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1 SCRANTON CITY COUNCIL MEETING

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5 HELD:

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7

8 Thursday, May 17, 2007

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10 LOCATION:

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12 Council Chambers

13 Scranton City Hall

14 340 North Washington Avenue

15 Scranton, Pennsylvania

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25 LAURA BOYANOWSKI, RPR

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4 CITY OF SCRANTON COUNCIL:

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6 MS. JUDY GATELLI, PRESIDENT

7 MS. JANET EVANS

8 MS. SHERRY FANUCCI

9 MR. ROBERT McGOFF

10 MR. WILLIAM COURTRIGHT

11 MS. KAY GARVEY, CITY CLERK

12 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

13 MR. AMIL MINORA, ESQUIRE, SOLICITOR

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1 (Pledge of Allegiance and moment of reflection

2 observed.)

3 MS. GATELLI: Roll call, Neil.

4 MR. COOLICAN: Mrs. Evans?

5 MS. EVANS: Here.

6 MR. COOLICAN: Mrs. Fanucci?

7 MS. FANUCCI: Here.

8 MR. COOLICAN: Mr. McGoff?

9 MR. MCGOFF: Here.

10 MR. COOLICAN: Mr. Courtright?

11 MR. COURTRIGHT: Here.

12 MR. COOLICAN: Mrs. Gatelli?

13 MS. GATELLI: Here. Dispense with

14 the reading of the minutes.

15 MS. GARVEY: THIRD ORDER. 3-A.

16 Applications and decisions rendered by the

17 zoning hearing board meeting held on May 9th,
18 2007.

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

21 MS. GARVEY: That's all there is in
22 third order. Do you want me to go right to
23 fourth at this time?

24 MS. GATELLI: I would like to make a
25 couple announcements. I'd like to wish a
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1 speedy recovery to a friend of mine that was
2 seriously injured in a truck accident, Mr. Rick
3 Shotto. He's recovering at home. I would like
4 to wish him well. Tomorrow evening, May 18th,
5 there will be another fund raiser for Matt
6 Grindel from 7 to 11 at the 20th Ward Club,
7 2028 Pittston Avenue. The cost is \$10. There
8 will be a buffet and a D. J. Tickets can be
9 bought at the door and also by calling
10 878-9605.

11 On Sunday May 20th, the fund raiser
12 will be held for Jonathan Clauss, spaghetti
13 dinner from noon until three at Saint Peter and

14 Paul Church on 12th Street. I would like to
15 thank Demari Produce located on the 300 Block
16 of Genet Street for donating the lettuce for
17 that affair. And I would like to give a
18 special thank you to Mr. Paul Holmes.
19 The golf tournament that Mrs. Evans
20 mentioned last week for our resource officers
21 at school, they are looking for prizes from
22 businesses. And Jeff Gilroy asked me to make
23 that announcement at the council meeting for
24 any businesses wishing to donate prizes to call
25 Jeff Gilroy, John Burgette or Mike Brenzia at
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1 348-4134.

2 Also Saturday at 10:30 I would like
3 to remind everybody of the Veteran's Day
4 Parade. It's at 10:30 in downtown Scranton.
5 Please come and support all our veterans.
6 That's all I have. Mrs. Fanucci, I just wanted
7 to know if you found out about the O. E. C. D.
8 from last week.
9 MS. FANUCCI: I was going to address
10 that during motions.

11 MS. GATELLI: You can wait. That's

12 fine.

13 MS. EVANS: Can I add a few

14 announcements?

15 MS. GATELLI: Sure, absolutely.

16 MS. EVANS: Once again, interviews

17 will be conducted for the veteran's history

18 project this Saturday, May 19th, 2007 Armed

19 Forces Day at Scranton High School from 9 a.m.

20 to 4 p.m. Please fit this into your parade

21 schedule.

22 Either before the parade you can

23 stop down to Scranton High School with all of

24 your memorabilia, journals, tapes, photos, et

25 cetera, or after the parade -- during the

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1 parade for that matter. Let's help Scranton

2 High School make this a great success for the

3 veterans of our area. Also a fund raiser held

4 at Flashbacks in Downtown Scranton, Sunday, May

5 27th, 2007 beginning at 8 p.m. There will be a

6 \$5 donation at the door. And for that charge,

7 you will enjoy food, dancing and refreshments.

8 The proceeds will be used to defray costs for
9 underprivileged youths to have a free swim this
10 summer at Scranton pools.
11 And finally, "Anything Goes" is a
12 neighborhood variety show sponsored by the
13 United Neighborhood Centers of Northeastern
14 Pennsylvania. It will be conducted this
15 Sunday, May 20th, 2007. The show begins at 1
16 p.m. followed by a midday meal at United
17 Neighborhood Centers West Side Community Center
18 at 1004 Jackson Street, Scranton.
19 And join U. N. C. to share
20 entertainment for the whole family. For
21 example, Peter, Paul and Mary Medley by the
22 Karaoke Singers, poetry readings, singers and
23 dancers, comedians and the silky sounds of
24 Coraleers.

25 And I can attest to the fact that

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1 they are, indeed, very silky smooth and
2 melodious. The admission charge is \$5 and \$2
3 for students and senior citizens. So, please,
4 everyone, try to come out. There's

5 entertainment for all ages and provided by all
6 ages. And I hope to see you there.

7 MS. GATELLI: Thank you. Anyone
8 else have anything else? I just have one more
9 letter that was sent to the mayor and we got a
10 copy of it. Doris asked me if I'd read it at
11 the council meeting. She is the one whose home
12 was burned on Stafford Avenue.
13 "Our family would like to express
14 appreciation to the commitment of the police
15 and fire fighters who responded to the Stafford
16 Avenue fire. Mrs. Schroeder raised six
17 children in this home, and they are grateful
18 they got out. Jack, Joyce, Sean and Flynn and
19 Jim, the fire inspectors and Marty Monaghan and
20 the fire marshal worked tirelessly to determine
21 the cause of the fire.

22 They were respectful and
23 compassionate throughout the entire process,
24 and we appreciate their integrity. Please pass
25 this is along. Our thanks and adoration to all

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8

1 of the police and fire fighters who worked so

2 hard for us and the other good people of the
3 neighborhood. They are true professionals and
4 a credit to the city of Scranton." That's some
5 nice news to pass along. Anyone else? Mrs.
6 Evans?

7 MS. EVANS: Good evening. I ask
8 that you please remember in your prayers this
9 week Mrs. Arlene Brudzinski who left this life
10 several days ago and her dear family who
11 suffers her loss. On a happy note, I offer my
12 hardiest congratulations to Mr. Courtright and
13 McGoff on their successful election bids, and I
14 hope you will join me in a round of applause to
15 show our congratulations.

16 And some more great news, after all
17 these years Boulevard Avenue is finally being
18 paved by the state. I also wish to thank all
19 veterans of our military services for their
20 dedicated years of protecting and defending our
21 nation and our people.

22 It is my greatest hope that citizens
23 will make every effort to attend the armed
24 forces parade in Downtown Scranton this
25 Saturday, May 19th. Never is there a shortage

1 of people for the annual St. Patrick's Day
2 Parade. Yet I notice each year that the Armed
3 Forces Day Parade isn't nearly as well
4 attended. For that we should be ashamed and
5 eager to show our gratitude and respect to
6 those brave men and women this Saturday
7 morning. On Monday, I visited the mayor's
8 office where we discussed several issues of
9 importance to city residents.

10 The meeting began with a
11 conversation among Mr. Doherty, Mr. Piccolino,
12 co-owner of Buona Pizza and myself regarding
13 the problems in the 500 block of Lackawanna
14 Avenue. Mr. Doherty stated that he would have
15 Attorney Greco arrange a meeting with Attorney
16 Hughes and Mr. Piccolino and that Mr. Doherty
17 would have the developer, Mr. Rinaldi, attend
18 this meeting or contact Mr. Piccolino or
19 Attorney Hughes. We all agreed that we wished
20 to see the 500 block of Lackawanna Avenue
21 project commence as soon as possible and reach
22 fruition in the foreseeable future.

23 We also discussed municipal revenue
24 services, the Erie firm wishing to purchase our
25 delinquent taxes. There is a difference of
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1 approximately \$800,000 between the 2.8 million
2 offered by Municipal Revenue Services and the
3 3.6 million listed as revenue in the 2007
4 operating budget.

5 When questioned, the mayor indicated
6 that the approximate 800,000 will come from N.
7 C. C. Conversely, Mr. Kresefski, city business
8 administrator, replied in writing that the 3.6
9 million plunked into the 2007 budget was the
10 figure that he received from Municipal Revenue
11 Services. And he makes no mention of N. C. C.
12 supplying the significant dollar difference.

13 I won't comment on these differing
14 responses at this time. In addition, Mr.
15 Doherty and I chatted about the payment to
16 American Water Services of 5.5 million plus.
17 He stated on Monday that talks with American
18 Water Services were ongoing and in the near
19 future a settlement would occur in which the

20 Scranton Sewer Authority would pay Scranton's
21 debt to American Water Services in full through
22 borrowing and that the city would likely turn
23 over the storm water system to the sewer
24 authority to provide for efficient, effective
25 future sewer operations.

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1 If true, I have to wonder if the
2 storm water system, first of all, was ever
3 appraised and what realistic dollar value it
4 holds. I also wonder if the mayor can settle
5 in such a manner with American Water Services
6 and the Scranton Sewer Authority without
7 council approval.
8 I would find the ability to set
9 rates to outrank in importance the ability to
10 appoint cronies to the sewer authority board
11 and surprisingly the near future of which the
12 mayor spoke on Monday during this conversation
13 had in truth already occurred. And it broke in
14 our newspaper Tuesday, the very next morning.
15 I asked Mr. Doherty if the sewer
16 rate payers would in effect pay the 5.5 million

17 owed by Scranton. He responded that I should
18 speak to the sewer authority. Obviously, I
19 don't need to pose that question to the sewer
20 authority since we all know the rate payers
21 will pick up the tab. However, I would like to
22 know if the 56 percent rate increase proposed
23 by the sewer authority is separate from
24 increases they will levy to repay the loan
25 taken out to repay American Water Services or
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1 does the 56 percent rate increase include
2 payments on this new loan?
3 Therefore, I move to send a letter
4 to Mr. Barrett, executive director of the
5 Scranton Sewer Authority, requesting responses
6 to these aforementioned questions at his
7 earliest convenience.

8 MS. GATELLI: I will second that.

9 Anyone else on the question? All in favor?

10 MS. FANUCCI: Aye.

11 MR. COURTRIGHT: Aye.

12 MR. McGOFF: Aye.

13 MS. GATELLI: Opposed? The Ayes

14 have it and so moved.

15 MS. EVANS: Thank you. Lastly, Mr.

16 Doherty and I discussed the South Side Complex

17 and a promise replacement field. The mayor

18 stated he was not aware that softball leagues

19 no longer play at the complex.

20 I informed him, however, that that

21 is the case based on the fact that I have been

22 contacted by league officials. However, since

23 the University of Scranton owns the complex

24 according to the mayor, I must speak to Father

25 Pilars, University of Scranton president, and

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1 confirm that softball leagues do not play at

2 the complex. Then if the response is, I am

3 assuming, they do not play there, they cannot

4 play there, I can return to the mayor and he

5 will then consider a replacement field.

6 Meanwhile, the mayor states that

7 lights will be installed at Rockwell Park. I

8 will be pursuing the matter with the university

9 and the mayor once again, if necessary. I will

10 not abandon the softball leagues or the legal

11 agreement that was made to provide fields for
12 the people of Scranton. I was present last
13 Saturday at the opening day ceremonies for
14 Sloan Baseball Association. The property is
15 well cared for by the officers and parents, and
16 I have seen all fields in use simultaneously.
17 I applaud the parents and officers
18 of Sloan, and I assure you that nothing will be
19 taken from you. Talks with the school district
20 and city would have to occur first since I'm
21 sure no council member wants to be the cause of
22 yet another lawsuit. Kay, please send a letter
23 to Mr. Kresefski regarding his May 10th
24 response to Question No. 2. And my response
25 is, yes, I refer to account 01.380.38000, other
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1 non-classified as listed in the 2006 and 2007
2 budgets. The budgeted figure for 2006 was
3 \$6,232,025.15, and the actual figure as of
4 September 30th, 2006 was \$71,600.93. In 2007
5 \$50,000 was budgeted. Explain these
6 significant differences as well as respond to
7 the original question.

8 On Mr. Kresefski's advice, I move
9 that all contracts or consultants employed in
10 any capacity by the City of Scranton and any
11 department, agency or authority thereof be
12 provided to Scranton City Council by the Office
13 of the City Controller on or before June 6th,
14 2007.

15 Also include all invoices for all
16 consultants which have been paid from January
17 1st, 2002 through May 31st, 2007.

18 MS. GATELLI: Second on the
19 question. All in favor.

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MR. COURTRIGHT: Aye.

23 MR. McGOFF: Aye.

24 MS. GATELLI: Aye. Opposed? The
25 ayes have it, so moved.

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1 MS. EVANS: I move that Mr.
2 Kresefski, business administrator, explain the
3 increase in the expenditure for citation
4 issuers in the 2007 operating budget on or

5 before June 6th, 2007.

6 MR. COURTRIGHT: Second.

7 MS. GATELLI: On the question, all

8 in favor?

9 MS. EVANS: Aye.

10 MS. GATELLI: Aye.

11 MR. McGOFF: Aye.

12 MR. COURTRIGHT: Aye.

13 MS. GATELLI: Opposed? The ayes

14 have it, so moved.

15 MS. EVANS: I move that Mr.

16 Kresefski, business administrator, explain the

17 source of \$505,000 placed into contingency in

18 the 2007 operating budget on or before June

19 6th, 2007.

20 MR. COURTRIGHT: Second.

21 MS. GATELLI: On the question, all

22 in favor?

23 MS. EVANS: Aye.

24 MS. GATELLI: Aye.

25 MS. FANUCCI: Aye.

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1 MR. COURTRIGHT: Aye.

2 MR. McGOFF: Aye.

3 MS. GATELLI: Opposed? The ayes

4 have it, so moved.

5 MS. EVANS: In an effort to prevent

6 judicial proceedings, I move that Scranton City

7 Council allow the Scranton Lackawanna Taxpayers

8 Association to conduct it's biweekly meetings

9 in city council chambers. Such precedent was

10 already set by city council in the past.

11 MR. COURTRIGHT: Second.

12 MS. GATELLI: On the question, all

13 in favor?

14 MR. COURTRIGHT: Aye.

15 MS. FANUCCI: Aye.

16 MS. GATELLI: Aye. Opposed?

17 MR. McGOFF: Aye.

18 MS. GATELLI: The ayes have it, and

19 it's so moved.

20 MS. EVANS: And now I do

21 congratulate the Taxpayers' Association. You

22 will be returning to council chambers for your

23 biweekly meetings.

24 Finally, I have citizens' request

25 for this week. A letter to Mr. Baker,

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1 executive director of the Scranton Housing
2 Authority. Residents of Park Gardens request
3 responses to the following questions: Why are
4 all or most of the Scranton Housing Authority
5 insurance policies provided by Volpe Insurance?

6 Were insurance contracts put out to bid?
7 Provide a list of companies, agents, policies
8 and premiums paid by the Scranton Housing
9 Authority. Are the costs for lawsuits incurred
10 by the tenants in any manner? Please respond
11 on or before June 13th, 2007.

12 Next, a letter to Mr. Hazzouri, pave
13 cut inspector, two or three years ago Diamond
14 Avenue was paved. Last year the sewer
15 authority hired Russo and DeMayo to perform
16 work from Foster Street to Providence Road.
17 Residents request that the inspector require
18 the sewer authority and/or the contractor to
19 repair the street properly returning it to the
20 nicely paved condition that existed prior to
21 their work.

22 Also a resident requests similar

23 measures are taken for the 1900 and 2000 blocks
24 of Main Avenue. A letter to the D. P. W.,
25 please fill potholes in the 1500 block of Von
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1 Storch Avenue. Residents have called the D. P.
2 W. numerous times and received no response. To
3 the woman who e-mailed me about the car stereo
4 noise generated from vehicles traveling on
5 South Main Avenue which also causes repeated
6 vibrations within buildings along that street,
7 I have discussed the problem with my council
8 colleagues last week. And though we are in
9 agreement that this is a vexing problem
10 throughout our city, there is nothing within
11 the law to prevent this menace.

12 And police officers unfortunately do
13 not carry sound equipment with which to measure
14 the level of decibels created by these stereos.
15 However, Mr. Courtright, chair of the public
16 safety committee, graciously agreed to ask
17 police officers to patrol parole the area more
18 frequently and warn drivers who play
19 excessively loud music.

20 A letter to the owner of the storage
21 sheds near Parker Street and Olyphant Avenue --
22 and I think all of us were involved in that
23 situation with the exception of Mr. McGoff.

24 Well, there are problems now in that the
25 developer appears not to be completely abiding

19

1 by his promises.

2 Residents have reported that the
3 tree buffer he agreed to provide is no more
4 than two to three feet in height. Therefore,
5 the area of the sheds is plainly visible.
6 Further, the developer agreed that no lights
7 would shine on neighbor's properties, yet this
8 occurs nightly.

9 Finally, residents are concerned
10 that the video cameras on his property may
11 appear to be recording their properties.

12 Please provide a written response to these
13 concerns by June 6th, 2007 to the office of
14 Scranton City Council. And that's it.

15 MS. GATELLI: Thank you. Mrs.

16 Fanucci?

17 MS. FANUCCI: I'm going to address
18 two concerns that -- some questions that were
19 posed last week regarding the lace works
20 project and also the Pittston Avenue project.
21 I talked to O. E. C. D. about how much money
22 was reserved for these projects and where the
23 money is now and if they are going to be
24 reallocated. As far as the lace works project
25 is concerned, it is still in federal reserve.

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1 The money is staying there. It is still in the
2 holding fund because the property just been
3 purchased by a new owner, and they are hoping
4 to reallocate that money for the same project.
5 But it is still in the federal reserve. It
6 does not come out of the reserve. I said to
7 them, well, let's figure out, what do we do if
8 we want the project to move on or not move.
9 They said they reallocate the money after three
10 years if there is no movement on the projects
11 whatsoever.
12 But there still is some movement on
13 this project, so they are giving it more time.

14 They also go by how much progress is done if
15 the people are doing -- having designs --
16 evaluating new water lines and things like that
17 if that is going on, they keep the money going.
18 Pittston Avenue was another concern of ours
19 because we wanted to reallocate that money. We
20 are wondering how to go about that. That is
21 still in the federal fund also.

22 The only way we can redirect that
23 money is if we make sure that the project still
24 goes to a low to moderate income project, that
25 it will still benefit somebody in the low to
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1 moderate job. For every 30,000 we have to
2 create one job. But they do not draw down on
3 any of these projects.
4 The money does not sit in accounts
5 somewhere for the city or for the private owner
6 of these projects. It stays in the federal
7 reserve until it is time to be released to the
8 person. Then the money is drawn down and then
9 sent to Roseanne's office. And then once it's
10 approved, O. E. C. D. does have the money in

11 their account, but it is only for one week at a
12 time. After the money -- in one week they cut
13 a check, and it's given to the project. So we
14 really don't have the money sitting somewhere.
15 We would have to reallocate it for
16 the same exact type of project. And that is
17 all. That was all the answers I have.

18 Oh, I want to address one thing. On
19 the Southern Union building, you know, it's
20 funny to me you get up every week and ask me
21 about the Southern Union building. I did say a
22 year ago that there were going to be two
23 tenants moving into the Southern Union
24 building. They did not. I feel bad about it.
25 I wish it happened.

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22

1 But it was not my doing. They just
2 decided not to move in. I did come to you with
3 information that was provided to me. And for
4 some reason it's -- I don't know. I must have
5 stopped the whole deal. The reason they did
6 not come was not given to me. They did not
7 sign the lease, and it just didn't happen. It

8 doesn't mean that Southern Union hopefully will
9 not get new tenants. They are -- still own the
10 building. It is not the city's building. It
11 is Southern Union's building -- hopefully
12 somebody soon. I do know from working next
13 door that a lot of people do go in and look at
14 it every day. We are still hoping that someone
15 does come and move in there.

16 But every week you come up and act
17 like I for some reason is the reason Southern
18 Union is not full. I gave you information I
19 was provided with. That's how it goes. A lot
20 of times, you know, you don't want to give the
21 information out because this is what happens,
22 you get angry after the after the fact it
23 doesn't happen and so do we. That's exactly
24 what happens to us.

25 As far as they are concerned though,

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1 I do know a lot of different people have been
2 looking. And let's hope that within the near
3 future that Southern Union is taken care of
4 because I think we'd all like to see that

5 beautiful building used. That's all.

6 MS. GATELLI: Thank you. Mr.

7 McGoff?

8 MR. McGOFF: One brief comment. I

9 would like to thank all the citizens of

10 Scranton who came out and voted on Tuesday. I

11 have been teaching social studies for 35 years,

12 and I have always encouraged my students to

13 exercise this right.

14 I believe it's the most important

15 right that we have. In fact, I tell them that

16 I don't believe it's a right. I believe it's a

17 duty of every citizen to take part in the

18 electoral process. I thought the low turnout

19 for the election was very disappointing.

20 Hopefully in November we can

21 encourage all of our friends, neighbors and all

22 of the citizens of Scranton to become involved

23 and to go out and vote. And that's all. Thank

24 you.

25 MS. GATELLI: Mr. Courtright?

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24

1 MR. COURTRIGHT: Yes. I thought I

2 heard Mrs. Evans say they were going to put
3 lights up at Rockwell Avenue. I know way back
4 when that was being looked at as a site for
5 that baseball field, the residents of Rockwell
6 Avenue were not happy about it being up there.
7 This is the first I heard about it. I'll speak
8 to Mrs. Evans more about it later to see if she
9 has any more information.
10 I know the residents of that area.
11 They've done a survey -- the residents of
12 Rockwell Avenue do not want lights put up on
13 that field for that reason. I will look into
14 that further. I've been after the D. P. W. for
15 quite a while to do some patching up on Pike
16 Street, and they did that today. So I thank
17 them. I believe it was Johnny Pizzo and Jerry
18 that were up there fixing the pot holes. Kay,
19 I don't know if I asked you.
20 During the election, I got a little
21 messed up here on some of my things. The Tripp
22 Park development, Mr. Speicher, I was talking
23 to some people up there. They claim since the
24 last time here there was supposed to be a punch
25 list of things that were supposed to be done.

1 They claim nothing at all has been done with
2 all those problems up there in the Tripp Park
3 Development. So I would like to know if I can
4 get a list from Mr. Parker of the punch list of
5 what was done or what wasn't done since the
6 last time.

7 I would like know the dollar amount
8 on the bond Mr. Speicher put up for that
9 project, if I can have that, please. Sorry to
10 give you all this stuff, Kay. Did we send a
11 letter to Mr. Parker about Pittston Avenue and
12 Kane, the flooding?

13 MS. GATELLI: Yes, I did. I spoke
14 to him today.

15 MR. COURTRIGHT: Yes? The 400 block
16 of Cameron Avenue, there's a hole in the
17 ground. And when it rains, water shoots up
18 through the hole and we got kids riding through
19 it on their bikes and everything. So the --
20 somebody came up -- the neighbors told me
21 somebody came up and put a horse there.
22 I don't know if it was the sewer

23 authority or if it was the city. Can we start

24 with Mr. Parker and ask him whose

25 responsibility it is and if they can't get out

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26

1 there -- if they can get out there and take a

2 look at that for me, please. I don't know the

3 exact address. It is the 400 block of Cameron

4 Avenue. I am sure they will see the horse

5 sitting there. If they go when it is raining,

6 they will see the water coming from the ground.

7 Lastly, Mr. McGoff mentioned about

8 all the people who voted. I certainly like

9 when everyone votes. I congratulate everybody

10 that put their hat in the ring, every single

11 candidate, because unless you run I don't think

12 you realize there's a lot of work involved, a

13 lot of time, a lot of energy expended. Some

14 people you meet are happy with you. Some

15 people yell at you. It is difficult on our

16 families. I think it is really difficult on

17 our families. For everyone and anyone that put

18 their hat in the ring, my hat is off to you.

19 That's all I have. Thank you.

20 MS. GATELLI: Thank you. I just
21 asked some questions a few weeks ago about Comm
22 D. cops, and I guess Chief Elliott told Kay
23 that he had already answered that when Mr.
24 Courtright asked the question back in
25 September.

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1 But as I am looking through the
2 assignment list, I'm not sure they are all
3 covered. And I would like to send that again.
4 And my question is, that this council approved
5 an increase in the Comm D. funds for this year
6 to the tune of, I think, 120,000 so there will
7 be more officers this year in the Comm D. cops.
8 I don't see that on this thing from last
9 September.

10 So I am wondering why if we
11 increased it where are the extra police
12 officers.

13 MS. EVANS: Mrs. Gatelli, I think it
14 would have been 2005 perhaps we also allocated
15 50 or \$60,000 from C. B. D. G. that was taken
16 from something else, and council put that

17 toward one or two Comm D. officers. I've been
18 told that money was never used for that
19 purpose.

20 MR. COURTRIGHT: Didn't they tell us
21 at one time that we maxed out? Wasn't that the
22 answer they were trying to give us one time
23 that we spent as much money -- Comm D. money as
24 we could on police officers? I seem to think
25 two or three years ago that was the answer we
26 .
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1 got. I don't know if I recollect that
2 correctly or not. Do you remember that at all?

3 MS. GATELLI: I know there are
4 limits on certain activities, but, you know,
5 there's ways to get around that when you work
6 in O. E. C. D. there's ways to get around
7 everything. I find no excuse for that. I know
8 in South Side I only see one. It says two on
9 here, and I only ever see one.

10 MR. COURTRIGHT: You know, Mrs.
11 Gatelli, what he had given us a while ago isn't
12 the way they do it right now. So you probably
13 do need to update. They change the times of

14 the day these people are patrolling the
15 streets. They also sometimes change the area
16 and move in other areas. I know some of the
17 officers are now going with Mr. Setizinger on
18 certain occasions as opposed to being on the
19 beat that you have on that list. There's
20 probably been several changes there.

21 MS. GATELLI: Yeah, so I think we
22 need to look at this begin and --

23 MR. COURTRIGHT: Did anyone hear
24 from the Weston Field area? I know there's not
25 one there now. I don't believe there's one
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1 down that area now either.

2 MS. GATELLI: It says open. So
3 there isn't one there. Green Ridge also says
4 open.

5 MS. EVANS: Green Ridge is open,
6 too.

7 MS. GATELLI: It says open. So that
8 means there's no one there I would imagine.

9 MS. EVANS: And I did get one e-mail
10 -- and people have stopped me when I been at

11 the mall recently requesting -- not car patrol
12 but if there could be a beat officer in the
13 downtown area in the evenings for the summer
14 months now that people are coming out and
15 dining out and, you know, frequenting the mall
16 and walking about the streets because of --
17 it's remaining daylight until maybe 8:30 or
18 9:00. And they just said they would feel much
19 more secure in the downtown area if there was
20 the presence of a police officer.

21 MS. GATELLI: I am not sure that the
22 downtown is a low to moderate income area.

23 MS. EVANS: Probably not.

24 MS. GATELLI: That's the only
25 problem there.

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1 MR. COURTRIGHT: They had the fast
2 cops, they had officers downtown.

3 MS. GATELLI: Block grant I'm not
4 sure, but maybe we can put a block grant
5 somewhere else and have a regular one over
6 there to replace it, you know, take it from
7 some other neighborhood that's eligible. But I

8 got the complaints about the mall, too,
9 especially at the entrance there by the old
10 Samter's. So we need to check into that. The
11 other thing we talked about 1101 Cedar, the
12 Little Bistro. And Mark is trying to contact
13 the lawyer. The lawyer has not returned the
14 call. He did call again today about that
15 blighted property.
16 And also 2123 Prospect, that's been
17 abandoned for over a year. If we can send
18 something to Mark on that. And I would also
19 congratulate our winners, our councilmen, and I
20 did see Mr. Sbaraglia before the meeting. I
21 don't see him right now. He's gone -- and Mr.
22 Morgan. You both did a fine job, and I would
23 like to give you credit -- and Mr. Piccolino --
24 credit for running.

25 MS. EVANS: Mr. Piccolino won.

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1 MS. GATELLI: Yeah.

2 MS. EVANS: Face off for the fall.

3 MS. GATELLI: Congratulations --

4 and to the losers as well because it does take

5 courage to do that. And it's refreshing to see
6 there are people interested in the government.

7 So don't give up the ship. And keep on
8 plugging and trying again. All right. Mrs.
9 Garvey?

10 MS. GARVEY: 4-B FOR INTRODUCTION -
11 AN ORDINANCE - AMENDING FILE OF COUNCIL NO.
12 252, 2003, THEREBY AMENDING FILE OF COUNCIL
13 NOS. 188 OF 1994 AND 103 OF 1995 AS SET FORTH
14 IN THE SCRANTON CODIFIED CODE AT SECTION 332-20
15 PERTAINING TO FEES FOR USE OF THE FACILITIES,
16 TO AMEND THE FEES FOR THE USE OF OUTDOOR CITY
17 POOLS OTHER THAN NAY AUG PARK.

18 MS. GATELLI: At this time I will
19 entertain a motion that 4-B be introduced.

20 MR. COURTRIGHT: So moved.

21 MS. EVANS: Second.

22 MS. GATELLI: On the question?

23 MS. EVANS: Yes. This is the piece
24 of legislation I requested last week. A motion
25 passed unanimously, and this provides for free

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1 swimming at all city neighborhood pools.

2 MS. GATELLI: Anyone else on the

3 question? All those in favor?

4 MS. EVANS: Aye.

5 MS. FANUCCI: Aye.

6 MS. GATELLI: Aye.

7 MR. COURTRIGHT: Aye.

8 MR. McGOFF: Aye.

9 MS. GATELLI: Opposed? The ayes

10 have it, so moved.

11 MR. MINORA: Before reading 4 C., it

12 is the introduction of a resolution appointing

13 Steven Kochis to a vacant alternate's term on

14 the zoning board. We heard from Attorney

15 Penetar, who is the solicitor for the zoning

16 board. And the original legislation called for

17 a four-year term. He informed us that

18 according to the zoning statute the

19 appointments had to be staggered and this would

20 have to be either two or three years. So it

21 needs to be amended to say June 1st, 2007 to

22 June 1st, 2010 or 2009.

23 MR. McGOFF: I will make a motion to

24 amend 4 C. to read from June 1st, 2007 to June

25 1st, 2010.

1 MR. COURTRIGHT: Second.

2 MS. EVANS: Second.

3 MS. GATELLI: On the question, all

4 those in favor?

5 MS. EVANS: Aye.

6 MS. FANUCCI: Aye.

7 MS. GATELLI: Aye.

8 MR. COURTRIGHT: Aye.

9 MR. MCGOFF: Aye.

10 MS. GATELLI. Opposed? The ayes

11 have it, so moved.

12 MS. GARVEY: 4-C FOR INTRODUCTION -

13 A RESOLUTION - APPOINTING STEVEN KOCHIS, 531

14 HICKORY STREET, SCRANTON, PENNSYLVANIA, 18505

15 AS AN ALTERNATE ON THE ZONING HEARING BOARD FOR

16 THE CITY OF SCRANTON. MR. KOCHIS WILL THE

17 VACANT ALTERNATE TERM ON THE BOARD OF ZONING

18 APPEALS. HIS TERM WILL EXTEND FROM JUNE 1,

19 2007 TO JUNE 1, 2010.

20 MS. GATELLI: At this time I will

21 entertain a motion that 4 C. be introduced.

22 MR. COURTRIGHT: So moved.

23 MS. EVANS: Second.

24 MS. GATELLI: On the question? All

25 those in favor?

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1 MS. EVANS: Aye.

2 MS. FANUCCI: Aye.

3 MS. GATELLI: Aye.

4 MR. COURTRIGHT: Aye.

5 MR. MCGOFF: Aye.

6 MS. GATELLI: Opposed? The ayes

7 have it and so moved.

8 MS. EVANS: Prior to the city clerk

9 reading item 5 A., I move to table item 5 A.

10 MR. COURTRIGHT: Second.

11 MS. GATELLI: On the question?

12 MS. EVANS: We still have a number

13 of problems with two pieces of legislation,

14 this being one. Again, different council

15 members are receiving different responses to

16 our questions as for the need for penalty,

17 interest and fee schedules and who or what

18 department or what company will realize those

19 financial benefits. So that is the reason for

20 my request to table.

21 MS. GATELLI: Anyone else on the

22 question? All those in favor?

23 MS. EVANS: Aye.

24 MS. FANUCCI: Aye.

25 MR. COURTRIGHT: Aye.

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1 MR. McGOFF: Aye.

2 MS. GATELLI: Aye. Opposed? The

3 ayes have it and so moved.

4 MS. GARVEY: SIXTH ORDER, 6-A FOR

5 CONSIDERATION BY THE COMMITTEE - FOR ADOPTION -

6 FILE OF COUNCIL NO. 90, 2007 - AMENDING FILE OF

7 COUNCIL NO. 155 OF 2005, ENTITLED, "AN

8 ORDINANCE AUTHORIZING THE MAYOR AND OTHER

9 APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON

10 TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE

11 CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING

12 AND DEVELOPMENT PROGRAMS (AS AMENDED) TO BE

13 FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK

14 GRANT (CDBG) PROGRAM, HOME INVESTMENT

15 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY

16 SHELTER GRANT (ESG) PROGRAM", BY DELETING

17 CERTAIN PROJECTS AND ADDING CERTAIN PROJECTS.

18 MS. GATELLI: What is the

19 recommendation of the chair on community

20 development?

21 MS. FANUCCI: As chairperson for the

22 committee on community development, I recommend

23 final passage of item 6-A.

24 MR. COURTRIGHT: Second.

25 MS. GATELLI: On the question, roll

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1 call.

2 MR. COOLICAN: Mrs. Evans?

3 MS. EVANS: Yes.

4 MR. COOLICAN: Ms. Fanucci?

5 MS. FANUCCI: Yes.

6 MR. COOLICAN: Mr. Courtright?

7 MR. COURTRIGHT: Yes.

8 MR. COOLICAN: Mr. McGoff?

9 MR. MCGOFF: Yes.

10 MR. COOLICAN: Mrs. Gatelli?

11 MS. GATELLI: Yes. I hereby declare

12 item 6-A legally and lawfully adopted.

13 MS. GARVEY: 6-B FOR CONSIDERATION

14 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -
15 FILE OF COUNCIL NO. 91, 2007 - AMENDING FILE OF
16 COUNCIL NO. 66, 2006, AN ORDINANCE ENTITLED:
17 GENERAL CITY OPERATING BUDGET 2007" BY
18 TRANSFERRING \$45,000.00 FROM ACCOUNT NO.
19 01.401.15313.4299 (DEBT SERVICE OPERATING
20 EXPENSES) TO ACCOUNT NO. 01.011.00078.4550
21 (DEPARTMENT OF FIRE CAPITAL EXPENDITURES) TO
22 PROVIDE FUNDING TO COVER THE COST FOR A USED
23 FIRE TRUCK.

24 MS. GATELLI: What is the
25 recommendation of the chair on finance?

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1 MS. EVANS: As chair for the
2 committee on finance, I recommend final passage
3 of item 6-B.

4 MR. COURTRIGHT: Second.

5 MS. GATELLI: On the question, roll
6 call.

7 MR. COOLICAN: Mrs. Evans?

8 MS. EVANS: Yes.

9 MR. COOLICAN: Ms. Fanucci?

10 MS. FANUCCI: Yes.

11 MR. COOLICAN: Mr. McGoff?

12 MR. MCGOFF: Yes.

13 MR. COOLICAN: Mr. Courtright?

14 MR. COURTRIGHT: Yes.

15 MR. COOLICAN: Mrs. Gatelli?

16 MS. GATELLI: Yes. I hereby declare

17 6-B legally and lawfully adopted. Before we go

18 on, could you please shut your cell phone off,

19 whoever's phone is ringing? Thank you, Mrs.

20 O'Malley.

21 MS. GARVEY: 6-C FOR CONSIDERATION

22 BY THE COMMITTEE ON FINANCE - FOR ADOPTION-

23 FILE OF COUNCIL NO. 93, 2007 - SALE OF TAX

24 DELINQUENT PROPERTY AT KEYSER AVENUE AND

25 WASHBURN STREET, SCRANTON, PENNSYLVANIA TO

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1 HAROLD KAPELAN, 1321 DARTMOUTH STREET,

2 SCRANTON, PENNSYLVANIA, 18504, FOR THE SUM OF

3 \$700.

4 MS. GATELLI: What is the

5 recommendation of the chair on finance?

6 MS. EVANS: As chair for the

7 committee on finance, I recommend final passage

8 of item 6-C.

9 MR. COURTRIGHT: Second.

10 MS. GATELLI: On the question, roll

11 call.

12 MR. COOLICAN: Mrs. Evans?

13 MS. EVANS: Yes.

14 MR. COOLICAN: Ms. Fanucci?

15 MS. FANUCCI: Yes.

16 MR. COOLICAN: Mr. McGoff?

17 MR. MCGOFF: Yes.

18 MR. COOLICAN: Mr. Courtright?

19 MR. COURTRIGHT: Yes.

20 MR. COOLICAN: Mrs. Gatelli?

21 MS. GATELLI: Yes. I hereby declare

22 6-C legally and lawfully adopted.

23 MS. GARVEY: 6-D FOR CONSIDERATION

24 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

25 FILE OF COUNCIL NO. 94, 2007 - SALE OF TAX

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1 DELINQUENT PROPERTY AT KEYSER AVENUE BY WAHBURN

2 STREET, SCRANTON, PENNSYLVANIA, TO HAROLD

3 KAPELAN, 1321 DARTMOUTH STREET, SCRANTON,

4 PENNSYLVANIA, 18504, FOR THE SUM OF \$1,100.00.

5 MS. GATELLI: What is the
6 recommendation of the chair on finance?

7 MS. EVANS: As chair for the
8 committee on finance I recommend final passage
9 of item 6-D.

10 MS. FANUCCI: Second.

11 MS. GATELLI: On the question, roll
12 call.

13 MR. COOLICAN: Mrs. Evans?

14 MS. EVANS: Yes.

15 MR. COOLICAN: Ms. Fanucci?

16 MS. FANUCCI: Yes.

17 MR. COOLICAN: Mr. McGoff?

18 MR. MCGOFF: Yes.

19 MR. COOLICAN: Mr. Courtright?

20 MR. COURTRIGHT: Yes.

21 MR. COOLICAN: Mrs. Gatelli?

22 MS. GATELLI: Yes. I hereby declare

23 6-D legally and lawfully adopted.

24 MS. GARVEY: 6-E FOR CONSIDERATION

25 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

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1 FILE OF COUNCIL NO. 95, 2007 - SALE OF TAX

2 DELINQUENT PROPERTY ON HORATIO AVENUE,
3 SCRANTON, PENNSYLVANIA, TO HAROLD KAPELAN, 1321
4 DARTMOUTH STREET, SCRANTON, 18504, FOR THE SUM
5 OF \$1,300.00.

6 MS. GATELLI: What is the
7 recommendation of the chair on finance?

8 MS. EVANS: As chair for the
9 committee on finance, I recommend final passage
10 of item 6-E.

11 MS. GATELLI: On the question, roll
12 call.

13 MR. COOLICAN: Mrs. Evans.

14 MS. EVANS: Yes.

15 MR. COOLICAN: Ms. Fanucci?

16 MS. FANUCCI: Yes.

17 MR. COOLICAN: Mr. McGoff?

18 MR. MCGOFF: Yes.

19 MR. COOLICAN: Mr. Courtright?

20 MR. COURTRIGHT: Yes.

21 MR. COOLICAN: Mrs. Gatelli?

22 MS. GATELLI: Yes. I hereby declare

23 6-E legally and lawfully adopted.

24 MS. GARVEY: 6-F FOR CONSIDERATION

25 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

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1 FILE OF COUNCIL NO. 96, 2007 - SALE OF TAX
2 DELINQUENT PROPERTY AT 617 PITTSTON AVENUE,
3 SCRANTON, PENNSYLVANIA, TO MARK A. AND LYNN M.
4 SANDY, 918 BEECH STREET, SCRANTON,
5 PENNSYLVANIA, 18505, FOR THE SUM OF \$5,000.

6 MS. GATELLI: What is the
7 recommendation of the chair on finance?

8 MS. EVANS: As chair for the
9 committee on finance, I recommend final passage
10 of item 6-F.

11 MS. GATELLI: On the question, roll
12 call.

13 MS. EVANS: Oh, yes, I'm sorry. I
14 wanted to indicate my awareness that we have
15 one, two, three, four -- four pieces of
16 legislation tonight for final passage
17 concerning the sale of tax delinquent property.
18 So it appears that the city is making progress
19 in this area. I for one have been contacted --
20 excuse me -- over the last three and a half
21 years on numerous occasions by city residents
22 who would like to purchase tax delinquent

23 property that abuts their property.

24 And so I don't know why this hasn't

25 occurred to me prior to this moment, but I do

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1 have to wonder why we're so anxiously pursuing

2 Municipal Revenue Services when obviously the

3 city and the treasurer's office and the

4 redevelopment authority appears to be more than

5 capable of selling tax delinquent property,

6 does it not? That's it.

7 MS. GATELLI: Anyone else? Roll

8 call.

9 MR. COOLICAN: Mrs. Evans?

10 MS. EVANS: Yes.

11 MR. COOLICAN: Ms. Fanucci?

12 MS. FANUCCI: Yes.

13 MR. COOLICAN: Mr. McGoff?

14 MR. MCGOFF: Yes.

15 MR. COOLICAN: Mr. Courtright?

16 MR. COURTRIGHT: Yes.

17 MR. COOLICAN: Mrs. Gatelli?

18 MS. GATELLI: Yes. I hereby declare

19 6-F legally and lawfully adopted.

20 MS. GARVEY: SEVENTH ORDER,

21 CITIZEN'S PARTICIPATION.

22 MS. GATELLI: Doug Miller.

23 MR. MILLER: Good evening, council.

24 Doug, Miller, president of Scranton Junior City

25 Council. I would like start off this evening

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1 by also congratulating Mr. Courtright and Mr.

2 McGoff on your successful nomination. I wish

3 you the best of luck in November.

4 I would like to start off by

5 thanking everyone who participated in the car

6 wash fund raiser for free swimming held at

7 Scooter's Hot Dog Hut last Saturday. This

8 event was very successful. I am disappointed,

9 however, that other residents from the city and

10 county did not attend.

11 I would, however, like to thank you,

12 Mrs. Gatelli, for attending and getting your

13 car washed. We appreciate your support.

14 People come here around this time every year

15 complaining that there is no free swimming.

16 And when a fund raiser takes place to raise

17 money for free swimming, nobody comes out and
18 supports it like they should be. So I would
19 like in the future more people come out and
20 support these fund raisers. There's a lot of
21 people putting time and effort into this. They
22 should be commended for it.
23 I'd again ask council to please
24 support the free swimming. You voted on it
25 tonight. I hope you continue to support it. A
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1 few days ago Mr. Bolus and I met with the
2 recreation authority regarding our handicapped
3 swing set project. We planned to put the swing
4 set directly across from the handicapped tree
5 house, but the recreation authority said they
6 had other plans for that site.
7 Nobody showed Mr. Bolus and I the
8 plans in black and white. I did request them.
9 The intent for the swing set was to be directly
10 across from the tree house. The recreational
11 authority said they had alternative sites for
12 us. However, the swing set would no longer be
13 accessible for those children as it would be

14 across from the tree house.
15 So I would ask that if anyone on
16 council please find out what those alternative
17 plans are for that site directly across from
18 the tree house, we'd really appreciate your
19 help. Again, I would ask everybody in the city
20 to please make a contribution towards our
21 project and send your donations right here to
22 city hall, 340 North Washington Avenue,
23 Scranton, P.A., 18503. Thank you.

24 MS. GATELLI: Thank you. Mr.

25 Piccolino?

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1 MR. PICCOLINO: Giovanni Piccolino,
2 business owner and homeowner and taxpayer of
3 Scranton. I'd just like to say briefly, Mrs.
4 Evans, on our meeting with Mayor Doherty, no
5 call from Greco or Rinaldi to either myself or
6 my attorney. I also believe in the Easter
7 Bunny. A few months ago I made a suggestion
8 that we can possibly put the snow into the
9 Southern Union building. If we took that
10 advice, we would have actually saved ourselves

11 \$325,000 worth of headaches of legislation for
12 you guys.

13 So I come here this evening with
14 another humble suggestion that could possibly
15 make revenue for the City of Scranton. I think
16 city council might want to try to sell some
17 time shares of the tree house in Nay Aug.

18 Maybe we can put ads in the paper in New Jersey
19 and Philadelphia and New York. We can get some
20 taxable revenue into the city because it will
21 probably be about as empty as the Southern
22 Union building.

23 MS. FANUCCI: Are you seriously
24 waiting for a reply?

25 MR. PICCOLINO: Yeah, I have beach
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1 properties in Maryland. They are beach house,
2 tree house -- they are very good incomes.

3 MS. FANUCCI: I can't answer that.

4 I don't know how to address that, but sorry.

5 MR. PICCOLINO: That's a shocking
6 answer from you, Mrs. Fanucci.

7 MS. FANUCCI: Your suggestion was

8 very shocking also.

9 MR. PICCOLINO: By the way, thanks

10 for attending with me and Mrs. Evans with Mayor

11 Doherty like you said you were going to.

12 MS. EVANS: Mr. Piccolino, I thank

13 you for updating myself and everyone else

14 tonight that you have not yet received a call.

15 And I think I will provide the mayor with a

16 week's time in which to fulfill the statements

17 he made to you and to me. And if you can,

18 please, contact me on Monday and if you have

19 not -- I would like to be contacted either way

20 actually.

21 But particularly if you have not

22 received a call or -- excuse me -- Attorney

23 Hughes has not received a call from Attorney

24 Greco by then, I will call the mayor's office

25 and speak with him and remind him that the

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1 phone call needs to be made to schedule this

2 meeting if, indeed, he wants to see any

3 movement on the project because as council

4 moved long ago, nothing can happen unless

5 you're included.

6 So it's to his advantage, your

7 advantage, all of our advantage, to get this

8 process moving and settle this amicably.

9 MR. PICCOLINO: You should consider

10 the time share. Thank you.

11 MS. FANUCCI: Mrs. Evans, was I made

12 aware of this meeting that was taking place and

13 did I just not show up?

14 MS. EVANS: No. Actually I did not

15 make Mrs. Fanucci aware because I thought she

16 had said that she wouldn't wish to attend such

17 a meeting for legal purposes, that it might

18 cause a legal conflict for either you or the

19 city.

20 MR. PICCOLINO: She's usually aware

21 of all the other meetings and whatnot.

22 MS. FANUCCI: What?

23 MS. EVANS: I made the appointment

24 on my own.

25 MR. PICCOLINO: Thanks.

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1 MS. GATELLI: Just for the record, I

2 had spoken to Mayor Connors who now works for
3 the governor as you all know, to set up a
4 meeting with us -- with council to discuss the
5 project on Lackawanna Avenue.

6 I think that, Mr. Piccolino, for
7 them to settle with you is irrelevant because
8 they haven't settled with anybody. So, you
9 know, I don't know how we can help you if
10 there's no project. I have questions whether
11 there really is a project or not.

12 MS. EVANS: Mrs. Gatelli, I can
13 update on you what the mayor responded because
14 I did express our concern about the project.
15 In fact, I asked was it at a standstill, had it
16 ceased to exist. And his response was oh, no,
17 this is still a viable project. And I told him
18 that it appeared to all of us that those
19 property owners in that block have no line of
20 communication whatsoever with the city. And
21 his response was, the city is not involved.
22 The communication must take place
23 with the developer, Mr. Rinaldi. I've been
24 told by a number of the business owners, Mr.
25 Piccolino included, that Mr. Rinaldi does not

1 return their phone calls.

2 Now, Mr. Doherty also told me that

3 it is not the city's money --

4 MS. GATELLI: It's the governor's.

5 MS. EVANS: It is the state's money

6 that will provide the matching funds for the

7 refurbishment of all these buildings. The city

8 but is a pass through for those funds. And,

9 you know, he suggested that Mr. Rinaldi had to

10 be contacted and when I again stated that

11 they've had no luck, they being the business

12 owners, that's when Mr. Doherty indicated he

13 would speak to Mr. Rinaldi.

14 I do know that some of the business

15 owners also have a problem with the fact that

16 if they accept this deal, if, indeed, it's

17 75/25 percent and the mayor really wouldn't

18 adhere to those figures either, he was

19 approximating more than defining the exact

20 amount -- but that if they accept that

21 arrangement, 10 percent of their business will

22 then be owned by Mr. Rinaldi, and I don't think

23 that is agreeable to these owners.

24 MS. GATELLI: I'm not sure if that's

25 in the agreement. Did you look at it, Amil,

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1 that agreement I gave you?

2 MR. MINORA: I looked at it, but I

3 don't recall the specifics, you know.

4 MS. GATELLI: The mayor --

5 MS. EVANS: That's what I was told

6 in conversation with --

7 MS. GATELLI: I don't know that's

8 true. That's why we need the meeting. We need

9 -- we need it with the governor. He's got the

10 money. That's what is going to drive the

11 project, is the money, not the mayor.

12 MS. EVANS: Uh-huh, but Mr.

13 Piccolino --

14 MS. GATELLI: The sooner we get this

15 meeting and find out is there a project or

16 isn't there -- I mean, I went to a meeting when

17 I first got here.

18 MR. COURTRIGHT: I think the

19 governor is rather upset that isn't underway.

20 He pledged all this money.

21 MS. GATELLI: It is money he can use

22 for somewhere else for people that are having

23 projects all over the state.

24 MS. EVANS: I think, too, we have to

25 be very cognizant of Mr. Piccolino's business

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1 in that, you know, once again I will say

2 they've been paying taxes for 40 years, they

3 are an anchor of the downtown and, in fact, the

4 city is attempting to steal their business.

5 So that is a very integral part of

6 that block that has to be addressed, I think,

7 before you're going to move on anything else.

8 MS. GATELLI: Nothing else has been

9 moved on. That's the point I am trying to

10 make. There's other owners there, too. And

11 they don't have agreements either.

12 MS. EVANS: And they are very

13 unhappy.

14 MS. GATELLI: Absolutely. We need

15 to get a settlement. Amil, maybe you can call

16 Connors for us.

17 MR. MINORA: Gladly.

18 MS. GATELLI: And tell him we are
19 very frustrated. I know when I met a year and
20 a half ago with John Blake, the governor wasn't
21 happy then that the 9 million wasn't being
22 spent. So it's a year and a half later, and he
23 can give that to another community. Is there a
24 project or isn't there?

25 MR. MINORA: I will try and speak

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1 with him next week.

2 MS. GATELLI: Thank you. Ozzie
3 Quinn. Sorry for diatribe up here. We are
4 trying to settle that, Mr. Piccolino.

5 MR. QUINN: Ozzie Quinn, president
6 of Scranton and Lackawanna County Taxpayers'
7 and Citizens' Association. I want to thank
8 you, Mrs. Evans, for making that motion tonight
9 and the rest of the board for getting us back
10 into the city council chambers with the
11 exception of Mrs. Fanucci. I wouldn't expect
12 any more from you.

13 Also I want to know something in

14 late January or early February -- late January
15 I think it was I sent a letter under your
16 signature, Kay. It was sent it to O. E. C. D.,
17 Sara Hailstone, outlining the number of jobs I
18 requested. You passed a motion, et cetera, on
19 the number of jobs, how many hours they are
20 working, what kind of jobs they are and what
21 the hourly rate was. Did anybody receive any
22 request from that? Mrs. Fanucci, did you
23 follow up on that? You seem like you know it
24 all, what's going on over there at O.E.C.D.?
25 MS. FANUCCI: That's my committee,

53

1 absolutely.

2 MR. QUINN: It's four months late.

3 You should have had it by now.

4 MS. FANUCCI: No. Actually that's

5 okay. Do you want to tell me exactly what

6 you're looking for --

7 MR. QUINN: Kay has the letter.

8 MS. FANUCCI: Send the same letter

9 out --

10 MR. QUINN: Kay has the letter. I

11 wish you'd just follow up on that letter to see

12 what happened to it, okay?

13 MS. FANUCCI: Of course.

14 MR. QUINN: Everything that goes

15 over there from the taxpayers' association

16 either is -- you have to do it another way on

17 their right to know or they don't even answer.

18 I can't believe it, you know. I also want to

19 know was the 500 block of Lackawanna -- was

20 that ever designated a redevelopment area?

21 MS. GATELLI: I think two councils

22 ago.

23 MR. QUINN: So the S. R. A. is

24 handling that project, right?

25 MS. GATELLI: Yeah. I think it was

.

54

1 done, Ozzie, right after we designated the two,

2 three and four.

3 MR. QUINN: Okay. Along the lines

4 with the S. R. A., again, Judy, we were

5 supposed to meet many times. The last time was

6 in February with the S. R. A. with Bill Shane

7 to speak about the possibility of -- instead of

8 tearing down, demolishing these houses that
9 possibly we can sell them, okay, and they can
10 be rehabilitated and we can -- the city can
11 receive that revenue. That meeting has never
12 been set up.

13 MS. GATELLI: I went to the S. R. A.

14 I went to the meeting at the S. R. A. and --

15 MR. QUINN: I didn't know that. It
16 was supposed to be here.

17 MS. GATELLI: No. I went over
18 there. And there are means for people to
19 condemn properties. That is happening.

20 MR. QUINN: Yeah, but see that's why
21 I wanted to speak. I don't mean to be
22 arrogant. I think I have could explained it a
23 little more in depth of how the moneys can be
24 obtained to not only -- to rehabilitate these
25 properties but also set up a mortgage, low

55

1 interest mortgage, you know.

2 MS. GATELLI: We have that with the
3 first time home buyers.

4 MR. QUINN: Forget about it.

5 MS. GATELLI: I mean, there are
6 means that that's being done, Ozzie. I am not
7 trying to be argumentative with you.

8 MR. QUINN: Well, certainly because
9 these are city properties being torn down. Are
10 you repairing them?

11 MS. GATELLI: If people buy them
12 they are being repaired.

13 MR. QUINN: I haven't heard of
14 anybody buying them.

15 MS. GATELLI: Absolutely. Steve
16 Kochis, who is being appointed to the zoning
17 board just bought one. Anybody can buy them.
18 Ask Bill Fiorini.

19 MR. QUINN: These properties?

20 MS. GATELLI: Condemned properties,
21 yes.

22 MR. QUINN: I hope everybody hears
23 that out there.

24 MS. GATELLI: Sure they can purchase
25 them.

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56

1 MR. QUINN: I never heard that.

2 MS. GATELLI: Well, I will show you
3 later. It's being done.

4 MR. QUINN: I don't want to go over
5 my five minutes here. I appreciate that for
6 approving that tonight for the taxpayers'
7 association. What you did is prevented a
8 lawsuit that actually would have went to
9 federal court because other than the
10 constitution, the public foreign doctrine --
11 okay. And it would have wasted the taxpayers'
12 money for the city to defend their position,
13 and it would have cost the taxpayers the money.

14 And in all essence it would have
15 been the taxpayers' money no matter which way
16 you look at it. Thank you very much for
17 looking at it.

18 There should be more of that you
19 look at it from an attitude of resolving and
20 negotiating something rather than fighting with
21 everybody and going to court and spending tons
22 of money, okay. Again, coming out the same
23 taxpayers' pocket, I have updates. The school
24 is now at the end of 2006 152 million --
25 \$152,500,000 in debt. And they have a \$60

57

1 million bond they approved -- note they
2 approved that they haven't executed yet. So it
3 will go real high. The county's \$190,000,000
4 prorated for the city is \$71 million. And the
5 city is well over \$200,000,000. And it was
6 quoted in the paper on that 5.5 million or
7 whatever, 8 million -- I don't know. I
8 couldn't really understand it --

9 MR. MINORA: Time.

10 MR. QUINN: Win-win situation. It
11 wasn't a win-win situation. In closing, I
12 would really appreciate it, Judy, if you would
13 empower Mrs Evans to start the begin budget
14 process to eliminate the spending. And so last
15 year, she tried it and nobody adhered to it,
16 okay. And tonight you just passed a motion
17 that was under her chair, and I hope they give
18 her the power to do this so we can get a good
19 budget this year so we don't go on spending and
20 spending and spending.

21 MS. GATELLI: Thank you. Mr.

22 McCloe.

23 MR. McCLOE: Good evening. I just
24 have a little bit of political commentary, a
25 few things that I saw over the past few weeks.

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1 Last week I talked about Scranton in the year
2 2020 and how decisions made today will shape
3 the next 13 years.
4 I made a prediction on how three
5 political sins waste the taxpayers' money and
6 will lead to the blight of 2020. As I left the
7 meeting, I started to wonder what kind of
8 people will be running the city government at
9 that time. Then it hit me, it will be my
10 generation that will be assuming the positions
11 of power, a lot of generation X., a generation
12 born between the years of 1962 and 1977 plus or
13 minus a year or two.

14 We all know about the baby boomers.
15 And what most of you guys are the generation
16 Jones, which would be that gray area in between
17 1954 and 1964. We have -- we have one --

18 MS. GATELLI: Thank you.

19 MR. McCLOE: Whatever. She's an

20 X'er I hope. But the -- the generation Jones
21 makes up most of the council and most of our
22 local business leaders. And I began to wonder
23 what responsibility generation X. has to shape
24 the future of the next 13 years. Do we stay
25 this line and do as we're told? Do we stick
. . .
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1 with a program and not make waves?
2 Are we so afraid that we might lose
3 favor with uncle so and so or monsignor this or
4 that if we choose to speak out? Silence speaks
5 volumes. I guess the thinking of my generation
6 is if -- you never regret what you refuse to
7 speak. How many citizens of my generation
8 choose to take the fifth in order to safeguard
9 social status, jobs, financial well being or
10 the standing of their family's names within the
11 church?
12 Fear causes hesitation, and
13 hesitation can cause your worst fears to come
14 true. How many citizens are driven by these
15 council meetings hesitant to stop in and voice
16 their opinion and won't due to the same fear I

17 mentioned before? Meanwhile, they give up all
18 control over the future as they wait for
19 election day results to seal their fate.
20 The faith of the people was made
21 ever so clear while watching the local campaign
22 commercials. I saw a lot of buildings being
23 built. I saw a couple trains. I saw a
24 stadium, two people looking at architectural
25 plans. But what I didn't see was people. Do
60

1 buildings vote? Do trains vote? Were those
2 architectural designs actually a child's pop-up
3 book of Richard Ford, his grand plan for small
4 town America? There's nothing wrong with his
5 plan for a better tomorrow. It's a great plan.
6 But as we all know, the road to hell is paved
7 with the best of intentions especially if those
8 three little sins are the foundation of that
9 road.
10 Generation X., it's time to start
11 calling it like we see it. Our children
12 deserve better than the same sorry excuse we
13 were given 20 or 30 years ago, well, that's

14 just the way things are, it's always been that
15 way. Generation X. needs to understand that it
16 is we who will be the backbone to build a
17 brighter future. Or will that future collapse
18 because of a spineless generation?
19 From Carbondale to Scranton, from
20 Wilkes-Barre to Hazleton, generation X. needs
21 to get out of their mini vans and take a look
22 around. We're up next to bat. We will be
23 filling those seats in a very short time. The
24 future is ours to speak into existence or be
25 destroyed by our silence. Thank you.

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1 MS. GATELLI: Thank you. Mr.
2 Spindler.
3 MR. SPINDLER: Good evening, Les
4 Spindler, Scranton resident. Mrs. Gatelli, so
5 no one has made an offer on Lackawanna Avenue.
6 That's true, but Buona Pizza is the only one
7 that's been threatened being thrown out of
8 eminent domain. That's why I think they've got
9 a right to complain. Next thing, I read where
10 the city entered into an agreement to buy a lot

11 of rubber stamps with staples. It looks like
12 for the next four years -- for two more years
13 we are going to keep our rubber stamp council.
14 Mrs. Gatelli, are you aware not letting the
15 people speak on agenda items before they are
16 voted on is a violation of the Home Rule
17 Charter?

18 MS. GATELLI: I will have Mr. Minora
19 check that out. We will go back to the three
20 and three then.

21 MR. SPINDLER: I have a copy of the
22 Home Rule Charter right here. Section 407,
23 citizens' right to be heard states, reasonable
24 opportunities shall be provided for citizens
25 and taxpayers to address council on agenda
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1 matters before a vote is taken. That's from
2 the Home Rule Charter.

3 MS. GATELLI: Mr. Minora will check
4 that out for us.

5 MR. SPINDLER: If nothing is done
6 about this, it will be taken to court. Next
7 thing, I have to agree with Mr. Bolus what he

8 said the last few weeks was people are speaking
9 up here and all of a sudden someone is yelling
10 time or three minutes. It's very rude. I
11 think council has to come up with a better way
12 to warn people their time is getting close to
13 being expiring or being up. And I have a
14 suggestion when the league of women voters
15 sponsored the debates, they had someone holding
16 up sign, one minute, 30 seconds and then stop.
17 I think that will be a much better
18 alternative than someone interrupting you in
19 the middle of your talking or else go back to
20 the bell system. That was even better. Next
21 thing, Mr. McGoff, during the May 1st debate
22 you said you don't advocate rubber stamp
23 councils.
24 But how do you explain voting in
25 favor of every piece of legislation Mayor
.
63

1 Doherty had sent down including a budget with a
2 25 percent tax hike? No answer? That's
3 normal.
4 Lastly, I bumped into a resident

5 that lives near Daron Northeast. I will not
6 mention her name because her problem is in
7 litigation right now. And she was almost in
8 tears when she was talking to me. I have known
9 this woman. She's been coming here for years.
10 It's a very sad situation. I can't believe how
11 this city has let them down. This woman's
12 daughter used to be a tennis player. Now she
13 no longer plays tennis because she has asthma.
14 She was just in the hospital on Monday all day.
15 Now, I think this council should do
16 something to make Mr. Fiorini, and whoever else
17 has to be contacted go over there and get this
18 situation rectified. These people are dieing
19 slow deaths.

20 MS. GATELLI: Would you like an
21 answer or no?

22 MR. SPINDLER: Yes.

23 MS. GATELLI: Mr. Fiorini was there.

24 He told them, you know, what they needed to do
25 as far as wetting it down, et cetera. And

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1 according to Mr. Fiorini they are not violating

2 anything of the agreement they have.

3 MR. SPINDLER: This woman said three

4 aggregate piles. Now she said there are many

5 more than that. I think they were told --

6 MS. GATELLI: Maybe I will have Mr.

7 Fiorini come here and explain.

8 MR. SPINDLER: This is really a sad

9 and unhealthy situation for these people. They

10 shouldn't have to go through it as taxpayers.

11 MS. GATELLI: Thank you.

12 MR. SPINDLER: Thank you.

13 MS. GATELLI: Mr. Dudek.

14 MR. DUDEK: My name is Mike Dudek,

15 408 Depot Street, Scranton P.A. That is my

16 address. It's in the plot. And I came today

17 because of an item in today's Citizen's Voice

18 Wilkes-Barre publication of Times Shamrock. I

19 will hold it up to the camera because they made

20 the print quite big.

21 They point out the circulation of

22 the Times Leader, the Wilkes-Barre Times Leader

23 is down 10,668 in past years. The Daily Times

24 Leader in circulation drops 2,152 per day.

25 They point this out. They point out on the

1 same page that the Times Leader owns a
2 newspaper called the Pittston Dispatch and that
3 from now on the Times Leader and the Pittston
4 Dispatch under new rules of the auditor of
5 circulation has to show these circulation
6 numbers separately.

7 Now, talk about calling the kettle
8 black. Three weeks ago, this item appeared in
9 the Citizen's Voice. The Citizen's Voice and
10 Times Tribune decided to be audited together
11 for circulation purposes. As a result, page
12 one of the Citizen's Voice says it is an
13 addition of Times Shamrock newspapers. The
14 changes will be invisible to our readers said
15 Scott Lynett, publisher of the Citizen's Voice.

16 It is a cost sharing measure and will more
17 accurately show our coverage of Scranton and
18 Wilkes-Barre to our advertisers.

19 In other words, by moving the
20 corporate headquarters of the Scranton Times to
21 Wilkes-Barre they are allowed to show one
22 circulation number for the Scranton Tribune or

23 the -- you know, the Scranton Tribune and the
24 Citizen's Voice while at the same time
25 constigate this Wilkes-Barre Times Leader for
. .
66

1 doing what they did. At every point along the
2 way the Times Leader reported their numbers
3 accurately according to the regulations. What
4 the Scranton Times wants to do is fudge theirs.
5 The reason for it has to do with advertising.
6 The newspapers, they will look the same. But
7 God help our advertisers. Do you remember a
8 business called Firestone? There's no more
9 Firestone in the city. The city has a very
10 hard time sustaining its businesses.
11 And I think it's reprehensible that
12 in this economic climate the response of the
13 Times Shamrock newspapers is to develop a
14 policy which will make it more expensive for
15 local advertisers to place advertising in their
16 newspapers. I have said this about the chamber
17 of commerce, and I will say about this about
18 Times Shamrock. There's no way I will ever
19 question the integrity of Times Shamrock

20 newspapers. How can you question of integrity

21 of something when they don't have any to

22 question to begin with? Thank you.

23 MS. GATELLI: Fay Franas.

24 MS. FRANAS: Fay Franas, Scranton.

25 First I would like to thank --

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1 MS. GATELLI: One minute, please.

2 Be quiet in the audience because it's very,

3 very difficult to hear. Try to keep your

4 talking to a minimum. I'm sorry.

5 MS. FRANAS: That's okay. I would

6 like thank the D. P. W. They came and cleaned

7 my street last weekend, which is like -- I got

8 the dog up and everything. We had a party.

9 But I think it would be nice so we can get some

10 kind -- like they have in Kingston and

11 Wilkes-Barre where it's like the way -- if

12 there was a car parked in front of my house it

13 wouldn't have helped because they have to go

14 around it. It's good when they have an

15 organization type thing. I will -- it was

16 wonderful and saved me hours of shoveling dirt.

17 On another thing, about this five
18 minutes, three minutes later, earlier, let's
19 not have another lawsuit. Can't we just move
20 the five minutes to the beginning like it used
21 to be instead of three minutes, three minutes
22 and nobody would have any problems? Five
23 minutes in the beginning you can address agenda
24 items. It would be nice. Would you consider
25 going back to the way it was, not three and
.

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1 three like you just hinted at? You said last
2 week if it doesn't work we will do something.

3 Is that not true?

4 MS. GATELLI: We will see how it
5 works out.

6 MS. FRANAS: How can it work out?

7 It's not right.

8 MS. GATELLI: Attorney Minora will
9 investigate that for us.

10 MR. FRANAS: Attorney Minora --

11 Attorney Minora -- nothing ever happens. I
12 will give you an example. Did you find out
13 about whether you had a legal right to meet

14 with the unions?

15 MS. GATELLI: Yes, Attorney Minora,

16 would you answer that question, please?

17 MR. MINORA: Yes.

18 MS. FRANAS: Based on the Home Rule

19 Charter.

20 MR. MINORA: Yes, you may meet with

21 whoever you to choose so long as it's not with

22 a voting bloc sufficient to pass anything by

23 council. You can meet individually with

24 whomever you want whenever you want.

25 MS. FRANAS: Without approval of

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1 council? Without the approval of council,

2 that's the question.

3 MR. MINORA: The answer is yes.

4 MS. FRANAS: She has a -- Judy has a

5 right to negotiate with unions for contracts?

6 MR. MINORA: She can negotiate. She

7 can't sign a contract.

8 MS. FRANAS: What is the point of

9 negotiating? The mayor is the only one that

10 can negotiate. I still debate you, Mr. Minora.

11 I don't think it's right. Where does the Home
12 Rule Charter say she's allowed to? And you're
13 saying yes. Just because you say so doesn't
14 make it right. Just because you say so we are
15 supposed believe this, no. The Home Rule
16 Charter I think supersedes your opinion. I
17 mean, it's in writing. You just can't say --

18 MR. MINORA: Take me to court.

19 MS. FRANAS: Why is there a Home
20 Rule Charter if nobody will follow it?

21 MS. GATELLI: Well, we don't follow
22 it either because people up here send letters
23 and you're not supposed to send letters without
24 everyone's approval either.

25 MS. FRANAS: They shouldn't do it.

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1 It doesn't mean -- because they do it doesn't
2 make you saying whatever you just said. Just
3 because --

4 MS. GATELLI: Mrs. Franas, I met
5 with people about the medical school.

6 MS. FRANAS: It doesn't make it
7 right, Judy. I am trying to say to you I don't

8 know who you met --

9 MS. GATELLI: You are allowed to
10 meet with whoever you choose as long as there
11 is not three of you.

12 MS. FRANAS: Let me ask this. Why
13 do you not want Janet who is the head of
14 finance chairman -- she's the one that knows
15 about figures. Why wouldn't you want her with
16 you to talk with the unions about the
17 contracts? Of all people, why not her?

18 MS. GATELLI: I didn't ask anyone to
19 come to the meeting.

20 MS. FRANAS: Why did you not? Why
21 didn't you ask anyone else to come is my
22 question.

23 MS. GATELLI: I don't know. I
24 called Attorney Jennings on my own. Everyone
25 up here is free to call Attorney Jennings

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1 whenever they like. I called him.

2 MS. FRANAS: I think it would have
3 been nice, president of council, to include the
4 other members because they --

5 MS. GATELLI: I will include them if
6 there's anything to discuss with them.
7 MR. MINORA: You can't do that. You
8 can't do that with the majority without
9 publishing it as a meeting. That's what I keep
10 explaining.

11 MS. FRANAS: It doesn't mean she
12 couldn't have done that either. She could have
13 published it as -- let me say something else.

14 MS. GATELLI: Anyone up here on
15 council could have contacted the unions and
16 could have contacted Attorney Jennings. There
17 is not negotiations going on. I am not
18 negotiating for the unions. I am not a
19 negotiator.

20 MS. FRANAS: I know that. Why were
21 you meeting with them?

22 MS. GATELLI: You will have to ask
23 them. If they don't want to meet and discuss
24 it anymore, then I won't meet and discuss it
25 anymore.

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1 MS. FRANAS: I can't comprehend the

2 difference between a Home Rule Charter -- let
3 me ask you something. As far as you, Mr.
4 Minora, you have too much to say about things
5 when you shouldn't be saying things.

6 MS. GATELLI: Mrs. Franas, he is our
7 solicitor.

8 MS. FRANAS: Fine. I am not talking
9 about what you just asked him. I am talking
10 about other times. He makes comments about
11 this and this. And we don't need his opinion
12 about anything. But on the side you can hear
13 him say this and this all the time. We didn't
14 elect him. We elected you people up there.
15 That's it. That's all I have to say about him.

16 Sorry. Just because he is the solicitor I
17 don't have to bow to him, and I'm not.

18 MS. GATELLI: We have to ask him
19 legal questions.

20 MS. FRANAS: I understand that.
21 When he answered when you asked, that's
22 perfectly -- I am talking about other times
23 that he makes his little comments.

24 MR. MINORA: Time.

25 MS. FRANAS: What did you say?

1 MR. MINORA: Time.

2 MS. FRANAS: May I speak a couple

3 seconds more as everybody else?

4 MS. GATELLI: Just finish up your

5 thoughts.

6 MS. FRANAS: Here's my thoughts. I

7 will ask one more question. Did you possibly

8 -- I don't know. I will ask a question. Did

9 you meet with anybody up at Chick's and tell

10 them you don't have to go by that law because

11 it wasn't an ordinance that wasn't going to be

12 enforced?

13 MS. GATELLI: No, I did not.

14 MS. FRANAS: Never said a word to

15 anybody at Chick's about the smoking ban?

16 MS. GATELLI: No.

17 MS. FRANAS: Never?

18 MS. GATELLI: Never.

19 MS. FRANAS: Okay. Thank you.

20 MS. GATELLI: Reverend Simmons.

21 MS. SIMMONS: Good evening.

22 Reverend Catherine Simmons, Florence, Midtown

23 Crime Watch. I came tonight to talk about two
24 things. Both things were referred to already,
25 so I can make this very brief. One is a

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1 reference to the downtown area of Scranton.

2 Several people have approached me about
3 restaurants and stores being opened later in
4 the evening and no officers being present.

5 They thanked the crime watch for
6 being present and being there for the people.

7 But that's still not police officers. So if we
8 can do something, Mr. Courtright, use your
9 power of authority -- thank you for the smile.

10 Use your power of authority to let our chief
11 know that we need at least one officer in the

12 downtown area. Yes, video cameras are
13 wonderful. But it still makes people feel more
14 comfortable when they see an officer walking
15 around.

16 The other thing is about the medical
17 school. There has been a lot said in the past
18 couple of weeks about a medical school being
19 built perhaps on the site of Midtown Complex.

20 Unless you live on the Midtown Complex you
21 really don't know what's going on over there.
22 And you really shouldn't be talking about what
23 is going on over there.

24 And I'm going to make this very
25 brief. I wrote a letter to the newspaper. And

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1 knowing the way that they published the letters
2 that I sent to them, it's probably not going to
3 be published. So I am going to read it very
4 briefly right here. Dear Editors, there is
5 much written about the possibility of a medical
6 school being built on the site where now
7 resides a family residence called Midtown
8 Apartments.

9 This complex is the most diversified
10 and cultural base of its kind in this county.
11 It was built to get rid of the poor and
12 impoverished families years ago, families of
13 black history and of biracial dissent. The
14 purpose was to get them out of there. Well,
15 the bulldozers did, indeed. The properties
16 were leveled, and the stores were destroyed.

17 But you could not take the spirit away.
18 As you walk through Midtown Complex
19 today, the voices of the past are stronger than
20 ever. The spirit of unity is alive and
21 marching 24/7. This, indeed, may be the very
22 place for a school of learning. What better
23 legacy for so many who fought so hard for just
24 a taste of education. I do not know the answer
25 yet.

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1 I have put together a tenant group,
2 and we will see what road we will take. Until
3 then, back off expressing opinions of Midtown
4 families and persons who live there. You don't
5 live there, and your dislike of the very
6 cultures and economic classes is not unknown
7 among our people.
8 We will seek and find our own
9 answers. When we finally need our neighbors,
10 we have enough unified and self worth to seek
11 out the advice of those who are of value to us.
12 We at Midtown Apartments are a fine and
13 respectful group of people. We know how to

14 take care of ourselves. We know how to guide
15 ourselves along. When it's time for us to come
16 down and speak to city council, we know how to
17 do it. Thank you.

18 MS. GATELLI: Mr. Patilla.

19 MR. PATILLA: Sam Patilla, city
20 resident and taxpayer. I have a letter from
21 the Scranton O. E. C. D. that basically says
22 that on December 18th, 2006, they received the
23 reports, inquiries and D. And B. business
24 information on the Lackawanna Station
25 Hospitality, L. P. It also states that on
.
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1 March 29th, 2007 Scranton City Council passed a
2 resolution authorizing the money.
3 But what it fails to say is that
4 from December through the actual passing of
5 that resolution there's no follow-up. And I
6 say that because in April 2007 the Times
7 Tribune -- April 26th as a matter of fact --
8 published a report stating that that --
9 business was over \$100,000 -- had a state lien
10 over \$100,000. Now, had any back-up, and

11 follow-up been done to that, that would have
12 been caught then.

13 And going back to what I said the
14 last council meeting, all right, it wasn't a
15 request, all right. Ms. Fanucci should resign.
16 Mr. Minora should resign. Sara Hailstone
17 should resign and anybody else that has
18 anything to do with giving our money away
19 because they are not doing their jobs, you
20 know.

21 I tried to get you to understand
22 that you gave \$250,000 to one business, okay.
23 I think they have to provide, what, eight jobs.
24 Everybody doesn't want to be a hair stylist.
25 You have people that want to be lawyers, bank
.

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1 president, teachers, cooks, manicurists, golf
2 course workers, whatever. And if you divide
3 that money up into all the businesses in
4 Scranton, you gave those people the opportunity
5 to pursue those dreams instead of just taking
6 our money and just lumping it into one sum and
7 throwing in one business. Break that money up

8 and give it to everybody, okay.

9 Secondly, moving along from that --

10 secondly, I want to talk to those subscribe to

11 the Times Tribune, okay. I have a person that

12 delivers 100 papers a day. But on pay day they

13 get a check for \$5. So those of you that are

14 mailing in your payments to the Times Tribune,

15 take an envelope, stick it to the mailbox,

16 stick it to your door. Give that money to your

17 carrier, okay.

18 If you have 100 customers, that's

19 \$5,200 a year in tips. You send it in to the

20 Times Tribune, that they that money, hold it

21 for 13 weeks, give a them little bit for a 13

22 week period. So these people aren't giving

23 them that money. They need that money.

24 Gasoline is \$3 a gallon now. They can use that

25 money to help pay their bills. The main focus

.

79

1 of my coming here today is the election.

2 I want thank the grass root

3 nominees, Lee Morgan, Andy, Daniel Hubbard, you

4 know, who didn't have a cash cow backing them.

5 All they had was the honest citizens of
6 Scranton, and they have a pretty decent
7 turnout. I appreciate those of you that voted
8 for these people. Those of you -- I am
9 speaking to minorities. Get off your butt, all
10 right. This has got to stop. I don't want to
11 hear the white man is responsible for this, the
12 white man is responsible for that.
13 Every time there's an election you
14 have the opportunity -- the obligation to put
15 yourself forward and honor the people who gave
16 up their lives so you have the right to vote.
17 And for you to sit on your butt and allow these
18 elections to be bought is ludicrous. It's a
19 slap in the face of every single person, black
20 or white, that has fought for equality, women's
21 rights in this country. All right.
22 Those of you who are church leaders,
23 if you aren't telling your congregation to get
24 out and vote, to exercise that right, then you
25 need to be removed from office. If those of
·
80

1 you who have questions about the election

2 process or you just want to know -- I live at
3 634 Genet Street. My door is always open --
4 always open. I went to two polling places
5 throughout the city on Election Day. I didn't
6 find one piece of literature in Hispanic -- the
7 Spanish language. That's a violation of
8 federal law. I know it's a violation of the
9 state law. So as far as I am concerned, the
10 election is not only flawed, but it was illegal
11 because you have to provide information to
12 these people and give them the opportunity to
13 make -- cast their vote.

14 And this here again is where the
15 city solicitors are failing the citizens of
16 Scranton. Instead of giving their opinions,
17 they need to stick to the Home Rule Charter and
18 recite the law. Therefore, you won't have the
19 conflict and the problems that you have. We
20 don't need your opinions. Everybody has an
21 opinion. I am sure Mr. Courtright will agree,
22 we all got them and they all stink at one time
23 or another.

24 MR. MINORA: Time.

25 MR. PATILLA: We all have opinions,

.

81

1 and they all stink at one time or another. You
2 guys -- it's a long time between now and
3 November. If you are not -- if you didn't
4 vote, get off your butts and get out there
5 vote. This is the only way change will come to
6 the City of Scranton. The taxpayers have to
7 stand up and demand they be recognized. Thank
8 you.

9 MS. GATELLI: Mr. Jacowitz.

10 MR. JACOWITZ: Bill Jacowicz, south
11 Scranton resident. Congratulations, Mr.
12 McGoff, Mr. Courtright. Apathy of the Scranton
13 voters, the low turnout of Scranton voters on
14 Tuesday, May 15, 2007 is further proof of the
15 decline of the City of Scranton. When
16 registered voters do not take the time to vote,
17 that is the proof that they have lost
18 confidence in the local elected officials. The
19 fact that Scranton citizens have no say at all
20 in the working of the their legal government is
21 further proof when citizens are treated like
22 Scranton's most wanted when they attend city

23 council meetings being searched, wand, and made

24 to stand outside is further proof that the

25 elected officials have no concern or respect

.

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1 for the citizens of Scranton.

2 The fact that citizens are placed on

3 a time limit to address their elected officials

4 while elected officials can talk forever

5 without ever saying anything or answering any

6 questions, comments such as, I do not know, I

7 believe so, that is what I was told, when I was

8 there and this is what we did in the Connors

9 administration are no longer acceptable

10 responses. They never were answers. Let's get

11 some answers.

12 Speaking with the younger population

13 it's very clear that the educated and talented

14 will be packing up and relocating outside of

15 Scranton. The city will become a population of

16 senior citizens and non-documented residents

17 and low to moderate income wage earners who pay

18 little or no taxes. Unless the city government

19 opens up the lines of communication between the

20 elected officials and residents -- has anyone
21 seen Mayor Doherty? Does he still reside in
22 the City of Scranton?
23 Intelligent and professional people
24 will not locate in Scranton where they are
25 suppressed economically and more importantly
. .
83

1 not allowed to challenge their elected
2 officials. They will not tolerate this
3 treatment. The coal miners' mentality is gone,
4 a new generation of residents. Thomas
5 Jefferson once said if you do not participate
6 in the government, you deserve what you get.
7 So when your taxes go up, your
8 services go down, roads not paved, your
9 neighborhood is deteriorating, blame nobody but
10 yourself, you the non-voting citizen. You
11 allowed this to happen. Voters, pay attention
12 to the candidates. Watch and listen to the
13 interviews.
14 Do not make your choices based upon
15 a job or a friendship. If you -- if you do,
16 you will pay for it. Just look around

17 especially on your pay day. Count the pennies
18 because you'll have no dollars to count.
19 President Gatelli, have a light system
20 installed or use hand signals. Be personal,
21 not rude. Bring back the bell. This
22 interruption by Mr. Minora has got to stop.
23 In words of Ms. Fanucci, bring it
24 on. Well, Mrs. Fanucci, some citizens are
25 doing just that. They are bringing it on. You
.
84

1 can smile all you want, Mrs. Fanucci, just like
2 you were smiling about Southern Union. A year
3 ago you stated flatly, two businesses -- please
4 do not interrupt me. It is my time -- two
5 weeks -- a year ago you stated, two weeks. We
6 waited. We waited. You didn't even have the
7 decency or the courtesy to tell the citizens
8 you were wrong. You waited one year later, and
9 then you tried to point out about the citizen
10 who talks about it every week. Guess what?
11 I'm that citizen.
12 And guess what? Southern Union is
13 still vacant. That building is sitting there

14 deteriorating and rotting away. Furthermore,
15 the car wash for the free swim was very
16 successful. Over \$400 was taken in on cars
17 that were washed, another 300 hundred plus
18 dollars by donations. The citizens of Scranton
19 rallying behind this free swim thing, this will
20 be very successful. And I tell you what. It's
21 a shame when citizens had to do it because the
22 people who should have done it had to be
23 persuaded by the citizens to do it. And guess
24 what? It's going to get done. And when this
25 project is done, the next project and then the
.
85

1 next project and then the next project and then
2 the next project. That's going to continue
3 until this city becomes a city. Ms. Fanucci,
4 laugh all you want, giggle all you want, smile
5 about the fact that Southern Union is still
6 vacant because you can't even keep a straight
7 face when you were trying to be serious
8 earlier. If you don't believe me, look at the
9 tape. Go ahead. Make your faces. The people
10 can't see what really happens at this meeting.

11 So I will inform them. Look at the tape. Look
12 at how silly you look up there laughing and
13 giggling. You're supposed to be a mature
14 adult.

15 MS. GATELLI: Please, please. Mr.

16 Newcomb.

17 MR. NEWCOMB: Good evening, council,

18 question and a few statements. Just again

19 about what -- we heard some talk about Daron

20 Northeast. I will fill you in about Daron

21 Northeast. I have an 82-year-old mother-in-law

22 whose homestead is at the 1600 block of Dickson

23 Avenue. She never in her life smoked. I

24 understand and I do appreciate Mr. Fiorini

25 working on it and making them hose it down or

.

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1 whatever. But she's never smoked in her life.

2 She was very healthy, drove an automobile. She

3 got around. Now, she's 82 years old and ever

4 since Daron Northeast went in there, she's on

5 oxygen 24 hours a day, seven days a week. She

6 has all kind of problems. She sees about seven

7 doctors. She's on more medication than you can

8 imagine anybody being on. So I do say there is
9 something going on over there with those things
10 in the air. And believe me when I tell you it
11 is being investigated because she's living
12 proof that you just don't -- that just doesn't
13 happen.

14 It happened after this building was
15 put over there in the 1600 block of Dickson
16 Avenue. Just a question if I can for Mr.
17 Minora. I believe I asked you this once
18 before. After what I seen in the paper, I will
19 ask it again because you developed this. Are
20 you -- you have faith in the smoking ban that
21 the city will prevail -- the city has a good
22 shot?

23 MR. MINORA: As you know, there are
24 two cases that have come down -- the one out of
25 Pittsburgh saying that preemption did not

.

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1 apply, the one out of Erie saying it did apply.
2 It's in the Commonwealth court. So we are
3 going to hear from the higher court soon I
4 presume. And as far as I know, the legislature

5 is considering making a state wide non-smoking
6 ban, which will make all that moot anyway.

7 MR. NEWCOMB: One more question on
8 this ban. I know there is litigation. Do we
9 have it set up where the loser pays the fees or
10 no? Like, in other words, if the city -- would
11 the city have to pay, like, Chick's fees if
12 they win or would we have to pay ours or it
13 just doesn't work that way?

14 MR. MINORA: Doesn't work that way.

15 MR. NEWCOMB: These are two
16 questions I believe Mr. Courtright can check on
17 these. Are you aware or do you know are the
18 defibrillators being used yet for the
19 policemen?

20 MR. COURTRIGHT: To the best of my
21 knowledge we are not using any defibrillators
22 right now. But I will make absolute sure of
23 that.

24 MR. NEWCOMB: From what I
25 understand, I believe they are out of service

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1 and they've been out of service --

2 MR. COURTRIGHT: For quite a while.

3 MR. NEWCOMB: We haven't bought pads
4 or something for them.

5 MR. COURTRIGHT: For various other
6 reason, batteries, pads -- I think a couple
7 different -- I think one was damaged. So will
8 get --

9 MR. NEWCOMB: We do find the some
10 money for things -- I love my dog, too. But we
11 found hundreds of thousands for a dog park,
12 which we do need. I am not disagreeing. This
13 is safety. We have to look at some of these
14 issues. Another thing, do we have -- the C. I.
15 T. clerks, are they back in yet? Or what is
16 going on with that arbitration?

17 MR. COURTRIGHT: I believe they are
18 putting together the information so they can
19 hire the S.I.T. clerks back. And at then that
20 point I think the money has to be paid to the
21 police department that was owed them.

22 MR. NEWCOMB: It was owed to them in
23 the arbitration.

24 MR. COURTRIGHT: That's my
25 understanding, yes. I don't have any inside

1 information on that. I have the information

2 that everyone in the public has.

3 MR. NEWCOMB: If you can find out for

4 me on those and how much money we owe them and

5 where the money is coming from.

6 MR. COURTRIGHT: I think it's up

7 near a million bucks.

8 MR. NEWCOMB: Just remember for how

9 many years I was coming here saying it was

10 going to cost us a million dollars. And it

11 cost us more than a million dollars. You can't

12 keep violating contracts and think that some

13 higher court will get you out of these because

14 anybody up there who deals with unions or

15 anybody else -- and I've been in one for 30

16 years. When you sign on the dotted line, you

17 either got to pay now or as that old commercial

18 says pay later. It looks like we are paying

19 later. We are paying a lot later now when we

20 shouldn't have paid anything.

21 MR. COURTRIGHT: On that issue I

22 have always agreed with you. I always thought

23 it was wrong for them to take them out of there

24 simple as black and white. I always thought

25 we'd would lose, and we did.

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1 MR. NEWCOMB: Thank you.

2 MS. GATELLI: Mr. Dobson.

3 MR. DOBSON: I pass.

4 MS. GATELLI: Mrs. Shumaker?

5 MS. SHUMAKER: Marie Shumaker, east

6 mountain. Tonight as promised last week I

7 would like to talk about blight. Are we

8 eliminating or creating blight? The mayor

9 takes great pride in having taken down 50 homes

10 in blighted neighbors.

11 He also takes great pride that Money

12 Magazine ranked Scranton fourth in their list

13 of 100 biggest housing markets by population.

14 Scranton should be a hot real estate market for

15 investors as the population is declining and

16 mortgage rates are low. According to the

17 Census Bureau, population declined from 76,415

18 in 2000 to 67,314 in 2005. Owner occupied

19 housing units declined 1,752 or 10 percent

20 during the same period. Renter occupied
21 housing has declined only about one percent,
22 and vacant housing units have increased by 8
23 percent. Blight is an indicator of municipal
24 stress.

25 Fannie Mae who provides professional
.

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1 service -- or financial services and products
2 that make it possible for low, moderate and
3 middle income families to buy homes of their
4 own commissioned a study evaluating urban
5 success.

6 They found the economic well being
7 of residents is the prime indicator of
8 municipal distress. Measures of economic well
9 being of residents include the value of the
10 poverty rate, unemployment rate, median
11 household income, percent change in population
12 and percent change in per capita income.

13 For Scranton from 2000 to 2005, the
14 percent below the poverty level increased from
15 15 percent to 22.9 percent. The percent of the
16 unemployed age 16 up increased from 4.1 to 7.3.

17 Median household income declined from \$28,805
18 to \$28,282. And per capita income increased
19 from \$16,174 to \$16,468. But this could
20 actually be a decline depending on whether the
21 numbers are inflation adjusted.

22 Another magazine, not Money, but
23 Forbes in their April 23rd issue identified the
24 best places for business and careers. Out of
25 200 metro areas, Scranton ranked 61st in cost

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1 of doing business, 130th in job growth and
2 174th in educational attainment. The impact of
3 increased taxes and fees is likely to stress
4 many residents both physically and financially.
5 Surely the number of vacant homes will increase
6 which will be great for investors but terrible
7 for residents' well being. With such a low
8 ranking in the Forbes factors, I must ask the
9 critical question, what would it take to make
10 people want to live here? Until the population
11 launch has turned around, more blight will be
12 created than eliminated.

13 Three days ago, I read the city is

14 planning to acquire the former south Scranton
15 post office building on Orchard Street for
16 single family residence. May I ever so humbly
17 suggest this money might be better spent on low
18 interest loans so residents could improve their
19 properties and keep them from becoming
20 blighted? Low interest loans secured by
21 property liens for homeowners strapped for tax
22 dollars would be another good investment.
23 It's time to stop creating blight.

24 And that -- I would like to follow up on a
25 couple of questions. No. 1, what is the status

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1 of the audit?

2 MS. EVANS: I don't believe that the
3 independent audit of the City of Scranton will
4 be prepared, completed and presented to council
5 until the fall because council had difficulty
6 securing an auditing firm and we did not want
7 to spend great amounts of money. It was
8 evident that those who have presented proposals
9 to secure the contract were raking us over the
10 financial coals.

11 And so we were able then to
12 negotiate with Rossi and Son Company at a much
13 reduced price. But again because of that
14 elongated process, we have bumped the audit
15 back months and months. And I'm sure you're
16 aware it was always a slow moving process to
17 begin with because Rossi so often encounters
18 difficulty receiving necessary information from
19 not all but different departments of the city
20 and banks. So it's my opinion that we're
21 probably not going to see that audit until at
22 least October.

23 Now, I am -- this is conjecture.

24 But since we in the past have often received it
25 in September, August, I would expect October

94

1 would be a likely date.

2 MS. SHUMAKER: Well, that is
3 obviously disappointing. But I would also like
4 to --

5 MR. MINORA: Time.

6 MS. SHUMAKER: You might want to by
7 ordinance perhaps force the -- the city to end

8 the fiscal year at a earlier time, too. That
9 would help. The budget transfers you gave me
10 the other day, they are still making 2006
11 bucket transfers in March and --

12 MS. EVANS: Yes, I am well aware.

13 MS. SHUMAKER: I will ask the rest
14 of my questions next week.

15 MS. EVANS: I have the same
16 questions as you concerning that. In fact, the
17 Pennsylvania Economy League, I noticed in their
18 summaries has even questioned the reasoning why
19 the city would continue transfers, you know,
20 toward the end of the first financial quarter
21 of the new year from the preceding years. So
22 something appears to be amiss.

23 MS. SHUMAKER: Thank you.

24 MS. GATELLI: Next.

25 MR. UNGVARSKY: Good evening,

95

1 council. I am Tom Ungvarsky. I am a resident
2 of the city. I wish to congratulate Mr.
3 Courtright and Mr. McGoff on winning the
4 election. I also wish to thank you for

5 allowing the Scranton taxpayers back into the
6 chambers. As you know, we interviewed quite a
7 few candidates. And it was kind of a makeshift
8 deal, and it was not under ideal circumstances
9 that we interviewed them.

10 We have to move around at times.

11 The speakers weren't in the right place. And
12 it was just an inconvenience for everyone. So
13 I thank you for letting us back in again. I
14 would like at a talk about the E. M. S. tax.

15 As you know, I was here last January talking
16 about it. The way I understand it, it was just
17 wages that were supposed to be charged as
18 income.

19 However, it seems to have broadened
20 out a little bit. And it seems like they are
21 asking people for their W. 2s, their 1099s and
22 even their income tax returns. It appears as
23 though they are trying to make it difficult for
24 people to get that \$52 back. I wish you people
25 will look into it and see what you can do to

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1 make it convenient.

2 If people want the form, they have
3 to go there or call up and ask them to mail it.
4 And it just seems as though they are making it
5 very difficult for the people to get that \$52
6 back. Thank you.

7 MS. GATELLI: Thank you. Next.

8 MR. HUBBARD: Daniel Hubbard, lower
9 Green Ridge. I understand Mr. Fiorini said
10 that we are not -- that Daron is not in
11 violation. First, what I want is -- would like
12 is a letter stating -- from Mr. Fiorini and Mr.
13 Wallace how that business was allowed to open
14 and operate without applying for a variance.
15 Then I would like a letter from the planning
16 commission.

17 I want to know how they got past the
18 site review committee. Now, Mr. Wallace has
19 stated that he's qualified as a zoning officer
20 because he read the zoning book. Well, I have
21 three times. So I guess I'm twice as
22 qualified. Every yellow stickie note is a
23 violation of Daron Northeast, site plan review
24 procedures, nuisances and safety of the site
25 plan. If this was part of the original site

1 plan, they would have stopped this.
2 A description of any proposed
3 industrial commercial operations or storage in
4 sufficient detail to indicate potential
5 nuisances and hazards regarding noise, trucks,
6 glare, air pollution, dust, odors, fire or
7 toxic or explosive hazards. We can continue
8 going back to the part of the zoning guide that
9 -- environmental protection.
10 Activities that creates a
11 significant hazard to public health and safety
12 because of serious explosive fire, biological,
13 biogenic or toxic hazards. You have them toxic
14 materials sheets. I gave that to you. It is
15 the responsibility of every property owner to
16 ensure that their property does not threaten
17 public health or safety or to remove or alter
18 any structures -- we don't need to go into that
19 -- the public safety part was in the beginning.
20 Vibration -- we are back still in
21 the environmental violations. Vibration, the
22 large trucks violating Section 509, odors,

23 dust, air and water pollution, Section 510,
24 violation. These are all violations if they
25 were operating legally. But since they never
.

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1 applied for a variance, they never had a public
2 hearing on the operation of this business and
3 the site plan review suddenly somehow got
4 through the planning commission -- this
5 business was allowed open up in a residential
6 district. The residents -- I'm talking five,
7 six blocks around Daron are feeling it. I have
8 dust at my house. I have dust in my cars.
9 I talked to people at the polling
10 place at the Assembly of God that said they
11 live up on Delaware Street and they are having
12 dust problems at their house because of this.
13 This business was allowed to open without going
14 through proper procedures for a reason. I want
15 to know -- I want Mr. Fiorini and Mr. Wallace
16 to tell me where in this book it states this
17 business is allowed to operate the way they
18 are.
19 Now, Mr. Brown went to speak to the

20 residents of Dickson Avenue. He was there 15
21 minutes. His eyes were teary. His mouth was
22 gritty, and his lungs were bothering him. The
23 Times will do -- go back down and talk to
24 residents again because Stacy was having a hard
25 time staying there.

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1 So what I'd like for you instead of
2 asking Mr. Fiorini if this is a violation, come
3 down to Dickson Avenue, meet me, meet the
4 residents -- all of you, all five council
5 members. Make an appointment on a Saturday.
6 Come down -- not a Saturday -- sorry -- no.
7 Twice a day I go by there. They have yet to
8 water anything but the immediate entrance. So
9 you know what, lunch break meet me at Dickson
10 Avenue. See for yourself.
11 Expose yourself to the environment
12 these -- don't take Mr. Fiorini's word for it.
13 Certainly don't take Mr. Wallace's word for it.
14 I read the book, too. I have pulled out how
15 many violations? I'm not the zoning officer.
16 But I'm smart enough and educated enough to

17 realize these are violations.

18 So come down -- and you can come
19 down and you show the residents of Dickson
20 Avenue and lower Green Ridge that you actually
21 care about their children at Robert Morris two
22 blocks away having to play in this dust in the
23 heat for the last two weeks because they don't
24 water the facility down -- or the fact these
25 piles are not covered by tarps, by anything.

100

1 This business is running illegally, period.
2 Now, a resident called Mr. Wallace. And his
3 comment to her is, what do you want me to do,
4 shut them down. Yeah, it would be nice, Mr.
5 Wallace. Do your job. It wouldn't hurt. Do
6 your job because if Mr. Fiorini feels they are
7 not in violation, Mr. Wallace should be able to
8 find the violations in the book he read.
9 This is terrible. People are
10 suffering. The immediate effects are on the
11 first block facing this. What are the long
12 term effects surrounding -- how much of a
13 circumference around Daron Northeast are these

14 chemicals affecting? How many children are at
15 Robert Morris that play outside at recess every
16 day in the after school program are affected by
17 the dust that is two blocks away and on any
18 given windy day is making it to Robert Morris?
19 Now, if you don't believe me, ask
20 Stacy. He was there. He couldn't believe that
21 this place is allowed to operate the way it is
22 where it is.
23 Somebody let this get through.
24 Somebody did it for a reason. We can all
25 assume, but I'm guess if we check the campaign

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1 donation sheets, we will find out exactly why
2 this went through when Mr. Doherty ran for
3 mayor the first time.
4 There was a -- the property taxes I
5 told you that were forgiven exceeded \$225,000.
6 MR. MINORA: Time.
7 MR. HUBBARD: This is a serious
8 issue. This is affecting a large tract -- this
9 is not just a flood issue in lower Green Ridge.
10 This seriously affects a lot of our families, a

11 lot of our children. We need to address this.

12 MS. GATELLI: Thank you.

13 MR. EVANS: Mr. Hubbard, Mr.

14 Courtright and I know and have been aware of

15 this since we were seated on council. I've

16 been down there countless times. And it's not

17 just the residue on cars. It's homes that

18 don't open their windows.

19 MR. HUBBARD: All summer long locked

20 up like a box.

21 MS. EVANS: Despite the fact, yes,

22 their homes are locked from fresh air. There's

23 still dirt inside the house. I met with a

24 number of the individuals who I am well aware

25 of all the health problems, all of the

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1 hospitalizations, the reports of the

2 physicians. And as I said to you before, I

3 contacted the health department. They

4 indicated that they had cited Daron Northeast

5 in the past but that basically the ball was in

6 the city's court. And prior to Mr. Courtright

7 and I taking our seats on this council, Daron

8 was somehow by someone or some department or
9 some entity granted permission to build their
10 operation across the street from residential
11 properties.

12 And I mean short of -- I honestly
13 don't see -- I know that they have wet down the
14 property certainly not as often as necessary as
15 would be required, but that has been done.

16 MR. HUBBARD: Go over that facility
17 twice a day every day of the week if you want.

18 MS. EVANS: I'm not arguing that
19 because I pass by there twice a day every day.
20 What I'm saying is whatever has been done and
21 been required of them very often they've done
22 it but it's still insufficient. The ultimate
23 answer was they -- they never should have been
24 permitted to locate there.

25 MR. HUBBARD: If they went through

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1 proper procedures they would not have. I just
2 like to do the non-political thing. Obviously
3 the political thing was done regarding Daron.
4 Let's do the non-political thing. Let's have

5 all five council members go to the Lower Green
6 Ridge Neighborhood Association and the
7 residents of Dickson Avenue, meet on Dickson
8 Avenue during the day during operations so you
9 can see firsthand what these people are
10 subjected to every single day. Then you will
11 have an idea what we are up against.
12 You can't know what it is until you
13 go there. If you don't believe me -- Ask Stacy
14 Brown. He will tell you he didn't understand
15 it until he went. He was appalled.

16 MS. GATELLI: Thank you. Next.

17 MR. GERVASI: Good evening, city
18 council. My name is Dave Gervasi, city
19 resident, member of the Scranton fire fighters.
20 There was a couple questions here tonight I am
21 here clarify a few things for the public and
22 the people in the audience and council can
23 understand. If you don't know already, Mr.
24 Minora is not here. He can back me up on this
25 if I am wrong or right.

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1 The question came out about who can

2 negotiate contracts. Just so everybody knows,
3 this is not a big secret or anything. The
4 executive branch are the ones either on their
5 administrative code or the Home Rule Charter
6 that has to negotiate contracts. That's not
7 saying that the mayor can allow someone else to
8 negotiate a contract. And I believe it's my
9 belief that he's not allowing Ms. Gatelli to
10 actually negotiate a contract.

11 MS. GATELLI: Hardly.

12 MR. GERVASI: Right, yeah. We all
13 figured that. Mr. Courtright and Ms. Evans are
14 fully aware of the history and process the last
15 six years -- four and a half years that this
16 process had been going on because we talk
17 often. I always update them on what is going
18 on. I believe recently in the last few months
19 Mr. McGoff and Mrs. Gatelli has been brought up
20 to speed by our president, Dave Schreiber, on
21 the history where we are, what the situation is
22 with our contracts. Mrs. Gatelli simple made a
23 phone call to our lawyer asking that if she can
24 be brought up to speed on the subjects, you
25 know, maybe she can get this thing moving

1 forward because it's been -- nothing has been
2 happening except for court.

3 Right after the meeting then I -- I

4 was at the meeting. We attend the meeting.

5 Right after the meeting I contacted Mrs. Evans

6 and Mr. Courtright to let them know about it.

7 Mrs. Fanucci wasn't here I think at that one

8 meeting. Mr. McGoff, I think you were made

9 aware of what happened at the meeting by Mrs.

10 Gatelli -- what I'm told.

11 At this point nothing has happened

12 since we had the meeting that I know of. And

13 if we didn't -- if we did have some suggestions

14 and this council did bring something forth to

15 the mayor that this council, all five of you

16 thought were fair, we thought it was a good

17 opportunity to try it at least with the power

18 of this council and maybe the mayor would

19 actually sit down and talk to us at that point.

20 Nothing has happened at this point,

21 and there's nothing going on that we know of at

22 this point. The other question -- I think Mr.

23 Newcomb brought it up. Why aren't the S. I. T.

24 clerks hired yet?

25 Just to give you a little legalese

.

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1 on this whole thing -- it's my understanding

2 any arbitration award is not a self-enforcing

3 award. They basically gather the facts from

4 both sides and the arbitrator makes a decision

5 based on those facts.

6 With this administration usually the

7 arbitration award is binding. This

8 administration they chose to continue appeal

9 our arbitration awards -- probably a dozen in

10 the pipeline right now. The first step after

11 an arbitration award when the city appeals goes

12 to common pleas court, which is right here in

13 Scranton.

14 Depending who makes the appeal, it

15 goes to Commonwealth court, which is either in

16 Philadelphia or Harrisburg at state court. And

17 then the next step would be the Supreme Court.

18 The S. I. T. clerk case and the 27 pay periods

19 case are the first ones we did.

20 They are at the Supreme Court level.
21 The Supreme Court court denied even hearing
22 them and affirmed the decision of the
23 Commonwealth court. But it's also my
24 understanding that the Supreme Court cannot
25 force an arbitration award.

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1 All they basically do it review the
2 process, review illegalities or legalities of
3 it and find out if the arbitrator went above
4 and beyond his jurisdiction. In those two
5 cases they found the process was correct, the
6 process was proper under the law. And at this
7 point you cannot -- the Supreme Court can't
8 tell Mayor Doherty to hire the S. I. T. clerks
9 or pay us our 27 pay period arbitration award.
10 All they can to is say -- affirm
11 everything that happened during the process.
12 How you have it enforced is you have to go to
13 the Pennsylvania Labor Relations Board. They
14 will ultimately force the arbitration on the
15 city. We are waiting for those two decisions
16 as we speak in the next month or two. We

17 should have a decision on those. At that point
18 if the doesn't comply, the city I believe can
19 make one appeal of that decision right to
20 Commonwealth court.

21 But at that point that's the end of
22 their rope for the city. We've already been to
23 the Supreme Court and back on the legalities of
24 it. So they are absolute positive wins. And
25 the city basically is wasting their money at
.

108

1 this point on legal fees, which is has been the
2 case. We are up to a million dollars in legal
3 fees between the arbitration awards and our
4 contract violations. So if anybody has any
5 questions --

6 MS. EVANS: Is it true that the
7 police and fire contracts would have to be
8 settled prior to May 31st in order to avoid
9 further court proceedings and legal costs?

10 MR. GERVASI: Well, our arbitration
11 award, that really isn't exactly a win for us
12 or the city. It's kind of a half way point.
13 The city appealed it. They didn't like it.

14 They wanted to continue with the language of
15 the recovery plan.
16 And they appealed it. That's going
17 to common pleas here in Scranton. There's a
18 visiting judge hearing that on May 30th. It's
19 my understanding we can negotiate a contract on
20 the way up the steps to the Supreme Court and
21 stop it at that point. I mayor is looking to
22 see what will happen in the first --

23 MS. GARVEY: Time.

24 MR. GERVASI: Thank you, Kay.

25 MS. EVANS: Have you given any

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1 proposals to anyone other than the mayor to
2 look at?

3 MR. GERVASI: Proposals?

4 MS. EVANS: Your proposals.

5 MR. GERVASI: No, we submit them to
6 the mayor.

7 MS. EVANS: No one else has these.

8 In other words, my question I guess or concern
9 is though how would council make a balanced
10 judgment or be able to adequately in an

11 informed manner negotiate with the unions if we

12 are not even aware of --

13 MR. GERVASI: You would not be able

14 to. I believe after this meeting that we had

15 with Mrs. Gatelli if anything looked like, you

16 know, it looked okay, I believe -- I mean, it's

17 -- she's in charge of this meeting that we had.

18 So I mean, it's my intention to make all of

19 council aware because she will not be able to

20 do it alone.

21 She said at the meeting she will

22 make all the council people aware if it's going

23 to move forward and what suggestions were made

24 and how to make it move forward.

25 Don't worry. We can't do it without

.

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1 the whole council.

2 MS. GATELLI: It's really Mr.

3 Jennings that's --

4 MS. EVANS: I haven't talked to Mr.

5 Jennings obviously. But I don't know anything

6 about any of this so I can make a decision.

7 MR. GERVASI: Basically what this

8 meeting was was everything you probably know
9 already. You know the history. We talked many
10 times, Mr. Courtright, the same thing. It's
11 what you know. It was kind of getting Mrs.
12 Gatelli up to speed on the whole thing. We
13 weren't really negotiating anything. So then
14 if the two lawyers talk and they come up with
15 some kind of language, then it was supposedly
16 according to Mrs. Gatelli to be brought to all
17 of the council members and if everybody was in
18 agreement you would take it down to the mayor
19 and say, I want you to look at this. This is
20 kind of all you can do.

21 MS. EVANS: What lawyers?

22 MR. GERVASI: Mr. Minora and Mr.

23 Jennings, that's where we are. We haven't

24 heard --

25 MS. GATELLI: I am trying to

.

111

1 circumvent the mayor. Of course he will know

2 all about it now.

3 MS. EVANS: I imagine he already

4 did. There's very little he doesn't know.

5 MR. GERVASI: Congratulations, Mr.

6 McGoff and Mr. Courtright.

7 MR. COURTRIGHT: Thanks.

8 MR. MORGAN: Good evening, council,

9 Lee Morgan. The first thing I have here there

10 seems to be some discussion going on here about

11 Daron Block. And that discussion has been

12 going on here for entirely too long concerning

13 the public safety, concerns involved. And I am

14 just wondering why a hazard like this can't

15 just be closed down for public safety.

16 We have people that came here years

17 ago having family members taken out of their

18 house by ambulance because of respiratory

19 distress. My concern is -- I mean, I know Mr.

20 Wallace said he read the zoning book. I guess

21 Mr. Hubbard just read it a little bit better.

22 My question is -- Mr. Wallace only

23 answers to the mayor. He doesn't answer to Mr.

24 Fiorini so -- because Mr. Fiorini has basically

25 no authority over him, that's my understanding

.

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1 of the whole thing. My question is, are the

2 five council members here going to go down to
3 the mayor and tell him it's a public safety
4 hazard and let's close Daron Block?
5 MS. GATELLI: Can I answer you?
6 MR. MORGAN: Go ahead.
7 MS. GATELLI: I've been listening to
8 this. We had a very similar situation in south
9 Scranton very close to my home that didn't
10 affect me but a few blocks away. It was
11 Compression Polymers.
12 I don't know if you're familiar with
13 it by the old G. E. plant. And they were
14 making plastic, I think, doors for bathrooms.
15 And they put in a silo. They were burning
16 something in there. It was being released into
17 the air, and the neighbors could smell it.
18 They weren't sure what it was doing
19 to them. Some of them did start to cough. And
20 we didn't go to the city. We went to the
21 Department of Environmental Protection. That's
22 who supersedes -- I am sure in this case also.
23 They had a van. People would have to call a
24 certain number, which I can get for you. And
25 every time they smelled or they had the dust or

1 whatever that was environmental, they would
2 call this number in Wilkes-Barre and a
3 complaint would be made.

4 Subsequent to those complaints, they
5 brought a van there. It was an air quality
6 van, and it was parked on the street I would
7 say for at least a week. They went to all of
8 the automobiles and wiped them because it did
9 have a dust there, too, you know, from this
10 chimney. And we hired an attorney.

11 We collected money from the
12 neighbors, and we hired an attorney who I gave
13 Dan his name last week -- he's excellent at
14 environmental law. And we went to court. They
15 had all Philadelphia lawyers, and we won the
16 case. D. E. P. has jurisdiction in an
17 environmental concern.

18 So I mean, I think they have to
19 supersede the city here. If the city -- the
20 city, first of all, doesn't have air quality
21 equipment to check on that.

22 MR. MORGAN: Well, I would like to

23 say this. I don't think it comes down to
24 checking air quality, okay. When you have dust
25 all over a complete neighborhood, when there's
.

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1 questions whether any of the requirements
2 necessary to place that business there were
3 ever followed, when you have all the violations
4 Mr. Hubbard is speaking about, when you have
5 people coming to council -- I remember years
6 ago when this lady came in and her relatives
7 were being taken out by ambulance.

8 When you just -- you know, you have
9 to just look and wonder why Mr. Wallace who is
10 also under his complete authority to shut that
11 business down, just put an end to it. I mean,
12 you know, you take a look at what is going on
13 here, and you can see there's something really
14 wrong. And council has to step in here
15 somewhere.

16 I mean, you may not appreciate me
17 saying that Mark Setizinger is a basketball
18 coach, but he is, okay. And you may not
19 appreciate that Mr. Wallace acknowledged that

20 his only real qualification to having that job
21 is reading the zoning book. But I think Mr.
22 Wallace did -- Mr. Hubbard did a much better
23 job of reading it. What this comes down to is
24 a public safety and threat. Somebody will
25 possibly die.

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1 And we've hashed this out for years.
2 Nobody has done anything. Daron Block was
3 supposed to do a lot of things. Evidently they
4 weren't done. When people have their doors and
5 windows shut and there is still dust in your
6 house, that tells you the problem is not under
7 control.
8 So my question is does somebody have
9 to die before somebody decides that maybe just
10 possibly -- somebody go down and talk to the
11 mayor because we had no problem borrowing over
12 \$300,000 to clean up after a snow storm and say
13 that wasn't an emergency. If that is an
14 emergency, then what is going on with Daron
15 Block is a catastrophe.
16 We have five people here on council

17 that you go down and read the riot act to the
18 mayor, start at page one and read as far
19 through that riot act as you have to until this
20 mayor does something.

21 I think it's really a travesty. We
22 passed the smoking ban. You may not appreciate
23 hearing this, which council did not have the
24 authority to do and we may take a blood bath
25 from Chicks -- I am not arguing the point with
.

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1 your solicitor, okay. In the end this city
2 will pay a heavy price for that. You can't
3 create law here. But the one thing you can do
4 is act in the best interest of public safety
5 and protect these citizens. Thank you.

6 MR. SLEDENZSKI: I am proud of you,
7 Bill. I really am. We got it back to West
8 Side. Remember when I told you that, Bill?
9 You did, too, didn't you? You are doing a good
10 job down there. Good job.

11 MS. GATELLI: Thanks, Chrissy. You
12 can't go out of turn, Mrs. Krake.

13 MRS. KRAKE: Good evening, council.

14 My name is Nancy Krake. And this evening, Mrs.

15 Evans, did you ask for 5 A. To be tabled? I

16 didn't hear that. That's one on the collection

17 of delinquent real estate and --

18 MS. EVANS: Yes.

19 MRS. KRAKE: Then it was voted to be

20 tabled, correct?

21 MS. EVANS: Yes.

22 MRS. KRAKE: It was passed. I am

23 very glad that council voted to table. I am

24 hoping that you will eventually vote it down.

25 MS. EVANS: I'm sorry to interfere

.

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1 with your time. But are you aware that that

2 money is to be given to the treasurer's office?

3 MS. KRAKE: Just for me for a new

4 desk?

5 MS. EVANS: Not for just you, Mrs.

6 Krake, but into the treasurer's office.

7 MRS. KRAKE: Well, that -- whoever

8 told you that probably doesn't have very much

9 knowledge of what happens in the city's

10 finances.

11 MS. EVANS: Well, that was --
12 although that's not the entire explanation. I
13 think Mrs. Gatelli would be better apt
14 repeating this for you. But that was close to
15 the explanation provided to Mrs. Gatelli by
16 Attorney Hickey.

17 MS. KRAKE: That is fascinating, but
18 that's simply not true. I don't know --
19 apparently he doesn't know where any of the
20 money is in the city then -- would not go to
21 the treasurer. We do deposit money in the
22 treasurer's office. I don't know if that's
23 what he was alluding to.

24 MS. EVANS: That could be.

25 MRS. KRAKE: Okay. That would go
.

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1 perhaps in the general fund even though we
2 can't find out where this money is in the
3 budget. So the mayor doesn't know. Len
4 Kresefski doesn't know and/or they don't agree.
5 So, therefore, no one knows. Even the people
6 that voted for that budget don't know. And
7 even though the mayor really needs this passed

8 quickly, he doesn't know where he's putting the
9 money, doesn't make much sense at all.
10 And I can't understand how anyone
11 could justify the overwhelming taxation,
12 oppression and persecution of taxpayers for the
13 glaring economic mistakes this administration
14 has brought totally upon itself including the
15 three members of this council that voted for
16 that budget. Mrs. Evans and Mr. Courtright
17 came up with two different budgets.
18 Neither one had a tax increase. In
19 fact, one had a surplus that was to be applied
20 to the Doherty debt. Mr. Doherty's budget and
21 the three members that voted for it, Mrs.
22 Fanucci, Mrs. Gatelli and Mr. McGoff voted to
23 raise your taxes 26 percent in 2007.
24 And he has promised along with the
25 Pennsylvania Economy League to raise your taxes

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1 over the next three years 94 to 100 percent.
2 And he doesn't even know where he's putting the
3 money.
4 The reason for that is he thinks

5 it's all his money, and he does not have tell
6 us where it goes. Apparently, he thinks it's
7 all his land. He does not have to tell us what
8 he wants to do with it or who he wants to give
9 it to. That's fine also.

10 It's a great disservice if you don't
11 make this government more transparent. Each
12 one of you has that obligation. It's not
13 funny, Mrs. Fanucci. It's sad. You were
14 laughing over Southern Union. And I'm sure it
15 was just nervousness. I don't know why. I
16 shouldn't guess. I don't want to speak for
17 you. But it's not funny at all. It's
18 extremely sad. And Mrs. Gatelli isn't here.
19 But I'd love to know and I hope when we get to
20 municipal revenue services, I would like to
21 have about an hour to speak -- how people are
22 purchasing condemned properties if they are not
23 doing it through the Pittsburgh plan because if
24 they are not, then they are also not doing it
25 publically which is what the Pittsburgh plan
. . .
120

1 and these four properties that Mrs. Evans

2 correctly pointed out do.

3 That's so people aren't steamrolled

4 -- steamrolled over and lose their homes. It

5 has worked for many, many years. It's worked

6 correctly. It's done justice to people buying

7 the properties and people selling the

8 properties.

9 It is very fair and equitable, which

10 is something this administration is not. And I

11 would also like to know where the surplus is

12 that Mr. Kresefski identified in his letter. I

13 know this council had asked Mrs. Garvey to send

14 the letter and asked where that money is, what

15 bank it's in and what account it's in. Mr.

16 Minora is showing me a red object that I

17 believe is a clock.

18 MR. MINORA: Good guess. Time.

19 MRS. KRAKE: I would like an answer

20 to even though my time is up and --

21 MS. EVANS: Can you tell me what

22 surplus?

23 MRS. KRAKE: Apparently -- if you

24 recall there was a letter that Mr. Kresefski

25 sent back and said there was 2.2 million

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1 surplus that I've been dieing to know where it
2 is. We've yet to know what fund it is in, what
3 account. I asked the controller's office.

4 They are not quite sure.

5 MS. EVANS: For 2007?

6 MRS. KRAKE: Yes.

7 MS. EVANS: I just -- I'm -- I

8 imagining a possible answer with that surplus
9 could have come from the \$10 million that was
10 borrowed.

11 MRS. KRAKE: That is exactly what he
12 identified in his letter because you asked
13 those questions about where that money was.
14 That's just money that hasn't been appropriated
15 anywhere. I am sure it's not home in his sock
16 drawer.

17 MR. COURTRIGHT: Maybe we can ask
18 him that question.

19 MR. ANCHERANI: Good evening, Nelson
20 Ancherani, resident, taxpayer, city employee,
21 financial secretary of the F. O. P. again
22 exercising my First Amendment rights. Armed

23 Forces Day Parade is Saturday. We honor our
24 soldiers. So far the city has not done
25 anything to make our returning city employee

.

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1 soldiers from Iraq whole.
2 That's an outright shame. I've been
3 thinking about the C. R. F. buyout that created
4 a big stink before the mayoral election a year
5 and a half ago. None of the union bosses that
6 came to council pleading for the buyout to be
7 passed have been back to report if they were
8 involved or benefit -- benefitted by any
9 projects that were a result of the loan buyout.
10 I'm curious. Does anyone know if that money
11 was used on any project and if they were what
12 were the projects and the amounts expended and
13 also what unions were involved and what
14 construction companies?
15 The unions beg where are they now to
16 let us know what the results were. As we all
17 know, the city has lost many arbitrations since
18 this mayor took office.
19 If I'm correct he said he wouldn't

20 lose any. He did win one against the three
21 unions. He lost the rest and appealed them,
22 all but that one. The one he didn't appeal
23 benefitted one of his cabinet members. We all
24 know who that is, and it was maternity related.

25 The mayor has spent over a million dollars
.

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1 fighting the unions and appealing the
2 arbitrations. Keep in mind all the labor
3 arbitrations were results of broken or violated
4 contracts.
5 This was done by this mayor or his
6 administration. He has a poor track record on
7 arbitration losses. If he didn't break
8 contracts, there would be no arbitration. He
9 even lost an arbitration to American Anglican,
10 another broken contract, this one wasn't to the
11 unions. On 5/15/07 there was an article in the
12 Times written Stacy Brown, staff writer, story
13 was titled, city pays 5.5 million judgment,
14 S.S.A. borrows 8 million, gains autonomy on
15 rates. The city borrowed 8 million, 5.5 for
16 Scranton, 1.1 for Dunmore. That leaves 1.4

17 left.

18 We wonder what that's going to be
19 for. We paid the judgment to American Water,
20 and we were able to negotiate the settlement
21 without the penalties and other fees that were
22 imposed, Mr. Doherty said. But if we keep in
23 mind that if the contract wasn't broken
24 Scranton Sewer Authority would not have
25 borrowed 8 million to bail the mayor out.

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1 Don't forget attorney fees for those
2 arbitrations.
3 Then Stacy Brown writes, quote,
4 until satisfying the judgment to American Water
5 on Monday, Scranton and Dunmore were on the
6 hook for almost 8 million, end quote. Stacy,
7 the rate payers are now the ones on the hook.
8 That's the mayor's hook. He got it on all of
9 us. Stacy wrote, in 2004 the sewer authority
10 terminated the operational agreement when
11 American Water sought arbitration.
12 The mayor was at fault. Why would
13 American Anglican go to arbitration against

14 themselves if the contract wasn't broken?
15 Stacy wrote, today Scranton and Dunmore are out
16 from under their debt.
17 The rate payers are now under the
18 debt to a tune of 56 and a half million rate
19 increase. Thanks, Mayor Doherty. Again, the
20 deal we reached with the American Anglican is a
21 win-win. Scranton city solicitor Rob Farrell
22 said that. No, the winners are American
23 Anglican and the city. He forgot to say that
24 the rate payers were the losers to the tune of
25 that 56 and a half million rate increase. I
.

125

1 might add the first of many rate increases by
2 the sewer authority. Many more are coming.
3 The American Anglican fiasco is not American
4 Anglican's fault. They did not break the
5 contract.
6 The city broke the contract.
7 Swimming, \$700 according to one of our speakers
8 -- that's 700 in donations by private
9 citizens. Kudos to those citizens. The city
10 takes in a half billion dollars. The city

11 won't let the kids swim for free, a great big

12 boo to the city. S.I.T. clerks, try one and a

13 half to two million by the time this is over.

14 MR. MINORA: Time.

15 MR. ANCHORIANI: Again, it's the

16 city's fault. I don't look that way, sorry.

17 MR. COURTRIGHT: I make a motion to

18 adjourn.

19 MR. McGOFF: Second.

20 MR. COURTRIGHT: We are adjourned.

21

22

23

24

25

.

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1

2 C E R T I F I C A T E

3

4 I hereby certify that the proceedings and

5 evidence are contained fully and accurately in the

6 notes taken by me on the city council meeting of the

7 above cause and that this copy is a correct transcript

8 of the same.

9

10

11

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Laura Boyanowski, RPR
13 Official Court Reporter

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