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SCRANTON CITY COUNCIL MEETING

HELD:

Thursday, October 31, 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
(Not present)
- PAT ROGAN
- JOHN LOSCOMBE
- NANCY KRAKE, CITY CLERK
- KATHY CARRERA, ASSISTANT CITY CLERK
(Not present)
- BOYD HUGHES, SOLICITOR

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

3 MS. EVANS: Roll call, please.

4 MS. KRAKE: Mr. McGoff.

5 Mr. Rogan.

6 MR. ROGAN: Here.

7 MS. KRAKE: Mr. Loscombe.

8 MR. LOSCOMBE: Here.

9 MS. KRAKE: Mr. Joyce.

10 MR. JOYCE: Here.

11 MS. KRAKE: Mrs. Evans.

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

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

15 AGENDA FOR THE ZONING HEARING BOARD MEETING
16 TO BE HELD NOVEMBER 13, 2013.

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

19 MS. KRAKE: 3-B. MINUTES OF THE
20 COMPOSITE PENSION BOARD MEETING HELD
21 SEPTEMBER 25, 2013.

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

24 MS. KRAKE: 3-C. SINGLE TAX OFFICE
25 COMPARISON OF CITY FUNDS DISTRIBUTED FOR

1 2012 AND 2013.

2 MS. EVANS: Are there any comments?

3 If not, received and filed.

4 MS. KRAKE: 3-D. CONTROLLER'S REPORT
5 FOR THE MONTH ENDING SEPTEMBER 30, 2013.

6 MS. EVANS: Are there any comments?

7 If not, received and filed.

8 MS. KRAKE: 3-E. MINUTES OF THE
9 SCRANTON POLICE PENSION COMMISSION MEETING
10 HELD SEPTEMBER 25, 2013.

11 MS. EVANS: Are there any comments?

12 If not, received and filed.

13 MS. KRAKE: 3-F. MINUTES OF THE
14 SCRANTON FIREFIGHTERS PENSION COMMISSION
15 MEETING HELD SEPTEMBER 25, 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? Councilman McGoff is unable to attend
24 tonight's meeting due to illness. We hope
25 you are feeling better soon, Bob.

1 Next Tuesday, November 5, is General
2 Election Day throughout the Commonwealth of
3 Pennsylvania. You are not required to show
4 a photo ID in order to cast your votes.
5 Vital city and school board offices as well
6 as state judicial positions appear on the
7 ballot. Therefore, we urge to you exercise
8 your right to vote. I'd like to wish all of
9 the candidates for elected office off the
10 best of luck and particularly my colleagues,
11 Frank Joyce and Pat Rogan.

12 MR. ROGAN: Thank you.

13 MR. JOYCE: Thank you.

14 MS. EVANS: And finally, to all of
15 the children in our community have a very
16 save and Happy Halloween tonight.

17 MS. KRAKE: FOURTH ORDER. CITIZENS'
18 PARTICIPATION.

19 MS. EVANS: Our first speaker is a
20 Bill Jackowitz.

21 MR. JACKOWITZ: Happy Halloween,
22 city council.

23 MS. EVANS: Happy Halloween.

24 MR. JACKOWITZ: 7,965 days ago
25 Scranton was declared a distressed city

1 under Act 47. That was 262 months ago. The
2 city election will be held on Tuesday, 5 of
3 November. The voters of Scranton will be
4 electing a new mayor, only the third mayor
5 since 10 January 1992. A new city council,
6 SI TD, still in the dark.

7 Last week the residents learned that
8 the audit had not been completed. Why?
9 Same old story, Parking Authority has not
10 submitted proper paperwork to the auditor.
11 LOP/SOD long on promises, short on delivery.

12 \$840,000 fee. LOL, laughing out
13 loud, paid to a financial advisor if he does
14 his job and sets up a deal for the city to
15 borrow more money only to increase the debt.
16 It is called success in Scranton. In the
17 real world it is called distress. IMHO, in
18 my humble opinion.

19 Mr. Judge, co-financial advisor to
20 earn a project success fee of either \$75,000
21 or 1.25 percent of the principal, whichever
22 would be logical, 1.25 equates to \$350,000.
23 WIFM, what's in it for me?

24 Arbitration award \$100,000 a month
25 in interest, pensions contributions if not

1 paid by December 31, \$504,000 in interest.
2 A loan, more success in Scranton. ALW,
3 ain't life wonderful.

4 Along with Mr. Joyce's freeze other
5 costs would close interest and other fees
6 that would be due to other advisors and
7 attorneys. WOMBAT, waste of money, brains
8 and time. In Mr. Judge's words,
9 "Professionals are doing a lot more work and
10 expect to be paid for it and the
11 professionals are taking a lot more risk and
12 expect to be compensated. Professionals
13 should also be able to communicate
14 properly."

15 My response, this sounds to me like
16 a New York minute, those are my words. We
17 would take the city assets in a New York
18 minute. Those are the police and fire union
19 attorney's words. New York minute, a modern
20 expression which implies if you do something
21 immediately, and if you don't have to think
22 twice about it.

23 FCOL, for crying out loud. How
24 about the non-professionals who live and
25 work in the City of Scranton? Oh, I almost

1 forgot, they are only the hardworking
2 taxpayers who are being milked by the
3 professionals and the unions. SIM, stop it
4 now.

5 One question, where does all of the
6 money come from? Oh, I almost forgot, a
7 union bank that operates in New York State
8 who, by the way, would tack on more interest
9 charges and fees that will be paid by the
10 non-professional Scranton residents. TKO,
11 technical knockout.

12 Don't worry, be happy. Commuter,
13 college students and nonprofits will gladly
14 step up to the plate and pay the
15 professionals, attorneys who are on the
16 Scranton payroll for all of the additional
17 work involved with milking Scranton
18 taxpayers. KCCO. Keep calm, carry on.

19 I have some concerns about the 1
20 percent student tax that has been proposed.
21 First of all, the University of Scranton,
22 Marywood University, Johnson College,
23 Lackawanna College and medical school do not
24 need Scranton to be successful, Scranton
25 needs the schools. The state and federal

1 law is very specific in regards to the
2 nonprofits. If you do not agree with or
3 like the law then lobby your state
4 representative, congressman and US Senators.
5 Voluntarily contributions is just that,
6 voluntarily. KIS, keep it simple.

7 "The Office" television series and
8 comedy shows here after eight or nine years.
9 The real comedy show will continue titled,
10 "Unprofessional Scranton Taxpayers of
11 Scranton and Surrounding Area Milked by the
12 Professionals Including Elected Officials."

13 Finally, FYI, for your information,
14 Medicare paid \$23 million for dead patients
15 in 2011, and \$29 million for drug benefits
16 for illegal immigrants from 2009 to 2011.
17 Right from the Health and Human Services
18 Inspector General's Office. Isn't that the
19 same office that is handling the website for
20 the Affordable Health Care Act? But yet we
21 are giving money to the illegal immigrants
22 for drugs and we are paying dead people?
23 Wow. What a country.

24 MS. EVANS: Thank you. Lee.
25 Morgan.

1 MR. MORGAN: Good evening, Council.

2 MS. EVANS: Good evening.

3 MR. MORGAN: I'm going to -- I don't
4 have too much to say tonight, but I'd like
5 it see if one more time we could try to
6 create a Mark Walsh Day in the city. I know
7 it's, you know, Tuesday is Election Day,
8 but, you know, I just -- I would hope that
9 maybe council would reach out to the mayor
10 and try to make this a reality. I know it
11 was discussed recently and I do understand
12 that he worked with Mr. Courtright, but this
13 isn't a political thing for me.

14 I assume I disagree with lot of
15 people a lot of times, but it doesn't mean
16 that I don't respect them and it doesn't
17 mean that recognize the good things they do
18 and I just hope the city could recognize
19 Mark Walsh for the good things he has done
20 and, you know, when you saw this gentleman
21 practicing law down in the courthouse, and
22 even though he was ill he was still working
23 and contributing, and I just hope that the
24 mayor and council would proceed forward on
25 try make that a reality.

1 The mayor is going to be leaving
2 office soon, some of the council members
3 will be leaving office soon, but I think it
4 would send a strong signal to residents and
5 maybe would be candidates some day to
6 realize that their sacrifices are
7 recognized, even if they win an election
8 they will not always be appreciated or
9 agreed with.

10 And the other thing I have here
11 tonight is no matter who wins this election
12 on Tuesday I hope they would put a Recovery
13 Plan Committee together of city residents, I
14 don't know how they choose who would be on
15 that committee, but I think that it would be
16 very important to bring the neighborhoods
17 and the residents of the city into the
18 creation of this plan and I think it would
19 make it a lot more transparent for a
20 multitude of reasons, but I think that when
21 you allow regular Scrantonians to really
22 have a voice in the city I think that will
23 send a very strong message that we intend to
24 succeed, that we intend to listen to the
25 ordinary person walking up and down the

1 street because the ordinary people walking
2 up and down the street are going to be the
3 people that are going to make this plan
4 successful.

5 And the other thing is I think that
6 we need to send a signal to all of the
7 people who live outside of the city that we
8 care about our residents and we hear them
9 and we can turn this city around and
10 actually bring people in this city because I
11 think that they will recognize that their
12 voices are heard and that really the most
13 important thing are the people. Thank you.

14 MS. EVANS: Thank you. Doug Miller.

15 MR. MILLER: Good evening, Council.
16 Doug Miller, Scranton.

17 MR. JOYCE: Good evening.

18 MR. MILLER: I'd just like to
19 discuss, obviously, a lot of the issues that
20 we have been dealing with the last few weeks
21 sticking with the finances and, obviously,
22 you know, we have a critical race next year
23 -- or next week, that will have a tremendous
24 impact on the next four years of who is
25 going to lead this city.

1 We obviously know we have many
2 challenges ahead, a lot of tough decisions
3 to make, a lot of tough decisions that were
4 made in the past, and we are certainly going
5 to need more input from a lot of people,
6 whether it's our elected officials or
7 individuals within the public.

8 I did today take some time to speak
9 with Mr. Gerald Cross of the Pennsylvania
10 Economy League, had a nice lengthy
11 discussion with him this afternoon. The
12 reason I had this discussion with Mr. Cross
13 was because it came to my attention that the
14 tuition tax or the PFST, pay your fair share
15 tax, suggests that I made to council a few
16 weeks ago was brought up at a PEL meeting, a
17 weekly PEL meeting, and so after learning
18 that I had felt that it was important for me
19 to reach out to Mr. Cross and get his
20 opinion on that suggestion and what he feels
21 would be the best course of action to take
22 moving forward.

23 Throughout our conversation we
24 talked at length about this particular
25 ordinance that, as I said, back in 2009 was

1 proposed by the mayor of Pittsburgh. As
2 they, as well as Scranton face many
3 challenging, you know, an inability to pay
4 their bills, pension shortfalls and a lot of
5 the other obligations that at that time they
6 failed to fulfill. And as Scranton they are
7 all in dire need of cash, you know, quickly.

8 And throughout our conversation we
9 discussed different parts of the ordinance
10 and we both agreed that the bottom line is
11 it does, as we discussed come down to
12 legality, and we ended the conversation by
13 agreeing that we would forward this
14 ordinance and all of the information to our
15 law department and allow Attorney Kelly, you
16 know, to determine whether or not this is
17 something that can take place. This is
18 something, as Mr. Cross stated to me this
19 afternoon, that the city would have to jump
20 on board. Basically the city, the ball
21 would be in the city's Court in terms of,
22 you know, moving the pieces forward.

23 You know, also when I would discuss
24 a lot of other financial issues, and as we
25 discussed he was well aware that I'm

1 certainly through the years I've been one of
2 the frequent critics from the podium in
3 terms of how I have, you know, discussed PEL
4 and my feelings towards PEL, and due to that
5 I did appreciate him being courteous and
6 putting those, you know, political
7 differences aside and being willing to
8 discuss a lot of the issues that the city
9 faces. And I did appreciate his thoughts
10 and opinions. Obviously, we may not always
11 see eye-to-eye on a lot of things but as we
12 both discussed, you know, we are in a
13 situation right now where we can't afford to
14 allow politics to influence decision making,
15 and as I told him this afternoon, I think
16 you saw signs of that last year with council
17 and the administration coming together when
18 many people didn't think that would take
19 place and I did commend him over the phone
20 that I did appreciate his willingness to
21 cooperate with council and to see the
22 administration come forward and everybody
23 put their ideas and their vision together.

24 As we discussed, we know that the
25 plans is not perfect. You know, I shared

1 some concern that I know we are going to
2 fall short on a lot of the revenue
3 enhancements that were in recovery plan, but
4 as I did state with him if you are not
5 willing to take chances and try things out,
6 you know, you are not going to know if you
7 can be successful, but he understands the
8 challenges and, you know, he is hopeful that
9 the incoming council and the incoming
10 administration and, you know, the working
11 relationship that this council started can
12 continue moving ahead because they very
13 important.

14 Without that, as we both agreed you
15 don't turn the city around. This city got
16 here, you know, because of politics and
17 because, you know, decisions were made that
18 certainly weren't in our best interest and
19 it's lead us to where we are today, but
20 thankfully we had a lot of cooperation and
21 we see some light at the end of this tunnel,
22 and I can only hope that moving forward we
23 can continue the discussions and not be
24 critical of ideas. I know I have been
25 critical of suggestions. But, as I said,

1 when you are in this position you have to
2 take a look at everything.

3 And again, I'll reiterate, you know,
4 a comment tonight that, you know, the
5 institutions don't need the city to succeed.
6 I find that to be, you know, totally wrong
7 and I find that hard to believe, not only
8 the institutions, but anything in the city.
9 I think that's -- you know, how can you make
10 a statement like that I think is, you know,
11 disturbing. You know, when children or I
12 should say young adults come to our city and
13 attend our institutions we want them to
14 thrive, we want them to stay there, we want
15 them to have an opportunity here.

16 So, yes, they want to thrive in the
17 city, I mean, that's obvious. I mean,
18 that's ridiculous to state otherwise. You
19 want strong neighborhoods. You want a safe
20 city. You want opportunity. You want jobs
21 here so that when they do graduate whether
22 they're from Philadelphia, Pittsburgh or
23 from here in Scranton they stay here and
24 they start a family here, and not only
25 graduate, they go back to the Pittsburgh or

1 they go back to Philadelphia where there is
2 opportunity for them back home. We want
3 them here and the way to do that is to get
4 out of the vote next Tuesday and make smart
5 choices and vote for people from now on that
6 are qualified. That and are highly educated
7 and are experienced because for far too long
8 we have gone in the ballot box and elected
9 people that, yeah, we know who they are and
10 we see them out there, but they don't have
11 any experience. They are never anywhere.
12 They're never here, they've never around,
13 yet they all kind come around on Election
14 Day and they want our votes.

15 Well, now is the time we can change
16 that and elect people that truly care and
17 truly believe in the future of this city
18 because more people my age need to start
19 getting involved, and I truly hope that the
20 other generation comes out to the ballot box
21 on Tuesday because it's our future that's at
22 stake. Not anybody in this room, it's my
23 future that's at stake and we need to make
24 tough decisions and I hope the young people
25 come out and vote, because it's vital that

1 you get involved because your city and our
2 future is at stake and the actions you take
3 on Tuesday will go a long way. Thank you.

4 MS. EVANS: Thank you. That
5 concludes our sign-in sheet, is there anyone
6 else who cares to address council?

7 MR. DOBRZYN: Good evening, Council.
8 Dave Dobrzyn, resident of Scranton. Taxes
9 paid and so forth. Okay, the golden parrot
10 it's going to go right away to the people of
11 the Scranton Parking Authority. I mean,
12 this audit has gotten -- and it also I would
13 like to give that golden parrot to PEL
14 because over the years they have done
15 nothing to require, despite all of their
16 influence pedaling, they have never required
17 this audit to be on time and, you know, you
18 people have gotten a complaint about it and
19 gotten criticized for it, but the people
20 that are really supposed to be in charge are
21 not living up to their duties.

22 And one thing I would like to
23 mention and ask Mr. Joyce is note next week
24 on Wall Street losses out of 2007, out of
25 our pension plan, because a good portion of

1 our tax liability is because I think about
2 \$26 million just evaporated out of the
3 pension plan thanks to Wall Street. Now,
4 some people, we had our money in a 401-K
5 and, fortunately, it eventually came back,
6 but it doesn't seem to have come back to the
7 firemen and police and it's a real concern
8 of mine. Here I'm going to be asked to pay
9 more taxes so that Wall Street can line
10 their pockets.

11 And about two weeks ago somebody
12 criticized my friend Doug here for one of
13 his ideas and that person's idea was to give
14 a massive tax break for somebody creating a
15 job and as wonderful as that was, I think
16 the figure was \$3,500 if they were lived in
17 Scranton, well, I'd like to remind people
18 out there if you think that's a good idea
19 that job would have to pay \$100,000 before
20 it took up the losses in wage taxes or it
21 would take up the money for six minimum wage
22 jobs at \$15,000 a year or slightly more to
23 replace \$3,500 tax cuts on the business.
24 So, I mean, you know, the figures have to
25 add up here somewhere. Who is going to pay?

1 And we have a lot of people that
2 think that they are entitled to property tax
3 cuts and, "I don't have kids in school
4 anymore. I'm not only putting out one bag
5 of garbage, I shouldn't pay as much," but
6 therein again what did they cost over the
7 years? It's like I said last week, if
8 somebody put four or five or six kids
9 through school or even two kids through
10 school there is a good chance that they will
11 never make rough parenting by the time they
12 pass away with property taxes as to what it
13 cost the school system, so somebody else is
14 paying.

15 We had an idea in the state of
16 school taxes being removed, limited off of
17 housing and property, but then it got into
18 industrial property taxes and everything
19 else, so who is going to pay the bill? I
20 mean, who -- where is this money going to
21 come from I don't know, so we just have to
22 start paying our taxes and that's the way
23 it's going to be and we can't saddle the
24 next guy with everything and we can't have
25 people tossing bags of trash onto people's

1 lawns and whatever and trying to jimmy
2 things that way.

3 And I'd like to mention, get out
4 Tuesday and vote. Follow the outside money,
5 especially on our executive race, because
6 somebody got a lot of outside money, not off
7 the local unions, but outside money, and I
8 find that really egregious after awhile.
9 That is getting ridiculous. Money coming
10 from out-of-state or some other part of the
11 state, or some other town in Lackawanna
12 County why should they be donating money to
13 Scranton unless they have an ulterior
14 motive? There isn't a good reason. They
15 have an ulterior motive. They want their
16 man in there and shame, shame, shame.

17 And I'll get to the golden parrot,
18 it goes to another -- one goes to Bill
19 Clinton, he was caught on a microphone that
20 was turned on, you think he would get use to
21 this by now, that we have to cut social
22 security. How does that relate to you
23 people? Well, if these old people don't
24 have their social security how are they
25 going to pay their taxes and garbage fees?

1 They are not. And you are going to get
2 stuck every year and you are going to have
3 to be the SOB that puts them out their house
4 or sues them or whatever, so you are not
5 going to win friends that way.

6 And the thought came out during the
7 recent shut down, whether we know it or not
8 we have welfare states, like Tennessee, they
9 get a \$1.65 for every federal dollar that
10 they pay out. We have a congressman in
11 Tennessee that was a big proponent of the
12 shut down and all of this go over the cliff
13 talk and he cut food stamps and guess what,
14 he got \$3.5 million foreign aid over the
15 last several years. He wants to cut food
16 stamps? Shame, shame, shame, shame.

17 I'm going to invite everybody to the
18 Sea party, that's SEA party, and that means
19 scrooge enough already. Thank you and have
20 a good night.

21 MS. EVANS: Thank you.

22 MR. OZER: Council, thank you very
23 much. My name is Mike Ozer, and I am a
24 consultant for Verizon Wireless, and last
25 week I forward some information to each one

1 of you by e-mail. We are in the critical
2 stage now for Verizon wireless in reference
3 to the network build out. I am here tonight
4 to ask you if you are interested in the
5 project.

6 The project entails right now to
7 this day two of your city-owned properties
8 for the possibility of a wireless
9 telecommunications facility, one is the
10 Cayuga Park, which is new Bloom Avenue, and
11 the other is the recycling plant so I'd like
12 to know is this a project that you would be
13 interested in that will provide you with
14 income and everything of the lease that I
15 forwarded to you earlier, and to the other
16 parties within the City of Scranton, is
17 negotiable.

18 So, I mean, I'd like to continue
19 with the project, and again, this is only
20 two sites, there is a possibility of three
21 more that will provide you with a long-term
22 income. So is this something you would like
23 to proceed with?

24 MS. EVANS: I'm certainly interested
25 in learning more. I think many of my

1 colleagues would be as well and, of course,
2 we would have to our council solicitor
3 review the information as well. However, we
4 are not singularly or unilaterally, I am
5 poured to go forward with any decision
6 alone. You would also have need the input
7 and the approval of the city administration,
8 specifically, the mayor.

9 MR. OZER: Okay. I have already
10 forwarded the information to the mayor, both
11 by fax and by hardcopy, do I have your
12 permission to contact him directly and say,
13 "Listen, can I proceed with this?"

14 I do know that he is -- he is not
15 being -- is not going for reelection, so
16 does he -- will he have the authority to
17 proceed with this, and again, there is no --
18 in reference to our design visits and the
19 lease there is no obligation on your part to
20 lease is signed.

21 So, I mean, I can proceed and spend
22 the money on the engineering, but I do need
23 something from the city that they are
24 interested and that I have that possibly in
25 couple of months down the road we can work

1 on a lease or at least one that is signed,
2 sealed and delivered for all parties in a
3 mutually agreeable fashion.

4 MS. EVANS: I would say that if you
5 so choose you should contact the mayor and
6 arrange for a meeting with him and perhaps
7 representatives of the city council as well,
8 and the city solicitor, and the mayor and
9 this council is fully empowered until the
10 first Monday in January to make decisions
11 for the city.

12 If, however, let us say, one of the
13 parties would not show an interest, it
14 certainly does not, I would say, prevent you
15 from then approaching next administration
16 that will take office the first Monday in
17 January.

18 MR. OZER: I understand.

19 MS. EVANS: And will continue to
20 oversee the city for the next four years, So
21 I think it's worth reaching out now. And,
22 as I said, if the outcome is not what you
23 anticipate reach out again.

24 MR. OZER: Sounds good. Now, just a
25 question to the member here, is this

1 something that you personally are in favor
2 of or personally as a board in favor of at
3 least pursuing? I'm not saying about
4 signing leases, I'm not saying, you know,
5 putting on the barrel or putting you I'm
6 not saying an obligation for you, but is
7 this something that you as a board right now
8 would consider?

9 MR. JOYCE: Yes, I would definitely
10 consider.

11 MR. LOSCOMBE: Personally I would
12 definitely consider it. I would like to
13 know more information on it, but the fact is
14 that, you know, this is something that could
15 help generate revenue for the city. I
16 happen to know that there are some private
17 individuals already in the city that are
18 gaining income from cell towers.

19 MR. OZER: Absolutely.

20 MR. ROGAN: And it's certainly
21 something I would support as well and,
22 unfortunately, we are not as blessed as our
23 neighbors to the north who have gas leases.

24 MR. OZER: Quite true.

25 MR. ROGAN: But this is certainly,

1 you know, a revenue stream for the city that
2 we need to pursue and if you want to stick
3 around I would be happy to talk with you for
4 a little bit after the meeting tonight or we
5 can exchange --

6 MR. OZER: If that's permissible
7 with you I would like to do that.

8 MS. EVANS: And I just have one
9 question, it is somewhat related.

10 MR. OZER: Go ahead.

11 MS. EVANS: It would be my hope that
12 eventually Verizon might offer a cable
13 franchise in this area. We have been at the
14 mercy of Comcast for many, many years now
15 and they, frankly, have a monopoly on the
16 franchise because there are no other
17 companies that, you know, have been able to
18 come in and provide our area with adequate
19 services.

20 And it is, as I said, my great hope
21 that in the future and the nearer the future
22 the better that we could have, you know,
23 competition.

24 MR. OZER: I understand.
25 Unfortunately, for me that's not my

1 department, but I will reach out to the
2 Verizon project managers and alert them to
3 this fact that you have a strong interest in
4 that.

5 MS. EVANS: Thank you very much.

6 MR. OZER: Thank you for your time,
7 everyone, I do appreciate it and I will wait
8 until the end of your meeting. If there is
9 any questions that you have either on or off
10 of the record please just let me know and I
11 will be glad to answer them to the best of
12 my ability.

13 MS. EVANS: Thank you.

14 MR. OZER: Thank you very much.

15 MR. HUGHES: If I could, Madam
16 President, there is just one building that
17 you mentioned that the city does not own or
18 control and that's the recycling center.
19 That's under the operation of the county.

20 MR. OZER: In reference to that I
21 can double -- I can check on the location of
22 the radio frequency engineers have
23 requested, but also within that search area
24 is your Weston Park, which had a suitable
25 outcome for radio frequency, so in reference

1 to what you are saying I have multiple -- we
2 have multiple opportunities for the city.

3 MR. HUGHES: Then you should delete
4 the Recycling Center and make it Weston
5 Park.

6 MS. EVANS: Yes.

7 MR. OZER: We can take care of that.

8 MR. HUGHES: So the city can get the
9 revenue on that, but that's not a city
10 facility.

11 MS. EVANS: I think you also
12 mentioned in our e-mail Nay Aug and --

13 MR. OZER: Yes.

14 MS. EVANS: -- actually there were
15 several locations.

16 MR. OZER: Yes, there were. There
17 was Freach Keen Memorial Park, Nay Aug Park,
18 Weston Park, and unfortunately the Scranton
19 Recycling Center and from there the Cayuga
20 Park. They are my search areas that are
21 particular and very specific for Verizon
22 wireless as they are not -- they are not --
23 the coverage sites, coverage means you go
24 into an area there is nothing, you put up
25 the site and then they have coverage, these

1 are capacity sites, meaning they are
2 necessary to assist in that work that's in
3 operation right now, for all the future and
4 the present phone calls and data and
5 texting, and also for the very near future
6 of the next roll out, the next technology
7 roll out.

8 MS. EVANS: I've just been informed
9 by one of my colleagues that two local
10 businessmen actually have towers on their
11 properties currently, so I think, once
12 again, it is something that council is most
13 interested in and we are hoping that the
14 administration would be as well, but again,
15 you know, if there is an issue don't back
16 away.

17 MR. OZER: I will not. That is my
18 promise to you, I will not back away. And
19 again, thank you very much for your time and
20 any other questions afterwards just let me
21 know.

22 MR. JOYCE: Yes, how much recurring
23 revenue would this generate for the city?

24 MR. OZER: Oh, sir, I'm supposed
25 lowball you on that figure and say a dollar

1 a year, but that will never. No, it will be
2 a mutually agreeable figure, and if you wish
3 me to state a number now, again, I'd have to
4 low ball it and then from there we would
5 work within there, but a minimum of \$800 to
6 \$1,000 a month per site.

7 MR. JOYCE: Very interesting.

8 MR. OZER: And that's again, as
9 within the e-mails and all of that,
10 everything is negotiable. There are a
11 couple of the items in the lease that FCC
12 mandated, but again, everything is
13 negotiable.

14 MS. EVANS: Thank you.

15 MR. OZER: Thank you.

16 MS. EVANS: Is there anyone else?

17 MR. LOSCOMBE: Chrissy.

18 MR. SLEDZENSKI: How are you
19 tonight, Jack?

20

21 MR. LOSCOMBE: You got a bad back.

22 MR. SLEDZENSKI: How did you know
23 that, Jack? How did you know? Hey, Janet.

24 MR. LOSCOMBE: That's from carrying
25 that heavy briefcase full of money around.

1 MR. SLEDZENSKI: Well, tomorrow is
2 the last game tomorrow, the last game
3 tomorrow. Good luck. Thank you.

4 MR. LOSCOMBE: Thanks, Chrissy.

5 MS. SCHUMACHER: Good evening,
6 Council.

7 MS. EVANS: Good evening.

8 MS. SCHUMACHER: Just want to
9 acknowledge the Boston Red Socks winning of
10 the series. That was special to those of
11 who in the my minority who have been Red
12 Sock fans since we are been knee high to a
13 grasshopper.

14 On tonight's agenda, 5-B reminded me
15 that it's been over a year, Mr. Rogan, since
16 -- if I'm correct, since you updated us
17 taxpayers on the status of the currency of
18 the OECD active loans and the recovery of
19 balances on loans where the entities have
20 ceased to exist, and I think you should have
21 an obligation to us to do that at least -- I
22 would prefer monthly, but at least quarterly
23 at a minimum.

24 Here we are, I mean, I'm
25 flabbergasted. You are being asked, if I

1 ready the backup correctly, you are being
2 asked to approve something that was
3 instituted in July of 2012?

4 MS. EVANS: Yes.

5 MS. SCHUMACHER: Mr. Rogan, you got
6 to do a better job on staying on top of
7 these things. You are the community
8 development person and you should have known
9 that.

10 MR. ROGAN: Well, I did -- just for
11 some information for the public so they know
12 what item we are talking about, the item on
13 the agenda is to reduce the payment amount
14 and the interest rate on a loan that was
15 made to a local business. I spoke to Ms.
16 Aebli earlier with this today, what she
17 explained to me is that OECD is taking a
18 different approach towards delinquencies
19 where in the past if there were businesses
20 that weren't paying they'd wind up in
21 litigation. This is an effort to try and
22 work things out where the loan would still
23 be repaid back to the city.

24 She also did relate to me, and this
25 was something I was going to bring up under

1 motions, and I think it's something council
2 should do, she relayed that at a
3 representative from Alexander's will be
4 available to answer questions from council.
5 I think a caucus would be appropriate not
6 only for this item specifically, but for
7 this change in procedure in general as far
8 as the change in some these loans, the
9 modifications.

10 MS. EVANS: But I think though what
11 Ms. Schumacher is saying, and I agree with
12 you, yes, there is a difference in their
13 approach, but that change was instituted 15,
14 16 months ago without our knowledge and, you
15 know, they have moved ahead with making
16 these changes, they have been in effect
17 quite a long time and now they ask us to
18 approve them.

19 And I think that plays into the fact
20 that OECD, despite numerous requests, I know
21 I made many, many, many, and I was the one
22 originally who requested a monthly report
23 from OECD, and Ms. Aebli has failed to
24 provide them, and had she been doing so we
25 all would have known about these changes

1 when they were occurring.

2 MR. ROGAN: Absolutely, and I
3 understand your frustration and why you are
4 upset, and I agree, I think every member of
5 city council should have a balance sheet of
6 what's coming in every month on what loans
7 are being paid out on a monthly basis, on
8 the delinquencies and not, but at the end of
9 the day and we have been down this road with
10 every single department --

11 MS. SCHUMACHER: But you are the
12 chairman of the committee and --

13 MR. ROGAN: That's right.

14 MS. SCHUMACHER: And it's up to you
15 --

16 MR. ROGAN: But I don't get the
17 records --

18 MS. SCHUMACHER: -- to get it to us.

19 MS. ROGAN: That's right. But I
20 don't get the records --

21 MS. SCHUMACHER: Ms. Aebli has
22 always, to my estimation, been responsive.

23 MR. ROGAN: She is one of the better
24 departments heads, but we still haven't, as
25 Mrs. Evans mentioned --

1 MS. SCHUMACHER: Well, just a few
2 more before I move on and my five minutes
3 are all gone, what was the original term?

4 MR. ROGAN: That was included in the
5 backup and I'm going to request that for a
6 caucus.

7 MS. SCHUMACHER: Oh, but you talked
8 to her today and you didn't ask her what the
9 differences were? I mean, this is 25 years.
10 How many other loans our paying 1/2 a
11 percent for 25 years? I'm against that.

12 MR. ROGAN: None that city council
13 knows of.

14 MS. SCHUMACHER: I mean, it may be
15 renewable after five years, I mean, are we
16 saying the economy is going to be in the
17 pits forever? What if the interest rates go
18 up to whatever, 6, 7 percent? I think it's
19 bad business and I'm very disappointed in
20 this and I would like to know the original
21 term and why it is being stretched and I
22 think just airing this tonight will probably
23 cause other people who have loans to come in
24 and I wouldn't blame them. I think they
25 should if this is the new approach then they

1 come in.

2 MS. EVANS: Actually, I think we can
3 get that information from the 2007
4 legislation, the backup should contain the
5 terms.

6 MS. SCHUMACHER: Okay. Now, moving
7 onto parking, I think it's amazing that the
8 new meter heads whether installed in a
9 matter of days, but getting the days of
10 operation on the meter heads taking weeks
11 and perhaps before it happens maybe months.
12 Very disappointing.

13 MS. EVANS: We'll get back into
14 touch with them --

15 MR. JOYCE: Yes.

16 MS. EVANS: -- and tell them.

17 MS. SCHUMACHER: I would like to
18 know how much revenue they are been
19 collecting on those two days that are not
20 marked on Saturday and Sunday, too, so --

21 MS. EVANS: I don't believe they
22 would be -- well, as you know --

23 MS. SCHUMACHER: That's why I'd like
24 to know what the percentage is. But now,
25 also, because the photo is being taken of

1 vehicles by Republic are being stored could
2 be subject to open records requests, so I
3 would also like to know how long they are
4 retaining those photos.

5 And then last week Mr. Hughes spoke
6 of ownership of the parking structures
7 themselves and that begged several
8 questions. First, is the city responsible
9 only for the shortfall or the portion of the
10 bond payment over and above the operating
11 expenses and if so do we have any control at
12 all over the efficiency of the operation of
13 the garages? Crickets. Do we -- we only
14 pay the shortfall of the bond payment, is
15 that true?

16 MR. HUGHES: Based on my review, I
17 mean, I haven't looked it in-depth, you just
18 requested it, but the city is responsible
19 for any shortfall on the bond payment
20 itself. What would happen is that the
21 Parking Authority is responsible for all
22 maintenance, either they would borrow the
23 money to do the maintenance or it would come
24 from the operating budget which would then
25 decrease the amount of money that would be

1 available to pay the bond issue, so the less
2 money they pay the bond issue the city would
3 then have to make that up. So it's only
4 recently that that that event has ever
5 occurred.

6 I mean, I'm not -- I haven't
7 reviewed everything that the Parking
8 Authority has done for the maintenance
9 agreements and everything that's been done,
10 but I believe that most of that has been
11 financed and I think that's one of the
12 things that was financed with the Landmark
13 Bank, maybe not the maintenance, but I know
14 the upgrading for the -- that automated
15 system to pay.

16 MS. SCHUMACHER: Oh, yeah, that
17 \$2.9, yes.

18 MR. HUGHES: I know that was in
19 there, but, of course, the city didn't
20 guarantee the Landmark loan.

21 MS. SCHUMACHER: Right.

22 MR. HUGHES: But the maintenance,
23 and I think there has been a lot of
24 maintenance that's been done on the garages,
25 it's always been financed by the Parking

1 Authority or paid in their operating budget
2 or if they didn't borrow the money and the
3 city had guaranteed that then the city would
4 have guaranteed that bond issue.

5 MS. SCHUMACHER: Okay. And we still
6 own, we, the City of Scranton, still own the
7 structures then?

8 MR. HUGHES: The City of Scranton
9 does not own the structures. The Scranton
10 Parking Authority does.

11 MS. SCHUMACHER: Scranton Parking
12 Authority. Who pays the insurance for those
13 parking structures?

14 MR. HUGHES: That's a line item in
15 the Scranton Parking Authority's budget.

16 MS. SCHUMACHER: And now the other
17 issue then they are also responsible that, I
18 believe it was DRC, did the service life
19 cycle assessment last year and they said
20 that structural repairs were needed at both
21 the Electric City and the Linden Street, the
22 original parking structure, between the
23 years 2013 and 2016.

24 MR. HUGHES: I have no idea.

25 MS. SCHUMACHER: Pardon?

1 MR. HUGHES: I don't know. I have
2 no idea. I don't know.

3 MS. SCHUMACHER: Well, who would be
4 responsible? That would be, again, the --

5 MR. HUGHES: I think whatever would
6 have to be done from a maintenance
7 standpoint right now that would be the
8 receiver's responsibility for the moneys
9 that are coming in, you know, on the parking
10 fees for the garage.

11 MS. SCHUMACHER: Okay.

12 MR. HUGHES: That's a maintenance
13 item. One of the problems that we have had,
14 you know, when we received the budget from
15 council when we examined Mr. Scopelitti, you
16 know, that evening when they came here this
17 is the first time that the Parking Authority
18 was ever required to put a budget into the
19 city and that was one of the things that set
20 this whole thing off like a rocket is that
21 when we went through the documentation they
22 had to have a budget approved by city
23 council. It was never done until we
24 demanded it, and that's what I think I
25 referred to as Mickey Mouse-type budget and

1 I insulted Mickey Mouse. I mean, it wasn't
2 a proper budget and that was one of the real
3 problems that council had with the Parking
4 Authority and its staff was that, in fact,
5 when you submitted the budget one time I
6 sent it back it them and I said we wanted a
7 line item budget. They never supplied it.
8 So, I mean, we didn't know you know, but
9 that's generally what happens with this.

10 MS. SCHUMACHER: Yeah. Well, it
11 just -- I mean, they make it sound as though
12 these structural issues could be if they are
13 not corrected could hurt not only garage but
14 people's property and perhaps even people,
15 so I don't know what that would do, but I
16 think, I mean, I really would like to know
17 what their plans are if we could maybe
18 inquire about that, I don't know if that's
19 legitimate or not.

20 And then, Mr. Joyce, I'm going to
21 skip down here for a minute.

22 MR. JOYCE: Yes.

23 MS. SCHUMACHER: At least twice I
24 have provided case law that states that
25 commercial operators of government-owned

1 facilities are responsible for paying
2 property taxes to the municipality, and you
3 had promised before last year's budget at
4 least to run that down and see if General
5 Dynamics, which I think, as I recall will
6 when I did the numbers before the current
7 increases, it would have been like \$600,000
8 a year added income. Did you ever run that
9 out and were you told that wasn't possible,
10 and if so, why?

11 MR. JOYCE: I remember doing some
12 research on this at the time, I do have to
13 go back and look at this though, but I will
14 provide you with an answer next week.

15 MS. SCHUMACHER: Okay, because it
16 would be significantly more than that, and I
17 did notice and, of course, I'm partial being
18 a retiree of Lockheed Martin, but I did
19 notice they have a contributed \$70,000 to
20 their -- their local school district from
21 the Archbald plant, which I think at least
22 they are giving something back. I can't
23 every call seeing anything that General
24 Dynamics has given back to the community
25 other than, of course, the jobs which are

1 important and the wage taxes, but it's nice
2 to see them doing a little bit extra because
3 I know they have budgets for them, all of
4 them.

5 And then has council put a formal
6 input to our legislators on the drinking
7 tax, and if so, what did it say? And if
8 not, why not?

9 MS. EVANS: I don't believe so, no.

10 MS. SCHUMACHER: Don't you think
11 that would be appropriate? I mean, I'm
12 concerned, they say there was something in
13 the paper this last week or on the Internet
14 that said if -- it's a solution that's
15 modeled by Allegheny County's drink tax
16 which anchors tavern and restaurant owners
17 but has raised \$156 million between 2008 and
18 2012 and is expected to bring in \$34.6
19 million this year, but, that's countywide.

20 I mean, I really think it would be
21 detrimental to our businesses in this city
22 if that was enacted and I would urge you to
23 come it a consensus on whether or not you
24 think it's an appropriate tax for just the
25 city or if they should alter it to make it

1 countywide or if they should forget it for
2 us and let them know that in writing. Thank
3 you.

4 MS. EVANS: Thank you.

5 MR. ROGAN: I will comment really
6 quickly on the drink tax, I did bring it up
7 the first time it was in the paper, and just
8 like the smoking ban when it was done
9 citywide, Scranton is area-wise so small
10 that it's very area for somebody to drive
11 from any part of Scranton to one of our
12 neighbors in less than ten minutes really
13 from any part of the city.

14 And my two biggest concerns with the
15 drinking tax, and I spoke to many of the bar
16 owners and actually help them organize some
17 petitions against the drinking tax, my two
18 main concerns are: Number one, is the
19 economic impact to the city where people who
20 although the 10 percent tax may not hurt
21 them that much, the actual cost, but it's
22 the psychological impact of, "I don't want
23 to give the city more money when I go to
24 dinner or if I'm going out for a couple of
25 the drinks." So I think that would

1 certainly hurt our local bars and our local
2 restaurants.

3 And even more importantly than the
4 economic impact is that I believe with
5 having people traveling from Scranton to
6 outside of the city to drink it may increase
7 drinking and driving in the area and I think
8 that's an even more grave concern than the
9 economic impact, so it's something that I
10 would oppose. I actually spoke to a
11 reporter from WBRE yesterday regarding the
12 drink tax, but anything that came to the
13 city council Act 47 meets the reform, there
14 is no question about that, but any changes
15 that are going to be made first have to
16 originate at the state and then come to
17 council.

18 MS. SCHUMACHER: But they are and
19 it's still active and that's why I think you
20 all should input. You know, it's Act 47, so
21 we are there, as Mr. Jackowitz pointed out
22 for a long time. Thank you.

23 MS. EVANS: Thank you. I agree with
24 what you are saying, it's impossible for the
25 City of Scranton, but I would like to see --

1 I wouldn't be opposed to a countywide --

2 MR. ROGAN: Or statewide. Just like
3 the smoking ban, you know, when it was done
4 in the city it really hurt businesses, but
5 statewide it's great.

6 MR. JOYCE: Right.

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

9 MS. KRAKE: 5-A. MOTIONS.

10 MS. EVANS: Councilman Rogan, do you
11 have any comments or motions?

12 MR. ROGAN: Just a few things. One
13 of the items I actually wanted to talk about
14 was the drink tax, and I already got that
15 off my chest.

16 Two other issues, one I touched on
17 and one I haven't. I want to talk a little
18 bit about this loan modification and there
19 are two issues here. There is one which is
20 the procedural issue, and the other is
21 speaking about the loan specifically.

22 Now, as far as the procedure goes
23 it's very frustrating, I don't believe this
24 should ever happen that a loan that was
25 approved by a legislative body and an

1 executive body can be changed by just one
2 body. From reading, you know, what it is
3 saying here, July of 2012 is when the
4 payments were reduced by around \$750,
5 somewhere around there, without council
6 being notified. And notification would be
7 great, but actually, this is what should
8 have happened in July is the legislation.

9 On the merits of the issue, I do
10 think we need to have a caucus and discuss
11 with the business, with the OECD and input
12 from the public. Just on principal, I don't
13 have a problem with a renegotiation for a
14 business that is struggling, but that
15 business has to show us that they are
16 struggling. We can't go reducing the
17 percentages, the interest rates just to do
18 it. You know, if there actually is a risk
19 of the business going under because of the
20 loan, payments being high and the interest
21 rates being high, I would rather get the --
22 as the city would rather get the \$798 a
23 month over zero by the business going under,
24 but if the business can afford to pay they
25 should pay the full amount, as many others

1 have through these loans.

2 So I think it's something that we
3 need to look at very closely and they should
4 all be done on a case-by-case basis. I
5 don't think there should be a blanket policy
6 on changing these loans, I think they should
7 all be voted on by council and signed by the
8 mayor. If the folks working at OECD deem it
9 appropriate, it should be sent down to us
10 when -- you know, it should have been sent
11 to us in July of 2012, and I wouldn't have
12 had an issue with the procedure if that's
13 how it was done and the administration could
14 negotiate the entire loan, but it still has
15 to be voted on by the legislative branch.

16 That being said, I don't want to
17 harp on department heads, and as I said
18 before Ms. Aebli one of the better
19 department heads we have, she is open with
20 us, but not perfect, as was pointed out with
21 the reports that we haven't received in a
22 very, very long time.

23 But my final point, Election Day is
24 Tuesday, we will have a new mayor, there
25 will be a new administration, if I'm lucky

1 enough to be here for another four years I'm
2 looking forward to working with the new
3 administration, and on that note I would
4 urge everyone to get out and vote on
5 Tuesday. And that is all for now.

6 Oh, actually, I apologize, one more
7 thing. Residents of North Scranton
8 contacted me over the week for two issues.
9 One, they were very thankful that Mary
10 Street was finally paved after decades, and
11 then they were very disturbed when they saw
12 that the road was marked up for pave cuts,
13 and I haven't had a chance to get up there
14 yet, but this seems to me to be the exact
15 situation that me and Mr. Loscombe talked
16 about a few months back on Jackson Street
17 when the street was just paved and weeks
18 later it's being cut up by the utility that
19 had to put in new lines, and if we knew they
20 were putting in the new lines we could let
21 the utility cut it up and pave it and then
22 we could use those funds to pave another
23 road and, you know, keeping it in the
24 neighborhood, one street over on North
25 Scranton or put the money towards speeding

1 up the Rockwell Avenue bridge.

2 But this is something that the city
3 and the new administration has to do a much
4 better job of working with the utilities on
5 trying to coordinate when they are going to
6 be making these repairs and when we are
7 doing our street paving projects. With the
8 cost of asphalt and the labor these days as
9 high as it is we can't afford to waste a
10 single penny on paving. There are so many
11 streets that need to be paved and the money,
12 the majority of the money we are getting
13 through the federal government can only be
14 used in certain neighborhoods, and then
15 other grant money from the state, which is
16 much smaller, we are trying to use that
17 where we fill in, but we have to watch every
18 single penny of that money and pave where we
19 can and let the utilities pave where they
20 are going to tear up the roads.

21 So on that note, Mrs. Krake, could
22 we please notify DPW Director Dougher of
23 these concerns, and I know we never received
24 a reply when we asked about Jackson Street
25 and why they didn't catch it, but I guess we

1 could ask again and why that nobody noticed
2 that it was on the list to be cut and it was
3 paved a week earlier. And that is all for
4 tonight. Thank you.

5 MS. EVANS: Thank you. And,
6 Councilman Loscombe, do you have any
7 comments or motions tonight?

8 MR. LOSCOMBE: Yes, just a few
9 things briefly, and just to add to
10 Mr. Rogan, there was a newly paved court
11 behind Dunkin' Donuts St. Mary's Center
12 there in-between Tobyhanna Army Depot and I
13 see that's marked off already, too, so I
14 don't know what's going on here, but
15 somebody is not coordinated and we had
16 mentioned that months ago before these
17 paving bids went out, so if you can find out
18 who is responsible for notifying the
19 utilities prior to paving I think they
20 should pay for the new paving after it's
21 their fault. It's the paving company that's
22 coming in and doing it and not notifying.

23 And also when they are paving if
24 they could notify the Sewer Authority
25 because right on Jackson Street again there

1 is a real bad sewer lid that sunk way down
2 and every time you turn the corner you hit
3 it. There has to be some kind of
4 coordination or we are throwing our money
5 away.

6 On another note again, I agree with
7 Mr. Rogan on the refinancing and stuff like
8 that. I think everybody, you know, a lot of
9 people are in tough times, and I speak from
10 personal experience, that everybody should
11 have the opportunity if they have the chance
12 to refinance. The big question here is this
13 was done in 2012, and we are getting it
14 today in front of us. You know, something
15 is wrong here and my only concern, well,
16 there is many concerns and I have a lot of
17 questions about the whole procedure here,
18 but, you know, supposed HUD does their audit
19 now and they find out that is that going to
20 be penalizing the city on a HUD finding? We
21 know how strict they are.

22 MS. EVANS: Maybe that's why we are
23 finding out now.

24 MR. LOSCOMBE: But, I mean, we have
25 paid some hefty penalties to HUD previously

1 for previous audits and this here, you know,
2 they could penalize us for reducing interest
3 and payments without approval, so that's a
4 big question I have. I would either like to
5 see it tabled or I'm going to abstain from
6 voting on it tonight because I don't just
7 have enough information on it.

8 And also I would like --

9 MR. ROGAN: Mr. Loscombe, I don't
10 want to cut you off, but if we introduced it
11 tonight and tabled it next week so we could
12 scheduled a caucus would that be okay?

13 MR. LOSCOMBE: Okay.

14 MR. ROGAN: I think we all agree
15 that a caucus needs to be scheduled to get
16 more information on this and other, you
17 know, loans that --

18 MR. LOSCOMBE: That's the next
19 question, I would like to see previous to
20 that caucus if we could have it front of us
21 for the caucus an update on all of the loans
22 as we had seen previously, and all of the
23 loans, the delinquencies and what the
24 statuses are and how long the delinquencies
25 were and the dates and everything. As Mrs.

1 Schumacher said, this is going to open the
2 door to a lot of people coming for the same
3 thing and do we have the ability to do that
4 for everybody or is it just a few certain
5 that get picked to do it as is the case a
6 lot of the times, so I would like to see
7 everybody get their fair share.

8 And then on a final note, you will
9 probably read about it in the newspaper
10 tomorrow, my pension case was unfavorable to
11 me, the judge voted it down. But I did
12 receive a call from the newspaper, it wasn't
13 Jim, but as you know I don't respond to the
14 newspaper directly, I never -- I stopped
15 doing that a long time ago when things were
16 changed from what you said, so you are
17 hearing it from me publically tonight that
18 -- and I have had many people for the last
19 several months ask me, "Are you going to
20 quit, are you going to resign? We hear you
21 are going to resign?"

22 Those are the rumors out there. I
23 have no intention of leaving this seat. I'm
24 going to continue to fight and based on -- I
25 cannot say anything on the case by rules --

1 by discussion with my attorney, however, I
2 will inform you that it will be appealed
3 and, you know, that's as far as I could go
4 on it, but I have been fighting hard, I have
5 sacrificed, and I'm here trying to work for
6 the public the best of my heart, my ability.

7 My finances, yes, have definitely
8 been strained and, you know, I'm finding
9 ways to make ends meet and I'll keep
10 fighting. The unfortunate thing is I don't
11 have the time that I had previously to spend
12 on city council business because I have to
13 make it up other ways, but I have no
14 intention of quitting or resigning unless my
15 wife says I have to. She is the ultimate
16 ruler.

17 But I continue to try and do the
18 best I can for the people that elected me to
19 this office, and hopefully, and I'm not
20 appealing it for my own personal stake, I'm
21 appealing it for the constitutionality of
22 that, that ordinance and what they are
23 basing everything on. There is a big
24 difference, again, I cannot elaborate any
25 further without giving a lot of stuff away,

1 but that's where it's at, and I just wanted
2 to let those come to this meeting know
3 firsthand from me personally. Thank you.

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

7 MR. JOYCE: Yes. Just a few. First
8 tonight I wanted to take some time to thank
9 a few of the non-profits that donated to the
10 City of Scranton over the past week. I was
11 notified that we received a \$6,000 check
12 from Lutherwood up in the East Mountain area
13 and every since I have been on council this
14 has been a yearly donation by Lutherwood and
15 I would just like to thank them.

16 Also, we received a \$500 check from
17 the Harrison House, and I would also like to
18 thank them, too.

19 In addition, over the past week city
20 council received a comparison of the funds
21 distributed from the Single Tax Office as of
22 10-31-2013 in comparison to 10-31-2012, so I
23 just want to provide an update of where we
24 are.

25 Current real estate taxes

1 collections and distribution for the year so
2 far are roughly \$15 million. Last year
3 during the same period, collections and
4 distribution was at \$12 million. It's a
5 24.6 percent increase, however, you do have
6 to factor in that there was a 22 percent
7 real estate tax increase as well.

8 Delinquent real estate taxes as of
9 10-31-13, the city has received \$570,000
10 from the Single Tax Office. As of the same
11 period of time last year, the city received
12 \$490,000, so that's an increase of 16.3
13 percent.

14 The local service tax, so far as of
15 10-31 of this year the city has received
16 \$1.25 million in comparison to \$1.78 million
17 -- or \$1.178 million during the same period
18 of time last year, so this is a 6.6 percent
19 increase.

20 And finally, business privilege and
21 mercantile taxes, thus far the city has
22 received \$2.16 million in business privilege
23 and mercantile revenue. As of the
24 10-31-2012, the city had received \$1.78
25 million in business privilege and mercantile

1 revenue, so that's a 21.7 percent increase,
2 however, you do have to factor in that there
3 was an increase in the business privilege
4 and mercantile taxes as well.

5 Finally tonight, there was an issue
6 brought up to city council from residents in
7 East Mountain and as we received a letter,
8 I'll read it aloud. "Many of us on East
9 Mountain spend time walking around the
10 building that is home to Engine 10. We take
11 children and dogs for walks, people use the
12 stop for the bus, and then there are
13 numerous runners who also park at the site.

14 On Monday, many of us just happened
15 to meet in the lot and we were all voicing
16 the same thought, the building desperately
17 needs repairs. The tracks, also called
18 gutters in America, are completely filled
19 with plants. When it does rain hard the
20 water comes over the sides. The children
21 have told us that it is also wet in the area
22 where our firemen sit and sleep. A man, who
23 is a contractor, told us that the roof
24 probably will not survive another winter.

25 After the tragedy that occurred when

1 the garage for the fire truck was shut, we
2 cannot let this fire garage disappear. The
3 girls were lucky that they did not perish.
4 Many other areas of the city have attention.
5 Please take time to do something for this
6 section."

7 The people that concerned are people
8 of Arnold Avenue, Conroy Avenue, Snook
9 Street, Seymour Avenue, and McClure Avenue,
10 the houses in the Essex section and the
11 people on East Mountain Road.

12 So I would just like to say on
13 behalf of this letter that we received, Mrs.
14 Krake, if we could please forward on a copy
15 to Chief Davis and ask him to see that
16 adequate funding is included in the 2014
17 budget for the repair or replacement of the
18 roof on this fire station as needed.

19 And that's all I have for tonight.

20 MS. EVANS: Thank you. Good
21 evening. I wish to present an update
22 regarding the October 24, 2013, tax
23 assessment hearings of nearly 30 Scranton
24 businesses. On behalf of council, our
25 solicitor drafted a letter to the Lackawanna

1 County Assessment Appeals Board in reference
2 to the hearings held on October 24 for the
3 reduction of real estate taxes for numerous
4 parcels of the land located in the City of
5 Scranton. It reads as follows:

6 "The council of the City of Scranton
7 requests the Lackawanna County Board of
8 Assessment Appeals to strictly apply the
9 assessment law of Pennsylvania to each
10 appeal for reduction in a taxpayers'
11 assessment and reduce an assessment only
12 when the evidence presented equally requires
13 the assessment to be reduced to a comply
14 with the assessment law of Pennsylvania. It
15 must be emphasized that the burden of proof
16 is on the taxpayer who must present
17 sufficient admissible evidence to rebut the
18 prima facie validity of the assessment under
19 appeal."

20 Mrs. Krake was allowed to attend the
21 meeting as an observer only and prior to the
22 start of the hearings presented council's
23 letter to the board members in attendance
24 and the deputy director of appeals. No
25 other government entity was represented at

1 the hearings. No one from the Scranton
2 School District, no one from the County, and
3 no one from the City's administration voiced
4 any concerns for the potential loss of tax
5 revenue if the board decides to lower the
6 property assessments per the business
7 owner's requests. It is council's hope that
8 the board will provide a fair assessment and
9 tax into consideration all of the taxpayers,
10 businesses and homeowners alike in the City
11 of Scranton when arriving at their decision.

12 In addition, I'd like to address the
13 flooding issues on Augusta Avenue, Lemon
14 Street, Gaston Place and North Main Avenue.
15 Today city engineer, John Pocius, provided
16 our office with an update on the work
17 scheduled to be performed that would
18 alleviate the flooding conditions in that
19 area surrounding Johnson College.

20 After the meeting on October 23
21 between residents and representatives from
22 the city Sewer Authority and Johnson's
23 College, Mr. Pocius contacted the director
24 of the Scranton Sewer Authority, Mr. Gene
25 Barrett, who allocated funding from the

1 Sewer Authority to get the engineering plan
2 or report underway. Mr. Pocius informs us
3 that progress on the project is visible in
4 the form of existing utilities being marked
5 out, and additionally John Hennemuth
6 surveyed the area. Mr. Pocius will continue
7 to update council as the storm water
8 management project progresses.

9 And that information I believe would
10 be very important to the residents of the
11 streets that I previously mentioned who have
12 been experiencing severe flooding issues in
13 their homes and on their properties.

14 Next, the Office of the City Clerk
15 City Council received a petition for permit
16 parking on Fisk Street in Scranton. To the
17 homeowners and residents who signed it,
18 please know that the petition will be
19 forwarded to the appropriate departments and
20 when it is decision a rendered it will be
21 reported publically.

22 I'd like to add that the since I
23 reside in the vicinity, I am aware of that
24 parking is at a premium in that block and it
25 is most difficult for two-way traffic to

1 navigate when all parking spaces are filled
2 on both sides of this very steep street.

3 Also, city council received copies
4 of a letter and complaint form of Upper Hill
5 Opposition to the Geisinger CMC expansion
6 project from residents of Olive Street,
7 Arthur Avenue, Colfax Avenue, Vine Street
8 and Harrison Avenue, which is addressed to
9 Mr. Michael Wallace, Scranton Zoning
10 Enforcement officer.

11 These city residents report that the
12 north side of the 1800 block of Mulberry
13 Street is an R-1-A residential zone. They
14 note that the plan expansion by GCMC is a
15 commercial venture which, if permitted,
16 would violate the city's zoning laws and
17 result in significant loss to upper Hill
18 Section residential property value.

19 Further, residents state that the
20 expansion would set a precedent for future
21 commercial encroachment into residential
22 areas. In order to convert the former
23 Audubon School to a commercial use, it seems
24 that GCMC will require a use variance, which
25 can only be granted by the Scranton Zoning

1 Board.

2 Therefore, Mrs. Krake, I ask that
3 you forward five copies of the letter and
4 complaint form to the members of the Zoning
5 Board.

6 In addition, and equally
7 importantly, on Wednesday, November 13,
8 2013, Geisinger CMC is scheduled to appear
9 before the Zoning Board to seek a use and
10 dimensional variance to convert a
11 residential building to a credit union
12 office at 415 Colfax Avenue in an R-1-A
13 zone. Interested homeowners should plan to
14 attend the November 13 Zoning Board meeting.
15 They should voice their concerns regarding
16 the proposed federal credit union office, if
17 they have any.

18 And finally, I have a just one
19 citizen's request: Residents report that
20 the no parking signs in the 900 block of
21 South Main Avenue were never changed as
22 requested by city council and approved by
23 the Mr. Dougher several months ago. Please
24 send a memo to Mr. Dougher urging him to
25 replace the signs as soon as possible to

1 eliminate hazardous driving conditions.

2 And, Mrs. Krake, if we can also
3 contact Republic Parking to learn when the
4 stickers indicating dates of operation will
5 be placed on the meters, and also asking
6 what period of time the photos of parked
7 vehicles within the city limits will be
8 retained.

9 In addition, if we can send a letter
10 to Mr. Michael Washo, the receiver,
11 inquiring if repairs to the two garages will
12 be made between the years of 2014 and 2016
13 as indicated by the garage study.

14 And that's it.

15 MR. LOSCOMBE: Mrs. Evans?

16 MS. EVANS: Yes.

17 MR. LOSCOMBE: If I could just add
18 something to what you had just discussed,
19 the credit union at Geisinger Community
20 Medical Center, my wife is a member, that's
21 a separate entity from Geisinger, it's not
22 affiliated with them. Apparently, they have
23 been on Linden Street for several years and
24 since Geisinger took over CMC they have
25 obtained that structure, also, so they have

1 cut their rent or told them they had to move
2 out so that's why they're looking for
3 another location, but it's just basically a
4 small credit union that has nothing to do
5 with the hospital administration itself.

6 But I know that because I'm dropping
7 her off there a few times and though, "This
8 is a house," but it's a credit union, but
9 apparently CMC has other plans for where
10 they were before, so we'll have to keep our
11 ears and eyes open on that, but I just
12 wanted to clarify that it is a separate
13 entity. You know, it was CMC's credit
14 union, I don't even know if it's called
15 CMC's credit union or not, but that's it.
16 Thank you.

17 MS. EVANS: Thank you. Mrs. Krake?

18 MS. KRAKE: 5-B. AUTHORIZING THAT
19 THE RECEIPT OF ANY FUNDS FROM THE CHARGE
20 SCHEDULE, WHICH IS EXHIBIT A, TO THE
21 CONTRACT BETWEEN THE CITY OF SCRANTON AND
22 THE FIFTEEN (15) AUTHORIZED TOWING
23 BUSINESSES, WHICH WAS APPROVED BY ORDINANCE
24 FILE OF COUNCIL NO. 50, 2013 (AS AMENDED) BE
25 DEPOSITED INTO SPECIAL CITY ACCOUNT NO.

1 02.229550 ENTITLED "PUBLIC SAFETY/POLICE
2 GRANTS" WHICH WAS CREATED BY ORDINANCE, FILE
3 OF COUNCIL NO. 21, 2004.

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

7 MR. ROGAN: So moved.

8 MR. JOYCE: Second.

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

11 MR. ROGAN: Aye.

12 MR. LOSCOMBE: Aye.

13 MR. JOYCE: Aye.

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

16 MS. KRAKE: 5-C. RATIFYING AND
17 APPROVING THE EXECUTION AND SUBMISSION OF
18 THE GRANT APPLICATION BY THE CITY OF
19 SCRANTON POLICE DEPARTMENT TO THE OFFICE OF
20 JUSTICE PROGRAMS-BULLET PROOF VEST
21 PARTNERSHIP FOR THE PURCHASE OF NEW
22 BALLISTIC VESTS FOR SCRANTON POLICE OFFICERS
23 AND AUTHORIZING THE MAYOR AND OTHER
24 APPROPRIATE CITY OFFICIALS TO ACCEPT THE
25 GRANT AND DISBURSE THE GRANT FUNDS IN THE

1 AMOUNT OF \$36,361.76 FOR THE PURCHASE OF THE
2 VESTS.

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

6 MR. ROGAN: So moved.

7 MR. JOYCE: Second.

8 MS. EVANS: On the question? All
9 those in favor signify by saying 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 MS. KRAKE: 5-D. AMENDING
16 RESOLUTION NO. 144 OF 2007 ENTITLED
17 "AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
18 CITY OFFICIALS OF THE CITY OF SCRANTON TO
19 ENTER INTO A
20 LOAN AGREEMENT AND MAKE A LOAN FROM THE
21 COMMERCIAL INDUSTRIAL REVOLVING LOAN
22 PROGRAM, PROJECT NO. 150.9 IN AN AMOUNT NOT
23 TO EXCEED \$250,000.00 TO ALEXANDER'S SALON &
24 SPA, INC. TO ASSIST AN ELIGIBLE PROJECT" BY
25 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

1 CITY OFFICIALS OF THE CITY OF SCRANTON TO
2 EXECUTE AND ENTER INTO A MODIFICATION/
3 EXTENSION OF THE LOAN AGREEMENT BETWEEN THE
4 CITY OF SCRANTON AND ALEXANDER'S SALON &
5 SPA.

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

9 MR. ROGAN: So moved.

10 MR. JOYCE: Second.

11 MS. EVANS: On the question? I find
12 this situation very troubling, as I
13 discussed earlier. I don't approve of
14 receiving legislation 15, 16 months after
15 the fact, after action was taken. I also do
16 not approve of an interest rate of half a
17 percent throughout the remainder of the term
18 of the loan. I think it does set an unusual
19 precedent and I will vote to introduce it,
20 but I do have very serious reservations
21 about this particular piece of legislation
22 and unless there are changes made to the
23 interest rate and to the fact that OECD has
24 ignored city council's active requests for
25 monthly loan updates, I won't be approving

1 it in successive votes.

2 MR. ROGAN: I would just add, and I
3 think it's something that we need to talk to
4 the business owners and OECD about, is the
5 negotiating, you know, for businesses having
6 a hard time and they are in a multi-year
7 loan I don't think anyone would have a
8 problem with lowering the interest rate or
9 even bringing the interest rate down to zero
10 for two, three years so they can get back on
11 their feet. But reducing it for the length
12 of the loan, who knows, maybe in five years
13 the business will triple, and that's what we
14 hope happens. You know, we want the
15 business to grow.

16 And I think what needs to happen in
17 these situations, and this is where the City
18 of Scranton for decades has been entirely
19 dysfunctional is we have to strike a balance
20 between working with the business community
21 and into the having give-a-ways. There is a
22 balance.

23 I believe incentives for businesses
24 to help them expand and help them create
25 jobs, and loans like this can certainly do

1 that, but it has to be done in a way that's
2 fair and that's open and it's available for
3 all businesses throughout the city to have
4 the same opportunities.

5 I know we all are going to have a
6 lot of questions for the caucus.

7 MR. JOYCE: Yes.

8 MR. ROGAN: So it may be one that we
9 might want to budget a little bit of extra
10 time for when all parties are available.

11 MS. EVANS: And, Mrs. Krake, if you
12 could please, as I mentioned earlier, locate
13 the original legislation and any other
14 possible related pieces of the legislation,
15 perhaps even meeting minutes. I do want to
16 be certain, also, that the significant
17 renovations and the additions that were
18 claimed have actually come to fruition since
19 the \$250,000 was actually released as well
20 as, you know, the number of the jobs that
21 may have been required to be created.

22 MR. LOSCOMBE: I stated under
23 motions, I have many of the same
24 reservations, but I would vote yes to
25 introduce it, and hopefully we will

1 receive enough answers to change my mind,
2 but we will have to see. Thank you.

3 MS. EVANS: Thank you. All those in
4 favor of introduction signify by saying aye.

5 MR. ROGAN: 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: SIXTH ORDER. 6-A.
11 READING BY TITLE -FILE OF COUNCIL NO. 51,
12 2013 - AN ORDINANCE - TRANSFERRING FUNDS
13 FROM FUND 04 CITY OF SCRANTON PARKS AND
14 RECREATION ACCOUNT WHICH FUNDS AND ACCOUNT
15 ARE NO LONGER NEEDED FOR THE CONDUCT OF CITY
16 BUSINESS, AND ABOLISHING AND CLOSING SAID
17 ACCOUNT AND TRANSFERRING THE FUNDS REMAINING
18 IN SAID ACCOUNT TO THE PNC GENERAL FUNDING
19 CHECKING ACCOUNT LISTED BELOW.

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

22 MR. ROGAN: I move that Item 6-A
23 pass reading by title.

24 MR. JOYCE: Second.

25 MS. EVANS: On the question? All

1 those in favor signify by saying aye.

2 MR. ROGAN: Aye.

3 MR. LOSCOMBE: Aye.

4 MR. JOYCE: Aye.

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

7 MS. KRAKE: SEVENTH ORDER. NO
8 BUSINESS AT THIS TIME.

9 MS. EVANS: If there is no further
10 business, I'll entertain a motion to
11 adjourn.

12 MR. JOYCE: Motion to adjourn.

13 MS. EVANS: This meeting is
14 adjourned.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER