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1 SCRANTON CITY COUNCIL MEETING

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5 HELD:

6

7 Thursday, January 11, 2007

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9 LOCATION:

10 Council Chambers

11 Scranton City Hall

12 340 North Washington Avenue

13 Scranton, Pennsylvania

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CATHENE S. NARDOZZI- COURT REPORTER  
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2 CITY OF SCRANTON COUNCIL:

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MS. JUDY GATELLI, PRESIDENT  
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6 MS. JANET E. EVANS

7  
MS. SHERRY FANUCCI  
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9 MR. ROBERT MCGOFF

10  
MR. WILLIAM COURTRIGHT  
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12 MS. KAY GARVEY, CITY CLERK

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MR. NEAL COOLICAN, ASSISTANT CITY CLERK  
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15 MR. AMIL MINORA, SOLICITOR

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1 (Pledge of Allegiance recited.)

2 (Moment of silence observed.)

3 MS. GATELLI: Roll call?

4 MR. COOLICAN: Mrs. Evans?

5 MS. EVANS: Here.

6 MR. COOLICAN: Mrs. Fanucci?

7 MS. FANUCCI: Here.

8 MR. COOLICAN: Mr. McGoff?

9 MR. MCGOFF: Here.

10 MR. COOLICAN: Mr. Courtright?

11 MR. COURTRIGHT: Here.

12 MR. COOLICAN: Mrs. Gatelli?

13 MS. GATELLI: Here. Dispense with

14 the reading of the minutes?

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

16 MINUTES OF THE SCRANTON LACKAWANNA COUNTY

17 HEALTH AND WELFARE AUTHORITY MEETING HELD ON

18 NOVEMBER 16, 2006.

19 MS. GATELLI: Are there any comments?

20 If not, received and filed.

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

22 MS. GATELLI: Before we start I'd

23 just like to remind everyone to please turn

24 off your cell phones. I'd like to start by

25 reminding everyone that there will a very

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1 busy weekend in Scranton. We will be

2 celebrating Martin Luther King Day on Monday

3 and there have been a variety of events

4 setup throughout the whole weekend in honor

5 of Martin Luther King. On Saturday, there

6 will be a bus tour by the Center of

7 Anti-Slavery studies. On Sunday at 6:00

8 p.m. at Scranton High School there will be a

9 multi-culture event including the Brown

10 Sugar High Steppers which I understand are

11 very excellent dancers, and music for the

12 black, Latino and Jewish communities. The

13 guess speaker there will be Lamar Thomas.

14 That's at 6:00 p.m. on Sunday.  
15 On Monday at 10:30 at the University  
16 of Scranton for preteens there will be a  
17 justice program and speeches and music. At  
18 1:15 at the United Neighborhood Centers for  
19 all teenagers there will be a variety of  
20 activities teaching the history of Martin  
21 Luther King. At 4:15 at United Neighborhood  
22 Centers there will be a sandwich dinner for  
23 the march participants. At 5:00 there will  
24 be a march walking from the United  
25 Neighborhood Centers to courthouse square  
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1 and that is for all. All ages, all races,  
2 please participate. You go up to courthouse  
3 square where there will be a ceremony and  
4 city and county dignitaries will speak.  
5 From there, they will go to the Scranton  
6 Cultural Center at 6:30 for cake and hot  
7 cocoa and at 7:00 a celebration at the  
8 Stallard Temple that will be an interface  
9 service, so I encourage all to participate  
10 in these activities.

11 The second thing is that we received  
12 a donation from the Christian Science  
13 Society of Lackawanna County to the City of  
14 Scranton Fire Department in the amount of  
15 \$100 to be deposited into a special city  
16 account fire department only so we would  
17 like to thank them for their donation.

18 Mr. Parker's report this week:  
19 Potholes were repaired on Hennessy Street,  
20 Shayler, White Tail Drive, Crossin Court,  
21 Philmore, Sumner and Rebecca, Ash, Linden,  
22 Oram, St. Ann's, Taylor. There was a clean  
23 up of Fir Street from the flooding, and  
24 trees were removed from Electric Street,  
25 North Main, Frank, Washington Avenue,  
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1 Connell Park and the Alder Street extension.  
2 A gentleman wrote us a letter last  
3 week about handicapped ramps that were in  
4 disrepair. I have tried to contact him by  
5 phone, but I can't seem to reach him, and I  
6 would like him to note that I have called  
7 Keith Williams from the Center for

8 Independent Living and Keith is going to  
9 inspect these intersections and get back to  
10 council on his findings and he did tell me  
11 that there is a problem at the corner of  
12 Wyoming and Spruce and that curb cut is  
13 going to be repaired. It's going to be dug  
14 up because it's undone and it's already on  
15 the roster to be fixed. So, as soon as I  
16 get anymore information from Keith Williams  
17 on the ramps I will make a report.

18 The amusement tax someone e-mailed  
19 me, I think it was Mr. Quinn, and Amil has  
20 already prepared that ordinance, he is fine  
21 tuning it and it should be ready within the  
22 next few weeks for council to vote on it and  
23 it is a good way to make revenue and we have  
24 discussed it at this council meeting before  
25 about an amusement tax so that is being

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7

1 constructed by Attorney Minora.  
2 There are several problems, one is  
3 on Slocum Avenue that was reported for  
4 garbage. The 400 of Sixth Street, the catch

5 basin on Elmhurst Boulevard will be repaired  
6 within the next two to three weeks. The  
7 house on the 1,000 block of South Webster  
8 has been approved for demolition and we  
9 wrote to the Career Technology center on  
10 Rockwell, Greenbush and Reese Street has  
11 been reported already to Mr. Parker. From  
12 what I understand Mr. Courtright already  
13 reported it and I did, too.

14 The next thing I have is there was a  
15 meeting in Keyser Valley concerning their  
16 flooding problems that they have with that  
17 and I was unable to attend this time,  
18 Mrs. Evans and Mr. Courtright attended and  
19 Mr. Courtright would like to give a report  
20 on that.

21 MR. COURTRIGHT: Later on when we  
22 make motions myself or somebody else will be  
23 making a motion to ask the mayor and  
24 Mr. Parker if they would be willing to come  
25 to a caucus with the people from the Keyser

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1 Valley West Mountain Area. They discussed



2 several items about flooding in that area  
3 and it wasn't just limited to Keyser Valley  
4 and West Mountain, but that was mainly at  
5 the meeting and at the end of the meeting  
6 after I think I was there for over two hours  
7 there was a vote taken by the citizens and  
8 the vote was to ask for a caucus. I told  
9 them that either myself or somebody else  
10 here would be willing to make the motion. I  
11 could not guarantee them that Mr. Parker or  
12 the mayor would come, but I, myself, or if  
13 anybody else would like to make a motion  
14 tonight and ask that a letter be sent to  
15 Mr. Doherty and Mr. Parker, they were hoping  
16 for next week. If that's acceptable by  
17 everybody on council then we will make it  
18 for next week and I told them I would get  
19 back to them.

20 So, Kay, when I do make the motion  
21 or whoever does later on in the meeting when  
22 we send the letter out can we ask for a very  
23 quick response because some of them were  
24 willing to take off work or leave early or  
25 do what they need to do and if they are

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1 willing to attend, Mr. Parker and

2 Mr. Doherty, fine. If not, I'd like to tell

3 them so they are not rearranging their

4 schedule for no reason.

5 MS. GARVEY: Okay.

6 MR. COURTRIGHT: Just many, many

7 issues we discussed. Mary Alice Burke

8 really, really has a handle on the problems

9 back there and it was a well attended

10 meeting and it's my hope that something will

11 get done. There was some minor problems

12 from drainage blockage in some pipes that

13 were broken that I think that the City could

14 address rather quickly and I ultimately hope

15 they will, and there are others that are

16 going to take quite some time to get

17 remedied, but hopefully at this caucus they

18 can get the answers that they were looking

19 for because myself and Mrs. Evans and Frank

20 Andrews and former Mayor Connors and

21 representatives from Mr. Mellow's office

22 were there, representatives of Mr. Munchak

23 was there, Mr. Washo was there, just a whole

24 host of people, but I think the bottom line

25 is that it has to come from the City first

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10

1 and Mr. Parker I believe would be the guy

2 that would be most knowledgeable or be able

3 to give us the answers or give them actually

4 the answers that they were hoping to

5 receive. So hopefully we will make that

6 motion tonight and maybe we'll be able to

7 have a caucus next week. Thank you.

8 MS. GATELLI: Anyone else?

9 Mrs. Garvey, I don't think it's necessary to

10 have a motion to have a public caucus, I

11 don't believe so, I will just schedule it at

12 5:45 and I will contact Mr. Parker and the

13 mayor and see if --

14 MS. GARVEY: That's the one that's

15 Bill is speaking of?

16 MS. GATELLI: Yes. Just schedule it

17 for next Wednesday.

18 MS. GARVEY: 5:45?

19 MS. GATELLI: At 5:45. Is that a

20 public caucus here in this --

21 MS. GARVEY: Yes.

22 MS. GATELLI: And also I'll call the

23 mayor and Mr. Parker and see if they can

24 come and I'll have them let me know on

25 Monday.

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1 MR. COURTRIGHT: Just so they can

2 arrange their schedules. Thank you.

3 MS. GATELLI: Anyone else care to say

4 anything at this time? Okay. First speaker

5 is Doug Miller.

6 MR. MILLER: Good evening, council.

7 Doug Miller. Back in September the junior

8 council announced a children's handicapped

9 accessible swingset project that we do plan

10 on purchasing for Nay Aug Park and over the

11 Italian Festival we sold raffle tickets and

12 we raised money towards this project.

13 Unfortunately, though, it seems like this

14 project has been forgotten by some and we

15 don't want this project to be forgotten and

16 we are asking anyone out there who would be

17 interested in contributing to this project  
18 to please make checks payable to the junior  
19 council swingset project and mail them to  
20 city hall. We want the handicapped children  
21 in the city to have something to look  
22 forward to this summer.

23 This past Tuesday in the USA today  
24 the newspaper which listed all major events  
25 that are taking place in each state and the  
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1 city, the City of Scranton was mentioned due  
2 to the smoking ban and how I, again, would  
3 like to commend the students from West for  
4 making this an actual story. The kids  
5 brought this idea forward, not council, and  
6 I am very proud of my fellow classmates. We  
7 are not just hooligans at West, the kids do  
8 have brains and they do speak out. And it  
9 looks like we have a teacher and some  
10 students from West here tonight and I would  
11 like to welcome them to the meeting.  
12 I was thinking with the smoking ban,  
13 billions of dollars are being spent in the

14 transportation industry to clean air from  
15 diesel fumes by cleaning the fumes from the  
16 diesel engines. With this new technology  
17 the exhaust fumes which used to burn at 500  
18 degrees now burn at 1100 degrees. The  
19 environment is being cleaned with this new  
20 technology. This costing billions of  
21 dollars to the industries which is then  
22 passed along to the consumer.  
23 With this in mind, we now have  
24 people who own bars and other establishments  
25 who feel the law regarding the smoking ban  
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1 does not apply to them. This past week I  
2 read an article in the paper from a bar  
3 owner saying that this smoking ban does not  
4 apply to them because they are not going to  
5 enforce it. Well, from what I know the law  
6 is the law and the law is supposed to be for  
7 everyone but the people in this newspaper  
8 who are breaking the law believe that they  
9 are above the law and I guess I would say to  
10 all you kids under 18 who can't smoke or buy

11 cigarettes because it's illegal and it is  
12 the law, go to these bars and light up  
13 because according to these bar owners this  
14 ban is unenforceable and they apparently  
15 don't believe in the law so go to the bar  
16 and light up and you will get away with it.  
17 And I would ask this council tonight  
18 and the mayor to utilize the \$1.5 million  
19 from the golf course now to enforce the  
20 smoking ban to preserve our health and  
21 safety in the city. Since the money was  
22 supposed to be a trust for our future and  
23 used for parks and recreational purposes  
24 where the interest would have only been  
25 spent, the money was -- the money should be  
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1 used to protect the health and safety of our  
2 city because it has not been used -- it was  
3 not used for it's intended purpose. Thank  
4 you.

5 MS. GATELLI: Thank you. I think the  
6 first speaker is Nancy Krake. If I miscall  
7 you I apologize because there is lot of

8 names scratched off here and I don't know

9 who is who.

10 MS. KRAKE: Good evening, council,

11 my name is Nancy Krake. The 2007 tax

12 increase of 25 percent was brought to you by

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

14 The mayor is having Channel 61 stop

15 broadcasting live. This is another nail in

16 the coffin in our right to know how our tax

17 dollars are being spent. The mayor with the

18 help of possibly his three council votes

19 Fanucci, Gatelli and McGoff will be

20 virtually doubling your taxes in the next

21 few years. Now, without Channel 61, since

22 by the way, the Scranton Times has yet to

23 tell you about the budget and the increases

24 in your real estate taxes, the citizens of

25 Scranton will never know the truth about

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1 anything, about how the money is spent or

2 how their city government is performing or

3 not performing.

4 And, by the way, that was quite a



5 performance by three council people last  
6 week. Mrs. Fanucci, from what I can  
7 understand feels that there will be lot of  
8 money brought in from the smoking fine and  
9 that would be a good way to help bring funds  
10 into our city. Brilliant economic strategy.  
11 I think I'll start smoking so I can be cited  
12 and we'll get rid of distressed status. For  
13 me personally, it would be worth it.  
14 Mr. McGoff's Hitler impression was also  
15 very interesting. He knows so much more  
16 than our founding fathers about freedom of  
17 speech and efficient government that he fits  
18 right in with the Third Reich. After all,  
19 he was elected by three huge votes. I did  
20 see him Pledge Allegiance to the flag though  
21 so maybe he has turned the corner.  
22 And, by the way, you can cut my time  
23 to one second at a time and I guarantee I  
24 will be here week after week, word after  
25 word, telling everybody what goes on. The  
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16

1 Academy award, however, goes to

2 Mrs. Gatelli. Her near death experience  
3 during citizen's participation and her  
4 miraculous recovery in time to vote for all  
5 the mayor's agenda items and especially the  
6 limiting of speaker's rights was  
7 outstanding.

8 Mrs. Evans and Mr. Courtright did  
9 not vote to raise your taxes. They  
10 supported Mrs. Evans budget proposals and  
11 that did not raise real estate taxes and  
12 would have actually started to pay off the  
13 disastrous debt. And, finally, where are  
14 all of the mayor's supporters that were here  
15 during the race for the mayor. Kind of hard  
16 to come up here to be proud of a big fat tax  
17 increase. Thank you.

18 MS. GATELLI: Dave Gervasi.

19 MR. GERVASI: Good evening, Council.  
20 My name is Dave Gervasi, I'm a citizen on  
21 the City of Scranton. I have a question for  
22 council, is it true that Channel 61 is going  
23 to be kicked out of that back room? Does  
24 anyone know for sure?

25 MS. FANUCCI: They did say --

17

1 MS. EVANS: Yes.

2 MR. GERVASI: Has the mayor

3 approached anybody at city council to talk

4 about that issue?

5 MS. EVANS: Not I.

6 MR. GERVASI: No one. Is this city

7 council going to allow it to happen?

8 MS. FANUCCI: Dave, you want me to

9 talk about this? Last week we met with 61

10 and we asked -- and they asked us if they

11 could move up the balcony and we all agreed

12 unanimously that we would support that, that

13 we would have no problem with that.

14 MR. GERVASI: Was there a problem

15 with the City in the last two days about

16 maybe the mayor doesn't want them in the

17 balcony.

18 MS. FANUCCI: Not that I am aware of.

19 I mean, as far as I'm concerned that's how

20 we left the meeting last week. They were

21 going to move up -- take up to two seats in

22 the balcony and that's where they were going

23 to put their feed.

24 MR. GERVASI: That would be great.

25 It's a shame, but at least they would still

.

18

1 be here.

2 MS. FANUCCI: Well, I think they are

3 using that back room because of the heating

4 system, that was the idea, but we all agreed

5 that they would move up to the balcony, so

6 that's the last I heard and that was last

7 week.

8 MR. GERVASI: It's my understanding,

9 and correct me if I'm wrong, is city council

10 not in charge of this building and not the

11 mayor?

12 MR. COURTRIGHT: This room.

13 MR. GERVASI: This room.

14 MR. COURTRIGHT: Mrs. Gatelli might

15 be able to answer that. So we don't

16 have speakers -- and could you hold Mr.

17 Gervasi's time, it's going to take me a

18 little bit to explain this. So that we

19 don't have speaker after speaker I think

20 everybody is concerned about that and I  
21 think I know what you are talking  
22 Mr. Gervasi, I have probably heard the same  
23 rumors you have.

24 First let me state that last week  
25 when I walked into the caucuses, Mrs. Evans

19

1 was already there, Mr. Finnerty from Channel  
2 61, Mr. McGoff wasn't there yet and they had  
3 pretty much I believe talked about  
4 everything that was going on with 61 and  
5 they agreed those three that, you know, to  
6 allow 61 to broadcast from the balcony live,  
7 no problems. I agreed and I pretty much  
8 thought it was a done deal, and I don't know  
9 if I spoke to Mr. McGoff afterward about it,  
10 he came in a little bit later, but this week  
11 there has been rumors around and I think  
12 they might be a little bit of validity that  
13 they are not going be allowed to go up there  
14 because of the fact that the wiring or  
15 whatever the case may be might be a safety  
16 hazard. Well, this is a rumor and I think

17 that's possibly what Mr. Gervasi is

18 referring to; right?

19 MR. GERVASI: That's what I just

20 referring to; right.

21 MR. COURTRIGHT: And I'm going to

22 say for me, and I obviously won't speak for

23 anybody else, if by some chance putting it

24 up there is a safety hazard or whatever the

25 rumor is then I would have no problem moving

.

20

1 that desk, nothing against you people, move

2 that table out of there and let them be

3 right there because I don't think, and if

4 you are please speak up, anybody is opposed

5 to them broadcasting here, so if anybody is

6 please say that you are, but I just thought

7 that might save some time for speaker after

8 speaker asking the same questions, so my

9 impression is that everybody on this council

10 and, again, if I'm wrong correct me, is all

11 in favor of these meeting being broadcasted

12 live from this council chamber.

13 MS. EVANS: Mrs. Gatelli, can I just

14 add something?

15 MS. GATELLI: Yes.

16 MS. EVANS: Mr. Finnerty I believe

17 also stated that at one time Channel 61

18 actually had their equipment located in the

19 balcony and that it worked very well and

20 that they would be very pleased to make the

21 balcony their permanent home, so I can't

22 imagine why suddenly there would be any

23 problems with that. And as Mr. Courtright

24 said, should any type of unforeseen problem

25 arise then I agree, let them place the

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21

1 equipment here and if that arises any

2 further controversy involving placement of

3 the equipment or the broadcasting of council

4 meetings then I would be willing to go so

5 far as taking council meetings elsewhere to

6 a location where these meetings can be

7 broadcast from because I think right now

8 they are probably the most important, the

9 most vital source of information in this

10 area, not only in the City of Scranton but

11 throughout this area and it's something that  
12 we absolutely cannot afford to lose.  
13 MR. GERVASI: Well, it's very  
14 encouraging to hear those answers and I  
15 appreciate the support of City Council to  
16 keep 61 here and there is a few reasons  
17 because of it and the reason why I am here  
18 tonight is because this was bringing up  
19 painful memories back in 2002 when the  
20 recovery plan was going on. All of a sudden  
21 when council speakers, particularly the  
22 union representatives, were coming here and  
23 explaining to the people of the City of  
24 Scranton what exactly is in the recovery  
25 plan that the mayor was touting and the  
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22

1 problems within the recovery plan the prior  
2 council decided that it was okay to shut  
3 this room down and begin painting. The Ice  
4 Box complex went up faster than it took to  
5 paint this room, so it was very obvious to  
6 us that it was a way for the City to stifle  
7 information being disseminated to the public



8 about very important issues and we have the  
9 newspaper beating us up and we all know how  
10 accurate the newspaper is all the time, if  
11 this show shuts down it's bad enough now  
12 that the people in the City cannot watch  
13 this show live on Thursday nights, people  
14 have things to do on Friday mornings and on  
15 Friday nights and on Saturday mornings and  
16 on Sunday nights and on Sunday mornings when  
17 it's the last time they televise it people  
18 are normally in church or out doing things  
19 with their family on a Sunday.  
20 This is crucial that this station  
21 remains here. Mr. Finnerty and Ms. Marks  
22 and all of the people that volunteer all of  
23 their time to come here so that the people  
24 in the City of Scranton, especially the  
25 people who don't have access to be able to  
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23

1 come down here can see how the government  
2 operates, and I'm sure there is a ton of  
3 people that don't like what I say and there  
4 are things that people out here say that I

5 don't like to hear either, but the fact is  
6 this is your government in action, this is  
7 not censored, this is not sanitized, this is  
8 not biased and it's not slanted. What  
9 happens at this podium and what happens from  
10 that dais is the truth, it's live, and it's  
11 not edited.  
12 And that's the most important thing  
13 the City can ever have with the regime that  
14 we have in office right now and this is the  
15 only way you can find out what's going on in  
16 this town and I would find it unconscionable  
17 if any of these council members cow-toes to  
18 the mayor and has Channel 61 kicked out of  
19 here and they can't have a live broadcast  
20 because if you would remember when they shut  
21 this room down last time there was not one  
22 council member up here that was there at the  
23 time they were all removed from office.  
24 Thank you very much.

25 MS. GATELLI: Andy Sbaraglia.

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24

1 MR. SBARAGLIA: Andrew Sbaraglia,

2 citizen of Scranton, fellow Scrantonian. I  
3 want to talk about the loan, your item 7-E  
4 specifically, this is the \$250,000 UDAG loan  
5 and from what Mrs. Fanucci said this is some  
6 type of an electrical distributor. Do you  
7 know that it's a half a block from  
8 All-Phase?

9 MR. COURTRIGHT: Yes.

10 MR. SBARAGLIA: Do you know also  
11 that it's located in a very narrow alley?

12 MR. COURTRIGHT: Yes.

13 MR. SBARAGLIA: All of these things  
14 are very negative. Now, I have nothing  
15 against this man locating his business in  
16 different parts of the city, but I think  
17 All-Phase, and there is three distributors  
18 already in that area. This is the secondary  
19 loan, it's not even a primary, we are going  
20 to give them \$250,000 for a secondary  
21 mortgage on his property.

22 Now, from what I read in the  
23 brochures it was from four to eight jobs he  
24 would create. It's not saying that people  
25 have to be from Scranton, he just has to

.

25

1 create four to eight jobs. Four in the  
2 first I guess initial and then after three  
3 years number eight. But did anybody at all  
4 ask All-Phase or any of them other  
5 distributors in this area whether they would  
6 welcome this kind of competition this close?

7 MR. COURTRIGHT: Yes.

8 MR. SBARAGLIA: You did? What did  
9 they say?

10 MR. COURTRIGHT: I didn't ask them  
11 they called me.

12 MR. SBARAGLIA: Well, I assume they  
13 would.

14 MR. COURTRIGHT: And they knew a  
15 whole lot more about it because, you know,  
16 they are competitive, not All-Phase, but  
17 there is another, I'm not going to say the  
18 name of the company, they're not happy.  
19 It's competition.

20 MR. SBARAGLIA: Well, there is three  
21 of them in there. There's -- up the street  
22 there is one of them.

23 MR. COURTRIGHT: I don't want to say  
24 the company's name.

25 MR. SBARAGALIA: And there is also

26

1 one somewhere up there across from the  
2 Giant. Like I say, I'm quite familiar with  
3 electrical outlets that are currently in  
4 this area, because as you know, when I  
5 worked at the trades I used to do business  
6 with them all. But, anyway, I would think  
7 that's a serious consideration. Do we  
8 know-- you know, he wants to buy the  
9 building -- do we know who owns that  
10 building and how long did that person own  
11 that building? In other words, I don't want  
12 back door deals that hurt these other  
13 distributors because this is done in a back  
14 way. In other words, if this man bought  
15 this building say within the last six months  
16 and then he could turn around and sell it to  
17 this because obviously this thing was in the  
18 works for quite a lot of months, too, and  
19 these are things you really should look

20 into.

21 Now, I have nothing -- if them other

22 people are quite happy with that I have

23 nothing against it because, like I said, it

24 don't affect me anymore anyway other than

25 the fact is one of these other places, if

.

27

1 that place should fold it's UDAG's money and

2 I don't think we have to replace it. If it

3 was borrowing it from one of the government

4 agencies and we had to replace that funds

5 then it's -- you have to look at it a lot

6 more closely. If this is a throw away like

7 so many of the UDAG loans are, as you know,

8 there is quite a few given and then after a

9 few many years they didn't have to repay

10 them that's in there, too, that was in quite

11 a few of the legislation past.

12 But, like I say, it doesn't affect

13 me anymore other than the fact that may it

14 affect us in our taxation later down the

15 pike and the fact that is if this new

16 distributor should go belly up that's

17 \$250,000 that are lost that could be loaned  
18 out to other industries that maybe would a  
19 lot better for the city other than the city  
20 people is what is in this. They may go up  
21 to eight, they may not, depending on if they  
22 can last long enough to do it. That's all I  
23 have to say on that.

24 MS. FANUCCI: Andy, I can tell you a  
25 little bit of something, this is not their  
.  
28

1 first company that they are opening, this is  
2 like their fourth or fifth like almost a  
3 franchise that this company has. This is  
4 not their first shot at business. They are  
5 very eager from what I heard to relocate to  
6 Scranton and open up a franchise-type of  
7 business here. This is not a new deal for  
8 them. From what I heard, they are not  
9 looking for, you know, to flip this. They  
10 are looking for long-term settlement, growth  
11 and development in our area and to me to  
12 chastise somebody I understand. I know if  
13 I'm in business I don't want another

14 business moving next to me, but competition  
15 breeds good business and to me I think  
16 welcome them here and I don't see any back  
17 door deals either, Andy, that I can figure.

18 MR. MINORA: Five minutes.

19 MR. SBARAGLIA: She took up the few.

20 The only thing I want to say one more thing  
21 on it.

22 MS. GATELLI: Well, go ahead, but --

23 MR. SBARAGLIA: Well, I didn't ask  
24 that question.

25 MS. GATELLI: Okay.

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29

1 MR. SBARAGLIA: That was volunteered.

2 Then I was going to ask her then why the  
3 secondary loan, why not the first mortgage?

4 MS. GATELLI: Maybe Attorney Minora  
5 can answer that because most of the loans we  
6 incurred were secondary, too. We're usually  
7 in second place.

8 MR. MINORA: Yes, it's not an unusual  
9 thing for UDAG to do that, a second loan.

10 MS. GATELLI: Yeah, it's very normal



11 to be in second place. Ozzie Quinn.  
12 MR. QUINN: Robert Ozzie Quinn,  
13 president of the Scranton Lackawanna  
14 Taxpayers and Citizens Association,  
15 Incorporated. The first thing I want to do  
16 is I want to thank Kay and Neil for the  
17 professional help they gave me and they gave  
18 me the information I need. Thank you, Kay  
19 and Neil. I just want to tell you also that  
20 we have the reelection of officers for  
21 Scranton Taxpayers Association,  
22 Scranton/Lackawanna Taxpayers Association,  
23 and I'll be returning as the president. Lee  
24 Morgan is the vice-chairman, Tom Lavarsky is  
25 the treasurer, Patricia Alody is the  
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30

1 secretary.  
2 I want to start in regards to a  
3 follow-up of last week's meeting when I  
4 spoke about the real estate tax in regards  
5 to offsetting the transfer tax for the  
6 properties, okay? First of all, the intent  
7 of the ordinance for selling the former

8 Scranton Municipal Golf Course was for parks  
9 and recreation and I will show that through  
10 to the minutes which I got from Neil and  
11 Kay, okay? And I think by you people using  
12 this money to offset that Recorder of Deeds  
13 tax is misappropriating that line item,  
14 those funds, and I want to explain it to  
15 you, okay? That there was an ordinance for  
16 the passing of the municipal golf course  
17 from the Scranton Municipal Recreation  
18 Authority to the City of Scranton on  
19 November 25 and I have the minutes here  
20 verbatim and it says, "So I agree with the  
21 mayor, I agree with Mr. Dibelo for a  
22 transfer or what happens? Can we put  
23 directly into our parks system the money  
24 would not lose much in negate a lot in  
25 terms of recapitalizing Nay Aug, Weston  
·  
31

1 Park, Weston Field and some other places. I  
2 don't see the down side of this. Our  
3 argument with this people who think this is  
4 selling of an asset."

5 Next, this is an emergency  
6 certificate now, this is in 2003, emergency  
7 certificate for sale on that -- for selling  
8 that golf course, okay? Emergency and it's  
9 2007. Actually, it's four years and we  
10 still have that money and I'm going to  
11 mention the person's name because it's an  
12 official record, it's in the minutes.  
13 "Mr. Gilhooley: I think this is --  
14 the sale of this golf course is as much  
15 about a philosophy as it is about a golf  
16 course. This mayor and I think this council  
17 are somewhat bent on changing the status quo  
18 in the City of Scranton. We are going to  
19 try to do business differently. We are  
20 trying to change what has been done and make  
21 it better and I think we succeeded on a  
22 couple of months already. One of the fronts  
23 the mayor has identified and we have agreed  
24 with him, at least some of us have, is the  
25 city's parks system. The city's park system  
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32

1 has been neglected for years, for many, many

2 years. It's time to get some money to  
3 identify the money for the rehabilitation of  
4 these parks and some of that money is going  
5 to come at this juncture from the golf  
6 course. The golf course over the years has  
7 not generated enough money in my mind to  
8 consider it an asset. At times we have  
9 gotten \$200,000 -- \$200,0000 and a 56  
10 million budget is about one third of 1  
11 percent ever the budget. If just isn't  
12 enough money. We are at a junction now  
13 where the golf course needs to be  
14 capitalized. There is still detriment.  
15 It's time to change the way we do business.  
16 It's time to get some money and put it into  
17 Nay Aug which we have already begun the  
18 process of doing, to put it into Weston  
19 Park, to put it into Weston Field, the  
20 people may not have agreed that this is it  
21 the best way, but that is the philosophy.  
22 The philosophy is to change the way we have  
23 done things over the past several years.  
24 This is just one of those cogs in the wheel  
25 and because I think that the parks deserve

1 it, the City parks deserve to be fixed and  
2 if we can fix it out of this money and it  
3 can be utilized. I'm supporting the sale of  
4 this golf course."

5 That was Mr. Gilhooley, okay? And I  
6 think the council obviously you take of that  
7 selling of the golf course and the ordinance  
8 was for that money to be used for parks and  
9 recreation. There is no doubt about it.

10 And I would have your solicitor look at it  
11 okay? And that passed and they also passed  
12 an emergency certificate for the auction of  
13 the golf course. My -- I just want to --  
14 case in point, was that when Mr. Doherty was  
15 council they bid out the golf course and  
16 there was a 4 million dollar bid and Mr.  
17 Doherty refused to sell that golf course.

18 Now, he sold the golf course --  
19 MR. MINORA: Ozzie, that's five  
20 minutes.

21 MR. QUINN: That isn't five minutes.

22 MR. MINORA: That's five minutes.

23 MS. GATELLI: Thank you. James

24 Stuckard.

25 MR. STUCKARD: We had a little

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34

1 problem with one of streets up there and

2 Mr. Courtright there I gave him the slip and

3 he said he might get somebody to fix it.

4 Now, they still have the buses in town yet,

5 we know that, but I heard they are going to

6 raise the prices. I don't know when they

7 are going to do it, it's a buck half it's

8 going to be daytime and night. They

9 shouldn't -- they should keep the same price

10 for the buses. And we have cars parked in

11 the same place where the buses are parking

12 and they can't get up on -- people can't get

13 close to the curb on the cars up by

14 Applebee's is parked they can't get up --

15 the people can't get into the bus out of the

16 bus door and get close to the curb by the

17 drugstore and Applebee's.

18 MS. GATELLI: We'll tell Chief

19 Elliott again. I know he had people there

20 at one time making sure so we will contact  
21 them again for you, Jim.

22 MR. STUCKARD: What about the  
23 benches. I remember last year I brought it  
24 up last year about two years ago, two years  
25 I brought it up about benches by Applebee's  
.  
35

1 and the drug store.

2 MS. GATELLI: Yes, they are working  
3 on the benches and they will be coming.

4 MR. STUCKARD: What about Parrot  
5 Avenue, the holes are still there and I  
6 heard they're going to -- I don't know what  
7 they are doing, when they are going to do it  
8 because those roads are bad up there, Parrot  
9 Avenue, somebody is going to bust a tire or  
10 a rim.

11 MS. GATELLI: What block of Parrot  
12 Avenue is that?

13 MR. STUCKARD: Right by the school  
14 there by Judge's Lumber across right up --  
15 they do park -- there is a cross street  
16 there. There is a bunch of holes on Parrot

17 Avenue way down on the bottom of the hill.

18 MS. GATELLI: We'll report that for

19 you.

20 MR. STUCKARD: I remember last year,

21 so the police are getting pretty good now.

22 We got some new ones I see. I'm glad so --

23 all right.

24 MS. GATELLI: Thanks, Jim. Reverend

25 Simmons.

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36

1 MS. SIMMONS: Good evening, Council.

2 My name is Reverend Katherine Simmons,

3 Florence Midtown Crime Watch. I came here

4 tonight to talk about one issue, but in

5 sitting here listening I can't help but talk

6 about something else. Our president

7 announced that he is sending more young men

8 and women across the ocean to fight for our

9 freedoms. There are 3,000 and some young

10 men and women who have entered the ground on

11 our behalf these past months. They said it

12 was for a war on our behalf. They fought

13 for our freedom. Our freedoms need to be



14 fought for, but we need to decide what our  
15 freedoms are. What exactly are they over  
16 there fighting for? We can't even decide in  
17 our own city at our own council meeting what  
18 we are here for. Are we supposed to be up  
19 here for two minutes or should we shut the  
20 citizens up when they speak too long and  
21 make us feel uncomfortable. Should we fine  
22 tavern owners because they have people in  
23 there that smoke when we really should be  
24 looking at the alcohol that they are  
25 serving, that's what's doing harm. Ask me.  
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37

1 I can take you to drug and alcohol clinics  
2 and show you the harm that alcohol does.  
3 That's what we should be looking at.  
4 We need to go back and start all  
5 over again. If we are going to ask our  
6 children to give their lives maybe we should  
7 look again at our freedoms and decide what  
8 they should be fighting for. No better a  
9 weekend to look than this one because a  
10 wonderful and generous and loving man gave

11 his life. The Reverend Dr. King if he was  
12 standing here tonight would have said to  
13 you, "Seek out your freedom. Hold onto it  
14 and then decide where you want to go with  
15 it."

16 Good night.

17 MS. GATELLI: Thank you.

18 MS. BECK: Good evening, Council,  
19 Kathy Beck, city resident. After watching  
20 the council meeting the night the 2007  
21 budget was passed I had several questions  
22 and observations, some of which have since  
23 been addressed to some extent by some other  
24 taxpayers. That evening Ms. Evans who has  
25 been constantly attacked by the Scranton

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1 Times for opposing the mayor's budget while  
2 proposing no alternatives of her own  
3 presented probably 30 or more suggestions to  
4 increase revenues and to increase expenses,  
5 therefore, eliminating any need for a  
6 25 percent tax increase. Since I have not  
7 researched all of her recommendations, I

8 cannot come into the support you, however, I

9 would like to offer the following comments:

10 Mrs. Fanucci stated that Mrs. Evans

11 proposals appear to be nothing more than a

12 reduction of services. I assumed that that

13 was due to the elimination of a number of

14 office and administrative positions. At the

15 same time, she failed to comment on the

16 reduction in services that would result from

17 the elimination of nine policemen and up to

18 40 firemen which, by the way, will require

19 the closing of at least one firehouse in the

20 city.

21 Mrs. Fanucci also opposed any

22 reduction in the IT Department because of

23 it's importance. I, too, believe this is an

24 important department in order to maintain an

25 efficiently run government, but on October

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39

1 the 5th and again on October the 12th

2 Mrs. Fanucci introduced a motion to transfer

3 \$60,000 from the IT department to the law

4 department professional services to provide

5 funding for more of all things legal fees.  
6 To make matters worse, at one time it was  
7 required that the SIT clerks be hired to  
8 fill out police reports so that the  
9 policeman could stay on the streets to  
10 protect our neighborhoods. During the  
11 police arbitration Mayor Doherty stated that  
12 the SIT clerks were no longer necessary  
13 because the police cars were equipped with  
14 computers that streamlined police reporting  
15 allowing them to complete reports from their  
16 cars. The truth is, the computers never  
17 worked properly and have not been in the  
18 cars for quite sometime. I believe  
19 Mr. Courtright or one of our police officers  
20 can verify this. This elimination of  
21 efficiency has also resulted in a reduction  
22 of services since the policemen must  
23 complete reports themselves. The \$60,000 in  
24 the IT budget may be able to help remedy  
25 this problem.

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1 I, like my husband, always research

2 areas on which I intend to speak. Since the  
3 minutes from the last council meeting are  
4 not on the website yet I am going to make a  
5 statement that I have not been able to  
6 research, but believe is quite accurate from  
7 my recollection.

8 Mrs. Fanucci state that there was  
9 several items proposed by Mrs. Evans that  
10 she would be willing to consider. I believe  
11 one was the hotel tax and one might have  
12 been the entertainment tax. That's  
13 commendable. However, all of these  
14 possibilities and many more should have been  
15 discussed six months ago, not a month or two  
16 after the passage of the budget.

17 Lastly, the night the budget was  
18 passed Mrs. Fanucci stated, "In my heart I  
19 felt Mrs. Evans' budget was not good."  
20 That's your heart felt opinion and  
21 that is fine. However, in your mind you  
22 should have been developing your own  
23 proposals to increase revenue, reduce the  
24 expenses, and start pulling the city out of  
25 it's financial mess. Even if the fireman's

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41

1 arbitration is resolved and the  
2 neighborhoods experience a further reduction  
3 in services, through the loss of 40  
4 firefighters and some firehouses this city  
5 will still be faced with deficits that need  
6 to be remedied. I suggest that every  
7 council person start immediately to address  
8 the objections that needed to be taken and  
9 continue to address them until this matter  
10 is won. This can only be done through  
11 serious and open minded efforts by all and  
12 not by blindly accepting what has been  
13 merely fed to you. Thank you for this  
14 opportunity.

15 MR. BECK: Good evening. Wayne Beck,  
16 city resident. I have come here this  
17 evening to address counsel what I believe to  
18 be an important issue and at the same time  
19 offer some constructive criticism to our new  
20 council person, Mr. McGoff. I have been  
21 making presentations to council off and on  
22 for approximately five years now, although,

23 my comments may not always have been  
24 appreciated by every council person, I would  
25 challenge anyone to question the validity of  
.  
42

1 anything that I have said since I place a  
2 great deal of importance on research and  
3 fact finding.  
4 This brings me to the real purpose  
5 for being here this evening, a motion to  
6 consider limiting public comments to two and  
7 a half minutes on the agenda items only  
8 early in the meeting, and two and a half  
9 minutes later in the meeting for general  
10 comments.

11 First, my comment is to Mr. McGoff,  
12 and please don't take this negatively, you  
13 have stated that you have not watched  
14 Channel 61 and, in fact, don't even  
15 subscribe to a cable company that provides  
16 this service. You also stated that you were  
17 not aware that council persons received a  
18 salary for serving. There is nothing wrong  
19 with this, but it appears that the only

20 knowledge you have received regarding the  
21 city government and it's operation has been  
22 through the only newspaper in town. There  
23 is a great deal of important valuable  
24 information and facts and figures that quote  
25 from this podium and information that you  
.  
43

1 may not otherwise be aware of and that is  
2 often more accurate than that printed in the  
3 newspaper. Here are just a few of many,  
4 many examples:  
5 First, during the mayoral campaign  
6 and contrary to the concerns voiced by  
7 citizens from this podium, the newspaper  
8 printed numerous articles stating the  
9 problem with crime was merely perceived and  
10 insisted that there no gangs in the city and  
11 downplayed drug concerns. All of a sudden  
12 on December 8, 9 and 10th of 2006 the paper  
13 prints four articles regarding a focus on  
14 gangs, the Bloods were actually mentioned by  
15 name, involvement in drug dealing, police  
16 expect crime heists, etcetera.



17 Second, during the caucus meeting  
18 attended by PEL during I believe November of  
19 2006 I heard a PEL representative say that  
20 the city's bond rating had slipped. I  
21 attended the next council meeting held at  
22 West Scranton High School and asked if I had  
23 heard correctly, no one knew. We have a  
24 council person that has been appointed  
25 liaison within PEL and an administrative  
.  
44

1 that received a \$10,000 a year raise to act  
2 as coordinator with PEL and yet this  
3 information was not made public at a time  
4 when the mayor was seeking a \$44 million  
5 borrowing that the cause of which would  
6 actually be affected by the drop in rating  
7 the paper and article on this, by the way,  
8 13 days after I questioned.

9 Third, Mr. Gervasi is a consistently  
10 coming to this podium with facts and figures  
11 that contradict those reported in the  
12 newspaper. If they prove him wrong I'm  
13 certain they would have to tried to crucify

14 him long ago, but Mr. Gervasi also does his  
15 homework.

16 The fact that council's agenda is  
17 only placed on the website the afternoon of  
18 the meeting is a problem. If council does  
19 pass a must sign-in to speak policy and  
20 limit speakers to two and a half minutes I  
21 offer the following to the citizens:

22 First, everyone attending the  
23 meeting sign in to speak. When your name is  
24 called you can always decline at that time.

25 Secondly, decide what is important to  
.

45

1 address, do you your homework, prepare as  
2 lengthy of presentation as you run, bring  
3 three, four, five or however many family  
4 member or friends you need, sign in  
5 consecutively, read your comments until your  
6 two and a half minutes have expired and keep  
7 passing the presentation back to the next  
8 person until it is finished. This way you  
9 can actually be allotted much more than your  
10 normal five minutes you get now. Or if

11 council follows Robert's Rules of Order I  
12 believe a speaker is permitted to relinquish  
13 his time to another person which means the  
14 second, third and fourth speakers, etcetera,  
15 could assign their spots to the first and  
16 get the information that's so important in  
17 this city out there. Of course, this would  
18 all be unnecessary if council reconsiders  
19 changing of the procedures presently in  
20 place.

21 The bottom line is, no one, council  
22 person or citizen deserves to be abused,  
23 harassed or threatened. The key is to keep  
24 control of the meeting to eliminate  
25 problems, not to throw out the baby with the  
·  
46

1 bath water. The only people that would want  
2 to determine legitimate, discerning behaved  
3 speakers are those who are afraid of the  
4 truth.

5 In the time I have remaining I would  
6 like to comment on agenda items, at the same  
7 time you're considering a separate time for

8 public comment on agenda only, there have  
9 been two recent occasions where votes were  
10 made on two very important issues that were  
11 never placed on the agenda, specifically,  
12 the voting on the mayor's budget and  
13 Mr. McTeirnan's replacement. Without  
14 rehashing the details I would like to say  
15 the manner in which these matters were  
16 handled creates a suspicion of secrecy,  
17 deception and collusion that should be  
18 avoided at all costs. These types of  
19 actions are what all voters who seek open  
20 government should take under consideration  
21 when determining the candidate that they are  
22 going to support. Thank you for the  
23 opportunity and time.

24 MS. GATELLI: Bill Plant.

25 MR. PLANT: Good evening, Council.

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47

1 Bill Plant, I'm the manager of Greenridge  
2 Bowling Lanes. Would you please clarify for  
3 me the enforcement of your smoking ban?

4 MR. MINORA: I can.

5 MR. PLANT: Of all the articles in

6 the paper --

7 MR. MINORA: I can help you with

8 that. It's contained in Section 1476 of the

9 ordinance. If you are the owner or the

10 operator of an establishment that's governed

11 by the nonsmoking ordinance you are not

12 liable for a fine or citation if you do the

13 following, and I'm not going to state it

14 verbatim, but I can read it if necessary:

15 You first post a nonsmoking sign and if

16 a patron lights a cigarette up in your

17 establishment you have to take a reasonable

18 effort to prevent that from happening. The

19 law actually defines reasonable as informing

20 that person, number one, that there no

21 smoking and that he is to take the cigarette

22 outside or put it out or cigar. That's the

23 first reasonable thing, and if he does not,

24 and it's -- the word is and not or, and that

25 operator must then if the person refuses to

.

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1 put out the cigarette call the Department of

2 Public Safety, but that's basically the  
3 police department to come in and cite that  
4 person.

5 If the owner or the operator fails  
6 to do that they have exposed themselves to a  
7 citation. I'd be happy to spend more time  
8 with you and show you in the act.

9 MR. PLANT: Well, I'd be glad to go  
10 over it with you because obviously in a  
11 bowling alley there are 150 gentlemen  
12 looking at me and last night I had an  
13 incident where some gentlemen lit up and I  
14 went over and informed them, I have probably  
15 25 signs in the establishment, and they told  
16 me that every police officer in the City of  
17 Scranton smokes and nobody is going to  
18 enforce this anyway, so that was part of my  
19 answer. And part of the other businesses in  
20 town as the paper shows are ignoring this,  
21 so Sunday -- Saturday night after we closed  
22 I did post everything and try to abide by  
23 your ruling.

24 MR. MINORA: I appreciate that.

25 MR. PLANT: And that's why I'm here.

1 MR. MINORA: Thank you for that.

2 MR. PLANT: So you are saying we

3 should call the police?

4 MR. MINORA: Yes. Those are the two

5 things you have to do, you then have done

6 what you are supposed to do and, obviously,

7 the police prioritize their calls, I hope

8 they will be able to respond to some of

9 these so the people understand it's a

10 legitimate concern and it will, in fact, be

11 enforced. Will it be enforced every single

12 time somebody calls? Obviously, they are

13 going to be on other calls, it happens from

14 time to time, but I think it's their

15 understanding, I think the administration

16 will be behind the idea of enforcing this

17 and just by statistics 75 percent of the

18 people don't smoke and don't want to smoke

19 anybody else's smoke.

20 MR. PLANT: Thank you.

21 MS. FANUCCI: Attorney Minora, there

22 is something, also, if you want me to, I met

23 with Ray Hayes in the past two days, we have  
24 been having meetings and what is going to  
25 happen in the next few days or probably in  
. .  
50

1 the next week you are going to receive a  
2 letter and the proper signage from the city.  
3 What it's going to do is actually tell you  
4 step by step in which you are responsible as  
5 an owner to implement and how, you know, to  
6 enforce this law, so you are going to get  
7 all of this. Everyone who is with licensing  
8 and inspecting will be getting this law and  
9 these plaques and these signs, so it will  
10 help you know exactly how to follow the law.  
11 Until then we have not been enforcing it.  
12 Probably these men are right they have not  
13 been writing citations or anything at this  
14 stage right now, but in the next week as  
15 soon as everyone is properly informed it is  
16 more important right now at this stage to  
17 educate and compliance and then we will  
18 worry about going out and enforce, but that  
19 probably will be happening as soon as you



20 receive your letter.

21 MR. PLANT: Once the signage is

22 delivered.

23 MR. FANUCCI: Once the signage is

24 done and they will tell you exactly where to

25 post the signage and exactly how to

.

51

1 implement this plan so we will clear all of

2 this up because I know that it's frustrating

3 to you and we have been working hard and

4 making sure that it is easier for you to

5 enforce it.

6 MR. PLANT: May I ask if you are

7 going to introduce the passage tonight about

8 the \$1,000 that was in the paper for the

9 owners?

10 MS. GATELLI: Attorney Minora, you

11 maybe could address that, too, about the

12 owner's fine?

13 MR. MINORA: That's what I was

14 explaining before --

15 MS. FANUCCI: As far as myself, not

16 tonight, I am not going to introduce the

17 \$1,000 increase. I had sat down with  
18 Attorney Minora and a few other people who  
19 decided that right now it's a \$300. If the  
20 owners do not want comply and we want this  
21 to fit our city and we want it to fit well.  
22 We are not out there to try to, you know, a  
23 much as they would like to believe to make  
24 money off of this, we want this to be a  
25 great asset to our city and something we  
.  
52

1 could be proud of, so I'm not going to -- we  
2 are not going to go out and look to do this  
3 right now. When we do have amendments which  
4 I'm sure we might have some tweaking to do,  
5 we will propose all of those at the same  
6 time so that it is not piece by piece.

7 MR. MINORA: Five minutes.

8 MS. FANUCCI: Okay?

9 MR. PLANT: Thank you.

10 MR. MINORA: I'll be happy to talk to  
11 you after if you want.

12 MS. GATELLI: Les Spindler.

13 MS. SPINDLER: Good evening, Council.

14 Les Spindler. I, too, want to talk about  
15 the smoking ban. Last weekend Mrs. Fanucci  
16 comment to all of people defying the smoking  
17 ban, she said, "Bring it on, we need the  
18 money."

19 Well, last Sunday there was a bar on  
20 Franklin Avenue that was packed with  
21 smokers, they actually had a smoking party.  
22 They brought it on where were you,  
23 Mrs. Fanucci? There was a lot of money to  
24 be had there.

25 MS. FANUCCI: Les, you didn't call  
.

53

1 me. Where were you?

2 MR. SPINDLER: I didn't know about it  
3 until the next day, but you said, "Bring it  
4 on," you were really cocky about it and they  
5 brought it on. You were nowhere to be  
6 found. It's in the paper. The Ground Round  
7 it's in the paper today they are not  
8 throwing anybody out. The law is useless  
9 the way it is and I said that last week.

10 And I read the paper today where now you

11 might put the onus on the owner. I think  
12 somebody said that last week you should have  
13 done that right away. Oh, that was me.  
14 Maybe you should ask me --

15 MS. GATELLI: It's already in there.

16 MR. SPINDLER: Maybe you should ask  
17 me advice next time you want to make a law.

18 MS. FANUCCI: Run for office,

19 Mr. Spindler.

20 MR. SPINDLER: Next thing about  
21 Mr. McGoff's motion last week to split  
22 citizen's participation, yet another attempt  
23 to stop our freedom of speech. Mr. McGoff  
24 just wants people to leave before the  
25 meeting is over because he was embarrassed  
.

54

1 last week when he couldn't answer a question  
2 by Lee Morgan.

3 You people are getting paid to stay  
4 here all night, we are not. We have other  
5 places to go to. We want to come and talk  
6 and leave. We don't have to stay here all  
7 night, we are not getting paid to do it.

8 You people were elected to stay there all

9 night, we weren't, so it's a terrible rule

10 and a terrible motion.

11 Next thing, Mayor Barletta said a

12 few weeks ago he is a going to hire ten

13 policemen in Hazelton yet three of you up

14 there voted to let go of six policeman with

15 the mayor's budget.

16 MS. GATELLI: That's not true, Les.

17 That's not true, Les.

18 MR. SPINDLER: He is going to let go

19 six policemen.

20 MS. GATELLI: No, he's not.

21 MR. SPINDLER: It's in the budget.

22 MS. GATELLI: It's not in the budget.

23 MR. SPINDLER: And 38 firemen, so I

24 guess --

25 MS. GATELLI: It's not in the budget

.

55

1 and that's not the truth.

2 MR. SPINDLER: Okay.

3 MS. GATELLI: There is not 40 firemen

4 eliminated in the budget.

5 MR. SPINDLER: Next thing, somebody  
6 already spoke about this, but I feel bad you  
7 were sick last week, Mrs. Gatelli, if you  
8 were so sick that you couldn't stay for  
9 citizen participation then you should have  
10 gone home, but yet you found -- I guess you  
11 got good enough or well enough to come back  
12 in and vote to keep --

13 MS. GATELLI: Yes, I stayed so I  
14 could vote --

15 MR. SPINDLER: I think they have to  
16 keep --

17 MS. GATELLI: -- and to do my  
18 responsibilities.

19 MR. SPINDLER: You keep calling it's  
20 your responsibility to listen to citizen  
21 participation, too. It's amazing how you  
22 came back in after all of the speakers were  
23 done.

24 MS. GATELLI: I hope you don't get  
25 sick, Mr. Spindler.

.

56

1 MR. SPINDLER: But if I was sick I

2 would have gone home.

3 MR. GATELLI: Well, I resent your

4 comments.

5 MR. SPINDLER: I wouldn't have stayed

6 and voted for everything that the mayor

7 wanted and I think that you made a

8 comment --

9 MS. GATELLI: I vote for what I think

10 is right, not for what the mayor wants.

11 MR. SPINDLER: You made a comment

12 this year you are not a rubber stamp, well,

13 I think you proved last week you are.

14 MS. GATELLI: That's your opinion.

15 Thank you.

16 MR. SPINDLER: A lot of people's

17 opinion.

18 MS. GATELLI: Chris Sledenzski. Fay

19 Franas.

20 MS. FRANAS: Are you waiting for

21 someone else?

22 MS. GATELLI: No, I told them to get

23 him so he knows he has a turn coming.

24 MS. FRANAS: With all due respect,

25 Mr. Minora, I'm going to use this. I have a

57

1 funny feeling you don't know how to keep

2 time here. I'm using my own timer.

3 MR. MINORA: It's starting when you

4 get called.

5 MS. FRANAS: Pardon me?

6 MR. MINORA: It's started when you

7 get called.

8 MS. FRANAS: Hang in there. It's

9 moving.

10 MS. GATELLI: Excuse me.

11 (Ms. Gatelli gavels audience.)

12 MS. FRANAS: Last night when I

13 watched the president speak he mentioned a

14 thing about democracy like Reverend Simmons

15 mentioned and he mentioned that he was

16 sending 22,000 troops over to Iraq to give

17 them democracy and freedoms. I think they

18 should send the 22,000 soldiers to Scranton

19 to get our rights back, to heck with Iraq.

20 We are losing them every week in this

21 chambers.

22 Mrs. Gatelli, I want to ask you a



23 couple of questions. Who has the authority

24 to bring the policeman in here? Is it you

25 that you request the policeman to be here?

.

58

1 MS. GATELLI: Anybody can request the

2 policeman.

3 MS. FRANAS: No, have you -- who has

4 requested them to be here, have you?

5 MS. GATELLI: I have.

6 MS. FRANAS: Then do you have a right

7 to do that?

8 MS. GATELLI: Yes, I do. I think any

9 council has a right to do that.

10 MS. FRANAS: Because you feel

11 threatened?

12 MS. GATELLI: Yes.

13 MS. FRANAS: And you don't feel you

14 have should pay for that out of your own,

15 the taxpayers pay for this policeman to be

16 here.

17 MS. GATELLI: No, there is police at

18 all public meetings.

19 MS. FRANAS: And who assigns this

20 policeman to be here?

21 MS. GATELLI: Officer Elliott, James

22 Elliott.

23 MS. FRANAS: Why do you feel you

24 need two?

25 MS. GATELLI: I'd rather not get into

.

59

1 it because it's being investigated and I am

2 not allowed to --

3 MS. FRANAS: You need to investigate

4 why there's two?

5 MS. GATELLI: It's being investigated

6 and I'm not allowed to discuss it.

7 MS. FRANAS: What's being

8 investigated?

9 MS. GATELLI: Some threats.

10 MS. FRANAS: Okay, you cleared that

11 up. Mrs. Gatelli, would you be interested

12 in revisiting the budget since I believe

13 legally you could revisit this budget and

14 not have it the way it was or is?

15 MS. GATELLI: What do you mean

16 revisit it?

17 MS. FRANAS: Bring it back and take  
18 some of the things that you already said  
19 should be in it out.

20 MS. GATELLI: I don't know if we can  
21 do that.

22 MS. FRANAS: Yes, you can do that.

23 MS. GATELLI: I would be interested  
24 to sit down and discuss it, yes, I would.

25 MS. FRANAS: Would you be interested

.

60

1 in giving Mrs. Evans some of her motions for  
2 the budget?

3 MS. GATELLI: I was interested in  
4 some of her things, yes.

5 MS. FRANAS: But didn't approve any.

6 MS. GATELLI: Well, it was package,  
7 it was the whole package, but we are working  
8 on the amusement tax.

9 MS. FRANAS: You could have used  
10 some, you didn't have to take the whole  
11 package. And you were mentioning earlier  
12 about Mr. Courtright mentioned earlier about  
13 Channel 61, well, Jack Finnerty has to be

14 the most decent guy there is and I don't  
15 have a doubt in my mind that he will make it  
16 possible for 61 to be live here, and as far  
17 as being unsafe in the balcony, let me tell  
18 tell you something, Mrs. Fanucci, Mrs.  
19 Gatelli and Mr. McGoff, the only unsafe  
20 conditions of that balcony are going to be  
21 when the people get their taxes and they are  
22 come to that balcony and probably commit  
23 suicide, that's what they are going to be  
24 upset about when they get their tax bills.  
25 Now, Mr. McGoff, I'd like to ask you a

61

1 question, what did you feel that you have  
2 done to help the city, the people in the  
3 City of Scranton since you weren't elected  
4 by the people, what have you done so far as  
5 a council member other than the smoking ban  
6 to help the people that we are paying you to  
7 do? It's a question.

8 MS. GATELLI: They don't have to  
9 respond, Ms. Franas.

10 MR. FRANAS: Mr. McGoff, you don't

11 want to respond?

12 MS. GATELLI: You can respond in

13 motions.

14 MS. FRANAS: No, I'm asking him now.

15 MR. MCGOFF: No, I don't wish to

16 respond. If I did respond what I would say

17 was that it would be lengthy and it would

18 probably waste most of the time that you

19 have at the podium.

20 MS. FRANAS: Is that why you don't

21 want to respond now?

22 MR. MCGOFF: Yes.

23 MS. FRANAS: Well, then respond

24 later. Mrs. Fanucci, you mentioned about

25 the \$300 fines, I think you better

.

62

1 concentrate on things that are more

2 important. I'm a nonsmoker but let's get

3 serious here. I have a bill passed by

4 council ten years ago for truck traffic in

5 my neighborhood. Four houses in my block

6 caved in, two of them were torn down and my

7 garage caved in because of the caves,

8 because of the truck traffic that's at a  
9 \$300 for every truck, not one truck was  
10 stopped. Now, maybe I should call a  
11 policeman when a truck goes up my street?  
12 Would they come? I mean, let's gets  
13 serious.

14 MS. FANUCCI: Fay, if you came to me  
15 with these issues I'd surely sit down with  
16 you.

17 MS. FRANAS: I came to you with  
18 these issues at council many times.

19 MS. FANUCCI: I never heard anything  
20 about truck traffic.

21 MS. FRANAS: Well, maybe you better  
22 check the tapes because I discussed it with  
23 council many times.

24 MS. GATELLI: Please. Please.

25 MS. FRANAS: Please what?

.

63

1 MS. GATELLI: Let's not get  
2 confrontational.

3 MR. MINORA: That's five minutes.

4 MS. FRANAS: Not yet.

5 MR. MINORA: Five minutes.

6 MS. FRANAS: I'll let you know. I

7 have a receipt, \$11 is very good for me.

8 I'm not leaving until it's up.

9 MS. GATELLI: Attorney Minora is

10 doing the time.

11 MS. FRANAS: So am I. So am I and

12 when it beeps I shall leave. Mrs. Fanucci,

13 I brought this up many times and I wish you

14 would do something about it.

15 MS. GATELLI: Mary Ann Wardell is

16 next.

17 MS. FRANAS: Thank you.

18 MS. WARDELL: Good evening, Council.

19 Mary Ann Wardell, resident of the city. It

20 gives me no pleasure to say this, but if

21 there were a award to be given out for the

22 most unresponsive, uncooperative and worse

23 council this council at this time would get

24 that award hands down. I have never in all

25 of my years of coming to council have I seen

.

64

1 people that have tried to just take away

2 whatever people try to do here.  
3 Mr. McGoff, let me say whether you  
4 were elected or appointed you will answer to  
5 us for your decisions and your votes. We  
6 pay your salary. You work for us. You  
7 don't work for the mayor even though he is  
8 the one that put you there, you don't work  
9 for him, you work for us and you owe us an  
10 explanation when you are making votes.  
11 Mrs. Fanucci, as far as Carl Greco  
12 goes, would you please find out for me what  
13 these serial suers are doing and what our  
14 law department is doing that we have to pay  
15 Mr. Greco all of this money that you voted  
16 on last year even though you said if he had  
17 donated to your campaign you would not  
18 not --  
19 MS. FANUCCI: I believe you lost that  
20 lawsuit and the ethics violation.  
21 MS. WARDELL: I didn't lose a  
22 lawsuit.  
23 MS. FANUCCI: I think --  
24 MS. WARDELL: I filed an ethics  
25 complaint and it certainly was unethical and



65

1 it had nothing to do with your voting on a  
2 contract this year, you voted on another  
3 contract for him this year.

4 MS. FANUCCI: Yes, I did.

5 MS. WARDELL: Yes, you did. What do  
6 they do in our law department?

7 MS. FANUCCI: You have to be kidding.

8 What do they do in our law department?

9 MS. WARDELL: No, I am not kidding.

10 I am not kidding, not at all and also --

11 MS. FANUCCI: Don't ask me questions  
12 if you don't want answers.

13 MS. WARDELL: I didn't ask you any  
14 questions.

15 MS. GATELLI: Please. Please, don't  
16 be confrontational.

17 MS. WARDELL: Let me say this to you,  
18 you brought pictures here of your  
19 grandchildren and I have grandchildren here  
20 that live in the city and you said you  
21 didn't want them to carry our debt and you  
22 voted to give this mayor 10 million dollars

23 more to blow on whatever and nobody seems to  
24 know what is that money going for? Nobody  
25 has accounted for that 10 million dollars.

.

66

1 Nobody has said, "What is that money for."  
2 I don't understand this, I really  
3 don't. And as far as being more efficient  
4 and breaking up two and a half minutes and  
5 two half minutes, does that seem more  
6 efficient to you? That you would be calling  
7 people up here twice to come up here and  
8 speak rather than let them come up here once  
9 and get it over with. I don't think that's  
10 efficient. I think that's very rude and  
11 very ignorant and I think it shows that you  
12 people really don't care what we have to say  
13 and I am very sorry and very upset that I  
14 feel that I have to come here and say these  
15 things to you. We voted for you people. We  
16 put you people in office. We pay your  
17 salary and we expect to you to work for us  
18 not for the mayor, not for Ray Hayes and not  
19 for anybody else. We expect you to work for

20 us. Thank you.

21 MS. GATELLI: Robert Monchesky.

22 MR. MONCHESKY: Good evening. My  
23 name is Robert Monchesky and I'm a resident  
24 of West Scranton. I would like to say that  
25 I respect the business owners who have taken

67

1 a stand against the smoking ordinance by  
2 choosing not to enforce it. By doing this  
3 they are showing lawmakers that it will take  
4 a lot more than a hastily passed ordinance  
5 voted for by only four people to dictate to  
6 them how they will run their businesses.  
7 I'm appalled at Mrs. Fanucci's proposal in  
8 this morning's paper which is to fine  
9 business owners either \$500 or \$1,000 for  
10 not enforcing this ban. I urge council  
11 members to think heavily about the necessity  
12 of that amendment before casting their vote  
13 tonight.

14 First of all, no one is being forced  
15 to patronize any particular businesses in  
16 this city, therefore, if a customer disagree

17 with the policy of a certain establishment  
18 then they need not patronize that  
19 establishment. It is as simple and that and  
20 does not require a vote from council. If  
21 smoking is such a big problem in the city  
22 then why wasn't the choice for a smoking ban  
23 be put on a ballot for the next election so  
24 people could have their say. I think that  
25 it is imperative for people who disagree  
.

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1 with the actions of their government to  
2 speak out and not be intimidated by their  
3 lawmaker's superior attitude. By refusing  
4 to enforce this law they are showing the  
5 government they do not agree. They are not  
6 being violent or vulgar and are only  
7 violating the ordinance which, again, was  
8 voted for by -- not voted for by the people  
9 of this city but by only four council  
10 members. The business owner's actions are  
11 called civil disobedience that this is not  
12 something that should be taught to the youth  
13 as being wrong.

14 Lawmakers are elected by the people  
15 and are supposed to represent them, and  
16 while everyone cannot be pleased the people  
17 still have the right to speak out and voice  
18 their opinions even though lawmakers have a  
19 very tough job and cannot cater to everyone,  
20 council members should be willing to listen  
21 and think about what the good citizens of  
22 this city has to say.

23 This brings us to the moment that  
24 last meeting when Mr. McGoff proposed an  
25 amendment that citizen's participation

.

69

1 portion of the council meeting in which each  
2 speaker's time would be cut from five  
3 minutes to two and half minutes I hope that  
4 when council votes on this they realize that  
5 just because you cannot hear something does  
6 not mean that it doesn't exist. By not  
7 allowing people to speak for as long they  
8 will not become less irritated with their  
9 government's failure to act on behalf of his  
10 people, but rather more upset they would try

11 to block the facts. The voice of the people  
12 cannot be silenced and will be heard one way  
13 or another. Luckily there is an election  
14 coming up so even if both of these  
15 amendments are passed there is still hope.  
16 Hope for a few new council members who will  
17 vote on behalf of the people and not call  
18 for socialist type ordinances and amendments  
19 as consideration for law. I hope that some  
20 day that there will be council who will  
21 concentrate on what's really important in  
22 this city and not take unnecessary measures  
23 in which the only purpose is to take light  
24 off of the city's real problems. Thank you.

25 MS. GATELLI: Thank you.

.

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1 MR. DESILVA: Good evening,  
2 council. My name is James Desilva and I'm a  
3 Scranton resident and a senior at West  
4 Scranton High School, I also happen to be a  
5 licensed driver. I am here tonight to  
6 address a major safety concerns to drivers,  
7 passengers and pedestrians in the City of

8 Scranton. This concerns the use of cellular  
9 phones while operating a motor vehicle.

10 While many areas have restricted the use of  
11 cell phones while driving such as New York,  
12 New Jersey, Connecticut and the District of  
13 Columbia, there is no federal law that  
14 prohibits driving while using a cell phone.

15 Here in Scranton citizens are not protected  
16 by a state, county or local ordinance on  
17 this issue. I am here to ask council to  
18 please consider passing legislation to  
19 restrict the use of handheld cell phones  
20 while driving.

21 Many businesses today demand  
22 constant communications between employees.  
23 Council must consider possible economic  
24 impact which may result from legislation.

25 I'm sure that council would not wish to pass

.

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1 any ordinance that might impede economic  
2 activity, but for this reason I propose a  
3 ban on the handheld phones while driving.

4 I respectfully suggest that council

5 consider legislation modeled after the New  
6 York state law which allows drivers to use  
7 the blue tooth head device, headsets or  
8 other handsfree mechanisms. Numerous  
9 studies conducted by the state  
10 transportation department have shown that  
11 handheld cell phones should be significantly  
12 to distract the driver's inability to  
13 recognize objects and concentrate in the  
14 driver's normal field of vision, so these  
15 devices tie up one of the driver's hands,  
16 block the hearing of one ear and  
17 significantly boost the ability to notice  
18 approaching vehicles and pedestrians. This  
19 is, therefore, a true issue in the public  
20 safety which needs to be addressed by  
21 council to protect our residents.  
22 I want to thank council for  
23 listening to my thoughts and considering my  
24 proposal. Thank you. I'm just kind of  
25 nervous.

72

1 MS. GATELLI: Thank you. Lee Morgan.



2 AUDIENCE MEMBER: He just stepped  
3 out.

4 MR. HUBBARD: Good evening, Council.

5 Daniel Hubbard, resident of Scranton. I

6 have some pictures I'd like you to all look

7 at. The small photographs of the 2004 flood

8 and the large photographs are the 2006

9 flood. In a recent article in the newspaper

10 this week Mr. Hayes said that --the city

11 safety director says, "Costs and needs still

12 need to be taken into consideration for our

13 flood alarm in Scranton."

14 The two flood alarms that exist in

15 Scranton right now were paid for with

16 community development money, not city money,

17 not out-of-pocket of the city, but by

18 community development money and that comes

19 directly from the manufacturer and slash the

20 installer who installed both of the existing

21 alarms in Scranton.

22 Secondly, the photographs you have,

23 the large ones are of 2006, no flood alarms

24 sounded when those pictures were taken.

25 There was never an alarm. The flood alarms

1 in the plot in the Albright Avenue of  
2 Scranton are set off by the Lackawanna  
3 County Emergency Management agency. Those  
4 alarms are set to go off when those  
5 neighborhoods are at flood risk. Since they  
6 are protected by 20-foot levies a river  
7 level of anything over 11 feet puts six  
8 inches of water in my living room. It would  
9 have to be a river level of 18 feet for  
10 those alarms to go off in those  
11 neighborhoods because they are fully  
12 protected by a 20-foot levy. So when the  
13 alarm in the Plot, like Mr. Hayes and Mr.  
14 Parker says we'll hear them when they go  
15 off, when they go off we won't hear them  
16 because we won't have electricity. We won't  
17 be in our homes because they will be under  
18 water.  
19 At 11 feet the river is over the  
20 bank completely under water over the bank.  
21 It's gone. It does not exist at 11 feet on  
22 Nay Aug Avenue in lower Greenridge. At

23 11 feet it isn't even touching the flood

24 gates in the plot or in the Albright Avenue

25 section of Scranton, so how can we did be

.

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1 said that we have to rely on alarms that go

2 off at a level that supercedes any

3 protection that we have?

4 Also, costs. Mr. Hayes says costs.

5 Well, I just covered that. It was covered

6 by community development money. I know we

7 have some of that. I know it's there. It's

8 \$20,000. Actually, it's less than \$20,000

9 completely installed and to do a constant

10 concern that Mrs. Gatelli had, previous to

11 the holidays it is nothing more than a siren

12 on a pole. It is rotating horn on a

13 telephone pole with a battery box that hangs

14 on it and a computer module. It is set off

15 by a land line via telephone line and it has

16 a backup power supply coming from a

17 telephone pole to it. A power supply to it

18 plus a backup battery. They push a button

19 and it goes off. If the power is out the

20 batteries kick in and they can set it off by  
21 a radio, by frequency so it is nothing more  
22 than a pole with a siren.

23 I have the minutes from the July 13  
24 meeting of city council. "On Tuesday," this  
25 is Mrs. Evans' speaking, this is page 7 of  
.  
75

1 the minutes, "On Tuesday, as Mrs. Gatelli  
2 alluded to a few moments ago she and Mr.  
3 McTiernan, Mr. Courtright and I attended a  
4 very important flood meeting at Scranton  
5 High School. Although the meeting largely  
6 pertained by some local news station  
7 incorrectly, it was a productive meeting  
8 among city residents, city government, and e  
9 Army Corp of Engineers, Scranton Sewer  
10 Authority, and it produced three crucial  
11 results:

12 First, Mr. Hayes agreed to place a  
13 siren at lower Greenridge so that the  
14 residents will receive proper flood  
15 warnings.

16 Secondly, a plan will be in place by

17 the end of July of 2006 to provide temporary  
18 flood protection to the residents of lower  
19 Greenridge until the completion of the  
20 project in 2008.

21 Third, regular meetings between the  
22 Army Corp of Engineers and the residents of  
23 lower Greenridge will be conducted to  
24 discuss progress, problems encountered and  
25 directly answer the residents' questions."

.

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1 I requested this meeting with the  
2 Army Corp countless times and get nothing.  
3 I repeat, I requested the meetings with  
4 Mr. Hayes and Mr. Parker we get nothing. We  
5 get no answers to our questions. I get  
6 articles in the paper which I have to bust  
7 my chops to get done for Mr. Hayes to say,  
8 quote/unquote, "City officials and law  
9 enforcement use the nearby Greenridge  
10 shopping for a staging area during flooding  
11 and in the past the police department has  
12 sent police officers to drive the streets of  
13 lower Greenridge with their sirens and

14 public addresses to inform them of the  
15 warnings when the river is on the rise. He  
16 said this procedure will continue and, in  
17 fact, will make a need for a flood siren  
18 obsolete."  
19 In the two past flood events we  
20 never saw one police officer car in two  
21 years. Not one. And as far as the staging  
22 area in the Greenridge shopping center, who  
23 the hell are you getting cars there? The  
24 river goes over and floods Nay Aug Avenue at  
25 the Greenridge Street bridge. The trusses,  
.  
77

1 the railroad trusses on Greenridge floods.  
2 Glenn Street by Laminations flood. They  
3 close the Albright Avenue Bridge. Market  
4 Street floods, the Market Street Bridge  
5 floods. There is no way in lower Greenridge  
6 or out of Greenridge. They didn't stage  
7 anything, they staged a joke on us. That's  
8 what they staged. This is ludicrous. This  
9 is absolutely ludicrous that this city  
10 refuses to address the issues of the last

11 remaining neighborhood of Scranton that  
12 is basically subjected to inundation of  
13 flooding by the Lackawanna River. This is--  
14 it's ludicrous.

15 He goes onto say that, "At the end  
16 of the day what is the difference between a  
17 flood siren and police siren."

18 MR. MINORA: Excuse me, five  
19 minutes.

20 MR. HUBBARD: "Notification is  
21 notification." The difference between the  
22 sirens is the flood sirens will go off. The  
23 police cars don't show up. This is  
24 ludicrous. I'm tired of this. We will be  
25 at the this caucus for the flooding. I

.

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1 think this caucus for the flooding should  
2 not call Keyser Avenue instead Parker and  
3 the Mayor. It should involve all residents  
4 that have to deal with any type of serious  
5 flooding in the City of Scranton. People  
6 need to answer these questions. The letter,  
7 and I know I'm at my five minutes, but,

8 please. The letter from Mr. Parker to  
9 council just reaffirmed everything we  
10 already know, that there are two alarms,  
11 that the county does set them off and that  
12 they have two people assigned full-time to  
13 maintain a flood control structures. Well,  
14 the only part of the levy that's been turned  
15 over to the city is the Albright Avenue  
16 section. The plot section is still -- Army  
17 Corp is still working on that. Since that  
18 levy is brand new they don't have to  
19 maintain it. They are not maintaining  
20 anything in our neighborhood. The flood  
21 bank is collapsing and they are not touching  
22 it. This is insane.

23 MS. GATELLI: Thanks, Dan. I'll  
24 call Mr. Verbino again.

25 MS. EVANS: Mr. Hubbard, I'm going  
.

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1 to address that under motions because I have  
2 already put something in motion for you.

3 MR. HUBBARD: Thank you.

4 MS. GATELLI: Is Chris Sledenzski



5 here?

6 MR. SLEDENZSKI: Well, guys this is

7 it. Billy, that stop sign I'll talk to you

8 about it tomorrow, about that stop sign for

9 you about the handicap sign, I'll talk to

10 you tomorrow.

11 MR. COURTRIGHT: Okay, I'll see you

12 tomorrow.

13 MR. SLEDENZSKI: Thank you.

14 MR. COURTRIGHT: You're welcome.

15 MS. HOWARD: Hi, Council. My name is

16 Elizabeth Howard, resident of Scranton. I

17 just have a couple of issues that I want to

18 address, one to Mrs. Fanucci. You seem to

19 think that a couple of weeks ago that the

20 issuing citations for smoking would bring in

21 money to the city coffers. I have an idea

22 that you should send the smoke police,

23 whoever they may be, to ride around Scranton

24 High School and West Scranton High School as

25 school is letting out citing students for

.

80

1 underage smoking because that should bring

2 in a bunch of money to the city coffers.

3 These kids are down here pushing an

4 ordinance on adult -- adults and people that

5 do an adult past time drinking, going to

6 bars, smoking, yet you drive down Providence

7 Road past the high school at 3:00 or

8 whenever and there is clouds of cigarette

9 smoke and these kids are smoking and

10 throwing butts everywhere, they should be

11 fined for littering and underage smoking.

12 This is ridiculous because it's so easy for

13 people to go to Dunmore to drink or eat.

14 It's just crazy, the whole thing.

15 But I have another -- one more

16 suggestion, I forgot my notes, I think that

17 Mrs. Fanucci and Mr. McGoff should change

18 seats because then there wouldn't be talking

19 and laughing and smirking when speakers are

20 speaking. I just think that would be a good

21 thing to do.

22 MS. GATELLI: Was there anyone else?

23 MR. MCGUIRE: Wayne McGuire, resident

24 and taxpayer. First I'd like to get out of

25 the way, I guess I haven't been around so I

.

81

1 haven't been following too many meetings,  
2 but there is or was a motion for changing  
3 the agenda and the time limit, is that  
4 something that came up last week?  
5 Mr. McGoff, I personally support that  
6 motion. I have said at this podium and to  
7 many of the council people I think that the  
8 council meetings should be divided for the  
9 first part of the meeting should be  
10 citizens' participation, agenda items only,  
11 the eighth order of business should be  
12 changed to citizens' participation and  
13 matters of concern, but I do disagree with  
14 the time limit. I don't think anybody up  
15 here speaking on agenda, most agenda items  
16 are very brief and could be done in two and  
17 a half minutes, sometimes depending on the  
18 legislation it may go in, so I don't think  
19 we should stifle people in speaking their  
20 voice on a very important matters that's  
21 going to become law. Matters of concern for  
22 the most part I think five minutes is plenty

23 of time to get your point across.

24 I know you don't always get

25 acknowledgment of a lot of different things

.

82

1 when they are not good things for other

2 people, I personally think it was a good way

3 to do the meetings five or six years ago

4 actually.

5 On the other issue, this smoking ban

6 and, Mrs. Fanucci, I think that this council

7 has made an issue out of a nonissue, number

8 one. Number two is when I read the paper to

9 say that the fine would change from 300 to

10 1,000 to me it's an abuse of power. It's

11 abusing your position, and I'm trying to be

12 very respectful in saying it because I do

13 respect you, you know that, the thing is

14 that, people, we are talking grown adults,

15 people who own businesses, it is their right

16 as a business owner to choose smoking or

17 nonsmoking in their establishment.

18 I smoke, my wife smokes, we go to

19 Old Country Buffet, you cannot smoke. The

20 Oriental Restaurant in the south side  
21 shopping center you can't smoke, you can go  
22 in and eat your dinner and you leave. It's  
23 our choice to go to a nonsmoking facility.  
24 If somebody doesn't smoke and this  
25 particular establishment allows people to

83

1 smoke while they're drinking a beer or  
2 eating their dinner, they should be allowed  
3 to go or not go in. Why does the government  
4 got to tell them you just can't let anybody  
5 smoke. It's wrong. I just -- I don't agree  
6 with it and then the ordinance as a whole  
7 you have to be 20 feet away from a public  
8 building.

9 You got to -- I said this, I talked  
10 to Mrs. Gatelli on the telephone, you  
11 literally will have to stand in the middle  
12 of Lackawanna Avenue to smoke a cigarette so  
13 you don't get a citation. That's bizarre.  
14 It's bizarre. And what happens you get  
15 these people walking out the door smoking  
16 throwing their cigarette butts on the road

17 and that is what the ordinance is. To me  
18 it's no more than a littering fine, so if we  
19 are going to look at revenue like we do have  
20 more important revenues. You have dogs,  
21 very important issues, dogs that have run  
22 this city and have terrorized people,  
23 children, elderly, nothing is being done on  
24 those ordinances. There is ordinances that  
25 should be enforced, fines should be changed

84

1 and people should be held accountable for  
2 it. In the mean time you want to tell grown  
3 adults they can't smoke a cigarette but we  
4 ain't telling people that they got to  
5 control their animals in this city.  
6 There is a million other things that  
7 you could do and I really -- if there is  
8 going to be an amendment made to the smoking  
9 ban in my opinion the amendment should be  
10 made to make that ordinance which is  
11 approximately seven days old null and void.  
12 Thank you.

13 MR. TALIMINI: Good evening, Council.

14 My name is Joe Talimini, I'm not about to  
15 take individual people and attack you or  
16 anything like that, I just wanted you to  
17 know some things. Number one, I'm all for  
18 keeping Channel 61 on the air. I don't  
19 think you people have any idea in the world  
20 what's going on in this community even  
21 though you sit up there and say you do.  
22 There are hundreds of senior citizens and  
23 handicapped people who cannot attend these  
24 meetings and they rely on Channel 61 to find  
25 out what you are supposed to be doing not  
.

85

1 what you say you are doing, what you are  
2 supposed to be doing, number one.  
3 Number two, this smoking ordinance  
4 is about as ridiculous as I think most of  
5 you people on this council are. Number one,  
6 people before you have just told you about  
7 West Scranton High and Scranton High. Now,  
8 this is an illegal operation. These kids  
9 are out their smoking, not this particular  
10 group, but the vast majority of them are out

11 there smoking and I find it paradoxical that  
12 we have a health official who works at one  
13 of the high schools and does not know about  
14 this. I lived up there. For over a year  
15 those kids were out there smoking  
16 cigarettes. They are still out there  
17 smoking cigarettes. It's illegal. Somebody  
18 is providing these kids with cigarettes,  
19 that's your concern not whether I as an  
20 adult smoke in a bar or a restaurant. I  
21 don't participate in drinking. I went into  
22 one bar since I have been here in this town  
23 and not because I'm a drinker I was invited  
24 down.

25 And I find it also very disturbing

.

86

1 that you people have decided that you are  
2 going to try to limit the public's right to  
3 speak. Well, if you are getting paid \$240 a  
4 week to sit here and listen I don't know  
5 what you want us to do. In the few hours  
6 that you spend here, we don't get paid here.  
7 You make more in one month than I do and I'm



8 on social security and if it behooves you to  
9 run home and hide because you don't want to  
10 listen, sad on you because we do have an  
11 election coming up and I doubt very much if  
12 you are going to have a majority on that.  
13 Thank you.

14 MS. GATELLI: Thank you.

15 MR. WASP: Charles Wasp, I'm a  
16 resident of Scranton. I know you guys  
17 didn't see the 6:00 news, but you have an  
18 attorney that addressed -- Mr. Minora and  
19 Mrs. Fanucci that the state down in  
20 Harrisburg passed a law and you guys cannot  
21 override it, you can vote all you want all  
22 night long you can't override it because a  
23 decision was already made in Harrisburg that  
24 all restaurants, bars, had to create a  
25 section for nonsmoking and for smoking.

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87

1 Okay, now, the law firm you got down here,  
2 the judge used to be an attorney, Judge  
3 Munley, well, his son has said that they are  
4 filing a lawsuit as we -- as you guys are

5 speaking you vote on the law, it's against  
6 all rules and regulations of the state  
7 because it was passed in Harrisburg not by  
8 you guys. Thank you.

9 MS. GATELLI: Thank you.

10 MR. GONZALES: Good evening, council,  
11 junior council, and all in attendance.

12 Today I'm here to -- my name is Pedro  
13 Gonzales, south side resident, taxpayer,  
14 registered voter and today I want to talk  
15 about four different subjects beginning with  
16 the Martin Luther King weekend, the  
17 festival. We are having a free day  
18 celebration here in the city and if I could  
19 I have a newspaper and a flyer for each of  
20 you. If you could pass it down. Thank you.

21 In the newspaper there is -- the  
22 Millenium News is a free newspaper. It is  
23 being syndicated around the city. It will  
24 always be free, as you can see in the paper  
25 if some of you already have it, there is a

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1 lot of advertising, a lot of interviews. In

2 there we have a page for Latin Culture  
3 Diversity Center with our afterschool  
4 programs, our different art programs, our  
5 dancing programs and, again, that's also  
6 free for all of the youth in the city. It  
7 matters not who you are or as long as you  
8 are willing to learn how to dance and you  
9 have the heart and you want to learn a  
10 little theatre. Please, come out and enjoy,  
11 read the paper. Contact whoever you need to  
12 contact and we will be more than happy to  
13 facilitate anyone in the program.  
14 This newspaper chief editor for this  
15 is Diane Bloom, many of you already know her  
16 here in the city. She has done a tremendous  
17 amount of things here in the city for the  
18 people. Along with her, Black Culture  
19 Diversity Center we have influences from the  
20 Jewish nation, a lot of different  
21 nationalities, the Afro-American people, the  
22 Latin people, Bethel AME, Sister Adrian, I  
23 could go on and on. We have Scranton  
24 University that's involved in this project,  
25 Keystone University, Keystone College,

1 excuse me, that's involved in this project.  
2 This is a multi-cultural event we ask that  
3 all people please come out and enjoy this  
4 event. This is the first time that it has  
5 been done to this magnitude. We hope that  
6 by putting it in this newspaper and  
7 spreading it around all of the schools,  
8 local businesses that we will get a  
9 tremendous head count and involvement with  
10 the community.  
11 Also, inside of the paper you will  
12 find a flyer that's on there with the  
13 itinerary of the day, all three days,  
14 Saturday, Sunday and Monday, all three days  
15 there is a whole state of events, guest  
16 speakers, entertainers, dancers. We are  
17 going to have to the Brownchick Stepping  
18 Girls, the Keystone Stepping Girls, the  
19 Latin Culture Diversity Center dancers will  
20 be there also along with many different  
21 speakers to honor Dr. King.  
22 And two more things, the schedule

23 for the programs are on there. We have  
24 adult programs, we have youth programs, you  
25 can see on there the adult programs we have  
. .  
90

1 a little studio at 1212 South Main. A very  
2 reasonable price. You will learn couples  
3 begin Salsa. You will learn there is a  
4 Salsa aerobics class. There is also a Latin  
5 line dancing class. Things that have never  
6 been done here in the City of Scranton,  
7 anything to create revenue and to bring more  
8 positive energy to the city, anyway that we  
9 can do it and as you can see the other  
10 classes are all free because they are youth  
11 programs.

12 And last but not least, I still get  
13 a lot of phone calls from people asking me  
14 about the Scranton Latin Alliance and about  
15 their resources and how I can help them with  
16 things of that nature. I am no longer with  
17 the Scranton Latin Alliance, I haven't been  
18 in almost a year. They are still there,  
19 that's operating, but I felt a calling to

20 help the youth of this city and we started a  
21 whole another organization simply because we  
22 felt that the youth of the city needed some  
23 programs and some free programs and some  
24 afterschool programs, so they are still  
25 there operating, but we are -- poor excuse

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1 me, I am a part and a representative of the  
2 Latin Cultural Diversity Center, we are also  
3 a nonprofit organization and on this  
4 particular project the Scranton area  
5 foundation helped us out tremendously. They  
6 gave us a grant, gave us, meaning the Latin  
7 Cultural Diversity Center a grant to help  
8 fund the paper, help fund the classes, help  
9 fund the dancers.

10 MR. MINORA: Excuse me, Mr. Gonzales,  
11 that's your five minutes.

12 MR. GONZALES: Thank you very much  
13 and also to help fund this tremendous event  
14 that's going to be happening this weekend,  
15 so please I ask that you all come out and  
16 enjoy this tremendously multicultural event

17 for the great and honorable Dr. Martin  
18 Luther King. Once again, my name is Pedro  
19 Gonzales and I think you for letting me  
20 express myself.

21 MS. GATELLI: Thank you, Pedro.

22 MS. SHOEMAKER: Good evening. Marie  
23 Shoemaker. As I did last week and will  
24 probably do for weeks to come, I ask several  
25 questions of you and then give you time to

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1 respond because I'm interested in your  
2 answers. During my professional career I  
3 helped prepare or prepare and analyzed many  
4 budgets and I will say I have never seen one  
5 that lacks detail as much as the City of  
6 Scranton's budget. If it was properly  
7 prepared with footnotes and whether there  
8 were anomalies and major changes from prior  
9 years it would be -- I wouldn't even have to  
10 come here. Interested parties would -- such  
11 as myself wouldn't have to come here and beg  
12 for answers. So I'll start with my nine  
13 questions for tonight.

14 Under the revenue for the 2007  
15 budget, because I'm assuming that you all  
16 had a chance to review it, you had it I  
17 believe a month before I was able to get my  
18 hands on it, considering the 25 percent real  
19 estate tax increase I would expect more  
20 delinquencies than were in the budget in  
21 2006 at \$1.7 million yet there is zero in  
22 the 2007. How is this possible?  
23 Next question, the total real estate  
24 taxes budgeted are 6 percent higher in 2007  
25 than 2006. Why isn't it 25 percent higher?

93

1 Next question, what accounts for the  
2 building permits forecasted revenues being  
3 down 20 percent from 2006?  
4 Next question, why have theater  
5 licenses gone from \$3,000 to zero?  
6 Next question, with all of the  
7 promises why has the budget for the payments  
8 in lieu of taxes of revenue increased only  
9 \$2,250 from 2006?  
10 Next question, what accounts for the



11 increase in miscellaneous fines and forfeits  
12 from one and a half thousand dollars in 2006  
13 to \$14,000 in 2007?  
14 Next, what accounted for the budget  
15 interest earnings to increase from \$150,000  
16 to \$436,601 for 2007?  
17 Next, why have worker's comp  
18 reimbursements to the general fund gone from  
19 \$100,000 to zero in 2007?  
20 And finally, what happened, and this  
21 will be a recurring question, what happened  
22 to the 1 million dollars in cuts that PEL  
23 sat at that table and said would be in the  
24 mayors budget for 2007 and all future years.  
25 Where are they?

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94

1 Now, for the rest of my five minutes  
2 I'll listen. Anybody have any answers to  
3 those questions.  
4 MS. EVANS: I'm going to start --  
5 MS. SHOEMAKER: You all -- I know you  
6 looked at the budget, but --  
7 MS. EVANS: Well, that was quite a

8 list and as you were reading through I  
9 wasn't able actually to keep up with you,  
10 so--

11 MS. SHOEMAKER: I'll e-mail them to  
12 all of you.

13 MS. EVANS: Great. I'll start with  
14 the first one though, the delinquent taxes I  
15 believe you referred to, the reason that you  
16 would have seen that decline from 1.7  
17 million to zero is because the mayor intends  
18 to sell the delinquent taxes to a company  
19 out of Erie.

20 MS. SHOEMAKER: But they still will  
21 be delinquent taxes.

22 MS. EVANS: Correct, but you are  
23 going to see the proceeds of that sale  
24 appear in another line item in the budget?

25 MS. SHOEMAKER: It is --

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95

1 MS. EVANS: I don't have the budget  
2 with me tonight, but I can --

3 MS. SHOEMAKER: It is in the revenue,  
4 okays.

5 MS. EVANS -- yes, it's there. But  
6 what concerns me about it I believe was that  
7 the amount of money stated by the mayor and  
8 indicated in the newspaper that will be  
9 realized as a result of that sale was  
10 significantly less than what was actually  
11 plugged into the budget for 2007. So there  
12 is a discrepancy there.

13 As for a number of the other  
14 questions that you posed, coincidentally,  
15 they were identical to some of the questions  
16 that I had prior to the final passage of the  
17 budget and I had taken those questions to  
18 the mayor's office, I had taken the  
19 questions to the department heads and I have  
20 never received a response to this moment in  
21 time, so many of those questions,  
22 unfortunately, I'm still not going to be  
23 able to answer for you.

24 MS. SHOEMAKER: Well, yeah, I'm  
25 sorry, because I think any reasonable person

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96

1 reviewing the budget would have those

2 questions.

3 MR. MINORA: That's five minutes.

4 MS. GATELLI: Submit them.

5 MS. SHOEMAKER: I will. Weekly.

6 MR. VERZINSKI: Fred Verzinski,

7 Jermyn apartments. Reverend Simmons was

8 talking about -- I wasn't going to bring

9 this up, but I read in the New York Times

10 there is over 100 refused to go back to Iraq

11 the third time they went up to Canada and

12 the odds with the 135 troops there the

13 object of them being killed by a roadside

14 bomb is one in 35 and the only good thing

15 about if the president sends 20,000 more

16 over there the odds will go up about one in

17 60.

18 Now, cable TV. A lot of people I

19 hear squawking about cable TV.

20 Mrs. Gatelli, what is the contract with

21 cable TV, how many years?

22 MS. GATELLI: The last council voted

23 I believe it's a 15-year contract.

24 MR. VERZINSKI: Okay.

25 MS. GATELLI: I think it ends in

1 either 2008 or 2009.

2 MR. VERZINSKI: We are the highest  
3 in the country. We all know why we are the  
4 highest. Adelphia was on the New York stock  
5 market and people lost their money and we  
6 all know why and we all know why the ones  
7 that operated it are now in federal prison.

8 Now, I went up the Boston a couple of years  
9 ago and my sister has Comcast up there and  
10 she gets more stations than down in Scranton  
11 and at that time it was \$19. Now, we all  
12 have relatives scattered around the country.  
13 Now, if they would find out on their cable  
14 TV what they are paying and it would be in  
15 the 20 to \$30 and that is it a fact, so what  
16 I'm asking the council with this Comcast is  
17 to work on giving the senior citizens a 10  
18 percent discount and come through with that  
19 with no problems 10 percent discount.

20 MS. GATELLI: Fred, did you know that  
21 this week council did send a letter?

22 MR. VERZINSKI: No.

23 MS. GATELLI: Asking for a discount?

24 MR. VERZINSKI: I hope it's 10

25 percent and not five.

.

98

1 MS. GATELLI: Well, I hope it's

2 something.

3 MR. VERZINSKI: All right. Thank

4 you.

5 MS. GATELLI: I'll let you know when

6 we get it answered.

7 MR. VERZINSKI: Okay. Thank you. On

8 the smoking ban, I don't know why we even

9 have a smoking ban because wherever I go,

10 down the malls, the post office, bus

11 station, whatever, you name it, we all know

12 there is no smoking and with this ban as far

13 as restaurants go the bars they could set up

14 but these whatever you call it these

15 machines are so that they can collect the

16 smoke and bring it right out of the -- of

17 establishment very simple on that one.

18 Now, the last thing I want to bring

19 up, the sidewalks on West Lackawanna bridge

20 Mr. Courtright, they are all buckled up and  
21 everything and the winter is coming and I  
22 would like to have you try and put a line  
23 about a foot -- about a yard away where  
24 pedestrians can walk especially in the  
25 wintertime because they have to walk in the  
. .  
99

1 street. They have to walk in the street and  
2 with that line it would be more of a safety  
3 issue and I hate to see an accident happen  
4 and see the city be sued. Thank you.

5 MR. COURTRIGHT: Thank you, Fred.

6 MS. GATELLI: Anyone else?

7 MR. MORGAN: Good evening, council.

8 Well, what's here, what remnants are council  
9 are here good evening. The first thing I  
10 have is in my opinion, Mr. McGoff, I think  
11 that your plan to limit free speech here is  
12 terrible. I think that the best thing you  
13 could do for this council is become informed  
14 and that's why when I asked you when you  
15 initially took this seat what your  
16 connection to the mayor was and you

17 acknowledged that you and his family were  
18 close friends and I just wish that you could  
19 be close friends with the people in this  
20 community who count on your vote to be your  
21 unbiased, and I find your opinions to be  
22 extremely biased and I think the most  
23 valuable tool in this city is freedom of  
24 speech and I don't agree that council sets  
25 the agenda. I think people set the agenda.

100

1 I think what sets council's agenda is  
2 politics. The same thing with the smoking  
3 ban. If somebody was thinking here they  
4 would have had police enforce the law in  
5 regards to children smoking because you bend  
6 a tree when it's young. Now, people have  
7 the right to go to any business they care to  
8 go to and if somebody smokes there then  
9 maybe they shouldn't patronize that  
10 business, but I think that it's time for  
11 spurious statements to stop from this  
12 council. I think there is nothing  
13 constructive in them at all and I think that



14 the political agenda here has to end.  
15 The other thing I have is, I'm  
16 curious if we are doing all of the right  
17 things for this community why there are so  
18 few beds in the shelters for women? I mean,  
19 I think that's a thing that somebody should  
20 really look in. I think that something  
21 really should be done about that.

22 And Mr. Quinn asked me as spokesman  
23 for the tax group to ask why money isn't  
24 being moved from parks and recreation to  
25 offset the realty tax because, I mean, it is

101

1 a fact that -- I mean, evidently that's what  
2 the money from the golf course was supposed  
3 to do and I just don't see where we are  
4 going here. The same thing with Mr.--  
5 MS. FANUCCI: Mr. Morgan, wouldn't  
6 that be the exact same thing so wouldn't you  
7 still be here upset?

8 MR. MORGAN: I'm not upset.

9 MS. FANUCCI: What you are saying is  
10 you don't want us to use the money because

11 it was supposed to be parks and recreation

12 and now --

13 MR. MORGAN: Now, wait a minute.

14 MS. FANUCCI: -- we should take it

15 out of parks and recreation?

16 MR. MORGAN: That's not what I'm

17 saying.

18 MS. FANUCCI: Well, that's what I'm

19 trying to find out.

20 MR. MORGAN: No, that's what Mr.

21 Quinn is saying. He has asked me to come

22 here as a spokesman for the tax group.

23 MS. FANUCCI: Oh, okay, you are

24 speaking for someone else.

25 MR. MORGAN: And convey his message

.

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1 to this council. I don't necessarily agree

2 with it, but he asked me to do it so I'm

3 doing it.

4 MS. FANUCCI: Okay. Mr. Quinn, I

5 believe it's the same, that's --

6 MR. MORGAN: Well, I think he is

7 entitled to his opinion possibly, but I

8 think it's time for the people on this  
9 council to really do the people's business.  
10 I think it's time to really look at what  
11 these tax increases are going to do here in  
12 the community. I think it's time to start  
13 worrying about start paying bills. I think  
14 it's time to start looking at what our bond  
15 rating is. I mean, we have got to stop  
16 borrowing money and I think that the people  
17 in this community are absolutely disgusted  
18 in general by this council and I think that  
19 the next election there is going to be some  
20 massive changes here and I think they have  
21 elected people that they felt were going to  
22 bring change here just like when I stepped  
23 to this podium a long time ago when the  
24 playground program started to spin. It  
25 didn't make it but I said I was very

.

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1 impressed by the changes that I saw and now  
2 what we are doing is we are running in  
3 reverse and it's got to stop.  
4 Sixty-one should not be transmitting

5 from up there. This is council's chamber  
6 and at one time I believe there was a  
7 council on the other side a long time ago  
8 maybe in the 50's, and my point is does  
9 council still have the right to the other  
10 chamber? And with all of the space in this  
11 building you mean to tell me they couldn't  
12 move that duct work somewhere else? The  
13 people are absolutely tired of the political  
14 maneuvers that are taking place here by this  
15 council, by this mayor and what we want is  
16 legitimate government and when we stand here  
17 and listen at the beginning of the meeting  
18 and we talk about our troops in another  
19 country, I'll be very honest and tell you  
20 that, you know, I think you really have to  
21 consider what those men and women are doing.  
22 I mean, we have sent them into an  
23 impossible situation and I don't agree that  
24 we should vacate, I don't agree with me. I  
25 do agree with what the president says. I

.

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I think we need to beef up our presence and

2 not run out of their with our tail between  
3 our legs like we did in Vietnam and finish  
4 the job we started because what happened  
5 there is democrats and republicans and the  
6 house and senate gave the president the War  
7 Powers act and now they are trying to walk  
8 away from it after we have committed and  
9 maimed so many of our youth and it's time  
10 for this council to recognize the sacrifices  
11 that others have made and I just like to ask  
12 that in the future, Mr. McGoff, that your  
13 votes be your own and be informed because  
14 when you make votes and you are not informed  
15 it's a serious disjustice to this community.  
16 Thank you.

17 MR. LUPARSKI: Good evening, city  
18 council, I'm Tom Luparski and I have to  
19 wonder if this smoking ban is not just a  
20 smoke screen. Last week Mr. McGoff in order  
21 to speed up the council meetings proposed a  
22 two and a half minute time limit. Council  
23 met for two hours and 35 minutes last week.  
24 There were 14 speakers that came to this  
25 podium. They took an hour and 35 minutes

1 Ms. Fanucci describing her view on the  
2 smoking ban spent a little over five  
3 minutes. I don't think it's too much to ask  
4 you people to sit there for two hours and  
5 35 minutes and listen to us. I think the  
6 people have the right to listen on Channel  
7 61 to what we have to offer and that's it.

8 MR. ANCHERANI: Good evening,  
9 Council. Nelson Ancherani, resident and  
10 taxpayer, city employee, financial secretary  
11 of the FOP, member of First Amendment  
12 Rights. I have been coming to council  
13 meetings since 2002. Prior to coming a  
14 council to speak we had a group of concerned  
15 citizens who made the effort weekly to  
16 express their First Amendment rights. Among  
17 them were Joe Clifford, Jack-is-back Faucet,  
18 Bob Bolus, Mary Ann Wardell, Lee Morgan and  
19 others. And effort was made to stop them or  
20 to curtail their speaking to council on  
21 business related to the city. Now, again  
22 there is a movement to curtail the amount of

23 time speakers are going to get during the

24 fourth order of business, public

25 participation. This new little group of

.

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1 council speakers known as the Legion of

2 Doom, malcontents, crazies, low-lives,

3 clowns, Halloweeners, freaks and now

4 hijackers, amongst other names, comes to

5 these meetings with the expectation of being

6 able to say what we have to say and we

7 expect to be listened to. I heard many

8 times over during the 31 years of being a

9 city employee, "I pay your salary" from the

10 public. The taxpayers are right they pay my

11 salary along with myself also paying part of

12 it, but they also pay your salary along with

13 me paying your salary, my part. Even though

14 you may not want to hear that, I don't like

15 hearing that, but we hear it. Just because

16 you don't like hearing what taxpayers have

17 to say doesn't mean that you can take away

18 our First Amendment rights.

19 Right now there is a move on to

20 curtail the live broadcasting of Channel 61.

21 The one excuse is that the room in the back

22 is needed for equipment of some type.

23 Before this it was the painting of the

24 council chambers. During the time of the

25 council chambers painting, there was no

.

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1 alternative to the taping or live

2 broadcasts. There is now. There is a

3 website called Doherty Deceit.com where the

4 news or city information is discussed before

5 our monopolistic tabloid of an unnewspaper

6 decides whether or not to print the news

7 depending on what they want the public to

8 know. So, I'm pleading to the people out

9 there come to the council meetings and have

10 your say as to whether or not you want free

11 speech.

12 Now, the 25 percent real estate tax,

13 let's talk about that. Just in case none of

14 you three, Ms. Fanucci, Ms. Gatelli, Mrs.

15 Gatelli and Mr. McGoff that voted for it

16 figured it out let me do it for you. Our



17 rag of a newspaper gave two figures of what  
18 taxes may be increased. They gave two  
19 figures, 94 up to 128, so I'm going to use  
20 the 128, the higher figure, that would mean  
21 that \$128 is 25 percent of \$512. The person  
22 with \$512 city tax with their 25 percent  
23 increase in 2007 is going to be paying \$640.  
24 2008, \$802.00; 2009, \$1,001. You take -- we  
25 have been saying that will be 93 percent

108

1 increase cumulative that's \$12 short of  
2 being 100 percent, over being 100 percent.  
3 Cumulatively that's \$908 more since 2006  
4 that we are going to be paying. At this  
5 rate four or five years the city is going to  
6 surpass the school tax rate.  
7 The agenda, 7-C, there is a contract  
8 there for Greco, it doesn't give a dollar  
9 amount. In the beginning of the meeting,  
10 the Pledge of Allegiance, we say the Pledge  
11 of Allegiance to the flag, Mrs. Gatelli says  
12 a prayer for the troops, this city still did  
13 not give our returning solders --

14 MR. MINORA: Mr. Ancherani, five

15 minutes.

16 MR. ANCHERANI: --the money to make

17 up what they lost from their base pay. The

18 city might have forgot, we didn't. Thank

19 you.

20 MS. GATELLI: 5-A motions.

21 MS. EVANS: Good evening. I'll

22 begin tonight by wishing my son, my eldest,

23 a very happy birthday. I believe this is

24 the first time in our lives when I won't

25 have seen him on his birthday so I want him

.

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1 to know I never forget, I love him dearly

2 and I wish him a 100 more wonderful

3 birthdays. Now, no doubt he is going to be

4 very embarrassed by what I just did, but I

5 want you to remember, Chris, no matter how

6 old you are I'm still your mother.

7 Next, I have a few citizens'

8 requests for the week, 417 Depot Street a

9 tree was marked in late 2006 for removal by

10 Mr. Santolli who stated that this tree would

11 be down in two weeks time, however, the DPW  
12 has not cut down the tree. Please address  
13 this safety hazard as soon as possible.  
14 A letter to Mr. Seitzinger and  
15 Mr. Fiorini regarding 2417-19 Hermans  
16 Avenue. According to Seitzinger this  
17 condemned fire ravaged house was scheduled  
18 for demolition a month ago. The structure  
19 is the safety hazard which sometimes houses  
20 the homeless. The neighbors wish to know  
21 when the demolition will occur.  
22 And a letter to the mayor, numerous  
23 city residents have requested a response to  
24 their questions which follow: What is the  
25 replacement site for the south side complex?  
.

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1 What dollar amount will the city contribute  
2 to these replacement fields and what dollar  
3 amount will the University of Scranton  
4 contribute to the replacement fields?  
5 At last week's council meeting, Mrs.  
6 Gallagher spoke about the dangers of a sale  
7 of our turnpike to corporations or other

8 private entities. Since then, I have spoken  
9 with Mr. Connors, the northeast regional  
10 representative to Governor Rendell and to  
11 quite a number of local citizens all of whom  
12 agreed with Mrs. Gallagher. People fear a  
13 deluge of tolls. They fear foreign  
14 ownership and they fear that products  
15 transported by trucks will reflect the  
16 increased costs of using our turnpike and so  
17 I ask Mr. Connors to put a bug in the  
18 governor's ear that the residents of  
19 Scranton appear to be largely opposed to the  
20 sale or lease of our turnpikes. I had hoped  
21 to advance this in a more formal fashion  
22 this evening, but I did have a conversation  
23 earlier tonight with my honorable colleague,  
24 Mr. McGoff, and I agreed with him that until  
25 such time as the state actually places

.

111

1 legislation on the table regarding this  
2 matter we will not send a formal statement  
3 of opposition, however, that doesn't mean  
4 that any one of us, myself included,

5 shouldn't be contacting our state  
6 representatives, our state senator, the  
7 governor's office, and let them know how we  
8 feel about this personally and how those of  
9 you we represent feel so that they can  
10 certainly keep this in mind as they're  
11 formulating any possible legislation.  
12 Also, gang related graffiti or  
13 tagging is fast becoming a greater problem  
14 in our city. It was the topic of discussion  
15 at West Side's crime watch meeting this week  
16 since a wall outside of the crime watch  
17 building had been tagged. Graffiti should  
18 be a priority for Mr. Seitzinger and  
19 Dougher. Cars parking on sidewalks is  
20 important, but this type of gang activity  
21 should be I would think a few steps above  
22 parking on sidewalks, so since the  
23 inspectors performed the actual  
24 condemnations and the police officers issue  
25 the citations and tickets, I would imagine

.

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1 that these two men would have the

2 opportunity to address this escalating issue  
3 with the help of Mr. McKeean, a fine city  
4 inspector who has compiled countless photos  
5 of graffiti. I believe he would be an asset  
6 in this fight if he were given the  
7 opportunity and the right tools.  
8 I was also in contact with the  
9 project manager from the Army Corp of  
10 Engineers this week, Mr. Garabino. He will  
11 be attending a quarterly meeting regarding  
12 the flood projects in midFebruary in  
13 Scranton and he has agreed to speak to the  
14 residents of lower Greenridge either before  
15 or after that quarterly meeting. Residents  
16 had contacted me earlier in week by e-mail  
17 to schedule a meeting for them and as soon  
18 as the exact date is set I will notify lower  
19 Greenridge. I also hope to invite Mr. Hayes  
20 so that he can address the lack of a flood  
21 siren in that area which he publically  
22 stated at the July -- excuse me, the July  
23 2006 flood meeting in Scranton High School  
24 would be installed.  
25 Now, property taxes, as we all know,

1 are rising over 25 percent yet the taxpayers  
2 don't see a coordinating rise in services.  
3 Lower Greenridge still has no siren. Keyser  
4 Valley and parts of North Scranton, well,  
5 their flood problems are escalating not  
6 waning -- or waxing, excuse me. They have  
7 broken storm water pipes and they are still  
8 broken and they have catch basins that have  
9 only been cleared to the midpoint. People  
10 deserve answers and solutions for the taxes  
11 that they are paying and so I had suggested  
12 at the Keyser Valley flood meeting the other  
13 evening that council would schedule a caucus  
14 meeting with Mr. Parker to discuss these  
15 problems in Keyser Valley and North  
16 Scranton, but, Kay, I think we need a report  
17 on UDAG funds for that meeting as well  
18 because we need to know the dollar amount in  
19 that account in order to determine how we  
20 are going to fund the siren and hopefully  
21 replace broken pipes over in the Keyser  
22 Valley area.

23 Now, in regard to any forthcoming  
24 motions to be proposed by my honorable  
25 colleagues, the City of Scranton's smoking  
.

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1 ban is in violation of Pennsylvania's Clean  
2 Indoor Air Act which is a law of uniform  
3 statewide applicability. It was also poorly  
4 crafted and rushed through. As it stands,  
5 it cannot survive the test of time so rather  
6 than increasing fines and including private  
7 business owners why not take the issue to  
8 the county commissioners and ask them to  
9 implement a countywide ban? Why not talk to  
10 Mr. Shimkus, Mr. Smith, Senator Mellow and  
11 Governor Rendell and encourage them to  
12 legislate a statewide ban because breaking a  
13 statewide ban doesn't set a good example and  
14 harsh punitive measures are uncalled for  
15 when you are dictating to private owners who  
16 are in danger of losing their livelihoods,  
17 so if the city waited for a countywide or a  
18 statewide ban I think the city would not be  
19 witnessing the problems that have been



20 occurring over the last several days. I  
21 think that perhaps if we had passed an  
22 amendment to permanently exempt the  
23 neighborhood bars from the smoking ban we  
24 would not be witnessing the problems that  
25 have occurred this week.

.

115

1 I believe, as one of the speakers  
2 mentioned earlier this evening, public  
3 buildings were long ago covered in terms of  
4 hospitals and city halls and the state  
5 office building and the post office,  
6 schools, no one has smoked in those  
7 buildings for many, many years, so I'm  
8 hoping that rather than persisting in this  
9 way we can either generate a countywide or  
10 statewide ban and in the mean time either  
11 table this entirely or promote an amendment  
12 that will exempt those small businesses  
13 within the City of Scranton and put them on  
14 a level playing field until the state does  
15 it's job or until the county commissioners  
16 do their job.

17 As for the alteration of the agenda  
18 of city council with regard to citizens  
19 participation, this is a naked attempt to  
20 prevent citizens from speaking their minds  
21 in hopes that the people won't remain  
22 through the meeting. Council simply doesn't  
23 want to be criticized, so it will pass  
24 efficiency to replace democracy and I will  
25 not be voting for that. That's it.

.

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1 MS. FANUCCI: Attorney Minora, did  
2 you have any comments?  
3 MR. MINORA: As a matter of fact, I  
4 do I wish we had talked about this in  
5 caucus, there is actually a case that's  
6 recently handed down in December in  
7 Allegheny County upholding an Allegheny  
8 County nonsmoking ban which is virtually  
9 identical to ours and it basically said that  
10 what was claimed to have been state  
11 redemption is not state redemption. I'd be  
12 happy to explain the whole logic of the  
13 Court to you, and I have the case but I

14 don't have it with me.

15 MR. EVANS: Well, actually, I'm very

16 familiar with it.

17 MR. MINORA: Good, then you know it's

18 been upheld.

19 MS. EVANS: Well, actually, I think

20 you can take a look at that --

21 MR. MINORA: I have read it.

22 MS. EVANS: -- in two ways. You

23 can say that it's upholding a smoking ban

24 but then on the other hand it's postponed

25 any ban until such time as hopefully the

.

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1 state would decide. It seems to me that the

2 judge was deferring to the state in the

3 hopes that something will be done by that

4 time, but I do feel if, indeed, this were

5 legal that ban would be in effect

6 immediately as it would be in every city

7 throughout Pennsylvania.

8 MR. MINORA: Well, I think what the

9 judge was trying to do say is that there is

10 a tortured history to the legislation and

11 there is no doubt that there is, but his  
12 decision clearly was in favor of upholding  
13 it and what he asked the legislature to do,  
14 which I thought was very wise, was to remove  
15 the this tortured history and make a clear  
16 statement to the citizens of the  
17 Pennsylvania what they should do, shouldn't  
18 do, can do or can't do, and to give the  
19 municipalities that have the political will  
20 to do so the right to go ahead and clearly  
21 do that, rather than the tortured history  
22 that allows it to happen, so I thought his  
23 opinion was very well written, and he's  
24 obviously a very bright man and it did  
25 uphold the nonsmoking law.

.

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1 MS. EVANS: Well, I agree he is very  
2 intelligent and it's very well written but  
3 the manner in which I perceived it is if it  
4 were legal it would be enacted immediately.  
5 He has bought you time until such time as  
6 hopefully the state is going to decide this.  
7 So, I don't think it's really to be

8 considered a great pronouncement for either  
9 side of this issue. I think we are in  
10 agreement on the fact that the most  
11 beneficial resolution to this problem would  
12 be for the state to handle it, but the state  
13 has not done so which means in the interim  
14 period state law still stands. It has not  
15 been altered to date and until such time as  
16 it is --

17 MR. MINORA: No, that's what I was  
18 trying to explain to you, that's not  
19 correct. That's not correct.

20 MS. EVANS: It has been altered to  
21 include a first class city which we are not.

22 MR. MINORA: No. What the judge  
23 ruled was this, and I was hoping not to go  
24 through a whole long explanation, but what  
25 he said was there was a 1988 amendment which

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1 contained a preemption preempting  
2 municipalities other than first class  
3 cities. There was then that reissue of  
4 appeal in 1999 by the state legislature.

5 That repeal then required that the health  
6 department promulgate rules and regulations  
7 before that would be the effective date,  
8 before those rules and regulations could be  
9 promulgated the very next year after  
10 lobbying by the Tobacco industry the  
11 legislature completely reversed itself and  
12 repealed the repeal.

13 Now, that does not mean you go back  
14 to the 1988 redemption. Under the Statutory  
15 Construction Act what that means is you now  
16 have a legal repeal, but you don't go back  
17 to the original preemption. That's what the  
18 Statutory Construction Act says and that's  
19 how the judge ruled, so that's why -- and  
20 it's a complicated -- that's why it's a  
21 tortured history. He is right. It should  
22 never have been done this way and the reason  
23 it was done this way I believe is because of  
24 Tobacco industry lobbying, so that's who has  
25 been at the forefront of preventing this

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1 from being legislative on behalf of

2 Pennsylvanians rather than Tobacco  
3 companies, so I think the judge understood  
4 that and I think the judge made very clear  
5 that the legislature should go about during  
6 Pennsylvania's business and allow  
7 Pennsylvanians who wish to have a smoke free  
8 community to be able to do that without any  
9 kind of question, which has been muddied by  
10 the tobacco industry, so that's why I said  
11 the judge I think wrote a very much  
12 insightful and very well thought out  
13 opinion, but in the last analysis he upheld  
14 the nonsmoking ban.

15 MS. EVANS: But postponed the ban.

16 MR. MINORA: He postponed it --

17 MS. EVANS: Until May.

18 MR. MINORA: Because he agrees or  
19 he -- and I agree, that the legislation has  
20 a tortured history as I have just explained  
21 to you and it was all done by tobacco  
22 lobbying in my opinion, in my opinion.

23 There is no reason for it --

24 MS. EVANS: But tobacco lobbyists  
25 are not coming to second class cities,

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1 townships, boroughs and lobbying, they are  
2 lobbying are state legislators and so the  
3 state legislature basically has not made the  
4 proper changes as have been implemented in  
5 the State of New York, a statewide smoking  
6 ban --

7 MR. MINORA: Yeah, that's what I'm  
8 trying to say.

9 MS. EVANS: And so in effect he is  
10 circumventing the issue then by saying --

11 MR. MINORA: No. No.

12 MS. EVANS: -- let's relieve the  
13 state --

14 MR. MINORA: No, no -- -

15 MS. EVANS: -- the state legislatures  
16 of -- or the legislators of passing a state  
17 ban and turn it over, in fact, to the  
18 municipalities --

19 MR. MINORA: No, no.

20 MS. EVANS: -- so that they can deal  
21 with it individually.

22 MR. MINORA: That's why I'm trying to



23 explain to you, that is not what he did. He  
24 upheld the nonsmoking ban. He clearly said  
25 he upheld it and he clearly said I'm

.

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1 upholding it based upon the Statutory  
2 Construction Act and he did not want to do  
3 it that way. He wanted to have a clear  
4 legislation, I don't blame him and so he  
5 postponed it and directed or asked that the  
6 legislature clear up there legislative mess,  
7 and I don't blame him for doing that. I  
8 think it would be much better for the  
9 legislature to speak clearly on this rather  
10 than to be waxed and waned by the tobacco  
11 industry. He understood that and that's why  
12 he did it, but in the last analysis he  
13 upheld the nonsmoking ban and said the state  
14 precipice has no preemption to local  
15 government because of the Statutory  
16 Construction Act and a repeal over repeal.  
17 MS. EVANS: But, again, as he  
18 said --  
19 MS. GATELLI: Forget it, Amil.

20 MS. EVANS: That is one attorney's

21 opinion.

22 MR. MINORA: That was the judge's

23 opinion.

24 MR. EVANS: And if I bring in

25 another attorney I'm just wondering --

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1 MR. MINORA: That was the judge's

2 opinion, not mine.

3 MS. EVANS: Well, it's your opinion

4 on the judge's brief and, you know, and you

5 yourself have said in how many instances,

6 get ten attorneys you will get ten opinions.

7 MR. MINORA: Well, we got one judge's

8 opinion, I know that much.

9 MS. EVANS: And there are many

10 judges --

11 MS. GATELLI: Let's continue. Mrs.

12 Fanucci.

13 MS. FANUCCI: In request with my

14 honorable colleague I agree, let's send a

15 letter. Let's send a letter to the county,

16 to Kenny Smith, to the Governor, Senator

17 Mellow, and let's see, Representative  
18 Shimkus and ask them to introduce and  
19 reintroduce a statewide ban for the  
20 nonsmoking clean air legislation, so that's  
21 number one. So, yes, look, we can agree.  
22 I'd like to talk about the smoking ban  
23 because there is the smoking ban right now,  
24 seven days, it has not really been as big of  
25 a red flag as I have been hearing. I have  
.

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1 been getting so many wonderful comments,  
2 obviously, not from this audience, but I  
3 don't expect that, you guys know that, but  
4 from everyone else, the other citizens have  
5 been really supportive and wonderful. Even  
6 when I go out to the bars and restaurants  
7 and for lunch they have been thanking me,  
8 which has been amazing.  
9 I want to talk about a few  
10 instances, which I'm going to do. We had  
11 one owner who has been very, very vocal on  
12 this almost to the point of, I don't know,  
13 publicity is good I guess for everyone, but

14 let me talk about this, we had one owner who  
15 said, "I will not comply with this law. I  
16 won't do it, it won't happen."  
17 He did not, but then yet claimed his  
18 sales had gone down the next day, but to me  
19 all of smokers knew they could smoke there  
20 because he claimed it for a week so I don't  
21 understand how the sales with then affected,  
22 so to means to prove that the smoking ban  
23 really didn't effect the sales so everyone  
24 knew they could illegal smoke there, it  
25 should have been like a little club.

.

125

1 Until now here's the only other  
2 problem we have, as far as the state is  
3 concerned if you have an LCB license, and  
4 most of these places do, and you do not  
5 comply with the city ordinances are you are  
6 affecting your LCB license. I'll give you  
7 one part of the liquor control board, if  
8 they suspect any problems or violations  
9 within the city, our codes, our laws, they  
10 can revoke your license by any regulations,

11 it doesn't have to be anything, it could be  
12 by any sufficient cause to see fit. It  
13 doesn't mean that they have to do any major  
14 violations. If they do not uphold what we  
15 are proposing in the City of Scranton they  
16 are liable to lose their license. That is  
17 not my law, that is the state's law, which  
18 is how they want everyone to work together  
19 and comply.  
20 So that is a problem. So if you do  
21 see people who are not willing to obey this  
22 ordinance at this time then they will be in  
23 violation and hopefully the state will not  
24 have to be involved because we wouldn't want  
25 them to have to lose their license over or  
.

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1 just not complying with the regular  
2 ordinance and law we have put in place.  
3 As of right now, I know that this is  
4 a very contentious in here, I have to say  
5 though that going after the kids smoking  
6 outside is just -- it's groping, it really  
7 is. I have to say, I can't believe that

8 speakers got up tonight and said instead of  
9 us -- this is how we get in our us against  
10 them battles all of the time, I don't like  
11 what you did so you know what I'm going to  
12 do, I'm going to get the kids who made this  
13 a law so let's go after them. That's so  
14 ridiculously wrong. These children came up  
15 with a very well orchestrated issue that is  
16 going all around the state.  
17 You know, Nancy Pelosi, the house  
18 speaker, today passed it in the -- you know,  
19 you can't smoke in the capital. This is  
20 going on everywhere. Everywhere. Erie,  
21 Pennsylvania, got a phone call today they  
22 are acting no smoking legislation in Erie.  
23 Is it happening everywhere, it's not because  
24 of a bunch of kids at west side high school.  
25 They were will well-informed, they were

.

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1 smart and they brought forth a very  
2 progressive legislation and I am still proud  
3 to be part of it, I will be part of it. We  
4 are going to be enacting this legislation.

5 As I stated before, I had sat down with  
6 Ray Hayes, which I will intend to do and I  
7 will intend to work with the administration  
8 I don't know why you are all surprised that  
9 I do that, I said I would do that from day  
10 one that I would work with everyone, but for  
11 some reason that doesn't work. Ray Hayes is  
12 sending out from our Department of Licensing  
13 Permitting and himself put together a whole  
14 packet which will be going out to these  
15 bars, restaurants and owners. They will  
16 find out exactly how to implement this plan  
17 and then we will go out and seek violations.  
18 I think it's funny that you just keep  
19 talking and talking.

20 MR. HUBBARD: I think it's funny that  
21 you laugh.

22 MS. FANUCCI: I do laugh.

23 MR. HUBBARD: Who is paying for those  
24 signs?

25 MS. GATELLI: Excuse me, you are out  
.

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1 of order.

2 MR. HUBBARD: Who is paying for the  
3 signs?

4 MS. GATELLI: You are out of order.

5 MS. FANUCCI: Actually, we have been  
6 working with the state on the signage  
7 because they have passed signage for all  
8 over. The legislation for everyone else who  
9 has enacted it, so they actually are coming  
10 into help design and in fact it's going to  
11 the state, also. We have people working  
12 with the health department.

13 UNKNOWN AUDIENCE MEMBER: Who is  
14 paying for it the state or the city?

15 MS. FANUCCI: I'm sorry, I can't  
16 answer. The reason for the nonaction right  
17 now is because we did not want to go out and  
18 just bombard people. We wanted this to be  
19 compliance and education and that is what we  
20 are intending to do. There will be  
21 education on how to go about this ban, what  
22 you should do with this ban and compliance  
23 seems to be what is going on in most of our  
24 establishments. People are good people and  
25 they have been really wonderful in enacting



1 this legislation and I want to thank the  
2 people who have really stepped up and did  
3 the right thing for the other's health in  
4 our city.  
5 I did not attend the meeting in  
6 Fawnwood, but what I did was try to find out  
7 some of the problems that they were  
8 occurring and graciously I have to say Mary  
9 Alice gave us all a lot of information on  
10 this and kept us really posted and that's  
11 really wonderful because she has really  
12 taken the bull by the horns in this action.  
13 I have to say that what I did was I called  
14 to find out what the problems were they were  
15 suffering over there. They have a lot of  
16 water problems in Fawnwood and I don't  
17 understand why the problems --  
18 MR. HUBBARD: I can't believe you  
19 say they have water problems and you ignore  
20 me --  
21 MS. GATELLI: Excuse me, you are out  
22 of order.

23 MR. HUBBARD: I can't care.

24 MS. GATELLI: You don't care.

25 MR. HUBBARD: For six months I've

.

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1 been here and you are addressing Fawnwood in

2 one meeting. Six months.

3 MS. GATELLI: Amil?

4 MR. MINORA: He is out of order.

5 MS. GATELLI: What do I do, Amil?

6 MR. HUBBARD: Six months. You have

7 one meeting in Fawnwood and you are giving

8 them help? Six months.

9 MS. GATELLI: I mean, come on.

10 MR. HUBBARD: Six months and you

11 think it's funny. I'm almost \$20,000 of

12 personal money to fix my house and Fawnwood

13 has overrun storm drains. Storm drains and

14 I've got a river in my living room and you

15 think it's funny?

16 MS. FANUCCI: No, not at all.

17 MR. HUBBARD: Where is my phone call?

18 You called Mary Alice, where is my call?

19 Did you call me?

20 MS. GATELLI: You are out of order.

21 MR. HUBBARD: I'm out of order.

22 This city is out of order. You have

23 residents in this city suffering and you

24 think it's funny? You think it's funny.

25 UNKNOWN AUDIENCE MEMBER: She thinks

.

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1 everybody is funny.

2 MR. HUBBARD: You think it's funny.

3 Fawnwood. I've got a river to deal with,

4 they've got storm drains. Six months. You

5 should be embarrassed of yourself. You are

6 a joke. The whole God damn town.

7 MS. GATELLI: Oh, officer. That's

8 it now. That is it. I'm sorry that we were

9 disrupted. Go ahead, Ms. Fanucci.

10 Mr. McGoff?

11 MR. MCGOFF: Thank you. A couple of

12 items, a gentleman approached me in the--

13 actually in the mall the other day and asked

14 me about a paving problem that he had a 223

15 Wattress Avenue, the gentleman's name was

16 Andy Barilla. I would just like to say that

17 Mr. Parker was contacted and made aware of  
18 the situation for Mr. Barilla and said that  
19 he would investigate and review the  
20 situation at that particular area and would  
21 get back to me or to Mr. Barilla so I'd like  
22 to thank Mr. Parker for doing that.

23 Secondly, I was -- it may not be the  
24 proper thing to do at the time and it may  
25 seem like it's reactionary, I was out, Mrs.

.

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1 Evans, I apologize, I was out while you were  
2 speaking and I didn't know if you had  
3 addressed Mr. Hubbard's problems by your  
4 talking, I think I came in at the end of it,  
5 I was going to ask council, and I had asked  
6 Mr. Courtright earlier, is there something  
7 that we could do as a council to request  
8 that siren be in place and if it's within  
9 our powers to do that whether by motion or  
10 resolution despite the turmoil that was  
11 created here I think he has a legitimate  
12 concern and, obviously, something that needs  
13 to be addressed and if it's something that

14 we can address as a council and make that  
15 request I certainly think that we should do  
16 that.

17 MS. EVANS: I think maybe we need  
18 the guidance of the business manager or  
19 business administrator to tell us where the  
20 funds will come from and there is also a  
21 possibility that UDAG funds could be  
22 utilized, but, again, that's overseen by  
23 OECD and apparently OECD doesn't seem to  
24 really respond to city council, they need  
25 the direction of the mayor in order to -- I

133

1 mean, we don't even know what dollar amount  
2 is in that fund right now. I would assume  
3 there could be a goodly amount of money.

4 MR. COURTRIGHT: May I make a  
5 suggestion?

6 MS. EVANS: Um-hum.

7 MR. COURTRIGHT: I think due to the  
8 fact you haven't been here a long time and I  
9 don't know if you have developed a good or  
10 bad relationship with OECD, probably none as

11 of yet, so I might suggest maybe you call  
12 down and speak to them and he said it was  
13 under \$20,000 and he did say that it was  
14 funded by community development money  
15 before, maybe you call down and ask maybe  
16 you will get a decent response, that might  
17 be the place to start do you think?

18 MS. EVANS: Yes.

19 MR. COURTRIGHT: Just a  
20 recommendation, I don't know.

21 MR. MCGOFF: Thank you. That's what  
22 I was looking for just some guidance and,  
23 like I said, I think the gentleman has a  
24 legitimate concern --

25 MS. EVANS: Oh, yes.

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1 MR. MCGOFF: And something that we  
2 need to address and I guess maybe what I was  
3 suggesting was that we be somewhat preempt  
4 or somewhat preempt, you know, whether it's  
5 OECD or, you know, would do, but I will make  
6 a phone call and I guess that's a decent  
7 place to start and --

8 MS. EVANS: Yes. I think all we need  
9 to do is find the money and then we make the  
10 motion.

11 MR. MCGOFF: I would like to even  
12 consider, you know, make the motion and let  
13 them find the money.

14 MS. EVANS: Oh, I agree. I agree,  
15 but they may come back at you with  
16 insufficient funds or where do you imagine  
17 that the funding would come from.

18 MR. MCGOFF: Again, I guess what I'm  
19 saying is that I don't want to be deterred.

20 MS. EVANS: Oh, I don't either.

21 MR. MCGOFF: By the fact that, you  
22 know, we might get a negative response. Let  
23 them respond whatever way they wish, but I  
24 think if we agree that something should be  
25 done then we make the motion and we send it

.

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1 to, you know, the mayor's office and let  
2 them act upon it and if it comes back in a  
3 negative way then maybe we search out other  
4 avenues, but --

5 MS. EVANS: That's fine.

6 MR. MCGOFF: At this time if it's in  
7 the form -- would it be in the form of a  
8 motion.

9 MS. GATELLI: Yes.

10 MR. MINORA: Is that what you are  
11 making?

12 MR. MCGOFF: I would like to make a  
13 motion that a request for a siren to be  
14 placed in -- a flood siren to be placed in  
15 lower Greenridge be sent to the mayors  
16 office at this time.

17 MR. COURTRIGHT: Second.

18 MS. GATELLI: On the question? All  
19 in favor?

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MR. COURTRIGHT: Aye.

23 MR. MCGOFF: Aye.

24 MS. GATELLI: Aye. Opposed? The  
25 ayes have it and so moved. It was

.

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1 unanimous.



2 MR. MCGOFF: I don't know if anybody

3 wants to go and tell Mr. Hubbard, but --

4 Sorry. I didn't mean to make light of it.

5 I hope the next motion goes as easily.

6 I am going to make a motion to amend

7 citizens' participation. It is in no way

8 the intent to limit free speech. It has

9 absolutely nothing to do with the right of

10 people to speak.

11 UNKNOWN AUDIENCE MEMBER: Yes, it

12 does.

13 MS. GATELLI: Excuse me.

14 MR. MCGOFF: I listened to you.

15 There is nothing in the motion that would in

16 any way infringe upon First Amendment rights

17 and, in fact, my understanding would be that

18 a person's right to speak at city council is

19 not necessarily protected by First

20 Amendment. First Amendment protects what

21 you say not when and where you say it. The

22 right to speak at a council meeting is

23 statutory, specifically through this Home

24 Rule Charter and the City Charter and

25 through the Sunshine Law, and there is

1 nothing within either of those that prevents  
2 council, in fact, it directs council to make  
3 or to implement citizens' participation.  
4 The implementation of it is entirely up to  
5 council. In fact, the motion that I will  
6 make will extend the amount of time that  
7 people have to speak.  
8 I firmly believe that what we need  
9 to do is to somewhat streamline and make the  
10 initial part of the meetings more efficient,  
11 speak on the agenda items, allow us the  
12 opportunity to vote, to discuss amongst  
13 ourselves, to vote on agenda items and to  
14 finish the business of city council and then  
15 to entertain new business with an additional  
16 time period following seventh order at which  
17 time new items could be introduced, speakers  
18 could speak on any topic pertaining to city  
19 business with considerations to be given at  
20 that time or considerations be given for  
21 those items to be on the following weeks  
22 agenda. It is in no way intended to limit

23 anybody's rights. It's in no way intended

24 to stifle a person's rights to speak or to

25 what they have to say, it is simply an

.

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1 attempt to make the operation of city

2 council more efficient.

3 And with that, I will make a motion

4 to amend citizen participation, the

5 amendment to read: In fourth order citizens

6 may speak for three minutes on agenda items

7 only. An additional three minutes will be

8 provided in eighth order for citizen comment

9 on any other city matters and concerns.

10 MS. FANUCCI: Second.

11 MS. GATELLI: On the question?

12 MR. COURTRIGHT: On the question, if

13 I may, Mrs. Gatelli, I know Mrs. Fanucci

14 last week mentioned the county and the

15 mentioned the school board and I thought,

16 well, I don't need to ask the public because

17 they had told me before, I asked what they

18 felt about it, but I found out with the

19 county and I believe I'm correct is that

20 they -- you are allowed to speak five  
21 minutes, they don't have a sign-in sheet,  
22 that's my understanding, you are allowed to  
23 speak five minutes before the legislation is  
24 voted on then you are allowed another five  
25 minutes after and I think that's correct. I

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1 actually spoke to a school director today  
2 and we got talking and I forgot to ask him  
3 what I intended on asking him, so that's my  
4 fault, but I had spoke to other people.  
5 Some people say there is no sign-in sheets,  
6 some people thought there is.

7 MS. GATELLI: There is.

8 MR. COURTRIGHT: Oh, there is.

9 MS. GATELLI: And if you are not on

10 it you can't speak.

11 UNKNOWN AUDIENCE MEMBER: That's not

12 true.

13 MS. GATELLI: It is true.

14 MR. COURTRIGHT: And what I'm

15 hearing, like I say, I did not get to a

16 school director and some people told me that

17 there is no time limit at all, some people  
18 said there is so I was lax in that part, but  
19 I did check with the county and I have heard  
20 from other people and that's all I have.

21 MS. GATELLI: All in favor? Aye.

22 MS. FANUCCI: Aye.

23 MR. MCGOFF: Aye.

24 MS. GATELLI: Opposed?

25 MR. COURTRIGHT: No.

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1 MS. EVANS: No.

2 MS. GATELLI: The ayes have it and  
3 so moved.

4 MR. MCGOFF: That's all I have.

5 Thank you.

6 MR. COURTRIGHT: Thank you. Rossi  
7 and Company, the city auditors for the past  
8 four years would like to continue as our  
9 auditors for four more years and their  
10 original bid specification required them to  
11 agree not to bid this four-year period. We  
12 have since bid the audit twice and have not  
13 received a bid price that's acceptable to

14 us. Price was almost double and then we  
15 went back and asked to rebid and they upped  
16 it by another \$20,000 which I felt was a  
17 slap in the face so, therefore, I make a  
18 motion that city council waive the Rossi and  
19 Company original bidding restrictions which  
20 would prevent them from bidding on the new  
21 audit bid. The purpose of the motion will  
22 allow Rossi and Company to be considered for  
23 the new audit period beginning 2007 through  
24 2010.

25 MR. MCGOFF: Second.

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1 MS. GATELLI: On the question? All

2 in favor? Aye.

3 MS. EVANS: Aye.

4 MS. FANUCCI: Aye.

5 MR. COURTRIGHT: Aye.

6 MR. MCGOFF: Aye.

7 MS. GATELLI: The ayes have it and

8 so moved. So this council finally saved the

9 city some money, several thousand dollars.

10 MS. EVANS: \$100,000.

11 MR. COURTRIGHT: A hundred thousand  
12 dollars and I think this one we all worked  
13 together. I am getting yelled at by people  
14 on Main Avenue in West Scranton because I  
15 did not go to see Mayor Doherty. I thought  
16 somehow I would run into him over the  
17 weekend, but evidently we didn't frequent  
18 the same places, so I didn't get to see him  
19 and I'll make it my business to go down and  
20 if I have to make an appointment or whatever  
21 the procedure is I will ask him where he  
22 stands on that because I know some people  
23 want to do their sidewalks over and they  
24 tell me, well, I'm not going to do my  
25 sidewalks and everything over if you are  
.

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1 going to come in and I did tell them if, in  
2 fact, if we are going to follow through with  
3 this project that, you know, you wouldn't  
4 see things happening right away and they  
5 said, well, we are patient but we'd just  
6 like to know one way or the other so I will  
7 make it by business to go and speak with

8 him. Mr. Minora, not that we haven't given  
9 you enough tonight, and I'm not going to ask  
10 for an answer now even if you know it, tell  
11 me later on, all right?  
12 I had it pointed out to me this  
13 morning, they had Mrs. Fanucci on the front  
14 page of the paper there and they had pointed  
15 out about the \$500 and \$1,000 and I don't  
16 know what our -- what jurisdiction our  
17 ordinance come under but I do know in the  
18 crimes code 300 or less is just a citation.  
19 Three hundred or more now you've got an M-3  
20 misdemeanor, and I wouldn't want to subject  
21 somebody for smokeing to have a record for a  
22 M-3 misdemeanor so if during the week maybe  
23 you could take a look at that and, in fact,  
24 in case we could plan moving forward with  
25 that, I know I don't particularly want to be

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1 giving somebody a permanent record, maybe  
2 you lawyers would make some money on it  
3 because everybody would be going into get  
4 their records expunged, but I don't think we



5 want to do that, I don't want to give  
6 somebody a criminal record.  
7 I'm going to make a suggestion, and  
8 I would ask that each council member would  
9 consider this and maybe next week in caucus  
10 if we have the opportunity to discuss this  
11 with me, I voted for the smoking ban and I  
12 agree with it, but I think there is flaws in  
13 it. I think there is a lot of questions in  
14 it. I had no less than seven phone calls  
15 today and one recurring person, there was  
16 many, but one recurring individuals that  
17 have establishments that maybe are  
18 20 percent or 30 percent food and they are  
19 saying, well, they are leaving my bar and  
20 going next door or up the block to the guy  
21 that is just serving alcohol, I'm losing  
22 business, and so they feel like they are not  
23 on a level playing field.

24 Here's my suggestion, and I'm sorry  
25 I didn't come up with this before this all

.

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1 happened, and again, I'd ask you to think

2 about it throughout the week and come back  
3 with your input for me next week, that maybe  
4 we form some type of a committee which would  
5 be the chief of police, his people are going  
6 to have to be, you know, enforcing this, the  
7 fire chief, Mr. Hayes, Mr. Minora, Mr.  
8 Farrell, a representative, if they have one,  
9 from the bars in the area, they might have  
10 an association, I believe they do.

11 MS. GATELLI: The Tavern  
12 Association.

13 MR. COURTRIGHT: Right, and a  
14 representative from the restaurants in this  
15 area to just sit down and take a look at  
16 this. The ordinance is here, it's been  
17 passed, I don't think there is whole lot of  
18 chance it's going to be repealed citywide  
19 and take a look at it and see is there  
20 something we can do to make this workable  
21 for everybody involved. Because I think no  
22 matter whether we do that or don't do that  
23 there is going to be amendments as time goes  
24 on and maybe we could sit down and we could  
25 take a look at this and since, Mrs. Fanucci,

.

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1 you spearheaded this in all honesty, we need  
2 somebody from council, I'd probably suggest  
3 you be with the one from council, and we  
4 would have Mr. Minora there and take a look  
5 at it and see, could we come to an agreement  
6 that is fair. I'm not saying everybody is  
7 going to be happy with it, about that is  
8 fair to all concerned and come back and make  
9 one amendment with all of the suggestion in  
10 it rather than week or every time somebody  
11 has a complaint and, again, it's just a  
12 suggestion. I will ask that you consider  
13 that throughout the week and maybe next week  
14 come back and do you agree or don't agree,  
15 why you do and why you don't.  
16 One other thing, I spoke to  
17 Mr. Finnerty, he called me this week, about  
18 all this business about Channel 61 because  
19 he had gotten a call from a concerned  
20 citizen, I guess, about the fact that they  
21 won't be able to be up in the balcony there  
22 and I think it's safe to say that they will

23 be here somewhere and everybody is saying

24 this is our last week live, I hope that's

25 not true, and I asked him if, I know what

.

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1 people's reasons are why they want it live,

2 they have told me time and time again,

3 especially senior citizens, they are the

4 ones that are most concerned about it not

5 being live, believe it or not, but I asked

6 him what concerns he would have about it

7 being live. Evidently, if we go to taped

8 they would just have somebody in there with

9 a camera and they would get one angle or

10 whatever. Now, we have this camera to my

11 left and they rotate and they move around

12 and just, you know, better television is one

13 of the reasons.

14 So I'm hoping that it's not the

15 case. I think if that is the case that we

16 have a glitch somewhere where we are not on

17 next week I think that he is going to come

18 down on Mr. Fioroni. I think everybody is

19 going to blame him because he is going to

20 have to come up with the excuse, which I  
21 believe it would be an excuse not a reason,  
22 excuse why we couldn't have it in here, and  
23 I don't think we should we blame Mr. Fiorini  
24 he is probably doing what he is ordered to  
25 do. I hope that doesn't happen, but, you

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1 know, if we are going to blame somebody  
2 don't -- I always say this, don't shoot the  
3 messenger.  
4 And one last -- well, two last  
5 things, Mrs. Garvey, if we could, I don't  
6 know if -- I would imagine the blacktop  
7 plants are closed but they with might be  
8 using cold patch now, but hopefully if they  
9 are not that the 13, 14 and 15 hundred block  
10 of Washburn Street, it hasn't been paved in  
11 quite awhile and the holes that they patched  
12 are now opening up pretty bad so if DPW  
13 could take a look at it. And the last thing  
14 I was going to do, Mrs. Gatelli took care of  
15 it, we don't need to make the motion for the  
16 caucus so that's taken care of and that's

17 all I have. Thank you.

18 MR. MINORA: Excuse me, I just looked  
19 at the statute or the ordinance, I don't  
20 know where the 500 dollar thing came from,  
21 it was \$300 in the ordinance I was quite  
22 sure I wrote that in there and unless  
23 somebody changed it.

24 MR. COURTRIGHT: No, I'm sorry, I  
25 know there is \$300 in the ordinance but I  
.

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1 said if, in fact, you would look at it  
2 because I know they mentioned in the  
3 paper -- -

4 MR. MINORA: Oh, I misunderstood you.

5 MR. COURTRIGHT: Mrs. Fanucci said  
6 500 or 1,000.

7 MR. MINORA: I'm sorry.

8 MR. COURTRIGHT: So if we are going  
9 to look at that I wouldn't want egg on our  
10 face.

11 MR. MINORA: I misunderstood you.

12 MR. COURTRIGHT: All right. Thanks.

13 MS. GATELLI: I just have a few

14 things to say about the smoking ban. It is  
15 going to come up before the state  
16 legislature again this year. There are  
17 already 34 states that have banned smoking.  
18 There are 8,000 municipalities that have  
19 banned smoking so it's coming whether anyone  
20 likes the idea or not it is coming and it's  
21 on the way. So I have talked to Kenny Smith  
22 and we are going to go to Harrisburg to talk  
23 before the legislature about the smoking ban  
24 and if anybody has any comments they would  
25 like us to bring when we go there please let

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1 us know.  
2 And I'd like to commend the numerous  
3 restaurants that are happy with the smoking  
4 ban. Kelly's last night had their wing  
5 night, they had more people than they have  
6 ever had. Zaleski's Clubhouse, she was  
7 thrilled to have the smoking ban. They were  
8 happy because we did it and they didn't have  
9 to say it. The Glider instituted a no  
10 smoking ban a week before we did and I work

11 with Elizabeth Strange, she is also a nurse  
12 in the school district and I asked her why  
13 she instituted the smoking ban and she said  
14 that that was the single largest complaint  
15 of all of their customers was there was too  
16 much smoke in there and they have a very  
17 elderly population that goes in there and  
18 business was going down because there was  
19 too much smoke, so -- also the Faar Street  
20 Tavern, which could be exempt, they put a  
21 sign up on January 1 banning smoking, so  
22 there are people that are complying and they  
23 are to be commended, and that's all I have.  
24 Kay? Excuse me, Mrs. Fanucci, you wanted to  
25 say anything?

.

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1 MS. FANUCCI: Yes. I just wanted to  
2 say a few things. Mr. Hubbard was here and  
3 obviously there was a large exchange, I did  
4 run out to try and get him because my next  
5 piece of conversation was to make a motion,  
6 and I had spoken to Mrs. Evans about it, to  
7 make a motion to try and get them their



8 siren and to see if -- we were actually  
9 discussing during the meeting where we could  
10 get the funds and how to appropriate this.  
11 When you see us talking, a lot of the times  
12 we are talking because we are conducting our  
13 business, that is what we are doing and  
14 that's what we are here to do. That was my  
15 next discussion after the Keyser Valley.  
16 I am very sorry. I have to say when  
17 people yell out of the audience I do smirk  
18 and smile because I just can't believe that  
19 that's, like, how it happens. I don't  
20 understand that people think that's going to  
21 be effective for us. It was very effective  
22 when he got up tonight and spoke and I spoke  
23 to Mrs. Evans and we were trying to figure  
24 out to where to get the funds. That is the  
25 way we need to conduct our meetings, not the

.

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1 way that it happened tonight. I'm sorry  
2 that Mr. Hubbard had a problem and felt that  
3 he was not getting representation.  
4 Everyone's issues are our important.

5 Everyone's issues are important to them  
6 whether it's a pothole or it's a huge issue  
7 like flooding, everyone's issue is important  
8 and to feel that anyone's issue is more  
9 important than another person's is not --that  
10 is not our job. Our job is to try to  
11 conduct business and that is what we are  
12 doing and we doing it efficiently and the  
13 best we can. I am so sorry that the  
14 engagement happened, I don't like it. It  
15 bothers me, in fact, it is disruptive for  
16 the taxpayers because they are not getting  
17 what they need to get out of these meetings  
18 when this happens.  
19 I know that there are legislation  
20 tonight and this is something I did want to  
21 speak on before all of this happened, I want  
22 to say that this is something that I do feel  
23 can help us. It can help sort out the  
24 issues of what we are voting on and if that  
25 is important and the topics we need to vote  
.

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1 on and keeping that at hand before we vote,

2 before we get into other issues which need  
3 our attention like tonight you saw that that  
4 was something that was very passionate and  
5 he wanted our attention. This is I think  
6 can be effective.

7 As for stifling freedom of speech,  
8 people come up here and they speak  
9 excessively freely as far as I'm concerned.  
10 We don't always agree and we will never  
11 always agree and I understand that and you  
12 understand that, but none of us are trying  
13 to get rid of freedom of speech.

14 Another issue that was brought up  
15 numerous times tonight was 61. We have all  
16 stated time and time again, I'm a big fan of  
17 61, hey, I got my start on 61 that's how it  
18 all happened, I have learned through the  
19 planning commission and I did a TV show, I  
20 love 61. I'm not trying to get rid of 61 so  
21 that people can't see what's going on in the  
22 city, that's how I learned about legislation  
23 and I learned about the laws and learned  
24 about the fact that I can run for office.

25 So whether you like it or not I am a product

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1 of 61, so we all may not agree on the issues  
2 or the issues at hand, but it is something  
3 that we need to stick together on. None of  
4 us felt that way, we really want them to  
5 move into the balcony, so I don't know where  
6 all of that is going, I did not hear that  
7 rumor before, but I did want to address that  
8 before all of that happened and I did try  
9 and reach Mr. Hubbard before he left and I  
10 failed to do so. That's all I have. Thank  
11 you.

12 MS. GATELLI: Mrs. Garvey.

13 MS. GARVEY: 5-B. FOR INTRODUCTION -  
14 A RESOLUTION - RE-APPOINTMENT OF ROBERT  
15 WAGNER, 1731 CAPOUSE AVENUE, SCRANTON,  
16 PENNSYLVANIA, 18509, AS A MEMBER OF THE  
17 SCRANTON REDEVELOPMENT AUTHORITY. MR.  
18 WAGNER'S TERMS EXPIRED ON FEBRUARY 4, 2006  
19 AND HIS NEW TERM WILL EXPIRE ON FEBRUARY 4,  
20 2011.

21 MS. GATELLI: At this time I'll  
22 entertain a motion that 5-B be introduced.

23 MR. COURTRIGHT: So moved.

24 MS. FANUCCI: Second.

25 MS. GATELLI: On the question? All

.

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1 those in favor? Aye.

2 MS. EVANS: Aye.

3 MS. FANUCCI: Aye.

4 MR. COURTRIGHT: Aye.

5 MR. MCGOFF: Aye.

6 MS. GATELLI: Opposed? The ayes

7 have it and so moved.

8 MS. GARVEY: 5-C. FOR INTRODUCTION -

9 A RESOLUTION - APPOINTMENT OF MARCIE HERMAN

10 RIEBE, 1315 SANDERSON AVENUE, SCRANTON,

11 PENNSYLVANIA, 18509, TO THE SCRANTON

12 RECREATION AUTHORITY. MRS. RIEBE WILL BE

13 FULFILLING THE TERM OF JOSEPH O'CONNOR AND

14 HER TERM WILL EXPIRE ON MARCH 1, 2011.

15 MS. GATELLI: At this time I'll

16 entertain a motion that 5-C be introduced.

17 MR. COURTRIGHT: So moved.

18 MS. FANUCCI: Second.

19 MS. GATELLI: On the question? All

20 those in favor?

21 MS. EVANS: Aye.

22 MS. FANUCCI: Aye.

23 MR. COURTRIGHT: Aye.

24 MR. MCGOFF: Aye.

25 MS. GATELLI: Opposed? The ayes

.

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1 have it and so moved.

2 MS. GARVEY: 5-D. FOR INTRODUCTION -

3 A RESOLUTION - ACCEPTING THE RECOMMENDATION

4 OF THE HISTORICAL ARCHITECTURE REVIEW BOARD

5 AND APPROVING THE CERTIFICATE OF

6 APPROPRIATENESS FOR HARTLEY & ESGRO

7 WATERPROOFING CO., INC., 312 S. SHERMAN

8 AVENUE, SCRANTON, PA. 18504 FOR MASONRY

9 REPAIR ON THE SCRANTON LIFE BUILDING, 538

10 SPRUCE STREET, SCRANTON.

11 MS. GATELLI: At this time I'll

12 entertain a motion that 5-D be introduced.

13 MR. COURTRIGHT: So moved.

14 MS. FANUCCI: Second.

15 MS. GATELLI: On the question? All

16 those in favor? Aye

17 MS. EVANS: Aye.

18 MS. FANUCCI: Aye.

19 MR. COURTRIGHT: Aye.

20 MR. MCGOFF: Aye.

21 MS. GATELLI: Opposed? The ayes

22 have it and so moved.

23 MS. GARVEY: 5-E. FOR INTRODUCTION -

24 A RESOLUTION - AUTHORIZING THE MAYOR AND

25 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE

.

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1 AND ENTER INTO A CONTRACT FOR INSURANCE WITH

2 HARIE INSURANCE EXCHANGE, NATIONAL CASUALTY,

3 PHILADELPHIA INSURANCE COMPANY AND

4 CONTINENTAL CASUALTY COMPANY FOR THE CITY

5 INSURANCE COVERAGES FOR THE PERIOD JANUARY

6 1, 2007, THROUGH JANUARY 1, 2008.

7 MS. GATELLI: At this time I'll

8 entertain a motion that 5-E be introduced.

9 MR. COURTRIGHT: So moved.

10 MS. FANUCCI: Second.

11 MS. GATELLI: On the question?

12 MS. EVANS: Was this put out for

13 bid, Kay? Do you know?

14 MS. GARVEY: I don't know that.

15 MS. EVANS: Could you learn as much

16 as possible for next week?

17 MS. GARVEY: Yes, I will check that.

18 MS. EVANS: Thank you.

19 MS. GATELLI: I do think the area is

20 where most of the governmental agencies get

21 their insurance, the housing authority gets

22 their's too. Anyone else on the question?

23 All those in favor?

24 MS. GATELLI: On the question? All

25 those in favor? Aye.

.

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1 MS. EVANS: Aye.

2 MS. FANUCCI: Aye.

3 MR. COURTRIGHT: Aye.

4 MR. MCGOFF: Aye.

5 MS. GATELLI: Opposed? The ayes

6 have it and so moved.

7 MS. GARVEY: Sixth order. 6-A -

8 READING BY TITLE - FILE OF COUNCIL NO. 72,

9 2007 - AN ORDINANCE - AMENDING FILE OF THE

10 COUNCIL NO. 6, 1976 ENTITLED "AN ORDINANCE



11 (AS AMENDED) IMPOSING A TAX FOR GENERAL  
12 REVENUE PURPOSES ON THE TRANSFER OF REAL  
13 PROPERTY SITUATE WITHIN THE CITY OF  
14 SCRANTON; PRESCRIBING AND REGULATING THE  
15 METHOD OF EVIDENCING THE PAYMENT OF SUCH  
16 TAX; CONFERRING POWERS AN IMPOSING DUTIES  
17 UPON CERTAIN PERSONS, AND PROVIDING  
18 PENALTIES", BY IMPOSING THE RATE OF THE  
19 REALTY TRANSFER TAX AT 2.5 % FOR THE  
20 CALENDAR YEAR 2007.

21 MS. GATELLI: You have heard reading  
22 by title of Item 6-A, what is your pleasure?

23 MR. COURTRIGHT: Move that Item 6-A  
24 pass reading by title.

25 MR. MCGOFF: Second.

.

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1 MS. GATELLI: On the question? All

2 those in favor?

3 MS. EVANS: Aye.

4 MS. FANUCCI: Aye.

5 MR. COURTRIGHT: Aye.

6 MR. MCGOFF: Aye.

7 MS. GATELLI: Opposed? The ayes

8 have it and so moved.

9 MS. GARVEY: 6-B - READING BY TITLE -

10 FILE OF COUNCIL NO. 73, 2007 - AN ORDINANCE

11 - AMENDING FILE OF THE COUNCIL NO. 7, 176

12 ENTITLED "AN ORDINANCE (AS AMENDED)IMPOSING

13 A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE

14 YEAR 1976 AND ANNUALLY THEREAFTER UPON

15 PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND

16 BUSINESSES THEREIN; PROVIDING FOR ITS LEVY

17 AND COLLECTION AND FOR THE ISSUANCE OF

18 MERCANTILE LICENSES; CONFERRING AND IMPOSING

19 POWERS AN DUTIES UPON THE TAX COLLECTOR OF

20 THE CITY OF SCRANTON; AND IMPOSING

21 PENALTIES", BY IMPOSING THE MERCANTILE

22 LICENSE TAX AT 1 MILL FOR CALENDAR YEAR

23 2007.

24 MS. GATELLI: You have heard reading

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

.

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1 MR. COURTRIGHT: Move that Item 6-B

2 pass reading by title.

3 MS. FANUCCI: Second.

4 MS. GATELLI: On the question? All

5 those in favor? Aye.

6 MS. EVANS: Aye.

7 MS. FANUCCI: Aye.

8 MR. COURTRIGHT: Aye.

9 MR. MCGOFF: Aye.

10 MS. GATELLI: Opposed?

11 MS. GARVEY: 6-C. READING BY TITLE -

12 FILE OF COUNCIL NO. 74, 2007 - AN ORDINANCE

13 - AMENDING FILE OF THE COUNCIL NO. 8, 1976

14 ENTITLED "AN ORDINANCE (AS AMENDED)

15 PROVIDING FOR THE GENERAL REVENUE BY

16 IMPOSING A TAX AT THE RATE OF 2 MILL UPON

17 THE PRIVILEGE OF OPERATING OR CONDUCTING

18 BUSINESS IN THE CITY OF SCRANTON AS MEASURED

19 BY THE GROSS RECEIPTS THEREFROM; REQUIRING

20 REGISTRATION AND PAYMENT OF THE TAX AS

21 CONDITION TO THE CONDUCTING OF SUCH TAX;

22 PRESCRIBING SUCH REQUIREMENTS FOR RETURNS

23 AND RECORDS; CONFERRING POWERS AND DUTIES

24 UPON THE TAX COLLECTOR; AND IMPOSING

25 PENALTIES", BY IMPOSING THE BUSINESS

.

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1 PRIVILEGE TAX AT THE RATE OF 1 MILL FOR

2 CALENDAR YEAR 2007.

3 MS. GATELLI: After reading by Title

4 of Item 6-C what is your pleasure?

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

6 pass reading by title.

7 MS. FANUCCI: Second.

8 MS. GATELLI: On the question. I

9 just have a question for Attorney Minora on

10 this, is there any way --

11 MS. GARVEY: He just stepped out.

12 Here he comes.

13 MS. GATELLI: I thought you were

14 behind the pole. We are doing the business

15 privilege tax, mercantile tax, and I just

16 had a question, I have received a lot of

17 questions from people that they know of

18 businesses that are in the City of Scranton

19 and they use an out of city address. Is

20 there any way of finding that out?

21 MR. MINORA: Well, I know there are

22 provisions when you have more than one

23 office for taxation of the office and

24 business that you do within the city and I

25 know the tax collector has a procedure for

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1 allotting that and collecting the tax. I  
2 mean, that's outright cheating and obviously  
3 is somebody is doing that, I mean, they are  
4 opening themselves up to criminal charges  
5 because of that.

6 MS. GATELLI: Well, that's what the  
7 people are telling me, that there are people  
8 doing that, but how we find that out?

9 MR. MINORA: I imagine that would  
10 take some investigation through the tax  
11 collector's office and some way, I mean,  
12 they have auditors and inspectors so I would  
13 assume that that would be something that  
14 would be their function. That's just such  
15 an obvious way to get in trouble that I  
16 don't know why anybody would do that.

17 MS. GATELLI: Well, they are doing  
18 it.

19 MR. MINORA: That's honestly the  
20 first I have heard of this.

21 MS. GATELLI: Well, people say they  
22 don't live in their homes either?

23 MR. MINORA: Beg your pardon?

24 MS. GATELLI: That they don't live

25 in their houses and they are using other

.

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1 homes that they have out of the city that is

2 their permanent residence and saying that

3 their residents that they live in Scranton

4 is not their permanent residence and they

5 are not paying the wage tax, so I mean it is

6 happening. I just don't know how we go

7 about investigation that.

8 MR. MINORA: I would --

9 MS. GATELLI: The tax collector.

10 MR. MINORA: I would refer to the

11 tax collector who has the ability to look at

12 returns and things of that nature and there

13 are crosschecks. There are crosschecks. If

14 you are truly outside of the city --

15 MS. GATELLI: I'm sure other people

16 have heard the same complaints.

17 MR. MINORA: So I don't that we have

18 any opportunity, we have authority to review

19 some of the things that the tax collector

20 might have collected so I would suggest that

21 we defer to him and pass it onto him.

22 MS. GATELLI: Thank you. Anyone else

23 on the question? All those in favor?

24 MS. EVANS: Aye.

25 MS. FANUCCI: Aye.

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1 MR. COURTRIGHT: Aye.

2 MR. MCGOFF: Aye.

3 MS. GATELLI: Opposed? The ayes

4 have it and so moved.

5 MS. GARVEY: 6-D. READING BY TITLE -

6 FILE OF COUNCIL NO. 75, 2007 - AN ORDINANCE

7 - AMENDING FILE OF THE COUNCIL NO. 11, 1976,

8 ENTITLED "AN ORDINANCE (AS AMENDED)

9 ENACTING, IMPOSING A TAX FOR GENERAL REVENUE

10 PURPOSES IN THE AMOUNT OF 2% ON EARNED

11 INCOME AND NET PROFITS ON PERSONS,

12 INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO

13 ARE RESIDENTS OF THE CITY OF SCRANTON, OR

14 NON-RESIDENTS OF THE CITY OF SCRANTON, FOR

15 WORK DONE, SERVICES PERFORMED OR BUSINESS

16 CONDUCTED WITHIN THE CITY OF SCRANTON,

17 REQUIRING THE FILING OF RETURNS BY TAX  
18 PAYERS SUBJECT TO THE TAX; REQUIRING  
19 EMPLOYERS TO COLLECT THE TAX AT SOURCE;  
20 PROVIDING FOR THE ADMINISTRATION, COLLECTION  
21 AND ENFORCEMENT OF THE SAID TAX; AND  
22 IMPOSING PENALTIES FOR THE VIOLATIONS", BY  
23 IMPOSING THE WAGE TAX AT 2.4% ON EARNED  
24 INCOME FOR THE YEAR 2007 FOR RESIDENTS."

25 MS. GATELLI: You have heard reading

.

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1 by Title of Item 6-D, what is your pleasure?

2 MR. COURTRIGHT: Move that Item 6-D

3 pass reading by title.

4 MS. FANUCCI: Second?

5 MS. GATELLI: On the question? All

6 those in favor? Aye.

7 MS. EVANS: Aye.

8 MS. FANUCCI: Aye.

9 MR. COURTRIGHT: Aye.

10 MR. MCGOFF: Aye.

11 MS. GATELLI: Opposed? The ayes

12 have it and so moved.

13 MS. GATELLI: 6-E. READING BY TITLE



14 - FILE OF COUNCIL NO. 76, 2007 - AN  
15 ORDINANCE - AMENDING FILE OF THE COUNCIL NO.  
16 100, 1976, ENTITLED "AN ORDINANCE (AS  
17 AMENDED) LEVYING GENERAL AND SPECIALTY TAXES  
18 FOR THE FISCAL YEAR 1977", BY SETTING THE  
19 MILLAGE FOR THE YEAR 2007.

20 MS. GATELLI: You have reading by

21 Title of Item 6-E, what is your pleasure?

22 MR. COURTRIGHT: Move that Item 6-E

23 pass reading by title.

24 MS. FANUCCI: Second.

25 MS. GATELLI: On the question?

.

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1 MS. EVANS: Yes. I think it's very

2 evident that we are paying at least

3 25 percent more for less services. We are

4 paying 25 percent more for often times an

5 administration that turns it's head to our

6 problems, problems in our homes, in our

7 neighborhoods, meanwhile though we do have

8 ongoing projects such as a bridge across a

9 gorge and a new forthcoming tree house, but

10 that doesn't help all of the people who came

11 before council and in their frustration and  
12 passion screamed for solutions, and I think  
13 what irritates me most about this situation  
14 is the fact that no cuts were made and to  
15 say that a 5 percent pay cut to certain  
16 management positions is sufficient it's not  
17 especially when there are positions that  
18 were created that aren't even necessary, and  
19 to say, "I'll cut capital expenditures,"  
20 well, that's insufficient, too, because  
21 there is also a capital budget. I just  
22 don't know how you can agree to increase the  
23 tax without ever having made an attempt to  
24 decrease your costs and without ever having  
25 made an attempt to look at new revenue  
.

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1 beyond I'm going to raise your taxes, so I

2 say, no.

3 MS. GATELLI: Anyone else on the

4 question? All those in favor? Aye.

5 MS. FANUCCI: Aye.

6 MR. MCGOFF: Aye.

7 MS. GATELLI: Opposed?

8 MR. COURTRIGHT: No.

9 MS. EVANS: No.

10 MS. GATELLI: The ayes have it and

11 so moved.

12 MS. GARVEY: 6-F. READING BY TITLE -

13 FILE OF COUNCIL NO. 77, 2007 - AN ORDINANCE

14 - AMENDING FILE OF THE COUNCIL NO. 17, 1994

15 ENTITLED "AN ORDINANCE (AS AMENDED)

16 AUTHORIZING THE GOVERNING BODY OF THE CITY

17 OF SCRANTON TO ENACT A "WASTE DISPOSAL AND

18 COLLECTION FEE" FOR THE PURPOSE OF RAISING

19 REVENUE TO COVER THE WASTE DISPOSAL AND

20 COLLECTION COSTS INCURRED BY THE CITY OF

21 SCRANTON FOR THE DISPOSAL OF REFUSE", BY

22 IMPOSING A WASTE DISPOSAL AND COLLECTION FEE

23 OF \$178.00 FOR CALENDAR YEAR 2007.

24 MS. GATELLI: We have heard reading

25 by title of Item 6-F, what is your pleasure?

.

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1 MR. COURTRIGHT: I move that Item

2 6-F pass reading by title.

3 MS. FANUCCI: Second.

4 MS. GATELLI: On the question? All

5 those in favor? Aye.

6 MS. EVANS: Aye.

7 MS. FANUCCI: Aye.

8 MR. COURTRIGHT: Aye.

9 MR. MCGOFF: Aye.

10 MS. GATELLI: Opposed? The ayes

11 have it and so moved.

12 MS. GARVEY: 6-G. READING BY TITLE -

13 FILE OF COUNCIL NO. 78, 2007 - AN ORDINANCE

14 - AMENDING FILE OF COUNCIL NO. 1- OF 2006

15 AMENDING FILE OF THE COUNCIL 95 OF 2005,

16 WHICH IN TURN AMENDED FILE OF COUNCIL NO. 9,

17 1976, ENTITLED "AN ORDINANCE ENACTING AND

18 IMPOSING A TAX FOR GENERAL REVENUE PURPOSES

19 ON INDIVIDUALS FOR THE PRIVILEGE OF ENGAGING

20 IN AN OCCUPATION WITHIN THE CORPORATE LIMITS

21 OF THE CITY OF SCRANTON" BY CHANGING THE

22 NAME OF THE TAX TO THE EMERGENCY MUNICIPAL

23 SERVICES TAX, INCREASING THE AMOUNT OF THE

24 WITHHOLDING TO \$52.00, AND DIRECTING THAT

25 THE REVENUE BY USED FOR POLICE, FIRE, OR

.

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1 EMERGENCY SERVICES OR FOR ROAD CONSTRUCTION

2 OR MAINTENANCE.

3 MS. GATELLI: You have heard reading  
4 by title of Item 6-G, what is your pleasure?

5 MR. COURTRIGHT: I move that Item6-G  
6 pass reading by title.

7 MS. FANUCCI: Second.

8 MS. GATELLI: On the question?

9 MS. EVANS: Yes, this was enacted in  
10 2004 I believe. Well, we are "X amount of  
11 years later and we still haven't fixed the  
12 payment schedule that's proper for those  
13 from whom this is being collected. We are  
14 still maintaining a \$12,000 threshold on  
15 this, meaning that those making under  
16 \$12,000 will receive a refund, I think we  
17 all know that ceiling needs to be extended.  
18 \$15,000 isn't a great deal of money to be  
19 able to expend \$52 on this tax, so I think  
20 the state on several issues needs to get  
21 it's act together.

22 MS. GATELLI: That's all.

23 MS. EVANS: Um-hum.

24 MS. GATELLI: I know that they were  
25 bringing it up again. It wasn't voted on in

1 December because they felt that the city's  
2 wouldn't have enough time to implement the  
3 changes but is on the agenda to be brought  
4 up and I think that it's incumbent upon this  
5 council to send a letter that we wish to see  
6 those changes.

7 MS. EVANS: We were -- I agree with  
8 you and we were supposed to have seen them  
9 in 2007 because that's what we were promised  
10 last year at this time and hopefully with so  
11 many new members maybe we will actually see  
12 some action.

13 MS. GATELLI: After the meeting we  
14 will have Kay compose a letter and we can  
15 all have some input with what it's saying.

16 I agree, too. It's not fair for the people  
17 on a low income. Anyone else on the  
18 question? All those in favor? Aye.

19 MS. FANUCCI: Aye.

20 MR. COURTRIGHT: Aye.

21 MR. MCGOFF: Aye.

22 MS. GATELLI: Opposed?

23 MS. EVANS: No.

24 MS. GATELLI: The ayes have it and

25 so moved.

.

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1 MS. GARVEY: Seventh order. 7-A. FOR

2 CONSIDERATION BY THE COMMITTEE ON RULES -

3 FOR ADOPTION - FILE OF COUNCIL NO. 71, 2006

4 - AUTHORIZING THE VACATION OF A PORTION OF

5 THE RIGHT-OF-WAY KNOWN AS GORGE STREET

6 CONSISTING OF AN AREA 165 FEET LONG AND 26

7 FEET WIDE IN THE CITY OF SCRANTON, AS MORE

8 PARTICULARLY DESCRIBED ON THE MAP ATTACHED

9 HERETO.

10 MS. GATELLI: As chairperson for the

11 Committee on Rules I recommend final passage

12 of 7-a.

13 MR. COURTRIGHT: Second.

14 MS. GATELLI: On the question? Roll

15 call.

16 MR. COOLICAN: Mrs. Evans.

17 MS. EVANS: Yes.

18 MR. COOLICAN: Mrs. Fanucci.

19 MS. FANUCCI: Yes.

20 MR. COOLICAN: Mr. McGoff.

21 MR. MCGOFF: Yes.

22 MR. COOLICAN: Mr. Courtright.

23 MR. COURTRIGHT: Yes.

24 MR. COOLICAN: Mrs. Gatelli.

25 MS. GATELLI: Yes. I hereby declare

.

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1 7-A legally and lawfully adopted.

2 MS. GARVEY: 7-B. FOR CONSIDERATION

3 BY THE COMMITTEE ON RULES - FOR ADOPTION -

4 RESOLUTION NO. 116, 2007 - AUTHORIZING THE

5 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS

6 TO EXECUTE AND ENTER INTO A RENEWAL OF THE

7 CITY'S STOP LOSS COVERAGE FOR MAJOR MEDICAL

8 HEALTH INSURANCE WITH AMERICAN FIDELITY

9 ASSURANCE COMPANY FOR 2007.

10 MS. GATELLI: As chairperson for the

11 Committee on Rules I recommend final passage

12 of 7-B.

13 MR. COURTRIGHT: Second.

14 MS. GATELLI: On the question? Roll

15 call.

16 MR. COOLICAN: Mrs. Evans.



17 MS. EVANS: Yes.

18 MR. COOLICAN: Mrs. Fanucci.

19 MS. FANUCCI: Yes.

20 MR. COOLICAN: Mr. McGoff.

21 MR. MCGOFF: Yes.

22 MR. COOLICAN: Mr. Courtright.

23 MR. COURTRIGHT: Yes.

24 MR. COOLICAN: Mrs. Gatelli.

25 MS. GATELLI: Yes. I declare Item

.

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1 7-B legally and lawfully passed.

2 MS. GARVEY: 7-C. FOR CONSIDERATION

3 BY THE COMMITTEE ON RULES - FOR ADOPTION -

4 RESOLUTION NO. 117, 2007 - AUTHORIZING THE

5 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS

6 TO EXECUTE AND ENTER INTO A CONTRACT FOR

7 PROFESSIONAL SERVICES WITH THE LAW FIRM OF

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

9 INCLUDING BUT NOT LIMITED TO GENERAL COUNSEL

10 TO THE OFFICE OF ECONOMIC AND COMMUNITY

11 DEVELOPMENT ("OECD"), URBAN RENEWAL PROCESS

12 AND PROCEDURE, EMINENT DOMAIN AND RELATED

13 LITIGATION, DISPOSITION OF SURPLUS URBAN

14 RENEWAL LANDS, TITLE SEARCHES AND DEED

15 PREPARATION.

16 MS. GATELLI: As chairperson for the

17 Committee on Rules I recommend final passage

18 of 7-C.

19 MS. FANUCCI: Second.

20 MS. GATELLI: On the question?

21 MS. EVANS: Yes. I think it's become

22 more than clear over the last five years

23 that Attorney Greco is the only individual

24 who is going to receive this position or

25 this contract. Steps were taken to push

.

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1 this into the right direction by seeking

2 proposals, but even the requirements of the

3 proposals are changed to suit Mr. Greco

4 specifically. Even without a contract

5 Mr. Greco can continue to work and I also

6 believe that if Mr. Greco were to exceed the

7 amount of this contract that would matter

8 not, he would still be paid and continue to

9 work so I would suggest the administration

10 should send down legislation just appointing

11 Mr. Greco permanently until such time as  
12 Mayor Doherty leaves office because I  
13 frankly don't believe you are ever going to  
14 see anyone else apply for this position or  
15 be appointed to this position and we need to  
16 stop wasting time and money. I really don't  
17 want to have my time wasted anymore.

18 MS. GATELLI: Just one, I just have a  
19 few comments on that. Mr. Greco did spend  
20 \$9,000 I believe above his \$100,000 of which  
21 he will not get paid. He will just have to  
22 eat that, as they say. Professional  
23 services do not have to be bid. The mayor  
24 is allowed to pick whomever he chooses to  
25 provide this particular service. When I

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1 worked in OECD we had two attorneys. We had  
2 an OECD attorney and we have an SRA attorney  
3 and I found that we kept them quite busy.  
4 As a matter of fact, Attorney Minora was one  
5 of the attorneys and he ate a lot of bills.  
6 We won't discuss that because I have always  
7 feel badly that --

8 MR. MINORA: It's a sore spot.

9 MS. GATELLI: It's just the nature  
10 of the beast in OECD, but that will be my  
11 reason for voting for this. I have told the  
12 mayor and Attorney Greco that he will not be  
13 paid over \$100,000 so if he goes over don't  
14 even think about it, so that is the reason I  
15 will be voting because I did work there, I  
16 know the necessity for it, the same thing  
17 happened when we there the same attorney  
18 kept getting it year after year after year  
19 and I don't know why that happens, but it  
20 happened when Mayor Connors was here, too,  
21 so it's the nature of the beast so to speak.

22 Anyone else?

23 MR. MCGOFF: No, you kind of -- it  
24 was just a point of clarification that I  
25 think Mrs. Krake mentioned that there was no

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1 amounts mentioned in the resolution but you  
2 did mention it.

3 MS. GATELLI: It is in there.

4 MR. MCGOFF: Well, it's not in

5 the --

6 MS. GATELLI: Oh, it's in the back

7 up. It's in the ordinance.

8 MR. MCGOFF: It is in the back up,

9 but it is \$100,000.

10 MS. EVANS: Though I'm pleased to

11 hear that he is eating the \$9,000 he has

12 made a half a million dollars off of us thus

13 far and by the time let us say 2009

14 concludes he will have made well over three

15 quarters of a million dollars from the city

16 of Scranton as a part-time attorney.

17 MS. GATELLI: And so did the lawyers

18 under Mayor Connors. Anyone else? All in

19 favor? Roll call, sorry.

20 MR. COOLICAN: Mrs. Evans.

21 MS. EVANS: No.

22 MR. COOLICAN: Mrs. Fanucci.

23 MS. FANUCCI: Yes.

24 MR. COOLICAN: Mr. McGoff.

25 MR. MCGOFF: Yes.

.

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1 MR. COOLICAN: Mr. Courtright.

2 MR. COURTRIGHT: No.

3 MR. COOLICAN: Mrs. Gatelli.

4 MS. GATELLI: Yes. I hereby declare

5 7-C legally and lawfully adopted.

6 MS. GARVEY: 7-D. FOR CONSIDERATION

7 BY THE COMMITTEE ON RULES - FOR ADOPTING -

8 RESOLUTION NO. 118, 2007 -- ACCEPTING AND

9 AGREEING TO MAINTAIN A TRAFFIC SIGNAL

10 LOCATED ON KEYSER AVENUE (S.R. 6307) AND THE

11 INTERSECTION OF KEYSER VILLAGE

12 DRIVEWAY/PRIVATE DRIVE IN THE CITY OF

13 SCRANTON PURSUANT TO THE REQUIREMENTS OF THE

14 COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF

15 TRANSPORTATION.

16 MS. GATELLI: What is the

17 recommendation of the chair on public works?

18 MR. MCGOFF: I recommend final

19 passage of Item 7-D.

20 MR. COURTRIGHT: Second.

21 MS. GATELLI: On the question. Roll

22 call.

23 MR. COOLICAN: Mrs. Evans.

24 MS. EVANS: Yes.

25 MR. COOLICAN: Mrs. Fanucci.

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1 MS. FANUCCI: Yes.

2 MR. COOLICAN: Mr. McGoff.

3 MR. MCGOFF: Yes.

4 MR. COOLICAN: Mr. Courtright.

5 MR. COURTRIGHT: Yes.

6 MR. COOLICAN: Mrs. Gatelli.

7 MS. GATELLI: Yes. I hereby declare

8 7-D legally and lawfully adopted.

9 MS. GARVEY: 7-E. FOR CONSIDERATION

10 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -

11 FOR ADOPTION - RESOLUTION NO. 119, 2007 -

12 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

13 CITY OFFICIALS FOR THE CITY OF SCRANTON TO

14 ENTER INTO A LOAN AGREEMENT AND MAKE A LOAN

15 FROM THE URBAN DEVELOPMENT ACTION GRANT

16 REPAYMENT LOAN PROGRAM, PROJECT N O. 400.29

17 IN AN AMOUNT NOT TO EXCEED \$250,000 TO DML

18 PROPERTIES, L.P. TO ASSIST AN ELIGIBLE

19 PROJECT.

20 MS. GATELLI: What is the

21 recommendation of the chair on Community

22 Development?

23 MS. FANUCCI: As chairperson for the  
24 Committee of Community Development I  
25 recommend final passage of 7-E.

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1 MR. COURTRIGHT: Second.

2 MS. GATELLI: On the question? Roll

3 call.

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Yes.

6 MR. COOLICAN: Mrs. Fanucci.

7 MS. FANUCCI: Yes.

8 MR. COOLICAN: Mr. McGoff.

9 MR. MCGOFF: Yes.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Yes.

12 MR. COOLICAN: Mrs. Gatelli.

13 MS. GATELLI: Yes. I hereby declare

14 7-E legally and lawfully adopted.

15 MS. GARVEY: 7-F. CONSIDERATION BY

16 THE COMMITTEE ON RULES - FOR ADOPTION -

17 RESOLUTION NO. 120, 2007 - RE-APPOINTMENT OF

18 JOHN F. KENNEDY, 829 NORTH IRVING AVENUE,

19 SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER



20 OF THE CITY PLANNING COMMISSION. MR.

21 KENNEDY'S CURRENT TERM EXPIRES ON DECEMBER

22 31, 2006 AND HIS NEW TERM WILL EXPIRE ON

23 DECEMBER 31, 2011.

24 MS. GATELLI: As chair for the

25 Committee on Rules I recommend final passage

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1 of 7-F.

2 MR. COURTRIGHT: Second.

3 MS. GATELLI: On the question? Roll

4 call.

5 MR. COOLICAN: Mrs. Evans.

6 MS. EVANS: Yes.

7 MR. COOLICAN: Mrs. Fanucci.

8 MS. FANUCCI: Yes.

9 MR. COOLICAN: Mr. McGoff.

10 MR. MCGOFF: Yes.

11 MR. COOLICAN: Mr. Courtright.

12 MR. COURTRIGHT: Yes.

13 MR. COOLICAN: Mrs. Gatelli.

14 MS. GATELLI: Yes. I hereby declare

15 7-F legally and lawfully adopted.

16 MS. GARVEY: 7-G. FOR CONSIDERATION

17 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
18 RESOLUTION NO. 121, 2007 - RE-APPOINTMENT OF  
19 EVE JONES, 1912 BOULEVARD AVENUE, SCRANTON,  
20 PENNSYLVANIA, 18509 AS A MEMBER OF THE CITY  
21 PLANNING COMMISSION. MR. JONES' CURRENT  
22 TERM EXPIRES ON DECEMBER 31, 2006 AND HIS  
23 NEW TERM WILL EXPIRE ON DECEMBER 31, 2011.

24 MS. GATELLI: As chair on the  
25 Committee of Rules I recommend final passage  
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1 of 7-g.

2 MR. COURTRIGHT: Second.

3 MS. GATELLI: On the question? Roll

4 call.

5 MR. COOLICAN: Mrs. Evans.

6 MS. EVANS: Yes.

7 MR. COOLICAN: Mrs. Fanucci.

8 MS. FANUCCI: Yes.

9 MR. COOLICAN: Mr. McGoff.

10 MR. MCGOFF: Yes.

11 MR. COOLICAN: Mr. Courtright.

12 MR. COURTRIGHT: Yes.

13 MR. COOLICAN: Mrs. Gatelli.

14 MS. GATELLI: Yes. I hereby declare

15 7-G legally and lawfully adopted.

16 MS. GARVEY: 7-H FOR CONSIDERATION BY

17 THE COMMITTEE ON RULES - FOR ADOPTION -

18 RESOLUTION NO. 122, 2007 - APPOINTMENT OF

19 MICHELLE DEMPSEY, 545 QUINCY AVENUE,

20 SCRANTON, PENNSYLVANIA, 18510, AS A MEMBER

21 OF THE HISTORICAL ARCHITECTURE REVIEW BOARD,

22 EFFECTIVE OCTOBER 11, 2006. MS. DEMPSEY

23 WILL BE REPLACING NELIDA AMADOR WHOSE TERM

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

25 TERM WILL EXPIRE ON OCTOBER 11, 2011.

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1 MS. GATELLI: As chair for the

2 Committee of Rules I recommend final passage

3 of 7-H.

4 MR. COURTRIGHT: Second.

5 MS. GATELLI: On the question? Roll

6 call.

7 MR. COOLICAN: Mrs. Evans.

8 MS. EVANS: Yes.

9 MR. COOLICAN: Mrs. Fanucci.

10 MS. FANUCCI: Yes.

11 MR. COOLICAN: Mr. McGoff.

12 MR. MCGOFF: Yes.

13 MR. COOLICAN: Mr. Courtright.

14 MR. COURTRIGHT: Yes.

15 MR. COOLICAN: Mrs. Gatelli.

16 MS. GATELLI: Yes. I hereby declare

17 7-H legally and lawfully adopted. I make a

18 motion to adjourn.

19 MR. COURTRIGHT: So moved.

20 MS. FANUCCI: Second.

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3 C E R T I F I C A T E

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5 I hereby certify that the proceedings and

6 evidence are contained fully and accurately in the

7 notes of testimony taken by me at the hearing of the

8 above-captioned matter and that the foregoing is a true

9 and correct transcript of the same to the best of my

10 ability.

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CATHENE S. NARDOZZI

14 OFFICIAL COURT REPORTER

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