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1 SCRANTON CITY COUNCIL MEETING

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7 Held:

8 Thursday, January 19, 2006

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13 Time:

14 6:30 p.m.

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17 Location:

18 Council Chambers

19 Scranton City Hall

20 340 North Washington Avenue

21 Scranton, Pennsylvania

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24 Lisa M. Graff, RMR

25 Court Reporter

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1 CITY OF SCRANTON COUNCIL:

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3 MS. JUDY GATELLI, COUNCIL PRESIDENT

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5 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

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7 MS. JANET EVANS

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9 MS. SHERRY NEALON FANUCCI

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11 MR. ROBERT McTIERNAN

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13 MR. AMIL MINORA, ESQUIRE, SOLICITOR

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15 MS. KAY GARVEY, CITY CLERK

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17 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MS. GATELLI: Okay. Please stand for
2 the Pledge Of Allegiance. Before we start the meeting,
3 I would just like us to pause for a moment of
4 reflection. Roll call, please.

5 MR. COOLICAN: Mrs. Evans.

6 MS. EVANS: Here.

7 MR. COOLICAN: Mrs. Fanucci.

8 MS. NEALON FANUCCI: Here.

9 MR. COOLICAN: Mr. McTiernan.

10 MR. MCTIERNAN: Here.

11 MR. COOLICAN: Mr. Courtright.

12 MR. COURTRIGHT: Here.

13 MR. COOLICAN: Mrs. Gatelli.

14 MS. GATELLI: Here. Dispense with the
15 reading of the minutes.

16 MS. GARVEY: Third order. 3-A,

17 APPLICATIONS AND DECISIONS RENDERED BY THE ZONING

18 HEARING BOARD ON WEDNESDAY, JANUARY 11, 2006.

19 MS. GATELLI: Are there any comments?

20 If not, received and filed.

21 MS. GARVEY: There really are no

22 clerk's notes this week. We didn't get to get a lot of

23 your letters out, there's just not enough hands in the

24 office to get everything that needs to be done to get

25 it done.

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1 The letters that did go out, you

2 received in your packets in the office, and if there's

3 any responses, I'll let you know through there. Fourth

4 order, Citizens Participation.

5 MS. GATELLI: Excuse me one minute.

6 Before we go to Citizens Participation, I have some

7 notes that I just wanted to address from last week.

8 Mr. Sbaraglia talked about the bridge

9 over the Gorge, I found out that the bridge is not

10 going over the Gorge, where is Mr. Sbaraglia, it's

11 going down near the playground and it is going to go to

12 the other side, and they're making a quarter mile loop

13 there for the Davis Trail. That's what it's going

14 there for.

15 It came from federal money from Paul

16 Kanjorski, so the city is not paying a dime for it, and

17 the bid was won by Fab Four Construction.

18 PennDOT approved it all, because it all

19 has to go through PennDOT, and it's supposed to be

20 starting in the spring.

21 Your other question about The Icebox,

22 the \$600,000 will be paid to the city when he develops

23 that parcel where the DPW is. The minute he starts to

24 develop that, he will have to pay the city \$600,000

25 upfront. The price came from an appraisal by Nasser

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1 and the previous Council approved it.

2 The Lackawanna Avenue Bridge repair,

3 Buckhart and Horn Engineers are in the final stages of

4 that. The start of construction should be in the

5 summer. Twenty percent will be paid by the city, which

6 has already been set aside by the city, and 80 percent

7 will be paid by the state.

8 The next one was Lee Morgan talking

9 about appointees that owe taxes, the mayor was going to

10 find out and get back to us, but as far as he knew,

11 everyone had paid their taxes. If it's otherwise, I

12 will let you know.

13 Sarine Stoker O'Malley, I wasn't able

14 to contact her, and I didn't speak to George Parker

15 about it, so if anyone knows her number or have been

16 there to see her problem, please let me know, because,

17 we can go up and look at it.

18 The last thing was the sewer line that

19 Nelson Ancherani spoke about, and you were right, there

20 was sewage. The pipe had burst at the zoo. They tried

21 to repair it, and they did repair it, and it froze and

22 they had an emergency.

23 I spoke to Scopelliti, and he had

24 talked to Roseann Novembrino, and he called me at 4:30

25 today and said that there was a holding tank put in,

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1 and it seems to be that that's going to be the answer

2 to that problem. So, we will keep you posted on that.

3 If anyone is at the park and sees any

4 of that, please don't hesitate to call any one of us or

5 the mayor's office, because we don't want anyone to get

6 health effects from, you know, such sewage.

7 And the last thing was Mr. Morgan

8 talked about last week the little girl that had died,
9 and about them having a collection at Penn Security
10 Bank, so I have an envelope here, and if anyone would
11 like to give a donation, I'm going leave it with Neil,
12 and maybe Lee can or any of you can come in later and
13 we'll count the money and maybe Lee would be so kind to
14 bring it to the bank for us or one of us will take it
15 and make a donation to the cause. Neil. Okay. The
16 first speaker is --

17 MS. EVANS: Mrs. Gatelli, before you
18 begin, just a few comments and questions, I'll begin
19 with the last, I know Mrs. Diaz very well, and I have
20 for a number of years, so if you'd like me to give it
21 to her, I could do that directly.

22 MS. GATELLI: Oh, sure.

23 MS. EVANS: Also, I'll be meeting with
24 Mr. Parker on Monday, so I could discuss Sarine's
25 situation with him at that time and then report back to

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7

1 you.

2 MS. GATELLI: Great, because that's
3 your committee, I would appreciate that.

4 MS. EVANS: And also jumping back to

5 the beginning of your announcements with regard to the
6 bridge over the Gorge that Mr. Sbaraglia was referring
7 to, and you indicated that Congressman Kanjorski
8 provided the federal funding for the project, is that
9 the project in its entirety, the bridge, as well as the
10 walking trail?

11 MS. GATELLI: I believe it's just the
12 bridge.

13 MS. EVANS: Okay. So, the walking
14 trail, the cost of that would be incurred by the city?

15 MS. GATELLI: I don't know what will
16 happen there, but I can find out for you --

17 MS. EVANS: Well --

18 MS. GATELLI: -- or you can find out.

19 MS. EVANS: Yeah. Because as Mr.
20 Sbaraglia indicated, at this point, though it's
21 wonderful to have a bridge, it would be a bridge to
22 nowhere since it's a wooded area and since the plan is
23 to generate that loop that's going to complete the
24 Davis Trail, I think it might be a costly endeavor, so
25 certainly I'm sure you'd like to see it put out to bid.

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1 And in addition to that, I'm sure Mr. Sbaraglia, and

2 many other taxpayers would like to know what costs

3 would be incurred.

4 MS. GATELLI: Okay.

5 MS. EVANS: That's it.

6 MR. MCTIERNAN: Mrs. Gatelli, I spoke

7 with the mayor and he told me that there were

8 observations planned on the other side of that bridge,

9 and my understanding is that it's part of the project,

10 but I think we can iron that out later, but there are

11 plans for the other side of that Gorge.

12 MS. GATELLI: And maybe if the money is

13 not there, then maybe we could get it from Kanjorski or

14 state people or somebody that wants to give us a nice

15 donation.

16 MS. EVANS: Also, while we are on that

17 topic --

18 MS. GATELLI: But you find that out.

19 MS. EVANS: Yes.

20 MS. GATELLI: Okay. Thanks.

21 MS. EVANS: Yes. I also remember, it

22 might have been Mr. Morgan, in fact, who indicated the

23 role that Mr. Ozzie Quinn played, was that you,

24 Mr. Morgan, that overlook at the Gorge, that

25 observation deck that's there, and wanted Mr. Quinn's

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1 efforts recognized, and Mr. Quinn then addressed the
2 City Council indicating very modestly that he wished no
3 recognition for it, but rather there was a plaque, a
4 historical plaque, that would have provided very
5 descriptive information about the area, and it had been
6 removed for some reason, and his only request was that
7 that be replaced, and the last evening -- well, rather
8 the last evening that Mr. Scopelliti addressed City
9 Council, I posed that question/request to him, and he
10 agreed that it would be replaced quickly, but I
11 understand it still hasn't occurred, so I'm hoping that
12 we can finally get that plaque up there for Mr. Quinn
13 and Mr. Morgan and all the citizens of the area who
14 like to visit that area and enjoy the scenery.

15 MS. GATELLI: Okay. The first speaker
16 is Andy Sbaraglia. The five-minute rule will remain in
17 effect, and we just ask that you treat each other with
18 respect. We agree to disagree, that's what we're here
19 for, but please respect each and every one of the
20 speakers. Thank you.

21 MR. SBARAGLIA: Andy Sbaraglia, citizen
22 of Scranton. Fellow Scrantonians, I have a little

23 article here about the mall. Now, we always were under
24 the impression that Mr. Boscov and his partners own the
25 mall, but apparently the mall was sold. They claim

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1 it's owned by Prizm Asset Management Company.

2 Now, I don't know if that was a deal

3 when they got that \$400,000 back a few years ago, but I

4 do know if they sold the mall, then we got a pittance

5 out of that, I mean a real pittance, and I don't know

6 why. They claimed this, that.

7 There was a huge article in the paper

8 about how much we were going to get, but when it

9 finally came down to it, we got almost nothing.

10 Now, if that was a \$40 million mall

11 being sold, we should have gotten a lot more than we

12 got. So, if you have any -- again, we know that

13 Boscov's don't own it anymore, it'd be nice to find out

14 exactly what went on there and why we got so little.

15 The paper was very sporadic on it.

16 Now, we're in the process of

17 subordinate loans again. I don't know exactly what

18 this would be, at 501 South Washington Avenue, exactly

19 what -- is that that building there, the old warehouse

20 in there?

21 MR. MCTIERNAN: I think so.

22 MR. SBARAGLIA: Do you think that

23 building is worth \$5,650,000? Because we -- they would

24 have to get that because of all the loans they got

25 against it.

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1 Now, yeah, I believe that's, yeah ,

2 \$5,650,000 they would -- we would have -- they would

3 have to get before we would get our loan, because now

4 we're dropping it from second place to third place.

5 I wish you would ask somebody to

6 appraise that building to make sure we're protected.

7 We lost at the mall -- I mean, at the Hilton because of

8 the same reason.

9 We subordinated these loans, and I

10 don't know if they're 108 loans. That's the problem.

11 I was told that we have two different loans, one loan

12 if they go bust, we don't pay a penalty, but if it's a

13 108 loan and they go bust, we're obligated.

14 Now, we have another one here, too,

15 with Pettinato. That's a UDAG loan with Pettinato

16 Reality Company, and here again they have already a

17 loan on it for \$1,222,000, they want to take another
18 loan for \$2,200,000, giving a total of about three and
19 a half million dollars. I don't know if that's the
20 Scranton Electric Building or what.

21 And another thing is, is the money that
22 he's put in for going to be invested in the building
23 or, as you know, Boscov when he took the loans out for
24 the Scranton Dry and Storm Fisters, he got \$5 million
25 for each building, he didn't put the money into them

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1 buildings, he just took it.

2 Now, this money going to these
3 buildings, is the money going to be used to revamp the
4 buildings or actually is this going to be to get the
5 money, say, this is collateral, but I'm going to use it
6 as a different project? So, hence, that building, if
7 it wasn't for the county, we'd be in real trouble,
8 because as you notice they -- noted, they were really
9 in trouble on the way they were doing their finances on
10 that building.

11 I was going to say something about the
12 old -- well, I feel a little sentimental about the old
13 Hilton. I worked in that building, and the mayor wants

14 to rip it down, and he don't want to put any liens
15 against it for it, and that cost is going to escalate.
16 And as I said before this podium many
17 times, I've told you, that building is solid concrete.
18 It's not one of these buildings just thrown up. That
19 was a very good building built. Bordo did all the
20 plastering work inside of it. It was a beautiful job
21 when it was done. I don't know what it looks like now
22 because of the conditions of it, but still it is a very
23 solidly-built building.
24 Now, we don't -- I guess somebody has
25 an auction on it, some loan company or -- some bank or

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1 something got an option on it, so the truth is, even if
2 we rip it down, we couldn't sell it to somebody else,
3 because somebody else already has an option on it.

4 Okay. Thank you.

5 MS. GATELLI: Les Spindler.

6 MR. SPINDLER: Good evening, Council,

7 Les Spindler, Scranton resident. I had no intentions
8 of being here tonight, but when I heard Mrs. Evans
9 bring up last week about the idea that somebody came up
10 with about having two separate speaking segments, I had

11 to come and speak about that tonight.

12 I think that idea it's a terrible idea.

13 All it can do is make these meetings longer. There's

14 no advantages of having two separate segments.

15 Contrary to what The Scranton Times

16 said in their editorial on Sunday, all that is is an

17 attempt to gag our freedom of speech again. There's no

18 advantage to having two separate speaking segments.

19 It also mentions in the paper about

20 that we can come and speak at the caucus meeting, we

21 just want to be on television, well, some of us can't

22 make it here 5:30, we have other commitments, not

23 everybody could be here 5:30, not everybody could stay

24 late. We want to come, have our say and leave, we have

25 other things to do.

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1 Mrs. Gatelli, you mentioned last week

2 that there was a meeting that went until one in the

3 morning, well, that was one meeting, and you know why

4 it went until one in the morning, because of people you

5 don't see here anymore, people that came here for one

6 reason and one reason only, for free political

7 advertising for Chris Doherty. Where are they now?

8 That's why the meeting went until one in the morning.

9 Us regulars that come here, we come

10 here every week, not for political reasons, we come

11 here for the good of the city and we want what's done

12 right for the city. That's about all I have to say on

13 that.

14 I just want to ask everybody up there,

15 can anybody on that Council think of one advantage of

16 having the two separate speaking segments?

17 MS. EVANS: Mr. Spindler, I'll begin,

18 first of all, though, for those meetings that ran very

19 late, and I know there were a number of them in the

20 fall, but I can tell you from being here, there were

21 very few audience members in attendance. You could

22 count on one hand the number that remained until

23 eleven, twelve, one o'clock in the morning. It was

24 practically Council talking to itself at that point in

25 time.

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1 Also, when I read over the proposed

2 motion as it was drafted, it indicated a three-minute

3 time limit for speakers, so I would assume that would

4 have been three minutes during citizens participation,

5 one on agenda items, three minutes, on city business,
6 citizens participation, two, for obviously a total of
7 six minutes.

8 Again, I don't agree that it's really
9 necessary. I don't believe that many speakers can
10 effectively communicate their point in a three-minute
11 time period, I guess I'm the best example of that, but
12 also I think it places an undue burden on individuals
13 to have to wait until the end of the meeting in order
14 to address Council again for another three-minute
15 period.

16 I do feel that the president is more
17 than capable of keeping order and decorum in City
18 Council, and without the assistance of police, may I
19 add.

20 MR. SPINDLER: I put that question to
21 everybody, does anybody up there have one good reason
22 why that would be an advantage?

23 MS. GATELLI: Just for a point of
24 record, Mr. Spindler, we were looking at different
25 ways, because from what we had seen, the meetings were

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1 lasted very late, so we wanted --

2 MR. SPINDLER: And I just explained

3 why.

4 MS. GATELLI: Yes. So, we wanted to

5 expedite the business portion of the meeting so people

6 that came just for the business portion wouldn't have

7 to wait until the end of the meeting, however, it seems

8 to be going along smoothly. We did not introduce it at

9 all, it was a point of discussion.

10 MR. SPINDLER: Okay. It's just my

11 opinion.

12 One last thing, I noticed coming into

13 the city tonight over the Mulberry Street Bridge, that

14 first block of Mulberry Street coming off the bridge,

15 there are Christmas lights still up and lit, and I

16 don't see why they're -- that's just a waste of

17 electricity.

18 MS. GATELLI: Was that the only place

19 you saw?

20 MR. SPINDLER: Yes, that's the only

21 block that I could see, and that's also the block that

22 those decorations were lit October 6. They were the

23 first to be lit and the last to be taken down. Thank

24 you.

25 MS. GATELLI: Lori DeLong.

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1 MS. DELONG: Lori DeLong, citizen of
2 Scranton. I have a couple questions, one, there's
3 sidewalks lacking on Charles Street, Rockwell and
4 Welles Street.
5 We have Marvin Dutch Gap there, we have
6 the project where the kids go to have baseball coming
7 up in the spring and summer, and there's no sidewalks.
8 Traffic is very heavy there.
9 The only way to get a bus from Charles
10 Street is to go down Rockwell, and, again, there is no
11 sidewalks, and I'm very concerned about that.
12 And according to the U.S. Department of
13 Transportation, Sidewalks Form the Backbone of
14 Pedestrian Transportation Network. According to the
15 Institute of Transportation Engineers Technical Council
16 Committee, 5A5, 1998, Sidewalks reduce the incidents of
17 pedestrian collisions, injuries and deaths in
18 residential areas and along two-lane roadways. All of
19 those are two-lane roadways, and I am, again, very
20 concerned. I would like something done.

21 MS. EVANS: What was the third street?

22 You said Charles, Rockwell --

23 MS. DELONG: Welles.

24 MS. GATELLI: Welles.

25 MS. EVANS: Welles? I can tell you

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1 with regard to Charles and Rockwell, this was brought
2 to my attention many months ago by a resident of that
3 area, it was either Charles or Rockwell Street, and I
4 did make that request possibly to the DPW, but I never
5 received a response to this day, but I'll be happy to
6 pursue that again.

7 MS. DELONG: Thank you. And my other
8 certain is, Why are we seeking lawyers outside of
9 Scranton? We have many good lawyers here in Scranton.
10 Why are we going to Philadelphia to get lawyers? I
11 think it's a waste of our taxpayers money to go outside
12 of the city. We're supposed to be building our city
13 up, bringing people in, and it's not happening if our
14 own mayor and Council is going outside of Scranton to
15 get --

16 MS. EVANS: Well, City Council, I know,
17 has never had any role in those decisions in terms of
18 these firms, law firms that are hired by the
19 administration, those are administrative decisions.

20 MS. GATELLI: Are there any from

21 Philadelphia?

22 MS. EVANS: Yes. That has never come

23 before us, so, you know, quite honestly, I don't

24 believe that we have any impact in that particular

25 area.

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1 And as far as, you know, solicitors,

2 assistant solicitors are concerned, that is the

3 decision of the Mayor of Scranton, not Scranton City

4 Council. The only solicitor that we may hire or fire

5 is Council's solicitor.

6 MS. DELONG: Okay. But I'm -- still,

7 can you bring that concern to the mayor?

8 MS. GATELLI: I will bring that to the

9 mayor's attention. Thank you.

10 MS. DELONG: Thank you very much. And

11 this is it. Thank you.

12 MS. GATELLI: Doug Miller. Before Doug

13 starts to talk, we didn't have time in our caucus to

14 discuss this matter, so we can probably do it now.

15 Douglas is a student at West Scranton

16 High School and a frequent speaker at City Council

17 meetings, and I spoke to him one day in school and I
18 said, It would be wonderful if we could get like a
19 youth task force for Council, you know, that he would
20 go to school and maybe get a kid from Scranton High or
21 Prep or whatever school wanted to be involved and they
22 could be a little task force and come here and tell us
23 what the kids want, what the kids needs are, maybe
24 ideas for recreation, et cetera, and he came to me the
25 other day and showed me an article where there was
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1 actually Junior Council members appointed by City
2 Council. I have the information. It's very
3 interesting. We can bring it up next week at caucus
4 and see what we want to do with it, but I think it's a
5 good idea, and it would help the children, you're a
6 child to me, Doug, even though I know you think you're
7 grown up. When you get old, you're a kid. But it's
8 great for the kids to get involved, and they could take
9 it back to their classes and --

10 MS. EVANS: And I know when I served on
11 the school board, we had a representative from both
12 West Scranton and Scranton High Schools.

13 MS. GATELLI: Yes. I think they're

14 still there. I think they still go to the meetings.

15 Now, they have no voting powers or things like that,
16 but they can meet with Council, they could come and
17 meet if we have a caucus here with cabinet members or
18 whatever.

19 And so, you know, maybe you want to
20 address some of that, Doug, and Council will discuss
21 that next week, and maybe Attorney Minora can figure
22 out how we can appoint these kids to this Council and
23 find out how many are interested, if we could get
24 letters, et cetera.

25 But it's good to get the young people

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1 involved, because they're the ones that are going to be
2 here. Sorry, Douglas.

3 MR. MILLER: Yeah. I will address that
4 next week in the caucus. Good evening, Council.

5 Doug Miller, Scranton. I would like to wish everyone a
6 Happy New Year and welcome our new Council members,
7 Mrs. Gatelli and Mrs. Fanucci. I look forward to
8 working with both of you.

9 As I've said in the past, I encourage
10 all kids to come here. It's a great learning

11 experience and an opportunity to see how government
12 works.

13 Tonight you see some kids in the back
14 here, and I think it's great, and I hope they learn
15 something tonight.

16 I believe if we all respect each other
17 and all get along, we will accomplish many things.
18 That's the only way we will turn this city around. We
19 all need to be on the same page. And that's all I have
20 tonight. Thank you.

21 MS. GATELLI: Bob Bolus.

22 MR. BOLUS: Good evening, Council,
23 Bob Bolus. It's nice to see all the new members, and
24 I'd like to welcome you here. Hopefully we'll all be
25 moving forward in a positive manner this year. Anyway,
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1 we're going to try.
2 I missed your first meeting, and just
3 caught bits and pieces of some of the things going on,
4 but I think it's important to understand when you see
5 children like Doug and other kids coming here, how
6 important the information getting out of Council is.
7 And meetings went long and everybody

8 was playing politics, et cetera, there was both sides.

9 The Times kind of took a bashing to Channel 61 that

10 people came here. I took a personal offense to it,

11 because I've been coming here for a long time, in fact,

12 myself and a few others were instrumental in what got

13 us our free speech here, when prior Council tried to

14 suppress the people coming, and they learned a lesson,

15 the people do have a voice.

16 To have a caucus meeting, I understand

17 some things are going to be dealt in caucus, but a lot

18 of us can't make it, and I think a lot of information

19 has to come from here out to the people.

20 If you have a caucus and the only one

21 back there is the reporter, well, then you're only

22 going to get the information. That reporter deciphers

23 in his own mind or his editor's want to get out, for

24 whatever the reason may be, political, friendships, et

25 cetera.

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1 Here it's the real world. It's

2 unedited, it's uncensored, and people get the

3 information here that you can speak and be heard, and

4 that's why people will come here.

5 But when you speak and The Times
6 doesn't print it or they want to control, as they did
7 years ago -- I have a lot of friends at The Times, I
8 mean, I talk about them, but they've helped us out,
9 they were tremendous with helping us out with the
10 Christmas Dinner and things that went on to get the
11 message out, but I don't think they should be allowed
12 to suppress the information going to the people, and
13 that's what I think is important that we understand at
14 this Council.

15 There were many issues raised here,
16 there were issues raised that I brought up about fees
17 in the city, impact fees or a maintenance fee or
18 whatever it, it's passed across the board, just like
19 the garbage fee in here tonight, and it goes against
20 KOZs, it goes against the non-profits.

21 They have to contribute to this
22 community. They can't just keep taking and sending
23 little donations.

24 Let's be fair, assess everyone equally.

25 The little guy pays his little share, the big guy pays

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1 his million dollar share, and we will get out of debt,

2 but the mayor has got to move forward with us, too. He
3 can't be giving things away.

4 Just like tearing Holiday Manor down,
5 and then a multi-million dollar company that's making
6 money that could afford to tear it down is getting an
7 advantage. For what reason? Use that money for other
8 purposes. Don't allow it to take place.

9 In here I read about Carl Greco
10 tonight, and we raised Carl Greco's issues for three
11 and a half years here about how much money he was being
12 paid, and it was excessive, then when it came time to
13 defend Chris Doherty's campaign contributions that we
14 challenged of him taking money from his corporation,
15 Carl Greco charged \$2,000, a flat fee. It's a payback,
16 but he didn't charge him the normal rates. Was it a
17 campaign contribution? We don't know, but we still
18 haven't had the answer to Chris Doherty.

19 And Lee Morgan brought it up, and he
20 asked the mayor right to his face, and I think Council
21 still has to ask that question, Did he or did he not
22 ever take money from his corporation and pay it back?
23 This is a man handling millions and millions of dollars
24 of our money, and it's integrity that's at stake, and
25 we need to have that answered. And the mayor has to

25

1 answer --

2 MS. GATELLI: Mr. Bolus, one moment,

3 please. I'm not sure that that would be Council's

4 role. I'm not disagreeing with you, that maybe he did

5 it or whatever and that it's not right, but Attorney

6 Minora, would that be in our purview to question a

7 campaign?

8 MR. MINORA: No. There's a state

9 statute, I think, that you would bring up that if

10 election --

11 MR. BOLUS: We did do that, and we were

12 told that a sitting official can ask that question,

13 because the man -- pardon?

14 MR. MINORA: We have no enforcement

15 powers here. The State Election Commission has

16 enforcement powers for violations of election code and

17 for financing the election code. So, if you have the

18 evidence, bring it to them. Let them enforce their

19 laws. That's their law, not ours.

20 MR. BOLUS: Well, we brought it here

21 and we presented it to Council and asked Council to

22 forward it onto the proper authorities, that we could

23 get those answers.

24 When someone pilots the ship, we want

25 to know the credibility that's behind it, and that's

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26

1 all we ask Council to do. And it could be passed onto

2 the proper authorities, at least get the answers.

3 When you're dealing with millions of

4 dollars, you still have to have truth, no matter who

5 gets it or what department is entitled to it.

6 So, there were many things that came

7 out of here, and I hope many things come out in the

8 future, and I hope you continue to allow people to

9 speak.

10 If you want to change the speaking,

11 maybe you want to do it in the fourth order, speak on

12 the agenda, and then have public participation or vice

13 versa, then you're done with it. And then people can

14 speak what they want, and then handle your business.

15 Thank you.

16 MS. GATELLI: Julie Jones.

17 MS. JONES: Good evening, Council

18 members. Julie Jones, Scranton. I would like to say

19 welcome back to our prior members and a welcome to all

20 new members.

21 I come here this evening for several
22 reasons. There are a couple of requests I would like
23 to get answers to. Some are old worn out ones, and
24 some are new.

25 I would like a Children At Play sign
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1 put up in the 500 block of Birch Street that I have
2 asked for a while now. Also, the stop sign at
3 Genet and South Webster to be moved closer to the
4 corner before there is a fatality there.

5 Also, there's a hazard at the corner of
6 Saginaw and Pittston Avenue on the even side of the
7 street. On the corner there's about an six-inch pipe
8 of metal sticking up, possibly at one time a sign was
9 attached to it. Several people have punctured their
10 tires on this, and I would even hate to see someone
11 fall on it and really get cut on it.

12 I would like another letter sent to
13 Mr. Scopelliti concerning the problems I am having at
14 my home. I've been asking for this for a while and
15 have not had any response to my requests, so, I guess
16 that blows the theory is that it was an election year

17 and things would be done.

18 Now that Mr. Doherty is in again for

19 four more years I believe we are back to where we were.

20 Why do I feel this way? Just take a look around this

21 room. Is our sixth councilman here this evening?

22 I would also like some figures. I

23 would like the figures for Nay Aug Park, which should

24 include the operating expenses and any expenses for the

25 summer of 2005, and also a figure for all revenue that

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1 the park took in for 2005.

2 The other figure I would like is the

3 figure for any expenses for the light displays at

4 Nay Aug Park to include all expenses incurred to

5 operate the lights. I would also like the figures for

6 any revenue whatsoever brought in by the light display

7 for 2005.

8 As far as the EMS Tax goes, I think

9 something should be done, also, with this tax, as was

10 said at last week's meeting. Certain towns around us

11 have opted to break the EMS figure over more than one

12 paycheck. I think that would be good for all the

13 residents of the city. You have middle class people

14 that also get hit hard with this tax, not just the
15 lower income families.
16 I would also like to know if anyone can
17 find out what is going to be done at Connell Park this
18 year with the money received for it. I brought up the
19 Moosic Park at our resident meeting, that it had a
20 beautiful park and it made Scranton look bad. Our
21 response was, They get grants for theirs, but we also
22 do, but our money never makes it to the appropriate
23 places it's supposed to be going to.

24 As far as Council members being asked
25 to only inquire about things that only pertain to their
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1 assigned department, well, I do not know about you, but
2 I was always taught two heads are better than one, and
3 in this case, five heads are better than one.

4 I feel that if Council members answer
5 one of our questions in detail and it takes a bit if
6 Council members answer for us, I don't think that
7 should be held against our five minutes of speaking
8 time.

9 I also feel when we were at the podium
10 expressing our concerns about the city, I think Council

11 members should be listening attentively. I know that
12 you would like to take down notes, but that is why we
13 have minutes.

14 I think we should have 100 percent of
15 Council's attention, and taking notes or typing into a
16 laptop is inconsiderate to the speaker at the podium.

17 You talked about a caucus for the
18 younger kids, I'm sure my son would be interested, he's
19 in tenth grade at the high school, and if you need to
20 contact him, Judy, you know where I'm at. And I thank
21 you for your time.

22 MS. EVANS: Mrs. Jones, this is not as
23 specific as what you're requesting, but I can tell you
24 that in 2005, according to the operating budget,
25 \$245,000 was allocated for electrical bills, and as of
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1 September 30, 2005, \$230,925 had been spent, and in the
2 2006 operating budget, \$265,000 has been allocated.

3 Now, again, that doesn't include any
4 type of breakdown for you in terms of, you know, the
5 park versus City Hall versus the police headquarters,
6 et cetera, but that at least gives you a general idea
7 of the utility expense incurred by the city.

8 MS. GATELLI: Mrs. Evans, I know we
9 don't have a parks for the committee, but could you
10 include that with your DPW?

11 MS. EVANS: The parks? Sure.

12 MS. GATELLI: Could you do that?

13 MS. EVANS: Uh-huh.

14 MS. GATELLI: Maybe you can work on
15 this for us with the revenue. Okay. Thank you. Next
16 is Erik Johnson.

17 MS. JOHNSON: Good evening, City
18 Council and staff. Congratulations to our new members,
19 Mrs. Gatelli and Mrs. Fanucci, and it's good to see you
20 all up there, and may we all be on the same page and
21 may we all conduct these meetings in a very mild manner
22 without any nastiness. Thank you.

23 Erik Johnson, I'm a taxpayer in
24 Scranton. I want to speak about our Scranton Police,
25 the job they're doing.

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1 The Scranton Police confiscated 42 bags
2 of heroin and 32 bags of cocaine. Scranton Police is
3 indeed going a great job in battling the war against
4 drugs here in Scranton, where the drug war in

5 Wilkes-Barre is spiraling out of control where there
6 has been an alarming to us all a drug bust botch of an
7 officer's life taken away by a drug dealer.
8 Scranton Police are more on top and
9 better coordinated on the drug war than Wilkes-Barre,
10 which Scranton is the larger sister city.
11 Compliments should go to the very top
12 of the command to the regular patrol officer, and
13 Lackawanna County Detectives also were involved in the
14 successful arrests of two suspects also were involved
15 in a South Scranton apartment on Pittston Avenue where
16 the detectives discovered bricks of heroin and an AK 47
17 rifle and 30 bags of marijuana later in the day at the
18 lodge hotel room on Stafford Avenue, all done by a
19 protected police informer assistance.
20 Governor Rendell visits a local senior
21 citizens center yesterday here in Scranton, January 18,
22 to sign a ceremonial bill that would allow elderly and
23 Social Security recipients to receive full unemployment
24 compensation benefits if they return to work and are
25 laid off.

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1 The governor officially signed the bill

2 December 14 of last year, also at the same time adding
3 more funding money for low income and elderly people
4 for their winter heating bills.

5 People believe all employees hired by
6 the city should be paid and none of the wages held back
7 for litigation. It costs the taxpayers more expense
8 and court costs and interest.

9 Federal programs has to be cut that are
10 vital to the City of Scranton and every city of our
11 nation, a program for children ages 10 to 16 and
12 alcohol and drugs abuse prevention, which also includes
13 learning supports, training careers, college,
14 counseling and nutrition. This is a crime prevention
15 program that is very vital for public safety and
16 combating crime today in Scranton and Wilkes-Barre and
17 all areas of our nation. The program cost was only \$18
18 million nationwide.

19 Ask any law enforcement agency and
20 judges how important and cost saving against youth
21 crime it is. The buck starts here before it should go
22 overseas to earn -- because it's earned by all American
23 taxpayers, not foreign.

24 The old story goes, what federal
25 government takes away, state government tries to pick

1 up the slack, and if the slack stops there, then it's
2 passed on to the City of Scranton and all the other
3 cities who cannot afford the new pass the buck program
4 that starts overseas, and our kids get the leftovers,
5 if there's any left. Thank you for letting me speak.

6 MS. GATELLI: Lee Morgan.

7 MR. MORGAN: Good evening, Council. I
8 have a request for Mr. McTiernan, it's in writing,
9 okay, and I'd like to present this to you after I get
10 done.

11 My request is as follows: I'd like to
12 know the debt of all authorities, all City of Scranton
13 debt, all pension underfunding shortfalls, all loans
14 issued to the city, all loans the city is guaranteed to
15 any entity, any monies owed to the state or the federal
16 government due to funding of unqualified projects which
17 will in the future deduct from whatever grants we may
18 receive in the future, and, Mr. McTiernan, if you wish,
19 I'll give you this copy and you can make copies, and
20 I'd like to know how long that it might take to make
21 this information available at Council's -- how long it
22 would take to make this information available at

23 Council -- the Council office, okay?

24 Because I think that for too long here

25 we've been hiding behind how we can't find out what

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1 information is and how can we come up with solutions to

2 problems unless somebody is going to find them out?

3 And I think this, Mrs. Gatelli, as President of

4 Council, that if Mr. McTiernan has a hard time getting

5 this information, Council should use its power of

6 subpoena and use it very quickly and very harshly to

7 whoever tries to hide the facts of whether this city

8 actually is.

9 Now, when we talk about contributions

10 to the mayor, in too many communities we have pay to

11 play, and I think what needs to happen here is Council

12 has to get a copy of all the contributions made to the

13 mayor's campaign, and when we bring something up for a

14 contract, for services, for anything, we should see if

15 their name is on that list and we should question

16 whether that contract should be awarded to them,

17 because are we discussing why they should be awarded a

18 contract because they've paid to play?

19 And I think we have an obligation to

20 this city to take the city in a new direction, all
21 right? Old politics have to end.
22 Now, everybody talked about how we were
23 going to get three women on Council and something good
24 was going to happen, well, what I have to say is, let's
25 see something good happen, let's prove that something
.
35

1 good is going to happen.
2 5-B, when you look at this on the
3 agenda, okay, the only thing that this money should be
4 used for is -- I think the city should be in the
5 advanced life support business, I think we should have
6 at least two advanced life support units in the city.
7 I don't think we should be using this money for road
8 construction. I think that fire and police protection
9 is already in the budget.
10 I think that when we look at the \$52, I
11 think that Council and the mayor should agree that
12 nobody making less than \$12,000 should pay anything.
13 I also think that Council should meet
14 with the Recreational Authority, and I think the
15 playground up at Nay Aug Park should be named in honor
16 of Morris Jackson, that's been discussed a couple of

17 times, I think it's a good idea, I think it has merit,
18 and I think it should move forward.
19 As far as bringing young adults in with
20 Council, we brought that up when Mr. DiBileo was
21 Council President, I think that one or two youths from
22 the schools or residents of the city should work with
23 every individual Councilperson so they learn what your
24 role is in government and how this Council functions,
25 and they can be, to some extent, the eyes and the ears
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1 of Council itself on the streets of the City of
2 Scranton.
3 And I think we need to take a hard look
4 at why there's so many rental units vacant. You know,
5 I think we have a lot of problems here. I think a lot
6 of them have to do with taxation and wasted money.
7 And the last thing I have from this
8 podium is, I think that Freedom of Speech is a
9 protected -- and it's already settled law, all right,
10 there's Freedom of Speech, and I think that if you go
11 to law, you will find out that the five-minute limit on
12 speech is unconstitutional, okay?
13 And I'm not trying to say that anybody

14 should fight a war out over it, but, you know,
15 The Constitution does guarantee certain things, and the
16 Court of Common Pleas, they're not the last say.
17 And as you know, the ACLU came in here
18 recently over a website being shut down, and you
19 watched how fast the state police folded their hand.
20 And what I'm saying is, let's not go do something crazy
21 and let's respect everybody who comes to this podium.
22 And I see nothing wrong with two
23 five-minute time slots for people to voice their
24 opinions, but opinions should come first, and agenda
25 items should come second, because if somebody comes to
.
37

1 this Council and they have something that's vitally
2 important to them, they should be able to address that
3 first. Thank you.

4 MS. GATELLI: Kevin O'Shea.

5 MS. EVANS: Mrs. Gatelli, with regard
6 to Mr. Morgan's questions, I think most of the answers
7 are provided in the city's audit or the independent
8 audit of Scranton City Council for 2005, all of those
9 figures are available, with the exception of the OECD
10 amounts, which I believe Mrs. Fanucci can get for

11 Mr. Morgan, since she's going to be meeting with that
12 department weekly, so I would think his responses could
13 be provided next week.

14 And the only correction, or perhaps
15 comment I'd make to one of your comments, Mr. Morgan,
16 was that the \$12,000 or under exemption with regard to
17 the EMS Tax, specifically agenda Item 5-B, that is
18 included.

19 MS. GATELLI: Mr. O'Shea.

20 MS. O'SHEA: Kevin O'Shea, South

21 Scranton. I came tonight to discuss an issue I have.

22 At my home, I live on the corner of South Irving and

23 Pear, we have two trees that are planted. I'm

24 90 percent positive they're city trees. They're higher

25 than -- they're growing higher than my house. And the

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1 wind storm we had the other night, I thought they were

2 going to come through my bedroom.

3 I had spoken to Mrs. Evans about this

4 before in the springtime, I still haven't --

5 MS. EVANS: Uh-huh.

6 MR. O'SHEA: -- I finally got through

7 to someone at DPW a few weeks ago, they sent someone

8 out, but I haven't heard anything since.

9 The roots from the trees are through

10 the -- there was -- there was a sidewalk there at one

11 time, but the roots of the trees have destroyed the

12 sidewalks.

13 The roots are in my yard. I'm afraid

14 they're gong to come through my foundation -- I mean,

15 they're old trees. I don't know.

16 I was wondering if I could get someone

17 from Council or DPW to come out and take a look at it

18 before it is a problem.

19 MS. EVANS: I think what has to happen

20 -- I know what you're talking about, because I've

21 submitted this request twice, but it's really Mr.

22 Santoli of the Shade Tree Commission who will go out

23 and examine the health of the trees, and then if they

24 are indeed dead or pose an eminent safety hazard, he'll

25 mark the tree in orange, did that ever occur?

.

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1 MR. O'SHEA: No.

2 MS. EVANS: Okay. And then apparently

3 it must go on a list, because from what he's told me,

4 the Shade Tree Commission has a very limited budget for

5 tree removal, and they must either go in order of the
6 reports -- inspections and reports, or perhaps, you
7 know, those, at least I would hope, that pose the
8 greatest danger would come down before those that are
9 obviously not as serious.

10 I think what has to happen is Mr.

11 Santolli needs to go out and take a look at those. I
12 know, though, with regard to the root problem breaking
13 up the sidewalks, I've experienced this a number of
14 times city wide, and I know he's gone out and examined
15 very similar cases, coincidentally many of which are in
16 South Side, and it seems his answer has been that's the
17 responsibility of the property owner, but the city can,
18 if the trees are deemed dead or hazardous, the city can
19 cut them down at no expense to you.

20 MR. O'SHEA: Because we were worried,
21 because now they're going through our power lines, and
22 the other night our TV was going in and out and my
23 alarm -- I missed work in the morning, and we were just
24 concerned -- if I were to take these down myself, would
25 I have to go through the Shade Tree --

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1 MS. GATELLI: I don't think you can

2 take them down yourself.

3 MR. O'SHEA: No? Yeah, I was worried.

4 MS. GATELLI: I'll call Mr. Santoli.

5 MR. O'SHEA: Okay. I appreciate it.

6 MS. GATELLI: I know some of the ones

7 he worked on in my particular neighborhood, if they

8 were raising the sidewalks, they were a priority,

9 because then it's a danger for pedestrians for when

10 they're walking, so he always made those a priority.

11 MR. O'SHEA: We're worried about that,

12 too, because we have a lot of kids and everything from

13 Valley View, people coming from McNicholl's Plaza and

14 stuff like that, and the kids have to walk in the

15 street because there's --

16 MS. GATELLI: Yeah, once they uproot

17 the sidewalk, it becomes a safety hazard for

18 pedestrians.

19 MR. O'SHEA: Like I said, I'd

20 appreciate if anybody could look into it for me. Thank

21 you.

22 MS. NEALON FANUCCI: Actually, Kevin,

23 did you call dispatch? Did you call DPW and have them

24 try to get someone out immediately, like, tell them

25 that your sidewalks are up and --

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1 MR. O'SHEA: Oh, yeah. I talked to --

2 MS. NEALON FANUCCI: Was there any

3 response at all?

4 MR. O'SHEA: I talked to one woman and

5 she gave me a number, I talked to a guy, I don't

6 remember his name off the top of my head, he said he

7 came to the house -- he called and left a message on my

8 machine that he was out in front if I wanted to come

9 out, but I wasn't home, and then I never heard back.

10 MS. NEALON FANUCCI: How long was that?

11 MR. O'SHEA: Two or three weeks ago

12 maybe.

13 MS. EVANS: I know, though, that

14 there's a specific church in South Side where the

15 sidewalks are precisely as, you know, you're

16 describing, and though Mr. Santoli and a representative

17 of the DPW have been out there on more than one

18 occasion, well, they've been out there at least once

19 since I have been seated on Council, but I know it has

20 been an issue prior to that and they've been out there

21 then, but, you know, I'm sorry to report it remains

22 that way, and there are so many elderly traveling those

23 sidewalks on route to church.

24 So, you know, I think probably our best

25 possibility here is going to be getting the trees down

.

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1 to begin with, getting Mr. Santoli out there, having

2 the trees marked and getting the trees down.

3 MR. O'SHEA: Okay. All right. Thank

4 you.

5 MS. GATELLI: Maybe next year we can do

6 something with the block grant money, you know, have

7 some money allocated to the Shade Tree Commission in

8 low to moderate income areas, that might help, because

9 it's the funding that seems to be the problem. Who's

10 on community development?

11 MS. EVANS: Well, maybe the

12 neighborhood association --

13 MS. GATELLI: You're to remember that

14 now.

15 MS. NEALON FANUCCI: I got it right

16 here, I got it.

17 MS. EVANS: -- would apply for it,

18 yeah, but I know that the Shade Tree Commission is

19 funded through the operating budget.

20 MS. GATELLI: Right. Larry McAndrew.

21 MR. MCANDREW: For the record, my name

22 is Larry McAndrew, I'm a Scranton resident and

23 taxpayer. I'm also Vice-President of the Lackawanna

24 County Taxpayers and Citizens Group and Association.

25 I want to first welcome our new Council

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1 members. We look forward to working with you, and

2 looking forward to making this city move forward in a

3 positive attitude.

4 Through the efforts of Mr. Robert Ozzie

5 Quinn, I want to make a special announcement, that on

6 February 22, our taxpayers group is going to have a

7 meeting here at 7 p.m., it's a Wednesday evening, and

8 our special guest is members of Century 21, the

9 realtors that have the assessment for Lackawanna

10 County.

11 We're expecting a very educational and

12 informal meeting that evening, an we invite not just

13 the city residents and taxpayers or property owners,

14 but all Lackawanna County residents that own property.

15 Now is the time to ask your questions, what to expect

16 on this assessment.

17 Also, our taxpayers and citizen group
18 will neat coming Tuesday evening at 7 p.m., January 24.
19 If you have the time, please attend.
20 I brought before Council before this
21 meeting started to Madame President's attention an
22 e-mail that I have from chairman of our Lackawanna
23 County Commissioners, Mr. A.J. Munchak, and in that
24 e-mail is a letter from Mr. Finan who states, Mr. Finan
25 is in charge of the Colts System, by the way, and in
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1 that letter it states that the county is willing to
2 move forward on establishing park benches in the
3 downtown Scranton area in the location of the Steamtown
4 Mall and also on Wyoming Avenue, but we need the city's
5 approval and we need the business owner's approval,
6 also.

7 So, I'm requesting that this City
8 Council pick up the ball on this and make this positive
9 for the taxpayers, for the people that use this bus
10 system, for our senior citizens who have to stand and
11 then have an inconvenience waiting for this in that
12 area and waiting for busses to come. I request that a
13 motion be taken up this evening to get the ball running

14 on this.

15 Second of all, I want to bring up about

16 our library system here in Scranton. It came to my

17 attention while attending our North Scranton

18 Association meeting that one of our libraries in North

19 Scranton was closed December 30, 2005.

20 I plan on attending the library's

21 members meeting this coming Thursday, and I'm

22 requesting the possibility, I want to get more

23 information first, that the City Council will look into

24 this matter. We need our libraries all open. We just

25 don't need Green Ridge and the one downtown.

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1 We have senior citizens that cannot use

2 an elevator that need to get into on the first floor.

3 This is an inconvenience. As you know, books are

4 knowledge and knowledge is education.

5 My understanding so far about this

6 building is that the Heritage Group has decided to take

7 it over. I don't know all the details, but I'm looking

8 into it, and I will give an update on it. I thank you

9 for your time.

10 MS. GATELLI: Anyone else care to

11 speak?

12 MR. DAVIS: Assalaam Alaikum. I missed

13 last week, but I heard everything that was said. And I

14 congratulate each and every one of you for being here.

15 Kay, I will not bother you any more

16 about Mr. Morgan. Last Monday we had a Martin Luther

17 King celebration at the University, at which time all

18 the kids -- oh, it was beautiful. There were, like,

19 300 kids.

20 Donald Thompson put on a program for

21 these kids that kept each and every one of them

22 spellbound for two hours. I never seen kids that

23 quiet. But not only were the kids quiet, but the

24 parents were there, and the parents were very involved

25 in it, and at the end of it we all went up to

.

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1 Mr. Morgan and we all thanked them for what he had done

2 to keep our children safe, and we couldn't, because we

3 were either working or somewhere else, but he made sure

4 they got home from school and he made sure they got to

5 school with a smile on his face, and he was still

6 smiling, and the kids loved him. They, you know, they

7 came up to him and hugged him. It was very, very nice.

8 And you don't have to worry about that, I don't think

9 you have to worry about that. I don't think you want

10 to give anything like that to Mr. Morgan, a citation.

11 MS. GARVEY: That's up to the Council.

12 We discussed that tonight.

13 MR. DAVIS: We've been discussing that

14 for four months. Okay. Excuse me. Janet, excuse me,

15 Miss Evans, Mrs. Evans, your compassion is felt through

16 the screen, it's felt all over the city. You managed

17 more votes than the mayor, and that's a good indication

18 as to what we think that you are.

19 You may not be the most popular person

20 with some people, but I think with the populus of

21 Scranton, you are popular. I think so. Keep the

22 compassion, because compassion with the politic is what

23 makes people understand what politics are all about.

24 MS. EVANS: Thank you.

25 MR. DAVIS: They can get angry at you,

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1 that's all right. The second person I want to talk to

2 was Ms. Fanucci. I met you when you were campaigning.

3 I'm disappointed so far, but that's okay, it's early,

4 and I'm really waiting for you to show those same

5 colors that you showed me while you were going to the
6 black churches and you were putting your fliers out,
7 and I asked you then one simple question, Whose boat
8 were you riding, and you said, My own, and I said,
9 Fine, that's all I wanted to hear. If you are going to
10 ride your own vote, I will introduce you to every black
11 politician in Scranton, which you did.
12 Mr. Courtright, we haven't had an easy
13 time of it last year since you've been on, we've had
14 our disagreements about things, and I think you run a
15 very good school, I heard you run a very good school,
16 and at Tech Central, and I use the term, and I think
17 everybody understands what I'm talking about when I say
18 that, we hope to have what we call a boot camp this
19 summer for the kids that are not making it, the kids
20 that are falling through the cracks, elementary schools
21 and high schools, we want to do something there, this
22 is a group of men that I told you about before, and I
23 gave all of you advertisements, nothing that these do
24 before, it's the brothers united for a better
25 community, it's not a crime watch group or anything

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I like that, we're talking about helping the kids before

2 they get in trouble. We don't want them to get in
3 trouble, so we're trying to do a new type of program.
4 It's not about incarceration, it's
5 about letting them be, letting them express, letting
6 them learn that this is the way you have to do it, with
7 discipline.

8 So, that's on the way, and we want to
9 have it in by the summer. Miss Janet, Mrs. Evans, they
10 gave you the position of putting all of the
11 institutions together or talking to them or something
12 or other --

13 MS. EVANS: Within the DPW.

14 MR. DAVIS: Oh, I thought it meant all
15 through the school board and the --

16 MS. EVANS: Oh, you're referring to
17 intergovernmental relations, yes.

18 MR. DAVIS: Yes.

19 MS. EVANS: Yes.

20 MR. DAVIS: Would you please talk to
21 the school board about opening up that property over
22 there and perhaps even the city can go hand in hand and
23 offer the insurance to allow us to use that property?

24 MS. EVANS: Which property?

25 MR. DAVIS: That's the property at the

1 old Technical High School or Northeast Intermediate, we
2 would like to use the first floor of Tech High School
3 for rain dates and things like that, we would like to
4 use the fields primarily.

5 MS. EVANS: I think probably what you
6 would have to do, if experience serves me properly, you
7 would have to speak to administration within the school
8 district, and there are -- well, there's paperwork
9 involved.

10 MR. DAVIS: For four years I've put in
11 paperwork, I've given them all sorts of reports, I've
12 said everything that I needed to say to them on paper
13 at the school board meeting when Todd O'Malley was
14 President, and they put me with the field, and I talked
15 with O'Malley, who was in charge of the field and
16 grounds and things like that, I've done all of that.

17 I'm saying that maybe you can do
18 something that I cannot do, because I'm not being
19 successful at what I was trying to do, which was just
20 open the grounds up for the kids of the community.

21 MS. EVANS: What was the problem
22 though, why was the application denied?

23 MR. DAVIS: They went from one thing to
24 another. And they finally said, Well, you don't have
25 insurance.

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1 MS. EVANS: Well, that's mandatory, I
2 know that.

3 MR. DAVIS: I said to them, Tell me how
4 much the insurance is, and they refused to come back
5 with it. And they came up with something else and
6 something else, but we don't have time right now, we
7 don't money right now, we don't have this.
8 I've heard more excuses over four years
9 about that property than I need to say. And I'm quite
10 sure everybody who's heard the school board has heard
11 me say it over and over again. So, it's not a secret.
12 I need your help, is what I'm saying.

13 MS. EVANS: But just to clarify, you
14 are looking to utilize the first floor of Northeast
15 Intermediate School on, you know, is this throughout
16 the summer months, year round?

17 MR. DAVIS: Throughout the summer
18 months primarily, yes. If it's a rain date, we can
19 take the kids inside. If not, we probably won't even

20 have to use it, but it's dependent upon the weather.

21 MS. GATELLI: Okay. Thank you,

22 Mr. Davis. Who is next?

23 MR. DAVIS: I have two more people.

24 MS. GATELLI: Your time is over, Mr.

25 Davis.

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1 MR. DAVIS: I won't be here for the

2 second session.

3 MS. GATELLI: There is no second

4 session. Thank you.

5 MR. DAVIS: Excuse me. Thank you. I

6 had a speech for you, though.

7 MS. GATELLI: You'll have to come next

8 week.

9 MS. HUMPHREY: Assalaam Alaikum,

10 Shalom, (UNTRANSCRIBABLE). Good evening, everybody.

11 God bless you, and I hope you have a peaceful year. I

12 want to utilize this in a special way. And while that

13 bell is ringing, I'm going to try to go on for our

14 troops, for our president, for homeland security and

15 for all what I have to do.

16 (WHEREUPON, speaker sang America the Beautiful.)

17 MS. GATELLI: Mrs. Humphrey. Mrs.

18 Humphrey, you're out of order, please.

19 MS. HUMPHREY: I'm singing the song --

20 MS. GATELLI: One moment. One moment,

21 please. Attorney Minora, would you give me a legal

22 opinion if this is --

23 MR. MINORA: It has nothing to do with

24 city business. The public segment is for public

25 comment on city business. Singing a song, however

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1 patriotic, doesn't directly -- even indirectly have

2 anything to do with city business that I can see.

3 MS. GATELLI: Thank you, Attorney

4 Minora.

5 MS. HUMPHREY: Okay. In the newspaper

6 I read about us that the personal problems and things

7 that are going on, that it would not be said, so, in my

8 humbleness and my obedience, I felt that the best thing

9 to do is bring God, our church, our politicians --

10 MS. GATELLI: Mrs. Humphrey, you are

11 not allowed to speak on that topic. Attorney Minora

12 has just said so.

13 MS. HUMPHREY: Well, like they say, If

14 you deny him, he will deny you, and I know you have
15 your faith, everyone has their faith.

16 MS. GATELLI: Mrs. Humphrey, please sit
17 down. You're out of order.

18 MS. HUMPHREY: I have something else to
19 ask. I went to the district attorney's office, and
20 they had a beautiful calendar that was put out for the
21 children, which I had asked that if they would put the
22 cards out, make cards, have an art contest, they put
23 out a beautiful, beautiful -- the children put out a
24 beautiful calendar, and I'm sure if they called the
25 district attorney's office, that they would be able to
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1 get this calendar, and I feel the horror of Babylon is
2 injustice, and I believe in my heart and what I've
3 read, the City of Scranton, that's actually what it has
4 come, for injustice, so I will leave it at that, and I
5 will say in God We Trust.

6 MS. GATELLI: Thank you. Is there
7 anyone else to speak? Mr. Ancherani.

8 MR. ANCHERANI: Good evening, Council.
9 I'm Nelson Ancherani, resident, concerned taxpayer,
10 city employee and a member of the FOP.

11 I came to Council last week expressing
12 my concern over the \$100,000 price tag for the
13 demolition of the former Holiday Manor. Upon learning
14 what the bids were for this project, it is evident that
15 the 2006 \$150,000 blight budget won't be enough to
16 cover it, it will be depleted. Just one swipe of the
17 crushing ball.

18 The cost of demolition has risen well
19 over 100 percent to 450 percent on the highest bid.
20 There's a difference of \$230,000 between the low bid of
21 \$219,000 and the high bid of \$449,000. \$230,000 is a
22 lot of money. But now the question, Where will the
23 money come from to cover --

24 MS. GATELLI: Mr. Ancherani, I don't
25 mean to interrupt, but there's a cell phone ringing,

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1 and I can't hear you.

2 MR. ANCHERANI: Yeah, that's not mine.

3 Mine is on vibrate.

4 MS. GATELLI: All right. Go ahead.

5 I'm sorry.

6 MR. ANCHERANI: That's all right.

7 MS. GATELLI: You will get your time

8 back, because I couldn't hear anything you said. Go

9 ahead.

10 MR. ANCHERANI: But now the question,

11 Where will the money come from to cover the excess of

12 the \$150,000? The excess over \$150,000 to the low bid

13 is \$69,000.

14 And just think, if the lien of the

15 \$78,000 used to demolish the building in the 1200 block

16 of Bryn Mawr Street was paid or collected, there would

17 be enough to cover the low bid of \$219,000.

18 From what I understand, a lien wouldn't

19 even be put on that property, so that money will join

20 the rest of the wasteful spending, and there's \$266,000

21 spent on the Casey Garage just to tear it down.

22 There was \$5.5 million on the American

23 Anglican arbitration. And a question, Can anybody find

24 out the reason why they didn't appeal that?

25 Also, \$700,000 was spent on a green

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1 fish pond at Nay Aug. Is that ever going to be cleaned

2 up? \$1 million plus for attorneys and arbitrators fees

3 to fight the unions, at least \$4 million lost in health

4 care increases because the health care consultant that

5 saved millions was fired by this administration.

6 And what is the status of the health

7 care committee, if anyone knows? And have they met,

8 and what's been accomplished?

9 Another one is the \$512,527.73 billed

10 to the city by Attorney Greco. So far this is \$112,527

11 over the four \$100,000 contracts for the years 2002 and

12 2005, and I see in 5-E on the agenda that he's up for a

13 new contract.

14 In the paper dated 1/13/06, and I will

15 quote, Under the terms of each of Mr. Greco's previous

16 contracts, there was \$100,000 ceiling in bills since

17 2002 obtained by The Times Tribune, Mr. Greco exceeded

18 the ceiling each year, end of quote.

19 In 2002 Mr. Greco's bills exceeded the

20 \$100,000 contract by \$17,545; 2003, the bills exceeded

21 the contract by \$53,964, and in 2004, up to August 31,

22 2004, Mr. Greco's bills exceeded the contract by

23 \$18,489. Total paid, \$390,000.

24 So, if you look at it for the four

25 contracts, \$100,000 each, \$400,000, \$390,000 paid, he's

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1 only owed \$10,000 by my math.

2 Another question, Did Council vote on
3 the excess as charged yearly by Mr. Greco? And if he
4 was paid, who approved the excess payments?
5 Mrs. Jones spoke on the cost of the
6 electricity for the Christmas lights, but I'm going to
7 echo her sentiments, what was the cost for setting them
8 up, taking them down, also, what was brought in by the
9 donations, how many visitors, and what the money was
10 used for. Thank you.

11 MS. GATELLI: Anyone else like to
12 speak? Kay.

13 MS. GARVEY: 5-A, Motions. Well, maybe
14 we'll wait five minutes and see if Mrs. Evans comes
15 back.

16 MS. EVANS: Good evening. Again, I
17 would ask for your prayers for the family of
18 eight-year-old Mia Diaz, who left this life on Sunday,
19 January 15. As a single parent, her mother, Doreen,
20 has incurred many financial burdens unexpectedly;
21 therefore, I was asked by a very good friend of her's
22 to make the following announcement, there will be a
23 benefit to help Mia's mother on Friday evening
24 January 27 at Shaker's located at the Days Inn in
25 Dickson City.

1 There will be live music provided by
2 Simon Says, Fuzz Pipe and the Lyback Brothers, as well
3 as many raffles. The donation is \$5. Please support
4 this worthy event and help Mia's family.
5 I would also ask for everyone's prayers
6 for Frank Connor, who also passed away on Sunday, and
7 his family members.
8 Frank was well known and loved
9 throughout Green Ridge, North Scranton and Dunmore, and
10 we will all miss his welcoming smile and his outgoing
11 personality.
12 I have a few citizens' requests for
13 this week. The 400 block Sherwood Court at Mulberry
14 Street, citizens report that parked cars from the
15 hospital regularly block the alley and protrude out
16 making it very difficult and dangerous to exit onto
17 Mulberry Street. They request that no parking squares
18 be painted on both sides of the exit of the alley, and
19 they report that similar measures have been taken in
20 the Hill Section for the benefit of the University of
21 Scranton.
22 The 900 block of Clearview Street at

23 the end of the block, residents have reported the need
24 for catch basin repairs for over one year.

25 The Sewer Authority cleaned out the
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1 basin last year, but stated that the DPW must make the
2 necessary repairs. Please report your findings on this
3 problem.

4 The next is Sarine O'Malley's property,
5 and I'm going to take that up with Mr. Parker
6 personally on Monday.

7 Also, a letter to the 2005 co-chairs of
8 First Night Scranton, \$5 coupons were distributed to
9 senior citizens which could be redeemed on
10 December 31, 2005 at the Steamtown Mall's food court,
11 when seniors attempted to use the coupon, they were
12 refused by two eateries listed on the coupon.

13 Obviously they were embarrassed and
14 disgusted and felt this was a matter of false
15 advertising.

16 These coupons, which I did see, were
17 remnants of the 2004 festivities. Perhaps those two
18 eateries chose not to participate in 2005, but their
19 name were not eliminated on the coupons, so I would ask

20 that they please review this matter to prevent a

21 recurrence in 2006.

22 To the residents of Park Gardens, who

23 have once again requested my help, I will request

24 notification as to when residents can expect to see the

25 parking problems and handicap spaces being addressed.

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1 I will also look into your other request. And if you

2 will mail me your name and phone number, then I will

3 call you back with the names and addresses of those I

4 believe you should contact.

5 To the residents of the Ridge Avenue

6 area, I was contacted by Penn Security's facility

7 manager who explained that not only does the bank keep

8 its snow in its own lot, they also often catch other

9 snow removal contractors unloading snow in the bank's

10 lot.

11 Further, he assures me that the snow

12 plow spotted on Ridge Avenue was not the bank's

13 subcontractor. He also states that four other

14 properties on the same corner used contractor for snow

15 removal, and they have been seen unloading snow on

16 Ridge Avenue.

17 So, in the future, please jot down the
18 names that appear on the trucks or perhaps the license
19 plate number, and then you can contact me, and I will
20 be very happy to pursue the matter for you.

21 Regarding Item 5-B on tonight's agenda,
22 the ordinance does not include a payment schedule, and
23 Council and I had this discussion previously, so
24 they're aware of what I'm going to say, having spoken
25 to a Council solicitor outside Scranton, I understand

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1 that the tax can be collected in two to four payments
2 in terms of a schedule over a month's time in the first
3 quarter of a year, as long as the employer must remit
4 the tax monies within 30 days of collection; therefore,
5 if a citizen is paid by weekly, the \$52 could be
6 divided into two payments, if a citizen is paid weekly,
7 obviously four payments could be provided.

8 I know that the Scranton School
9 District until now collected the occupational privilege
10 tax in three \$5 payments, but as of 2006, the EMS tax
11 will be collected \$52, that is in one payment.

12 My concern is for city residents, in
13 that other employers are going to follow suit in terms

14 of the Scranton School District and collect \$52 in one
15 payment, thereby placing a financial hardship on
16 countless Scrantonians, and there are some individuals
17 who may even end up owing their employer on pay day
18 once all taxes have been deducted, and so, without this
19 payment schedule, I will be voting no on the EMS tax
20 tonight, even though I do believe the tax is a great
21 benefit to all municipalities. Until such time that it
22 can be initialed in a manner that is fair to all, I
23 can't support it.

24 Finally, Ms. Hailstone responded quite
25 promptly to my request for CDBG blight removal

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1 allocations. In 2005, \$190,513 were available. In
2 2006, as I stated last week, \$150,000 is available for
3 demolition, again, according to Ms. Hailstone.
4 Possibly some of the money from 2005
5 may be left over, that I do not know, but it does
6 appear that these funds are insufficient to meet even
7 the lowest bid for demolition of the Holiday Manor.
8 With so little funding available, the
9 city should place liens, in my opinion, on all
10 properties, particularly those which are purchased by

11 wealthy corporations and developers in the hopes of
12 replenishing and nurturing this fund; therefore, I move
13 that Council solicitor Minora investigate the proper
14 manner in which we can either require the
15 administration to place a lien for demolition costs
16 against this property, the Holiday Manor, or prevent
17 the demolition of said property using HUD monies.

18 MR. COURTRIGHT: Second.

19 MS. GATELLI: On the question?

20 MS. NEALON FANUCCI: My only certain is
21 that from what we've learned, the asbestos and the
22 blight problem, which is they're saying actually from
23 what I got, is actually creating, you know, health
24 problems, and that's the removal part that I'm a little
25 more concerned about. What would we do in that case?

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1 What would be your suggestion in that?

2 MS. EVANS: I agree it is indeed a
3 safety hazard, but I can tell you frankly I've been to
4 abandoned homes throughout city neighborhoods that have
5 problems with vermin, rats, broken windows, open doors,
6 vagrants are traveling in and out, neighbors are quite
7 frightened by the prospect of a fire being started, and

8 yet many of those buildings are still standing after a
9 two-year period. So, I think, for example, the area
10 has been fenced in, so I think that that is a good step
11 toward alleviating any of the hazardous conditions in
12 terms of anyone being able to access the building.

13 And as Mr. Sbaraglia mentioned earlier,
14 because he was one of the workers involved in the
15 construction of the building, it is indeed a very
16 sturdy structure.

17 So, I think in terms of the hazard that
18 it poses, I think there are many other buildings in the
19 city that are in more severe condition, yet we're not
20 paying or incurring the costs solely for their
21 demolition. Liens are placed on those.

22 MS. GATELLI: Anyone else?

23 MR. COURTRIGHT: On the question, I
24 seconded the motion because my understanding was the
25 motion was not to prevent it from being torn down, it

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1 was to place a lien on it, correct?

2 MS. EVANS: Place a lien on it, but if
3 the lien cannot -- if the administration wouldn't
4 concur with that, then -- well, actually let me back

5 pedal here. I'm asking our solicitor to investigate
6 the proper way, I'm not saying that tonight we are
7 taking this action. It is so that he will look into
8 what should be done in order to hopefully provide for
9 that lien or else find an avenue whereby Council might
10 be able to prevent its demolition by using HUD monies.

11 MR. COURTRIGHT: All right. That's all
12 I have on the question.

13 MS. GATELLI: Mr. McTiernan?

14 MR. MCTIERNAN: Nothing.

15 MS. GATELLI: Well, the only thing I
16 have to say is that I think it's a credit union that
17 has a lot of money. In another case, you know, maybe
18 we would help out, but I certainly don't think that the
19 credit union that's going to go there should be given a
20 lien in the amount of \$100,000.

21 MR. MCTIERNAN: Are you saying you
22 disagree with it? I don't understand what you mean.

23 MS. GATELLI: I disagree with them not
24 putting a lien on there.

25 MR. MCTIERNAN: Oh, okay. You agree

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1 with the lien, okay.

2 MS. GATELLI: So, I'm supporting the
3 motion, also. We put liens on people in the
4 neighborhoods that have a house that's worth \$10,000,
5 you know, and they're poor people, why wouldn't we put
6 a lend on somebody that's \$100,000? And it's really
7 not even an economic development project, because I
8 think it's only going to be a drive-thru window with a
9 parking lot, so we're not creating 100 jobs here.
10 Like, maybe if they were creating jobs, and a lot of
11 them, I'd say, well, you know, we're helping them out,
12 because that's what you do in economic development, you
13 try to help when there's a benefit, but I don't see any
14 benefit here either, Mrs. Evans. All in favor.

15 MS. EVANS: Aye.

16 MS. FANUCCI: Aye.

17 MR. MCTIERNAN: Aye.

18 MR. COURTRIGHT: Aye.

19 MS. GATELLI: Aye. Any opposed? The
20 motion stands.

21 MS. EVANS: And that's all I have.

22 MS. GATELLI: Thank you. Mrs. Fanucci.

23 MS. NEALON FANUCCI: In regards to the
24 park and the problems that were up there this week with
25 the pipe that had been broken, the point was brought

1 here before anyone else known.

2 Actually I had checked to find out if

3 it was called in anywhere, and it was not. I think

4 that we really have to start making sure that these

5 issues -- maybe -- I mean, even if it was an hour, an

6 hour was too long to wait to come to Council, I think

7 we want to make sure that we can take care of these

8 issues as fast and as prompt as possible, so maybe we

9 need to post something.

10 I know 61 has the blight hotline and

11 the hotline for the potholes, maybe we need to have

12 something that maybe people can look at a directory and

13 see where it is they need to call and exactly how they

14 can get in touch with.

15 A lot of times I think we're putting

16 middle man in where we don't need them, and if we can

17 cut out the middle man, maybe it would be better for

18 not only the tax payers, but for us.

19 So, maybe if we can look into, I don't

20 know, putting together a list that actually says

21 exactly where to call at the time so that maybe they

22 can get touch in touch with dispatch or parks and

23 recreation right at the time, instead of waiting to

24 come to Council.

25 So, I'm going to do that in the form of

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1 a motion that we put together a list for 61 and

2 actually post that on there for them.

3 MR. MCTIERNAN: Second.

4 MS. GATELLI: On the question?

5 MS. EVANS: The only thing I would add

6 to that is that though we have had both a blight

7 hotline and pothole hotline that precedes my tenure on

8 Council, citizens have experienced great difficulty

9 with both, in that they're frequently never answered.

10 Oftentimes they'll leave a message, and

11 there has been no response to those messages. So, I

12 think, yes, it's a healthy thing to have contact

13 numbers, but I think that it implies that there's going

14 to be someone there responding and taking care of it.

15 MS. NEALON FANUCCI: I think the

16 contact numbers should be the departments. I think

17 that maybe right to the department, instead of having

18 another number that you call and hope that, you know,

19 somebody takes a message and gets it to them. We

20 should just have the department so they know it's a
21 park problem, they call parks and recreation now,
22 instead of waiting.
23 So, maybe instead of having -- and I ou
24 agree with that, we have all these numbers that people
25 are calling to leave numbers about potholes, and I'm
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1 not even sure where that rings or what actually -- I
2 don't know where that --

3 MS. EVANS: I don't know either.

4 MS. NEALON FANUCCI: I don't know where
5 those numbers are either.

6 MS. GATELLI: I know the blight one, no
7 one answers. We knew that.

8 MS. EVANS: But the problem, too, is
9 though that departments, particularly the DPW, they're
10 very busy on a daily basis, so most likely the pothole
11 hotline and the blight hotline were created to
12 alleviate the number of calls that they were receiving,
13 unfortunately that's been unsuccessful, so I don't know
14 what is going to satisfy the situation.

15 MS. GATELLI: The only suggestion I
16 have, and I don't know if it's feasible, and I don't

17 think Neil and Kay will be very happy with what I say,
18 but maybe we can put a City Council number there and
19 get an answering machine in City Council and put it up
20 on the screen, you know, and go -- try it, you know.

21 If it ends up that it's too cumbersome
22 that we don't have enough help --

23 MS. GARVEY: We already don't have
24 enough help.

25 MS. GATELLI: I know that. I know

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1 that. Hopefully you will be getting another person --

2 MR. COURTRIGHT: And another person.

3 MS. GATELLI: And another person, but I

4 know that it's very frustrating, because a lot of times

5 when I try to call a department, you just get an

6 answering machine.

7 When I worked for Jimmy Connors, I had

8 to answer my phone, but nobody answers the phones

9 anymore, it's a recording. No matter where you call,

10 it's a recording, and I think that is very unfriendly

11 to the citizens and the taxpayers, and I don't like it,

12 but I'm not the mayor, but I guess I can't do anything

13 about it.

14 But we can maybe have it come to
15 Council, so let's investigate maybe about -- you made a
16 motion.

17 MR. COURTRIGHT: On the question, I'd
18 just like to say this, I believe, I'm all for giving
19 everybody any number they can get, but I believe all
20 the department numbers are in the phone book, and I
21 think what's happened is they have the numbers, and as
22 Mrs. Gatelli said, nobody answers the phone, and then
23 without putting the Council number up, they call the
24 Council anyway. We're pretty much fielding those calls
25 anyway.

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1 MS. EVANS: Yes.

2 MR. COURTRIGHT: And I think that --

3 MS. GATELLI: Yeah, but apparently they
4 didn't call, because the first time we heard it was
5 Nelson, and it was already -- it already happened.

6 There was people walking around there
7 all the time. Somebody must have told Nelson. I'm
8 sure he didn't see it himself.

9 MS. EVANS: Was he reporting on the
10 conditions at the park, was that it?

11 MS. GATELLI: I know that when I spoke
12 to the mayor, he's -- they're putting signs up in the
13 park to say, you know, if you see anything, you know,
14 that's not right up here, please call us right away,
15 and I think they're going to put a number, but --

16 MS. EVANS: I can add, though, I was up
17 there this summer and I walked the Davis Trail, and I
18 talked about this at the time, because there were a
19 number of safety issues, lumber that was still --
20 lumber with long sharp nails that was still lying about
21 from the prior playground construction, there were
22 planks placed over muddy areas with significant odors,
23 and, so, at the time, and as I said, this is going back
24 to the summer, I had my own suspicions as to why a
25 certain area only was so moist compared to the
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1 surrounding area, which was bone dry, and then the
2 odor, of course, was stifling, and so I suspect that
3 this was a problem that was occurring since this
4 summer.

5 MS. GATELLI: It was. It was fixed, I
6 know, in September, they spent \$12,000 to fix the pipe,
7 and of course this week it broke again from the

8 freezing. I'm wondering if probably the pipe wasn't
9 deep enough, and it's probably an old pipe.

10 MS. NEALON FANUCCI: From what I had
11 learned they said it was the grinder the first time,
12 the grinder is what was broken the first time in the
13 summertime, and obviously nothing was getting through
14 the grinder, which obviously there was a problem, they
15 fixed that, and now it was the pipe in route to the
16 grinder. So now the pipe is what they put the holding
17 tank under, and supposedly that is going to remedy the
18 problem until the grinder can actually work again.

19 MS. GATELLI: So now it's fixed, and it
20 should be fine, but I still think that we should have a
21 number for people to call.

22 MS. EVANS: And I --

23 MS. GATELLI: And maybe just put City
24 Council's number on TV, it's not on TV.

25 MS. EVANS: Well, let's add that to it.

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1 But I did speak with Mr. Scopelliti today, as well, but
2 I inquired what sewage he was referring to, and his
3 response was, it is the sewage from the Genesis
4 Wildlife Center.

5 MS. NEALON FANUCCI: So, that's what I
6 mean, another hour, two hours, three hours, you sure
7 don't want to mess around with that. As fast as we can
8 it done, we'd like to get it finished.

9 MS. GATELLI: All right. So we have a
10 motion --

11 MS. NEALON FANUCCI: Okay. Second.
12 It's done.

13 MS. GATELLI: -- to do a list -- we
14 forgot the motion.

15 MS. NEALON FANUCCI: We forgot the
16 motion, we talked so much.

17 MS. GATELLI: Your motion was to make a
18 list of department phone numbers, and I believe someone
19 seconded it.

20 MR. COURTRIGHT: Mr. McTiernan.

21 MS. GATELLI: All in favor.

22 MS. EVANS: Aye.

23 MS. FANUCCI: Aye.

24 MR. MCTIERNAN: Aye.

25 MR. COURTRIGHT: Aye.

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1 MS. GATELLI: Aye. Any opposed? The

2 ayes have it.

3 MS. NEALON FANUCCI: Thank you.

4 MS. GATELLI: Mr. McTiernan.

5 MR. MCTIERNAN: Thank you, Mrs.

6 Gatelli. Two things, first of all, I had a few

7 concerns regarding a pedestrian crossing near Scranton

8 High School, and I know Mr. Courtright indicated that

9 he had spoke with Director Jeffers on a few other

10 occasions, and I know there is an ongoing project in

11 conjunction with PennDOT, but there is concern that

12 there needs to be additional lighting, and I suppose

13 the discussion is whether it's the state's

14 responsibility or the school district's responsibility,

15 but I am wondering if I could ask Kay to make a contact

16 with the appropriate officials at PennDOT.

17 I know for city street lighting we need

18 petitions, but to increase the lighting at the

19 intersection near Scranton High School, if you could

20 please contact PennDOT and see what our appropriate

21 procedure would be.

22 And finally, we met earlier this

23 summer, I believe, on August 20, it looks to me, and we

24 met with several members of the community from Minooka,

25 the Minooka Section regarding traffic patterns on

1 Birney Avenue and Pittston Avenue, U.S. Route 11, and
2 that was the changing of the traffic patterns there,
3 and that was subsequently denied by the department of
4 transportation, and I have a letter here from
5 Representative Gaynor Cawley, who is writing to the
6 Governor asking for him to revisit and set up meetings
7 with the particular folks involved to readdress that
8 intersection and that vehicular and truck traffic
9 pattern in the area of Birney Avenue and
10 Pittston Avenue, and I just want to make sure that the
11 folks out there know that, because oftentimes that
12 information goes unnoticed.

13 So, we would like to thank
14 Representative Cawley for soliciting the Governor's
15 help regarding the problem that we have met with
16 residents from Minooka. And that's all, Ms. President.

17 MS. GATELLI: Mr. Courtright.

18 MR. COURTRIGHT: Thank you. Last
19 Saturday evening, early in the evening, I got a couple
20 of phone calls because we had a lot of ice on the
21 roadway, ice storm or whatever, and it was from one
22 individual that had a problem, another that was

23 monitoring the police channel complaining that nobody
24 was coming out salting or cindering, so I monitored the
25 police channel, and I'm going to make a suggestion
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1 maybe to the police chief and see if he can go along
2 with this, that, you know, I listen to it, and this
3 happens on many occasions, the police are calling in
4 asking for salt trucks, and, you know, the comm center
5 is telling them, you know, we have a page in or a call
6 in to Mr. Parker, but by the time all of this
7 transpires, we have problems.

8 Now I know this past Saturday, I don't
9 know, was it Brook Street or Birch Street, one of the
10 streets in South Side, they had to shut it down, they
11 had to shut down Lackawanna Avenue. We had five
12 accidents within a five-minute period on Lackawanna
13 Avenue in which a police car, an ambulance and a DPW
14 truck were involved.

15 So, I think no one knows better when
16 the salt trucks need to come out than the police.
17 They're on the roads 24/7, so maybe -- I'm going to ask
18 the police chief and maybe he can work with Mr. Parker
19 to try to figure out a little bit better way to get

20 these people out there faster so we don't have this
21 occurring again. And it's not a new problem, it's
22 something that has been there for years.
23 Mr. Bolus had left, but I try to go to
24 his dinner each Christmas, and I waited until this week
25 when he came back to bring it up, in the beginning when
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1 he had the dinner at Christmastime, I thought it was a
2 very nice thing he does, and I thought it was just for
3 people that couldn't afford it, but it's turned out to
4 be much bigger than that, it's turned out to be people
5 that just want to be with somebody on Christmas.
6 It's gotten more and more efficient
7 each year. He gets better at it each year. I know
8 this year they were surprised with a -- a gentleman by
9 the name Joe Maccioccio, owns the Villa Maria, him and
10 his wife, some people from Old Friends came down and
11 sang Christmas carols for the people. So, I just want
12 to thank Mr. Bolus. It's a really nice thing that he
13 does there every year.
14 And I don't know if Mrs. Evans is going
15 to be happy with this or not, but I think that maybe,
16 you know, Mrs. Gatelli made a suggestion that

17 Mrs. Evans look into something that had to do with the
18 park and with the Recreation Authority, and I think
19 maybe next week in caucus I'll bring it up, if
20 Mrs. Evans is willing to do this, maybe we can appoint
21 her as the liaison between this Council and the
22 Recreation Authority, if she's willing to do so, I
23 don't want to add work onto you, because we basically
24 don't have much to say about what goes on up there, and
25 --
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1 MS. GATELLI: There is no committee for
2 that.

3 MR. COURTRIGHT: Right. Because it
4 used to be controlled more or less, I guess, by
5 Council, and that was taken away, so now we don't have
6 much say in it. And if Mrs. Evans is, you know,
7 doesn't have the time to do it, maybe somebody else
8 might be, but maybe we can discuss that at caucus next
9 week, if everybody will agree with that.

10 This is a little bit -- it might seem a
11 little petty to some people, but I need to bring it up,
12 because I didn't know about it until today.
13 Well over a year ago, almost two years

14 ago when I would leave this Council, you know, we get
15 the agenda here, and sometimes it's pretty thick, and I
16 recycle, and I would throw it in the recycling bin
17 after each meeting, well, Mr. Sbaraglia requested it,
18 and I didn't see any harm in giving it to him, I'm
19 throwing it in the garbage anyway.

20 Evidently he must have come to some
21 meeting, what kind of meeting was it, at a taxpayers
22 meeting, I didn't see it, and he said that I was giving
23 him information, I'm not giving Mr. Sbaraglia anything
24 that anybody else can't have, I throw this, and I'm
25 assuming we all throw it away at the end of the

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1 meeting, I don't know if any of us have them stockpiled
2 at home, and he wanted this, and I did not mean to
3 slight anybody, I wasn't giving Mr. Sbaraglia any
4 information that he wasn't entitled to.

5 Now, I understand that we charge if
6 people get information from the city, but I just
7 thought, you know, if I gave it to him, maybe I could
8 save him a couple of bucks, maybe I can save Kay and
9 Neil a little bit of time to recopy it for the man.

10 So, if anybody was offended by that, I

11 apologize, but I'm going to continue to give it to
12 Mr. Sbaraglia. And if you want it, I'll alternate each
13 week, but I just don't see, you know, I'm throwing it
14 away. So, I'm sorry if I offended anybody by that. I
15 just found out about it today. It bothered me.
16 Somebody brought up health care
17 consultant, and I don't know enough about this to speak
18 on it, Nelson there is point to, but my understanding
19 was when we did have a health care consultant, and if
20 I'm wrong, I would love to be corrected, but when we
21 did have a health consultant, that we saved money, and
22 I'm assuming that we do not have a health care
23 consultant now -- we do have a health care consultant?
24 Okay. Now I'm being told we do.
25 But I don't know if the people are --
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1 that are in unions are dissatisfied with that health
2 care consultant or if we haven't met with the health
3 care consultant or if we haven't met with the health
4 care consultant, but, Kay, whoever would be -- would it
5 be the administration or personnel, whoever has power
6 over this health care consultant, I would just like to
7 have some information on what they're doing for us, how

8 they're trying to save us money, because I don't think
9 anybody disagrees.

10 You know, probably one of the sticking
11 points in any of these union contracts is health care,
12 so if this consultant is doing a job, then that's fine,
13 if they're not, maybe we need to look for a new one.
14 And that's all I have. Thank you.

15 MS. GATELLI: I just have one thing, I
16 just have one thing to ask Mr. Courtright, did you find
17 out the list of beat and bicycle cops that we have in
18 Scranton?

19 MR. COURTRIGHT: I got it.

20 MS. GATELLI: You're the best.

21 MR. COURTRIGHT: I went down to the
22 police department, I will read off what was given to
23 me, and Captain Graziano offered to give me each
24 individual beat, where they're located, what the
25 numbers were, and I told him I would get it from him at

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1 a later date, because I couldn't get back down there,
2 so I will get to each individual location so you know
3 exactly if yours is 1-A, 2-A, 3-A, that's what they
4 call the CommD officers, CD-3, CD-2A, 1-1, 1-B, and I

5 will get that from Captain Graziano and forward here.

6 But this is the answer to a question

7 last week, I'm writing in regards to the question asked

8 about the Scranton Police Department. There are

9 currently 140 officers by contract. In addition these

10 officers, we have 12 paid by outside agencies. Eight

11 of them are paid by the Community Development.

12 The Scranton School District splits the

13 costs with the Scranton Police Department picking up

14 the salaries of three of our six school resource

15 officers, and we currently have one officer hired under

16 a county grant for child abuse, which totals 152.

17 I don't think anybody is too concerned

18 about the middle part here, for the sake of time. This

19 last section may be more for people that are well

20 versed in what goes on in the police department will be

21 interested in this, so I'm going to read it, a second

22 question was asked about community development officers

23 being pulled to work at other locations throughout the

24 year.

25 When the CommD officers are pulled, it

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1 is usually for special occasions, such as First Night,

2 St. Patrick's Day Parade, and the Italian Festival.

3 When the officers are pulled on these

4 occasions, they are not being paid under the Community

5 Development Block Funds, rather they are being paid by

6 UDAG, which is Urban Development Action Grant Money.

7 This money is provided for such cases.

8 Any time we move these officers, we

9 must get approval through OECD prior to the move, and

10 then it's -- Dave Elliott sent me this letter, and he

11 said if we have any questions, he has his phone number

12 here, he would be happy to come in and speak with us.

13 So I hope that answers the question

14 that we had last week, and I will get the specific

15 locations of the officers from Captain Graziano, and I

16 will read them off for you next week.

17 MS. GATELLI: Okay. That was my

18 question.

19 MR. COURTRIGHT: Specific ones. Yeah,

20 that's my fault. He offered to give it to me, I didn't

21 get back down there.

22 MS. GATELLI: Yeah, but that's what I'd

23 like, where they are, are they there every week?

24 MR. COURTRIGHT: They should be there

25 every week.

1 MS. GATELLI: Are there any bike cops?

2 MR. COURTRIGHT: I believe all of them

3 are on bikes that have bikes provided to them. Once

4 again, the bikes, I believe, are all provided, and

5 thanks to the neighborhood associations, they paid for

6 the bikes, them paid for the accessory on the bikes, my

7 understanding is, on almost all of them, so just about

8 all of them are on bikes.

9 They should be there five days a week.

10 They switch their hours around sometimes in the summer

11 months, they change the hours, sometimes, and I don't

12 want to misspeak here, but sometimes they might pull,

13 say, for instance, I'll use West Scranton, because I

14 know the exact number in West Scranton, 3-A, they might

15 pull 3-A to go over to South Scranton, if they feel

16 there's something that needs to be done over there,

17 sometimes they'll flood the Hill Section if we have

18 some ongoing beer parties, and sometimes they'll put

19 maybe three or four of the CommD officers and put them

20 up in the Hill, but other than that, they should remain

21 in their location, other than the two days that they

22 have off.

23 It used to be Sunday and Monday that
24 they have off, I'm not quite sure if it's still Sunday

25 or Monday, but I'll get that information. Again, it

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1 wasn't Captain Graziano's fault, it was mine that I

2 didn't get down there again to get them.

3 MS. GATELLI: Thank you. I'd also like

4 to ask Mrs. Fanucci to please find out for us how much

5 money there is in neighborhood police patrols.

6 I'm concerned, because I don't think we

7 have enough police in the neighborhoods. Although I

8 like the bike cop, and we paid for two bike cops in

9 South Side, you cannot replace a walking police

10 officer. You know, they're on the bike and they're

11 missing, you know, maybe a car that's abandoned that

12 you can't see the sticker because you're on the bike

13 with the helmet and the whatever, so my hope is that we

14 can get the beat officers that walk back on the street.

15 And maybe it's a question of providing

16 more block grant funds, but as you all know, I came as

17 a President of South Side, and South Side in pretty

18 rough shape, and we're trying very hard to get it back

19 like the Hill came back, and I'm warning the rest of

20 the neighborhoods that if you don't be proactive, it's
21 going to happen to you, because it just travels. This
22 kind of thing just travels from one neighborhood to the
23 next, if you're not alert and proactive.

24 So, I'm not going to make any motions
25 at this time, but that is my goal, so when Mrs. Fanucci

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1 looks it up, I need to know where we can get some more
2 money for cops.

3 MR. COURTRIGHT: Ms. Gatelli, I think,
4 and I think Mr. McTiernan agrees with me, I think we
5 have been told in the past that we maxed out on the
6 money that the OECD can provide for officers.

7 MS. GATELLI: Well, if they're maxed
8 out and they're paying it out of UDAGs, then let's pay
9 CommD out of UDAGs.

10 MR. COURTRIGHT: Hey, I'm all for more
11 cops, I'm just --

12 MS. GATELLI: I mean, they're paying
13 them to go watch the picnic and the St. Patrick's Day
14 Parade out of UDAG money, so let's use UDAG for beat
15 cops.

16 MR. COURTRIGHT: If you made that

17 motion, I'll go along with that.

18 MS. GATELLI: Well, I'm not going to

19 make the motion yet until we see how much money is

20 there from Mrs. Fanucci, and you get me the exact ABCs.

21 MR. COURTRIGHT: I think whatever

22 they're allowed to spend, am I correct, Mr. McTiernan,

23 isn't that what we were told, whatever they're allowed

24 to spend out of OECD for police officers, they're

25 spending the limit that they are allowed.

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1 MS. GATELLI: Yes, I do believe that.

2 I do believe they're at the limit.

3 MR. COURTRIGHT: Absolutely. If we can

4 use UDAG money, I'd be the first one.

5 MS. GATELLI: Or grants or something.

6 We even lost our Community Justice Police Officer now.

7 So, you know, as far as I'm concerned with crime,

8 things are not looking up.

9 The motion that I would like to make

10 tonight is to have quarterly our Council meeting in the

11 neighborhoods. It would be, you know, every three

12 months. I've already talked to Wayne Evans, and he's

13 willing to have us at the Renaissance Center for the

14 first meeting.

15 My principal, Mr. Rogan, also said,

16 Gee, why don't you have a neighborhood meeting at West

17 Side High School? And, you know, sometime it's

18 difficult for people that live in the neighborhoods to

19 get over here.

20 All you people, it's great that you're

21 here, but you have a way to get here, you know, you're

22 not afraid. There's a lot of people that are afraid

23 because it's in the downtown, there's not much parking,

24 so I'd like to give it a shot. If it doesn't work out,

25 you know, we can always come back here.

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1 Channel 61 will come and televise it,

2 because they do that, you know, they go around with

3 their cameras, and I'm sure if we give them enough

4 notice, that should not be a problem to televise the

5 meeting. So, I make that motion.

6 MR. MCTIERNAN: Second.

7 MS. GATELLI: On the question?

8 MR. COURTRIGHT: On the question, I --

9 if Channel 61 is willing to come and televise them, I

10 would certainly go along with it.

11 I believe that the Council prior to
12 when I sat did this, and there was some kind of a
13 problem, I can't remember what it was.
14 MS. EVANS: It didn't work well,
15 because I think most of the meetings were televised,
16 but people felt that rather than having the security of
17 one stationary spot, one time and place and every one
18 knows exactly the location, and they can all gather at
19 that time, they were not able to find, you know, as
20 easily where they were going, and so the audience
21 dropped off tremendously.

22 And I remember President DiBileo saying

23 --

24 MR. COURTRIGHT: You know, it was
25 before my time. They were taped, though, they weren't

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1 live, correct?

2 MS. EVANS: We weren't here. It was
3 when the renovations were ongoing in Council chambers,
4 but I guess they were out of chambers for about eight
5 or ten months at the time, and it seemed that
6 Mr. DiBileo was very pleased to get back here, and he
7 felt that it was very, very difficult taking, you know,

8 the Council meeting on the road.

9 MS. GATELLI: Well, I'd like to give it

10 a chance, if anyone would second my motion.

11 MR. COURTRIGHT: I think Mr. McTiernan

12 has.

13 MS. GATELLI: Did you second the

14 motion?

15 MR. MCTIERNAN: I did.

16 MS. GATELLI: Anybody else on the

17 question? I mean, we can always come back. You know,

18 I'll be the first one to admit it. If it's not a

19 success, we'll come back.

20 MS. EVANS: I think, though, before I

21 would be comfortable voting on this, I would like to

22 know from Channel 61 that --

23 MS. GATELLI: Kay just said that it

24 would have to be taped.

25 MR. COURTRIGHT: Right, they can't do

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1 it live.

2 MS. GATELLI: They can't do it live,

3 but they can tape it and certainly play it all week.

4 The people would still see it.

5 MS. EVANS: So, in other words, if they
6 were at the neighborhood center in green ridge or they
7 were at the VFW on Deacon Street, they're going to be
8 able to tape.

9 MS. GATELLI: Yes.

10 MS. EVANS: And of course the
11 accessibility, though, of many of the facilities is
12 going to be --

13 MS. GATELLI: Well, we'll make sure
14 that where we have it is accessible to 61 before we say
15 it, and we'll say it a month ahead.

16 MS. EVANS: Well, for the audience
17 members, because you know how small the American Legion
18 is, as say compared to the Renaissance Center.

19 MS. GATELLI: Okay. Anyone else on the
20 question? All in favor.

21 MS. EVANS: Aye.

22 MS. FANUCCI: Aye.

23 MR. MCTIERNAN: Aye.

24 MR. COURTRIGHT: Aye.

25 MS. GATELLI: Aye. Opposed? And so

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1 moved. I'd just like to make one other comment. I'm

2 getting like you, Mrs. Evans.

3 MS. EVANS: Good. I'd like to see more

4 of it.

5 MS. GATELLI: I just want to say that

6 I'm very, very happy with the speakers, that you're

7 being very kind, and I think that we're going to be

8 much more successful if we can all get along together.

9 Like I said before, we're all here for the same reason,

10 we love our city. And I just want to commend you for

11 being so cooperative. Okay, Mrs. Garvey, you're on.

12 MS. GARVEY: Okay. 5-B, FOR

13 INTRODUCTION - AN ORDINANCE - AMENDING FILE OF COUNCIL

14 NO. 95, OF 2005, WHICH IN TURN AMENDED FILE OF COUNCIL

15 NO. 9, 1976 ENTITLED AN ORDINANCE ENACTING AND IMPOSING

16 A TAX FOR GENERAL REVENUE PURPOSES ON IMPOSING A TAX

17 FOR GENERAL REVENUE PURPOSES ON INDIVIDUALS FOR THE

18 PRIVILEGE OF ENGAGING IN AN OCCUPATION WITHIN THE

19 CORPORATE LIMITS OF THE CITY OF SCRANTON BY CHANGING

20 THE NAME OF THE TAX TO THE EMERGENCY MUNICIPAL SERVICES

21 TAX, INCREASING THE AMOUNT OF THE WITHHOLDING TO

22 \$52.00, AND DIRECTING THAT THE REVENUE BE USED FOR

23 POLICE, FIRE, OR EMERGENCY SERVICES OR FOR ROAD

24 CONSTRUCTION OR MAINTENANCE.

25 MS. GATELLI: At this time I'll

1 entertain a motion that it be introduced.

2 MR. COURTRIGHT: So moved.

3 MS. Nealon FANUCCI: Second.

4 MS. GATELLI: On the question?

5 MS. EVANS: I'll be voting no for the

6 reasons that I indicated earlier under motions.

7 MS. GATELLI: All those in favor,

8 signify by saying aye.

9 MS. NEALON FANUCCI: Aye.

10 MR. MCTIERNAN: Aye.

11 MR. COURTRIGHT: Aye.

12 MS. GATELLI: Aye. Those opposed?

13 MS. EVANS: No.

14 MS. GATELLI: The ayes have it and so

15 moved.

16 MS. GARVEY: 5-C, FOR INTRODUCTION - AN

17 ORDINANCE - AUTHORIZING THE TRANSFER OF TWO (2) PARCELS

18 OF LAND ACQUIRED BY THE CITY THROUGH THE FLOOD CONTROL

19 PROJECT BY SEALED BIDS TO THE HIGHEST BIDDER, PROPERTY

20 LOCATED AT 2322-2324 SHAWNEE AVENUE, TO BE SOLD AS ONE

21 PARCEL, AND IDENTIFIED AS TAX MAP NUMBERS 13510-040-034

22 AND 13510-040-033.

23 MS. GATELLI: I'll entertain a motion

24 to introduce into committee.

25 MR. COURTRIGHT: So moved.

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1 MS. NEALON FANUCCI: Second.

2 MS. GATELLI: On the question? All

3 those in favor, signify by saying aye.

4 MS. EVANS: Aye.

5 MS. NEALON FANUCCI: Aye.

6 MR. MCTIERNAN: Aye.

7 MR. COURTRIGHT: Aye.

8 MS. GATELLI: Aye. Opposed? The ayes

9 have it and so moved.

10 MS. GARVEY: 5-D, FOR INTRODUCTION - AN

11 ORDINANCE - AUTHORIZING THE TRANSFER OF TWO (2) PARCELS

12 OF LAND ACQUIRED BY THE CITY THROUGH THE FLOOD CONTROL

13 PROJECT BY SEALED BIDS TO THE HIGHEST BIDDER, PROPERTY

14 LOCATED AT 2326-2328 SHAWNEE AVENUE, TO BE SOLD AS ONE

15 PARCEL, AND IDENTIFIED AS TAX MAP NUMBERS 13510-040-034

16 AND 13510-040-035.

17 MS. GATELLI: I'll entertain a motion

18 that it be introduced into committee.

19 MR. COURTRIGHT: So moved.

20 MS. NEALON FANUCCI: Second.

21 MS. GATELLI: On the question? All

22 those in favor, signify by saying aye.

23 MS. EVANS: Aye.

24 MS. NEALON FANUCCI: Aye.

25 MR. MCTIERNAN: Aye.

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1 MR. COURTRIGHT: Aye.

2 MS. GATELLI: Aye. Those opposed? The

3 ayes have it and so moved.

4 MS. GARVEY: 5-E, FOR INTRODUCTION - A

5 RESOLUTION - (AS AMENDED) AUTHORIZING THE MAYOR AND

6 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER

7 INTO A CONTRACT FOR PROFESSIONAL SERVICES WITH THE LAW

8 FIRM OF CARL J. GRECO, P.C. FOR LEGAL SERVICES

9 INCLUDING BUT NOT LIMITED TO GENERAL COUNSEL TO THE

10 OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT (OECD),

11 URBAN RENEWAL PROCESS AND PROCEDURE, EMINENT DOMAIN AND

12 RELATED LITIGATION, DISPOSITION OF SURPLUS URBAN

13 RENEWAL LANDS, TITLE SEARCHES AND DEED PREPARATION FOR

14 \$10,000 OR UNTIL DECEMBER 31, 2006 WHICHEVER COMES

15 FIRST.

16 MS. GATELLI: I'll entertain a motion.

17 MR. COURTRIGHT: So moved.

18 MR. MCTIERNAN: Second.

19 MS. GATELLI: On the question?

20 MR. COURTRIGHT: On the question, I

21 just, you know, I'm voting in favor of this, because

22 Mrs. Gatelli had stated to us that there were some

23 ongoing projects that she didn't want to see stopped or

24 halted for any reason, and I, too, if there's an

25 ongoing project, I don't want to stop it.

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1 I just want the public to know that

2 this Council as a whole, I believe, all agreed that we

3 would go out for RFPs once this is, you know, if this

4 is passed, I should say. I asked this evening was the

5 administration directed to go out and RFP for the

6 remainder, and my answer that was given to me is yes,

7 so we are going to request for proposals. Other law

8 firms will have an opportunity to put their proposal in

9 for this.

10 So, I'm voting yes, and my reason

11 being, again, because I don't want to stop any projects

12 that are already in the works.

13 MS. EVANS: Mrs. Gatelli, you were

14 employed in the Office of Economic and Community

15 Development; is that correct?

16 MS. GATELLI: Yes.

17 MS. EVANS: And during what years was

18 that?

19 MS. GATELLI: I believe I was there '90

20 to '93.

21 MS. EVANS: Okay. And who served as

22 the general counsel to OECD at the time?

23 MS. GATELLI: I think when I first got

24 there it was Drew Hailstone was one of the attorneys

25 and Boyd Hughes.

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1 MS. EVANS: And was Mr. Hughes the

2 general counsel to the SRA?

3 MS. GATELLI: Yes.

4 MS. EVANS: And Attorney Minora --

5 MR. MINORA: Yes, ma'am.

6 MS. EVANS: -- you previously served as

7 general counsel to OECD; is that correct?

8 MR. MINORA: Our firm did, yes.

9 MS. EVANS: And during what years did

10 you serve?

11 MR. MINORA: I'm going to take a guess,
12 but it would probably have been from about 1994 to
13 about 1998 or 1999.

14 MS. EVANS: And the law firm of Minora,
15 Minora, Colbassani and Ratchford submitted a proposal
16 for such work to OECD; is that correct?

17 MR. MINORA: Yes, by RFP.

18 MS. EVANS: And Attorney Minora, to the
19 best of your knowledge, how were you and/or your firm
20 paid?

21 MR. MINORA: Not well enough.

22 MS. EVANS: I agree. I perused that
23 contract, and I thought you were a deal, a steal,
24 however, were you paid by means of the operating budget
25 or federal funds?

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1 MR. MINORA: Oh, if I knew at one time,
2 I certainly don't remember now. I genuinely have no
3 recollection, if I even knew back then, whether that
4 was -- I just don't know the answer to that.

5 MS. EVANS: Okay. In addition to your
6 firm or yourself, was another firm or attorney employed
7 as general counsel to the SRA?

8 MR. MINORA: Boyd was, Boyd Hughes was.

9 MS. EVANS: Boyd Hughes.

10 MR. MINORA: Boyd Hughes was there from
11 some time in the mid to late '80s, I think, until after
12 we stopped offering our services in '98 or '99, he was
13 still there, as I recall.

14 MS. EVANS: And why were bids and
15 proposals sought and advertised, and even at times in
16 as many as three newspapers?

17 MR. MINORA: The way, I was not privy
18 to. I just remember that was how Jim Connors did it as
19 mayor. I'm not -- I know that there was at one point a
20 suggestion that OECD, because it was dealing in federal
21 funds, needed to be bid, that was said to me. Was it
22 ever proven to me? No, it was never proven to me, but
23 I never challenged it.

24 Even as solicitor, we, our office, you
25 know, as solicitor to the mayor, ran the RFPs for OECD

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1 prior to our being there, and if Attorney Hailstone had
2 been just contracted as a professional service prior to
3 Mayor Connors, I really don't know, or if I did, I
4 don't remember.

5 MS. EVANS: Well, actually I was able
6 to look at that contract, as well, that, too, was put
7 out to bid.
8 So, that under, for example, at least
9 as far back as Mayor Wenzel through Mayor Connors, this
10 was always the case.

11 MR. MINORA: It was RFP.

12 MS. EVANS: I did call, thank you, I
13 was going to ask you with what funds you believe
14 Mr. Greco is paid, but I think not knowing how you were
15 paid, we're obviously not going to know how he's being
16 paid.

17 MR. MINORA: I'll tell you, my
18 recollection, now that you're asking me about that, is
19 that we were paid through OECD.

20 MR. MCTIERNAN: I asked the mayor that
21 question this week, and he indicated they were OECD
22 funds.

23 MS. GATELLI: Yes.

24 MS. EVANS: Then they're federal funds,
25 because it doesn't appear anywhere in the operating

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96

1 budget.

2 MS. GATELLI: Yes.

3 MS. EVANS: Okay. I also --

4 MS. GATELLI: I believe when we were

5 there, it was always federal money that paid it.

6 MS. EVANS: Thank you. I did contact

7 the law office of Hughes, Nicholls and O'Hara after

8 The Times editorial of Sunday, January 15.

9 In response to my question,

10 Attorney Hughes stated that he did not sue the city for

11 legal fees, rather, it was a zoning solicitor who sued

12 the city.

13 And by researching resolutions from

14 1988 through 1993, I learned that not one, but two

15 attorneys were employed to perform Attorney Greco's

16 duties and responsibilities, which were only merged

17 apparently in 2002 by Mr. Doherty.

18 I also learned that proposals were

19 sought and advertised. I do not know if the same was

20 ever true for Attorney Greco, but I do know Attorney

21 Greco took over in January 2002, and Attorney Hughes

22 did not depart until December 31, 2001, and since an

23 RFP, I'm told this evening, takes well over one month

24 to come to fruition in terms of a choice, et cetera,

25 advertisements, et cetera, it seems virtually

1 impossible that this was ever put out for pro proposals
2 or bids.

3 But, again, I don't know that for sure.

4 If he is paid through federal funds, and that indeed
5 seems to be indicated this evening, federal regulations
6 may well require that this process of RFPs must be
7 followed, and if an audit were conducted by the state,
8 my concern is that there could well be an audit finding
9 that could cause the city to have to repay these
10 federal funds. I cannot find evidence in the operating
11 budget that Mr. Greco is paid by general funds.

12 Further, and this alludes to what

13 Mr. Courtright mentioned a few moments ago, on any
14 project from which Attorney Hughes was paid by OECD in
15 June 1993, until written approval from Council was
16 received, the work was stopped, and that work stoppage
17 came directly from Michael J. Washo, executive
18 Director of OECD. So, work stopped, no pay until
19 Council approved.

20 Now, fast forward 13 years, not true

21 for Mr. Doherty and Mr. Greco. Work continued with no
22 pay from October 2004 forward, because Mr. Doherty

23 chose not to bring it before a Council that was not his
24 rubber stamp.

25 And here we are tonight with a contract

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1 for \$10,000, or until December 31, 2006. And I really

2 have to question that date.

3 It seems to be at an extreme to the

4 amount of money which could very easily be spent in a

5 day, a week, at best a month.

6 I believe we should be getting RFPs,

7 and this contract should be awarded to the lowest

8 responsible bidder, and that two attorneys should be

9 handling these endeavors, SRA, OECD, as had always been

10 done.

11 And I do believe, as well, that all

12 attorneys take an oath of attorney/client

13 confidentiality, but that apparently is contrary to the

14 statements penned by The Times editorialist. Trust and

15 confidentiality are weak excuses for making contracts

16 that don't pass the smell test.

17 And one last thing, though, since this

18 is an issue tonight, Mrs. Fanucci, did you receive any

19 contributions from Mr. Greco in 2005, campaign

20 contributions?

21 MS. NEALON FANUCCI: Absolutely I have

22 no idea why you are bringing this up, but, no. What

23 does that have to do with this contract?

24 MS. EVANS: Well, if you had received

25 such, I would hope that you'd abstain from any and all

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1 votes regarding Mr. Greco.

2 MS. NEALON FANUCCI: And I thank you

3 for your guidance, and I absolutely would, but thank

4 you.

5 MS. EVANS: I do -- I have a copy of

6 your campaign statement, and Mr. Greco did indeed

7 support your campaign.

8 MS. NEALON FANUCCI: In a ticket or in

9 a -- what are you bringing up?

10 MS. EVANS: That Mr. Greco made a

11 campaign contribution in 2005 to your campaign for City

12 Council, and also made a very significant, a \$12,500

13 donation, to Mr. Doherty in 2005, and similarly,

14 Mr. Doherty also made a significant campaign

15 contribution to your City Council campaign, so in order

16 to avoid the appearance of impropriety, I would hope

17 that you would abstain from all votes involving
18 Attorney Greco to at least appear or to be truly
19 independent and represent the people and not engage in
20 pay to play politics.

21 MS. GATELLI: Just let me interrupt for
22 one minute. Attorney Minora, could you see if that's
23 true, that Mrs. Fanucci would have to abstain?

24 MS. EVANS: I'm not saying she would
25 have to abstain, I'm saying that it is my hope that she

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1 would in order to not only avoid the appearance of
2 impropriety, but I think, you know, to say we want to
3 take this city in a better direction, and we want three
4 women on City Council to serve the people of this city
5 well, I think, you know, there's a choice to be made
6 between the people and pay to play politics.

7 Is it a requirement, I couldn't tell
8 you that, probably not, but is it the right thing to
9 do? I believe so.

10 MS. GATELLI: All those in favor of
11 introduction, signify by saying aye.

12 MS. NEALON FANUCCI: Aye.

13 MR. MCTIERNAN: Aye.

14 MR. COURTRIGHT: Aye.

15 MS. GATELLI: Aye. Opposed?

16 MS. EVANS: No.

17 MS. GATELLI: The ayes have it and so

18 moved.

19 MS. GARVEY: 5-F, FOR INTRODUCTION - A

20 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

21 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO

22 SUPPLEMENTAL REIMBURSEMENT AGREEMENT NO. 048401B WITH

23 THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF

24 TRANSPORTATION (PENNDOT) TO ALLOW FOR AN INCREASE IN

25 THE MAXIMUM FEDERAL REIMBURSEMENT FOR THE EAST MOUNTAIN

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101

1 ROAD PROJECT.

2 MS. GATELLI: I'll entertain a motion

3 to introduce it.

4 MR. COURTRIGHT: So moved.

5 MR. MCTIERNAN: Second.

6 MS. GATELLI: On the question? All

7 those in favor, signify by saying aye.

8 MS. EVANS: Aye.

9 MS. NEALON FANUCCI: Aye.

10 MR. MCTIERNAN: Aye.

11 MR. COURTRIGHT: Aye.

12 MS. GATELLI: Aye. Opposed? The ayes

13 have it and so moved.

14 MS. GARVEY: 6-A, READING BY TITLE -

15 FILE OF COUNCIL NO. 1, 2006 - AN ORDINANCE - AMENDING

16 FILE OF THE COUNCIL NO. 8, 1976, ENTITLED AN ORDINANCE

17 (AS AMENDED) PROVIDING FOR THE GENERAL REVENUE BY

18 IMPOSING A TAX AT THE RATE OF 2 MILL UPON THE PRIVILEGE

19 OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF

20 SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM;

21 REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS

22 CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING

23 FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING

24 SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING

25 POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING

.

102

1 PENALTIES, BY IMPOSING THE BUSINESS PRIVILEGE TAX AT

2 THE RATE OF 1 MILL FOR CALENDAR YEAR 2006.

3 MS. GATELLI: You've heard reading by

4 title of Item 6-A, what is your pleasure?

5 MR. COURTRIGHT: I move that Item 6-A

6 pass reading by title.

7 MR. MCTIERNAN: Second.

8 MS. GATELLI: On the question? All

9 those in favor, signify by saying aye.

10 MS. EVANS: Aye.

11 MS. NEALON FANUCCI: Aye.

12 MR. MCTIERNAN: Aye.

13 MR. COURTRIGHT: Aye.

14 MS. GATELLI: Aye. Opposed? The ayes

15 have it and so moved.

16 MS. GARVEY: 6-B, READING BY TITLE -

17 FILE OF COUNCIL NO. 2, 2006 - AN ORDINANCE - AMENDING

18 FILE OF THE COUNCIL NO. 7, 1976, ENTITLED AN ORDINANCE

19 (AS AMENDED) IMPOSING A MERCANTILE LICENSE TAX OF 2

20 MILLS FOR THE YEAR 1976 AND ANNUALLY THEREAFTER UPON

21 PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES

22 THEREIN; PROVIDING FOR ITS LEVY AND COLLECTION AND FOR

23 THE ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND

24 IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF

25 THE CITY OF SCRANTON; AND IMPOSING PENALTIES, BY

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103

1 IMPOSING THE MERCANTILE LICENSE TAX AT 1 MILL FOR

2 CALENDAR YEAR 2006.

3 MS. GATELLI: You've heard reading by

4 title of Item 6-B, what is your pleasure?

5 MR. COURTRIGHT: I move that Item 6-B

6 pass reading by title.

7 MR. MCTIERNAN: Second.

8 MS. GATELLI: On the question? All

9 those in favor, signify by saying aye.

10 MS. EVANS: Aye.

11 MS. NEALON FANUCCI: Aye.

12 MR. MCTIERNAN: Aye.

13 MR. COURTRIGHT: Aye.

14 MS. GATELLI: Aye. Opposed? The ayes

15 have it and so moved.

16 MS. GARVEY: 6-C, READING BY TITLE -

17 FILE OF COUNCIL NO. 3, 2006 - AN ORDINANCE - AMENDING

18 FILE OF THE COUNCIL NO. 100, 1976, ENTITLED AN

19 ORDINANCE (AS AMENDED) LEVYING GENERAL AND SPECIAL

20 TAXES FOR THE FISCAL YEAR 1977, BY SETTING THE MILLAGE

21 FOR THE YEAR 2006.

22 MS. GATELLI: You've heard reading by

23 title of Item 6-C, what is your pleasure?

24 MR. COURTRIGHT: I move that Item 6-C

25 pass reading by title.

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1 MR. MCTIERNAN: Second.

2 MS. GATELLI: On the question? All

3 those in favor, signify by saying aye.

4 MS. EVANS: Aye.

5 MS. NEALON FANUCCI: Aye.

6 MR. MCTIERNAN: Aye.

7 MR. COURTRIGHT: Aye.

8 MS. GATELLI: Aye. Opposed? The ayes

9 have it and so moved.

10 MS. GARVEY: 6-D, READING BY TITLE -

11 FILE OF COUNCIL NO. 4, 2006 - AN ORDINANCE - AMENDING

12 FILE OF THE COUNCIL NO. 6, 1976 ENTITLED AN ORDINANCE

13 (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE

14 PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATE

15 WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING

16 THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX;

17 CONFERRING POWERS AND IMPOSING DUTIES UPON CERTAIN

18 PERSON, AND PROVIDING PENALTIES, BY IMPOSING THE RATE

19 OF THE REALTY TRANSFER TAX AT 2.2% FOR CALENDAR YEAR

20 2006.

21 MS. GATELLI: You've heard reading of

22 title of Item 6-D, what is your pleasure?

23 MR. COURTRIGHT: I move that Item 6-D

24 pass reading by title.

25 MR. MCTIERNAN: Second.

105

1 MS. GATELLI: On the question? All

2 those in favor, signify by saying aye.

3 MS. EVANS: Aye.

4 MS. NEALON FANUCCI: Aye.

5 MR. MCTIERNAN: Aye.

6 MR. COURTRIGHT: Aye.

7 MS. GATELLI: Aye. Opposed? The ayes

8 have it and so ordered.

9 MS. GARVEY: 6-E, READING BY TITLE -

10 FILE OF COUNCIL NO. 5, 2006 - AN ORDINANCE -

11 ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 17, 1994

12 ENTITLED AN ORDINANCE (AS AMENDED) AUTHORIZING THE

13 GOVERNING BODY OF THE CITY OF SCRANTON TO ENACT A WASTE

14 DISPOSAL AND COLLECTION FEE FOR THE PURPOSE OF RAISING

15 REVENUE TO COVER THE WASTE DISPOSAL AND COLLECTION

16 COSTS INCURRED BY THE CITY OF SCRANTON FOR THE DISPOSAL

17 OF REFUSE, BY IMPOSING A WASTE DISPOSAL AND COLLECTION

18 FEE OF \$178.00 FOR CALENDAR YEAR 2006.

19 MS. GATELLI: You've heard reading by

20 title of Item 6-E, what is your pleasure?

21 MR. COURTRIGHT: I move that Item 6-E

22 pass reading by title.

23 MS. NEALON FANUCCI: Second.

24 MS. GATELLI: On the question? All

25 those in favor, signify by saying aye.

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1 MS. EVANS: Aye.

2 MS. NEALON FANUCCI: Aye.

3 MR. MCTIERNAN: Aye.

4 MR. COURTRIGHT: Aye.

5 MS. GATELLI: Aye. Opposed? The ayes

6 have it and so moved.

7 MS. GARVEY: 6-F, READING BY TITLE -

8 FILE OF COUNCIL NO. 6, 2006 - AN ORDINANCE - AMENDING

9 FILE OF THE COUNCIL NO. 11, 1976, ENTITLED AN ORDINANCE

10 (AS AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL

11 REVENUE PURPOSES IN THE AMOUNT OF 2% ON EARNED INCOME

12 AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS

13 AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF

14 SCRANTON, OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR

15 WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED

16 WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF

17 RETURNS BY TAXPAYERS SUBJECT TO THE TAX; REQUIRING

18 EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR

19 THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE

20 SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS, BY
21 IMPOSING THE WAGE TAX AT 2.4% ON EARNED INCOME FOR THE
22 YEAR 2006 FOR RESIDENTS.

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

25 MR. COURTRIGHT: I move that Item 6-F

.

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1 pass reading by title.

2 MS. NEALON FANUCCI: Second.

3 MS. GATELLI: On the question? On the
4 question, I'd like to say something. You know, every
5 person I know that ever ran for City Council or for the
6 mayor, for that matter, always said when they were
7 running that their goal was to lower the wage tax, and
8 you know what, I haven't seen anybody do it yet, so --

9 MS. EVANS: And you won't in the near
10 future either, not with these financial circumstances.

11 MS. GATELLI: Well, I hope that we can
12 maybe look at some way, some possible way, and maybe if
13 we all think about it and work on it and think of some
14 kind of a revenue source, that maybe we can do it, even
15 it's a tenth of a percent.

16 You know, I thought that's what was

17 going to happen when we enacted the \$52 on everyone,

18 commuters and all --

19 MR. COURTRIGHT: That was our hope.

20 MS. EVANS: That was Mr. DiBileo's

21 original hope, but in the meantime, the long-term debt

22 has become such that even our mayor himself admits that

23 a tax increase is coming, and perhaps even with

24 refinancing that can lessen the burden of the tax

25 increase, but nevertheless, one is coming, and I think,

.

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1 you know, that is including the \$2.1 million that

2 supposedly will be generated through the EMS Tax, so I

3 think best efforts at this point really have to be put

4 toward decreasing a potential tax increase of somewhere

5 between 30 and 50 percent in property taxes.

6 MS. GATELLI: Well, it's unfortunate

7 that it's so high, and the mercantile tax, too.

8 MS. EVANS: They all are.

9 MS. GATELLI: Yes. You know, they're

10 just cost prohibitive to living here, and that's what

11 is driving a lot of the people away. So, we're going

12 to work on it.

13 MS. EVANS: And the business taxes, and

14 that's what drives a business away.

15 MS. GATELLI: Yes, absolutely. I don't

16 know if we can write to our legislators and maybe have

17 the Pennsylvania sales tax increased. You know, there

18 are states where their state sales tax is eight

19 percent, ours is six, that would affect everybody that

20 purchases things, not just property owners all the

21 time. So, maybe we can check that out and see if we

22 can get somebody to propose that to the governor.

23 But it's a thought. You know, if we

24 raise something else, maybe we can work on lowering

25 these.

.

109

1 Okay. You've heard reading by title of

2 Item 6-F, what is your pleasure?

3 MR. COURTRIGHT: I move that Item 6-F

4 pass reading by title.

5 MR. MCTIERNAN: Second.

6 MS. GATELLI: On the question? We did

7 that already. It's past my bedtime, can't you tell?

8 All those in favor, signify by saying aye.

9 MS. EVANS: Aye.

10 MS. NEALON FANUCCI: Aye.

11 MR. MCTIERNAN: Aye.

12 MR. COURTRIGHT: Aye.

13 MS. GATELLI: Aye. Opposed? The ayes

14 have it and so moved.

15 MR. COURTRIGHT: Prior to reading 6-G,

16 I'd like to make a motion that we schedule a public

17 hearing on this piece of legislation next week

18 January 26, 2006 at 6:15 and authorize the City Clerk

19 to place the necessary ad in The Scranton Times.

20 MS. GATELLI: Second. All in favor.

21 MS. EVANS: Aye.

22 MS. NEALON FANUCCI: Aye.

23 MR. MCTIERNAN: Aye.

24 MR. COURTRIGHT: Aye.

25 MS. GATELLI: Aye. Opposed? The ayes

.

110

1 have it and so ordered.

2 MS. GARVEY: 6-G, READING BY TITLE -

3 FILE OF COUNCIL NO. 7, 2006 - AN ORDINANCE -

4 APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE

5 IN THE NAME OF MID-VALLEY COMMUNITY GROUP, 1149 MAIN

6 STREET, DICKSON CITY, PENNSYLVANIA, BOROUGH OF DICKSON

7 CITY, LICENSE NO. R-4219 TO FACCIA LUNA, LLC FOR USE AT

8 301 NORTH MAIN AVENUE, SCRANTON, PENNSYLVANIA, 18504 AS
9 REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

10 MS. GATELLI: You've heard reading by
11 title of Item 6-G, what is your pleasure?

12 MR. COURTRIGHT: I move that Item 6-G
13 pass reading by title.

14 MS. NEALON FANUCCI: Second.

15 MS. GATELLI: On the question? All
16 those in favor, signify by saying aye.

17 MS. EVANS: Aye.

18 MS. NEALON FANUCCI: Aye.

19 MR. MCTIERNAN: Aye.

20 MR. COURTRIGHT: Aye.

21 MS. GATELLI: Aye. Opposed? The ayes
22 have it and so ordered.

23 MS. GARVEY: 6-H, READING BY TITLE -

24 FILE OF COUNCIL NO. 8, 2006 - AN ORDINANCE -

25 ORDINANCE - AUTHORIZING THE CONVEYANCE BY SEALED BID OR
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111

1 AUCTION OF THREE PARCELS OF LAND IN NORTH SCRANTON
2 ACQUIRED PURSUANT TO THE LACKAWANNA RIVER FLOOD CONTROL
3 PROJECT, AS MORE PARTICULARLY DESCRIBED ON THE ATTACHED
4 MAP.

5 MS. GATELLI: You've heard reading by

6 title of Item 6-H, what is your pleasure?

7 MR. COURTRIGHT: I move that Item 6-H

8 pass reading by title.

9 MR. MCTIERNAN: Second.

10 MS. GATELLI: On the question? All

11 those in favor, signify by saying aye.

12 MS. EVANS: Aye.

13 MS. NEALON FANUCCI: Aye.

14 MR. MCTIERNAN: Aye.

15 MR. COURTRIGHT: Aye.

16 MS. GATELLI: Aye. Opposed? The ayes

17 have it and so moved.

18 MS. GARVEY: 6-I, READING BY TITLE -

19 FILE OF COUNCIL NO. 9, 2006 - AN ORDINANCE -

20 AUTHORIZING THE TRANSFER OF A PARCEL OF LAND ACQUIRED

21 BY THE CITY THROUGH THE FLOOD CONTROL PROJECT BY SEALED

22 BIDS TO THE HIGHEST BIDDER, PROPERTY LOCATED AT 622

23 RACE STREET, AND RECORDED AT RECORD BOOK RO44, PG.

24 1321.

25 MS. GATELLI: You've heard reading by

.

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1 title of Item 6-I, what is your pleasure?

2 MR. COURTRIGHT: I move that Item 6-I

3 pass reading by title.

4 MR. MCTIERNAN: Second.

5 MS. GATELLI: On the question? All

6 those in favor, signify by saying aye.

7 MS. EVANS: Aye.

8 MS. NEALON FANUCCI: Aye.

9 MR. MCTIERNAN: Aye.

10 MR. COURTRIGHT: Aye.

11 MS. GATELLI: Aye. Opposed? The ayes

12 have it and so moved.

13 MS. GARVEY: Seventh order. 7-A, FOR

14 CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION

15 - RESOLUTION NO. 2, 2006 - AUTHORIZING THE MAYOR AND

16 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER

17 INTO A CONTRACT WITH LODGE 2305 OF THE INTERNATIONAL

18 ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS IN

19 ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING

20 NEGOTIATED BETWEEN THE PARTIES AND RATIFIED BY THE

21 MEMBERSHIP.

22 MS. GATELLI: As chairperson for the

23 committee on rules, I recommend final passage of Item

24 7-A.

25 MR. COURTRIGHT: Second.

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1 MS. GATELLI: On the question? Roll

2 call, please.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: Yes.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. NEALON FANUCCI: Yes.

7 MR. COOLICAN: Mr. McTiernan.

8 MR. MCTIERNAN: Yes.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Yes.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Yes. I hereby declare

13 Item 7-A legally and lawfully adopted.

14 MS. GARVEY: 7-B, FOR CONSIDERATION BY

15 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION -

16 RESOLUTION NO. 3, 2006 - APPROVING AND AUTHORIZING A

17 MORTGAGE SUBORDINATION AGREEMENT, IN FAVOR OF FIRST

18 NATIONAL COMMUNITY BANK CONCERNING A CITY OECD

19 COMMERCIAL INDUSTRIAL LOAN WITH 501 SOUTH WASHINGTON

20 AVENUE ASSOCIATES, LLC TO BE EXECUTED (ATTACHED).

21 MS. GATELLI: What's the recommendation

22 of the chairperson for the committee on community

23 development?

24 MS. NEALON FANUCCI: As chairperson for

25 the committee on community development, I recommend

.

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1 final passage of Item 7-B.

2 MR. COURTRIGHT: Second.

3 MS. GATELLI: On the question? Roll

4 call, please.

5 MR. COOLICAN: Mrs. Evans.

6 MS. EVANS: Yes.

7 MR. COOLICAN: Mrs. Fanucci.

8 MS. NEALON FANUCCI: Yes.

9 MR. COOLICAN: Mr. McTiernan.

10 MR. MCTIERNAN: Yes.

11 MR. COOLICAN: Mr. Courtright.

12 MR. COURTRIGHT: Yes.

13 MR. COOLICAN: Mrs. Gatelli.

14 MS. GATELLI: Yes. I hereby declare

15 Item 7-B legally and lawfully adopted.

16 MS. GARVEY: 7-C, FOR CONSIDERATION BY

17 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION -

18 RESOLUTION NO. 4, 2006 - APPROVING AND AUTHORIZING A

19 MORTGAGE SUBORDINATION AGREEMENT, IN FAVOR OF FIRST

20 NATIONAL COMMUNITY BANK CONCERNING A CITY OECD
21 COMMERCIAL INDUSTRIAL LOAN WITH JOHN B. COOPER, PAUL S.
22 COOPER, AND ANGELA COOPER, T/A 519 LINDEN STREET
23 COMPANY, TO BE EXECUTED (ATTACHED).

24 MS. GATELLI: What's the recommendation
25 of the chairperson for the committee on community

115

1 development?

2 MS. NEALON FANUCCI: As chairperson for
3 the committee on community development, I recommend
4 final passage of Item 7-C.

5 MR. COURTRIGHT: Seconded.

6 MS. GATELLI: On the question? Roll

7 call.

8 MR. COOLICAN: Mrs. Evans.

9 MS. EVANS: Yes.

10 MR. COOLICAN: Mrs. Fanucci.

11 MS. NEALON FANUCCI: Yes.

12 MR. COOLICAN: Mr. McTiernan.

13 MR. MCTIERNAN: Yes.

14 MR. COOLICAN: Mr. Courtright.

15 MR. COURTRIGHT: Yes.

16 MR. COOLICAN: Mrs. Gatelli.

17 MS. GATELLI: Yes. I hereby declare

18 Item 7-C legally and lawfully adopted.

19 MS. GARVEY: 7-D, FOR CONSIDERATION BY

20 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION -

21 RESOLUTION NO. 5, 2006 - APPROVING AND AUTHORIZING A

22 MORTGAGE SUBORDINATION AGREEMENT, IN FAVOR OF FIDELITY

23 DEPOSIT & DISCOUNT BANK CONCERNING A CITY UDAG LOAN

24 WITH PETTINATO REALTY COMPANY, INC., TO BE EXECUTED

25 (ATTACHED).

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1 MS. GATELLI: What's the recommendation

2 of the chairperson for the committee on community

3 development?

4 MS. NEALON FANUCCI: As THE chairperson

5 for the committee on community development, I recommend

6 final passage of Item 7-D.

7 MR. COURTRIGHT: Second.

8 MS. GATELLI: On the question? Roll

9 call.

10 MR. COOLICAN: Mrs. Evans.

11 MS. EVANS: Yes.

12 MR. COOLICAN: Mrs. Fanucci.

13 MS. NEALON FANUCCI: Yes.

14 MR. COOLICAN: Mr. McTiernan.

15 MR. MCTIERNAN: Yes.

16 MR. COOLICAN: Mr. Courtright.

17 MR. COURTRIGHT: Yes.

18 MR. COOLICAN: Mrs. Gatelli.

19 MS. GATELLI: Yes. I hereby declare

20 Item 7-D legally and lawfully adopted.

21 MS. GARVEY: 7-E, FOR CONSIDERATION BY

22 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

23 6, 2006 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

24 OFFICIALS FOR THE CITY OF SCRANTON TO EXECUTE AND ENTER

25 INTO AMENDMENT NO. 2 TO THE GRANT AGREEMENT WITH THE

.

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1 NATURAL RESOURCES CONSERVATION SERVICE, UNITED STATES

2 DEPARTMENT OF AGRICULTURE (NRCS) EMERGENCY WATERSHED

3 PROTECTION MEASURES ON STAFFORD MEADOW BROOK TO ALLOW

4 FOR ADDITIONAL FUNDING OF THE PROJECT.

5 MS. GATELLI: As chairperson for the

6 committee on rules, I recommend final passage of Item

7 7-E.

8 MR. COURTRIGHT: Seconded.

9 MS. GATELLI: On the question? Roll

10 call.

11 MR. COOLICAN: Mrs. Evans.

12 MS. EVANS: Yes.

13 MR. COOLICAN: Mrs. Fanucci.

14 MS. NEALON FANUCCI: Yes.

15 MR. COOLICAN: Mr. McTiernan.

16 MR. MCTIERNAN: Yes.

17 MR. COOLICAN: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MR. COOLICAN: Mrs. Gatelli.

20 MS. GATELLI: Yes. I hereby declare

21 Item 7-E legally and lawfully adopted.

22 MS. GARVEY: 7-F, FOR CONSIDERATION BY

23 THE COMMITTEE ON FINANCE - FOR ADOPTION - RESOLUTION

24 NO. 7, 2006 - AUTHORIZING THE MAYOR AND OTHER

25 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A

.

118

1 LOAN AGREEMENT, AND TO EXECUTE A PROMISSORY NOTE, IN

2 THE AMOUNT OF \$110,000 BY AND BETWEEN THE CITY OF

3 SCRANTON AND EVEREST FURNITURE MFG. INC. FOR

4 ENTERPRISE ZONE COMPETITIVE GRANT FUNDS TO BE DEDICATED

5 TO THE EVEREST FURNITURE MFG, INC., PROJECT.

6 MS. GATELLI: What is the

7 recommendation of the chairperson for the committee on

8 finance?

9 MR. MCTIERNAN: As chair for the

10 committee on finance, I recommend final passage of Item

11 7-F.

12 MR. COURTRIGHT: Second.

13 MS. GATELLI: On the question? Roll

14 call.

15 MR. COOLICAN: Mrs. Evans.

16 MS. EVANS: Yes.

17 MR. COOLICAN: Mrs. Fanucci.

18 MS. NEALON FANUCCI: Yes.

19 MR. COOLICAN: Mr. McTiernan.

20 MR. MCTIERNAN: Yes.

21 MR. COOLICAN: Mr. Courtright.

22 MR. COURTRIGHT: Yes.

23 MR. COOLICAN: Mrs. Gatelli.

24 MS. GATELLI: Yes. I hereby declare

25 Item 7-F legally and lawfully adopted.

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1 MS. GARVEY: 7-G, FOR CONSIDERATION -

2 BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION

3 NO. 8, 2006 - AUTHORIZING THE MAYOR AND OTHER

4 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A

5 CONTRACT FOR INSURANCE WITH HARIE INSURANCE EXCHANGE,
6 NATIONAL CASUALTY AND PHILADELPHIA INSURANCE COMPANY
7 FOR CITY INSURANCE COVERAGES FOR THE PERIOD JANUARY 1,
8 2006 THROUGH JANUARY 1, 2007.

9 MS. GATELLI: As chairperson for the
10 committee on rules, I recommend final passage of Item
11 7-G.

12 MR. COURTRIGHT: Second.

13 MS. GATELLI: On the question? Roll
14 call.

15 MR. COOLICAN: Mrs. Evans.

16 MS. EVANS: Yes.

17 MR. COOLICAN: Mrs. Fanucci.

18 MS. NEALON FANUCCI: Yes.

19 MR. COOLICAN: Mr. McTiernan.

20 MR. MCTIERNAN: Yes.

21 MR. COOLICAN: Mr. Courtright.

22 MR. COURTRIGHT: Yes.

23 MR. COOLICAN: Mrs. Gatelli.

24 MS. GATELLI: Yes. I hereby declare
25 Item 7-G legally and lawfully adopted.

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1 MS. GARVEY: 7-H, FOR CONSIDERATION BY

2 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION
3 NO. 9, 2006 - RE-APPOINTMENT OF WALTER RANAKOSKI, 1342
4 ST. ANN'S STREET, SCRANTON, PENNSYLVANIA, 18504, AS A
5 MEMBER OF THE SCRANTON LACKAWANNA HEALTH & WELFARE
6 AUTHORITY. MR. RANAKOSKI'S TERM EXPIRED ON DECEMBER
7 31, 2005 AND HIS NEW TERM WILL EXPIRE ON DECEMBER 31,
8 2010.

9 MS. GATELLI: As chairperson for the
10 committee on rules, I recommend final passage of Item
11 7-H.

12 MR. COURTRIGHT: Second.

13 MS. GATELLI: On the question? Roll
14 call.

15 MR. COOLICAN: Mrs. Evans.

16 MS. EVANS: Yes.

17 MR. COOLICAN: Mrs. Fanucci.

18 MS. NEALON FANUCCI: Yes.

19 MR. COOLICAN: Mr. McTiernan.

20 MR. MCTIERNAN: Yes.

21 MR. COOLICAN: Mr. Courtright.

22 MR. COURTRIGHT: Yes.

23 MR. COOLICAN: Mrs. Gatelli.

24 MS. GATELLI: Yes. I hereby declare
25 Item 7-H legally and lawfully adopted.

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1 MS. GARVEY: 7-I, FOR CONSIDERATION BY
2 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.
3 10, 2006 - RE-APPOINTMENT OF MARY ANN SINCLAIR, 1310
4 LUZERNE STREET, SCRANTON, PENNSYLVANIA, 18504, TO THE
5 BOARD OF THE SCRANTON HOUSING AUTHORITY, EFFECTIVE
6 IMMEDIATELY. MRS. SINCLAIR'S TERM EXPIRED ON SEPTEMBER
7 27, 2005 AND HER NEW TERM WILL EXPIRE ON SEPTEMBER 27,
8 2010.

9 MS. GATELLI: As chairperson on rules,
10 I recommend final passage of Item 7-I.

11 MR. COURTRIGHT: Second.

12 MS. GATELLI: On the question? Roll
13 call.

14 MR. COOLICAN: Mrs. Evans.

15 MS. EVANS: Yes.

16 MR. COOLICAN: Mrs. Fanucci.

17 MS. NEALON FANUCCI: Yes.

18 MR. COOLICAN: Mr. McTiernan.

19 MR. MCTIERNAN: Yes.

20 MR. COOLICAN: Mr. Courtright.

21 MR. COURTRIGHT: Yes.

22 MR. COOLICAN: Mrs. Gatelli.

23 MS. GATELLI: Yes. I hereby declare

24 Item 7-I legally and lawfully adopted.

25 MS. GARVEY: 7-J, FOR CONSIDERATION BY

.

122

1 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION

2 NO. 11, 2006 - RE-APPOINTMENT OF ANTHONY MARINUCCI,

3 1208 BLAIR AVENUE, SCRANTON, PENNSYLVANIA, 18508, AS A

4 MEMBER OF THE SCRANTON MUNICIPAL RECREATION AUTHORITY.

5 MR. MARINUCCI'S TERM EXPIRED ON JUNE 17, 2005 AND HIS

6 NEW TERM WILL EXPIRE ON JUNE 17, 2010.

7 MS. GATELLI: As chairperson on rules,

8 I recommend final passage of 7-J.

9 MR. MCTIERNAN: Second.

10 MS. GATELLI: On the question? Roll

11 call.

12 MR. COOLICAN: Mrs. Evans.

13 MS. EVANS: No.

14 MR. COOLICAN: Mrs. Fanucci.

15 MS. NEALON FANUCCI: Yes.

16 MR. COOLICAN: Mr. McTiernan.

17 MR. MCTIERNAN: Yes.

18 MR. COOLICAN: Mr. Courtright.

19 MR. COURTRIGHT: No.

20 MR. COOLICAN: Mrs. Gatelli.

21 MS. GATELLI: Yes. I hereby declare

22 Item 7-J legally and lawfully adopted.

23 MS. GARVEY: 7-K, FOR CONSIDERATION BY

24 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

25 12, 2006 - APPOINTMENT OF PETER RIEBE, 1315 SANDERSON

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1 AVENUE, SCRANTON, PENNSYLVANIA, 18509, AS A MEMBER OF

2 THE SCRANTON REDEVELOPMENT AUTHORITY. MR. RIEBE WILL

3 BE FULFILLING THE TERM OF BARBARA MARINUCCI WHO

4 RESIGNED ON DECEMBER 7, 2005. MR. RIEBE'S TERM WILL

5 EXPIRE ON FEBRUARY 4, 2009.

6 MS. GATELLI: As chairperson for the

7 committee on rules, I recommend final passage of Item

8 7-K.

9 MR. COURTRIGHT: Second.

10 MS. GATELLI: On the question? Roll

11 call.

12 MR. COOLICAN: Mrs. Evans.

13 MS. EVANS: Yes.

14 MR. COOLICAN: Mrs. Fanucci.

15 MS. NEALON FANUCCI: Yes.

16 MR. COOLICAN: Mr. McTiernan.

17 MR. MCTIERNAN: Yes.

18 MR. COOLICAN: Mr. Courtright.

19 MR. COURTRIGHT: Yes.

20 MR. COOLICAN: Mrs. Gatelli.

21 MS. GATELLI: Yes. I hereby declare

22 Item 7-K legally and lawfully adopted.

23 MS. GARVEY: 7-L, FOR CONSIDERATION BY

24 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

25 13, 2006 - APPOINTMENT OF JAMES MCDONNELL,

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1 1432 SANDERSON AVENUE, SCRANTON, PENNSYLVANIA, 18509,

2 TO THE SCRANTON RECREATION AUTHORITY. MR. MCDONNELL

3 WILL BE FULFILLING THE TERM OF PETER RIEBE WHO RESIGNED

4 EFFECTIVE JANUARY 10, 2006. MR. MCDONNELL'S TERM WILL

5 EXPIRE ON DECEMBER 31, 2005.

6 MS. GATELLI: As chairperson for the

7 committee on rules, I recommend final passage of Item

8 7-L.

9 MR. COURTRIGHT: Second.

10 MS. GATELLI: On the question? Roll

11 call.

12 MR. COOLICAN: Mrs. Evans.

13 MS. EVANS: Yes.

14 MR. COOLICAN: Mrs. Fanucci.

15 MS. NEALON FANUCCI: Yes.

16 MR. COOLICAN: Mr. McTiernan.

17 MR. MCTIERNAN: Yes.

18 MR. COOLICAN: Mr. Courtright.

19 MR. COURTRIGHT: Yes.

20 MR. COOLICAN: Mrs. Gatelli.

21 MS. GATELLI: Yes. I hereby declare

22 Item 7-L legally and lawfully adopted.

23 MS. GARVEY: 7-M, FOR CONSIDERATION BY

24 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

25 14, 2006 - APPOINTMENT OF ROBERT TIMLIN, 325 WARREN

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1 STREET, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF

2 THE SCRANTON REDEVELOPMENT AUTHORITY EFFECTIVE

3 FEBRUARY 4, 2006. MR. TIMLIN WILL BE REPLACING GREGORY

4 WOODYARD WHOSE TERM WILL EXPIRE ON FEBRUARY 4, 2006.

5 MR. TIMLIN'S TERM WILL EXPIRE ON FEBRUARY 4, 2010.

6 MS. GATELLI: As chairperson for the

7 committee on rules, I recommend final passage of

8 7-M.

9 MR. COURTRIGHT: Second.

10 MS. GATELLI: On the question? Roll

11 call, please.

12 MR. COOLICAN: Mrs. Evans.

13 MS. EVANS: Yes.

14 MR. COOLICAN: Mrs. Fanucci.

15 MS. NEALON FANUCCI: Yes.

16 MR. COOLICAN: Mr. McTiernan.

17 MR. MCTIERNAN: Yes.

18 MR. COOLICAN: Mr. Courtright.

19 MR. COURTRIGHT: Yes.

20 MR. COOLICAN: Mrs. Gatelli.

21 MS. GATELLI: Yes. I hereby declare

22 Item 7-M legally and lawfully adopted.

23 MS. GARVEY: 7-N, FOR CONSIDERATION BY

24 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

25 15, 2006 - APPOINTMENT OF KATHLEEN MCDONNELL,

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1 1929 CLEARVIEW STREET, SCRANTON, PENNSYLVANIA, 18508,

2 AS A MEMBER OF THE SCRANTON PARKING AUTHORITY.

3 MS. MCDONNELL WILL BE REPLACING ROBERT LIPSKI WHOSE

4 TERM EXPIRED ON JUNE 1, 2005. MS. MCDONNELL'S TERM

5 WILL EXPIRE ON JUNE 1, 2010.

6 MS. GATELLI: As chairperson for rules,

7 I recommend passage of 7-N.

8 MR. COURTRIGHT: Second.

9 MS. GATELLI: On the question? Roll

10 call.

11 MR. COOLICAN: Mrs. Evans.

12 MS. EVANS: Yes.

13 MR. COOLICAN: Mrs. Fanucci.

14 MS. NEALON FANUCCI: Yes.

15 MR. COOLICAN: Mr. McTiernan.

16 MR. MCTIERNAN: Yes.

17 MR. COOLICAN: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MR. COOLICAN: Mrs. Gatelli.

20 MS. GATELLI: Yes. I hereby declare

21 Item 7-N legally and lawfully adopted.

22 MS. GARVEY: 7-O, FOR CONSIDERATION BY

23 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

24 16, 2006 - APPOINTMENT OF FRANCIS NOONEY, 323 SOUTH

25 WEBSTER AVENUE, SCRANTON, PENNSYLVANIA, 18505, TO THE

.

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1 BOARD OF THE SCRANTON SEWER AUTHORITY. MR. NOONEY WILL

2 REPLACE HERB SANDS, WHOSE TERM EXPIRED ON DECEMBER 31,

3 2005. MR. NOONEY'S TERM WILL EXPIRE ON DECEMBER 31,

4 2010.

5 MS. GATELLI: As chairperson for the
6 committee on rules, I recommend final passage of Item
7 7-O.

8 MR. COURTRIGHT: Second.

9 MS. GATELLI: On the question?

10 MS. EVANS: Yes. I wish to commend
11 Mr. Herb Sands for his years of dedicated service to
12 the Scranton Sewer Authority. He questioned and
13 researched the issues paying meticulous attention to
14 every detail, he consistently casted his vote to
15 benefit the ratepayer. I admire his wisdom and
16 courage, and this is indeed a great loss to not only
17 the Sewer Authority, but to all of the rate payers of
18 Scranton and Dunmore.

19 MS. GATELLI: Anyone else on the
20 question? Roll call.

21 MR. COOLICAN: Mrs. Evans.

22 MS. EVANS: Yes.

23 MR. COOLICAN: Mrs. Fanucci.

24 MS. NEALON FANUCCI: Yes.

25 MR. COOLICAN: Mr. McTiernan.

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1 MR. MCTIERNAN: Yes.

2 MR. COOLICAN: Mr. Courtright.

3 MR. COURTRIGHT: Yes.

4 MR. COOLICAN: Mrs. Gatelli.

5 MS. GATELLI: Yes. I hereby declare

6 7-O legally and lawfully adopted.

7 MS. GARVEY: 7-P, FOR CONSIDERATION BY

8 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

9 17, 2005 - APPOINTMENT OF LEO VERGNETTI, 519 ARTHUR

10 AVENUE, SCRANTON, PENNSYLVANIA, 18509, TO THE BOARD OF

11 THE SCRANTON SEWER AUTHORITY. MR. VERGNETTI WILL

12 REPLACE PAUL KEARNS, WHOSE TERM EXPIRED ON

13 DECEMBER 31, 2005. MR. VERGNETTI'S TERM WILL EXPIRE ON

14 DECEMBER 31, 2010.

15 MS. GATELLI: As chairperson for the

16 committee on rules, I recommend passage of 7-P.

17 MR. COURTRIGHT: Second.

18 MS. GATELLI: On the question?

19 MS. EVANS: Yes. Mr. Paul Kearns' term

20 does not expire on December 31, 2005, rather it expires

21 on December 31, 2006. He has documentation signed by

22 the mayor of the City of Scranton as proof of that, he

23 has also indicated that he fully wishes to serve out

24 his term on the authority until the true date of

25 expiration; therefore, I would ask Council to consider

1 tabling this resolution tonight, Resolution No. 17 of
2 2006 until the matter can be properly addressed.

3 MR. COURTRIGHT: On the question, this
4 is news to me. I didn't know his term wasn't expired.

5 MS. GATELLI: I knew his term was
6 expired because Mr. Kearns called me. I did
7 investigate, and I asked Attorney Minora for his
8 opinion, and he stated that because it was an ordinance
9 or a resolution, pardon me, and it was adopted and it
10 has been in place with that particular date, that would
11 stand, and that Mr. Kearns would have to see the mayor,
12 you know, about that issue, because it was adopted by
13 Council, it was signed by Council, and it was in the
14 paper advertised that his term would be up in 2005.

15 MS. EVANS: But in keeping with that
16 line of logic, similarly in whatever it would have
17 been, 2002, 2001, that would have been advertised and
18 approved as a resolution by Council to stand as
19 December 31, 2006.

20 MS. GATELLI: It wasn't. In the
21 resolution it was 2005.

22 MS. EVANS: In this resolution?

23 MS. GATELLI: No, in the resolution

24 that was passed by the previous -- I mean, I wasn't

25 here, I don't even think you were here.

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1 MS. EVANS: No, we weren't here.

2 MS. GATELLI: No, none of us were here,

3 and I guess no one picked up on it, so it stands. It

4 was legally said that it was 2005, it was advertised,

5 it's a legal ordinance. Mr. Minora, correct me if I'm

6 wrong --

7 MR. MINORA: You know --

8 MS. GATELLI: I mean, I like

9 Mr. Kearns and he's, you know, a South Side person.

10 MR. MINORA: At your request, I pulled

11 the old resolution. The old resolution says date of

12 termination or his term expired December 31, 2005.

13 Evidently there's a letter from the mayor, I don't know

14 who the letter went to, I think it went to Mr. Kearns,

15 I saw it, but I don't have a copy, saying December 31,

16 2006, but that was not what was adopted by Council.

17 So, I'm sure that's where Mr. Kearns is

18 confused. I'm sure that's why the issue is confusing.

19 I don't know whether that was a typo in the mayor's

20 office or a typo in City Council, but I know the
21 resolution that was adopted said the term expired
22 December 31, 2005.

23 I think as Council, you know, we're
24 sort of stuck with what we've done, whether it was an
25 error in the mayor's office or our office or whether it

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1 was done exactly --

2 MS. EVANS: No one knows.

3 MR. MINORA: -- right, we don't know,

4 but we know what we did and that it was done

5 procedurally correctly. Whether the term was a typo on

6 someone's part, I have no way of knowing.

7 MS. GATELLI: I would suggest that

8 maybe Neil or Kay when these come up now, please check

9 in the paper that the dates are correct and in the

10 resolutions, because this could happen again, and it

11 isn't fair --

12 MS. EVANS: No, it's --

13 MS. GATELLI: -- to the person who was

14 supposed to serve.

15 MS. EVANS: Right. It's not fair, I

16 think, to Mr. Kearns, and it's certainly no reflection

17 whatsoever on Mr. Vergnetti, but I won't be voting to
18 approve this.

19 MR. COURTRIGHT: Are you making a
20 motion to table it?

21 MS. EVANS: Well, I asked -- I didn't
22 make it in the form of a motion, I just asked that you
23 would consider it. We've been discussing it here. I
24 mean, I can make the motion, but it doesn't appear that
25 anyone would be in favor of that.

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1 MR. COURTRIGHT: Well, I might ask
2 Mr. Minora, not to put you on the spot, does
3 Mr. Kearns with that letter, does he have a leg to
4 stand on if he in fact has that letter stating it's
5 2006?

6 MR. MINORA: You're asking me a
7 judicial decision, and I'll tell you --

8 MS. GATELLI: By the time that would
9 happen, the term would be up.

10 MR. MINORA: I'll tell you what I
11 think, there's a letter, I have it in front of me, I
12 thought I left it at the office, but I brought it with
13 me, the letter is to City Council saying he's

14 appointing Paul Kearns, it's dated January 11, 2002.

15 The letter says, Mr. Kearns will be replacing Joseph
16 Caputo, and his term will expire on December 31, 2006,
17 which is what you were saying, Ms. Evans, but the
18 resolution adopted, and it doesn't say five years
19 December 31, 2005, it says, four years and will expire
20 on December 31, 2005.

21 So, I think the legally adopted
22 resolution is what is going to stand in court, if
23 that's what you're asking me, as opposed to a piece of
24 correspondence, which, like I said, I don't know who
25 made the, if it's a clerical error or not, but I know

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1 it has been legally adopted after three readings, the
2 same as you've done with everything else here.

3 MS. EVANS: And this error, though, as
4 you said, has nothing to do with anyone who's in office
5 at this point.

6 MR. MINORA: No.

7 MS. GATELLI: No.

8 MR. MINORA: No, none of the Council
9 people are still on Council. It was --

10 MS. GATELLI: And maybe we wouldn't

11 have even noticed. You know, if it was in the paper,
12 maybe we wouldn't have picked it up either.

13 MS. EVANS: Well, I wouldn't have
14 noticed either, but Mr. Kearns called me, and we had
15 this conversation, and that's the first time this has
16 ever happened. It was always done perfectly.

17 MS. GATELLI: Yes. It's too bad he
18 didn't notice it sooner, you know, when it happened,
19 because they could have maybe corrected it, the
20 previous Council, you know?

21 MR. MINORA: The only thing I might
22 suggest is maybe Mr. Caputo resigned and it was an
23 appointment for the remainder of his term. I really
24 don't know. It's unusual, and I don't have an answer.

25 MS. GATELLI: That's a possibility.

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1 MR. MINORA: But as a possibility, that
2 could have occurred that there was only four years
3 remaining on his term.

4 MS. GATELLI: Okay. Roll call.

5 MR. COOLICAN: Mrs. Evans.

6 MS. EVANS: No.

7 MR. COOLICAN: Mrs. Fanucci.

8 MS. NEALON FANUCCI: Yes.

9 MR. COOLICAN: Mr. McTiernan.

10 MR. MCTIERNAN: Yes.

11 MR. COOLICAN: Mr. Courtright.

12 MR. COURTRIGHT: No.

13 MR. COOLICAN: Mrs. Gatelli.

14 MS. GATELLI: Yes. I hereby declare

15 7-P legally and lawfully adopted.

16 MS. GARVEY: 7-Q, FOR CONSIDERATION BY

17 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

18 18, 2006 - APPOINTMENT OF JOSEPH A. MATYJEVICH, JR.,

19 1318 FARR STREET, SCRANTON, PENNSYLVANIA, 18504, AS A

20 MEMBER OF THE SCRANTON PARKING AUTHORITY. MR.

21 MATYJEVICH WILL BE REPLACING SEAN HANLON, WHOSE TERM

22 EXPIRED ON JUNE 1, 2004. MR. MATYJEVICH'S TERM WILL

23 EXPIRE ON JUNE 1, 2009.

24 MS. GATELLI: As chairperson for the

25 committee on rules, I recommend final passage of 7-Q.

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1 MR. COURTRIGHT: Second.

2 MS. GATELLI: On the question? Roll

3 call.

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Yes.

6 MR. COOLICAN: Mrs. Fanucci.

7 MS. NEALON FANUCCI: Yes.

8 MR. COOLICAN: Mr. McTiernan.

9 MR. MCTIERNAN: Yes.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Yes.

12 MR. COOLICAN: Mrs. Gatelli.

13 MS. GATELLI: Yes. I hereby declare

14 7-Q legally and lawfully adopted.

15 MS. GARVEY: 7-R, FOR CONSIDERATION BY

16 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

17 19, 2006 - APPOINTMENT OF JOSEPH PALUMBO,

18 1007 COLUMBIA STREET, SCRANTON, PENNSYLVANIA, 18509, AS

19 A MEMBER OF THE SCRANTON PUBLIC LIBRARY BOARD EFFECTIVE

20 JANUARY 9, 2006. MR. PALUMBO WILL BE FULFILLING THE

21 TERM OF RICHARD LEONARI WHO RESIGNED. MR. PALUMBO'S

22 TERM WILL EXPIRE ON MARCH 10, 2008.

23 MS. GATELLI: As chairperson for rules,

24 I recommend final passage of 7-R.

25 MR. COURTRIGHT: Second.

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1 MS. GATELLI: On the question? Roll

2 call.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: Yes.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. NEALON FANUCCI: Yes.

7 MR. COOLICAN: Mr. McTiernan.

8 MR. MCTIERNAN: Yes.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Yes.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Yes. I hereby declare

13 Item 7-R legally and lawfully adopted.

14 MS. GARVEY: 7-S, FOR CONSIDERATION BY

15 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

16 20, 2006 - APPOINTMENT OF JAMIE HAILSTONE, 730 NORTH

17 IRVING AVENUE, SCRANTON, PENNSYLVANIA, 18510, AS A

18 MEMBER OF THE SCRANTON PUBLIC LIBRARY BOARD EFFECTIVE

19 JANUARY 9, 2006. MR. HAILSTONE WILL BE FULFILLING THE

20 TERM OF ALAN SWEENEY WHO RESIGNED ON DECEMBER 31, 2005.

21 MR. HAILSTONE'S TERM WILL EXPIRE ON MARCH 10, 2008.

22 MS. GATELLI: As chairperson on rules,

23 I recommend final passage of 7-S.

24 MR. COURTRIGHT: Second.

25 MS. GATELLI: On the question?

1 MS. EVANS: Yes. I have a comment on
2 the question, that was not a yes vote.
3 Attorney Hailstone was recently
4 involved in a legal issue with the Pennsylvania State
5 Police and the American Civil Liberties Union whereby a
6 website was wrongly shut down.
7 Attorney Hailstone was just trying to
8 protect a family member, which is normal and admirable,
9 however, improper procedures appear to have been
10 followed, and as member of the Scranton Public Library
11 Board, he may oversee operations of Channel 61 and the
12 broadcasts of City Council meetings that are offered
13 weekly to the public, and I do not wish to see these
14 broadcasts ever in danger for any reason, therefore,
15 I'll be voting no.

16 MS. GATELLI: Roll call.

17 MR. COOLICAN: Mrs. Evans.

18 MS. EVANS: No.

19 MR. COOLICAN: Mrs. Fanucci.

20 MS. NEALON FANUCCI: Yes.

21 MR. COOLICAN: Mr. McTiernan.

22 MR. MCTIERNAN: Yes.

23 MR. COOLICAN: Mr. Courtright.

24 MR. COURTRIGHT: Yes.

25 MR. COOLICAN: Mrs. Gatelli.

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1 MS. GATELLI: Yes. I hereby declare

2 7-S legally and lawfully adopted.

3 MS. GARVEY: 7-T, FOR CONSIDERATION BY

4 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

5 21, 2006 - APPOINTMENT OF RABBI DAVID ROSENBERG,

6 920 MONROE AVENUE, SCRANTON, PENNSYLVANIA, 18510, AS A

7 MEMBER OF THE SCRANTON PUBLIC LIBRARY BOARD EFFECTIVE

8 JANUARY 9, 2006. RABBI ROSENBERG WILL BE FULFILLING

9 THE TERM OF RABBI AARON PELLER, WHO NO LONGER RESIDES

10 IN THE CITY. RABBI ROSENBERG'S TERM WILL EXPIRE ON

11 MAY 24, 2009.

12 MS. GATELLI: As chairperson for the

13 committee on rules, I recommend final passage of 7-T.

14 MR. COURTRIGHT: Second.

15 MS. GATELLI: On the question? Roll

16 call.

17 MR. COOLICAN: Mrs. Evans.

18 MS. EVANS: Yes.

19 MR. COOLICAN: Mrs. Fanucci.

20 MS. NEALON FANUCCI: Yes.

21 MR. COOLICAN: Mr. McTiernan.

22 MR. MCTIERNAN: Yes.

23 MR. COOLICAN: Mr. Courtright.

24 MR. COURTRIGHT: Yes.

25 MR. COOLICAN: Mrs. Gatelli.

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1 MS. GATELLI: Yes. I hereby declare

2 Item 7-T legally and lawfully adopted.

3 MS. GARVEY: 7-U, FOR CONSIDERATION BY

4 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

5 22, 2006 - APPOINTMENT OF WILLIAM MURRAY,

6 1146 WEST ELM STREET, SCRANTON, PENNSYLVANIA, 18504 TO

7 THE CIVIL SERVICE COMMISSION EFFECTIVE JANUARY 9, 2006.

8 MR. MURRAY WILL BE REPLACING ELMER NALEVANKO, WHO

9 RESIGNED EFFECTIVE DECEMBER 31, 2005. MR. MURRAY'S

10 TERM WILL EXPIRE WITH THE TERM OF MAYOR CHRISTOPHER A.

11 DOHERTY.

12 MS. GATELLI: As chairperson for the

13 committee on rules, I recommend final passage of 7-U.

14 MR. COURTRIGHT: Second.

15 MS. GATELLI: On the question? Roll

16 call.

17 MR. COOLICAN: Mrs. Evans.

18 MS. EVANS: Yes.

19 MR. COOLICAN: Mrs. Fanucci.

20 MS. NEALON FANUCCI: Yes.

21 MR. COOLICAN: Mr. McTiernan.

22 MR. MCTIERNAN: Yes.

23 MR. COOLICAN: Mr. Courtright.

24 MR. COURTRIGHT: Yes.

25 MR. COOLICAN: Mrs. Gatelli.

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1 MS. GATELLI: Yes. I hereby declare

2 Item 7-U legally and lawfully adopted.

3 Before I call for an adjournment, I

4 just have a question on these appointments,

5 Attorney Minora, do we really have a say in who's --

6 like, suppose we voted no, then what would happen?

7 Like, suppose we all voted no on a

8 name here --

9 MR. MINORA: If a person was rejected,

10 the mayor could either reappoint him or reappoint

11 somebody else. Council doesn't have any right to

12 appoint.

13 MS. EVANS: According to the Home Rule

14 Charter, Mrs. Gatelli, we do not have, as the attorney
15 indicated, any powers of appointment to these
16 positions, however, we are given a say in the matter,
17 in that I believe it states the mayor will appoint on
18 or something similar on the advice and consent of City
19 Council.

20 MS. GATELLI: But what if three of us
21 said no? I mean, I know that's in the Home Rule
22 Charter --

23 MR. COURTRIGHT: He keeps sending it
24 back to us week after week until we vote yes.

25 MS. EVANS: No. I think --

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1 MS. GATELLI: Could he override that
2 and just appoint them anyway?

3 MS. EVANS: Well, I would assume so, in
4 that we have no power of appointment, so it's not as if
5 we can replace the individual.

6 MS. GATELLI: I just wondered that,
7 because I thought, you know, we didn't have any say.

8 MS. EVANS: It seems like an exercise
9 in futility, and you could have shaved half an hour off
10 that meeting.

11 MS. GATELLI: Yes. You're right.

12 Would someone make a motion to adjourn?

13 MR. COURTRIGHT: Make a motion to

14 adjourn.

15 MS. NEALON FANUCCI: Second.

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17 (MEETING WAS ADJOURNED.)

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2 C E R T I F I C A T E

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4 I hereby certify that the proceedings and

5 evidence are contained fully and accurately in the

6 notes taken by me on the hearing of the above cause and

7 that this copy is a correct transcript of the same

8 to the best of my ability.

9

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LISA M. GRAFF, RMR
12 Official Court Reporter

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