

1

1 SCRANTON CITY COUNCIL
PUBLIC HEARING

2

3

4

5

IN RE: FILE OF COUNCIL NO. 71, 2006 - AUTHORIZING THE
6 VACATION OF A PORTION OF THE RIGHT OF WAY KNOWN AS
GORGE STREET CONSISTING OF AN AREA 165 FEET LONG AND 26
7 FEET WIDE IN THE CITY OF SCRANTON, AS MORE PARTICULARLY
DESCRIBED ON THE MAP ATTACHED HERETO.

8

9

10

11

Held:

12 Thursday, January 4, 2007

13

14

15 Time:

6:15 p.m.

16

17

18

Location:

19 Council Chambers

Scranton City Hall

20 340 North Washington Avenue

Scranton, Pennsylvania

21

22

23

24 Lisa M. Graff, RMR
Court Reporter

25

.

2

1 CITY OF SCRANTON COUNCIL:

2

3 MS. JUDY GATELLI, COUNCIL PRESIDENT

4

5 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

6

7
MS. SHERRY NEALON FANUCCI

8

9
MR. ROBERT MCGOFF

10

11
MR. AMIL MINORA, ESQUIRE, SOLICITOR

12

13
MS. KAY GARVEY, CITY CLERK

14

15
MS. SUSAN MAGNOTTA, ASSISTANT CITY CLERK

16

17

18

19

20

21

22

23

24

25

.

3

1 MS. GATELLI: I'd like to call this

2 public hearing to order. Roll call.

3 MS. MAGNOTTA: Mrs. Evans. Mrs.

4 Fanucci.

5 MS. NEALON FANUCCI: Here.

6 MS. MAGNOTTA: Mr. McGoff.

7 MR. MCGOFF: Here.

8 MS. MAGNOTTA: Mr. Courtright.

9 MR. COURTRIGHT: Here.

10 MS. MAGNOTTA: Mrs. Gatelli.

11 MS. GATELLI: Here. The purpose of

12 the public hearing is to hear testimony and

13 discuss the following:

14 FILE OF COUNCIL NO. 71, 2006 -

15 AUTHORIZING THE VACATION OF A PORTION OF THE

16 RIGHT OF WAY KNOWN AS GORGE STREET

17 CONSISTING OF AN AREA 165 FEET LONG AND 26
18 FEET WIDE IN THE CITY OF SCRANTON, AS MORE
19 PARTICULARLY DESCRIBED ON THE MAP ATTACHED
20 HERETO.

21 Is there anyone interested in
22 speaking at this public hearing? Let the
23 record reflect that there are no speakers.
24 I now declare this public hearing closed.

25

.

4

1 C E R T I F I C A T E

2

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.

8

9

10

LISA M. GRAFF, RMR
11 Official Court Reporter

12

13

14

15

16

17

18

19

20

21

22

23

24

25

.

1

1 SCRANTON CITY COUNCIL MEETING

2

3

4

5 Held:

6 Thursday, January 4, 2007

7

8

9 Time:

10 6:30 p.m.

11

12

13 Location:

14 Council Chambers

15 Scranton City Hall

16 340 North Washington Avenue

17 Scranton, Pennsylvania

18

19

20

21

22

23 Lisa M. Graff, RMR

24 Court Reporter

25

.

2

1 CITY OF SCRANTON COUNCIL:

2

3

4 MS. JUDY GATELLI, COUNCIL PRESIDENT

5

6 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

7

8 MS. JANET EVANS

9

10 MS. SHERRY NEALON FANUCCI

11

12 MR. ROBERT MCGOFF

13

14 MR. AMIL MINORA, ESQUIRE, SOLICITOR

15

16 MS. KAY GARVEY, CITY CLERK

17

18 MS. SUSAN, MAGNOTTA, ASSISTANT CITY CLERK

19

20

21

22

23

24

25

.

3

1 MS. GATELLI: Okay. Please stand

2 for the Pledge Of Allegiance. Please remain

3 standing for a moment of reflection. Roll

4 call.

5 MS. MAGNOTTA: Mrs. Evans.

6 MS. EVANS: Here.

7 MS. MAGNOTTA: Mrs. Fanucci.

8 MS. FANUCCI: Here.

9 MS. MAGNOTTA: Mr. McGoff.

10 MR. MCGOFF: Here.

11 MS. MAGNOTTA: Mr. Courtright.

12 MR. COURTRIGHT: Here.

13 MS. MAGNOTTA: Mrs. Gatelli.

14 MS. GATELLI: Here. Dispense with

15 the reading of the minutes.

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

17 AGENDA FOR THE CITY PLANNING COMMISSION

18 MEETING HELD ON DECEMBER 19, 2006.

19 MS. GATELLI: Are there any

20 comments? If not, received and filed.

21 MS. GARVEY: 3-B, AGENDA FOR THE

22 ZONING HEARING BOARD MEETING HELD ON

23 DECEMBER 13, 2006.

24 MS. GATELLI: Are there any

25 comments? If not, received and filed.

.

4

1 MS. GARVEY: 3-C, ACCEPTING A

2 DONATION RECEIVED FROM THE CHRISTIAN SCIENCE
3 SOCIETY OF LACKAWANNA COUNTY TO THE CITY OF
4 SCRANTON FIRE DEPARTMENT IN THE AMOUNT OF
5 \$100.00 TO BE DEPOSITED TO SPECIAL CITY
6 ACCOUNT #02.229544 (FIRE DEPARTMENT
7 DONATIONS.)

8 MS. GATELLI: Are there any
9 comments? If not, received and filed.

10 MS. GARVEY: 3-D, APPLICATIONS AND
11 DECISIONS RENDERED BY THE ZONING HEARING
12 BOARD MEETING HELD ON DECEMBER 13, 2006.

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

15 MS. GARVEY: 3-E, CONTROLLER'S
16 REPORT FOR THE MONTH ENDING NOVEMBER 30,
17 2006.

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

20 MS. GARVEY: 3-F, MINUTES OF THE
21 NON-UNIFORM PENSION BOARD MEETING HELD ON
22 NOVEMBER 15, 2006.

23 MS. GATELLI: Are there any
24 comments? If not, received and filed.

25 MS. GARVEY: 3-G, AGENDA FOR THE

5

1 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING
2 HELD ON NOVEMBER 15, 2006.

3 MS. GATELLI: Are there any
4 comments? If not, received and filed.

5 MS. GARVEY: 3-H, MINUTES OF THE
6 FIREMEN'S PENSION COMMISSION MEETING HELD ON
7 NOVEMBER 15, 2006.

8 MS. GATELLI: Are there any
9 comments? If not, received an filed.

10 MS. GARVEY: 3-I, MINUTES OF THE
11 SCRANTON POLICE PENSION COMMISSION MEETING
12 HELD ON NOVEMBER 15, 2006.

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

15 MS. GARVEY: 3-J, AGENDA FOR THE
16 ZONING HEARING BOARD MEETING TO BE HELD ON
17 JANUARY 10, 2007.

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

20 MS. GARVEY: That's all I have.

21 MS. GATELLI: Before we start the
22 meeting, I just have a few items to discuss.

23 First of all, I'd like to wish everyone a
24 very happy, healthy and prosperous new year.

25 I received a phone call last evening

.

6

1 from a George Gulla, and he reminded me that

2 on Sunday, January 7, it is Christmas for

3 all of the eastern orthodox faith according

4 to the Julian calendar, so Council would

5 like to offer our Merry Christmas

6 congratulations to all of those of that

7 particular faith.

8 I'd like to also congratulate the

9 new state representatives, Ken Smith and

10 Frank Shimkus. I had the pleasure of being

11 invited to Mr. Smith's swearing in in

12 Harrisburg. It certainly was a wonderful,

13 wonderful experience, and I know that he's

14 going to do a good job.

15 Also today Senator Bob Casey was

16 sworn in in the City of Washington, so we

17 have our hometown boy, who I'm sure is going

18 to help us along the way. So,

19 congratulations to all three of those

20 candidates, and we hope that they have a
21 successful tenure. And if there's any way
22 we can help them or they can help us. They
23 have offered their assistance in any way.

24 The Miners football team will be
25 making an announcement on January 10 at

.

7

1 three o'clock at the Uno Fitness. And
2 they're a minor league football team located
3 in Lackawanna County.

4 In attendance will be Donny Jackson
5 Bay. He's a minor league football legend
6 and he plans to carry the ball in 2007 for
7 The Miners. So, that's on January the 10th.

8 I also got a notice from -- E-mail
9 when there was a fire on the 15th of
10 December, and one of our city employees,
11 Gary Frances, helped to pull the people out
12 of the burning trailer.

13 So, I think that it would, even
14 though it wasn't in Scranton, I think that
15 maybe Council should recognize Mr. Frances
16 with a proclamation. So, Kay, you can

17 arrange that.

18 Also, I received a letter from a

19 woman up on West Market Street, and I'm

20 going to give it to Kay to send to Mr.

21 Parker. She was having a problem in the

22 back. People have encroached on a city

23 property on the court, and we haven't been

24 very successful. So, I'm going to ask Kay

25 to write a letter on this woman's behalf.

.

8

1 I'll pass this to Council so they can see

2 what it is.

3 Also, if you can ask Mr. Parker to

4 send us a letter of items that are picked up

5 with the regular garbage every week, items

6 that they do pick up, because people over

7 the holiday had some problems getting

8 couches and things picked up.

9 When they called they said, yes, we

10 will pick up one large item a week, but then

11 they never picked it up for three weeks.

12 So, if you can ask Mr. Parker to give us a

13 list of items that will be picked up on a

14 regular basis and then maybe we can have The

15 Scranton Times put it in the newspaper.

16 Also, the Christmas trees will be

17 picked up, and that schedule is going to be

18 in later in the week.

19 Also, just one more thing, I got a

20 request from a senior citizen that spoke to

21 Comcast, the new Adelphia provider, and they

22 said that if Council requested that there be

23 a senior citizen discount, that they will

24 look into.

25 So, I don't know if that's true, but

.

9

1 we'll certainly send a letter on behalf of

2 City Council. I won't make a motion. We'll

3 just all send it for City Council. No one

4 is, I don't think, will object to that, and

5 see if they're telling the truth.

6 That's what they told the woman, so

7 I told her that we will try to get a

8 discount for the senior citizens. I'd like

9 a discount for everybody, to tell you the

10 truth. And that's all I have. Does anyone

11 else have anything they'd like to say at

12 this time?

13 MS. EVANS: Mrs. Gatelli, do we need

14 a motion to send the official letter to

15 Channel 61 about the rearrangement of their

16 equipment or can we just send the letter?

17 MS. GATELLI: I think we will just

18 send it. Mrs. Garvey will just send it.

19 MS. EVANS: Okay.

20 MS. GATELLI: We were all in

21 agreement. In our caucus, what Mrs. Evans

22 is talking about, is Channel 61 cannot stay

23 in that room in the back because they're

24 going to be putting the new vents in there

25 for the air conditioning and the heating,

.

10

1 and Council has agreed to allow them to use

2 a portion of the balcony to set up whatever

3 they need to film the Council meetings and

4 the taxpayers meetings and whatever other

5 meetings occur in this chambers. So, we are

6 sending a letter to that effect, just so

7 you're aware. Okay. The first speaker is

8 Douglas Miller.

9 MR. MILLER: Good evening, Council.

10 Doug Miller. Last Thursday the Junior

11 Council, along with Mr. Bob Bolus and Mr.

12 Lee Morgan presented a check for our share

13 of the proceeds with totalled \$640 that we

14 raised at our breakfast with Santa held at

15 Scooter's Hot Dawg Hut on December 2.

16 We all came as a body in support of

17 Channel 61. Some of us even worked the

18 phone banks. We understand the importance

19 of keeping our channel of communication

20 running, and we as a community need to come

21 together and reach out to Channel 61 and

22 support them.

23 My question to this Council tonight

24 is that I understand the administration is

25 putting Channel 61 out of city hall because

.

11

1 of renovations in the back room and in the

2 governor's room, but I believe a year or so

3 ago those two rooms were renovated.

4 And just my question would be, is

5 Council going to permit this to happen? And

6 I can see it is, from what I heard just now,

7 that you will be sending a letter telling

8 them they have to leave the room.

9 I just hope this isn't the

10 administration trying to stifle the

11 information to the people that we receive

12 through Channel 61.

13 This past week I came across an

14 editorial in The Times entitled, Fun Channel

15 61, and it goes on to say that groups of

16 people have hijacked the station for self

17 fame and they operate on a political agenda.

18 My response to this is that if it

19 weren't for Channel 61, nobody would be

20 truly informed on what is going on in this

21 city.

22 And we, as citizens, have the right

23 to come to this podium and express our

24 thought on issues.

25 And at times, some people might not

.

12

1 want to hear what you have to say, but

2 that's what makes this country so wonderful
3 is that we can come up here and say what we
4 feel is on our minds.
5 It also goes on to encourage
6 agencies, business, et cetera, to make a
7 contribution towards Channel 61.
8 My question to that would be, Has
9 the Lynett or Haggerty family made any
10 contribution to Channel 61? Maybe somebody
11 on Council can get an answer for me. I'd be
12 very interested to know that.
13 Moving on, on December 25, the 11th
14 annual Bob Bolus, Sr. Christmas Day dinner
15 took place at St. Lucy's Church in West
16 Side. Many people, including myself, were
17 there serving people, and it was great to
18 see all the smiles on people's faces and to
19 know that they had a place to go for
20 Christmas.
21 Mr. Bolus asked me to personally
22 thank Mrs. Gatelli, Mr. Courtright and Mrs.
23 Novembrino and all those who volunteered,
24 but more importantly those who shared in the
25 festivities.

.

13

1 It was a great success that served

2 over 2,000 people. That counts over 800

3 take-out dinners that were distributed.

4 And after that, there was no point

5 in counting any more. So, again, thank you.

6 Lastly tonight regarding the smoking

7 ban, I would like to comment on this issue

8 briefly.

9 Again, as I have stated in the past,

10 I strongly support this ban because of the

11 serious health issues, and I understand that

12 many people against the ban have a difficult

13 time understanding that.

14 This past week an article in The

15 Times stated that business owners will not

16 enforce the ban. It should be adhered to

17 because the law is the law, and according to

18 what I've learned from my teachers, if you

19 disobey the law, you are penalized.

20 And I'd like to ask this Council

21 tonight to consider making a motion to send

22 a letter to Governor Rendell and all the

23 newly elected state representatives asking

24 them to consider a statewide ban. I think

25 it's time we take this to the next level, so

.

14

1 I would hope you would please consider that.

2 You know, about 24 percent of

3 Pennsylvanians smoke and they have no right

4 to put the 76 percent of non-smokers' health

5 at risk. Thank you.

6 MS. GATELLI: Thank you. Bill

7 Jackowitz.

8 MR. JACKOWITZ: Bill Jackowitz,

9 South Scranton resident, taxpayer, retired

10 United States Air Force.

11 I would like to welcome everyone

12 back for the 2007 version of Scranton city

13 government at work. The ACLU of

14 Pennsylvania's mission is to protect the

15 Bill of Rights.

16 According to Mary Catherine Roper,

17 staff attorney for the American Civil

18 Liberties Union of Pennsylvania, the mission

19 of her organization is to assure that the

20 Bill of Rights and The Constitution of The
21 United States reserve for the working people
22 of the nation.

23 During an interview she said the
24 ACLU was founded to protect the average
25 American citizens from government officials
.

15

1 responding to reactionary groups that wanted
2 to set limits on the Bill of Rights.

3 Speaking for myself, my experience
4 in life has always shown that if you have a
5 question, you ask that question.

6 My parents, teachers, coaches and
7 supervisors have always told me, If you do
8 not know something or do not understand, ask
9 somebody. On several occasions I have not
10 followed that advice and ended up making a
11 mistake.

12 During my education process and
13 training for different positions in the
14 workforce, I was encouraged to ask questions
15 in order to seek knowledge and understanding
16 of the process.

17 I have been told on several
18 occasions, The only dumb question is the one
19 you do not ask. Only stupid people do not
20 ask questions.

21 Then I relocate back to Scranton,
22 Pennsylvania and become involved in local
23 city government by participating as a
24 citizen and a speaker at City Council
25 meetings.

.

16

1 In the past year and a half, I
2 personally have used 80 hours of my vacation
3 time to address City Council and Mayor
4 Doherty with my concerns.
5 Mayor Doherty was nice enough to
6 grant me a 30-minute meeting November 2005.
7 I asked ten questions, received one answer.
8 I have stood at this podium many a
9 night and have asked what I feel are
10 pertinent questions pertaining to Scranton
11 city government.
12 For the most part I have been
13 ignored, laughed at by certain Council

14 members, heard sarcastic and rude comments
15 mumbled by certain Council members after
16 leaving the podium. The tapes of the
17 meetings bear witness to that.
18 So I ask myself this question, What
19 does a person do? My answer, Continue to
20 speak at Council meetings ask questions.
21 My belief is that will be the only
22 way that I can have a better understanding
23 of the working of Scranton city government.

24 The answer I do not know is not an
25 acceptable answer. Let the citizens have
·
17

1 their say as long as it's on city business,
2 bob McGoff, 17 December '06. I agree with
3 you, Bob.
4 Speaking from myself, I spent
5 20 years of my life in the United States Air
6 Force so that I and every American citizen
7 can have their say about whatever they want
8 to say, especially when the citizens are the
9 people paying the salaries and the bills.
10 If I am going to be denied my right

11 as an American citizen to challenge my
12 elected and appointed officials, leaders,
13 then do not ask me to pay your salaries and
14 perks. No one can have it both ways.

15 Voting your conscience. I say, vote
16 what is good for the city, not your
17 conscience.

18 In the immoral words of Paul Revere,
19 The British are coming, Rodney King, Why
20 can't we all just get along, Sergeant
21 Schultz, I know nothing, nothing, nothing,
22 and James Carville, It's the economy,
23 stupid.

24 Vote for the people, not your
25 conscience. Your wallet may be larger than
.

18

1 mine.

2 Thank you founding fathers of the
3 United States for allowing me to speak
4 tonight and every day and every night.
5 2007, the year of the people of Scranton.

6 Thank you.

7 MS. GATELLI: Andy Sbaraglia.

8 MR. SBARAGLIA: Andy Sbaraglia,
9 citizen of Scranton. Fellow Scrantonians, a
10 few words on the downgrading of the city
11 finances.

12 Wall Street has downgraded this city
13 to BB status, which is junk on the verge of
14 collapse.

15 And they did that with -- the paper
16 printed it, of course, right after you voted
17 for the mayor's budget.

18 But the main thing is, certain
19 people are responsible for the finances of
20 the city, they are the mayor, the business
21 manager, and Council.

22 All of you have a share in the
23 demise of the city financing. There's no
24 way out of it.

25 Your votes have pushed the city

.

19

1 deeper and deeper into final abyss, and
2 there's no way out. There really isn't.
3 Even Wall Street now figures we're going to
4 default. That's how bad it is.

5 You had an opportunity before you
6 voted on the mayor's budget to actually go
7 through everything in that budget and throw
8 out what you couldn't throw out.
9 That was your requirement. You
10 didn't do it, and because of what you did,
11 our bond rating was dropped, whether it was
12 done before, after or in between, but
13 apparently they mustn't know what was going
14 to happen, because they were ready to throw
15 it -- lower our bond rating.
16 We got money that's invested, like
17 they said, non-rated bonds. Nobody is --
18 comes up here and asks how much money are we
19 paying for the Casey Garage. That money
20 comes out of, you know, out of the money
21 that was allocated for the parking fees.
22 Mr. Courtright, you remember that
23 deal way back when when we mortgaged our
24 parking. They quoted that.
25 They quoted, also, the unrated bonds
.

20

1 we used for the DPW site going back and

2 forth, back and forth, back and forth.

3 These are the reasons our bonds are

4 lower. Now you put a burden upon the city

5 if we have to borrow money. We now have to

6 borrow at a greater amount or pay for some

7 type of a guarantee, like we did when we

8 borrowed the \$72.

9 That AAA we got wasn't -- the city

10 wasn't AAA at that time either, but because

11 we were willing to pay a million for the

12 bonds guarantee, they were willing to do it.

13 Now, if we should ever default on

14 any of them loans, of course, we would

15 really, really be in trouble.

16 But that's the same, and you -- I

17 mean, there's nothing you can do about it.

18 This year is down the tubes, all of '07.

19 What you may do in '08, he wants, of

20 course, to add more taxes onto the people of

21 Scranton, which he probably will get, too,

22 because I don't see any reason why if it

23 went through this time, it shouldn't go

24 through next time.

25 But it's sad, it's real sad, and you

.

21

1 let the city fall into such financial abyss.

2 Now, a word on the pension. I'm not

3 going to bring up -- the courts have decided

4 that, of course, Mr. Pocius and Mr. Hazzouri

5 is entitled to a pension, even though none

6 of you are entitled to a pension, because

7 they upheld the city charter saying they

8 weren't entitled to a pension.

9 But because some quirk or collusion

10 or whatever it was that allowed them to get

11 onto that, somebody is at fault and somebody

12 should be brought up to task.

13 There's no reason these men should

14 have gotten a pension, and the only reason

15 they got it is because certain people wanted

16 them to get a pension.

17 That brings up the voting. When a

18 person that wasn't entitled to a pension

19 gets a pension, then it brings up a motive.

20 Why should they get a pension when

21 none of you are required to get a pension?

22 But there was a motive.

23 It just so happens I have that
24 ordinance that they signed in 1999, where
25 there was supposedly after ten years to get
. .
22

1 certified, but, of course, you know the Home
2 Rule Charter goes in front of that.
3 But somebody should be held
4 responsible. We should look into it and
5 find out how these men were certified to get
6 a pension, and them were the people that
7 should be held accountable.

8 If there was any -- anything that
9 was done that was not above board, then they
10 should be held, they should either ask to
11 resign --

12 MR. MINORA: That's five minutes.

13 MR. SBARAGLIA: -- or be brought up
14 on charges. Thank you.

15 MS. GATELLI: Thank you. Ozzie
16 Quinn.

17 MR. QUINN: Good evening. My name
18 is Robert Ozzie Quinn. I'm the President of
19 The Scranton-Lackawanna County Taxpayers and

20 Citizens Association, Incorporated.

21 I'm a former, whether you know it or

22 not, athlete, not to be arrogant, but

23 lettered baseball and basketball at the

24 University of Scranton, and after I finished

25 baseball, after a certain time, you go into

.

23

1 softball, and you get a lot of camaraderie

2 amongst your fellow people throughout the

3 area, okay?

4 I still meet people on the streets.

5 Bob would know that. Bob participated that

6 and was a very good athlete at South

7 Catholic High School and progressed through

8 The University.

9 And why I'm here tonight is the fact

10 because I'm very concerned about now that

11 the sale of the South Side Complex has been

12 -- gone through.

13 I'm concerned about the fact that

14 there are no more softball fields or

15 baseball fields in the City of Scranton, and

16 that leads me to the point where last month

17 you past a budget, and in that budget you
18 gave \$1.5 million from the sale of the
19 Scranton Municipal Golf Course, the former
20 Scranton Municipal, to offset an increase in
21 recording of deeds in the county, okay,
22 which is very commending of you, because
23 that way I think it's going to keep people
24 from not buying Scranton for buying in
25 Scranton or not buying in Scranton.

24

1 However, I researched the deed, and
2 in the deed it only mentioned the fact that
3 it was sold to a firm from Pottsville, and
4 also it noted that the Council -- the then
5 former Council of 2002 past the final
6 ordinance on November 11, 2002.
7 And I went to -- proceeded to the
8 City Clerk's office to find out if I could
9 look at that ordinance because of the fact
10 it was not recorded in the Recorder of Deeds
11 office.
12 There was only one person at the
13 office at that time because of the fact of

14 the holidays, which is understandable;
15 however, that person could not find the
16 ordinance.
17 However, I was told that after the
18 holidays, when you come back -- when they
19 come back to work on Tuesday, I would either
20 get a copy of the ordinance, I would be
21 given a phone call or E-mail it, they would
22 scan it and E-mail it to me. That never
23 happened.
24 On Wednesday, I called again. Never
25 happened, okay? So, here I am. It's
.

25

1 Thursday, all right?
2 Now, I'm looking for the ordinance
3 because of the fact -- I don't want to
4 proceed through the Taxpayers Association
5 under The Right to Know Act or The Freedom
6 of Information Act because it gets you into
7 litigation.
8 I don't think as a taxpayer I should
9 be able to proceed in that way of spending
10 money or you spending our money to fight us,

11 okay?

12 So, I would -- probably

13 inadvertently the person wasn't able to get

14 it to me, okay, I'm not going to accuse the

15 person, okay?

16 So, therefore, I went to archives of

17 the Scranton Times and I came up with the

18 City Council meeting -- the reading -- the

19 article that appeared on November 22, 2002

20 regarding the municipal golf course

21 ordinance being adopted by the City Council

22 at that time.

23 And I want to quote, okay, I'm not

24 going to use the person's name, as far as --

25 Although some residents spoke against the

.

26

1 golf course, Councilman said, It seems the

2 perfect time to sell the course. I think

3 there should be some big competition from

4 the new golf course planned in Dickson City.

5 That never happened.

6 The money we get will be put

7 directly in city parks, directly in city

8 parks. I don't see the downside of this,
9 okay?
10 So, that led me to believe there
11 must be an -- in the ordinance there must be
12 something indicating from this article that
13 that money that you used for the \$1.5
14 million, probably inadvertently was used to
15 fill the gap in the mayor's budget for the
16 recording of the deeds.

17 And I would ask you, Madame Gatelli,
18 President Gatelli, if you would have
19 Attorney Minora look at that ordinance,
20 okay, and see if there's anything that
21 prohibits the use of that money into other
22 than recreation.

23 We haven't any ball fields now. The
24 mayor's promised ball fields, and I have no,
25 as I said, being a former ball player, I

27

1 know just how important it is when you're a
2 certain age to get out there and play ball
3 amongst -- competitively, okay? And I'm not
4 accusing anybody of --

5 MR. MINORA: Five minutes.

6 MR. QUINN: Madame Gatelli, if I

7 may, one more minute, please, if I could, I

8 want to finish something.

9 MS. GATELLI: Ozzie, I'm going to

10 say no, because I've gotten complaints from

11 the people that do sit down after five

12 minutes, that I let others go.

13 MR. QUINN: Okay.

14 MS. GATELLI: So, you can call with

15 your other questions.

16 MR. QUINN: Okay.

17 MS. GATELLI: And I will have

18 Attorney Minora investigate that ordinance.

19 MS. GARVEY: Mrs. Gatelli, if I

20 could just for one minute just to direct to

21 Mr. Quinn, I know that Neil did bring to my

22 attention that Ozzie was looking for certain

23 information and Neil has been working on

24 that.

25 And he wasn't here in work today and

.

28

1 is not here tonight, and I know on his desk

2 there were several ordinances that he must
3 have been looking up to try to give to Mr.
4 Quinn. So, exactly how far he's gotten on
5 that, I don't know, but he is researching
6 that for him.

7 MS. GATELLI: Okay. Tell him thank
8 you. And if you find a copy, give it to
9 Attorney Minora also.

10 MS. GARVEY: Okay.

11 MS. GATELLI: Mr. Spindler.

12 MR. SPINDLER: Good evening,
13 Council, Les Spindler, city resident. I
14 want to wish everyone on Council a Happy New
15 Year.

16 Now, Mrs. Gatelli, you're going to
17 treat all speakers equally this year,
18 because I was appalled at the last meeting
19 before you went on break that you had Mrs.
20 Franus taken out of here by the policemen,
21 and yet other speakers could come up here
22 and say whatever they want and nothing is
23 done.

24 For example, a few meetings before
25 you took a break, a person was up here and

1 made a blatant ethnic comment and nothing
2 was said to that person.

3 At the last meeting there was
4 another speaker, I won't mention their name,
5 but they were totally out of control and
6 they went as far as saying a curse, which I
7 heard on TV, I couldn't make the meeting,
8 and nothing else was said there. So, I hope
9 everybody's treated equally as speakers this
10 year, because it seems like some people are
11 treated more fairly than others.

12 Next thing, now, Mrs. Gatelli, can I
13 ask Mrs. Fanucci a question? It's about
14 PEL.

15 MS. GATELLI: Yes.

16 MR. SPINDLER: Okay. Mrs. Fanucci,
17 under Mayor Connors, PEL would not let the
18 mayor have a public safety director.

19 Now, since 2002, Mr. Doherty has a
20 public safety director, a secretary, and now
21 we have an assistant public safety director.

22 How do you explain that when Mayor Connors

23 could not have one?

24 MS. NEALON FANUCCI: I can't speak

25 for PEL.

.

30

1 MR. SPINDLER: Don't you work with

2 them?

3 MS. NEALON FANUCCI: No, I don't

4 work with them. I sit in on sessions that

5 have to do with the city, not their

6 administrative policies.

7 Like, I can't comment on what -- why

8 they decided what was good or not good, I

9 really can't.

10 MR. SPINDLER: Would you be able to

11 find that answer out?

12 MS. NEALON FANUCCI: I can ask them.

13 Yeah, I can definitely put that in a letter

14 and see what they come up with, if you'd

15 like me to do that.

16 MR. SPINDLER: Okay. Thank you.

17 Okay. A few weeks ago on the news I saw

18 where Stefan Marberry of the New York Knicks

19 and Steve & Barry's contributed sneakers to

20 the West Side Intermediate Boys Basketball

21 Team, and Mayor Doherty went on to say that

22 if the team wins 60 percent of their games,

23 he'll give \$100,000 to fix their gym floor.

24 Well, first of all, I think that's

25 outrageous to put pressure on pre-teenage

.

31

1 kids to win 60 percent of their games, and

2 where is that \$100,000 coming from?

3 I think that should be a school

4 board issue, not a city issue. The school

5 board should be fixing the gym, not the

6 city. That's all I have to say on that

7 subject.

8 MS. NEALON FANUCCI: Mr. Spindler, I

9 could actually address that for you, if

10 you'd like me to. I -- myself --

11 MR. SPINDLER: Could you say it

12 after I'm done because I want my time.

13 MS. NEALON FANUCCI: Oh, absolutely.

14 MR. SPINDLER: Next thing, last week

15 in the paper, also, as Doug mentioned, I saw

16 about the smoking ban, that all bar owners

17 aren't going to enforce it. I think that's
18 outrageous that you made a law like that to
19 make the bar owners not responsible.
20 So I don't miss anything, I just
21 want to read a letter to the editor that was
22 in the paper the other day in case everybody
23 didn't hear it.
24 I read in the paper that bar owners
25 are not responsible for enforcing the
.
32

1 smoking ban. It is the person smoking who
2 gets fined, not the bar owner. Once again,
3 Scranton City Council dropped the ball.
4 How can they make a law to ban
5 smoking and not make the owner take
6 responsibility?
7 All this is going to do is cause
8 more problems for the Scranton Police
9 Department. They're going to be more bar
10 fights than ever.
11 All that has to happen is for a
12 non-smoker to ask a smoker next to them not
13 to smoke, and more often than not, it's

14 going to end up in a fight.

15 Public Safety Director Ray Hayes

16 said we have law abiding citizens. Well,

17 I'm a law abiding citizen, but if I wasn't

18 told not to smoke in a bar, I would keep

19 smoking. City Council has to amend this

20 law, because as it stands now, it is

21 useless.

22 I have a question about that. Who

23 will enforce this law if the bar owner turns

24 his head? Because some bar owners have gone

25 public and said they're just going to turn

.

33

1 their heads if people were smoking. So,

2 what is the use of this law, Mrs. Gatelli?

3 MS. GATELLI: Would you like someone

4 to answer?

5 MR. SPINDLER: Yes.

6 MS. GATELLI: Are you done speaking

7 so we're not taking up your time?

8 MR. SPINDLER: Yes, I just asked,

9 yes.

10 MS. GATELLI: Attorney Minora, I

11 think you can address some of these
12 questions.
13 MR. MINORA: The law was drafted to
14 be broadly enforced by a number of different
15 city departments, including the police,
16 health department, a building inspector,
17 license -- I don't recall all the language,
18 but it was broadly drafted with all of that
19 in mind.

20 Obviously all it would take would be
21 a call to the police department, if someone
22 found someone else smoking in a bar.

23 It was not at the time drafted to
24 put the onness on the bar owners in the
25 hopes that it would be abided by by law
.

34

1 abiding citizens.
2 I don't know your person you're
3 quoting from who said he would continue to
4 smoke and call himself a law abiding
5 citizen. It seems to me to be a
6 contradiction in terms. You either abide it
7 or you don't, and that gentleman doesn't, so

8 I don't think he can call himself a law
9 abiding citizen.
10 Hopefully most people, I believe,
11 will do that. Those that don't will be
12 cited by whatever department or policeman is
13 called or see him doing this.
14 And if necessary, it's only a minor
15 amendment to put the onness on the bar
16 owners themselves should they fail to ask
17 their patrons not to smoke or should they
18 tolerate their patrons smoking.
19 Hopefully we wouldn't have to do
20 that and place it on them, but if need be,
21 it's not a very difficult amendment to do.
22 MR. SPINDLER: I think it should be
23 done. I'm not going to mention a name, but
24 I was in a local sports bar the other night,
25 I know the owner of that bar said he's going
.
35

1 to turn his head when he sees people
2 smoking.
3 MR. MINORA: Well, if he does and
4 people come in here and complain about it,

5 then it will be amended and then it will be
6 on him.

7 And that's the consequences of his
8 failure to ask his patrons to do what
9 they're supposed to do. It's very simple.

10 MR. SPINDLER: Well, if people are
11 smoking there and nobody says anything about
12 it, what's to stop them from doing it?

13 MR. MINORA: The non-smokers, we
14 feel, will say something about it. If
15 you're asking me will somebody hold a
16 smoking speakeasy like they did with beer
17 halls in the twenties? They'll just get
18 busted their own way.

19 MR. SPINDLER: All right. I think
20 it's going to cause a lot of problems,
21 because I know --

22 MR. MINORA: Well, it will cause
23 less problems than lung cancer, I'll tell
24 you that.

25 MR. SPINDLER: I understand. I'm
.

36

1 all for the ban, but I know somebody has a

2 few drinks in them and somebody tells them
3 to smoke, I've seen it. It's going to cause
4 fights.

5 MS. NEALON FANUCCI: Mr. Spindler,
6 this is the same legislation that is in
7 Philadelphia, and for some reason, people in
8 Philly seem to have no problem complying
9 with it.

10 MR. SPINDLER: Unless I read wrong
11 in The Scranton Times, it says that
12 Philadelphia has the bar owners responsible.

13 MS. NEALON FANUCCI: No. The bar
14 owners were not responsible unless they have
15 cited -- unless they had cited a certain
16 amount of members in the bar first.

17 MR. SPINDLER: The Scranton Times
18 said last week in Philadelphia the bar
19 owners are responsible.

20 MR. MINORA: This is way beyond five
21 minutes now.

22 MS. NEALON FANUCCI: Okay. Sorry.

23 MR. SPINDLER: Okay. Thank you.

24 MS. GATELLI: Thank you. Rosemary
25 Gallagher.

1 MS. GALLAGHER: Good evening and
2 Happy New Year. My name is Rosemary
3 Gallagher. I'm a city resident and I'm a
4 taxpayer.
5 I came tonight to tell you about
6 something that Governor Rendell is about to
7 do, in fact, he's in the process of doing
8 that I think is going to be very dangerous
9 and very detrimental to the welfare of
10 everybody in the state, and of course we're
11 concerned about the people in Scranton.
12 I'm referring to his intent to lease
13 the Pennsylvania Turnpike to private
14 corporations for public corporations. But
15 at any rate, he's giving over the control of
16 the turnpike to these corporations.
17 He wants to do this through a
18 75-year lease, which I think is outrageous.
19 I'm 75, and I've gone through an awful lot
20 of changes in my life, and I'm sure the
21 corporation who is going to lease the
22 turnpike will do the same thing.

23 I think what is going to happen is
24 that any kind of trade or anything of the
25 sort that needs to use the turnpike will
. . .
38

1 have to pay additional fees. I'm sure
2 that's the first thing the company is going
3 to do, because they're in business, you
4 know, to make money.
5 And those costs will be passed on to
6 us. We saw this happen in the summer when
7 gas prices went through the roof, and it
8 really was a hardship on so many people.
9 We, the taxpayers, whose money built
10 the turnpike and whose money has maintained
11 the turnpike are the ones who are going to
12 be paying these escalated fees.
13 And you know yourself companies
14 today are merging, they're going into
15 bankruptcy, they have hostile takeovers and
16 so on, and what's going to happen to the
17 agreements that these companies make?
18 I just think this is a very
19 dangerous situation. I see that we're

20 losing more and more of our liberties, we're
21 losing more control over our lives, and, in
22 fact, it's very interesting that some of the
23 companies who responded to the governor's
24 requests to tell him how well they can
25 maintain or run a highway and so on are from
. . .
39

1 other countries.

2 So, it's inevitable that one of
3 these days they are going to control our
4 highways.

5 We are a very mobile community where
6 our whole society is always on the road, and
7 who controls travel controls. And I don't
8 think we should be controlled by a
9 corporation, at least because some of us
10 remember that we are a democracy and that we
11 have a representative form of government,
12 can at least approach our government and
13 say, you know, you shouldn't be really doing
14 this.

15 And the people do have power. Just
16 today we found out who the 57 new faces are

17 in Harrisburg because the people spoke, and
18 I think that we have to -- and so,
19 therefore, if the government continues to
20 own and run the turnpike, we can at least
21 appeal to them if we have the sense to do
22 that.

23 They will still own it, but it will
24 be run by whoever receives the lease. It's
25 very interesting that the state really
.
40

1 doesn't have any idea of the value of the
2 turnpike, so they've asked different
3 corporations to submit some kind of proposal
4 and say how they plan to run it and say what
5 expertise they have and so on and so forth.

6 But then the governor is going to
7 pick out several of these and use them as
8 consultants.

9 Now, you know how it is with
10 consultants. You can see a couple million
11 dollars going right down the drain right
12 there on the spot.

13 So, I'm asking you if you can do as

14 a body to maybe come up with a resolution
15 asking the governor to put that on hold or
16 just reconsider the whole thing.

17 But since all of you have some
18 following, you all have a high profile in
19 this area, I wish you would take actions as
20 individuals and encourage all your families
21 and friends.

22 I hope the people here will do the
23 same thing, I hope the people watching will
24 do the same thing.

25 But I just see very terrible things

.

41

1 happening. I know that we need money to
2 repair bridges. We're in the situation that
3 we are because the Pennsylvania Turnpike
4 Commission didn't use their heads when they
5 were spending money and didn't put aside
6 money to handle these contingencies.

7 If they would use -- run their
8 budget like we do and pay our bills, our
9 necessary bills and have a couple dollars
10 extra to pay other bills and other monies in

11 addition to handle these things, we wouldn't
12 be in this situation.

13 And I cannot believe that all these
14 bridges have to be taken care of all at
15 once. I'm sure that they are in different,
16 you know, stages of disrepair, and I
17 certainly would not want any kind of -- any
18 person in our Commonwealth or just visiting
19 to be --

20 MR. MINORA: Five minutes.

21 MS. GALLAGHER: -- in danger. But
22 if you would just do that, take action.

23 Tomorrow they'll all be home. Call their
24 offices.

25 And if you wouldn't mind, I just

42

1 want to tell you that John Blake, who is a
2 sterling person, is the governor's
3 representative for the northeast section,
4 and his number is 614-2090, 614-2090.

5 MS. GATELLI: Thank you very much.

6 MS. GALLAGHER: So, please tomorrow
7 get on the phone, call your legislators and

8 call John. Thank you so much for the
9 opportunity.

10 MS. GATELLI: Mike Dudek.

11 MR. DUDEK: My name is Mike Dudek,
12 608 Depot Street, Scranton, PA. And I want
13 to wish everybody a Happy New Year to one
14 and all.

15 Two items I want to bring to the
16 attention of City Council, somebody asked me
17 about this, and, Ms. Gatelli, I would like
18 to ask Mr. Courtright a question if it's
19 okay. Thanks.

20 Mr. Courtright, to my knowledge,
21 you're the only member of Council that runs
22 your own business, your karate school, and
23 you have a sign, you know, on your mirror or
24 on your door that advertises your business,
25 correct?

.

43

1 MR. COURTRIGHT: On the building I
2 have a sign.

3 MR. DUDEK: Right. Do you have to
4 pay a fee or a tax to the city for that?

5 MR. COURTRIGHT: I have to pay for a
6 sign permit, yes.

7 MR. DUDEK: Okay. Because I was
8 told that -- and I had no knowledge of that,
9 and I had absolutely no knowledge of it
10 until a friend of mine had told me that who
11 runs a business on Pittston Avenue.

12 I'm wondering if it would be
13 possible either for you or maybe the city
14 solicitor to check and see if The Scranton
15 Times pays a similar fee for the sign they
16 have on the front of its building.

17 The sign is about one foot by
18 20 feet long. It's in gothic lettering and
19 is a part of the architecture of the
20 building.

21 It also advertises the building as a
22 newspaper, so, I think I'd like to know if
23 the big businesses have to pay the same like
24 you little people do. I think it's only
25 fair to inquire just to see if it's done.

.

44

1 And I'd really appreciate it if you could

2 find that out for me.

3 MR. COURTRIGHT: All right. I think
4 they charge by the size. I think that's how
5 I pay.

6 MR. DUDEK: When you look at The
7 Scranton Times, theirs is about 20 feet
8 long. Theirs is feet long. It's built
9 right into the building.

10 MR. COURTRIGHT: I'll ask. I'll ask
11 Mr. Fiorini.

12 MR. DUDEK: Okay. That's the first
13 thing I wanted to bring up. And the second
14 thing that I wanted to bring up, as I look
15 at this new budget, I really got infuriated
16 when I looked at it, because if I'm reading
17 this budget correctly, 38 firemen, 38 to 40
18 firemen, are going to lose their jobs
19 because of the cuts that have to be made in
20 the area of safety, and yet these men have
21 the double whammy of having to live in the
22 city and/or own property in the city as a
23 prerequisite for serving as firemen.
24 So, these men who are going to be
25 discharged are going to be really put into

.

45

1 an intolerable situation as a result of this

2 budget.

3 I don't think anybody has ever

4 really looked at it like that, at least

5 until I saw it or until maybe the firemen or

6 the police saw it to say, Wait.

7 I didn't check it out myself to see

8 how far the cops go, but when I started

9 looking at it just from the fire department,

10 I'm looking at maybe 35 to 38 firemen who

11 are going to lose their jobs that require

12 them to live here to begin with, and it puts

13 them, I think, in a horrific situation.

14 Last month when I asked Council if

15 you're going to give the mayor his \$10

16 million loan, balance it out by giving these

17 people their contract.

18 Because what you have now is an

19 extreme unfairness. I don't think anybody

20 on Council ever anticipated that kind of

21 unfairness, but it is in there and it's in

22 there in black and white, and I'd like to

23 see something done for these people. Thank

24 you very much.

25 MR. COURTRIGHT: Thank you. Fay

.

46

1 Franus. I'm sorry. I couldn't hear you.

2 You want to wait for Mrs. Gatelli to get

3 back? All right. Lee Morgan.

4 MR. MORGAN: Good evening, Council.

5 I'd like to ask Mr. McGoff a question, if I

6 may.

7 MR. COURTRIGHT: You can ask him.

8 It's up to him whether he answers it or not.

9 MR. MORGAN: Okay. Well, Mr.

10 McGoff, I don't know if you're going to

11 answer this question, but what I'd like to

12 ask is, When you were thinking about the

13 budget, what research did you do before you

14 decided to move \$1.5 million from the sale

15 of the golf course into the budget? That's

16 my question?

17 MR. MCGOFF: I don't know that I

18 understand the question.

19 MR. MORGAN: Well, \$1.5 million was

20 moved from the sale of the golf course into
21 the budget for the realty transfer tax, and
22 my question is, When you moved that \$1.5
23 million and placed it in the budget, what
24 research did you do before you decided to
25 move \$1.5 million from the sale of the golf
. .
47

1 course into the budget?

2 MR. MCGOFF: What do you mean as
3 research? I'm not --

4 MR. MORGAN: Well, I mean, you came
5 to a conclusion that it was proper to move
6 that money and place it into the budget,
7 would that be a fair assumption at this
8 point?

9 MR. MCGOFF: Yes, because it seemed
10 to be an amount that would allow for the
11 reduction of the realty transfer tax.

12 MR. MORGAN: Were you aware that
13 when the golf course was sold that that
14 money was supposed to be put in trust and
15 only to be used for maintenance of the city
16 parks, were you aware of that before you

17 moved those funds?

18 And I'd like to ask one other

19 question, if I may, and that question is,

20 When you brought the motion forward to do

21 that, who seconded it? Okay. Thank you.

22 So, my point is that you moved \$1.5

23 million that was set aside for the city

24 parks illegally, as far as I'm concerned,

25 because when the golf course was sold, that

.

48

1 money was put in trust for the benefit of

2 future generations of Scrantonians.

3 And by squandering that money, and

4 I'm not -- and I'm not trying to browbeat

5 you, I'm just saying it just wasn't legal,

6 it just wasn't proper, and it was definitely

7 wrong.

8 And I really think -- and I do

9 respect you for the seat you hold. When

10 Mrs. Evans had her conference the other day,

11 you were one of the few people who showed up

12 besides Mr. Courtright, and I want to be

13 honest and upfront with you and tell you

14 that I respect you for coming for that, but
15 I do think that when you moved \$1.5 million
16 from something that was supposed to be a
17 trust, when we lost the golf course, which
18 was a major asset to the city and a
19 so-called recovery plan by the mayor, what
20 we find is the \$1.5 million that has been
21 siphoned off, and I think that you were used
22 as a proxy to bring it to the floor, and
23 then, of course, Mrs. Fanucci, you seconded
24 it.

25 And I just feel that it was all

.

49

1 improper, and I think that you should have
2 did a lot more research before you decided
3 to plug that in, and I think that it would
4 have been more beneficiary for the residents
5 of this city to have made cuts in the budget
6 in order to come up with the \$1.5 million,
7 because that money is lost to the city parks
8 forever.

9 And the next time there's a budget,

10 are we going to spend the other \$1.5 and be

11 at zero?

12 MS. EVANS: May I respond?

13 MR. MCGOFF: May I respond, since I

14 was the one who was being addressed?

15 MR. COURTRIGHT: Let Mr. McGoff, and

16 then, Mrs. Evans, you're more than welcome.

17 MR. MCGOFF: Am I not mistaken,

18 I've only been here for a few meetings --

19 MR. MORGAN: Absolutely.

20 MR. MCGOFF: -- but at almost every

21 meeting that I was at, you and others were

22 the ones that were asking where that \$3

23 million was and why it wasn't being used,

24 and now when we do make a decision to use

25 it, now you're going to criticize it? I

.

50

1 think that's a bit hypocritical.

2 MR. MORGAN: No, because I never

3 asked anything about the \$3 million, because

4 I knew it was improper to spend that money

5 and I knew that it never should have been

6 plugged into the budget.

7 And when Mrs. Evans made the

8 proposal, I stated right here from the
9 podium that I didn't feel those cuts were in
10 the proper places and I didn't agree with
11 her proposal.

12 And if you want to look at what I
13 said here from this podium, then you'll find
14 out that that would be a true reflection of
15 my statements at this point.

16 MR. MINORA: That's five minutes.

17 MR. MORGAN: Thank you.

18 MS. EVANS: May I just inject
19 briefly? Mr. Morgan, I was not seated on
20 Council at the time during which the golf
21 course sold, not was I seated on Council at
22 the time that the vote that Mr. Quinn
23 alluded to earlier was taken; however, it
24 was my understanding, as you stated, that
25 the money was to be placed, the proceeds

51

1 from the sale of the municipal golf course,
2 were to be placed in a trust fund. That has
3 never occurred.

4 In 2004, which would have been the

5 year in which I was first seated on city
6 council, I asked the mayor at that time to
7 place that money in a trust.
8 In fact, some of my Council
9 colleagues at the time had wanted to use the
10 golf course money to offset a deficit in the
11 2005 budget, and so at the time I fought
12 that vigorously, because I, like you,
13 believed that the money should be used for
14 the maintenance and conservation of our
15 resources within the city.
16 Now, that never occurred to this
17 day. It was placed rather originally into
18 four CDs in the First National Community
19 Bank of Dunmore where it has remained,
20 never, as I said, to have been placed in
21 trust.
22 Meanwhile, I read in the newspaper
23 that a conservancy has been formed by, I
24 would say, private donors under the
25 direction of the mayor, and the money that
.

52

1 they are contributing and raising is going

2 toward the preservation of the parks.

3 I do not know the amount of money

4 that has been raised to date, nor do I know

5 who the donors are, but I do feel that is an

6 admirable endeavor.

7 But I don't know that it would be

8 correct to say that the use of that money,

9 even though I myself did not vote for that

10 particular amendment, I don't know that it's

11 correct to say that the use of that money

12 would be illegal, because it was never

13 placed in trust.

14 And as I said, many years now have

15 transpired, many opportunities were provided

16 for that to occur, and it never has, which I

17 think sends a different message.

18 MR. MORGAN: Okay. All I'd like to

19 say, I'm going to walk away from this

20 podium, is one simple thing, I think that

21 this Council needs to go look at the minutes

22 of the meetings that were held here with

23 Council and find out what was said about the

24 golf course and where the money was going.

25 And I'm very troubled that the money

1 was not protected, and I think the residents
2 have been let down, I really do.

3 MR. COURTRIGHT: All right. Mr.
4 Morgan, I'm going to have to ask you in
5 fairness to everybody else to sit down. Is
6 there anybody else who wants to speak? I'm
7 sorry, Mrs. Franus, Mrs. Gatelli isn't back
8 yet. I don't think she's feeling too well.

9 I do not know if she'll be returning or not.
10 I don't know, to be honest with you.

11 MS. SHUMAKER: Good evening. Marie
12 Shumaker. Before I start my comments, I
13 would just like to go back to my comments of
14 your last regular meeting, because I'm
15 troubled by that conservancy.

16 I, too, read in the newspaper that
17 it was a conservancy for the parks.
18 However, if you drive through Nay Aug Park,
19 you will see it is the Nay Aug Conservancy,
20 because there's a sign there thanking
21 Wal-Mart for a contribution to the Nay Aug
22 Conservancy. So, I don't think it's for all

23 parks, I think it's more money for Nay Aug.

24 MS. EVANS: Thank you.

25 MS. SHUMAKER: I will be briefly

.

54

1 tonight, as I want to hear from you.

2 Last year you authorized borrowing

3 an amount roughly equal to one-third of the

4 2007 budget and increased taxes 25 percent.

5 I would like to know what specific

6 actions this Council will take to avoid a

7 repeat of 2006.

8 How are you going to balance the

9 budget, collect monies owed, such as the

10 \$600,000 ice box debt, pay outstanding

11 obligations, such as the \$5.5 million

12 American Water payment that's due, plus

13 penalties, cut spending and increase

14 revenues, such that the 2008 budget will be

15 balanced?

16 I would also like to know where the

17 new debt is being spent, if any of you have

18 cared to find out that information over the

19 recess.

20 MR. COURTRIGHT: Are you looking for
21 someone to answer you right now?

22 MS. SHUMAKER: Certainly am.

23 MR. COURTRIGHT: I personally did
24 not vote for that budget, so I really can't
25 speak to, you know, for the other people
.

55

1 that did vote for it and where they're going
2 to find the money.

3 I personally agreed with many of the
4 items that Mrs. Evans had put in there that
5 I thought could have saved us some money,
6 not all, but some of them, but that's just
7 me personally.

8 So, we're just going to let --

9 you're content to let 2007 go by without
10 making any provisions so that we don't have
11 a repeat when the budget for 2008 comes --

12 MR. COURTRIGHT: Well, no. I would
13 hope that if I have a say in what happens in
14 the following years, I will do the same
15 research and I will look at it and try to
16 put together a budget with the fellow

17 Council members here like I did this year,
18 but it just so happened I was on the losing
19 side.

20 MS. EVANS: If I might respond, I
21 feel fairly certain that the cuts that I
22 proposed this year will still be in order
23 for the 2008 budget.

24 Furthermore, there may even be
25 additional cuts, because it's more than
.
56

1 possible that as 2007 progresses, we will
2 see more spending or more hiring that really
3 we cannot afford at this financial juncture.
4 So, I may, in fact, be able to add to the
5 reductions that I proposed.

6 In terms of revenue, I'm still very
7 adamant about the amusement tax, about
8 pursuing a hotel tax, about collecting
9 payments in lieu of taxes and about pursuing
10 our \$600,000.

11 Now, I'm saying that as only one
12 Council member. I evidently am not a member
13 of the majority voting bloc of this Council,

14 but as a member of a minority, I don't feel
15 that relieves me of any responsibility. I
16 will continue to pursue the same financial
17 avenues that I have for the last three years
18 and do so in the hope that, you know,
19 perhaps the minds of Council members will
20 change.

21 We may see changes in Council, in
22 fact, with an upcoming election, perhaps the
23 mayor may even come to his senses.

24 MS. SHUMAKER: Anybody else have any
25 ideas? You're just content to sit back?

57

1 MS. NEALON FANUCCI: No, I don't
2 think I'm content to sit back, in fact, I
3 think that's unfair to say.
4 I think we're all trying to look for
5 increased revenue. We all want to increase
6 revenue. I know myself, I'm going to be
7 going after all the smokers who are going to
8 smoke illegally in our city. \$300 buck a
9 pop every time they light. I think that
10 might be great. Could actually increase a

11 lot of revenue that way. So, I myself will
12 be making sure that we enforce that.
13 Hotel tax we've talked about, we've
14 talked about all of this, and we all really
15 believe that this was something we could do.
16 Amusement tax, absolutely, something
17 that we really hope could increase a lot of
18 revenue.
19 I know for the golf course money, I
20 do want to talk about that, that was
21 something that was in Mrs. Evans' budget to
22 use that money, so we did believe that that
23 was a viable solution and we did do that and
24 we did do it so that it would not be placed
25 on the backs of the taxpayers, which was
.
58

1 something that was done in light of saying
2 to someone we don't want to have to raise
3 your taxes, we want to be able to do the
4 right thing.
5 So, we are all willing to do the
6 right thing. Whether or not it is something
7 that you're going to agree is the right

8 thing or not, is -- will be left to be
9 determined. But we are working very hard --
10 MS. SHUMAKER: Mrs. Fanucci, you
11 didn't come up with one spending cut. You
12 can't look at that budget and not come up
13 with one spending cut? I think that's
14 pretty pathetic.

15 MR. MINORA: Five minutes.

16 MR. COURTRIGHT: Mrs. Franus, I'm
17 being told that Mrs. Gatelli isn't feeling
18 well and doesn't know if she will return by
19 the time citizens participation is over.

20 You're welcome.

21 MR. GERVASI: Good evening, City
22 Council. My name is Dave Gervasi. I'm a
23 resident, homeowner and a very proud member
24 of the Scranton Fire Department.

25 My reaction to Mrs. Shumaker's

.

59

1 question is simply this, let's just make
2 this plain and simple, we had two
3 alternatives.

4 Mrs. Evans worked very hard to come

5 up with alternatives to the mayor's budget.
6 Unfortunately, no matter what Mr. Courtright
7 and what Mrs. Evans said, it didn't pass
8 because you need at least four votes to pass
9 that.
10 So, I sat here and saw the other
11 three members of Council say we have to find
12 things, we have to find revenues, we have to
13 find solutions, and I heard that for
14 probably seven meetings in a row.
15 And not to pick on you, Mrs.
16 Fanucci, but you were one that was saying
17 that most of the time.
18 This Council had approximately seven
19 or eight weeks at least when things were
20 being thrown around from the members of the
21 audience and from each other, and everyone
22 basically sat back, let Mrs. Evans do all
23 the work, and only Mr. McGoff and Mr.
24 Courtright, I believe, correct me if I'm
25 wrong, ended up showing up at the meeting to
.
60

1 hear Mrs. Evans' -- her ideas, and a week

2 later everybody sat up there and said, Well,
3 this is a good idea, this is a bad idea, and
4 you changed two things out of all of the
5 things Mrs. Evans made.
6 And the result was the majority of
7 this Council voted for a tax increase that
8 was completely unnecessary, completely
9 unnecessary.
10 As a matter of fact, Mrs. Evans'
11 budget, which I grabbed two days after she
12 presented it and I looked at it, and I
13 compared it to the independent audits, the
14 true factual numbers, not the fantasy
15 numbers that the city has been harping in
16 the newspaper, and the newspaper apparently
17 doesn't investigate what they say, because
18 it was false, three members of this Council
19 voted to raise the people's taxes when it
20 was completely unnecessary.
21 And I heard Mrs. Fanucci and I heard
22 Mrs. Gatelli, and I'm sorry, Mr. McGoff, you
23 weren't here at the time, always state that
24 they don't want to see any cuts in the fire
25 department, you don't want to see any cuts

.

61

1 in the police department, when, in fact,
2 last week you raised the taxes and cut six
3 police jobs and enabled the mayor to stay
4 distressed because of the additional
5 borrowing, and now he's going to go after 38
6 firefighters maybe in the next couple of
7 months.

8 So, we came here, all of the unions,
9 and all of these people who took the time
10 out of their own personal time to study
11 these numbers and to tell you the truth
12 about what was going on.

13 Very few listened on this Council,
14 very few listened on the last Council and
15 the Council before that.

16 We told you what was going to
17 happen, we told you the truth, we told you
18 the factual numbers, and nobody listened.

19 Now we're going to be saddled with a
20 25 percent tax increase, and next year,
21 according to the mayor, there's going to be
22 25 percent more, and after that, there's

23 going to be 25 percent more.

24 And if you add the 25 percent to the

25 25 percents, that's a 93 percent tax

.

62

1 increase over the next three years.

2 So, whatever you pay right now,

3 folks, in your city property tax, double it,

4 almost double it. Now we're going to pay

5 the piper, as everyone has been saying, and

6 it's very unfortunate that this Council

7 didn't get together, for whatever personal

8 or political reasons, now we're holding the

9 bag and now we're going to pay dearly for

10 Mayor Doherty's tax and spend policies.

11 Before they were just frivolous

12 spending policies, now they're tax and spend

13 policies.

14 And I don't know what else to say.

15 We're very, very disappointed that this

16 budget went through. We finally had an

17 opportunity, and I want to thank Mrs. Evans

18 for all the work she did and the other

19 members of Council who supported the things

20 she did, but we did everything we could, and
21 I think some people on this Council did
22 everything they could. Unfortunately that's
23 not the way it happened, and I'm very
24 disappointed. Thank you very much.

25 MS. EVANS: Mr. Gervasi, if I just

63

1 may add to what you say, two additional
2 points that disappoint me are that, first of
3 all, it's not only the city's tax increase,
4 it's the school district's tax increase and
5 a county's tax increase, albeit they
6 decreased taxes, what, five percent in the
7 previous year and they're going to give us
8 another five percent this year, but when you
9 subtract that from the 48 percent that we
10 were slapped with, that leaves you with
11 really a 38 percent tax increase. You're
12 still going to pay 38 percent more than you
13 did three years ago.
14 Then you add on city, then you add
15 on the school district, and frankly, I don't
16 know how people are going to live.

17 My second point is this, we are now
18 going to pay more than ever, more than we
19 ever did before, for less services.

20 MR. GERVASI: I believe we said that
21 a few years ago, that the results
22 historically throughout the state with
23 recovery plans and Act 47 is the people end
24 up paying a lot more money for a lot less
25 services, and the politicians continue to

64

1 live fat off the hog and do whatever they
2 want to do. They never share the pain, they
3 never take the cuts and they never tighten
4 their belt.

5 MS. EVANS: Well, you know, that,
6 and then I'll cease, that reminds me of a
7 political cartoon a friend of mine handed me
8 about a month ago, and it was not, you know,
9 produced by a local artist, it was from a
10 much larger paper, and it was a picture of a
11 ship, the type of ship I would suppose the
12 Romans used to sail, and in the front of the
13 boat there was quite a large conference

14 table with men in suits and cigars around
15 the table, and then down in the section of
16 the boat where, you know, the slaves would
17 row, there was only one person doing the
18 rowing, and everyone said at the conference
19 table, the men in the suits, well, after all
20 the cuts we made, why aren't we moving
21 faster? And I think that cartoon said it
22 all about this city.

23 MR. GERVASI: Absolutely. And I
24 don't want any one to feel bad for the
25 police and the firefighters and the other
·
65

1 city employees, but we must live in the
2 city. We can't get out if we wanted to. We
3 haven't had a raise now going on our sixth
4 year, and now our taxes are going to be
5 doubled.

6 So, I'm not asking anyone to feel
7 bad, but something could have been done for
8 the whole city as a whole, not only the
9 employees, and this Council dropped the
10 ball. Thank you.

11 MS. FRANUS: Fay Franus, Scranton.
12 Dave just asked how are we going to handle
13 this or Mrs. Evans said how are we going to
14 live through this, I don't know how. I
15 don't even begin to know how we're going to
16 afford this, but we owe it to Mr. McGoff,
17 Mrs. Fanucci, Mrs. Gatelli for this, and I
18 think they should be made to pay for this.
19 I don't know how, but I'll find a way, but
20 they're going to be made to pay for this,
21 because three people voted for this budget,
22 the majority of this city is going to go
23 under because we can't afford it.
24 I'm going to be 62 in January, this
25 month, I could retire. I can't retire now
.
66

1 because I can't afford to retire, thanks to
2 you, Mrs. Fanucci, Mr. McGoff and Mrs.
3 Gatelli. Thank you for the 95 percent tax
4 increase for the next three years.
5 I spoke to this person today, this
6 senior citizen, he and his wife. They live
7 on Social Security, and they just got their

8 increase, a \$1.61 a day.

9 Now, may I ask, how do you propose,

10 Mrs. Fanucci, Mr. McGoff and Mrs. Gatelli,

11 how they should spend that \$1.61? Should

12 they get bread, milk, or should they put it

13 on their property taxes? If they were

14 smart, they would get out of this city.

15 There's two things that I found and

16 I want to read, quotes that I saw.

17 Sometimes the way it's always been gets in

18 the way of what we think is right, but if we

19 stand up for what we believe, we can

20 overcome obstacles. One person can make a

21 difference. That's one thing. This is

22 fighting people like you, the three of you.

23 Can we never again exercise free

24 speech against the rich and powerful without

25 relenting attacks to silence us? Do we dare

.

67

1 speak out against powerful men? In silence

2 we lost freedom.

3 You know, Mrs. Gatelli always says a

4 prayer for the soldiers overseas that are

5 protecting us, but they're over there
6 fighting, like Mr. Jackowitz says, for our
7 freedom, freedom of speech, and in a way it
8 seems very hypocritical of Mrs. Gatelli to
9 have that prayer or that reflection,
10 whatever she calls it, because she's one of
11 the main reasons why we don't have our
12 speech, she's trying to take it away from
13 us.

14 Now, I want to ask another question.

15 Mrs. Fanucci, maybe you can tell me, I don't
16 know, since Mrs. Gatelli is not here, who
17 requested the policemen to be here?

18 MS. NEALON FANUCCI: I can't answer
19 that question.

20 MS. FRANUS: Mr. Courtright, do you
21 know?

22 MR. COURTRIGHT: I didn't. I don't
23 know -- I believe Mrs. Gatelli did, that's
24 my belief. I don't know that for a fact.

25 MS. FRANUS: Okay. If she requested

68

1 them, then who assigns them to come here,

2 like, do you know? Like, she can't call

3 them and say --

4 MR. COURTRIGHT: I would imagine it

5 comes from the police chief's office.

6 MS. FRANUS: And do you know why

7 there would be two of them here instead of

8 one?

9 MR. COURTRIGHT: I have no idea, and

10 I'm not going to ask them. Maybe you could

11 ask Mrs. Gatelli or I could ask Dave Elliot

12 for you and I'll let you know, if that's all

13 right.

14 MS. FRANUS: Okay. I definitely

15 want an answer to that question.

16 MR. COURTRIGHT: I'll ask him.

17 MS. FRANUS: Are you in favor, Mrs.

18 Fanucci, of these television meetings being

19 -- these Council meetings being televised on

20 61 or anywhere?

21 MS. NEALON FANUCCI: Of course.

22 MS. FRANUS: Live?

23 MS. NEALON FANUCCI: Yeah, why not?

24 Live, taped, it doesn't matter. It's all

25 the same.

1 MS. FRANUS: And I see where you
2 have Mr. Greco coming in front of you again
3 for a contract, I guess. I hope you don't
4 give him anything. I don't know why he's
5 getting more money than he's been getting
6 all along. I think it's horrible.

7 Mrs. Fanucci, did you ever find out
8 what the money, or Mr. McGoff, the money for
9 the TANS, this money that the mayor
10 requested, what it's for? Did you ever find
11 out what this money is for? Could you tell
12 me what it is?

13 MS. NEALON FANUCCI: What money, all
14 of the money?

15 MS. FRANUS: Most of it.

16 MS. NEALON FANUCCI: \$1,000 of the
17 money, \$4,000? What do you mean the money?

18 MS. FRANUS: The money that nobody
19 could account for.

20 MS. NEALON FANUCCI: A lot the money
21 was to pay back some of the fees that were
22 for the TANS. That was the money that was

23 not accounted for because they did not know
24 how much the fee exactly was going to be on
25 the TAN, I did know that part. That is all
. .
70

1 that I know.

2 MS. FRANUS: Mrs. Evans, didn't you
3 ask some questions about where the money was
4 and you never got answers? That's the money
5 I'm speaking about. Maybe you can -- there
6 was money, remember you mentioned about if
7 somebody asked you to lend you money, if you
8 didn't know where it was, you wouldn't give
9 it to them? Basically --

10 MS. EVANS: I think I was addressing
11 the borrowing issue, the \$44 million, then
12 the \$15 million, then the \$10 million. I
13 did not know and still do not know what that
14 money is for, and so I made that comparison
15 to going to the bank to borrow money, and
16 the bank, of course, requesting of me the
17 use for the money I intend to borrow.
18 And I had added that I felt certain
19 I wouldn't receive the money if I wouldn't

20 supply the information.

21 MS. FRANUS: Right. Well, basically

22 what I guess is what's happening here --

23 MR. MINORA: That's past five

24 minutes.

25 MR. COURTRIGHT: Ms. Franus, Mr.

.

71

1 Minora is telling me your time is up.

2 MS. FRANUS: All right. Thank you.

3 MR. COURTRIGHT: Thank you. Is

4 there anyone else?

5 MR. DAVIS: Asssalaam Alaikum.

6 Happy Holidays. First of all, I want to

7 commend the junior board for their effort to

8 raise money as revenue for the city as far

9 as taxes and things like that, and I'd like

10 to thank Mr. Bolus for doing a very humane

11 thing over the Christmas holidays.

12 I had to go and see it for myself.

13 I really -- I enjoyed seeing something being

14 given to those who don't have.

15 In this city we want to tax those

16 who smoke cigarettes, we want to make sure

17 they don't have a place to smoke them now,
18 and on top of that, we're going to fine
19 them.
20 Those are the guys you want to fine
21 the most, right, the ones that are smoking
22 to relieve their stress and strain? But I
23 can understand. My mother used to say smoke
24 is horrible on the curtains, I know.
25 Someone told me that you don't even
.
72

1 live in Scranton, they say you live in
2 Dalton or something.

3 MS. NEALON FANUCCI: Are you talking
4 to me?

5 MS. DAVIS: Yes.

6 MS. NEALON FANUCCI: It's Mrs.
7 Fanucci, and I certainly do live in
8 Scranton.

9 MS. DAVIS: Okay. They told me
10 that, and I said --

11 MS. NEALON FANUCCI: It just shows
12 don't believe everything you hear.

13 MS. DAVIS: I'm going to go back and

14 tell them, too. I will. I'll correct them.

15 I will correct them.

16 Okay. Last but not least, I want to

17 talk to you -- I want to talk to the

18 minorities out there who keep coming to me

19 and saying, Jim, keep up the good work, keep

20 going after them, even if they don't give

21 you anything, even though you don't ask for

22 anything, just keep talking to them.

23 Some of the kids are listening.

24 Some of the kids are going to want to come

25 up there and go behind you, and I've seen it

.

73

1 happen.

2 I've seen kids come here and I heard

3 them speak. But I think something that's

4 more important than that is the minorities

5 of Scranton have got to go out and register

6 to vote.

7 I've talked to the person who's in

8 charge of the registration of voting, and

9 she says our voting, and we can't tell from

10 the names, but on that voting list, on that

11 voting sheet that it says, it says race and
12 it says optional.
13 Scratch out optional, and you put
14 down what you are. Stand up and be
15 accounted. We need to account for you.
16 That's how federal dollars flow, that's how
17 state dollars are distributed, that's how
18 city dollars are distributed evenly.
19 And I came out of the sixties, and
20 we fought for everything that we had. We
21 didn't get a lot of it, but we're still
22 fighting, the fight is still going on, but
23 we need you kids to go out, register to
24 vote, take your mothers and fathers with
25 you. Make sure they register to vote, your
.

74

1 uncles, you cousins, your aunts. Make sure
2 they register to vote and then start
3 listening. Listen hard to what the
4 politicians are saying. Listen to those
5 that are leading you, because they could be
6 leading you down a well, as well as into
7 promise land, a promise land.

8 But we want to make sure that you
9 know where you're heading so that when you
10 get to the point where you can decide what
11 is right and what is wrong, what is morally
12 right and what is morally wrong.

13 I'm into a thing of moralism over
14 this New Year's, I don't know why, but I'm
15 beginning to find out that we are not
16 teaching our children the most important
17 criterion that we have, which is their
18 freedom of rights.

19 We should have that as a course in
20 school, but the only way you can use your
21 freedom of rights is to be registered to
22 vote.

23 I really am. If I see you on the
24 street and you ask me a question, I will ask
25 you, Are you register to vote? I will. If

75

1 you're not, I probably won't answer your
2 question. No, I will, I'll probably answer.

3 Thank you very much for your time.

4 I think our kids are doing beautiful. I

5 went to a basketball game at the Lynett
6 Tournament, and I've never seen so many
7 kids. I mean, that was fantastic. I didn't
8 know we had that many children in all of
9 Lackawanna County. We have an enormous
10 amount of children here. No problems.
11 Seriously, they all played together,
12 they all talked together. If you didn't
13 want to talk to me, that's fine, if you did,
14 that's fine.

15 But the thing is, it was such a
16 congenial atmosphere, and it was a sporting
17 event, and it was very nice to go there, and
18 it was very nice to --

19 MR. MINORA: Five minutes.

20 MR. DAVIS: Thank you. I appreciate
21 it. I appreciate what you kids do for each
22 other, too, I really do, because that's
23 where it's coming from, it's coming from
24 your attitude towards each other. Thank
25 you.

.

76

1 MR. COURTRIGHT: Thank you. Is

2 there anyone else.

3 MR. TALAMINI: Good evening,

4 Council. My name is Joe Talamini. I'm a

5 resident in the city.

6 Several items, but I wanted to

7 pursue one. I notice that under 5-J we have

8 a resolution, we're going to hire Mr.

9 Greco's legal firm after passing a budget

10 which is going to eliminate 30 or 60

11 essential service personnel.

12 I don't know why we need another

13 lawyer in this town. My God, we're

14 overloaded with them now, but for some

15 reason or another, I guess you people feel

16 it's okay to spend money for services which

17 should be provided by the other legal staff.

18 And I'm sure there is a sufficient

19 number of attorneys on the staff with the

20 city that you don't have to go outside and

21 hire another law firm.

22 Secondly, I would like to know one

23 thing, those of you who voted for this

24 budget which is going to eliminate these

25 fire and policemen, I would hope that in the

1 event that you have a tragedy in your own
2 family or in your own home, you will call on
3 those who've been suspended and not
4 available, because I certainly don't see why
5 we should have to send our fire department
6 and our police department to your residences
7 when you voted against keeping them on.

8 That's all I have to say. Congratulations.

9 MR. COURTRIGHT: Anyone else?

10 MS. STULGIS: My name is Ann Marie
11 Stulgis, and I'm a resident of the City of
12 Scranton.

13 First I'd like to remind all of you
14 about The First Amendment in free speech.
15 Government officials may not silence speech
16 because it criticizes them, they may not
17 silence someone because they consider him a
18 troublemaker.

19 Government meetings, particularly
20 the public comment period, is a forum during
21 which free speech rights have heightened
22 protection.

23 If you need more information on
24 freedom of speech before another citizen is
25 stopped from speaking, I suggest you go to
. .
78

1 Dohertydeceit.com. The links are posted
2 there on free speech.

3 It's also important to note that
4 when a speaker is given five minutes to
5 speak, that means that they have five
6 minutes, not three minutes and two for
7 someone else.

8 If someone else is speaking, their
9 time must be stopped and then started again
10 when they begin to speak, and that's a
11 Constitutional law.

12 Secondly, 25 percent tax increase.
13 How do you justify that? I'd like to know
14 how many people in the working class over
15 the last few years have received a
16 25 percent pay increase? But yet, you
17 raised our taxes 25 percent.

18 It's interesting, because with the
19 exception of a few cronies, three out of

20 four city unions employees taking into
21 account an adjustment for inflation, over
22 the last five years have had a pay decrease,
23 a pay decrease, and you've increased their
24 taxes 25 percent.

25 I don't know how you morally and

.

79

1 ethically can live with yourselves doing
2 something like that. It's pathetic.

3 And the sad part is that these union

4 employees can't live outside of the city.

5 They have to stay here. They can't sell

6 their homes and leave or they'll lose their

7 jobs, and yet you raised their taxes

8 25 percent.

9 I also have to comment at the budget

10 meeting, Mrs. Fanucci, you said you couldn't

11 support Mrs. Evans' budget, and one of the

12 reasons you listed is because you couldn't

13 support the cutting of personnel. What do

14 you consider six police officers if they're

15 not personnel? Do you honestly think that

16 they're less important than people sitting

17 behind a desk? Do you really think
18 taxpayers need cronies sitting behind desks
19 in created jobs that never existed before
20 this administration, more than they need
21 police officers on the street when crime is
22 rising?

23 I think they would disagree greatly
24 with you. I don't know how you also justify
25 allocating \$750,000 to pay more people for
.
80

1 meter tickets, and you cut six cops. That's
2 just amazing. I guess it shows you where
3 priorities really are.

4 Also, speaking about police
5 officers, I believe Council has a budget,
6 and if they do have a budget, I'd like to
7 know why we have police officers here that
8 are being paid to be out on the street
9 protecting the majority of citizens and not
10 in here providing private security.

11 If you need police officers here, I
12 suggest you use money from the budget and
13 pay an officer as an extra-duty job.

14 It's important to remember that a
15 uniformed police officer is the first step
16 in the force continuum, and having a
17 uniformed police officer here is quite
18 intimidating for many people.

19 It's also ironic that this
20 administration, with the backing of the
21 daily rag, have continually complained that
22 the police union won't allow them to staff
23 the high-crime times by putting more police
24 officers on that shift.

25 That's very interesting, because

.

81

1 I guess what we are now? We're in the
2 high-crime time. The last meeting we had
3 three police officers here, tonight we have
4 two.
5 I guess the high-crime time doesn't
6 happen on Thursday night if somebody in City
7 Council wants a policeman to act as private
8 security.

9 Again on the budget, we've heard the
10 mantra we, it's not we.

11 MR. MINORA: Five minutes. That's

12 five minutes.

13 MS. STULGIS: No, sir, it's not.

14 MR. MINORA: Yeah, it is, your five

15 minutes.

16 MS. STULGIS: We didn't cause the

17 problem.

18 MR. COURTRIGHT: Mrs. Stulgis, I'm

19 going to have to ask you to sit down if he

20 says it's your five minutes. Thank you.

21 MS. KRAKE: Good evening, Council.

22 My name is Nancy Krake. Last meeting Fay

23 Franus was thrown out of Council, and I

24 think the answer to why we have the

25 policemen here is that, as bizarre as it is,

.

82

1 certain members of Council are afraid of the

2 truth.

3 And even more bizarre, is that that

4 would lead us to assume that the police

5 officers are protecting us from the truth.

6 Council people who voted to raise

7 your taxes are, Mrs. Fanucci, Mrs. Gatelli

8 and Mr. McGoff. The administration is still
9 trying to pretend that this didn't happen.
10 If you look at 5-F on the agenda,
11 it's the only part of the agenda that
12 doesn't specifically say what the amount is.
13 I find that extremely irritating.
14 They're saying we are not smart people.
15 We are very smart people in the
16 city, and when election time rolls around
17 again, I'm sure there will be some big
18 changes.
19 Until then, we will continue to
20 bring the truth here week after week. And,
21 in fact, when you get your tax bill in the
22 mail, you're going to see a 25 percent tax
23 increase in your city taxes.
24 If you look on your bill under the
25 word city, you will notice that the millage
·
83

1 has increased 25 percent in the land and the
2 improvement, something The Times didn't
3 quite grasp or chose not to put in.
4 This means your taxes will be

5 25 percent greater, and as has been
6 mentioned here tonight, will continue to
7 grow until they're almost doubled.
8 Mrs. Evans, Mr. Courtright came up
9 with a budget that did not increase taxes,
10 they did not increase your taxes, in fact,
11 Mrs. Evans' second proposed budget, the
12 second group of proposals, created a huge
13 surplus that could have been used to pay off
14 the Doherty debt.

15 The only changes Gatelli, Fanucci
16 and McGoff made in reducing taxes was to
17 take some the golf course money, which Mrs.
18 Evans originally proposed, and use that to
19 maintain the real estate transfer tax, after
20 a group of realtors came here and made a
21 presentation.

22 Apparently everyone else who came
23 here and spoke, all the citizens of
24 Scranton, they didn't count, only when
25 realtors came did they listen.

.

84

1 Not one thought was given to home

2 owners or the neighborhoods they live in,
3 and the neighborhoods will be left to
4 disintegrate after the mayor gets all of his
5 tax increases.

6 They were the tax increase he
7 promised the night he spoke to Council along
8 with the Pennsylvania Economy League, who,
9 by the way, are booked by large corporations
10 who have an agenda that has no concern for
11 the average citizen.

12 And I'd also like to mention the
13 fact that Mr. Greco, believe it or not, is
14 on this agenda again.

15 I certainly hope people will not be
16 voting for Mr. Greco in any way, shape or
17 form, especially after they expressed that
18 they really can't stand when anybody sues
19 the city, because Mr. Greco certainly has
20 done that. Thank you.

21 MR. COURTRIGHT: Come on, Chris.

22 MR. SLEDZINSKI: You forgot me
23 again, Bill.

24 MR. COURTRIGHT: I didn't forget y
25 ou.

1 MR. SLEDZINSKI: Bring it up a

2 little, Bill, tonight?

3 MR. COURTRIGHT: You're fine right

4 there, Buddy. Go ahead.

5 MR. SLEDZINSKI: Bill, I got a

6 question to ask you, Bill. The boss wants a

7 handicapped sign in front of her house, a

8 handicapped sign in front of her house.

9 MR. COURTRIGHT: Okay. I'll speak

10 to her, Bud.

11 MR. SLEDZINSKI: Thanks, Billy.

12 MR. COURTRIGHT: You're welcome.

13 MR. ANCHERANI: Okay. Good evening,

14 Council. I'm Nelson Ancherani, resident,

15 taxpayer, city employee and financial

16 secretary of the FOP exercising my First

17 Amendment Rights to free speech.

18 I'm appalled that three of the

19 Council people voted to raise my taxes

20 25 percent. That's just a start. Those

21 three had the opportunity to help the

22 taxpayers, but they missed it.

23 The increase will be the first of
24 many to try to get us out of debt this mayor
25 put us in, approximately \$300 million, by
. .
86

1 the last count.

2 As I said, I'm appalled, as all
3 taxpayers should be, because it's going to
4 be 75 percent over three years. It will be
5 cumulatively to 93 percent.

6 Unions haven't had a raise in five
7 years because our mayor won't sit down with
8 us and negotiate.

9 He wants to nail our unions' behinds
10 to the wall and put us on our knees. He
11 wants to break our unions.

12 He continues to violate a Recovery
13 Plan by continuing paying raises and wages
14 to new hires in violation of the Recovery
15 Plan.

16 The administration and paper both
17 keep saying that the Recovery Plan was voted
18 on by 70 percent of the people. What we
19 must remember is that the vote was

20 70 percent of the voters, not of the people
21 in the City of Scranton.
22 As I was saying about raises, unions
23 haven't had a raise in five years. That
24 means our wages have stayed at an even level
25 for five years, while everything else has
. . .
87

1 increased, gas, electric, fuel.
2 Mrs. Evans presented a budget that
3 wouldn't have raised taxes. We as city are
4 crying poverty. When we give out raises and
5 create new positions, and we could have
6 decreased taxes.
7 Mrs. Evans' proposed budget was
8 taxpayer friendly. She read off the
9 savings. Mr. McGoff made a motion to get
10 the greeters, four greeters, out of the
11 budget. That saved \$20,000 out of \$77
12 million.
13 Mrs. Evans' budget saved millions,
14 and those three ignored it. Who's interests
15 did those three have in mind? Certainly not
16 the taxpayers.

17 There will be people out there
18 eating, and it's sad to say, dog and cat
19 food because they can't afford regular food.
20 The question of the TANS, I asked
21 that three weeks ago. Why are the TANS
22 plugged into the budget as part of the
23 budget? We have a \$77 million budget, and
24 part of that is tax anticipation notes, \$14
25 and a half million plugged in.

.

88

1 The chart, the pie chart and the
2 revenue part of the budget says other
3 revenue, \$12,385,000. They don't even have
4 a slice of the pie for tax revenue -- tax
5 anticipation notes, I'm sorry. They don't
6 have a slice of the pie there. Where is it?
7 They have it on the expenditure side
8 going out, but where is it? What is it for?
9 Nobody seems to know. Maybe someone could
10 find out.
11 Our newspaper said that at Scranton
12 City Council meetings a small group has
13 hijacked that programming. I guess now the

14 legion of doom is called hijackers. That's
15 another name to ask or to call the people
16 that come here and speak and use their free
17 speech, hijackers.

18 When they continuously put the same
19 things in the paper, we're redundant they
20 say, but they continuously put the same
21 thing in the paper. I guess that's the
22 kettle calling the -- the pot calling the
23 kettle black.

24 Health care, one of our biggest
25 concerns, Mr. Doherty said, we all know why.

.

89

1 And even in the expenditure side, the health
2 care is at 20 percent, but the amount of 20
3 percent is not what the city is going to pay
4 out in the health care what they have budgeted
5 for it. There's a difference, as there is a
6 difference in every one of the slices in the
7 expenditure part.

8 And those differences, like I said
9 last week, or three weeks ago, total the tax
10 anticipation loan, plus the interest to pay

11 it back.

12 MR. MINORA: Five minutes, Nelson.

13 Five minutes.

14 MR. ANCHERANI: Thank you.

15 MR. COURTRIGHT: Thank you, Nelson.

16 Anyone else? Mrs. Garvey.

17 MS. GARVEY: 5-A, motions.

18 MR. COURTRIGHT: Mrs. Evans.

19 MS. EVANS: Good evening, and a very

20 happy, healthy and prosperous new year to

21 all.

22 Over the holiday sadly we lost some

23 very dear sweet people. I ask for your

24 prayers for these individuals and for their

25 families they leave behind, Christine

.

90

1 Preambo, Catherine Bolus, and John Reap, Jr.

2 Also, a very good friend suffered a

3 stroke last week and remains hospitalized.

4 I ask you to keep Mary Hoffman in your

5 prayers, as well, because Mary, a stubborn

6 and very vibrant woman is determined to

7 return to her own home in the future.

8 I have a few citizens' requests.

9 Mr. Tobin has complained about the
10 handicapped ramps throughout the city. On
11 December 27, he was stuck in one of the two
12 holes at the corner of Mulberry and Adams
13 Avenue. He said he has called DPW several
14 times without a response.

15 I remember speaking with this
16 gentleman one day, I believe, last summer,
17 after a Council meeting, I encountered him
18 across the street from City Hall as I was
19 going to my parked car, and he asked for
20 just that, and I made those requests on his
21 behalf, but unfortunately, I never received
22 a response and none of those situations have
23 been addressed.

24 Also, I have a request from a
25 citizen who would like no parking signs

·
91

1 placed at the corners of South Main Street
2 and Dartmouth Street.

3 Once again, this was a situation I
4 had addressed in 2004 and 2005. This is a

5 safety hazard to all drivers and pedestrians
6 in the area, and I think it's more than time
7 that we set aside personal friendships and
8 we set aside political affiliations and put
9 people's safety first and get these parking
10 -- no parking signs up.

11 Also to the concerned gentleman who
12 spoke to me regarding crosswalk signs in the
13 downtown, a signalization improvement
14 project is underway and phase one is due to
15 be completed by March 31.

16 As for traffic violations near these
17 intersections, the police department has
18 been enforcing violations daily in this
19 area, and Chief Elliott would be happy to
20 have officers increase their efforts.

21 One more that we received from a
22 city employee, in fact, who had not so very
23 long ago addressed Council concerning an
24 anti-graffiti task force, and he notes that
25 he, as a city inspector, has taken countless

·
92

1 pictures of gang-related graffiti throughout

2 the city and indicated its location and he
3 has a stockpile now of these photos and no
4 one will give him direction as to whom they
5 should be given.

6 And in addition, he's looking for
7 the formation of this task force. He says
8 in the past he had directly worked with a
9 designated police officer whose job it was
10 to investigate graffiti activity.

11 So, I would ask that before we would
12 create such a task force, maybe this could
13 be brought to the attention of
14 Mr. Seitzinger, and perhaps he might be able
15 to incorporate this into his job duties.

16 So, I'm going to pass this back to Kay and
17 ask her to forward it to Mr. Seitzinger.

18 With regard to Mrs. Gallagher's
19 earlier statement, I thank you for bringing
20 that to my attention, I was not aware, and I
21 will be calling Mr. Blake tomorrow, and I
22 will inform my friends, family members and
23 colleagues that I believe they too should do
24 the same, and I would hope that members of
25 City Council would seriously ponder this

1 issue between now and next Thursday, because
2 my intent would be to make a motion to send
3 such a letter to our representatives and to
4 our governor in opposition to such a lease
5 to the corporate world of our public
6 turnpike system.

7 I think tonight, ladies and
8 gentlemen, it's very important that I set
9 the record straight for all of you.

10 Following the final meeting of City
11 Council on December 14, 2006, a news article
12 was printed The Times-Tribune which stated
13 that only the city improvement tax would
14 increase in 2007. And that is wrong.

15 Until tonight, I could not make the
16 correction. Both the city land tax will be
17 increased by approximately 25.6 percent and
18 the improvement tax will be increased by
19 approximately 25.6 percent.

20 Your 2007 real estate bill will
21 reflect these increases to \$103 and 1.45
22 cents on each \$1,000 evaluation of land and

23 \$22.432 on each \$1,000 of evaluation on
24 buildings. I hope The Times-Tribune will
25 print a new article containing correct
. .
94

1 information so that the public will not be
2 stunned when their tax bills arrive shortly.
3 However, I did note that The Times'
4 editorialist is much more concerned for the
5 upper class than he is for the little guy.
6 I quote his sermon of December 16,
7 2006, The budget includes a slight property
8 tax increase. He later states, The city
9 should settle on a tax increase that will
10 cause the least impact on the private
11 sector.

12 So, you, the average person, the
13 little guy, should be slapped with future
14 tax increases, but keep our hands off the
15 wealthy or the private sector.

16 Next, on December 15, 2006, the very
17 day after three members of Council passed
18 the mayor's tax increase budget, an article
19 appears in The Times-Tribune reporting that

20 Standard and Poors has lowered Scranton's
21 bond rating.
22 In three years, Scranton tumbled
23 from a AAA rating down to a BB. Why? One,
24 questionable borrowing; two, continuous
25 deficits; three, vulnerable management
.
95

1 practices; four, failure to generate new
2 revenue sources, and, five, failure to
3 reduce costs.
4 The city's financial performance
5 greatly deteriorated over the past two
6 years. I'm not just saying that, so says
7 S & P of Wall Street.
8 And the administration knew well in
9 advance about the lowered bond rating, which
10 was why they tried so furiously to borrow
11 \$44 million before that rating fell. That's
12 called planning in advance for three years
13 of future deficits.
14 And how do we address that? By
15 deficit borrowing, because this
16 administration refuses to cut the fat or

17 generate new sustainable revenue or pursue
18 payments in lieu of taxes or pursue impact
19 fees.

20 I've worked very hard for the last
21 three years. And despite our local paper's
22 propaganda and spin, Wall Street validated
23 what I've been saying for three years.

24 Meanwhile, no responses to financial
25 questions have been provided by the

96

1 administration to date. There remains no
2 explanation for inflated figures and missing
3 figures.

4 How can we demand full open
5 disclosure from state government, when we
6 permit the iron curtain of secrecy to hang
7 in our city government?

8 We are much better served to first
9 demand answers and full disclosure right
10 here in City Hall in our hometown. That's
11 it.

12 MR. COURTRIGHT: Ms. Fanucci.

13 MS. NEALON FANUCCI: I'm going to

14 speak a little bit on the no smoking ban.
15 We have got so many questions on how this is
16 going to be implemented.
17 On the 7th of this month, we will be
18 considered a non-smoking city. I have been
19 working very hard with the city, the county,
20 and also the state health department on
21 trying to implement this ban.
22 What they have done is they come in
23 -- the health department came in, the state,
24 and they said we already have a few places
25 like Bethlehem and other counties that are
.

97

1 enacting this. We want you to all be
2 unified.
3 They have provided us with the
4 applications for exemption, they're going to
5 provide us with stickers that will be posted
6 in every bar and restaurant to say that, you
7 know, we are non-smoking.
8 So, they are working together to
9 make sure we're all unified, so then when we
10 do approach the state on this law, we are

11 all on the same page, which has been -- it's
12 been such a tremendous help.
13 Until our stickers are in, I want
14 anyone who has any questions to contact Tony
15 Delanti from The Lung Association. He has
16 stickers that can be placed in your windows
17 and in your businesses. His number is
18 346-1784, and he can help provide that for
19 you.

20 All right. I wanted to tell you
21 that they made sure that we are all in
22 compliance, which is very -- I want to say
23 very easy to say that we might have what we
24 need to get to where we need to be in the
25 state. That is going to be our next issue.

.

98

1 We have been served with some
2 legislation, and I believe the people are
3 trying to sue us and do things that they --
4 that we knew was going to be, but I want to
5 address some of the misinformation that's
6 been put out there, and there's been a lot.
7 We are able to enforce this law.

8 We've already put a plan in place, and we've
9 been working together, and we will make sure
10 we do it.
11 And, you know, we talk about how
12 much money we need, well, let's make it,
13 let's make it.
14 I'm going to also talk about some
15 owners who've spoken out on breaking the
16 law. I have to say the defiance and the
17 arrogance has set such a bad example for
18 everyone in this city, our children, the
19 people here who are law abiding and who want
20 good things for our city, it is almost
21 deplorable that someone could come out and
22 blatantly say I'm going to defy what has
23 been passed as legislation.
24 I can assure you that they will be
25 dealt with, as anyone else in our city, who
·
99

1 chooses to ignore the laws. You'll be held
2 accountable for your actions, and that's
3 what we want.
4 It's very sad to see someone say,

5 I'm going to go against something just
6 because I want to.
7 This issue, again, is not for the
8 rights of the smokers. I don't know how
9 much I can say that. This is for the rights
10 of the non-smokers to breathe clean air and
11 not to have their right to good health taken
12 away by somebody else's decision. That's
13 all it is.
14 Most people in this city, I believe,
15 will abide by this. I've gotten wonderful
16 responses, a lot of restaurants and bars
17 coming up to me and saying this is great,
18 and I'm thrilled with that.
19 So, to all the good abiding citizens
20 in Scranton, I want to thank you for
21 standing by this and helping us do what we
22 need to do to get this law moving in the
23 right direction.
24 It is going to take some time, but I
25 do believe if there's 20 people in this city
.

100

1 that benefit in, you know, the first day,

2 that's 20 people that we've helped, and I'm
3 very proud of that.
4 I'm going to tell you a story about
5 last night. I went to the emergency room
6 with my daughter, Isabella, she's ten. She
7 was there. We were with everyone in the
8 world who had the flu, we'll talk about that
9 another time. She did not have the flu.
10 The second -- third question they
11 asked me was, Is your daughter exposed to
12 secondhand smoke?
13 We were there for an ankle injury,
14 not for a lung injury, not for a bronchitis,
15 not for the flu. We were there for an
16 ankle. It was very apparent to me at that
17 point, this is major, you know, this is
18 something that is a health issue.
19 And I'm proud to say that we will
20 stand behind it and we will do and work
21 together as a city to make this progressive
22 and wonderful action something we can be
23 proud of.
24 And for those who are the nay sayers
25 and who will go against defying any laws,

.

101

1 and there's many people who will defy laws

2 just to do it, I say to them, you cannot

3 dispute the facts. This is a health issue.

4 And I don't care who you are, secondhand

5 smoke is harmful. So, bring it on, bring it

6 on.

7 And maybe next year at this time we

8 won't have to be discussing the budget,

9 maybe we will have, you know, got our money

10 where we needed to get it from people who

11 are just going to break our laws.

12 Tonight on the agenda, also, as far

13 as economic development, we have two loans

14 that are coming up, well, actually it's one

15 incorporation that's coming.

16 This is a corporation that's coming

17 here from out of town. They are taking over

18 a building that is not so useful, shall we

19 say, right now it is not very productive on

20 our tax rolls, it is not very productive for

21 us, but they're a very great -- they're a

22 very good business.

23 They actually have six other
24 locations, and this will be their first time
25 in Scranton, and I'm thrilled that they're

.

102

1 taking a leap of faith and coming with us to
2 a city where we can make them feel at home
3 and welcome.

4 They will be hiring new employees,
5 which is what we always want to hear, which
6 means new people and new revenue in our
7 city.

8 And this is something that I'm going
9 support. And actually, that is all I have
10 tonight. Thank you.

11 MS. EVANS: Could I ask you a
12 question, since you have the information?
13 Because I was reading through the backup. I
14 was a bit curious. What is the project?
15 I understand they want to purchase
16 the property and they intend to renovate and
17 they intend to create X amount of positions
18 for low to moderate income individuals.

19 MS. NEALON FANUCCI: Right.

20 MS. EVANS: I understand they're out
21 of Reading, but for all the reading that
22 I've done, I can't find exactly what the
23 business is going to be.

24 MS. NEALON FANUCCI: They're an
25 electrical supply company.

103

1 MS. EVANS: Electrical supply?

2 MS. NEALON FANUCCI: Right. And
3 they're going to be distributing, operating
4 sales room -- everything is going to be out
5 of this branch, so that's what they'll be
6 doing.

7 MS. EVANS: Thank you.

8 MS. NEALON FANUCCI: Sure.

9 MR. MCGOFF: Good evening. I'd like
10 to start by commending the Scranton Tomorrow
11 for a great evening on First Night. My wife
12 and I were -- came downtown and attended
13 many of the venues and had a very enjoyable
14 New Year's Eve with the entertainment that
15 was provided. I think they did another fine
16 job, and I think that they should be

17 commended.

18 Also, I made a number of
19 resolutions, New Year's resolutions, two
20 concerning City Council. I thought one
21 resolution was that I think there's a
22 definite need to increase the efficiency of
23 City Council and city government. I think
24 that we as a group need to be more
25 efficient. I think we need to spend more

104

1 time on the business of the city and working
2 hard to make it a more efficient process.

3 With that in mind, I am going to
4 make a motion, I'd like to make a motion to
5 amend the citizen participation section of
6 our meetings.

7 I think that the meetings have --
8 that there's a very -- that citizen
9 participation is a necessary part of doing
10 city business, but I think that in the past,
11 or at least my limited experience is that
12 very often we get caught up in what I would
13 say are contentious and unnecessary

14 situations and commentary on what are

15 basically non-city issues.

16 I think that what we need to do is

17 just simply alter it in some way, not to

18 take away anybody's right to speak, but

19 simply to alter the way in which it's being

20 done.

21 My motion will be to change the

22 public participation time to two and a half

23 minutes for each speaker in third order and

24 on agenda items only, with an additional

25 public participation segment to be added

.

105

1 following seventh order with an additional

2 two and a half minutes per speaker on any

3 other additional city business.

4 MS. NEALON FANUCCI: I'll second

5 that. On the question.

6 MR. COURTRIGHT: On the question?

7 Anybody on the question? No? I have on the

8 question. Mr. McGoff had shown me this when

9 we came out here this evening, so I haven't

10 had really much time to think about it, but

11 the problem I see here, which is going to --
12 one reason it's going to push my decision,
13 is Mrs. Gallagher came to the podium this
14 evening, I don't think -- she brought up an
15 important issue, and I've got to be
16 perfectly honest with you, I had no clue
17 about what was going on. If she didn't
18 bring it up, I wouldn't have known about it.
19 I don't think you could have got in
20 what you needed to get into us within two
21 and a half minutes. I don't think two and a
22 half minutes is going to be enough time if
23 you've got an issue you need to speak on.
24 I understand what Mr. McGoff is
25 trying to do. Do we get out of hand
.

106

1 sometimes? Absolutely. That's not a secret
2 here.
3 But I think maybe, and, again, this
4 is just a maybe, I'm shooting from the hip
5 here, because I just found out about this
6 today, I wouldn't be opposed to saying five
7 minutes just on city business -- or agenda

8 items, I should say, in fifth order or
9 citizens participation in third order, I'm
10 sorry, and then if we wanted to give them
11 five minutes at the end on other business.
12 I just think two and a half minutes
13 isn't enough time to get your point across
14 on some things. Anybody else? That's all I
15 have.

16 MS. EVANS: Yes. I'll just add, I
17 wasn't aware that the motion was going to be
18 made until it was just made, but that's
19 acceptable to me.

20 I agree with Mr. Courtright, and
21 that was the first thought that had occurred
22 to me, how in two and a half minutes can
23 anyone be expected to make their case
24 accurately, persuasively?

25 And I think if we recall all of

.

107

1 tonight's speakers, I don't know that there
2 was one individual who came to the podium
3 tonight would was not addressing city
4 business in one way, shape or form.

5 It was business that affects every
6 one of us, and I was very interested to
7 listen.
8 My question -- I would consider Mr.
9 Courtright's suggestion about five minutes
10 prior to voting on agenda items and then
11 five minutes after the votes, but only under
12 a condition that all Council members would
13 remain and that could never be altered.
14 MS. GATELLI: They would have to
15 remain, wouldn't they, because the meeting
16 wouldn't be adjourned.
17 MS. EVANS: The meeting wouldn't be
18 adjourned, but I'm saying that, you know, in
19 the summertime we made an exception last
20 year for Mrs. Fanucci, and I'm just saying
21 that I believe if you are going to alter the
22 rules that apply to citizens participation,
23 then all member of Council, whether seated
24 now or are elected in the future, are going
25 to be available to sit until the last

.

108

1 speaker has finished under 8th or 9th order.

2 MR. COURTRIGHT: Anyone else? All

3 in favor.

4 MS. NEALON FANUCCI: Aye. Are we

5 taking an aye?

6 MR. COURTRIGHT: It's a motion,

7 right?

8 MS. NEALON FANUCCI: Yeah.

9 MR. COURTRIGHT: We don't need a

10 roll call.

11 MS. NEALON FANUCCI: Okay. Aye.

12 MR. MCGOFF: Aye.

13 MS. GATELLI: I didn't get a chance

14 to talk.

15 MR. COURTRIGHT: Oh, I didn't think

16 you --

17 MS. NEALON FANUCCI: You couldn't

18 even move. We thought you --

19 MR. COURTRIGHT: Go right ahead.

20 MS. GATELLI: I agree that it would

21 help expedite the meeting, but I agree that

22 two and a half minutes isn't long enough.

23 I'd like to amend it to three minutes on

24 agenda items, three and three, this way

25 they'd be getting an extra minute, and three

1 minutes is certainly plenty of time to get

2 anyone's point across, so, I would --

3 MR. COURTRIGHT: Don't we have to

4 vote on Mr. McGoff's motion first?

5 MR. MINORA: Well --

6 MR. COURTRIGHT: Could we vote on

7 his?

8 MR. MINORA: There's a motion and a

9 motion to amend, so I think the amendment

10 has to be voted on first.

11 MR. COURTRIGHT: The amendment?

12 Okay.

13 MR. MINORA: So, wither the

14 amendment, you know, passes or fails, and

15 then you vote on the original motion.

16 MS. GATELLI: So we're voting on two

17 and a half minutes first.

18 MR. MINORA: So the vote should be

19 on the amendment first.

20 MR. COURTRIGHT: Mrs. Gatelli's

21 amendment?

22 MR. MINORA: Mrs. Gatelli's

23 amendment amending Mr. McGoff's motion to

24 for three minutes instead of two and a half.

25 MS. NEALON FANUCCI: You know what,

.

110

1 I'm starting to get d♦j♦ vu really bad if we

2 go down this road again. A yes is a yes?

3 MR. MINORA: Yeah.

4 MS. NEALON FANUCCI: A no is a no?

5 MR. COURTRIGHT: So we're voting on

6 Mrs. Gatelli's amendment first, that's what

7 you would like first, correct?

8 MR. MINORA: Yes.

9 MR. COURTRIGHT: All those in favor?

10 Three minutes and three minutes. All those

11 in favor.

12 MS. GATELLI: Nobody seconded it.

13 MS. NEALON FANUCCI: Nobody seconded

14 it.

15 MR. MINORA: Oh, I thought -- I

16 thought -- I'm sorry. I thought I heard you

17 say -- well, you need a second.

18 MR. COURTRIGHT: Do we have a

19 second?

20 MS. EVANS: I would like to amend

21 his to be three minutes.

22 MR. MINORA: Nobody second that? Is

23 somebody going to second that?

24 MR. COURTRIGHT: Do we have a

25 second?

.

111

1 MR. MCGOFF: I'm willing to second.

2 I'm willing to change the time.

3 MR. MINORA: Okay.

4 MR. COURTRIGHT: Okay. We have a

5 motion and a second. Anybody else on the

6 question? All in favor.

7 MS. NEALON FANUCCI: Aye.

8 MR. MCGOFF: Aye.

9 MR. COURTRIGHT: Opposed? No.

10 MS. EVANS: No.

11 MR. COURTRIGHT: 3-2, the motion

12 carries. Now we are going to be voting on

13 Mr. McGoff's motion as amended. Okay.

14 Anybody on the question on that?

15 MS. EVANS: The only thing I would

16 ask is to amend the motion to include the

17 fact that all Council members must remain
18 through 8th order until the last speaker
19 concludes.

20 MS. NEALON FANUCCI: I might go for
21 that if we decide that everyone has to sign
22 in. No more of this -- we're going to
23 conduct it like normal meetings, the school
24 board, the county. If you're not signed in,
25 you can't -- I mean, you don't speak.

112

1 That's what it is. It's about getting here,
2 signing in and conducting proper business.
3 So, I will be willing to do that,
4 and I have no problem in that, and next year
5 we will obviously we will be having our
6 meetings at seven o'clock again during the
7 summer, but --

8 MS. EVANS: That's fine.

9 MS. NEALON FANUCCI: I know.

10 MR. MINORA: We've got --

11 MS. NEALON FANUCCI: Okay, I know,
12 we're getting lost again.

13 MR. COURTRIGHT: We're getting out

14 of control here.

15 MR. MINORA: We have one amendment

16 out there and there's an amendment to the

17 amendment. I think probably the best

18 procedure would be to follow is to see if

19 Mrs. Evans --

20 MR. COURTRIGHT: Maybe we should

21 just table this until we go into the back

22 room next week and get straight what we have

23 here. We got an amendment to an amendment

24 to an amendment. We look foolish. We don't

25 know what we're doing here.

.

113

1 MS. EVANS: Exactly.

2 MR. COURTRIGHT: I think we should

3 have discussed this before we got out here.

4 MS. GATELLI: Just for a little

5 aside on that if you think we look foolish,

6 the state legislature the other day, the

7 temporary speaker of the House had two

8 parliamentarians, one on each side on them,

9 and both of them had speakers in their ears.

10 So, if you think that we don't know

11 what we're doing, the state legislature

12 doesn't either. It's very complicated.

13 Government is complicated.

14 MS. NEALON FANUCCI: That's right.

15 MS. GATELLI: Motions are

16 complicated.

17 MS. NEALON FANUCCI: We're here to

18 work it out, not table everything.

19 MS. GATELLI: So, we're here to work

20 together. And it happens in the federal

21 government and in the state government. So,

22 you know, that comment, I don't think is

23 appropriate.

24 MR. MCGOFF: Let me --

25 MR. COURTRIGHT: Well, we got an

.

114

1 amendment to an amendment we don't know.

2 MS. NEALON FANUCCI: We're voting on

3 Mrs. Evans' --

4 MR. MINORA: There was a motion by

5 Mrs. Evans to amend Mr. McGoff's motion to

6 include requirement that Council people stay

7 through 8th order. Now, that either needs a

8 second.

9 MR. COURTRIGHT: I'll second that

10 one.

11 MR. MINORA: Now it needs a vote.

12 Well, you can discuss it first.

13 MR. COURTRIGHT: On the question?

14 MS. GATELLI: On the question, what

15 if you don't feel well? Like, I missed --

16 I'd like to go right now.

17 MR. MCGOFF: Mrs. Gatelli, I'd like

18 to rescind my motion --

19 MR. COURTRIGHT: I'll second that.

20 MR. MCGOFF: -- until such time as

21 we at caucus next week, that we can sit and

22 agree upon something and present it as a

23 motion that we can all agree upon.

24 MR. MINORA: Motion is withdrawn?

25 MR. MCGOFF: That would become

.

115

1 effective next week.

2 MS. EVANS: I don't know that you

3 can make it effective immediately, because I

4 think that you have to inform the public of

5 the changes so that they can then choose

6 whether or not they're going to attend,

7 comply, et cetera.

8 I just don't think it's wise to

9 spring something on the public so

10 immediately.

11 MR. MCGOFF: I will still -- I'll

12 rescind the motion.

13 MR. COURTRIGHT: Do we need a

14 second?

15 MR. MINORA: I think the moveant can

16 withdraw his motion at any time.

17 MR. COURTRIGHT: Motion is

18 rescinded.

19 MR. MINORA: It's withdrawn and you

20 can do whatever you want.

21 MR. MCGOFF: Thank you.

22 MR. COURTRIGHT: Okay. Do you have

23 anything else, Mr. McGoff?

24 MR. MCGOFF: I would like to just

25 make one final comment concerning the

.

116

1 budget. I really don't feel that I need to

2 justify my actions in any way, but I would
3 like to mention one thing, I did attend the
4 meeting that we had concerning the Council
5 budget that Mrs. Evans prepared.

6 At that time, at that meeting, I did
7 say that there were portions of what Mrs.
8 Evans had proposed that I thought were
9 worthy of consideration and that I would
10 consider approving or voting for.

11 However, I also stated that as a
12 package, there was no way that I could vote
13 for the entirety of that budget.

14 When it was presented as an
15 amendment, it was presented in its entirety,
16 and whether I wanted to vote for parts of it
17 or not, that was not available.

18 The way it was presented, really
19 thwarted any opportunity I had or anyone had
20 to vote for particular parts of it that were
21 acceptable to us, and for that reason, I did
22 vote no on that amendment.

23 Had it been presented another way, I
24 feel maybe -- or perhaps parts of it could
25 have been initiated or parts of it could

117

1 have been implemented. And that's all.

2 Thank you.

3 MS. EVANS: Mr. Courtright, could I

4 just respond quickly?

5 MR. COURTRIGHT: Surely.

6 MS. EVANS: That opportunity

7 actually was provided at a budget work

8 session where each item was discussed

9 individually at length. The meeting was

10 close to three hours. Only three members

11 attended, and there was a consensus taken on

12 each and every reduction, each and every

13 revenue source, and those that garnered a

14 majority were those that were proposed then

15 on December 14 as the amendments to the

16 mayor's budget.

17 MR. MCGOFF: And at that meeting, I

18 still want to respond, at that meeting there

19 were some items for which I did vote yes.

20 MS. EVANS: Uh-huh.

21 MR. MCGOFF: But as you presented

22 them as an entirety, as an entire package,

23 there was no way that I could vote yes in
24 that manner.

25 MS. EVANS: Well, I can understand

118

1 that, but that is precisely what we do with
2 the mayor's proposed budget, vote on it as
3 an entire package.

4 MR. COURTRIGHT: All right. My
5 turn. I have a letter here, and I normally
6 don't read letters because they take so much
7 time, but Mr. Hubbard come here on several
8 occasions, and people from his area, about
9 the flooding, and this is from Ray Hayes,
10 Public Safety Director. And if I may, I'm
11 just going to read this.

12 The purpose of this letter is to
13 supply some information regarding answers to
14 questions I have received from Mr. Bill
15 Courtright regarding the subject matter as
16 per our letter to you from Kay Garvey, dated
17 12/5 of '06.

18 The City of Scranton, in conjunction
19 with the Lackawanna County Emergency

20 Management Agency, the city's department of
21 public safety, the city engineering
22 department, and the city Department of
23 Public Works organized a program to deal
24 with high water events.

25 Each of the aforementioned have two

.

119

1 jobs -- have jobs, I'm sorry, and
2 assignments which are initiated and
3 performed based on river level stages.
4 Two persons assigned full-time to
5 the maintenance of flood control structures,
6 as well as DPW employees, supervisors and
7 the city engineer are versed in their duties
8 and prepared and trained to operate flood
9 stations, flood control sluice gates, mitre
10 gates and rolling gate closure structure at
11 bridges.

12 There's adequate equipment and
13 vehicles to complement these personnel. It
14 should be clearly understood that no
15 persons, other than authorized personnel to
16 operate these facilities should attempt to

17 perform such duties.

18 There are two siren-type alarms used
19 for warning citizens of potential flooding
20 events. Both alarms are located on high
21 poles at Scranton Sewer Authority
22 facilities.

23 One alarm is located at the Shawnee
24 Avenue pump station and the other at the
25 Middle Street pump station. And it just

120

1 says refer to a map that's attached here.

2 The sirens are periodically tested
3 by and activated by Lackawanna County
4 Emergency Management Agency when they deem
5 necessary.

6 The whole purpose of the Lackawanna
7 River levee project being constructed by the
8 United States Army Corps of Engineers is to
9 provide for protection for lands adjacent to
10 the river.

11 On that section of the river
12 extending from Alpha Street in North
13 Scranton downstream to the vicinity of Olive

14 Street.

15 Construction of the levee, although
16 being ahead of schedule, is still a very
17 time consuming project.

18 Complete protection from high water
19 for all properties along the levee limits
20 could not be expected until the levee is
21 complete.

22 At that protection will be provided
23 at different times as progress on the work
24 continues.

25 The portion of the levee extending

.

121

1 from Albright Avenue to Olive Street has
2 already been completed and turned over to
3 the city for ownership and maintenance.

4 I would say this addresses some of
5 Mr. Hubbard's questions. I'm sure he's
6 going to come here and say it doesn't
7 address them all or possibly won't be
8 satisfied with all of these answers.

9 I'll leave this in Council office.

10 I'm sure Kay has a copy of it for anybody

11 who would like to see it.
12 And if, in fact, you feel your
13 questions weren't answered, you can pose the
14 questions to me that weren't answered and
15 I'll forward them to Mr. Hayes.
16 There's a letter here from Mike
17 Russell, and it has to deal with the
18 appraisals that's going on throughout the
19 county.
20 And I'm not going to read each and
21 every name, but I think maybe I'm going to
22 ask Kay to ask Channel 61 if they will run
23 this on Channel 61. It's the names of the
24 people that will be coming to your homes,
25 their vehicle type, the color of the vehicle
.
122

1 and their license plate number.
2 So, if somebody is knocking on your
3 door, you know, asking to possibly get
4 inside or to take a look at your property
5 for their, you know, the new assessment, you
6 will be able to refer to the list and not be
7 afraid that it's somebody scamming you or a

8 burglar or anything to that nature.

9 So, they did provide that to us, and

10 I appreciate that, and I'll ask Kay maybe if

11 Channel 61 can run this on their station.

12 I'm going to take too much time, I

13 guess, tonight. This is from Mr. Barrett,

14 Executive Director of the Sewer Authority.

15 I am enclosing -- and this, I'm sure, is an

16 interest to many people in this city and in

17 the Dunmore area -- I'm enclosing a copy of

18 a long-term control plan prepared by

19 Montgomery Watson on behalf of the

20 Lackawanna Watershed Program and the

21 Scranton Sewer Authority.

22 Funding for this program was

23 provided for by the Federal Environmental

24 Protection Agency, 55 percent, and the

25 Scranton Sewer Authority local share

.

123

1 45 percent.

2 This plan has been prepared to

3 fulfill state and federal regulations for

4 combined sewer communities.

5 As part of our responsibility to the
6 citizenry, we would ask that this document
7 be placed in the city clerk's office so it
8 is available to the general public.

9 It is also important to note that
10 this plan has yet to be submitted to the EPA
11 and in all likelihood will be changed
12 somewhat prior to the submission. So, this
13 will be in our office, and I'm sure Kay will
14 have that. And that's about it for the
15 letters.

16 Kay, if you can help me out on this
17 one, Stanley Street up in your area there in
18 North Scranton, the 100 block, they're
19 saying it's almost impassable because of the
20 large amount of potholes. I'm going to ask
21 Mr. Parker if he could take a look at that.
22 Mrs. Gatelli brought up Mr. Finnerty
23 from Channel 61 was in there, and in the
24 past Mrs. Gatelli made a motion for \$25,000
25 out of our -- was it our budget, I believe

.

124

1 -- to be turned over to Channel 61 to help

2 fund them, because I think we all want to
3 keep them on the air here, and we're not
4 able to do that.

5 And then it was discussed tonight in
6 caucus that we would possibly ask to have
7 that \$25,000 from UDAG money.

8 And obviously we have UDAG money,
9 because there's \$200,000 and some being
10 loaned out this evening.

11 So, I would appreciate Mrs. Gatelli
12 and everybody else on City Council going
13 along with that, and hopefully we will see
14 that UDAG money.

15 A gentleman called me this week and
16 then came and saw me, and I'll pass these
17 out to everyone on Council.

18 To some, it might not be important,
19 but if you're on Social Security, it's
20 important. The EMS tax is out and about
21 again now to \$52.

22 And when he had called me and said
23 to me did I realize that they use your
24 Social Security money towards the \$12,000?

25 So, if you're below \$12,000, you don't get

125

1 hit with the \$52 tax, but if, say, for
2 instance, I'll just use this figure, you're
3 getting \$10,000 in -- and, Kay, if I'm wrong
4 here, because I asked Kay to call and check
5 on what this gentleman had given me, but I
6 have it in front of me here -- say for
7 instance you get \$10,000 in Social Security
8 and you make \$3,000 at your job, well, your
9 job is going to take the \$52 out of you.
10 So, your Social Security is included
11 towards. And he felt that was very unfair.
12 And I think that's somewhat unfair myself.
13 So, unfortunately that's the way it
14 is now, but maybe next week's caucus we can
15 discuss maybe asking the state legislatures,
16 I think it's been tossed around down there,
17 if there's something they can do to give
18 some relief to the people that are on Social
19 Security. So, maybe we can discuss that
20 next week in caucus. Did you have something
21 on it?
22 MS. EVANS: Yes. According to the

23 Legislative Locater that we receive, on
24 November 9, the governor vetoed Senate Bill
25 157 and returned the bill to the senate.

.

126

1 His veto message clearly indicated
2 that the only reason for the veto was the
3 effective date of January 2007, and the
4 difficulty that municipalities would have in
5 complying with the state.

6 The senate chose not to take up a
7 veto override, and this bill died at the end
8 of the '05-'06 session.

9 This means that for the coming year,
10 the EMS Tax law remains the same as in
11 previous years.

12 Now, the legislature, I believe,
13 intends to take up the issue, once again,
14 hoping for a suitable change that would take
15 effect in January 2008. But as I just read,
16 there are no changes available for 2007.

17 MR. COURTRIGHT: Yeah, I didn't feel
18 that we would be able to do anything about
19 that. Important to people that are on

20 Social Security and on fixed income. \$52 is

21 a lot of money to those people and to

22 others.

23 All right. Staying with the EMS

24 Tax, I had a couple of calls from police

25 officers. Kay, I'm not quite sure where we

127

1 would send this. You know, the EMS Tax, the

2 way I understood it, was supposed to provide

3 for public safety, police, fire and for

4 roads, and yet I couldn't find it.

5 And if anybody up here could find

6 it, if you can correct me, I couldn't find

7 anywhere in the budget where there was a

8 capital thing for police cars.

9 And, you know, the question was

10 asked, well, you know, you have the \$52 and

11 it's supposed to be for police, fire and

12 roads, yet we have no visible sign of

13 purchasing any police vehicles in the

14 upcoming year, and I don't see that anywhere

15 either.

16 So, I don't know, Kay, do we ask Mr.

17 Kresefski, do we ask Mr. Hayes or do we ask

18 Dave Elliott, is there plans on purchasing

19 new police vehicles for this year? And if,

20 in fact, there are, could I just somebody

21 just point to me where that money would be

22 coming from?

23 We just got some new vehicles that

24 were sorely needed, but we're in need of

25 vehicles again, and we certainly won't be in

.

128

1 need of vehicles in the upcoming year.

2 So, if there is money in the budget

3 for that, I'd appreciate them pointing that

4 out to me. I just haven't seen it.

5 MS. EVANS: Mr. Courtright, would

6 you add to that, please, the CDBG increased

7 allocation for additional officers? I

8 believe it was \$280,000 that was made by

9 Council --

10 MR. COURTRIGHT: Right.

11 MS. EVANS: -- in 2006, has that

12 money been received and what are the

13 results? What officers have been hired?

14 MR. COURTRIGHT: I know none have
15 been hired, as far as that, but, Kay, could
16 we ask if that money has been received and
17 if we plan on hiring those officers?

18 MS. GATELLI: Two more. I think two
19 more.

20 MR. COURTRIGHT: All right. Oh, I
21 was going to bring up Gary Frances, but Mrs.
22 Gatelli got that, and I certainly think he
23 deserves all the credit in the world for
24 helping save those people.

25 Mary Alice Burke, once again, asked
.

129

1 me if I could announce that this coming
2 Tuesday, January 9, 2007 at 7 p.m. at the
3 Keyser Valley Community Center, there's
4 going to be a follow-up meeting to the
5 meeting that was there in December about the
6 flooding and everybody is invited to attend.
7 Again, this will be a follow-up
8 meeting to the one they had in December, and
9 unfortunately I couldn't be there, I was out
10 of town, but I have plans on being there

11 this time. So, that will be 7 p.m. on
12 January 7. That's next Tuesday.
13 And also she wanted to let me know
14 she did invite all city officials, so
15 hopefully we will see some of them there.
16 And then one last item, I don't know
17 how many years now it's been that I've been
18 going to Bob Bolus' Christmas dinner, but
19 each year I learn something.
20 And the two things I learned this
21 year -- it's a great event, a lot of people
22 help out. The thing I saw this year, I
23 could not believe the number, the number, of
24 takeouts that they had done this year.
25 Some the high-rises, specifically
.

130

1 down here in downtown that, you know, maybe
2 they couldn't cook for themselves, and I
3 know 26 dinners were sent to one high-rise,
4 and those people were able to eat together
5 maybe in the community room down there.
6 But the thing that I saw more so
7 this year than ever, a lady was hugging Mr.

8 Bolus and myself, and it's certainly not
9 just for people that can't afford to have
10 dinner for themselves, there were many
11 people down there who, I'm sure, could have
12 afforded a dinner, but they didn't have
13 anybody to be with, and it was just nice
14 that they had somebody to be with there.
15 One lady, I was there for maybe I
16 think about three hours, she was there when
17 I got there and she was there when I left,
18 just being able to be with somebody on
19 Christmas.

20 So, I'd just like to thank Mr. Bolus
21 once again this year for that. And that's
22 all I have. Do you have anything, Mrs.
23 Gatelli?

24 MS. GARVEY: 5-B, FOR INTRODUCTION -
25 AN ORDINANCE - AMENDING FILE OF THE COUNCIL

.

131

1 NO. 6 1976 ENTITLED AN ORDINANCE (AS
2 AMENDED) IMPOSING A TAX FOR GENERAL REVENUE
3 PURPOSES ON THE TRANSFER OF REAL PROPERTY
4 SITUATE WITHIN THE CITY OF SCRANTON;

5 PRESCRIBING AND REGULATING THE METHOD OF
6 EVIDENCING THE PAYMENT OF SUCH TAX;
7 CONFERRING POWERS AND IMPOSING DUTIES UPON
8 CERTAIN PERSONS, AND PROVIDING PENALTIES, BY
9 IMPOSING THE RATE OF THE REALTY TRANSFER TAX
10 AT 2.5% FOR THE CALENDAR YEAR 2007.

11 MR. COURTRIGHT: At this time I'll
12 entertain a motion that Item 5-B be
13 introduced to its proper committee.

14 MS. NEALON FANUCCI: So moved.

15 MR. MCGOFF: Second.

16 MR. COURTRIGHT: On the question?

17 All those in favor.

18 MS. EVANS: Aye.

19 MS. NEALON FANUCCI: Aye.

20 MR. MCGOFF: Aye.

21 MR. COURTRIGHT: Aye.

22 MS. GATELLI: Aye.

23 MR. COURTRIGHT: Opposed? The ayes

24 have it and so moved.

25 MS. GARVEY: 5-C, FOR INTRODUCTION -

.

132

1 AN ORDINANCE - AMENDING FILE OF THE COUNCIL

2 NO. 7, 1976 ENTITLED AN ORDINANCE (AS
3 AMENDED) IMPOSING A MERCANTILE LICENSE TAX
4 OF 2 MILLS FOR THE YEAR 1976 AND ANNUALLY
5 THEREAFTER UPON PERSONS ENGAGING IN CERTAIN
6 OCCUPATIONS AND BUSINESSES THEREIN;
7 PROVIDING FOR ITS LEVY AND COLLECTION AND
8 FOR THE ISSUANCE OF MERCANTILE LICENSES;
9 CONFERRING AND IMPOSING POWERS AND DUTIES
10 UPON THE TAX COLLECTOR OF THE CITY OF
11 SCRANTON; AND IMPOSING PENALTIES, BY
12 IMPOSING THE MERCANTILE LICENSE TAX AT 1
13 MILL FOR CALENDAR YEAR 2007.

14 MR. COURTRIGHT: At this time I'll
15 entertain a motion that Item 5-C be
16 introduced into its proper committee.

17 MS. NEALON FANUCCI: So moved.

18 MR. MCGOFF: Second.

19 MR. COURTRIGHT: On the question?

20 All those in favor.

21 MS. EVANS: Aye.

22 MS. NEALON FANUCCI: Aye.

23 MR. MCGOFF: Aye.

24 MR. COURTRIGHT: Aye.

25 MR. COURTRIGHT: Aye. Opposed? The

1 ayes have it and so moved.

2 MS. GARVEY: 5-D, FOR INTRODUCTION -
3 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
4 NO. 8, 1976 ENTITLED AN ORDINANCE (AS
5 AMENDED) PROVIDING FOR THE GENERAL REVENUE
6 BY IMPOSING A TAX AT THE RATE OF 2 MILL UPON
7 THE PRIVILEGE OF OPERATING OR CONDUCTING
8 BUSINESS IN THE CITY OF SCRANTON AS MEASURED
9 BY THE GROSS RECEIPTS THEREFROM; REQUIRING
10 REGISTRATION AND PAYMENT OF THE TAX AS
11 CONDITION TO THE CONDUCTING OF SUCH
12 BUSINESS; PROVIDING FOR THE LEVY AND
13 COLLECTION OF SUCH TAX; PRESCRIBING SUCH
14 REQUIREMENTS FOR RETURNS AND RECORDS;
15 CONFERRING POWERS AND DUTIES UPON THE TAX
16 COLLECTOR; AND IMPOSING PENALTIES, BY
17 IMPOSING THE BUSINESS PRIVILEGE TAX AT THE
18 RATE OF 1 MILL FOR CALENDAR YEAR 2007.

19 MR. COURTRIGHT: At this time I'll
20 entertain a motion that Item 5-D be
21 introduced into its proper committee.

22 MS. NEALON FANUCCI: So moved.

23 MR. MCGOFF: Second.

24 MR. COURTRIGHT: On the question?

25 All those in favor.

.

134

1 MS. EVANS: Aye.

2 MS. NEALON FANUCCI: Aye.

3 MR. MCGOFF: Aye.

4 MR. COURTRIGHT: Aye.

5 MS. GATELLI: Aye.

6 MR. COURTRIGHT: Opposed? The ayes

7 have it and so moved.

8 MS. GARVEY: 5-E, FOR INTRODUCTION -

9 AN ORDINANCE - AMENDING FILE OF THE COUNCIL

10 NO. 11, 1976, ENTITLED AN ORDINANCE (AS

11 AMENDED) ENACTING, IMPOSING A TAX FOR

12 GENERAL REVENUE PURPOSES IN THE AMOUNT OF 2%

13 ON EARNED INCOME AND NET PROFITS ON PERSONS,

14 INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO

15 ARE RESIDENTS OF THE CITY OF SCRANTON, OR

16 NON-RESIDENTS OF THE CITY OF SCRANTON, FOR

17 WORK DONE, SERVICES PERFORMED OR BUSINESS

18 CONDUCTED WITHIN THE CITY OF SCRANTON,

19 REQUIRING THE FILING OF RETURNS BY TAXPAYERS

20 SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO
21 COLLECT THE TAX AT SOURCE; PROVIDING FOR THE
22 ADMINISTRATION, COLLECTION AND ENFORCEMENT
23 OF THE SAID TAX; AND IMPOSING PENALTIES FOR
24 THE VIOLATIONS, BY IMPOSING THE WAGE TAX AT
25 2.4% ON EARNED INCOME FOR THE YEAR 2007 FOR

.

135

1 RESIDENTS.

2 MR. COURTRIGHT: At this time I'll

3 entertain a motion that Item 5-E be

4 introduced into its proper committee.

5 MS. NEALON FANUCCI: So moved.

6 MR. MCGOFF: Second.

7 MR. COURTRIGHT: On the question?

8 All in favor.

9 MS. EVANS: Aye.

10 MS. NEALON FANUCCI: Aye.

11 MR. MCGOFF: Aye.

12 MR. COURTRIGHT: Aye.

13 MS. GATELLI: Aye.

14 MR. COURTRIGHT: Opposed? The ayes

15 have it and so moved.

16 MS. GARVEY: 5-F, FOR INTRODUCTION -

17 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
18 NO. 100, 1976, ENTITLED AN ORDINANCE (AS
19 AMENDED) LEVYING GENERAL AND SPECIAL TAXES
20 FOR THE FISCAL YEAR 1977, BY SETTING THE
21 MILLAGE FOR THE YEAR 2007.

22 MR. COURTRIGHT: At this time I'll
23 entertain a motion that Item 5-F be
24 introduced into its proper committee.

25 MS. NEALON FANUCCI: So moved.

136

1 MR. MCGOFF: Second.

2 MR. COURTRIGHT: On the question?

3 MS. EVANS: Yes. Briefly, it is a
4 bit odd that this is the one ordinance
5 involving the levying of taxes that does not
6 list the exact millage.

7 MR. COURTRIGHT: Anyone else on the
8 question? All those in favor.

9 MS. NEALON FANUCCI: Aye.

10 MR. MCGOFF: Aye.

11 MS. GATELLI: Aye.

12 MR. COURTRIGHT: Opposed? No.

13 MS. EVANS: No.

14 MR. COURTRIGHT: By a 3-2, the ayes

15 have it and so ordered.

16 MS. GARVEY: 5-G, FOR INTRODUCTION -

17 AN ORDINANCE - AMENDING FILE OF THE COUNCIL

18 NO. 17, 1994 ENTITLED AN ORDINANCE (AS

19 AMENDED) AUTHORIZING THE GOVERNING BODY OF

20 THE CITY OF SCRANTON TO ENACT A WASTE

21 DISPOSAL AND COLLECTION FEE FOR THE PURPOSE

22 OF RAISING REVENUE TO COVER THE WASTE

23 DISPOSAL AND COLLECTION COSTS INCURRED BY

24 THE CITY OF SCRANTON FOR THE DISPOSAL OF

25 REFUSE, BY IMPOSING A WASTE DISPOSAL AND

.

137

1 COLLECTION FEE OF \$178.00 FOR CALENDAR YEAR

2 2007.

3 MR. COURTRIGHT: At this time I'll

4 entertain a motion that Item 5-G be

5 introduced into its proper committee.

6 MS. NEALON FANUCCI: So moved.

7 MR. MCGOFF: Second.

8 MR. COURTRIGHT: On the question?

9 All those in favor.

10 MS. EVANS: Aye.

11 MS. NEALON FANUCCI: Aye.

12 MR. MCGOFF: Aye.

13 MR. COURTRIGHT: Aye.

14 MS. GATELLI: Aye.

15 MR. COURTRIGHT: Opposed? The ayes

16 have it and so moved.

17 MS. GARVEY: 5-H, FOR INTRODUCTION -

18 AN ORDINANCE - AMENDING FILE OF THE COUNCIL

19 NO. 10 OF 2006, AMENDING FILE OF THE COUNCIL

20 95 OF 2005, WHICH IN TURN AMENDED FILE OF

21 COUNCIL NO. 9, 1976 ENTITLED AN ORDINANCE

22 ENACTING AND IMPOSING A TAX FOR GENERAL

23 REVENUE PURPOSES ON INDIVIDUALS FOR THE

24 PRIVILEGE OF ENGAGING IN AN OCCUPATION

25 WITHIN THE CORPORATE LIMITS OF THE CITY OF

.

138

1 SCRANTON BY CHANGING THE NAME OF THE TAX TO

2 THE EMERGENCY MUNICIPAL SERVICES TAX,

3 INCREASING THE AMOUNT OF THE WITHHOLDING TO

4 \$52.00, AND DIRECTING THAT THE REVENUE BE

5 USED FOR POLICE FIRE, OR EMERGENCY SERVICES

6 OR FOR ROAD CONSTRUCTION OR MAINTENANCE.

7 MR. COURTRIGHT: At this time I'll

8 entertain a motion that Item 5-H be
9 introduced into its proper committee.
10 MS. NEALON FANUCCI: So moved.
11 MR. MCGOFF: Second.
12 MR. COURTRIGHT: On the question?
13 MS. EVANS: Yes. I did not vote for
14 the implementation of this tax last year,
15 for the same reason that I will not vote for
16 it tonight, and that is the state government
17 has not taken the necessary actions to
18 provide for a proper distribution schedule,
19 a proper financial level at which, let us
20 say, at which and beneath this tax should
21 not be collected, and I think the very
22 poignant example that Mr. Courtright
23 provided earlier this evening validates what
24 I'm saying, and, so, I will not be voting in
25 favor.

.

139

1 MR. COURTRIGHT: Anyone else on the
2 question? All those if favor.
3 MS. NEALON FANUCCI: Aye.
4 MR. MCGOFF: Aye.

5 MR. COURTRIGHT: Aye. Opposed?

6 MS. EVANS: No.

7 MR. COURTRIGHT: The ayes have it

8 and so moved, 4-1.

9 MS. GARVEY: 5-I, FOR INTRODUCTION -

10 A RESOLUTION - AUTHORIZING THE MAYOR AND

11 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE

12 AND ENTER INTO A RENEWAL OF THE CITY'S STOP

13 LOSS COVERAGE FOR MAJOR MEDICAL HEALTH

14 INSURANCE WITH AMERICAN FIDELITY ASSURANCE

15 COMPANY FOR 2007.

16 MR. COURTRIGHT: At this time I'll

17 entertain a motion that Item 5-I be

18 introduced into its proper committee.

19 MS. NEALON FANUCCI: So moved.

20 MR. MCGOFF: Second.

21 MR. COURTRIGHT: On the question?

22 All those in favor.

23 MS. EVANS: Aye.

24 MS. NEALON FANUCCI: Aye.

25 MR. MCGOFF: Aye.

.

140

1 MR. COURTRIGHT: Aye.

2 MS. GATELLI: Aye.

3 MR. COURTRIGHT: The ayes have it

4 and so moved.

5 MS. GARVEY: 5-J, FOR INTRODUCTION -

6 A RESOLUTION - AUTHORIZING THE MAYOR AND

7 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE

8 AND ENTER INTO A CONTRACT FOR PROFESSIONAL

9 SERVICES WITH THE LAW FIRM OF CARL J. GRECO,

10 P.C. FOR LEGAL SERVICES INCLUDING BUT NOT

11 LIMITED TO GENERAL COUNSEL TO THE OFFICE OF

12 ECONOMIC AND COMMUNITY DEVELOPMENT (OECD),

13 URBAN RENEWAL PROCESS AND PROCEDURE, EMINENT

14 DOMAIN AND RELATED LITIGATION, DISPOSITION

15 OF SURPLUS URBAN RENEWAL LANDS, TITLE

16 SEARCHES AND DEED PREPARATION.

17 MR. COURTRIGHT: At this time I'll

18 entertain a motion that Item 5-J be

19 introduced into its proper committee.

20 MS. NEALON FANUCCI: So moved.

21 MR. MCGOFF: Second.

22 MS. GATELLI: On the question?

23 MS. EVANS: Yes. I have noticed

24 RFPs were utilized for this position and

25 this particular contract, as was the case

1 for the last contract award. That certainly
2 is a positive step in the right direction,
3 however, it is most unfortunate that the
4 RFPs are specifically designed for one
5 individual, that being Attorney Greco,
6 thereby discouraging other attorneys from
7 submitting proposals, since it is crystal
8 clear that only Attorney Greco will receive
9 the annual appointment and contract.

10 And I cite the following from the
11 most recent RFP, from the first page, second
12 paragraph final sentence, All prior
13 advertisements for these services are
14 rescinded.

15 And I noted most particularly the
16 elimination of a requirement that was
17 inserted last year in -- well, actually it
18 was the beginning of the 2006 for the 2006
19 contract.

20 And this was quite an unusual
21 requirement, but nevertheless, it was placed
22 in there to discourage the application of

23 other attorneys.

24 A proposal will not be considered if
25 an applicant has commenced litigation

.

142

1 against the City of Scranton within the past
2 ten years or has taken other measures which
3 are directly in conflict with the City of
4 Scranton whether or not litigation was
5 commenced.

6 The current RFP has effaced that
7 requirement, since Mr. Greco had sued the
8 city several months ago.

9 MR. COURTRIGHT: Anyone else on the
10 question?

11 MS. NEALON FANUCCI: Yeah. I'm
12 definitely going to vote for Attorney Greco,
13 and I'm going to vote for him because we
14 have a lot serial suers out there who just
15 keep suing the city over and over again, and
16 I'd like to have great representation, so I
17 will be voting for Attorney Greco.

18 MR. COURTRIGHT: Anyone else? All
19 those in favor.

20 MS. NEALON FANUCCI: Aye.

21 MR. MCGOFF: Aye.

22 MS. GATELLI: Aye.

23 MR. COURTRIGHT: Opposed? No.

24 MS. EVANS: No.

25 MR. COURTRIGHT: The ayes have it

.

143

1 and so moved, 3-2.

2 MS. GARVEY: 5-K, FOR INTRODUCTION -

3 A RESOLUTION - ACCEPTING AND AGREEING TO

4 MAINTAIN A TRAFFIC SIGNAL LOCATED ON KEYSER

5 AVENUE (S.R. 6307) AND THE INTERSECTION OF

6 KEYSER VILLAGE DRIVEWAY/PRIVATE DRIVE IN THE

7 CITY OF SCRANTON PURSUANT TO THE

8 REQUIREMENTS OF THE COMMONWEALTH OF

9 PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION.

10 MR. COURTRIGHT: At this time I'll

11 entertain a motion that Item 5-K be

12 introduced into its proper committee.

13 MS. NEALON FANUCCI: So moved.

14 MR. MCGOFF: Second.

15 MS. GATELLI: On the question? All

16 those in favor.

17 MS. EVANS: Aye.

18 MS. NEALON FANUCCI: Aye.

19 MR. MCGOFF: Aye.

20 MR. COURTRIGHT: Aye.

21 MS. GATELLI: Aye.

22 MR. COURTRIGHT: Opposed? The ayes

23 have it and so moved.

24 MS. GARVEY: 5-L, FOR INTRODUCTION -

25 A RESOLUTION - AUTHORIZING THE MAYOR AND

.

144

1 OTHER APPROPRIATE CITY OFFICIALS FOR THE

2 CITY OF SCRANTON TO ENTER INTO A LOAN

3 AGREEMENT AND MAKE A LOAN FROM THE URBAN

4 DEVELOPMENT ACTION GRANT REPAYMENT LOAN

5 PROGRAM, PROJECT NO. 400.29 IN AN AMOUNT NOT

6 TO EXCEED \$250,000.00 TO DML PROPERTIES,

7 L.P. TO ASSIST AN ELIGIBLE PROJECT.

8 MR. COURTRIGHT: At this time I'll

9 entertain a motion that Item 5-L be

10 introduced into its proper committee.

11 MS. NEALON FANUCCI: So moved.

12 MR. MCGOFF: Second.

13 MR. COURTRIGHT: On the question?

14 All in favor.

15 MS. EVANS: Aye.

16 MS. NEALON FANUCCI: Aye.

17 MR. MCGOFF: Aye.

18 MR. COURTRIGHT: Aye.

19 MS. GATELLI: Aye.

20 MR. COURTRIGHT: Opposed? The ayes

21 have it and so moved.

22 MS. GARVEY: 5-M, FOR INTRODUCTION -

23 A RESOLUTION - RE-APPOINTMENT OF JOHN F.

24 KENNEDY, 829 NORTH IRVING AVENUE, SCRANTON,

25 PENNSYLVANIA, 18505, AS A MEMBER OF THE CITY

.

145

1 PLANNING COMMISSION. MR. KENNEDY'S CURRENT

2 TERM EXPIRES ON DECEMBER 31, 2006 AND HIS

3 NEW TERM WILL EXPIRE ON DECEMBER 31, 2011.

4 MR. COURTRIGHT: At this time I'll

5 entertain a motion that Item 5-M be

6 introduced into its proper committee.

7 MS. NEALON FANUCCI: So moved.

8 MR. MCGOFF: Second.

9 MS. GATELLI: On the question? All

10 those in favor.

11 MS. EVANS: Aye.

12 MS. NEALON FANUCCI: Aye.

13 MR. MCGOFF: Aye.

14 MR. COURTRIGHT: Aye.

15 MS. GATELLI: Aye.

16 MR. COURTRIGHT: Opposed? The ayes

17 have it and so moved.

18 MS. GARVEY: 5-N, FOR INTRODUCTION -

19 A RESOLUTION - RE-APPOINTMENT OF EV JONES,

20 1912 BOULEVARD AVENUE, SCRANTON,

21 PENNSYLVANIA, 18509, AS A MEMBER OF THE CITY

22 PLANNING COMMISSION. MR. JONES' CURRENT

23 TERM EXPIRES ON DECEMBER 31, 2006 AND HIS

24 NEW TERM WILL EXPIRE ON DECEMBER 31, 2011.

25 MR. COURTRIGHT: At this time I'll

.

146

1 entertain a motion that Item 5-N be

2 introduced into its proper committee.

3 MS. NEALON FANUCCI: So moved.

4 MR. MCGOFF: Second.

5 MS. GATELLI: On the question? All

6 those in favor.

7 MS. EVANS: Aye.

8 MS. NEALON FANUCCI: Aye.

9 MR. MCGOFF: Aye.

10 MR. COURTRIGHT: Aye.

11 MS. GATELLI: Aye.

12 MR. COURTRIGHT: Opposed? The ayes

13 have it and so moved.

14 MS. GARVEY: 5-O, FOR INTRODUCTION -

15 A RESOLUTION - APPOINTMENT OF MICHELLE

16 DEMPSEY, 545 QUINCY AVENUE, SCRANTON,

17 PENNSYLVANIA, 18510, AS A MEMBER OF THE

18 HISTORICAL ARCHITECTURE REVIEW BOARD,

19 EFFECTIVE OCTOBER 11, 2006. MS. DEMPSEY

20 WILL BE REPLACING NELIDA AMADORE WHOSE TERM

21 EXPIRED ON OCTOBER 11, 2006. MS. DEMPSEY'S

22 TERM WILL EXPIRE ON OCTOBER 11, 2011.

23 MR. COURTRIGHT: At this time I'll

24 entertain a motion that Item 5-O be

25 introduced into its proper committee.

.

147

1 MS. NEALON FANUCCI: So moved.

2 MR. MCGOFF: Second.

3 MS. GATELLI: On the question? All

4 in favor.

5 MS. EVANS: Aye.

6 MS. NEALON FANUCCI: Aye.

7 MR. MCGOFF: Aye.

8 MR. COURTRIGHT: Aye.

9 MS. GATELLI: Aye.

10 MR. COURTRIGHT: Opposed? The ayes

11 have it and so moved.

12 MS. GARVEY: Sixth order. 6-A,

13 READING BY TITLE - FILE OF COUNCIL NO. 71,

14 2006 - AN ORDINANCE - AUTHORIZING THE

15 VACATION OF A PORTION OF THE RIGHT OF WAY

16 KNOWN AS GORGE STREET CONSISTING OF AN AREA

17 165 FEET LONG AND 26 FEET WIDE IN THE CITY

18 OF SCRANTON, AS MORE PARTICULARLY DESCRIBED

19 ON THE MAP ATTACHED HERETO.

20 MR. COURTRIGHT: You've heard

21 reading by title of Item 6-A, what is your

22 pleasure?

23 MS. NEALON FANUCCI: So moved.

24 Kidding. What do you want me to do?

25 MR. COURTRIGHT: I move Item 6-A --

.

148

1 MS. NEALON FANUCCI: Oh, I'm sorry.

2 I move Item 6-A pass reading by title. What

3 is your pleasure? That's right. Okay.

4 MR. MCGOFF: Second.

5 MS. NEALON FANUCCI: Sorry.

6 MR. COURTRIGHT: That's all right.

7 On the question? All those in favor,

8 signify by saying aye.

9 MS. EVANS: Aye.

10 MS. NEALON FANUCCI: Aye.

11 MR. MCGOFF: Aye.

12 MR. COURTRIGHT: Aye.

13 MS. GATELLI: Aye.

14 MR. COURTRIGHT: Opposed? The ayes

15 have it and so moved.

16 MS. NEALON FANUCCI: Sorry about

17 that.

18 MR. COURTRIGHT: That's okay.

19 MS. GARVEY: Seventh order. No

20 business at this time.

21 MR. COURTRIGHT: Can I have a motion

22 to adjourn?

23 MS. EVANS: So moved.

24 MR. MCGOFF: We're adjourned.

25 MR. COURTRIGHT: And we hope, Ms.

.

149

1 Gatelli, you're feeling better. Thank you.

2 (MEETING WAS ADJOURNED.)

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

.

150

1 C E R T I F I C A T E

2

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.

8

9

10

LISA M. GRAFF, RMR

11 Official Court Reporter

12

13

14

15

16

17

18

19

20

21

22

23

24

25