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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, October 11, 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
(Not Present)

ROBERT MCGOFF

FRANK JOYCE

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

KATHY CARRERA, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. CARRERA: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. CARRERA: Mr. Rogan. Mr.

7 Loscombe.

8 MR. LOSCOMBE: Here.

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

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

13 MS. KRAKE: THIRD ORDER. 3-A. TAX
14 ASSESSOR'S REPORT, FINAL RESULTS FROM
15 SEPTEMBER 14, 2011 APPEAL HEARINGS.

16 MS. EVANS: Are there any comments?
17 If not, received and filed. Do we have any
18 Clerk's notes this evening?

19 MS. KRAKE: No, Mrs. Evans.

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

23 MR. LOSCOMBE: Yes, I have one. I
24 would like to announce a pasta dinner for
25 Sunday, October 16, to benefit the Infant

1 Care Program. It will be held at Covenant
2 Presbyterian Church at 550 Madison Avenue in
3 the Sotell auditorium. Sit down dinner will
4 be served from 3 to 6 p.m. and takeouts are
5 from noon to 6:00 p.m. Tickets are \$10 for
6 adults, \$6 per children, and under three
7 years old are free, and there will also be a
8 raffle with various baskets and gift cards,
9 too. Thank you.

10 MS. EVANS: Mr. McGoff?

11 MR. MCGOFF: Just a brief
12 congratulations to the Steamtown Marathon
13 Committee. Bill Kane and Jack Marks, Steve
14 Brown and John McGovern and Jim Cummings and
15 all of the other members of the committee
16 and also the somewhere around 3,000
17 volunteers that came out on the course and,
18 you know, worked for nothing to make sure
19 that it was a great race. It was a great
20 day and a special congratulations to my
21 daughter Megan who completed her first
22 marathon.

23 MS. EVANS: And a special
24 congratulations to Mr. McGoff who completed
25 the marathon as well, and this his first.

1 MR. MCGOFF: Tenth.

2 MS. EVANS: Tenth.

3 MR. LOSCOMBE: I will second that.

4 MR. MCGOFF: Thank you.

5 MS. EVANS: Councilman Rogan will be
6 absent from tonight's council meeting due to
7 illness.

8 Reverend Stan Ferretti and the
9 parishioners of St. Peter and Paul Roman
10 Catholic Church, 1309 West Locust Street in
11 Scranton, invite everyone to their annual
12 fall festival and bazaar this Sunday,
13 October 16, from 11:30 a.m. to 5:00 p.m. in
14 the church hall. Enjoy homemade Polish food
15 including pierogies, halushki, piggies,
16 potato pancakes, backed goods and more.
17 Numerous stands over themed baskets and
18 children's items. Takeouts are available
19 from 11:30 a.m. to 1:00 p.m. Bring the
20 entire family to this wonderful annual fall
21 festival.

22 A fundraiser to benefit Dennis
23 Owens, Jr., will be held on Saturday,
24 October 22, from 6 to 10 p.m. at the
25 Greenwood Hose Company, 3727 Birney Avenue

1 Moosic, PA. Mr. Owens, a firefighter for
2 Taylor Fire and Rescue, is a 38 year old
3 father of two children who was recently
4 diagnosed with a very serious medical
5 condition. Tickets are \$15 and can be
6 purchased at the door or by contacting
7 Taylor Fire and Rescue. There will be food,
8 beverages, and entertainment, as well as a
9 50/50, wheelbarrow of cheer, and basket
10 raffles. Please help Dennis Owens and
11 support this very worthy event, and that's
12 it.

13 MR. KRAKE: FOURTH ORDER. CITIZENS'
14 PARTICIPATION.

15 MS. EVANS: Our first speaker
16 tonight is Bill Jackowitz.

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

21 MS. EVANS: Good evening.

22 MR. JACKOWITZ: The Legion of Doom
23 it seems was correct about many issues that
24 have been discussed at Scranton City Council
25 meetings. That's really too bad. I would

1 have preferred that the Doomers were wrong.
2 For years speakers and citizens of Scranton
3 have come forward and asked for help and
4 relief from the Doherty reign of terror only
5 to be laughed at, ignored, called name,
6 ruled out of order, searched, denied entry
7 into city council chambers, arrested, only
8 to find out that City of Scranton is broke
9 and cannot pay the employees of Scranton,
10 but now we understand that we are going to
11 pay the employees of the Scranton.

12 The Honorable Mayor Doherty solution
13 involves not paying about \$7 million in
14 bills. That's what you call leadership. We
15 just won't pay our bills. Mr. McGoff, your
16 leader came up with a solution, I must
17 congratulate him on his solution. When I
18 first read the statement I laughed because I
19 knew it had to be a joke, then I saw started
20 to reflect on who made the statement and
21 remembering what the Honorable Mayor Doherty
22 has stated 14 September 2010 during his
23 sworn deposition. That is when I realized
24 that he probably is serious.

25 I must ask why. Taxes were raised

1 26 percent by the Doherty Three, Fanucci,
2 Gatelli and McGoff three years ago.

3 According to the Doherty Three, all of the
4 budgets that were approved and passed were
5 balanced and the bills were being paid
6 including the TANS. I can remember sitting
7 with many concerns from the Doherty Three
8 that were meant to convince me that
9 everything was all well and good and that
10 Scranton was being managed professionally by
11 the mayor and his cabinet members. Boy, was
12 the wool being pulled over the eyes of the
13 citizens/taxpayers. Now we find out that
14 the budgets were not balanced, the bills
15 were not being paid, including the TANS,
16 loans, and bonds.

17 According to the Honorable mayor and
18 the Times-Tribune, the supermajority is
19 responsible for the financial difficulties
20 the City of Scranton faces. I must remind
21 everybody that the supermajority assumed
22 office January of 2010 -- or correction,
23 2009, eight years after the Honorable Mayor
24 Doherty became the Mayor of Scranton.
25 Remember, the mayor had nine budgets passed

1 by his rubber stampers before the
2 supermajority assumed office.

3 Furthermore, we had four years that
4 were totally wasted with the Gatelli and
5 McGoff's city councils where everything that
6 the mayor asked for was rubber stamped,
7 including four budgets. The citizens of
8 Scranton are finally starting to wise up and
9 realize who really is at fault here and why
10 the city is still distressed.

11 The upcoming election will not
12 change anything because the candidates are
13 the same. Three incumbents for city council
14 and controller, they will be reelected.

15 The solution is not to borrow more
16 money, it is to spend less money and
17 generate more revenue. Every revenue
18 generator program that has been suggested
19 has been blocked by the Honorable Mayor
20 Doherty and his band of merry men and women,
21 including the Doherty One. Other than a
22 couple of vague references with the Sewer
23 Authority quote/unquote. Last week council
24 president highlighted 15 solutions that have
25 been proposed by the supermajority in the

1 past five months or less.

2 Mr. McGoff, can you highlight any
3 solutions that were proposed by the Doherty
4 Three during the two years of the Gatelli
5 council and two years of the McGoff council?
6 Mr. McGoff, can you highlight any?

7 MR. MCGOFF: Oh, you are asking me
8 and want me to answer?

9 MR. JACKOWITZ: Yes.

10 MR. MCGOFF: At this time I probably
11 couldn't come up with a list, but --

12 MR. JACKOWITZ: Can you come up with
13 one?

14 MR. MCGOFF: Yeah. There were a lot
15 of things that we did.

16 MR. JACKOWITZ: Name one.

17 MR. MCGOFF: Amusement tax.

18 MR. JACKOWITZ: Okay.

19 MR. MCGOFF: You said name one.

20 MR. JACKOWITZ: Do you have another
21 one?

22 MR. MCGOFF: You said name one.

23 MR. JACKOWITZ: Well, you did name
24 one, the amusement tax.

25 MR. MCGOFF: Thank you.

1 MR. JACKOWITZ: How about the 26
2 percent tax increase, did that help benefit
3 the City of Scranton?

4 MR. MCGOFF: I'm not going to get
5 into a dialogue with here with you, Mr.
6 Jackowitz.

7 MR. JACKOWITZ: I'm not asking you
8 for a dialogue --

9 MR. MCGOFF: You asked me --

10 MR. JACKOWITZ: -- Mr. McGoff, I'm
11 asking you as a citizen and taxpayer I'm
12 asking my elected official if the 26 percent
13 tax increase helped the residents of the
14 City of Scranton?

15 MR. MCGOFF: This is not a dialogue
16 or question and answer. Well, that's what a
17 dialogue is, Mr. Jackowitz.

18 MR. JACKOWITZ: I understand that,
19 Mr. McGoff.

20 MR. MCGOFF: Well, apparently you
21 don't because --

22 MR. JACKOWITZ: Yes, I do. I also
23 understand how you changed your vote to
24 layoff police and firemen, too. You are
25 trying to make your back way out of it

1 because you have no answers. Why don't you
2 just admit it? Why don't you just admit
3 that council has been a failure? Why don't
4 you just admit it? I guess you are not
5 going to admit it.

6 Unemployment 9.8 percent, highest in
7 the state again. I see that the city audit
8 status is being stalled again.
9 Repercussions must be administered according
10 to Mr. McGoff. Mr. McGoff, are you in favor
11 of repercussions or is that only -- or are
12 you only in favor of repercussions for Mrs.
13 Krake? I guess you are not going to answer
14 that one either.

15 MR. MCGOFF: Mr. Jackowitz, if you
16 have something to say to me --

17 MR. JACKOWITZ: You had your choice
18 to answer and you refuse to answer so don't
19 be rude and interrupt me now. Roseann
20 Novembrino --

21 MR. MCGOFF: You asked me --

22 MR. JACKOWITZ: -- should suffer
23 repercussions --

24 MR. MCGOFF: I was talking.

25 MR. JACKOWITZ: I asked for an

1 answer and you sat there holding your head
2 up, holding your chin up, and you would not
3 give me an answer.

4 MR. MCGOFF: You want me to answer
5 them or not?

6 MR. JACKOWITZ: Yeah, go ahead.
7 Answer.

8 MR. MCGOFF: Which question would
9 you like then?

10 MR. JACKOWITZ: Let's talk about the
11 26 percent tax increase. Did that help the
12 citizens of the Scranton?

13 MR. MCGOFF: Yes.

14 MR. JACKOWITZ: Then why did we have
15 to layoff police officers and firemen?

16 MR. MCGOFF: That's --

17 MR. JACKOWITZ: Why are the police
18 cars falling apart? Have you looked at the
19 police cars lately?

20 MR. MCGOFF: You are asking like
21 three questions at a time.

22 MR. JACKOWITZ: No, they are all
23 related to the same question?

24 MR. MCGOFF: Which one would you
25 like now?

1 MR. JACKOWITZ: Okay. Why were no
2 police cars not purchased and repaired with
3 your 26 percent tax increase?

4 MR. MCGOFF: I don't know. I'm not
5 in charge of purchasing police cars.

6 MR. JACKOWITZ: I know that, but you
7 were in charge of increasing the taxes.

8 MR. MCGOFF: Yes, I was.

9 MR. JACKOWITZ: And you're proud of
10 that, too.

11 MR. MCGOFF: Proud of it? I
12 wouldn't say proud, I think it served a
13 purpose.

14 MR. JACKOWITZ: Are you proud of the
15 fact that 21 police officers and firemen
16 were laid off because of your vote?

17 MR. MCGOFF: They weren't.

18 MR. JACKOWITZ: Yes, they were.

19 MR. MCGOFF: While --

20 MR. JACKOWITZ: Are you trying to
21 tell me that 21 police officers were not
22 laid off?

23 MR. MCGOFF: Are you going to let me
24 answer?

25 MR. JACKOWITZ: Go ahead.

1 MR. MCGOFF: You asked for an
2 answer, now let me answer.

3 MR. JACKOWITZ: Go ahead.

4 MR. MCGOFF: While I was president
5 of council there were no people laid off and
6 following the 25 percent increase in taxes
7 we had a full compliment of firemen and
8 policemen. Not one fire -- fire stations
9 weren't being closed. How's that for an
10 answer?

11 MR. JACKOWITZ: That's a runabout
12 answer.

13 MR. MCGOFF: That's only happened in
14 the last couple of weeks.

15 MR. JACKOWITZ: That's a spin.
16 That's a spin because after you became a
17 minority councilman that's when all of this
18 happened.

19 MR. MCGOFF: That's correct.

20 MR. JACKOWITZ: With your vote and
21 it was your vote.

22 MR. MCGOFF: No, it wasn't.

23 MR. JACKOWITZ: Well, you are
24 denying your vote?

25 MR. MCGOFF: See, you don't like the

1 answer.

2 MR. JACKOWITZ: No, I like the
3 answer because it's proven that I'm right
4 and you are wrong again.

5 MR. MCGOFF: All right.

6 MR. JACKOWITZ: Roseann Novembrino
7 should suffer repercussions and also invited
8 to attend a city council meeting and explain
9 many things. Mrs. Evans, are you going to
10 invite Roseann Novembrino to a council
11 meeting or not?

12 MS. EVANS: Could you repeat that,
13 please? I was writing something.

14 MR. JACKOWITZ: I'm asking you if
15 you are going to invite Roseann Novembrino
16 to a city council meeting as an elected
17 official to answer the questions of why she
18 has approved everything that the mayor has
19 signed, put in front of her, and she signed
20 off and everything, I would like answers and
21 explanations as to why the controller has
22 not done her job. You know, are you going
23 to invite her to a city council meeting or
24 not?

25 MS. EVANS: We can invite her, yes.

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MR. JACKOWITZ: Thank you.

Mr. Rogan, even though you are not here, you did what was required of an elected official. All elected officials should be willing to talk with residents and other elected officials when need be.

As far as the supermajority and my supermajority council members are free thinkers who work for the residents at all times and vote accordingly, not because they support the supermajority or the mayor but because they support the residents, that's the key word right there, residents, not the mayor. Otherwise, you become a Doherty Three council member or a Doherty real person and then I lose respect for you, especially for people who are unable to think on their own feet and they follow the lead of a lamed up loser mayor.

MR. LOSCOMBE: Thank you.

MS. EVANS: Thank you. Our next speaker is Les Spindler.

MR. SPINDLER: Good evening, Council. Les Spindler, city resident and homeowner and taxpayer.

1 MS. EVANS: Good evening.

2 MR. SPINDLER: Mr. McGoff, the
3 reason there were no public safety layoffs
4 when you were president of council is
5 because you rubber stamped everything else
6 for the mayor and he was happy with that,
7 that's why there were no layoffs.

8 MR. MCGOFF: That must be a good
9 one.

10 MR. SPINDLER: I'm a firm believer
11 of free speech. Any citizen of this city
12 has the right to come to this podium and
13 speak, with one exception. This should not
14 and never has been a forum for a political
15 candidate to come here and bash their
16 opponent to further the political agenda.

17 Last week Mr. Nearhood, who is a
18 candidate for city controller, came here and
19 did nothing but bash the current controller.
20 He stated things she didn't do and things
21 she did do, he said in his opinion she
22 wasn't doing a good job, said she should
23 come to these meetings. It was nothing more
24 than a political speech.

25 I have been attending these meetings

1 for ten years fighting for this city. Not
2 once have I seen Mr. Nearhood at these
3 meetings. Now that he is running for public
4 office he shows up to bash his opponents.
5 If Mr. Nearhood is so concerned about this
6 city where has he been the last ten years?

7 And with you'll due respect,
8 Mrs. Evans, I don't think you should have
9 allowed him to do what he did last week and
10 I hope he is not allowed to do it in the
11 future if he comes back in here.

12 Moving on, in the Doherty newsletter
13 all I read is how the supermajority of
14 council is to blame for the problems we are
15 having financially in this city, but what
16 you don't see, what they don't print in
17 those papers is the truth. Actually, it's
18 Mayor Doherty sabotaging council's budget.
19 If Mayor Doherty just followed council's
20 budget from day one this city would be in
21 great shape, there would be no public safety
22 people laid off, our finances would be in
23 order, but you don't see this printed in the
24 Doherty newsletter. All they print is what
25 they want.

1 Over the weekend I was watching
2 Channel 16 news, people in Wilkes-Barre were
3 protesting asking Mayor Layton to resign. I
4 have been asking people in this city to come
5 here and protest, but I hope they wake up
6 and see the light. They should be down in
7 front of city hall asking Mayor Doherty to
8 resign. He is driving this city into the
9 ground, putting people's lives in danger,
10 laying off police officers and firefighters
11 and nobody cares about us who come here week
12 after week and try to help keep this city
13 safe and get it back on it's feet.

14 Lastly, I think it was last week a
15 woman came here and said that council should
16 pass an ordinance requiring people to neuter
17 and spay their pets. I totally disagree
18 with that. I have a dog and I have a few
19 cats, I'm an animal lover for all my life, I
20 don't think anybody should be forced to
21 neuter or spay their pets. What if you want
22 to breed them? I don't think anybody should
23 be made to do anything like that. I just
24 think it's wrong. I hope council does not
25 do that. And that's all I have tonight.

1 Thank you for your time.

2 (While Mr. Spindler was speaking Mr.
3 Joyce took the dais and joined the meeting.)

4 MR. JOYCE: Thank you.

5 MS. EVANS: Thank you. I just
6 wanted to quickly respond to something that
7 was said earlier about the state of police
8 and firemen in the city now versus during
9 Mr. McGoff's presidency. The 2010 budget
10 was not touched by this city council, that's
11 number one, and then in 2011, specifically
12 November 2011, it was the mayor who cut
13 nearly 40 police officers and firefighters
14 in his budget and it was, in fact, this
15 council that reinstated every one of them
16 back into the budget.

17 The problem arose when council
18 learned in January of or February of 2011
19 that the mayor didn't pay bills in 2010 and
20 the mayor hadn't paid a TAN in 2010. He
21 carried it over into this year and that's
22 where you get the deficit from and his
23 answer, his partial answer to this deficit,
24 has been the layoffs of police and fire, so
25 I think it is very inaccurate to state that

1 police and fire were laid off under this
2 council and not under a previous council.

3 I think we all understand it was the
4 mayor who did that, tried to do it the first
5 time, obviously has gotten away with it as
6 of August 29, his second attempt at it, but
7 it was this council that preserved those
8 jobs in this budget. Okay, our next speaker
9 is Doug Miller.

10 MR. MILLER: Good evening, Council.
11 Doug Miller, Scranton.

12 MR. JOYCE: Good evening.

13 MS. EVANS: Good evening.

14 MR. MILLER: Once again I am going
15 to continue the ongoing discussion that we
16 have been having here regarding the city's
17 finances and meeting with the mayor in
18 public.

19 Now, last week we had some
20 discussions take place here regarding
21 Mr. Rogan's private meeting with the mayor
22 and there were some concerns as to whether
23 or not we should be having private meetings
24 with the mayor, and I also share those
25 concerns as far as meeting privately with

1 the mayor. Anyone who has been involved in
2 the city for the last ten years knows full
3 well that our mayor has a history of
4 conducting his business behind closed doors
5 and keeping us in the dark, and I feel very
6 strongly that we should not be meeting with
7 the mayor behind closed doors. I believe we
8 put an end to all of that smoke and mirrors
9 when this council majority took office and
10 I, as well as any other Scrantonian, will
11 not tolerate the back doors and the smoke
12 and mirrors that this mayor and cronies like
13 to play.

14 But what truly disgusted me last
15 week was learning that the mayor drove all
16 the way down to Wilkes-Barre to meet with
17 Mr. Rogan at a doughnut shop yet he can't
18 walk up a flight of stairs on a Tuesday
19 night? You know, if the stairs are too
20 stressful for him, I believe he can take the
21 elevator if that makes his life easier, but
22 I find his actions to a be total disgrace
23 and a complete slap in our face. And, you
24 know, if the mayor does have such a
25 fascination with doughnut shops then I'm

1 sure we can make arrangements to have coffee
2 and doughnuts for him or tea, hot chocolate,
3 milk, whatever he wants if it makes him
4 happy. We'll make him feel real comfortable
5 here. But this is where we conduct
6 business, here in this chamber, not in
7 doughnut shops this Wilkes-Barre and he
8 needs to get that through his head. We are
9 not going to put up with his nonsense. His
10 games are over.

11 If the mayor, Mr. Rogan or
12 Mr. McGoff insist on private meetings, then
13 I would request this a Court approved
14 stenographer be present to get the full
15 context of any meeting that goes on behind
16 the scenes involving city business.

17 Another issue I have is that the
18 mayor's proposed borrowing plan and I know
19 Mr. Rogan is not here today and I don't like
20 to, you know, speak to individuals that
21 aren't present, but it is on my agenda here
22 tonight and he talked about his willingness
23 to borrow up to \$4 million if the mayor
24 promised to never borrow again. Well,
25 number one, we all know that you can't

1 borrow your way out of debt, as we have
2 learned through the last ten years; and
3 number two, how many promises has this mayor
4 made in the ten years? Quite a few,
5 including his pledge to be the sixth
6 councilman coming here working with council.
7 Well, have we seen him here yet? No, we
8 haven't. And now all of a sudden we are
9 going to take the mayor's word like he is
10 the Messiah? He hasn't lived up to anything
11 for ten years.

12 I just, you know, have we all been
13 sleeping under a rock, I think it's time to
14 come out of the fog here and see it for it
15 with it really is. The mayor's word means
16 absolutely nothing. And, you know, once
17 again, I'm going to give our honorable mayor
18 the opportunity to come forward like a big
19 boy, like he says he is, and I'm going to
20 once again push up his big boy chair for him
21 to come forward and be the sixth councilman
22 here and hold himself accountable to the
23 people.

24 Mrs. Evans, you respectfully made a
25 request of him to come forward and present

1 his plan publically and here we are October
2 11 and he has yet to come forward, yet he
3 wants you to get that on the agenda and
4 rubber stamp it through. Well, those days
5 are over, okay? We are beyond that. It's
6 time to come forward, be a big boy, and if I
7 may, I'm going to keep doing this until he
8 shows up because he needs to be held
9 accountable, he needs to live up to his
10 word, he said he would be the sixth
11 councilman, he has failed to do that, he
12 said he lives in the big boy world, well,
13 now it's time to come and play with big boys
14 and girls. So again, I'm going to give the
15 big boy his chair. (Whereupon Mr. Miller
16 moves the chair in front of the dais.) So
17 it's waiting for you, Mayor. Whenever you
18 are ready come on down and let's play with
19 the big boys and girls.

20 And finally tonight, I took issue
21 with a statement at that Mr. McGoff made in
22 the Times a few weeks ago, I can't recall
23 what date it was, regarding final solutions
24 to solving the city's problems and
25 Mr. McGoff I believe you stated something in

1 the lines of that this council majority has
2 offered only a few vague solutions. I'm
3 quite assaulted by this statement because
4 this council majority has offered an awful
5 lot, but unfortunately, it's been ignored
6 and they have offered a lot to help clean up
7 a mess that you, your master, and all of the
8 other Doherty cronies are responsible for.
9 And, you know, I'm just curious tonight,
10 Mr. McGoff, what are your personal solutions
11 to solving the city's problems, since you
12 want to criticize your colleagues, I'd like
13 to know tonight from you, and this is a
14 question, Mr. McGoff, what are your
15 solutions to solving the city's mess? And
16 I'm all ears.

17 MR. MCGOFF: I answered that last
18 week.

19 MR. MILLER: Okay.

20 MR. MCGOFF: Apparently you weren't
21 here or you weren't listening.

22 MR. MILLER: Would you mind
23 repeating that for me then?

24 MR. MCGOFF: Yeah, I would.

25 MR. MILLER: I didn't get a chance

1 to see it.

2 MR. MCGOFF: I answered that last
3 week.

4 MR. MILLER: Well, I'd like to know
5 at this time what your solutions are and I
6 think everyone would like to know as well.

7 MR. MCGOFF: As I said, I did it
8 last week so --

9 MR. MILLER: Well, I'm asking you as
10 a citizen, as my elected official, to please
11 repeat your answer for me.

12 MR. MCGOFF: No.

13 MR. MILLER: And why is that?

14 MR. MCGOFF: Because I answered it
15 last week.

16 MR. MILLER: And tonight I'm asking
17 you --

18 MR. MCGOFF: If you want to maybe
19 you should go back and look at it and you
20 should have been --

21 MR. MILLER: Mr. McGoff, you are an
22 elected official and I'm asking you a
23 question tonight, I'm wasn't privy to being
24 here to listen to it, and I'm just asking
25 you respectfully if you would please repeat

1 your plan for me here, if you have such a
2 magical plan I'm sure you won't have a
3 problem expressing it.

4 MR. MCGOFF: Excuse me, you're
5 condescending.

6 MR. MILLER: Nobody is being
7 condescending.

8 MR. MCGOFF: Yes, you are. Yo have
9 been condescending throughout the entire
10 time you have been at the podium.

11 MR. MILLER: Oh, really?

12 MR. MCGOFF: Yes, you have.

13 MR. MILLER: Okay.

14 MR. MCGOFF: To just about everyone
15 you speak to.

16 MR. MILLER: Okay. Well, I guess
17 the truth hurts, Mr. McGoff.

18 MR. MCGOFF: No, it doesn't hurt.

19 MR. MILLER: Unfortunately, and the
20 problem around here is we have been people
21 like you and the arrogance around here --

22 MR. MCGOFF: Excuse me, people like
23 me?

24 MR. MILLER: -- that don't answer
25 people's questions. You had Mr. Spindler up

1 here, Mr. Jackowitz --

2 MR. MCGOFF: People like me. Aren't
3 I allowed to --

4 MR. MILLER: Mr. McGoff, I deal with
5 professionalism, okay? You have a complete
6 lack of it, you have had it since day one,
7 okay, you have no respect for the people of
8 this forum. You are showing your arrogance
9 once again. You are refusing to answer a
10 question. Your lame excuse is, "Oh, well, I
11 answered it last week," and I'm asking you
12 tonight to answer it again, and if you have
13 such a marvelous magic here -- -

14 MR. MCGOFF: How about this,
15 Mr. Miller, I'll answer it.

16 MR. MILLER: -- I'm asking you to
17 answer the question.

18 MR. MCGOFF: I'll answer it.

19 MR. MILLER: Thank you.

20 MR. MCGOFF: If he is going to go
21 through this tirade and you let him go past
22 his time I will answer it.

23 MR. MILLER: No, it's not a tirade,
24 I'm asking my elected official to answer a
25 question.

1 MR. MCGOFF: No, it's a tirade.

2 MR. MILLER: No, it's not a tirade.

3 MR. MCGOFF: Lack of
4 professionalism, who is the person on
5 council that defended you when you were on
6 the junior council when you were being
7 attacked?

8 MR. MILLER: Mr. McGoff --

9 MR. MCGOFF: Who was it?

10 MR. MILLER: -- I'm not talking about
11 junior council.

12 MR. MCGOFF: Who was it?

13 MR. MILLER: I'm asking you a
14 question.

15 MR. MCGOFF: I'm just asking you,
16 who was it?

17 MR. MILLER: We're getting off track
18 here.

19 MR. MCGOFF: Now we're --

20 MR. MILLER: We're getting off track
21 here. I'm asking you a question. What's
22 your solution to some of the city's
23 problems.

24 MR. MCGOFF: I was professional
25 enough --

1 MR. MILLER: We're not talking about
2 junior council right now.

3 MR. MCGOFF: I was professional
4 enough to support you, to defend you when
5 you were being attacked. I was professional
6 enough to actually support you when you ran
7 a campaign and when you ran in an election.

8 MR. MILLER: Again, we are getting
9 off the point.

10 MR. MCGOFF: No, we are not.

11 (Ms. Evans bangs the gavel.)

12 MR. MILLER: You didn't answer my
13 question. What's your solutions?

14 MS. EVANS: Gentlemen --

15 MR. MILLER: You are talking about
16 junior council and elections --

17 MS. EVANS: Gentlemen, please. If
18 Mr. McGoff wants to respond to your question
19 I would ask him then to do so under motions,
20 and if we can please move along now to the
21 next speaker because I really don't want to
22 continue debating.

23 MR. MILLER: Mrs. Evans, I
24 apologize, I'm not trying to disrupt the
25 meeting here, I'm asking an elected official

1 a simple question. He wants to get into
2 rhetoric and politics and games as usual and
3 I look forward to it.

4 MR. MCGOFF: You are not allowed to
5 continue.

6 MS. EVANS: Thank you, Mr. Miller.

7 MR. MILLER: Thank you. Thank you.

8 MS. EVANS: Dave Dobrzyn.

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

11 MS. EVANS: Good evening.

12 MR. DOBRZYN: I was pleased with the
13 proposed study of the trash removal and so
14 forth last week, but I have been talking
15 about two for months now. The way people
16 throw away trash I think it could possibly
17 cut it down to three days a week. If you
18 walk through any court, and some are better
19 than others, but I see bags out on Monday
20 that the trash collection day is Friday,
21 what's going to happen to those bags? The
22 skunky doodle is just smacking his lips
23 right now, you know, getting ready to you
24 know bail somebody.

25 Now, done in Wilkes-Barre, I talked

1 to somebody from Wilkes-Barre, their fee is
2 \$160 a year, but they actually have to pay
3 \$9 for bags, so it is a little higher and
4 the thing about it is you don't put
5 recycling in bags, so if you spend money on
6 the bags and throw recycling in you're
7 taking money out of your own pockets so it's
8 an incentive to actually recycle.

9 And I have harped quite a bit on
10 privatizing, and I'm not a big fan of
11 privatizing anything mainly because once you
12 get the political cronies out of the system
13 you have the corporate cronies and crony
14 capitalist back in the system, so I would
15 suggest that you are careful of startup
16 sweetheart deals and so forth, I know only
17 one councilman discussed privatizing, but
18 what are we going to get charged down the
19 road, and I want everybody to have a
20 promising career in politics so, you know,
21 just think about it before it goes too far
22 because people will have a bad taste in
23 their mouth if they wind up going from three
24 or four hundred dollars a year for sewer and
25 wind up paying \$1,000. They are going to

1 say, "Well, what did I listen to him for?"

2 And I keep seeing in the paper where
3 a certain administration wants to do what he
4 wants and if he wants to keep doing that
5 maybe we should change the sign instead of
6 City of Scranton to dictatorship of
7 Scranton, we will give that a bawk.

8 And on the final with the city
9 business, hopefully this will be the last
10 time before the election, but I would trust
11 you people to borrow more so than to
12 privatize. The numbers, you yourself
13 pointed out, it doesn't sound like a logical
14 position. If we are in a position where we
15 have to borrow to pay our bills that's the
16 way it is, but no more before the next
17 election time, please, and I fully realize
18 that a lot of these bills have been just
19 built up by spending on things that the
20 administration should not have done or
21 brought it before council at least before,
22 but as far as privatizing, that's -- well,
23 that's what the meetings were for a
24 sweetheart deal for the Parking Authority
25 and just a sweetheart deal that get a few

1 bucks for it and then down the line we are
2 losing our shirts.

3 And, okay, I won't hold it up too
4 much longer here, before national congress
5 we have a bill to repair gas supply lines
6 for houses and energy and Grant Paulo, I
7 think it's of Tennessee or Kentucky, he is
8 against that on whatever carrier you have,
9 so he is about the only congressman that is
10 really against it. He is filibustering in
11 the Senate against now these gas lines down
12 in Allentown five people were killed a year
13 or two going ago by a huge fire and
14 explosion and many were killed out in the
15 west coast and whole neighborhoods have been
16 burnt down by faulty gas lines going to city
17 gas, so he gets a super bawk, bawk.

18 And last knit we had the Summit and
19 Ron Paul, the libertarian wanted the
20 leadership to announce their own poll, so
21 bawk, bawk to them, too. Thank you, and we
22 don't need their values, I have enough of my
23 own. Have a good night.

24 MR. JOYCE: Mr. Dobrzyn, before you
25 leave tonight I wanted to ask you one

1 question, I know you had explained
2 Wilkes-Barre's garbage fee, did you state
3 that they are paying \$9 per bag of garbage?

4 MR. DOBRZYN: Per five bags of
5 garbage.

6 MR. JOYCE: Per five bags of
7 garbage.

8 MR. DOBRZYN: Yes. Yes.

9 MR. JOYCE: Okay.

10 MR. DOBRZYN: Now, in my case that
11 would probably be 50 bags a year or so.

12 MS. EVANS: And that's in addition
13 to the \$160 --

14 MR. DOBRZYN: In addition, right.

15 MS. EVANS: -- annual fee.

16 MR. DOBRZYN: But if they do
17 recycle, now, the families with the big
18 piles of garbage that I see, I mean, some
19 people I see out there with one house would
20 be like five of bags when I'm riding -- I
21 ride bicycle for exercise and these are not
22 to get run over in the courts, so until I
23 get out of town on a dirt trail or
24 something, but the recycling after that is
25 there is no additional charge.

1 So what I do see in a lot of these
2 bags, and I can tell what's in them, is a
3 lot of stuff that could have really been
4 recycled, also, but that would be driving
5 cost of the DPW up along with faulty
6 disposal of garbage out on -- at the end of
7 the property and the next thing you know an
8 animal drug it all over and you have a messy
9 town and a crew that can't get their job
10 done correctly.

11 MS. EVANS: Thank you.

12 MR. DOBRZYN: All right. Thank you.

13 MS. EVANS: That concludes our
14 speaker's list, is there anyone else who
15 cares to address council?

16 MR. NEARHOOD: Good evening,
17 President Evans, members of city council.

18 MS. EVANS: Good evening.

19 MR. NEARHOOD: My name is Ray
20 Nearhood and I have been before you a few
21 times before. I want to make some comments.
22 Last week, Councilman Joyce, you indicated
23 your qualifications.

24 MR. JOYCE: Yes.

25 MR. NEARHOOD: Because they were

1 questioning part of the people as to who
2 people are that are standing here or sitting
3 there as to what's going on with the city,
4 and I commend you for taking a master's
5 degree in business administration and for
6 you what you are doing.

7 MR. JOYCE: Thank you.

8 MR. NEARHOOD: I just wanted to
9 point out some of my own qualifications, and
10 I have a master's degree in public
11 administration from Penn State University
12 where I did my major portion was in city
13 management, and I got that many years ago I
14 have been 25 years of municipal management
15 experience. I have served as a city
16 manager, I have served as city business
17 administrator, I have served as a city
18 administrator, also, a township manager and
19 I have served as a consultant to various
20 towns in Pennsylvania.

21 Two of the municipalities that I
22 headed as a manager won the Governor's award
23 for local government excellence. One was
24 under on the brink of distress, we won --
25 after a year of work we won the governor's

1 award for excellence and fiscal management
2 and best management practices, so I do have
3 a little bit of experience in municipal
4 government.

5 And I had some experience with the
6 City of Scranton back in the early 1990's.
7 Before the city went into distress, I was
8 one of the people sent here by the
9 Commonwealth of Pennsylvania, I was at that
10 time working for the Pennsylvania Economy
11 League to try to help the city not go into
12 distress. We dealt with some of the city
13 officials here at the time, one of whom
14 right now I'm running against and we
15 could --

16 MS. EVANS: Mr. Nearhood, if we
17 could please refrain from any statements
18 involving your candidacy.

19 MR. NEARHOOD: Okay. I just want to
20 indicate that at that time we found that it
21 wasn't possibly because the elected
22 officials here were not willing to take the
23 actions that were necessary to try to
24 conclude going into distress, therefore, I
25 was also involved in the writing of the

1 initial distress plan for the City of
2 Scranton, writing many sections of it for
3 the Pennsylvania Economy League. Shortly
4 after being implemented I left the Economy
5 League and took another position, so I do
6 have -- I do have quite a bit of experience.

7 As I said, I have worked with a
8 number of municipalities, you know, I think
9 I remember telling you all that I worked for
10 the City of Lebanon at one time. They, like
11 the City of Scranton, were selling assets in
12 order to pay for operating expenses. I
13 personally don't believe that at any time
14 should municipalities be selling capital
15 assets to pay for operating expenses. If
16 you sell a capital asset, if you put it
17 toward paying off debt service or toward
18 another capital asset that makes sense, but
19 the City of Lebanon, for instance, had
20 gotten so desperate that it actually sold
21 the third floor to city hall when they asked
22 us to come in, okay? They have changed.
23 They changed the form of the government and
24 moved forward.

25 You know, currently the controller

1 has been in office for well over 20 years,
2 for all of the years in which the city has
3 been distressed. I am wondering what
4 solutions she has brought to the floor in
5 the 18 years the city has been distressed or
6 tried to get us out of distress as a city?
7 I don't believe there have been many. I
8 know that in 1993 the Home Rule Charter was
9 changed, three items were taken out of the
10 Home Rule Charter, things that the city
11 controller was supposed to be doing. Why
12 were they removed from the charter? Simply
13 because the Controller's office was not
14 doing what was supposed to be done, okay?

15 You know, we continue to see going
16 on, Mrs. Evans, you've pointed out people
17 being paid that shouldn't that aren't in the
18 budget. As you are aware, Section 912 of
19 the city's Home Rule Charter states, "The
20 payment of city funds shall not be made
21 unless specifically provided for in the
22 budget and unless specifically authorized by
23 the controller."

24 So the budget is not providing for
25 those expenditures, how is the controller

1 authorizing those expenditures to be made?

2 There has been also discussion about
3 the seriousness of the distress of the city,
4 that we may be looking at payless paydays,
5 we may be looking at police and fire and
6 others not being paid. The City of
7 Harrisburg is facing serious financial
8 difficulties at this time. May I?

9 MS. EVANS: If you can finish
10 briefly, please.

11 MR. NEARHOOD: Well, the Senate Bill
12 1151 is right now in front of the state
13 senate, which will amend Act 47, which is
14 the Distressed Municipalities Act. It is
15 specifically for the third class cities,
16 unfortunately, but it is has gotten so
17 serious, for instance, for Harrisburg and
18 may get their for Scranton, which will not
19 be covered by this bill as it stands, that
20 the governor -- the legislator and the
21 governor can actually come in and take over
22 the city.

23 The elected officials will no longer
24 be in charge for the most part, they will
25 put a receiver in to operate the city. Is

1 there where Scranton is headed? Why don't
2 we have -- why isn't the mayor in here and
3 why isn't the controller in here sitting
4 with you trying to find solutions to the
5 critical problems that this city is facing
6 today?

7 MS. EVANS: Thank you.

8 MR. NEARHOOD: Thank you.

9 MS. EVANS: Is there anyone else?

10 MS. WARDELL: Good evening, Council.

11 MS. EVANS: Good evening.

12 MS. WARDELL: My name is Mary Ann
13 Wardell. Please excuse my appearance. I
14 was watching this on TV, something I saw
15 caught my eye and I had to run down here.
16 Last week and this week again I'm
17 hearing council being bashed because they
18 have the nerve to meet with the mayor, and I
19 had to come down here and tell you that as
20 elected officials and people that are trying
21 to do the best for this city any time you
22 can meet with the mayor to work out any kind
23 of compromise or any kind of deal or any
24 kind of solution I would say it is not only
25 right, but it is your responsibility as

1 elected officials. You are here to
2 represent us. We all can't meet with the
3 mayor, but if you can meet with the mayor
4 and you can explain the point of view of the
5 residents of the city, I encourage every one
6 of you to do it.

7 And I think certain people forget
8 that along since you have taken office you
9 have all met with the mayor. I would hope
10 given the opportunity to solve some of these
11 financial problems you would do so. The
12 only way we are going to get anywhere is
13 for-- and I don't care if you meet with him
14 personally, I don't care if you met with him
15 in a coffee shop, I don't care where you
16 meet with him, the fact remains that we are
17 right now in a grid lock. We are not
18 getting anything done and we need solutions
19 and if it takes meeting him, so be it.

20 Would I like to see him here?
21 Absolutely. He made promises years ago that
22 he would be here. I was here when he was
23 Finance Chair and I'll tell you what, he is
24 a completely different man now than he was
25 then. I voted for him once, I would never

1 vote for him again because he lied and he
2 told half-truths and he put this city so far
3 in debt that outside of borrowing I don't
4 see how we are going to get out of it.

5 And borrowing, I believe, means
6 probably means raising, taxes along with the
7 school district probably will raise our
8 taxes and the county, and then they wonder
9 why nobody wants to live in Scranton.

10 You people have done a phenomenal
11 job since you were here. You have done it
12 because you are all free thinkers. Do you
13 think alike? Yes, you do think alike, but
14 you are not rubber stamps. You are not like
15 former councils were. You are able to think
16 for yourselves and you have independent
17 ideas, and you know what, that's good. You
18 all don't have to agree with one another all
19 the time and you all don't have to get along
20 on issues. That's why we put you there. We
21 want -- the more people that can put their
22 heads together with different ideas the
23 better off we are, because the more
24 solutions you come up with.

25 I just don't think it was fair that

1 Pat Rogan was bashed last week and he was
2 bashed this week because he met with the
3 mayor. I think that was something that
4 should not have been done and it shouldn't
5 be done. I will also say that I have been
6 here before the cameras were here and this
7 podium should not be used for anyone's
8 political speeches. I was a candidate
9 several times, I came to every meeting,
10 however, I didn't spout my philosophies and
11 my experience and what I knew and what I
12 didn't know when I was at this podium, I
13 talked about city business, and I believe
14 it's a very unfair to candidates that do not
15 come here that we would allow anyone to come
16 up here and say, "Hey, I'm a candidate and
17 this is what I think."

18 Again, I apologize, I didn't really
19 expect to be here, I just had to come down
20 here because I was very upset with what was
21 said and the theatrics that are going on
22 here. I mean, would the mayor -- would the
23 mayor sit in that chair if he came here? I
24 mean, let's face it, I don't think so. If
25 he came here he would probably sit there

1 (Indicating.) And that's all I have to say.
2 Thank you.

3 MS. EVANS: Thank you.

4 MR. MORGAN: Good evening, Council.

5 MS. EVANS: Good evening.

6 MR. MORGAN: I agree with a lot of
7 Mrs. Wardell said today, but I'd like to go
8 back to the discussion I had last week with
9 council, and Mrs. Evans your statement was
10 that this is a political year and I
11 shouldn't debate the councilmen, and I don't
12 know what that had to do with any of the
13 statements I made here. Can you kind of
14 enlighten me into that?

15 MS. EVANS: You are a candidate for
16 office.

17 MR. MORGAN: Nobody else knows that
18 and I didn't announce my candidacy from this
19 podium, I didn't speak about politics. I
20 have been coming here for over 20 years and
21 I have never brought my candidacies forward
22 ever, not once.

23 MS. EVANS: I am quite certain that
24 every one here seated is aware that you are
25 a candidate.

1 MR. MORGAN: Well, don't you
2 think --

3 MS. EVANS: As are we. Mr. Morgan
4 --

5 MR. MORGAN: Go ahead.

6 MS. EVANS: And I would prefer that
7 you debate your opponents in a proper venue
8 and not during city council meetings.

9 MR. MORGAN: Okay. Now, I didn't
10 engage in debate here, okay, I merely said
11 from the podium does anybody have anything
12 to say before I leave the podium, because it
13 just seems that when I leave the podium,
14 Mr. Evans, you have a comment to make and
15 then I can't respond, and I think it's very
16 disrespectful to do that to a speaker at a
17 council meeting because it shows a lack of
18 respect for the person that's at the podium,
19 and I think that whenever a speaker speaks
20 at the podium if a councilman either agrees
21 or disagrees and wants to engage in
22 conversation then the conversation should
23 flow freely and unimpeded, and those are
24 only my opinions.

25 Now, in regards to the city's

1 financial mess, look at, we have had
2 discussions here about the inability to
3 maintain city parks. Well, the golf course
4 was allegedly sold to raise money to
5 maintain city parks, but that money was I
6 guess plugged into the budget, even though
7 allegedly it was going to be put in trust
8 and it never happened.

9 You just take a look at what's
10 occurred in this city over an extended
11 period of time, and I'll be real honest with
12 you, I don't know how a council member can't
13 know what's going on inside of this building
14 in regards to the city's finances. The Home
15 Rule Charter gives you that ability, and
16 like I said before, it's not like I'm not
17 saying that other councils have done that --
18 have found out what was going on, but you
19 know, our financial situation just seems to
20 continually deteriorate and I can't see how
21 privatizing DPW is going to help anything.

22 I agree with statements that people
23 have said to me that they are just leaving
24 the city, they have had it, you know, I mean
25 the mall is in trouble, everything is in

1 trouble. I just think that people come here
2 and say things about the mayor or the
3 council and my opinion is that the people
4 who voted the council and the mayor into
5 office are the residents. If they didn't
6 want the council members to be on the
7 council, they wouldn't have elected them.
8 If they didn't want the mayor to be mayor,
9 they wouldn't have elected him. If the
10 voters don't know what the people they are
11 electing are doing, then they need to do
12 more research before they vote, because this
13 problem has gone on here for a very long
14 time and I just think that maybe it's really
15 time to file bankruptcy and get it over with
16 or come up with some real solutions.

17 And I do understand that this
18 council doesn't care much for SAPA, but I
19 really think it's one of the only options
20 for the city and whether you agree with me
21 or not no town outside of Scranton has the
22 debt we have. Well, Dunmore is in trouble,
23 but I don't know how you are going to
24 compete with the places that aren't carrying
25 the debt load we're carrying, and I don't

1 know how you are going to compete with other
2 communities that aren't losing their
3 population base like we are, and we have got
4 a ton or problems.

5 And my last question here is since
6 the city has no money to pay bills, how are
7 we going to maintain these fleet of vehicles
8 and do maintenance on them without money?
9 And I would like to know if council has a
10 plan to make money available to maintain the
11 DPW fleet and the Scranton police cars and
12 the Scranton fire trucks and I would just
13 like to ask that question, so maybe you can
14 answer that later or at your leisure. Thank
15 you.

16 MS. EVANS: Thank you.

17 MR. JOYCE: I'm just going to
18 comment on the golf course money. Just for
19 the record, the remaining proceeds from the
20 sale of the golf course, which was \$1.8
21 million that we had left before 2010, that
22 was used in the 2010 budget as a revenue
23 source. That's all.

24 MS. SCHUMACHER: Good evening,
25 Council. Marie Schumacher, city taxpayer.

1 MR. JOYCE: Good evening.

2 MS. EVANS: Good evening.

3 MS. SCHUMACHER: I have some
4 concerns and some disappointments. For some
5 time I was asking how many neighborhood
6 police patrol officers have been deployed in
7 2011, and Mr. Loscombe provided me a
8 response before the meeting last week which
9 stated there were 13 neighborhood police
10 patrol officers deployed with community
11 development funding until their layoff when
12 the administration realized that this
13 program was not eligible as long as the
14 regular ranks fell below 2010 manning
15 levels.

16 However, because I was growing
17 impatient I sent my own Right-to-Know to the
18 city and I got a completely different answer
19 which states: "As of August 5, 2011, no
20 funding has been expended from the Community
21 Development Block Grant in 2011 for the
22 neighborhood police patrol."

23 So I would like to ask if Mr. Joyce
24 could contact Mrs. Novembrino and see
25 whether they are paid, whether they have

1 been -- with the pay for last year and this
2 year with the adjustments that have been --
3 or the increases are the same or if they
4 were an unseparate account, because I found
5 find that troubling.

6 And quick question for Mr. McGoff,
7 at the East Mountain Residence Association
8 you took on a task, volunteered to contact
9 the mayor regarding signage.

10 MR. MCGOFF: I did so the next day.

11 MS. SCHUMACHER: And do you know
12 what the outcome? Has he decided that's
13 okay?

14 MR. MCGOFF: I believe the response
15 is in whether there were signs on the fire
16 houses or not, is that what you were
17 referring to?

18 MS. SCHUMACHER: The sign, yeah. So
19 he don't know whether they were allowed to
20 put close on the doors if they are browned
21 out?

22 MR. MCGOFF: I was told that the
23 immediately after that that there were no
24 signs and then somebody told me within the
25 past week or two that that they had seen

1 signs on the door, but I did not receive a
2 direct response to this.

3 MS. SCHUMACHER: Okay. Thank you.

4 MR. MCGOFF: To answer your
5 question.

6 MS. SCHUMACHER: Thank you. And I
7 wanted to ask Mr. Rogan about 7-A, but I
8 think I'll hold it because I believe you all
9 have agreed to table it until after a
10 caucus' is that true?

11 MR. JOYCE: I'm in favor of tabling
12 it and I believe the majority of the
13 colleagues are as well.

14 MS. SCHUMACHER: Okay. And I wonder
15 if anyone is watching the tax assessor's
16 appeal. I'm glad to see that you are
17 getting the listings, both of those who are
18 up for appeal hearings and for the final
19 outcome, but is anybody watching for those
20 two -- University's two recently procured
21 residential properties at 408 and 412, I
22 believe it was, Madison, I didn't write that
23 down, to ensure that they remain on the tax
24 rolls as the properties that own in Roaring
25 Brook? Is anyone anybody reading over those

1 for that purposes?

2 I know the Crisp Avenue Bridge
3 failed because the stream had filled with
4 rocks and sediment from years of not being
5 dredged, and I understand that cleaning the
6 stream bed was also a prerequisite for the
7 bridge replacement, and rightfully so, we
8 don't want it to fail a second time, but my
9 question is now can we check maybe,
10 Mr. McGoff, with Mr. Brazil to see if the
11 city is doing a -- preparing a list of
12 streams that are in need of the hazard
13 mitigation?

14 MR. MCGOFF: I will ask.

15 MS. SCHUMACHER: Thank you. And,
16 Mr. Loscombe, could you find out on the
17 Labor Day weekend there were two people
18 rescued from the Nay Aug gorge, could you
19 find out how much they were fined for that?

20 MR. LOSCOMBE: Sure.

21 MS. SCHUMACHER: I know it took a
22 lot of effort. Also, I'll put my two cents
23 in on the pet neutering. It's not cheap. I
24 have an appointment to have a cat neutered
25 next week and it's roughly \$300, and there

1 are -- it's a female cat, so it's probably
2 less for a male, but and nonetheless, I
3 mean, pets provide a lot of company to a lot
4 of elderly folks and disabled folks who
5 cannot afford to have that kind of expense,
6 you know, I just bought cat food tonight 60
7 cents a can for cat food, so it is a big
8 expense for seniors to have that company and
9 I would hate to further burden them or
10 possibly even deny them having that
11 companionship by requiring the pet
12 neutering.

13 Also, I want to put my oar in the
14 water on the commuter tax, I personally
15 think it's immoral to tax people without
16 representation and I even wonder how we get
17 away with the 880 funding, but it is what it
18 is, but I would certainly be against any
19 commuter tax.

20 And I have some stuff on the -- did
21 some research on the parking meters that if
22 I have the time I'll get to, but I, too,
23 want to share my two disappointments. Last
24 week my friend, Mrs. Franus, attacked Pat
25 Rogan because he had the audacity to meet

1 with the mayor and discuss finances even
2 though he was not Finance Chair. I did not,
3 however, see Mrs. Franus come here and
4 attack Mrs. Evans when she provided the
5 amendments to the 2011 CDBG budget to
6 Mr. Joyce and not Mr. Rogan, nor was the
7 monitoring report that was provided to
8 Mrs. Evans by Ozzie Quinn provided to
9 Mr. Rogan, but was for at least a week,
10 maybe he still doesn't have it, I don't
11 know.

12 And also, if I may just finish with
13 the final disappointment was, Mrs. Evans,
14 your inconsistent gavel yielding last week
15 and even tonight. You allowed one discourse
16 to go on and the other you gaveled, you
17 gaveled out of order, and I think it's
18 unfortunate. Thank you.

19 MS. EVANS: Thank you.

20 MR. JOYCE: I just want to answer
21 one of your questions about the officers
22 actually, because I know the answer and the
23 story behind the 13 officers that were laid
24 off. Essentially what happened was when the
25 2011 operating budget was sent down by the

1 administration and it's also in the amended
2 budget as well, and I'm not sure if you have
3 a copy but I know there is one in my office
4 and I don't have it on me right now, but you
5 will see under regular patrolmen there is an
6 a note there. There is a letter and
7 underneath it states that 13 officers of
8 regular patrolmen will be funded using the
9 CDBG money.

10 Later on in the year it was
11 discovered that that CDBG money could not be
12 used to fund those 13 officers, so for the
13 portion of when the 13 officers were serving
14 the City of Scranton before any type of
15 layoff occurred they were being funded out
16 of the city general fund not any OECD money.
17 So, therefore, we should have roughly about
18 700 and some thousand dollars in the
19 neighborhood police patrol program.

20 However, I think possibly what Mr.
21 Loscombe was trying to say that since
22 officers were laid off that money cannot be
23 used to hire back any neighborhood patrols
24 until I believe it's one year as to my
25 knowledge from that date, meaning that --

1 MR. LOSCOMBE: A year later.

2 MR. JOYCE: So at least right now
3 when you look that we could start that
4 program up and running again until 2013 per
5 HUD regulations, but those 13 officers were
6 being paid with general fund money rather
7 than CDBG money as it was originally
8 intended to be in the budget that was
9 passed.

10 MS. SCHUMACHER: Okay, but I read
11 it, it they said they were funded with
12 Community Development Block Grant or funding
13 until the end of August.

14 MR. LOSCOMBE: It should have been
15 the anticipation that the Community
16 Development Grant funding would be utilized.
17 The city vouchers that -- and I do have
18 copies of the voucher, but the fact that
19 they didn't qualify it could come out of the
20 general budget, so basically I think we're,
21 five, six hundred thousand dollars over on
22 police in the general budget that we had
23 anticipated because it can't come out of the
24 Community Development Block Grants. I
25 should have put anticipated in there.

1 MS. SCHUMACHER: Thank you. That
2 explains it.

3 MR. JOYCE: I think there is
4 possibly a little bit of misunderstanding.

5 MS. EVANS: And I just wanted to
6 make one quick response regarding Mr. Rogan
7 and the report that I received from
8 Mr. Quinn. Mr. Rogan was contacted a number
9 of times and he didn't return my calls, so
10 that is why and that was within that
11 one-week period from the time in which I
12 received the report and read it, and so that
13 is why he did not have a copy from me. On
14 the other hand, I would have thought the
15 federal government, HUD, would have provided
16 council with a copy and certainly if not Ms.
17 Aebli should have done so, neither of which
18 occurred.

19 MS. FRANUS: Fay Franus, Scranton.

20 MR. LOSCOMBE: Good evening.

21 MR. JOYCE: Good evening.

22 MS. FRANUS: Hi. I can't say too
23 much against Marie Schumacher because he
24 loves my dog. He is my boy so whatever she
25 said is fine. As far attacking Pat Rogan, I

1 don't consider it an attack, I consider it
2 saying how I feel. I just feel this way.
3 Some people may think I'm a Democrat and
4 he's a Republican, I'm a Republican, but I
5 have sat here, sat home and watched his
6 actions for far too long and didn't say
7 anything. I'm just -- I'm just fed up with
8 him. I don't feel like I trust him anymore
9 and I think I have a right to come here and
10 say so.

11 I'm sorry some people think it's
12 attack. I will continue to say how I feel.
13 If it were Frank Joyce or Jack Loscombe if I
14 felt they were doing something I didn't like
15 I certainly would come and say the same
16 thing about them. I'm not going to -- even
17 you, Mrs. Evans. I mean, and people don't
18 know this because they just don't know it,
19 but many times when we were together you
20 have chastised me about many things I have
21 said here, but nobody knows this, but people
22 probably think, oh, you know, we agree on
23 everything. No, we don't. We have had many
24 arguments on many things, but --

25 So my point with Pat Rogan is I

1 definitely feel he jeopardize the chances of
2 the mayor coming in here. Maybe he wasn't
3 going to come, the mayor, but my point is
4 this, what Pat Rogan did with the mayor
5 didn't help anybody because the mayor knew
6 exactly what he was doing. He went to
7 Wilkes-Barre to meet with Pat Rogan. Come
8 on. It would be wonderful if Pat Rogan and
9 the mayor met here, I mean, just so the
10 people would know what was being said, if
11 questions could be asked and answered of the
12 mayor, that's all I want. Whether Pat meets
13 with the mayor, it's fine, but do it in
14 public. That's my only gripe. Do it in
15 public because the public has not heard from
16 him in six years or longer, and this is what
17 he wants. He has it made meeting with Pat
18 because this way it makes you guys look bad
19 because Pat is willing to reach out to
20 him -- or the mayor reached out to him and
21 Pat accepted where as the three of you,
22 Mr. Joyce, Mr. Loscombe and Mrs. Evans,
23 would say, no, because they want the public
24 to hear what's going on. That's why you
25 were elected for transparency and openness

1 in government. The mayor it so dead set
2 against that that he will never come here
3 because he is scared to death of your
4 questions because how he is going to answer
5 them? He would be stuttering because he
6 knows the questions and he knows he can't
7 answer them to the public because he would
8 be ruined. He would be run out of town,
9 that's the bottom line.

10 So all I could say is this, I'm not
11 going to keep quiet anymore about Pat Rogan,
12 I have done it too long, and if he continues
13 to do things I don't agree with I'm not
14 going to say so because it's freedom of
15 speech. And, Mrs. Evans, if you feel I'm
16 saying something wrong I would hope you
17 would bang me out of order. I may not like
18 it, but I hope you do it if you feel you
19 should. Fine. So that's all. Thank you
20 very much.

21 MR. LOSCOMBE: Mrs. Franus, I just
22 wanted to -- I was writing some notes when
23 you were speaking last week, but one thing
24 that you said about Pat not supporting me,
25 he did support me. He put signs out for me,

1 he was at several of my functions, we spoke
2 several times on -- many times on the phone
3 about different things and I know he
4 supported myself and Mr. Piccolino, I
5 believe, but he did support me wholly.

6 MS. FRANUS: Okay. Thanks for
7 clearing that up. And another thing, I just
8 wants to reinforce what I said last week,
9 please, I don't know what you are going to
10 do about that dog ordinance, but try to
11 understand what you should do is go after
12 the breeders that just breed dogs and breed
13 dogs just to make money. I know my boy was
14 stuck in a closet. I mean, they don't care
15 about them, they just want the money, so
16 think about that. Maybe make a law to go
17 after the animal -- the breeders. People
18 can't afford to get their dog neutered, some
19 people can't, so what they should do is go
20 after the vets, the veterinarians to offer
21 free neutering, that's what you should put
22 the pressure on. I mean, they certainly
23 could do it if they choose to. I would
24 start there, and some doctors do it, many
25 don't, so maybe they all should, they

1 certainly should. If they care about
2 animals, which they are supposed to, they
3 would want to do this, so let's see who
4 cares. Thank you.

5 MR. LOSCOMBE: Thank you.

6 MR. JOYCE: And, Ms. Franus, just to
7 make a quick comment on what you stated
8 before about Mr. Rogan, whether or not
9 Mr. Rogan went to meet with the mayor I
10 don't have anything against that all being
11 the Finance Chair, I am happy the mayor did
12 reach out to somebody, but anyhow, I think
13 there is an underlying message and I think
14 what Mr. Miller said made the most sense --
15 well, a statement that Mr. Miller said made
16 the most sense, if the mayor is willing to
17 drive down to a coffee shop in Wilkes-Barre
18 I don't see any reason he shouldn't be
19 willing to walk up the steps or as
20 Mr. Miller pointed out take the elevator up
21 the steps if he doesn't want to walk. We
22 could bring coffee and doughnuts if he would
23 like and perhaps Mr. McGoff and I could
24 supply some Vitamin water, but I think it's
25 imperative that the mayor meets with council

1 because this is the most effective forum
2 where you can actually speak to all five
3 members of council because, like I stated
4 last week, Mr. Rogan doesn't represent
5 Mr. McGoff, he doesn't represent Mrs. Evans
6 and he doesn't represent me, and he doesn't
7 represent Mr. Loscombe, and that's all.

8 MS. EVANS: Is there anyone else who
9 cares to address council?

10 MR. LOSCOMBE: Chris, I thought you
11 would be here with the bell this week.

12 MR. SLEDENZSKI: Jack, we got
13 robbed. I don't know. Stepped all over.

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

15 MOTIONS.

16 MS. EVANS: Mr. McGoff, any comments
17 or motions tonight?

18 MR. MCGOFF: Yes, thank you. I
19 don't usually respond to a lot of the things
20 that were necessarily said to me by
21 speakers, but tonight seems to be a little
22 bit different so perhaps I will.

23 Mr. Jackowitz did ask me if I was
24 happy with voting for a 25 percent tax
25 increase and, no, I wasn't. I pay taxes. I

1 own property in the City of Scranton and
2 that affected me as well as anyone else. My
3 belief at the time was, and it did hold
4 true, that that tax increase was necessary
5 for maintaining the services that we had in
6 the city and I would say that over the two
7 years or the years that tax increase was in
8 place that we did have a full compliment of
9 policemen and firemen. I'm sorry I made a
10 glib comment about the layoffs coming
11 afterwards, that was probably unnecessary
12 and I apologize. I was just merely pointing
13 out that I wanted to point out that the
14 reason I voted for the tax increase was to
15 try and maintain the services that we had
16 and I believe it was a necessity at the
17 time.

18 As far as the debate or whatever you
19 want to call it with Mr. Miller, I do
20 believe that he was very condescending in
21 things that he said both about myself and
22 about the mayor. I don't think that that's
23 necessary in someone coming to the podium.
24 I don't believe that demeaning other people
25 is the way in which you solve things. I

1 think the professional thing to do is to
2 speak about what you think is the proper way
3 to do things and not necessarily criticize
4 others for what they have done.

5 Like it or not, Mayor Chris Doherty
6 has been elected three times. Apparently
7 there are some people that believe in what
8 he is doing and by insulting and being
9 condescending the mayor I think you are
10 being condescending to the people that voted
11 for him and I don't think that's a
12 necessity.

13 And as far as in answer to his
14 question what my proposals were, yes, last
15 week I did say that I believe that the way
16 in which we solve problems is through
17 cooperative effort. No, I don't have any
18 panacea for dealing with the problems, I am
19 willing to listen to anybody who has ideas.
20 As I said last week, that as a now that
21 perhaps the most acceptable solution that I
22 had heard was to take a look at unfunded
23 debt, unfunded borrowing. But, again, I'm
24 willing to listen to any suggestions, but I
25 think the solution is not in any type of

1 unilateral decision nor one person making
2 that decision. The solution to our problem,
3 as I have said for most of this year, is in
4 working together to resolve the problems
5 that we have.

6 And next I would like to thank
7 Mrs. Wardell for coming to council chambers
8 tonight. Ms. Wardell and I have not always
9 agreed on things in the past, but I do
10 appreciate her appearing here and I have
11 always respected the things that she has
12 said, although I may I have disagreed with
13 many of -- or I should say some of the
14 things that she has said.

15 MS. WARDELL: A lot of them.

16 MR. MCGOFF: And one of the things
17 that I really did agree with is that this
18 podium is not a bully pulpit for political
19 campaigns. It's just not the thing to do.
20 If it's allowed for one then it's going be
21 allowed for everyone and that's not the
22 purpose of what this meeting is for and I'm
23 a little disappointed in what has taken
24 place over the last couple of weeks from
25 some speakers.

1 And maybe I'm stealing something
2 from Mrs. Evans, but I did when Mr. Morgan
3 criticized the, you know, the fact that
4 people had -- that members of council had
5 comments after he had left the podium I did
6 say that, you know, that's kind of a
7 privilege of the office. You know, we do
8 have the last word. Whether you like that
9 or not, that's the way that the system works
10 and --

11 MS. EVANS: And, Mr. McGoff, I think
12 if I could just add something --

13 MR. MCGOFF: Please.

14 MS. EVANS: -- quickly. Very often
15 that word is pronounced because a speaker
16 may have provided or very likely has
17 provided incorrect information publically,
18 so it becomes necessary for a council member
19 to clarify the statements that were made and
20 provide the viewers with correct
21 information.

22 So it has certainly never been the
23 intention of any member of this council to
24 do anything other than show our utmost
25 respect to the members of the audience and

1 the speakers who take the time to come here
2 each week and express their opinions and to
3 exercise their free speech. It is certainly
4 not a matter of disrespect, it's a matter of
5 providing accurate information, and as
6 Mr. McGoff says, there is a privilege as
7 well that comes with elected office, and I
8 am very glad in these instances we have that
9 ability to correct misstatements,
10 misinformation, etcetera. I'm sorry,
11 Mr. McGoff.

12 MR. MCGOFF: That's quite all right.
13 And just last on this whole response, I
14 don't think that this is a place where
15 debate between speakers and council members
16 is appropriate. I am willing to answer
17 anyone's questions, I am willing to defend
18 anything that I have done in the five years
19 that I have been here. Please, if you have
20 questions of me let me -- you know, let me
21 provide you with an answer. I may not have
22 the answer on hand, but if you ask me
23 something I would be more than happy to
24 answer, I always have been.

25 And then just one last thing that

1 has nothing to do with that, I received a
2 copy of the proposed rental registration
3 ordinance that was prepared by Attorney
4 Kelly, however, when I ran it it -- he sent
5 it as an e-mail to me and when I ran it on
6 the computer it -- I have a copy, but it's
7 somehow either the way it was written up or
8 something but the bottom part of it didn't
9 copy, so we are missing some lines on it.
10 What I will do is tomorrow I'll come over
11 and see if I can get the original copy and
12 I'll provide copies to members of council,
13 and also what Attorney Kelly and what I had
14 proposed last week was another meeting with
15 Attorney Kelly, and I asked Mr. Loscombe if
16 would be willing to attend that as well, if
17 the timing is all right with you I'm going
18 to see if perhaps this coming Monday 11:00
19 --

20 MR. LOSCOMBE: Sure.

21 MR. MCGOFF: That we could meet with
22 Attorney Kelly and again look over the
23 changes in the ordinance and then we'll come
24 to council and everyone should have a copy
25 by then and we can discuss what changes we

1 would like to make. I know the one thing
2 that was mentioned is that some of the
3 changes -- the changes that were being made
4 were substantial and one of the questions
5 that was brought up was whether it would be
6 better to be rescind the old ordinance and
7 then pass this, whatever we do as a new
8 ordinance rather than presenting it as an
9 amended ordinance just because there were so
10 many changes to it. So that's, again,
11 something that think about it and that we
12 can discuss, and I will try and have that
13 for Mr. Loscombe, and that's all I have.
14 Thank you very much.

15 MS. EVANS: Thank you.

16 Mr. Loscombe, do you have any comments or
17 motions tonight?

18 MR. LOSCOMBE: Yes, just briefly. I
19 have some good news tonight. First, I want
20 to thank my grandson Sam for taking me to
21 lunch today, but -- I'm pointing at the
22 camera, he is watching me on camera, two and
23 a half and he doesn't miss a show.

24 But the good news is that Crisp
25 Avenue is progressing. They laid all of the

1 box culverts in today, which was a major
2 step after they did do the dredging in the
3 river and upstream and they had to bypass
4 it. Fortunately, the weather has held out,
5 they poured their pad about two weeks ago, I
6 believe it was ten trucks up there they had
7 trailers carrying each section of the box
8 culvert and they have the wing walls on.
9 They are anticipating the end of the month
10 or the first week of November for
11 completion, barring any additional weather
12 problems, so that's a good sign for the
13 people on West Mountain. And that's all I
14 have this evening.

15 MS. EVANS: Thank you, Councilman,
16 Loscombe. And, Councilman Joyce, do you
17 have any comments or motions?

18 MR. JOYCE: Yes, I do. First, let
19 me start with some good news. City council
20 has received notice from Mr. Courtright's
21 office that he has issued the city a check
22 for an additional \$100,000 in 888 funds, and
23 I know one of our speakers, Mrs. Schumacher,
24 commented about 888 funds and her opposition
25 to a commuter tax, so just in case for those

1 who don't know, 888 funds are a tax, it's a
2 tax levied by the city on residents who work
3 in the city that live in municipalities that
4 does not impose any type of wage tax, that's
5 the simple version of it. So we received an
6 extra \$100,000 from the tax office in such
7 funds.

8 Recently in a GO Lackawanna article,
9 Mayor Doherty still insisted that city
10 council cut taxes by \$3 million. I just
11 wanted to point out that his quotation is
12 extremely inaccurate. By reducing property
13 taxes by 10 1/2 percent and the business
14 privilege and mercantile taxes by 25
15 percent, the total amount of the cut is
16 roughly 1.7, 1.8 million dollars, therefore,
17 Mayor Doherty's allegation that council cut
18 taxes by \$3 million is absolutely false.

19 Mayor Doherty does also continue to
20 blame council's tax cuts for the deficit,
21 however, this is false. For the taxes that
22 council cut, what I'm going to do is read to
23 you what council projected, and what we were
24 expected to realize as per business
25 administrator Ryan McGowan's recent cash

1 flow report.

2 First is the current real estate
3 tax. With the cut, council projected that
4 we would realize \$12,998,293. Mr. McGowan
5 projects that we are actually going to
6 realize \$13,454,854, giving us a surplus of
7 revenue of \$456,561 for this line item.

8 Mercantile tax. Council projected
9 that we would realize \$881,250. Mr. McGowan
10 projects that we will actually realize
11 \$930,455, giving the city a surplus of
12 \$49,205 from this line item.

13 Business privilege tax. Council
14 projected that we would realize \$562,500
15 after the cut. Mr. McGowan projects that we
16 are actually going to bring in \$506,980,
17 giving the city an under projection of
18 revenue of 55,520 from this line item.

19 So when you look at the total amount
20 of the revenue that council projected from
21 the taxes that were actually cut, which
22 Mayor Doherty is blaming the deficit on,
23 being real estate tax, mercantile and
24 business privilege tax, the total amount of
25 revenue that was projected to be collected

1 by council was \$14,442,043. The actual
2 amount that Mr. McGowan projects that we
3 will realize from these taxes that council
4 cut is \$14,892,289.

5 With this in mind, Mr. McGowan
6 actually projects that we will collect more
7 than \$450,000 more than what council
8 originally owe projected after the cuts were
9 initiated.

10 Secondly, I wanted to point out that
11 Mayor Doherty refuses to take any blame for
12 the current deficit that the city is facing
13 and for anything in the 2011 operating
14 budget. He states, "It's their budget,"
15 though, in fact, last week I reported \$6.8
16 million in over projections of revenue and
17 under projections of expenditures that the
18 administration provided.

19 Also, it is factual that the mayor
20 hired back workers that weren't budgeted for
21 and gave a raise to one of his employees
22 that wasn't budgeted for. As I said last
23 week, Mayor Doherty simply cannot follow --
24 or can disregard following the budget that
25 was presented to him and then blame it on

1 council if there is a deficit, especially
2 when there is \$6.8 million worth of under
3 projections that were a result of the
4 administration's numbers or facts or figures
5 that they provided us.

6 What I stated last week, it's
7 factual evidence. What I stated this week
8 is also factual evidence. What Mayor
9 Doherty stated in GO Lackawanna and other
10 newspapers were generalizations without any
11 factual basis as evident by the statement
12 that council cut taxes by \$3 million, which
13 is completely false.

14 While we are on the topic of
15 deficits, Mayor Doherty stated that he would
16 not institute payless paydays and they would
17 be pay TAN-B this year and rather that he
18 would simply not pay \$7 million or so in
19 other bills. Not paying bills from the
20 budget year and diverting them to the
21 following years is known practice for the
22 administration. In fact, in 2011, the
23 administration diverted \$11,322,625 in
24 expenses from 2010 into 2011 that were paid
25 in January, as indicated in Mr. McGowan's

1 cash flow report. These expenses were
2 diverted because we only had \$4,856,944 left
3 at the end of 2010 to pay them. Thus, we
4 nearly --we were nearly \$6.5 million short
5 as far as what we are able to pay versus our
6 expenses coming into the year and this
7 wasn't reported to council until January.

8 In 2010, the administration diverted
9 \$4,420,525 in expenses from 2009 into 2010.
10 Of course, council would like to see this
11 procedure stopped and in light of this some
12 changes to the deficit created by the
13 administration, council is working on an
14 alternative plan to bring us back to square
15 one and we will provide some more details on
16 that once that's finalized.

17 With this in mind, Mrs. Krake, can
18 you please send a letter to business
19 administrator McGowan asking him for a list
20 of all revenue and supplemental revenue that
21 has come in in 2011, and ask that he provide
22 this as soon as he could as we would like to
23 have this information to accurately
24 determine the current deficit.

25 Well, enough about 2011, because the

1 situation remains what it is right now, so
2 let's look forward. Looking forward into
3 2012, it's evident that we need more revenue
4 into the city. Health care costs are
5 rising, wages in certain unions are rising
6 incrementally due to various collective
7 bargaining agreements and costs of various
8 materials are rising as well. I think
9 that's just a fact.

10 As you know, or as you the may or
11 may not know, Mrs. Krake has been given
12 instruction to PEL to include a commuter
13 tax, payroll expense tax and amusement tax
14 into the revised Recovery Plan. These
15 initiatives have the possibility to bring in
16 8 to 9 million dollars into the city, and I
17 think everybody knows what a commuter tax
18 and amusement tax is, however, some may not
19 know what a payroll expense tax is.

20 A payroll expense tax is a tax
21 levied on all businesses, excluding
22 nonprofits. In this tax, certain millage or
23 percentage is levied on businesses based on
24 the amount of the business' payroll. As a
25 practical example, the City of Pittsburgh

1 levied a .055 percent tax on payroll
2 expenses. This tax is levied on businesses
3 with the stipulation that it doesn't effect
4 the employees' wages, therefore, the
5 employee -- in Pittsburgh's legislation when
6 the tax is levied the employer can't turn
7 around and say, "Well, we are going to lower
8 the employees' wages because this tax was
9 levied."

10 The typical plan when this tax is
11 levied is to phase out business privilege
12 and mercantile tax, and I know that's very
13 burdensome to some small businesses in the
14 area. This makes money because though
15 restaurants and shops pay mercantile tax on
16 gross receipts, there are many industries
17 that do not such as banks, newspapers such
18 as the Scranton Times, and manufacturing
19 facilities. The intent of such a tax is
20 that the larger industry start contributing
21 more to the city revenue base while small
22 businesses actually end up paying a bit
23 less, therefore, having a dual effect of
24 enhancing economic development for small
25 businesses and increasing revenue for the

1 city as a whole.

2 Regarding other ideas that can
3 increase revenue for the city next year,
4 Mrs. Krake, I would like you to please send
5 official letters with the agreement of my
6 colleagues to PEL, the mayor, and Business
7 Administrator McGowan with the following
8 initiatives for implementation into the
9 Recovery Plan in the 2012 budget, and I'll
10 read some of them off:

11 Number one. Restructure health
12 insurance. One, increase employee
13 contributions for health insurance
14 copayments for administrative employees and
15 copays for all union and nonunion employees
16 across the board to a higher, but reasonable
17 level.

18 Unfortunately, health insurance
19 costs are rising and the city cannot afford
20 to provide Cadillac health insurance to city
21 employees whether it be union or nonunion.

22 Also, some administration employees
23 are contributing \$11 out of their paychecks
24 for health insurance. When this is compared
25 to the private sector and other unions

1 throughout the city, this is simply just too
2 low. It's just a fact of reality and it's
3 what the world is facing today.

4 Number two. Sell or lease parking
5 garages, if feasible, as this has been done
6 in other cities, and implement StreetSmart
7 or another parking meter revenue enhancement
8 program.

9 Number three. Implement a program
10 to allow city businesses to advertise on
11 city refuse collection trucks and city
12 street sweepers. That was actually done in
13 New York City and they realized nearly \$10
14 million in revenue. Of course, Scranton is
15 a much smaller city and we wouldn't realize
16 this, however, it would create a very good
17 win-win situation as it could create revenue
18 for the city and also allow businesses that
19 needs to advertise throughout the
20 neighborhood rather than simply taking out
21 an advertisement on a billboard.

22 I know you see a lot of the Colt
23 buses downtown or driving around
24 neighborhoods with various advertisements on
25 them, so I think this could be a worthwhile

1 revenue generator that could also enhance
2 business throughout the city.

3 Number four. Petition the Court to
4 allow the city pauper status on filing fees
5 for civil actions that are still in the
6 magisterial or district courts. To explain,
7 pauper status would mean that the city would
8 not have to pay for filing fees that are an
9 expense to the city when there is matter
10 that goes to Court. The City of Reading
11 actually did this and petitioned the Courts
12 to allow the status until they were out of
13 the Act 47, meaning that the city is
14 distressed. This could potentially save the
15 city in lien fees and Court costs associated
16 with delinquent taxes and refuse fees not
17 being paid by some out-of-town landlord as
18 well as other civil matters.

19 And, Mrs. Krake, I would actually
20 like you to copy Attorney Kelly on this as
21 well.

22 Number five. Implement a bonus
23 incentive program for department heads who
24 don't go over budget on overtime. As you
25 know, overtime has been an issue in the city

1 for years. It's not just this year, even
2 though there have been articles in the
3 newspaper about it. Residents have sent us
4 various pieces and bits of information
5 stating that they see workers maybe
6 doddeling and whatnot, and really there is
7 no incentive for department heads as it is
8 to limit overtime, so perhaps if there was a
9 bonus incentive provided to them to minimize
10 overtime to a more reasonable level and to
11 use it more efficiently, perhaps it would
12 create a scenarios where department heads
13 would focus greatly on what employees are
14 doing on their overtime because eventually
15 they could receive a bonus for themselves if
16 they are able to minimize it.

17 Implementing a stronger rental
18 registration program, and I know that
19 Mrs. McGoff is meeting with Attorney Kelly
20 to talk with about this and the
21 implementation of a stronger rental
22 registration program can not only decrease
23 blight in the neighborhoods but provided
24 revenue for the cities.

25 Also, it could identify -- also now,

1 we have a situation where the Sewer
2 Authority is asking residents on their sewer
3 bills to state if they live in a rental
4 property because it's going to effect their
5 rights on their rate tier system in the
6 upcoming future, so right now this could be
7 a golden opportunity to get that database
8 moving.

9 And number seven, implement a city
10 surcharge on nonparking violations such as
11 summary offenses and criminal activities,
12 and this was one of my ideas actually. If
13 the reason that we need police on the
14 streets is due to crime, I say let the
15 criminals take a greater part in paying for
16 their expenses. Why can't we put a city fee
17 on it? Now, this is something that would
18 have to be determined by the attorneys that
19 be if it would be legal to do that, however,
20 if fines are higher perhaps it could be used
21 as a force to drive criminals out of the
22 city and if there is a city surcharge on
23 fines such as DUI's or drug possessions and
24 whatnot, perhaps it could create a situation
25 where, hey, well, the police are getting

1 raises and their health insurance is costing
2 more money, so instead of putting the burden
3 on taxpayers why not put the burden on the
4 people who were actually causing the crimes
5 in the first place, thus, the need for
6 police patrol.

7 And that's all I have for tonight.

8 MS. EVANS: Thank you. Good
9 evening. Last week following city council's
10 legal override of his veto, Mayor
11 Christopher Doherty ignored the law by
12 signing and implementing his own legislation
13 for 2011 CDBG allocations, and his action is
14 in direct violation of the Home Rule
15 Charter.

16 As a result, both Steven Stein and
17 Nadab Bynam were contacted and the 2011 CDBG
18 allocations and amendments were discussed
19 with them at length. Both officials
20 recommended that city council send a letter
21 to Mr. Bynam requesting a review by HUD
22 attorneys of the legislation.

23 Therefore, with the agreement of my
24 colleagues, I direct Mrs. Krake to send a
25 letter on behalf of Scranton City Council to

1 Mr. Nadab Bynam stating that the 2011 CDBG
2 legislation submitted by the Scranton Office
3 of Economic and Community Development was
4 not legally and lawfully adopted and differs
5 from the 2011 CDBG allocations legislation
6 passed by Scranton City Council. Please
7 include a copy of the Scranton City Council
8 2011 CDBG allocations legislation and copies
9 of additional pertinent documents which
10 demonstrate the accuracy of council's
11 amendments, the inaccuracies of the mayor's
12 veto message and the appropriate sections of
13 the Home Rule Charter code which the mayor
14 has violated.

15 Also, council asks Solicitor Hughes
16 to advise Mrs. Krake further as to the
17 specific contents of the letters.

18 In addition, with the agreement of
19 my colleagues, I ask Mrs. Krake to send a
20 letter to Congressman Lou Barletta on behalf
21 of Scranton City Council asking him to
22 contact the US Secretary of Housing and
23 Urban Development and call for a federal
24 review of the City of Scranton's handling of
25 the CDBG monies, federally funded loans,

1 failure to monitor such loans and inclusion
2 in the 2011 operating budget of the City of
3 Scranton of payment from CDBG funds for 13
4 regular duty Scranton police officers.

5 Also, Scranton City Council requests
6 that the Congressman Barletta contact the
7 appropriate federal and/or state agencies to
8 call for a review of the City of Scranton's
9 use of the current year tax anticipation
10 note to pay off prior year tax anticipation
11 notes in violation of the Unit Debt Act and
12 the ordinances which enacted the issuance of
13 the tax anticipation notes.

14 In came to my attention that
15 Congressman Dent when contacted by a
16 Bethlehem city official called for a federal
17 review of the City of Bethlehem's handling
18 of CDBG money. Funds were used to pay the
19 city's operating expenses and then repaid by
20 the city. Under the direction of Mayor
21 Christopher Doherty, the City of Scranton
22 amassed 11 findings against it's CDBG
23 programs and has played financial shell
24 games with Tax Anticipation Notes, Workers'
25 Comp excess funds, and CDBG funds.

1 Although these practices have been
2 exposed by this city council, federal and
3 state assistance is needed to stop the
4 maneuvering of taxpayers' dollars by Mayor
5 Doherty throughout 2012 and 2013, his final
6 years in the Office of Mayor.

7 Next, Christopher Doherty recently
8 announced a reversal of his prior edict
9 proclaiming payless paydays for city
10 employees. The mayor's change of direction
11 came as no surprise to many council members
12 since Councilman Joyce reported the actual
13 funds available to the city through December
14 2011. Now the mayor announces that he will
15 not pay current bills in order to pay in
16 full the 2011 Series B TAN and make payroll
17 through year end.

18 Once again, Christopher Doherty's
19 announcement is no surprise to anyone other
20 than the Scranton Times apparently, since
21 this is precisely what Mayor Doherty did in
22 2010 and 2009. The only difference is that
23 the newspaper never reported in 2010 and
24 2009 that the mayor wasn't paying city bills
25 and wasn't paying the tax anticipation note

1 when it came due, but the newspaper didn't
2 know, just as council didn't know, about the
3 mayor's shenanigans.

4 Ladies and gentlemen, we have a
5 deficit now because the mayor carried over
6 last years bills into this year. This is
7 how Mayor Doherty operates and you weren't
8 aware of these games until a few members of
9 this city council exposed them. I wonder
10 how many of you, ladies and gentlemen, would
11 love to stop paying your bills for the
12 remainder of the year? I know I would. Is
13 it even an option? If you ever followed
14 Christopher Doherty's example and stopped
15 paying your household bills, would the bill
16 collectors let you slide? Would your credit
17 rating reflect your nonpayment?

18 Scranton City Council will not allow
19 the mayor to continue his deceptive and
20 disgraceful financial practices this year.
21 The City of Scranton will survive despite
22 Mayor Christopher Doherty's best efforts to
23 bury it because this council is working hard
24 to resolve the Doherty deficit and when we
25 have solid information, as was indicated

1 several moments ago by my colleague and
2 Finances Chair, Mr. Joyce, we will report it
3 to you directly.

4 Since Mayor Doherty has established
5 a pattern of ignoring legislation legally
6 and lawfully adopted by Scranton City
7 Council and violating the law, the
8 legislation for the sale of the parking
9 meters, the \$14 million of additional
10 Scranton Parking Authority borrowing, and
11 the \$4 million in Court approved city
12 borrowing will not be placed on the Scranton
13 City Council's agenda. It is clear the
14 mayor is unable to accept the word "no" and
15 has no intention of abiding by the Home Rule
16 Charter and the Administrative Code.

17 Therefore, Mayor Doherty has caused
18 city council to prevent any consideration of
19 this legislation since based on his track
20 record he would only proceed with it
21 regardless of council's vote. Therefore,
22 council will entertain legislation to solve
23 the Doherty deficit when it determines the
24 true dollar figure and the best course of
25 action for our city and our taxpayers.

1 laid off DPW employees in August, as he did
2 to the police and fire departments,
3 Mr. Brazil wouldn't need to talk to the
4 newspaper about rock salt.

5 Next, I have a brief update
6 regarding the collection of delinquent
7 taxes, over 2000 invalid parcels were
8 identified in the data given to Northeast
9 Revenue Service. Consequently, Northeast
10 Revenue Service employees were working for
11 the past week at the tax assessor's office
12 to research these parcels.

13 Also, a Northeast Revenue Service
14 staff member should be working out of the
15 Scranton City Treasurer's Office this week.

16 And just one, I have one comment or
17 response for Mr. Morgan before I read just
18 two citizens' requests for the week.
19 Mr. Morgan, perhaps you might be better
20 served by asking the mayor how he intends to
21 find these DPW costs, particularly since he
22 reinstated DPW supervisors with full
23 benefits, DPW casual workers, all of whom
24 were cut in the budget, and he chose to make
25 no cuts to DPW while he sliced public safety

1 by 21 positions. He is the one who
2 determines the day-to-day operations and I
3 think your question was much better posed
4 downstairs in his office.

5 And the citizens' requests for the
6 week are: A city resident reports that when
7 she visited Connell Park on Friday, October
8 7, more garbage had accumulated than during
9 her prior visit several weeks ago. Garbage
10 litters the playground and the woods next to
11 the path. Although -- or excuse me, also,
12 the American flag is torn and shred. Please
13 notify Mr. Dougher of these complaints and
14 request a replacement flag.

15 Residents of Pennwood Park report
16 that water lines were replaced when the
17 streets were milled in preparation for the
18 paving. Because storm waters continue to
19 flow onto residential properties, Pennwood
20 residents request that the pitch of the
21 streets be changed to reroute storm water
22 onto the streets rather than in their
23 backyards. The affected areas are the 2800
24 block of South Webster Avenue, Monterey Road
25 and Pennwood Drive. Please notify the

1 appropriate parties prior to paving. And
2 that's it.

3 MR. JOYCE: If I could just now make
4 a few brief announcements before we move on
5 since I was running a little late to the
6 meeting. I just wanted to make the
7 announcements that the West Scranton Hyde
8 Park Neighborhood Watch will be hosting a
9 meet your neighbor night at Haggerty's Pub
10 and Eatery located at 421 North Main Avenue
11 on October 22, from 7 to 10 p.m. The cost
12 is \$10 and there will be a 50/50 raffle and
13 penny drafts. The kitchen will be open for
14 any food purchases and entertainment will be
15 provided, and that's all.

16 MS. EVANS: Mrs. Krake?

17 MS. KRAKE: 5-B. NO BUSINESS AT
18 THIS TIME. SIXTH ORDER. NO BUSINESS AT
19 THIS TIME. SEVENTH ORDER. 7-A. FOR
20 CONSIDERATION BY THE COMMITTEE ON COMMUNITY
21 DEVELOPMENT FOR ADOPTION-RESOLUTION NO. 46,
22 2011- AUTHORIZING THE MAYOR AND OTHER
23 APPROPRIATE CITY OFFICIALS FOR THE CITY OF
24 SCRANTON TO ENTER INTO A LOAN AGREEMENT AND
25 MAKE A LOAN FROM THE COMMERCIAL INDUSTRIAL

1 REVOLVING LOAN PROGRAM, PROJECT NO. 150.32
2 IN AN AMOUNT NOT TO EXCEED \$75,000.00 TO
3 FRECKLES AND FRILLS, INC. TO ASSIST AN
4 ELIGIBLE PROJECT.

5 MR. LOSCOMBE: At this time I'd like
6 to make a motion to table Item 7-A.

7 MR. JOYCE: Second.

8 MS. EVANS: There is a motion on the
9 floor to table Item 7-A and a second. On
10 the question?

11 MR. MCGOFF: Is this being tabled
12 until the owners appear? Is that
13 the purpose?

14 MS. EVANS: Yes.

15 MR. LOSCOMBE: They are gathering
16 some additional information and then at the
17 point when they have all of that together we
18 will setup a caucus and we can bring it off
19 the table at that time.

20 MS. EVANS: Yes, and Mrs. Krake I
21 know has been in --

22 MR. MCGOFF: Thank you.

23 MS. EVANS: -- contact with I believe
24 it's Attorney Valvano, who represents them,
25 and when they are -- when they have their

1 information together and are able to make an
2 appearance he is going to let Mrs. Krake
3 know so that we could schedule it
4 immediately.

5 MR. MCGOFF: Thank you.

6 MS. EVANS: You're welcome. All
7 those in favor signify by saying aye.

8 MR. MCGOFF: Aye.

9 MR. LOSCOMBE: Aye.

10 MR. JOYCE: Aye.

11 MS. EVANS: Aye. Opposed? The ayes
12 have it and so moved. Item 7-A is tabled.

13 MS. KRAKE: 7-B. FOR CONSIDERATION
14 BY THE COMMITTEE ON FINANCE FOR ADOPTION-
15 RESOLUTION NO. 47, 2011- AUTHORIZING,
16 EMPOWERING AND DIRECTING THE MAYOR AND OTHER
17 APPROPRIATE CITY OFFICIALS TO APPOINT A
18 LIAISON BETWEEN THE CITY OF SCRANTON AND
19 BERKHEIMER, THE DULY APPOINTED COLLECTOR OF
20 EARNED INCOME TAX FOR THE LACKAWANNA COUNTY
21 "TAX COLLECTION DISTRICT", FOR THE EXPRESS
22 PURPOSE OF SHARING CONFIDENTIAL TAX
23 INFORMATION WITH THE DISTRICT FOR OFFICIAL
24 PURPOSES.

25 MS. EVANS: What is the

1 recommendation of the Chair for the
2 Committee on Finance?

3 MR. JOYCE: As Chairperson for the
4 Committee on Finance, I recommend final
5 passage of Item 7-B.

6 MR. LOSCOMBE: Second.

7 MS. EVANS: On the question? Roll
8 call, please?

9 MS. CARRERA: Mr. McGoff.

10 MR. MCGOFF: Yes.

11 MS. CARRERA: Mr. Loscombe.

12 MR. LOSCOMBE: Yes.

13 MS. CARRERA: Mr. Joyce.

14 MR. JOYCE: Yes.

15 MS. CARRERA: Mrs. Evans.

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

18 MS. KRAKE: 7-C. FOR CONSIDERATION
19 BY THE COMMITTEE ON FINANCE FOR ADOPTION-
20 RESOLUTION NO. 48, 2011- AUTHORIZING
21 AND EMPOWERING THE LACKAWANNA COUNTY TAX
22 COLLECTION COMMITTEE TAX COLLECTOR,
23 BERKHEIMER, TO IMPOSE AND RETAIN COSTS OF
24 COLLECTION ON DELINQUENT TAXES.

25 MR. JOYCE: I would like to make a

1 motion to amend Item 7-C by the following:

2 (1). Amending the last line in the
3 title by deleting the word "taxes" and
4 inserting, "Earned income taxes for the year
5 2012 and thereafter."

6 Amending the third whereas clause in
7 the first line by deleting, "Said taxes" and
8 inserting "Earned income taxes for the year
9 2012 and thereafter."

10 Amending the third whereas clause in
11 the third line after including by deleting
12 "taxes" and inserting "Earned income taxes
13 for the year 2012 and thereafter."

14 Amending the fourth whereas clause
15 in the third line by deleting "taxes" and
16 inserting "Earned income taxes for the year
17 2012 and thereafter."

18 Amending Section I in the third line
19 before "taxes" and inserting the words
20 "Earned income."

21 And amending Section II, second line
22 after "delinquent" and inserting "Earned
23 income."

24 MR. LOSCOMBE: Second.

25 MS. EVANS: On the question?

1 MR. JOYCE: Yes. Do you want me to
2 go first?

3 MR. MCGOFF: Go ahead.

4 MR. JOYCE: The reason I made this
5 motion is because Berkheimer is collecting
6 our earned income taxes not every single
7 tax, not the business privilege or
8 mercantile tax, etc., and this is just to
9 clarify what Berkheimer is actually
10 collecting in the ordinance as per our legal
11 advisor.

12 MR. MCGOFF: Berkheimer won't be
13 collecting any other taxes besides the
14 earned income tax?

15 MS. EVANS: That's correct.

16 MR. JOYCE: At this point.

17 MS. EVANS: That was the city
18 mandate regarding -- well, regarding the
19 collection of wage taxes. Tax collectors
20 were downsized, Berkheimer was appointed by
21 the committee to collect the wage taxes for
22 Scranton and the surrounding municipalities
23 and townships, but this applies only to wage
24 tax. The real estate tax, the business
25 taxes continue to be collected by the

1 Scranton Single Tax Office. And the
2 delinquencies, of course, are being pursued
3 by Northeast Revenue Service. Is there
4 anyone else on the question? Roll call,
5 please.

6 MS. CARRERA: Mr. McGoff.

7 MR. MCGOFF: Yes.

8 MS. CARRERA: Mr. Loscombe.

9 MR. LOSCOMBE: Yes.

10 MS. CARRERA: Mr. Joyce.

11 MR. JOYCE: Yes.

12 MS. CARRERA: Mrs. Evans.

13 MS. EVANS: Yes. I think we did
14 that rather than saying aye, but I think
15 it's approves it on an individual basis,
16 which is fine.

17 Now, what is the recommendation of
18 the Chair for the Committee on Finance?

19 MR. JOYCE: As chairperson for the
20 Committee on Finance, I recommend final
21 passage of 7-C, as amended.

22 MR. LOSCOMBE: Second.

23 MS. EVANS: On the question? Roll
24 call, please.

25 MS. CARRERA: Mr. McGoff.

1 MR. MCGOFF: Yes.

2 MS. CARRERA: Mr. Loscombe.

3 MR. LOSCOMBE: Yes.

4 MS. CARRERA: Mr. Joyce.

5 MR. JOYCE: Yes.

6 MS. CARRERA: Mrs. Evans.

7 MS. EVANS: Yes. I hereby declare
8 Item 7-c, as amended, legally and lawfully
9 adopted.

10 If there is no further business,
11 I'll entertain a motion it adjourn.

12 MR. JOYCE: Motion to adjourn.

13 MS. EVANS: This meeting is
14 adjourned.

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C E R T I F I C A T E

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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