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1 SCRANTON CITY COUNCIL  
PUBLIC HEARING

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IN RE: FILE OF COUNCIL NO. 7, 2006 - AN ORDINANCE -  
6 APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE  
IN THE NAME OF MID-VALLEY COMMUNITY GROUP, 1149 MAIN  
7 STREET, DICKSON CITY, PENNSYLVANIA, BOROUGH OF DICKSON  
CITY, LICENSE NO. R-4219 TO FACCIA LUNA, LLC FOR USE AT  
8 301 NORTH MAIN AVENUE, SCRANTON, PENNSYLVANIA, 18504 AS  
REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

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Held:

13 Thursday, January 26, 2006

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16 Time:

6:15 p.m.

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Location:

20 Council Chambers

Scranton City Hall

21 340 North Washington Avenue

Scranton, Pennsylvania

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24 Lisa M. Graff, RMR  
Court Reporter

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CITY OF SCRANTON COUNCIL:

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MS. JUDY GATELLI, COUNCIL PRESIDENT

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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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MR. ROBERT McTIERNAN

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MR. AMIL MINORA, ESQUIRE, SOLICITOR

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MS. KAY GARVEY, CITY CLERK

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16 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MS. GATELLI: We'll now open the public

2 hearing. Roll call, Neil.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: Here.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. NEALON FANUCCI: Here.

7 MR. COOLICAN: Mr. McTiernan.

8 MR. MCTIERNAN: Here.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Here.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Here. Notice is hereby

13 given that Scranton City Council is holding a public

14 hearing this evening in Council Chambers.

15 The purpose of the public hearing is to

16 hear testimony and discuss the following:

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18 FILE OF COUNCIL NO. 7, 2006 - AN ORDINANCE -  
19 APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE  
20 IN THE NAME OF MID-VALLEY COMMUNITY GROUP, 1149 MAIN  
21 STREET, DICKSON CITY, PENNSYLVANIA, BOROUGH OF DICKSON  
22 CITY, LICENSE NO. R-4219 TO FACCIA LUNA, LLC FOR USE AT  
23 301 NORTH MAIN AVENUE, SCRANTON, PENNSYLVANIA, 18504 AS  
24 REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

25 And the first speaker is Pat Lavelle.

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1 MR. LAVELLE: Good evening, members of  
2 Council. I'm here this evening with Jim Arnold.  
3 Mr. Arnold is one of the proprietors of Faccia Luna.  
4 As I think the ordinance, the proposed  
5 ordinance, I should say, clearly indicates, it is the  
6 intention of the operators of the Faccia Luna  
7 Restaurant, which is located at 301 North Main Avenue  
8 in Scranton, to transfer an existing PLCB license  
9 restaurant bar liquor license from its existing  
10 location of Dickson City to the location that I  
11 mentioned on North Main Avenue.  
12 This is a transfer from one  
13 municipality to another, and therefore municipal

14 approval is required under the PLCB Act.

15 Basically what we would like to tell

16 you this evening, although I think Mrs. Gatelli is

17 familiar with Faccia Luna Restaurants in other areas,

18 what we would like to tell you this evening is a little

19 bit about the proposed restaurant.

20 Mr. Arnold, I think more capably than

21 I, can tell you exactly what is depicted in this

22 drawing, which we would like to share with members of

23 Council. Mr. Arnold, if you will.

24 MR. ARNOLD: Can I bring this up? We

25 purchased the building at 301 North Main Avenue, which

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1 is a beautiful old bank building from Gene Peters, who

2 had an architectural firm there for 35 or 40 years, and

3 we're looking forward to opening up Faccia Luna, which

4 is my partners have two other restaurants in the

5 Washington, D.C. area, and they also have one in State

6 College, and I myself had a restaurant called Jim's

7 Place outside of Scranton in La Plume near Keystone

8 College for 12 years, and we decided to put our

9 thoughts and our food experience together and wanted to

10 come to Scranton, and we found this beautiful building

11 for sale, and we're hoping to open up sometime in May,  
12 late April or May, if things go well.

13 But it will be an Italian restaurant,  
14 pizza, Italian, there will be obviously a bar, but our  
15 business is and has been at all the other restaurants,  
16 we're in the restaurant business, we're not in the bar  
17 business, although we will be a bar.

18 As far as percentages go, it's  
19 generally 75, 80 percent food, which is fairly high for  
20 most restaurants that do have a bar.

21 Our hours will be, you know, lunch and  
22 dinner, but we close early, like all restaurants,  
23 generally around eleven o'clock the latest, so that  
24 kind of shows what kind of business we want to be in.

25 And as you can see, those are our

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1 plans, and we're real excited, because we brought the  
2 look of the building back to basically what it was when  
3 it was built as the Electric City Bank in 1900, and  
4 we're excited to be in Scranton.

5 MR. LAVELLE: Do any members of Council

6 have any questions for Mr. Around old?

7 MS. GATELLI: Would anyone else care to

8 speak? Come up to the podium, please.

9 MR. MCHUGH: Hello, members of Council.

10 My name is Robert McHugh. My wife and I reside on

11 Electric Street in Green Ridge, and within the last few

12 weeks, we have been experiencing some minor vandalism

13 --

14 MS. GATELLI: Excuse me. This is just

15 a --

16 MR. MCHUGH: Yes.

17 MS. GATELLI: This is just for a public

18 hearing on this restaurant opening.

19 MR. MCHUGH: Okay. Well, I was told

20 that I could discuss this here. I don't know --

21 MS. GATELLI: Yeah, you can at a later

22 part of the meeting.

23 MR. MCHUGH: Okay. All right. Thank

24 you.

25 MS. GATELLI: This is just on the

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1 restaurant on Main Avenue. Would anyone care to

2 address Council? Let the record reflect there's no

3 other speakers. Thank you very much.

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1 CERTIFICATE

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3 I hereby certify that the proceedings and

4 evidence are contained fully and accurately in the

5 notes taken by me on the hearing of the above cause and

6 that this copy is a correct transcript of the same

7 to the best of my ability.

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LISA M. GRAFF, RMR

11 Official Court Reporter

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1 SCRANTON CITY COUNCIL MEETING

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7 Held:

8 Thursday, January 26, 2006

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Time:

13 6:30 p.m.

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Location:

18 Council Chambers

Scranton City Hall

19 340 North Washington Avenue

Scranton, Pennsylvania

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Lisa M. Graff, RMR  
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1 CITY OF SCRANTON COUNCIL:

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MS. KAY GARVEY, CITY CLERK

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15 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MS. GATELLI: Okay. We'll start with

2 the Pledge Of Allegiance. And we'll just remain

3 standing for a moments of reflection to think about our

4 servicemen and women who are fighting for our freedom.

5 Roll call, please.

6 MR. COOLICAN: Mrs. Evans.

7 MS. EVANS: Here.

8 MR. COOLICAN: Mrs. Fanucci.

9 MS. NEALON FANUCCI: Here.

10 MR. COOLICAN: Mr. McTiernan.

11 MR. MCTIERNAN: Here.

12 MR. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Here.

14 MR. COOLICAN: Mrs. Gatelli.

15 MS. GATELLI: Here. Dispense with the

16 reading of the minutes.

17 MS. GARVEY: Third order. 3-A, MINUTES

18 OF THE COMPOSITE PENSION BOARD MEETING HELD ON

19 WEDNESDAY, DECEMBER 14, 2005.

20 MS. GATELLI: Are there any comments?

21 If not, received and filed.

22 MS. GARVEY: 3-B, AGENDA FOR THE ZONING

23 HEARING BOARD MEETING TO BE HELD ON WEDNESDAY, FEBRUARY

24 8, 2006.

25 MS. GATELLI: Are there any comments?

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1 If not, received and filed.

2 MS. GARVEY: 3-C, MINUTES OF THE

3 SCRANTON-LACKAWANNA HEALTH & WELFARE AUTHORITY REGULAR

4 BOARD MEETING OF NOVEMBER 17, 2005.

5 MS. GATELLI: Are there any comments?

6 If not, received and filed.

7 MS. GARVEY: 3-D, MINUTES OF THE

8 FIREMEN'S PENSION COMMISSION MEETING HELD ON WEDNESDAY,

9 DECEMBER 21, 2005.

10 MS. GATELLI: Are there any comments?

11 If not, received and filed.

12 MS. GARVEY: 3-E, MINUTES OF THE POLICE

13 PENSION COMMISSION MEETING HELD ON WEDNESDAY, DECEMBER

14 14, 2005.

15 MS. GATELLI: Are there any comments?

16 If not, received and filed.

17 MS. GARVEY: 3-F, MINUTES OF THE

18 COMPOSITE PENSION BOARD MEETING HELD ON WEDNESDAY,

19 DECEMBER 14, 2005.

20 MS. GATELLI: Are there any comments?

21 If not, received and filed.

22 MS. GARVEY: Clerk's notes. Regarding

23 the Mr. O'Shea's concerns from last week, Tony Santoli

24 called on Friday following our meeting. He

25 acknowledged Mrs. Evans' reply to Mr. O'Shea was

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1 accurate, and then went on to explain the policy in a

2 little more detail.

3 He stated that the current policy does

4 not call for cutting down healthy or vigorous trees,

5 even if the sidewalks are affected, and that is in the

6 owner's responsibility to have the roots cut by lifting

7 the sidewalk to cut the roots and then lay the sidewalk

8 back down.

9 If the sidewalk is beyond repair, then

10 the owner would be -- would have to put up a new

11 sidewalk in after cutting the roots.  
12 If the tree is very sick or unhealthy  
13 or deemed a public hazard, then they would mark it for  
14 removal. He also stated that they were working under a  
15 limited budget of \$15,000 and they try to do the best  
16 with what they have to work with, take care of the more  
17 serious situations first.

18 He said he was out there one other time  
19 and did not see any problem, but he would go back to  
20 check it again. He then called on Monday to follow up,  
21 and he said he was out to Mr. O'Shea's to inspect the  
22 trees, he says the trees in question are young and  
23 healthy and the roots were not too bad. He spoke to  
24 Mr. O'Shea's wife and gave her the number of someone to  
25 contact if they were interested in having them come to  
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1 do any work on the sidewalks or the roots.  
2 The person that he gave the information  
3 for is -- has done several jobs in the past and has  
4 done a very good job, he said.  
5 Second, I spoke with Mr. Scopelliti  
6 regarding the money for Connell Park. As far as he  
7 knows, it will be used for the filtration system, a

8 pool liner, renovations of the pool house and a  
9 playground which is just in the design phase.  
10 Regarding the plaque for Nay Aug, he  
11 said the one he has at Weston Field is not the kind  
12 that's meant for outside.  
13 I also gave him Julie Jones' number so  
14 he could contact her for any of her other concerns.  
15 And also regarding Julie's concerns of last week, DPW  
16 was out there today, as I've been told, and has moved  
17 the stop sign 6 feet closer to the corner, they erected  
18 a Children At Play sign and also erected a pole in the  
19 area of the broken sign post and also put another  
20 Children At Play sign there, as well.  
21 I spoke to Mr. Scopelliti,  
22 Mr. Kresefski and Attorney Paul Kelly from the  
23 Recreation Authority regarding the request made for  
24 2005 expenses and revenues for the pool at Nay Aug and  
25 also for the holiday lights.

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1 Mr. Kresefski gave you a spread sheet,  
2 which I put in your boxes for your information  
3 regarding the electrical services for Nay Aug, and if  
4 anything more specific, maybe Mr. Scopelliti or

5 Attorney Kelly could help out with that.

6 I spoke to Attorney Kelly yesterday,

7 and he would be glad to get this information, and just

8 ask that I give him a letter to that effect so that he

9 could present it to the Recreation Authority at their

10 next meeting in February, and then he would get the

11 information to Council probably in mid-February

12 following that meeting.

13 And also Council has received quite a

14 few E-mails regarding citizens' concerns that I have

15 put in your mailboxes, one is for a parking problem in

16 the 800 block of Matthew Avenue, the other is for a

17 problem, snow plow -- snow being plowed in an alley off

18 the 400 block of West Market Street and O'Malley Court.

19 And I think that's it this week.

20 MS. GATELLI: Thank you, Mrs. Garvey.

21 MS. GARVEY: Fourth order. Do you want

22 me to go on or --

23 MS. GATELLI: No, I just have a few

24 things. I think it was Andy Sbaraglia asked about

25 501 South Washington Avenue, if there was an appraisal

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8

1 on that property from last week, yes, there was an

2 appraisal. It was \$4.3 million.

3 The Pettinato loan is going to be used

4 for lease improvements and refinancing their existing

5 debt.

6 The other question was about the mall

7 being sold to Prizm Management, the mall has not been

8 sold, they are just a management company that are

9 managing the mall.

10 A few other things, I talked to

11 George Parker, and, Mr. Spindler, he's in the process

12 of taking the Christmas lights down that you talked

13 about last week. After you said that, I noticed, and

14 they were everywhere, not just Mulberry Street.

15 The pipe at Saginaw and Pittston

16 Avenue, Amil, by your brother's that Ms. Jones

17 complained about, he's going to remove that, too.

18 Somebody talked about the pond at Nay

19 Aug being green, when I called Mr. Scopelliti, he said

20 that they put a dye in the pool -- in the pond to

21 protect the fish and to prevent the algae from taking

22 over the pond, so that was my answer to that from

23 Mr. Scopelliti.

24 He also said that the revenue from the

25 lights was approximately \$39,000, and the park workers

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1 put up the lights, so there was no added cost to put  
2 them up, just the salaries that those men get, and of  
3 course Kay is going to get the rest of that information  
4 about Nay Aug, Ms. Julie, from Paul Kelly from the Rec.  
5 Authority, because Scopelliti doesn't have that  
6 information.

7 The bus shelters that, I don't know the  
8 gentleman's name, but he came here to talk about the  
9 bus shelters, and we also talked about the Lackawanna  
10 Taxpayers meeting on Tuesday night with Mr. McAndrew,  
11 and Ozzie Quinn and Mr. McAndrew are going to go to the  
12 businesses and discuss putting up these shelters with  
13 them. Apparently they're not in favor of it.

14 Now, I don't know, Attorney Minora, if  
15 we have jurisdiction of putting these shelters on the  
16 sidewalks without the business' permission, I don't  
17 know. Maybe you'll want to check into that, if we  
18 don't succeed with these gentlemen. First they're  
19 going to go ask and see if it's --

20 MR. MINORA: I think Colts would have  
21 more to do with that than we do.

22 MS. GATELLI: Well, Colts wrote the

23 note and said we need permission from the city,

24 Diversified and the mall.

25 MR. MCTIERNAN: That's accurate. I

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1 went through a situation similar to that at Scranton

2 High School, and Colts did require Scranton School

3 District's permission to place that bus stop there, so

4 I'm assuming that the landowner needs to okay that

5 because they're using their property.

6 MS. GATELLI: Well, they volunteered

7 and they're going to go, and, Mr. McAndrew, you will

8 get back to us on that.

9 I got some complaints about school

10 buses parking on residential streets instead of taking

11 the buses back to the yard. If they drive a bus and

12 they live in a neighborhood, they've been parking the

13 bus on the street, and the people were complaining, but

14 I called Tom Gallagher at the school district and he

15 has since stopped that practice. So, if anybody has a

16 bus parked in front of their house, let us know.

17 I also had a question about streets in

18 the KOZ zone not being accepted by the city, and I

19 talked to Attorney Farrell, and he said they will not

20 accept the streets in the KOZ Zone until the developer  
21 finishes the punch list of items that need to be done.  
22 In Phase 1 it was streetlights and tree plantings, and  
23 in Phase 2, it was flooding.

24 And from what I understand, there's  
25 going to be a Phase 3. Was that already approved by  
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1 the previous Council, that Phase 3? No? So, we'd have  
2 to reapprove that? He can't do it without coming to  
3 Council? Do we know that answer?

4 MR. MINORA: I don't know the answer to  
5 that.

6 MS. GATELLI: Janet, Bill and Bob, do  
7 you know that answer offhand? Okay.

8 Okay. Mr. Fiorini is going to check on  
9 a house on Gibbons Street that's been abandoned, the  
10 cellar doors and all the windows are open.

11 Mike Wallace is going to cite a  
12 business owner down on Kossuth Avenue that has a  
13 business in a residential zone.

14 And there was a flooding problem at  
15 1099 Diamond Avenue, and Charlie Matthews said that  
16 they are going to replace the catch basin. It -- when

17 it was installed in the early '90s, it wasn't installed  
18 properly, and they're going to reinstall that. And  
19 that's all I have. Does anybody else have anything  
20 before we start?

21 MS. GARVEY: Fourth order, citizens  
22 participation.

23 MS. GATELLI: The first speaker is Andy  
24 Sbaraglia.

25 MR. SBARAGLIA: Andy Sbaraglia, citizen

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1 of Scranton. Fellow Scrantonians, the reason I asked  
2 that question about the mall is because the paper said  
3 that the owners of the mall were appealing that  
4 decision up at Montage, and I did not remember the mall  
5 being sold, so that's why I asked, When was it sold,  
6 but apparently they did sell leases out of the mall,  
7 \$40 million of leases, to be exact from that mall. So,  
8 that was the story on that, and that's why I asked that  
9 question.

10 I told you about the bridge over Nay

11 Aug, over the gorge, and I knew it wasn't over the

12 falls, but we did have a cost there, we did spend

13 \$120,000, I assume, for engineering, and I did ask who

14 was the engineer on that job, who engineered the bridge  
15 and got the \$125,000, because if you notice, you ride  
16 down the interstate, then bridges are all over the  
17 interstate, it's just a pedestrian over the  
18 interstates, so I assume the one they're going to build  
19 at Nay Aug is going to be similar. It can't be too  
20 much different anyway, other than the high fence that  
21 has to go on to keep the kids from jumping off.

22 Now, I read in the paper again that  
23 they're thinking of building this tree house up at Nay  
24 Aug, you mentioned it before. They claim it was going  
25 to be done with a UDAG, part of it is going to be done

13

1 with a UDAG loan, does anybody know the amount of the  
2 UDAG loan or grant or whatever it's going to be?

3 MS. EVANS: According, Mr. Sbaraglia,  
4 according to what was published in the newspaper, it  
5 appears that \$150,000 in Urban Development Grants would  
6 be allocated, and \$150,000 were the private  
7 sponsorships.

8 MR. SBARAGLIA: That's quite an amount.

9 I'm glad that Mr. Kane came up with \$25,000 to get the  
10 ball rolling, but we should go after the other KOZs.

11 We have Mr. Kane up where he wanted to build his  
12 warehouses between Taylor and Scranton, so that's one  
13 of the people that at least they're returning some of  
14 their KOZ back to the city.

15 We got a lot of other KOZs that we  
16 should go on and put the bit on, because there's no  
17 reason for the people of Scranton to take the loss of  
18 the KOZs.

19 You realize that our taxes have gone  
20 up, even though the school board has raised the taxes,  
21 even though you say you have nothing to do over it, but  
22 when the KOZs went in, that took money away from the  
23 school board, so they had to make it up. So, how did  
24 they make up the money they lost from the KOZs? They  
25 taxed the taxpayers at a higher rate, and this is what  
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1 happens.

2 Everything has an effect, it's like a  
3 domino, that domino theory they were talking about a  
4 long time ago. One thing affects the other, and that's  
5 what is happening in the city.

6 Now, we're -- he's talking about a  
7 trail over in the wooded areas behind -- the other side

8 of the gorge. Now, that's fine. If Scranton wasn't in  
9 the situation we are financially, it would be fine,  
10 unless he can get volunteers to come up with the money  
11 to pay for these things, because the people of Scranton  
12 don't have the money to pay for these things, we just  
13 don't have it, and the worst part about it, the kids  
14 can't even swim free up at Nay Aug. That's the gall of  
15 it.

16 We're spending all that money up there  
17 at Nay Aug, but the kids can't swim free. That's  
18 intolerable, really it is, when you consider how much  
19 money we put into that park and then tell some kid he  
20 can't swim there because we can't afford to have him  
21 swim there.

22 We have thousands and thousands of  
23 dollars for walking trails, but nothing for the  
24 children. I don't even know if there's a playground up  
25 there, other than the one we built. I don't know if

15

1 there's swing sets -- down there maybe where we build  
2 that one, that's about it. But --

3 MS. EVANS: Mr. Sbaraglia, I'm sorry to

4 interrupt, I think there is another very small

5 playground area close to the Everhart and beyond the  
6 pool area.

7 MR. SBARAGLIA: That's nice. Like I  
8 say, where the old pavilion burned down, they used to  
9 have a nice playground. If you remember our old  
10 pavilion burned down, and we got \$300,000 on the  
11 insurance on that deal. Now, where that money went, I  
12 don't know, but I'm sure we could have used some of  
13 that money to have them kids swim for free.  
14 I cannot understand how in this day of  
15 age we could even consider them children to be anything  
16 more than our children; in other words, every child in  
17 this city should be considered as our children and we  
18 should do what we can for them, everything we can.  
19 I had a beautiful childhood. We had  
20 lots of pools, we had lots of playgrounds, we had  
21 everything you can think of. And this city, of course  
22 it was a lot more people then, but everything was, you  
23 know, it was actually -- well, I'll talk about this  
24 again some other time. Thank you.

25 MS. GATELLI: Helen cook.

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1 MS. COOK: Good evening, City Council.

2 Helen Cook, the Plot Section of Green Ridge. I'm here  
3 for just two things. Last fall when I came here to  
4 speak, I asked about was there anything we could do to  
5 have boards, commissions and authorities meet here in  
6 City Council chambers, rather than different places of  
7 the city; meaning, a field house or a downtown office  
8 building or a local college or the Sewer Authority.  
9 City business should actually be taking  
10 place here, not in places where people have no access  
11 to get to or they're not sure, unless they read the  
12 legal columns every day on where the meetings are going  
13 to be held.  
14 And then last week, Mrs. Gatelli, you  
15 mentioned having City Council meetings outside of City  
16 Council chambers, that was done for, I believe, ten  
17 months while this was all being refurbished here, and I  
18 think it was very inconvenient for a lot of people who  
19 wanted to regularly attend City Council meetings or  
20 they want to see them on 61, which isn't always  
21 accessible to some of the places they meet.  
22 The other thing being, when these  
23 authorities meet in their outside areas, other than  
24 City Council chambers, I believe there's something in  
25 either the Administrative Code or the Home Rule Charter

17

1 that there's supposed to be seating for, I believe, 20  
2 people, which doesn't happen in all of these areas  
3 where they're meeting.

4 And I just think it would be much  
5 easier if they were here, being they're conducting city  
6 business, no more than City Council. Thank you.

7 MS. GATELLI: Mike Dudek.

8 MR. DUDEK: Good evening, Council. My  
9 name is Mike Dudek, 608 Depot Street, The Plot Section  
10 of Scranton. Three quick things, on your desk, just to  
11 let you know of something coming up, the local chapter  
12 of the American Contract Bridge League has two  
13 tournaments coming up here in the City of Scranton that  
14 I think you would be interested in knowing about, the  
15 first one is the Steamtown Regional Tournament.

16 This is not a local tournament, this is  
17 a national tournament. You're not going to get a room  
18 in the Clarion from March 13 to the 19th, those rooms  
19 are spoken for. This is a national tournament. It's  
20 been going on for the last three years, but this is the  
21 first year that is really beginning to have taken off.

22 There are three level of competition,

23 beginner, intermediate and life master level, and there  
24 will be life masters coming to Scranton to play in this  
25 tournament to qualify for the Bermuda Bowl.

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1 The Bermuda Bowl is the Super Bowl of  
2 contract bridge world wide. So, that's the first  
3 thing. And the second thing, a regional tournament is  
4 being held in the same hotel, Friday, Saturday and  
5 Sunday, May 5, 6 and 7, and, again, those rooms are  
6 going to fill up for that May tournament.

7 Just so to let you know, there are  
8 organizations taking advantage of what Scranton has to  
9 offer, and we are trying to promote this city on a  
10 national, and hopefully international basis with these  
11 tournaments, just wanted to let you know that things  
12 like that are going on privately. And do I have  
13 something to do with it, not yet, but I will.

14 The second thing, Olyphant Avenue from  
15 the Throop line down to at least Parker Street, okay, I  
16 think the Airforce is done with the artillery practice,  
17 I think we can safely go in there now and repave that  
18 entire stretch of road.

19 The last time that road was repaved,

20 and if you check the record, you will find, it was  
21 1984. That was the last time that road has been  
22 repaved. It needs it, it really needs it desperately.  
23 The third thing I'd like to mention, I  
24 don't know if it's just poor little old me, but for the  
25 second time in three months, somebody took a spike to

19

1 my tires on my vehicle parked in front of my house on  
2 Depot Street, all four tires flattened, that was  
3 Sunday night to Monday morning. I don't know if it's  
4 just if I'm just the lucky one, but I think we need an  
5 increase in police patrols in The Plot. Thank you.

6 MS. GATELLI: Doug Miller.

7 MR. MILLER: Good evening, Council,

8 Doug Miller, Scranton. Last week I brought up the  
9 suggestion of having junior Council members appointed  
10 by Council, tonight I would like to go over the  
11 suggestion.

12 What would have to happen is Council  
13 would appoint a junior Council president along with a  
14 Council representative from our city high schools to  
15 come here and meet with everyone and discuss issues  
16 that concern them.

17 I would like to see kids interested  
18 coming before Council and express why they want to be a  
19 Council representative. If we could send letters to  
20 our high schools to share this with them, that would be  
21 great.

22 I would like to ask Council to think  
23 about the suggestion and see if you would be  
24 interested. If you have any questions about it, you  
25 can ask. Okay. That's all I have. Thank you.

20

1 MS. GATELLI: Bob Bolus.

2 MR. BOLUS: Good evening, Council, Bob  
3 Bolus, Scranton. I'd just like to say a few words on  
4 the passing of Tony today, what they did to something  
5 that meant a lot to the people in this city. I don't  
6 know if it was a rush to judgment out there what they  
7 did with her, but it's just sad to see that happen, and  
8 know that maybe we had -- in the position to have kept  
9 her here and maybe made a better zoo, considering all  
10 the money we spent in Nay Aug, maybe we should have  
11 looked at that and brought her back here, and maybe not  
12 given her the fate she has today.

13 Listening to Doug for a moment here

14 about the junior Council idea, different thoughts that  
15 the kids have today I think would be good to have  
16 Council entertain that, and tonight maybe I'd like to  
17 see Council make a motion to go ahead and do that, and  
18 to take it a step further, I would like to have a  
19 motion to appoint young Doug, like, the first junior  
20 president of the Council, and get kids interested in  
21 our community, not only from the high schools, but from  
22 the universities and all, and I think we will expand a  
23 lot of information, the network that we need to get  
24 things to Council. I think it will help and benefit  
25 us.

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21

1 One of the things I understand that's  
2 happened, correct me if I'm wrong, I understand there  
3 was a meeting regarding John Pocius' pension and that a  
4 pension was voted for to give him a pension; am I  
5 correct on that?

6 MS. GATELLI: Yes.

7 MR. BOLUS: Okay. Under the Home Rule  
8 Charter, this isn't an issue that just started, this is  
9 an issue that has been ongoing with John Pocius'  
10 pension, it's in court right now, and I think it was a

11 little too much of a rush to vote for a pension when  
12 it's still pending in court, number one, and you have  
13 your solicitor here, and I think you should have been  
14 advised of that, and number two, the Home Rule Charter  
15 of the City of Scranton is what governs our rules.

16 It's very clear in the Home Rule  
17 Charter you cannot get a pension from the City of  
18 Scranton as a Council member, and I think those that  
19 voted for this should have kind of read the Home Rule  
20 Charter and really understood what they were doing  
21 here, and tonight I'm going to ask those who voted for  
22 it to rescind that vote, because actually I believe  
23 it's an illegal vote to make in violation of the Home  
24 Rule Charter, and I don't think you can make that vote.  
25 It's only going to cause us further litigation.

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22

1 I don't think anybody, no matter what  
2 they did for service here, they got paid to do their  
3 job, but the Home Rule Charter is explicit, you do not  
4 get a pension, no matter who supported who or what the  
5 politics were, and I believe tonight you have to  
6 reverse yourself on that issue, because it's only going  
7 to take us into litigation.

8 As Mr. Doherty said, he's ignoring  
9 basically what you do with Carl Greco, because you can  
10 go on, he's just going to go ahead and give him another  
11 \$100,000 contract, so we have to look at changing the  
12 rules and the way we do business in the city to take  
13 that power away, if it can be done.

14 We have to look at how OECD funds were  
15 spent, if they were used for things that should have  
16 been bid bud and weren't, we have to have that  
17 investigated.

18 We need to bring those people here and  
19 find out if money was spent, not in a justified way, so  
20 to speak, and you need to do that, and it can't be  
21 ignored.

22 MS. GATELLI: Mr. Bolus, can I  
23 interrupt you for a minute?

24 MR. BOLUS: Certainly.

25 MS. GATELLI: Don't take this off his

.

23

1 time. I had those same concerns that you have about  
2 OECD, because, as you know, I used to work there, and  
3 every year, maybe even twice a year, the  
4 representatives from HUD in Philadelphia would come up

5 and they would meet with all the workers and they would  
6 see all the bills and all the projects that we did, and  
7 many times we made mistakes, and they would write a  
8 list and they'd say, here's your findings, you know,  
9 here is what you did wrong, you didn't do this, you did  
10 that, you didn't do this, you did that, and they would  
11 give us an audit report of the findings they found, and  
12 if I'm not mistaken, every single time we got that  
13 audit report, I'm sure that there were things we did  
14 wrong, because we're not infallible, of course you know  
15 that, and they would take the money, like, whatever  
16 amount -- say, we did something for \$10,000 that we  
17 didn't do properly, that would be taken off the next  
18 year's allocation.

19 And I don't recall ever seeing an audit  
20 report from the current administration, so, I think,  
21 Kay, that we need to probably write to OECD or maybe we  
22 should have a caucus with Ms. Hailstone here and ask  
23 for these reports that I know HUD does at least once a  
24 year, and see if there aren't audit findings for  
25 certain things that weren't done, you know, in the  
.

24

1 right fashion, and I'm sure there's some, because

2 they're not infallible either.

3 MR. BOLUS: Well, for the last four

4 years what we've gotten back, they're perfect.

5 MS. GATELLI: Have any of you ever

6 written to HUD in Philadelphia?

7 MR. BOLUS: No, I don't recall ever

8 writing to HUD, we always raised it at Council.

9 MS. GATELLI: Well, when I was there,

10 they always wrote to HUD directly.

11 MR. BOLUS: Well, maybe we can do that

12 now, because some of the agencies have to be examined,

13 we have to find this money. And, you know, if money is

14 being spent properly, so be it, but if it isn't and

15 it's just a cash cow for good friends and everything

16 else, well, then we've got to stop it.

17 I mean, we have numerous attorneys in

18 this city, they should be entitled to a faire share

19 here. They pay the wage tax, they pay the business

20 privilege tax or they ignore it.

21 You know, you have to give everybody a

22 fair shake if you're taking their money, too, and

23 that's what this administration has been doing, and I

24 believe Carl Greco has been more than well compensated

25 for what he's done in this city and what we've got out

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25

1 of it.

2 We still lost hearings and other

3 issues, so there's no magic that he does that anybody

4 else can do, so I'm glad to see that and I think we

5 need to move forward.

6 There was issues raised last week about

7 campaign funds and who contributed and all, and we

8 raised this at a city taxpayers meeting the other

9 night, and I think if that issues comes up again or if

10 it's going to be raised and somebody took funds or

11 there's a question, then it should be put out for a

12 sealed bid, no matter whether it's \$5,000, \$10,000, or

13 \$20,000, we should put it out for a sealed bid, so

14 there's no question of impropriety on anyone's part.

15 We don't need to start this early in a term casting

16 shadows on everybody.

17 So, I think that would be the proper

18 way we need to do this, and that will just clear any

19 question, it's a fair bidding practice. If everybody

20 up here got a campaign fund, let's say I gave it to

21 everybody, and I come in, I want to do something in the

22 city, then I should have to bid it and give everybody a

23 fair chance. I think that's the only ethical way we  
24 should do things.

25 And just one quick thing, last week,

26

1 and I don't want to pick on anybody, but singing here  
2 and going on like it was, I think it's totally out of  
3 order, I think everybody has a right to Freedom of  
4 Speech, but leave the Freedom of Speech related to the  
5 city business, not get off track where we were. If we  
6 want to talk religion, we will go to church on Sunday.  
7 Thank you.

8 MS. GATELLI: Bill Jackowitz.

9 MR. JACKOWITZ: Bill Jackowitz, city

10 resident and taxpayer, retired military.

11 First of all, I'd like to welcome the  
12 two new City Councilpersons, Mrs. Fanucci and  
13 Mrs. Gatelli, and also I would like to congratulate  
14 Mrs. Gatelli on her election as Council President.

15 I did not attend the first two Council  
16 meetings, I wanted to observe the new format on  
17 television to see how meetings were going to be  
18 conducted. I feel that watching on TV you get a better  
19 view of which Councilpersons are paying attention to

20 the speakers and which Councilpersons are not.

21 I like the idea that the questions are

22 being answered, and there were a lot of questions

23 answered at the beginning of this meeting, and I think

24 that's a very good idea that was implemented.

25 I spent the early years of my life from

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1 the age of 18 to the age of 40 defending The

2 Constitution and Bill Of Rights for all American

3 citizens. One of those rights is The First Amendment,

4 Freedom of Speech.

5 When a citizen, whether an American

6 born citizen or a naturalized citizen has a concern or

7 a problem, they're entitled to ask questions of their

8 elected officials.

9 I further believe that the elected

10 official is required to answer those questions as

11 honestly as they can. If the elected official cannot

12 answer, they should take the time and make the effort

13 to get the correct answer.

14 I believe that when they swore to their

15 oath of office, this was part of what they were

16 swearing to do.

17 I've been watching City Council  
18 meetings for approximately five years and just recently  
19 started to attend and speak at these meetings. I was  
20 always confused as to why the citizens' concerns and  
21 questions were not answered by Council members, now I  
22 believe I know the answer.

23 Council really has no authority or  
24 power in the City of Scranton. Complete and absolute  
25 power rests with the mayor in his or her  
26 .  
27  
28

1 administration. This is why I believe that Council  
2 should look very carefully at all appointments,  
3 recommendations and legislation that is being sent  
4 before them for consideration.

5 The only outlet that we the citizens  
6 have to make our points and concerns is the current  
7 City Council forum. Restricting our abilities and time  
8 to speak will severely limit the citizens participation  
9 and openness of city government.

10 Furthermore, I believe that our  
11 questions and concerns should be answered in a timely  
12 manner. Two weeks, in most cases, should be more than  
13 enough of time for Council to receive an answer from

14 the administration. And, again, I say I like what is  
15 going on in the last two weeks, and I hope it  
16 continues, and I hope the Councilpersons put pressure  
17 on the administration, even if they have to sit in the  
18 office all day long to get these answers, because we  
19 have questions that have been pending for three, four  
20 years and we still haven't gotten answers for them.

21 Speaking on just the weekly agenda  
22 items will not solve anything, as Mrs. Gatelli learned  
23 last week, even if the Council voted against the  
24 recommendations, the mayor still has the authority to  
25 the approve and veto the Council.

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29

1 So, I strongly recommend and suggest  
2 that Council and the citizens work together to make  
3 Scranton a better and safer city to live, play, worship  
4 and communicate in.  
5 Thoughts aside, political favorites,  
6 friendships and money, do what is right for the  
7 citizens, allow the citizens to make suggestions,  
8 questions, policy, legislation and appointments.  
9 Research the proposals submitted by the administration  
10 before casting your vote.

11 If you have any connection at all with  
12 the vote that is being taken, then you should recuse  
13 yourself and state why you will not be voting.  
14 Respect is something that you earn, it  
15 is not something given to you because of an office that  
16 you hold. Again, I say, the coverup is what leads to  
17 trouble for politicians.

18 Thank you for listening, and I hope we  
19 can work together in making Scranton a better city for  
20 all residents.

21 And, also, I have a question for City  
22 Council, and I hope somebody will answer this at the  
23 end of the meeting, and if power corrupts, what does  
24 absolute power do? Thank you.

25 MS. GATELLI: Erik Johnson.

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1 MR. JOHNSON: Good evening, City  
2 Council and staff. Erik Johnson, taxpayer and resident  
3 of North Scranton. Judy Gatelli, citizens of Scranton  
4 are coming to be commending you of your excellent idea  
5 of forming a school student youth task force to work  
6 and communicate with City Council of Scranton. I also  
7 think it would be an excellent idea to include a senior

8 citizen task force.

9 Also, the speakers and City Council

10 members seem to hit it off better for the start of the

11 new Council for the new year. There hasn't been any of

12 that nasty personal exasperations and a particular

13 sense perception. Personal segmentation is as bad as

14 being blind sighted when you least expect it.

15 Bottom line, it's a turn off by your

16 average citizen who watches Channel 61. A person who

17 becomes sardonic will eventually lose faith and trust

18 by the public and can easily be phased out in their

19 political ambitions.

20 Again, our governor has need it easier

21 for more Pennsylvanians to receive home heating

22 assistance for the low income plus including the near

23 middle income which had been left out in the past.

24 He should be recommended for this. Our

25 home heating bills are outrageous, even though we are

.

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1 using less fuel this winter than last year. Thanks,

2 Governor, for thinking of the majority of the citizens

3 of all Pennsylvania in need of an SOS.

4 Again, I recommend a great job of our

5 Scranton law enforcement as a whole, every one of them  
6 are united and working together to make Scranton a  
7 safer place to live. Thank you for letting me speak.

8 MS. GATELLI: Mary Ann Wardell.

9 MS. WARDELL: Good evening, Council.

10 I'm Mary Ann Wardell, I'm from the Plot Section of  
11 Green Ridge. I don't normally do this, but I'm going  
12 to read something tonight.

13 Representative government requires that  
14 public officials be independent, impartial and  
15 responsible to the people. Government decisions and  
16 policy be made in the best interest of the people so  
17 that the public have confidence in the integrity of its  
18 government. That comes from Article 7, Section 701 of  
19 the Administrative Code of Scranton.

20 Part of the Ethics Code says, Public  
21 officials shall not engage in or have financial or  
22 other personal interest in any business transaction  
23 direct or contrived which is incompatible with the  
24 discharge of his duties.

25 702F says, Public officials shall not

.

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1 vote on or participate in the selection of any contract

2 which he has a financial or other real or apparent

3 interest in the firm selected.

4 Mrs. Fanucci I realize you are new,

5 your actions last week disturbed me greatly. We depend

6 on Council to act as our representatives, and if you

7 cannot be honest, then you know what, we don't need

8 you.

9 You not only lied last week about a

10 contribution that was made, and, you know, if it was a

11 contribution of \$10 or \$20, I would say, Well, it's

12 possible you forgot it, Carl Greco contributed, I

13 understand, \$500 to your campaign, I think that's a big

14 contribution, not something that I would forget if

15 somebody contributed that to me, and then you went on

16 to state that if he had contributed, then you would

17 excuse yourself from voting on anything that came along

18 pertaining to him, and then you just went and you voted

19 on that \$10,000 contract for him.

20 I say that you do not have the

21 integrity that we need in our City Council, and I would

22 seriously suggest that you think very carefully and

23 consider resigning your position. Thank you.

24 MS. GATELLI: Les Spindler. Les,

25 before you talk, I would just like to say to

1 Mrs. Wardell, who I greatly respect and I know for a  
2 long time, that I did ask Attorney Minora for an  
3 opinion on whether Mrs. Fanucci could vote on that  
4 particular issue or not, and as I recall, he said that  
5 indeed she could vote on that particular issue.

6 MS. WARDELL: Just because it's legal,  
7 Judy, does not make it right, and it does not make it  
8 ethical.

9 MS. GATELLI: I do understand that,  
10 too, but, you know, everybody has their own vote up  
11 here. You know, I can't tell anybody else how to vote  
12 for anything.

13 MS. WARDELL: No, I'm not asking you  
14 that, Jay, I'm just saying I gave my personal opinion  
15 on what I thought was right and what should have been  
16 done. Thank you.

17 MS. GATELLI: Les.

18 MR. SPINDLER: Les Spindler, Scranton.

19 I was also going to say something on that situation. I  
20 never saw eye to eye with Mr. Pocius when he was here,  
21 but when somebody came up involving Ceco Associates, he  
22 would not vote on that, and I respected him for that,

23 and I think Mrs. Fanucci shouldn't have voted last  
24 week, and I echo Mrs. Wardell's sentiments, for lying  
25 last week, I think Mrs. Fanucci should resign  
. . .

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1 immediately.

2 On the agenda, 6-A, the \$52, the new  
3 \$52 fee that we voted on today, I wish Council would  
4 rethink that, and as Mrs. Evans suggested, instead of  
5 making that one pay period, just spread it over two pay  
6 periods or four pay periods, if you get paid every  
7 week, because \$52 out of a lot of people's check is a  
8 lot of money.

9 I heard a story this week, somebody  
10 came up here and said they knew somebody that worked at  
11 a local supermarket, they made \$82, and they already  
12 had the \$52 taken out before this was even passed.

13 That leaves the girl with \$30. That's outrageous.

14 MS. GATELLI: Les, maybe, excuse me

15 again, I'm sorry that I keep interrupting, if she  
16 doesn't make \$12,000, they won't be taking anything,  
17 and if she's only make \$80, then I don't think that  
18 adds up to \$12,000.

19 MR. SPINDLER: I was told it was

20 already taken out of her check.

21 MS. GATELLI: Yeah, but that wouldn't

22 add up to \$12,000.

23 MR. SPINDLER: I have this on good

24 authority.

25 MS. NEALON FANUCCI: Actually that is

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1 under the discretion of the employer. They can,

2 actually I talked to the tax office, and they can take

3 it out, as long as it's done within four pay periods,

4 so if you work -- if you get paid every two weeks, you

5 can have that half, you can have -- you can actually do

6 it over a two-month period, so it's actually up to the

7 discretion of the employer more than it is the

8 employee, so I think that's something they should take

9 up with their employer.

10 MR. SPINDLER: Well, if Council passes

11 it, it's by-weekly or whatever, wouldn't they have to

12 follow that?

13 MS. GATELLI: I don't know,

14 Attorney Minora. Do you think an employer would have

15 to follow, you know, if we told them -- I'm just

16 concerned that maybe they don't have enough staff, you

17 know, to do that.

18 MR. MINORA: Well, that's an

19 administrative problem.

20 MS. GATELLI: I mean, I agree with you.

21 The school district took the occupational tax out that

22 was \$15 five at a time, now they're taking the \$52 all

23 at once, so I don't understand it either.

24 MR. MINORA: The statute is supposed to

25 undergo some changes this year. I think all of the

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1 administrative problems that it's engendered is now

2 coming to roost, and the legislature is finally taking

3 a look at this and are supposed to make the changes.

4 Whether they do or not, you know, remains to be seen,

5 but I'm not sure that Council has the authority to do

6 anything outside of what the act calls for.

7 MS. EVANS: Mr. Spindler, I'm going to

8 address this later under motions. I have a bit of

9 research on this, and I'm going to point to

10 Chambersburg, Pennsylvania specifically and what they

11 have done to address the situation.

12 MR. SPINDLER: Okay. Thank you. I,

13 again, also want to address the tree house situation.

14 I think it's ridiculous that we're putting a tree house  
15 up at Nay Aug Park.  
16 As Mrs. Evans said, I think \$150,000 is  
17 UDAG money, I don't know if anyone is aware, but UDAG  
18 money can be used for anything. I think it would be  
19 put to better use taking \$150,000 and putting more  
20 police on our streets than building a useless tree  
21 house.  
22 Making our streets safer is much better  
23 than putting a tree house up at Nay Aug Park. This  
24 mayor seems to care more about Nay Aug Park than making  
25 our streets safer.

37

1 Our crime is going up all the time,  
2 even though he denies it. I think we need more police  
3 on the streets, and that UDAG money for the tree house  
4 should go to put more cops on the street. Thank you.

5 MS. GATELLI: Ed Chomko.

6 MR. CHOMKO: Good evening. My name is  
7 Ed Chomko, I live in the Bellvue Section of West Side,  
8 and I have some problems over in our neighborhood.  
9 I brought a picture, a board with some  
10 pictures, if I may approach, and let you review them

11 and see what I'm talking about.  
12 I'm here as a resident of Scranton and  
13 a business owner. I own and operate the Chomko Funeral  
14 Home in the Bellvue Section over in West Side. This  
15 funeral home has been in operation since 1905. We  
16 celebrated 100 years last November run entirely by my  
17 own family from my grandfather up to -- I'm the third  
18 generation, I have a son who's fourth generation.  
19 We've been located at this same exact  
20 property since 1930. Previous to that we are on the  
21 corner of 7th Avenue and Scranton Street, which is no  
22 longer there.  
23 I want to highlight some of those  
24 pictures on the night of Saturday, January 21, this  
25 Saturday past.  
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38

1 Sometime after midnight, the funeral  
2 home property was vandalized quite severely. Damaged  
3 were three pillars, three light standards at a cost  
4 \$600 each, the tops of the pillars are 6 foot tall, so  
5 an individual just can't reach up and smack something  
6 because the lighting on top of that pillar is an  
7 additional two-foot high, so we're talking 8 foot in

8 height.

9 Some individual decided to come along

10 with a baseball bat or a pipe and destroy this. For

11 what reason, I don't know.

12 I didn't learn of this until

13 approximately 7:40 in the morning when my neighbor

14 across the street was ringing my doorbell frantically,

15 and he was a nervous wreck, Eddie, Eddie, look what

16 happened, and I didn't know what he was talking about.

17 I went out and I looked and I said, Oh,

18 My God, here we go again. This has been going on for

19 the last 15 to 16 months.

20 I had asked an individual who is seated

21 up here tonight if they could get some records from me

22 from the police department. She got some. All of

23 these reports that I requested, they're not there.

24 The police officer came, turned them

25 in, but they were never recorded, never recorded. One

.

39

1 of the big questions was, last year in December, the

2 front of our funeral home was shot up, and I do mean

3 shot up. I had to replace over 40 feet of siding, six

4 windows.

5 Now, these are not cheap windows, these  
6 are not replaceable windows, they're all custom made,  
7 had to have them all redone. Mesko Glass did it. I  
8 wasn't sure of the date, so I called Mesko and they had  
9 the date of installation, and it was approximately  
10 seven days before that that the damage was done.  
11 The day they installed them was  
12 December 10, 2004. From that date on, there has been  
13 nothing but problems over in the Bellvue Section.  
14 I'll give you some more ideas. After  
15 that damage was done, I guess these people felt it was  
16 pretty funny, saw us out there with an electrician and  
17 myself for over eight hours on Sunday, didn't get to go  
18 to church because I had to run up to Home Depot to try  
19 to get a lot of things that hopefully were there.  
20 It was four o'clock in the afternoon  
21 when we came in out of one of our parking lots. As I  
22 said, \$600 bucks a piece.  
23 That night I felt, Oh, they're not  
24 going to come back. Sure enough, that night they  
25 returned again. This time they tagged. They tagged  
.

40

1 lighting fixtures that you see there, they tagged

2 sidewalks, and now what I highlighted that very same  
3 night, there was an incident across the discount dollar  
4 store on Meridian Avenue where the shots were fired, so  
5 the police came that very night.

6 If you take a look at the back of Vullo  
7 Motors, look what they did that very same night. It  
8 wasn't shots fired, it was somebody calling in because  
9 there were too afraid to say who they were or whatever  
10 because there are individuals who are doing this.

11 I have actually here, I'm no  
12 investigator, I'm not the FBI, I have names of  
13 individuals, Social Security Numbers, cell phones.  
14 People were arrested on December 26, and still haven't  
15 been before a judge, a magistrate or anyone, but I have  
16 their names.

17 MS. EVANS: Mr. Chomko, I know I've  
18 been in touch with you nearly every day this week.

19 MR. CHOMKO: Yes.

20 MS. EVANS: And I did meet with  
21 Chief Elliott, as I told you on Tuesday, I spoke with  
22 him again yesterday. Yesterday, in fact, the three  
23 individuals who had tagged Vullo Motors were charged.  
24 In addition, there is an Email that  
25 went out to every officer on the force concerning your

.

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1 property and the area of Railroad Avenue, so that they  
2 are all well aware of this in keeping a watchful eye  
3 out.

4 In addition, let me see what else I  
5 have, I did, as I told you, report all of those  
6 problems that we had discussed. There was something  
7 else, though. Oh, your 2004 file will be forthcoming,  
8 and I did indicate to the chief that the shooting that  
9 occurred to your windows was in November or December of  
10 2005.

11 MR. CHOMKO: It was actually four,  
12 2004.

13 MS. EVANS: Right, 2004, and he has  
14 told me that he will find all of that information for  
15 me, as well.

16 MR. CHOMKO: I mean, I've had windows  
17 busted out of cars, cars vandalized, stereos taken out  
18 of them in my own parking lot, my own parking lot.  
19 I've even found a vagrant in one, sleeping in one, he  
20 busted the windows because it was cold, and they were  
21 picked up, he was picked up.

22 MS. EVANS: Did Officer, although this

23 may not be his proper title, did Officer Duffy speak

24 with you?

25 MR. CHOMKO: Yes, he did.

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1 MS. EVANS: Okay. So, then you know

2 also he has been to the dollar store, he's instructed

3 the owner that they are not to sell spray paint to

4 anyone under the age of 18, and that if anyone does

5 come into the store, he's to report that to the police

6 immediately.

7 MR. CHOMKO: Well, the reason I'm

8 bringing this up is because I don't want to see it come

9 to a point where citizens have to take action

10 themselves.

11 MS. EVANS: Absolutely. That's why

12 I've been intervening --

13 MR. CHOMKO: It's going to be good

14 people doing bad things, and they're the ones that are

15 going to have to pay for it, not these individuals that

16 are doing the destruction and damage.

17 You know what, just to close, I would

18 like to say one thing, if this was your home and this

19 was your property damaged and you called the mayor and

20 you called the chief of police and you get no response  
21 at all, what would you do? What would you do? I know  
22 what I'm going to do, but I don't know what you would  
23 do, but I do know what I will do.

24 MS. GATELLI: Bill, are there any  
25 neighborhood police patrol in that area?

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1 MR. COURTRIGHT: I don't believe that  
2 we have one. No, there isn't down in the Bellvue area,  
3 no.

4 MR. CHOMKO: There hasn't been for  
5 several years.

6 MR. COURTRIGHT: Right. My  
7 understanding is in the neat future we will have two  
8 more. I don't know if they will be designated to that  
9 area.

10 I'm going to bring up an incident later  
11 on that's in another part of the city, something  
12 similar to this, I won't say the names because there's  
13 something going on, but it's not -- I feel for you  
14 greatly, and unfortunately it's not happening just in  
15 your area. We've got problems we've got to address.

16 MR. CHOMKO: But we have no crimes or

17 gangs in our city.

18 MR. COURTRIGHT: Right.

19 MS. GATELLI: Well, we all know better

20 than that.

21 MR. COURTRIGHT: I'm assuming that the

22 police department has pictures of that, the tagging so

23 that they know it's a gang.

24 MR. CHOMKO: No.

25 MR. COURTRIGHT: They don't have

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1 pictures of that?

2 MR. CHOMKO: They never took a picture,

3 to my knowledge, when I was present.

4 MR. COURTRIGHT: Do you want to leave

5 -- would you mind leaving that?

6 MR. CHOMKO: Yes, I have doubles of

7 everything.

8 MR. COURTRIGHT: I'll bring it down

9 tomorrow. I don't know who's investigating it, I would

10 imagine who is in charge would be Acting Captain

11 Leoncini, and I will take that to him tomorrow and ask

12 him if he can be in contact with you or whoever they

13 assigned to your problem and see if they can do it --

14 because some of it, I'm not an expert at it, but some

15 of it looks like --

16 MR. CHOMKO: They're signing their own

17 names.

18 MR. COURTRIGHT: That looks like gang

19 graffiti there, so --

20 MR. CHOMKO: Yeah, they're signing

21 their own name to it as to what gang they're with and

22 who they are.

23 MR. COURTRIGHT: Officer Bonain and

24 Fleshko, I think, would know if it's a gang or what

25 gang it is.

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1 MR. CHOMKO: I can tell you their

2 names, let them come to me and I'll give you their

3 names.

4 MR. COURTRIGHT: I'll ask Captain

5 Leoncini if he can have somebody get in touch with me,

6 and then I'll have him return your pictures. Thank

7 you.

8 MS. EVANS: Mr. Courtright, Officer

9 DeNaples has been working on this, and she's been --

10 there's a witness to some of the events that occurred,

11 she has been in touch, and actually this has resulted  
12 in those three individuals being charged, as I said,  
13 just yesterday, so they are very much aware of what's  
14 going on.

15 As I said, you know, they're making  
16 every effort to be on top of this. Mr. Chomko has been  
17 suffering at the hands of vandals now for several years  
18 to, you know, a point of not only mental anguish, but  
19 financial hardship, and so have the businesses, the  
20 other businesses in that area to a point of even  
21 finances being cut with wire cutters.

22 So, I think it, you know, it's a very  
23 good measure that Chief Elliott is taking in terms of  
24 alerting all of the men and women to this, keeping them  
25 watchful in the area, and, you know, as you said, also

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1 reaching out to the local businesses to put them on  
2 notice about doing any business with individuals 18 or  
3 under, and, you know, as I also said earlier, an Email  
4 was sent, I believe, by Officer Duffy to everyone on  
5 the force concerning the case.

6 MS. GATELLI: Robert McHugh.

7 MR. MCHUGH: Hello once again, City

8 Council members. As I was starting to say earlier, my  
9 wife and I reside at 808 Electric Street in the Green  
10 Ridge Section of Scranton here, and as of late, we've  
11 been experiencing some minor vandalism.

12 And as I'm hearing with other residents  
13 and business owners in the city, as well, who have  
14 experienced much more than we have had, I'm very  
15 discouraged already before I even start, because if  
16 these poor people aren't getting any help, something  
17 tells me I'm not going to get much either.

18 The police have been out to our home on  
19 three separate occasions recently. I have one of those  
20 silly inflatable football players in our front yard,  
21 which was totally destroyed. Minor, but it could lead  
22 to bigger things.

23 The next week my wife's brand new  
24 vehicle, granted it's not a Jaguar or BMW, like some  
25 of our neighbors' vehicles , but brand nonetheless, had

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1 egg all down the side of it. Once again, called the  
2 police, they came out, they were very kind and  
3 professional and courteous to my wife and myself, but  
4 basically said, You know, that's unfortunate, sorry to

5 see that, you know, I'm sorry that happened to you, but  
6 there's not a lot they can do, unfortunately unless  
7 they have to be passing by at that exact precise  
8 moment.

9 Which brings me up to the next thing of  
10 lack of police passing through. Green Ridge on  
11 Electric Street was a very nice area at one time. The  
12 mayor is one of my neighbors, so I've heard. I don't  
13 know which home is actually his. I wish I would,  
14 though, be able to locate it, because he will not  
15 return any of my phone calls.

16 Now, I'm sure Mr. Bolus' phone calls do  
17 get returned, as mine do not. Unfortunately I do not  
18 come from an influential family in the area of  
19 Scranton, we're just regular blue collar workers, which  
20 I don't feel that should make our problems and things  
21 that we're going through any less important, and I'm  
22 sure they're not, but sometimes that's the impression  
23 we get when we deal with the local police or the  
24 mayor's office.

25 I received my tax bill today which I

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1 receive every year very promptly right around this

2 time, right on the button, but -- and I have only until  
3 the end of April to pay these, or I get a penalty,  
4 which I have to pay if I do not pay it by that time.  
5 Now, with that being said, when could I  
6 expect some results from these list of complaints, and  
7 what fashion and what time frame can I expect them, and  
8 if not, what type of penalty do you have to pay me,  
9 because I think that is only fair.

10 My wife and I, we're very fortunate to  
11 inherit our home. We are the black sheep of the block,  
12 believe it or not. We're blue collar workers, but I  
13 live in a \$300,000 home, and it's very hard sometimes  
14 with the property taxes going up and up and up, along  
15 with everything else that comes with it --

16 MR. COURTRIGHT: Mr. McHugh, up here,  
17 sir. I'm sorry to interrupt you. I just -- I can't  
18 answer for why or why not the mayor doesn't call you --

19 MR. MCHUGH: Right.

20 MR. COURTRIGHT: -- but is there  
21 something that the police department isn't doing that  
22 you feel they should be doing or has anybody been  
23 discourteous to you?

24 MR. MCHUGH: No, not at all. It's just  
25 that, you know, I'm sick and tired of it.

1 MR. COURTRIGHT: They're not making you

2 feel like second class --

3 MR. MCHUGH: No, not at all. As I

4 stated just a moment or two ago, they have been very

5 polite and courteous, but that's all well and fine, but

6 --

7 MS. EVANS: Mr. McHugh, I think I hear

8 you saying this, yes, the police have been very

9 cooperative, the problem lies in the following, that

10 unless the police actually see the crime being

11 communicated, they can take a report on it, but there

12 is virtually tile nothing they can do.

13 MR. MCHUGH: Right.

14 MS. EVANS: So, the ultimate answer, I

15 believe, to all of this, because it's certainly not,

16 though, I'm very sorry to hear what you have said

17 tonight, but as you've heard earlier, this is a

18 problem, a great problem that affects every area within

19 the City of Scranton, and the ultimate answer is

20 something that I've been asking for and focussing on,

21 as has Mr. Courtright, since we took office, and that

22 is the fact that the City of Scranton needs more

23 police.

24 MS. GATELLI: Please.

25 MS. EVANS: And I know earlier tonight

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1 citizens complained about a proposed tree house at Nay

2 Aug, and I was going to address later, because frankly

3 I've been flooded since the announcement hit the

4 newspaper, flooded with Emails and phone calls that

5 oppose such construction, and people want the

6 necessities addressed.

7 They're asking about their streets

8 being paved and overwhelmingly asking for more police

9 protection and beat cops, and I think a tree house is a

10 wonderful, wonderful idea, and it will certainly

11 beautify the park, but I think, as was mentioned by

12 Mr. Sbaraglia earlier, I had the same idea, which was

13 part of my response to those who contacted me, I think

14 that issue would be better served by private

15 sponsorships entirely, and any money that we can

16 possibly place our hands on, and of course oftentimes

17 Council's hands are tied by the administration, but

18 every available penny should be going toward these

19 necessities to take care of the people who pay for this

20 city and pay for this government and pay the salaries  
21 of every elected official, and until the priorities are  
22 put in order, until the priorities of the  
23 administration are the people's priorities, I'm afraid  
24 we're not going to get the number of police we need to  
25 protect our properties, our businesses, our  
. . .  
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1 neighborhoods, our downtown, and I honestly believe the  
2 police force we have now does an excellent job, they  
3 work very hard, but they are overwhelmed. There's more  
4 crime than there are officers to be able to address all  
5 the calls that they're receiving, not just throughout  
6 the overnight hours, but around the clock.  
7 It's seldom you can open a newspaper or  
8 turn on your local news and see that there hasn't been  
9 another incident of crime in Scranton this day.

10 MR. MCHUGH: Which that is why we feel  
11 that our problems are going to be just tossed aside,  
12 because they are so minor and so trivial with all the  
13 drug crimes and assault crimes that are going on in the  
14 city, and compared to those crimes they are, but at the  
15 same time we would like it to stop.

16 MS. EVANS: Oh, I agree, but what I'm

17 saying is, these things cannot be adequately addressed  
18 until you have the numbers to address them so that you  
19 have police walking your streets, you have police in  
20 cruisers going through the neighborhoods. It's a  
21 27-square mile area, and it requires more than what we  
22 have, not less. So, until you're going to see that  
23 properly funded, we're all suffering.

24 MR. MCHUGH: And one other issue I had  
25 that I wanted to mention real quick, too, was the lack  
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1 of attention that Electric Street gets when we do get a  
2 snowstorm. All of my neighbors', my home included, is  
3 worth a couple hundred thousand dollars each. We pay  
4 probably some of the biggest property taxes than most  
5 people in the City of Scranton, not all, but most  
6 areas, well, I don't know, I could compare tax bills  
7 with you, but I know I came down Electric Street last  
8 Sunday morning in my brand new vehicle, and if that car  
9 skidded off the road through my neighbor's fence and up  
10 onto my neighbor's porch, who would pay that, myself or  
11 my insurance company or would I have to in turn come  
12 after the city because of their neglect?

13 MS. EVANS: Well, that's, again, that's

14 a problem I know that has been reported from the  
15 residents of East Mountain, and I'm a Green Ridge  
16 resident, also, and I had the exact same problems that  
17 you just described, and even with a pickup truck, my  
18 husband's pickup truck was swerving through  
19 North Washington Avenue up at our end of it.

20 MR. MCHUGH: So, what do we do? I

21 mean, I don't know. I mean, we pay the taxes, and it  
22 seems like the more and more we pay, the less and less  
23 we get. That doesn't seem very fair to me.

24 MS. GATELLI: I will report your snow

25 problem to Mr. Parker, and I'm supposed to be getting a  
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1 list of the new beat patrols, and I believe

2 Green Ridge is included in a beat patrol.

3 MR. MCHUGH: I know two of them were

4 taken away.

5 MS. GATELLI: Well, they're coming

6 back.

7 MR. COURTRIGHT: Kay, did Chief Elliott

8 fax that up to us today, he was supposed to fax it to

9 us.

10 MS. GARVEY: No.

11 Mr. Courtright: Okay. Hopefully we  
12 will have it for next meeting. I spoke to him today,  
13 he's going to fax a report where every beat officer is  
14 in the city.

15 MR. MCHUGH: Thank you very much for  
16 your time.

17 MS. EVANS: Thank you.

18 MS. GATELLI: Lee Morgan.

19 MR. MORGAN: Good evening, Council. My  
20 question is, Mr. McTiernan, I made a request of you  
21 last week, and I would like to know what progress  
22 you've made on that request that I've made.

23 MR. MCTIERNAN: I submitted your  
24 questions to the business administrator's office, he  
25 timely responded to me today, I'm going to go through  
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1 the information that he gave me and hopefully have that  
2 information back shortly.

3 MR. MORGAN: Okay. I'd like to view  
4 that at the Council office.

5 The other thing I have here is I second  
6 what Mrs. Wardell said from this podium in regard to  
7 Mrs. Fanucci, but I have another question, and that

8 question is this, Mrs. Fanucci, not to be antagonistic,  
9 but just for general information, did you vote to grant  
10 Mr. Pocius a pension?

11 MS. NEALON FANUCCI: Yes.

12 MR. MORGAN: Did you know that's in  
13 violation of the Home Rule Charter?

14 MS. NEALON FANUCCI: I don't know what  
15 it's in violation of, I was going on the advice of  
16 counsel for the pension board.

17 MR. MORGAN: Okay. Well, you know  
18 what, the advice of counsel of the pension board means  
19 absolutely nothing, because you are held to what the  
20 rules of Council are because you're a representative,  
21 and I think that you should follow the Home Rule  
22 Charter, because you should be setting an example and  
23 follow the rules as they're put in place.

24 And when you violate Council's rules  
25 being a Councilman, that's a terrible precedent to set.

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1 MS. NEALON FANUCCI: It actually wasn't  
2 a violation of the rules, if I can explain to you that,  
3 and everyone who's listening, this was not an idea of  
4 whether or not it was in violation of the rules, it was

5 opening the pension up to a huge lawsuit to deny  
6 somebody before the verdict has been in, that's what  
7 the issue was. The issue had nothing to do with the  
8 rules, it had to do with the law.

9 MR. MORGAN: Okay. What does Council's  
10 rules say about compensation for a Councilperson, it  
11 says they will get no other compensation besides their  
12 salaries, isn't that what it says?

13 MS. NEALON FANUCCI: Yes, no doubt.

14 MR. MORGAN: Okay. And you voted to  
15 give somebody a pension, even know it's in violation of  
16 those same rules, okay?

17 I mean, and I'm going to tell you  
18 another thing, I have another very serious problem  
19 here, you know, I sat in the work session here and I  
20 listened to the solicitor talk about what freedom of  
21 speech Judge Mazzoni had decided through his infinite  
22 wisdom we should be allowed to have, and I think this,  
23 we've got a very serious problem in the courts,  
24 especially in The Court of Common Pleas, because the  
25 Supreme Court has already ruled, this is settled law,

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1 this isn't something up to his speculation, okay?

2 And the other thing is, a time limit to  
3 speak from Council, that's already been discussed by  
4 the Supreme Court, and that's not legal either, okay?  
5 And I just find it very troubling that  
6 Council would even allow their solicitor to entertain  
7 such a thought, so that's taking us exactly the wrong  
8 way. Freedom of speech should never, ever be stifled  
9 by any public official ever.

10 Now, my other question is this, we've  
11 discussed a lot of things here in regards to blight,  
12 and you know what, I'd like to have somebody at Council  
13 appointed, because I have my own opinions on blight,  
14 and I'd like this Council to discuss with the city,  
15 because, you know, I'm really tired about hearing about  
16 slum lords and all this, because you know what, these  
17 people are investors, okay? Everybody's not a slum  
18 lord, okay?

19 There's very, very deep-rooted problems  
20 in this community that have taken place over 50 years,  
21 and you know what, it all stems back to Council and  
22 elected officials, okay?

23 You've got -- you've decimated the wage  
24 base here, just absolutely decimated it. I've seen no  
25 radical changes to bring this city back to economic

1 vitality, none, for a very long time.

2 My other question is, what is going on

3 as far as the dog situation, okay, because other

4 communities have enacted vicious dog laws, and the last

5 Council couldn't seem to move any legislation to

6 protect children and -- well, residents of the city

7 from vicious dogs, and I think that sooner or later,

8 this Council has to actually start doing something and

9 we need some legislation to protect people, and I think

10 that the best thing you can do is utilize your

11 solicitor in a manner that's conducive to change

12 instead of trying to stop us from expressing

13 ourselves from this podium. We need real change, and

14 we need this Council to bring this change.

15 And, you know, the questions I have for

16 Mr. McTiernan are only the beginning, because what

17 we're going to do is we're going to dissect Council.

18 I'm very troubled that two Council

19 members are going to go and sit in a meeting with the

20 PEL to skirt the Sunshine Laws. I really think that

21 these meetings should be open to the public, that PEL

22 has done absolutely nothing for this community for a

23 very long time, and I think that these meetings should  
24 be open and people need to know what's happening, and  
25 we're in the dark too much, and we need to have people  
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1 invited to these meetings, like myself and others who  
2 care and want to see change, and I hope you'd consider  
3 that. Thank you.

4 MS. GATELLI: Julie Jones.

5 MS. JONES: Good evening, Council.

6 Julie Jones, city resident. Before I start, I have two  
7 comments from prior speakers. Number one, what  
8 Doug Miller brought up, I think is an excellent idea, I  
9 think it should be tabled, I think they should have the  
10 kids get involved.

11 I've never seen kids involved in  
12 politics like I have today. When I was a kid, I was  
13 not involved in politics, and you didn't hear other  
14 kids talking about it. The kids today are sometimes  
15 are more involved than some of the adults, and I think  
16 Doug represents them all, and I think it should go  
17 through all the schools, and I would hope that you  
18 consider his idea.

19 As far as the pool issue, I have a

20 problem with that, too. I just don't think people  
21 should be penalized because they don't have the money  
22 to swim.  
23 For instance, all right, our properties  
24 are getting damaged, now, we pay taxes, we pay garbage,  
25 we pay to use the pool.

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1 You know, what would happen if we  
2 started deducting our loses out of the money we paid  
3 the city? They won't like it. But we can't keep  
4 fixing our properties like everybody else. I mean, I'm  
5 speaking for me, I can't keep fixing it.  
6 You know, my son is 16 years old, any  
7 16-year old should be out enjoying life, he's out  
8 working his butt off to help us stay in the City of  
9 Scranton, and you know what, that's, in my eyes, that's  
10 terrible. You know, they should be enjoying their  
11 life, and these kids, just to stay here, are  
12 struggling.  
13 And I'm going to tell you, if he was  
14 not at Scranton High, we would dump this city in a  
15 second because it has gotten deplorable.  
16 Okay. I think it would be a good idea

17 to put the Email addresses of all Council members on  
18 the back of the agenda, so that people who could not  
19 make the meetings would still be able to voice their  
20 concerns.

21 Also I think that traveling meetings is  
22 not a good idea. It was tried in the past and it did  
23 not do well, and also it would not be live on TV.

24 Also, I have a concern with one of the  
25 district school busses. I have called the district on

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1 many occasions, but once again, something has fallen on  
2 deaf ears.

3 I have witnessed several incidences  
4 where Bus No. 41, which is a special ed bus does not  
5 follow the rules, stop signs are yield signs to this  
6 bus, and it also does not use its red flashing lights  
7 to stop traffic from passing.

8 This is of great concern, because it is  
9 a special ed bus, and someone is going to get hurt or  
10 hit, and I would like that addressed.

11 MS. GATELLI: What section is that?

12 MS. JONES: It's the South Side bus,

13 Bus No. 41. I also feel that Mrs. Evans was correct

14 last week, if a Council member had received a  
15 contribution from Mr. Greco, they should not vote on  
16 anything pertaining to Mr. Greco. That is not a good  
17 definition of a dedicated Council member to the  
18 citizens of the City of Scranton.

19 Our money -- Mr. Greco gets enough of  
20 our money and he should not be handed it on a silver  
21 platter. The pay to play politics has to stop now and  
22 we need to move forward for once.

23 Also, I would like to say good luck to  
24 you, Janet, in your new campaign, and I would be more  
25 than happy to help you in your new endeavor. You have

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1 must 100 percent plus support, just give me a call, and  
2 I think --

3 MS. GATELLI: Excuse me. Please, we're  
4 not going to talk about politics, okay? Thank you.

5 MS. EVANS: Thank you. And Mrs. Jones,  
6 if you would like to see this, I do have the electric  
7 bills for 2005 for Nay Aug Park.

8 MS. JONES: Yes. And as far as  
9 politics, like Mr. Morgan said, freedom of speech, we  
10 could do it.

11 MS. GATELLI: Attorney Minora, can we  
12 talk about politics at the podium, about who we want to  
13 support for --

14 MR. MINORA: Partisan politics  
15 shouldn't be discussed.

16 MS. JONES: To wish somebody good  
17 luck?

18 MS. GATELLI: Until someone brings me a  
19 legal opinion that says you're allowed to talk about  
20 voting for partisan politics, you will not be allowed  
21 at this podium.

22 MS. JONES: I will bring the legal  
23 thing next week.

24 MS. GATELLI: You bring it to  
25 Attorney Minor and we'll review it. Phyllis.

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1 MS. HUMPHREY: (UNTRANSCRIBABLE),  
2 Assalaam Alaikum, Shalom, may peace of God be with you  
3 in your hearts and souls and in this world.  
4 First I want to say one thing, my  
5 daughter lives on 1314 Eynon Street, and they have  
6 handicapped parking, and what transpired is my daughter  
7 is getting tickets because she doesn't have a place to

8 park, visitors are coming and taking the parking spots

9 so they could rectify that.

10 MS. GATELLI: What was that address

11 again?

12 MS. HUMPHREY: On 1314 Eynon Street. I

13 want to put this around me, excuse me. I'm going to go

14 by number and I'm not going to speak it. Article One,

15 Article Two, Article Three, Four, Five, Six, Seven

16 Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen,

17 One, Two, Three, Article 15, One, Two, Three,

18 Article 17, One, Two; Article 18, 19, Article 20,

19 Article 21, One, Two, Three, Article 22, Article 23,

20 One, Two, Three, Four, Article 24, Article 25,

21 Article One, Two and 25, Article 26, Article --

22 MR. COURTRIGHT: Phyllis, Phyllis, what

23 are you talking about here?

24 MS. HUMPHREY: Article 27, One, Two,

25 Three, Four, Five. This is the Preamble to the United

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1 States --

2 MR. COURTRIGHT: Okay.

3 MS. HUMPHREY: Last week when I was

4 here, first I was told not to say anything personal,

5 which the personal had to do with criminal and crime in  
6 the city, which people talk about, that's number one;  
7 number two, I was told to leave the podium.  
8 It's my rights, and at this point my  
9 mission is for peace, my mission is for respect of my  
10 countrymen, of the people that sit here at that office,  
11 and I do respect you very much for what you are all  
12 called to, but if it's an infringements on my rights,  
13 then have to question everyone at this point.  
14 Mrs. Evans is a wonderful person, and  
15 she believes in the support of women and the support  
16 of, I know, freedom of speech. She's a kind, she's a  
17 loving, she's a caring person.  
18 I want to have -- at this point you  
19 know what I think they really should do, we should go  
20 to Philadelphia, get the big Liberty Bell, bring it  
21 down here with independence and everything and erect it  
22 right in front of our courthouse, that's what really  
23 should be done.  
24 I want my country, I want my city, I  
25 want my town, I'm from Eynon, I've been violated and  
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1 said a lot of things, which I would never say because

2 I'm a lady, that I was brought up on the wrong side of  
3 the railroad tracks, guess what, you jump over to the  
4 other side of the railroad track.

5 My grandfather was adopted when he came  
6 here, he was an engineer for the railroad, my mother  
7 was a housewife, my brother got the commendation metal  
8 for saving the town of Japan from blowing up, I have  
9 seven uncles in the service, I have people in the  
10 service right now serving different countries, I am  
11 proud of the town I live in, in Eynon, Pennsylvania,  
12 and I hope to God that everybody does have their  
13 freedom.

14 I do not force what my beliefs are, but  
15 I have a right as a United States citizen and a human  
16 being with a heart that's inside of me that if I see  
17 something who's doing something wrong, I want to give  
18 my hand, give my opinion to let them know in their  
19 conscience and to think what they are doing.

20 I love you, and I will be going, I  
21 don't know when it will be, I will be going to the  
22 United Nations. But if Freedom of Speech is taken out,  
23 like they're taking the children out of the womb, then  
24 what kind of world do we have? It is becoming  
25 communistic.

1 And I hope to God every one of you  
2 women that are here, you do have the guts, and if you  
3 have to have, like, testicles to stand up for the  
4 rights of people --

5 MS. GATELLI: Excuse me, excuse me,  
6 you're out of order.

7 MS. HUMPHREY: No.

8 MS. GATELLI: You are out of order with  
9 that language.

10 MS. HUMPHREY: I want to support you.

11 MS. GATELLI: It won't be tolerated.

12 Please sit down. Please sit down or you will be  
13 removed.

14 MS. HUMPHREY: I said it in a very  
15 medical way.

16 MS. GATELLI: We don't use those terms  
17 here. Thank you very much. Was there anyone else that  
18 would care to speak?

19 MS. HUMPHREY: Support freedom.

20 MR. ELLMAN: I'm Ronny Ellman, I live  
21 on North Main Avenue. About a year and a half ago, I  
22 had an appraisal on my house, which was in the

23 seventies, a few months ago I got another appraisal

24 about a reverse mortgage, it went down \$12,000.

25 I said to the lady, I said, You know,

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66

1 what is going on? She said, It's blight in your

2 neighborhood.

3 Since last year I've been complaining

4 about the ses pool in 26, 2700 block, I guess, behind a

5 condemned building, and nobody has done a thing. I've

6 had nothing but deliberate blatant lies from the

7 licensing bureau and some other people. I can't get

8 nothing done.

9 Now my house has gone down, but my

10 taxes used to be \$415 a month, my house note and taxes

11 were \$415, now my note is the same, but I pay \$694

12 house note because I had to catch up because the bank

13 didn't take out enough over the years.

14 My whole neighborhood is deteriorating

15 around me, the 2600 block of North Main. I got the

16 Smith house a block up that just, you know, it's

17 falling down, right around the corner from them is a

18 house that burned and nobody has cleaned up the yard

19 in, I guess, in six months. This is how it is

20 everywhere, and nobody cares.

21 The mayor is so detached from the

22 people of this city, he could care less what is

23 happening. You know, he's worrying about a tree house,

24 what if a kid falls out, I could imagine what the

25 insurance is going to be on a tree house.

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67

1 We're borrowing money to pay salaries,

2 and I have to read the paper today about a tree house.

3 You know, it doesn't make sense.

4 And I'd like to say one other thing

5 real quick, North Main Avenue has just turned into,

6 like, a racetrack from Market Street to Johnson Tech, I

7 guess.

8 There's cars, including the school

9 buses in the morning, going two and three times the

10 posted speed limit. I got a basset hound, got little

11 shorts legs, you have to run like hell to cross the

12 street, you know, you have to drag him or pick him up,

13 and he weighs 70 pounds, like picking up a bowl or

14 Jello or something.

15 But cars don't even care about the kids

16 in the morning. I see them, you know, they look both

17 ways and shoot across the street, guys don't even slow  
18 down. It's unbelievable. It's the driver mentality,  
19 it's not the police's fault, because I see a lot of  
20 police cars, it's not their fault at all, I don't know  
21 what causes it, but I was told when I complained about  
22 a pothole that North Main Avenue was a state road, why  
23 can't somebody put radar up for a while?  
24 And I'd like to thank you for having  
25 the -- mentioning the troops at the beginning, I  
.  
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1 thought that was nice. Thank you.  
2 MS. FRANUS: Fay Franus, Scranton,  
3 Pennsylvania, all right, 327 Railroad Avenue. I'd like  
4 to commend Eddie Chomko for coming up here, I give him  
5 a lot of credit, because he has been very upset about  
6 this.  
7 Like, how is that going to satisfy him  
8 if he goes up there and stand in this tree house  
9 amongst all these people and say, It's amazing how we  
10 have this little tree house that I'm standing in, but  
11 in the meantime my windows are getting smashed? It  
12 doesn't make sense.  
13 I know the police -- I think you should

14 do something about getting more police. I don't know  
15 what you do, but you better find a way. Enough of this  
16 craziness with tree house and even downtown.  
17 I want to address this dog park. I  
18 don't know where we're going with this, but it hasn't  
19 gone anywhere, and it's years. Mrs. Evans, you know  
20 how many years this has been.

21 MS. GATELLI: I'm just going to  
22 interrupt you, is that okay?

23 MS. FRANUS: Yeah, sure.

24 MS. GATELLI: The dog park is going to  
25 be at Connell Park.

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1 MS. FRANUS: Yes. But when?

2 MS. GATELLI: Well, they're supposed to  
3 start in the early summer with the renovations up  
4 there, and that's where the dog park is going to be.

5 MS. FRANUS: Yeah, I heard that, but I  
6 haven't heard anything about the plans on it.

7 MS. GATELLI: Would you like to see the  
8 plans?

9 MS. FRANUS: Uh-huh.

10 MS. GATELLI: Okay.

11 MS. FRANUS: Yeah, I'd certainly like  
12 to see the plans, and you say the beginning of summer  
13 it may be completed?

14 MS. GATELLI: Yes.

15 MS. FRANUS: It's going to be fenced  
16 in, right?

17 MS. GATELLI: It will be started then.

18 MS. FRANUS: Well, it shouldn't take  
19 long, all it is a fence and a couple benches.

20 MS. GATELLI: No, it shouldn't.

21 MS. FRANUS: I know Mr. Morgan was  
22 talking about the dogs, but let me address another  
23 issue on the other side of the fence, somebody in this  
24 city better start taking care of the dogs. The animal  
25 abuse officer, I've called how many times. Nobody  
.

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1 calls me back, and I see dogs every day that are being  
2 abused, and nothing is being done.

3 These owners have to start either going  
4 to jail, paying huge amounts of fines. It's not right.

5 These dogs don't rights, and they should.

6 They absolutely should have -- who is

7 going to take care of them? I can't. It's against the

8 law for me to take care of somebody else's dog, but  
9 somebody better do it, because like Eddie said, He's  
10 going to take the law into his own hands, and this is a  
11 different respect, but I certainly will.

12 As far as this pension thing, could I  
13 possibly take a poll here on who voted to give  
14 Mr. Pocius a pension? Is this legal? It's completely  
15 illegal.

16 So, here is my point, if something is  
17 wrong, it's wrong. How could you justify any reason  
18 whatsoever to vote for something that's wrong when you  
19 know it's wrong? Then you shouldn't be sitting there.

20 I mean, don't insult our intelligence. Mrs. Evans.

21 MS. EVANS: No, I would not vote in  
22 favor of the pension. I was going to address what  
23 sections of the Home Rule Charter are violated by such  
24 later, but it's not, I don't believe, a Council  
25 decision.

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1 First of all, the pension is offered to  
2 each and every Council member by the human resources  
3 department, and I can tell you that all five Council  
4 people seated here tonight all refused to participate

5 in that pension plan.

6 MS. GATELLI: But, you know what,

7 Mrs. Evans, I really find it appalling that they ask

8 you.

9 MS. EVANS: I do, too.

10 MS. GATELLI: And I'm not sure why they

11 ask you, because I thought the issue was resolved, but

12 apparently it's not until the court case is finally

13 settled, but I don't -- speaking for myself, and I'm

14 sure Mrs. Fanucci was the same way, they're almost

15 forcing you to take it. You --

16 MS. EVANS: It's offered, and you must

17 --

18 MS. GATELLI: The law is the law. And

19 you cannot even say, No, I'm not interested, you have

20 to type a letter and put it in writing. Well, we did.

21 But I was saying that at the caucus meeting that --

22 MS. EVANS: Yeah. We brought this up

23 two years ago. The problem is in human resources

24 making the offer to newly seated Council people, all

25 newly seated Council -- well, term after term after

.

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1 term, and until that's addressed, and, you know, that

2 was one of the first issues that I addressed when first  
3 seated in 2004, but apparently that fell on deaf ears,  
4 because human resources, again, offered Mrs. Gatelli  
5 and Mrs. Fanucci a pension, but they declined.

6 Now, with regard to the pension board  
7 meeting, all of Council does not attend those meetings,  
8 that cannot occur, so the president can attend, but  
9 Mrs. Gatelli has a full time position during the  
10 daytime hours, as do most of us, and so she can appoint  
11 a proxy to attend the meeting in her place, and  
12 Mrs. Fanucci, I believe, is in charge of that particular  
13 subcommittee, and so she would be the apparent choice  
14 for proxy for Mrs. Gatelli.

15 And, you know, I've never served as a  
16 proxy, so I can't tell you if Mrs. Fanucci is casting  
17 Mrs. Gatelli's vote or your own --

18 MS. GATELLI: No, her own.

19 MS. EVANS: Okay. So, in other words  
20 then the proxy will take the place of the president --  
21 representing the president, I would think, by voting  
22 independent of the president; is that correct?

23 MS. GATELLI: Yes.

24 MS. EVANS: But we were not all asked  
25 about that; in other words, all of Council did not vote

1 on this.

2 MS. GATELLI: I don't think the proxy

3 -- when you're the proxy, I don't think all of Council

4 is ever asked. I don't know, I mean, I was never here

5 before.

6 MS. EVANS: No, never.

7 MS. FRANUS: By my main concern is

8 Mr. Pocius, this is illegal. He doesn't need to go to

9 court to find this out, the lawsuit. No, he should not

10 get it, it's right in the rules, so how do you sit

11 there and vote yes to give him a pension, and I ask

12 which one -- how did you vote?

13 Well, we didn't vote. That's what

14 Mrs. Evans is saying. The --

15 MS. GATELLI: Well, we didn't vote.

16 That's what Mrs. Evans is saying. The --

17 MS. FRANUS: Mrs. Fanucci, what did you

18 do?

19 MS. NEALON FANUCCI: I don't know if

20 you were here or present during the --

21 MS. FRANUS: What did you say when you

22 said, yes, you --

23 MS. NEALON FANUCCI: I said I did vote,

24 I did vote yes.

25 MS. FRANUS: Yeah, how could you

.

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1 possibly do that and sit there?

2 MS. NEALON FANUCCI: I gave the reasons

3 why I did that.

4 MS. FRANUS: Well, I heard your

5 reasons, how could you justify those reasons when the

6 law says he is not entitled?

7 MS. NEALON FANUCCI: But I think once

8 the law comes through and says he's not entitled --

9 MS. FRANUS: The law already says he is

10 not entitled.

11 MS. NEALON FANUCCI: Once the lawyers

12 come back and say he's not entitled, the pension will

13 talk care of that, and then he will not receive his

14 pension.

15 So, regardless at the end of it, he

16 will not receive his pension, if that is what the law

17 says. Until that time, there is really nothing, you

18 now, I mean that is -- to open the pension up and

19 entitle the pension for another lawsuit saying so he

20 could sue the pension then --

21 MS. FRANUS: Didn't I just state that

22 he's not entitled --

23 MS. NEALON FANUCCI: Maybe you did

24 state, but I need an attorney to state that.

25 MS. FRANUS: Oh, really?

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75

1 MS. NEALON FANUCCI: Yes, yes, it's the

2 law.

3 MS. FRANUS: You follow the Home Rule

4 Charter --

5 MS. GATELLI: Mrs. Franus, I agree with

6 you there, but it's still in court.

7 MS. FRANUS: But it shouldn't even be

8 in court. The Home Rule Charter says he's not

9 entitled.

10 MS. GATELLI: It is, isn't it, Attorney

11 Minora?

12 MS. EVANS: Yes, in court. It has been

13 since --

14 MS. GATELLI: See, that's why they keep

15 -- that's why they're still asking us to join and --

16 MS. EVANS: 2004, and it --

17 MS. GATELLI: It hasn't been settled.

18 MS. EVANS: Right. They're --

19 MS. FRANUS: Mrs. Evans, you said no,  
20 right?

21 MS. EVANS: It's in litigation

22 currently, Mrs. Franus. As far as I know, no decision

23 has been rendered; however, and I will address this

24 later, the Home Rule Charter does very clearly state

25 that no Councilperson can receive any other

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1 compensation, whether direct or indirect beyond their

2 salary.

3 MS. FRANUS: That should be enough for

4 you, Mrs. Fanucci.

5 MS. EVANS: And I think --

6 MS. GATELLI: However, in answer to

7 that, when that Home Rule Charter was in effect, there

8 are Councilmen that got it --

9 MS. FRANUS: Doesn't make it right.

10 MS. GATELLI: -- before John Pocius.

11 MS. FRANUS: Doesn't make it right.

12 MS. EVANS: Oh, I'm aware, I'm aware.

13 MS. GATELLI: I'm just saying that, you

14 know, you could read that charter until the cows come

15 home --

16 MS. FRANUS: Then why have it if it's

17 not going to be followed?

18 MS. GATELLI: Well, they weren't

19 following it.

20 MS. FRANUS: Well, they should have to

21 pay that money back.

22 MS. GATELLI: When I worked for

23 Connors, the Council people even got health care.

24 MS. EVANS: But that was remedied --

25 MS. FRANUS: Judy, it doesn't make it

.

77

1 right.

2 MS. GATELLI: No, absolutely it's not

3 right. I agree with you, it's not right, and I didn't

4 take it.

5 MS. EVANS: And I think what is going

6 to come out of this court case is as follows,

7 Mrs. Franus, that either The Home Rule Charter of the

8 City of Scranton will be upheld or it will be ruled

9 against, and then, in my opinion, that makes the Home

10 Rule Charter not worth the paper it's written on.

11 MS. FRANUS: Exactly. Then I'll let it

12 go. Thank you very much.

13 MS. GATELLI: You're welcome. Next.

14 MS. FIDATI-ADSIT: Good evening.

15 Annabelle Fidati-Adsit. First I want to thank

16 Judy Gatelli for helping me in a personal matter --

17 MS. GATELLI: No problem.

18 MS. FIDATI-ADSIT: -- her and I know

19 about, and it did go a long way, and I want to

20 personally give you some gratitude.

21 MS. GATELLI: You're welcome.

22 MS. FIDATI-ADSIT: Next of all, I did

23 make a phone call on Friday to Neil in City Council

24 office, in view of what happened last week,

25 Mrs. Fanucci, I did ask for your resignation. Based on

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1 what you did, I don't think any apology will go

2 anywhere.

3 First of all, you lied twice, the third

4 time you lied again, you went ahead and voted. You've

5 lost all the public trust. You've been seated two

6 weeks after you held your hand up and swore to protect

7 we the people of the Commonwealth of Pennsylvania. I

8 guess you didn't take that very seriously, because the  
9 second week you sat there, you lied, and I was quite  
10 disgusted by it. I don't think you deserve that seat.  
11 I really think you should resign, and I know many other  
12 speakers are here tonight and have said the same thing,  
13 and I believe it's the first time since I've been  
14 coming to Council that I've ever asked anyone to  
15 resign, and there have been many people that I've been  
16 upset with here at Council, but you lied, that makes  
17 you a liar, and you ought to leave that seat.

18 Another thing, I have a suggestion as  
19 to what you can do with that computer, I don't know if  
20 you're taking notes on that or if you're receiving  
21 notes, I don't know what you're doing, but it's very  
22 distracting, it's upsetting a lot of people, therefore,  
23 get rid of it, get rid of it.

24 If you want your notes, do it the old  
25 fashion way like everyone else is doing, with paper and

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1 pen. And if that isn't good enough, use your printout  
2 and bring a paper with you. That's after you resign.  
3 And that's all I have to say. I'm  
4 asking for your resignation. Be woman enough to tell

5 the truth and leave your seat. Thank you.

6 MS. NEALON FANUCCI: I will not be

7 resigning. Thank you.

8 MS. GATELLI: Is there anyone else that

9 would like to speak? Sarine.

10 MS. STOKER O'MALLEY: Good evening,

11 Council. Well, as most people in the City of Scranton,

12 they received their tax bills today, well, guess what,

13 I received mine today, too, and I am not a happy

14 camper.

15 I am paying taxes on land I cannot use,

16 and to me, this is one of the most ridiculous

17 situations that I have ever heard of.

18 If I speak to anybody regarding this

19 and I say, Yeah, I'm paying taxes on land I can't use,

20 nobody can believe it. I tell them that there's a city

21 street with literally trees going in the middle of it

22 because this has been grossly neglected, and The State

23 paid this city to maintain it, and they didn't bother.

24 Where did that money go? I would still like that

25 answer.

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80

1 The State is paid to maintain the

2 bridges and the walkways, and any right of ways to  
3 these bridges. That includes the street I'm talking  
4 about.

5 This bridge went up in the seventies,  
6 '72, and it went down in 2003, okay? All that -- all  
7 along \$10,000 was given to the city per year to  
8 maintain this. Nothing was ever done.

9 The proof that it was never taken care  
10 of is that it's torn down. I mean, I don't know what  
11 more proof anybody could ask for.

12 Now, you go up there, and you'll see  
13 that there's trees in the middle of the street, the  
14 city came up and dug a six foot ditch across it now for  
15 drains. Now, this is years and years and years ago  
16 because of the water runoff on the mountain, so you  
17 can't walk up there, period. That needs to be  
18 repaired, if for no other reason that a child is going  
19 to fall in there and get hurt, and that's ridiculous.

20 Now, I have done everything for the  
21 last 12 years, I have went to Mr. Pocius, I've talked  
22 to the mayors several times, everybody promises me,  
23 promises me, promises me that this matter is going to  
24 being taken care of.

25 Well, for 12 years, I myself have been

.

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1 I promised this would be taken care of. Prayer to that  
2 my father, who is deceased now, and my Aunt Madeleine  
3 and my entire family. I'm talking 33 years. Enough is  
4 enough.

5 I would like this street maintained,  
6 opened and given me what I am rightfully entitled to as  
7 a taxpayer. That's it. I mean, I don't know what more  
8 I can do. The mayor tells me, yes, we'll take care of  
9 it, we'll get Mr. Parker on that.

10 Mr. Parker has given me, yes, we'll  
11 take care of it, we'll take care of it. I'm still  
12 waiting. How much longer am I going to have to wait  
13 for something that I'm rightfully entitled to? This is  
14 ridiculous.

15 Everybody tells me, fix it, fix it.

16 Little green elves could come in the middle of the  
17 night and do this, and then I'm -- it's gone as far as  
18 years ago the mayor offered to give me the street. No.  
19 Then I'm responsible believe for the water runoff off  
20 the mountain? No way, no way. It wouldn't be right  
21 for me, and it wouldn't be right for anybody else.

22 I mean, I know what I'm asking for, I'm

23 entitled to. How would anybody like to be paying  
24 taxes, and high taxes, on land they can't use? This is  
25 ridiculous.

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1 There was a house on there in 1974.

2 This was paved, it was maintained. The State paid the  
3 city to maintain it, they neglected it, this is  
4 ridiculous. When am I going to get my street opened  
5 and given what I'm rightfully entitled to?

6 MS. GATELLI: If this street is opened,  
7 then you will be able to get to your property?

8 MS. STOKER O'MALLEY: Yes.

9 MS. EVANS: Ms. O'Malley, I was going  
10 to discuss your situation with Mr. Parker this week.  
11 There was a meeting scheduled, that I'll talk about  
12 later, but unfortunately the meeting -- Mr. Parker  
13 didn't attend the meeting, and the meeting is being  
14 rescheduled, but my intention is to speak to Mr. Parker  
15 myself and get a response from him concerning what the  
16 city intends to do and what the timeline would be, but  
17 I just want to make sure I'm hearing you correctly, the  
18 mayor told you it would be taken care of, the current  
19 mayor?

20 MS. STOKER O'MALLEY: The credibility  
21 current mayor stood at the fishing derby up at Mountain  
22 Lake this past year and told me to my face.

23 MS. EVANS: And Mr. Parker told you  
24 he's going to take care of it?

25 MS. STOKER O'MALLEY: He tells me all

.

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1 the time that -- every time I go in there or I see him  
2 and I ask him, I get excuses like the machine isn't  
3 there, we have to do behind the Salvation Army first, I  
4 get every excuse in the book.  
5 And I understand there's other things  
6 that are a priority, I mean, but 12 years, that's long  
7 enough for any human being to wait for anything.  
8 That's long enough.  
9 I mean, I don't know what else to do.  
10 I mean, honestly, this is just at a point where it's  
11 ridiculous. There was a home there, the state paid the  
12 city to take care of this, they neglected it. They're  
13 still not doing it, they're still not fixing it. The  
14 proof is, the bridge is gone. I mean, the only person  
15 I can ask anybody, how would they like to be paying  
16 taxes for 12 years on land they couldn't use?

17 MS. GATELLI: I wouldn't pay it.

18 MS. STOKER O'MALLEY: Then I lose it?

19 MS. EVANS: Oh, then she goes to NCC.

20 MS. STOKER O'MALLEY: Then I go to NCC.

21 MS. EVANS: Credit rating, I don't

22 think she wants to take that route.

23 MS. GATELLI: Does property tax go to

24 NCC, too?

25 MS. STOKER O'MALLEY: Yes, yes.

84

1 MS. EVANS: All delinquent, garbage fee

2 and property taxes.

3 MS. GATELLI: Put them in escrow.

4 MS. STOKER O'MALLEY: What I would like

5 to know is, why couldn't they KOZ this until the matter

6 is resolved, that's a question I'd like to ask.

7 Could this possibly be done? Why not?

8 Why, because I'm a citizen? Why couldn't this be KOZ

9 until this matter is resolved, or, hey, I've been

10 paying the last 12 years, couldn't use it, how about

11 the next 12 I don't have to pay taxes on it?

12 MS. EVANS: Mrs. O'Malley, I'm not

13 being facetious in any way, and I understand your

14 plight, and I agree with you and with Mrs. Gatelli, my  
15 inclination would be not to pay for what I can't use as  
16 well, however, I balance that out with the fact that  
17 NCC is going to get 25 percent on top of your bill and  
18 --

19 MS. O'MALLEY: I'm not going to let  
20 that happen.

21 MS. EVANS: Right. It will just  
22 escalate to such proportions that you'll find yourself  
23 in even greater difficulty than you are right now.

24 MS. GATELLI: Yeah, don't do that. I  
25 was just being factitious.

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85

1 MS. STOKER O'MALLEY: I understand, but  
2 you know what, that has been an alternative, and I've  
3 thought about it, there's other alternatives, I can sue  
4 the city for why didn't they maintain it.

5 MS. GATELLI: I know the neighborhoods  
6 were going to do that years ago. When the garbage fee  
7 first came out, we were going to put our taxes in  
8 escrow.

9 MS. EVANS: I remember that.

10 MS. GATELLI: In the end, who'd end up

11 paying more? Me.

12 MS. GATELLI: Let me tell you, that's

13 Mrs. Evans' committee, so she's going to call

14 Mr. Parker about it.

15 MS. STOKER O'MALLEY: I thank you,

16 Janet, from the bottom of my heart.

17 MS. GATELLI: And I'm going to tell the

18 mayor when I have my next meeting with him that it

19 needs to be done.

20 MS. STOKER O'MALLEY: He put my phone

21 number and my number in his wallet at that the fishing

22 derby and he told me to my face --

23 MS. GATELLI: Well, I think he lost it

24 in Mountain Lake, and I'm going to give it to him

25 again.

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1 MS. STOKER O'MALLEY: But he told me to

2 my face, I will make sure this is done. I'm still

3 waiting.

4 MS. GATELLI: We are going to make sure

5 it gets done.

6 MS. STOKER O'MALLEY: The fishing derby

7 is coming up soon, so --

8 MS. GATELLI: We'll make sure it gets

9 done.

10 MS. STOKER O'MALLEY: Thank you very

11 much.

12 MS. GATELLI: Anyone else?

13 MR. MCANDREW: Good evening, Council.

14 My name is Larry McAndrew, Scranton resident and

15 taxpayer and also Vice President of the Scranton

16 Lackawanna County Taxpayers and citizens group, and we

17 are incorporated.

18 I came to Council this evening to

19 observe our city government in action, and I didn't

20 plan on speaking, but listening to some of the speakers

21 here this evening, a business owner, and a few of our

22 taxpayers, convinced me to get up and say a few words.

23 I hope our mayor gets on the same page

24 as our taxpayers and the residents and gets his

25 priorities right here. We do not need a tree hut right

.

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1 now in Nay Aug Park, we need more police protection.

2 We need to make our streets safer, our businesses safe,

3 and as far as the gentleman brought up about receiving

4 his tax notice it, I say, Wait until next year, that's

5 when the real shocker is going to hit.

6 Mrs. Evans has brought up about the

7 debtness this city is in. Next year is when it is

8 really going to shock you.

9 I just wanted to bring up, also, about

10 an update, I attended a board meeting of the library

11 today about this North Scranton Library that was closed

12 recently. I'm doing a title search on the property to

13 find out the possibility that that building, although

14 it's owned by the city, there might be reasons that it

15 still could be used as a library. I will let the city

16 know what happens in the future on this.

17 But I want to just to say a few words

18 about that building, it's one of the second oldest

19 buildings in the City of Scranton, it was built in

20 1840, it was used as Underground Railroad to have

21 freedom for black slaves that came north. There was

22 four rooms in the basement of that building, and one

23 went farther are and farther into the ground to hide

24 these individuals.

25 It's a historical building that we

.

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1 should have as an asset for our city, and it should

2 continue, and I -- I'm disheartened that this library

3 was closed.

4 When we're trying to make progress in

5 this city, we're taking a step backwards by closing one

6 of our libraries. Although it's an old building, it

7 could have been refurbished, updated. I feel very sad

8 about this. But once again, the taxpayers who are

9 upset now, wait until next year. Thank you.

10 MR. ANCHERANI: Good evening, Council.

11 I'm Nelson Ancherani, resident and taxpayer, city

12 employee, and a member of the FOP.

13 Just for some information, there is a

14 city ordinance against selling spray paint to

15 juveniles, minors in this city. Possibly you can get a

16 copy of that and maybe mail it to all the business

17 owners that do sell paint in the city, not to sell it

18 to minors. That will -- it will help a little bit, it

19 won't stop it, but it will help.

20 MS. GATELLI: That ordinance was drawn

21 up because of the problem we had in South Scranton

22 years ago, and I know, I don't know where to look, but

23 I know that we purchased cameras and we had them set up

24 in people's houses, et cetera, to try to catch the

25 people doing it, so, I'll ask Wayne Evans, because I

1 know he was involved with the Chamber of Commerce on  
2 that.

3 Mr. Chomko, maybe we can find out if  
4 those cameras are still it around. Yeah, it was all  
5 part of that graffiti thing, Mr. Ancherani, if you  
6 remember.

7 MR. ANCHERANI: Well, a number of years  
8 ago I know -- we got lucky, and we did get a lot of  
9 spray painters, and they were handled through the  
10 juvenile probation.

11 I've been coming here for a while  
12 asking that our city employee soldiers who returned  
13 from service in Iraq receive a \$200 bonus for every  
14 month they spent in Iraq. If we total that out, that's  
15 less than \$20,000.

16 Mrs. Gatelli, possibly during your  
17 weekly meeting with the mayor, if you can convince him  
18 to honor these soldiers. If he doesn't want to pay the  
19 bonus, maybe we can find out why he doesn't want to pay  
20 it.

21 MS. GATELLI: If he doesn't want to do  
22 it, can Council?

23 MR. ANCHERANI: I don't see why not.

24 You find money for other things. Even the police

25 overtime budget, I'm sure that they never use all that

.

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1 money there. I know they're saying they can't --

2 MS. GATELLI: I will ask him, and if

3 not, then we'll have Attorney Minora see if we can do

4 legislation to that effect. We'd probably have to have

5 four people vote.

6 MS. EVANS: Yes, it would require an

7 extraordinary majority of Council to supersede a veto

8 by the mayor. In addition, though, I would suggest

9 that Council locate precisely what account, what line

10 item, from which the funding will come.

11 MS. GATELLI: How about UDAG money? We

12 seem to have a lot of that to put around now, don't we?

13 MR. ANCHERANI: We're spending it all.

14 Well, anyway, you cannot use the excuse that the city

15 does not have the money. He's willing to build a

16 \$300,000 tree house over the gorge in Nay Aug. As

17 we've been saying, \$150,000 is supposed to come from

18 taxpayer money, which every one here contributed in one

19 way or another.

20 It's unbelievable, and the newspaper  
21 calls it, I quote, a sound priority for the city  
22 government, end quote. I suggest that maybe we can  
23 have our Council meetings up there, but I would also  
24 suggest that we wear our hip boots while walking the  
25 Davis Trail to get there, because I'm not even sure

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1 they'll protect us from the raw sewage that leaked from  
2 the zoo. Also, we would need masks.

3 I suggest that the sound priority for  
4 the city government be the cleaning up of that raw  
5 sewage and the Davis Trail. Stopping the leak was a  
6 sound priority for the city government, but cleaning up  
7 the mess is a sounder priority.

8 Another sound priority for the city  
9 government would be to clean up the \$700,000 green  
10 slimy fish pond, that's a shame. \$700,000 is a lot of  
11 money for green water.

12 Another sound priority for the city  
13 government would be to bring up the undersized bath  
14 house at Nay Aug up to code.

15 The newspaper said, quote, Failure to  
16 maintain and improve parks is in fact one of the

17 hallmarks of a deteriorating, rather than progress

18 city, end quote.

19 I guess Scranton can be labelled a

20 deteriorating city, since we spent the preceding money

21 on the Davis Trail and raw sewage, green fish pond,

22 undersized bath house, by failing to maintain what over

23 a million dollars was spent on to improve in the city

24 is a waste of money.

25 And I have some questions, I might have

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1 missed some, because I got here a little later and I

2 missed Mrs. Gatelli's Council remarks, what was the

3 cost of the plumbers to fix the leak of raw sewage into

4 the park last week? Will the raw sewage be cleaned up

5 from the park and when?

6 If it was a tank that was repaired and

7 the leak stopped, where does that sewage from the zoo

8 go? I'll ask the rest of the questions next week.

9 Thank you.

10 MR. COURTRIGHT: Anybody else?

11 MS. NAUGHTON: Thanks, Mr. Courtright.

12 My name is Mary Jean Moran Naughton, and I'm a resident

13 and taxpayer in Scranton, and I've seen in the last two

14 weeks a great change in Council, and I can tell very  
15 much that everyone is working together, and I think  
16 it's very commendable to see people try to do this.  
17 And there must have been about 20  
18 speakers here tonight, and of those 20 speakers, I  
19 thought 15 maybe had wonderful ideas, and definitely  
20 things that I believe Council should look at, all  
21 right?  
22 And then I've heard three or four  
23 people cast aspirations onto Mrs. Fanucci, who I know  
24 as a very good friend and one of the most honest people  
25 I've ever seen in government, in regular life and  
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1 anything you want to say.  
2 No one ever pointed out that that is  
3 their particular opinion about someone. No one ever  
4 said, you know, okay, that's your opinion, other people  
5 have other opinions, so what I'm here to say is that I  
6 have a completely different opinion of what goes on,  
7 what happens here at Council, and I'm very pleased --  
8 I'm very pleased that Mrs. Fanucci, who I helped, I  
9 hope, to get where she is, is where she is and what  
10 she's doing, and I just sort of -- I sat here and I

11 thought to myself, you really can't just sit here and  
12 not come up and defend someone who you know is trying  
13 to do the best job possible.

14 Not that I'd ever meant to make a habit  
15 of it, everybody has a right to their own opinion, and  
16 my opinion is you're all doing wonderful, you should  
17 pat yourselves on the back, and I'm glad things are  
18 turning out the way they are. Thank you.

19 MR. GERVASI: Good evening, City  
20 Council. My name is Dave Gervasi, I'm a resident and  
21 firefighter in the City of Scranton and taxpayer. I  
22 was watching at home, and I -- there was a lot of talk  
23 about the pension issue, and I thought maybe I'd just  
24 come here, if you have any questions, maybe I can clear  
25 it up, since I am one of the two plaintiffs in the

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1 case.

2 We started this action based on many  
3 reasons. Back in, just to give you a little background  
4 on what took place and why it did, and if you have any  
5 questions, I will be happy to answer any that I could,  
6 back in 1992, '93, with the first recovery plan, as  
7 I've stated numerous times here before, there was a

8 sharing of the pain.

9 Most of the cuts and concessions and

10 cost savings came on the backs of the workers, but at

11 the first recovery plan, it was necessary because the

12 city was broke at the time, truly and honestly broke.

13 I think they said it was fiscal mismanagement. It

14 wasn't exactly our fault, but we all had to share the

15 pain to get the city out of debt.

16 At that time, I believe it was the

17 administration of Mayor Connors, a lawsuit was brought

18 to the City Council at the time under Section 302 of

19 the Home Rule Charter.

20 At the time Council was receiving a

21 salary, health care benefits and a pension. At that

22 time Mayor Connors felt that Council wasn't -- they

23 didn't want to give anything up, so I believe the mayor

24 through its solicitor sued City Council to correct and

25 clarify that law in the Home Rule Charter.

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1 Mayor Connors was successful and their health care was

2 eliminated based on Section 302 of the Home Rule

3 Charter.

4 The only reason why the pension was

5 not, and, now, this is my understanding, the only  
6 reason why the pension wasn't taken off them was  
7 because pension was never brought up. The only thing  
8 that was brought up in that lawsuit was health care.  
9 Fast forward to a few years ago, the  
10 new recovery plan comes out, again, they want to  
11 balance the budget on the backs of just the city  
12 employees, DPW, clerical, police and fire, and, again,  
13 more hires were made in administration and middle  
14 management, more raises were given to middle  
15 management, where in '93, was a little different.  
16 Everyone was sharing the sacrifice, administration  
17 people, non-union people, cuts were taken, that's what  
18 precipitated that lawsuit.  
19 We took it upon ourselves at that time,  
20 and it wasn't because we came up with that idea.  
21 People came to this podium and said, This happened back  
22 then, whatever year it was they took their health care,  
23 why is City Council now having a pension? Because it  
24 is additional, direct or indirect to their salary.  
25 At that time the five seated Council  
.  
96  
1 people, every one of them dropped out of the pension

2 based on Section 302 of the Home Rule Charter, except  
3 for Councilman Hazzouri and Councilman Pocius.  
4 More people came week after week and  
5 asked them why they're not doing it, they were stared  
6 at, people were -- they weren't given answers to, and  
7 they felt that they deserved it.  
8 At that point because we were, again,  
9 taking a major hit in the recovery plan, we felt  
10 sharing of the pain that was promised to us by the  
11 Pennsylvania Economy League and the state should be  
12 shared by all, and we felt looking at reviewing  
13 Section 302 of the Home Rule Charter, that those two  
14 councilmen should not be receiving a pension.  
15 Mr. Gilhooley dropped out, Mr. Reap  
16 dropped out, and I believe one other person dropped out  
17 at the time, I believe it was Mr. DiBileo, and when  
18 those two councilmen would not drop out of the pension  
19 and were apparently in my eyes disrespecting the people  
20 that were just asking a simple question, are they  
21 violating the Home Rule Charter, myself and another  
22 gentleman from the fire department, we started the  
23 case.  
24 There's been numerous postponements,  
25 this has been going on for two years, there's been

1 numerous postponements, but one case we did have after  
2 the depositions were done, a judge already ruled that  
3 if you take the case in front of Judge Munley back in  
4 the early nineties and you transplant the name pension  
5 to health care, it's the exact same argument, it's the  
6 exact same subject, and that's the way it should be.

7 They filed oral objections, and it was  
8 supposed to have the oral hearings on the 30th of this  
9 month. It was postponed because of scheduling problems  
10 at the courthouse, and it was postponed to May 5 of  
11 this year, that's when the oral arguments are to take  
12 place.

13 We found out yesterday that the pension  
14 board approved Mr. Pocius' pension because apparently  
15 he hit the proper age to actually apply for it.

16 With all due respect to Mrs. Fanucci,  
17 and to be -- in all fairness, I was told what happened  
18 at the hearing, and she was told by the solicitor that,  
19 yeah, you can approve it, and if you don't, you could  
20 be sued by Mr. Pocius, because the case isn't over yet,  
21 and those are the rules as they stand right now until  
22 the case is over.

23 Now, I'm not a lawyer, I disagree, I  
24 think they should have put it on hold until this was  
25 rectified in the courts, but it's my understanding that  
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1 if we are successful and we uphold the law of the Home  
2 Rule Charter, that that will be reversed what happened  
3 at that pension hearing.

4 So, with all due respect to

5 Mrs. Fanucci, that was the advice she got from the  
6 pension solicitor. I don't agree with it, but that's

7 what he said, and, you know, he's the expert sitting at  
8 the table, you know, the other day.

9 So, if you have any other questions --

10 one other question that has always been brought up, is  
11 why did we include past Council people would already  
12 have -- were already drawing a pension, past Council  
13 people from years ago, and it was our understanding,  
14 according to our lawyer that's handling this case, is  
15 that even if you do obtain a pension against the rules  
16 illegally or whatever, once you do it, you are  
17 grandfathered and you can't take it off them because it  
18 causes undue stress, because they are already  
19 collecting it.

20 So, at the time, the only people that  
21 were exposed to this were the five Councilmen that were  
22 sitting at the time two years ago, all dropped out  
23 voluntarily, except for Mr. Hazzouri and Mr. Pocius, so  
24 at that point we knew, according to our lawyer's  
25 advice, that they were the only two actually exposed.

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1 Because once they dropped out, the  
2 point was moot, they were not even paying into it.  
3 They were the only two who stuck in there said we want  
4 it anyway.

5 So, that's the only reason why we  
6 couldn't go back and take it off councilmen of the  
7 past, and the only reason why we didn't touch the other  
8 three is because they dropped out of it voluntarily.

9 And if you have any questions, I will be happy to  
10 answer anything else.

11 MS. GATELLI: Just for the record, in  
12 case I forget later, next week at the caucus at 5:45,  
13 Terry Osborne will be here with the Composite Pension  
14 Board to discuss some issues. So, if anybody would  
15 like to come, that will be next Thursday at 5:45. You  
16 might want to come to that, Mr. Gervasi, and Mrs.

17 Krake.

18 MR. GERVASI: Did I answer --

19 MS. GATELLI: Yes. Thank you for that

20 information. As we told you before, we were -- we were

21 -- kept being asked. I was asked in particular,

22 because I used to work here, and they said, Well, you

23 know, you worked here for six years --

24 MR. GERVASI: And just one other thing

25 --

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1 MS. GATELLI: -- and four more, you can

2 have a pension, and I said, No, thank you --

3 MR. GERVASI: Mrs. Gatelli, I'm sorry,

4 I didn't mean to interrupt you.

5 MS. GATELLI: Go ahead.

6 MR. GERVASI: And you brought up

7 something before as why you were asked and why you had

8 to sign a letter stating that you did not want to be in

9 it, you could not just do it orally, the reason for

10 that is that is why the City of Scranton, besides

11 Mr. Hazzouri and Mr. Pocius are attached to that, is

12 the City of Scranton has, in our opinion, and that will

13 be settled in court, is that the City of Scranton

14 should not have asked Council -- newly seated Council  
15 people to be in the pension because of that Section 302  
16 of the Home Rule Charter.

17 MS. GATELLI: Yes.

18 MR. GERVASI: So, that's why we also  
19 attached as a defendant the City of Scranton, because  
20 once this is settled, hopefully, whatever judge it is  
21 is going to say, if we're successful, they're going to  
22 say, Number one, you don't get your pension to those  
23 two gentleman, and, number two, the city, you have to  
24 change your policy that you're not to offer it either.

25 So, hopefully this is all going to come out in the wash

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1 one way or another.

2 MS. GATELLI: I hope so, I hope it's

3 soon.

4 MR. GERVASI: I hope I clarified that

5 for everyone, and thank you for the opportunity to

6 explain.

7 MS. GATELLI: Anyone else like to speak

8 before Council? Kay.

9 MS. GARVEY: 5-A, Motions.

10 MS. GATELLI: Mrs. Evans.

11 MS. EVANS: Thank you. Good evening.

12 I ask for your prayers for Ann McHale tonight who  
13 passed away on Sunday and for her son Paul, who cared  
14 for her throughout her life so devotedly.

15 St. Ann's Basilica has lost a dedicated  
16 volunteer, and I have lost a very special and a very  
17 dear friend.

18 On Monday, January 23, a meeting was  
19 scheduled at Weston Park concerning problems and issues  
20 on Hollow Avenue and the surrounding area, and both  
21 Mr. Parker and I were asked to attend. It took months  
22 to schedule the meeting, and Mr. Moran, who had  
23 arranged the meeting, E-mailed the agenda, I believe,  
24 on the prior day and asked for notification if the  
25 meeting were to be cancelled for any reason.

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1 I joined numerous citizens that evening  
2 up at Weston Park in waiting over an hour for  
3 Mr. Parker, and I do understand, however, that  
4 Mr. Moran has been in touch with Mr. Parker's  
5 secretary, and he is in the process of trying to  
6 reschedule the meeting, but I would also like a letter  
7 sent to Mr. Parker, please, requesting that a meeting

8 occur in Council Chambers on Thursday, March 16, at  
9 five o'clock, and I would ask for his response in  
10 writing, and if for any reason that date is  
11 inconvenient for him, I would ask him to schedule on  
12 another Thursday evening during the month of March.  
13 I also have citizens' requests: Repair  
14 potholes only Meadow Avenue and also on River Street  
15 from this intersection and heading towards  
16 East Mountain, a lot at 212 Oak Street, and this is the  
17 fourth request. The third request was made in  
18 October 2005. Junk has been dumped on the lot since  
19 September 2005, and I cannot understand the holdup, and  
20 I am requesting a written response and an explanation  
21 for the failure to address that situation.  
22 East Mountain Road, drains rise above  
23 ground level and are covered with leafs preventing  
24 their proper operation, residents report.  
25 The 1600 block of Division Street,

.

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1 water problem floods the street and some sidewalks  
2 creating very icy conditions for vehicles and  
3 pedestrians.  
4 A resident of Division Street did

5 contact the water company who came out and examined the  
6 area declaring that it was not a water leak that falls  
7 within their realm of responsibility.

8 The two residents then contacted the  
9 DPW, but they report that no one has come out to  
10 investigate the problem, and I'm going to ask that this  
11 be added to the other list I have for Mr. Parker, and  
12 just some of the requests I heard earlier tonight have  
13 been added to this list.

14 In addition, Charles Street,  
15 Rockwell Avenue and Welles Street have no sidewalks.  
16 I'd like Mr. Parker to take a look at that, come up  
17 with some ideas for us, perhaps here's just another  
18 idea for UDAG funds.

19 It would be nice for that area to  
20 finally have sidewalks, particularly since  
21 Rockwell Park is there and so many children are in that  
22 area.

23 No parking signs were not replaced yet  
24 on Railroad Avenue and other sites as discussed over a  
25 month ago. I believe it was on Monday, December 19 in

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1 Chief Elliott's office. Mr. Chomko was present,

2 Mrs. Franus was present, Mr. Parker, myself, in  
3 addition I'd like to know if Mr. Parker obtained and  
4 read the report regarding truck traffic on  
5 Railroad Avenue, and when can I expect his  
6 recommendation on that situation?  
7 Last week Mrs. Gatelli made a motion to  
8 move Council meetings to various locations throughout  
9 Scranton from time to time, although I believe her  
10 intention was good, I do not believe such relocations  
11 are possible according to the Administrative Code,  
12 Article 2, Section 203.  
13 It's entitled, meetings of Council, and  
14 it states, Regular meetings of Council shall be held at  
15 least once a week at such place and time as fixed by  
16 resolution of Council, and the Home Rule Charter,  
17 Article 4, entitled operation and procedures of  
18 City Council, Section 401, meetings, the Council shall  
19 meet once a week in regular session in regular Council  
20 Chambers. It shall meet at such times and places as  
21 the Council may prescribe by rule, rule, meaning, rules  
22 of Council.  
23 Therefore, Mrs. Gatelli, I think you  
24 would need to either amend the rules of Council to  
25 include relocations of the meetings outside Council

1 Chambers, and very likely this must occur by  
2 resolution, rather than motion, according to the  
3 Administrative Code.

4 Also, Chief Elliott tells me there will  
5 be a public caucus conducted on Thursday, February 9 in  
6 Council Chambers with police chief Dave Elliott  
7 himself, and any questions or concerns that the people  
8 may have, you can Email those concerns, problems or  
9 questions to me at [Janettomkoevans.com](mailto:Janettomkoevans.com), and I would be  
10 very happy to pose those questions on your behalf and  
11 obtain the answers for you.

12 In addition, I would encourage as many  
13 members of the public to attend that caucus as  
14 possible, those of you, of course, who have suggestions  
15 or concerns, or who simply seek updated information.

16 Also, because of earlier discussions  
17 tonight, I note that, and this is referencing the  
18 statements made, according to Article 3, Section 306 of  
19 the Home Rule Charter, Councilpersons shall receive no  
20 other compensation either direct or indirect, only a  
21 salary.

22 Now, the same Councilman would not

23 entertain paying our employees on active duty in Iraq a  
24 bonus of \$200, as Mr. Ancherani has so respectfully  
25 requested month after month, and in addition to that,  
.

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1 the same councilman would not entertain the issue of  
2 Mrs. Malone, a widow of a DPW worker who was killed on  
3 the job, and as a result, she incurred extra costs  
4 because an error was made by the human resources  
5 department, and the administration refused to reimburse  
6 her for the error that was made, and Mr. Pocius  
7 declined to even entertain that, and so, I just find it  
8 a bit ironic, shall we say, that Mr. Pocius on the  
9 other hand believes he deserves a pension in violation  
10 of the Home Rule Charter of the City of Scranton, and  
11 at the same time he would never entertain situations  
12 that I think are far better justified.

13 And I would just ask Council to  
14 seriously consider the requests of these good people  
15 and put people, the taxpayers of Scranton, before  
16 elected officials who quite obviously, at least in my  
17 humble opinion, are violating the language of the law  
18 of the City of Scranton. The Home Rule Charter is the  
19 Constitution of the City of Scranton, and I don't

20 believe there should be any question in anyone's mind.

21 And although I'm certainly no attorney,

22 it seems crystal clear what the verdict is going to be

23 . In that event, my concern now is that, you know,

24 when Mr. Pocius begins to receive his pension, will

25 there then be difficulty, as was mentioned before,

.

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1 because prior Council people were receiving pension

2 payments, they were grandfathered in, and we don't know

3 how long this litigation may continue, and as a result,

4 we may find ourselves paying Mr. Pocius' pension for a

5 lifetime. And that is all I have. Thank you.

6 MS. GATELLI: Mrs. Fanucci.

7 MS. NEALON FANUCCI: Obviously I have a

8 few comments to make on all of the suggestions I've

9 gotten from everybody tonight. The issue of my

10 integrity is certainly not something that I take

11 lightly.

12 I'm here because of you. Now, it does

13 not mean that everyone in this room is going to agree

14 with my views, nor does it agree that we believe we are

15 all going to agree on everything, that has nothing to

16 do with the issues, the issues are that you are

17 claiming that I am doing something that is wrong.

18 We need people to contribute to our

19 campaigns, that's how we get here, let's be honest, and

20 any of us who can say we don't is wrong. I mean,

21 that's what we depend on.

22 People who decide who they're going to

23 vote for and who they're going to give money to, you're

24 not saying that that's wrong, because it's not. What

25 you're trying to say is because I supposedly knew -- by

.

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1 the way, I really did not know. I have people who take

2 care of my finances and my books.

3 But regardless, regardless, my vote is

4 not for sale, it has never been for sale. And anybody

5 who knows me, and obviously has not given me a chance

6 to know me.

7 For two meetings, I've already been

8 under, you know, scrutiny, all summer, actually. I

9 mean, once you win an election, you seem to, you know,

10 I already was wrong just for winning.

11 But I'm going to tell you, that is not

12 the issue. My vote is not for sale, nor is to be

13 intimidated, to be quite honest with you.

14 When I do much and I decide what I'm  
15 going to do, I do it for the reason that I got here,  
16 and the reason I'm here, not just for the people in  
17 this room.  
18 And I think -- and believe me, I  
19 believe everything you say is -- I take it and I try to  
20 work it into what we want to do for this city, but it's  
21 for everyone else who voted for me, everyone else who  
22 believes that we deserve better.  
23 I did not come here, I did not work  
24 this hard to get here to have to prove more and more  
25 every day. I want to get to the issues, I want to help

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1 lower the taxes, I want to help fill the potholes, I  
2 want to be attractive for businesses to want to come  
3 here so that your taxes go down. They're the issues.  
4 And if we keep sidestepping the issues  
5 all the time and look for other reasons and other  
6 things to talk about, instead of what we're here for,  
7 we're never going to get where we want to be.  
8 I'm here to work hard and try to get us  
9 where we need to be, and that's what I'm going to do.  
10 So, no, I will not be resigning, and I'm going to work

11 hard and do the job that I've been elected to do.

12 Now onto other city business. I had

13 walked Jefferson Avenue with the Sewer Authority.

14 They'd given me a little overall view of what they do

15 and how they go about doing it, and this dig crew is

16 unbelievable. They work so hard.

17 We're here, and we really don't

18 understand exactly what they do for a living. I mean,

19 let's be honest, without the sewer, where are we going,

20 but they have done such an amazing job replacing the

21 pipes and replacing all of the broken -- just for them

22 to dig down as far as they go in such a short time --

23 two and a half weeks, I think, to replace this whole

24 entire thing, and I just think we should recognize the

25 good that people do, and when people do do their job

.

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1 very well, and they've been doing their job very well,

2 and I just want to thank them for showing me a little

3 bit of the ropes and trying to get me to understand,

4 and that's one thing I just want to say. They're very

5 appreciated, and I want to say that.

6 Also about the issue with the tree

7 house, I have a lot of issues with this myself, not the

8 same as yours. This tree house isn't just a tree house  
9 for kids to go in and play in, I think that's the  
10 conception that we're all looking at, it's for the  
11 handicapped.

12 I, myself, am on the MS Walk, I'm part  
13 of the MS team, this is something that really can  
14 change people's life.

15 Now, unfortunately handicapped people  
16 are taxpayers, also, so it's a hard situation for us to  
17 be in, but they do deserve the same type of things we  
18 deserve.

19 Whether or not -- now, do I think that  
20 we should not have cops and have a tree house,  
21 absolutely not, that's not the issue, the issue is that  
22 this has been funded, and private donors are going to  
23 go in and take the other money and help out with that,  
24 and I think that that's a great thing.

25 These are things that we should be

.

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1 proud of as a community. Handicapped children,  
2 handicapped adults who would never get to see this view  
3 or look or experience the things that we experience and  
4 take for granted every single day of our life. That's

5 a good thing.

6 I don't know if it's -- if I can

7 measure that or not measure it against each other,

8 because I think it's comparing two different things.

9 I myself think the tree house could be

10 a very wonderful project and sort of feel a little bit

11 proud that we even are even thinking about it.

12 Now, does that mean I don't want safe

13 streets? Absolutely not. So, I hope I don't get

14 misquoted and certainly don't want people to run with

15 that, but that's my feelings on the tree house.

16 Also, I received some requests from

17 residents who are inquiring about blight removal. This

18 situation that we have here, I think maybe we have to

19 go through way too many steps. There are too many

20 offices to have to go through to get to where we need

21 to go.

22 I'd like to try to condense that and

23 shorten these procedures, to write a letter, to write a

24 letter, to write a letter to get a letter back, maybe

25 that's where my computer is coming in. I'm sorry it's

.

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1 offending so many people.

2 I didn't realize that Email and stuff

3 was wrong. This is just my generation, and this is

4 what we do. It's not meant to offend anybody, this is

5 how I take my notes, this is where I keep all of my

6 information.

7 But I think if we start using the

8 information highway to our advantage, we might actually

9 get results in a faster way.

10 You're talking about your Email,

11 absolutely. Email us. Give us -- let's cut down, you

12 know, on some of the time. I mean, nobody wants to

13 have to take their time out of their day every single

14 hour to come down to write a letter, to write a letter.

15 This is what I do.

16 I'm trying to organize something now

17 that maybe we can work together to try to get the

18 people what they need in a faster more efficient way,

19 so this is something I'm working on, and as soon as I

20 have it all together, I definitely will report. And I

21 want to thank everybody, and that's all I have for now.

22 Thank you.

23 MS. EVANS: Mrs. Fanucci, I was

24 informed today that the Blight Hotline is now going to

25 be answered, yes, it's going to be answered in the

1 office of licensing and inspection. There will be an  
2 operation who will answer those phone calls.

3 MS. GATELLI: That's a good thing.

4 MS. EVANS: Yes.

5 MS. NEALON FANUCCI: We've obviously  
6 had a little communication problems with that, and  
7 something that -- you know, blight is an extremely  
8 problem that we all agree on, I don't think there's one  
9 person up here who doesn't want to get rid of blight,  
10 and the faster we can do that, so thank you very much.

11 MS. EVANS: And just one more thing,

12 Mrs. Gatelli, if you could give me one second, because  
13 there is one report I forgot. I'm very --

14 MS. GATELLI: We're going to put you on  
15 the five-minute, too.

16 MS. EVANS: I'm very brief here. Last  
17 week with regard to the Holiday Manor, I had asked that  
18 information be obtained from Mr. McDowell's office  
19 concerning any tax delinquencies on that property, and  
20 he was very efficient about this and reported back that  
21 a total of \$455,000 in back taxes is owed to the county  
22 and school district, and there is for the fiscal year

23 2005, a loan slightly over \$16,000 owed to the City of  
24 Scranton.

25 Now, the company who had owned  
.

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1 Holiday Manor, however is involved in bankruptcy case,  
2 but I did want to thank Mr. McDowell for providing that  
3 information in such a timely manner, and I think that  
4 was information that's important for the people to  
5 know, although I was also informed by our solicitor  
6 tonight, who responded in a very timely fashion, as  
7 well, that Council has no power to either place a lien  
8 against that property for demolition costs or to  
9 prevent the demolition of that property using HUD  
10 funds. And, Attorney Minora, is there anything you  
11 might want to add or clarify?

12 MR. MINORA: The only other thing I  
13 added in my memo was I did some research into the basic  
14 Municipal Code to determine what obligations a  
15 municipality had in dealing with liens, whether or not  
16 they were mandatory or not, and the language of the  
17 statute authorizing liens for a municipality from  
18 blight removal is -- it's not mandatory, it's not  
19 termed in shall, it's termed in may, a municipality may

20 lien a property, in other words, it's optional, they

21 can waive it.

22 When a statute is framed in the word

23 shall, it's mandatory they cannot do or must do

24 something.

25 MS. EVANS: And who makes that ultimate

.

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1 decision?

2 MR. MINORA: The chief executive as the

3 supervisor for the departments that would be doing the

4 demolition.

5 MS. EVANS: And so, it would seem that

6 it removes the decision from the hands of City Council

7 and the decision lies solely with the mayor, unless, of

8 course, something happens to come across our desk, but

9 coming from OECD using perhaps CDBG monies, but then

10 again, experience -- my experience can tell you it

11 well, very well, may never show up here, and that's the

12 sad truth.

13 MS. GATELLI: Mr. McTiernan.

14 MR. MCTIERNAN: First of all, I'd like

15 to thank --

16 MS. GATELLI: Before he starts, I just

17 want you to know that I'm very proud of him, because he  
18 has something to say every week, and I'm so happy. I  
19 don't mean to put you on the spot, Bob.

20 MR. MCTIERNAN: First of all, I'd like  
21 to thank Mrs. Pilosi and Miss Mary Jennings for  
22 submitting letters of interest regarding some of the  
23 various authorities that are present in the city, and I  
24 will forward their letters to the mayor. We thank them  
25 for their interest.

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1 Second of all, I want to thank  
2 Mr. Gervasi for objectively clarifying some of the  
3 events regarding the pension board's decision. I don't  
4 think anyone here pretends to be a judge, and we keep  
5 using the word attorneys, and I think in this case it's  
6 going to be a judge, not an attorney that makes that  
7 decision.  
8 I think it's worth noting that  
9 Mrs. Novembrino introduced the motion, I believe, is  
10 that accurate, and of course her integrity is beyond  
11 reproach and unquestioned, so I think probably in good  
12 procedure, what was done was accurate with regard to  
13 that, and the courts will certainly sort that pension

14 issue out, hopefully sooner than later.

15 With regard to the questions about

16 additional lighting at the intersection near Scranton

17 High School, it seems that Mr. Courtright, School

18 Director Jeffers, ran into the same situation I did,

19 that that is a difficult issue, and thank you,

20 Mrs. Garvey, for looking into that for me.

21 Hopefully we can capitalize on some

22 future development and make some stipulations in the

23 development plans that would require additional

24 lighting for any future development of that corner.

25 So, I don't think we have an immediate resolution to

.

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1 that, but hopefully we can keep that in our minds when

2 new development is proposed for that corner.

3 And I'm wondering if we can -- if we,

4 even though as Mrs. Evans points out, that we may not

5 have any new control over placing liens, is it possible

6 for us to make a recommendation to OECD to place

7 automatically liens on properties to be demolished

8 pending an evaluation?

9 What I said a few weeks ago regarding

10 the cost benefit analysis of waiving demolition costs

11 after you review the benefits of the proposed  
12 demolition, that we could as a matter of course place  
13 the lien and then a discussion could be had on the  
14 benefits of waiving that lien, and then of course the  
15 executive of the body who makes that decision can  
16 consult that cost benefit analysis and then decide  
17 whether or not waive that lien with some input, and  
18 something just as simple as an error or an omission  
19 would not occur.

20 So, that's just a thought that I'd like  
21 to have on record as we just send a letter saying, we  
22 would recommend liens be placed pending evaluation for  
23 all demolitions for back taxes.

24 I'm not going to make that in the form  
25 of a motion. I did not have an opportunity to speak  
.

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1 with other Council members on that, so I'll just put  
2 that --

3 MS. GATELLI: I would say make the  
4 motion, because I think we're all going to vote yes.

5 MR. MCTIERNAN: Then I will make a  
6 motion to recommend to OECD that liens be placed on all  
7 demolition properties pending cost benefit analysis of

8 the lien -- of waiving of the lien.

9 MR. COURTRIGHT: Second.

10 MS. GATELLI: All in favor.

11 MS. EVANS: Aye.

12 MS. NEALON FANUCCI: Aye.

13 MR. MCTIERNAN: Aye.

14 MR. COURTRIGHT: Aye.

15 MS. GATELLI: Aye. Any opposed? The

16 ayes have it and so ordered.

17 MR. MCTIERNAN: And that, Mrs. Gatelli,

18 is all.

19 MS. GATELLI: Thank you, Mr. McTiernan,

20 you made me so happy.

21 MR. MCTIERNAN: I'm doing my best.

22 MS. GATELLI: Mr. Courtright.

23 MR. COURTRIGHT: Yes. For quite some

24 time now I've been waiting for an engineer's report on

25 the garage at Adams and Lackawanna Avenue, and Mr.

.

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1 Shayne has sent me a certificate of substantial

2 completion, which I guess you need to occupy the

3 building, but this isn't what I asked for.

4 Maybe I asked for it in the wrong way.

5 I will ask him on the phone or go in person to see him.

6 I'm looking for something to tell me that the problems

7 that I perceived as problems at that garage are

8 corrected and corrected in a manner where, two, three

9 years down the road we're not going to have to be

10 replacing decks or anything of that nature.

11 Mr. Pocius made the motion, and I

12 thought being he's an engineer, that the motion would

13 have been correct, so maybe if the motion wasn't

14 correct, I don't know, if the motion was misunderstood,

15 I don't know, but now I will have to do it personally.

16 I still have the pictures in my car of

17 the parking garage, and I didn't go down there to look

18 at it to see what they did, because I figured, Boy, if

19 I step foot in there, they'll all be coming after me.

20 But I'm going to get this squared away,

21 and I'm not trying to be a pain about it, but we spent

22 a lot of money on that garage, and if it's not right,

23 it shouldn't be the city that has to pay to fix it.

24 MS. EVANS: Mr. Courtright, a thought

25 just occurred to me during your discussion of the

.

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1 garage, would it be possible or would you be agreeable

2 to sending a letter in addition to the Scranton Parking  
3 Authority requesting of a report on the garage in terms  
4 of its usage and the amount of money that it's  
5 generating weekly or monthly, in that, you know, we may  
6 want to take a look at successfully the SPA is going to  
7 be able to meet its debt service on these new garages,  
8 so would you be agreeable?

9 MR. COURTRIGHT: Absolutely. Kay, if  
10 you can sent that off to maybe Mr. Wintermantle, but I  
11 think as far as the -- what I perceived as a problem, I  
12 think I'm going to have to speak to them in person,  
13 because I always try to do it in writing, I forget what  
14 it was one time, oh, it was the Recreation Authority, I  
15 had asked for an answer, and I said on the air here  
16 that I asked them three times, they said they didn't  
17 receive it, well, I had the three that I was wrong, I  
18 didn't ask them three times, I believe I asked them  
19 four, so I always try to do it in writing first, but I  
20 don't seem to be making any progress that way, so I'm  
21 going to go in person to that particular part.

22 But, Kay, yes, if you would send that,  
23 I believe it would be Mr. Wintermantle, correct, to get  
24 that information?

25 MS. EVANS: I think so, yes.

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1 MR. COURTRIGHT: I'm sure I'd be

2 agreeable to that.

3 Mr. Chomko has a very serious problem,

4 and there's also a serious problem that occurred in

5 Minooka, that I was asked by residents there, is it

6 possible to have a beat cop back there, and they know

7 that they're not in a low to moderate income area, so

8 they probably can't get a CommD cop, but they asked me

9 to ask anyway, and I'm not going to go into details,

10 because there's a police incident where an individual

11 that has a business came outside to see somebody

12 vandalizing his business, and when he did, the two

13 individuals out there had weapons, so I'm not going to

14 go any further, because I'm sure there's something

15 going on on the police end, and I don't want to

16 disclose any of that information.

17 And not too long after that, another

18 business had a similar problem. So, yeah, we do need

19 more police officers, and I think we need to work to

20 find a way to get more. Because what do you do with an

21 area like Minooka that's not low to moderate income and

22 we can't send the CommD cop there?

23 I've said this before and I'll say it  
24 again, we seem to find money for everything else. I  
25 think we got to put this right up front, police

.

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1 officers. I think we need to get some more police  
2 officers. I don't think there's anybody that would  
3 disagree with that.  
4 So, I'm going to speak to the police  
5 department and see if we can't do something for  
6 Minooka, and I'm sure there's many, many other sections  
7 of the city that would like to have a beat officer.  
8 I spoke with the previous Council about  
9 what I'm going to bring up now, and then again I spoke  
10 with this Council, I had seen over the years projects  
11 being done throughout the city, and one in particular  
12 that I guess Mr. Frank Naughton and Dr. Barry Minora  
13 need to get a lot of the credit, if not most of the  
14 credit for, and that was the project down in  
15 North Scranton, the Providence Square Project, and I  
16 spoke with a couple of the members of the last Council  
17 and I spoke with every member of this Council, and I  
18 said, you know, I feel like we're being slighted over  
19 here in West Side. We haven't had anything done over

20 there.

21 And many years ago when I was younger,  
22 the state came in, I believe it was, and they wanted to  
23 widen the road on Main Avenue, and they did it, I  
24 believe, from maybe Swetland or Linden Street all the  
25 way down to Jackson Street, and when they did that,

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1 they put all new sidewalks and curbs in cement, and  
2 they're uniform, they look nice, and I thought maybe  
3 that might be nice if we continued from Jackson Street  
4 maybe to Luzerne Street.

5 And before anybody says anything, yes,  
6 I have about a 20-foot frontage on my property on  
7 Main Avenue, and if this ever happens, I will pay for  
8 the materials to do my section so that nobody can say  
9 I'm doing it to get my sidewalk done for free, so  
10 before anybody attacks me on that.

11 But I asked this Council, and there's  
12 some money that's available to this Council for a  
13 project, and I asked if they would be agreeable, and  
14 every one on them on here was more than agreeable.

15 I spoke with Dr. Barry Minora, and he  
16 said he would be more than willing to help us obtain

17 the funds -- state funds or federal funds, whatever we  
18 could get, he's very well versed in it, so he's going  
19 to make a couple calls.

20 It might take a long time to get done,  
21 but we're going to try and do that, and hopefully we  
22 can that accomplished, and I'm not going to try to take  
23 the credit. Everybody here on this Council agreed to  
24 it.

25 I guess I'm going to be stuck in West

.

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1 Side tonight here. West Locust Street, the 1100 block,  
2 I brought it up several times, a friend of mine from  
3 when I was a child, he lives on West Locust Street, and  
4 there's a crack that runs almost a full length, well,  
5 I'd say half the length of West Locust Street, the 1100  
6 block, and in the wintertime, the road raises up, he's  
7 saying approximately 12 inches, where the crack is, and  
8 I believe that possibility some work had been done in  
9 the past and a pipe was put in and maybe the work  
10 wasn't done 100 percent correct, but anyway, it  
11 presents a major problem, and I asked at least twice in  
12 the past if somebody can go out there and take a look  
13 at it. And, Kay, I don't believe anybody did, so if

14 you could maybe send a letter to Mr. Parker asking if  
15 he could send someone out there, if not himself, and  
16 maybe report back what we found there.

17 West Side again, Washburn Street, from  
18 the 1200 to approximately the 1600 block, I know it's  
19 the wintertime, but the potholes are starting to get  
20 pretty bad there. It's reminding me of what  
21 North Main Avenue used to look like down in  
22 North Scranton, so I think I saw them out doing some  
23 cold patching today, so if maybe they could put that on  
24 their list for the 1200 to the 1600 block of  
25 Washburn Street the next time they patch. I'm trying

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1 to be as quick as I could here, I know we're late.

2 MS. GATELLI: Take your time, take your  
3 time.

4 MR. COURTRIGHT: South Scranton  
5 Steelers up near Connell Park, there's a lot of work  
6 that's going to be done on Connell Park, but the  
7 football players, that's not included in that project,  
8 their field, and they had asked when we were doing the  
9 CDBG allocations, if we can give them some money. I  
10 think they were looking to get their parking lot paved,

11 but one of the smaller items they were looking at was  
12 to get some money for -- for some irrigation for their  
13 field.

14 And I know sometimes when we allocate  
15 money for CDBG, maybe the project doesn't take place or  
16 maybe the project that the money was allocated for  
17 didn't comply, so we have extra money, and last year up  
18 at North Scranton, Kay, again, sorry about this, they  
19 were able to help me to get money for North Scranton,  
20 the Weston Field Little League up there, and I'm going  
21 to ask if maybe we can ask Miss Hailstone if we can't  
22 do the same. It's about \$4,000 maybe for the  
23 irrigation for that football field up there.

24 If they can't do it, if they would just  
25 report back to me and tell me they can't or if they're  
.

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1 going to continue to look, so I can tell the people up  
2 there what we're doing.

3 MS. GATELLI: Why don't I see if we can  
4 include that in the Connell Park project?

5 MR. COURTRIGHT: Any way we can get it,  
6 I'll take it. All right. And one last thing, I know  
7 -- I think Judy thinks we can pay for everything

8 through UDAG here --

9 MS. GATELLI: No, I'm just being funny,

10 because that's where it all -- they say everything is

11 coming out of that.

12 MR. COURTRIGHT: But I'd like to ask

13 this, Kay, how much UDAG money is available? Could we

14 find that out, how much UDAG money is available?

15 And my understanding is, UDAG money

16 could be used for just about everything, so, I hope we

17 have a lot. And that's all I have. Thank you.

18 MS. EVANS: Mrs. Gatelli, can I add one

19 there?

20 MS. GATELLI: Yes, you can.

21 MS. EVANS: This is also Weston Park,

22 they've been waiting for two years to have trees cut

23 down in that park that are dead and very dangerous, and

24 they keep asking time after time, and their response

25 has always been, I know Mr. Santolli has seen them and

.

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1 he agrees, they're dead, they're in very bad shape, but

2 there just isn't enough money.

3 As you heard earlier tonight, he's

4 allocated \$15,000 a year, and with the number of trees

5 he has to address, it just hasn't happened.

6 So, maybe if there were some way,

7 because the renovations to that park, as you know, I'm

8 sure, have been wonderful, and the people really should

9 be able to utilize it year around, but especially with

10 spring and summer without fear of, you know, any type

11 of dangerous situation occurring. Thank you.

12 MS. GATELLI: You're welcome. The

13 Email, I know Mrs. Evans said her's tonight, but we

14 were supposed to get it on Channel 61.

15 MS. GARVEY: I did tell the IT

16 Department about yours and Sherry's to be put on, but

17 they haven't gotten back to me yet to tell me whether

18 they've been set up.

19 MS. NEALON FANUCCI: Also, Kay, it's

20 available on our website, on the government website,

21 also, correct, under City Council people? I believe

22 that they have already put them on there, so if anybody

23 wants to go on, all of our websites are on there.

24 MS. GATELLI: Okay. The KOZ, the third

25 phase okay, Kay, could you just find out if Council has

.

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1 approved that already?

2 MS. GARVEY: Can you repeat that?

3 MS. GATELLI: The KOZ, the third phase,  
4 which hasn't been done yet, see if Council, the  
5 previous Council had approved that or if it's going to  
6 be this Council to make the decision.

7 I'd also like Kay to possibly, I'll  
8 give you the addresses later. To send to the  
9 principals of the high schools to see if there's any  
10 children that are interested in serving on our task  
11 force.

12 MR. MCTIERNAN: I know somebody at  
13 Scranton High.

14 MS. GATELLI: Mrs. Evans had said she  
15 had gotten questions from people about Boy Scouts and  
16 different youth groups, so I think anybody that would  
17 like to submit a letter, certainly we would address  
18 that, but I think even if you're -- I was thinking  
19 about it while I was sitting here and I thought, Well,  
20 even if you're a Boy Scout, you still go to school,  
21 so --

22 MS. EVANS: I think the point was more,  
23 though, that they were looking for the representation  
24 of the various sections of the city and they were  
25 hoping that, you know, the involvement of the young

1 then in their neighborhoods and with the elderly --

2 MS. GATELLI: Yes, I agree, I agree.

3 MS. EVANS: -- would, you know, really

4 foster some type of relationship and communication

5 that, you know, hopefully is going to bear fruit, and I

6 know we mentioned earlier, though, there is a concern

7 about how many to put on.

8 MS. GATELLI: Maybe we can just start

9 small and see how it works, and then we can expand

10 later. If Mr. Minora, I don't know where we would find

11 it, but I know when Mr. Miller gave me the information

12 the Borough of Waymart did this particular project, so

13 maybe if somebody can call there and see.

14 MR. MINORA: I'll talk to their

15 solicitor.

16 MS. GATELLI: Thank you. The last

17 thing -- second to last thing, the tree house, I'm also

18 going to speak in favor of the tree house. It sounds

19 like, you know, just a funky kind of thing, but

20 Keith Williams from the Center for Independent Living

21 has strongly supported this particular endeavor, and I

22 do think that the physically handicapped people need to

23 have places like this to go to, so I am in favor of it.

24 Can we increase the donations? I hope

25 so. I hope we can get the whole \$150,000, and I -- the

.

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1 mayor did tell me that Johnson School is going to

2 provide the labor, so that's going to save us another

3 \$80,000 there, so maybe when I meet with them, I will

4 bring up, I don't know whose suggestion it was to have

5 the people that received KOZs, the businesses, to maybe

6 make a donation, and let's see if we can't get the

7 whole \$150,000, so that it won't cost us anything, and

8 that people like Keith Williams will have an

9 opportunity to enjoy the park and the gorge, et cetera.

10 The last thing I'm going to say is

11 Mrs. Evans said I need a resolution prepared to have

12 the meetings in the neighborhoods, I know that a lot of

13 you don't agree with that, but I would certainly be

14 remiss as a neighborhood president for 25 years if I

15 didn't try to have a meeting in the neighborhoods.

16 There's an awful lot of people there

17 that can't get over here, and you'll -- it will be

18 taped, it will not be live, but I really don't see the

19 difference in it being taped and shown the next day.

20 You know, I don't think that takes anything away from  
21 the meeting.

22 MR. COURTRIGHT: Mrs. Gatelli, do we  
23 need to ask our solicitor if, in fact -- I know  
24 Mrs. Evans brought up something that it possibly  
25 wouldn't be legal, would you like to look into that for

.

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1 us to see if --

2 MR. MINORA: I do want to look at that.

3 No one asked me to take a look at it. I will take a  
4 look at it after the meeting before next meeting.

5 MS. GATELLI: And if you can be, and I  
6 promise, that if you get there and there's nobody there  
7 and it doesn't work, then I'll say, I give up, we'll  
8 come back. It's only going to be four times a year,  
9 and I think that we owe that to the rest of the  
10 neighborhood people that can't get here.

11 And if it doesn't work, like I said, I  
12 will be the first one to say, I made a mistake, let's  
13 come back. Thank you very much.

14 MR. MINORA: Ms. Gatelli, can I add one  
15 thing?

16 MS. GATELLI: Yes.

17 MR. MINORA: I drafted a proposed  
18 amendment to our rules to comply with Judge Mazzoni's  
19 opinion which was from two or three years ago, the  
20 rules should have been changed back then, and hadn't  
21 been, and I noticed after they were passed in the  
22 organizational meeting that they were incorrect, they  
23 were frankly in violation of his order.

24 So, I drafted those for you to  
25 Consider, for you all to take a look at and consider,

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1 and the only reason I wanted to speak up is because one  
2 of the speakers said there was a limit on their speech.

3 And point of fact, it's an expansion on  
4 the rules as they read in the beginning. It's not a  
5 limit, it's an expansion.

6 And the language that I've drafted  
7 comes from the Sunshine Act itself from Judge Mazzoni  
8 and Judge Nealon's prior opinion to that, and both of  
9 those comply with a United States Supreme Court  
10 opinion.

11 So, for anyone that thinks that there's  
12 something wrong with that, I'll be glad to see their  
13 legal opinion on that any time.

14 MS. GATELLI: Okay. I'll entertain a  
15 motion to amend the regulations of Council.  
16 Section One, any person authorized by The State  
17 Sunshine Act, 65 PS, Subsection 701, et sic, who wishes  
18 to address counsel may do so only in fourth order,  
19 which is designated as citizens participation. Any  
20 person authorized to address Council shall be limited  
21 to speaking exclusively on matters of concern to  
22 City Council for the current meeting in third, fifth,  
23 sixth and seventh order and non-agenda matters of  
24 concern involving city issues.

25 No person shall be permitted to speak

133

1 on any topic not a matter of concern to City Council.

2 I'll make the motion.

3 MR. MCTIERNAN: Second.

4 MS. GATELLI: On the question? All in

5 favor.

6 MS. EVANS: Aye.

7 MS. NEALON FANUCCI: Aye.

8 MR. MCTIERNAN: Aye.

9 MR. COURTRIGHT: Aye.

10 MS. GATELLI: Aye. Opposed? The ayes

11 have it and so moved. Thank you, Attorney Minora.

12 MS. GARVEY: 5-B, FOR INTRODUCTION - AN

13 ORDINANCE - AUTHORIZING THE VACATION OF A PORTION OF

14 THE RIGHT OF WAY KNOWN AS MURPHY COURT LOCATED BETWEEN

15 DAVIS STREET AND CRANE STREET, A RIGHT OF WAY

16 CONSISTING OF AN AREA 12.5 FEET WIDE AND 284 FEET LONG.

17 MR. COURTRIGHT: Before we vote on

18 this, Mrs. Gatelli, I'd like to say we have to send

19 this ordinance to the City Planning Commission and the

20 Lackawanna County Regional Planning Commission for

21 their review prior to conducting a public meeting, so

22 I'll make a motion that we send this ordinance to them

23 and ask that the City Clerk make the necessary

24 arrangements for the public hearing and any

25 advertisements as may be needed.

.

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1 MS. EVANS: Second.

2 MS. GATELLI: All in favor --

3 MS. EVANS: On the question first. I

4 know that this could possibly affect a small number of

5 Minooka residents, and I wanted them to know that a

6 public hearing will also be conducted after the review

7 by the planning commission that Councilman Courtright

8 has moved this evening, and so I would encourage those

9 individuals to please attend that public hearing and

10 let Council hear your exceptions to what is being

11 proposed here with regard to, I believe it's

12 Court Street --

13 MS. GATELLI: Murphy Court.

14 MS. EVANS: -- Murphy Court, I'm sorry,

15 and that's all.

16 MS. GATELLI: And I think that they'll

17 also have an opportunity to speak at the City Planning

18 Commission and the county planning commission. They're

19 allowed public input there, so they should probably

20 attend those three bodies. 5-C?

21 MS. GARVEY: No. We have to first --

22 MS. EVANS: We have to vote.

23 MS. GATELLI: Oh, we'll entertain --

24 MS. GARVEY: You have to vote on that

25 motion.

.

135

1 MS. GATELLI: Entertain a motion that

2 the item be introduced into its proper committee.

3 MS. EVANS: No. We have to vote on --

4 MS. GARVEY: First of all, you kind of

5 did that out of order.

6 MS. GATELLI: We did your motion.

7 MS. EVANS: He did and I seconded it.

8 MS. GATELLI: We did his, now we're

9 going to entertain to put it into --

10 MS. EVANS: But we didn't vote on that.

11 MS. GATELLI: Oh. All in favor.

12 MS. EVANS: Aye.

13 MS. NEALON FANUCCI: Aye.

14 MR. MCTIERNAN: Aye.

15 MR. COURTRIGHT: Aye.

16 MS. GATELLI: Aye. Now, listen, I'm

17 telling you, it's 9:30, and I'm usually in bed by now,

18 so you have to just prop me up here, sorry. All in

19 favor --

20 MR. COURTRIGHT: We did that.

21 MS. GATELLI: Any opposed? The ayes

22 have it and so moved. Now we're going to entertain a

23 motion that it be introduced into its proper committee.

24 MR. COURTRIGHT: Second.

25 MS. GATELLI: On the question? All in

.

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1 favor.

2 MS. EVANS: Aye.

3 MS. NEALON FANUCCI: Aye.

4 MR. MCTIERNAN: Aye.

5 MR. COURTRIGHT: Aye.

6 MS. GATELLI: Aye. Opposed? The ayes

7 have it and so moved.

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

9 ORDINANCE - AMENDING FILE OF COUNCIL NO. 82, 2004, AN

10 ORDINANCE ENTITLED GENERAL CITY OPERATING BUDGET 2005

11 BY TRANSFERRING \$63,715.06 FROM ACCOUNT NO.

12 01.401.15240.4299 (TAN SERIES B) AND \$48,284.94 FROM

13 ACCOUNT NO. 01.401.15307.4299 (OPERATING TRANSFER-DEBT

14 SERVICE 2003B BOND) FOR A TOTAL TRANSFER AMOUNT OF

15 \$112,000.00 TO ACCOUNT NO. 01.080.00083.4460 TO PROVIDE

16 FUNDING TO COVER STREET LIGHTING EXPENSES THROUGH YEAR

17 END.

18 MS. GATELLI: At this time I'll

19 entertain a motion that it be introduced into it's

20 proper committee.

21 MR. COURTRIGHT: So moved.

22 MS. NEALON FANUCCI: Second.

23 MS. GATELLI: On the question? All

24 those in favor.

25 MS. EVANS: Aye.

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1 MS. NEALON FANUCCI: Aye.

2 MR. MCTIERNAN: Aye.

3 MR. COURTRIGHT: Aye.

4 MS. GATELLI: Aye. Opposed? The ayes

5 have it and so moved.

6 MS. GARVEY: 5-D, FOR INTRODUCTION - A

7 RESOLUTION - APPOINTMENT OF JAMES SCANLON, 929 RICHMONT

8 STREET, SCRANTON, PENNSYLVANIA, 18509, AS A MEMBER OF

9 THE ETHICS COMMISSION, EFFECTIVE FEBRUARY 1, 2006.

10 MR. SCANLON WILL BE REPLACING VINCE CIMINI, WHOSE TERM

11 EXPIRED ON JULY 12, 2002. MR. SCANLON'S TERM WILL

12 EXPIRE ON JULY 12, 2007.

13 MS. GATELLI: I'll entertain a motion

14 that it be introduced into its proper committee.

15 MR. COURTRIGHT: So moved.

16 MS. NEALON FANUCCI: Second.

17 MS. GATELLI: On the question? All

18 those in favor, signify by saying aye.

19 MS. EVANS: Aye.

20 MS. NEALON FANUCCI: Aye.

21 MR. MCTIERNAN: Aye.

22 MR. COURTRIGHT: Aye.

23 MS. GATELLI: Aye. Opposed? The ayes

24 have it and so moved.

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

.

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1 RESOLUTION - APPOINTMENT OF STEPHEN E. WHITTAKER,

2 PH.D., 443 WHEELER AVENUE, SCRANTON, PENNSYLVANIA,

3 18510, AS A MEMBER OF THE ETHICS COMMISSION EFFECTIVE

4 FEBRUARY 1, 2006. MR. WHITTAKER WILL BE REPLACING

5 MR. RICHARD LASKE, WHOSE TERM EXPIRED ON JULY 12, 2004.

6 MR. WHITTAKER'S TERM WILL EXPIRE ON JULY 12, 2009.

7 MS. GATELLI: I'll entertain a motion

8 that it be introduced into it's proper committee.

9 MR. COURTRIGHT: So moved.

10 MS. NEALON FANUCCI: Second.

11 MS. GATELLI: On the question?

12 MS. EVANS: Yes. I wanted to thank

13 Mr. Laske for his dedicated service to the city, his

14 life experience, his good common sense and strong sense

15 of right and wrong are without a doubt irreplaceable,

16 and, Mr. Laske, (UNTRANSCRIBABLE.)

17 MS. GATELLI: Is that a Lithuanian

18 word?

19 MS. EVANS: He taught it to me.

20 MS. GATELLI: I'll teach you some

21 Italian ones later.

22 MS. EVANS: Oh, I'd love that.

23 MS. GATELLI: All those in favor,

24 signify by saying aye.

25 MS. EVANS: Aye.

.

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1 MS. NEALON FANUCCI: Aye.

2 MR. MCTIERNAN: Aye.

3 MR. COURTRIGHT: Aye.

4 MS. GATELLI: Aye. Opposed? The ayes

5 have it and so moved.

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

7 RESOLUTION - APPOINTMENT OF WAYNE EVANS, 717 ALDER

8 STREET, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF

9 THE ETHICS COMMISSION, EFFECTIVE FEBRUARY 1, 2006.

10 MR. EVANS WILL BE REPLACING GEORGE BURNS, WHOSE TERM

11 EXPIRED ON JULY 12, 2005. MR. EVAN'S TERM WILL EXPIRE

12 ON JULY 12, 2010.

13 MS. GATELLI: I'll entertain a motion

14 that it be introduced into it's proper committee.

15 MR. COURTRIGHT: So moved.

16 MR. MCTIERNAN: Second.

17 MS. GATELLI: On the question?

18 MS. EVANS: Yes. I'd also like to

19 recognize Mr. Burns for his dedication in public

20 service like Mr. Laske and Mr. Cimini, they are all men

21 of great integrity.

22 MS. GATELLI: And on the question, I

23 don't know Mr. Burns, but I do know Mr. Evans, he's the

24 new president of the South Side Residents Association,

25 and there's no more of an honest person than

140

1 Wayne Evans. Thank you, Wayne, for serving. All in

2 favor.

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 moved.

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

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

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

12 FILE OF COUNCIL NO. 9, 1976, ENTITLED AN ORDINANCE

13 ENACTING AND IMPOSING A TAX FOR GENERAL REVENUE

14 PURPOSES ON IMPOSING A TAX FOR GENERAL REVENUE PURPOSES  
15 ON INDIVIDUALS FOR THE PRIVILEGE OF ENGAGING IN AN  
16 OCCUPATION WITHIN THE CORPORATE LIMITS OF THE CITY OF  
17 SCRANTON BY CHANGING THE NAME OF THE TAX TO THE  
18 EMERGENCY MUNICIPAL SERVICES TAX, INCREASING THE AMOUNT  
19 OF THE WITHHOLDING TO \$52.00, AND DIRECTING THAT THE  
20 REVENUE BE USED FOR POLICE, FIRE, OR EMERGENCY SERVICES  
21 OR FOR ROAD CONSTRUCTION OR MAINTENANCE.

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

24 MR. COURTRIGHT: I move that Item 6-A  
25 pass reading by title.

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1 MR. MCTIERNAN: Second.

2 MS. GATELLI: On the question?

3 MS. EVANS: Yes. I have an ordinance

4 from Chambersburg, Pennsylvania which includes language

5 that provides for a payment schedule. It is ordinance

6 number 2004-19, and if I might just skip to the

7 pertinent section, employer deductions and returns

8 under Paragraph A, Such deductions may, at the option

9 of the employer, be spread over the first four pay

10 periods that the employee works each calendar year. If

11 an employee leaves employment prior to the full  
12 withholding of the tax by the employer, the employer  
13 must withhold the balance of the tax from the  
14 employee's final paycheck.  
15 So, evidently a payment schedule is  
16 being employed elsewhere in the State of Pennsylvania.  
17 It's my sincere hope that the State Senate and the  
18 general assembly is going to move on this in 2006 and  
19 give the little guy and gal a fair shake in 2007.  
20 It's, you know, certainly no  
21 inconvenience for many of us, but for others, it really  
22 is, which is why -- the only reason why I can't support  
23 the legislation at this time.

24 MS. GATELLI: Anyone else on the  
25 question? All those in favor, signify by saying aye.

.

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1 MS. NEALON FANUCCI: Aye.

2 MR. MCTIERNAN: Aye.

3 MR. COURTRIGHT: Aye.

4 MS. GATELLI: Aye. Those opposed?

5 MS. EVANS: No.

6 MS. GATELLI: The ayes have it and so  
7 moved.

8 MS. NEALON FANUCCI: I'd like to make a  
9 motion to suspend the rules and move 6-A into seventh  
10 order for final passage in order to have all of the  
11 taxing ordinances passed at the same time. It has been  
12 requested by the city solicitor.

13 MS. EVANS: Second.

14 MS. GATELLI: On the question?

15 All in favor, signify by say aye.

16 MS. EVANS: Aye.

17 MS. NEALON FANUCCI: Aye.

18 MR. MCTIERNAN: Aye.

19 MR. COURTRIGHT: Aye.

20 MS. GATELLI: Aye. Opposed? The ayes

21 have it and so moved.

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

23 FILE OF COUNCIL NO. 11, 2006 - AN ORDINANCE -

24 AUTHORIZING THE TRANSFER OF TWO (2) PARCELS OF LAND

25 ACQUIRED BY THE CITY THROUGH THE FLOOD CONTROL PROJECT

.

143

1 BY SEALED BIDS TO THE HIGHEST BIDDER, PROPERTY LOCATED

2 AT 2322-2324 SHAWNEE AVENUE, TO BE SOLD AS ONE PARCEL,

3 AND IDENTIFIED AS TAX MAP NUMBERS 13510-040-034 AND

4 13510-040-033.

5 MS. GATELLI: You've heard reading by

6 title, what is your pleasure?

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

8 pass reading by title.

9 MS. NEALON FANUCCI: 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-C, READING BY TITLE -

19 FILE OF COUNCIL NO. 12, 2006 - AN ORDINANCE -

20 AUTHORIZING THE TRANSFER OF TWO (2) PARCELS OF LAND

21 ACQUIRED BY THE CITY THROUGH THE FLOOD CONTROL PROJECT

22 BY SEALED BIDS TO THE HIGHEST BIDDER, PROPERTY LOCATED

23 AT 2326-2328 SHAWNEE AVENUE, TO BE SOLD AS ONE PARCEL,

24 AND IDENTIFIED AS TAX MAP NUMBERS 13510-040-034 AND

25 13510-040-035.

.

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1 MS. GATELLI: You've heard reading by

2 title, what is your pleasure?

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

4 pass reading by title.

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: 7-A, FOR CONSIDERATION BY

15 THE COMMITTEE ON FINANCE - FOR ADOPTION -

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

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

18 (AS AMENDED) PROVIDING FOR THE GENERAL REVENUE BY

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

20 OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF

21 SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM;

22 REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS

23 CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING

24 FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING

25 SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING

1 POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING  
2 PENALTIES, BY IMPOSING THE BUSINESS PRIVILEGE TAX AT  
3 THE RATE OF 1 MILL FOR CALENDAR YEAR 2006.

4 MS. GATELLI: What is the

5 recommendation of the chairperson for the committee on  
6 finance?

7 MR. MCTIERNAN: I recommend final  
8 passage of Item 7-A.

9 MR. COURTRIGHT: Seconded.

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-A legally and lawfully adopted.

23 MS. GARVEY: 7-B, FOR CONSIDERATION BY  
24 THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF  
25 COUNCIL NO. 2, 2006 - AN ORDINANCE - AMENDING FILE OF  
. .  
146

1 THE COUNCIL NO. 7, 1976, ENTITLED AN ORDINANCE (AS  
2 AMENDED) IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS  
3 FOR THE YEAR 1976 AND ANNUALLY THEREAFTER UPON PERSONS  
4 ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN;  
5 PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE  
6 ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND  
7 IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF  
8 THE CITY OF SCRANTON; AND IMPOSING PENALTIES, BY  
9 IMPOSING THE MERCANTILE LICENSE TAX AT 1 MILL FOR  
10 CALENDAR YEAR 2006.

11 MS. GATELLI: What is the  
12 recommendation of the chairperson on finance?

13 MR. MCTIERNAN: I recommend the final  
14 passage of Item 7-B.

15 MR. COURTRIGHT: Seconded.

16 MS. GATELLI: On the question? Roll  
17 call.

18 MR. COOLICAN: Mrs. Evans.

19 MS. EVANS: Yes.

20 MR. COOLICAN: Mrs. Fanucci.

21 MS. NEALON FANUCCI: Yes.

22 MR. COOLICAN: Mr. McTiernan.

23 MR. MCTIERNAN: Yes.

24 MR. COOLICAN: Mr. Courtright.

25 MR. COURTRIGHT: Yes.

.

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1 MR. COOLICAN: Mrs. Gatelli.

2 MS. GATELLI: Yes. I hereby declare

3 Item 7-B legally and lawfully adopted.

4 MR. COOLICAN: 7-C, FOR CONSIDERATION

5 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

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

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

8 ORDINANCE (AS AMENDED) LEVYING GENERAL AND SPECIAL

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

10 FOR THE YEAR 2006.

11 MS. GATELLI: What is the

12 recommendation of the chairperson on finance?

13 MR. MCTIERNAN: I recommend the final

14 passage of Item 7-C.

15 MR. COURTRIGHT: Seconded.

16 MS. GATELLI: On the question? Roll

17 call.

18 MR. COOLICAN: Mrs. Evans.

19 MS. EVANS: Yes.

20 MR. COOLICAN: Mrs. Fanucci.

21 MS. NEALON FANUCCI: Yes.

22 MR. COOLICAN: Mr. McTiernan.

23 MR. MCTIERNAN: Yes.

24 MR. COOLICAN: Mr. Courtright.

25 MR. COURTRIGHT: Yes.

.

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1 MR. COOLICAN: Mrs. Gatelli.

2 MS. GATELLI: Yes. I hereby declare

3 Item 7-C legally and lawfully adopted.

4 MS. GARVEY: 7-D, FOR CONSIDERATION BY

5 THE COMMITTEE ON FINANCE - FOR ADOPTION -

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

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

8 (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE

9 PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATE

10 WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING

11 THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX;

12 CONFERRING POWERS AND IMPOSING DUTIES UPON CERTAIN

13 PERSON, AND PROVIDING PENALTIES, BY IMPOSING THE RATE

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

15 2006.

16 MS. GATELLI: What is the

17 recommendation of the chairperson on finance?

18 MR. MCTIERNAN: I recommend final

19 passage of Item 7-D.

20 MR. COURTRIGHT: Seconded.

21 MS. GATELLI: On the question? Roll

22 call.

23 MR. COOLICAN: Mrs. Evans.

24 MS. EVANS: Yes.

25 MR. COOLICAN: Mrs. Fanucci.

.

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1 MS. NEALON FANUCCI: Yes.

2 MR. COOLICAN: Mr. McTiernan.

3 MR. MCTIERNAN: Yes.

4 MR. COOLICAN: Mr. Courtright.

5 MR. COURTRIGHT: Yes.

6 MR. COOLICAN: Mrs. Gatelli.

7 MS. GATELLI: Yes. I hereby declare

8 Item 7-D legally and lawfully adopted.

9 MS. GARVEY: 7-E, FOR CONSIDERATION BY

10 THE COMMITTEE ON FINANCE - FOR ADOPTION -

11 FILE OF COUNCIL NO. 5, 2006 - AN ORDINANCE -  
12 AMENDING FILE OF THE COUNCIL NO. 17, 1994 ENTITLED AN  
13 ORDINANCE (AS AMENDED) AUTHORIZING THE GOVERNING BODY  
14 OF THE CITY OF SCRANTON TO ENACT A WASTE DISPOSAL AND  
15 COLLECTION FEE FOR THE PURPOSE OF RAISING REVENUE TO  
16 COVER THE WASTE DISPOSAL AND COLLECTION COSTS INCURRED  
17 BY THE CITY OF SCRANTON FOR THE DISPOSAL OF REFUSE, BY  
18 IMPOSING A WASTE DISPOSAL AND COLLECTION FEE OF \$178.00  
19 FOR CALENDAR YEAR 2006.

20 MS. GATELLI: What is the  
21 recommendation of the chairperson on finance?

22 MR. MCTIERNAN: I recommend final  
23 passage of Item 7-E.

24 MR. COURTRIGHT: Seconded.

25 MS. GATELLI: On the question? Roll

.

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1 call.

2 MR. COOLICAN: Mrs. Evans.

3 MS. EVANS: Yes.

4 MR. COOLICAN: Mrs. Fanucci.

5 MS. NEALON FANUCCI: Yes.

6 MR. COOLICAN: Mr. McTiernan.

7 MR. MCTIERNAN: Yes.

8 MR. COOLICAN: Mr. Courtright.

9 MR. COURTRIGHT: Yes.

10 MR. COOLICAN: Mrs. Gatelli.

11 MS. GATELLI: Yes. I hereby declare

12 Item 7-E legally and lawfully adopted.

13 MS. GARVEY: 7-F, FOR CONSIDERATION BY

14 THE COMMITTEE ON FINANCE - FOR ADOPTION -

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

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

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

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

19 AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS

20 AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF

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

22 WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED

23 WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF

24 RETURNS BY TAXPAYERS SUBJECT TO THE TAX; REQUIRING

25 EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR

.

151

1 THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE

2 SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS, BY

3 IMPOSING THE WAGE TAX AT 2.4% ON EARNED INCOME FOR THE

4 YEAR 2006 FOR RESIDENTS.

5 MS. GATELLI: What is the

6 recommendation of the chairperson on finance?

7 MR. MCTIERNAN: I recommend final

8 passage of Item 7-F.

9 MR. COURTRIGHT: Seconded.

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-F legally and lawfully adopted.

23 MS. GARVEY: 7-G, FOR CONSIDERATION BY

24 THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF COUNCIL

25 NO. 7, 2006 - AN ORDINANCE - APPROVING THE TRANSFER OF

.

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1 A RESTAURANT LIQUOR LICENSE IN THE NAME OF MID-VALLEY

2 COMMUNITY GROUP, 1149 MAIN STREET, DICKSON CITY,  
3 PENNSYLVANIA, BOROUGH OF DICKSON CITY, LICENSE NO.  
4 R-4219 TO FACCIA LUNA, LLC FOR USE AT 301 NORTH MAIN  
5 AVENUE, SCRANTON, PENNSYLVANIA, 18504 AS REQUIRED BY  
6 THE PENNSYLVANIA LIQUOR CONTROL BOARD.

7 MS. GATELLI: As chairman for the  
8 committee on rules, I recommend final of Item 7-G.

9 MR. COURTRIGHT: Seconded.

10 MS. GATELLI: On the question? Roll  
11 call.

12 MS. EVANS: Congratulations and welcome  
13 to Scranton, 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-G legally and lawfully adopted.

23 MS. GARVEY: 7-H, FOR CONSIDERATION BY  
24 THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF COUNCIL  
25 NO. 8, 2006 - AN ORDINANCE - AUTHORIZING THE CONVEYANCE

1 BY SEALED BID OR AUCTION OF THREE PARCELS OF LAND IN  
2 NORTH SCRANTON ACQUIRED PURSUANT TO THE LACKAWANNA  
3 RIVER FLOOD CONTROL PROJECT, AS MORE PARTICULARLY  
4 DESCRIBED ON THE ATTACHED MAP.

5 MS. GATELLI: As chairperson on rules,  
6 I recommend final passage of Item 7-H.

7 MR. COURTRIGHT: Seconded.

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-H legally and lawfully adopted.

21 MS. GARVEY: 7-I, FOR CONSIDERATION BY

22 THE COMMITTEE ON RULES - FOR ADOPTION -

23 FILE OF COUNCIL NO. 9, 2006 - AN ORDINANCE -

24 AUTHORIZING THE TRANSFER OF A PARCEL OF LAND ACQUIRED

25 BY THE CITY THROUGH THE FLOOD CONTROL PROJECT BY SEALED

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1 BIDS TO THE HIGHEST BIDDER, PROPERTY LOCATED AT 622

2 RACE STREET, AND RECORDED AT RECORD BOOK RO44, PG.

3 1321.

4 MS. GATELLI: As chairman for the

5 committee on rules, I recommend final passage of 7-I.

6 MR. COURTRIGHT: Seconded.

7 MS. GATELLI: On the question? Roll

8 call.

9 MR. COOLICAN: Mrs. Evans.

10 MS. EVANS: Yes.

11 MR. COOLICAN: Mrs. Fanucci.

12 MS. NEALON FANUCCI: Yes.

13 MR. COOLICAN: Mr. McTiernan.

14 MR. MCTIERNAN: Yes.

15 MR. COOLICAN: Mr. Courtright.

16 MR. COURTRIGHT: Yes.

17 MR. COOLICAN: Mrs. Gatelli.

18 MS. GATELLI: Yes. I hereby declare

19 Item 7-C legally and lawfully adopted.

20 MS. GARVEY: 7-J, FOR CONSIDERATION BY  
21 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.  
22 24, 2006 - (AS AMENDED) - AUTHORIZING THE MAYOR AND  
23 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER  
24 INTO A CONTRACT WITH LODGE 2305 OF THE INTERNATIONAL  
25 ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS IN

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1 ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING  
2 NEGOTIATED BETWEEN THE PARTIES AND RATIFIED BY THE  
3 MEMBERSHIP.

4 MS. GATELLI: As chairman for the  
5 committee on rules, I recommend final passage of 7-J.

6 MR. COURTRIGHT: Seconded.

7 MS. GATELLI: On the question?

8 MR. COURTRIGHT: I just, you know, I'm  
9 going to be voting in the affirmative on this, and I  
10 want to make it perfectly clear, I voted for the  
11 \$10,000, because as Mrs. Gatelli had brought up in  
12 caucus that there was projects in the works that  
13 possibly could be held up, and if I understand  
14 correctly what our solicitor is saying, \$10,000, that's  
15 as far as he will be able to go, this in no way, shape  
16 or form is a guarantee on how I'm going to vote in the

17 future.

18 I'm voting just for this \$10,000, and I

19 just don't want to be misinterpreted by anybody, so I

20 want to make that clear.

21 MS. EVANS: I have seen of late that

22 the mayor has agreed to RFPs, which is the first good

23 step in the right direction, but I hope he will

24 consider all proposals equally and choose the lowest

25 responsible proposal, and I also believe there should

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1 be two separate attorneys, as had always been the case

2 in prior administrations, one who serves OECD, which is

3 generally created through municipal law, and one for

4 the Scranton Redevelopment Authority, who, though

5 completely autonomous, is created originally under

6 state law.

7 In addition to that, I also wanted to

8 suggest, and if anyone were sincerely interested in it,

9 I think we would need our counsel to advise us in

10 exactly how we might do this, it goes back to last

11 week's discussion about the date involved, and I came

12 up with something else, rather than a date, that it

13 would be \$10,000. I'm thinking on amending the

14 resolution to read \$10,000 or until such time that the  
15 contract will terminate when the new contract is  
16 awarded to the successful bidder.

17 MR. MINORA: I'm not sure what you're  
18 asking me.

19 MS. EVANS: Instead of December 31,  
20 2006, a substitution is saying that the contract will  
21 terminate when the new contract is awarded to the  
22 successful bidder.

23 MS. GATELLI: But it still can't go  
24 past the \$10,000, right, because we have \$10,000 in  
25 there.

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1 MR. MINORA: Right.

2 MS. GATELLI: I can't see your mouth.

3 MR. MINORA: Yes.

4 MS. GATELLI: The way it reads now is  
5 he cannot spend more than \$10,000, period.

6 MR. MINORA: You're in the same  
7 situation -- you're asking me the question that we're  
8 in the same situation with when his prior contract ran  
9 over, so the answer is he can't get paid, but he can  
10 sue for services rendered on the basis called quantum

11 meruit, that's the theory of recovery, so I'm answering  
12 your question as clearly as I can.  
13 If his \$10,000 was used up and he  
14 continued and nobody stopped him in the administration,  
15 he would have a lawsuit against the city in quantum  
16 meruit, which is what he has right now.

17 MR. COURTRIGHT: What if he was given  
18 zero and he continued to work, could he still sue for  
19 the money?

20 MR. MINORA: Quantum meruit, let me  
21 explain the theory for you in real simple terms, if you  
22 had someone that came and shoveled your snow every day  
23 that it snowed, and then one day it snowed and you paid  
24 him, and then one day it snowed and you sat on your  
25 porch and you watched him shovel it again, and then you  
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1 say to him, I didn't ask you to do that, I'm not going  
2 to pay you, he would have a lawsuit against you in  
3 quantum meruit.  
4 You knew he was doing it, he had been  
5 paid in the past, and you allowed him to go forward  
6 knowing that he was providing a service, and the law  
7 provides for a recovery on his part.

8 So, I'm not trying to overcomplicate  
9 your question, but I want to answer it thoroughly, and  
10 I think that's as thorough as I can do it.  
11 MS. EVANS: I understand what you're  
12 saying, but also if, for example, I hire a cleaning  
13 company for my house and I have a contract with that  
14 cleaning company for, let's say, \$5,000, for the year,  
15 and the contract expires, and it's now a new year and I  
16 come home to find the cleaning company there, and they  
17 tell me, Well, of course I'm here, because your next  
18 door neighbor said I could, I don't have a contract  
19 with you anymore, but my neighbor said it's perfectly  
20 all right for me to come into your house without your  
21 permission.

22 MR. MINORA: That's a different  
23 situation.

24 MS. EVANS: How is that any different,  
25 because the contract must come before City Council for

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1 approval. I understand he has done work, but Council  
2 has been circumvented.

3 MR. MINORA: That part I won't argue  
4 with you, but your example said the neighbor let them

5 in, and the example that I used, and I was addressing  
6 Mr. Courtright, that I said it was he who was sitting  
7 on the porch, he watched this man shovel his snow, so  
8 in the case of the city, there's no neighbor allowing  
9 somebody to do the legal work, it's the mayor and OECD  
10 allowing him to do the work, so it's not the neighbor.  
11 It would -- the analogy to that would be you, not your  
12 neighbor.

13 MS. EVANS: Let's say, I don't know,  
14 relatives, by my point is the legislative --

15 MS. GATELLI: Is this contract over at  
16 \$10,000 or no?

17 MR. MINORA: The contract is over at  
18 \$10,000, but what you asked me was --

19 MS. GATELLI: If he spends \$10,000, is  
20 the contract over?

21 MR. MINORA: The contract is over at  
22 \$10,000.

23 MS. GATELLI: -- according to what  
24 we're doing?

25 MR. MINORA: Yes. The answer to that

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1 is yes, but you asked me additionally will he stop and

2 not get paid any more money, and I can't say that.

3 MS. GATELLI: According to us, he will.

4 MR. MINORA: According to this

5 contract, he won't, but I cannot say to you the he

6 won't continue to work, that the administration won't

7 allow him to continue to work and that he won't get

8 paid. That's the situation you have, you're facing

9 right now.

10 So, all I'm saying to you is, yes, the

11 contract will end at \$10,000. Does that mean the city

12 will no longer be obligated to him if he continues to

13 work and the mayor authorizes it and OECD authorizes

14 it? No, that's a different question. I'm just trying

15 to give you --

16 MS. GATELLI: Well, we need to do

17 something else about it then, like, send a letter that,

18 you know, put him on notice that if he spends more than

19 \$10,000, according to this contract, that he's

20 violating the law and he will be breaching trust or

21 whatever.

22 I mean there needs to be something,

23 because she's right, you know, what if he keeps on

24 going?

25 I mean, I have the mayor's word that

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1 it's going to an RFP, but I don't want to be nervous

2 that he's going to go over this \$10,000.

3 MS. EVANS: And I hope honestly that

4 the RFP isn't an exercise in futility or a sham,

5 because it appears that despite the fact that this will

6 be done, the decision still lies with the mayor,

7 regardless of the costs, regardless of even the

8 experiential level of the individual, it can be his own

9 choice.

10 MS. GATELLI: Well, I don't know that

11 we can control that. I mean, that's why he's the

12 mayor, however, you know, if he's, you know, doubled

13 somebody else, then, hey, that brings something to

14 question, and I don't think anybody would let that go

15 without at least making some serious comments about it

16 and sending some letters that we don't approve of it.

17 MS. EVANS: Well, you can vote your

18 disapproval; in other words if four people, four

19 Council members, did not wish Attorney Greco's work to

20 continue, it takes but four votes to --

21 MR. COURTRIGHT: Just vote no tonight

22 and then it will be done. If what you want to do, if

23 four of us vote no, it will be done.

24 MR. MINORA: I'm not sure what you're

25 saying, what will be done?  
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1 MR. COURTRIGHT: I understand what

2 Judy's saying. I would say if this Council, and

3 correct me if I'm wrong, if this Council votes no, say

4 all five of us, I would think that Mr. Greco's going to

5 continue to work, the mayor is going to continue to

6 authorize him to work, he's going to get paid because

7 he's going to sue us, and he's going to get paid, plus

8 court costs.

9 MS. NEALON FANUCCI: So, yeah, why are

10 we going to incur more lawsuits and more money for the

11 taxpayers and you don't want to give him \$10,000 to do

12 work?

13 MR. COURTRIGHT: Right. I'm just

14 saying what Mrs. Gatelli --

15 MS. GATELLI: Yeah, because he's going

16 to keep doing it anyway.

17 MR. COURTRIGHT: What you want to have

18 happen is probably not going to happen. I know you

19 want to stop him at \$10,000, and I know that you got

20 the mayor's word that he's going to stop at \$10,000 --

21 MS. GATELLI: Well, I take a person for

22 their word, okay? And if they violate their word,

23 there's consequences.

24 MR. COURTRIGHT: If he does that, we're

25 going to be, just like the attorney said, we're going

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1 to be in the same situation as we have for the previous

2 year; am I correct, if he doesn't -- if he continues to

3 work above the \$10,000.

4 MS. GATELLI: If he continues to work

5 above the \$10,000, then we need to file a lawsuit

6 against it or something. I mean, you just keep doing

7 this without a contract.

8 MR. MINORA: I don't disagree.

9 MS. EVANS: Well, actually obviously

10 you can. This can continue indefinitely, because the

11 administration has gotten away with it since October of

12 2004, and I did bring the issue up in 2005, because I

13 was investigating as to the termination date of

14 Mr. Greco's contract, and actually I was provided with

15 a lot of very ambiguous or nebulous information, and it

16 seemed to just get pushed under a rug.

17 So, don't be a bit surprised that what  
18 you think will never happen, often happens.  
19 MS. GATELLI: Well, I agree with you,  
20 but I'd think we would have repercussions. I mean, I  
21 think we have some authority.

22 MS. EVANS: Well, we do, according to  
23 the laws of Scranton, we are two separate but equal  
24 branches of government.

25 MS. GATELLI: This is federal money, so  
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1 we will have to call HUD, if things aren't done  
2 properly.

3 MS. EVANS: Well, actually that's what,  
4 you know, that's what I was discussing last week, I  
5 really do not know if, you know, you can just do these  
6 types of things, allow someone to continue without  
7 having legislative approval, you know, hand a position  
8 to someone without ever having bid it out or request  
9 proposals while using HUD monies to pay their salary.

10 MS. GATELLI: Yeah, you mean, I think  
11 we'd have the upper hand there with HUD, I really do.  
12 I mean, I could be all wet, but I'll put my stake in  
13 that. We'll just call them in here and tell them that,

14 you know, there's things going on without contracts  
15 without our approval, and I think we would have a leg  
16 to stand on.

17 I remember when we worked, I don't know  
18 if you were there yet, Amil, when I was still there,  
19 but I remember getting letters from Council when  
20 Boyd Hughes' contract ran out, like, threatening  
21 letters that you better not have him do any work,  
22 because he has no contract. You know, then it might  
23 put them on the defense --

24 MS. EVANS: And Mr. Washo stopped work.

25 MS. GATELLI: Yeah, we did. We didn't

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1 work.

2 MS. EVANS: Everything stopped until  
3 something came across Council that was agreed upon, and  
4 then I believe he was able to finish out 2001, and  
5 Mr. Greco came on board in January 2002, which would  
6 have left no time period in which any of this could  
7 have ever been advertised or put out for bid.

8 MS. NEALON FANUCCI: Was there a letter  
9 written from Council for them to stop work?

10 MS. EVANS: No, I don't believe so.

11 MS. NEALON FANUCCI: So the contract --

12 MS. EVANS: Because the administration

13 by hiring him would send down to Council, as it had in

14 each year previously, I believe he had a contract in

15 2002, two contracts possibly or maybe another contract

16 in, no, no, no, wait, 2002, I think, was one, two

17 contracts in 2003, and then from the time that the new

18 Council members assumed their seats in January 2004, no

19 contract was ever presented by the administration to

20 City Council for Mr. Greco, never.

21 MS. GATELLI: Well, there's a problem

22 there.

23 MS. NEALON FANUCCI: We weren't here.

24 MS. EVANS: No, you weren't here, but

25 we three were, which is why I began raising questions

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1 last year, and that was just nicely avoided, and now it

2 comes to light when you get a new Council, Oh, yes,

3 that was true, and now we'll take the vote. That

4 concerns me.

5 I mean, I really -- I don't know that

6 one branch of government can get away with

7 circumventing the other branch of government for a year

8 and a half and then suddenly expect that all will be

9 well with the parties involved --

10 MS. NEALON FANUCCI: Unfortunately, I

11 believe, he's protected by the charter, right? I mean,

12 the charter, the mayor picks counsel -- chooses his

13 counsel, and I believe that that's where --

14 MS. EVANS: Well, he isn't really the

15 mayor's counsel, we're talking counsel to OECD and the

16 SRA.

17 MS. NEALON FANUCCI: For everything,

18 but --

19 MS. EVANS: Right. And OECD is only

20 paid -- the salaries in OECD are paid through the

21 general operating budget, the rest of the funds that go

22 into that office are federal funds, and that is not

23 running through --

24 MS. GATELLI: What?

25 MS. EVANS: OECD, the salaries, yes,

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1 are contained in the general operating budget, you'll

2 see them listed, but everything else, all of their

3 other operations are federally funded.

4 MS. GATELLI: Sara Hailstone gets paid

5 out of city funds?

6 MS. EVANS: Yes.

7 MS. GATELLI: Not federal funds?

8 MS. EVANS: You can look -- get a copy

9 of the budget and you'll see, okay?

10 Now, some people will have, I think

11 there are one or two perhaps who might be half funded

12 by the city and half by funding, but the SRA, anything

13 to do with the SRA does not appear in the city's

14 general operating budget, not Mr. Shayne's salary, you

15 know, not any of the necessities that they require to

16 operate, in fact, if you looked in the budget under

17 boards and commissions, there is a line item for that

18 particular category, and then it's broken down into the

19 boards and commissions that are funded by the general

20 operating budget, and the SRA is not among them.

21 MS. GATELLI: Well, I don't know where

22 we're at now.

23 MR. COURTRIGHT: Do we have a motion?

24 MS. EVANS: No, I didn't make that in

25 the form of a motion, I was simply asking if there were

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1 support for it, how then would you proceed with a

2 motion to amend, since there's already a resolution on  
3 the floor.

4 MR. COURTRIGHT: I don't know.

5 MS. GATELLI: I don't know if it could  
6 be amended in seventh order, can it?

7 MS. EVANS: Well, it's not an  
8 ordinance, is it?

9 MR. MINORA: It's a resolution, I  
10 believe.

11 MR. COURTRIGHT: You could table it and  
12 look at it next week. Do you want to table it?

13 MS. EVANS: Yes.

14 MR. COURTRIGHT: Do you want to make a  
15 motion to table it?

16 MS. EVANS: I think we would have to  
17 withdraw the last motion or should we vote on this?

18 MR. MINORA: I'm not sure what the last  
19 motion was at this point , I don't remember.

20 MS. GATELLI: See, it must be past your  
21 bedtime, too.

22 MS. EVANS: No, no, I didn't make a  
23 motion, but the president had read the legislation and  
24 someone seconded it, and we were on the question.

25 MR. COURTRIGHT: I'll withdraw my

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1 second.

2 MS. GATELLI: I'll withdraw my motion.

3 MS. EVANS: Okay. Then I move to table

4 Item 7-J.

5 MR. COURTRIGHT: Second.

6 MS. GATELLI: On the question? All in

7 favor.

8 MS. EVANS: Aye.

9 MS. NEALON FANUCCI: Aye.

10 MR. COURTRIGHT: Aye.

11 MS. GATELLI: Aye. Nos?

12 MR. MCTIERNAN: No.

13 MS. GATELLI: By a vote of 4-1, the

14 motion is tabled, the resolution is tabled. 7-K, Kay.

15 MS. GARVEY: Okay. 7-K, FOR

16 CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS - FOR

17 ADOPTION - RESOLUTION NO. 25, 2006 - AUTHORIZING THE

18 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE

19 AND ENTER INTO SUPPLEMENTAL REIMBURSEMENT AGREEMENT NO.

20 048401B WITH THE COMMONWEALTH OF PENNSYLVANIA,

21 DEPARTMENT OF TRANSPORTATION (PENNDOT) TO ALLOW FOR AN

22 INCREASE IN THE MAXIMUM FEDERAL REIMBURSEMENT FOR THE

23 EAST MOUNTAIN ROAD PROJECT.

24 MS. GATELLI: What's the recommendation

25 of the chairperson on public works?

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1 MS. EVANS: As chair of the committee

2 on public works, I recommend final passage of Item 7-K.

3 MR. COURTRIGHT: Seconded.

4 MR. DIBILEO: On the question? Roll

5 call.

6 MR. COOLICAN: Mrs. Evans.

7 MS. EVANS: Yes.

8 MR. COOLICAN: Mrs. Fanucci.

9 MS. NEALON FANUCCI: Yes.

10 MR. COOLICAN: Mr. McTiernan.

11 MR. MCTIERNAN: Yes.

12 MR. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Yes.

14 MR. COOLICAN: Mrs. Gatelli.

15 MS. GATELLI: Yes. I hereby declare

16 7-K, legally and lawfully adopted.

17 MS. GARVEY: 7-L, WHICH WAS FORMERLY

18 6-A, FOR CONSIDERATION BY THE COMMITTEE ON FINANCE -

19 FOR ADOPTION - FILE OF COUNCIL NO. 10, 2006 - AN

20 ORDINANCE - AMENDING FILE OF COUNCIL NO. 95 OF 2005,  
21 WHICH IN TURN AMENDED FILE OF COUNCIL NO. 9, 1976,  
22 ENTITLED AN ORDINANCE ENACTING AND IMPOSING A TAX FOR  
23 GENERAL REVENUE PURPOSES ON IMPOSING A TAX FOR GENERAL  
24 REVENUE PURPOSES ON INDIVIDUALS FOR THE PRIVILEGE OF  
25 ENGAGING IN AN OCCUPATION WITHIN THE CORPORATE LIMITS  
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1 OF THE CITY OF SCRANTON BY CHANGING THE NAME OF THE TAX  
2 TO THE EMERGENCY MUNICIPAL SERVICES TAX, INCREASING THE  
3 AMOUNT OF THE WITHHOLDING TO \$52.00, AND DIRECTING THAT  
4 THE REVENUE BE USED FOR POLICE, FIRE, OR EMERGENCY  
5 SERVICES OR FOR ROAD CONSTRUCTION OR MAINTENANCE.

6 MS. GATELLI: What is the  
7 recommendation of the chairperson on finance?

8 MR. MCTIERNAN: I recommend final  
9 passage of Item 7-L.

10 MR. COURTRIGHT: Seconded.

11 MS. GATELLI: On the question? Roll  
12 call.

13 MR. COOLICAN: Mrs. Evans.

14 MS. EVANS: No.

15 MR. COOLICAN: Mrs. Fanucci.

16 MS. NEALON FANUCCI: Yes.

17 MR. COOLICAN: Mr. McTiernan.

18 MR. MCTIERNAN: Yes.

19 MR. COOLICAN: Mr. Courtright.

20 MR. COURTRIGHT: Yes.

21 MR. COOLICAN: Mrs. Gatelli.

22 MS. GATELLI: Yes. I hereby declare

23 Item 7-L legally and lawfully adopted. Well, are we

24 through?

25 MS. NEALON FANUCCI: I make a motion to

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1 adjourn.

2 MR. COURTRIGHT: Second.

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4 (MEETING WAS ADJOURNED.)

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## 2 CERTIFICATE

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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

10

11  
LISA M. GRAFF, RMR  
12 Official Court Reporter

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