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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, September 26, 2013

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  
(Not Present)
- JOHN LOSCOMBE
- NANCY KRAKE, CITY CLERK
- JAMIE MARCIANO, ASSISTANT CITY CLERK
- BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. MARCIANO: Mr. McGoff.

5 MR. MCGOFF: Here.

6 MS. MARCIANO: Mr. Rogan.

7 (Mr. Rogan not present.)

8 MS. MARCIANO: Mr. Loscombe.

9 MR. LOSCOMBE: Here.

10 MS. MARCIANO: Mr. Joyce.

11 MR. JOYCE: Here.

12 MS. MARCIANO: Mrs. Evans.

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

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

16 MINUTES OF THE COMPOSITE PENSION BOARD

17 MEETING HELD AUGUST 28, 2013.

18 MS. EVANS: Are there any comments?

19 If not, received and filed.

20 MS. KRAKE: 3-B. AUDIT STATUS FROM  
21 ROBERT ROSSI & CO. RECEIVED AUGUST 29, 2013.

22 MS. EVANS: Are there any comments?

23 If not, received and filed.

24 MS. KRAKE: 3-C. CONTROLLER'S REPORT  
25 FOR THE MONTH ENDING AUGUST 31, 2013.

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

3 MS. KRAKE: 3-D. AGENDA FOR THE CITY  
4 PLANNING COMMISSION MEETING HELD SEPTEMBER  
5 25, 2013.

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

8 MS. KRAKE: 3-E. TAX ASSESSOR'S  
9 REPORT HEARING AND APPEAL RESULTS FROM  
10 SEPTEMBER 4, 2013.

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

13 MS. KRAKE: 3-F. TAX ASSESSOR'S  
14 REVISED COMMERCIAL REPORTS HEARING DATES TO  
15 BE HELD OCTOBER 17 AND 24 OF 2013.

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

18 Do we have any Clerk's notes  
19 tonight, Mrs. Krake?

20 MS. KRAKE: No, Mrs. Evans.

21 MS. EVANS: Thank you. Do any  
22 council members have announcements at this  
23 time? The Elm Park Church located at the  
24 corner of Jefferson Avenue and Linden Street  
25 in Scranton will present the program "An

1 Early History of our Church and Community"  
2 on October 7, 2013, at 6:30 p.m. Speakers  
3 include Gino Aleo, historical interpreter,  
4 who will provide an overview and insights;  
5 Tom Costello, who will offer an illustrated  
6 presentation of the America artist PW  
7 Costello, whose works are displayed in the  
8 church; and Sandy Connell, who will present  
9 personal family accounts of William Connell,  
10 former president of the Board of Trustees  
11 and US Congressman. The public is invited  
12 to attend.

13 And that's it.

14 MS. KRAKE: FOURTH ORDER. CITIZENS'  
15 PARTICIPATION.

16 MS. EVANS: Our first speaker  
17 tonight is Brian Fulton.

18 MS. SHEMANSKI: Hello, everyone.  
19 I'm Kristin Shemanski and this Brian Fulton,  
20 and we are here on behalf Scranton Reads.  
21 Scranton Reads is a community reading event  
22 which is organized by the City of Scranton  
23 and the Albright Memorial Library every  
24 year. Each year during the month of  
25 October, the citizens of Scranton get

1           together and read a great work of  
2           literature. They participate in book  
3           discussions and special events related to  
4           the chosen work.

5                         Each year we have two main goals:  
6           The first goal is to encourage reading  
7           amongst people of all ages, and the second  
8           goal is to bring in the community together  
9           through a common experience. Scranton  
10          Reads, One City, One Book, enhances the  
11          feeling of community by bringing people from  
12          all different backgrounds together and  
13          uniting through the love of literacy.

14                        This year we have chosen Stephen  
15          Crane's "The Red Badge of Courage", which  
16          Brian has a copy each of you, and we hope  
17          everyone can help us celebrate our 11th year  
18          in Scranton Reads. There is a listing of  
19          events including in the book and everything  
20          is on-line on our website at  
21          Scrantonreads.com so you can go on and check  
22          everything out there.

23                        MS. EVANS: Indeed. Thank you for  
24          all of the wonderful work that you do and  
25          for continuing this program year after year.

1 As a former English teacher, I'm certainly  
2 an advocate of reading, and I'm hoping that  
3 this does encourage everyone in the  
4 community, young and old alike, to develop a  
5 life-long love of reading and learning. So  
6 thank you, again, for everything that you do  
7 for this cause.

8 MS. SHEMANSKI: Thank you.

9 MR. MCGOFF: And as a former social  
10 studies teacher, I applaud the great choice.  
11 Very nice.

12 MS. SHEMANSKI: Yes. Thank you very  
13 much.

14 MR. LOSCOMBE: Thank you.

15 MS. EVANS: Ron Ellman.

16 MR. ELLMAN: Council.

17 MR. LOSCOMBE: Good evening.

18 MS. EVANS: Good evening.

19 MR. ELLMAN: I certainly hope that  
20 council investigates Mr. Miller's suggestion  
21 last week. We've had 20 years of PEL and  
22 they have never brought one positive thing  
23 in 20 years. Here is something in five  
24 minutes that's worth going into.

25 As you know, all I do is talk to

1 people in and out of wherever I go all week  
2 long and it just seems like the public feels  
3 that you people aren't listening to us  
4 anymore. You know, half of the people in  
5 this city are suffering and low income, last  
6 week you were worried about the Mall  
7 Association. Let them go broke. Let them  
8 give us some money back for crying out loud.  
9 We are facing all of these increases and we  
10 have to worry about the Mall Association.  
11 They are just a bunch of deadbeats. I was  
12 at the mall last week to pay my kids' TV.  
13 There is nobody there. I don't know how you  
14 get people there, I don't wish it upon them,  
15 but they just lack something. I don't know  
16 what it is.

17 Has any of you all ever sat down a  
18 wrote a letter to the governor about the  
19 city? No. Why? All he gets as news is  
20 what he reads in this newspaper I guess  
21 that's full of lies and distortions.

22 MS. EVANS: Well, we did write a  
23 letter to the governor --

24 MR. ELLMAN: This is a spur of the  
25 moment thing, if one of you will get in your



1 car and go down and make an appointment and  
2 see the governor I will pay for it. I will  
3 pay your gas, your motel, your food, because  
4 this city has been good to me. I love this  
5 city and I'm like Mr. Bolus, I'd like to  
6 give something. I can't afford to give a  
7 dinner like he does, but I can afford to pay  
8 for a trip. Something has got to be done  
9 about the University and the colleges. They  
10 are stealing us blind and all that happens  
11 is tax, tax and tax.

12 They got a bunch of stooges and  
13 write letters to the paper and express their  
14 exuberance how fortunate we are to have the  
15 university in our city. Nobody seems to  
16 bring up the fact that our children that are  
17 going to go to these universities sooner or  
18 later are being deprived of tax money for a  
19 good school system. It's just an endless  
20 circle that nothing is being done about.  
21 You know, every week this Oliver Morgan  
22 writes a letter and they print it. Just  
23 unsubstantiated nonsense. I write a letter  
24 they throw it away. They don't print it.  
25 That's censorship. Censorship is an enemy

1 of any newspaper, a legitimate newspaper.

2 Yesterday Oliver Morgan had an  
3 article that we should get rid of  
4 Mr. Barletta and Mr. Marino, his boss is the  
5 one that has caused all of the misery that  
6 half the people of in this city are facing.  
7 His boss is the one that has caused a third  
8 of the people -- a third of the children  
9 that he cries about with his crocodile tears  
10 and nothing is being done, and if you people  
11 just won't attack the University, and I  
12 realize how powerful they are. I think they  
13 say all power corrupts, absolutely. When  
14 the Court system can say that Spruce is an  
15 adequate corner and doesn't need anything  
16 right now there is something wrong. A week  
17 ago I was in traffic, the kids are all over  
18 the place, and they are just going to the  
19 across -- can you imagine what an  
20 eight-story school building is go to be like  
21 at that intersection? They need a cross  
22 walk on the second story or something.

23 Well, thank you for your time. And  
24 if one of you would take me up on it, I made  
25 it from my heart, I will pay every single

1 penny you bring me back. You don't look  
2 interested. What about you, Jack?

3 MR. LOSCOMBE: I just don't think we  
4 going to get anywhere.

5 MR. ELLMAN: Somebody take me up on.

6 MR. LOSCOMBE: We've already --

7 MR. ELLMAN: I'm good for the money,  
8 I promise you.

9 MS. EVANS: I know. I know you are.  
10 It's a matter of --

11 MR. ELLMAN: Thank you.

12 MS. EVANS: You're welcome. We  
13 wrote the governor several times in order to  
14 have just the 2010 census certified by him,  
15 which is what is to occur by Pennsylvania  
16 law, and that took about a year before the  
17 governor finally responded and we wrote over  
18 and over and over again.

19 I have met many times with Senator  
20 Blake. We had public caucuses here with  
21 former state representatives and current  
22 state representatives. We have asked them  
23 for their assistance. I put before them  
24 several initiatives that they could be  
25 pursue legislatively in order to financially

1 help this city. Their answers were no,  
2 can't do that. So I don't know -- I don't  
3 know if city council or a member of city  
4 council would even receive an appointment to  
5 see the governor, but I now perhaps, I guess  
6 I'll just be frank with you, Mr. Ellman, I'm  
7 very jaded. I don't see the help coming  
8 from the state. You know, I don't see that  
9 they're anxious to assist us.

10 Because, you know, rightfully so,  
11 the State of Pennsylvania should be stepping  
12 in and directly financially assisting the  
13 City of Scranton for the role it played in  
14 using this city as a test case in the  
15 Pennsylvania Supreme Court. We are unique.  
16 There is no other city in Pennsylvania  
17 distressed or not that this state used in a  
18 courtroom, and when the award came down the  
19 state walked away, and I asked the state to  
20 help us then because of their very active,  
21 very public role in this case, and you know  
22 what I was told? No. Nope. No financial  
23 help coming. So that's why I guess I'm  
24 feeling as I do, Mr. Ellman. I'm sorry.

25 Our next speaker is Doug Miller.

1                   MR. MILLER: Good evening, Council.  
2                   Doug Miller, Scranton.

3                   MR. LOSCOMBE: Good evening.

4                   MR. MILLER: We are not too far in  
5                   the meeting and already a lot of very  
6                   important points have already been raised  
7                   this evening, and I'd like to sort of  
8                   piggyback on some of the things that  
9                   Mr. Ellman just spoke on and I do agree with  
10                  him. It's a long time coming for the state  
11                  to come in and intervene and assist this  
12                  city and it seems like, you know, we seem to  
13                  be talking to the wall competitively and,  
14                  you know, we just don't get anywhere with  
15                  this.

16                  You know, we had our senator here,  
17                  we had our representatives here not too long  
18                  ago and, you know, you thought we were  
19                  getting somewhere about it seems as if all  
20                  we did was just kick the can down the road  
21                  further, and, you know, we were yes'd to  
22                  death, that's for sure, throughout that  
23                  caucus, but no help came from it and I think  
24                  that's a very troubling thing.

25                  I do believe that you are absolutely

1 correct, Mrs. Evans, I do feel that the City  
2 of Scranton has been used as a guinea pig,  
3 you know a scientific test, you know, in  
4 terms of our relationship with PEL. They  
5 certainly aren't looking out for our  
6 interest, and I'm very upset about that as  
7 well.

8           You know, these resources that are  
9 supposed to be here aiding the city are  
10 doing the complete opposite and they all  
11 have an obligation to assist us. I think it  
12 was you, Mrs. Evans, awhile back you alluded  
13 to and made a good point we are in an  
14 instance the dying child or the sick child  
15 and the parent, which is PEL and our state  
16 legislators, have an obligation to come in  
17 and try to find a cure so that this dying  
18 child doesn't die off and, unfortunately, we  
19 are dying and, you know, we are now reaching  
20 a point where we are trying to determine  
21 whether or not it's necessary pull the plug  
22 and I hate it see it come to that point, but  
23 we are getting there.

24           Just when you think you see some  
25 light at the end of the tunnel and you think

1 we are getting somewhere we take three steps  
2 back, and I really feel sorry for this  
3 present council because I know you have gone  
4 through a lot of obstacles and you have a  
5 lot a things going against you.

6 You know, you've obviously try to do  
7 some positively things and you should be  
8 recognized and acknowledged for that.  
9 Unfortunately, the cooperation hasn't always  
10 been there and when you don't have that  
11 cooperation from those that have an  
12 obligation to cooperate and assist, you  
13 don't get too far.

14 But, you know, I do believe we can  
15 overcome these challenges that we face, but  
16 it is getting late and if the state is not  
17 willing to intervene I do think, that as  
18 Mr. Ellman said, we need to continue to put  
19 pressure. I know it's easy to say that and  
20 it's easy to send letters and try to attempt  
21 to contact our state leaders, but, you know,  
22 they have an obligation and they are down  
23 back in session now and their focus should  
24 be fixing struggling distressed cities.

25 You know, it's my understanding that

1           they are down there, you know, concerned  
2           about reducing the size of the state  
3           legislature and, you know, it's priorities,  
4           the little things. Where are we going here?

5                     You know, we need to address these  
6           challenges. We are looking at pension  
7           shortfalls. You read the paper today the  
8           city is on the hook for \$6.3 million. You  
9           know, it doesn't look like we are going to  
10          come up with that by the end of the year and  
11          that's another debt we are going to be  
12          carrying over to next year, so just it's a  
13          trickle down effect. It just keeps  
14          continuing and continuing and when we think  
15          we are getting on the right track, as I've  
16          said, we take a step back. You know, we  
17          look at these union settlement and the  
18          judgment against the city and they can seize  
19          assets. You know, the unfunded debt  
20          borrowing.

21                    You know, tonight I take a look at  
22          the mandate impact summary from last summer  
23          when council lead to the recovery plan and  
24          the other night at the Taxpayers'  
25          Association it was brought to our attention



1           that, and you can correct me if I'm wrong,  
2           but I don't even believe the amusement tax  
3           at this point has been collected and we were  
4           projecting I believe \$200,000 for 2013,  
5           \$250,000 for 2014, and we haven't collected  
6           a dime of that, and these are things that we  
7           were expected to realize and have been part  
8           of recovery plan, revenue that's much  
9           needed, that we haven't seen a penny. And  
10          I'm hopeful that we can get to the bottom of  
11          that and try to determine why that has not  
12          been collected.

13                         But there are a lot of issues moving  
14          forward and when we get into budget season  
15          looking into next year, in terms of revenue  
16          and where we plan on trying to generate  
17          revenue. Last week I did propose a  
18          suggestion to council in regards to a 1  
19          percent tuition tax on post-secondary  
20          education. I would, however, like to  
21          clarify, there was a misstatement made last  
22          week and it's hard when you are in the  
23          audience sometimes to hear what individuals  
24          on council are saying, but to clarify on the  
25          collection of the tax, you are not taxing

1 the institution. As we now, you can't tax a  
2 nonprofit entity, the way it works is the  
3 tax is collected by the institution from  
4 each student at the time of registration and  
5 then at that time it's remitted to the city  
6 and that's how collection works. I just  
7 wanted to clarify that to the public.

8 But, you know, at this point in time  
9 the financial challenges we face I don't  
10 believe that any idea that's brought forward  
11 by either the public or council, I don't  
12 think we can say it's a bad idea. We need  
13 money. It's as simple as that.  
14 Unfortunately, we don't have the ability to  
15 go out and pick money off trees or print  
16 money ourselves.

17 We need solutions, and as I said  
18 last week, it's going to take a vision,  
19 creativity and a clear goal to overcome our  
20 challenges, and I firmly believe we can do  
21 that, but really need to put our minds to  
22 work and together overcome these challenges.  
23 Thank you.

24 MS. EVANS: Thank you. Just for a  
25 point of clarification now, the state, some

1 state legislators I believe had formed a  
2 committee and their purpose was to revise or  
3 remand Act 47 and though nothing yet is  
4 official it appears from what we are all  
5 reading that the state would provide  
6 distressed cities, such as Scranton, an  
7 option of several tax increases or new taxes  
8 that it could levy in order to assist it in  
9 successfully exiting Act 47.

10 Now, I know this council had been  
11 very interested for many years in a payroll  
12 tax, and that's something worth looking into  
13 it, but we discussed the fact that initially  
14 the first year or two that's revenue  
15 neutral, so you are not going to see the  
16 benefits of that immediately.

17 As far as the or taxes go, that are  
18 being proposed, Scranton again is unique in  
19 that we have one of the highest wage taxes  
20 in the state so clearly I don't believe that  
21 the governing body of the city is going to  
22 even consider an increase in the wage tax.  
23 As for the others, I really can't speak to  
24 that, but my own opinion is, because I will  
25 not be here next year, but my own opinion is

1           the solution is not simply in taxing, taxing  
2           and overtaxing the same group of people.  
3           The solution, as I said earlier, the state  
4           has a responsibility to come into this city  
5           and assist it financially. The state jumped  
6           in immediately after that Supreme Court  
7           decision and made the necessary changes to  
8           the law so that no other distressed city  
9           would ever be negatively impacted by a court  
10          award as this city has been, so everyone  
11          else was taken care of except, of course,  
12          Scranton, the guinea pig.

13                         And for Scranton to be able to dig  
14          itself out of where it is now in addition to  
15          all that the city government can do, it  
16          needs the financial help of the State of the  
17          Pennsylvania who put us here and until that  
18          happens I don't know how successful all of  
19          the new taxation in the world is going to be  
20          because the people in this city, the  
21          population has been shrinking and the people  
22          in the city just can't support all of this  
23          financially. It's impossible.

24                         So if the city -- or rather if the  
25          state would really like to help this city, I



1 coming out of Scranton. Something we had  
2 absolutely nothing to do with it.

3 So I find it kind of comical that  
4 when people point a finger they should know  
5 which way to point it. Nobody put any  
6 protection under that bridge. Cars ran  
7 under it for seven or eight months. No  
8 netting, nothing to prevent anything that  
9 could have fallen because the bridge was so  
10 dangerous. There was a bridge ready to fall  
11 down. Unfortunately, our vehicle impacted  
12 it and we have taken responsibility for  
13 that, but the District Attorney like to play  
14 games so they took \$20,000 of money and we  
15 are all broke, the city, county, we all have  
16 problems, and paid Boots and hanks Towing  
17 over 20 some thousand dollars to remove the  
18 machine from our property and store it.  
19 Where is the common sense? Where is the  
20 smoking gun?

21 They tore the bridge down when our  
22 engineers were coming in to examine it and  
23 destroyed all of the beams. Creates a  
24 spoilage issue because we couldn't inspect  
25 it properly for the stress that is needed,

1           so there is a lot of gains played and  
2           politics.

3                         And, Janet, the reason I brought  
4           that up is exactly when you going through  
5           with the state. Council is speaking out on  
6           behalf of the people. I went to Court, as  
7           most of you know, and filed a lawsuit  
8           against the University. Not because I have  
9           a vendetta or an issue with the University,  
10          it's about the dollars and cents we don't  
11          have because we have been taken advantage of  
12          to put it bluntly. There was a footprint,  
13          it. Boyd was very elegant in presenting the  
14          Scranton Plan with the University Plan when  
15          you cross that line you go to a commercial  
16          zone. You should no longer be considered  
17          tax exempt or nonprofit when you cross that  
18          line.

19                        I went to the Court for a reason,  
20          was to stop it. Use the wisdom of Solomon,  
21          which we believe the judicial system should  
22          have approached with, since the Zoning Board  
23          and the University did absolutely nothing to  
24          determine the volume of people that will be  
25          coming out of an eight-story building

1           instead of a four-story building you. You  
2           are not changing the footprint out, you are  
3           changing it going up.

4                         How many people were killed in the  
5           World Trade Center? They didn't killed  
6           because it was out, because it went up. I  
7           expected the wisdom of Solomon by the  
8           judicial to sit there and say, "Wait, guys,  
9           you are asking me to decide right or wrong  
10          here, but it's your responsibility to go  
11          back and bring me a study, both of you. I  
12          can now make an intelligent, justifiable  
13          decision."

14                        Got thrown out, so I went to Court  
15          and challenged for a reconsideration on that  
16          issue and the Court turned around and said,  
17          "Excuse me, get out, you have no standing.  
18          You didn't intervene."

19                        So the failure on their part. I did  
20          intervene because I came here and challenged  
21          the council, as everybody knows, about  
22          voting against it to tear the building down  
23          before the zoning board had their hearing.  
24          It was overruled. Some members of council  
25          went and voted to tear it down. The Cart



1 before the horse. But while we are still  
2 pursuing it because we want a judicial  
3 decision on fact, not on political issues,  
4 not on the powerhouse of the University.

5           Everybody wants to see progress,  
6 myself included. I build buildings, I'm a  
7 progressive individual and so is everybody  
8 here, but the bottom line is don't take it  
9 from us. They get \$700,000 grant for  
10 equipment for the building. There are  
11 spending 40 some million dollars on it.  
12 They need a grant, but yet they don't  
13 contribute a darn thing to the city other  
14 than a token few dollars.

15           Yeah, I'm upset over it because you  
16 are a bully with money. You are taking  
17 advantage of the people in this city and you  
18 are not giving anything back. A fee against  
19 students. Fine. Too bad. I paid for my  
20 education, so did everybody else here. They  
21 didn't give us anything. If they are that  
22 concerned about it then reduce the tuition  
23 to the students that have to pay the fee.  
24 They are giving something back. That's the  
25 difference here. This is a group that gives

1 nothing and take everything and that's what  
2 upset me. I want them accountable for the  
3 people for the impact that it takes on us as  
4 we try to drive out there and all of these  
5 kids are running out in the street and we  
6 don't have the traffic control or the  
7 skywalk for them to go across to prevent an  
8 injury. One fatality, one critical injury,  
9 and everybody in the city is accountable for  
10 it because they let it happen when it could  
11 have been prevented.

12 Those are my issues, the health and  
13 safety and the economic impact to all of us  
14 in this city. Sure there is jobs and the  
15 unions are going to make money, but when the  
16 job is over we are they going? Back on the  
17 unemployment line because there are no other  
18 jobs. These are the issues that we need to  
19 do.

20 My other last part of this is we  
21 have the ability to impose an impact fee. I  
22 would suggest the fee of \$1 million on that  
23 impact. Go out there right now and try to  
24 get around the corner. There is a police  
25 out there, you can't get in -- come here

1 through the day and forget about trying to  
2 make a timeframe to get somewhere. It's an  
3 impact fee. It's never been imposed on the  
4 University when they tie us up on Mulberry  
5 Street. Think about it, and they still got  
6 Mulberry Street literally screwed up with  
7 cars parking on it by the University of  
8 Scranton. It wasn't meant it be, so let's  
9 put a motion on the table to impose an  
10 impact fee on the University of Scranton.  
11 We have a police car sitting out there right  
12 now directing traffic. We are paying for  
13 it, not the University. That's the  
14 difference here. Let everybody be  
15 accountable, and I don't care who they are  
16 or what political affiliation they are, stop  
17 bullying the people and that's why I speak  
18 out.

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

20 MR. BOLUS: If you would do that  
21 tonight, Mrs. Evans, I would appreciate  
22 seeing a motion on there for an impact fee.  
23 Let's get justice for the people. Thank  
24 you.

25 MS. Evans: Thank you. Les

1 Spindler.

2 MR. SPINDLER: Good evening,  
3 Council. Les Spindler, city homeowner and  
4 resident.

5 MR. LOSCOMBE: Good evening.

6 MS. EVANS: Good evening.

7 MR. SPINDLER: Taxpayer. I have  
8 been meaning to say this for quite a few  
9 weeks, too, I think Mr. Bolus got the shaft  
10 from PennDOT. There were part of that  
11 bridge that were torn down and replaced that  
12 weren't even touched by his truck. I just  
13 think that bridge had to be replaced and  
14 they used Mr. Bolus as a scapegoat to fix  
15 the whole darn thing and it's really ashame  
16 and made an example out of him.

17 Moving on, I have to agree with  
18 Councilman Rogan. He made a statement last  
19 week the removal of Mr. Moore from HARB was  
20 retribution for the way he voted. I  
21 absolutely agree with that, and if he voted  
22 the other way to keep Leahy Hall I think  
23 this would have been a nonissue. As sure as  
24 I am standing here, I'm positive of that.  
25 It never would have been brought up. We

1           have bigger fish to fry in this city than  
2           worry about removing someone because he  
3           might be over his limit and how many years  
4           he was there.

5                         We are in danger of losing city  
6           assets to the unions because we can't get  
7           any money to pay them and this council is  
8           worried about removing somebody because of  
9           the way they voted. I think the priorities  
10          have to be put in more perspective. His  
11          appointment, yeah, it did violate a city  
12          ordinance, but there are other violations of  
13          city ordinances, too, which nothing is done  
14          about.

15                        For example, there is an audit done  
16          every year and it's never on time in 12  
17          years I have been coming here it's never  
18          been on time. I don't even know if we have  
19          the one from this year yet and it's due in  
20          May and nothing is done about that, so it  
21          just seems like this council is picking and  
22          choosing what they want to do. I was always  
23          in favor of this council, but, like I said,  
24          I don't think it was right to remove  
25          Mr. Moore from that position.

1                   If you want to remove somebody, the  
2                   people that should be removed is the  
3                   Pennsylvania Economy League. They along  
4                   with Chris Doherty are the reason we are in  
5                   the shape we are in. They get free reign to  
6                   borrow and spend and those are the people  
7                   that should be gone and not Mr. Moore.  
8                   Taking him out of his job didn't benefit  
9                   this city in any way. PEL should go and  
10                  maybe we would better off in this city.

11                  We need -- we have to get somebody  
12                  to loan us this money, but I don't know if  
13                  that's going to happen because the interest  
14                  is just getting higher and higher and the  
15                  amount of this award \$21 million, but I  
16                  don't think the unions would sell any assets  
17                  because that would be cutting of their nose  
18                  to spite their face, but I don't know what  
19                  the answer is going to be because, as is  
20                  evidenced we can't get any money. There is  
21                  no banks that want to give the city money  
22                  anymore, so I hope something is worked out.

23                  Last week Councilman Rogan brought  
24                  up Senate Bill 76, I spoke to Senator Blake.  
25                  As Councilman Rogan said, he not on board

1 with that. I saw Senator Balke Sunday, to  
2 make a long story short he said right now he  
3 is not on board with it, but they did hire  
4 two people to do a study on it. He said if  
5 those two people come back and tell him that  
6 Senate Bill 76 will work he said he will be  
7 all for it, so I hope that's what happens.

8 Lastly, the commuter tax, I am  
9 totally on board with the commuter tax, but  
10 I hope the city is a lot more prepared this  
11 year going in to ask the Court for that than  
12 it was last year. Mr. McGowan went in last  
13 year, made a fool of himself and the city,  
14 so I think Councilman Joyce should be in  
15 charge of this. He is very smart as far as  
16 numbers are concerned and, like I said, I  
17 hope we are a lot more prepared this year  
18 than we were last year. Thank you for your  
19 time.

20 MS. EVANS: Thank you.

21 MR. LOSCOMBE: Thank you.

22 MS. EVANS: Lee Morgan.

23 MR. MORGAN: Good evening, Council.

24 MS. EVANS: Good evening.

25 MR. MORGAN: The first thing I have

1 here is look it, I really respect every  
2 individual who comes here and this council,  
3 but, you know, sometimes I just don't agree  
4 and putting a fee on students I just totally  
5 disagree with, and I know the kinds of  
6 situation the city is in financially. These  
7 children were wearing diapers when this  
8 community went under Act 47 and, you know, I  
9 think it's time that really stop trying to,  
10 at least as far as young adults are  
11 concerned, trying to strap them with the  
12 responsibility of this debt. I think that  
13 we should offer young adults opportunity,  
14 all right, and I don't think we should  
15 penalize them. I think our answers are  
16 somewhere else.

17 Mrs. Evans, you talked about being  
18 used as a guinea pig for act 47. I agree.  
19 I just think that desperate times and  
20 desperate situations are going to propel  
21 maybe the wrong ideas to come forward out of  
22 desperation, and I could never, ever support  
23 levying a tax on a student regardless of  
24 what the reason was because I firmly believe  
25 that young adults you should offer



1           opportunity to and I think the residents of  
2           this city and across this Commonwealth had  
3           an opportunity to vote and to make the  
4           changes necessary to this form of government  
5           to make it responsive to the needs of this  
6           Commonwealth and it just didn't happen and  
7           maybe it's time to consider a new format for  
8           change. Maybe it's time to proceed into  
9           Court and ask the Court to grant some  
10          assistance, but that would be based on law  
11          and what we could actually do.

12                        I don't want to disagree with  
13          Mr. Bolus here, but I don't think Solomon  
14          has anything to do with the Court, I think  
15          it has to be do more with Caesar. The Court  
16          has to do with power and privilege and I  
17          think that's the thing we face. When you  
18          read case law, and a lot of other things  
19          tied to the Court, that's the opinion I get.

20                        But I really think that, you know,  
21          we should never sell the Scranton Sewer  
22          Authority to pay the judgment for the  
23          employees, okay, the money we owe the city's  
24          employees should never happen, allegedly  
25          that's an idea that's being floated. I

1 think that's one asset we shouldn't divest  
2 ourselves from. I think that we should make  
3 yearly payments to the city employee.

4 As far as the pension is concerned,  
5 I think the city needs to move away from the  
6 pension plan. I think that we need to come  
7 up with a plan where every week we will put  
8 in the employee's pay their pension  
9 contributions so that we will ever again be  
10 behind the eight ball and let them invest it  
11 the way they see fit.

12 I mean it's time for the -- and I  
13 understand where this council is because you  
14 are going to leave soon, but it's time for  
15 the next council to come in and take these  
16 seats, change the way the pension plan  
17 works, and we need to give the employees  
18 their contribution every pay period so that  
19 the requirements and the obligations are met  
20 and then what they do with that money is  
21 entirely up to them.

22 Because to be honest, and I think  
23 that council hit that again today, the  
24 residents of this city have just nor more  
25 money to give. There is nothing left. The

1 city is really faced with a situation where  
2 even now residents are leaving the city and  
3 abandoning their homes and putting them up  
4 for sale and, you know, levying all of the  
5 taxes on students and all of the other ideas  
6 that are going to come forward we can't tax  
7 ourselves into prosperity. We have to  
8 change the format and the way -- the  
9 direction we are going in and I just think  
10 for too long we have' lied on allegedly the  
11 PEL coming up with a plan, but we all know  
12 that when the first recovery plan was  
13 offered by Mr. Doherty it wasn't a recovery  
14 plan, so we followed a fail plan to no  
15 where, and then the PEL comes in a hearing  
16 with the three-judge panel acknowledges that  
17 they are not even interested in the city  
18 recovering. They want the bondholders to be  
19 paid.

20 And then the problem we found  
21 yourself with the employees, I totally agree  
22 that the state got us involved in a fight  
23 that they wanted us to win so that they  
24 could be propel what they intended to propel  
25 forward, but the city was left with the bill

1 so what we are got to do is we've got to  
2 think out of the box and we have got to  
3 change our direction and we have to the  
4 could stop waiting for the state to come  
5 forward. We have got to try to trigger the  
6 Court into being advocate for the city  
7 because laws have meaning even to  
8 legislators. Thank you.

9 MS. EVANS: Thank you. John  
10 Bradley.

11 MR. BRADLEY: Good evening,  
12 President Evans and members of council.

13 MS. EVANS: Good evening.

14 MR. BRADLEY: I'm John Bradley, I'm  
15 an attorney from Philadelphia, and I am here  
16 just to let you know that there is an  
17 organization being formed The Northeast  
18 Pennsylvania Landlord Tenant Association and  
19 it is being formed because a number of  
20 landlords have concerns about various rental  
21 ordinances which have been passed by local  
22 governments in Northeast Pennsylvania.  
23 Pittston, East Stroudsburg, Wilkes-Barre,  
24 and, yes, Scranton.

25 We see a number of problems with the

1 rental ordinance which was passed last year.  
2 Some of them we simply think are harsh or  
3 unjust provisions, but that's a matter of  
4 politics, others we think are possibly  
5 unconstitutional.

6 I don't wish to elaborate any  
7 further at this point, but I would hope that  
8 I would have an opportunity to meet either  
9 with your solicitor or with member of  
10 council to discuss our concerns in more  
11 detail, and we are going to be having a  
12 public meeting in Pittston, this is  
13 primarily of interest to Pittston residents  
14 either October 3 or October 5, we have a  
15 website [www.NEPALTA.com](http://www.NEPALTA.com), [NEPALTA.com](http://NEPALTA.com) so you  
16 can look on there and you will get some idea  
17 of what our concerns are.

18 I just wanted to mention this you at  
19 this time to make you aware of the fact that  
20 we will be talking with you further about  
21 this ordinance, possibly challenging certain  
22 provisions in Court, we hope we can avoid  
23 that. Thank you for your time.

24 MS. EVANS: Thank you.

25 MR. LOSCOMBE: Thank you.

1 MS. EVANS: That concludes our  
2 speaker list for this evening, is there  
3 anyone else who cares to address council?

4 MR. DOBRZYN: Good evening, council.  
5 Dave Dobrzyn, resident and taxes paid, no  
6 federal -- not for mortgage interest and not  
7 for taxes paid or whatever or PA taxes paid,  
8 no help. I don't fit into the other 51  
9 percent or whatever.

10 Okay, I had an idea the other night  
11 at the taxpayers' meeting, and I have one  
12 area here and hopefully help indigent people  
13 with reverse mortgages in the tax office. A  
14 lot of times this is just let go and  
15 basically when it gets into somebody who is  
16 in a nursing home with Medicaid you might  
17 never see of any of that tax money because  
18 it all gets very confused and if the house  
19 gets sold or taken by Medicaid, you know,  
20 it's over. It's about \$6,400 a month right  
21 now for a nursing home, so the money goes  
22 awfully fast.

23 Nonprofits, we mentioned before  
24 about profit and it's not really a profit I  
25 just wanted to note that nonprofit is called

1 a surplus. When they have \$16 million a  
2 year like the University left over at the  
3 end of the year, it is called a surplus in  
4 tax language or in legal rhetoric.

5 And I had an idea parking downtown  
6 here, I come down quite frequently and I  
7 throw a quarter or two in the meter, and I  
8 noticed that it's way bigger -- the space  
9 I'm buying is way bigger than my car, so if  
10 possible could we some day look into  
11 compressing the spaces, adding more of them,  
12 and then maybe leaving one or two for poor  
13 old Bob Bolus' pickup truck and, you know,  
14 but have like pickup trucks or large vehicle  
15 only space and then you could possibly get  
16 three spaces out of two in a lot of  
17 instances, so it's just a thought.

18 Okay, in the paper today, and I  
19 won't bash the Times because they were  
20 against it, but there is a benevolent  
21 dictator law on PA municipalities before the  
22 end and what would do is all of us people  
23 that work hard to get people elected at the  
24 polls and donate money, we would have a  
25 dictator come in and push all you people

1           aside and he would -- he could actually  
2           auction off -- in Detroit they are  
3           auctioning off or trying to auction off  
4           parts of their Detroit museum pieces out of  
5           there, actually doing an evaluation on the  
6           Detroit museum, and a lot of these laws are  
7           ALEC laws, American Legislative Exchange  
8           Council, they are template laws that are  
9           just passed like the Trey Von Martin law  
10          which a young person lost a life, probably  
11          unjustifiably, and a liar and a coward to  
12          away with what he did and now Pennsylvania  
13          adopted a similar law.

14                        I'm not anti-gun, but I don't want  
15          somebody shooting me over -- because they  
16          thought I took too much of their parking  
17          space, you know, they were scared or  
18          something and say something about it, and I  
19          might mention that they could possibly even  
20          come in and sell Nay Aug Park or whatever  
21          under the laws they have done it in  
22          Michigan, so it's something you really,  
23          really have to watch out for and anything  
24          you can do it's -- even if you, you know, I  
25          don't know sending letters doesn't do much



1 use.

2 But the county in today's paper  
3 donated 700 grand to the University project.  
4 What a Scranton. That's why I'd like to ask  
5 the county commissioners, you know? I went  
6 there one time and by the time Ms.  
7 Schumacher and I got through security the  
8 meeting was over. They practically had us  
9 do a striptease there.

10 And they there is also some other  
11 laws with all of these proposed tax shifts  
12 with last week I mentioned about how these  
13 states are giving away taxes, PA income  
14 taxes and stuff and allowing it to be  
15 deducted out of their employees' check and  
16 pocketed by the corporations and we are  
17 talking about piling on more sales taxes,  
18 all of this is tax on the small guy. It's  
19 all tax on the small guy, nothing about the  
20 Delaware loophole, nothing about people  
21 listing their address in Barbados, and it's  
22 just a very egregious, it's pretty  
23 sickening.

24 And one other note, I don't want to  
25 bash anything anybody, but hedge funds are

1 the people that are investing in water  
2 companies and sewer companies, so it's  
3 something you have to be cautious of.

4 And I'll make it quick, we have a  
5 new transpacific trade pack that was  
6 secretly negotiated that would surrender our  
7 sovereignty where a foreign company could  
8 sue the government for rejecting their  
9 product on safety and so forth and that's  
10 just what we need, you know, we don't want  
11 to feed anybody with food stamps, but we  
12 want another trade pack so we have more and  
13 more. What are they going to do when it's  
14 the 55 percent instead of the 47?

15 And we have the USIS, it's  
16 background checks service, and two of the  
17 people whose backgrounds were Mr. Olexi, who  
18 massacred 12 people last wee, he had a  
19 background check by this privatized  
20 corporation, and Mr. Snowden, which in a way  
21 Mr. Snowden did me a big favor because I  
22 have been telling people for years I don't  
23 want your stupid radical e-mails, you know,  
24 and it's being captured on -- and I don't  
25 want somebody thinking that I'm part of your

1           silly organization, so bawk, bawk for USIS  
2           and the trade packs are both parties so both  
3           parties get it and it's ashame because we  
4           can't afford to be anymore jobless. Who is  
5           going to pay taxes?

6                    MS. EVANS: Thank you.

7                    MR. DOBRZYN: Thank you and have a  
8           good night.

9                    MR. LOSCOMBE: Thank you.

10                   MR. HUGHES: Madam president, if I  
11           could just comment on one thing?

12                   MS. EVANS: Certainly.

13                   MR. HUGHES: It's probably been 30  
14           years since I looked at the deed from  
15           Lackawanna Iron and Coal to the City of  
16           Scranton for Nay Aug Park, but I believe  
17           that in the event there is a diverted clause  
18           in it that in the event that whoever  
19           divested from the Scranton it would divert  
20           to Lackawanna Iron and Coal, so any attempt  
21           by the police and the firemen, at least this  
22           is how I remember it, to take Nay Aug Park  
23           and try to levy it for a judgment would be  
24           totally ineffectual because it would revert,  
25           the property would revert to Lackawanna Iron

1 and Coal. I believe right now that the PNC  
2 Bank is the trustee of all of the assets of  
3 the former Lackawanna Iron and Coal Company.

4 As I said, it's been about 30 or 35  
5 years since I been through that deed, I went  
6 through it at one time for a specific  
7 reason, but without doing any further  
8 investigation of it I believe that that's  
9 what would happen, that property would be  
10 immune and it would revert to Lackawanna  
11 Iron and Coal to the trustee, which would be  
12 PNC Bank now.

13 MS. EVANS: Thank you, attorney  
14 Hughes. Ms. Schumacher.

15 MS. SCHUMACHER: Yes, good evening.  
16 Marie Schumacher, citizen and taxpayer.

17 MR. LOSCOMBE: Good evening.

18 MR. JOYCE: Good evening.

19 MS. SCHUMACHER: First of all,  
20 though it's not on the agenda tonight I  
21 would like to state that I agree with  
22 Mr. McGoff on increasing the rehab dollars  
23 for low and moderate income homeowners  
24 instead of first time home buyers. I think  
25 that they are very deserving.



1           that if that's possible.

2                         And with respect to the award  
3           itself, I think you should ask Governor  
4           Rendell, former governor Ed Rendell to  
5           intervene. It was his administration, he  
6           was the governor, it was his appointee at  
7           DCED, and if he's got a conscience perhaps  
8           he could exert some influence, especially  
9           when he is going to be running again  
10          because, I mean, it's ashame, not only are  
11          we being taxed out the wazoo and it's only  
12          going to get worse, but the equity in our  
13          homes has just dropped like a rock. I mean,  
14          unless you want to give your home away there  
15          is no way to escape Scranton, we are all  
16          prisoners if you own a home and it's very  
17          sad.

18                        And I apologize, I promised to get  
19          some things in that I had mentioned last  
20          week, I did not get it done, but I will  
21          definitely get to it.

22                        I would like to know why the  
23          Scranton Redevelopment Authority is  
24          assisting Marywood to obtain a \$4 million  
25          grant for a library of the future. I'm

1           certainly not against the library, but I  
2           would like to know when the Scranton  
3           Redevelopment Authority became the  
4           Scranton/Dunmore Redevelopment agency? If  
5           they can't find anything within the confines  
6           of Scranton to help, I think they need to be  
7           replaced.

8                         And, Mr. Joyce, I believe we have  
9           received something like \$1 1/2 million  
10          racing revenue and all of it has been  
11          dedicated to street paving; is that correct?

12                        MR. JOYCE: Can you repeat that, I'm  
13          sorry?

14                        MS. SCHUMACHER: Yeah, we have  
15          received a \$1 1/2 million or \$1,500,000 and  
16          another \$1 million from the gambling, from  
17          the racing, I would like to know -- and it  
18          was all dedicated by council and probably  
19          the administration to street paving and I  
20          would like to get a list of the streets that  
21          are to be paved with those monies?

22                        MR. JOYCE: Okay.

23                        MS. SCHUMACHER: Is that the correct  
24          figure?

25                        MR. JOYCE: Yes, I believe it was

1           that amount or somewhere roughly in that  
2           ballpark and I will try to obtain a list of  
3           the streets that will be paved with those  
4           funds.

5                        MS. SCHUMACHER: And then I'm going  
6           to skip over to this because I think it's  
7           important, I know I read in one of the  
8           articles that our new parking meter people  
9           are going to be taking pictures of license  
10          plates and I would like to know because I  
11          think we have a right to privacy and in  
12          Pittsburgh they are doing that and the  
13          photos of license plates are being stored  
14          for 30 days and are considered a public  
15          record making it possible for some  
16          motorist's travel and parking habits to be  
17          tracked just with a simple open records  
18          request, so I don't think that is lawful, I  
19          don't think it's constitutional, and I would  
20          like to know if the City of Scranton is  
21          doing that or its employees. Okay. Thank  
22          you, I'll be back next week.

23                       MS. EVANS: Thank you. Is there  
24          anyone else who cares to address council?  
25          Mrs. Krake?



1 MS. KRAKE: 5-A. MOTIONS.

2 MS. EVANS: Councilman McGoff, do  
3 you have any comments or motions tonight?

4 MR. MCGOFF: Nothing this evening.  
5 Thank you.

6 MS. EVANS: Thank you. And,  
7 Councilman Loscombe, do you have any  
8 comments or motions this evening?

9 MR. LOSCOMBE: That makes two of us.  
10 Nothing this evening.

11 MS. EVANS: Councilman Joyce, have  
12 you any comments or motions tonight?

13 MR. JOYCE: Yes. I just want to  
14 speak briefly on a few things. Just to let  
15 everyone know, proposals will be open in  
16 city council chambers on Monday, October 21,  
17 for the 2014 tax and revenue anticipation  
18 note for up to \$16 million so I'm hoping  
19 that we have a number of bidders this year.

20 Second of all, I apologize that I  
21 was ill last week, but I did have the  
22 opportunity to speak to the mayor a little  
23 bit about the upcoming budget and we talked  
24 about a number of issues. One is the  
25 commuter tax. That's going to be something

1           that's pursued. Obviously, as you know, the  
2           City of Scranton has to go to Court for  
3           that, it's projected that this will bring in  
4           \$5.7 million to the city coffers if the city  
5           is granted permission by the Court to enact  
6           such a tax.

7                         Also, there has been some dialogue  
8           between Mayor Doherty and Senator Blake  
9           about the possibility of obtaining extra  
10          liquid funds money for 2014 in the range of  
11          approximately \$2 million or so and if this  
12          money was obtained, I guess in the mayor's  
13          conversation with Senator Blake, he said  
14          that it would be earmarked to pay Scranton  
15          Parking Authority debt, which is currently  
16          being paid for out of the general fund and  
17          it's projected that this year we are going  
18          to end up paying well in excess of \$2  
19          million.

20                        We spoke about refinancing the debt  
21          as. Well, this is something that I believe  
22          should be done. I know in speaking with our  
23          city clerk, Mrs. Krake, about the recent PEL  
24          meeting I understand it was brought up and  
25          PEL doesn't seem like they are for the idea,

1 but -- and they said it would be hard to  
2 accomplish. Now, in the process of all of  
3 this, I have also spoke to Mike Judge a few  
4 times who is -- who was actually -- who is  
5 actually a financial advisor and Scranton  
6 City Council had previously passed an  
7 ordinance for him to serve as a financial  
8 advisor on the city's behalf and he  
9 mentioned an interested group in putting a  
10 proposal together to borrow the necessary  
11 funds to cover the MMO for this year as well  
12 as the Supreme Court award and the  
13 possibility of refinancing debt into 2014.

14 As of this point, I'm sure if this  
15 agreement has been signed or not to work  
16 with the city. There has been some sort of  
17 holdup in the law department office, I  
18 believe, and I would like to defer to  
19 Solicitor Hughes to explain that a little  
20 bit more because I know that Solicitor  
21 Hughes has been very involved in this  
22 agreement or getting it completed.

23 MR. HUGHES: Well, thank you,  
24 Mr. Joyce. I really haven't been involved  
25 in the agreement. However, I'm --

1                   MR. JOYCE: Right, I worded it a  
2                   little bit wrong.

3                   MR. HUGHES: Okay. CaseCon has  
4                   submitted it's agreement to Mr. Kelly, and  
5                   the ordinance that approved the hiring of  
6                   CaseCon as financial consultant to the city  
7                   authorized the appropriate city officials to  
8                   execute a contract with CaseCon. From what  
9                   I understand is that the agreement, there  
10                  has been discussion between Attorney Kelly  
11                  and Mr. Judge. He did revise the agreement,  
12                  it was sent back, and before Mr. Kelly would  
13                  authorize the execution of it he wanted  
14                  Mr. Judge to state and to divulge who the  
15                  clients are or the potential purchasers. He  
16                  wants a letter as to what the proposal is.  
17                  Mr. Judge says until he has a contract he is  
18                  not going to disclose that.

19                  I did discuss this with the mayor  
20                  and I said that the way it is right now that  
21                  there is absolutely no activity on any  
22                  financing by the City of Scranton for the  
23                  police and arbitration police and firemen  
24                  arbitration award. That's because Janney  
25                  Montgomery Scott, who was under the previous

1           bond issues with the city, and I believe  
2           certain council members were at the meeting,  
3           demanded that the city -- well, they  
4           actually said council, it would be the  
5           governing body because the mayor would have  
6           to sign it, adopt an ordinance that they  
7           would fully implement the recovery plan as  
8           proposed by PEL for the year 2014 and its  
9           budget.

10                         It was my advice that we would not  
11           do that based on the fact that they would  
12           have a commitment that the City of Scranton  
13           would have to raise taxes to the extent that  
14           PEL has demanded for 2014. Janney  
15           Montgomery Scott then stated that they would  
16           not take any further action on underwriting  
17           any municipal funding on the bond issue  
18           until the city adopted its budget in  
19           December and they would see what that budget  
20           is and then they would probably go forward  
21           with the bond issue for \$26 million.

22                         So between now and we'll say  
23           December 15, since the budget has to be  
24           adopted by December 15, that there is  
25           absolutely no activity going on to finance

1 the police and firemen arbitration award.  
2 It's in limbo.

3 Mr. Judge, the financial consultant  
4 to the city has gone out and through his  
5 contacts has two possible groups of  
6 investors that are at least willing to  
7 discuss the financing of the police and  
8 firemen arbitration award. I believe  
9 that -- I don't be, it's my opinion, that  
10 Mr. Judge is totally correct in his attitude  
11 in stating that he will not proceed any  
12 further until a contract is signed and that  
13 he has revised the contract. I have seen  
14 the revisions as had the city's municipal  
15 underwriter, Stevens and Lee. They agree  
16 with the revisions and right now I have no  
17 idea where it is, but I did talk to  
18 Mr. Judge on Wednesday and he has heard  
19 nothing regarding his contract that has been  
20 revised.

21 I know that he and the mayor did  
22 discuss it, I believe it might have been  
23 earlier in the week or at the end of last  
24 week and Mr. Judge told the mayor exactly,  
25 you know, what he would do, and that he does

1           have I believe it is two groups that he  
2           could bring to the table to discuss with the  
3           city this financing, but he is not going to  
4           proceed until he is authorized, until his  
5           contract is signed, so that if he does have  
6           the commitment from the city that is  
7           interest would be protected, and that's  
8           where we stand right now.

9                         So that I believe that the police  
10           and firemen that that award in the best case  
11           scenario, if all of the stars align right,  
12           probably might, could possibly be financed  
13           some time in January of next year, but not  
14           before then if we proceed on the fact we are  
15           -- if Mr. Judge -- if the contract with  
16           Mr. Judge is not signed.

17                        Anybody else have any questions, I'd  
18           be happy to answer them.

19                        MR. LOSCOMBE: Just currently our  
20           interest is accumulating monthly quite  
21           heavily on that award.

22                        MR. HUGHES: Well, right now since  
23           it's been reduced to a judgment that the  
24           interest right now is 6 percent per annum on  
25           that award.

1                   MR. LOSCOMBE: So right now it's in  
2 the city solicitor's hands?

3                   MR. HUGHES: Yes.

4                   MR. LOSCOMBE: There is nothing we  
5 can do to push it any harder.

6                   MR. HUGHES: Council adopted the  
7 ordinance appointing CaseCon as a financial  
8 advisor to the city to obtain the financing.

9                   MR. LOSCOMBE: Yes.

10                  MR. HUGHES: The mayor signed it.  
11 That ordinance is in effect. I don't know  
12 the number of the ordinance, but that was  
13 adopted to the beginning of the year or some  
14 time I think before March to put the  
15 financing together and at that time it was  
16 working with Janney Montgomery Scott and,  
17 you know, things were going fairly well with  
18 Janney Montgomery Scott until they demanded  
19 that the city cart blanch said they would  
20 just do whatever PEL says and raise taxes to  
21 the extent that PEL said, and think that was  
22 the 117 percent for next year and council  
23 said we are not going to do that and as a  
24 result Janney Montgomery Scott took the  
25 position that they have to have that to go



1 to the investors in order to sell the bonds.  
2 So that they said they are not going to  
3 proceed any further, and this goes back we  
4 are in September now, I believe this goes  
5 back to July, June or July, when we had the  
6 meeting with them when they demanded that  
7 council adopt legislation to actually  
8 implement the recovery plan and council said  
9 no, at which time they said, "We will see  
10 you in December."

11 Kind of like the song "See you in  
12 September." Now the summer is through, you  
13 know, but showing my age, but that's where  
14 we are and it puts the city right now in a  
15 bad spot with the police and firemen and  
16 there is that award that's been reduced to a  
17 judgment.

18 MR. JOYCE: Okay. Thanks for the  
19 update.

20 MR. HUGHES: All it would take is  
21 with that agreement that has been revised  
22 and it's been approved by, you know, by  
23 Stevens and Lee, Brian Koscelansky, who is  
24 the city underwriter, I mean the city's --  
25 he is the city's legal counsel on municipal

1 bond offerings, and I did talk to Brian  
2 about it. In fact, I talked to him I  
3 believe it was Tuesday and he was going to  
4 get in touch with the mayor and see where it  
5 was and I haven't heard back from Brian.

6 MR. JOYCE: Thank you for the update  
7 and, you know, I don't like to bring up  
8 internal issues, but I believe that this is  
9 something very pressing and very important.  
10 At this point we are faced with a situation  
11 where we have a judgment filed against us,  
12 we owe \$21 million between the police and  
13 fire unions, that's increasing at \$100,000  
14 per month, and we have an obligation to pay  
15 the MMO this year, the minimum municipal  
16 obligation, and if we don't pay that by  
17 December 31 we have a possible penalty of  
18 over \$500,000, which would be the projected  
19 8 percent interest that payment would gain  
20 over that period of time.

21 So with everything in mind, I'll try  
22 reaching out to the mayor to see, you know,  
23 why this is taking so long and if there is  
24 some amicable way that the agreement could  
25 be signed and that an agreement could be

1           reached between both parties because if we  
2           have a financial advisor telling us that  
3           there are two groups interested in looking  
4           at borrowing for the MMO, the borrowing for  
5           the Supreme Court award, and the possibility  
6           of refinancing debt for 2014, I think that  
7           that those avenues need to be explored, and  
8           I think that the sooner those avenues are  
9           explored the better because, obviously, the  
10          budget going to be coming our way soon and  
11          we have to know exactly what we are in store  
12          for. And that's all I have to say.

13                       MS. EVANS: Thank you. Good  
14          evening. During the week, I was contacted  
15          by a city resident who reported street  
16          basement and property flooding in the 3200  
17          block of Augusta Avenue in Scranton.  
18          Augusta Avenue is only two blocks in length  
19          and there is only one storm drain located at  
20          the right end of the 3200 block while the  
21          road itself is pitched to the left. Lemon  
22          Street and Gaston Place, which lead onto  
23          Augusta Avenue have no storm drains and  
24          storm water travels onto Augusta as a  
25          result.

1                   Further, road deterioration has  
2                   occurred at the intersection of Lemon Street  
3                   and West Avenue. Although street flooding  
4                   had been an issue for many years, it wasn't  
5                   until this past summer that homeowners'  
6                   basements flooded, the foundations of a  
7                   garage was destroyed and yards flooded.

8                   Also, it is important to note that  
9                   this type of increased flooding did not  
10                  occur until after the construction of a new  
11                  building at the nearby Johnson College.  
12                  Consequently, homeowners met recently with  
13                  two representatives of the college to  
14                  discuss the problem. However, the only  
15                  action taken to date was the arrival of the  
16                  city's street sweeper on Augusta Avenue to  
17                  clean the dirt and debris left behind after  
18                  storm water subsided.

19                  Therefore, Mrs. Krake, I'd like  
20                  letters sent to the city engineer,  
21                  Mr. Eugene Barrett, executive director of  
22                  the Scranton Sewer Authority, and Mr. Bill  
23                  Kelly and Ms. Katie Leonard of Johnson  
24                  College on behalf of Scranton City Council  
25                  requesting examination of the flooding

1 problems on Augusta Avenue, a written report  
2 of their findings and recommendations  
3 submitted to city council and the mayor, and  
4 a meeting among the engineer, a  
5 representative of the Scranton Sewer  
6 Authority, a representative of Johnson  
7 College, and the effected homeowners of  
8 Augusta Avenue, Lemon Street and Gaston  
9 Place to determine a satisfactory solution.  
10 And that's it.

11 MS. KRAKE: 5-B. NO BUSINESS AT  
12 THIS TIME.

13 SIXTH ORDER. 6-A. READING BY TITLE  
14 - FILE OF COUNCIL NO. 48, 2013 - AN  
15 ORDINANCE - AUTHORIZING THE MAYOR AND OTHER  
16 APPROPRIATE CITY OFFICIALS TO APPLY FOR AND  
17 EXECUTE A GRANT APPLICATION AND IF  
18 SUCCESSFUL A GRANT AGREEMENT AND ACCEPT THE  
19 FUNDS RELATED THERETO THROUGH THE BJA FY 13  
20 EDWARD BYRNE JUSTICE ASSISTANCE GRANT  
21 ("JAG") PROGRAM LOCAL SOLICITATION IN THE  
22 AMOUNT OF \$23,391.00.

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

25 MR. LOSCOMBE: I move that Item 6-A

1 pass reading by title.

2 MR. JOYCE: Second.

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

5 MR. MCGOFF: Aye.

6 MR. LOSCOMBE: Aye.

7 MR. JOYCE: Aye.

8 MS. EVANS: Aye. Opposed? The ayes  
9 have it and so moved.

10 MS. KRAKE: SEVENTH ORDER. 7-A.  
11 FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC  
12 SAFETY-RESOLUTION NO. 41, 2013 - RATIFYING  
13 AND APPROVING THE EXECUTION AND SUBMISSION  
14 OF THE GRANT APPLICATION BY THE CITY OF  
15 SCRANTON POLICE DEPARTMENT TO THE  
16 PENNSYLVANIA DEPARTMENT OF COMMUNITY AND  
17 ECONOMIC DEVELOPMENT (DCED) FOR A LOCAL  
18 SHARE ACCOUNT GRANT (GAMING FUNDS) MONROE  
19 COUNTY IN THE AMOUNT OF \$146,467.00 FOR THE  
20 CITY OF SCRANTON POLICE DEPARTMENT FOR THE  
21 ACQUISITION AND INSTALLATION OF THE  
22 COMMUNITY SURVEILLANCE NETWORK SYSTEM AT  
23 SCRANTON POLICE HEADQUARTERS TO ENABLE  
24 THE POLICE TO MONITOR CAMERAS TWENTY-FOUR  
25 (24) HOURS A DAY, SEVEN (7) DAYS A WEEK AND

1           AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
2           CITY OFFICIALS TO ACCEPT THE GRANT, IF  
3           SUCCESSFUL, AND DISBURSE THE GRANT FUNDS FOR  
4           THE CITY OF SCRANTON POLICE DEPARTMENT  
5           ACQUISITION AND INSTALLATION OF THE  
6           COMMUNITY SURVEILLANCE NETWORK SYSTEM.

7                   MS. EVANS: What is the  
8           recommendation of the Chair for the  
9           Committee on Public Safety?

10                   MR. LOSCOMBE: As Chairperson for  
11           the Committee on Public Safety, I recommend  
12           final passage of Item 7-A.

13                   MR. JOYCE: Second.

14                   MS. EVANS: On the question? Roll  
15           call, please?

16                   MS. MARCIANO: Mr. McGoff.

17                   MR. MCGOFF: Yes.

18                   MS. MARCIANO: Mr. Loscombe.

19                   MR. LOSCOMBE: Yes.

20                   MS. MARCIANO: Mr. Joyce.

21                   MR. JOYCE: Yes.

22                   MS. MARCIANO: Mrs. Evans.

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

25                   If there is no further business, I

1 will entertain a motion to adjourn.

2 MR. JOYCE: Motion to adjourn.

3 MS. EVANS: This meeting is  
4 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