6 or, I'm sorry, I'm sorry, I have jumped
7 ahead of myself. On the question? All
8 those in favor signify by saying aye?

9 MR. ROGAN: Aye.

10 MR. LOSCOMBE: Aye.

11 MS. EVANS: Aye. Opposed?

12 MR. MCGOFF: No.

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

15 MS. KRAKE: 5-B. TO APPROVE AND
16 ACCEPT THE CITY OF SCRANTON'S UPDATE FOR
17 2012 FOR THE CAPITAL BUDGET IMPROVEMENT PLAN
18 OF 2008, WHICH IS THE FOURTH AND FINAL
19 REVISION AND EXTENSION OF THE 2008 FIVE-YEAR
20 PLAN.

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

24 MR. ROGAN: So moved.

25 MR. MCGOFF: Second.

1 MS. EVANS: On the question?

2 MR. ROGAN: Yes, on the question, I
3 know we did this -- I don't know if it was
4 tabled or voted -- I voted it down last
5 year, but it's basically --

6 MS. EVANS: We voted it down.

7 MR. ROGAN: It's basically the same
8 thing that was sent last year. It's not a
9 capital budget, it's just a few pages of
10 paper.

11 MS. EVANS: Yes, it's at best a very
12 cursory sketch sheet rendition of a capital
13 budget. I think what's most notable about
14 it though is the amount of money that's
15 allocated to city parks to the detriment of
16 every other category. As my colleague
17 noted, it was voted down in 2010. Having
18 sat on council in 2009 I can attest to the
19 fact that it was also voted down in 2009.

20 All those in favor of introduction
21 signify by saying aye.

22 MR. MCGOFF: Aye.

23 MS. EVANS: Opposed?

24 NR. ROGAN: No.

25 MR. LOSCOMBE: No.

1 MS. EVANS: No. The nos have it and
2 the legislation is defeated.

3 MS. KRAKE: 5-C. CREATING AND
4 ESTABLISHING SPECIAL CITY ACCOUNT NO.
5 02.229600 ENTITLED "PERRY AVENUE PARK" FOR
6 THE RECEIPT AND DISBURSEMENT OF GRANT FUNDS
7 FROM THE PENNSYLVANIA DEPARTMENT OF ECONOMIC
8 AND COMMUNITY DEVELOPMENT ("DCED") FOR THE
9 PERRY AVENUE PARK.

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

13 MR. ROGAN: So moved.

14 MR. MCGOFF: Second.

15 MS. EVANS: On the question?

16 MR. ROGAN: Yes, on the question. I
17 figure I'll go first because I know there
18 will probably be a lengthy debate on this, I
19 am going to vote "yes" this week to move
20 this along just to give residents from that
21 neighborhood and throughout the community an
22 opportunity to speak on behalf either for
23 this park or against it. If I had to vote
24 on final passage right now I would be voting
25 "no". I just want to give everyone time if

1 people would like to contact us.

2 I know it's been something we have
3 had on the back burner for a long time and I
4 also have concerns about the timing.
5 Reading through it, it lists June 2011 for
6 the timeline for a lot of this work to be
7 done, but I will vote "yes" this week to
8 hear a little more, but that's all.

9 MS. EVANS: Is there anyone else on
10 the question?

11 MR. LOSCOMBE: Yes, I will be making
12 some comments under 5-G which addresses
13 this, also. So I will hold my comments to
14 that point.

15 MS. EVANS: All those in favor of
16 introduction signify by saying aye.

17 MR. MCGOFF: Aye.

18 MR. ROGAN: Aye.

19 MS. EVANS: Opposed?

20 MR. LOSCOMBE: No.

21 MS. EVANS: No. I believe in this
22 case because, Attorney Hughes, we have two
23 ayes and two nays the legislation dies?

24 MR. HUGHES: That's correct.

25 MS. EVANS: The legislation is

1 defeated.

2 MS. KRAKE: 5-D. APPROVING THE
3 TRANSFER OF A RESTAURANT LIQUOR LICENSE
4 CURRENTLY OWNED BY E.J. BEARS, INC. T/A
5 E.J. BEARS, 997 CORTEZ ROAD, LAKE ARIEL, PA
6 18436 LICENSE NO. R-17757 TO POSH RESTAURANT
7 GROUP, LLC FOR USE AT THE SCRANTON CLUB
8 LOCATED AT 404 NORTH WASHINGTON AVENUE,
9 SCRANTON, PA AS REQUIRED BY THE PENNSYLVANIA
10 LIQUOR CONTROL BOARD.

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

14 MR. ROGAN: So moved.

15 MR. LOSCOMBE: Second.

16 MS. EVANS: On the question? All
17 those in favor of introduction signify by
18 saying aye.

19 MR. MCGOFF: Aye.

20 MR. ROGAN: Aye.

21 MR. LOSCOMBE: Aye.

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

24 MS. KRAKE: 5-E. SALE OF TAX
25 DELINQUENT PROPERTY MORE COMMONLY KNOWN

1 AS PT5/REAR 3118 JONES STREET, TAX MAP NO.
2 16620-010-006, SCRANTON, PENNSYLVANIA, TO
3 JOHN J. GAUGHAN AND MARIE A. GAUGHAN, HIS
4 WIFE, 99 CRANE STREET, SCRANTON,
5 PENNSYLVANIA, 18505, FOR THE CONSIDERATION
6 OF \$2,700.00.

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

10 MR. ROGAN: So moved.

11 MR. LOSCOMBE: Second.

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

15 MR. MCGOFF: Aye.

16 MR. ROGAN: Aye.

17 MR. LOSCOMBE: Aye.

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

20 MS. KRAKE: 5-F. VACATING THE
21 EXISTING RIGHT OF WAY AND ACCEPTING
22 AND ORDAINING A NEW RIGHT OF WAY TO WIDEN A
23 PORTION OF MURPHY COURT TO INCREASE ITS'
24 RIGHT OF WAY TO 22 FEET.

25 MS. EVANS: At this time I'll

1 entertain a motion that Item 5-F be
2 introduced into it's proper committee.

3 MR. ROGAN: So moved.

4 MR. LOSCOMBE: Second.

5 MS. EVANS: On the question?

6 MR. LOSCOMBE: Yes. On the
7 question, I took a map out and I actually
8 stopped by the three adjoining properties to
9 where this court is. Actually right now
10 it's in pretty rough shape. All three of
11 the neighbors who were affected were
12 definitely in favor of it. They like the
13 idea. They are actually gaining a little
14 bit more property themselves and they will
15 have a nice smooth street back there rather
16 than the rough one they had. There was no
17 opposition to anyone I spoke to up there. I
18 went door to door and they were all in favor
19 of this, so I will be voting in favor of it.

20 MS. EVANS: Very good. Thank you,
21 Councilman Loscombe. Is there anyone else
22 on the question?

23 All those in favor of introduction
24 signify by saying aye.

25 MR. MCGOFF: Aye.

1 MR. ROGAN: Aye.

2 MR. LOSCOMBE: Aye.

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

5 MS. KRAKE: 5-G. AUTHORIZING THE
6 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
7 TO ENTER INTO A CONTRACT WITH THE
8 COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF
9 COMMUNITY AND ECONOMIC DEVELOPMENT ("DCED")
10 FOR THE COMMUNITY CONSERVATION AND
11 EMPLOYMENT PROGRAM CONTRACT NUMBER
12 C000050806, TO RECEIVE A \$50,000.00
13 GRANT FOR THE PURCHASE AND INSTALLATION OF
14 ADA ACCESSIBLE PLAYGROUND EQUIPMENT,
15 LIGHTING AND DRAINAGE AS PART OF THE ONGOING
16 DEVELOPMENT OF THE PERRY AVENUE PARK.

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

20 MR. ROGAN: So moved.

21 MR. MCGOFF: Second.

22 MS. EVANS: On the question?

23 MR. LOSCOMBE: Yes, on the question.
24 I'm going to be voting "no" on this. I
25 think I made my -- you know, why I didn't

1 agree to this going prior to our break, but
2 since that time I have had actually letters
3 sent to me and photos of actually what our
4 premier park, Nay Aug Park, I have had
5 several complaints about that, but we have
6 these little scattered parks throughout the
7 city. Yes, it's nice to have a free \$50,000
8 to setup the park, but we have continual
9 maintenance, supposed we start cutting back
10 DPW down the road, who is going to maintain
11 them? We can't maintain the parks we have
12 right now. I don't think it's fair to
13 accept a grant, put something in there and
14 let it fall apart. I mean, look at some of
15 the parks we have now they are actually
16 dumping more money into after several years
17 there continuously to update them.

18 Another thing, parks are nice.
19 Everybody would like one in their backyard
20 until late in the evening when, you know,
21 teenagers and hoodlums and that start to
22 hang out and the police are called
23 continuously because most if these parks
24 don't have the proper lighting or the proper
25 policing. In the summertime they don't

1 have, you know, liquids or refreshments or,
2 you know, a water fountain or anything like
3 that or restroom facilities, and that's a
4 true park. We have a problem with our
5 restroom facilities up at Nay Aug Park, but
6 I have a letter here that I would like to
7 read if it's okay that I received and I
8 believe all of the members of city council
9 received it and I have photos of it.

10 "To the members of city council, I
11 have been a resident of the City of Scranton
12 my whole life. I am now a mother to my
13 daughter, Airanna, 14 months old. This
14 summer we have been to many parks to enjoy
15 the great weather. When visiting the
16 Scranton parks, I have been appalled at the
17 amounts of garbage and overall lack of care
18 with the Scranton City parks. On two
19 occasions, I have called the city for Parks
20 and Recreation while at the park and asking
21 them why no one is piking up the garbage or
22 caring for the parks where we let our
23 children play. The response was simple,
24 they do it on a weekly basis.

25 Well, I can tell you this, it was

1 not garbage from a day ago or even a week
2 ago. I do not feel comfortable bringing her
3 to any of these parks in Scranton for that
4 reason, and a resident and taxpayer I should
5 not have to drive to another city just so I
6 can take my daughter to a clean park. The
7 two main parks I have been at are Connell
8 Park and the city's beloved Nay Aug Park.
9 Both parks have garbage all around the
10 playground, empty bottles, plastic plates,
11 napkins, wrappers, etcetera.

12 I feel these areas, as well as the
13 whole park, should be in impeccable
14 condition. I mean, this is where our
15 children will play and grow up. Without
16 clean parks where do we take our children
17 and how will they grow to love where they
18 are from and treat it with respect? I have
19 also been to parks outside of Scranton and
20 have seen nothing like what I have seen in
21 the pictures. How are these parks such as
22 McDade Park, South Abington Park, Dalton
23 Park, Dickson City Elm Street Park and many
24 more able to keep their parks in such well
25 kept conditions?

1 I know it is people who make the
2 mess, but it is you, as our government, to
3 make sure these parks are safe and clean for
4 our children. Thank you for your time in
5 reading this letter and reviewing the
6 attached photos. Please contact me at any
7 time."

8 And this letter was also in the
9 newspaper, Carrie Vitaletii from 2604
10 Stafford Avenue, South Scranton. She sent
11 pictures via e-mail, I know it's hard to me,
12 but this is the condition on a daily basis
13 when she goes there to these parks.

14 Again, I have nothing against parks.
15 If we had the money to maintain them and the
16 personnel to maintain them I would like a
17 park on every block, but I think what we
18 need now is to take Perry Avenue, sell it,
19 put it on the tax rolls and maybe someone
20 will develop a home there. And I read in
21 the newspaper, I believe it was right before
22 our break, that the school district offered
23 Linden Jackson to the City of Scranton for a
24 dollar to make the park there, I spoke to
25 neighbors there, they are not interested in

1 a park there. I think that would be better
2 off put back on the tax rolls, also. There
3 is it park behind Engine No. 8 up there that
4 has never been utilized, which is 2 1/2
5 blocks away from Perry Avenue.

6 For these reasons, and basically
7 financially and, you know, I would have to
8 say even though it's a \$50,000 gift I would
9 defer that gift to another municipality to
10 be able to maintain their parks and utilize
11 it until we can get our parks, especially
12 our premier park, up to speed. We can't
13 even maintain our swimming pools, and that's
14 all I have. Thank you.

15 MS. EVANS: Thank you.

16 MR. MCGOFF: Yes. I'm glad that we
17 are making our decision based on one letter
18 from one citizen. I wish that you might
19 talk to the people around Perry Avenue and
20 see if they would, you know, like a park
21 there. Perhaps they would take care of it.
22 Talk to the people around Connors Park who
23 are very pleased with the park, and I pass
24 that every day and it's well-maintained and
25 clean. I have been to Nay Aug Park on

1 numerous occasions during the summer, never
2 experienced what you are speaking about.

3 MR. LOSCOMBE: I have pictures.

4 MR. MCGOFF: I'm glad you have the
5 pictures. That's one day. That doesn't
6 mean that it's on daily businesses, as you
7 said.

8 MR. LOSCOMBE: I'll let you finish.

9 MR. MCGOFF: I have been to any
10 number of the parks, Barrett Park in
11 Minooka, very well-maintained, used
12 frequently. I think that we are just
13 throwing money away here that could be used
14 for the betterment of the neighborhood and
15 something that the residents of that area
16 would like to be see done and I don't think
17 that it would put any burden on the city as
18 far as maintenance is concerned, and I just
19 can't understand why you would be opposed to
20 this.

21 MR. LOSCOMBE: Just to touch base, I
22 do agree this is one letter, but I have
23 received several e-mails and several phone
24 conversations from other individuals, one
25 being a former dispatcher here, another a

1 couple that moved in from out-of-state, you
2 know, it's not just one incident. Now, I
3 believe the newspaper did the survey of
4 Perry Park for us themselves and I believe
5 there was only one resident there, the next
6 door neighbor, who was in favor of it. I
7 haven't heard from any other people from
8 North Scranton. I think they would rather
9 have Rockwell Avenue bridge safe and have
10 firefighters and police to protect them,
11 then we could look at the parks.

12 MR. MCGOFF: They are two separate
13 things.

14 MR. LOSCOMBE: Like I said before,
15 this is not Disney Land.

16 MR. MCGOFF: They are not even
17 related. You can't us that money for that.

18 MR. LOSCOMBE: They are related. We
19 have financial obligations down the road.
20 We can't maintain what we have now.

21 MS. EVANS: And actually a portion
22 of it may be related because when you look
23 at the capital budget there are allocations
24 for bridges, curbs, sidewalks, and what's
25 been designated to that category is probably

1 less than half of what's been designated to
2 parks, and I think what troubles me in
3 addition to what Councilman Loscombe has
4 noted, is that the legislation itself states
5 that the \$50,000 grant will be used as part
6 of the ongoing development of this park, so
7 that in itself tells us more money is
8 required for this, you know, there could be
9 additional funding required for project
10 overrun costs, there is certainly insurance
11 required, and you can't say that what is
12 insured at right now is what it would be
13 insured at when it becomes a park and a
14 playground. That's certainly going to
15 escalate the premiums.

16 And there is annual maintenance
17 required because there are a many people in
18 the city who feel that's why they pay tax
19 dollars. They are not here to drive the
20 garbage truck, pick up the garbage and put
21 it in themselves. They are not here to go
22 and clean the park and remove the graffiti.
23 They pay high taxes for those things to be
24 done.

25 And, you know, finally, I was

1 looking through a number of the bids that
2 have come in and I think the administration
3 is trying to make a decision right now
4 regarding improvements to Fellow's Park in
5 west side currently and those bids for the
6 park improvements range from \$63,000 to
7 \$82,000.

8 So, I mean, you know, parks cost
9 money and I can't imagine anyone at this
10 point in time saying that the city has the
11 luxury of expanding in all of these areas
12 when the city has a deficit it can't close
13 and it's failing the very people who are
14 paying the taxes.

15 MR. LOSCOMBE: If I may just add one
16 more, if you recall last year we had people
17 here from the Lackawanna Little League,
18 there was a \$75,000 investment in a park
19 there that turned out to be nothing but a
20 drug haven and they ended up removing that
21 because it was causing more problems. It
22 wasn't maintained by the city, the little
23 league tried to maintain it as much as they
24 could, they put cameras there and
25 everything, but the police were there on a

1 nightly basis and since we are stressed so
2 thin right now I don't know if we could
3 afford to have at all our parks.

4 MR. ROGAN: I would just like to
5 reiterate my position, I think the city's
6 track record on parks is very spotty.
7 Mr. Connor's park, which really did make
8 that neighborhood a lot nicer, and yet there
9 are other small parks throughout the city
10 that aren't maintained at all.

11 Unfortunately, Mayor Doherty chose
12 to waste a lot of money on Nay Aug. If we
13 had to spend it on a park, which wouldn't
14 have been my first priority, I would have
15 preferred to see that go into the community.
16 Again, I'm voting "yes" only because I would
17 like to hear from residents of Perry Avenue,
18 I haven't heard from any. I haven't had any
19 contact me to support it or to oppose it,
20 number one.

21 And number two, this week we don't
22 have a full five members here so it would be
23 good to have, you know, Mr. Joyce may be the
24 swing vote, but I agree with a lot of what
25 my colleagues are saying and, you know, with

1 the maintenance and that if something could
2 be worked out where it would more of a
3 community park that the neighbors would take
4 care of it and mowing the lawns and things
5 like that then I could support it, but
6 without something like that I wouldn't. But
7 again, I would just like to give it another
8 week and maybe some people will come and
9 give us their input. That's not going to
10 happen, so let's vote.

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

13 MR. MCGOFF: Aye.

14 MR. ROGAN: Aye.

15 MS. EVANS: Opposed?

16 MR. LOSCOMBE: No.

17 MS. EVANS: No. The nos have it and
18 the legislation is defeated. Well,
19 actually, the nos don't have it, it is a
20 tie. Two nos, two yeses, and the
21 legislation is defeated.

22 MS. KRAKE: 5-H. ACCEPTING A FIFTY
23 (\$50.00) DOLLAR DONATION FROM A PRIVATE
24 CITIZEN PRESENTED TO THE CITY OF SCRANTON
25 FIRE DEPARTMENT.

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

4 MR. ROGAN: So moved.

5 MS. EVANS: Do we have a second?

6 MR. LOSCOMBE: I'll second.

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

10 MR. MCGOFF: Aye.

11 MR. ROGAN: Aye.

12 MR. LOSCOMBE: Aye.

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

15 MR. ROGAN: I would like to make a
16 motion to take File of Council No. 49-2011,
17 6-A, from the table.

18 MS. EVANS: We have a motion on the
19 floor, do we have a second?

20 MR. LOSCOMBE: Second.

21 MS. EVANS: On the question?

22 MR. MCGOFF: Aye.

23 MR. ROGAN: Aye.

24 MR. LOSCOMBE: Aye.

25 MS. EVANS: Aye. Opposed? The ayes

1 have it and so moved.

2 MS. KRAKE: 6-A. READING BY TITLE -
3 FILE OF COUNCIL NO. 49, 2011 - AN ORDINANCE
4 (PREVIOUSLY TABLED) - 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: You've heard reading by
16 title of Item 6-A, what is your pleasure?

17 MR. ROGAN: I move that Item 6-A
18 pass reading by title.

19 MR. LOSCOMBE: Second.

20 MS. EVANS: On the question?

21 MR. MCGOFF: Yes, do we have a copy
22 of the amended amounts?

23 MS. EVANS: From Ms. Aebli?

24 MR. MCGOFF: I believe that it was
25 in -- she had given us when she termed to be

1 a worksheet.

2 MS. EVANS: Correct.

3 MR. MCGOFF: And I thought that we
4 were going to amend those amounts.

5 MR. ROGAN: As of know, those
6 numbers are still the numbers.

7 MR. MCGOFF: So what we are voting
8 on is the worksheet that she presented to
9 us.

10 MR. ROGAN: It's Sixth Order.

11 MR. MCGOFF: Yes, but still it's --

12 MS. EVANS: Mrs. Krake?

13 MS. KRAKE: That is not attached is
14 what Ms. Aebli indicated to me, so she,
15 which I believe everyone received in their
16 box a copy of the amendments that she is
17 proposing.

18 MS. EVANS: Yes.

19 MS. KRAKE: So as of tonight they
20 would also be unattached, we would have to
21 have our solicitor attach and possibly amend
22 if it was council's wishes or whatever your
23 wishes may be for Seventh Order.

24 MS. EVANS: Yes. Thank you,
25 Mrs. Krake.

1 MR. MCGOFF: Is there -- I guess my
2 next question, is there an intent to amend
3 what Ms. Aebli has given to us for final
4 reading.

5 MS. EVANS: If there is that will be
6 done during Seventh Order next week.

7 MR. ROGAN: My understanding when I
8 spoke to Linda, Ms. Aebli, about a month
9 ago, before we took recess, any changes --
10 if we pass this the way it is now everything
11 put on the motion becomes legislation.

12 MR. MCGOFF: Right.

13 MR. ROGAN: Instead of being a
14 proposed amount where she could move around,
15 you know, from one project to another.

16 MR. MCGOFF: I still want to know
17 what I'm voting on. It's --

18 MS. EVANS: Well, what we've done
19 is--

20 MR. MCGOFF: Are we going to put it
21 through Seventh Order as it stands or are
22 the amounts going to be amended, and if the
23 amounts are going to be amended when are we
24 going to have an opportunity to discuss
25 those changes?

1 MS. EVANS: Next week.

2 MR. MCGOFF: So we will discuss them
3 at the meeting as it's being done rather
4 than beforehand?

5 MS. EVANS: We'll do our best to
6 provide any amendments. At this point I
7 really can't comment on that because I can't
8 even say that there are right now. Should
9 there be, we'll do our best to make sure
10 that they are distributed and any discussion
11 thereof can be conducted the evening of the
12 council meeting.

13 Anyone else on the question? All
14 those in favor signify by saying aye.

15 MR. ROGAN: Aye.

16 MR. LOSCOMBE: Aye.

17 MS. EVANS: Aye. Opposed?

18 MR. MCGOFF: No.

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

21 MS. KRAKE: SEVENTH ORDER. 7-A. FOR
22 CONSIDERATION BY THE COMMITTEE ON RULES FOR
23 ADOPTION-FILE OF COUNCIL NO. 39, 2011-
24 AMENDING FILE OF COUNCIL NO. 74, 1993 (AS
25 AMENDED), ENTITLED "THE ZONING ORDINANCE FOR

1 THE CITY OF SCRANTON" BY CHANGING THAT
2 PORTION OF A 17 ACRE PARCEL OF LAND FRONTING
3 ON THE 100 BLOCK AND 200 BLOCK OF DAVIS
4 STREET AND ITS SURROUNDING AREA, AS MORE
5 PARTICULARLY DESCRIBED IN EXHIBIT "A"
6 ATTACHED HERETO FROM C-N (NEIGHBORHOOD
7 COMMERCIAL) TO R-1A (MEDIUM DENSITY
8 RESIDENTIAL DISTRICT).(OVERRIDE MAYOR'S
9 VETO).

10 MS. EVANS: As Chair for the
11 Committee on Rules, I recommend that city
12 council override the mayor's veto of Item
13 7-A.

14 MR. ROGAN: Second.

15 MS. EVANS: On the question?

16 MR. ROGAN: Yes, on the question, I
17 hope that -- there's only four of us here
18 that's it's a unanimous vote, otherwise, we
19 are going to be in a little bit of trouble,
20 but this was passed unanimously each week.
21 Council chambers was packed with residents
22 from the neighborhood who support this
23 change and for me when it comes down to
24 making the decision based on 50 or 60
25 residents that were here or one out-of-town

1 developer, I'm going to side with the
2 residents every time, so I will be voting to
3 override the veto.

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

6 MS. CARRERA: Mr. McGoff.

7 MR. MCGOFF: Yes.

8 MS. CARRERA: Mr. Rogan.

9 MR. ROGAN: Yes.

10 MS. CARRERA: Mr. Loscombe.

11 MR. LOSCOMBE: Yes.

12 MS. CARRERA: Mrs. Evans.

13 MS. EVANS: Yes. I hereby declare
14 the mayor's veto of Item 7-A, File of
15 Council No. 39, 2011, legally and lawfully
16 overridden.

17 MR. ROGAN: I would like to make a
18 motion to take Resolution No. 10, 2011, Item
19 7-B from the table.

20 MR. LOSCOMBE: Second.

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

24 MR. MCGOFF: Aye.

25 MR. ROGAN: Aye.

1 MR. LOSCOMBE: Aye.

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

4 MS. KRAKE: 7-B. FOR CONSIDERATION
5 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT
6 FOR ADOPTION-RESOLUTION NO. 10,
7 2011(PREVIOUSLY TABLED)- AUTHORIZING THE
8 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS
9 TO APPLY FOR AND EXECUTE A GRANT FOR THE
10 REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM
11 ("RACP") THROUGH THE COMMONWEALTH OF
12 PENNSYLVANIA'S OFFICE OF THE BUDGET IN THE
13 AMOUNT OF THREE MILLION FIVE HUNDRED
14 THOUSAND DOLLARS (\$3,500,000.00); IF THE
15 APPLICATION IS SUCCESSFUL, ACCEPTING AND
16 DISBURSING THE GRANT; AND COORDINATING THE
17 USE OF THE GRANT FUNDS WITH
18 "SCRANTON-MULBERRY, LP", FOR THE PROJECT TO
19 BE NAMED "THE MULBERRY LOFTS".

20 MS. EVANS: What is the
21 recommendation of the Chair for the
22 Committee on Community Development?

23 MR. ROGAN: As Chairperson for the
24 Committee on Community Development, I
25 recommend final passage of Item 7-B.

1 MR. MCGOFF: Second.

2 MS. EVANS: On the question?

3 MR. ROGAN: Yes, on the question, as
4 was noted by our clerk earlier,
5 Mr. Jefferson did provide a check for the
6 city for the back taxes that were owed. It
7 was in the amount of \$62,163 and zero cents,
8 six cents? I did speak to Mr. Jefferson on
9 the phone about two weeks ago and once I
10 heard that the taxes were being paid I
11 wished them well with the project. We hope
12 to see that this project is as successful as
13 the Connell building was. You know, I have
14 disagreed with some of the things that
15 Mr. Jefferson was up for before, a quarter
16 of a million dollars for the sidewalks I
17 thought it was too much money, but, you
18 know, this grant is to -- for the amount of
19 economic development I think it will bring
20 to the downtown and bring the people,
21 especially young professionals into the
22 downtown with the medical school and
23 hopefully these people will move into
24 downtown and go to school in the area and
25 when they start off and get married and have

1 a family and stay in the city, that would be
2 the best case scenario, but I will be voting
3 "yes."

4 MR. MCGOFF: And also the amount of
5 money that the city will receive in permits
6 and fees and also the number of jobs that
7 will be created in just renovating the lofts
8 will be a great benefit to the city and I'm
9 glad to see this project moving forward.

10 MR. LOSCOMBE: I believe it's a good
11 project for the city, also, and I know
12 several months ago that Mrs. Evans and
13 myself had visited Mr. Jefferson personally.
14 He provided us a tour of his Connell
15 building, at that time we told him how we
16 firmly stood as far as forgiving the taxes.

17 At that time there was rumors that a
18 nonprofit was going to take it over or
19 whatever, but we stood firm. I felt he
20 believed in the city enough from the way he
21 discussed his development plans with us that
22 he would see ultimately it would be a
23 benefit to him and all of the residents,
24 seeing the fact that he was receiving a
25 significant grant to pay the taxes, and I am

1 happy that he has decided to do so.

2 I just wanted to touch something
3 that one of our speakers earlier had spoken
4 about, I think it was Mr. Ungvarsky, about
5 LERTA and those programs. At this time when
6 Mr. Jefferson presented this to us I believe
7 I stood up and I put both hands and said,
8 "We are happy to let you take one hand out
9 of your pocket, but we are not filling both
10 hands from the city," and that's what LERTA
11 was done for originally. There are no
12 incentives back then. LERTA gave them a tax
13 abatement. Everybody wasn't receiving
14 multi-million dollars grants and that, they
15 may have received some small ones they were
16 giving up a little bit more, but I believe
17 LERTA is a good program if you're not
18 receiving any other funding, any other
19 government funding.

20 But, you know, they keep going to
21 the well it doesn't benefit us in the long
22 run and I would hope that those that are
23 seeking LERTA that they are seeking it
24 because that's the only option that they
25 have at that point, and we'll cross that

1 bridge when it comes to it, but I do believe
2 that there, you know, there should be enough
3 to go to all of the developers in this area,
4 but I do commend Mr. Jefferson and I'm
5 looking to seeing that project completed.

6 MS. EVANS: Anyone else? Roll call,
7 please.

8 MS. CARRERA: Mr. McGoff.

9 MR. MCGOFF: Yes.

10 MS. CARRERA: Mr. Rogan.

11 MR. ROGAN: Yes.

12 MS. CARRERA: Mr. Loscombe.

13 MR. LOSCOMBE: Yes.

14 MS. CARRERA: Mrs. Evans.

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

17 If there is no further business, I
18 will entertain a motion to adjourn.

19 MR. LOSCOMBE: Motion to adjourn.

20 MS. EVANS: This meeting is
21 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