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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, November 29, 2012

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

FRANK JOYCE, VICE-PRESIDENT

ROBERT MCGOFF

PAT ROGAN

JOHN LOSCOMBE

NANCY KRAKE, CITY CLERK

JAMIE MARCIANO, ASSISTANT CITY CLERK

BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. MARCIANO: Mr. McGoff. Mr.  
5 Rogan.

6 MR. ROGAN: Here.

7 MS. MARCIANO: Mr. Loscombe.

8 MR. LOSCOMBE: Here.

9 MS. MARCIANO: Mr. Joyce.

10 MR. JOYCE: Here.

11 MS. MARCIANO: Mrs. Evans.

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

14 MS. MARCIANO: 3-A. AGENDA FOR THE  
15 ZONING HEARING BOARD MEETING HELD ON  
16 NOVEMBER 21, 2012.

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

19 MS. MARCIANO: 3-B. TAX ASSESSOR'S  
20 REPORT, RESULTS FROM APPEAL HEARINGS HELD ON  
21 OCTOBER 10, 2012.

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

24 MS. MARCIANO: 3-C. TAX ASSESSOR'S  
25 REPORTS FOR HEARINGS HELD ON OCTOBER 11, 17

1 AND 18, 2012.

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

4 MS. MARCIANO: 3-D. TAX ASSESSOR'S  
5 REPORT FOR HEARINGS TO BE HELD ON DECEMBER  
6 5, 2012.

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

9 MS. MARCIANO: 3-E. LACKAWANNA  
10 COUNTY PLANNING COMMISSION SUBDIVISION AND  
11 LAND DEVELOPMENT EVALUATIONS RECEIVED ON  
12 OCTOBER 10, 17, AND 21, 2012.

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

15 MS. MARCIANO: 3-F. MINUTES OF THE  
16 SCRANTON POLICE PENSION COMMISSION MEETING  
17 HELD OCTOBER 24, 2012.

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

20 MS. MARCIANO: 3-G. MINUTES OF THE  
21 SCRANTON FIREMEN'S PENSION COMMISSION  
22 MEETINGS HELD ON SEPTEMBER 26, 2012 AND  
23 OCTOBER 24, 2012.

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

1 MS. MARCIANO: 3-H. MINUTES OF THE  
2 COMPOSITE PENSION BOARD MEETING HELD ON  
3 OCTOBER 24, 2012.

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

6 MS. MARCIANO: 3-I. AGENDA FOR THE  
7 CITY PLANNING COMMISSION MEETING HELD  
8 ON NOVEMBER 28, 2012.

9 MS. EVANS: Are there any comments?  
10 If not, received and filed. I don't believe  
11 we will have any clerk's notes this evening  
12 because our city clerk, Mrs. Krake, is  
13 suffering from laryngitis. Do any council  
14 members have announcements at this time?

15 MR. ROGAN: Yes, I have two. I'd  
16 just like to announce a benefit for  
17 Westsider Mike Coyne on Sunday, December 9,  
18 2002, at Kilcoyne's Bar, 129 South Main  
19 Avenue, West Side from 4 to 8 p.m. There  
20 will be basket raffles, a 50/50, food, beer  
21 and soda and a \$10 donation can be made at  
22 the door.

23 Secondly, I would just like to  
24 congratulate West Sider Matt McGloin for an  
25 amazing career at Penn State. We have all

1           seen him go from quarterback at the local  
2           high school to being the quarterback for  
3           Penn State. He is eligible for many awards  
4           this year and I would also ask, if my  
5           colleagues agree, that when Mr. McGloin is  
6           back in the city that we have him in for a  
7           proclamation and to have a Matt McGloin day  
8           in the City of Scranton much as we have done  
9           for past athletes from the city.

10           MS. EVANS: Yes.

11           MR. ROGAN: And I will get in touch  
12           with his family and a get some stats and  
13           things of that nature and pass it along to  
14           the city. Thank you.

15           MS. EVANS: Is there anyone else?  
16           Pennsylvania's low income home energy  
17           assistance program or LIHEAP is accepting  
18           applications for the programs helpful cash  
19           grants and crisis grants for the 2012-2013  
20           heating season. Cash grants are sent  
21           directly to the applicant's utility company  
22           and crisis grants assist people who are in  
23           danger of immediately being without heat.

24                   For more information and the income  
25           guidelines, call the LIHEAP hotline at

1 1-866-857-7095 or contact State Senator John  
2 Blake's Office at 207-2881.

3 Since the proposed budget was not  
4 submitted to city council's office until  
5 November 15 it did not meet the deadline to  
6 be included on the agenda of November 15.  
7 The Thanksgiving holiday fell during the  
8 following week and as a result the proposed  
9 budget could not be presented until tonight.  
10 Because city council wished to present the  
11 budget to the public prior to scheduling a  
12 public hearing and because December 1 falls  
13 on a Saturday council will conduct a public  
14 hearing on the proposed 2013 operating  
15 budget of the City of Scranton on Monday,  
16 December 3, the first business day of  
17 December. The hearing date and time, which  
18 I believe will be 5:00, will be advertised  
19 in the newspaper this weekend.

20 The Scranton Civic Ballet Company  
21 under the artistic direction of Miss Helen  
22 Goust will present it's 26th annual  
23 production of the holiday classic the  
24 Nutcracker on Friday, December 7, at 7:30  
25 p.m., and Sunday December 9th at 2:00 p.m.

1 at the Scranton Cultural Center. Admission  
2 is free. In order to obtain free reserved  
3 seating tickets stop by the Cultural Center  
4 box office at 407 North Washington Avenue in  
5 Scranton or call the box office at  
6 570-346-7369. What a perfect way to usher  
7 in the holiday season in the comfort and  
8 splendor of the Cultural Center.

9 The Scranton/Lackawanna County  
10 Taxpayers' Association has rescheduled its  
11 meeting to this Tuesday, December 4th at  
12 6:00 p.m. in Scranton City Council chambers.  
13 Newly elected state representative Kevin  
14 Haggerty will be their guest.

15 Finally, this Saturday, December 1,  
16 Santa Clause will arrive by special train at  
17 six communities in the Lackawanna valley.  
18 Families are encouraged to assemble at their  
19 communities' train stations to welcome santa  
20 as the train pulls into town. At each stop  
21 Santa will great all of the children and  
22 photo opportunities will be available.  
23 Afterward, families can enjoy refreshments,  
24 special activities and live entertainment  
25 and all activities are free. New this year



1 the Scranton High School marching band will  
2 perform at the Scranton stop. The santa  
3 train will arrive at the state office  
4 building parking lot on Lackawanna Avenue in  
5 Scranton at 2:45 p.m., and that's it.

6 (Whereupon during Mrs. Evans'  
7 announcements, Mr. McGoff took the dais and  
8 joined the meeting.)

9 MS. MARCIANO: FOURTH ORDER.  
10 CITIZENS' PARTICIPATION.

11 MS. EVANS: Our first speaker  
12 tonight is Les Spindler.

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

16 MS. EVANS: Good evening.

17 MR. SPINDLER: I want to talk about  
18 the budget. First thing when I heard about  
19 this budget I couldn't believe is 106  
20 million, 109 million, whatever it is, \$24  
21 million more than this year's budget. I  
22 can't believe it's that's high. I don't  
23 think our county budget is much more than  
24 \$100 million and I can't believe our city is  
25 that high.



1 will not support anybody that passes this  
2 budget with those raises in it, and I know a  
3 lot of taxpayers that have spoken to me felt  
4 the same way.

5 I don't know how anybody could even  
6 consider something like this. It's just an  
7 outrage. I mean, this city is in such  
8 financial trouble, I can't believe anybody  
9 would even consider this. I expect it from  
10 the mayor, but I'm really surprised you  
11 support this, Mrs. Evans. I mean, I have to  
12 work two jobs to make ends meet. None of  
13 these people that are getting these raises  
14 they don't have to work two jobs to make  
15 ends meet and I just think that is  
16 outrageous and it cannot be passed.

17 Moving on, this article in  
18 yesterday's Doherty newsletter about the  
19 streetlight trouble on the McDade  
20 Expressway. I brought that up before and it  
21 says here Mark Dougher from the DPW said  
22 it's been since November 21. That's been  
23 for a lot longer than that. I think it was  
24 the November 8 meeting I was here I brought  
25 it up about the lights from Seventh Avenue

1 all the way up to Main Avenue being out, so  
2 it's been a lot longer than November 21 and  
3 PennDOT is saying it's the city's fault, the  
4 city is saying it's PennDOT's fault, so I  
5 just hope they figure whose fault it is and  
6 get that work done because it's not safe  
7 there. There is a lot of dark areas on that  
8 highway.

9 The only thing else I have to say is  
10 Councilman Rogan still stole some of my  
11 thunder. I, again, would like to  
12 congratulate the Penn State football team, a  
13 really, really good season after what  
14 happened to them and I'm sure Saturday  
15 Joe-Pa was smiling down on them, and I agree  
16 with Pat, Matt McGloin had a record setting  
17 season, represented this city well, and I  
18 agree with the proclamation, and as he said,  
19 he is up for awards and one that I have  
20 voted for already, the people can vote for  
21 it, it's called the Burlsworth Trophy, it's  
22 for the best walk in. If the people want to  
23 vote they can go to  
24 [www.burlsworthtrophy.com](http://www.burlsworthtrophy.com).

25 That's B-U-R-L-S-W-O-R-T-H-

1 T-R-O-P-H-Y. Burlsworthtrophy.com. And as  
2 of this afternoon when I checked, Matt had  
3 60 percent of the vote and that only goes  
4 for 5 percent, the decision of the committee  
5 is going to decide, but if they see the  
6 people are giving him most of the vote maybe  
7 he will get it. I think he should get it.  
8 He deserves it. If he didn't play this year  
9 they might not have won a game. He had that  
10 good of a season and I'd love to see him  
11 playing on Sunday somewhere.

12 Again, that's all I have to say. As  
13 you said before, you cannot pass this budget  
14 with those raises in it. Thank you for your  
15 time.

16 MS. EVANS: Thank you. Just a few  
17 economic things I want to clarify before I  
18 call up the next speaker. With regard to  
19 increase in the new operating budget, I know  
20 that our Finance Chair, Mr. Joyce, explained  
21 the causes of those increases during our  
22 last council meeting and I believe he will  
23 do so again tonight during the presentation  
24 of the budget to the public.

25 MR. JOYCE: I will.

1 MS. EVANS: And in addition, the 12  
2 percent tax increase is purely to fund the  
3 2012 unfunded debt. It does not include  
4 raises or any other portion basically of the  
5 budget. It is simply designated for the  
6 unfunded debt of 2012. So, for example, if  
7 you were to eliminate the entire DPW, the  
8 entire police department, you would still  
9 have a 12 percent tax increase because that  
10 funds the unfunded debt of this year.

11 In addition to that, council is  
12 amenable to changes to the budget. That's  
13 why we are still in the budget process and  
14 we are beginning the formal discussions on  
15 it this evening in terms of the proposed  
16 budget. Amendments cannot be made during  
17 Fifth Order introduction, but amendments can  
18 be made during Sixth Order or Seventh Order  
19 and that means during the next two council  
20 meetings that are held, and I have no doubt  
21 that there will be amendments.

22 MR. JOYCE: Yes, I plan on making  
23 amendments to some of the raises that were  
24 dolled out, and I think that only people  
25 that were going above and beyond their duty

1 in keeping the city out of bankruptcy should  
2 be awarded something.

3 Ms. Evans: Our next speaker is Andy  
4 Sbaraglia.

5 MR. SBARAGLIA: Andy Sbaraglia,  
6 citizen of Scranton. Fellow Scrantonians --

7 MS. EVANS: Good evening.

8 MR. SBARAGLIA: -- that first 12  
9 percent tax hike was for the first unfunded  
10 debt. Now we went back to the courts and  
11 got a second unfunded debt, and then we put  
12 out a bond of 20 -- put out four bonds of 20  
13 million. Why? So we can cut down some of  
14 the costs of the bonds because the bonds  
15 that were taken is paying off the debt from  
16 back there I think it was '03 A, B, C and D,  
17 so if we had to pay that debt, that 12  
18 percent would not stand.

19 We've played musical chairs before  
20 with finances, it's very easy to do it, but  
21 the bottom line is you put a burden on the  
22 taxpayer whether you want to or not, it's  
23 going to be close to 80 million because when  
24 you borrow 40 million you usually double it  
25 and that's what the cost will be in the end.

1 Now you plan to do it next year, you plan to  
2 borrow another 20 million to pay off the  
3 police and the firemen which would put us  
4 doubling that would be about 40 million, so  
5 what are you doing is putting a debt on the  
6 city of 120 million in addition to what you  
7 have in the end. That's what it's going to  
8 work out to be.

9 Now, how you plan to pay for that is  
10 beyond me. Thank God that down there in  
11 Harrisburg tomorrow we'll find out what they  
12 are going to do, that judge's ruling has  
13 expired tomorrow and we will see what goes  
14 on there for bankruptcy. I don't like the  
15 bankruptcy, but I don't know if it was \$120  
16 million additional debt placed on the people  
17 of the city. I'm not complaining about the  
18 raises, I think you should have gave the  
19 raise to the mayor a long time ago and got a  
20 man in there that can run the city and you  
21 pay for what you get and that's we got, a  
22 \$50,000 mayor who we got a \$70,000 sanitary  
23 worker. Does that make sense? No.

24 MS. EVANS: No, but there isn't a  
25 raise included for the mayor.



1 MR. SBARAGLIA: It's too late  
2 because there will be a new mayor coming in  
3 and the new mayor will come in after that,  
4 but we are going to suffer for what we got.  
5 I have been sitting there listening to you  
6 hammer, hammer, hammer a long time. Janet,  
7 I don't blame you, I went to lot of the  
8 meetings, even at night when you brought up  
9 proposed budgets, and it was scoffed at, is  
10 what the best word I could use. It's  
11 scoffed at. People have been coming here a  
12 long time to tell you this is going to  
13 happen, your figures don't come up. There  
14 is no way. I don't know how the Sewer  
15 Authority got away with the bonds being  
16 guaranteed on them, we did guarantee a bunch  
17 of bonds for the Sewer Authority a long time  
18 ago with the good faith. Now, I don't know  
19 how they paid them off or what they did  
20 there, but they don't come before us anymore  
21 so I assume something was done.

22 And the Parking Authority, instead  
23 of one lawyer they got two down there, they  
24 got an administrator that was a  
25 commissioner. You got a board that's still

1 sitting there, and now you are talking about  
2 doing something with the parking meters that  
3 was brought up that they wanted you to do it  
4 in the beginning.

5 It wasn't a good idea to give the  
6 parking meters to the Parking Authority.  
7 Why it couldn't be good to do it now for the  
8 people running the parking garages. We're  
9 stuck. All that finagling we did didn't  
10 really do much. The only thing we were  
11 hoping for was selling maybe a garage or two  
12 or getting in somebody that could run it,  
13 but I don't think there is anybody that can  
14 run it except God, and I don't think he is  
15 going to come back and run it, because there  
16 is no way. Your figures don't tally and  
17 they will never tally. That's the sad thing  
18 about it.

19 I told you a long time ago you  
20 should have called for that board to resign  
21 and better yet you should ask them to  
22 account for what they did, show them figures  
23 that they said they had that said we should  
24 build of hundreds of garages around, well, I  
25 shouldn't say that, excess garages in town

1 and I still don't know, is the Hilton  
2 getting their free spaces in the garage?

3 MS. EVANS: I believe they do.

4 MR. SBARAGLIA: I believe it, too,  
5 because they got a contract, so all of these  
6 things were done and I don't even want to  
7 get -- I got some old contracts where even  
8 Boscov's had some lots assigned for over the  
9 movie theatre because technically Boscov's  
10 owns the movie theatre, they built over the  
11 movie theatre and so many spaces are allowed  
12 at Boscov's, but I don't think they ever used  
13 it. Thank you.

14 MS. EVANS: Attorney Anthony Moses.

15 MR. MOSES: Good evening, Council,  
16 and City of Scranton residents. My name is  
17 Anthony Moses. I'm an attorney. I  
18 represent Bob Bolus and I represent Bolus  
19 Truck Parts. I just wanted to take a few  
20 minutes of your time briefly to address some  
21 issues with the Moosic Street Bridge.

22 I guess first and foremost my client  
23 is concerned with the bridge. He is  
24 concerned, he doesn't want it to be an  
25 inconvenience to any of the citizens of

1           Scranton. I am primarily located in Luzerne  
2           County and I know that the Hotel Sterling  
3           down there for about 15 months it can make  
4           your blood boil if you need to be somewhere  
5           in ten minutes and you got to go all the way  
6           around the city because of that.

7                     My client is concerned, he doesn't  
8           want this to be an enormous inconvenience  
9           for the City of Scranton. He has, and if he  
10          may pass it out, he at his own expense paid  
11          for a private structural engineer to assess  
12          the bridge. Just some of the stuff I wanted  
13          to highlight with respect to the bridge are  
14          that it's age, it's about 45, and the  
15          engineer feels that the life of the bridge  
16          anyway was about 50. There was some  
17          preexisting damage. However, he does feel  
18          that something can be done to make it --  
19          until it is replaced something can be done  
20          to make it so people can travel over it and  
21          I know my client just wanted to come to  
22          council and see if the city could work with  
23          PennDOT and not so much exert pressure, just  
24          expedite things and make the bridge useful  
25          for the citizens so that he doesn't want a

1 situation where people are angered over it  
2 or anything like that because it is  
3 inconvenience and it poses an inconvenience.

4 And also he just wants to stress  
5 that he has taken full, full responsibility  
6 for what happened. It was a driver of his  
7 that hit the bridge, there was an excavator  
8 on top of a truck and he did hit the bridge  
9 and also he is a little bit concerned there  
10 is obviously some money being spent to store  
11 the excavator for an investigation, which we  
12 are a little bit confused about because he  
13 has taken full responsibility, and I know  
14 that was a machine that was involved, that's  
15 the machine that hit the bridge. It is what  
16 it is and at this point he is just looking  
17 forward to having his insurance company take  
18 a look at the machine and take a look at the  
19 bridge. I guess PennDOT will pay for any  
20 damage and then be reimbursed by the  
21 insurance company is how we understand it  
22 works, but, again, we just come in here  
23 today to let counsel as well the citizens of  
24 Scranton know that his company has taken  
25 full responsibility.

1                   He has paid out-of-pocket himself  
2                   for a private engineering firm to provide an  
3                   assessment and they feel it's something that  
4                   doesn't need to be a long, drawn out year or  
5                   two-year long inconvenience. Again, I can  
6                   tell you from being in Wilkes-Barre with the  
7                   Hotel Sterling it can -- you know, it can  
8                   make your blood boil when something is a  
9                   detour and an inconvenience for an extended  
10                  period of time and that's not what he would  
11                  like to do. And again, he does have a  
12                  professional expert that does feel that this  
13                  can be remedied if it's acted on  
14                  expeditiously and that's really his purpose  
15                  here today and that was really my purpose  
16                  here today.

17                  MS. EVANS: We can certainly make  
18                  sure that PennDOT as well as the city  
19                  engineer receives this report and, you know,  
20                  we will follow-up on that and ask for their  
21                  response to it.

22                  MR. MOSES: Thank you.

23                  MS. EVANS: And it's certainly our  
24                  intention that this process will be  
25                  expedited, if at all possible.

1 MR. MOSES: Yeah, that was just our  
2 point. It's a heavily used bridge and, you  
3 know, we all now how people need to get to  
4 work and people need to do things and, you  
5 know, he has taken full responsibility and  
6 he does not want this to be a hindrance or  
7 an annoyance to anybody, and I thank you for  
8 your time and the citizens for listening and  
9 for their time.

10 MS. EVANS: Thank you.

11 MR. LOSCOMBE: Thank you.

12 MR. HUGHES: If I could, Attorney  
13 Moses, has this been submitted to PennDOT?

14 MR. MOSES: I'm sorry?

15 MR. HUGHES: Has your report been  
16 submitted to PennDOT?

17 MR. BOLUS: The engineer did speak  
18 to PennDOT, I don't know if he sent it over,  
19 we will make sure they receive a copy of it.

20 MR. HUGHES: Okay, because this is  
21 solely their decision. This is a state  
22 highway, the city has no control over that,  
23 it's going to a PennDOT issue but, you know,  
24 I think as Mrs. Evans said that, you know,  
25 we will have the city engineer look at this

1 and also, you know, see what we can do with  
2 PennDOT to see if they can get these bridges  
3 open.

4 MR. MOSES: Yeah, and I believe  
5 somewhere in the report that the private  
6 engineer does say it's, you know, solely on  
7 the jurisdiction of the PennDOT but, you  
8 know, what he actually says in the report he  
9 did speak to them, but we just, you know, we  
10 just wanted to sort of let that city know  
11 that there is full responsibility being  
12 taken and my client would like to cause as  
13 little, if any, inconvenience as possible  
14 for as short amount of time as possible and  
15 thank you again for the time.

16 MS. EVANS: Thank you.

17 MR. BOLUS: Good evening, Council.  
18 Bob Bolus. Sometimes we are glad to come  
19 here and sometimes, you know, we are not  
20 only because of circumstances. However,  
21 everybody that knows me I have always taken  
22 responsibility for whatever goes on and,  
23 unfortunately, owning the company no matter  
24 where you sit or what you do you're damned  
25 if you do and damned with you don't.



1 I appreciate Attorney Moses taking  
2 his time to come up here tonight and it's  
3 important that we all move collectively to  
4 find the best resolve here. We are upset  
5 about certain things that did transpire  
6 regarding this, and Attorney Moses touched a  
7 little bit on it as the impounding of the  
8 machine, we are paying a rental fee for it.  
9 It's now been impounded almost a month.  
10 It's been impounded by the City of Scranton  
11 and I guess the District Attorney's Office.  
12 They went in with a search warrant in the  
13 middle of the night and took this out at an  
14 exorbitant cost of money to the city and to  
15 the taxpayers, and I'm not here to try a  
16 case or try anything here, but as a taxpayer  
17 in the City of Scranton that's facing tax  
18 increases not only in the city but in the  
19 county, and as a resident here money being  
20 squandered and wasted when there was  
21 absolutely no need for it, and it's still  
22 continuing to go on and at some point  
23 somebody is going to be responsible for the  
24 rental fees of between \$850 and \$1,000 a day  
25 for this machine while it's been sitting

1 here and the owner that owns it, it's not  
2 our machine, it was a rented one, is being  
3 denied the private use of that machine as  
4 well, plus the hauling out and they have  
5 permission to leave it right where it was  
6 from us to do whatever they needed to do.  
7 It's not something you can drive down the  
8 highway or go anywhere.

9 Our company has taken full  
10 responsibility. Our insurance company was  
11 involved. Everybody has been involved with  
12 this. There is no hidden out in the woods  
13 hidden anywhere. There is no games here.  
14 It's unfortunate, but accidents do happen.  
15 That's why we carry insurance. No matter  
16 what. They are unpredictable. I have been  
17 in the towing recovery for over 48 years and  
18 believe me, I have taken many, many trucks  
19 out from under bridges, including here in  
20 the City of Scranton and the bridges are  
21 still standing today.

22 So, you know, we just want to move  
23 forward with it and try and help the people  
24 out. It's an inconvenience for everyone,  
25 but I believe there is a resolve and that's

1           why I did what I did, at least get an  
2           outside opinion, you know, PennDOT could  
3           listen, PennDOT could say, no, it's their  
4           bridge, it's the way they do business and,  
5           unfortunately, we can't say anything.  
6           That's why we came before council tonight to  
7           ask council's assistance in trying to get  
8           this a resolve as expeditiously as possible.

9                         And putting all of that to the side  
10           getting on to where we are in the city, as  
11           far as raises go, I don't think Paul Kelly  
12           is worth the dime more than he has been  
13           paid. He has cost the city money. As you  
14           are well aware, we have now filed for  
15           litigation regarding the property on East  
16           Mountain. I have asked and asked and asked,  
17           we are going to take him to Court now and  
18           get a legal decision, it's now going to cost  
19           all of us a lot of money because Paul Kelly  
20           didn't do his job. He doesn't respond to  
21           council, he didn't produce deeds, didn't  
22           show any bill of sale, he didn't show any  
23           transfer of the property other than what I  
24           showed council and gave council an in-depth  
25           title search regarding the property, and

1           there was \$50,000 on the table.

2                       Is he entitled to the money? No, he  
3           cost the city money and he is going to  
4           continue to cost them more. He is going to  
5           cost money because of the condemnation on my  
6           home that he approved and it wasn't  
7           condemned legally, so there is a lot of  
8           issues going to go on thanks to Paul Kelly  
9           and his personal vendetta with me or  
10          whatever it is.

11                      Boyd Hughes, on the other the hand,  
12          is entitled to a raise because Boyd has done  
13          the job. He has gone out and saved the city  
14          money and he has worked his butt off to do  
15          it, and I know Boyd for 40 years and we have  
16          been adversarial in the past, but I commend  
17          him for what he has done on behalf of this  
18          council because his experience you don't  
19          find anywhere laying around. So, yes, there  
20          is a difference and who is entitled to it  
21          and who isn't.

22                      The nonprofits, and I brought this  
23          up many times, let's not beg them for money.  
24          We have the wherewithal to put a public  
25          service fee on everybody in the City of

1           Scranton. 1 percent, 2 percent, whatever,  
2           and that means everybody pays. KOZs,  
3           nonprofits, they cannot argue a fee. They  
4           can argue a tax. No more do we have a  
5           garbage fee, and that was taxation without  
6           representation because we are already paying  
7           money to the city for our taxes to pick up  
8           our garbage. So stop begging, let's do what  
9           we need to do and maybe we can reduce this  
10          budgets. It's the highest budget I think in  
11          the history of Scranton. It's higher than a  
12          county that has a heck of lot more people  
13          and the people are getting hit three times,  
14          the city, the county and the school. They  
15          can't take anymore. It's time now we undo  
16          what councils and administration has done  
17          over the past eight, 12 years, and I would  
18          ask you to do that and I appreciate your  
19          time and --

20                   MS. EVANS: Thank you.

21                   MR. BOLUS: -- I'm available, if  
22                   anybody -- or Attorney Moses, if the  
23                   solicitor or anybody needs to get ahold of  
24                   him he is available to try and resolve this  
25                   issue. Thank you. And, oh, one more thing,

1 my dinner is going to go on at Christmas.  
2 We did get some help from people that are  
3 going to assist us in cooking the turkeys so  
4 we will have it.

5 MS. EVANS: Wonderful.

6 MR. BOLUS: Thank you.

7 MS. EVANS: Thank you. Doug Miller.

8 MR. MILLER: Good evening, Council,  
9 Doug Miller, Scranton.

10 MS. EVANS: Good evening.

11 MR. MILLER: Obviously the issue  
12 tonight is dealing with the budget and that  
13 will be the case for the next few weeks now.  
14 You know, I did take issue with the recent  
15 Scranton Times' article regarding Councilman  
16 Rogan and the statements that he made  
17 regarding the 2013 operating budget. You  
18 know, we are yet again going back to  
19 referring to things as the Doherty/Evans  
20 budget, the Doherty/Evans recovery plan and,  
21 you know, I just thought that we put that to  
22 sleep back in August when we revised the  
23 recovery plan that we wanted to refer to as  
24 a Doherty/Evans recovery plan and now yet  
25 again we are going back to the Doherty/Evans

1 classification.

2 Let's make it quite clear, this is  
3 the city's 2013 operating budget. This  
4 isn't the Chris Doherty budget, this isn't  
5 the Janet Evan budget, it's the city's  
6 budget and that's the misconception we had,  
7 and to make that statement, again, I think  
8 is doing disjustice to the residents of  
9 this city especially coming from an elected  
10 official. You know, we have been down this  
11 path before, you know, we want to, you know,  
12 play the sympathy card, we want to get into  
13 a pity party and we are not included in on  
14 discussions. The fact of the matter is you  
15 all have just as much say as anybody else as  
16 an elected official and having input on the  
17 budget. The budget was never a done deal.  
18 Mr. Rogan made have stated that he didn't  
19 make any suggestions because it was a done  
20 deal. It's not a done deal. The budget  
21 hasn't even been final -- hasn't even  
22 reached final passage yet. In fact, we  
23 haven't even conducted a public hearing yet,  
24 so it's certainly nonsensical to even make  
25 that statement publically. It's yet again

1 more grandstanding by an elected official  
2 who has consistently time and time again  
3 refused to put the necessary work involved  
4 to get the job done. This isn't about  
5 personalities, it's about protecting the  
6 residents of this city. Time and time again  
7 we go down the same path and we deal with  
8 the same nonsense that we want to grandstand  
9 to the TV camera.

10 It sounds all well and good on TV,  
11 but the reality is you were elected to do a  
12 job. They are difficult decisions to make,  
13 they are not always popular --

14 MR. ROGAN: Mr. Miller --

15 MR. MILLER: But you have an  
16 obligation to protect the residents of this  
17 city and that's not happening right now.  
18 You know, as I said, I can't tell you how  
19 frustrating it gets over time. I commend  
20 council for all of the work you do. I know  
21 the time and efforts you put into it with  
22 Councilman Joyce with the projection that he  
23 is going to make tonight. The effort that  
24 he puts into it. This a group effort. We  
25 all work together and the reason we do that



1 is because council during the summer took  
2 the bull by the horn and realized that we  
3 needed the administration to put their  
4 politics aside and come together and sit  
5 down and negotiate a revised recovery plan  
6 and that happened because council took the  
7 initiative and you realized that to move the  
8 city forward and to better the city and the  
9 taxpayers we needed to come together and  
10 that happened.

11 But now we want to go back and we  
12 want to play political games and spew the  
13 political rhetoric and move us back. We  
14 need to move forward. You know, the raises,  
15 as some speakers objected to earlier  
16 tonight, I absolutely agree. Does Paul  
17 Kelly deserve a raise? Absolutely not. I  
18 think the person that needs to be in the  
19 spotlight is Attorney Hughes who  
20 single-handedly has saved the city from going  
21 into bankruptcy. Let's take a look at all  
22 he has done, working on the budge, took on  
23 the Parking Authority, was very strong with  
24 the recovery plan process. These are things  
25 that he did and he is an asset to the city

1 and he should be commended for that. You  
2 know, we can go on about, you know, the tax  
3 increases, that was clarified earlier. The  
4 12 percent tax increase is to cover the  
5 unfunded debt, not the raises, and I know  
6 Councilman Joyce will go into full detail on  
7 all of that later on and clarify any  
8 questions that the public may have.

9 But when we want to sit here and he  
10 we want to be objective and not have a plan  
11 ourselves it doesn't look good. Yeah, it's  
12 nice to say "no" and it looks good on TV to  
13 the public viewing it at home, but they want  
14 answers, they want solutions. They don't  
15 want to hear "no". They don't want to hear  
16 it is a done deal and I wasn't included.  
17 Everyone has an opportunity to be involved.  
18 This budget is not a done deal.

19 Mr. Rogan, I know you had some  
20 statements to make, would you like to make  
21 them?

22 MR. ROGAN: Yeah, I wanted to let  
23 you finish first. You know, you said I'm  
24 not going to finish it, I said when the  
25 reporter called me, "I'll have the amendment

1 next week to remove the raises and we'll see  
2 where the votes stand."

3 MR. MILER: Your statement as far as  
4 it being a done deal I don't know what you  
5 mean.

6 MR. ROGAN: Meaning this document  
7 was already sent out to the printers.  
8 That's what I meant.

9 MR. MILLER: Well, I think the  
10 public perception is when you say a "done  
11 deal" they believe it to be passed.

12 MR. ROGAN: No, obviously there  
13 hasn't about a vote. What I meant was the  
14 document that the mayor, and was stated the  
15 mayor does always propose the budget which  
16 is created by him and whoever or just him  
17 alone, but this document was already sent  
18 out the printer.

19 MR. MILLER: Did you at any time  
20 during the budget process reach out to your  
21 fellow colleagues and offer any amendments  
22 or objections that you did have to the  
23 budget?

24 MR. ROGAN: I never received a draft  
25 copy until I received this one and that's

1           what I meant.

2                   MR. MILLER: But having the recovery  
3           plan as a blueprint knowing full well that  
4           for basically for the next three years  
5           that's the blueprint for our budget, having  
6           that in front of you that should have given  
7           you an opportunity to come up with some  
8           revisions and amendments that you could have  
9           passed along to your colleagues. Did you do  
10          that?

11                   MR. ROGAN: That's what I'm in the  
12          process of doing.

13                   MR. MILLER: But I'm saying  
14          throughout the whole weeks and months of  
15          this whole process with Councilman Joyce and  
16          Councilman Evans and Council Loscombe at any  
17          time did you have any dialogues to give any  
18          input on the budget.

19                   MR. ROGAN: Like you said, it's not  
20          a done deal. My amendments will be ready  
21          next week.

22                   MR. MILLER: Like I said, I'm just  
23          certainly just a little disappointed in the  
24          statements that were made in the newspaper.  
25          I just feel that we all need to work

1           together. This is the city's budget, it's  
2           not the mayor's budget, it's not  
3           Councilwoman Evans' budget and I think we  
4           need to being careful on how we address  
5           issues in the future and not make this  
6           political.

7                         There is some serious things going  
8           on here and we want to do everything  
9           possible to avoid bankruptcy. We don't want  
10          to see that because when that happens, as we  
11          all know, we have no say over that. Taxes  
12          will be raised in astronomical amounts and  
13          the city will be completely dead and we  
14          don't want to see that day happen, so we  
15          need to continue making the touch decisions,  
16          making the choices, working together,  
17          putting politics aside and I'm confident  
18          that's going to happen and I appreciate your  
19          time. Thank you.

20                        MS. EVANS: Thank you. Lee Morgan.

21                        MR. MORGAN: Good evening, Council.

22                        MS. EVANS: Good evening.

23                        MR. MORGAN: At the last meeting  
24          there were some comments made by yourself,  
25          Council President Evans, about /SOFPLT some

1 information I wanted and I just don't think  
2 that you presented what I asked for, but  
3 that's fine.

4 The first thing I have here tonight  
5 is going away from the city budget, I'll  
6 speak on that on the third. There's is a  
7 Lackawanna County -- in Lackawanna County  
8 the guardian ad litem program review has  
9 taken place. Here is the document. 122  
10 pages. It comes from the Administrative  
11 Office of the Pennsylvania Courts Judicial  
12 Programs Department. Zigmond Pines was the  
13 person who I guess authorized it. He is the  
14 Court Administrator.

15 I'm really beginning to review this.  
16 I have spoken to Judge Corbett who I believe  
17 has seated the board. I have spoken to  
18 Nancy Barrasse. I don't know if she is a  
19 Miss or Mrs., I just know that that is her  
20 name, she is a chairwoman. No disrespect to  
21 her, I have spoken to her. I'm really  
22 concerned, I have also opened a line of  
23 communication between myself and this  
24 Zigmond Pines, he is in Philadelphia.

25 As everyone here probably knows, the

1           Feds, the FBI and everyone came in and they  
2           investigated the guardian ad litem and the  
3           troubling thing I find about what's occurred  
4           here is that I don't think anybody in  
5           Lackawanna County knows this review is  
6           taking place other than myself, and I really  
7           have to say, I'm losing my voice, but I  
8           really have to say that I have some very  
9           serious concerns for the people that have  
10          been appointed to this board and I have made  
11          those thoughts clear to Judge Corbett.

12                    I really think that when Judge  
13          Harhut put this together in the late 1980's  
14          he came up with a plan because divorce  
15          courts were a war zone and I just think that  
16          with the makeup of this board I think we are  
17          losing a lot. I have to question a couple  
18          of things here. I think that the most  
19          important thing about the guardian ad litem  
20          program is that I think needs to be expanded  
21          and that no attorney who is a guardian  
22          should practice family law in the family law  
23          system in the courts and in Lackawanna  
24          County. And I think that that's one very  
25          important thing that Judge Harhut did.

1                   But in this review I think there is  
2                   a special interest group that shouldn't be  
3                   part of this group and that's the Women's  
4                   Resource Center, because they are special  
5                   interest group and, look it, you know, I  
6                   could see representing somebody in domestic  
7                   violence, but that's not the purpose of this  
8                   review.

9                   Now, previous to this I did a  
10                  Right-to-Know to the District Attorney's  
11                  Office, and asked him if the Women's -- and  
12                  I also did it to the county commissioners to  
13                  ask if the Women's Resource Center was  
14                  funding the District Attorney's Office in  
15                  any way and whether they had a prosecutor  
16                  attorney that works for the Women's Resource  
17                  Center and it's my understanding they do.  
18                  The District Attorney refused to answer that  
19                  question, and I just think that this program  
20                  needs to be shielded from some of the people  
21                  on the board and I just think that the  
22                  Women's Resource Center should remove itself  
23                  from this board.

24                  I think it's fine in instances to  
25                  have a representative in the courtroom to



1 represent you, but I think that when this  
2 review goes through I think it's not quite  
3 proper for them to be part of this review.

4 Now, when you read and study their  
5 funding streams through the state and  
6 federal government they are a quasi-private  
7 organization. It's very troubling and if we  
8 are going to protect children and the rights  
9 of their -- to being protected by a guardian  
10 I just don't think they belong there and I  
11 just hope that anyone who may share may  
12 opinions, I have talked to a lot of people  
13 and I have to say that the people most  
14 troubled by this report that have seen it  
15 and heard of it aren't men they were women  
16 because they don't think the Women's  
17 Resource Center belongs on had board of  
18 review.

19 As everybody in my own opinion knows  
20 women are usually involved in a lot more  
21 issues than men. That's just the way I see  
22 things. I just hope that if anybody has any  
23 questions on this they'd feel free to call  
24 me at 570-604-1212 and I appreciate your  
25 time.

1 MS. EVANS: Thank you. Ron Ellman.

2 MR. ELLMAN: Hello, Council.

3 MS. EVANS: Good evening.

4 MR. ELLMAN: The last month or so I  
5 probably talked to well over 50 homeowners,  
6 you know, in the ventures around town and to  
7 a tee every last one of them, it's  
8 understandable with the tax raise, they are  
9 not going to vote for council, the  
10 commissioners, the school board, the  
11 governor, people have had enough, and I  
12 don't know if you need to go to Plan B it is  
13 a mathematical impossibility for 37,000  
14 taxable property to pay off this debt. I  
15 don't care what PEL and all of them people  
16 keep telling us to do, you can't. Go talk  
17 to anybody that's knowledgeable in banking,  
18 tax consultants, business people, anybody  
19 you talk to would tell you, you just can't  
20 keep falling back on the people of this city  
21 with the tradition Doherty has established  
22 in raising taxes and borrowing.

23 You going to get turned down sooner  
24 or later and somebody is going to have to do  
25 something. You got to go to the source of

1 the problem. You got to go to the Board of  
2 Assessors and have something done about the  
3 University and the rest of these phony  
4 nonprofits that have just eaten -- they have  
5 killed the city.

6 Brother McGoff, you support the  
7 University and it's policies, you people  
8 worked diligently on your budget last month  
9 and what happened? \$30,000 immediately was  
10 taken off by the University. Who is  
11 supposed to make that up? The people aren't  
12 getting nothing for their dollar. All they  
13 do is brag about what they are doing for the  
14 city.

15 Marathon weekend you know where the  
16 mayor was? He was in New York City for a  
17 coat and tie dinner at a fancy hotel.

18 MR. MCGOFF: The marathon weekend?

19 MR. ELLMAN: The marathon weekend?

20 MR. MCGOFF: He ran the marathon.  
21 Steamtown?

22 MR. ELLMAN: Do you know whose  
23 dinner it was?

24 MR. MCGOFF: He ran the Steamtown  
25 marathon.

1 MR. ELLMAN: It was the University  
2 had a dinner. Nothing in this city was fine  
3 enough or good enough for him and they are  
4 the ones that say they support us? This is  
5 the man that you said to try to get extra  
6 amounts of money from them. He sleeps with  
7 the University. He is not going to ask them  
8 for any money and they support him, and this  
9 -- the fact is it's just an impossibility  
10 for us to just go anymore. You people just  
11 you have gotten out of tune with the people  
12 of this city. Go out there any place in the  
13 city and talk to them. Even the nice  
14 section of Clarks Summit or somebody, there  
15 is just not that much, people got other  
16 things to do besides pay city taxes and  
17 county taxes and every time we turn around  
18 there is just abuse.

19 And five, six, seven years I have  
20 been telling you Paul Mansour and he hasn't  
21 done one thing with all of his money he has  
22 gotten to fix up the Woolworth House.  
23 Goodwill got 2 1/2 million somebody sitting  
24 on it, the building hasn't been touched.  
25 Like they said a couple of weeks ago, it

1           hasn't been touched. They have no  
2           intentions of touching it until they are  
3           forced to and then they'll probably give it  
4           back to the city. It should have been sold  
5           years ago. Every phony kind of developer in  
6           this town gets all kinds of tax deductions  
7           and KOZs.

8                        I got two sewers at the end of my  
9           property that have been stopped up since I  
10          lived there. Water goes across the sidewalk  
11          and puts all of this dirt on it every time  
12          that a heavy rain comes, you know, I don't  
13          have any curbs, but those people up there on  
14          Keyser Avenue, two or three hundred thousand  
15          dollar houses for ten years and they are not  
16          paying taxes they got everything I don't.

17                       That's what's wrong with the city  
18          everybody's priorities are wrong. You are  
19          not thinking of the people that are paying  
20          the bill anymore, and I'm one of them that's  
21          paying the bill but I've about had it. I  
22          told you people once I can draw my equity  
23          out of my house and leave it and come out  
24          ahead. I mean, way ahead and I'm not going  
25          to pay all of those taxes next year. They

1           can have my house, I'll take my equity and  
2           go live in a high rise or something. I'm  
3           just not going to pay it no more and I have  
4           heard a lot of other, you got thousands of  
5           empty houses all over the place.

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

7                   MR. ELLMAN: You need a Plan B or  
8           something, you know, like I said, I don't  
9           know what it is, but you got to do something  
10          for the people that are paying for  
11          everything and forget about all of these  
12          ridiculous PEL and all of the advice they  
13          have given us because it's been adverse  
14          since the beginning. Thank you.

15                   MS. EVANS: Thank you. Gerry  
16          Dombrowski.

17                   MR. MCGOFF: Could I just for  
18          clarification purposes? The Scranton dinner  
19          that is held in New York City is not  
20          conducted by the University of Scranton,  
21          it's an organization that's been conducting  
22          that dinner I think somewhere 1920's or  
23          30's.

24                   MS. EVANS: I think he may have been  
25          referring to the dinner during which the

1 University honored the Lynett family for its  
2 years of service providing the newspaper.

3 MR. MCGOFF: Okay.

4 MS. EVANS: But I don't know when  
5 that was, I'm sorry.

6 MR. DOMBROSKI: Members of council  
7 of the City of Scranton, I stand before you  
8 a resident of the city for many years. A  
9 veteran of the Vietnam era, a retired  
10 person. I stand here and I ask why  
11 ordinances, laws and regulations made by  
12 this council body are just not enforced.

13 I have been complaining to the  
14 appropriate enforcement body of this city  
15 for many years of a business established in  
16 a residential area zoned R1 that is  
17 prohibited by your own zoning laws. I have  
18 been told by your representative on several  
19 occasions that it's only one truck and other  
20 lame rational. The fact of the matter is  
21 there are three trucks. There are two  
22 trailers. Two of the trucks are equipped  
23 with beepers that are very disturbing to the  
24 peace of the residential area when countless  
25 trips are made in and out of the

1 neighborhood. I have been many photographs,  
2 many photographs and some videos, but your  
3 representative says they are not important  
4 as he must catch the wrongdoing. How does  
5 one go about requesting that he do his job  
6 on Froude Ave?

7 Three days this week I had called  
8 the police to report diesel vehicle noise,  
9 fumes and noise of loading and unloading,  
10 doors slamming, at an early hour of the  
11 morning. It starts at 6:30 a.m. The first  
12 day I don't think the police responded. The  
13 second day I saw the police respond and  
14 eventually the owner of this illegal located  
15 business shut down his vehicle. The  
16 policeman then watched as one of the  
17 employees or partners noisily unloaded  
18 construction debris to be picked up by the  
19 city garbage removal. Which is another  
20 illegal operation that I have witnesses and  
21 reported on several occasions. This was  
22 also submitted to no avail because the owner  
23 of this illegally located business is the  
24 offspring of a worker at the city's own DPW.  
25 Which brings to mind the unusual



1           circumstances that this property was  
2           acquired by a then 21 year old and  
3           immediately afterwards the DPW made  
4           improvements to the driveway, the alley, and  
5           other drainage problems surrounding the  
6           property while the elderly woman who lived  
7           there before couldn't even get the city to  
8           clean her gutter.

9                         Now, I question you, doesn't it seem  
10           that the person in charge of enforcing these  
11           regulations in the city relating to zoning  
12           is either getting paid off or is he related  
13           to this business illegally located in this  
14           residential area? Why has this gone on for  
15           so long? Why have my complaints been swept  
16           under the rug? Why won't the mayor's office  
17           even do anything? And finally I ask, why  
18           when I approached a member of the city  
19           council with this problem very little was  
20           done?

21                         Wait a minute here, you make the  
22           laws, and the people who are supposed to  
23           enforce them don't. It sounds like a house  
24           cleaning is needed starting anywhere you  
25           wish, the top, the bottom, anywhere

1 in-between. I really don't care where you  
2 start just as long as the business is banned  
3 from occupying space in this residential  
4 area immediately.

5 There are many others in this  
6 residential area that are totally fed up  
7 with this business and the noise generated  
8 by the owner, who is the son of a Scranton  
9 DPW worker and seemingly exempt from  
10 penalties. There are many others that are  
11 concerned that their property values are  
12 effected negatively by the city's lack of  
13 enforcement of laws and ordinances. I  
14 believe that they will also come here to  
15 demand this business be banned from  
16 operating in the location it is, and be  
17 banned from having any commercial vehicles  
18 from being parked overnight or even being in  
19 this residential zone at any time.

20 There is lot more to tell that there  
21 isn't time for right now, stuff that would  
22 get your dander up as well.

23 I purposely left the names out of  
24 this, I have furnished them on page two of a  
25 copy of this for your referenced. I expect

1 nothing less than immediate action of the  
2 enforcement of the city's zoning laws.

3 Thank you for your time.

4 MS. EVANS: Thank you.

5 MR. DEMBROSKY: It was a relief that  
6 you didn't have to listen to complaints  
7 about the taxes; right?

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

10 MR. DOBRZYN: Good evening, Council.  
11 Dave Dobrzyn, resident, taxpayer. Okay,  
12 Mrs. Bolus ws mentioning these and I have  
13 previously mentioned refuse fees for  
14 institutions and that sounds like a pretty  
15 good idea to me. It's about time that we  
16 stopped begging and start insisting on a  
17 fair share of tax poor tax exempts and I'm  
18 not going to call them on nonprofits because  
19 they are certainly not. Some are, some  
20 aren't.

21 And I mentioned a couple of weeks  
22 ago about a sewer fee, it seems like, and  
23 I'm going to do some research on this, I'll  
24 let you know after the first of the year,  
25 that they are not charging our consumption

1 charge, they are just charging a flat fee.  
2 It seems like they are not tracking any  
3 consumption of water on my bill, so that's a  
4 concern because we wanted to try and  
5 encourage people to use less water and it's  
6 not being done.

7 And on a 5-B we have an ordinance on  
8 fire and burglar alarms apparently and --

9 MS. EVANS: Yes.

10 MR. DOBRZYN: -- I might mention in  
11 a book I read recently, I think it was the  
12 "Free Lunch" book by David K. Johnston how  
13 Tyko and Dennis Kozolsky who is currently in  
14 prison for malfeasance, corporate  
15 malfeasance, actually dumped the  
16 responsibility of their company for  
17 guaranteeing the safety of these properties  
18 onto the police force in big cities like New  
19 York and when people were reporting muggings  
20 and problems in parks, park managers in New  
21 York City would call the police and it would  
22 take them three hours because they were so  
23 busy answering false alarms, so I think  
24 that's a step in the right direction.

25 Now, a few weeks ago or months ago

1 we turned back money from the SAFER grant.  
2 Once again, I'll make note that it was  
3 nobody from council though it was a great  
4 idea to do, and we have an issue here  
5 tonight with pay raises, and my suggestion  
6 is let's keep our heads. Why don't we tie  
7 the pay raises to a timely audit. If  
8 somebody is more than 30 days late with  
9 their audit, they get to give the money back  
10 from the person first of the year. How  
11 about that? Wouldn't that be wonderful? I  
12 mean, we still don't have an audit from last  
13 year I believe, so if they want their 20, 30  
14 percent pay raise well then were don't they  
15 come up with a the timely audit and then  
16 they are doing their jobs and maybe they  
17 deserve a pay raise. And, therefore, we  
18 won't be falling prey to the editorials in  
19 the Times-Tribune, the editorial page. I  
20 mean, let's keep our heads. I don't want to  
21 become a puppet to them just because they  
22 said that these people don't deserve the  
23 raise or whatever or this person or that  
24 person is the only one getting the raise.  
25 How about if we get to pay for performance

1 for a change?

2 It's really ashame how late these  
3 audits have been and I feel that they are  
4 the cause of some of our current problems,  
5 so that's something to consider. If they  
6 don't come up with their, was it May 30 is  
7 the due date for the audit, how about by  
8 June 30 they get to start paying back? We  
9 start deducting money out of their wages to  
10 pay back to the first of the year for not  
11 doing their jobs properly.

12 All right, got a new thing here.  
13 Free lunch for billionaires, the 800 block  
14 of Moosic Street there must be 12 plus  
15 excavations on there, patches. It's about a  
16 year old. At least, that's conservative 12  
17 patches. They tore up places where the  
18 street was painted, crosswalks were painted,  
19 it was recently paved and here we have, you  
20 know, and it looks like hell. And it's  
21 really ashame, but it's free lunch for  
22 billionaires time, so us peasants have a lot  
23 of nerve pushing that.

24 And, okay, I'll just make it quick  
25 the golden parrot goes to the Blankfein,

1 Goldman, Sachs CEO, he gets a \$25 million a  
2 year salary and he thinks that we should  
3 start deducting money off of social security  
4 recipients and we have McCain, Snow and  
5 Grands, they want to get rid of Rice, I  
6 forget her first name, it's not Condalessa,  
7 for the State Department head to replace  
8 Hillary Clinton. Now, the little punch line  
9 will is that if John Kerry is next in line  
10 then we have an empty seat and we have to  
11 have a new Senate election so how  
12 convenient. How convenient. So thank you  
13 and have a good night and don't forget,  
14 bawk, bawk, bawk.

15 MR. JOYCE: Thank you.

16 MR. UNGVARSKY: Good evening, city  
17 council.

18 MR. LOSCOMBE: Good evening.

19 MR. UNGVARSKY: I'm Tom Ungvarsky.  
20 I never thought that I would agree with the  
21 Scranton Times. Last week they had an  
22 editorial in explaining or pointing out the  
23 raises this administration is giving out to  
24 their employees. It's hard to explain to  
25 people who are on social security and are

1 lucky to get a 2 percent increase and they  
2 are proposing as much as a 30 percent  
3 increase on people who have a high income to  
4 start or a higher income to start.

5 I hope -- well, it seems as though a  
6 year ago city council was recommending that  
7 everyone on the city's payroll take a 10  
8 percent cut in their salaries. All of a  
9 sudden this year, when we are in worse  
10 financial shape, we are asking for higher  
11 salary increases. I hope city council will  
12 reconsider and do what's right by the people  
13 of this city.

14 A year has passed since anything has  
15 been said about insurance broker. Has the  
16 city gotten any bids or are we soliciting  
17 any bids from insurance brokers for the  
18 city's insurances?

19 MS. EVANS: Not that I'm aware of,  
20 but it's very coincidental that you raise  
21 this issue tonight because --

22 MR. UNGVARSKY: I'm sorry, I didn't  
23 hear that.

24 MS. EVANS: I said not that I'm  
25 aware of, but it is very coincidental that



1           you raise this issue tonight because under  
2           my motions I am going to be asking the BA  
3           and the mayor when they intend to put this  
4           out to bid.

5                     MR. UNGVARSKY: Well, that's been  
6           hanging for two years.

7                     MS. EVANS: Yes, it has.

8                     MR. UNGVARSKY: This is the second  
9           year and apparently nothing has been done.  
10          Well, perhaps he has a better connection  
11          than other brokers. Thank you.

12                    MS. EVANS: Thank you.

13                    MR. SLEDENZSKI: Jackie.

14                    MR. LOSCOMBE: Chrissy.

15                    MR. SLEDENZSKI: Hello, Janet.

16                    MS. EVANS: Hi, Chrissy.

17                    MR. LOSCOMBE: Chris, where is your  
18          Dunmore hat? You got support them.

19                    MR. SLEDENZSKI: I hid it. I hid  
20          it. I was going to put it on.

21                    MR. LOSCOMBE: You support all our  
22          games.

23                    MR. SLEDENZSKI: Is it okay if I  
24          wear it?

25                    MS. EVANS: You can wear it.

1 MS. LOSCOMBE: There you go.

2 MR. SLEDENZSKI: Loss of luck to  
3 West Side, Pat.

4 MR. LOSCOMBE: Now you look right.

5 MR. SLEDENZSKI: They are playing  
6 tonight, so, Dunmore, good luck tomorrow.  
7 Whip them good. Thank you.

8 MS. EVANS: That's right.

9 MR. LOSCOMBE: Thanks, Chrissy.

10 MS. SCHUMACHER: He didn't show you  
11 the shirt he is hiding under that jacket  
12 either. Marie Schumacher, city resident and  
13 taxpayer. First, I'd like to thank the  
14 firefighters, I understand they are going  
15 back to three per piece of equipment instead  
16 of four; is that true?

17 MR. LOSCOMBE: On some pieces of  
18 equipment so they can man Engine 7 and  
19 Engine 4.

20 MS. SCHUMACHER: Yeah, I appreciate  
21 that. Will we have the audit before next  
22 Monday's public hearing?

23 MR. JOYCE: At this point, no.

24 MS. SCHUMACHER: Unbelievable.

25 After a review of the addition of Section 28

1 to File of Council 71 of 2012 it appears the  
2 amendments impact is the bond proceeds will  
3 be used to pay the 2011 or 2013 unfunded  
4 debt service which circumvents the need for  
5 increasing the 12 percent real estate tax  
6 and ignores the decree of Judge O'Brien that  
7 the unfunded debt is to be repaid through an  
8 increase in the millage dedication of the  
9 real estate taxes over a ten-year period.

10 If I'm not correct, I ask Mr. Joyce  
11 to explain the intent and the effect of  
12 Section 28 during motions.

13 Mr. Rogan, do we have a finite  
14 answer on whether or not the Moosic Street  
15 property being marketed by the Pizano  
16 Partnership is collateral for their \$4  
17 million no interest loan?

18 MR. ROGAN: Not yet, only what I  
19 sent you this morning, and I will be  
20 following up some more.

21 MS. SCHUMACHER: Thank you.  
22 Mr. Loscombe, can you tell me what are the  
23 number of false alarms been for the last  
24 year for the last three years or in the  
25 range?

1 MR. LOSCOMBE: I would have to check  
2 on that.

3 MS. SCHUMACHER: Would you have that  
4 for next week?

5 MR. LOSCOMBE: Sure.

6 MS. SCHUMACHER: Thank you.

7 MR. LOSCOMBE: For the year you  
8 said; right?

9 MS. SCHUMACHER: For three years by  
10 year, yes. Thank you. Trash bills, I have  
11 been reading in the paper about all of these  
12 bills going back to the 1990's and the  
13 Pennsylvania Municipal Records Act says that  
14 you only have to go back seven years, so I  
15 don't know how the city can legitimately if  
16 they haven't been doing their job and  
17 collecting the taxes when they were due or  
18 when they were delinquent can go back to  
19 three years or more. I do have, and I'll  
20 give Jamie a copy of the financial and  
21 purchasing records under that legislation.

22 What is the status of the amendment  
23 to restrict rental registration inspections  
24 to safety items only?

25 MR. MCGOFF: Do not know.

1 MS. SCHUMACHER: A status of the  
2 amendments to include exemptions from the  
3 amusement tax?

4 MS. EVANS: That will be amended  
5 this evening. We actually received the  
6 language from the legal department following  
7 our last meeting and so our Finance Chair  
8 will be making those amendments this  
9 evening.

10 MS. SCHUMACHER: Thank you.

11 MR. JOYCE: Yes, I'll be amending  
12 that later.

13 MS. SCHUMACHER: And what has been  
14 the revenue collected to date on the parking  
15 tax both in gross dollars and the number of  
16 entities billed and the number of entities  
17 who have responded with payment?

18 MR. JOYCE: I don't have a breakdown  
19 by number -- or by the exact entities who  
20 have responded and paid. I know it was  
21 around \$40,000 as of September 30, 2011, but  
22 I will contact the appropriate party and get  
23 those figures by actual --

24 MS. SCHUMACHER: If everybody had  
25 paid, what would it be? Do you know how

1 many slots there were?

2 MR. JOYCE: Well, if everyone paid  
3 it would be close to PEL's projection of  
4 \$500,000.

5 MS. SCHUMACHER: So we are little  
6 bit shy, okay. Okay, yeah, that would be a  
7 little helpful. The borrowing of an  
8 additional \$25 million in 2013 for back  
9 taxes will be -- or back pay for the police  
10 and fire, and an increased MMO for funding  
11 pensions, does this mean the new lease rent  
12 agreement will no longer be pursued?

13 MR. JOYCE: Could you repeat that?  
14 I'm sorry, I didn't hear the whole question.

15 MS. SCHUMACHER: Yeah, the plan for  
16 2013 is to borrow an additional \$25 million  
17 for I assume the Supreme Court decision?

18 MR. JOYCE: Yes.

19 MS. SCHUMACHER: And in the past,  
20 and I believe it's in the recovery plan,  
21 revised recovery plan, that it would be a  
22 lease rental to do that, to accomplish that,  
23 so has that gone by the wayside and there  
24 will no lease rental of any further  
25 properties that the city owns?

1 MR. JOYCE: Well, it will either be  
2 the 25 million or the combination of the  
3 sale of leaseback and additional borrowing  
4 to pay off the Supreme Court award solely.

5 MS. SCHUMACHER: Okay. How much  
6 interest do we owe on that to date, on the  
7 Supreme Court ruling not having paid for  
8 over a year? I asked that once before and  
9 you were going to check it.

10 MR. JOYCE: I don't know the number  
11 offhand hand but I will go back and check it  
12 again.

13 MS. SCHUMACHER: Thank you. And  
14 last spring the council approved a similar  
15 grant application for 500 Cedar Avenue, do  
16 we know whether or not that grant has been  
17 approved or are we still waiting or when  
18 will we hear on that?

19 MR. ROGAN: I can check into that as  
20 well.

21 MS. SCHUMACHER: Thank you. How  
22 much rent is OECD paying to the city? I  
23 remember when Mrs. Gatelli was here and  
24 talked about when OECD was located in the  
25 building in prior years and the rental

1 amount was I believe in the thousands per  
2 month, so how much are we getting and how  
3 much is in the 2013 budget, let me put it  
4 that way, for rent from OECD?

5 MR. ROGAN: I didn't see any when I  
6 looked through the budget. I could be  
7 wrong. It didn't look like there was a line  
8 item in there.

9 MR. JOYCE: No, there wasn't a line  
10 item in there for a rental fee from OECD  
11 though I know they -- in speaking with our  
12 business administrator I do know that they  
13 will be contributing to the utilities of the  
14 building and that's broken down by the  
15 square footage of space that they occupy in  
16 comparison to the square footage of the  
17 space and the entire city hall building.

18 MS. SCHUMACHER: Okay, well, I  
19 thought that was one of the prime movers and  
20 shakers for getting them back into the  
21 building, not only because there was space,  
22 but for the additional revenue that they  
23 were paying to another entity so I'm rather  
24 surprised that they we don't have a line  
25 item for that.



1 MS. EVANS: Well, actually another  
2 benefit of the move is that federal funds  
3 then under the category of administration  
4 are no longer used for rental payments, so  
5 that would free up the thousands per month  
6 that have been paid previously to be  
7 allocated to the projects that are far more  
8 beneficial within the City of Scranton.

9 MS. SCHUMACHER: Well, I understand  
10 that, but the way our loans have apparently  
11 have been going I don't think they are  
12 benefiting very many people because I just  
13 learned today of another company that went  
14 out of business that had a two hundred -- or  
15 a quarter of a million dollar loan, so if I  
16 may just do three more quick -- or two more  
17 quick items?

18 On a trip down Providence Road I  
19 noticed that there is "For Sale" sign on the  
20 vacant land between the new road that goes  
21 into the Ice Box where the gas station there  
22 and car wash, is it safe to assume that this  
23 parcel is not part of the property being  
24 leased by BRT Ice? Does anybody he know?

25 MS. EVANS: I don't know.

1 MS. SCHUMACHER: I didn't have a  
2 chance to get to the county to check that  
3 myself, and then the parking finally, the  
4 parking structure operators they were bumped  
5 from a scheduled caucus quite some time ago,  
6 will they be here for a caucus before the  
7 end of this year?

8 MS. EVANS: No.

9 MS. SCHUMACHER: Thank you.

10 MS. EVANS: Is there anyone else?

11 MS. MARCIANO: FIFTH ORDER.

12 MS. EVANS: Rather than proceeding  
13 in our traditional order, I will call upon  
14 Councilman Joyce, our Finance Chairman, to  
15 present the proposed 2013 operating budget  
16 to the public at this time.

17 MR. JOYCE: Thank you. Just as long  
18 that's fine with my colleagues.

19 MR. ROGAN: Absolutely.

20 MR. MCGOFF: While Mr. Joyce is  
21 doing that, I apologize for arriving late, I  
22 just wanted to -- I had an announcement to  
23 make and I got here at the tail end.

24 MR. JOYCE: Sure, take your time.

25 MR. MCGOFF: Matthew's Mission,

1           which was created in memory of Matthew  
2           Newell, is having a breakfast with Santa.  
3           That it Saturday, December 8, at Scranton  
4           High School. There are two sittings, one at  
5           9:00 and one at 10:30 a.m. In the past it  
6           has been -- it has had a great attendance,  
7           so they are asking if you plan on attending  
8           to call fr reservations so that they can  
9           provide the space. You need to contact  
10          Kathleen Hackus at 570-961-0818. T Kathleen  
11          Hackus at 570-961-0818 for the breakfast  
12          with santa sponsored by Matthew's Mission.  
13          Thank you. Sorry, Mr. Joyce.

14                   MR. JOYCE: Oh, that's okay.

15          Tonight, I'm sorry I have my back turned to  
16          the public, it's the way that the plugs are  
17          setup in here and the seating arrangements,  
18          I'd like to face the public if I could, but,  
19          unfortunately, I can't.

20                   To begin tonight, I'm going to  
21          discuss the 2013 operating budget and it's  
22          my goal just to educate my colleagues as  
23          well as the public about the budget, go over  
24          some of the revenue and expenditures and  
25          some of the cuts that were made to the

1 budget that was proposed, so let's begin.

2 On November 15, 2012, of this year  
3 the administration submitted the budget to  
4 Scranton City Council as required by the  
5 Home Rule Charter. November 15, is the  
6 deadline. The budget process was primarily  
7 carried out by the administration in regard  
8 to projections of revenue and expenditures,  
9 though I did offer some input. I did see  
10 some of the revenue and expenditure  
11 projections ahead of time and I offered some  
12 of my comments into these figures.

13 Prior to the budget being released,  
14 I met with Mayor Doherty, Councilwoman Evans  
15 and Business Administrator Ryan McGowan to  
16 discuss large budget matters and as promised  
17 by the recovery plan, the tax increase was  
18 limited to 12 percent.

19 So my goal was to take a proactive  
20 approach to the budget this year and work  
21 with the administration so that the budget  
22 issued would not be greatly amended. As you  
23 may know from previous years, the amendments  
24 to the operating budget they took nearly  
25 probably I'd say 30 minutes to an hour long

1 just to read off unless, of course, you are  
2 Boyd Hughes and you can read faster, but  
3 anyhow this is important to returning the  
4 trust of the banking community as the city  
5 looks to close on borrowing for unfunded  
6 debt and future borrowing to fund the  
7 Supreme Court award won by the fire police  
8 and fire unions.

9 Now, some may be asking, well, why  
10 is this budget so high, it's \$109 million  
11 and it was \$85 million in change last year.  
12 So essentially the city will incur some  
13 extra expenses this year in opposition from  
14 last year due to some major reasons, and the  
15 primary reason why the budget numbers is so  
16 high is the Supreme Court award in favor of  
17 the fire and police unions. This will cost  
18 the city over \$17 million. This amount  
19 could have been well in excess of \$30  
20 million if it were not for the negotiations  
21 efforts of some council members and the  
22 administration to mitigate the award.

23 Debt service attribute to the  
24 Supreme Court award. Because the city will  
25 need to borrow the money to pay the Supreme

1 Court award since it doesn't have the cash  
2 on hand, this will result in an additional  
3 \$1.5 million in debt service payments this  
4 year.

5 There will be an increase in the  
6 MMO, which stands for minimum municipal  
7 obligation, to fund pension payments. The  
8 MMO required for the city to fund pension  
9 payments 2013 will be \$9.85 million  
10 according to a study conducted by Thomas  
11 Anderson. In 2012, the MMO was \$4.4  
12 million. Therefore, in one year we are  
13 seeing an MMO increase of \$5.1 million in  
14 2013.

15 And also, with the Supreme Court  
16 award there were standards set for the  
17 number of officers that must be working  
18 during each shift. These standards are  
19 projected to result in nearly \$400,000 in  
20 overtime expenses.

21 So to go on more about the budget,  
22 overall there were three positions added.  
23 Two of these positions, financial analyst in  
24 the Business Administrator's Office, and the  
25 rental registration coordinator in LIPS were

1 added due to the recent clerical union  
2 contract.

3 One position, an accountant in the  
4 BA's Office, was added to assist with duties  
5 in the office and the city will is applying  
6 for grant funding through the state to fund  
7 the compensation for this position.

8 Positions relating to the on-street  
9 parking program were not added and these  
10 employees will become employees of Standard  
11 Parking once they fully take over parking  
12 collection operations in 2013.

13 Raises were awarded to six  
14 employees, as many of the speakers mentioned  
15 tonight, and I believe that these raises  
16 should be scaled down and/or eliminated for  
17 certain employees as I believe the only  
18 raising that should be awarded are the  
19 people that truly worked tirelessly to keep  
20 the city afloat in a time when it could have  
21 went bankrupt.

22 So first I want to discuss revenue  
23 and then I'll move onto expenditures for a  
24 bit. First up in revenue that I'll speak  
25 about are real estate taxes. The real

1 estate tax as promised by the revised  
2 recovery plan will be limited to 12 percent  
3 in 2013. Real estate taxes in 2012 were  
4 projected to generate nearly \$14 million, as  
5 you can see by the slide. In 2013, real  
6 estate taxes were projected to generate  
7 nearly \$15.7 million, so the 12 percent tax  
8 increase will generate an additional  
9 \$1,698,000 in revenue for the city.

10 The 12 percent tax increase is also  
11 Court ordered in order to repay unfunded  
12 debt borrowing that occurred in 2012.

13 The delinquent real estate taxes.  
14 The collection of the delinquent real estate  
15 taxes has been projected to be \$2,100,000.  
16 The projection of delinquent real estate  
17 taxes has been projected to be \$2,000 higher  
18 than last year's projection of \$1.9 million.  
19 As of September 30, 2012, the collection of  
20 delinquent real estate taxes was already  
21 over the \$2.1 million mark as it was  
22 \$2,134,620.81 constituting the projection of  
23 increased collections.

24 In 2013, the process will stay the  
25 same. The Single Tax Office will continue



1 to collect prior year delinquent real estate  
2 taxes. Years prior to 2012 will be  
3 collected by Northeast Revenue Services,  
4 commonly referred to as NRS.

5 Refuse fees. The refuse fee will  
6 remain at \$178 in 2013 as dictated by the  
7 revised recovery plan and the collection of  
8 refuse fees was projected at \$5.1 million in  
9 2012. Due to this number not being met, the  
10 projection of refuse fees in 2013 has been  
11 projected to be \$4.55 million, so it's been  
12 decided to take a more conservative approach  
13 in regard to the projection of revenue since  
14 we are not meeting that \$5.1 million mark  
15 this year.

16 Utility tax. It will not change in  
17 2013. The amount of revenue generated by  
18 the utility tax was projected to be \$58,826  
19 in 2012. In 2013, the amount of revenue to  
20 be received by the utility tax has been  
21 projected to be \$61,000, so it's very  
22 synonymous.

23 Non-resident wage tax, and I would  
24 like to cypher between this and the commuter  
25 tax because I'm not referring to the

1 commuter tax right now. Non-resident wage  
2 tax collections have been projected to  
3 generate \$400,000 in revenue in 2013. The  
4 amount of revenue projected to be generated  
5 in 2012 was \$500,000, however, due to  
6 collections being less than projected for  
7 the Year 2012 this amount has been lowered  
8 for 2013.

9 The non-resident wage tax is a 1  
10 percent wage tax on individuals residing in  
11 communities where no wage taxes are  
12 collected. You commonly hear these funds  
13 referred to by council members as 888 funds.

14 Local taxes governed by Act 511.  
15 The Local Tax Enabling Act, which is Act 511  
16 of the State of Pennsylvania, allows  
17 municipalities to levy certain taxes. Local  
18 taxes are Scranton greatest source of  
19 revenue generations and the taxes governed  
20 by the Local Tax Enabling Act are the real  
21 estate transfer tax, the wage tax, the  
22 mercantile tax, the local services tax, or  
23 LST, the business privilege tax, the parking  
24 tax, the commuter tax, which is pending  
25 Court approval, and the amusement tax. I'll

1 go into some of these taxes right now.

2 The real estate transfer tax is the  
3 first tax that I'll talk about tonight under  
4 this category, and the real estate transfer  
5 tax, as dictated by the revised recovery  
6 plan, will increase from 2.8 percent to 2.9  
7 percent in 2013, which is roughly a 3.5  
8 percent increase.

9 The amount of revenue projected to  
10 be generated in 2012 was \$4,344,827. Though  
11 this tax was increased in 2013, the amount  
12 of revenue projected to be generated is  
13 \$2,685,000 and one might be wondering, well,  
14 if the tax was projected to be increased --  
15 or if the tax was increased why is the  
16 projection lower and the amount of revenue  
17 that has been projected in 2013 is lower  
18 than 2012 due to some large one-time real  
19 estate transfer tax revenue from the sale of  
20 the former Mercy Hospital and Moses Taylor  
21 Hospital to CSH.

22 Overall, the increase in the real  
23 estate transfer tax is projected to generate  
24 \$185,000 in additional revenue than what  
25 would have been generated if the rate were

1 kept the same, so if the rate were kept the  
2 same we would be looking at \$2.5 million  
3 rather than \$2.685 million.

4 The wage tax. The wage tax for  
5 Scranton residents will remain the same at  
6 2.4 percent. I remember know that some  
7 people have the common misconception that  
8 3.4 percent of wages go to the city,  
9 however, that's not true. 2.4 percent of  
10 the 3.4r percent overall wage tax goes to  
11 the city while the other 1 percent goes to  
12 the Scranton School District.

13 Anyhow, the amount of wage tax  
14 revenue projected to be received in 2012 was  
15 \$21,900,000. The amount of wage tax revenue  
16 projected to be received in 2013 is  
17 \$22,300,000.

18 The amount of wage tax revenue is  
19 projected to be higher due to PEL's  
20 projection of an annual rise in wages by  
21 1.75 percent.

22 The mercantile tax. The mercantile  
23 tax will be increased from .875 mills as it  
24 is this year, to 1 mill in 2013. This is  
25 also dictated by the revised recovery plan

1 and constitutes at 14.3 percent increase.

2 The amount of mercantile tax revenue  
3 projected to be received in 2012 was  
4 \$1,224,064.50. Due to the increase in the  
5 mercantile tax, the amount projected to be  
6 received in 2013 is \$1,424,064.

7 The amount of mercantile tax revenue  
8 that the city projects to receive is nearly  
9 \$200,000 higher due to the increase in the  
10 tax. This tax, though it's being increased,  
11 is being returned to it's 2010 level before  
12 it was decreased in 2011.

13 The business privilege tax, it's a  
14 similar scenario to the mercantile tax in  
15 that the business privilege tax will be  
16 increased from .875 mills in 2012 to 1 mill  
17 in 2013, which is dictated by the revised  
18 recovery plan and is also a 14.3 percent  
19 increase.

20 The amount of revenue projected to  
21 be received in 2012 from the business  
22 privilege tax was \$536,375. Due to the  
23 increase in the business privilege tax, the  
24 amount projected to be received in 2013 is  
25 \$850,000.

1                   The amount of business privilege tax  
2                   revenue that the city projects will be  
3                   received is nearly \$313,625 higher due to  
4                   the increase. And this tax, like the  
5                   mercantile tax, though it is being increased  
6                   is being returned to it's 2010 level before  
7                   it was decreased in 2011.

8                   The local services tax. The local  
9                   services tax, or LST, which was \$52 in 2012  
10                  will remain the same in 2013 as required by  
11                  law.

12                  The amount of revenue to be  
13                  generated by the LST in 2012 was projected  
14                  at \$1.734 million. Because this figure is  
15                  likely not being met this year, the amount  
16                  of revenue to be generated by the LST in  
17                  2013 is being projected a \$1.65 million.

18                  The parking tax. The parking tax,  
19                  which is the 10 percent tax on parking  
20                  garages and lot fees where one is required  
21                  to pay to park will remain the same in 2013.

22                  The amount of revenue to be  
23                  generated by the parking -- by parking tax  
24                  collections in 2012 was \$500,000. Because  
25                  it is unlikely that the \$500,000 target will

1 be met, the amount of revenue to be  
2 generated in 2013 is projected to be  
3 \$225,000.

4 The commuter tax. The commuter tax,  
5 which is pending Court approval, if granted  
6 will be a 1 percent tax on the wages of  
7 individuals working in Scranton that do not  
8 reside in the city.

9 According to projections by PEL, the  
10 amount of revenue that the commuter tax will  
11 generate for Scranton in 2013 is \$2.5  
12 million. A Court hearing is scheduled for  
13 December 10 to decide if Scranton will be  
14 allowed to levy this tax.

15 The amusement tax. In 2013, a 5  
16 percent tax will be levied on amusements.  
17 Amusements that are impacted by this tax  
18 will primarily be tickets to concerts and  
19 amusement venues throughout Scranton. This  
20 tax is limited to for profit organizations  
21 and the amount of revenue to be generated by  
22 the amusement tax in 2013 is projected to be  
23 \$200,000.

24 Now that we have concluded the Act  
25 511 taxes we'll look at some other revenue

1 items. First is penalties and interest on  
2 tea delinquent taxes. In 2013, penalty and  
3 interest revenue projections on delinquent  
4 taxes will be the same.

5 The amount of penalty and interest  
6 revenue that is projected to be received in  
7 2013 is \$54,400.

8 Also, unlike 2012, the city will  
9 charge a \$25 fee for searches related to  
10 delinquent real estate taxes, refuse fees,  
11 liens and condemnations. This is projected  
12 to generate an additional \$50,000 in  
13 revenue.

14 Licenses and permits. In 2013,  
15 licenses and permits revenue is projected to  
16 be higher than in 2012.

17 In 2012, the projected amount of  
18 revenue to be generated by Licenses and  
19 Permits was projected to be \$2,681,230.

20 In 2013, this is projected to  
21 increase to \$3,445,062.50.

22 This is an overall increase of  
23 \$763,832.50.

24 The amount of revenue generated  
25 through License and Permits is projected to



1 rise due to the expansion of Geisinger as  
2 well as the receipt of fees through a third  
3 party planning review process.

4 Fines, forfeits and violations. In  
5 2013, fines, forfeits and violations revenue  
6 is projected to be higher than in 2012.  
7 Scranton will entering into a contract with  
8 Standard Parking to have them provide meter  
9 collection and fine issues for the city.  
10 The implementation of smart meters will also  
11 take place in 2013. These technological  
12 advancements will be help generate more  
13 revenue and IPS, in case anybody is  
14 wondering, was the company chosen for the  
15 meter upgrades.

16 Another topic under this section is  
17 Scranton will also be looking into  
18 establishing a city-owned storage yard,  
19 which fees will be collected for abandoned  
20 and towed vehicles. If this does not  
21 happen, a suitable replacement for the  
22 revenue projected to be made will be found.

23 The overall amount of revenue  
24 projected to be collected in 2012 in fines,  
25 forfeits and violations was \$1,169,200. In

1           2013, the amount projected to be collected  
2           is \$1,755,500, which is an overall increase  
3           of \$586,300.

4                     Interest earnings. Interest  
5           earnings are earnings that are generated on  
6           the accumulation of interest on money that  
7           the city has in the bank. This past year  
8           interest earnings were rather low as the  
9           city has not had a lot of cash on-hand in  
10          the bank, however, as was the case last  
11          year, the projection for interest earnings  
12          will remain the same at \$10,000 as the city  
13          expects to have more in the bank this year  
14          than we had over the previous year.

15                    Rents and concessions. Rents and  
16          concessions revenue is generated through the  
17          rental of city-owned facilities to  
18          residents. Like 2012, rents and concessions  
19          revenue is projected to remain constant at  
20          \$28,000.

21                    Intergovernmental reimbursements.  
22          In 2013, the only intergovernmental  
23          reimbursement that the city is projected to  
24          receive is state pension aid totaling  
25          \$2,921,682.

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In 2012, the city received less pension aid from the state, however, the city did receive a loan from the state in addition to FEMA emergency permits.

PILOTS. PILOTS, for those who do not know, are payments in lieu of taxes that the city receives on an annual basis from various nonprofit institutions.

In 2013, the mayor has agreed to aggressively pursue nonprofits for PILOTS. Consistent with the recovery plan, the amount projected to be received is \$1.3 million.

In case this has not received, extra money has been set aside as an expenditure in contingency to make up for shortfalls.

Departmental earnings. Departmental earnings consist of revenue earned through parking meters, the zoning board, pave cuts, and the police and fire department through report copies and false alarms.

In 2012, the amount of revenue generated through departmental earns was projected to be \$1,821,000. In 2013, the amount of revenue projected to be generated

1 through departmental earnings is \$2,308,500.  
2 This is an overall increase of \$487,500.  
3 The increase in revenue can be partially  
4 attributed to the installation of smart  
5 meters by IPS and the increase in revenue  
6 can also be attributed to an increase in the  
7 charge for false alarms, which is an agenda  
8 item tonight.

9 In 2013, there will be no charge for  
10 a first false alarm, a \$500 charge for a  
11 second and third false alarm, and a \$1,000  
12 charge for a fourth false alarm and any  
13 false alarm thereafter.

14 Moving onto user fees. User fees  
15 are fees collected by the city's Parks and  
16 Recreation Department for the use of  
17 city-own property.

18 There are no expected changes to the  
19 collection of user fees in 2013 in  
20 comparison with 2012. In 2012, the amount  
21 of revenue projected to be collected from  
22 user fees was \$61,000. In 2013, the amount  
23 of revenue projected is \$60,500.

24 Miscellaneous revenue and cable TV  
25 revenue. The miscellaneous revenue category

1 consists of revenue that is not classified  
2 in any other category.

3 In 2013, miscellaneous revenue  
4 expected to be generated consists of market  
5 based revenue opportunities, commonly  
6 referred to by council members as MBRO's.  
7 Repayment from the Ice Box development. The  
8 city is going to aggressively pursue the  
9 \$600,000 that's owed from the development of  
10 the Ice Box Complex, and proceeds from a  
11 2013 bond issuance which will cover the cost  
12 of the Supreme Court award as well as  
13 increased pension costs.

14 The amount of market based revenue  
15 opportunities that the city is projected to  
16 be received as dictated by PEL is \$353,421.  
17 The amount that the city is expected to  
18 receive from the repayment of the Ice Box  
19 Development is \$600,000, and the amount that  
20 the city is expected to receive through a  
21 bond issuance to cover the cost of the  
22 Supreme Court award and increased  
23 Pennsylvania costs is \$25 million.

24 Interfund transfers. Interfund  
25 transfers represents reimbursements from

1           third parties. Transfers from other funds  
2           include reimbursement from insurance  
3           companies relating to Workers' Compensation  
4           excess from recovery payments and the other  
5           type of interfund transfer represents liquid  
6           fuels tax fund payments.

7                     The amount of interfund transfers  
8           projected to be realized in 2012 was  
9           \$1,907,472.16. The amount of interfund  
10          transfers to be realized in 2013 is  
11          projected to be \$1,870,023.22 which is an  
12          overall net decrease of \$37,448.94.

13                    Funds from the liquid fuels funds  
14          are generally used for maintenance,  
15          construction and reconstruction of roads and  
16          streets.

17                    And finally on the revenue side, tax  
18          anticipation note. A tax anticipation note  
19          is a short-term loan designed to make ends  
20          meet and keep the city afloat until taxes  
21          and other revenues are realized throughout  
22          the year.

23                    In 2013, the city will seek one tax  
24          anticipation note totaling \$14 million. The  
25          lender for the tax anticipation note will be

1 Amalgamated Bank.

2 And now that we are done with  
3 revenue I will move onto expenditures.

4 Expenditures overview. The amount  
5 of expenditures in the operating budget is  
6 equal to the amount of the revenue, which is  
7 \$190,688,365.70. Expenditures have risen,  
8 and I know this may be a little bit  
9 repetitive, but I believe it's necessary so  
10 everybody understands, expenditures have  
11 risen primarily due to the Supreme Court  
12 award, debt service for the Supreme Court  
13 award, an increase to the MMO, and the  
14 police overtime required by the Supreme  
15 Court award.

16 Expenditures overview. Other  
17 contributing factors to rising expenses  
18 include salary increase for union employees,  
19 the fire, police, clerical and DPW unions  
20 due to their respective CBAs or collective  
21 bargaining agreements.

22 Increases in longevity salary for  
23 union employees. Increased debt service  
24 costs due to the repayments of unfunded debt  
25 and the inability to refinance debt to save

1 as much as was projected in 2012.

2 The refinancing of debt was  
3 projected to save \$6.4 million in 2012. In  
4 2013 the refinancing of debt is projected to  
5 save the city \$4.6 million and change.  
6 There is nothing that Scranton City Council  
7 or the administration can do to limits these  
8 expenditures.

9 Because expenditures increased in  
10 2013 and no positions were eliminated,  
11 department heads were asked to cut 10  
12 percent of their departmental spending  
13 outside of the employee compensation.

14 The following represents what cuts  
15 were made in comparison to 2012 for the same  
16 line items, and I won't read off the small  
17 amounts for each, but I will go through each  
18 office individually.

19 First, the mayor's office. Interest  
20 were cuts made in dues and subscriptions and  
21 travel and lodging totaling \$337, which is a  
22 43 percent of departmental operating  
23 expenses cut in that department.

24 City council. There were \$102,000  
25 worth of cuts. These stem from professional



1 services and the service and maintenance  
2 fee, which constituted 48 percent of  
3 departmental operating expenditures cut.

4 The City Controller's Office. There  
5 were \$288.34 of cuts, mainly in printing and  
6 binding, dues and subscriptions and  
7 stationery, which is 1 percent of  
8 departmental operating expenditures cut.

9 The Business Administrator's Office.  
10 There were cuts made in professional  
11 services, printing and binding, dues and  
12 subscriptions, materials and supplies, and  
13 the SPA citation issuers since we will no  
14 longer be paying the SPA for maintenance of  
15 the meters. This was cut out. The  
16 operation of the parking meters will be  
17 taken over by Standard Parking and the  
18 compensation will be included in their fees  
19 in the amount of money that the city  
20 receives. The total amount of cuts in the  
21 BA's Office was \$564,999.53 and this is a 9  
22 percent departmental operating expenditure  
23 cut.

24 The HR Office. There were cuts in  
25 professional services, materials and

1 supplies, and liability and casualty  
2 insurance totalling \$72,667.38 and this  
3 constituted a 6 percent departmental  
4 operating expenditures percent cut.

5 IT, there was a 30 percent cut in  
6 materials and supplies. This represented a  
7 12 percent departmental operating  
8 expenditure cut.

9 Treasury. The treasurer agreed to  
10 cut professional services by \$20,635.50 and  
11 this is a 36 percent cut of the Treasury  
12 Department's operating expenditure.

13 Onto LIPS, license, inspections and  
14 permits. In the LIPS administration  
15 section, there were cuts to professional  
16 services, dues and subscriptions,  
17 stationery, training and certification, and  
18 maintenance of communication equipment  
19 totaling \$2,852.86 and this was a 6 percent  
20 departmental operating expenditure cut.

21 LIPS buildings. There were cuts  
22 made to professional services, services and  
23 maintenance fees, building repair and  
24 supplies, and small tools and supplies  
25 totaling \$167,946.94 which is an 11 percent

1 departmental operating expenditure cut.

2 The police department. There were  
3 cuts made in professional services, services  
4 and maintenance fees, dues and  
5 subscriptions, miscellaneous services  
6 nonclassified, stationery, materials and  
7 supplies, miscellaneous, travel and lodging,  
8 training and certification, capital  
9 expenditure and maintenance of communication  
10 equipment totaling \$33,274 and this was a 14  
11 percent cut of the police department's  
12 operating expenditures.

13 The fire department. There were  
14 cuts made in building repair supplies,  
15 materials and supplies, air packs and rehab  
16 supplies and maintenance of communication  
17 equipment totaling \$4,799.19 and this did  
18 not represent any percentage of operating  
19 expenditures cut, though, I did want to  
20 mention that there were was a trivial amount  
21 of cuts in the fire department.

22 DPW administration. Maintenance of  
23 the superfund site, flood projection system  
24 and maintenance were all cut totaling  
25 \$60,172.58. This represented a 39 percent

1 departmental operating expenditure cut.

2 DPW engineering, there were no cuts  
3 made.

4 DPW highways. There were cuts made  
5 in the services and maintenance fee, rental  
6 vehicles and equipment, stationery,  
7 construction material, paint and sign  
8 material, materials and supplies  
9 miscellaneous, salt, and capital  
10 expenditures totaling \$78,585.14 and that  
11 represented a 5 percent departmental  
12 operating expenditure cut.

13 DPW refuse. Through an agreement of  
14 forbearance of the landfill fees there was a  
15 cut made of one million, two-thousand four  
16 hundred and fifty dollars of landfill fees.  
17 This is 63 percent decrease in their  
18 operating expenses expenditure costs. This  
19 forbearance of payment will need to be  
20 repaid over a subsequent 36-month term,  
21 however.

22 DPW garage. There were cuts made in  
23 contracted services, stationery and small  
24 tools totalling \$948, which is a 1 percent  
25 departmental operating expenditure cut.

1 DPW Parks and Recreation. There  
2 were cuts made to stationery, building  
3 repairs supplies, medical, chemical and lab  
4 supplies, performing arts, and the spring  
5 and summer program totaling \$26,356.96 and  
6 that represented a 15 percent cut of their  
7 departmental operating expenditures.

8 No cuts were made in departmental  
9 expenditures for the law department or OECD.

10 And just some final remarks, though  
11 taxes had to be raised by 12 percent in  
12 accordance with the Court order, every  
13 effort was taken to limit the tax increase  
14 to 12 percent and cuts were made where cuts  
15 could be made and new revenue opportunities  
16 were explored. I worked very diligently to  
17 attend meetings with Mr. McGowan, the mayor,  
18 Councilwoman Evans regarding the budget and  
19 though there will be amendments made to the  
20 budget, it will not be nearly anywhere as  
21 lengthy as in years past.

22 And with that, I conclude my  
23 presentation tonight.

24 MS. EVANS: Thank you, Councilman  
25 Joyce. And, Councilman McGoff, do you have

1 any comments or motions?

2 MR. MCGOFF: Mr. Joyce, are you  
3 prepared to answer questions about it or  
4 should we wait until another time?

5 MR. JOYCE: It's up to you.

6 MR. MCGOFF: Mrs. Evans, I don't  
7 know what your thoughts were on it?

8 MS. EVANS: No, you can certainly  
9 pose your questions to Mr. Joyce or to Mr.  
10 McGowan.

11 MR. MCGOFF: Just a few quick things  
12 that I just wanted to determine, one of the  
13 pie chart that's included with the budget,  
14 these fire and DPW add up to about 79  
15 percent of the expenditures. Do you know if  
16 that includes health care costs for those  
17 three?

18 MR. JOYCE: I believe it does. The  
19 health care costs are separated out in the  
20 expenditures for each department being fire,  
21 police and DPW, so that I believe does  
22 include the health care costs for those  
23 three.

24 MR. MCGOFF: In the past it  
25 sometimes was included with the

1 administration, so I wasn't sure if this  
2 was -- the second thing, on the real estate  
3 tax, the 12 percent increase is based on  
4 millage --

5 MR. JOYCE: Yes.

6 MR. MCGOFF: -- or revenue? It's  
7 based on the millage?

8 MR. JOYCE: Yes, I believe so. It's  
9 a 12 percent millage increase.

10 MR. MCGOFF: And do you know what  
11 collection rate is being used to arrive at  
12 the figure?

13 MR. JOYCE: Mr. McGowan came up with  
14 the millage rates for the --

15 MR. MCGOFF: So he would know.

16 MR. JOYCE: -- for the figure, but  
17 I'm assuming it's 87 percent.

18 MR. MCGOFF: Was it 87 we did it at  
19 last year? 87 or 82, something like that?

20 MR. JOYCE: I'm assuming it's 87  
21 percent, but I can confirm it with him.

22 MR. MCGOFF: I'll check with Mr.  
23 McGowan, and I think that was all I had for  
24 now. Thank you very much.

25 MR. JOYCE: Thank you.

1 MR. ROGAN: I had two questions on  
2 the budget and I know you probably want to  
3 return to your seat.

4 MR. JOYCE: I do, but --

5 MR. ROGAN: -- the two questions  
6 that I had, the one position in the Business  
7 Administrator Office, it was mentioned that  
8 that's trying to be funded by a grant;  
9 correct?

10 MR. JOYCE: Correct.

11 MR. ROGAN: And all of the health  
12 care would be paid for by the city or would  
13 that be in the grant as well?

14 MR. JOYCE: I do not have full  
15 clarification that the health care would be  
16 paid by the grant, I'm assuming it would be  
17 paid by the city and health care on average  
18 is roughly \$12,500 for the average  
19 individual.

20 MR. ROGAN: And the only other  
21 question I had at this time, obviously,  
22 there is much to talk about, was on the DPW  
23 refuse, the amount of the cut, I believe, it  
24 was a very high percentage because of the  
25 decrease in the landfill fees for this year.



1 MR. JOYCE: Correct.

2 MR. ROGAN: But this is really in  
3 essence borrowing and not a cut; correct?

4 MR. JOYCE: Well, I mentioned that  
5 it's a forbearance of the payment, so you  
6 could look at it as -- that's why I look at  
7 it as -- some may view it as a cut, it's a  
8 cut in the expenditure line item, however,  
9 it's money that will have to be paid back at  
10 a later date so you may want to call it a  
11 borrowing expenditure.

12 MR. ROGAN: And that's all I have  
13 for now, Mr. McGoff, sorry for interrupting  
14 you.

15 MR. MCGOFF: That's quite all right.

16 MR. ROGAN: Thank you, Mr. Joyce.

17 MR. JOYCE: No problem.

18 MR. MCGOFF: Just two brief things.  
19 First, I believe, Ms. Schumacher, maybe you  
20 already know, but they have been doing work  
21 at the intersection of River Street and  
22 Meadow Avenue with the intent of placing  
23 traffic signals, which I know residents have  
24 been asking for many, many years and I'm not  
25 sure that the timeline on that, I was told

1           that it would be relatively soon. Hopefully  
2           relatively means within the -- hopefully by  
3           the end of this calendar year, if not at  
4           least early in the next calendar year.

5                         And now that we have taken care of  
6           that situation, the traffic light there, I  
7           maybe move our intentions towards Orchard  
8           Street and Cedar Avenue, which now with the  
9           bridge closed there is increased traffic at  
10          that intersection where you have the  
11          entrance and exit from 81 or from the  
12          expressway, the Central City Expressway, and  
13          also Orchard Street and Cedar Avenue, it's  
14          to me a very dangerous corner, so perhaps we  
15          can move toward resolving that issue as  
16          well.

17                        And just a couple of last comments  
18          on the budget, I know there has been a lot  
19          said about the raising that are contained in  
20          the budget, the concern I have and I -- I  
21          can see that the raises for those positions  
22          were earned for the most part, perhaps not  
23          in the amounts that we are looking at, but I  
24          believe that the people that are receiving  
25          raises did, in fact, do tremendous work in

1 the past year.

2 My concern is that by including them  
3 in this year's budget I think it was poor  
4 timing. I'm not sure that we are sending  
5 the right message, especially to the Courts  
6 at this time when we are asking for  
7 permission to seek a commuter tax and we are  
8 turning around and saying that we do have  
9 enough money to offer raises. I'm not sure  
10 that that's the right message, but that's  
11 something we can discuss in the future and  
12 that's all I have. Thank you.

13 MS. EVANS: Thank you. And,  
14 Councilman Rogan?

15 MR. ROGAN: Yes. I guess I only  
16 have a few items to talk about as well and  
17 they're actually the same ones Mr. McGoff  
18 brought up, and I'll start with the traffic  
19 first since that's a quicker item than the  
20 budget. Mr. McGoff is right I actually  
21 travel off the expressway five days a week  
22 at the intersection of Orchard and Cedar and  
23 it's a very difficult, very difficult  
24 intersection and I'm surprised there is not  
25 more accidents there, we are lucky that

1           there aren't.

2                         Also, Mrs. Krake, I will send this  
3           to you in an e-mail tomorrow, I have had  
4           numerous complaints from residents in the  
5           city about the new signalization program in  
6           the downtown, many people, you know, they  
7           see the camera up there and I've had  
8           questions about whether the camera is on,  
9           obviously they are not because that is  
10          something that would have to be approved by  
11          council, but from my understanding the  
12          program is to know make traffic through  
13          smoother in the downtown, so far from what I  
14          have heard and what I have experienced it's  
15          actually been worse. Now, maybe that's  
16          because the whole program isn't up and  
17          running yet.

18                         But, Mrs. Krake, I will be sending  
19          you all of that information, I believe it's  
20          PennDOT that it would be going to, but I  
21          will get that all to you tomorrow morning.

22                         And, of course, on the hot issue of  
23          the day the budget, I have made my positions  
24          on the raises very clear, I think everyone  
25          in the room knows what they are. I don't

1 believe at a time when, as I stated in the  
2 paper, that when the city is raising taxes,  
3 raising fees and when we are in dire  
4 straights that we can be giving out raises  
5 of these amounts. Now, whether the tax  
6 increase is itemized to pay for borrowing or  
7 whether it's itemized as a general revenue  
8 item, at the end of the day the taxpayers  
9 pay. Everyone's salary in the city. They  
10 pay mine, they pay the mayor's, they pay  
11 firemen, and the police, DPW, the clerical,  
12 they pay everyone's in the administration  
13 and we have to watch every dollar.

14 As I mentioned in the paper, if  
15 Attorney Hughes' position is being moved to  
16 full-time he should receive a full-time  
17 salary for the position, I believe  
18 Mr. Kelly's current salary would be  
19 appropriate for that. That's not a \$15,000  
20 raise though and I do agree that the council  
21 solicitor has been doing more work and  
22 because the city solicitor hasn't been doing  
23 his job, so I don't see how it could be  
24 proposed in a budget that both solicitors  
25 receive a \$15,000 raise. Obviously there is

1 more work, but somebody is dropping the  
2 ball.

3 And if you look at the last ten  
4 years in the city it's been the city  
5 solicitors that have been dropping the ball.  
6 We are borrowing tens of millions of dollars  
7 to pay for a Court case. Now, I know Mayor  
8 Doherty also listened to legal advice from  
9 the state, but his solicitors as well would  
10 have him input on that. We have had  
11 numerous complaints in this chamber about  
12 Solicitor Kelly. I complained and I  
13 screamed at the top of my lungs for a few  
14 years about the conflict of interest with  
15 Solicitor Kelly at the Parking Authority and  
16 being on the city, being on both ends of  
17 transactions and we saw how that ended, so I  
18 don't see how an increase for Solicitor  
19 Kelly could be justified.

20 Same thing for Mr. McGowan, it  
21 wasn't too long ago when Mr. McGowan was  
22 responsible for losing over a million  
23 dollars of parking meter revenues that  
24 magically reappeared. That's not the action  
25 of somebody who deserves a \$10,000 a year

1 raise.

2 Furthermore, on the budget, the  
3 projections for wage tax are to increase by  
4 \$1.75 percent which I assume is the rate of  
5 wage earning growth for the city as a whole,  
6 so when the average person in the city is  
7 getting a 1.75 percent raise I don't think  
8 it's right to be giving 20 and 30 percent to  
9 anyone, and not only anyone, but there are  
10 people that are already making well in  
11 excess of what the average Scrantonian  
12 makes.

13 So, as I mentioned, I will be  
14 putting together an amendment to remove  
15 those raises. I hope it receives the votes  
16 of my colleagues. I am encouraged some of  
17 the comments that I have heard other members  
18 are willing to reconsider what was placed in  
19 the original budget, and I hope that will  
20 happen.

21 Also on the budget, and this will be  
22 ongoing of many other questions, everyone is  
23 beginning to contact us as they dig deeper  
24 and deeper into the budget, is the change  
25 for towing and storage, and I believe it's

1 budgeted at \$300,000 to create a city lot,  
2 and I should have asked Mr. Joyce this after  
3 the presentation, I apologize, but would  
4 that cover towing as well? Would that be  
5 one contractor or towing remain the same?

6 MR. JOYCE: Would towing remain the  
7 same?

8 MR. ROGAN: Yes.

9 MR. JOYCE: Towing would remain the  
10 same, the city would be charging for a fee,  
11 a storage fee, for an abandoned car or  
12 vehicle, whether it be a semi or --

13 MS. EVANS: Actually, I think  
14 Mr. Loscombe and I could comment on that  
15 because we were in those meetings with Chief  
16 Graziano and Corporal Bachman, and the  
17 towers would continue tow all the vehicles,  
18 but it had been the desire of the Scranton  
19 Police Department for many years to  
20 establish a storage yard for the City of  
21 Scranton as is done in many other  
22 municipalities and it is highly successful.  
23 The site that was chosen was the lot behind  
24 the Scranton Police Department, which is  
25 covered by security cameras and members of



1 the police department would actually be  
2 responsible for the operation of that  
3 storage yard and it would not require -- it  
4 would not require overtime or the hiring of  
5 any additional police officers; and simply  
6 by operating that storage yard the city  
7 would see a revenue increase of \$300,000  
8 alone simply on, for example, the vehicles  
9 mentioned by Mr. Joyce. The vehicles, for  
10 example, that are considered heavy towing,  
11 those would be tractor trailers that are  
12 stuck under bridges when towers are involved  
13 in those incidents they are making upwards  
14 of \$10,000 per tow and so that portion of it  
15 has not even been calculated into that  
16 \$300,000. That's very reasonable,  
17 conservative figure.

18 MR. ROGAN: It is.

19 MS. EVANS: You know, the heavy duty  
20 storage we would see far more.

21 MR. ROGAN: And as far as, you know,  
22 average Joe, car breaks down in front of the  
23 fire hydrant and gets towed would that be in  
24 the city lot as well?

25 MS. EVANS: I believe so. I don't

1 see why not.

2 MR. ROGAN: Again, I will be talking  
3 to more people about this, I do have some  
4 concerns that it's making government bigger  
5 and I am sure many people are familiar with  
6 the Philadelphia Parking Authority and the  
7 problems they have with their lots, and it  
8 really can, you know, ruin somebody's day.  
9 Not only that, it's not a place for -- you  
10 know, if somebody has a bad time and their  
11 car breaks down and then on top of that they  
12 have to pay a fee to the city and --

13 MS. EVANS: Well, they have to pay a  
14 fee now.

15 MR. ROGAN: They would have to pay a  
16 fine.

17 MS. EVANS: They are paying a fee to  
18 each of these towers who store the cars.  
19 That is who is storing them right now, so  
20 they have to then rather than going to a  
21 city storage yard which is overseen by the  
22 police department, they are going to the  
23 storage yards of these towers and paying the  
24 tower the daily storage fee.

25 MR. ROGAN: So the businesses is

1           being taken from private industry to the  
2           government?

3                       MR. LOSCOMBE: I believe part of the  
4           problem, too, is that the different  
5           companies that are towing are charging  
6           different storage fees, too. It would be  
7           uniform for this plan and it would be, you  
8           know, it would cause less problems.

9                       According to I believe it was  
10          Corporal Bachman, there are a lot of  
11          problems with a lot of different areas in  
12          this area. We are just trying to make it  
13          easier for our citizens. Towing services  
14          are still going to be doing their towing and  
15          the city will be taking care of the vehicles  
16          while they are stored so they are all in one  
17          location. Right now people have to call and  
18          find out where their cars are stored, you  
19          know, one of 13 different towing companies.

20                      MR. ROGAN: So would additional  
21          insurance be required on the city's end as  
22          well?

23                      MR. LOSCOMBE: I'm sure it would be  
24          covered under our liability. It would be  
25          very minimal, but our city insurance needs a

1 total upkeep anyway overall. We may end up  
2 saving in the long running.

3 MR. ROGAN: Definitely if you are  
4 going to address it I'll listen to what you  
5 have to say. On the face of it, it's not  
6 something that I agree with it, but I'll  
7 definitely hear everyone out on that issue  
8 as well. And, as I said, I'll be working  
9 over the next week to prepare an amendment  
10 to the budget for the pay increases that I  
11 mentioned and some other items as well that  
12 I have seen, that I think could be done  
13 differently.

14 And, you know, it is a very large  
15 document and Mr. Joyce did a great  
16 presentation, summed it up very well, and  
17 it's something that you have to read through  
18 as a council member multiple times to get a  
19 firm grasp on it, and I've read it three or  
20 four times already and every time I read  
21 through it there is something else that  
22 sticks out that you didn't catch the last  
23 time. So over the next week I will continue  
24 to doing that. I look forward to hearing  
25 from the public at the caucus or the hearing

1 on Monday, and I appreciate all of the input  
2 I received so far regarding the budget, and  
3 that is all I have for tonight. Thank you.

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

6 MR. LOSCOMBE: Yes, thank you.  
7 Hopefully I just have a couple of things  
8 that came up this evening so I will discuss  
9 them. As far as the budget, Mr. Joyce, you  
10 did an excellent presentation again as  
11 usual.

12 MR. JOYCE: Thanks.

13 MR. LOSCOMBE: And again, as  
14 Mr. Rogan said, there is a lot to go over  
15 for all of us in this budget, and I will  
16 reserve my comments as far as the budget  
17 goes until next week because I have some  
18 questions that I have and some things that  
19 may be answered in the mean time.

20 Just to touch base on the parking  
21 issue, it's still not a finalized product,  
22 we are looking at different options. One of  
23 our goals, I think all of our goals on  
24 council here have been to try and keep the  
25 plan of raising taxes down by looking at

1 different opportunities to generate revenue,  
2 revenue that is not coming out of everyone's  
3 pockets, and we have heard different  
4 situations with the parking problems, people  
5 trying to find their vehicles, people paying  
6 different fees for storage, even as far as  
7 the city has a fixed towing fee that there  
8 may be some extra billing to the insurance  
9 companies on top of that.

10 We are just trying to get it a  
11 little bit fairer for our residents. At the  
12 same time, under police control with these  
13 vehicles and the cameras and we have the  
14 facility, I think it's a safer situation for  
15 the vehicles and I think it's, you know, a  
16 way to generate some income for our  
17 residents to help offset any tax increases.

18 And I know, you know, again, it's  
19 still preliminary so I don't know how the  
20 final outcome is going to be, but there has  
21 been some complaints I guess from some  
22 towers and stuff like that that we are  
23 taking their bills away, but there is  
24 probably a hundred different towers in this  
25 area, I think there is 13 on the list, they



1 difference.

2 But the other thing that has really  
3 upset the sequences have been the closure of  
4 our bridges, the Expressway bridge, the  
5 Linden Street bridge. I noticed myself in  
6 the mornings going up Moosic Street the  
7 traffic coming off 81 that would normally  
8 come down Moosic Street is turning right  
9 going over to Mulberry Street and they have  
10 traffic backed up all the way around. It's  
11 difficult for vehicles heading up Moosic  
12 Street to turn left onto Harrison Avenue.  
13 We have some issues like this that we are  
14 going to have to get together with PennDOT  
15 and take care of.

16 Now, my fear is the condition of the  
17 Harrison Avenue bridge at this point. It's  
18 off limits for trucks, certain weight  
19 vehicles, our fire trucks cannot travel  
20 across it and I have seen more and more now  
21 two lanes of traffic sitting on that bridge  
22 which, you know, that's a lot of weight, so  
23 I think we should contact PennDOT and see  
24 what their, you know, recommendation is for  
25 something like that, too, but I do agree I



1 think once the bridges are open, the lights  
2 are complete you will see a much smoother  
3 flow of traffic hopefully.

4 And it was touched on before, and  
5 ironically I had the same thing on my mind  
6 the insurance coverage. If I remember  
7 correctly last year when we approved it,  
8 first of all, they finally put it out for  
9 bid, but they didn't -- I mean, it was 30  
10 days. For an insurance agency or company to  
11 do due diligence and research all of the  
12 properties for the proper coverage it's  
13 impossible to do it in 30 days. You know, a  
14 lot of the coverage was it just continued  
15 year after year. To do it right, everything  
16 should be looked over again.

17 I think our agreement at that time  
18 was to have it bid out by October and we are  
19 already in, you know, the end of the  
20 November. And I'm usually on top of this  
21 too but the last few months have been a  
22 little hectic for me so, you know, I  
23 apologize for falling behind on this, but  
24 for any bidding to go out I believe any  
25 company is going to need at least 90 days,

1 if not 60, to properly bid something like  
2 this to do it right and, you know, I would  
3 recommend again, as Mrs. Evans stated,  
4 getting the administration to let us know  
5 what their intent is on this here. They  
6 have done this to us two years, dragged it  
7 on and then it's too late. You know, this  
8 could be another savings for us to keep the  
9 taxes down. All these little things add up.  
10 This is two, three years now that this is  
11 going by the wayside. So, you know, I hope  
12 we can resolve this issue.

13 And that's all I have this evening.

14 Thank you.

15 MS. EVANS: Thank you. Good  
16 evening. City council will entertain a  
17 lengthy agenda which includes several items  
18 I wish to address. In Fifth Order for  
19 introduction are the following:

20 Ordinances establishing new fines to  
21 be imposed for false alarms, approving a fee  
22 schedule for delinquent tax revenues and  
23 lien searches, adoption of the general city  
24 operating budget for the Year 2013,  
25 authorizing a supplemental reimbursement

1 agreement for design of the Rockwell Avenue  
2 bridge project, approving of a grant  
3 application in the amount of \$2,044,000 to  
4 fund a citywide paving project, and  
5 providing for the regulation of storm water  
6 management in Scranton, and penalties for  
7 violations in order to meet current  
8 Pennsylvania DEP standards.

9 As my colleague mentioned during his  
10 excellent presentation tonight, the fines  
11 for false alarms are increased to \$500 for  
12 the second and third occurrences and \$1,000  
13 for the fourth and each occurrence  
14 thereafter.

15 The fee schedule for delinquent tax  
16 and fees is as follows: \$25 per search or  
17 real estate tax, refuse fee and lien or  
18 condemnation searches.

19 Both of these initiatives, among  
20 others, are included in the proposed 2013  
21 operating budget in order to generate  
22 increased or new revenue for the city.

23 The proposed 2013 budget, which will  
24 be introduced tonight, is not a done deal as  
25 Mr. Rogan erroneously declared. Council is

1           amenable to amendments and the budget will  
2           not be voted on for final adoption until  
3           December 13. Just as the work on the  
4           preliminary budget continued right into the  
5           November 15 deadline for the mayor to submit  
6           his budget to city council, work will  
7           continue on this proposed budget and  
8           amendments can be presented during Sixth  
9           Order and Seventh Orders prior to the final  
10          vote.

11                        Amendments, incidentally, are not  
12           presented during Fifth Order introduction of  
13           the legislation.

14                        Now, I know that Councilman Rogan  
15           earlier, very early in the meeting, referred  
16           to a proposed budget having been printed,  
17           well, council, city council, is the one who  
18           sends the budget to print once it is  
19           finalized, so that doesn't typically occur  
20           until January.

21                        This copy, meaning copies remained  
22           for each council member, this copy was  
23           produced by the IT Department and there were  
24           very few copies made, and I remember in the  
25           past, prior to the seating of this council,

1 we very often received the exact type of  
2 copy that we did this year in terms of the  
3 mayor's proposed budget. It wasn't until  
4 2010 that we were receiving our copies minus  
5 a cover.

6 Now, as I said, a done deal doesn't  
7 exist and it didn't exist before November 15  
8 and it doesn't exist now.

9 Additionally, the legislation  
10 related to the grant funding for a citywide  
11 paving project in 2013 includes the  
12 following streets:

13 In West Scranton the 400 block of  
14 Railroad Avenue, the 1300, 1400, 1500 and  
15 1600 blocks of Division Street. The 1000,  
16 1200, 1300, 1400, 1500 and 1600 blocks of  
17 the Washburn Street, and the Lackawanna  
18 bridge from North Ninth to North Seventh  
19 Street.

20 In the downtown, the 100, 200, 300  
21 and 400 blocks of North Washington Avenue.  
22 The 100, 200, 300 and 400 blocks of Penn  
23 Avenue. 100, 200, 300, 400 blocks of  
24 Franklin Avenue. The 700, 800 and 900  
25 blocks of Vine Street, and the 100, 200,

1           300, 400 and 500 blocks of Lackawanna  
2           Avenue.

3                     In South Scranton, the 1000 block of  
4           Hemlock Street and the 300 block of Hickory  
5           Street.

6                     In Greenridge, the 100 to 300 blocks  
7           of Marion Street, 400 to 600 blocks of Glenn  
8           Street and the 1300 to 1500 blocks of  
9           Albright Avenue.

10                    In North Scranton, and I know that  
11           in particular Mr. Joyce and I are going to  
12           be very, very pleased with this development:  
13           Williams Street, the 100, 200 and 300 blocks  
14           of Greenbush Street. The 300, 400 and 500  
15           blocks of Reese Street, and Rockwell Avenue.

16                    So it appears that long last the  
17           streets that we have been begging to be  
18           paved for years finally made the list.

19                    MR. LOSCOMBE: Is that a final list,  
20           Mrs. Evans?

21                    MS. EVANS: As far as I know it is.

22                    MR. LOSCOMBE: Because we did have  
23           that situation off the Morgan Highway, too,  
24           I believe.

25                    MS. EVANS: Right. Now, this wasn't

1 developed by city council.

2 MR. LOSCOMBE: Right. That's the  
3 first I heard of streets.

4 MS. EVANS: Yeah. And since one of  
5 this council's major goals has been street  
6 paving as evidenced particularly through our  
7 increased CDBG allocations for paving, we  
8 are pleased to support this resolution just  
9 as council is anxious to move legislation  
10 for the renovation of the Rockwell Avenue  
11 bridge.

12 Next, contained in Sixth Order is  
13 the ordinance to implement an amusement tax.  
14 City council received a response from the  
15 law department and amendments containing the  
16 exemptions proposed by city council will be  
17 made tonight.

18 I urge my colleagues to support this  
19 new revenue generator which was also  
20 included in the revised recovery plan.

21 Next, our city clerk, Nancy Krake,  
22 submitted to the city engineer a petition  
23 from the residents of the 300 block of 13th  
24 Avenue in West Scranton to add a streetlight  
25 to the top of the 300 block of 13th Avenue

1 on an existing pole to provide additional  
2 security and safety in light of crimes of  
3 violence in this area in recent months.  
4 Council awaits the recommendation of the  
5 engineer.

6 Also, to date, city council has not  
7 received monthly reports from the OECD  
8 regarding the status of the all loans  
9 despite multiple requests for such over the  
10 last several months, and as community  
11 development chair, Mr. Rogan, can you  
12 explain this?

13 MR. ROGAN: Yes. I said, and  
14 Mrs. Schumacher knows we've spoken pretty  
15 much daily on this issue, I have sent  
16 probably a dozen e-mails regarding this  
17 issue. The last response I got was that Ms.  
18 Aebli was busy regarding the HUD action  
19 reports, things of that nature and she says  
20 it's still in the works. I wish I could go  
21 in there and put together myself.

22 MS. EVANS: Maybe you should.  
23 Also -- or I should say finally, Mrs. Krake,  
24 if you would please send a letter to the  
25 mayor and BA asking when the broker of



1 record for all city insurances will be bid.  
2 And that's it.

3 MR. HUGHES: 5-B. AN ORDINANCE  
4 PROVIDING FOR THE REGULATION AND CONTROL OF  
5 STORMWATER MANAGEMENT IN THE CITY OF  
6 SCRANTON FOR THE LACKAWANNA RIVER WATERSHED  
7 PURSUANT TO PENNSYLVANIA'S STORMWATER  
8 MANAGEMENT ACT, ACT 167, AS AMENDED; BY  
9 PROVIDING FOR THE APPROVAL OF STORMWATER  
10 PLANS, PROVIDING STANDARDS AND METHODOLOGIES  
11 FOR THE DESIGN OF STORMWATER CONTROLS; THE  
12 ADMINISTRATION OF THIS ORDINANCE BY THE CITY  
13 OF SCRANTON AND PENALTIES FOR THE VIOLATION  
14 OF THIS ORDINANCE.

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

18 MR. ROGAN: So moved.

19 MR. JOYCE: Second.

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

23 MR. MCGOFF: Aye.

24 MR. ROGAN: Aye.

25 MR. LOSCOMBE: Aye.

1 MR. JOYCE: Aye.

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

4 MR. HUGHES: 5-C. APPROPRIATING  
5 FUNDS FOR THE EXPENSES OF THE CITY  
6 GOVERNMENT FOR THE PERIOD COMMENCING ON THE  
7 FIRST DAY OF JANUARY, 2013 TO AND INCLUDING  
8 DECEMBER 31, 2013 BY THE ADOPTION OF THE  
9 GENERAL CITY OPERATING BUDGET FOR THE YEAR  
10 2013.

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

14 MR. LOSCOMBE: So moved.

15 MR. JOYCE: Second.

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

19 MR. LOSCOMBE: Aye.

20 MR. JOYCE: Aye.

21 MS. EVANS: Aye. Opposed?

22 MR. MCGOFF: No.

23 MR. ROGAN: No.

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

1 MR. HUGHES: 5-D. APPROVING FEE  
2 SCHEDULE FOR DELINQUENT TAX SEARCHES,  
3 DELINQUENT AND CURRENT REFUSE SEARCHES, AND  
4 LIEN/CONDEMNATION SEARCHES.

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

8 MR. LOSCOMBE: So moved.

9 MR. JOYCE: Second.

10 MS. EVANS: On the question?

11 MR. ROGAN: Yes, on the question,  
12 are these title searches are these generally  
13 in relation to the purchase of a home in the  
14 city?

15 MR. JOYCE: Yes.

16 MR. ROGAN: So we are trying to tax  
17 people that are trying to buy a house and  
18 pay property taxes.

19 MR. JOYCE: It's a \$25 charge on  
20 delinquent -- yes, \$25 charge for delinquent  
21 tax searches, delinquent refuse searches and  
22 the lien condemnation searches.

23 MR. ROGAN: Okay.

24 MS. EVANS: Anyone else? All those  
25 in favor of introduction signify by saying

1 aye.

2 MR. MCGOFF: Aye.

3 MR. LOSCOMBE: Aye.

4 MR. JOYCE: Aye.

5 MS. EVANS: Aye. Opposed?

6 MR. ROGAN: No.

7 MS. EVANS: The ayes have it and so  
8 moved.

9 MR. HUGHES: 5-E. REPEALING ALL  
10 PRIOR ORDINANCES REGARDING FINES TO BE  
11 IMPOSED FOR POLICE AND FIRE DEPARTMENTS'  
12 RESPONSES TO FALSE ALARMS IN THE CITY;  
13 ESTABLISHING FINES TO BE IMPOSED FOR THE  
14 ACTIVATION OF AN ALARM DEVICE WHICH IS  
15 DETERMINED TO BE FALSE ALARM BY THE POLICE  
16 DEPARTMENT OR FIRE DEPARTMENT; AUTHORIZING  
17 THE ADMINISTRATION AND ENFORCEMENT OF SAID  
18 FINES; AND PRESCRIBING PENALTIES FOR  
19 VIOLATIONS OF THIS ORDINANCE.

20 MS. EVANS: At this time I'll  
21 entertain a motion that Item 5-E be  
22 introduced into its proper committee.

23 MR. ROGAN: So moved.

24 MR. MCGOFF: Second.

25 MS. EVANS: On the question?

1 MR. ROGAN: I would just like to say  
2 at first glance I didn't support it until I  
3 read the exceptions, there are exceptions to  
4 the Act of God exceptions, if your building  
5 is hit by lighting, heavy rains, things of  
6 that nature, you are not responsible for  
7 paying the fee.

8 MS. EVANS: Anyone else? All those  
9 in favor of introduction signify by saying  
10 aye.

11 MR. MCGOFF: Aye.

12 MR. ROGAN: Aye.

13 MR. LOSCOMBE: Aye.

14 MR. JOYCE: Aye.

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

17 MR. HUGHES: 5-F. AUTHORIZING THE  
18 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS  
19 TO EXECUTE AND ENTER INTO A SUPPLEMENTAL  
20 REIMBURSEMENT AGREEMENT NO. 041222-C WITH  
21 THE COMMONWEALTH OF PENNSYLVANIA FOR THE  
22 PURPOSE OF INCREASING THE FUNDS ALLOCATED  
23 FOR THE DESIGN OF THE ROCKWELL AVENUE BRIDGE  
24 PROJECT AND UPDATING VARIOUS EXHIBITS  
25 RELATING TO SAME.

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

4 MR. ROGAN: So moved.

5 MR. JOYCE: Second.

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

9 MR. MCGOFF: Aye.

10 MR. ROGAN: Aye.

11 MR. LOSCOMBE: Aye.

12 MR. JOYCE: Aye.

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

15 MR. HUGHES: 5-G. RATIFYING AND  
16 APPROVING OF THE EXECUTION AND SUBMISSION OF  
17 THE GRANT APPLICATION BY THE CITY OF  
18 SCRANTON TO THE COMMONWEALTH OF PENNSYLVANIA  
19 ACTING THROUGH THE COMMONWEALTH FINANCING  
20 AUTHORITY FOR A LOCAL SHARE ACCOUNT GRANT,  
21 PURSUANT TO THE PA RACE HORSE DEVELOPMENT  
22 AND GAMING ACT, IN THE AMOUNT OF  
23 \$2,044,000.00 IN SUPPORT OF THE CITY OF  
24 SCRANTON PAVING PROJECT THROUGHOUT THE CITY  
25 OF SCRANTON, PENNSYLVANIA. AUTHORIZING THE

1 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS  
2 TO ACCEPT THE GRANT, IF SUCCESSFUL,  
3 COORDINATING AND DISBURSING THE GRANT  
4 FUNDS FOR THE CITY OF SCRANTON PAVING  
5 PROJECT.

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

9 MR. ROGAN: So moved.

10 MR. JOYCE: Second.

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

14 MR. MCGOFF: Aye.

15 MR. ROGAN: Aye.

16 MR. LOSCOMBE: Aye.

17 MR. JOYCE: Aye.

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

20 MR. HUGHES: 5-H. AMENDING  
21 RESOLUTION NO. 45, 2012, AUTHORIZING THE  
22 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS  
23 FOR THE CITY OF SCRANTON TO ENTER INTO A  
24 LOAN AGREEMENT AND MAKE A LOAN FROM THE  
25 COMMUNITY DEVELOPMENT BLOCK GRANT LOAN

1 PROGRAM, PROJECT NO. 150.34 IN AN AMOUNT  
2 NOT TO EXCEED \$150,000.00 TO FRECKLES &  
3 FRILLS, INC. TO ASSIST AN ELIGIBLE PROJECT,  
4 TO INCLUDE THE GUARANTEE OF EARLY  
5 DEVELOPMENT ASSOCIATES, LLC.

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

9 MR. ROGAN: So moved.

10 MR. JOYCE: Second.

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

14 MR. MCGOFF: Aye.

15 MR. ROGAN: Aye.

16 MR. LOSCOMBE: Aye.

17 MR. JOYCE: Aye.

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

20 MR. HUGHES: SIXTH. CONSIDERATION  
21 OF ORDINANCES - READING BY TITLE.

22 6-A. READING BY TITLE - FILE OF  
23 COUNCIL NO. 74, 2012 - AN ORDINANCE -  
24 AUTHORIZING THE VACATION OF AN UNOPENED  
25 RIGHT-OF-WAY KNOWN AS THE 200 BLOCK OF



1 MCDONOUGH STREET CONSISTING OF AN AREA 150  
2 FEET LONG BETWEEN 39.31 AND 39.62 FEET WIDE  
3 LOCATED BETWEEN GREG COURT (UNDEVELOPED) AND  
4 COLLIERY AVENUE IN THE CITY OF SCRANTON, AS  
5 MORE PARTICULARLY DESCRIBED IN THE LEGAL  
6 DESCRIPTION AND MAP ATTACHED HERETO, UNDER  
7 AND SUBJECT TO A PERMANENT EASEMENT AND  
8 RIGHT OF WAY GRANTED TO THE SEWER AUTHORITY  
9 OF THE CITY OF SCRANTON, PENNSYLVANIA OVER  
10 THE ENTIRE VACATED AREA.

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

13 MR. ROGAN: I move that Item 6-A  
14 pass reading by title.

15 MR. JOYCE: Second.

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

18 MR. MCGOFF: Aye.

19 MR. ROGAN: Aye.

20 MR. LOSCOMBE: Aye.

21 MR. JOYCE: Aye.

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

24 MR. HUGHES: 6-B. READING BY TITLE -  
25 FILE OF COUNCIL NO. 75, 2012 - AN ORDINANCE-

1 AN ORDINANCE TO PROVIDE REVENUE FOR THE CITY  
2 OF SCRANTON BY IMPOSING A TAX UPON THE  
3 PRIVILEGE OF ATTENDING OR ENGAGING IN  
4 AMUSEMENTS, INCLUDING EVERY FORM OF  
5 ENTERTAINMENT, DIVERSION, SPORT, RECREATION  
6 AND PASTIME, REQUIRING ALL PERSONS,  
7 PARTNERSHIPS, ASSOCIATIONS AND CORPORATIONS  
8 CONDUCTING PLACES OF AMUSEMENTS; IMPOSING  
9 DUTIES AND CONFERRING POWERS UPON THE  
10 TREASURER OF THE CITY OF SCRANTON;  
11 PRESCRIBING THE METHOD AND MANNER OF  
12 COLLECTING THE TAX IMPOSED BY THIS  
13 ORDINANCE; AND IMPOSING PENALTIES FOR THE  
14 VIOLATION THEREOF.

15 MR. JOYCE: I make a motion to amend  
16 Item 6-B as per the following:

17 1. In the Summary Title, on the  
18 third line between the words "in" and  
19 "amusements", insert "Non-exempt".

20 2. Inserting a new Section 5, which  
21 reads as follows:

22 "Section 5. Exempt Activities and  
23 Manner to Procure Exemption.

24 The following activities shall be  
25 exempt from the Amusement Admission Tax:



1 shall mean one who performs in a live  
2 production or show gratuitously and without  
3 monetary compensation therefore, including  
4 but not limited, non-paid amateur and  
5 student performers;

6 C. National, State, County or Local  
7 Government.

8 The amount charged and paid for  
9 admission to any amusement sponsored by any  
10 arm, branch, department or agency of the  
11 United States Federal government,  
12 Pennsylvania State government or a local  
13 government, county school district or other  
14 political subdivision, where the proceeds  
15 collected by such organization from charges  
16 paid for admissions to such organization  
17 from charges paid for admissions to such  
18 amusement go directly to said governmental  
19 organization; and.

20 D. Procurement of Exemption.

21 In order to obtain an exemption from  
22 payment of this tax, the entities listed in  
23 paragraphs A through D above must request  
24 the exemption from the City of Scranton  
25 Treasurer, in writing, no later than 30 days

1 prior to the scheduled event. A failure to  
2 strictly follow this requirement, and/or  
3 failure to fully and accurately provide any  
4 relevant information requested by the City  
5 to verify the basis for the exemption, shall  
6 be cause for the City to deny the  
7 exemption."

8 3. Sections 5 through 16 shall be  
9 re-numbered 5 to 17.

10 MR. LOSCOMBE: Second.

11 MS. EVANS: Are there any questions?

12 MR. MCGOFF: Yes. Under student  
13 activities it says, "Public schools or  
14 public school districts," does that preclude  
15 private schools?

16 MR. JOYCE: Attorney Hughes?

17 MS. EVANS: Or nonprofit  
18 organization created and operated to  
19 coordinate such events.

20 MR. JOYCE: So that would mean, yes.

21 MR. HUGHES: I believe that, I don't  
22 have it in front of me, but if it just says  
23 public schools it would apply only to public  
24 schools. I think right now, this is an  
25 amendment, what would be in order if you

1 want it to include also private schools, it  
2 would be an amendment to the amendment to  
3 amend that section to state both public and  
4 private schools then you would vote on the  
5 amendment to the amendment first. If that  
6 passes, or if it's defeated, you would then  
7 vote on the amendment. So it would be an  
8 amendment to the amendment if you make that  
9 motion.

10 MR. MCGOFF: Yes, could it be  
11 amended next week in Seventh Order?

12 MS. EVANS: Well, you might as well  
13 do it right now.

14 MR. MCGOFF: Well, I just don't want  
15 to confuse it and make it --

16 MR. HUGHES: Yes, it could be  
17 amended next week.

18 MR. MCGOFF: You know what I mean?  
19 I prefer that we get the wording that we  
20 want for it. If we do it hastily we may end  
21 up regretting it.

22 MS. EVANS: That's fine.

23 MR. HUGHES: It would be the same  
24 procedure next week, you would have to amend  
25 the amendment.

1 MS. EVANS: Yes, I understand.

2 MR. HUGHES: Okay.

3 MR. MCGOFF: Thank you.

4 MS. EVANS: Anyone else on the  
5 question? All those in favor of the  
6 amendment -- or I should say on the motion  
7 to amend Item 6-B signify by saying aye.

8 MR. MCGOFF: Aye.

9 MR. ROGAN: Aye.

10 MR. LOSCOMBE: Aye.

11 MR. JOYCE: Aye.

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

14 Now, you've heard reading by title  
15 of Item 6-B, as amended, what is your  
16 pleasure?

17 MR. JOYCE: I move that Item 6-B per  
18 the following --

19 MS. EVANS: As amended.

20 MR. JOYCE: Sorry, as amended, pass  
21 reading by title.

22 MR. ROGAN: Second.

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

25 MR. MCGOFF: Aye.

1 MR. ROGAN: Aye.

2 MR. LOSCOMBE: Aye.

3 MR. JOYCE: Aye.

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

6 MR. HUGHES: 7. FINAL READING OF  
7 RESOLUTIONS AND ORDINANCES.

8 7-A.FOR CONSIDERATION BY THE  
9 COMMITTEE ON RULES FOR ADOPTION-RESOLUTION  
10 NO. 49, 2012- APPOINTMENT OF NANCY D.  
11 BISIGNANI, 1200 PINE STREET, SCRANTON,  
12 PENNSYLVANIA, 18510, AS A MEMBER OF THE  
13 HISTORICAL ARCHITECTURE REVIEW BOARD FOR AN  
14 ADDITIONAL FIVE (5) YEAR TERM. MRS.  
15 BISIGNANI'S CURRENT TERM EXPIRED ON OCTOBER  
16 11, 2012 AND HER NEW TERM WILL EXPIRE ON  
17 OCTOBER 11, 2017.

18 MS. EVANS: As Chair for the  
19 Committee on Rules, I recommend final  
20 passage of Item 7-A.

21 MR. LOSCOMBE: Second.

22 MS. EVANS: On the question?

23 MR. ROGAN: Yes, I'm just looking  
24 down, were we provided a resume?

25 MS. EVANS: Yes.



1 MR. ROGAN: I see it on the second  
2 one, Mr. Morgan provided a letter as well.

3 MS. EVANS: He provided a letter,  
4 but also I believe Ms. Bisignani provided a  
5 very brief dossier. So anyone else on the  
6 question? Roll call, please.

7 MS. MARCIANO: Mr. McGoff.

8 MR. MCGOFF: Yes.

9 MS. MARCIANO: Mr. Rogan.

10 MR. ROGAN: Yes.

11 MS. MARCIANO: Mr. Loscombe.

12 MR. LOSCOMBE: Yes.

13 MS. MARCIANO: Mr. Joyce.

14 MR. JOYCE: Yes.

15 MS. MARCIANO: Mrs. Evans.

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

18 MR. HUGHES: 7-B. FOR CONSIDERATION  
19 BY THE COMMITTEE ON RULES FOR  
20 ADOPTION-RESOLUTION NO. 50, 2012-  
21 APPOINTMENT OF JOHN MOORE, 315 13TH AVENUE,  
22 SCRANTON, PENNSYLVANIA, 18504, AS A MEMBER  
23 OF THE HISTORICAL ARCHITECTURE REVIEW BOARD  
24 FOR AN ADDITIONAL FIVE (5) YEAR TERM. MR.  
25 MOORE'S CURRENT TERM EXPIRED ON OCTOBER 11,

1 2012 AND HIS NEW TERM WILL EXPIRE ON OCTOBER  
2 11, 2017.

3 MS. EVANS: As Chair for the  
4 Committee on Rules, 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. MARCIANO: Mr. McGoff.

10 MR. MCGOFF: Yes.

11 MS. MARCIANO: Mr. Rogan.

12 MR. ROGAN: Yes.

13 MS. MARCIANO: Mr. Loscombe.

14 MR. LOSCOMBE: Yes.

15 MS. MARCIANO: Mr. Joyce.

16 MR. JOYCE: Yes.

17 MS. MARCIANO: Mrs. Evans.

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

20 MR. HUGHES: 7-C. FOR CONSIDERATION  
21 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT  
22 FOR ADOPTION - RESOLUTION NO. 51, 2012  
23 - ACCEPTING THE RECOMMENDATION OF THE  
24 HISTORICAL ARCHITECTURE REVIEW BOARD  
25 ("HARB") AND APPROVING THE CERTIFICATE OF

1 APPROPRIATENESS FOR MAGICAL MARKERS VINYL  
2 GRAPHICS, 529 NORTHERN BOULEVARD,  
3 CHINCHILLA, PENNSYLVANIA FOR THE  
4 INSTALLATION OF A 16 OZ. VINYL, FLEX FACE  
5 PRINTED BANNER, MEASURING 30 ¾" H X 272 ¾"  
6 W, FILLED WITHIN THE SIGN PANEL RECESS AT  
7 516 LACKAWANNA AVENUE, SCRANTON,  
8 PENNSYLVANIA.

9 MS. EVANS: What is the  
10 recommendation of the Chair for the  
11 Committee on Community Development?

12 MR. ROGAN: As Chair for the  
13 Committee on Community Development, I  
14 recommend final passage of Item 7-C.

15 MR. JOYCE: Second.

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

18 MS. MARCIANO: Mr. McGoff.

19 MR. MCGOFF: Yes.

20 MS. MARCIANO: Mr. Rogan.

21 MR. ROGAN: Yes.

22 MS. MARCIANO: Mr. Loscombe.

23 MR. LOSCOMBE: Yes.

24 MS. MARCIANO: Mr. Joyce.

25 MR. JOYCE: Yes.

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MS. MARCIANO: Mrs. Evans.

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

If there is no further business,  
I'll entertain a motion to adjourn.

MR. JOYCE: Motion to adjourn.

MS. EVANS: This meeting is  
adjourned.

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C E R T I F I C A T E

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

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CATHENE S. NARDOZZI, RPR  
OFFICIAL COURT REPORTER