

1

1 SCRANTON CITY COUNCIL MEETING

2

3

4

5 Held:

6 Thursday, April 26, 2007

7

8

9 Time:

10 6:30 p.m.

11

12

13 Location:

14 Council Chambers

15 Scranton City Hall

16 340 North Washington Avenue

17 Scranton, Pennsylvania

18

19

20

21

22

23 Lisa M. Graff, RMR

24 Court Reporter

25

.

2

1 CITY OF SCRANTON COUNCIL:

2

3 MS. JUDY GATELLI, COUNCIL PRESIDENT

4

5 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

6

7 MS. SHERRY NEALON FANUCCI

8

9 MR. ROBERT MCGOFF

10

11 MR. AMIL MINORA, ESQUIRE, SOLICITOR

12

13 MS. KAY GARVEY, CITY CLERK

14

15 MS. SUE MAGNOTTA, ASSISTANT CITY CLERK

16

17

18

19

20

21

22

23

24

25

.

3

1 MS. GATELLI: Okay. Please stand

2 for the Pledge Of Allegiance. Please remain

3 standing for a moment to remember our

4 servicemen and women. Thank you. Roll

5 call.

6 MS. MAGNOTTA: Mrs. Evans. Mrs.

7 Fanucci.

8 MS. FANUCCI: Here.

9 MS. MAGNOTTA: Mr. McGoff.

10 MR. MCGOFF: Here.

11 MS. MAGNOTTA: Mr. Courtright.

12 MR. COURTRIGHT: Here.

13 MS. MAGNOTTA: Mrs. Gatelli.

14 MS. GATELLI: Here. Dispense with

15 the reading of the minutes.

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

17 MINUTES OF THE COMPOSITE PENSION BOARD

18 MEETING HELD ON MARCH 28, 2007.

19 MS. GATELLI: Are there any

20 comments? If not, received and filed.

21 MS. GARVEY: 3-B, MINUTES OF THE

22 SCRANTON-LACKAWANNA HEALTH & WELFARE

23 AUTHORITY BOARD MEETING HELD ON JANUARY 18,

24 2007.

25 MS. GATELLI: Are there any

.

4

1 comments? If not, received and filed.

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

3 NON-UNIFORM PENSION BOARD MEETING HELD ON

4 MARCH 28, 2007.

5 MS. GATELLI: Are there any

6 comments? If not, received and filed.

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

8 NONUNIFORM PENSION BOARD MEETING HELD ON

9 APRIL 25, 2007.

10 MS. GATELLI: Are there any

11 comments? If not, received and filed.

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

13 third order.

14 MS. GATELLI: Before we have the
15 participation, I just have a few
16 announcements. Saturday evening there will
17 be second annual Autism Awareness Night at
18 St. Joe's Parish Hall in Minooka from six to
19 eleven. For more information, you may
20 contact Jackie Betty Walsh, 346-2152, Al and
21 Cheryl Darunda, 342-3583, Joe and Rita
22 Castaldi, 346-4190, oral Al and Lisa
23 Darunda, 586-2465. Tickets are \$15 a
24 person, and it's to support quality
25 services, activities and long-term funding
.

5

1 for local children with autism.
2 Boy Scout Troop 11 also on Saturday
3 evening from four to seven are having a
4 spaghetti dinner at the United Methodist
5 Church on South Main and Bryn Mawr.
6 Next Wednesday, May 4, from five to
7 ten, George Strasburger is opening his art
8 gallery on Cedar Avenue, 517 Cedar Avenue
9 from five to ten o'clock.
10 On June 10, the Scranton resource

11 officers are having a golf tournament from
12 noon. It will start at Pine Hills, and you
13 may contact Jeff Gilroy, John Bridgette or
14 Lenny Brenzia at 348-4134. And I'll have
15 Kay hang this somewhere in City Hall. It's
16 the resource officers from the Scranton
17 School District, the police officers.
18 I received quite a few E-mails this
19 week concerning a question that people think
20 is going to be on the ballot in the primary,
21 it's a question concerning Governor
22 Rendell's rebates from the casinos with the
23 property tax, et cetera, and it's changing
24 the rates of taxes for the school districts.
25 For the record, Scranton is not
. .
6

1 participating. The Scranton School District
2 opted out of that, so there will not be a
3 question on the ballot in Scranton
4 concerning this matter. So, anyone that
5 knows anyone that told them about it, please
6 make them aware.
7 There are outlining communities that

8 will have this on their ballot, but it will
9 not be on the ballot for Scranton. The
10 school district opted out. They are exempt.
11 Yesterday there was a diesel spill
12 on the corner of Emmett and Railroad Avenue.
13 A woman called me and said she wanted to
14 commend the police department, the fire
15 department and the hazmat team for doing
16 such an efficient job.
17 I've got another request for -- if
18 they could have the Vascar patrol on
19 Providence Road. There has been some
20 excessive speeding there in front of Weston
21 Field.
22 Also, 202 South Sumner there's a
23 blue Chevy Cavalier. Is it gone?
24 MR. COURTRIGHT: No. It's been
25 ticketed.

.

7

1 MS. GATELLI: Yeah, well, as of
2 today the guy called me again and said it's
3 still there.
4 MR. COURTRIGHT: The same thing

5 happened to me. They have to wait X-amount
6 of days.

7 MS. GATELLI: Oh, all right. Mr.

8 Courtright assures me it will be gone. 1120

9 Ash Street was torn down this week. The

10 animal hotline, the animal control officer

11 has a hotline. I've also gotten a lot of

12 requests for this, and I was told that he

13 does take the messages off the hotline. The

14 number is 969-6631. That's the animal

15 control officer's hotline, 969-6631.

16 I would just like to have Attorney

17 Minora look into something that seems to

18 becoming more and more of a problem. I know

19 we talked about it before, and I think we

20 also wrote to the zoning board concerning

21 the matter, and I'm presently waiting for

22 some things to come down from the law

23 department concerning changing some zoning

24 laws, but overcrowding is way out of

25 control.

.

8

1 I mean, 90 percent of the phone

2 calls I know that I get are concerning
3 houses that have too many people in them.
4 I don't know what other communities
5 do. I know it's very difficult when I
6 worked upstairs and Ron Kitlas was the
7 zoning officer, we found it almost
8 impossible to prove how many people lived in
9 a residence, but it really is out of
10 control, and I would appreciate it if --
11 even if Kay and Sue could make some calls,
12 call some communities, and I will try to
13 call some myself and see how they address
14 overcrowding in their community, because
15 it's --

16 MR. MINORA: I will be glad to take
17 a look at the zoning ordinance and get back
18 to you on that.

19 MS. GATELLI: Okay. Thank you. One
20 more request I have, this year the Community
21 Development Block Grant we allocated an
22 extra \$120,000 for CommD police officers.
23 The ones that we have are doing an excellent
24 job.

25 I would like to get a copy of how

.

9

1 many we have and how many in each
2 neighborhood, because I think we need more.
3 And if we need to, I'm sure everyone on
4 Council would approve transferring some more
5 money into that account.

6 There have been several serious
7 problems in South Scranton and other areas.
8 I saw there was a shooting at the Midtown,
9 there was the gentleman with the knife in
10 Costa's, the Shell Gas Station on Pittston
11 Avenue was robbed again for probably the
12 tenth time.

13 I know they can't be everywhere all
14 the time. I mean, we do have an excellent
15 CommD cop in South Scranton, and I don't
16 want this to be a reflection on them,
17 because the ones that we have are excellent,
18 but they can't be everywhere every minute,
19 you know, we know that, but I would like a
20 list of that.

21 And if we need more, we will
22 certainly consider transferring more money

23 into that account so that we have some more
24 police visibility on the streets. And
25 that's all I have for now. Go ahead.

.

10

1 MR. COURTRIGHT: There's going to be
2 a fundraiser for Matthew Grendel, that's the
3 gentleman that has been missing since St.
4 Patrick's Day, it's May 3 from six in the
5 evening until ten at Rocky's downtown
6 Scranton, so if anybody could attend that,
7 that would be appreciated.

8 And the Downtown Senior Center at
9 305 Penn Avenue, they're having a flea
10 market this Saturday, the 28th, from 9 a.m.
11 to 4 p.m. the kitchen will be open for
12 breakfast from 8 to 11, and they also will
13 be serving soda and hot dogs and a bake sale
14 all day long. And the number, if you want
15 to call ahead, is 347-3970, 347-3970, and
16 that's the Downtown Senior Center. And
17 that's all I have. Thank you.

18 MS. GATELLI: What time is that?

19 MR. COURTRIGHT: That is from six to

20 ten on May 3.

21 MS. GATELLI: That's a weekday?

22 MR. COURTRIGHT: That's a Thursday

23 evening. We will be here.

24 MS. GATELLI: A week today. All

25 right. Thank you. Anyone else have

11

1 anything else at this time? We will start

2 with the agenda items, and the first speaker

3 is Mr. Sbaraglia.

4 MR. SBARAGLIA: Just two questions.

5 My name is Andy Sbaraglia, citizen of

6 Scranton. Fellow Scrantonians, just two

7 questions on the agenda, 5-B, you're going

8 to remove the gift of a quarter of a million

9 dollars, I presume, off of that, so they're

10 going to -- we're going to have another --

11 at least we are going to get some money back

12 eventually.

13 Okay. 7-B, did you have any

14 complaints from any of the neighbors that's

15 going to be affected by that?

16 MS. GATELLI: The bank? You said

17 the bank?

18 MR. SBARAGLIA: Yeah.

19 MS. GATELLI: No.

20 MR. SBARAGLIA: No complaints at

21 all? Then I don't have any complaints.

22 Thank you.

23 MS. GATELLI: Thank you, Mr.

24 Sbaraglia. Helen cook.

25 MS. COOK: Good evening, Council.

.

12

1 Helen Cook, taxpayer, and I do pay taxes on

2 the property that I own in The Plot.

3 And I'd like to talk about 5-B.

4 You've gone back again to Alexander's on

5 that loan that I believe Mr. Courtright

6 tabled just a few weeks ago.

7 What concerns me is we never seem to

8 get any information back on these loans that

9 you're giving out so freely.

10 I don't know whether all these

11 people that they have to hire after getting

12 these loans are full-time people or

13 part-time people, and I don't know if they

14 check for a year or two years to see if
15 those people are still working there.
16 Now, a few weeks, I think it was
17 maybe a month ago, you passed another loan
18 over to the Radisson, and I believe they had
19 gotten quite a bit of money through the
20 city, and yet in this morning's paper, their
21 state tax lien is in there again for
22 \$116,000, plus a few other bucks.
23 But what's happening with these
24 loans? I think we're losing money on them
25 and we don't know what's happening. We
.

13

1 never get any more information after you've
2 given them that money.
3 Should we be checking maybe with HUD
4 to find out if these are --
5 MS. GATELLI: They do. They do.
6 MS. COOK: -- real projects?
7 MS. GATELLI: There are people in
8 OECD that monitor these loans.
9 MS. COOK: Do you have a copy of
10 those applications?

11 MS. GATELLI: Not with me, but I can

12 get one.

13 MS. COOK: I'd love to have one,

14 because I'd like to see how these people

15 keep getting these and they still have tax

16 liens, whether they're federal or state.

17 Can you get me an application? Not

18 to fill out, I just want to look at one, you

19 or Sherry, if you could get one. Thank you.

20 MS. GATELLI: You're welcome. And

21 just for the record, Mrs. Cook, I think Mrs.

22 Fanucci did that several months ago. I

23 think there were only two in the last 15 or

24 20 years that reneged on the loans. She had

25 given me the names of the people. So, by

.

14

1 and large, they do repay their loans. Mr.

2 Patilla.

3 MR. PATILLA: Sam Patilla, Scranton

4 resident, Scranton taxpayer. Mr.

5 Courtright, you know from my past

6 appearances here, that I'm totally against,

7 you know, loaning any money out to these

8 organizations, these businesses.

9 I'm in communication with HUD right

10 now, both the Philadelphia office and the

11 national office in D.C.

12 Nobody that I spoke with yet can

13 understand why a salon would rate a quarter

14 of a million dollars. Now, that's crazy.

15 You know, and part of their response

16 to me was that, you know, the CDBG funds,

17 community development block grants, you

18 know, you have to provide the citizens with

19 reasonable or timely access to local

20 meetings, information and records relating

21 to the grantee's proposal and actual use of

22 the funds, which is just what the lady that

23 spoke to me previously just stated.

24 You know, we need to have access to,

25 one, who this money is going to actually,

.

15

1 and if they're actually adhering to the

2 agreement.

3 You know, and I need from you, if at

4 all possible, a listing of all the money,

5 all the CDB grants that have been issued
6 from, say, December 31, 2006 to the present.
7 I won't go back to 2002 or nothing
8 like that. I will keep it kind of small and
9 simple.

10 The same thing with any monies
11 that's coming out of the CDBG, you know,
12 that's crazy. You know, we have a hard time
13 in the city as it is trying to pay the
14 taxes, trying to keep our homes, trying to
15 feed our children, and, you know, most of
16 that money is supposed to be earmarked for
17 low to moderate income people, you know.

18 MR. COURTRIGHT: Okay. Could I --

19 MR. PATILLA: Go ahead.

20 MR. COURTRIGHT: Do you want me to
21 wait until your time is up or would you
22 rather me explain now?

23 MR. PATILLA: You can explain it to
24 me, because I --

25 MR. COURTRIGHT: I had called down

.

16

1 to OECD and I spoke to Lori Reed, and

2 actually she happened to be in the area, so
3 I met her today in the City Council office.
4 In particular, I was asking her about the
5 Alexander's Spa.
6 So, one thing we did we asked that
7 take out the fact after three years they
8 wouldn't have to pay it back. They will pay
9 back every penny of that money. That
10 project is approximately a \$2 million
11 project that they're investing.
12 As far as monitoring it, Lori Reed,
13 I believe, is the one that does that, but
14 it's a federal thing, right? And they have
15 to meet the guidelines. They're checked on.
16 And, you know, it just doesn't et forgotten
17 about, to be honest with you.
18 I don't have the answers in front of
19 me what you want. I'm sure I can get them
20 for you. I think, what did you say,
21 December of 2006 to the present?
22 MR. MINORA: Three minutes.
23 MR. PATILLA: Yeah, we'll keep it
24 nice and short. You know, because like I
25 said, I'm in communication with HUD in the

17

1 Philly office and the national office.

2 Because the last -- two weeks ago

3 when Mrs. Fanucci was questioned on what

4 they were planning on doing with that money

5 --

6 MR. COURTRIGHT: Right.

7 MR. PATILLA: -- the first word that

8 came out of her mouth we.

9 MS. NEALON FANUCCI: The city.

10 MR. PATILLA: And then she changed

11 it and said they.

12 MR. PATILLA: The city has nothing

13 to do with Alexander's.

14 MS. NEALON FANUCCI: No, but we

15 invest with a partner, which is what we do.

16 MR. PATILLA: No, no, no. That's a

17 private business. There ain't no we.

18 MS. NEALON FANUCCI: Everybody in

19 the city is a we.

20 MR. PATILLA: It's no we. It's a

21 private business. There's no we.

22 MR. COURTRIGHT: You could step

23 down, and I'm just going to explain a little

24 bit more, okay, just so we -- I spent the

25 time to try to get educated, I don't want to

.

18

1 not use it.

2 The other thing I asked about, what

3 would happen if we didn't use this money,

4 all right? It would just sit there, all

5 right? And it's primary money, then that

6 money sits there and doesn't gain any

7 interest.

8 If there is money that can gain

9 interest, all right, that money also would

10 have to be used for one of these projects,

11 whatever the project may be.

12 If, in fact, we don't use the money,

13 then maybe next year it would go to

14 Pittsburgh or go to Reading and we wouldn't

15 get any.

16 So, we do have to use the money up

17 or else we probably would be out --

18 MR. PATILLA: There are businesses

19 here that could use that money.

20 MR. COURTRIGHT: Sure. And any
21 business could apply, but I think because
22 it's the federal government, I think they
23 keep putting those -- I will get you that
24 information, 2006 to the present, all loans
25 that we gave, correct, and I'll get that for

19

1 you.

2 MR. PATILLA: Thank you.

3 MR. COURTRIGHT: You're welcome.

4 MS. GATELLI: Mr. Spindler.

5 MR. SPINDLER: Les Spindler, good
6 evening, Council. Les Spindler city
7 resident. I'd like to talk about 5-D. I
8 think your people should reconsider this,
9 because I just heard news today the city is
10 in the early stages of bringing eminent
11 domain proceedings against Alexander's Spa.
12 Are we in a position to give away \$250,000
13 to a place that might be taken away?
14 MR. COURTRIGHT: We asked that
15 question. Stu Renda was in here this
16 evening, and it's not. It's not under

17 eminent domain.

18 MR. SPINDLER: It's not yet, but I
19 heard proceedings are in the early stages.

20 MS. GATELLI: If it is, we still get
21 the money.

22 MR. COURTRIGHT: They don't believe
23 it ever will be. And if it is, we still get
24 the money. It doesn't go with the building,
25 it goes with the business.

.

20

1 So, even if that business was
2 relocated, they still have to pay that
3 money. I asked that question.

4 MR. SPINDLER: Okay. Thank you.

5 MR. COURTRIGHT: Because there was a
6 gentleman here that asked me on the way in,
7 so I made sure I got the question.

8 MR. SPINDLER: All right. Thank
9 you.

10 MS. GATELLI: Mr. McCloe.

11 MR. MCCLOE: Good evening. My name
12 is Brett McCloe, Scranton homeowner and
13 taxpayer.

14 First I want to talk about the loan
15 to it Alexander's. I would like first to
16 say that I'm not against the loan, and since
17 you just said that, that they will have to
18 pay for this, because I'm definitely against
19 anything that even resembles a grant.

20 One of the things I'd like to ask
21 is, is there anyone here from Alexander's
22 who is at least in favor of this loan?
23 I mean, because we hear from you --
24 you give us your proposals, what do they
25 want, but none of them come here. Among a

21

1 lot of different issues that you guys might
2 want, the other side never shows up.
3 They're never here. So, it's hard to get a
4 we the people out of this thing if only one
5 side here is here. No one from -- who might
6 agree with your issues never -- they never
7 come down.

8 One of the things that -- about this
9 loan is that what do we the people of the
10 City of Scranton get out of this loan? I

11 mean, yes, you provide more taxes and you'll
12 get jobs and everything else, and no, we
13 don't want our hair done or our nails done,
14 we don't want nothing like that, but if all
15 we get is four extra jobs out of the deal,
16 because it's our money, it's not the City of
17 Scranton, the corporation's money, it's the
18 City of Scranton, the people's money, what
19 do we get out of the deal?
20 Maybe they don't feel they have an
21 obligation or a civic obligation to think
22 about we the people, they just get their
23 money, make their money and pay their taxes,
24 and that's all they do.

25 Maybe it would feel a little better
.

22

1 for the people, maybe we might agree with it
2 if they would even put a little bit of their
3 own money in it and say 25 percent of what
4 that loan was, give the kids some free
5 swimming for two, three years. 25 percent
6 of that loan may cover up -- you know, do a
7 public service even for these big buildings

8 here.

9 We're handing out all this money to
10 these people, but what are they doing for us
11 besides getting us a job?

12 Well, you're making money. You're
13 not doing anything for us. I mean, yes, we
14 all need jobs, but we're making money, so
15 it's a give and take situation.

16 I mean the laughter of the city's
17 children is far more important than a
18 massage or a seaweed wrap.

19 You know, do something for us, you
20 know, not just Alexander's, any of these
21 businesses who we hand millions of dollars.

22 What are they doing?

23 Of course it's all about the bottom
24 line, and if it is all about the bottom
25 line, wouldn't it be better for us to take

.

23

1 that \$250,000 --

2 MR. MINORA: Three minutes.

3 MR. MCCLOE: -- and give it to a

4 competing place where they can hire 15

5 instead of four?

6 MS. GATELLI: Thank you. Ms.

7 Fanucci.

8 MS. NEALON FANUCCI actually she is

9 hiring about 15 new employees, and also she

10 is putting in -- it's about a \$2 million

11 project.

12 And the only amount of money she is

13 borrowing is this, so she is putting in a

14 lot of her own money for Alexander's.

15 Also, to answer a lot of your

16 questions, these loans are totally

17 guided by the state. This is not by the

18 city. The state is the one who makes these

19 rules, how you can apply, how you can get

20 the money, and how you go about it.

21 So, it is not something that the

22 city does, it is something that the State

23 mandates. So, we have to follow the rules,

24 or they can't get the money anyway.

25 So, they are really more indebted to

.

24

1 the state than they are to the city.

2 MR. MCCLOE: Then why do they go

3 through you?

4 MS. NEALON FANUCCI: They have to go

5 through us because we're the ones who do the

6 legislation for the city. All legislation

7 passes through Council. Any amount of

8 legislation that goes through Scranton has

9 to pass through here. So, it is just part

10 of the -- part of the works of the machine.

11 But as far as them applying for the

12 grants and how they do that, it is all state

13 mandated.

14 MR. MCCLOE: Okay.

15 MS. GATELLI: Mr. Jackowitz.

16 MR. JACKOWITZ: Bill Jackowitz. I'd

17 also like to speak on 5-B. First of all,

18 whether it's state tax money, federal tax

19 money, city tax money or county tax money,

20 it is still the citizens' money. We all pay

21 those taxes. I know because every two weeks

22 I get sick when I look at my due bill.

23 But anyway, this \$250,000, two weeks

24 ago Ms. Fanucci, in my opinion, strictly my

25 opinion, gave me all the reasons why we

.

25

1 should not give them the money.

2 Here we have a successful business

3 who's going to remodel their business so

4 they can make more money. They're going to

5 buy new equipment, they are going to put new

6 spas in, and basically they are going to

7 make more money off the backs of the

8 taxpayers.

9 Again, whether it's state, federal,

10 county, city, I don't care. It's taxpayers'

11 money. Now, what we should be doing with

12 this money is giving this money to new

13 businesses, people who are trying to start

14 off in business, not people who are already

15 successful in their business. Give it to

16 some new people.

17 Like I said, about the Legion of

18 Doom T-shirts, how about giving me some

19 money?

20 MS. NEALON FANUCCI: Put your

21 application in.

22 MR. JACKOWITZ: I will. I hope

23 you'll approve it. But anyway, you know, I
24 think every business in town should apply
25 for one of these loans. Chick's Diner
.
26

1 should apply for it, remodel. All the
2 taverns in town should apply for it, remodel
3 their business.

4 I mean, if the taxpayers are going
5 to give away the money, you know, and,
6 again, I'm just going to make an assumption,
7 and maybe I shouldn't, but we all know what
8 happens when you make an assumption, but
9 anyway, I'll bet you these people who are
10 getting these monies are on somebody's
11 campaign contribution list. That's just my
12 assumption.

13 If we look at the -- as a matter of
14 fact, can we get a copy of campaign
15 contributions in accordance with the money
16 that we have given to these people since
17 December and see if any of those people are
18 on anybody's campaign contribution list? I
19 would really like to know.

20 MR. COURTRIGHT: That's public --

21 MR. JACKOWITZ: I understand that.

22 I'm just saying --

23 MR. COURTRIGHT: They're not on

24 mine, I'll tell you that.

25 MR. JACKOWITZ: They're not on mine

.

27

1 either. But anyway, but again, I also want

2 to talk about this \$325,000 for snow

3 removal. I mean, I'm still confused.

4 Mrs. Fanucci, you told us \$53,000 or

5 \$55,000. Now we're back up to \$325,000. Do

6 we have invoices? Do we have times, dates,

7 hours, so on and so forth what was the work?

8 And you mean to tell me it cost us

9 \$325,000 for one snowstorm and the snow was

10 not removed? That's what bothers me. The

11 snow was not removed. The turning lanes had

12 snow in them for two weeks, the streets were

13 just plowed down the middle. Where were

14 these people?

15 So, I hope, I hope, that when this

16 comes up later on tonight, that you guys

17 look at it very carefully, very carefully,
18 and can account for every one -- every penny
19 of that \$325,000, because the streets were
20 not plowed. Nature put the snow here,
21 nature took the snow away.

22 MR. MINORA: Time.

23 MR. JACKOWITZ: Downtown wasn't
24 plowed for a week after the snow storm.

25 MS. GATELLI: Thank you. Is there a
.

28

1 Mr. Stivala?

2 MR. STIVALA: My name is Mark
3 Stivala. I am the husband of Sherry
4 Stivala, Sherry Tarapchak Stivala, who
5 operates Alexander's Salon and Spa.
6 I'm here to -- for a couple of
7 reasons. One is to -- for questions that
8 were raised by the Council and by the
9 public.

10 Basically Sherry Stivala Tarapchak
11 is getting this loan because it's hidden
12 under an eminent domain they were trying to
13 do on Lackawanna Avenue besides Buona Pizza.

14 There's a deal that's being put down
15 here that Sherry is going to get this loan,
16 it's going to be put against Alexander's
17 Salon and Spa, because every other
18 corporation has been sued, and you can look
19 at that in the records down at the
20 courthouse, every other corporation she owns
21 is sued, and that they're hiding this
22 because her and I are going through a
23 divorce right now.

24 So, the way they're tying this
25 together is they're going to give her a
.
29

1 \$250,000 loan because the lot was put into a
2 -- basically an escrow account or a trust
3 for me in the divorce, and they're going to
4 devalue that lot besides Buona Pizza, and so
5 that the trust would be devalued of the
6 money and then the money would just go to
7 her and it would be forgiven in three years.

8 MS. GATELLI: No, that's not true.

9 That's 20 years. It's 20 years.

10 MR. STIVALA: That was just changed,

11 and I picked up the paperwork last week and
12 then I picked up the paperwork today, and
13 that was just changed in the paperwork
14 within this last week.

15 And mark my words here today, that
16 that is going to be forgiven. And what are
17 they taking for collateral? A couple of
18 hair dryers? Because they can't lien the
19 building because there's lis pendens against
20 it and there's lis pendens against the
21 property and it's in trust and she's got all
22 these lawsuits. So, they're going to take a
23 couple hair dryers as collateral, and then
24 they're going to just forgive the loan.

25 MS. GATELLI: They can't do that.

.

30

1 They can't do that.

2 MR. STIVALA: I'm going to -- I'm
3 going to contact all the Pennsylvania and
4 all the state authorities to check into
5 this.

6 MS. KRAKE: My name is Nancy Krake.

7 First I would like to ask if all of the

8 Council people and our Council solicitor
9 were wanded at the door this evening. You
10 weren't, Mr. Courtright?

11 MS. KRAKE: Some are answering and
12 some aren't.

13 MS. GATELLI: Yes, I was.

14 MS. KRAKE: Okay. But my point is
15 is that, you know, I don't -- I can't force
16 anyone to answer, but I'm assuming if you
17 didn't answer, then you weren't.

18 It's a little ridiculous at this
19 point, but apparently we're going to keep
20 doing it. And the people that -- some of
21 the people that were talking the loudest
22 about it apparently don't have to get one.

23 I'd also like to speak about 6-C. I
24 asked last week about -- you're taking the
25 money from the 2006 bond payment in the

31

1 budget. Where will you get the money to
2 replace that?

3 For the snow removal you're taking
4 money out of where we had appropriated to

5 paw the bond payment, so where will we get
6 the money now to make the bond payment?

7 MS. GATELLI: I believe we sent that
8 request in, didn't we, Mrs. Garvey?

9 MS. GARVEY: No, we didn't send a
10 request in with that question. We did send
11 a request to ask for all of the invoices and
12 the types of vehicles. We didn't get that
13 response yet.

14 MS. GATELLI: Well, maybe you can
15 include this question.

16 MS. GARVEY: Okay.

17 MS. KRAKE: Before --

18 MS. GATELLI: We will get that for
19 you.

20 MS. KRAKE: And I would like to
21 recommend to Council that before you pass
22 it, you might want to consider where that
23 money will be coming from, or will we have
24 another last minute \$10 million loan at the
25 end of this year now?

.

32

1 And also, it would probably be

2 interesting to know when that bond payment
3 is due, because I think that would play
4 particularly into when you're going to be
5 replacing that money.

6 The mayor also has a couple million
7 dollars that he has sitting in a drawer
8 somewhere apparently left over from the
9 borrowing from last year.

10 I would really like to know what
11 account that is in. I've asked that
12 question before. That came down in the
13 letter that all of Council received from Mr.
14 Kresefski. Thank you. Anyone else?

15 MR. MORGAN: Good evening, Council.
16 You know, I'd just like to say this
17 gentleman that got up and spoke about this
18 Alexander's, I think we should table that
19 legislation until we find out exactly what's
20 going on with that.

21 I can't say whether his allegations
22 are true or false, but I think that before
23 we give anybody any money, we should know
24 what's going on.

25 I'd like to talk on a couple other

1 things, and I'd like to say something,
2 because I agree with something Mrs. Fanucci
3 said today, okay?
4 And she said she said it -- she said
5 it had to do with the machines. She was
6 talking about 5-B, and that the city -- the
7 city is the machine, the works of the
8 machine.
9 And I agree, it is the works of the
10 machine, because it's a political machine
11 and it's trying to gain favor by giving out
12 loans to certain individuals.
13 And I'm not just talking about this
14 particular loan, I'm talk about a lot of
15 loans.
16 And I agree with what somebody else
17 said, let's take a look at the contributors'
18 lists and all the loans that have been given
19 out to everybody.
20 Because, you know, CRF, and nothing
21 personal, Mr. Courtright, Mr. Courtright in
22 the end backed that. That was faulty

23 legislation from the start. That was

24 decided. That's --

25 MS. GATELLI: Mr. Morgan, excuse me,

.

34

1 but that's not on the agenda. Could you

2 stick to the agenda?

3 MR. MORGAN: I am sticking to the

4 agenda, because I'm trying to speak about

5 5-B, okay? And that's the content of my

6 speech, okay? And that's my point that I'm

7 talking about that some of these loans

8 aren't valid. You may not be able to follow

9 what I'm saying, but that's what I'm saying,

10 that this -- all of this is possibly just --

11 it's not -- it's not thoroughly looked into,

12 okay, and it just points to misappropriation

13 of funds, as far as I'm concerned, because

14 we're just throwing money all over the

15 place.

16 Now, on 6-C, I asked last week about

17 who plowed, what type of vehicles were used,

18 and how many streets and how many hours did

19 -- I haven't heard any response from Council

20 on that.

21 And the other thing I asked about, I
22 didn't receive any response yet, is 6-D,
23 because you're talking about changing the
24 limits. Are we increasing the limits or
25 decreasing the limits? That's relevant.

35

1 I mean, we've got leachate coming
2 from the landfill. I don't know any of the
3 other industrial users, but I think it's
4 relevant to know what actually are we
5 talking about. Are we talking about
6 increasing it or decreasing it? Can you
7 tell me that?

8 MS. GATELLI: It's the EPA
9 standards.

10 MR. MORGAN: I'm not asking that
11 question. I'm asking you --it says here,
12 Establishing local limits. So, you're
13 voting to establish a limit, and I'm asking
14 you, what is that limit, is it more or less?

15 MS. GATELLI: The limit was in the
16 backup, Lee. It was in there.

17 MR. MORGAN: Okay. But, I mean, can
18 you tell me that? It's in the backup, but
19 what I'm saying is, you're voting on
20 legislation, and I'm asking you, since
21 you're informed, and you presented this,
22 okay, second reading, okay, well, what do
23 you know about it? And I'm asking you --

24 MR. MINORA: Time.

25 MR. MORGAN: -- and the rest of

36

1 Council, is it an increase or a decrease in
2 the limit? It's a simple question. I don't
3 care if it's in the backup. I'm asking you
4 if you know what you're voting on. Thank
5 you.

6 MR. COURTRIGHT: Kay, if I could
7 interrupt for one second. It seems to me I
8 get most of the answers out of Lori Reed,
9 and maybe we can ask her this question,
10 somebody is governing all of these loans
11 that we give, whether it be the state or the
12 federal government, and can we ask Lori are
13 they audited? Does the state come in, does

14 the federal government come in, when do they
15 come in, how often do they come in, can they
16 give us a list of when it's done? Because
17 somebody is governing us.

18 MR. MINORA: I -- we don't have to
19 write a letter.

20 MR. COURTRIGHT: You know that --

21 MR. MINORA: I was counsel to OECD
22 for eight years. HUD comes in and does an
23 audit every year. The city gets an audit
24 from HUD whether they're doing things
25 properly according to regulations that they
.
37

1 propose on all of their loans. It's a
2 regular audit done by the federal government
3 out of Philadelphia of the administration of
4 OECD money.
5 All of those monies that flow
6 through Scranton to development are audited
7 on an annual basis, and if there are
8 problems with it, there are audit finders.
9 There are virtually audit findings every
10 year for one reason or another.

11 But serious audit findings could
12 result in losses of future revenues, which
13 to my knowledge hasn't happened in -- I
14 don't know that it's ever happened.

15 And the flip side of that is, if the
16 city doesn't use the money administered, it
17 would go to another city next year.

18 MR. COURTRIGHT: Can I ask this, are
19 those audits -- could we get our hands on
20 those?

21 MR. MINORA: They're upstairs. You
22 can get them any time. HUD audits are
23 available upstairs for public consumption at
24 any time. Anyone in the audience can go get
25 them.

·
38

1 MR. COURTRIGHT: So, anybody that
2 would be concerned maybe something was being
3 done inappropriately, take a look at the
4 audits and see for themselves, it would be
5 where, in the law office?

6 MR. MINORA: I assume OECD office.

7 MR. COURTRIGHT: OECD?

8 MR. MINORA: And you can go back and
9 have 20 years worth of audits, I'm sure. I
10 don't know how long you have to keep them,
11 but I know they go back some time.
12 Because when we were counsel, I
13 remember reviewing some that were ten years
14 old at the time.

15 MR. COURTRIGHT: Okay. Thank you.

16 MR. MINORA: You're welcome.

17 MS. GATELLI: Mrs. Garvey.

18 MS. GARVEY: 5-A, motions.

19 MS. GATELLI: Mrs. Fanucci.

20 MS. NEALON FANUCCI: I was going to
21 speak on the Alexander's, but I think I'm
22 going to hold off on that tonight.
23 A lot of questions that were asked
24 tonight were questions that I had asked and
25 this Council has asked.

.

39

1 The job creation is definitely three
2 times as much as what they were going to --
3 what they're expected to do or have to do.
4 As far as collateral on the hair

5 dryers, I believe the collateral was the
6 fitness equipment that was going in, it was
7 going to be part of the collateral, the new
8 -- all the new computers.

9 MR. MINORA: There's a personal
10 guarantee, as well.

11 MS. NEALON FANUCCI: Right, right.

12 And they also have to have -- to be able to
13 qualify for this loan under any
14 circumstance, you have to have a person --
15 you have to be able to present a personal
16 guarantee.

17 I'd like to think of these as gifts.

18 Everybody thinks as this money as gifts.

19 Well, as you know, when you go to your bank
20 to get a loan for your house, it's not that
21 great of a gift. You still have to pay for
22 it, and people still have to pay this money
23 back to the city. This is not, you know, a
24 Christmas present or a gift. We always have
25 to pay the money back.

.

40

1 And everyone except for, and as I

2 stated before, with the exception of two
3 people in the history -- in the past, I
4 think it's ten years, have paid the money
5 back, have made the job creation and have
6 put the money into the city.

7 And the reason that they have to
8 take this money out and the reason that this
9 city has this money is so that we can make
10 more growth and development. That is the
11 reason this exists.

12 So, whether or not we put the money
13 here, we can't use it for anything else. We
14 can't say, Oh, I'd love to pave the streets
15 with this money or I'd love to put -- or
16 make free swim with this money or anything
17 else. It is not for that. You will never
18 be able to use it for that.

19 I don't know why every time we get
20 to these loans it seems to be a very, very
21 difficult endeavor. It seems to be the
22 public wants to feel that this money is
23 given and can be used other places.

24 And as long as we understand that if
25 we don't use this money, we lose this money.

.

41

1 If you don't put restaurants or salons or
2 whatever else -- I believe once we had a
3 problem because it was a dog day care and
4 people were all upset.
5 It might be you don't use that,
6 maybe it's something that's personally not
7 something that you would do, but we need
8 this in our city, and our city needs to
9 grow, and it is not for us to decide what
10 our city can grow and how it can grow. It's
11 not for me to say maybe they don't like this
12 type of restaurant or maybe this salon is
13 too -- you know, who wants a seaweed wrap.
14 Well, if you don't want a seaweed
15 wrap, that's fine, but there are still
16 people who might. It's not something that
17 we can decide. It is all about economic
18 development and paying back loans. And
19 that's the bottom line. As long as our
20 loans are paid back, we will give them out.
21 Also I want to speak on the smoking
22 ban. If you are bold enough to come out and

23 state that you are going to be against the
24 law and do something that is against the
25 law, we are going to fine you.

.

42

1 Whether or not you like the law, I
2 don't like to stop at stop signs, I
3 certainly, you know, sometimes don't like to
4 drive the speed limit, and a lot of times,
5 but they're still the law.

6 And as long as this is enacted,
7 which it is right now, and this is
8 legislation has passed four to one, and the
9 majority has spoken, this is our
10 legislation, and in Scranton we are smoke
11 free.

12 If you want to not be smoke free and
13 go against the law, then you will have to
14 pay. And that is all I have. Thank you.

15 MS. GATELLI: Mr. McGoff.

16 MR. MCGOFF: Thank you. Two things,
17 to piggyback what Mrs. Fanucci said, I think
18 on any of the loans that we are offering,
19 there are three things that at least to me

20 need to be considered, is it a viable
21 business that's receiving the money, do they
22 meet the regulations for the loans, and is
23 there a reasonable expectation of the
24 business to repay the loan?

25 And I think in this case,

.

43

1 Alexander's meets those qualifications, and
2 I think that any business that meets those
3 qualifications that has applied for a loan
4 through this program should be granted the
5 loan.

6 The gentleman from OECD gave us some
7 assurances that collateral for the loan in
8 terms of property was twice the value of the
9 loan, that along with that, the personal
10 guarantee, and as Mr. Courtright mentioned
11 before, the guarantee that the loan is not
12 attached to the property but is, in fact,
13 attached to the business, and that the
14 repayment is attached to the business and to
15 the person. With all of those things in
16 place, I see no reason why this loan should

17 not be approved.

18 And also to comment on the smoking
19 ordinance, I'm going to continue to support
20 the smoking ordinance, as well. When I
21 voted to pass this, I did so because I took
22 into consideration the long-term health
23 concerns of the people of the City of
24 Scranton.

25 The short term loss of income by

44

1 some businesses is obviously a problem, but
2 there are many businesses that have
3 benefitted from the smoking ordinance.
4 A number of businesses, the number
5 of restaurants that I have gone to have
6 commented that their business is better
7 because of the smoking ordinance.
8 And, in fact, many of the people
9 that I have talked to have responded very
10 positively. In fact, I've had more people
11 respond positively than negatively.
12 And I think in the long-term, it was
13 the right thing to do, and as I said, I will

14 continue to support the ordinance. Thank
15 you.

16 MS. GATELLI: Mr. Courtright.

17 MR. COURTRIGHT: The Upper Hill

18 Section Ecumenical Committee was saluted in

19 USA Magazine, and if I may, I'd just like to

20 read this a little bit further.

21 It says, Make a Difference Today is

22 the nation's largest day of community

23 service. More than 3 million people

24 participated in thousands of projects last

25 year on October 28.

.

45

1 Today the USA Weekend salutes the

2 national winners and recognizes our local

3 honorees, the Upper Hill Ecumenical

4 Committee.

5 And the committee comprises of St.

6 Peter's Evangelical Lutheran Church, Myrtle

7 Street Methodist, and Immaculate Conception

8 Church joined forces with Friendly's in

9 Dunmore in a food drive that helped stock

10 the shelves of neighborhood pantries.

11 In addition to collecting food, the
12 committee received ten percent from all food
13 receipts on selected dates as a donation to
14 the pantry.

15 And they will be having another one
16 at the next Friendly's Family Night and Fun
17 Night on April 25 at the Dunmore restaurant
18 from five until eight, and St. Peter's will
19 also have an ice cream social on June 13 at
20 7 p.m.

21 I often give a that a boy to the
22 police and fire department, and I have one
23 for the DPW now, if I could read this.
24 We'd like to praise the DPW workers
25 who pick up the garbage at our home located

46

1 on the corner of Dorothy Street and North
2 Sumner Avenue in the Tripp Park Section of
3 Scranton. They do a great job.
4 Most of all I want to thank them for
5 paying attention to our grandson who waits
6 every Monday morning to see them. They take
7 the time to wave and blow the horn at him,

8 which makes his morning complete.
9 We do not know their names, but we
10 hope you can somehow let them know and their
11 supervisor know what a great job they do and
12 how much we appreciate them. Keep up the
13 good work you are doing for Scranton, and
14 that's from Barb and Dave Kester from
15 Dorothy Street. So, thank you to those DPW
16 workers.

17 Kay, two things on this one subject,
18 if we could send a letter tomorrow, if I'm
19 not here tomorrow, if you can find possibly
20 call.

21 I brought up this hole, it's beyond
22 a hole now, at Forest Glen Drive. I looked
23 at it. I was afraid to measure it, I was
24 afraid I'd get killed. It looks like it's
25 about 15-foot-by-10-foot. It's getting

47

1 bigger and bigger, and it's on a turn.
2 It's on Forrest Glen Drive, and
3 people -- it's a dangerous turn. People are
4 avoiding this gigantic hole, if that's what

5 you want to call it, and there's going to be
6 a head on accident.
7 I think they need to get up there
8 and do something tomorrow, and I don't think
9 this could wait any longer.
10 I missed an opportunity -- Stu Renda
11 came in today, and I asked so many questions
12 about Alexander's Spa, I forgot to ask this
13 one, to me, UDAG money is a mystery. I
14 don't know, whenever I want it, it's not
15 there, and then all of a sudden it appears.
16 So, I've asked this before, and I'm
17 going to ask this again, I should have asked
18 Stu to give me a call, the Keyser Valley
19 Community Center's parking lot needs some
20 paving, and I don't believe they qualify for
21 the CDBG money. They can also use air
22 conditioning. They don't have air
23 conditioning in there, and they can also use
24 some remodeling in the bathrooms.
25 And I think UDAG money would be able
.

48

1 to do that for them, at least some of it.

2 So, maybe we can address it with Mrs.
3 Hailstone and ask her if there is any UDAG
4 money left, and if there is, could we have
5 some of that UDAG money for Keyser Valley
6 Community Center? If she could answer that
7 for me, I certainly would appreciate that.
8 And one last thing, I probably --
9 oh, I got another thing, sorry. I'm not
10 going to read this entire letter, it's from
11 Kristen Davis, but basically in a nutshell
12 what it's saying is that the Pine Brook and
13 Rockwell Avenue playing fields aren't up to
14 snuff, they need some work done on them.
15 And due to the fact that the South
16 Side Sports Complex is gone, they need some
17 work, and especially this is dealing with
18 the women's -- the Scranton Women's Softball
19 League.
20 So, if we could forward this letter
21 down to, I guess it would be parks and rec,
22 and see if they could do something with
23 these fields for these people.
24 And now maybe this isn't
25 appropriate, but I'm doing it anyway, my

.

49

1 aunt moved out of this area 64 years ago,
2 and she hasn't been back since, and she's
3 watching probably her first Council meeting.

4 She lives in Detroit. She moved away
5 64 years ago for a job, and they do have it
6 on TV in Detroit, and so she's watching
7 tonight, so if you don't mind, I would just
8 like to say hi. Hi, Aunt Kay. Thank you.

9 That's all I have.

10 MS. GATELLI: Thank you. The only
11 thing I forgot to mention before was after
12 last week's meeting when we talked about
13 negotiations with the unions, Dave Shreiber
14 from the Local 60 with the firefighters
15 wrote a letter to Mayor Doherty hopeful that
16 after hearing at the Council meeting that we
17 can start negotiating and supporting
18 Council's position on this --

19 THE AUDIENCE: We can't hear you.

20 MS. GATELLI: This is a letter to
21 Mayor Doherty from Dave Schreiber, the
22 President of the Firefighters Union telling

23 the mayor that he is hopeful that after
24 hearing about possible negotiations at the
25 Council meeting last week, Dave is in
. .
50

1 agreement with this and encouraging the
2 mayor, so I'm happy that Mr. Shreiber wrote
3 a letter. And that's all I have. Mrs.
4 Garvey.

5 MS. GARVEY: 5-B, FOR INTRODUCTION -
6 A RESOLUTION - AUTHORIZING THE MAYOR AND
7 OTHER APPROPRIATE CITY OFFICIALS FOR THE
8 CITY OF SCRANTON TO ENTER INTO A LOAN
9 AGREEMENT AND MAKE A LOAN FROM THE
10 COMMERCIAL INDUSTRIAL REVOLVING LOAN
11 PROGRAM, PROJECT NO. 150.9 IN AN AMOUNT NOT
12 TO EXCEED \$250,000.00 TO ALEXANDER'S SALON &
13 SPA, INC. TO ASSIST AN ELIGIBLE PROJECT.

14 MS. GATELLI: At this time I'll
15 entertain a motion that Item 5-B be
16 introduced.

17 MR. COURTRIGHT: So moved.

18 MS. NEALON FANUCCI: Second.

19 MS. GATELLI: On the question? All

20 in favor.

21 MS. NEALON FANUCCI: Aye.

22 MR. MCGOFF: Aye.

23 MR. COURTRIGHT: Aye.

24 MS. GATELLI: Aye. Opposed? The

25 ayes have it and so moved.

.

51

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

2 READING BY TITLE - FILE OF COUNCIL NO. 85,

3 2007 - AN ORDINANCE - ACCEPTING OWNERSHIP

4 AND MAINTENANCE RESPONSIBILITY FOR A TRAFFIC

5 SIGNAL DEVICE AT STATE ROUTE 8039 (S.R. 0081

6 RAMP H) AND RIVER STREET AND EAST MOUNTAIN

7 ROAD AND ACCEPTING THE TRAFFIC SIGNAL

8 MAINTENANCE AGREEMENT THAT PERTAINS THERETO

9 WITH THE COMMONWEALTH OF PENNSYLVANIA,

10 DEPARTMENT OF TRANSPORTATION AS PART OF A

11 ROADWAY CONSTRUCTION PROJECT.

12 MS. GATELLI: You've heard reading

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

14 MR. COURTRIGHT: I move that Item

15 6-A pass reading by title.

16 MS. NEALON FANUCCI: Second.

17 MS. GATELLI: On the question?

18 MR. MCGOFF: Yes. I know we talked
19 about this last week, and it had been my
20 understanding that this was going -- this
21 light was going to be at Meadow Avenue and
22 River Street, and it appears that that was
23 incorrect, that it is, in fact, at the
24 bottom of East Mountain Road and the ramp --
25 the exit ramp from 81 North and the entrance
.
52

1 ramp to 81 North.

2 While I'm not opposed to a traffic
3 signal there, it probably would be useful, I
4 was under the impression that it was at the
5 other site where, at least in my opinion, a
6 traffic light is much -- in much greater
7 need.

8 MS. GATELLI: I spoke to Mr. Parker
9 on the matter, and this came from PennDOT.
10 PennDOT is paying for this light. There
11 have been numerous accidents there. Traffic
12 backs up along that ramp and clogs up Route
13 81.

14 It does not negate the light at
15 Meadow Avenue. The light at Meadow Avenue
16 is a city project, the Scranton
17 resignalization project, and still will be
18 done. This is a PennDOT -- PennDOT is
19 paying for this.

20 MR. MCGOFF: Thank you for the
21 clarification.

22 MS. GATELLI: You're welcome.

23 Anyone else on the question?

24 MS. GATELLI: All those in favor.

25 MS. NEALON FANUCCI: Aye.

.

53

1 MR. MCGOFF: Aye.

2 MR. COURTRIGHT: Aye.

3 MS. GATELLI: Aye. Opposed? The

4 ayes have it and so moved.

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

6 FILE OF COUNCIL NO. 86, 2007 -- AN ORDINANCE

7 - AUTHORIZING THE CONVEYANCE BY PRIVATE SALE

8 OF ONE PARCEL OF LAND IN SCRANTON ACQUIRED

9 PURSUANT TO THE LACKAWANNA RIVER FLOOD

10 CONTROL PROJECT NEAR THE INTERSECTION OF

11 SHAWNEE AVENUE AND DEPOT STREET, AS MORE
12 PARTICULARLY DESCRIBED ON THE ATTACHED MAP.

13 MS. GATELLI: You've heard reading
14 by title of Item 6-B, what is your pleasure?

15 MR. COURTRIGHT: I move that Item
16 6-B pass reading by title.

17 MR. MCGOFF: Second.

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

20 MS. NEALON FANUCCI: Aye.

21 MR. MCGOFF: Aye.

22 MR. COURTRIGHT: Aye.

23 MS. GATELLI: Aye. Opposed? The
24 ayes have it and so moved.

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

54

1 FILE OF COUNCIL NO. 87, 2007 - AN ORDINANCE
2 - AMENDING FILE OF COUNCIL NO. 66, 2006, AN
3 ORDINANCE ENTITLED GENERAL CITY OPERATING
4 BUDGET 2007 BY TRANSFERRING \$325,000.00 FROM
5 ACCOUNT NO. 01.401.15313.4299 (DEBT SERVICE
6 OPERATING EXPENSES) TO ACCOUNT NO.
7 01.080.00083.4260 (RENTAL VEHICLES &

8 EQUIPMENT) TO PROVIDE FUNDING TO COVER SNOW

9 STORM CLEANUP COSTS.

10 MS. GATELLI: You've heard reading

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

12 MR. COURTRIGHT: I move that Item

13 6-C pass reading by title.

14 MS. NEALON FANUCCI: Second.

15 MS. GATELLI: On the question?

16 MR. COURTRIGHT: On the question,

17 Mrs. Gatelli. I was asked today, somebody

18 was under the impression that this money was

19 for towing vehicles, and Kay spoke to Mr.

20 Parker on my behalf, and that is not the

21 case.

22 MR. MCGOFF: I would also like to

23 just comment, I know we asked for invoices

24 concerning this snow removal, and while I'll

25 vote for it tonight, I think that it would

.

55

1 be incumbent upon us to get those invoices

2 before the third reading so that we can see

3 where the money was spent and to whom it was

4 provided.

5 MS. GATELLI: And also the questions

6 from tonight, Mrs. Garvey.

7 MS. GARVEY: Okay. Mr. Parker does

8 have the letter, and I did speak to him

9 about that, but he -- we gave it to him in

10 his mailbox, I believe, on Tuesday, but he's

11 just getting the chance to review all of

12 those letters now, so hopefully I will have

13 to redirect the other questions to him.

14 MS. GATELLI: Maybe instead of

15 letters, we can call, because the letters

16 are rather cumbersome. By the time they get

17 the letter, we might not have an answer for

18 next week, so maybe a call preceding the

19 letter would be better. Anyone else on the

20 question? All those in favor.

21 MS. GATELLI: All those in favor.

22 MS. NEALON FANUCCI: Aye.

23 MR. MCGOFF: Aye.

24 MR. COURTRIGHT: Aye.

25 MS. GATELLI: Aye. Opposed? The

.

56

1 ayes have it and so moved.

2 MS. GARVEY: 6-D, READING BY TITLE -
3 FILE OF COUNCIL NO. 88, 2007 - AN ORDINANCE
4 - ESTABLISHING LOCAL LIMITS FOR THE
5 DISCHARGE OF POLLUTANTS FROM INDUSTRIAL
6 USERS TO THE SEWER SYSTEM AND REPEALING
7 THOSE LOCAL LIMITS ADOPTED BY PRIOR
8 ORDINANCE.

9 MS. GATELLI: You've heard reading
10 by title of Item 6-D, what is your pleasure?

11 MR. COURTRIGHT: I move that Item
12 6-D pass reading by title.

13 MS. NEALON FANUCCI: Second.

14 MS. GATELLI: On the question?

15 MR. MCGOFF: It is my understanding
16 that the movement to change these limits is
17 to comply with the guidelines, and that in
18 order to comply with those guidelines, we do
19 need to make the necessary changes, or else
20 we would be out of compliance.

21 MS. GATELLI: That is true. We
22 would be fined on a daily basis. Anyone
23 else on the question? All those in favor.

24 MS. NEALON FANUCCI: Aye.

25 MR. MCGOFF: Aye.

57

1 MR. COURTRIGHT: Aye.

2 MS. GATELLI: Aye. Opposed? The

3 ayes have it and so moved.

4 MR. MCGOFF: I'd like to make a

5 motion at this time to suspend the rules to

6 move 6-D into seventh order for final

7 passage so -- for final passage.

8 MR. COURTRIGHT: Second.

9 MS. GATELLI: On the question? All

10 those in favor.

11 MS. NEALON FANUCCI: Aye.

12 MR. MCGOFF: Aye.

13 MR. COURTRIGHT: Aye.

14 MS. GATELLI: Aye. Opposed? The

15 ayes have it and so moved.

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

17 FILE OF COUNCIL NO. 89, 2007 - AN ORDINANCE

18 - CREATING AND ESTABLISHING SPECIAL CITY

19 ACCOUNT NO. 02.229585 ENTITLED SCRANTON

20 POLICE MUNICIPAL POLICE OFFICERS EDUCATION

21 AND TRAINING ACCOUNT FOR THE RECEIPT AND

22 DISBURSEMENT OF GRANT FUNDS FROM THE

23 MUNICIPAL POLICE OFFICERS EDUCATION AND
24 TRAINING COMMISSION FOR SCRANTON POLICE LAW
25 ENFORCEMENT TRAINING PROGRAM.

.

58

1 MS. GATELLI: You've heard reading

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

3 MR. COURTRIGHT: I move that Item

4 6-E pass reading by title.

5 MS. NEALON FANUCCI: Second.

6 MS. GATELLI: On the question? All

7 those in favor.

8 MS. NEALON FANUCCI: Aye.

9 MR. MCGOFF: Aye.

10 MR. COURTRIGHT: Aye.

11 MS. GATELLI: Aye. Opposed? The

12 ayes have it and so moved.

13 MS. GARVEY: Seventh order. 7-A,

14 FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC

15 SAFETY - FOR ADOPTION - FILE OF COUNCIL NO.

16 83, 2007 - ACCEPTING OWNERSHIP AND

17 MAINTENANCE RESPONSIBILITY FOR A TRAFFIC

18 SIGNAL DEVICE AT STATE ROUTE 3011 (KEYSER

19 AVENUE) AS REQUIRED BY THE COMMONWEALTH,

20 DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY

21 OCCUPANCY PERMIT OF THE KEYSER TERRACE

22 SUBDIVISION.

23 MS. GATELLI: What is the

24 recommendation of the chair on public

25 safety?

.

59

1 MR. COURTRIGHT: As chairperson for

2 the committee on public safety, I recommend

3 final passage of Item 7-A.

4 MS. NEALON FANUCCI: Second.

5 MS. GATELLI: On the question? Roll

6 call.

7 MS. MAGNOTTA: Mrs. Evans. Mrs.

8 Fanucci.

9 MS. NEALON FANUCCI: Yes.

10 MS. MAGNOTTA: Mr. McGoff.

11 MR. MCGOFF: Yes.

12 MS. MAGNOTTA: Mr. Courtright.

13 MR. COURTRIGHT: Yes.

14 MS. MAGNOTTA: Mrs. Gatelli.

15 MS. GATELLI: Yes. I hereby declare

16 7-A legally and lawfully adopted.

17 MS. GARVEY: 7-B, FOR CONSIDERATION
18 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
19 ADOPTION - FILE OF COUNCIL NO. 84, 2007 -
20 RESTRICTING PARKING ON THE WESTERN SIDE OF
21 THE 1100 BLOCK OF LUZERNE STREET AND THE
22 NORTHERN SIDE OF THE 400 BLOCK OF SOUTH MAIN
23 AVENUE TO COMPLY WITH THE HIGHWAY OCCUPANCY
24 PERMIT RESTRICTIONS OF THE COMMONWEALTH OF
25 PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION
.

60

1 FOR THE INSTALLATION OF A BANK BRANCH AT
2 THAT INTERSECTION.

3 MS. GATELLI: What is the
4 recommendation of the chair on public
5 safety?

6 MR. COURTRIGHT: As chairperson for
7 the committee on public safety, I recommend
8 final passage of Item 7-B.

9 MS. NEALON FANUCCI: Second.

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

12 MS. MAGNOTTA: Mrs. Evans. Mrs.
13 Fanucci.

14 MS. NEALON FANUCCI: Yes.

15 MS. MAGNOTTA: Mr. McGoff.

16 MR. MCGOFF: Yes.

17 MS. MAGNOTTA: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MS. MAGNOTTA: Mrs. Gatelli.

20 MS. GATELLI: Yes. I hereby declare

21 7-B legally and lawfully adopted.

22 MS. GARVEY: 7-C, FOR CONSIDERATION

23 BY THE COMMITTEE ON RULES - FOR ADOPTION -

24 RESOLUTION NO. 143, 2007 - AUTHORIZING THE

25 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS

.

61

1 TO APPLY FOR AND EXECUTE A GRANT APPLICATION

2 AND IF SUCCESSFUL A GRANT AGREEMENT AND

3 ACCEPT THE FUNDS RELATED THERETO FROM THE

4 MUNICIPAL POLICE OFFICERS EDUCATION TRAINING

5 COMMISSION.

6 MS. GATELLI: As chair for the

7 committee on rules, I recommend final

8 passage of Item 7-C.

9 MR. COURTRIGHT: Second.

10 MS. GATELLI: On the question? Roll

11 call.

12 MS. MAGNOTTA: Mrs. Evans. Mrs.

13 Fanucci.

14 MS. NEALON FANUCCI: Yes.

15 MS. MAGNOTTA: Mr. McGoff.

16 MR. MCGOFF: Yes.

17 MS. MAGNOTTA: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MS. MAGNOTTA: Mrs. Gatelli.

20 MS. GATELLI: Yes. I hereby declare

21 Item 7-C legally and lawfully adopted.

22 MS. GARVEY: 7-D, which was formerly

23 6-D, FOR CONSIDERATION BY THE COMMITTEE ON

24 PUBLIC WORKS - FILE OF COUNCIL NO. 88, 2007

25 - AN ORDINANCE - ESTABLISHING LOCAL LIMITS

.

62

1 FOR THE DISCHARGE OF POLLUTANTS FROM

2 INDUSTRIAL USERS TO THE SEWER SYSTEM AND

3 REPEALING THOSE LOCAL LIMITS ADOPTED BY

4 PRIOR ORDINANCE.

5 MS. GATELLI: What is the

6 recommendation of the chair on public works?

7 MR. MCGOFF: As chairperson for the

8 committee on public works, I recommend final

9 passage of Item 7-D.

10 MR. COURTRIGHT: Second.

11 MS. GATELLI: On the question? Roll

12 call.

13 MS. MAGNOTTA: Mrs. Evans. Mrs.

14 Fanucci.

15 MS. NEALON FANUCCI: Yes.

16 MS. MAGNOTTA: Mr. McGoff.

17 MR. MCGOFF: Yes.

18 MS. MAGNOTTA: Mr. Courtright.

19 MR. COURTRIGHT: Yes.

20 MS. MAGNOTTA: Mrs. Gatelli.

21 MS. GATELLI: Yes. I hereby declare

22 Item 7-D legally and lawfully adopted.

23 MS. GARVEY: Eighth order, Citizens

24 Participation II, general city issues.

25 MS. GATELLI: Doug Miller.

.

63

1 MR. MILLER: Good evening, Council.

2 Doug Miller, President of Scranton Junior

3 City Council.

4 I'd like to address the smoking ban

5 this evening. This week I read an article
6 in the paper that Chick's Diner would no
7 longer adhere to the smoking ban.
8 You know, they took signs down, they
9 put ashtrays back out. I just don't
10 understand why people can't follow the law.
11 I guess everyone should start
12 driving through red lights and ignore stop
13 signs. Why not? Let's all break the law,
14 smokers are.
15 Smokers need to set the example.
16 The adults need to set the example. The law
17 was passed, and they must adhere to it. You
18 know, it's sad, it really is, that grown
19 adults can't follow a law. I'll move on.
20 I would like to on behalf of the
21 entire Junior Council thank Mrs. Diane
22 Bridchack and CMC Health Care Systems for
23 their generous donations to our Children's
24 Handicapped Accessible Swingset Project. We
25 greatly appreciate your support, and we
·
64

1 continue to ask those out there to please

2 support our project and make a contribution.
3 Send your contributions to 340 North
4 Washington Avenue, Scranton, PA 18503. We
5 would really appreciate it. We want the
6 children to have something to look forward
7 to, and your help will make that dream come
8 true. Thank you.

9 MS. GATELLI: Thank you. Mr.

10 Sbaraglia.

11 MR. SBARAGLIA: Andy Sbaraglia,
12 citizen of Scranton. Fellow Scrantonians, I
13 wasn't happy with your idea of not giving
14 people to speak being you moved it from one
15 place to other. Normally they would ask if
16 anybody had any comments to make on it.
17 What you did was make our water
18 dirtier. More pollution is coming into our
19 system, and the system is the increased
20 copper went up that's dumped into the water,
21 lead went up dumped into the water, nickel
22 went up dumped into the water. You're
23 polluting our water more by when you voted
24 for this.

25 They're dumping more pollution into

65

1 our system. Instead of taking it out, you
2 put more into it. And the numbers are
3 there.
4 You should have -- what you should
5 have done before you voted on this was get a
6 hold of a chemist or somebody to see how
7 much more polluted you're making our water,
8 because this stuff has to be taken off.
9 You loosened the controls. Look at
10 up there biochemical oxygen demand from
11 7,000 to 20,000. You made our water
12 dirtier. Aluminum nitrogen, from 375 to
13 1350. That's all pollution that you're
14 pouring in. You should have got a reading
15 from somebody that knew what the heck they
16 were talking about, instead of making our
17 water dirtier.
18 Mercury is not very good, copper is
19 not very good, and you increased all of
20 them. Somebody must be -- some kind of
21 plant up there dumping a lot of garbage into
22 our water, and you voted to do it. Thank

23 you.

24 MS. GATELLI: Mike Dudek.

25 MR. DUDEK: My name is Mike Dudek,

.

66

1 608 Depot Street, Scranton, PA. And like

2 Helen Cook, I am a proud resident of The

3 Plot.

4 Scranton, Pennsylvania has gotten

5 other distinction that's not too nice to

6 talk about, but I'm going to have to.

7 If you compare Scranton to either

8 Cleveland, Ohio or Cincinnati, Ohio or San

9 Francisco, take those four cities, San

10 Francisco, Cleveland, Cincinnati and

11 Scranton, you wouldn't want to bet on which

12 of those four cities has more housing for

13 sale than any of the others. Yes, it's us.

14 We have 191 houses for sale -- or

15 199 houses for sale and another 131 double

16 occupancy homes for sale, according to

17 various real estate agents that deal in this

18 city. That's over 320 units available for

19 sale.

20 When you have that much housing for
21 sale in a city that small, it speaks volumes
22 about the poverty that exists in this area.
23 Next week's issue of The Union News
24 will deal with other aspects of the Scranton
25 economy that I'll bring in and we'll go over
.
67

1 with you, but I thought I better share that
2 with you because it speaks volumes about how
3 bad the economy of our city really is.
4 Okay, that's just one point I wanted to
5 make.
6 On a lighter side and on a very
7 positive side, this Sunday United Baptist
8 Church, they are going to have their annual
9 Welsh Day. This has to be, as far as I'm
10 concerned, the best kept secret as far as
11 our culture is concerned.
12 If you've heard the Mormon
13 Tabernacle Choir, and if you've heard the
14 people who sing at United Baptist Church,
15 you would tell yourself as far as you're
16 concerned, there's no difference between the

17 two.

18 You have over 400 people at United

19 Baptist Church singing their hearts out

20 Welsh music in both Welsh and English. One

21 of the most beautiful things you will ever

22 hear. And that's just not my own opinion,

23 National Public Television came there seven

24 years ago to film it.

25 As part of a national project

.

68

1 National Public Television has, it filmed

2 various religious events throughout the

3 United States.

4 The United Baptist Church's

5 celebration and a mass as an example of

6 Russian Orthodox Liturgy were both done by

7 National Public T.V.

8 And I'm telling you, it is one of

9 the most remarkable things you will ever

10 hear, and it's right in our own backyard.

11 MR. MINORA: Time.

12 MR. DUDEK: You have a chorus that's

13 equivalent of the Mormon Tabernacle Choir

14 both in quality and in size. Thank you.

15 MS. GATELLI: Thank you. Jim

16 Stucker.

17 MR. STUCKER: How are you doing, Mr.

18 Courtright?

19 MR. COURTRIGHT: Speak louder, Jim.

20 MR. STUCKER: Okay. How are you

21 doing?

22 MR. COURTRIGHT: Good.

23 MR. STUCKER: Good. I met a guy

24 yesterday -- Sunday up -- he told me to see

25 you. He told me you told him to see me or

.

69

1 something. I don't know for what. You told

2 him to see you.

3 MR. COURTRIGHT: I don't know, Jim.

4 I'm not sure what you're talking about.

5 MR. STUCKER: Okay. On Lackawanna

6 Avenue, on Lackawanna Avenue, them holes is

7 still there. That road is really rough,

8 really, really rough. I'm afraid they're

9 going to break a spring or bust a tire or

10 something.

11 And on Parrot Avenue, remember last
12 year I complained about it? Are you going
13 to fix that up there by the school, the road
14 with the holes? They patched them. They
15 didn't do nothing. They just patched it. I
16 was there Sunday, and they only patched it.
17 That's all they did.

18 And over by Oppenheim's -- over by
19 Oppenheim's The Globe Store, the cars are
20 still parking there where the busses got to
21 park. I've been in town every day, every
22 day, and still nobody going after them.

23 And the pizza guy, I don't know his
24 name, he's on Providence Square, I walked
25 down the sidewalk tonight to come here, he

.

70

1 started harassing me.

2 I'm not saying a word to him, he's
3 saying he's going to punch me in the mouth,
4 in the face.

5 I don't understand why everybody on
6 that block picks on me. I mind my business,
7 I'm sitting on the bench across the street

8 on the Providence Square benches, everybody
9 picks on me. Everybody sees me, they start
10 harassing me, calling me names.
11 And I told the cops about it, the
12 cops said stay away from them. I am staying
13 way from them. I'm on probation. I can't
14 -- I don't want to go -- they told me I
15 don't want to go to jail for this,
16 harassment and threats.
17 So, our garbage has been picked up a
18 lot, so that's one thing to say about that.
19 So, I hope you can fix -- Oppenheim's and
20 Globe Store, I want you to do something with
21 that. Get a ticket girl out there in the
22 daytime.
23 I'm afraid somebody is going to get
24 hurt getting on the bus. They're not doing
25 their job. Providence Square is really
·
71

1 getting bad again --

2 MR. MINORA: Time.

3 MR. STUCKER: -- all right, with the

4 crack up there. I hate to say it.

5 MS. GATELLI: Thank you.

6 MR. STUCKER: There's a lot of stuff

7 going around up there, Providence Square.

8 They're checking every day.

9 MS. GATELLI: Thanks, Mr. Stucker.

10 MS. GATELLI: Mr. Piccolino. Mr.

11 Patilla.

12 MR. PATILLA: Sam Patilla, a city

13 resident, taxpayer, homeowner. I hope that

14 the Channel 61 viewing audience realizes

15 that the true champions and heroes of the

16 taxpayers of the City of Scranton sit in the

17 gallery behind me.

18 Mr. Courtright, I've been doing

19 income tax since I was nine, ten, eleven

20 years old, okay? I'm versed in accounts

21 receivables, accounts payables, collections,

22 reconciliation and grant writing, okay?

23 I can take a two-year-old, as long

24 as I'm in charge, I'm the overseer of

25 issuing that grant, I can walk them through

.

72

1 the application, so I don't care who audits

2 me. They're not going to find anything, all
3 right?
4 And all that stuff she's talking
5 about losing the money, all right, not one
6 person in this audience came up here and
7 belittled that company. It's the amount of
8 money. That's what everybody has a problem
9 with, all right?
10 The short time that I've been in
11 this city, Mr. Minora, Miss Fanucci, Miss
12 Gatelli, Mr. McGoff have lied so much that
13 every time they open their mouth now,
14 somebody has to go to the hospital in a burn
15 ward, all right?
16 This has got to stop. This isn't
17 personal on your level, it's personal on our
18 level, because it's our money, all right?
19 Nobody has anything against that
20 woman in -- who owns Alexander's, but common
21 sense would dictate it -- when that man
22 walked in here and stated that property
23 might be in litigation, that was reason
24 enough to table that right there, that
25 resolution right there should have been

1 table right then and there.

2 Taking bond money to pay for snow

3 removal, which the amount is outrageous in

4 itself. Nobody is arguing against snow

5 removal. We know God removed it. It's the

6 amount of money. These three can't get it,

7 and the advice you're giving them is totally

8 correct.

9 Same thing with that bogus smoking

10 ban. If the Junior Council is so concerned

11 about adults not following that ban, let

12 them get together, give a car wash so they

13 can give them people, the waitresses, the

14 waitress, money to feed their kids that your

15 smoking ban is taking out of their pockets.

16 You always talk about creating jobs,

17 you're making babies go to bed hungry, lady,

18 and that's real. That's real.

19 No, like I said, every time you open

20 your mouth, somebody burns, somebody burns,

21 somebody burns, somebody -- you're taking

22 food from a kid.

23 It's takes a low person to hurt
24 children and senior citizens, the low of
25 low, and that's exactly what you people are
. .

74

1 doing.

2 MS. GATELLI: Mr. Spindler.

3 MR. SPINDLER: Les Spindler, city

4 resident. Again, I want to speak about

5 Alexander's. A few of you spoke up there

6 that the money goes with the business not

7 with the building, well, what if the

8 business picks up and moves to Clarks Summit

9 and they use eminent domain on the building,

10 what do we do then?

11 MS. NEALON FANUCCI: They still have

12 to pay it back. They still have to pay the

13 money back, regardless if they go to Guam or

14 not, they still have to pay the money back.

15 MR. SPINDLER: It will snow on

16 July 4th, too. Mrs. Gatelli, I'm glad you

17 mentioned a robbery at Costa's Pharmacy last

18 week, because while that heinous act was

19 taking place, there were three policemen

20 here twiddling their thumbs, when they maybe

21 could have prevented that act.

22 A lady with a huge knife put to her

23 neck because of a story you made up of

24 threats being made against you. I hope

25 could you sleep well at night, because this

.

75

1 lady will probably have nightmares for the

2 rest of her life about this.

3 I hope -- I don't know how you can

4 live with yourself. This has got to stop.

5 We've got to take the policeman out of here

6 and put them on the street where they belong

7 protecting the citizens of this city, not

8 just Judy Gatelli.

9 Next thing, Mr. Morgan mentioned CRF

10 before, have any projects come of that? Mr.

11 Courtright, do you have any idea?

12 MR. COURTRIGHT: Yeah, they were --

13 I had mentioned, I think, two of them

14 before, I can't recall them now, Les. I

15 believe there were two since then, maybe

16 more, but I know of two.

17 MR. SPINDLER: Okay. Thank you.

18 MS. GATELLI: Brett McCloe.

19 MR. MCCLOE: Good evening once

20 again. My name is Brett McCloe, Scranton

21 taxpayer.

22 Before I get started on what I was

23 going to speak before, I believe I was taken

24 out of context when I said that the

25 Alexander's or other businesses that we give

.

76

1 loans should be donating into the city for

2 -- not for -- for things for, like, the

3 children for free swimming or something like

4 that. That meant out of their pocket, not

5 out of the loan that they get, because a lot

6 of people -- a lot of people think that just

7 because you get a loan, that you don't have

8 to -- I mean, I think it's a civic

9 responsibility to even think about giving

10 more than just what you're getting from.

11 It wasn't -- that free swim thing

12 was taken totally out of context. It was --

13 I meant for them to come out of their own

14 pocket and provide something for the public

15 besides a job, tax base.

16 I'm going to move on to something

17 else. I want to -- personally I want to

18 applaud Chick's for having the guts to take

19 a stand, a true American spirit to stand up

20 against the system.

21 And, in my opinion, those

22 restaurants would have seen an increase in

23 the business since the smoking ban may have

24 more of a successful business model than

25 actually people coming out there because

.

77

1 there's non-smoking.

2 If there's -- the fact is that

3 restaurants on the outskirts of the city

4 that have smoking are not suffering because

5 the people are coming into Scranton. So, I

6 don't see it.

7 And if these people who -- these

8 restaurants who do have non-smoking and are

9 for it, what's so ethical about a restaurant

10 that agrees with the smoking ban because of

11 the money? Where was your ethics seven
12 months ago? Did the people's health not
13 matter seven months ago?
14 Selling off freedoms and privilege
15 for money is a sin. I just don't get it. I
16 don't get it when waiters -- waiters and
17 business owners, where are the rest of the
18 restaurant owners? Are you so afraid that
19 the people will not come to your restaurant,
20 you will sacrifice the bare essence of what
21 it is to be an American for money?
22 None of us deserve it. None of us
23 deserve it. You have the freedom to walk
24 into a restaurant, you have the freedom to
25 walk away from a restaurant. Why are you
·
78

1 guys giving this away?

2 MR. MINORA: Time.

3 MR. MCCLOE: Soldiers do not die for

4 you to breathe in and out, they die for you

5 to chose.

6 MR. JACKOWITZ: Bill Jackowitz,

7 South Scranton resident. President Gatelli,

8 as you know, I attended every meeting last
9 year in regards to collecting money from the
10 non-profits and tax-exempt schools,
11 hospitals and businesses located within the
12 City of Scranton.

13 Mr. Stanley Narsavage also attended
14 every meeting. You asked Mr. Narsavage to
15 gather information from other cities who
16 were successful in collecting money from
17 non-profits and tax exempts, institutions in
18 their communities.

19 Mr. Narsavage did just that. He
20 worked very hard and he searched for several
21 communities who were successful in
22 collecting money.

23 Most communities settled on
24 30 percent of the tax bill. The one thing
25 that they all had in common was complete

79

1 support from the mayor of their city. The
2 common ground was that they told the
3 organization what they wanted in writing and
4 then enforced it with ordinance or a law.

5 They did not go door to door asking for help
6 or support.

7 I sat directly across from Mayor

8 Doherty and asked him eyeball to eyeball if

9 he was going to support this project and

10 collect some money from schools and

11 hospitals and his friends.

12 He danced around the question, gave

13 the excuse that the hospitals and schools

14 were having their own financial problems

15 themselves, then he stated that he would

16 support the project.

17 It seemed like he double talk to him

18 and still does. That was over one year ago.

19 Still nothing has been done to collect any

20 money or establish any laws or ordinances so

21 that you can collect something from the

22 non-profits.

23 Words are just thoughts. They mean

24 nothing until they are put into action.

25 Again, another example of poor leadership on

.

80

1 the parts of Mayor Doherty and President

2 Gatelli.

3 To state that the city received \$1.2

4 million from the Housing Authority in lieu

5 of taxes is a total misleading statement.

6 First of all, the city has not

7 received any money from the housing

8 authority as of today; secondly, this money

9 is not in lieu of taxes, and that is the

10 rest of the story and the true story.

11 Okay. Just a little while ago we

12 obviously seen a political favor paid back

13 with that vote on the water.

14 Four councilmen didn't even question

15 it, they just moved it ahead, didn't give

16 the citizens an opportunity to address the

17 subject again, moved it ahead.

18 Again, in my opinion, and I have a

19 lot of them, nothing more than a political

20 favor being paid back for someone to be

21 elected.

22 Smoking ban, concerned about

23 citizens health, was Mrs. Fanucci, President

24 Gatelli and Mr. McGoff concerned about

25 citizens' financial health when they passed

81

1 the budget and they increased taxes by
2 25 percent? Financial health is almost as
3 important as physical health. Obviously no
4 concern there because it was passed. And
5 the light at --

6 MR. MINORA: Time.

7 MR. JACKOWITZ: I'll talk next week.

8 MS. GATELLI: Reverend Simmons.

9 MS. SIMMONS: Good evening, Reverend
10 Cathryn Simmons, Florence Midtown Crime
11 Watch. I could say many things tonight.
12 God knows, I could talk about blood flowing
13 last night, but that's not why I came here
14 this evening.

15 I came here to talk about May the
16 25th. May the 25th is going to be a night
17 of celebration for United Crime Watch.
18 United Crime Watch gathers together to help
19 celebrate those that have done such a great
20 job across this city and this county.
21 Don't moan behind me, there are
22 people who have done a great job in this

23 city and county this past year, and they

24 deserve to be honored.

25 Up at the Clarion Ballroom, the

.

82

1 following people will be honored that

2 evening, Captain Al Lucas from the Scranton

3 Fire Department and eight of the men from D

4 Shift, from the Scranton Police Department,

5 Jill Foley and Melissa Forcet, from the

6 Lackawanna County District Attorney's,

7 Robert Klein, from the Lackawanna County

8 Sheriff's office, Deputy Ginger Kracer, from

9 the Lackawanna County Prison, Lieutenant

10 Robert Brown, a special award for community

11 and enlightenment to Phil Odem, and for

12 community service, an award to each of our

13 Junior Council.

14 We at United Crime Watch believe

15 that each and every one of these people have

16 earned the respect of those in the city, and

17 I'm not going to dishonor them this evening

18 by saying some things that I could say, I'll

19 save that for next week.

20 I would just ask you on that night,
21 remember them, they earned your memory.

22 Thank you.

23 MS. GATELLI: Thank you. Sean

24 Bingham.

25 MR. BINGHAM: Good evening, all. My

83

1 name is Sean Bingham. I'm a taxpayer and a
2 city resident. There's a saying, West Side
3 until you die. I live in West Side, and you
4 know what, some news was given to me, like,
5 maybe two days ago, real disturbing news,
6 from a city employee.

7 I live in Decker Court on the West
8 Side, and I came to City Council maybe about
9 two years ago in relation to Walgreen's
10 about a thing, and it was taken care of per
11 se, but I live directly behind Sunoco Gas
12 Station where there's a throughway where
13 they come right through into the alley,
14 right?

15 Well, the alley that I live in is,
16 like, it's loaded with potholes and it's

17 filthy dirty.

18 And what it comes down to is I asked

19 a city employee if, you know, what could I

20 do with the alley there. And he looked me

21 dead in the face and he said, Alleys last,

22 pal. I said, Excuse me? He said, Alleys

23 are last.

24 I said, Well, I'll go down to City

25 Council and I'll see what City Council has

.

84

1 to say. Oh, here we go again. There again,

2 huh? I said, Yeah, there again. Well, let

3 me tell you something, pal, City Council

4 doesn't make the rules, which is probably

5 right, your legislation is what's sent

6 before you, I understand that 100 percent,

7 but why we elect a city official if our

8 voices can't be heard.

9 You see, I'm a taxpayer, too.

10 People in the alleys, there's more alleys in

11 the City of Scranton than there are main

12 streets.

13 If you really want to get serious

14 about it, Main Avenue, Green Ridge Street,
15 Washburn Street, Luzerne Street, they're
16 State highways, they're controlled by the
17 State. They plow them, the State plows
18 them.

19 So, what it comes down to is, like,
20 West Locust Street. I asked Mayor Doherty a
21 little while back about maybe possibly
22 getting our alley paved.

23 Now, my daughter's grandmother lives
24 in the alley that I live in for 23 years.

25 There hasn't been black top in that alley

85

1 for 23 years. I know it's a costly thing,
2 but you know something, the bottom line is
3 us citizens that live in alleys, we pay
4 taxes, too.

5 Mr. Vitras was wrong when he said to
6 me -- he said directly to my face, Well,
7 maybe as a favor I'd come through and do it
8 for you.

9 No, I'm not looking for a favor, Mr.

10 Vitras, I'm looking for the simple fact that

11 I pay taxes, everybody in the city that
12 lives in an alley pays a tax, and we should
13 have the same exact rights to the services
14 of the City of Scranton as someone who lives
15 on, say, West Elm Street or somewhere else.
16 That aside, you know what, I'm not
17 looking for favors from anybody. The bottom
18 line is this, Mr. Doherty put in the
19 newspaper a couple days ago, if you want the
20 services the city provides, then pay your
21 taxes, and he said it, it's in the paper, I
22 paid my taxes. I want what the city
23 provides.
24 If it's a simple thing of sending a
25 thing through there and clean up our alley
.

86

1 -- and he looked at me and says, Why, how
2 many potholes you got in your alley? It
3 doesn't matter. If there's one, you haven't
4 maintained my alley, bottom line.
5 And you know what, as a matter of
6 fact, he was kind of, like, being tough
7 about it, and I don't recall him ever really

8 being a tough guy, so, to me, I don't know
9 -- and I was in Green Ridge News when he
10 stated it to me, and I was really taken back
11 by it.

12 You see, he may be a president of a
13 union and he may be able to file grievances
14 for the city, but he can't file a grievance
15 against me.

16 MR. MINORA: Time.

17 MR. BINGHAM: I'm a taxpayer. My
18 taxes pay his salary, and that's a fact.
19 Okay? That's a fact. And I'm not here to,
20 you know -- as a matter of fact, all you
21 people up there, I applaud every one of you,
22 because I don't think I could stand here
23 with a big bullseye on my back and get
24 pelted every single week, I just don't think
25 I can do it. That's just my own personal

·
87

1 opinion.

2 And you know what, I applaud you
3 all. And I don't come down here crying, I
4 don't come down here. What it comes down to

5 is I'm taxpayer, I'm a father of three
6 daughters, I'm a husband, and you know
7 something, in reality, I and my children are
8 the future of this city, and that's the
9 bottom line.

10 MS. GATELLI: What block, sir?

11 MR. BINGHAM: 200 -- I live at 215
12 Decker Court. And you know what, I really
13 don't can't of any kind of backlash that
14 comes from this or retaliation.

15 The bottom line is this, you know
16 what, I wouldn't have been here tonight had
17 he not said to me, Then go to City Council,
18 do what you have to do. Well, here I am,
19 I'm at City Council. God bless you.

20 MS. GATELLI: Thank you. Mr.

21 Newcomb.

22 MR. NEWCOMB, SR.: Good evening,
23 Council. Just as the gentleman spoke about
24 a hole, I'd just like to make a statement.

25 When you come up Mulberry Street here and
.

88

1 you come up Jefferson and you have to make a

2 left to go toward the Mercy Hospital by the
3 old Metropolitan Insurance building, you
4 know where that is, over here, there's a big
5 pothole right there on the right-hand side.
6 I hit it a couple times, and it did damage
7 to a car the other day. I seen a gentleman
8 changing a tire. So, just like I said, when
9 you come up here, make a left, it's right
10 over there.

11 Just a few words on the smoking ban,
12 I understand this is America, that's why we
13 all can speak what we think. I wonder if
14 Chick's would appreciate it if any of us
15 went up there and ordered some food and just
16 walked out without paying, and when they
17 asked, Hey, why aren't you paying? And you
18 said, I don't feel like it. And they said,
19 You're breaking the law. And then you go
20 back at them and say, So are you.

21 One more thing about the -- for the
22 new Council people up there, our four votes
23 that voted for the smoking ban, I'd just
24 like to make it a little bit clear.
25 It was brought to my attention, I've

1 been at a few of them and I've seen them,
2 when you have the political rallies, you
3 know, where you charge, like, money to get
4 in or even attend them, be very careful --
5 and, Mrs. Fanucci, you mentioned once before
6 about, you know, there's only a few that
7 didn't pay back the loans, well, there's
8 one, I believe we're in litigation now, that
9 hasn't paid the loan in, like, many, many
10 years who holds a lot of these rallies.
11 Well, just take into consideration,
12 don't have rallies at these places, have
13 hundreds of people in there paying \$20, \$25
14 apiece to support your cause and you're
15 allowing these people, not you personally,
16 but the place itself is allowing their
17 customers to smoke.
18 You know, you want people to cast
19 election votes, and you're having a party at
20 a place that's violating the law. Som just
21 think of those things when you have parties
22 or when anybody goes to parties, because

23 it's happened.

24 It happened last weekend, and it's

25 happening every place in the city. I mean,

.

90

1 I understand the law is law and it's going

2 to be fought down the road. If it gets

3 overturned, that's fine.

4 But just remember when you have your

5 political rallies, when you go to them,

6 don't have a rally at a place you support

7 where they got ashtrays on the table because

8 people aren't going to appreciate when they

9 go to the poll that you're allowing people

10 to violate law in that place. Thanks.

11 MS. GATELLI: Thank you. Anyone

12 else?

13 MR. MORGAN: Good evening, Council.

14 You know, there seems to be some discussion

15 here about the smoking ban, and I think that

16 we need to take a step back and take a look

17 at the smoking ban.

18 I don't smoke, and, you know, I'm

19 not for or against this legislation, I'm

20 only going to state my opinion, and my
21 opinion is this, state law says that you
22 couldn't enact that law.
23 Now, you did enact that law.
24 Somebody has decided not to follow that law.
25 You know, it's always been my contention not
.
91

1 to pay heed to unjust laws, and this is an
2 unjust law.
3 Instead of the city trying to put
4 its, I don't know, Council's -- the thing
5 that the Council should have had on its
6 agenda was cutting the size of the budget,
7 cutting our debt, and what we did was we
8 passed a law that wasn't legal, because the
9 smoking ban isn't legal.
10 And now what we've done is -- we're
11 talking about creating jobs in the city, but
12 restaurants are taking a terrible hit and
13 businesses constricting instead of
14 expanding. And what you've done is, you've
15 violated somebody's property rights because
16 you've passed a law that's not legal, and

17 what you've done to their business is you're

18 basically destroying it.

19 And now what they're trying to do is

20 they're trying to compete in the market

21 place for business, but now people are

22 skirting their business and driving a very

23 short distance to do their business

24 elsewhere.

25 So, what we have here is layer after

.

92

1 layer of taxation, we have people talking

2 about business and being pro business, but

3 we have people with no respect for The

4 Constitution and the rights of property

5 owners and individuals.

6 And then we are going to tap dance

7 all over the place and talk about how we're

8 saving people.

9 I am not a smoker, but I think that

10 you can't talk out of both sides of your

11 mouth. And the other thing is, you have to

12 respect law.

13 And I think that this has already

14 been decided, because a judge has already
15 thrown it out in other places.

16 And I have a very serious dilemma

17 with, and it's not a personal thing, Mrs.

18 Fanucci, but you said, Isn't it about time

19 that the State follows the city?

20 Now, that was on the day that you

21 enacted the law and you were basically

22 bragging that the State was way out -- the

23 city was way out in front of the state on

24 this one.

25 But you know something, the state

.

93

1 makes the laws and not the city, and the

2 state has already decided that the

3 legislation this Council has passed is

4 illegal. So, what I'm saying here is this

5 --

6 MS. NEALON FANUCCI: No. If you

7 address me, I'm going to address you back.

8 MR. MORGAN: Go ahead.

9 MS. NEALON FANUCCI: And that is

10 exactly what I said.

11 MR. MORGAN: Okay.

12 MS. NEALON FANUCCI: And I do agree

13 with that, but let me tell you, it is the

14 law in Scranton.

15 MR. MORGAN: No, no, no. Because

16 you know something, and let me say this, if

17 the legislature says you can't pass a law

18 and you don't have the authorization --

19 MR. MINORA: Time.

20 MR. MORGAN: -- you can't do it.

21 MS. NEALON FANUCCI: We did it.

22 MR. MORGAN: Absolutely. That means

23 that you have no respect for state law, and

24 in the end, if Chick's sues you and wins,

25 the residents are going to pay for it all.

.

94

1 Thank you.

2 MS. GATELLI: Thank you.

3 MS. WARDELL: Good evening, City

4 Council. My name is Mary Ann Wardell. I

5 wasn't coming here this evening, but I was

6 watching this on TV, and I heard a

7 discussion about loans and money and

8 borrowing, so I thought maybe we have some
9 short memories here.
10 It wasn't too long ago, I believe
11 several months ago, when there was
12 discussion here about several companies that
13 we had lent money to from OECD that had owed
14 -- that had tax liens, that owed back taxes.
15 And I recall that for several weeks
16 here we discussed what was going to be done
17 and how it was going to be handled, that we
18 would insure that these companies that we
19 were loaning money to did not owe State or
20 federal taxes to it.
21 I'm assuming now, from what someone
22 spoke earlier, that we have done nothing
23 about this. That \$250,000, whether it comes
24 from the State or the federal government or
25 the city is our money. It's tax money.

95

1 It's ours. It belongs to us.
2 I believe it behoves the office that
3 handles these loans to check on the credit
4 and check and see if indeed these companies

5 that we are loaning money to, first of all,
6 can afford to pay us back, second of all,
7 are they paying the taxes, whatever taxes
8 that they need to pay, are they paying them,
9 are they up to date on them, and third of
10 all, is it a good investment for the city?
11 In the case of Alexander's, and I do
12 not -- I've never been in there, it's way
13 beyond my means to go in there and get
14 anything done, but it's a very classy place,
15 and, you know, it's a nice place, it looks
16 good downtown, however, someone stated, and
17 I don't recall who stated it, that these
18 loans cannot be forgiven.

19 Well, I beg to differ with you,
20 because these loans can be forgiven. We
21 have forgiven them. This administration not
22 too long ago forgave a loan that was given
23 to The Scranton Cultural Center. So, these
24 loans can be forgiven.

25 Also, and I'm really upset about

.

96

1 this, because I didn't look into this

2 myself, we moved -- you moved something from

3 sixth order to seventh order, and I believe

4 it was on the water, I don't know where I'm

5 at here, wait a minute, the pollutants,

6 we're changing the local limits for the

7 pollutants that are going into the water.

8 Why did we feel that this had to be

9 moved up? Because it seems like nobody up

10 there knew anything about it. Nobody

11 questioned it, nobody said anything about

12 it.

13 Andy Sbaraglia is the only one that

14 had backup in front of him that said we're

15 actually going to add more pollutants into

16 this water. So, why did we move this up?

17 Why did we move this up before any of you

18 knew that this was going to happen?

19 Can I address Mr. McGoff, because

20 he's the one that asked it to be brought

21 into seventh order? Why did you feel that

22 this had to be moved up to seventh order?

23 MR. MINORA: Time.

24 MR. MCGOFF: May I answer?

25 MS. GATELLI: Sure.

1 MR. MCGOFF: It was moved to seventh
2 order so that we would comply with the date
3 at which the limits had to be set. In order
4 to meet the EPA guidelines, we had to have
5 it passed tonight.

6 MS. WARDELL: Okay. So, you're
7 saying that the EPA has reduce their
8 guidelines? We can add more pollution to
9 the water than we have been in the past; is
10 that correct? Is that what you're saying to
11 me?

12 Because that's the way it sounds,
13 from what Andy read off, that they were
14 allowing more copper, more lead, more
15 mercury into the water.

16 So, if that's the case, then the EPA
17 has reduced their guidelines.

18 MR. MCGOFF: That, I'm not sure.

19 MS. GATELLI: Please.

20 MS. WARDELL: Then how in good
21 conscience can you vote on this? I'm really
22 sorry, but I don't understand how in good

23 conscience you can vote on something like

24 that if you're not sure.

25 You're our representative, you're

.

98

1 here representing us. You're not

2 representing whatever company this is or EPA

3 or -- you're here representing us. We

4 deserve to have an answer to this question.

5 We need to know if what Andy is saying is

6 true.

7 MS. GATELLI: It's not true, and

8 your time is up. Thank you. Next speaker.

9 MS. FRANUS: Fay Franus, Scranton.

10 Mr. McGoff, I would like to start -- I would

11 like to ask you a question.

12 Mr. McGoff, would you be willing to

13 make a motion to bring the five minutes back

14 to the speakers, yes or no?

15 MR. MCGOFF: Should I answer?

16 MS. GATELLI: If you want.

17 MR. MCGOFF: No.

18 MS. FRANUS: Okay. Mr. McGoff says

19 no to speakers speaking more than three

20 minutes.

21 Mrs. Fanucci, you look really nice

22 that you're smiling. I give you that,

23 seeing that Mrs. Gatelli hasn't looked up.

24 She must be writing a diary.

25 I'd like to ask -- no, I appreciate

.

99

1 it, Mrs. Fanucci, and Mr. Courtright that

2 you respect the people speaking.

3 Mrs. Gatelli, I'd like to know --

4 would the real Mrs. Gatelli please stand up?

5 I don't know which one it is. One week you

6 say in the paper, I want the cameras out,

7 the next week you say Mayor Doherty does.

8 When you ran for campaign, you said

9 you didn't want any more borrowing so your

10 grandchildren wouldn't have debt. Well,

11 forget that, Mrs. Gatelli, Mrs. Fanucci, Mr.

12 McGoff, for raising our taxes.

13 Now, I want to know, when did you

14 meet with Mr. Jennings? I understand last

15 week you made a remark that you met with Tom

16 Jennings from the unions? Mrs. Gatelli, did

17 you meet with Tom Jennings?

18 MS. GATELLI: Yes, I did.

19 MS. FRANUS: Where and when?

20 MS. GATELLI: I don't remember the

21 date. I believe it was in February.

22 MS. FRANUS: February? Okay. Now,

23 you mentioned about the non-profits last --

24 somebody asked about the non-profits, you

25 got \$1.2 million from the housing authority?

.

100

1 MS. GATELLI: Commitment, yes.

2 MS. FRANUS: Commitment. How could

3 the housing authority, who's a government

4 agency, pay in lieu of taxes to another

5 government agency? It's impossible. It

6 can't happen.

7 MS. GATELLI: Well, I would have to

8 ask Attorney Minora if he agrees with that.

9 MS. FRANUS: So, is the money there

10 yet?

11 MS. GATELLI: Not yet.

12 MS. FRANUS: Well, when it comes, it

13 can't go in lieu of taxes. It has to go

14 someplace else. Where, I don't know, but I
15 want to find out when it happens.
16 I'd also like to know, are you going
17 to continue this scanning for people coming
18 to Council and nobody else in City Hall?

19 MS. GATELLI: The metal detector has
20 been ordered.

21 MS. FRANUS: Pardon me?

22 MS. FRANUS: There has been a metal
23 detector ordered by the mayor.

24 MS. FRANUS: Yes, everybody in City
25 Hall is included?

.

101

1 MS. GATELLI: Yes, everybody.

2 MS. FRANUS: Everybody? And how
3 about are we still going to have to stand
4 outside?

5 MS. GATELLI: No.

6 MS. FRANUS: That's going to be
7 stopped? That's good. Thank you. And I
8 appreciate that. Let's see now. I
9 appreciate that. Let's see.

10 MS. GATELLI: And also just to

11 answer your question about the non-profits.

12 MS. FRANUS: Yes.

13 MS. GATELLI: I know after talking

14 with Attorney Minora after we had meetings

15 with those non-profits that it is virtually

16 impossible to collect it without them

17 volunteering.

18 MS. FRANUS: They may volunteer, but

19 it can't go in for in lieu of taxes.

20 MS. GATELLI: Right. Well, no, they

21 can -- they have to volunteer to give the

22 money. There's no --

23 MS. FRANUS: I know that. You can't

24 make them do it, but that's the point I'm

25 trying to make. They can't pay in lieu of

.

102

1 taxes.

2 MR. MINORA: Time.

3 MS. GATELLI: Right. It has to be a

4 donation.

5 MS. FRANUS: It has to be for

6 something else, it can't be for what you

7 implied. When will you --

8 MS. GATELLI: I have spoken to the
9 mayor, and he assured me that in the next
10 two weeks, we will be setting up meetings
11 next with the schools. If he does not do
12 that, Attorney Minora and I will go
13 ourselves.

14 MS. FRANUS: Thank you very much.

15 MS. GATELLI: You're welcome.

16 Anyone else?

17 MS. HUDACHECK: Fran Hudacheck, I'm
18 a property owner and taxpayer. This past
19 year we paid approximately \$6,000 on a 3.4
20 income tax occupation tax, \$2200 in property
21 tax, and it was beyond me that I came here
22 about a year ago and asked about the
23 potholes in this city. A year later, I can
24 see that they've gotten worse, not better,
25 but worse.

.

103

1 Kane Street, which I had complained
2 about, is now collapsing on the one side.
3 So, if you have two lanes of traffic going
4 in each direction, you have to almost hit

5 each other in order not to fall off down the
6 gully.

7 And it still is looking like that.

8 It looked like that last year, it's even
9 worse this year. There is nothing under the
10 sidewalk. That's number one.

11 Either I'm a smoker or I am a
12 smoker, one or the other, it doesn't matter.

13 But you're worried about the pollutants from
14 the smoke. What about the pollutants in our
15 water?

16 You're letting people put more and
17 more pollutants into the water and you're
18 worried about smoking? We drink that water,
19 our babies drink that water, our
20 grandchildren drink that water, and there's
21 more pollutants in it?

22 Now, the second -- the other thing
23 is, what about all the garbage on the
24 streets of this city? It's getting to be
25 unbelievable.

.

104

1 Every place you look, there's

2 garbage on the side of the streets, garbage
3 in the alleyways, garbage, garbage, garbage.
4 When are we going to start cleaning it up?
5 I know we had a long winter, I know
6 we had a lot of snow this winter, but now
7 it's nicer weather. When are we going to
8 clean up the garbage in this city or start?
9 Answer?
10 MS. GATELLI: Well, last week we did
11 put requests out there for neighborhood
12 groups, Boy Scouts, et cetera, to clean some
13 of the viaducts and --
14 MS. HUDACHECK: But it's everywhere.
15 I mean, there's broken glass all over the
16 streets every place you go, unless you guys
17 just go from here to there.
18 But if you go down Main Avenue to
19 North Washington or Luzerne Street, it's all
20 broken glass in the streets. And when is
21 this going to get cleaned up? As a taxpayer
22 paying the kind of taxes, \$8,000 plus last
23 year, I'd like an answer.
24 MS. GATELLI: If there's glass in
25 the street?

105

1 MS. HUDACHECK: Yeah.

2 MS. GATELLI: Then you need to tell

3 me where it is and I'll see --

4 MS. HUDACHECK: I just said, you go

5 from Main Avenue down to North Washington,

6 down from Main Avenue to Luzerne, any place

7 in that area, it's all broken glass back in

8 there.

9 MS. GATELLI: On Luzerne Street.

10 MS. HUDACHECK: Going any of those

11 side streets. Any numerous side street that

12 you take, I mean, there's so many, and

13 there's broken glass all over the place.

14 MR. MINORA: Time.

15 MS. GATELLI: Thank you. Just for

16 the record, Mrs. Hudacheck, I already

17 reported Kane Street.

18 MS. HUDACHECK: Okay. Thank you.

19 MS. GATELLI: Next.

20 MR. MEISICK: Joe Meisick, city

21 resident. I have one question about the

22 smoking ban, why is it you're not able to

23 smoke in the bars or the restaurants, yet
24 when you go into these establishments, as
25 soon as you walk in the door, there's a
.

106

1 cigarette machine there to buy cigarettes?

2 Why are you able to buy and purchase

3 cigarettes there but not allowed to smoke in

4 there?

5 MS. GATELLI: Because you can smoke

6 outside.

7 MR. MEISICK: You can smoke outside,

8 yes, but why are they inside? If you're

9 going to make a smoking ban, why don't you

10 ban selling the tobacco products in the bars

11 and the restaurants? Isn't that an

12 encouragement to people to smoke? You see

13 them there, you're sitting there, you're

14 having a few drinks, you look to your left,

15 Oh, there's a cigarette machine there. You

16 light up. You light one up, instead of

17 paying \$5.00, you pay \$300. Why is that?

18 Is it because of the taxes the State

19 and the city gets on the cigarettes? It's

20 like going to a bar and buying beer and
21 saying you can't drink it here, you got to
22 go outside.

23 MS. NEALON FANUCCI: No. Actually
24 that is something that was brought up in the
25 beginning when we were doing legislation

107

1 about taking the machines out.

2 And I can tell you that I was not in
3 favor of taking the machines out of the
4 businesses, because although I was in favor
5 of the health of the others who were around
6 the smoke, I am not telling someone else
7 they can't smoke.

8 So, what I felt was that we leave
9 the machines there, because they still want
10 to purchase their cigarettes and they still
11 want to be able to smoke, and I'm not taking
12 people's rights away to do that. It was
13 just doing it indoors. That was the
14 legislation.

15 So, yes, we did consider taking them
16 out. We thought it was not a good idea.

17 Personally, I didn't see it was necessary to
18 take the machines out. I felt it was a good
19 idea to leave them there and people can
20 still purchase their cigarettes, and they
21 should be able to purchase their cigarettes.

22 MR. MEISICK: But I just don't
23 understand why the smoking ban is still in
24 effect, when in three counties in the State
25 of Pennsylvania it was outlawed, three.

108

1 They already said they're not able -- one of
2 them my brother lives in, and they said that
3 they are not able to do this. How can the
4 city government do it, when the State
5 government is afraid to do it?

6 I mean, I go to New Jersey. I
7 understand in New Jersey, because it's a
8 statewide ban, that's different. You go to
9 every place, any city in New Jersey, it's a
10 statewide ban.

11 Here, you go to one bar, it's on one
12 side of it, Main Avenue you can smoke. On
13 the other side, you just cross the street,

14 you're not able to smoke.

15 And I think that we should

16 reconsider this ban and wait until the State

17 makes the ban, and that way when the State

18 does it, we go along with the State on that

19 ban. Thank you.

20 MS. GATELLI: Thank you.

21 Mr. Courtright, I know that several months

22 ago you brought up the idea of meeting some

23 of these owners, but I don't know that

24 anything ever materialized with that.

25 MR. COURTRIGHT: I got about four

.

109

1 E-mails of different establishments, but I

2 thought I would have gotten more.

3 And what some owners told me was

4 this, that they were hesitant to come

5 forward, because if they came forward and

6 said it was hurting their business, that the

7 patrons that were happy about the smoking

8 ban would be mad.

9 So, there were four. And I saved

10 the E-mails, I have them from the four

11 businesses. If you would like, I could have

12 the four come in. Some of their

13 suggestions --

14 MS. GATELLI: I don't know. I think

15 it would be important to see, you know, who

16 they are and what the problem is.

17 MR. COURTRIGHT: I kept the E-mails,

18 so I can ask if they would like to come in.

19 MS. GATELLI: Well, I would suggest

20 that you do that --

21 MR. COURTRIGHT: Okay.

22 MS. GATELLI: -- so we can hear from

23 them firsthand. Next.

24 MR. MACIEJESKI: Good evening.

25 Robert Maciejewski, resident of Scranton. I

.

110

1 wasn't planning on speaking, but I would

2 like to talk about Chick's and the smoking

3 ban. I felt compelled to, since the reason

4 I started coming to the meetings was over

5 this and the legality over it.

6 I'm not, you know, going to school

7 to be a lawyer, you know, or even that

8 familiar with just the general laws and
9 such, but I read The Clean Indoor Act from
10 1988, and it states very clearly, you can
11 get it online, and it says that, you know,
12 no second class city may supercede this law.
13 And this smoking ordinance in
14 Scranton has done that, and that's what the
15 -- people are saying, you know, you can
16 follow the law, follow the law, well, this
17 Council didn't follow the state law when
18 they passed it, so it's almost hypocritical
19 to fine these places and people, students,
20 especially youth for smoking, in violation
21 of this ordinance that -- if it goes to
22 court.
23 Look at Erie County. It's going to
24 be shot down nine to one, I understand.
25 Maybe you can get a judge who would uphold

.

111

1 it.

2 But, I mean, look at Erie County,
3 they're in the same situation, second class
4 city, or second class county, and they --

5 the tavern owners took it to court and it's
6 illegal down there.

7 I think that if we're going to pass
8 laws, especially, you know, involving
9 health, calories and cholesterol, I would
10 imagine they kill more people than
11 secondhand smoke, you know, from heart
12 attacks and anything else.

13 Just from eating a hamburger, fries,
14 that's -- if you're going to make a law,
15 there shouldn't be any questions surrounding
16 the legality of the law. Thank you.

17 MS. GATELLI: Thank you. Anyone
18 else?

19 MR. SLEDZINSKI: Hi, Jude.

20 MS. GATELLI: Hi, Chrissy. Did they
21 play today? No?

22 MR. SLEDZINSKI: I don't know. I
23 wasn't there.

24 MS. GATELLI: You're slacking off.

25 MR. SLEDZINSKI: Well, Jude, Friday

112

1 night we beat Abington 5-4. Ricky had 12

2 strikeouts. He had 12 strikeouts.

3 MS. GATELLI: He's pretty good,

4 isn't he?

5 MR. SLEDZINSKI: That kid is a good

6 athlete. You know something, Jude, I'm

7 proud of him. Thank you.

8 MS. GATELLI: Thanks, Chris. Next.

9 MR. PIAZZA: Good evening, Council.

10 James Piazza, Scranton High school. I just

11 want to announce what's coming up.

12 On Saturday, May 19th, Scranton High

13 School will have a Veterans history project.

14 For anybody that served in the Korean War or

15 the Vietnam War, to come to Scranton High

16 and we could -- they could have an interview

17 and talk about, like, what happened during

18 the wars and the aspect of, like, military

19 life.

20 So, if anybody is looking forward to

21 do this, I would just ask them to contact

22 Scranton High School. It's just supposed to

23 give the residents of the city and anybody

24 that wants to the facts about these wars so

25 that it's on paper and it's not lost

1 information.

2 But the second note is that medical

3 school. I just encourage everybody in the

4 city to support Mayor Doherty to getting

5 this school in Scranton, because of it being

6 economical for the city and educational

7 purposes. Thank you.

8 MS. GATELLI: Thank you. Jim, you

9 had your turn.

10 MR. STUCKER: Okay.

11 MS. GATELLI: Wait after, if you

12 want to wait, we'll talk to you after the

13 meeting.

14 MR. STUCKER: Okay.

15 MS. GATELLI: Okay? Mr. Dobrzyn.

16 MR. DOBRZYN: I apologize that I'm

17 not on the list --

18 MS. GATELLI: That's okay.

19 MR. DOBRZYN: -- but they spent so

20 much time searching a duffle bag down there

21 that one of the students had, I didn't get

22 up in time. I'm here to talk once again

23 about the medical school.

24 And I have an attractive letter here

25 from our state senator, and it basically

.

114

1 cites the cost of land in Scranton.

2 And in The Times a few days ago

3 there was an article about building a

4 hospital next to a medical school up the

5 valley as an alternative location, and I

6 feel that we have three hospitals in the

7 area that could certainly and might welcome

8 teaching students and helping out there.

9 And we also support infrastructure

10 for the only trauma center between here and

11 Danville, from what I understand.

12 All night Friday night, Saturday

13 night there's helicopters over my house two

14 in the morning, and I don't mind it. I'm

15 just glad that somebody's life is being

16 saved.

17 But the bottom line is, I'd like to

18 know why somebody thinks that going to a

19 location that would require building an

20 entire hospital, which must cost a half a
21 billion dollars, if it cost any, is a much
22 better alternative than to purchasing a few
23 possibly heavily-priced lots in Scranton
24 when businesses are moving.

25 I'd like to ask the citizens in this

.

115

1 area in town to call and petition Mr. Mellow
2 to change his mind and use his influence to
3 continue with the location in Scranton.

4 And the phone number is 346-5721.

5 It was read off by Janet Evans a few weeks
6 ago, and I would encourage anybody that has
7 any stake in Scranton or whatever, that I
8 think it would be to our advantage to locate
9 the school in downtown next to three
10 hospitals and not in the middle of Timbuktu
11 and build a half a billion dollar hospital
12 on top of it, as opposed to spending maybe
13 five or ten million in property acquisition.

14 Thank you. Have a good night.

15 MS. GATELLI: Thank you. Anyone

16 else?

17 MS. KRAKE: Nancy Krake. Earlier
18 tonight Attorney Minora said that you could
19 just go upstairs and get the audits from
20 OECD, well, if you did, you will only see
21 vacant offices that are in shambles, to say
22 the least. They've been vacant for over
23 three years.

24 Those offices have moved to the
25 Scranton Life Building. They used to pay

116

1 rent to us, but now they pay rent to Mr.
2 Rinaldi, who own the Scranton Life Building.
3 He was a very large contributor to
4 the mayor's campaign. He received federal
5 money for sidewalks, he received, I believe,
6 \$9 million for the Lackawanna Avenue project
7 that's been very grievous to the Piccolino
8 family, to say the least.

9 So, if you're looking for the
10 audits, you have to go about three blocks
11 away. They are paying rent to Mr. Rinaldi.
12 And earlier Mrs. Fanucci said she's
13 the least discouraged that people keep

14 asking questions about agenda items, well,
15 we've been encouraged to ask questions about
16 agenda items.

17 In fact, Council set a special
18 section for speaking on those items, so I
19 believe we are going to continue to do that.

20 I know I will be.

21 You can try and censor us again, and
22 you may, but we will continue to come here.

23 And I know you like to see the city grow,
24 you mention that also, and hair does grow,
25 so these projects, whether it's dog hair or

117

1 people hair, I know you're very fond of
2 them. So I'm sure we will be seeing a lot
3 more of those. Thank you.

4 MS. GATELLI: Thank you. Mrs.

5 Garvey, I think I asked before, but could
6 you send a letter to the mayor and ask him
7 when the lease runs out on the Scranton Life
8 Building?

9 MS. GARVEY: Yes.

10 MS. GATELLI: Because, yes, Mrs.

11 Krake, when Jimmy Connors was here, the OECD

12 was on the third floor.

13 MS. KRAKE: Yes.

14 MS. GATELLI: And we did pay rent to

15 the city.

16 MS. KRAKE I think we even --

17 MS. GATELLI: We figured out the

18 square footage, and the money was given to

19 the city. The caboose.

20 MR. ANCHERANI: Yeah, the closer.

21 MS. GATELLI: Hello, Mr. Ancherani.

22 MR. ANCHERANI: How are you doing?

23 Okay. Good evening. Nelson Ancherani,

24 resident, taxpayer, city employee and

25 financial secretary of the FOP, First

.

118

1 Amendment Rights.

2 First off, I want to thank Miss

3 Gatelli, Miss Fanucci, and Mr. McGoff for

4 the 25 percent tax increase that will in

5 three years translate to 100 percent

6 increase. Thank you.

7 Now I would like to thank Mr.

8 McGoff, Ms. Fanucci, and Ms. Gatelli for
9 passing the record \$77 and a half million
10 2007 Scranton City budget that includes \$14
11 and a half million tax anticipation notes,
12 when clearly in the budget it says excluding
13 tax anticipation notes.

14 I still haven't gotten an answer as
15 to why they're included, even though I've
16 been asking since last year.

17 This didn't even have to be a record
18 \$77 and a half million. All Ms. Fanucci,
19 Ms. Gatelli and Mr. McGoff had to do was
20 consider Mrs. Evans' proposed budget and
21 adopt some of those proposals. Possibly the
22 25 percent tax increase could have been
23 considerably less.

24 But no, Ms. Gatelli, Ms. Fanucci and
25 Mr. McGoff voted anyway to increase our

119

1 taxes 25 percent and enact a record \$77 and
2 a half million budget.

3 Why did I mention their names four
4 times? I don't want them to forget. I

5 remember every item I pull out my wallet. I
6 remember every day. So, if I can't forget,
7 I don't want them to forget either.
8 Every taxpayer will be paying. I
9 hope they remember. I'm a city employee,
10 one who has been affected by the mayor's
11 six-year wage freeze. That is another
12 reason I won't forget it.
13 I'm alone, and I find it hard
14 financially. I can only imagine how a city
15 employee with two, three, four, five kids
16 are surviving in this six-year wage freeze.
17 I want to thank the mayor. He
18 appealed arbitration contracts that would
19 have helped these city employees survive. I
20 don't see how he can justify what he's doing
21 to these employees, while giving out raises,
22 some as high as \$20,000 to his favorite
23 people and creating new positions going to
24 his favorite people to the tune of well over
25 \$11 million. What a hypocrite.

.

120

1 We are starting to lose good

2 officers and more will be bailing out.

3 We're now down to 149 police officers.

4 As for gifts, Ms. Fanucci, there was

5 a nice gift to the Bryn Mawr Apartments,

6 Artie Russo, and the Holiday Manor --

7 MR. MINORA: Time.

8 MR. ANCHERANI: -- those

9 demolitions. They're nice gifts. Thank

10 you.

11 MS. OWENS: I wasn't going to speak,

12 Mary Ann Owens, taxpayer, owner. I'm going

13 to talk on John Klaus' benefit. I'm his

14 aunt coordinating the event. It's a pasta

15 dinner for him at St. Peter & Paul's on

16 May 20 from noon to three. The hall is

17 handicapped accessible. Tickets are \$8 for

18 adults and \$4 for children under ten.

19 Monetary donations can be mailed to

20 Citizens Savings Association, 156 South Main

21 Avenue, 18504 in Scranton in care of

22 Jonathan Klaus' Benefit Fund.

23 For tickets, you can call me, Mary

24 Ann, 343-8872. Tickets can also be

25 purchased at McGloin's Florist in West Side.

121

1 They also can be purchased at Nan's Diner on

2 Brick and Oak Street.

3 We suggest to buy tickets ahead of

4 time, but tickets will be sold at the door

5 if space is allowed. And I thank City

6 Council.

7 MS. GATELLI: Could you give me the

8 time and the date?

9 MS. OWENS: Noon until three,

10 Sunday, May 20.

11 MS. GATELLI: Thank you. Jonathan

12 is a student at West Scranton High School.

13 Anyone else? I thought Mr. Ancherani you

14 were last, but you lost it. All right.

15 Thank you all for coming. Motion to

16 adjourn.

17 MR. COURTRIGHT: So moved.

18 MS. NEALON FANUCCI: Second.

19 (MEETING WAS ADJOURNED.)

20

21

22

23

24

25

.

122

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

2

3 I hereby certify that the proceedings and

4 evidence are contained fully and accurately in the

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

6 that this copy is a correct transcript of the same

7 to the best of my ability.

8

9

10

LISA M. GRAFF, RMR

11 Official Court Reporter

12

13

14

15

16

17

18

19

20

21

22

23

24

25