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1 SCRANTON CITY COUNCIL MEETING

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5 Held:

6 Thursday, January 18, 2007

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9 Time:

10 6:30 p.m.

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13 Location:

14 Council Chambers

15 Scranton City Hall

16 340 North Washington Avenue

17 Scranton, Pennsylvania

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23 Lisa M. Graff, RMR

24 Court Reporter

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1 CITY OF SCRANTON COUNCIL:

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3 MS. JUDY GATELLI, COUNCIL PRESIDENT

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5 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

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7 MS. SHERRY NEALON FANUCCI

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9 MR. ROBERT MCGOFF

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11 MR. AMIL MINORA, ESQUIRE, SOLICITOR

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13 MS. KAY GARVEY, CITY CLERK

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15 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MS. GATELLI: Okay. Please stand

2 for the Pledge Of Allegiance. Please remain

3 standing for a moment of reflection. Roll

4 call.

5 MR. COOLICAN: Mrs. Evans. Mrs.

6 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. Please let the

14 record reflect that Mrs. Evans called in and

15 was unable to attend tonight's meeting.

16 Dispense with the reading of the minutes.

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

18 MINUTES OF THE VACANT PROPERTY REVIEW

19 COMMITTEE HELD ON SEPTEMBER 12, 2006.

20 MS. GATELLI: Are there any

21 comments? If not, received and filed.

22 MS. GARVEY: 3-B, APPLICATIONS AND

23 DECISIONS RENDERED BY THE ZONING HEARING

24 BOARD MEETING HELD ON JANUARY 10, 2007.

25 MS. GATELLI: Are there any

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1 comments? If not, received and filed.

2 MS. GARVEY: 3-C, AGENDA FOR THE

3 CITY PLANNING COMMISSION MEETING HELD ON

4 JANUARY 16, 2007.

5 MS. GATELLI: Are there any

6 comments? If not, received and filed.

7 MS. GARVEY: 3-D, AGENDA FOR THE

8 VACANT PROPERTY REVIEW COMMITTEE MEETING

9 HELD ON JANUARY 16, 2007.

10 MS. GATELLI: Are there any

11 comments? If not, received and filed.

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

13 MS. GATELLI: I just have a few

14 announcements. The first thing is, we'd
15 just like to reiterate that there will be no
16 food or drink allowed in Council chambers,
17 so please refrain.

18 Also, please turn off your cell
19 phones. And I would ask that anyone who has
20 a public meeting here to please refrain from
21 taking the chairs from up here and bringing
22 them down there, because some of them have
23 broken, and we noticed that some people are
24 leaning back on them when they're sitting
25 down there, and we're having a problem with
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1 the chairs. So, please, if you have a
2 public meeting here, do not remove the
3 chairs, just use the chairs around the table
4 and sit in the audience. We would request
5 that, please.

6 I'd like to have Kay set up a
7 proclamation, if no one objects. We had a
8 student at West Scranton High School on
9 Saturday, we had a wrestling match, and he
10 got his 100th win, which is very

11 outstanding. There aren't too many on that
12 list. And his name is Sean Barresse from
13 West Scranton High School. He had 100 wins
14 in wrestling. We'd like to congratulate
15 him.

16 Mark Seitzinger did a few things.

17 This week he cleaned up a mess at 1201
18 Pittston Avenue. He's having 228 Pittston
19 Avenue boarded up. He's going to inspect
20 420 Beech Street.

21 Also, if we can send a letter to Mr.

22 Parker. I got some complaints about the
23 Rockwell Avenue Bridge, that there's a
24 problem with that.

25 820 South Keyser has been abandoned

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1 for four to five years, and it's still a

2 mess.

3 I talked to Keith Williams. I told

4 you about Keith last week, that there were

5 some curb cut complaints, so Keith went out

6 and inspected them, and I have a list for

7 Kay. I'll give them to her after the

8 meeting. But just so you know that he did
9 go out and inspect those curb cuts. Keith
10 is with the Center for Independent Living.
11 Also, there's a property at 619
12 South Irving that needs to be cleaned up.
13 It was the property where the woman died of
14 the West Nile Virus, and there's also a
15 demolition company down near the farmer's
16 market, and if we can send Mike Wallace down
17 there, because it's becoming like a
18 junkyard. There's cranes, dumpsters and
19 tractor trailers all over that property.
20 Mr. Parker answered me about the
21 items that they pick up with the weekly
22 collections, so I am going to give that to
23 Mr. Brown and maybe he can get it into the
24 newspaper so that people will be aware of
25 what they will pick up.

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1 Most of the things can be picked up.
2 They just request that you call ahead of
3 time. I have a list of everything that was
4 picked up and the address in 2006.

5 Refrigerator, water heaters,
6 washers, dryers, bed frames, stoves, sinks,
7 metal cabinets, metal car parts. So, they
8 do pick up most items. They just request
9 that you call ahead of time, and I hope that
10 Mr. Brown can get this into The Scranton
11 Times so the public will be aware. All
12 right. And that's all I have. Does anybody
13 else have anything?

14 MR. MILLER: I just have a question
15 for Council. With all due respect, I know I
16 didn't sign in or anything, but I would like
17 to ask Council what the proper procedure is
18 for the Junior Council to speak.

19 MS. GATELLI: You --

20 MR. MINORA: You're going to be
21 treated the same as all the other citizen
22 participation. You will have three minutes
23 for on the agenda and three minutes at the
24 end for public comment, as I explained to
25 you in Council chambers.

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1 MR. MILLER: And, again, with all

2 due respect, but -- has been the format
3 since last February when we formed, we've
4 always spoke before citizens participation.
5 We're two separate formats, the
6 Junior Council and citizens participation,
7 so I just -- I don't feel it's right to have
8 us considered citizens participation, when
9 we are a separate body that sits up here,
10 and that's why we are here, to have a time
11 to come up to this podium and give our input
12 and ask questions, because that's why we are
13 here is to ask questions.
14 And this is a learning process for
15 us, we're here to learn, and to ask us to
16 come here and speak on agenda only, I don't
17 think would be appropriate for us because we
18 still are learning what's going on in this
19 city.
20 So, I would just like to ask Council
21 if perhaps they can consider making a motion
22 to add us to the agenda so we can avoid
23 this, because I don't think it's fair to
24 include us in the citizens participation
25 segment.

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1 MS. GATELLI: Okay. Thank you,

2 Doug. The first speaker is Andy Sbaraglia.

3 MR. SBARAGLIA: Andy Sbaraglia,

4 citizen of Scranton. Fellow Scrantonians,

5 I'm going to talk about the taxes, which is

6 on the agenda, the oppressive taxes that you

7 are imposing on the people.

8 Starting with the \$52, now the

9 25 percent real estate tax. And the

10 merchants in the city has gotten a

11 50 percent reduction in their taxes.

12 You have socked it to the poor

13 citizens of Scranton, for what reason, I

14 don't know, but obviously you have done

15 nothing to curtail the spending of this

16 administration or anything at all to help

17 the taxpayers.

18 You have lavished money on Central

19 City beyond. In fact, most of our trouble

20 now is because of the businesses in Central

21 City.

22 Money that could have been used for

23 a lot of things were poured into Central

24 City, and you sit by, all the Council.

25 The Councils before you are

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1 responsible for a lot of the problems, but

2 you have added to them. You have socked it

3 to the citizens of Scranton with your huge

4 tax increases. And there was no reason for

5 it.

6 You could have avoided them, but you

7 turned your back on the citizens of

8 Scranton. There was alternatives added to

9 it. Some of them were good, maybe all of

10 them couldn't be implemented, but you could

11 have used some of them to reduce the burden

12 upon the people.

13 And it's obvious you care little or

14 nothing, because it's going to go up and up

15 and up, and you do nothing to change it.

16 You just sit there, collect your

17 salaries and look at us and come up with

18 ridiculous things to do.

19 I'm very sorry, very sorry that you

20 think so little of your constituents that
21 you would sit by and let them suffer like
22 they're going -- they're going to lose their
23 homes because of this high taxes you're
24 imposing on them.

25 It's not everybody that makes

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1 \$40,000 a year or \$50,000 a year. I think
2 the average medium income in this city was
3 \$26,000. They just can't afford it.

4 And as you know, everything keeps
5 going up, all the utilities, the whole gamut
6 keeps going up.

7 And if you don't try to hold down
8 taxes to little as possible, then you do a
9 disservice to the citizens of Scranton.

10 That's all I have to say on that.

11 MS. GATELLI: Thank you. Fay

12 Franus.

13 MS. FRANUS: Fay Franus, Scranton.

14 I'd like to ask you about this appointment
15 to the recreation authority tonight.

16 I've asked this question before and

17 I really haven't gotten an answer. I don't
18 even know this person, but I understand the
19 mayor appoints these people.
20 I asked before, isn't there another
21 way that people can get on the Recreation
22 Authority without getting appointed by the
23 mayor?

24 And it's 2011. These people have
25 terms forever. And we can't get them off
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1 there, and it's, like, what are we supposed
2 to do? We go to these meetings and these
3 people are very arrogant.
4 I'm just asking, why does it have to
5 be that the mayor gets to appoint these
6 people to the Recreation Authority all the
7 time? Can't something else be done that the
8 average person could have a chance to be on
9 this authority? Do you have any say in this
10 whatsoever?

11 I mean, you're appointing these
12 people. You're giving -- you're passing a
13 law here saying this person is going to be

14 approved until 2011. So, how could you have
15 say in that and not have say in anything
16 else?

17 MS. GATELLI: The only say that the
18 Council has is for the zoning board.

19 MS. FRANUS: No, but why is it in
20 front of you tonight then for the Recreation
21 Authority?

22 MS. GATELLI: It's only to concur.
23 It's really not to appoint. Council only
24 concurs.

25 MS. FRANUS: Meaning? Saying it's
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1 fine with us?

2 MS. GATELLI: Yeah.

3 MS. FRANUS: What's the point?

4 MS. GATELLI: Well, even if we say
5 no, they still get appointed.

6 MS. FRANUS: I know, so what's the
7 point? It means nothing, is basically what
8 I'm saying.

9 MS. GATELLI: Yeah, you're right.

10 MS. FRANUS: My point is I think

11 this should be changed. How can we possibly
12 get someone on the Recreation Authority that
13 is not with the mayor, like him appointing
14 them. I mean, it's just ridiculous.

15 MS. GATELLI: I think it's in The
16 Home Rule Charter or The Administrative Code
17 that those are appointed by the mayor.

18 MS. FRANUS: And that's the way it
19 has to be, is my question.

20 MS. GATELLI: Unless we change The
21 Home Rule Charter.

22 MS. FRANUS: Who can change that?

23 MS. GATELLI: Well, they had a
24 commission years ago, but they didn't
25 approve of changing The Home Rule Charter.

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1 MS. FRANUS: It just goes on year
2 after year. And I wanted to ask about the
3 garbage tax.
4 Years ago, a couple years ago, we
5 never had to pay a garbage tax, because the
6 money we paid in our taxes paid for the
7 garbage tax.

8 All of a sudden now we have to pay
9 for the garbage tax. So, when are the
10 taxpayers going to get something for their
11 money, like their taxes again?
12 Why do we have to keep paying this
13 garbage tax? Because we used to pay for it
14 out of our taxes. So, why isn't it still
15 coming out of our taxes and not have this
16 garbage tax? Why?
17 I understand it was from an
18 arbitration or something. That was a long
19 time ago. That arbitration is long over
20 with.
21 If someone could answer that, why we
22 have to have this garbage tax. We pay
23 enough in taxes. Why can't you abolish this
24 garbage tax? Do something for the people.
25 Is that a possibility?

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1 MS. GATELLI: We could look into the
2 per bag fee. We tried to do that years ago
3 in the neighborhoods. We can try that
4 again, because a lot of the elderly don't

5 use a lot of garbage.

6 MS. FRANUS: That's me, one bag a

7 week. Well, what would it take to do that?

8 MS. GATELLI: We'd have to

9 investigate and see how you go about it and

10 see what other cities do, but we'll do that.

11 MS. FRANUS: Would you please?

12 MS. GATELLI: Yes.

13 MR. MINORA: Three minutes.

14 MS. FRANUS: And look into

15 something?

16 MS. GATELLI: Yes.

17 MS. FRANUS: Thank you.

18 MS. GATELLI: Thank you. Ron Elman.

19 MR. ELMAN: Well, you probably

20 didn't notice I hadn't been here in the last

21 two months because I just got tired of

22 beating my head on a stone wall, but my

23 legions of fans asked me to return.

24 I picked this up outside, and the

25 first things on the agenda are seven or

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16

1 eight subjects are tax increases. You

2 people are just detached from what's going
3 on in town.
4 You need to go right across the
5 street to that high-rise and knock on a
6 couple doors and you'll find some poor soul
7 that planned to live in the house after
8 their husband's death and had to give it up
9 because of taxes and insurance and so on.
10 Everything is doubled and tripled.
11 It's got to stop somewhere. You
12 keep on letting the mayor have his way with
13 loans and refinancing loans. Where is it
14 going to stop?
15 You sat right there and talked about
16 how your mother can't afford it, then you
17 voted for more money for all this, you know,
18 \$17 million or something. If you don't
19 terminate it now, it's just going to keep
20 going forever.
21 These people are going to have close
22 to \$600 million on the city and the county
23 and the school board when they want to buy a
24 house, and half the houses are probably 100
25 years old.

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1 Now, who in the world would want to
2 pay the taxes? Put a pencil to a piece of
3 paper. See what your taxes are going to be
4 in five, six years. They're going to be a
5 hundred percent increase from what they are
6 now. It's got to stop somewhere.
7 You know, I don't even care about
8 downtown. My neighborhood got houses that
9 are burned and abandoned and everything. I
10 got one block of Throop Street are five
11 houses that are abandoned right now. Young
12 people couldn't afford their loans.
13 Going down the street, there's three
14 apartments and two apartments. I'm talking
15 about a two block area of where I live.
16 That's what's happening.
17 I don't know how many of you people
18 ever been to Memphis, I just say Memphis,
19 because of, you know, it's a tourist
20 attraction because of Presley, but if you're
21 downtown, everything is torn down. There's
22 just blocks and blocks of empty space where

23 they tore down stuff and nobody rebuilt.

24 And Memphis is in a lot better

25 financial status than we are.

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1 MS. GATELLI: Mr. Elman, could you

2 stay on the agenda items, please? Please

3 stick to the agenda items.

4 MR. ELMAN: Oh, I'm sorry. Well, I

5 started out with this. I always get off the

6 subject. I'm sorry. Thank you.

7 MS. GATELLI: Thank you. Nancy

8 Krake.

9 MS. KRAKE: Good evening, Council.

10 On tonight's agenda, there are several items

11 that refer to taxing the citizens of

12 Scranton, but there's only one that's an

13 increase. That's 7-E.

14 It does not include the exact

15 millage, as do all the other agenda items.

16 Would someone on Council be kind enough to

17 tell us what that millage is and what

18 exactly the increase is?

19 MR. MCGOFF: Do you want a response

20 to that?

21 MS. KRAKE: I would, but that's

22 certainly your prerogative whether you

23 respond or not.

24 MR. MCGOFF: The millage is in the

25 backup items that we have here, and I can

19

1 find it for you. If you want, I will let

2 you know.

3 MS. KRAKE: Well, it's more than for

4 myself, since I work here, and I do deal

5 with this, I think the citizens of Scranton

6 would like to know.

7 MR. MCGOFF: I think it was

8 mentioned at one of the last meetings, but

9 like I said, when it's fifth order, I'll let

10 you know or I will announce what it is or

11 say what it is.

12 MS. KRAKE: Would you also be kind

13 enough to tell us the percentage in the

14 increase, if you're aware of that, since

15 three people here, Mrs. Fanucci, Mrs.

16 Gatelli and yourself, Mr. McGoff, all voted

17 for this --

18 MS. GATELLI: Do you have it,

19 Attorney Minora?

20 MR. MINORA: Yeah. On 7-E?

21 MS. KRAKE: Yes.

22 MR. MINORA: The living on land is

23 .103145. The levy on all buildings is

24 .022432.

25 MS. KRAKE: And the percentage

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20

1 increase?

2 MR. MINORA: It doesn't have that.

3 I'd have to --

4 MS. KRAKE: But it is an increase?

5 MR. MINORA: I'd have to know what

6 it was before, and I don't have that readily

7 available.

8 MS. KRAKE: It is an increase,

9 however, everyone would agree to that, and

10 it is the only one increased.

11 The mayor offered to increase the

12 real estate transfer tax, but Council did

13 not vote for that, instead they voted to use

14 the golf course money, once again, to help
15 businessmen, not homeowners.
16 The average citizen gets nothing
17 from this budget and has gotten nothing from
18 Mayor Doherty in the past six years, only
19 business people and corporations have gotten
20 anything from this administration.
21 And it's in black and white in this
22 agenda, and it will be here every week, and
23 we will bring it to everyone's attention
24 every week. Because as it unfolds, it's
25 going to be very clear when people receive
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1 their tax bills and to see who was saddled
2 with the mayor's borrowing and his mistakes
3 for the past six years. Thank you.
4 MS. GATELLI: Thank you. Lee
5 Morgan.
6 MR. MORGAN: Good evening, Council.
7 I have a request. I'd like to give it to
8 Mrs. Gatelli, please.
9 Okay. Mrs. Gatelli, what I've given
10 you is a request for all information on the

11 agenda in total for every subject this
12 Council is going to speak on from now on,
13 every supporting document, all the
14 information available.

15 And here's why I think that, I don't
16 see how anyone in this public can, and also
17 Council, can ever vote on anything because
18 you have no information. Now, me, I have
19 some idea, and the first thing I'd like to
20 talk about is the garbage fee.

21 We're going to stand here and we're
22 going to discuss a garbage fee, when some of
23 this money isn't used by the city for
24 tipping, and that's what that was originally
25 brought in to being for was to pay for the

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1 tipping fees for the landfills.
2 But what's been done to that money
3 is it's been put in the general revenue of
4 the city, so any money left over has been
5 used at the city's discretion.

6 But as far as all the rest of this
7 stuff on the agenda, I'd like to thank you

8 for changing the format here, because for
9 once we're going to see that we have a
10 rubber stamp Council that does nothing, and
11 they're trying to skirt the citizens.
12 And now what's going to happen is if
13 you furnish us with information, we will
14 have more information than you have, because
15 evidently you've come to this meeting many
16 times and voted on things you had no clue
17 what was going on. And I think it's wrong.
18 I think that so many people would
19 love to discuss what is on these agendas,
20 but how can you? We just asked a question.
21 Mr. McGoff said he thought it was discussed
22 prior. That's not even an answer.
23 Where are the figures? Where are
24 the numbers? Where is the supporting
25 documentation? Where is everything else?

23

1 There is none. Council votes with nothing.
2 It's all a rubber stamp agenda, and you've
3 been caught in your own traps. Thank you.
4 MS. GATELLI: Mrs. Garvey.

5 MS. GARVEY: 5-A, motions.

6 MS. GATELLI: Mrs. Fanucci.

7 MS. NEALON FANUCCI: I have a few

8 corrections and some comments to make that

9 were made in prior meetings. There were two

10 bar owners that were speaking out against

11 the ban, one being The Ground Round

12 supposedly.

13 This gentleman had called me, the

14 guy who runs The Ground Round, very upset

15 because he said he was misrepresented by a

16 disgruntled employee, and I promised him

17 that I would make sure that I spoke out on

18 this for him.

19 He is the owner and operator, and he

20 said he has not condoned this employee's

21 comments. He is definitely enforcing the

22 smoking ban. He is from New York City, has

23 no problem in the smoking ban, and has also

24 accommodated the New York City law, and he

25 wanted people to know that this is not

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24

1 something -- he does not condone breaking

2 laws.

3 He is part of our community here,

4 and he will be enforcing this law, and I

5 think that was pretty nice of him. He

6 didn't have to call and make sure that we

7 knew that, but he did.

8 In light of what's going on as far

9 as the state is concerned and how the

10 governor has come out today saying that he

11 will be trying to enforce a statewide ban,

12 we were speaking of a lot of changes and

13 what we can do to tweak this ordinance.

14 I know that we have -- had many

15 discussions on what we can do. From what

16 the information I received today, this will

17 be happening within the next four weeks that

18 it will be introduced. Now, whether or not

19 it passes or not is something that's left to

20 be seen.

21 I was in Harrisburg in the past

22 week, and there were many, many

23 representatives who are for this. It is

24 something that they seem to really have on

25 their agenda. A lot of them use them as

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1 platforms.

2 So, this is something that is

3 definitely on the table in the state, and I

4 just want to say if there is anybody out

5 there and we have a lot of support, that

6 maybe we can get some communication going on

7 and make sure that we make sure that they

8 know that we're supportive of the

9 legislation.

10 There was a few questions, and Mrs.

11 Shumaker is not here, so I will leave that

12 for her until next week, that she had asked

13 us to get answers for.

14 I also would like to speak -- last

15 week we had a very intense exchange here,

16 and I had received an E-mail that was saying

17 that we should have not supported the person

18 who was here and had the outburst, that we

19 should not have done anything to help him.

20 And I'd like to say publicly that it

21 was not about helping him, it was about

22 helping the community. Whether or not the

23 exchange was right or wrong, it was about
24 helping the people in the section that were
25 having flood damage. It really wasn't about
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1 a single person.

2 So, I stand by my decision. And
3 this was a very intense E-mail saying that
4 we really should not have responded and done
5 anything for this person.

6 I definitely don't condone the
7 behavior, but I understand the frustration,
8 and I'm happy to say that we wanted to make
9 sure that this gentleman was represented.

10 And it was not -- it was already on
11 the table before he had had his problem.

12 So, I want this person to know that this is
13 something that I'm going to stand by, and
14 I'm glad that we're trying to help him.

15 And I know that Mr. McGoff even has
16 some more information, I believe, on what
17 we're going to do tonight for that
18 gentleman.

19 There's an item on the agenda

20 tonight about a loan to a business, and I
21 know this seems to be a very tumultuous
22 situation every time we give money to a
23 business.

24 This -- I will -- when this comes up
25 for our vote, I will explain on the question

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1 what this business is and how they will be
2 increasing revenue and employees. And that
3 is all I have. Thank you.

4 MS. GATELLI: Thank you. Mr.

5 McGoff.

6 MR. MCGOFF: Pursuant to our
7 discussion the other -- last week concerning
8 putting a flood siren in lower Green Ridge,
9 I contacted OECD and talked to Sara
10 Hailstone, and she told me that what we
11 needed to do was to make a specific request
12 through OECD as to what would be erected,
13 what was needed in terms of placing a siren
14 there, where it would be placed, when it
15 would be placed, but to make a specific
16 request to OECD, and then they could then

17 determine what type of funding would be
18 available, what might be available through
19 UDAG funds or any other type of funding and
20 then respond to our request.

21 In an attempt to do that, I tried to
22 contact Mr. Hubbard. I was unable to do so.

23 Hopefully within the next week, I will be
24 able to contact someone from lower Green
25 Ridge area to get some specifications for

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1 what their request would be in terms of the
2 siren being placed there, and then a request
3 through City Council will be made to OECD
4 and other appropriate administration or
5 administrators. And hopefully by next week,
6 we will having something in motion to bring
7 that to some type of resolution.

8 If there is anybody that can get me
9 into contact with people, whether it's a
10 neighborhood association or Mr. Hubbard
11 himself or anyone else that's involved in
12 the lower Green Ridge area, I would be more
13 than happy to take a name, phone number,

14 whatever this evening.

15 Also, in the absence of Mrs. Evans,

16 in order to conduct business tonight, it's

17 necessary to have a temporary chair named

18 for finance just so that we can conduct

19 business.

20 With that, I would like to make a

21 motion to appoint Mrs. Fanucci as temporary

22 chair for finance for this evening's

23 meeting.

24 MR. COURTRIGHT: Second.

25 MS. GATELLI: On the question? All

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1 in favor.

2 MS. NEALON FANUCCI: Aye.

3 MR. MCGOFF: Aye.

4 MR. COURTRIGHT: Aye.

5 MS. GATELLI: Aye. Opposed? The

6 ayes have it and so moved.

7 MR. MCGOFF: That's all. Thank you.

8 MS. GATELLI: Thank you. Mr.

9 Courtright.

10 MR. COURTRIGHT: Thank you. I had

11 posed some questions that I forgot I even
12 posed to Mr. Barrett quite a while ago, back
13 in November, and he has given me the
14 answers.

15 What it was was the amount of money
16 that the city owes for the termination of
17 the contract with American Water Services,
18 and if they are, in fact, thinking of
19 privatizing the Sewer Authority again.

20 He had some information, and I'll
21 share it with anybody that wants to see it,
22 I'm not going to read the entire letter, in
23 regards to this feeling on what might and
24 might not be owed.

25 And as far as in regards to

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30

1 privatization, I'll read you that portion of
2 this, regarding privatization, the authority
3 has not considered this approach, since the
4 five-year contract with American Water ended
5 in the fall of 2004.

6 Certainly the authority would pursue
7 any opportunity that might be beneficial to

8 the ratepayers.

9 Lastly, I have discussed these

10 matters with the board, and I've been

11 instructed to inform you that the Scranton

12 Sewer Authority will gladly assist and

13 cooperate with Scranton and Dunmore to

14 resolve your financial obligations.

15 Effectively, our ratepayers and your

16 taxpayers are one in the same; therefore,

17 solutions to common problems should be the

18 order of the day. And that's signed Mr.

19 Barrett. So, I thank Mr. Barrett for

20 getting back to me on that.

21 A Mr. Polk called me today, I

22 haven't spoken to him in about three years,

23 with a problem he had on Hickory Street with

24 a catch basin, and I had thought it had been

25 resolved, because I asked to have it fixed

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31

1 three years ago, and it hadn't been.

2 So, Kay graciously called Mr. Parker

3 for me. He checked Mr. Matthews -- Mr.

4 Polk, I hope you're watching, because I

5 threw your number out, she talked to Mr.

6 Parker. It's not on Mr. Matthews' list to

7 fix, but he made him put it on his list and

8 it will be fixed hopefully in the near

9 future. I don't have an exact date for you,

10 but hopefully that will be taken care of

11 shortly.

12 This week I made my way down to the

13 mayor's office, but he wasn't in. I believe

14 he was at the inauguration for the governor.

15 I was asking about the project on Main

16 Avenue which would run from Jackson Street

17 to Luzerne Street, curbs, lighting,

18 sidewalks, et cetera.

19 And I just asked his secretary if,

20 you know, if she could ask him if he plans

21 on moving forward and helping the people in

22 West Scranton, and if he doesn't plan on

23 helping the people in West Scranton, to just

24 let me know. So, hopefully I will get a

25 response soon.

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32

1 As far as responses go, Kay, I asked

2 about -- I did not see in the budget that
3 there was any money for police cars, and I
4 wasn't quite sure who to send the letter to,
5 so we sent it to Mr. Kresefski, Mr. Hayes
6 and Mr. Elliott.

7 And did I -- I don't think I got any
8 response from anyone, did I?

9 MS. GARVEY: No response yet.

10 MR. COURTRIGHT: All right. Maybe
11 if I don't get something by the end of the
12 week, we can just send that letter out
13 again.

14 I sent it to all three because I
15 wasn't quite sure who was going to be able
16 to answer that for me. It might be in the
17 budget, but I simply can't find it.

18 And one last item, I seem to be the
19 lucky one getting all the negative phone
20 calls for the smoking ban.

21 And I mentioned last week that I'd
22 like to see a committee that will consist of
23 the director of public safety, the police
24 chief, the fire chief, our solicitor, the
25 city solicitor, most certainly Mr. Fiorini,

1 because he's in charge of licensing and
2 inspection, and members from the bars in the
3 area and members from the restaurants to see
4 if, in fact, there were some suggestions
5 that we needed to make amendments.

6 And as Mrs. Fanucci said, it seems
7 to be on a fast track for the governor, so
8 maybe this will be a moot point and we won't
9 need it, but the other members agreed to sit
10 down and try to talk with these people that
11 have suggestions.

12 So, maybe I'll just work with Mr.
13 Minora and see how we go about doing that,
14 and hopefully we won't have to. Hopefully
15 it will be done by the governor and it will
16 be statewide and we won't have to worry
17 about it anymore. And that's all I have.

18 Thank you.

19 MS. GATELLI: Thank you. I just
20 wanted -- I just had a suggestion, Bill.
21 The police cars, I know there are grants, so
22 maybe we can ask the grant -- and also in

23 North Scranton, I know that Dr. Minora,
24 Barry Minora, was very instrumental getting
25 that whole project done, not that there were
.
34

1 a lot of grants there. So, maybe you'd want
2 to get a hold of him.

3 MR. COURTRIGHT: I had went to Dr.

4 Minora first, and when I -- when Mr.

5 McTiernan was still here, we went in to see

6 Mr. Doherty, and I spoke to him about Mr.

7 Minora, and he said that we probably

8 wouldn't need to do it that way if we got

9 the Congressman involved.

10 And when Congressman Kanjorski came,

11 he was more than willing to help us. So,

12 not that we don't want Mr. Minora's help,

13 I'll take anybody's help, I just need to get

14 the mayor to tell me whether he's going to

15 push ahead with it or not, because certainly

16 Mr. Minora or a Congressman or anybody is

17 not going to do anything if it doesn't start

18 here with us. Thank you.

19 MS. GATELLI: He did an excellent

20 job.

21 MR. COURTRIGHT: I give him all the

22 credit in the world for that back there.

23 MS. GATELLI: Okay. Mrs. Garvey.

24 MS. GARVEY: 5-B - FOR INTRODUCTION

25 - A RESOLUTION - AUTHORIZING THE MAYOR AND

35

1 OTHER APPROPRIATE CITY OFFICIALS FOR THE

2 CITY OF SCRANTON TO ENTER INTO A LOAN

3 AGREEMENT AND MAKE A LOAN FROM THE

4 COMMERCIAL INDUSTRIAL LOAN PROGRAM, PROJECT

5 NO. 150.7 IN AN AMOUNT NOT TO EXCEED

6 \$40,000.00 TO IPANEMA GRILL INC. TO ASSIST

7 AN ELIGIBLE PROJECT.

8 MS. GATELLI: At this time I'll

9 entertain a motion that 5-B be introduced

10 into its proper committee.

11 MR. COURTRIGHT: So moved.

12 MS. NEALON FANUCCI: Second.

13 MS. GATELLI: On the question?

14 MS. NEALON FANUCCI: Yes. I'd like

15 to give some stats on this. This is a

16 business that is over in the -- well, let's

17 say the Providence Square part of town which

18 is nice. It is a community small business.

19 They've been in business for 24 years --

20 well, the owner has experience in the food

21 industry for 24 years.

22 The purpose of the loan is for new

23 kitchen equipment, and it is an industrial

24 loan for \$40,000, as we've said, and it's

25 ten years that they have to pay it back, and

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36

1 they will hire two additional people with

2 the equivalent, and that is part of the

3 state law, how much they borrow is how much

4 they have to -- how many people they have to

5 hire. So, it all is done by the state.

6 And we want to wish them luck and

7 say they're going to expand their kitchen,

8 so everybody please go over and give them

9 some great business. Thank you.

10 MS. GATELLI: Anyone else? All in

11 favor.

12 MS. NEALON FANUCCI: Aye.

13 MR. MCGOFF: Aye.

14 MR. COURTRIGHT: Aye.

15 MS. GATELLI: Aye. Opposed? The

16 ayes have it and so moved.

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

18 A RESOLUTION - AUTHORIZING THE MAYOR AND

19 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE

20 AND ENTER INTO A SUPPLEMENTAL REIMBURSEMENT

21 AGREEMENT NO. 040809-D WITH THE COMMONWEALTH

22 OF PENNSYLVANIA, DEPARTMENT OF

23 TRANSPORTATION REGARDING THE LACKAWANNA

24 AVENUE BRIDGE PROJECT TO ALLOW FOR AN

25 INCREASE IN DESIGN, UTILITY, RIGHT OF WAY

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37

1 AND CONSTRUCTION COSTS.

2 MS. GATELLI: At this time I'll

3 entertain a motion that Item 5-C be

4 introduced.

5 MR. COURTRIGHT: So moved.

6 MS. NEALON FANUCCI: Second.

7 MS. GATELLI: On the question? All

8 those in favor.

9 MS. NEALON FANUCCI: Aye.

10 MR. MCGOFF: Aye.

11 MR. COURTRIGHT: Aye.

12 MS. GATELLI: Aye. Opposed? The

13 ayes have it and so moved.

14 MS. GARVEY: Sixth order. No

15 business at this time. Seventh order. 7-A,

16 FOR CONSIDERATION BY THE COMMITTEE ON

17 FINANCE - FOR ADOPTION - FILE OF THE COUNCIL

18 NO. 72, 2007 - AMENDING FILE OF COUNCIL NO.

19 6 1976 ENTITLED AN ORDINANCE (AS AMENDED)

20 IMPOSING A TAX FOR GENERAL REVENUE PURPOSES

21 ON THE TRANSFER OF REAL PROPERTY SITUATE

22 WITHIN THE CITY OF SCRANTON; PRESCRIBING AND

23 REGULATING THE METHOD OF EVIDENCING THE

24 PAYMENT OF SUCH TAX; CONFERRING POWERS AND

25 IMPOSING DUTIES UPON CERTAIN PERSONS, AND

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38

1 PROVIDING PENALTIES, BY IMPOSING THE RATE OF

2 THE REALTY TRANSFER TAX AT 2.5% FOR THE

3 CALENDAR YEAR 2007.

4 MS. GATELLI: What is the

5 recommendation of the chair on finance?

6 MS. NEALON FANUCCI: As temporary

7 chair of the committee on finance, I

8 recommend final passage of Item 7-A.

9 MR. COURTRIGHT: Second.

10 MS. GATELLI: On the question? Roll

11 call.

12 MR. COOLICAN: Mrs. Evans. Mrs.

13 Fanucci.

14 MS. NEALON FANUCCI: Yes.

15 MR. COOLICAN: Mr. McGoff.

16 MR. MCGOFF: Yes.

17 MR. COOLICAN: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MR. COOLICAN: Mrs. Gatelli.

20 MS. GATELLI: Yes. I hereby declare

21 Item 7-A legally and lawfully adopted.

22 MS. GARVEY: 7-B, FOR CONSIDERATION

23 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

24 FILE OF COUNCIL NO. 73, 2007 - AMENDING FILE

25 OF THE COUNCIL NO. 7, 1976 ENTITLED AN

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39

1 ORDINANCE (AS AMENDED) IMPOSING A MERCANTILE

2 LICENSE TAX OF 2 MILLS FOR THE YEAR 1976 AND

3 ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN

4 CERTAIN OCCUPATIONS AND BUSINESSES THEREIN;

5 PROVIDING FOR ITS LEVY AND COLLECTION AND
6 FOR THE ISSUANCE OF MERCANTILE LICENSES;
7 CONFERRING AND IMPOSING POWERS AND DUTIES
8 UPON THE TAX COLLECTOR OF THE CITY OF
9 SCRANTON; AND IMPOSING PENALTIES, BY
10 IMPOSING THE MERCANTILE LICENSE TAX AT 1
11 MILL FOR CALENDAR YEAR 2007.

12 MS. GATELLI: What is the
13 recommendation of the chair on finance?

14 MS. NEALON FANUCCI: As chairperson
15 for the committee on finance, I recommend
16 final passage of Item 7-B.

17 MR. COURTRIGHT: Second.

18 MS. GATELLI: On the question? Roll
19 call.

20 MR. COOLICAN: Mrs. Evans. Mrs.
21 Fanucci.

22 MS. NEALON FANUCCI: Yes.

23 MR. COOLICAN: Mr. McGoff.

24 MR. MCGOFF: Yes.

25 MR. COOLICAN: Mr. Courtright.

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1 MR. COURTRIGHT: Yes.

2 MR. COOLICAN: Mrs. Gatelli.

3 MS. GATELLI: Yes. I hereby declare

4 Item 7-B legally and lawfully adopted.

5 MS. GARVEY: 7-C, FOR CONSIDERATION

6 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

7 FILE OF COUNCIL NO. 74, 2007 - AMENDING FILE

8 OF THE COUNCIL NO. 8, 1976 ENTITLED AN

9 ORDINANCE (AS AMENDED) PROVIDING FOR THE

10 GENERAL REVENUE BY IMPOSING A TAX AT THE

11 RATE OF 2 MILL UPON THE PRIVILEGE OF

12 OPERATING OR CONDUCTING BUSINESS IN THE CITY

13 OF SCRANTON AS MEASURED BY THE GROSS

14 RECEIPTS THEREFROM; REQUIRING REGISTRATION

15 AND PAYMENT OF THE TAX AS CONDITION TO THE

16 CONDUCTING OF SUCH BUSINESS; PROVIDING FOR

17 THE LEVY AND COLLECTION OF SUCH TAX;

18 PRESCRIBING SUCH REQUIREMENTS FOR RETURNS

19 AND RECORDS; CONFERRING POWERS AND DUTIES

20 UPON THE TAX COLLECTOR; AND IMPOSING

21 PENALTIES, BY IMPOSING THE BUSINESS

22 PRIVILEGE TAX AT THE RATE OF 1 MILL FOR

23 CALENDAR YEAR 2007.

24 MS. GATELLI: What is the

25 recommendation of the chair on finance?

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1 MS. NEALON FANUCCI: As chairperson

2 for the committee on finance, I recommend

3 final passage of Item 7-C.

4 MR. COURTRIGHT: Second.

5 MS. GATELLI: On the question? Roll

6 call.

7 MR. COOLICAN: Mrs. Evans. Mrs.

8 Fanucci.

9 MS. NEALON FANUCCI: Yes.

10 MR. COOLICAN: Mr. McGoff.

11 MR. MCGOFF: Yes.

12 MR. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Yes.

14 MR. COOLICAN: Mrs. Gatelli.

15 MS. GATELLI: Yes. I hereby declare

16 Item 7-C legally and lawfully adopted.

17 MS. GARVEY: 7-D, FOR CONSIDERATION

18 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

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

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

21 ENTITLED AN ORDINANCE (AS AMENDED) ENACTING,

22 IMPOSING A TAX FOR GENERAL REVENUE PURPOSES

23 IN THE AMOUNT OF 2% ON EARNED INCOME AND NET

24 PROFITS ON PERSONS, INDIVIDUALS,

25 ASSOCIATIONS AND BUSINESSES WHO ARE

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42

1 RESIDENTS OF THE CITY OF SCRANTON, OR

2 NON-RESIDENTS OF THE CITY OF SCRANTON, FOR

3 WORK DONE, SERVICES PERFORMED OR BUSINESS

4 CONDUCTED WITHIN THE CITY OF SCRANTON,

5 REQUIRING THE FILING OF RETURNS BY TAXPAYERS

6 SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO

7 COLLECT THE TAX AT SOURCE; PROVIDING FOR THE

8 ADMINISTRATION, COLLECTION AND ENFORCEMENT

9 OF THE SAID TAX; AND IMPOSING PENALTIES FOR

10 THE VIOLATIONS, BY IMPOSING THE WAGE TAX AT

11 2.4% ON EARNED INCOME FOR THE YEAR 2007 FOR

12 RESIDENTS.

13 MS. GATELLI: What is the

14 recommendation of the chair on finance?

15 MS. NEALON FANUCCI: As the

16 chairperson for the committee on finance, I

17 recommend final passage of Item 7-D.

18 MR. COURTRIGHT: Second.

19 MS. GATELLI: On the question? Roll

20 call.

21 MR. COOLICAN: Mrs. Evans. Mrs.

22 Fanucci.

23 MS. NEALON FANUCCI: Yes.

24 MR. COOLICAN: Mr. McGoff.

25 MR. MCGOFF: Yes.

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1 MR. COOLICAN: Mr. Courtright.

2 MR. COURTRIGHT: Yes.

3 MR. COOLICAN: Mrs. Gatelli.

4 MS. GATELLI: Yes. I hereby declare

5 Item 7-D legally and lawfully adopted.

6 MS. GARVEY: 7-E, FOR CONSIDERATION

7 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

8 FILE OF COUNCIL NO. 76, 2007 - AN ORDINANCE

9 - AMENDING FILE OF THE COUNCIL NO. 100,

10 1976, ENTITLED AN ORDINANCE (AS AMENDED)

11 LEVYING GENERAL AND SPECIAL TAXES FOR THE

12 FISCAL YEAR 1977, BY SETTING THE MILLAGE FOR

13 THE YEAR 2007.

14 MS. GATELLI: What is the

15 recommendation of the chair on finance?

16 MS. NEALON FANUCCI: As

17 recommendation of the chair on finance, I

18 recommend final passage of Item 7-E.

19 MR. COURTRIGHT: Second.

20 MS. GATELLI: On the question? Roll

21 call.

22 MR. COOLICAN: Mrs. Evans. Mrs.

23 Fanucci.

24 MS. NEALON FANUCCI: Yes.

25 MR. COOLICAN: Mr. McGoff.

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1 MR. MCGOFF: Yes.

2 MR. COOLICAN: Mr. Courtright.

3 MR. COURTRIGHT: No.

4 MR. COOLICAN: Mrs. Gatelli.

5 MS. GATELLI: Yes. I hereby declare

6 Item 7-E legally and lawfully adopted.

7 MS. GARVEY: 7-F, FOR CONSIDERATION

8 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

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

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

11 ENTITLED AN ORDINANCE (AS AMENDED)

12 AUTHORIZING THE GOVERNING BODY OF THE CITY

13 OF SCRANTON TO ENACT A WASTE DISPOSAL AND

14 COLLECTION FEE FOR THE PURPOSE OF RAISING
15 REVENUE TO COVER THE WASTE DISPOSAL AND
16 COLLECTION COSTS INCURRED BY THE CITY OF
17 SCRANTON FOR THE DISPOSAL OF REFUSE, BY
18 IMPOSING A WASTE DISPOSAL AND COLLECTION FEE
19 OF \$178.00 FOR CALENDAR YEAR 2007.

20 MS. GATELLI: What is the
21 recommendation of the chair on finance?

22 MS. NEALON FANUCCI: As the
23 chairperson on finance, I recommend final
24 passage of Item 7-F.

25 MR. COURTRIGHT: Second.

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1 MS. GATELLI: On the question? Roll
2 call.

3 MR. COOLICAN: Mrs. Evans. Mrs.
4 Fanucci.

5 MS. NEALON FANUCCI: Yes.

6 MR. COOLICAN: Mr. McGoff.

7 MR. MCGOFF: Yes.

8 MR. COOLICAN: Mr. Courtright.

9 MR. COURTRIGHT: Yes.

10 MR. COOLICAN: Mrs. Gatelli.

11 MS. GATELLI: Yes. I hereby declare

12 Item 7-F legally and lawfully adopted.

13 MS. GARVEY: 7-G, FOR CONSIDERATION

14 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

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

16 - AMENDING FILE OF THE COUNCIL NO. 10 OF

17 2006, AMENDING FILE OF THE COUNCIL 95 OF

18 2005, WHICH IN TURN AMENDED FILE OF COUNCIL

19 NO. 9, 1976 ENTITLED AN ORDINANCE ENACTING

20 AND IMPOSING A TAX FOR GENERAL REVENUE

21 PURPOSES ON INDIVIDUALS FOR THE PRIVILEGE OF

22 ENGAGING IN AN OCCUPATION WITHIN THE

23 CORPORATE LIMITS OF THE CITY OF SCRANTON BY

24 CHANGING THE NAME OF THE TAX TO THE

25 EMERGENCY MUNICIPAL SERVICES TAX, INCREASING

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46

1 THE AMOUNT OF THE WITHHOLDING TO \$52.00, AND

2 DIRECTING THAT THE REVENUE BE USED FOR

3 POLICE FIRE, OR EMERGENCY SERVICES OR FOR

4 ROAD CONSTRUCTION OR MAINTENANCE.

5 MS. GATELLI: What is the

6 recommendation of the chair on finance?

7 MS. NEALON FANUCCI: As chairperson

8 for the committee on finance, I recommend

9 final passage of Item 7-G.

10 MR. COURTRIGHT: Second.

11 MS. GATELLI: On the question? Roll

12 call.

13 MR. COOLICAN: Mrs. Evans. Mrs.

14 Fanucci.

15 MS. NEALON FANUCCI: Yes.

16 MR. COOLICAN: Mr. McGoff.

17 MR. MCGOFF: Yes.

18 MR. COOLICAN: Mr. Courtright.

19 MR. COURTRIGHT: Yes.

20 MR. COOLICAN: Mrs. Gatelli.

21 MS. GATELLI: Yes. I hereby declare

22 Item 7-G legally and lawfully adopted.

23 MS. GARVEY: 7-H, FOR CONSIDERATION

24 BY THE COMMITTEE ON RULES - FOR ADOPTION -

25 RESOLUTION NO. 123, 2007 - RE-APPOINTMENT OF

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47

1 ROBERT WAGNER, 1731 CAPOUSE AVENUE,

2 SCRANTON, PENNSYLVANIA, 18509, AS A MEMBER

3 OF THE SCRANTON REDEVELOPMENT AUTHORITY.

4 MR. WAGNER'S TERM EXPIRED ON FEBRUARY 4,

5 2006 AND HIS NEW TERM WILL EXPIRE ON

6 FEBRUARY 4, 2011.

7 MS. GATELLI: As chair for the

8 committee on rules, I recommend final

9 passage of Item 7-H.

10 MR. COURTRIGHT: Second.

11 MS. GATELLI: On the question? Roll

12 call.

13 MR. COOLICAN: Mrs. Evans. Mrs.

14 Fanucci.

15 MS. NEALON FANUCCI: Yes.

16 MR. COOLICAN: Mr. McGoff.

17 MR. MCGOFF: Yes.

18 MR. COOLICAN: Mr. Courtright.

19 MR. COURTRIGHT: Yes.

20 MR. COOLICAN: Mrs. Gatelli.

21 MS. GATELLI: Yes. I hereby declare

22 Item 7-H legally and lawfully adopted.

23 MS. GARVEY: 7-I, FOR CONSIDERATION

24 BY THE COMMITTEE ON RULES - FOR ADOPTION -

25 RESOLUTION NO. 124, 2007 - APPOINTMENT OF

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48

1 MARCIE HERMAN RIEBE, 1315 SANDERSON AVENUE,

2 SCRANTON, PENNSYLVANIA, 18509, TO THE
3 SCRANTON RECREATION AUTHORITY. MRS. RIEBE
4 WILL BE FULFILLING THE TERM OF JOSEPH
5 O'CONNOR AND HER TERM WILL EXPIRE ON MARCH
6 1, 2011.

7 MS. GATELLI: As chair for the
8 committee on rules, I recommend final
9 passage of Item 7-I.

10 MR. COURTRIGHT: Second.

11 MS. GATELLI: On the question? Roll
12 call.

13 MR. COOLICAN: Mrs. Evans. Mrs.
14 Fanucci.

15 MS. NEALON FANUCCI: Yes.

16 MR. COOLICAN: Mr. McGoff.

17 MR. MCGOFF: Yes.

18 MR. COOLICAN: Mr. Courtright.

19 MR. COURTRIGHT: Yes.

20 MR. COOLICAN: Mrs. Gatelli.

21 MS. GATELLI: Yes. I hereby declare
22 Item 7-I legally and lawfully adopted.

23 MS. GARVEY: 7-J, FOR CONSIDERATION

24 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -

25 FOR ADOPTION - RESOLUTION NO. 125, 2007 -

1 ACCEPTING THE RECOMMENDATION OF THE
2 HISTORICAL ARCHITECTURE REVIEW BOARD (HARB)
3 AND APPROVING THE CERTIFICATE OF
4 APPROPRIATENESS FOR HARTLEY & ESGRO
5 WATERPROOFING CO., INC., 312 S. SHERMAN
6 AVENUE, SCRANTON, PA 18504 FOR MASONRY
7 REPAIR ON THE SCRANTON LIFE BUILDING, 538
8 SPRUCE STREET, SCRANTON.

9 MS. GATELLI: What is the
10 recommendation of the chair on community
11 development?

12 MS. NEALON FANUCCI: As chair on the
13 committee on community development, I
14 recommend final passage of Item 7-J.

15 MR. COURTRIGHT: Second.

16 MS. GATELLI: On the question? Roll
17 call.

18 MR. COOLICAN: Mrs. Evans. Mrs.
19 Fanucci.

20 MS. NEALON FANUCCI: Yes.

21 MR. COOLICAN: Mr. McGoff.

22 MR. MCGOFF: Yes.

23 MR. COOLICAN: Mr. Courtright.

24 MR. COURTRIGHT: Yes.

25 MR. COOLICAN: Mrs. Gatelli.

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1 MS. GATELLI: Yes. I hereby declare

2 Item 7-J legally and lawfully adopted.

3 MS. GARVEY: 7-K, FOR CONSIDERATION

4 BY THE COMMITTEE ON RULES - FOR ADOPTION -

5 RESOLUTION NO. 126, 2007 - AUTHORIZING THE

6 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS

7 TO EXECUTE AND ENTER INTO A CONTRACT FOR

8 INSURANCE WITH HARIE INSURANCE EXCHANGE,

9 NATIONAL CASUALTY, PHILADELPHIA INSURANCE

10 COMPANY AND CONTINENTAL CASUALTY COMPANY FOR

11 THE CITY INSURANCE COVERAGES FOR THE PERIOD

12 JANUARY 1, 2007 THROUGH JANUARY 1, 2008.

13 MS. GATELLI: As chair for the

14 committee on rules, I recommend final

15 passage of Item 7-K.

16 MR. COURTRIGHT: Second.

17 MS. GATELLI: On the question? Roll

18 call.

19 MR. COOLICAN: Mrs. Evans. Mrs.

20 Fanucci.

21 MS. NEALON FANUCCI: Yes.

22 MR. COOLICAN: Mr. McGoff.

23 MR. MCGOFF: Yes.

24 MR. COOLICAN: Mr. Courtright.

25 MR. COURTRIGHT: Yes.

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1 MR. COOLICAN: Mrs. Gatelli.

2 MS. GATELLI: Yes. I hereby declare

3 Item 7-K legally and lawfully adopted.

4 MS. GARVEY: Eighth order. Citizens

5 participation II, general city issues.

6 MS. GATELLI: Douglas Miller.

7 MR. MILLER: Good evening, Council,

8 Doug Miller. I, again, would just like to

9 reiterate on what I said before about the

10 Junior Council speaking.

11 Again, I don't think it's right that

12 we're included in the citizens participation

13 segment of this meeting. I think there

14 should be a time set aside for us to present

15 what we have on whatever meeting we're at

16 here.

17 And I just want to ask a question.

18 It comes to my attention it was brought up
19 that there was an ordinance or a law that
20 says that the Junior Council has to speak in
21 citizens participation. I don't know if
22 that's true or not, and if it is, could
23 someone possibly answer that for me, that we
24 have to follow the same rules of Council,
25 the meeting, speaking-wise?

52

1 MS. GATELLI: No. I don't think
2 there are any rules for the Junior Council.

3 MR. MINORA: You've established a
4 rule for citizen participation.

5 MS. GATELLI: Pardon? I can't hear
6 you.

7 MR. MINORA: I said there's a rule
8 established for citizens participation. The
9 rule applies to anybody addressing Council.
10 The exception -- there aren't any exception
11 to the rule, otherwise it wouldn't a rule,
12 it would be a mere suggestion.

13 So, Junior Council should abide by

14 the same rules as everybody else in
15 addressing Council during the citizen
16 participation portion of the meeting.

17 MR. MILLER: Yeah, and that's the
18 problem that I do have is that we're not
19 citizens participation, we're a Junior
20 Council and we're here.

21 We sit up here with City Council to
22 address issues and ask questions. That's
23 why we're here, to ask questions, because
24 we're still learning here. That's why we're
25 here.

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1 So, to make us speak on the agenda,
2 when honestly, you know, we really can't
3 because it's stuff we don't understand. And
4 we're learning. That's why we're here, to
5 learn what's on the agenda and then ask
6 questions.

7 So, to say that we need to follow
8 the same regulations as citizens, I just
9 don't think it's right. Again, I ask
10 Council to please consider making a motion

11 to set aside a certain time for us to speak.
12 And, again, too, just one more thing
13 regarding this, I believe at the school
14 board meetings, time is set aside for
15 student representatives that represent their
16 respected school, and they speak on issues
17 regarding their school, and time is set
18 aside for them. So I don't understand why
19 we just can't do that here. I'm going to
20 move on. You know, I don't want to use my
21 three minutes up.

22 The City of Wilkes-Barre has
23 expressed interest in forming a Junior City
24 Council, and we have been asked by a
25 Wilkes-Barre Council member to possibly
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54

1 attend one of their Council meetings to
2 discuss the operation of our Council.
3 And I would like to ask Council
4 President Gatelli if when we are invited, if
5 we would be permitted to attend.
6 MS. GATELLI: That's up to you,
7 Douglas.

8 MR. MILLER: Well, I just wanted to

9 get your permission.

10 MS. GATELLI: Yeah.

11 MR. MILLER: Okay.

12 MR. MINORA: That's three minutes.

13 MR. MILLER: I do have a question

14 for Council tonight. What is the proper

15 procedure for someone -- when someone comes

16 into this city and buy property owned by the

17 city to put it back on the tax rolls, is it

18 a bidding process or do you have to go

19 through real estate? What is the proper

20 procedure? Can someone possibly answer that

21 for me?

22 MS. GATELLI: Well, it depends on

23 the property, Douglas, but I'll spell that

24 out for you next week. Thank you.

25 MR. MILLER: Okay. Because I just

.

55

1 think, you know, maybe if we do get somebody

2 to come in that's interested, they would

3 want to buy property in this city and we

4 will get them back on the tax rolls.

5 MS. GATELLI: Okay. Thank you.

6 Laura Kreig.

7 MR. MILLER: I have two more.

8 MS. GATELLI: Your time is up,

9 Douglas. Laura Kreig.

10 MS. KREIG: Good evening. My name

11 is Laura Kreig, and I'm from West Scranton.

12 And just to refresh your memory, that was my

13 son that was all brutally beaten, stabbed

14 and left for dead in front of the Barnwood

15 Bar on Luzerne Street a year ago next month.

16 I have two questions for Attorney Minora .

17 MR. MINORA: Could you pull the

18 microphone down a little bit?

19 MS. KREIG: I have two questions for

20 Attorney Minora. Can you please explain to

21 me how Joe Joe Carmanno is getting away with

22 withholding information --

23 MS. GATELLI: Excuse me. Please

24 don't bring up any names here.

25 MS. KREIG: Oh, I'm sorry.

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56

1 MR. MINORA: I have no idea who

2 you're talking about anyway.

3 MS. KREIG: Okay. Isn't it against

4 the law to withhold information in an

5 attempted homicide investigation?

6 MR. MINORA: I don't really know

7 what you mean.

8 MS. KREIG: You're an attorney,

9 right?

10 MR. MINORA: I don't know what you

11 mean. Yes, I'm an attorney, I'm positive of

12 that, but I don't know what you mean.

13 MS. KREIG: Is it against the law to

14 withhold information in an attempted

15 homicide investigation?

16 MR. MINORA: Nobody's required to

17 come forward with information. This is not

18 a police state. If you're asked something

19 by a police officer and you give false

20 information, then you can be held liable for

21 false reports to law enforcement officers.

22 MS. KREIG: Okay. And how do I go

23 about filing those charges?

24 MR. MINORA: You don't. A police

25 officer does when he receives false

1 information and becomes aware of that.

2 MS. KREIG: Well, they closed the

3 case. And I have -- my second question is,

4 whatever happened to the Commonwealth, like,

5 where did the Commonwealth go?

6 MR. MINORA: I'm sorry. I don't

7 know what you mean by where did the

8 Commonwealth go.

9 MS. KREIG: Well, I believe if my

10 son didn't want to press charges against

11 these three young men that brutally beat and

12 stabbed him --

13 MR. MINORA: He did not want to?

14 MS. KREIG: My son does want to

15 press charges.

16 MR. MINORA: He does want to?

17 MS. KREIG: He does, and the

18 detectives closed the case and said he

19 wasn't cooperating, when we're the one that

20 provided him with all the information.

21 MR. MINORA: I honestly -- I'd like

22 to be able to answer your question, but I

23 don't know how to answer that. If it's a
24 police officer -- if a police officer closes
25 a case because he has no cooperation from
.
58

1 the victim, and you're telling me, well, he
2 was cooperating, I don't know how to answer
3 that.

4 You've told me there's two
5 conflicting stories, and how can I know
6 which one is correct or which one is
7 accurate sitting here, when I know neither
8 party personally, or have I -- I've never
9 heard either one tell me their side of it.
10 You're asking me to make a decision
11 based on your representation of the two
12 sides of the story. It's just something --
13 I don't mean to be smug. I understand
14 you've got a problem, I just don't know how
15 to answer a question in a situation that
16 you've posed.

17 MS. KREIG: All right. For
18 instance, can I give you an example? There
19 was a young man over --

20 MR. MINORA: I'll tell you what,
21 your three minutes is up, but if you want to
22 talk to me afterwards, I will wait around
23 and talk to you, okay?

24 MS. KREIG: Yes.

25 MR. MINORA: Okay. I'll be glad to.
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1 MS. KREIG: Thank you very much.

2 MS. GATELLI: Thank you. Les

3 Spindler.

4 MR. SPINDLER: Good evening,

5 Council, Les Spindler, city resident. Mrs.

6 Gatelli, could I ask Mrs. Fanucci some

7 questions? Mrs. Gatelli, could I ask Mrs.

8 Fanucci some questions?

9 Mrs. Fanucci, a few weeks ago I

10 asked you a question about PEL, why they

11 didn't allow Mayor Connors to have a public

12 safety director and they're allowing Mr.

13 Doherty, did you get an answer to that?

14 MS. NEALON FANUCCI: No, I did not.

15 MR. SPINDLER: Figures. Different

16 week, same old story, no answers.

17 Next thing, last week, Mrs. Fanucci,
18 you said all issues are important, remember
19 that?

20 MS. NEALON FANUCCI: Yes, I did.

21 MR. SPINDLER: Well, if that's the
22 case, why is it that I've come here and
23 mentioned many times about a problem the
24 city caused on my property and my sidewalks
25 are flooded every time it rains and not one

60

1 of you has shown up to see if that problem
2 could be solved? Wasn't that an important
3 issue?

4 MS. NEALON FANUCCI: I never said it
5 wasn't important, Les.

6 MR. SPINDLER: Well, how come
7 nothing has ever been done? I've been up
8 here countless times mentioning that.

9 Again, no answers.

10 MS. GATELLI: Mr. Spindler, would
11 you like me to answer that? I know you were
12 addressing Mrs. Fanucci, but I know I did
13 send at least two letters on your behalf

14 down to the DPW on that issue, and for Mr.
15 Torquatto, was that his name across the
16 street?

17 MR. SPINDLER: Yes. Nothing has
18 been done. Has it been followed up on?

19 MS. GATELLI: We'll send another
20 letter for you. Would you like one of us to
21 come over and see it?

22 MR. SPINDLER: Well, it would be
23 better if you came over when it rains. You
24 can't see anything now.

25 MS. GATELLI: All right. Well, give
.

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1 us a call when it happens, and if we're
2 available, we'll come over.

3 MR. SPINDLER: Okay. The next
4 thing, something else, Mrs. Fanucci, last
5 week you chastised people who were up here
6 speaking about all the kids smoking in front
7 of the high schools, do you think it's okay
8 --

9 MS. NEALON FANUCCI: That's not
10 accurate, Mr. Spindler. Are you asking me a

11 question?

12 MR. SPINDLER: It is.

13 MS. NEALON FANUCCI: Chastising was

14 not the word. What I said was, let's not

15 make issues out of --

16 MR. SPINDLER: You said they were

17 wrong.

18 MS. NEALON FANUCCI: No, that's not

19 what I said.

20 MR. SPINDLER: You said they were

21 wrong in talking about these kids who were

22 smoking.

23 MS. NEALON FANUCCI: I certainly did

24 not. What I said was -- would you like me

25 to tell you what I said? I certainly would

.

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1 love to tell you.

2 What I said was, I don't believe

3 that trying to change a ordinance or a rule

4 and pocking at children is the issue.

5 What was happening here was let's

6 blame the kids, they're smoking. So, it

7 wasn't that. We were getting off of -- the

8 smoking ban, which was the issue, not the
9 children smoking. I did not chastise
10 anyone.

11 What I said was I don't believe that
12 we should be out --

13 MR. SPINDLER: I think if you look
14 at the tape you will see --

15 MS. NEALON FANUCCI: I've looked at
16 the tape, Mr. Spindler, but go ahead.

17 MR. SPINDLER: Well, from what I got
18 out of that, it seems like you think it's
19 okay for teenage kids to smoke.

20 MS. NEALON FANUCCI: I certainly
21 don't think -- do you think I would spend
22 all this time on a smoking ban if I thought
23 it was okay for teenagers to smoke? Now,
24 come on. Now, Les, we know -- we know
25 better than that.

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1 MR. SPINDLER: It sure sounded that
2 way on the tape.

3 MS. NEALON FANUCCI: You and I know
4 better than that. Go ahead.

5 MS. SPINDLER: I know better than

6 that.

7 MS. NEALON FANUCCI: I know, so --

8 MR. MINORA: That's your three

9 minutes. Three minutes.

10 MR. SPINDLER: Thank you for your

11 time.

12 MS. GATELLI: Thank you. Christine

13 Santarsiero.

14 MS. SANTARSIERO: Good evening. I'm

15 here tonight to speak once again about the

16 Clubhouse Bar located at 1201 Capouse

17 Avenue.

18 In November of 2006, it was closed

19 as a nuisance bar and the rooming house was

20 condemned. The closing was a much

21 publicized event. Members of the drug task

22 force, the liquor control board, the city

23 detectives, the police department, members

24 of the District Attorney's Office, the

25 deputy director of public safety, Mr.

.

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1 Fiorini and Mayor Doherty were all present

2 and eager to boost to the public that they
3 had eliminated a very dangerous
4 establishment in their city.
5 Everyone was happy to accept their
6 part in the closing of this establishment.
7 I was the person who made hundreds of phone
8 calls, the person who obtained and provided
9 the copies of the police reports, and then
10 spoke at City Council.
11 I was the person who took the
12 surveys around to all the neighbors and
13 businesses so that we could finally close
14 this business.
15 During the last two weeks I have
16 again spoken with many of these same
17 individuals, including members of the
18 inspections office.
19 I was told on the day of the
20 closing, and I quote, the boarding house has
21 tens of thousands of dollars of violations,
22 and to reopen, the state will have to come
23 in and inspect a new boiler.
24 Just to name a few of the
25 violations, heating, plumbing, smoke alarms,

.

65

1 and the fire escape.

2 Well, first of all, tens of

3 thousands of dollars of violations do not

4 happen overnight, nor do they happen in a

5 day, a week or a month. Many of the

6 violations were present for months or years.

7 This building was passing

8 inspections year after year by inspectors

9 who are employed by the city.

10 I was recently informed that not

11 one, but many different employees, are

12 responsible for the various inspections.

13 I am sorry to admit, but I, along

14 with anyone else who hears this story, have

15 little faith in the integrity of the

16 inspectors employed by the City of Scranton.

17 I was told by an acquaintance that

18 the owner and his attorney had met with Mr.

19 Fiorini in the inspections department and

20 that they found a way around the state

21 inspection.

22 They can put in electric baseboard

23 heat in each room and then it will only have
24 to be inspected by the city. Work began
25 shortly after on this building.

66

1 Men began running electrical wiring.
2 I called and spoke to Joanne in the permit
3 department on January 3. She said no
4 permits were issued for this location.
5 She stated she would send someone
6 there to check it out. I called the office
7 two more times on that day and left a voice
8 mail message for the electrical inspector.
9 Jack called me back late that
10 evening and said he never received a message
11 to go to that location, but will check and
12 called me back the next morning.
13 He did return my call the next day
14 and said he had spoken to Mr. Fiorini, who
15 stated he had already taken care of that.
16 I had already spoken that morning to
17 Mr. Fiorini. Mr. Fiorini said, and I quote,
18 people always come in a day or two after
19 they start work, everyone does this.

20 I said, That is illegal, though,
21 right? He said, Mind your own business, and
22 hung up on me.

23 There was again an electrical person
24 working on Saturday, January 13. We
25 approached the person and asked if he had

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1 permits. He stated yes.

2 We asked why it was not posted, and
3 he said I didn't know they had to be. He
4 then immediately packed his tools and left.

5 To my knowledge, he has not returned.

6 MR. MINORA: Three minutes.

7 MS. SANTARSIERO: I just have two
8 more paragraphs. Can I finish or -- okay.

9 I am not sure what recourse citizens have in
10 these circumstances.

11 I just thought it was really ironic
12 that an article was printed in Monday's
13 paper stating that the city crime stats are
14 the envy of the state.

15 They should read the police reports
16 for The Clubhouse, one single location, and

17 would envy no more.

18 The police reports to The Clubhouse
19 were nearly 300 for about a two and a half
20 year time span. I would like Mr. Hayes to
21 stand by his own words, and I quote, What we
22 have been doing is trying to get rid of the
23 locations where crime takes place, because
24 60 percent of the crime in this city happens
25 at just five percent of your locations.

68

1 The Clubhouse is definitely one of
2 those locations. He also stated, and I
3 quote, There's the offender, the victim and
4 the location.
5 Mr. Hayes, by keeping The Clubhouse
6 closed, you can eliminate the offender and
7 the location, thus, also eliminating the
8 victims, who are the children and residents
9 of this Scranton neighborhood.

10 MS. GATELLI: Thank you.

11 MS. SANTARSIERO: Thank you.

12 MS. GATELLI: Mrs. Santarsiero, I
13 did speak with Mr. Seitzinger today, and I

14 will be getting a copy of the permits

15 tomorrow, so I will call you.

16 MS. SANTARSIERO: Okay.

17 MS. GATELLI: Andy Sbaraglia.

18 MR. SBARAGLIA: Andy Sbaraglia,

19 citizen of Scranton. Fellow Scrantonians,

20 I'm not going to mention taxes. I guess

21 when people get their notice, I'm sure

22 they'll let you know how they feel, so it'd

23 be -- it wouldn't be -- you know, it

24 wouldn't be worth my while to speak again on

25 the subject of taxes, other than they are

.

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1 oppressive.

2 But we're coming around to the

3 summer again, and again I'm going to bring

4 up the free swimming at the city pools that

5 we do control.

6 Now, this is a good time to come

7 into it, because we've got a lot of time to

8 work toward it, and we're not saving much

9 money by saying the kids have to pay a buck

10 to swim or \$.50 or whatever.

11 I think you're causing more problems
12 than you're curing. For one thing, these
13 kids are going to be doing something else,
14 maybe graffiti, maybe breaking antennas on
15 cars. They can be doing anything. Some
16 destructive, maybe some constructive.

17 But I see no reason why the kids
18 can't swim free. \$250,000 you just leant
19 out, and there's a good chance it can blow
20 to the wind, too.

21 There's no guarantee on any of these
22 monies you're lending out. We lost \$5
23 million on the hotel or \$4 million on the
24 hotel.

25 But really, them people got a great
.

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1 deal. For \$13, they got a building that was
2 worth \$33 million, plus the land we spent
3 when we bought the rights where the Casey
4 Garage now stands. We paid, I think, a
5 million or so dollars for that lot again,
6 for the hole in the ground.

7 With all the money we're spending,

8 there's no reason why we can't have a
9 comprehensive summer program. And since
10 some of you are with the schools, I think it
11 should be in conjunction with the schools,
12 not necessary at the schools, though.

13 I know when I was a kid, I don't
14 think I would have enjoyed going back to
15 summer school once I got out, and I'm sure
16 there's a lot of kids that feel the same way
17 today as I do -- as I did then, I should
18 say.

19 But I think you should work with the
20 school district and work at the city
21 schools, because they're beautiful pools and
22 they should be used to the maximum, not
23 people sitting outside staring that they
24 can't go in or they can only go in once a
25 week or so forth and so on.

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1 When I was a child, them pools were
2 open to all the kids in Scranton, and for
3 some reason or other, I don't see why, being
4 we're paying for them, and most of the costs

5 is bore by the taxpayers of this city, I see
6 no reason why we can't have a comprehensive
7 summer program by starting out at least free
8 swimming.

9 The school district might be able to
10 come up with some teachers to supervise,
11 too. You don't know, or The University,
12 being they ain't giving us much money, I
13 think you can call upon them to bring up
14 students.

15 They wouldn't be actually students,
16 they'll be 19 or 20 to supervise some of
17 these playgrounds like it used to be. When
18 I grew up --

19 MR. MINORA: Three minutes.

20 MR. SBARAGLIA: Okay. I won't talk
21 anymore. Three minutes is up is enough.

22 Thank you.

23 MS. GATELLI: Ron Elman.

24 MR. ELMAN: Now I can go to my
25 favorite subject, City Council. You know,

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1 you all -- you five people are supposed to

2 be the solution to our problem. You just
3 become the problem. There's nobody --
4 you're not a team.
5 There's no cohesion. Did I use that
6 word right, Mr. Minora, togetherness or
7 something, cohesion?
8 MR. MINORA: Do you want me to be
9 the dictionary police?
10 MR. ELMAN: No. I just -- I thought
11 I threw a bad word, a big word out. I don't
12 know what it means.
13 You people are about as popular as
14 poison ivy at a picnic right now. That's
15 the truth.
16 I hear these things, and I try to
17 defend you. I try to get people to come
18 down here. People just have lost interest,
19 and you don't accomplish nothing.
20 Everything is politics as usual. 3-2,
21 that's what keeps going on around here. The
22 city is not advancing with this politics as
23 usual idea.
24 You know, it's like I said before, I
25 got off the subject about the \$600 million,

.

73

1 and nobody said how we're going to pay the
2 increase in taxes. Nobody wants to address
3 it.

4 My house will be way over 100 years
5 old in -- well, it was built in '35, so who
6 would want my house with 100 percent
7 increase in taxes? Right now they're \$1200
8 a year. You know, tell me. There's a good
9 question.

10 Who's going to buy a 100-year-old
11 house with \$2500 a year taxes? That's a
12 couple hundred dollars extra a month than
13 I'm paying now on the mortgage. You all
14 just not realizing what people go through in
15 this city.

16 You know, I don't claim to be
17 clever or brilliant and have any
18 originality what I say up here. I repeat
19 all these things that people tell me, and
20 I've talked to 200, 300 people in the last
21 year.

22 And I heard one person told me we

23 ought to do away with City Council and have
24 every department head come up here once or
25 twice a month, like doing away with the

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1 middle man, and having -- just talk to them
2 and find out what's going on and let them
3 hear our comments, which, you know, probably
4 wouldn't work out because you'd never find
5 them. You'd leave a message on their
6 answering machine, I suppose.

7 Well, this is my dyslexia. I get
8 all upset and now everything is backwards on
9 my piece of paper.

10 You know, that seat up there, that's
11 no place for friendship and loyalty. You're
12 supposed to vote for what's best for this
13 city, you know, being an assembly making
14 decisions.

15 It's like when Mrs. Evans had some
16 good points in her budget plan and --

17 MR. MINORA: Three minutes.

18 MR. ELMAN: And if you all had
19 gotten together with both budget plans and

20 picked out the best of them, you would have
21 drawn people back into this and showed some
22 interest.

23 Mr. McGoff is sitting there purely
24 because of politics, and I'm not mad at you
25 or nothing, but it was politics as usual,

75

1 and that's why you're sitting in that seat.

2 You weren't elected. Now you've come up
3 with some hair-brain idea to stifle our free
4 speech in here. This is a deplorable legacy
5 for you to go through with. Thank you.

6 MS. GATELLI: Fay Franus.

7 MS. FRANUS: Fay Franus, Scranton.

8 Mr. McGoff, last week I asked you a
9 question, and you said you didn't want to
10 answer me because it was too lengthy and you
11 said you'd answer me in motions, and you
12 didn't do that.

13 So, I will ask you again. What have
14 you done for the taxpayers since you've been
15 elected, not elected, appointed, I should
16 say, by Mrs. Gatelli, Mrs. Fanucci and the

17 mayor, what have you done for the people,
18 other than the smoking ban for the people?

19 MR. MCGOFF: How does the smoking
20 ban help the people, is that what you asked?

21 MS. FRANUS: No. I asked, What have
22 you done for the people in the City of
23 Scranton who you're supposed to be, and
24 supposed to be is the keyword, representing
25 since you're here on Council, since you were

76

1 appointed, not elected? And we're paying
2 you, which you didn't know, even though you
3 got paid, but go ahead.

4 MR. MCGOFF: Well, that's
5 inaccurate, but that's okay.

6 MS. FRANUS: You said it.

7 MR. MCGOFF: Yes, I did, but it's
8 still inaccurate. What have I done? I
9 voted on legislation that I thought was
10 appropriate.

11 MS. FRANUS: I said for the people.

12 You mean like --

13 MR. MCGOFF: That's my answer.

14 MS. FRANUS: You mean like just
15 passing that 25 percent tax increase, is
16 that what you're saying? That was for the
17 people? That was for the people?

18 MR. MCGOFF: Yes.

19 MS. FRANUS: Speaks volumes.

20 MR. MCGOFF: Well, I consider my
21 father a person, and he thought that was
22 acceptable.

23 MS. FRANUS: He must be very
24 wealthy.

25 MR. MCGOFF: I've talked to other
.

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1 people and they thought it was acceptable.

2 MS. FRANUS: They must be very, very
3 wealthy.

4 MR. MCGOFF: Excuse me?

5 MS. FRANUS: They must be very, very
6 wealthy. What do you think your father's
7 going to say? Most parents side with their
8 children, but who knows.

9 Mrs. Gatelli, could you -- did you
10 find out yet what the \$10 million is for

11 that the mayor wanted?

12 MS. GATELLI: Yes. It's been asked

13 and answered on several occasions.

14 MS. FRANUS: I didn't get an answer.

15 We never did find out what it was for.

16 MS. GATELLI: Yes, we did.

17 MS. FRANUS: What was it for?

18 MS. GATELLI: For the deficit from

19 last year, and to pay the TANS.

20 MS. FRANUS: Let me ask you this

21 about this timer situation. Mr. Minora said

22 -- the timer situation, the timing, Mr.

23 Minora said last week your time starts from

24 the time you're called.

25 Now, are you saying that when my

.

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1 name is called if I'm sitting way over

2 there, I can start talking to you from

3 there?

4 MS. GATELLI: No, it starts when you

5 start speaking.

6 MS. FRANUS: Then why did he say

7 that? Who makes the rules here, you or Mr.

8 Minora?

9 MS. GATELLI: Mr. Minora keeps the
10 time.

11 MS FRANUS: Well, he doesn't do a
12 good job of it apparently. He said last
13 week, I quote, The time starts when you're
14 name is called. So, is that wrong?

15 MS. GATELLI: Mrs. Franus, if you
16 intend to get me into a debate about Mr.
17 Minora, I'm not going to be --

18 MS. FRANUS: I asked a simple
19 question.

20 MS. GATELLI: He keep the time.

21 MR. MINORA: Three minutes.

22 MS. FRANUS: Why?

23 MR. MINORA: Three minutes.

24 MS. FRANUS: You didn't answer my
25 question.

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1 MR. MINORA: Three minutes.

2 MS. FRANUS: Could you answer the
3 question?

4 MS. GATELLI: He keeps time from

5 when you start speaking.

6 MS. FRANUS: Okay. So, when he said
7 that last week he was wrong, right? And the
8 only reason I'm speaking longer is because
9 other people did and you just let them go
10 and nothing was said, so I'm no different
11 from anybody else.

12 MS. GATELLI: They asked permission,
13 then they can speak.

14 MS. FRANUS: Then may I speak a
15 couple more seconds so -- it's just until I
16 get the answer to the question. The answer
17 to the question is, Was he wrong in saying
18 that? That's all, so people know.

19 MS. GATELLI: Was he wrong? I don't
20 know. Were you wrong, Amil?

21 MR. MINORA: She got her three
22 minutes. Now she's on four and a half.

23 MS. FRANUS: No I'm not.

24 MS. GATELLI: Nancy Krake.

25 MS. FRANUS: People start talking

.

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1 whenever you want, I guess.

2 MS. KRAKE: I believe Fay's point is
3 that the rules don't apply consistently all
4 the time. It was just difficult for her to
5 get that across.

6 MS. GATELLI: Well, some people
7 listen and others don't. Mr. Sbaraglia gets
8 down all the time without even -- right in
9 the middle of a sentence.

10 MS. KRAKE: That is true, also.

11 MS. GATELLI: So, if you need an
12 extra minute, you know, to finish your
13 thought, certainly. Everyone is given that
14 opportunity.

15 MS. KRAKE: And I absolutely agree,
16 but I do believe that both points are valid.
17 Mrs. Fanucci, Mrs. Gatelli and Mr.
18 McGoff all voted for the mayor's budget, and
19 I'm sure they took a really close look at
20 that budget since it included a huge tax
21 increase which was just revealed to us once
22 again as 25 percent, and I agree with Mrs.
23 Franus, Mr. McGoff, so I'm assuming it's a
24 minimum of 25 percent. I believe it's
25 higher than that.

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1 Last year in the contingency fund,
2 which we can see which the controller's
3 report came out today, which I'm sure
4 everyone else took a look at, the mayor put
5 the payment for the sale, the debt service
6 payment for the sale leaseback of DPW in
7 contingency.

8 You didn't have a line item for
9 that. It's a very tricky minimum,
10 unethical, is what it was.

11 This year we have a line item for
12 that, and we also have a contingency of
13 \$504,000. So, I would like to know, since
14 we are putting the DPW leaseback in its
15 correct place, what is the contingency for?

16 Is there something hidden there?

17 And I would also like to say I
18 observed Mrs. Gatelli giving praise and
19 comments from her opening remarks which were
20 unrelated to agenda items.

21 This isn't efficient, but in
22 reality, this is what the real business of

23 running a city is about, people, their
24 concerns, their hard work, and the least
25 City Council can do is extend this courtesy
.

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1 to the citizens that make the effort to come
2 here every week and speak during citizens
3 participation.

4 You should go back to the five
5 minutes and treat people the same way you're
6 treating yourselves. Thank you.

7 MS. GATELLI: Mr. Morgan.

8 MR. MORGAN: Good evening, Council.

9 I have another request for information. I
10 would like to see Scranton City Council to
11 furnish me with all information in regards
12 to Mark Seitzinger's qualifications for all
13 jobs he has held for the city and all tests
14 he has taken and his score on them.

15 I would also like a list of all the
16 positions he's held in the city. I've asked
17 for that information a few times to Council
18 and I've received no reply.

19 MR. MINORA: Personnel records are

20 not a matter of public record that can be

21 disclosed.

22 MR. MORGAN: Well, you know

23 something, give me the information you think

24 that you're obligated to give me, and then

25 I'll proceed forward to get what other

.

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1 information I think I'm entitled to. I'm

2 not going to debate law with Mr. Minora,

3 okay? I'm not here to do that, okay?

4 But I would ask one question, Why

5 would Mr. Minora's law firm send Mr.

6 Pilchesky on his letterhead threatening the

7 to sanction him, okay, for his opinion on

8 Mr. McGoff? Now, if that's -- maybe he'd

9 like to answer that question.

10 MR. MINORA: Yeah, I would like to

11 answer that one, because I'm defending City

12 Council, and as part of my defense of City

13 Council, I send letters, I do all of the --

14 all of the work in my private office. I

15 don't use any city facilities to do that, I

16 don't use the stationery, I don't use their

17 stamps, I don't use their copiers and I
18 don't use their paper, and I don't use their
19 typewriters or their secretaries. It's all
20 done privately in my office. So, that maybe
21 ought to answer your question.

22 MR. MORGAN: Okay. But I think --
23 don't you think that all correspondence
24 coming from this City Council should be on
25 their stationery since you're acting as

84

1 their attorney?

2 MR. MINORA: No, no.

3 MR. MORGAN: Okay. Now, you know,
4 what I'd like to do is I'd like to say this,
5 I think it's time for the people of this
6 city to recognize one thing, the main
7 obstacle standing in the way of progress in
8 this city is the Council itself.

9 You've legislated a lot of very poor
10 legislation with no information for a very
11 long time.

12 The last people you've had on your
13 mind are the residents. Go through the

14 neighborhoods and see the conditions that
15 are there, the condemned properties, the
16 dilapidated conditions of a lot of the
17 neighborhoods.

18 I mean, it's hard to believe that
19 some of the councilmen actually reside in
20 the city when they can't see the blight.

21 And they think the answers to the
22 city's problems are borrowing more and more
23 money, when all it really happens in the end
24 is everybody capable of leaving, leaves.

25 I think it's time for the residents

.

85

1 of this city to realize that we've had too
2 many rubber stamp Councils, too many
3 agenda-driven Councils, with the regular
4 citizen being the last person on their list
5 to be considered.

6 We've talked about a smoking ban,
7 and I'd like to just ask Mrs. Fanucci --

8 MR. MINORA: Three minutes.

9 MR. MORGAN: How many children have
10 been cited for underage smoking in the last

11 week?

12 MS. GATELLI: What does that have to

13 do with it?

14 MR. COURTRIGHT: Can I say

15 something?

16 MS. GATELLI: Yeah, go ahead.

17 MR. COURTRIGHT: You know, Mr.

18 Morgan, I'd just like to say one thing to

19 you, if you don't mind.

20 I checked into it about children

21 smoking. It's my belief that you can't cite

22 the child for smoking, you have to cite who

23 sells them the cigarettes or provides them

24 with the cigarettes.

25 MS. GATELLI: Exactly.

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86

1 MR. COURTRIGHT: They can't pull up

2 alongside the school and arrest them. I

3 asked that question. And I believe I'm

4 right.

5 MS. GATELLI: And they're not

6 allowed to smoke on school property. No,

7 they don't. Not at West Side High School

8 they don't, because a police officer is out
9 there. They're across the street, they're
10 not on school property.

11 MS. HUBBARD: I've seen them on
12 school property.

13 MS. GATELLI: Well, you need to
14 report that to the police officer of the
15 school.

16 MS. HUBBARD: I'm not a smoke cop.

17 MS. GATELLI: Anyone else?

18 MR. HUBBARD: Good evening, Council.

19 I'd like to begin tonight by apologizing to
20 the members of Council and all in chambers
21 that my outburst last week was not directed
22 towards.

23 I do not have any disrespect for
24 these chambers or the seats that you all
25 hold.

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1 Now, Mrs. Fanucci, I will not
2 apologize to you for what I said. I feel
3 that no matter how unprofessional I behaved,
4 your actions on a weekly basis supersede

5 anything I could possibly say.
6 Your constant snickering and
7 laughing and smirking at the residents is a
8 slap in their face.
9 The concerns of the residents should
10 be as important to you as they are to the
11 people. Whether you like what the people
12 have to say or not, you need to act
13 professionally and composed at every aspect
14 of your job, regardless of how you
15 personally feel about the issues.
16 Mrs. Gatelli, as Council President
17 it's your responsibility to address this
18 issue. This behavior and ridicule of the
19 residents and their issues has gone on long
20 enough. It directly reflects on Council as
21 a whole and severely undermines the
22 residents' faith in Council and the
23 Council's ability to act befitting the
24 manner of these chambers. That's all I have
25 to say on last week. As far as I'm

.

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1 concerned, it's over. You won't see me act

2 like that again.

3 Now, Mr. McGoff, I do appreciate you

4 putting forth the motion for the flood alarm

5 for lower Green Ridge.

6 As far as the specs for the siren,

7 Roseann Novembrino basically retrieved those

8 specs for the siren from OECD on Tuesday.

9 They were in Sara Hailstone's office the

10 entire time. The -- I have a copy of that

11 for you. This is the contract number from

12 for the siren and specs.

13 MR. MCGOFF: I did try calling your

14 number.

15 MR. HUBBARD: Well, this time of the

16 year, for January, I'm pretty much home

17 every day. So, if you want to call me

18 tomorrow, that's my number at home. Please

19 call me.

20 The RFP was in the city controller's

21 office. So, this information for these

22 flood sirens, the specs, where they go, is a

23 matter of the city.

24 If it's going on city land and the

25 city has to decide what parcel of land it

1 has in lower Green Ridge that it's willing
2 to put the siren on.

3 As far as where in low Green Ridge
4 it should be placed to aide the residents
5 efficiently, we can discuss that when we
6 know where -- what land the city has in
7 lower Green Ridge to put it on.

8 As far as the siren specs, the
9 requirements of the siren, that is all in
10 that request for proposal. It is all there.
11 That is the exact paperwork that was
12 filed in 1999 for the two already existing
13 sirens, okay?

14 MS. GATELLI: Excuse me. Could you
15 please keep your voice down? It's very
16 difficult to hear up here. I didn't hear
17 that last thing that you said.

18 MR. MINORA: Three minutes.

19 MR. HUBBARD: The request for
20 proposal that is there, is the request for
21 proposal that the city, OECD, issued for
22 bidders in 1999. Basically it's written in

23 such a manner that it requires this siren to
24 meet the stringent federal OSHA and FEMA
25 requirements for a flood siren in a flood
. . .
90

1 zone. There's only two manufacturers in the
2 country that do it.

3 MR. MCGOFF: Might I just -- may I
4 just a quick responsa?

5 MS. GATELLI: Go ahead.

6 MR. MCGOFF: When I talked to Ms.
7 Hailstone, what she said was that the last
8 -- that the last communica they had was from
9 1999.

10 MR. HUBBARD: Which is when the
11 other two sirens were installed.

12 MR. MCGOFF: Correct. And that at
13 that time it was something to the effect
14 that nothing needs to be done at this time,
15 and we will, you know, we will let you know
16 at a future time.

17 What she said to me was to make a
18 specific request and that then maybe all of
19 this becomes, you know, gets put into

20 action. So, I would like to speak to you

21 before --

22 MR. HUBBARD: A specific request for

23 what, though?

24 MR. MCGOFF: For the siren and where

25 it would be placed.

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91

1 MR. HUBBARD: Okay. You did make

2 that request last week. I mean, that was a

3 specific request.

4 MR. MCGOFF: Well, what she asked me

5 to do was to find out sort of in what area

6 --

7 MR. HUBBARD: Well, lower Green

8 Ridge is not a big neighborhood, sir.

9 MR. MCGOFF: I don't want to get

10 into a debate.

11 MR. HUBBARD: I understand. I feel

12 that a lot of it is --

13 MR. MCGOFF: I'm trying to expedite

14 it by --

15 MR. HUBBARD: I understand that

16 completely, and I appreciate that. I just

17 feel that it's going to get bounced around

18 because they don't want to deal with it.

19 MR. MCGOFF: Well, as I said last

20 week, I'd rather go ahead and try it, rather

21 than hesitate and --

22 MR. HUBBARD: And I appreciate that.

23 MR. MCGOFF: -- and not have it

24 done.

25 MS. GATELLI: Thank you.

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1 MR. HUBBARD: As far as putting it

2 -- we just need to -- I need to know what

3 land --

4 MR. MCGOFF: If you would, I would

5 like to speak to you before you leave

6 tonight.

7 MR. HUBBARD: Sure. Okay. Thank

8 you.

9 MR. MCGOFF: Thank you.

10 MS. GATELLI: Is there anyone else?

11 MR. TALAMINI: Yes, my name is Joe

12 Talamini. And first of all, I'd like to

13 applaud the Council for their good behavior

14 tonight, surprising.
15 Number one, I finally found
16 something I can agree with you on, Mr.
17 Minora. I don't agree that the Junior
18 Council should have any more time than the
19 private citizens do.
20 After all, they are here to learn,
21 they are not here to take up time. And if
22 we want to go back to the five-minute rule,
23 that's excellent, but I don't see why they
24 get any special consideration. I agree with
25 you 100 percent.

93

1 One of the things that annoys me
2 more than anything else, you have a sign on
3 your door there that says no food or drink
4 in the Council chambers, and yet I always
5 see goodies up at the Council table.
6 I think if you're going to abide by
7 the law, as Mrs. Fanucci said, the law is
8 the law, I think you ought to go along with
9 your own rule you have up on that door.
10 And thirdly, all of you people have

11 jobs, some of you are business people, \$42
12 -- or \$52 a year for the right to work in
13 this city, for the minimum wage earners,
14 that's somebody who makes \$12,700 a year has
15 to pay 52 bucks.

16 I think since you're both -- well,
17 you all have jobs on the side and you all
18 have jobs here, I think you ought to pay the
19 \$52 on both wages that you earn. I think
20 that's only fair and equitable.

21 After all, you're getting \$12,500 a
22 year for sitting up here, and you're getting
23 your salaries for whatever work you do, and
24 that's one of the main things that I have
25 there.

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94

1 Another thing I'd like to question
2 is, and I agree with Mr. Morgan on this, you
3 people come here with an agenda. Look at an
4 agenda, you expect us to speak on an agenda.
5 We have no idea what this agenda represents.
6 I don't think you people have any idea what
7 it represents, but I think you ought to

8 present all the facts, as I've seen in other
9 Council meetings around the United States,
10 not just in Scranton, and fortunately
11 Scranton is part of the United States.
12 There's a democratic process, and I
13 think if you're going to present something
14 to us and ask us to make notes on it or to
15 present it before you in a three minute
16 session, as Mr. McGoff proposes, I think we
17 ought to have all the information available,
18 not just an agenda such as this.
19 And I don't think you people have
20 any more than this, because you don't seem
21 to be able to answer any questions.
22 So, if you can present all of these
23 facts and figures on them before we're
24 supposed to talk on them, we would
25 appreciate that very much. Thank you for
.

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1 the time. And, again, thank you for your
2 consideration tonight, surprising.
3 MS. SHUMAKER: Good meaning. Marie
4 Shumaker. Tonight I'll restrict my

5 questions to three, one per minute.

6 A question that I have asked before

7 and I will continue asking again, except

8 maybe in a different way this evening, is I

9 still would like to know what happened to

10 the \$1 million worth of cuts in the 2007

11 budget that PEL announced at the meeting?

12 I sat in this very chamber and heard

13 them say it, they were to be in 2007, and

14 all the future outgoing budgets. I would

15 like to request that you ask that of PEL, to

16 identify what those cuts were and whatever

17 happened to them.

18 MS. NEALON FANUCCI: Mrs. Shumaker,

19 I have that answer, if you want me to answer

20 for you. I did get it --

21 MS. SHUMAKER: When my three

22 minutes. Thank you. Next, I would like to

23 ask -- the questions that I asked last week

24 and I've E-mailed to all of you, I'd like to

25 know in what form and when I might expect an

.

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1 answer to those budget questions. I

2 E-mailed the questions to all of you that I
3 asked last week.

4 MS. GATELLI: Mrs. Shumaker, we'll
5 ask Mrs. Garvey to forward them to the
6 proper department.

7 MS. SHUMAKER: Thank you. And
8 finally, I'd like to talk about delinquent
9 real estate. It was expressed last week
10 that the amount that was shown -- that is
11 shown in the budget was different than the
12 amount that was shown in the monopoly
13 newspaper. I'd like to know which of those
14 is correct.

15 I would also like to know when you
16 approve the agreement, and I'd like to see
17 the terms and conditions of the agreement of
18 sale, because the audit report for 2005
19 showed delinquent real estate taxes at the
20 end of 2005 were roughly \$12 and a half
21 million.

22 I have calculated what they should
23 have been in 2006 and what was collected,
24 and they still stand at about -- I don't
25 know what was written off this last year,

1 but they still stand at roughly \$12 and a
2 half million. And I don't know what years
3 are being sold. I would like to know what
4 years.

5 It seems as though they may be
6 getting this for, you know, maybe \$0.30 on
7 the dollar, which I'd like to know if that
8 was put out for bid. I would think the city
9 can certainly do better. Now, yes, Mrs.
10 Fanucci, I'd like to hear that answer.

11 MS. NEALON FANUCCI: Okay. I do
12 know that they did underestimate what they
13 plan on getting. They did not want to come
14 out -- what they said they published a lower
15 amount than they are expect to go get. And
16 they will know the exact, once they put all
17 the paperwork together.

18 As for -- like, we didn't see any of
19 this paperwork with these delinquent taxes
20 yet and what it's going to be sold for and
21 what the deal is. We have no idea of that
22 until it comes to us.

23 Once that is done -- but I did make
24 a phone call today and I asked, because I
25 did get your questions, and what I was told

.

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1 was that it was -- it was lowballed, because
2 they said they would rather, you know, go on
3 a conservative side then have to make up
4 later on and say we didn't get what we
5 expected.

6 So, they did -- it is lower than
7 they are anticipating it, what was printed
8 in the paper, so I do know that.

9 As far as the \$1 million, PEL --
10 they did cut a million dollars. It's was in
11 capital gains projects. So, there were
12 actually \$1.2 million --

13 MS. SHUMAKER: Wait, wait, capital
14 gains aren't projects.

15 MS. NEALON FANUCCI: Capital gain
16 development money was --

17 MS. SHUMAKER: Capital projects?

18 MS. NEALON FANUCCI: Capital
19 projects money was cut out \$1. It was \$1

20 million.

21 MS. SHUMAKER: That's different from

22 capital gains.

23 MS. NEALON FANUCCI: Well, they

24 would have ended up to be, you know,

25 whatever development. But that was cut out

.

99

1 all over the board. \$1 million was cut from

2 the budget, and they said it actually ended

3 up to be \$1.2 after the mayor's cuts.

4 That's what I have, but I did want to

5 address you on that earlier, but you weren't

6 here.

7 MS. SHUMAKER: Thank you.

8 MS. GATELLI: Thank you. Anyone

9 else? Motion to adjourn.

10 MR. COURTRIGHT: So moved?

11 MS. NEALON FANUCCI: Second.

12 MS. GATELLI: All those in favor.

13 MS. NEALON FANUCCI: Aye.

14 MR. MCGOFF: Aye.

15 MR. COURTRIGHT: Aye.

16 MS. GATELLI: Aye. Opposed? We're

17 adjourned.

18

19 (MEETING WAS ADJOURNED.)

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100

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

2

3 I hereby certify that the proceedings and

4 evidence are contained fully and accurately in the

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

6 that this copy is a correct transcript of the same

7 to the best of my ability.

8

9

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LISA M. GRAFF, RMR

11 Official Court Reporter

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