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1 SCRANTON CITY COUNCIL MEETING

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5 HELD:

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7

8 Thursday, July 12, 2007

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10 LOCATION:

11

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. NEIL COOLIGAN, ASSISTANT CITY CLERK

12 MR. JOHN MINORA, ESQUIRE, SOLICITOR

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1 (Moment of reflection observed.)

2 MS. GATELLI: Roll call.

3 MR. COOLIGAN: Mrs. Evans?

4 MS. EVANS: Here.

5 MR. COOLIGAN: Mrs. Fanucci?

6 MS. FANUCCI: Here.

7 MR. COOLIGAN: Mr. McGoff?

8 MR. MCGOFF: Here.

9 MR. COOLIGAN: Mr. Minora?

10 MR. MINORA: Here.

11 MR. COOLIGAN: Ms. Gatelli?

12 MS. GATELLI: Here. Dispense with

13 the reading of the minutes.

14 MR. MINORA: ITEM 3 - REPORTS AND

15 COMMUNICATIONS FROM MAYOR AND HEADS OF

16 DEPARTMENTS AND INTERESTED PARTIES IN THE CITY

17 OF SCRANTON. MINUTES OF THE SCRANTON POLICE  
18 PENSION COMMISSION MEETING HELD ON MAY 23RD,  
19 2007.

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

22 MR. MINORA: 3-B - PETITION FOR  
23 PERMIT PARKING IN THE 400 BLOCK OF PRESCOTT  
24 AVENUE.

25 MS. GATELLI: Are there any

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1 comments? If not, received and filed.

2 MR. MINORA: 4 - INTRODUCTION OF  
3 ORDINANCES, RESOLUTIONS - 4-A MOTIONS.

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

6 MR. MINORA: We're on motions.

7 MS. GATELLI: I'm sorry. I have one  
8 more on my sheet.

9 MR. MINORA: I don't. I have A. and  
10 B, 3 A. and B.

11 MS. GATELLI: I have four,  
12 introduction of ordinances, reappointments.

13 MS. FANUCCI: Right.

14 MS. GATELLI: Okay. We'll pass it.

15 Mrs. Evans?

16 MS. EVANS: Okay. Good afternoon.

17 I'm very pleased to be back in session, and I

18 do have several concerns regarding legislation

19 on today's agenda, which I will voice after the

20 reading of each. Also I have received

21 responses from Chief Elliott for the Hill

22 Neighborhood Association and from the

23 Department of Health regarding the tick problem

24 on West Mountain.

25 And both of these I will forward to

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1 the parties who made the requests. Also the

2 potholes were filled on Watson Street, and the

3 signage was placed on lower Electric Street

4 between Mylard Avenue and Sanderson Avenue.

5 And the speed limit signs on Dickson Avenue

6 were placed as well as no parking anytime signs

7 were replaced.

8 I have citizens' requests for the

9 last two weeks I would announce, and then I

10 would prefer to offer my time to the citizen's

11 participation portion of today's meeting, first  
12 a letter to Mr. Setzinger, please update city  
13 council on the status of Langan's Deli located  
14 on North Washington Avenue, when will the  
15 structure be demolished. A letter to Mr.  
16 Hazzouri, pave cut inspector, please indicate  
17 when the area of Diamond Avenue by Weston  
18 Field, perhaps the one thousand block, will be  
19 addressed. Previously you stated that this  
20 area which was dug up by the sewer authority  
21 would be taken care of during the last week of  
22 June or the first week of July, 2007.

23 A letter to Mr. Brazil, during  
24 weekly trash pick-up a D. P. W. truck drives  
25 over a property owned by the resident of 124

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1 Masters Street. The grass has become dirt and  
2 mud, and the corner of her concrete driveway  
3 has cracked open. The property is in the rear  
4 of the home and lies in an alley in which the  
5 D. P. W. collects trash.

6 Despite attempts by the property  
7 owner to prevent the truck from running over

8 her property, the damage continues, and there  
9 will be photos attached to the correspondence.  
10 A letter to Chief Elliott, neighbors  
11 of the area complain that Riverside Drive,  
12 which is located in the plot is used as a  
13 two-way street and motorists frequently ignore  
14 a stop sign on this street despite the fact  
15 that Riverside Drive is posted one way and  
16 there are no outlet signs posted on Depot  
17 Street. Motorists speed through stop signs on  
18 Shawnee Avenue according to residents. Also  
19 residents of the area of the Dorothy Street  
20 Park report an abandoned vehicle at the corner  
21 of Fillmore and Dorothy Street. The owner was  
22 arrested -- excuse me -- a few weeks ago while  
23 in the vehicle.

24 And since that time, it's never been  
25 moved. If the owner is jailed or will not move

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1 the vehicle for any reason, what becomes of the  
2 vehicle and it does appear that the vehicle  
3 possesses current tag and inspection stickers.  
4 A letter to Attorney Farrell, a property owner

5 wishes to purchase a small green space  
6 adjoining her property which was created as a  
7 result of the flood levy project.  
8 The land is not large enough on  
9 which to build any structure, and it is used as  
10 a dumping ground for tires and garbage. The  
11 property owner cleans and cuts this green space  
12 in order to maintain the integrity of her  
13 neighborhood. What is the process by which she  
14 can purchase this land at a reasonable price?  
15 Please send an inspector to 1307-1309 North  
16 Washington Avenue. Neighbors report overgrown  
17 grass and bushes in the front, garbage on the  
18 side, high grass and skunks and possums in the  
19 back of the house. Forward a request for an  
20 additional gate in the area of the gorge to  
21 prevent swimming accidents to Mr. Dougher, and  
22 I believe I may have an attachment for that as  
23 well.

24 A memo to Mr. Brazil, please, add  
25 the 1100 block of Watson Street to the paving

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1 list. It was last paved in 1993. Also, please

2 return to Smith Place and fill in the  
3 depressions in front of any carport that was  
4 missed when the D. P. W. was there filling  
5 those depressions recently. And then a letter  
6 to the appropriate party, pave South Washington  
7 Avenue from Cherry Street to the gated entrance  
8 to Valley Distributing and Storage Company.  
9 For the last years, Valley  
10 Distributing has maintained this portion of  
11 South Washington Avenue at its own expense.  
12 This stretch of South Washington is the  
13 entrance point to two local businesses and is a  
14 public street in desperate need of repair. And  
15 that's it.

16 MS. GATELLI: Thank you, Mrs.

17 Fanucci?

18 MS. FANUCCI: Today there's only two  
19 loans on the agenda, so I want to speak on both  
20 of them. The first would be Aroma Cafe. It's  
21 located at 205 Mulberry Street. This  
22 establishment first opened in 2005.  
23 There's a current owner, Joseph  
24 Reviello. And he stopped operating the  
25 business and closed his doors. The woman who

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1 will be purchasing the business is the one  
2 applying for the loan, and it will reopen at  
3 the same location and continue the same type of  
4 operations.

5 This loan is a -- will be assisting  
6 with the purchase of machinery and equipment  
7 for working capital needs. It's a UDAG  
8 development action grant loan in the amount of  
9 \$85,000 for ten years. The cafe will open and  
10 operate throughout the day as well as early  
11 evenings.

12 The proceeds from the loan will  
13 enable the cafe to secure equipment, inventory  
14 items to provide their customers with the  
15 newest beverages and food and will provide a  
16 new look in the hill section, the University of  
17 Scranton students and the staff as well as the  
18 residents of the city. There will be a minimum  
19 of three new full-time employment positions.

20 The positions will include a full-time chef and  
21 two counter and wait staff positions.

22 A delivery service is expected also,

23 and additional employees will be hired to  
24 accomplish that. The other will be Outrageous.

25 This is, like, a really fun business downtown.

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1 They have a lot of jewelry and unique gifts and

2 also a coffee shop. They are applying for the

3 commercial industrial loan for \$65,000 for ten

4 years. What this loan is going to do is they

5 are putting in a book store, so it will -- it

6 will be a new type of business that will blend

7 in with their business.

8 Their position for full-time growth,

9 self developments -- they are right near the

10 Casey Parkway if anybody doesn't know in the

11 back alley there. There will be two full-time

12 employment -- there will be a store manager for

13 the books who will assume a day-to-day

14 management operation and two positions to

15 assist with the operations of the book store,

16 the coffee house and the jewelry gifts.

17 Furthermore, there's a potential in

18 2008 for three to four more part-time positions

19 in which they will need to be work -- to help

20 them with their work load. And that is all I

21 have. Thank you.

22 MS. GATELLI: Mr. McGoff?

23 MR. MCGOFF: Yes, a number of items.

24 First, Item 6 C. on the agenda was an item that

25 was tabled at a previous meeting, and it was in

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1 its last reading. When we tabled it, it was

2 with the expectation that there would be an

3 opportunity to speak on Item 6 C. dealing with

4 insurance, Excalibur Insurance and pension

5 benefits. Now that it returns in last order,

6 it -- it would not allow for an opportunity for

7 people to speak on that item since we have

8 changed the order of speaking.

9 So I would like to make a motion to

10 suspend the rules on agenda item 6 C. to allow

11 public participation following the reading of 6

12 C. And prior to voting on 6 C. with a -- excuse

13 me -- two time limit to be imposed.

14 MS. EVANS: Second.

15 MS. FANUCCI: Second.

16 MS. GATELLI: On the question, all

17 in favor ?

18 MS. FANUCCI: Aye.

19 MS. EVANS: Aye.

20 MR. COURTRIGHT: Aye.

21 MS. GATELLI: Opposed? The eyes

22 have it and so moved.

23 MR. MCGOFF: Thank you. Second

24 thing, I've been in discussion with Attorney

25 Minora and also with our -- my colleagues on

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1 council about the possibility of a public

2 safety fee being imposed, and Attorney Minora

3 is looking into the case law to determine if

4 the -- if this is a possibility, if it's a

5 legal possibility to impose -- to impose this

6 fee, whether it would be regarded as a tax on a

7 non-taxable establishment -- not establishments

8 -- entities I guess would be better.

9 But in the discussion it -- that I

10 had, it came up that what we are looking at is

11 -- with Scranton being a county seat, a lot of

12 -- a lot of services are being provided by the

13 City of Scranton and that property within the

14 city -- a large segment of the city is being  
15 used by federal, state and county government,  
16 and these buildings and -- that are being used  
17 are non-taxable. And so the tax base of the  
18 city is being depleted, and so the property  
19 owners in the city are -- are the ones that  
20 take up the burden for these -- for these  
21 properties.

22 I realize that there are -- there  
23 are ancillary benefits to having these within  
24 the city, but I don't think that the lost  
25 revenue replaces the cost of the services that  
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1 we provide for these fire and police, you know,  
2 just to mention two.

3 I think that what we need to do is  
4 to maybe get to the forefront of doing  
5 something maybe to encourage the state and the  
6 county governments to look into the possibility  
7 and to maybe somehow look into a way in which  
8 we can be reimbursed as a county seat for the  
9 services that we provide.

10 I realize that the outlying areas,

11 you know, probably would not be very much in  
12 favor of this. But how many counties are there  
13 within State of Pennsylvania, 67? There are 67  
14 county seats that I am sure are suffering the  
15 same problem. And that -- I think it's  
16 incumbent upon the state and federal government  
17 and the county government to consider the fact  
18 that we do as a city -- city municipality  
19 provide these services and in some way that we  
20 should reap some benefit from being a county  
21 seat.

22 The other thing that came out of  
23 this was -- we are also an educational center  
24 for the region and that while the University of  
25 Scranton and other -- Lackawanna College,  
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14

1 Marywood University -- while they have done  
2 things that are beneficial to the city, every  
3 time that a property goes to them it becomes  
4 non-taxable.

5 And while these properties -- at  
6 least in the case I've always admired the fact  
7 that the University of Scranton has taken great

8 care of the properties that they've purchased  
9 and that they utilize and they've done a great  
10 deal for community development, again I think  
11 that they too every time a property is -- you  
12 know, goes into their hands, it becomes  
13 non-taxable but yet we still provide services  
14 for it, again, fire, police protection for  
15 these -- for these buildings and yet we get,  
16 you know -- the taxpayers of the city are the  
17 ones that feel the burden.

18 I had proposed the possibility of a  
19 public safety fee, a fee of \$50 per student per  
20 semester to be imposed so that it would cover  
21 the cost of the services that are provided. As  
22 I said, Attorney Minora is looking into this.  
23 If there's no -- if there's no definitive case  
24 law stating that this is impossible, I would  
25 like to introduce this at a future meeting that

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1 some type of fee be encouraged and be imposed  
2 so that these non-taxable institutions start to  
3 provide, you know, some -- some monetary  
4 reimbursement for the services that they

5 receive. And that's the end of my speech.

6 MS. EVANS: If I might just add, I'm

7 a thousand percent in agreement with Mr.

8 McGoff's proposal, particularly since we

9 receive so very little, a paltry, taudry amount

10 in the form payments in lieu of taxes from

11 these entities, specifically the educational

12 entities and since some contribute absolutely

13 nothing, the University of Scranton I know

14 contributes I believe \$110,000 per year, but it

15 has maintained that status for many years now.

16 I think in light of the fact that proper

17 payments in lieu of taxes have not been coming

18 into the city's coffers, then this is the road

19 that the city must take in order to address

20 this imbalance as far as taxpayers are

21 concerned.

22 We can't continue to carry

23 everyone's load when we are mired in debt. And

24 I hope, Mr. McGoff, you'll also work with me on

25 the amusement tax so that we have that up and

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1 ready to go with the 2008 budget. And I think

2 at least between those two new sources of  
3 revenue, we're going to see a steady stream of  
4 new moneys coming into the city.

5 MS. GATELLI: I will add one more  
6 thing. I have met with some of the non-profits  
7 to have very little success so far, but I'm  
8 going to be meeting again with them over the  
9 summer. They are very resistant, as you know,  
10 because they don't have to pay and there's  
11 been, you know, lawsuits, et cetera, throughout  
12 the state and, you know, they have won.

13 However, through the League of Cities across  
14 Pennsylvania, they've been able to convince the  
15 state that it is necessary that we get some  
16 type of reimbursement because we have so many  
17 non-profits throughout the Commonwealth. And  
18 that is being worked on presently for the state  
19 to give the municipalities some form of  
20 reimbursement for their tax exempt properties.

21 So that's, you know, a little on the positive  
22 note. And the amusement tax Amil is preparing  
23 that for September. Everyone on this council  
24 is in favor of that.

25 MR. MINORA: I think I put together

17

1 an ordinance for your review.

2 MS. GATELLI: I talked to you this

3 week that we --

4 MR. MINORA: But I --

5 MS. EVANS: Yes. You prepared it,

6 but we still had a good deal of work to do fine

7 tuning it. Again, we had some circumstances

8 with certain businesses that were not up and

9 running yet who were asking for a specific

10 consideration, and I think now by implementing

11 as of January 2008, it puts them all on a level

12 playing field. And we just go ahead, and it

13 affects all of that without exception.

14 MR. MINORA: Okay. I just want to

15 make sure my job was done. I got it to you.

16 MS. GATELLI: Okay. Mr. Courtright?

17 MR. COURTRIGHT: Just one comment,

18 Mr. McGoff, I'm 100 percent in favor of it. I

19 don't know if it would be legal if we impose a

20 fee on to children going to the universities

21 here in the Scranton area, if it would be

22 possible if the person lives in the City of

23 Scranton and their family is already paying  
24 taxes if they would be exempt from that fee.

25 We are already --

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1 MS. EVANS: Mr. McGoff asked that,  
2 did you not, that it would be the -- the  
3 students from outside the city? That's what I  
4 understood.

5 MR. MCGOFF: In the discussions I  
6 had with Attorney Minora, we did mention  
7 non-residents.

8 MS. GATELLI: Non-residents.

9 MR. COURTRIGHT: All right. Thank  
10 you. I have one item that I -- I went back and  
11 forth to myself whether I was going to bring  
12 this up or not. But I can't be quiet on it. I  
13 had pointed out to me -- I was in the  
14 courthouse this week, and I had pointed out to  
15 me an article in the paper about the Capouse  
16 Avenue pools. And in that article Mr. Dougher  
17 blamed city council for the damage done to the  
18 Capouse Avenue pool.

19 And that really bothers me, so I

20 have to speak on it. First of all, the damage  
21 was done at nighttime. They came through the  
22 fence. I don't think it has nothing to do  
23 whether they paid or not. They came at night.

24 No. 2, I believe it said in there if there were  
25 fees at the pools maybe we wouldn't have this

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1 type of vandalism. Well, then I would ask this  
2 question.

3 Nay Aug has a \$3 fee but yet on more  
4 than on occasion we pull a cop off the shift to  
5 go up there and guard Nay Aug. So if fees are  
6 supposed to stop problems, it's not working up  
7 there. And the other thing I would ask is --  
8 he said there was no money in the budget to do  
9 any repairs. I know when there was a fee at  
10 all the neighborhood pools, there were at least  
11 two individuals -- two kids I guess getting  
12 summer jobs sitting out there collecting the  
13 fee for those that chose to pay.

14 So you've got two -- two individuals  
15 at every neighborhood pool for seven days a  
16 week getting paid. I would like by next

17 meeting Mr. Dougher to tell me where that money  
18 is going for those two individuals at every  
19 single neighborhood pool seven days a week.  
20 That money should be left somewhere to help  
21 defray the costs, okay.  
22 Grant it we are not getting the  
23 money in for the \$1 for the kids swimming. But  
24 we are not paying those two children at each  
25 pool seven days a week. But, you know, I would  
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20

1 like to give Mr. Dougher a chance -- an  
2 opportunity to come here and clarify what he  
3 said because maybe he was misquoted. We all --  
4 I think we have been misquoted up here before.  
5 So no offense, Stacy, but --

6 MS. GATELLI: That's not true.

7 MR. COURTRIGHT: So maybe this isn't  
8 exactly what Mr. Dougher said. Maybe it's to  
9 the contrary. With that said, I would like to  
10 make a motion that council request Mr.  
11 Dougher's presence here next week, July 19th,  
12 at 1 p.m. to address the concerns connected  
13 with the Capouse Avenue pool. And I do that in

14 the form of a motion.

15 MS. EVANS: Second.

16 MS. GATELLI: All in favor?

17 MR. McGOFF: Aye.

18 MR. COURTRIGHT: Aye.

19 MS. EVANS: Aye.

20 MS. FANUCCI: Aye.

21 MS. GATELLI: Opposed? The ayes

22 have it and so moved.

23 MR. COURTRIGHT: That's all I have.

24 Thank you.

25 MS. GATELLI: Thank you. Just one

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21

1 thing about what you said about the two

2 children collecting the money. I know that

3 when Mr. Brazil was still there he told me

4 that he was going to keep those children and

5 they were going to do activities at the pools

6 like coloring and reading and different

7 activities to occupy the children and make it

8 like a playground kind of program.

9 I'm not sure if it was done because

10 he has since left. But, you know, we can also

11 ask that question if those children are still  
12 there and doing activities with the children at  
13 the pools.

14 MR. COURTRIGHT: Fine.

15 MS. GATELLI: That might be --

16 MR. COURTRIGHT: When he comes here  
17 next week he can explain that to us.

18 MS. GATELLI: I just have a few  
19 things. Tomorrow evening at 5:30 is cocktails  
20 in the city, the dancing with the stars at the  
21 cultural center. If you haven't been there,  
22 it's really an experience. It's only \$15, and  
23 they have food and drinks, and it's a -- really  
24 a fun event. Also this week there was the art  
25 in the park project that Sherry worked on last  
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22

1 year. I saw it in the paper today. It's  
2 finishing up at Nay Aug this week from 9 until  
3 12. Next week it will be at Weston Park from 9  
4 to 12, Monday through Friday and the following  
5 week from 23rd to the 27th, it will be at  
6 Connell Park for any children that are  
7 interested in that program.

8 I'd like everyone to know that the  
9 block grant applications are now available to  
10 apply for block grant funding for next year.  
11 You can get them in council's office. I will  
12 leave this with Neil, and he can make copies  
13 for you if you're interested. They are due by  
14 August 6th. Anyone that needs help in filling  
15 it out, just let us know, and one of us will  
16 help you fill it out.

17 Fire hydrants, I spoke to Sue  
18 Tomchick at the water company. She has sent  
19 all of the flow information of the fire  
20 hydrants to the fire department. She said that  
21 in some municipalities they paint the fire  
22 hydrants a particular color to correspond with  
23 the pressure of the hydrant. I will talk to  
24 Chief Davis.

25 I haven't gotten a chance. The

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23

1 water company does not do that. The city is  
2 responsible to do that. So I'm going to talk  
3 to Chief Davis, and maybe we can have the  
4 junior council involved and the neighborhood

5 associations and some volunteers, and maybe we  
6 can help out in painting the hydrants.

7 Maybe we can even contact some of  
8 art teachers. Years ago I know they did the  
9 hydrants, and they did little animal faces on  
10 them and things like that. So we are going to  
11 try to get that done, and then the fire  
12 fighters will know the flows of the meters.

13 And I just have one thing to say. I was absent  
14 from the meeting on the 28th, I believe, of  
15 June.

16 Last week's meeting was cancelled by  
17 a unanimous vote of council. I wasn't here  
18 then either, but Mr. Courtright told me he  
19 asked the council members if they wanted to  
20 recess for the Fourth of July holiday being  
21 some people may be away. But I wanted to say  
22 that -- when I miss a meeting, it's usually  
23 because I'm sick or a family member is sick.

24 But in this particular instance, I  
25 wasn't sick at all. I was on a trip of a

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24

1 lifetime to Italy with my husband.

2 My husband retired, as you know,  
3 from the Scranton School District after 33  
4 years. And my children and myself paid for his  
5 trip, and I had been there before because I  
6 have family. And that's when the trip was. So  
7 I do apologize for not being here for a  
8 non-medical reason. I know you all miss me  
9 terribly when I'm not here. But that is the  
10 reason, and I'm sure that if you all had the  
11 opportunity to have a wonderful experience you  
12 would take advantage.  
13 I got a blessing from the pope, so  
14 maybe that will matter a little bit, but it was  
15 really a wonderful, wonderful thing. And I  
16 have family members there that I stopped to see  
17 for the day, cousins that live in Lesbetsia.  
18 And I'm fortunate enough to speak Italian. My  
19 husband understands it, but he was not able to  
20 speak, so he had a difficult time. But it was  
21 wonderful, and that is the reason I was absent.  
22 And I do apologize for not being  
23 here. But sometimes you have to do certain  
24 things, and I will be here in August. I will  
25 come on the 9th, 16th and the 23rd. They are

1 all Thursdays, and I will be here from 11 to 1.

2 I will be here with the budget committee. Mrs.

3 Evans, you're absolutely welcome, and I would

4 like you to be here if you can. I understand

5 you have vacation, too. But if you can, if you

6 can't, I will call you, and you and I can meet

7 and talk about what happened at the meeting

8 because I don't want to disturb your vacation.

9 However, if anyone else wants to

10 come, I plan to be here from 11 to 1. You can

11 come for any other reason other than the budget

12 if there's something very imperative. If

13 there's something very demanding and urgent, we

14 are allowed to call a special meeting for any

15 circumstances.

16 So if there's anything pressing, I

17 will call council, and we can set up a special

18 meeting. So it's called a vacation. It's

19 called a recess. But we are all available to

20 come in provided that we are not away on

21 vacation. Also all of us work every day.

22 There's not one of us up here that don't get a

23 call even on a Sunday, so I want you to know

24 this meeting is just a very minute part of a

25 councilmen's job.

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26

1 So I know some of you get upset when

2 we are not here. But it's a very, very small

3 fragment of the responsibility that we all

4 have. And I speak for all of us because we all

5 get phone calls and we all go to people's

6 homes. It's very demanding for the very small

7 salary that we get, and I thank you for your

8 cooperation and your patience with us. And I

9 hope you all have an enjoyable summer. Thank

10 you. That's all I have.

11 MR. MINORA: 4-B FOR INTRODUCTION -

12 AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER

13 APPROPRIATE CITY OFFICIALS TO APPLY FOR AND

14 EXECUTE A GRANT APPLICATION AND IF SUCCESSFUL A

15 GRANT AGREEMENT AND ACCEPT THE FUNDS RELATED

16 THERETO THROUGH THE EDWARD J. BYRNE JUSTICE

17 ASSISTANCE GRANT (JAG) FORMERLY KNOWN AS THE

18 LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG).

19 MS. GATELLI: At this time I'll

20 entertain a motion that 4-B be introduced.

21 MR. COURTRIGHT: So moved.

22 MS. FANUCCI: Second.

23 MS. GATELLI: On the question? All

24 in favor?

25 MR. McGOFF: Aye.

.

27

1 MS. FANUCCI: Aye.

2 MS. EVANS: Aye.

3 MR. COURTRIGHT: Aye.

4 MS. GATELLI: Opposed? The ayes

5 have it and so moved. So moved.

6 MR. MINORA: 4-C for --

7 MS. EVANS: Attorney Minora, before

8 you read this, I would like to make a motion to

9 table this. And I can explain on the question

10 if it's seconded.

11 MS. GATELLI: No second.

12 MS. EVANS: No second?

13 MS. GATELLI: No.

14 MS. EVANS: Okay.

15 MR. MINORA: 4-C FOR INTRODUCTION -

16 AN ORDINANCE - DECLARING (1) THE ACQUISITION OF

17 PARKING FACILITIES BY THE PARKING AUTHORITY OF  
18 THE CITY OF SCRANTON, PENNSYLVANIA AND THE  
19 ASSOCIATED REFUNDING OF THE REDEVELOPMENT  
20 AUTHORITY OF THE CITY OF SCRANTON GUARANTEED  
21 VARIABLE RATE DEMAND LEASE REVENUE BONDS,  
22 SERIES 004, ISSUED TO FINANCE SUCH PARKING  
23 FACILITIES, (2) THE ACQUISITION, CONSTRUCTION  
24 AND EQUIPPING OF NEW PARKING FACILITIES OF  
25 PARKING AUTHORITY OF THE CITY OF SCRANTON,  
.  
28

1 PENNSYLVANIA, (3) THE RENOVATION OF EXISTING  
2 PARKING FACILITIES OWNED BY THE PARKING  
3 AUTHORITY OF THE CITY OF SCRANTON,  
4 PENNSYLVANIA, AND LOCATED IN THE CITY OF  
5 SCRANTON AND OPERATED BY THE CITY PURSUANT TO  
6 AN OPERATING AGREEMENT AND (4) THE FINANCING OF  
7 NECESSARY RESERVES, CAPITALIZED INTEREST AND  
8 COSTS OF ISSUANCE IF THE HEREINAFTER MENTIONED  
9 2007 BONDS, TO BE A PROJECT OF THE CITY FOR  
10 WHICH LEASE RENTAL DEBT IS TO BE INCURRED;  
11 DETERMINING TO INCUR LEASE RENTAL DEBT IN THE  
12 MAXIMUM AMOUNT OF \$35,000,000 IN RESPECT OF THE  
13 PROJECT, SUCH DEBT TO BE EVIDENCED BY BONDS TO

14 BE ISSUED BY THE AUTHORITY AND SECURED BY  
15 RENTALS PAYABLE TO THE AUTHORITY BY THE CITY  
16 UNDER A LEASE (INCLUDING A FIFTH SUPPLEMENTAL  
17 LEASE) OF THE PARKING FACILITIES, AND BY A  
18 COVENANT OF GUARANTY OF THE CITY CONTAINED IN  
19 SAID FIFTH SUPPLEMENTAL LEASE; STATING THE  
20 ESTIMATED REALISTIC USEFUL LIVES OF THE PARKING  
21 FACILITIES; AUTHORIZING CERTAIN CITY OFFICERS  
22 TO PREPARE, CERTIFY AND FILE WITH THE  
23 DEPARTMENT OF COMMUNITY AND ECONOMIC  
24 DEVELOPMENT THE DEBT STATEMENT REQUIRED BY  
25 SECTION 8110 OF THE LOCAL GOVERNMENT UNIT DEBT  
.  
29

1 ACT TO QUALIFY THE DEBT INCURRED AS  
2 SELF-LIQUIDATING DEBT; AUTHORIZING THE  
3 PREPARATION OF A DEBT STATEMENT AND BORROWING  
4 BASE CERTIFICATE; SPECIFICALLY APPROVING  
5 AMOUNTS OF FIXED RENT AND OTHER PAYMENTS  
6 (INCLUDING THE GUARANTY OF DEBT SERVICE ON SAID  
7 BONDS) TO BE MADE BY THE CITY UNDER SUCH LEASE;  
8 APPROVING AND ACKNOWLEDGING NOTICE OF THE  
9 AUTHORITY'S ASSIGNMENT OF SUCH RENTALS TO  
10 TRUSTEE IN RESPECT OF THE AUTHORITY'S BONDS;

11 AUTHORIZING INCIDENTAL ACTION; REPEALING  
12 INCONSISTENT PRIOR ORDINANCES; AND APPROVING  
13 THE FORM OF, AND AUTHORIZING, SUBJECT TO  
14 RECEIPT OF NECESSARY STATE APPROVALS, EXECUTING  
15 AND DELIVERY OF THE FIFTH SUPPLEMENTAL LEASE  
16 AND THE THIRD OPERATING AGREEMENT.

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

19 MR. McGOFF: So moved.

20 MS. FANUCCI: Second.

21 MS. GATELLI: On the question?

22 MS. EVANS: Yes. We just -- I will  
23 speak for myself -- received this back up  
24 today. And from what I was able to ascertain,  
25 the legislation prescribes the financing of  
.

30

1 2007 bonds, the assignment of lease rental debt  
2 to the city in the maximum amount of \$35  
3 million and construction of new parking  
4 facilities, and I felt strongly before this  
5 legislation -- excuse me -- should have been  
6 introduced, a public caucus should have been  
7 held with the appropriate parties and Mr.

8 Wintermantle and a full explanation of such a  
9 monumental financial project explained not only  
10 to city council in detail but to the taxpayers  
11 of Scranton who ultimately with any financial  
12 fiduciary issues of such significant amount are  
13 responsible for the payment as the city pledges  
14 its full faith and credit, and so I do not feel  
15 I can vote on this until I have an explanation  
16 and the citizens have an explanation and we can  
17 weigh out the benefits versus let us say the  
18 disadvantages of this situation.

19 And as a result, I'm not going to be  
20 able to vote either on the transfer of the  
21 parking facility, the Casey Garage from the S.  
22 P. A. -- or excuse me from the S. R. A. to the  
23 Scranton Parking Authority because inevitably  
24 that legislation goes hand in hand with this  
25 piece, 4 C. Granted, that is a transfer of the

31

1 land, but evidently 4 C. involves financing now  
2 and well into the future for these projects.

3 And I did ask for certain responses from Mr.

4 Wintermantle regarding item 6 B., the transfer

5 of the property from the S. R. A. to the S. P.

6 A. But to my knowledge at least when I had  
7 picked up my mail on Tuesday, which was the  
8 deadline for a response, I had not received any  
9 response.

10 So it is my belief that it is  
11 imperative that when we're talking about such  
12 inordinate sums of money, we have to have  
13 explanations before you go voting blindly to  
14 introduce anything.

15 MR. COURTRIGHT: On the question,  
16 Mrs. Gatelli, I got this on Tuesday -- I was in  
17 here Tuesday. I asked Neil to call Mr. Minora  
18 and ask Mr. Minora if he can read it and try to  
19 explain it to me in the simplest terms possible  
20 because it is complicated. It's a great deal  
21 of money. I discussed it with Mr. Minora this  
22 afternoon when we got here, and he explained to  
23 me -- I don't think I would do it justice if I  
24 explained what he explained -- I don't think I  
25 can convey it effectively to you. So I would  
.

32

1 ask an explanation of him. But on the way out

2 here today I said to Mr. Minora I think maybe  
3 we need to get Mr. Wintermantle in here next  
4 week to explain it to us. I would ask we have  
5 Mr. Wintermantle come in prior to our meeting  
6 and explain it to us.

7 And today I will vote to introduce  
8 it. If he doesn't show up next week and give  
9 us an explanation further, then I would  
10 probably vote in the negative. But I will vote  
11 to move it forward to next week. If everybody  
12 on council agrees that we ask him to come in  
13 next week, then maybe he will and maybe I will  
14 vote for it.

15 MS. EVANS: I would agree with that  
16 suggestion. It's the one I made, but I am  
17 looking for more than Mr. Wintermantle.  
18 Evidently, there are going to be quite a number  
19 of parties involved in such a large financial  
20 transaction, and I would like all of them here.  
21 But in order for my affirmative vote  
22 to introduce today, it would require removing  
23 these votes from next week's agenda because I  
24 really don't believe that it is fair to take  
25 another vote on this after you've heard a

1 presentation that you may have all of five  
2 minutes to digest not to mention the fact that  
3 the public will have had no opportunity to  
4 voice their opinions of what they have heard in  
5 a caucus.

6 So if you would like to introduce  
7 it, I would be agreeable but only if this  
8 remains off next week's agenda.

9 MS. FANUCCI: I am going to --

10 MS. GATELLI: I don't think you can  
11 keep it off the agenda unless you table it --  
12 once it's introduced -- and you can vote no, or  
13 we can table it next week.

14 MS. FANUCCI: I myself looked into a  
15 lot of this this week also. When you get  
16 something this big, you try to find out much as  
17 I can. I had them break it down as much as I  
18 could digest in a very short time also. It  
19 seems to me that this -- this proposal is a  
20 very good proposal, it's very organized  
21 proposal. There's not a reason for us not to  
22 go forward on it. When you see the breakdown

23 and you see exactly what is going to be done --

24 this is putting the garage back in our pocket,

25 which is a good thing, back to the people who

.

34

1 will make money on this.

2 This was not -- you know, it was --

3 it will be back for us, which is not where it

4 is right now. I believe that it's a \$11,000 a

5 year or something that we get out of it right

6 now which is not a lot. So this will be -- you

7 know -- it will be 12 million to demolish the

8 Oppenheim garage. Let's see, four million to

9 be used for rehabbing the Electric City garage.

10 But anybody who knows about the Oppenheim

11 garage right now, it is nothing but a disaster.

12 It is a tort waiting to happen for

13 anyone who walks in that place. It needs to be

14 done. It is -- the steps are falling apart.

15 There are holes -- big gaping holes right now

16 in that garage of steel and pieces of concrete

17 constantly, constantly -- they are putting up

18 -- you know, you can't park here, you can't go

19 in here, you can't go to the left or right

20 because it is deteriorating by the second.

21 There is no way that this can be

22 something that we cannot focus on. I myself

23 can tell you that because I park there every

24 single day and see people pretty much taking --

25 you can't walk down the steps. You can't do

.

35

1 it. It's physically impossible. They are

2 walking down the ramps to try to be safe every

3 single day. It is a problem. It is a major,

4 major issue that we have.

5 So that is something that I am 100

6 percent behind that it needs to be rebuilt.

7 There's no way to bring this back, that garage.

8 I don't care what you do to it. There's no way

9 to do it. It is unsafe. To rehab the Electric

10 City garage on Linden Street I think is

11 something that needs to be done. We need

12 parking.

13 I don't care who we are, but you

14 think people will come here without parking,

15 they are not. They are not. This is an

16 undertaking. I agree. But it's an undertaking

17 that we need to do. So I myself would love to  
18 sit down and talk more about it. But as far as  
19 tabling and everything else, we seem to be very  
20 good at tabling everything that has to do with  
21 anything.

22 But it is time now for us to start  
23 doing our job, which is making decisions. And  
24 that's what I'm going to do. That's all.

25 MS. EVANS: Just -- you go ahead,

36

1 and then I will speak.

2 MS. GATELLI: The only thing I know  
3 about the garage and the old Oppenheims is that  
4 Aventis Pasteur committed to, I believe, 200 or  
5 250 spaces once the garage is complete. So  
6 we'd already have tenants in there. But we  
7 will have some people here next week. I think  
8 we better do it a little earlier. Neil, I will  
9 talk to you after the meeting, like, by 12:15.  
10 We will meet next week with some people from  
11 the parking authority, the solicitor, the  
12 bonds, whoever we can get and have them here at  
13 least by 12:15. We are not tabling it. We are

14 just going to meet next week. You can't speak.

15 You can't speak, Mr. Quinn.

16 Introduction is only an

17 introduction. It doesn't mean it will be voted

18 on. Mr. Quinn, you're out of order.

19 MS. EVANS: What I wanted to add was

20 this, council has a weekly agenda. Some weeks

21 it's light. Some weeks it's quite heavy. But

22 I think all would agree that the vast majority

23 of the agenda passes through very swiftly.

24 When an item is tabled it is because it is an

25 item of priority that's going to cost the

.

37

1 people of this city a great amount of money

2 well into the future and it is worth doing a

3 very careful examination and evaluation of the

4 advantages and disadvantages and the

5 consequences of such actions.

6 And I for one -- perhaps I'm a

7 doubting Thomas in some ways. But because

8 someone tells me something is good, that's not

9 enough for me. I need to see evidence in black

10 and white. For example, I am aware that the

11 garage on North Washington Avenue is in  
12 disrepair. No one can argue that. On the  
13 other hand, I'm also aware of the importance of  
14 that garage to the Connell Building, and the  
15 Connell Building has been dangling out there  
16 now for many, many years. And it appears to me  
17 that the gentleman and the firm who would like  
18 to take that building over and renovate it  
19 aren't going to lift a finger to take step one  
20 until they get a parking garage, which I think  
21 is not quite fair to the taxpayers because if  
22 you're going to have a parking garage, you  
23 should have the Connell Building. Those  
24 projects should be hand in hand.

25 I don't think it's up to the city to

.

38

1 be providing wealthy entrepreneurs with free  
2 rides so that they will come here and take  
3 federal, state and city funding to put up a  
4 building after we provided them with everything  
5 they've required first. I think we've gone  
6 that route and, unfortunately, at least 50  
7 percent of the time we have not met with

8 success.

9 And these days with the financial  
10 state this city is in, we can't afford to do  
11 too much more of that. Do we need to repair  
12 things? Certainly we do. Maintenance and  
13 repair is essential. It's foolhardy to ignore  
14 those endeavors. But when you have now a  
15 budget that is more limited than ever, you must  
16 be very careful, very frugal, very careful,  
17 cautious with every penny you're going to be  
18 spending because it's so easy at this point to  
19 put the city under, put it into bankruptcy.  
20 That's where we're heading.  
21 So I don't think that stopping to  
22 take the time rather than railroading things  
23 through -- I consider myself a fairly  
24 intelligent individual, but I look at the  
25 backup on many of these pieces of legislation.

39

1 And I think I would have to be a particularly  
2 talented attorney to see my way through this  
3 single handedly.  
4 So I would like to hear what they

5 all have to say, and I would like to know the  
6 costs involved for bond counsel, for attorneys,  
7 for everything because sometimes you need to do  
8 a project but it can be more cheaply than what  
9 someone is selling it to you for. Let's not  
10 jump in.

11 I think you need to take your time  
12 on projects of such monumental scale that carry  
13 so far into the future into these young men's  
14 futures. You'll be almost my age and still  
15 paying for these things, fellas.

16 MS. GATELLI: Thank you. Anyone  
17 else? All those in favor?

18 MS. FANUCCI: Aye.

19 MR. McGOFF: Aye.

20 MR. COURTRIGHT: Aye.

21 MS. GATELLI: Opposed? The ayes

22 have it and so moved.

23 MR. MINORA: 4-D FOR INTRODUCTION -  
24 A RESOLUTION - APPOINTMENT OF JEFFREY BRAZIL,  
25 922 FRONT STREET, SCRANTON, PENNSYLVANIA,

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40

1 18505, TO THE POSITION OF DIRECTOR OF THE

2 DEPARTMENT OF PUBLIC WORKS, EFFECTIVE JULY 2,  
3 2007. MR BRAZIL WILL BE REPLACING GEORGE  
4 PARKER WHO RESIGNED.

5 MS. GATELLI: At this time I will  
6 entertain a motion that 4-D be introced.

7 MR. COURTRIGHT: So moved.

8 MR. McGOFF: Second.

9 MS. GATELLI: On the question?

10 MS. EVANS: Yes. In order to save  
11 time because I know I've been doing too much  
12 talking today, I'm just going to combine this  
13 in the next two pieces of legislation into one  
14 address. And this is in no way a personal  
15 attack against any of these three gentlemen. I  
16 am certain they are fine men and they are very  
17 diligent workers from what I know of them. But  
18 rather this is a matter of finance and  
19 business.

20 Salaries for these positions remain  
21 the same whereas Mr. Fiorini and Mr. Parker  
22 possessed years of experience, credentials and  
23 qualifications for their management positions.  
24 But even if we set that aside, the duties of  
25 director of LIPS for example are now shared

.

41

1 among that director, the deputy public safety  
2 director, the legal department and at times  
3 other departments. The LIPS director salary  
4 was based on all of those duties being combined  
5 into one position, and that was the  
6 justification for a ten thousand dollar raise  
7 that was awarded a few years ago.  
8 But as I said, this is no longer the  
9 case. The duties have been divided among  
10 several positions, yet the salary remains the  
11 same. Mr. Parker was paid a salary of \$61,750.  
12 But he served as both D. P. W. director and  
13 city engineer. Yet the salary remains the same  
14 for a D. P. W. director position and the city  
15 is actively seeking, as it should, someone to  
16 fill the position of city engineer. But as I  
17 said, we are going to continue to pay the same  
18 salary for one job that we were paying to  
19 highly qualified individual for two jobs? And  
20 I think Mr. Dougher appears to have little  
21 experience in his newest assignment.  
22 However, he does have four managers

23 working under him and a secretary, and then  
24 there are eight workers. So when I take a look  
25 at all of these positions, it's my feeling the  
.  
42

1 salaries should be reduced because in the real  
2 work world salaries are designed based on  
3 experience, qualifications and job duties and  
4 responsibilities.

5 And I think we should allow the  
6 salaries to correctly reflect these aspects as  
7 well as the downsizing of the job descriptions  
8 that has occurred over the last one, two, three  
9 years. Anyone else?

10 MR. COURTRIGHT: On the question,  
11 what I was going to say was repetitive of what  
12 Mrs. Evans just said. Again, my -- my comments  
13 aren't directed at Mr. Brazil in any way, shape  
14 or form personally. They are directed at the  
15 position. No matter who they were putting in  
16 that position -- if it was my brother, I'd  
17 still be asking the same questions. And as she  
18 said, when Mr. Parker took over, the  
19 administration's justification for giving him

20 the salary he got, I believe it was 65 back  
21 then -- we just got it reduced in the last  
22 budget -- was because he was an engineer. I  
23 had no problem with that. He was doing two  
24 jobs, the D. P. W. director's job and  
25 engineer's job. And it did come out

43

1 financially as a savings to the city. So now  
2 the new D. W. P. director will not be doing the  
3 engineer's job. We need to get the money from  
4 somewhere -- I don't know where that money is  
5 coming from -- to hire an engineer, but we need  
6 to get it from somewhere.

7 In addition to that, Mr. Parker used  
8 to be in charge of traffic maintenance. He no  
9 longer is in charge of traffic maintenance.  
10 That's been shifted over to Dave Elliott, the  
11 police chief. So we have reduced some of the  
12 responsibilities.

13 You know, I know some people try to  
14 make it personal what we are saying here  
15 because there is always some people trying to  
16 cause some kind of trouble between council and

17 somebody else. It's not personal. It's just  
18 trying to watch out for what is going on in the  
19 city.

20 Now, I would ask this -- and if I  
21 can have this answer by next week, I would  
22 certainly appreciate it. Does the  
23 administration or has the administration  
24 already given the D. P. W. director other  
25 responsibilities that we don't know about? If  
.  
44

1 that is the case and that justifies his salary,  
2 then I wouldn't have a problem. I am not aware  
3 of any. I am not aware if anybody up here is  
4 aware of any. We need to be fair because if  
5 what happens -- if all transpires and we hire  
6 an engineer in addition to all of these new  
7 positions that are being filled, not new,  
8 positions being replaced, how much is that  
9 engineer going to get paid and where is that  
10 money going to come from?

11 MS. EVANS: An engineer is a degreed  
12 person, and I would expect with experience is  
13 going to be naturally a costly competitive

14 salary. Otherwise, you know, he's able to find  
15 employment with a firm where he is salaried at  
16 a level that is very much in keeping with his  
17 position.

18 So I think we are looking at cost  
19 here, you know, a -- is a significant cost.

20 And I can't imagine that any additional duties  
21 and responsibilities as D. P. W. director could  
22 possibly amount to the duties and  
23 responsibilities of a city engineer that were  
24 performed by Mr. Parker. I know that --

25 MS. GATELLI: Mr. Parker did have an

45

1 assistant.

2 MS. EVANS: There are --

3 MS. GATELLI: I think he's still

4 there.

5 MS. EVANS: There is supervisors,

6 yes.

7 MS. GATELLI: There's an engineer

8 there. There's another engineer.

9 MS. EVANS: Mr. Luciani, yes.

10 Perhaps, he will become the city engineer. One

11 never knows.

12 MR. COURTRIGHT: He's still

13 part-time if I am not mistaken.

14 MS. EVANS: Nevertheless, I know for

15 example, perhaps some of you will remember, Mr.

16 Domiano who ran the D. P. W., he rose among the

17 ranks, and he accepted that position and

18 performed it very well for a lesser salary. I

19 just don't think -- like, Mr. Courtright said,

20 it is not an issue of personalities. The mayor

21 has selected these individuals. We have to

22 trust that he has faith in them, that they are

23 competent. But certainly the mayor cannot

24 expect that council would want to pay the same

25 salaries in these positions as were paid to

.

46

1 individuals who had double the responsibilities

2 and who were well qualified and had a wealth of

3 experience behind them when they stepped into

4 those shoes.

5 MR. COURTRIGHT: Just one more

6 thing.

7 MS. GATELLI: George Parker will be

8 very happy with all the praise he's getting  
9 here today. He hasn't gotten any since he's  
10 worked there.

11 MR. COURTRIGHT: We wait until they  
12 leave.

13 MS. EVANS: He has. We just expect  
14 a good day's work for a good day's pay.

15 MR. COURTRIGHT: If you're -- if  
16 it's a position for engineer, obviously you  
17 need to have an engineering degree. But I  
18 think in a position as parks and rec or D. P.  
19 W., if you're someone that came through the  
20 ranks or someone that has a lot of experience,  
21 I don't think it's necessary for you to have a  
22 degree. Sometimes I -- I think the school of  
23 hard knocks is a lot better than an actual  
24 degree, degree. So with that part, it doesn't  
25 concern me. It's just the dollar amount. And

47

1 maybe we can ask the administration, Neil -- or  
2 if -- I will get down during the week and ask  
3 if there is going to be any additional -- you  
4 know, work for him that he's -- going to bring

5 him up to that salary. That's all I have.

6 MS. EVANS: Or perhaps we can ask,

7 Neil, in addition to Mr. Courtright's request

8 that the salaries be reduced in light of what

9 council has discussed today.

10 MS. GATELLI: Anyone else? I would

11 like to say a few words. Mr. Renda was a

12 financial person over in O. E. C. D. I don't

13 really know him that well. He is in the

14 process of taking all of the tests to become

15 the code official. They are calling him the

16 director, but in effect that job was two jobs

17 when I worked there. Mr. Fiorini was always

18 the code official because he had all of the

19 qualifications to read blueprints, et cetera.

20 Mr. Renda is going to be taking

21 those tests at some point and is attending

22 classes rights now for that. I don't always

23 think that it's necessary for you to have

24 experience or certificates to be a good

25 administrator.

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48

1 When I was in that department, and

2 I'm going to toot my horn, I had nothing. I  
3 had a master's degree in nursing, and I think I  
4 did a fine job and so did most of the  
5 community.

6 I was followed by Mary Alice Burke,  
7 who also did a wonderful job. And she had no  
8 certificates in those kind of activities  
9 either. So I don't think that you necessarily  
10 have to have a certificate in something to be  
11 good at it.

12 You just have to have a passion and  
13 learn the different things that you have to  
14 learn, and I think sometimes that's enough.  
15 Not always, but sometimes it is. So I think  
16 that we have to give the people a chance in  
17 their positions.

18 Mr. Brazil, I know I've had to call  
19 him several times already. And I know that  
20 you're going to say, well, you're friends with  
21 the Brazils. Yes, I am, I am very good friends  
22 with the Brazils. What I am going to say is  
23 probably tainted because they are my friends.  
24 But Jeff Brazil has been in construction all  
25 his life. That has been his job through his

1 career. And I've had to call him on several  
2 occasions within the past few weeks, and I got  
3 a very good response and very quick action  
4 fixing curbs and potholes, et cetera. And I'm  
5 sure that he would be amenable to anyone on  
6 council that would help him.

7 As far as the salary, you know, I  
8 see your point there. But the director of  
9 public works is on-call 24/7. He is a city  
10 resident. Mr. Parker wasn't. Not that I had a  
11 problem with Mr. Parker, but if you had to  
12 reach him in the evening I am sure it was much  
13 more difficult being that he didn't live in our  
14 community.

15 I think that the D. P. W. director  
16 salary was higher than this maybe by just a few  
17 thousand. But it is a -- it is a time  
18 consuming job. It's a 24-hour-a-day job. And  
19 it is a very difficult one. Some jobs I think  
20 require a less salary, but I wouldn't want to  
21 do it much less than that myself because it's  
22 very demanding, and it's every day of the week

23 that you have to do that.

24 And, Mr. Dougher, I've had to call

25 him already several times, too, and got

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1 excellent cooperation from him, and he seems to

2 be learning the job very well. So yes, I agree

3 with the comments you guys have made, and we

4 will try to get some answers for next week.

5 But I don't like to go ahead and prejudge just

6 by a piece of paper that says you have a

7 degree.

8 There's a lot of very intelligent

9 people -- a lot of you in this room that don't

10 have a piece of paper that says you're smart,

11 but yet you are smart. So I don't like to

12 judge people on their qualifications with

13 degrees, et cetera. So that's all I have to

14 say.

15 MS. EVANS: Just to clarify that,

16 the only degreed person that I was mentioning

17 was the city engineer because, of course, that

18 position does require a degree. I mentioned

19 Mr. Domiano, for example, whose qualifications

20 came from the fact that he rose among the ranks

21 of the D. P. W.

22 I don't think I'm hearing council

23 saying that they are opposed to the gentleman

24 or they are they are looking for others to fill

25 those positions or that we're concerned with

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1 any relationships between individuals. That's

2 all irrelevant to me at least. What concerns

3 me is this. I know for just about any position

4 a person can certainly learn on the job. We

5 all do.

6 But when you're coming into a

7 position, particularly management positions and

8 you have let us say not the qualifications that

9 normally are sought in that instance and the

10 employer deems you worthy of the position and

11 puts their faith in you, you will be hired but

12 you're hired at a smaller salary. In other

13 words, even in my position, individuals who

14 have taught for many years are paid more than a

15 teacher who's walking through the door teaching

16 for the first time. Even if you are

17 transferring in from a different state or  
18 different school district, you're given credit  
19 for up to X. amount of years of experience.  
20 But the point is there really is a difference  
21 in the real work world. And I don't want to be  
22 redundant here. But just so everyone  
23 understands, it's not a matter of degrees, it's  
24 not a matter of penalties. No one is against  
25 these individuals. It's just a matter of the  
.  
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1 straightening out the salaries, period.

2 MS. GATELLI: Okay. Anyone else?

3 All those in favor?

4 MR. McGOFF: Aye.

5 MS. FANUCCI: Aye.

6 MS. EVANS: Aye.

7 MR. COURTRIGHT: Aye.

8 MS. GATELLI: Opposed? The ayes

9 have it and so moved.

10 MR. MINORA: 4 E. FOR INTRODUCTION -

11 A RESOLUTION - THE APPOINTMENT OF MARK DOUGHER,

12 1105 CORNELL STREET, SCRANTON, PENNSYLVANIA,

13 18504, TO THE POSITION OF DIRECTOR OF PARKS AND

14 RECREATION EFFECTIVE JULY 2, 2007. MR DOUGHER  
15 WILL REPLACE JEFFREY BRAZIL WHO TOOK ANOTHER  
16 POSITION WITH THE CITY.

17 MS. GATELLI: At this time, I'll  
18 entertain a motion that 4 E. be introduced.

19 MR. COURTRIGHT: So moved.

20 MS. FANUCCI: Second.

21 MS. GATELLI: On the question? All  
22 those in favor?

23 MR. COURTRIGHT: Aye.

24 MR. McGOFF: Aye.

25 MS. EVANS: Aye.

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1 MS. FANUCCI: Aye.

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

4 MR. MINORA: 4 F. FOR INTRODUCTION -  
5 A RESOLUTION - APPOINTMENT OF STEWART RENDA,  
6 1112 WOODLAWN STREET, SCRANTON, PENNSYLVANIA,  
7 18509 TO THE POSITION OF DIRECTOR OF LICENSING,  
8 INSPECTIONS AND PERMITS EFFECTIVE JULY 2, 2007.  
9 MR. RENDA WILL BE REPLACING WILLIAM FIORINI WHO  
10 RESIGNED EFFECTIVE JULY 2, 2007.

11 MS. GATELLI: At this time, I'll  
12 entertain a motion that 4-F be introduced.  
13 MR. COURTRIGHT: So moved.  
14 MR. McGOFF: Second.  
15 MS. GATELLI: On the question?  
16 MS. EVANS: Yes. Neil, I just want  
17 to make sure that the letter that Mr.  
18 Courtright asked to be sent, we need a response  
19 on that prior to next week's meeting because I  
20 need to know what the mayor's response will be  
21 prior to a final vote.  
22 MS. GATELLI: All those in favor?  
23 MS. FANUCCI: Aye.  
24 MS. EVANS: Aye.  
25 MR. COURTRIGHT: Aye.  
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1 MR. McGOFF: Aye.  
2 MS. GATELLI: Opposed? The ayes  
3 have it and so moved.  
4 MR. MINORA: 4 G. FOR INTRODUCTION -  
5 A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER  
6 APPROPRIATE OFFICIALS FOR THE CITY OF SCRANTON  
7 TO ENTER INTO A LOAN AGREEMENT AND MAKE A LOAN

8 FROM THE COMMERCIAL INDUSTRIAL LOAN PROGRAM  
9 PROJECT NO. 150.11 IN AN AMOUNT NOT TO EXCEED  
10 \$65,000 TO PAUL M. NARDONE DOING BUSINESS AS  
11 OUTRAGEOUS TO ASSIST AN ELIGIBLE PROJECT.

12 MS. GATELLI: At this time, I'll  
13 entertain a motion that 4-G be introduced.

14 MR. COURTRIGHT: So moved.

15 MR. MCGOFF: Second.

16 MS. GATELLI: On the question? All  
17 those in favor?

18 MS. FANUCCI: Aye.

19 MS. EVANS: Aye.

20 MR. COURTRIGHT: Aye.

21 MR. MCGOFF: Eye.

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

24 MR. MINORA: FOR INTRODUCTION - A  
25 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

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1 APPROPRIATE CITY OFFICIALS FOR THE CITY OF  
2 SCRANTON TO ENTER INTO A LOAN AGREEMENT AND  
3 MAKE A LOAN FOR THE URBAN DEVELOPMENT ACTION  
4 GRANT REPAYMENT LOAN PROGRAM, PROJECT NO.

5 400.33 IN AN AMOUNT NOT TO EXCEED \$85,000 TO  
6 PATRICIA E. PETROZIELLO D/B/A/ AROMA CAFE TO  
7 ASSIST AN ELIGIBLE PROJECT.

8 MS. GATELLI: At this time I will

9 entertain a motion that 4 H. be introduced.

10 MR. COURTRIGHT: So moved.

11 MR. McGOFF: Second.

12 MS. GATELLI: On the question?

13 MS. COURTRIGHT: On the question,

14 Ms. Gatelli, this is a UDAG loan. I am here

15 almost four years and UDAG is a mystery to me.

16 I looked for UDAG money for the Minooka

17 playground. I couldn't get it. I looked for

18 UDAG money for the Minooka Little League, I

19 couldn't get it. I looked for UDAG money for

20 the Keyser Valley Community Center to pave the

21 lot or get air conditioning. I couldn't get

22 it. It's never available. Now all of a sudden

23 it surfaces. I -- I don't understand it. I

24 haven't been able to understand it for almost

25 four years now.

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1 MS. EVANS: I agree with you, Mr.

2 Courtright. I am right there with you. I know  
3 that you've made all these requests. I had it,  
4 too, for projects as well. We never get any  
5 answer. It's like the non-existent fund that  
6 emerges.

7 MS. GATELLI: When we were there,  
8 Amil, the UDAG was strictly for the mayor. He  
9 made all of the --

10 MS. EVANS: Well, then that explains  
11 it.

12 MS. GATELLI: So --

13 MR. COURTRIGHT: Okay.

14 MS. GATELLI: That's what was done  
15 when we were there. It was the mayor's  
16 prerogative, you know. Unfortunately, we are  
17 not the executive branch. We are the  
18 legislative branch, but if there's anything  
19 you're interested in, maybe as a body we can  
20 ask and maybe we can get something.

21 MS. EVANS: Think probably when we  
22 are going over the C. D. B. G. allocations we  
23 can piggy back the UDAG on there.

24 MS. GATELLI: We can try that when  
25 we are doing that. Just remind us.

1 MR. COURTRIGHT: Okay.

2 MS. GATELLI: Of the memory.

3 MR. COURTRIGHT: I will remind you.

4 MS. GATELLI: The memory isn't as

5 good as it used to be.

6 MS. EVANS: You don't get all of it,

7 Mr. Courtright. Share the wealth.

8 MR. COURTRIGHT: I will take a

9 fifth.

10 MS. GATELLI: A fifth of what?

11 MS. EVANS: A fifth of UDAG. We all

12 have worthy projects.

13 MR. COURTRIGHT: No comment.

14 MS. GATELLI: Okay. Anyone else on

15 the question? All those in favor?

16 MS. FANUCCI: Aye.

17 MS. EVANS: Aye.

18 MR. MCGOFF: Aye.

19 MS. GATELLI: Opposed?

20 MR. COURTRIGHT: No.

21 MS. GATELLI: Opposed? The ayes

22 have it and so moved.

23 MR. MINORA: 4 I. FOR INTRODUCTION -

24 A RESOLUTION - APPROVING THE AMENDMENT OF THE

25 SEWER AUTHORITY OF THE CITY OF SCRANTON'S

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58

1 ARTICLES OF INCORPORATION TO EXTEND THE

2 AUTHORITY'S CURRENT CHARTER TO JANUARY 9, 2058

3 TO ACCOMMODATE A 30-YEAR BOND ISSUE AND

4 DEFEASANCE SCHEDULE FOR THE PURPOSE OF

5 FINANCING NECESSARY AND REQUIRED COLLECTION

6 SYSTEM IMPROVEMENTS.

7 MS. GATELLI: At this time I'll

8 entertain a motion that 4 I. be introduced.

9 MR. COURTRIGHT: So moved.

10 MR. McGOFF: Second.

11 MS. GATELLI: On the question?

12 MS. EVANS: Yes, I believe that 4 I.

13 should be tabled as well. First of all, I

14 would like to request the operating budgets of

15 the Scranton Sewer Authority for 2002, 2003,

16 2004 and, 2005 and 2006 to see the difference

17 between the costs when the sewer plant was

18 operated by American Water Services versus the

19 Scranton Sewer Authority. I realize that they

20 are looking to float a \$15 million municipal  
21 bond currently, that is within July 2007. They  
22 have 4.7 million in a Penn Vest loan at this  
23 point. They intend to apply for future Penn  
24 Vest loans. They've received at least  
25 significant rate increases in, I believe, 2003  
. . .  
59

1 or 2004 as well as 2007. We had an agreement  
2 reached between the mayor and the sewer  
3 authority involving the payoff to American  
4 Water Services all of which occurred without  
5 the knowledge and consent of city council.  
6 Yet council is expected to vote to  
7 extend a charter and at the same time council  
8 has no power to set the rates, no powers of  
9 oversight or accountability. This is almost  
10 like a blank check into the future. I think we  
11 need to do a more careful examination here  
12 before we give the Scranton Sewer Authority  
13 unlimited ability -- ability to borrow and  
14 increase rates without any knowledge on our  
15 part or any oversight by anyone. So I would  
16 move to table this.

17 MR. COURTRIGHT: I will second that.

18 MS. GATELLI: On the question?

19 MR. COURTRIGHT: On the question

20 just -- Mr. Barrett has been very cooperative

21 with me no matter what I've ever asked him for.

22 So I think if we ask him to -- I don't know how

23 time sensitive this is.

24 MS. GATELLI: Very time sensitive.

25 I was just going get into that. It's all

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1 because of the collections and the E. P. A. and

2 all that.

3 MS. FANUCCI: If we don't comply

4 with the sewer, then they are going to sanction

5 -- the state will sanction us and we have to

6 pay every day if they do not, you know, make

7 the improvements.

8 MS. EVANS: I understand that.

9 They've known about that for many, many years.

10 And I think we need to see the difference here

11 between what it was costing us and what it's

12 costing us right now. It is not to say that

13 these mandates are not crucial for E. P. A. and

14 D. E. P. But are they curbing their expenses  
15 to the point that they should be when they're  
16 inflicting a 56 percent increase -- and we know  
17 there's going to be increase after increase  
18 after increase and yet there's no one basically  
19 who can question them or who can do one blessed  
20 thing to make them accountable.

21 MS. GATELLI: Well, they are an  
22 autonomous authority.

23 MS. GATELLI: Well, they are and  
24 they aren't. Or at least they weren't because  
25 Dunmore had an 18 percent interest in them and  
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1 we had the rest until some agreement occurred  
2 between the mayor and the sewer authority. And  
3 now all that appears to remain is the mayor's  
4 ability to appoint to the sewer authority  
5 board, which in effect gives a mayor the  
6 ability to control to some extent.

7 MS. GATELLI: The mayor always  
8 appointed the sewer authority.

9 MS. EVANS: Uh-huh. Notice that's  
10 the one condition that he held on to. I would

11 think the greater concern would be to allow  
12 council and the mayor to have a say in the  
13 rates that are set.

14 MR. COURTRIGHT: I just want to  
15 continue for one second. I -- when I came on  
16 this council, I was always under the  
17 understanding the reason we got appointed to  
18 committees was so if it was something that came  
19 up from our committee we would, you know, be  
20 the one looking into it and share the  
21 information with the rest of the council  
22 members.

23 So I would say this -- Mrs. Fanucci  
24 is telling me this is time sensitive. Maybe --  
25 I don't know what your schedule is like, Mrs.

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1 Evans. Maybe Neil or Kay if she comes back  
2 could make an appointment with you and Mr.  
3 Barrett and maybe Mr. Barrett can explain it to  
4 you and then you can come back if that's  
5 acceptable to you. I am going to vote to table  
6 it. I've called him. He calls me right back.  
7 He's --

8 MS. EVANS: He's very good about

9 providing information.

10 MS. GATELLI: Maybe you can

11 investigate it, too.

12 MR. COURTRIGHT: If you can -- you

13 can ask him the questions you have and maybe

14 come back to the rest of us by next week, and

15 we can vote on it if, in fact, it gets tabled.

16 That's all I have. Thank you.

17 MS. GATELLI: We're on the tabling

18 vote right now. Anyone else on the question?

19 MR. MINORA: The question is the

20 motion to table.

21 MS. GATELLI: She made a motion to

22 table.

23 MS. EVANS: Mr. Courtright seconded

24 it.

25 MS. GATELLI: All those in favor?

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1 MS. EVANS: Aye.

2 MR. COURTRIGHT: Aye.

3 MS. GATELLI: Opposed?

4 MS. FANUCCI: No.

5 MR. McGOFF: No.

6 MS. GATELLI: But still make the

7 calls to try to get us the information for next

8 week. If it's not that time sensitive, then

9 maybe we can table it try to get the --

10 MR. MINORA: I will talk to him.

11 MS. GATELLI: And you can also call

12 Mr. Courtright for information you can get.

13 MR. COURTRIGHT: We are on the vote

14 now.

15 MS. EVANS: So we go back to the

16 original vote.

17 MR. MINORA: Now you need to vote on

18 4 I.

19 MR. McGOFF: The reason I voted no

20 on the tabling is I think we can go ahead and

21 introduce this and still get the information

22 that's needed. There's always an opportunity

23 in the future to either table it or vote

24 against it. I think we just stagnate by

25 tabling things, and I prefer not to do that

.

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1 especially as we move into August and the

2 possibility of not getting to it again until

3 September.

4 MS. GATELLI: But remember now we

5 can always have a special meeting if there's

6 something time sensitive.

7 MS. EVANS: Yes, I just hope we are

8 not pushing things along so we can make an

9 August deadline of recess because these are --

10 this is an enormous some of money we are

11 looking at into the future, you know. The

12 newspapers may be quoted as saying 50 to 100

13 thousand. I am hearing other people who are in

14 the field saying closer to -- or excuse me --

15 50 to 100 million. I am hearing other people

16 saying closer to 200 million over the next ten

17 to 15 years. That's an awful lot of money to

18 pass on to the ratepayers.

19 MS. GATELLI: That's the E. P. A.

20 MS. EVANS: That's the E. P. A. But

21 I think we all know you can run things, you

22 know, with a lot of fat or you can try to do

23 things and comply with what you need to do but

24 keep things running lean and mean and at the

25 least amount of cost to the ratepayers because

1 my God they are getting killed every way they  
2 turn.

3 MS. GATELLI: They don't think it's  
4 our job as council to micromanage every  
5 authority and every department.

6 MS. EVANS: No, I am not trying to  
7 micromanage. When the legislation comes to us  
8 saying we want to borrow money, now we can't do  
9 this unless you say we can.

10 MS. GATELLI: Well, that's --

11 MS. EVANS: We have some involvement  
12 in this at least right now.

13 MR. COURTRIGHT: I just -- one last  
14 thing. We will be here forever. I just want  
15 to say this. If you're a member of the sewer  
16 authority, the parking authority, redevelopment  
17 authority, obviously this council that sits  
18 here now is in the habit of tabling things  
19 quite a bit.

20 If you got legislation that's coming  
21 up you know you are going to be sending it over  
22 to the law office, if you think that possibly

23 we have questions, maybe you want -- might want

24 to come in and offer explanations to us before

25 it ever gets on the agenda so we don't have to

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1 be tabling these things because I mean we are

2 not experts in all these. I am a karate

3 instructor. We are not experts. I need things

4 explained to me. I am not ashamed to say that.

5 These boards and authorities when they are

6 going to be putting this legislation down, if

7 you think it's something complicated and it's

8 -- you know, quite costly, maybe you

9 voluntarily come in and say, here, we will be

10 asking for this legislation, we'd like to

11 explain it to you. Then we don't have to go

12 through these discussions that we have here and

13 these -- this tabling and holding everything

14 up. It's just a suggestion.

15 MS. FANUCCI: I feel the same way if

16 it wasn't for the job I have during the day. I

17 know all about all the compliances that are

18 made and how much people are getting socked.

19 There's a township that actually went against

20 this and voted against this and they are being  
21 charged an enormous amount of money because  
22 they didn't comply, and they will be charged  
23 daily.

24 So I think because of that, that is  
25 why I'm pretty in tune to why this legislation

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1 has to happen, why they need the money and they  
2 have to start this. It needs to be done. And  
3 a lot of these rules are not rules that the  
4 city is making. These are rules are rules from  
5 the state and from other officials, and that's  
6 -- that's why we have to comply with a lot of  
7 these.

8 Whether or not there's fat to be  
9 trimmed or not, I don't know. I can't say that  
10 because I don't work there, and I don't know  
11 what they do and how they function. But as for  
12 this I do know this is something that needs to  
13 be done. So that's all I have.

14 MS. EVANS: And I agree it needs to  
15 be done and the 15 million certainly that's  
16 needed, but there could be much more coming in.

17 When you extend their charter to 2058, does  
18 that enable them to borrow any amount of money  
19 without any input?

20 MS. GATELLI: Okay. Now we are back  
21 to the original motion of introducing it into  
22 its proper committee.

23 MR. COURTRIGHT: Correct.

24 MS. GATELLI: I am entertaining a  
25 motion.

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1 MR. COURTRIGHT: So moved.

2 MR. McGOFF: Second.

3 MS. GATELLI: On the question, all  
4 those in favor?

5 MS. FANUCCI: Aye.

6 MR. COURTRIGHT: Aye.

7 MR. McGOFF: Aye.

8 MS. GATELLI: Opposed?

9 MS. EVANS: No.

10 MS. GATELLI: The ayes have it and  
11 so moved.

12 MR. MINORA: 5 - CONSIDERATION OF

13 ORDINANCES READING BY TITLE - 5 A. READING BY

14 TITLE - FILE OF COUNCIL NO. 101 OF 2007 - AN  
15 ORDINANCE - SALE OF TAX DELINQUENT PROPERTY AT  
16 2314 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA,  
17 TO ROBERT WEBER AND MARY BETH WEBER, HIS WIFE,  
18 2309 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA,  
19 18505, FOR THE SUM OF \$6,000.

20 MS. GATELLI: We've heard reading by  
21 title of 5. A. What is your pleasure?

22 MR. COURTRIGHT: I move that Item 5  
23 A. pass reading by title.

24 MS. FANUCCI: Second.

25 MS. GATELLI: On the question? All

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1 those in favor?

2 MS. FANUCCI: Aye.

3 MS. EVANS: Aye.

4 MR. COURTRIGHT: Aye.

5 MR. McGOFF: Aye.

6 MS. GATELLI: Opposed? The ayes

7 have it and so moved.

8 MR. MINORA: 5 B. READING BY TITLE -

9 FILE OF COUNCIL NO. 102 OF 2007 - SALE OF TAX

10 DELINQUENT PROPERTY AT 113-115 SOUTH BROMLEY

11 AVENUE, SCRANTON, PENNSYLVANIA, TO JOSEPH A.

12 HAZZOURI, JR., 125 FAIRVIEW AVENUE, SCRANTON,

13 PENNSYLVANIA, 18504, FOR THE SUM OF \$4,600.

14 MS. GATELLI: You've heard reading

15 by title of 5 B. What is your pleasure?

16 MR. COURTRIGHT: I move that Item 5

17 B. pass reading by title.

18 MR. McGOFF: Second.

19 MS. GATELLI: On the question? All

20 those in favor?

21 MS. EVANS: Aye.

22 MS. FANUCCI: Aye.

23 MR. COURTRIGHT: Aye.

24 MR. McGOFF: Aye.

25 MS. GATELLI: Opposed? The ayes

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1 have it and so moved.

2 MR. MINORA: 6 - FINAL READING OF

3 RESOLUTIONS AND ORDINANCES - CONSIDERATION FOR

4 ADOPTION: 6 A. FOR CONSIDERATION BY THE

5 COMMITTEE ON RULES - FOR ADOPTION - FILE OF

6 COUNCIL NO. 92 OF 2007 - AMENDING FILE OF

7 COUNCIL NO. 74, 1993 AS AMENDED, ENTITLED THE

8 ZONING ORDINANCE FOR THE CITY OF SCRANTON BY  
9 CHANGING CERTAIN SECTIONS TO ALLOW FOR THE  
10 IMPROVED ADMINISTRATION OF THE ORDINANCE.  
11 SPECIFICALLY SECTIONS 806.B.1 AND SECTIONS  
12 806.E.1 AND 806.E.3.

13 MS. GATELLI: As chair for the  
14 committee on rules, I recommend final passage  
15 of 6 A.

16 MR. COURTRIGHT: Second.

17 MS. GATELLI: On the question? I  
18 just have one comment on the question that  
19 we've been waiting a long to time to change  
20 some of these zoning ordinances. I believe the  
21 whole ordinance needs to be changed, but we are  
22 waiting for that planning group with the  
23 Abingtons before we do that.

24 There's nothing more important in a  
25 community than zoning laws. And the more

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1 stringent we make them, the better off we are.

2 So I think this will certainly help the zoning

3 board in their endeavors. Anyone else? Roll

4 call.

5 MR. COOLIGAN: Mrs. Evans?

6 MS. EVANS: Yes.

7 MR. COOLIGAN: Ms. Fanucci?

8 MS. FANUCCI: Yes.

9 MR. COOLIGAN: Mr. McGoff?

10 MR. McGOFF: Yes.

11 MR. COOLIGAN: Mr. Courtright?

12 MR. COURTRIGHT: Yes.

13 MR. COOLIGAN: Ms. Gatelli?

14 MS. GATELLI: Yes. I hereby declare

15 6 A. legally and lawfully adopted.

16 MR. MINORA: 6 B. - FOR

17 CONSIDERATION BY THE COMMITTEE ON COMMUNITY

18 DEVELOPMENT - FOR ADOPTION - FILE OF COUNCIL

19 NO. 100 OF 2007 - APPROVING AND AUTHORIZING THE

20 TRANSFER OF THE REAL ESTATE AND IMPROVEMENTS

21 LOCATED AT THE CORNER OF ADAMS AND LACKAWANNA

22 AVENUES IN THE CITY OF SCRANTON KNOWN AS THE

23 CASEY GARAGE, OWNED BY THE REVELOPMENT

24 AUTHORITY OF THE CITY OF SCRANTON TO THE

25 PARKING AUTHORITY OF THE CITY OF SCRANTON.

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1 MS. GATELLI: What is the

2 recommendation of the chair on community

3 development?

4 MS. FANUCCI: As chairperson for the

5 committee on community development, I recommend

6 final passage of item 6 B.

7 MR. COURTRIGHT: Second.

8 MS. GATELLI: On the question?

9 MS. EVANS: Yes. Though I'm sure

10 this is appropriate, I'm sure it should be

11 done, I did not receive a response from Mr.

12 Wintermantle. It is interconnected with 4 C.

13 I have no real explanation about 4 C. Hence,

14 I'm going to have to vote against this for

15 those reasons whereas I very likely would have

16 voted in the affirmative had I had all of the

17 information and the input of the people, but I

18 don't. So I will be saying no.

19 MS. GATELLI: I did see something in

20 the box from Mr. Wintermantle, but it --

21 MS. EVANS: It must have come today.

22 MS. GATELLI: I don't know if it's

23 for that, but there was something in there from

24 him.

25 MS. EVANS: I came Tuesday

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1 expressly. I gave him until that date. It  
2 wasn't there.

3 MS. GATELLI: Anyone else on the  
4 question? All those in favor --

5 MR. MINORA: It's got to be by roll  
6 call.

7 MS. GATELLI: It is? I'm sorry.

8 Roll call, please.

9 MR. COOLIGAN: Mrs. Evans?

10 MS. EVANS: No.

11 MR. COOLIGAN: Ms. Fanucci?

12 MS. FANUCCI: Yes.

13 MR. COOLIGAN: Mr. McGoff?

14 MR. MCGOFF: Yes.

15 MR. COOLIGAN: Mr. Courtright?

16 MR. COURTRIGHT: Yes.

17 MR. COOLIGAN: Ms. Gatelli?

18 MS. GATELLI: Yes. I hereby declare

19 6 B. legally and lawfully adopted.

20 MR. MINORA: You'd like me to read 6

21 C. and then -- 6 C. - FOR CONSIDERATION BY THE

22 COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION

23 NO. 142 OF 2007 AUTHORIZING THE MAYOR AND OTHER  
24 APPROPRIATE CITY OFFICIALS TO EXECUTE INTO A  
25 CONTRACT FOR PROFESSIONAL SERVICES WITH

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1 EXCALIBUR INSURANCE MANAGEMENT SERVICES, INC.,  
2 FOR THE THIRD PARTY ADMINISTRATION OF THE  
3 CITY'S WORKERS' COMPENSATION CLAIMS.

4 MS. GATELLI: We voted previously  
5 for the public to be able to comment on this  
6 particular piece of legislation. So anyone  
7 that would wish to speak on it, you'll have two  
8 minutes. And just come forward because there  
9 is no list.

10 MR. MINORA: Only on this subject  
11 for now?

12 MS. GATELLI: Yes, only -- Mr.  
13 Lasky.

14 MR. LASKY: Yes, dear.

15 MS. GATELLI: Are you aware this is  
16 only to talk about workmens' compensation?

17 MR. LASKY: Yes. I heard you loud  
18 and clear. This is just my personal opinion.

19 I don't agree with sending any more work that

20 could be done by city employees. And the  
21 reason I am against this is this sounds to me  
22 like another deal like that collection agency  
23 on Keyser Avenue where they are going to punch  
24 us in the wallet. And if anybody would like to  
25 buy my house, I can put it up for sale because  
.  
75

1 the way things are going I won't be able to  
2 keep it too much longer on my income. Thank  
3 you.

4 MS. GATELLI: Thank you, Mr. Lasky.

5 Anyone else? No. Let the record reflect there  
6 are no other comments.

7 As chairperson for the committee on  
8 rules, I recommend final passage of item 6 C.

9 MR. COURTRIGHT: Second.

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

12 MR. COOLIGAN: Mrs. Evans?

13 MS. EVANS: Yes.

14 MR. COOLIGAN: Ms. Fanucci?

15 MS. FANUCCI: Yes.

16 MR. COOLIGAN: Mr. McGoff?

17 MR. McGOFF: Yes.

18 MR. COOLIGAN: Mr. Courtright?

19 MR. COURTRIGHT: Yes.

20 MR. COOLIGAN: Ms. Gatelli?

21 MS. GATELLI: Yes. I hereby declare

22 6 C. legally and lawfully adopted.

23 MR. MINORA: 6 D. - FOR

24 CONSIDERATION BY THE COMMITTEE ON RULES - FOR

25 ADOPTION - RESOLUTION 154 OF 2007 ACCEPTING THE

76

1 GIFT OF A POLICE VEHICLE VIN NO.

2 2GIWF55K439337712 FROM POLICE ROBERT MCKEON,

3 JR. FOR THE USE IN THE CITY'S FLEET PURSUANT TO

4 A LEASE AGREEMENT BETWEEN THE CITY AND OFFICER

5 MCKEON.

6 MS. GATELLI: As chair for the

7 committee on rules, I recommend final passage

8 of 6 D.

9 MR. COURTRIGHT: Second.

10 MS. GATELLI: On the question? Roll

11 call.

12 MR. COOLIGAN: Mrs. Evans?

13 MS. EVANS: Yes.

14 MR. COOLIGAN: Ms. Fanucci?

15 MS. FANUCCI: Yes.

16 MR. COOLIGAN: Mr. McGoff?

17 MR. MCGOFF: Yes.

18 MR. COOLIGAN: Mr. Courtright?

19 MR. COURTRIGHT: Yes.

20 MR. COOLIGAN: Ms. Gatelli?

21 MS. GATELLI: Yes. I hereby declare

22 6 D. legally and lawfully adopted.

23 MR. MINORA: 6 E - FOR CONSIDERATION

24 BY THE COMMITTEE ON RULES FOR ADOPTION -

25 RESOLUTION NO. 155 OF 2007 - AUTHORIZING THE

.

77

1 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO

2 EXECUTE AND ENTER INTO A LEASE/POLICY AGREEMENT

3 WITH OFFICER ROBERT MCKEON GOVERNING THE USE OF

4 OFFICER MCKEON'S PRIVATE CRUISER AS DEFINED

5 HEREIN.

6 MS. GATELLI: As chair for the

7 committee on rules, I recommend final passage

8 of 6 E.

9 MR. COURTRIGHT: Second.

10 MS. GATELLI: On the question? Roll

11 call.

12 MR. COOLIGAN: Mrs. Evans?

13 MS. EVANS: Yes.

14 MR. COOLIGAN: Ms. Fanucci?

15 MS. FANUCCI: Yes.

16 MR. COOLIGAN: Mr. McGoff?

17 MR. MCGOFF: Yes.

18 MR. COOLIGAN: Mr. Courtright?

19 MR. COURTRIGHT: Yes.

20 MR. COOLIGAN: Ms. Gatelli?

21 MS. GATELLI: Yes. I hereby declare

22 6 E. legally and lawfully adopted.

23 MR. MINORA: Item 7 - CITIZEN'S

24 PARTICIPATION.

25 MS. GATELLI: Mr. Sberaglia?

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78

1 MR. SBERAGLIA: Andy Sberaglia,

2 citizen of Scranton. Fellow Scrantonians, like

3 I said before, I have never seen the citizens

4 of Scranton sheered so much like sheep. You

5 know, of course, that when you voted for 6 B.

6 you automatically voted for 4 C. with that bond

7 issue because what good is transferring --

8 first of all, that people have bonds. The S.  
9 R. A. issued bonds for building that garage.  
10 They also got a letter of credit for \$12  
11 million.  
12 I don't see anybody up there  
13 actually looking into the finances of this  
14 garage or why it was transferred. Did you ever  
15 wonder why? Why would all of a sudden the S.  
16 R. A. want to transfer the garage to the S. P.  
17 A.?  
18 They are not going to make it.  
19 You're pushing us deeper and deeper. That  
20 parking authority most likely is on the verge  
21 of collapse. I was told when they built that  
22 garage they were having commercial spaces in  
23 commercial spaces in it and them commercial  
24 spaces would pay taxes.  
25 I don't think they are paying taxes

79

1 on them. I don't think they are doing anything  
2 there. I think they are on the verge of  
3 collapse. And the more garages you build, the  
4 more chances are it's going to collapse.

5 There's no way. Even if you put the Connell  
6 Building -- what do they want to do? They want  
7 to put some loft apartments in there. How many  
8 parking spaces you think they are going to  
9 need?

10 I'm not an engineer, but I worked in  
11 construction all my life. And no way could  
12 somebody say a building should be torn down  
13 without an engineer getting in there and  
14 looking at the structure of this building.

15 That's common sense, not in this  
16 administration. Common sense doesn't exist.  
17 All that exists is contracts

18 contracts, contracts and contracts. Why?  
19 Somewhere along the way it must be filtering.  
20 Maybe they are donators. Who knows. But we  
21 certainly don't need to do what we are doing.

22 I mean, it's impossible.

23 You don't even know what -- you're  
24 not engineers. No one can state whether a  
25 building should be ripped down or not unless

.

80

1 they are an engineer and an engineer that deals

2 with concrete.

3 There's no reason why. Maybe it has

4 to be repaired. Maybe it's not big enough.

5 That would be more of a pertinent question

6 saying this garage is not feasible because of

7 the amount of the space. That's infeasible.

8 Will it pay for itself ? Everything that has to

9 be done has to be in dollars and cents. This

10 isn't the first six million they borrowed. I

11 think two years ago they borrowed another six

12 million for repairs.

13 How much repairs do you think you

14 have to do in these garages? The question is,

15 how much repairs would they have to do in the

16 future on these garages. You got to watch --

17 you're going to bankrupt the city. You're

18 going to have people leaving. They are leaving

19 now. They are going to leave in droves. All

20 you're going to have here is vacant homes.

21 I'm going to speak a few minutes on

22 approving penalty, interest and fee schedule

23 for the collection of delinquent real estate

24 taxes which I love to read off. Never in my

25 life have -- the city can impose these taxes

1 now. Mr. Minora isn't there to tell you the  
2 legal aspects of it.  
3 But since this passed and it has  
4 become legal, they can impose these fees. I,  
5 of course -- last week -- my house taxes.  
6 Today I will read off what the fees would be on  
7 your land if you didn't have a house on it but  
8 just owned the land. You owe maybe \$200 or  
9 \$250 in taxes on that land. What happens? You  
10 get a 10 percent tax lien. You get -- you get  
11 pulling fees, fee of \$25 per lien, \$160 for  
12 filing, \$35 for preparation of mailing, \$175  
13 for the cost of preparing and filing the lien,  
14 actual filing liens, whatever it would be, \$175  
15 for -- this is all in a \$200 tax.  
16 This is -- I don't think would hold  
17 up in federal court nowhere. The punishment  
18 shouldn't be that great on a piece of property.  
19 I mean, you should have had common sense when  
20 this came up. What it would do -- you got  
21 taxes. All you got to do is look at your taxes  
22 and see what the penalty would be on them taxes

23 if you didn't come up delinquency. It's  
24 immoral. I always said it. It's immoral. A  
25 lot of things you do I consider immoral, and  
.

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1 there's a lot of things I don't criticize each  
2 individual but I think I could, but I won't  
3 because it it's not within me. Thank you.  
4 MS. GATELLI: Thank you. Mr. Quinn?  
5 MR. QUINN: Thank you. Ozzie Quinn,  
6 president of Scranton and Lackawanna County  
7 taxpayers and citizens' association  
8 incorporated. The handout you're receiving I  
9 will talk through in a second, okay.  
10 First of all, I don't know if you're  
11 aware of it, but I did speak with Mark Harmon  
12 from the D. E. P. community relations  
13 department, and he told me -- and we sent a  
14 letter out -- flyer -- to the people on Dickson  
15 Avenue. The United States disease control  
16 center are interviewing the people down in  
17 Dickson avenue, so that's -- that's how serious  
18 it is.  
19 On the second part was the fact, Mr.

20 Courtright, you said two weeks ago that I can  
21 prove anything that might be misleading in  
22 regards to that zoning, you would look at it.  
23 Let me give a little history, okay. That was a  
24 -- the S. R. A. under the vacant property  
25 review committee condemned that property, went

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1 to the planning commission and the planning  
2 commission on two meetings they voted to  
3 condemn it, and they also voted to keep it as a  
4 light industrial. Sherry Fanucci was on that  
5 planning commission. She voted for that to  
6 keep that light industrial. The second thing  
7 is the resolution -- of the ordinance itself,  
8 okay.

9 If you turn your page, you will see  
10 industrial uses. I spoke with two attorneys,  
11 one -- out attorney in Pittsburgh and also a  
12 local attorney who is very versed on municipal  
13 law, okay. And in regards to going down where  
14 I have highlighted, concrete, other than actual  
15 manufacturer cement, permitted, okay, they felt  
16 -- and I faxed it to both of them -- they felt

17 the fact that this is unclear and arbitrarily  
18 two people, the planning office and the zoning  
19 officer made that decision that this didn't  
20 have to go before the zoning board.

21 So what I -- actually I think it  
22 should have been -- they think it should  
23 actually be a general industrial, okay. But  
24 the fact is that looking at this when they are  
25 saying actual manufacturing of cement, with  
.

84

1 what? Maybe manufacturing to make concrete,  
2 okay, but they are manufacturing cement there.  
3 And it's not clear enough they said, and it  
4 should be a Court's decision. And I'm asking  
5 you people today to make a motion to send this  
6 to the Court of Common Pleas to make a decision  
7 on this here, okay, not the zoning board, okay.  
8 They want to look at it as  
9 objectively as they can to see if this should  
10 be allowed down on Dickson Avenue, that Daron  
11 Industries, okay. I would appreciate that.  
12 It's the taxpayers' money you're going to be  
13 spending but the costs I think is well worth it

14 and it will put an end to a lot that's going on  
15 down there, okay.  
16 The second thing is you can see they  
17 claim they are manufacturers down there. And  
18 the last thing it's owned by -- not owned by  
19 Daron. It's owned by Casey Realty L. P., and  
20 the owner of that is James Kiesling. Anybody  
21 knows James Kiesling? Nobody? Okay. That's  
22 all I want to say on that. I appreciate that.  
23 And if -- if it goes -- actually  
24 what they avoided by not going to the zoning  
25 board, they avoided, one, a public hearing and  
.

85

1 the people down there on Dickson Avenue didn't  
2 have a right to speak on this issue, all right.  
3 And they also circumvented a development plan  
4 which they would have to require, okay, so that  
5 was also circumvented. That was done by two  
6 men, two administrators. It should have went  
7 to the board. There's no doubt in my mind.  
8 I've been planning community development for a  
9 long while.  
10 You know, I think what it is going

11 to boil down to is the fact is that the only  
12 way you will help those people if the United  
13 States department of disease center finds out  
14 that's out that's -- is through some type of  
15 redevelopment project, you know. And because  
16 -- so there's two things we should do. We  
17 should actually seek their opinions and also  
18 seek the Court's opinion, not anybody within  
19 city hall who might not be objective on the  
20 matter. I appreciate that very much. Thank  
21 you.

22 MS. GATELLI: Thank you. Wendy  
23 Youshock.

24 MS. YOUSHOCK: Hello, my name is  
25 Wendy Youshock. I live on 1514 Luzerne Street.

86

1 I am sure you heard that address. I bought the  
2 house after my husband passed away in 2005.  
3 I've been plagued by flooding horrendously  
4 since then. The worst was this past Tuesday  
5 night. Before that it was November of 2006.  
6 There are four basins across the street that  
7 are just storm water basins. They are not

8 blocked as sometimes the city wants to say they  
9 are blocked.

10 Someone dug under Luzerne Street and  
11 collapsed the main drain that they go into. I  
12 don't have so many nice things to say about  
13 George Parker as you all did because all he did  
14 was send people out with a spray can and draw  
15 marks where they were going to dig. That was  
16 in November. They haven't dug.

17 Tuesday I had three and a half feet  
18 of water in my basement again. So much that  
19 they had to call a second fire company to come  
20 and pump me out, my furnace, my water heater  
21 again, again. The one money is gone. I am  
22 physically tapped, emotionally tapped,  
23 financially tapped.

24 Paul Ludovici came. Paul is a west  
25 sider, knew Paul. Paul thinks I'm a moron. He

·  
87

1 told people it was my rain gutters that were  
2 causing the water in my basement. I heard him  
3 telling News Watch 16 this, and I -- I said if  
4 -- he goes, well, maybe 70 percent of it is

5 from the street. I said, Paul, we sit there,  
6 we watch, the neighbors watch, they all watch  
7 the basins fill. They come across Luzerne into  
8 my yard. They smashed by basement windows  
9 Tuesday night, went in.  
10 They -- three and a half foot of  
11 water, they turned on valves in the furnace.  
12 My furnace pumped water through my radiators to  
13 the upper floors -- rain gutters? I don't  
14 think so. My neighbor took video how the water  
15 went through my yard and moved -- took a tent  
16 up, took up my patio, moved sheds. It's not my  
17 rain gutters. My rain gutters do not do that.  
18 Like said, I'm strapped, I'm tapped. It's  
19 ground water which in Pennsylvania is not  
20 covered by homeowner's insurance.  
21 My friends who have been helping me  
22 scoop out disgusting things in my basement from  
23 every other neighborhood that comes down, an  
24 inch thick of pine needles from the neighbor,  
25 cigarette butts like you wouldn't believe.

.

88

1 They are not on my roof. Santa smokes a pipe,

2 not cigarettes. Not my rain gutters. So she  
3 called to complain to the mayor's office today,  
4 and guess what the mayor was told? It was my  
5 rain gutters. It's not my rain gutters. This  
6 morning I did see a man out there. Yesterday  
7 the sewer company came. They mucked out. Then  
8 they used the big machine with the thing that  
9 digs like a snake.  
10 The rain came last night. It came  
11 up my sidewalk. Thank God the rain stopped.  
12 It didn't come into my yard any further than  
13 the stairs.  
14 MR. COURTRIGHT: Can I interrupt for  
15 one second? Didn't -- I have talked to you  
16 many times about this. Didn't George come down  
17 there and mark off and say they were gong to  
18 dig it up?  
19 MS. YOUSHOCK: Yes. Then he quit  
20 his job, and then that became the sewer  
21 authorities. Paul Ludovici goes, I thought  
22 that was taken care of months ago. I said, see  
23 those marks, George Parker made those marks.  
24 He painted the side -- he painted the road.  
25 That's all he did.

1 MR. COURTRIGHT: Didn't he agree

2 they needed to dig the road up and --

3 MS. YOUSHOCK: Yes, and they got

4 permission from PennDOT to dig it up.

5 MR. COURTRIGHT: And it was the D.

6 P. W. that was going to do it, not the sewer

7 authority?

8 MS. YOUSHOCK: Right. The D.P.W.,

9 it was their position. Now I hear it's the

10 sewer authority's position. The PennDOT people

11 called me and told me that they not -- they

12 gave them permission that they had to dig at

13 night because it was a state road. I don't

14 care if they dig at night. You should see my

15 house. You should smell my house. I have

16 asthma. My son has asthma. The mold in my

17 basement, no one will help me.

18 MR. COURTRIGHT: Have you had any

19 contact with Mr. Brazil yet?

20 MS. YOUSHOCK: No. The other day

21 Paul Ludovici showed up -- I hope that's not

22 mine. My kids are home alone all these hours

23 now.

24 I don't know where to turn. The

25 firemen have been wonderful. The other night I

.

90

1 had two firemen. In November when this

2 happened, the firemen were bringing my

3 belongings up. Where do you store things when

4 you don't have an attic? In your basement. I

5 don't know. I lost a lot. Now my house is

6 cluttered because I have things stored piled

7 high against my walls because I can't put them

8 in the basement. The few things I put down

9 there, gone again. Now they are gone again. I

10 have pictures. You can see them.

11 There's pictures from Tuesday night.

12 They -- that nonsense, he was telling -- I

13 couldn't believe he was telling the Channel 16

14 it was my rain gutters. The neighbors all come

15 out to watch as the road fills. It comes into

16 my yard. It moves big storage sheds, the power

17 of the water this time up through the first

18 floor not because the water was so deep but it

19 broke my furnace and it had 146 gallons of

20 water pumping through the pipes through the

21 radiators into my upstairs.

22 Now the first floor I have to rip up

23 carpeting before that gets moldy because, like

24 I said, I am allergic to mold. I have asthma.

25 My son -- my cat has asthma now. Who has a cat

.

91

1 with asthma? I do because --

2 MR. COURTRIGHT: In all fairness,

3 Mr. Brazil is new. Maybe tomorrow we can call

4 down and ask Mr. Brazil to come and see you.

5 Maybe you can bring him up to speed. I am

6 assuming he's not aware of it.

7 MS. YOUSHOCK: I called the D.P.W.,

8 and they gave me phone numbers. And I left

9 messages, hello --

10 MR. COURTRIGHT: We will try and

11 call him.

12 MS. YOUSHOCK: I have no --

13 insurance doesn't cover it.

14 MR. COURTRIGHT: I thought Mr.

15 Parker said the road had to be dug up. He

16 agreed --

17 MS. YOUSHOCK: He made the marks.

18 MR. COURTRIGHT: He needed to get

19 PennDOT.

20 MS. YOUSHOCK: Yeah -- they told me

21 they gave approval.

22 MR. COURTRIGHT: Maybe we can get

23 Mr. Brazil to finally get the D. P. W. out

24 there and dig it up for you as soon as

25 possible.

.

92

1 MS. YOUSHOCK: I have no idea where

2 to get help to do the mold in the house now

3 because --

4 MR. COURTRIGHT: We will call Mr.

5 Brazil when we get out the meeting here and see

6 if he can meet with you. Can you leave your

7 name and number with Neil? And we will ask Mr.

8 Brazil call you and speak. In all fairness to

9 him, he's relatively new to the job and I am

10 sure he's not up to speed on what happened

11 there.

12 MS. YOUSHOCK: You've been aware.

13 MR. COURTRIGHT: Yeah. Mr. Parker

14 agreed that it was the pipe underneath --  
15 MS. YOUSHOCK: Can you believe Paul  
16 Ludovici even called the mayor's office today  
17 and told him it was my rain gutters? Can you  
18 believe it? No one's rain gutters -- no one  
19 has cigarette butts on their roof. I watch it.  
20 We watch it. It actually smashed the glass out  
21 of my windows this time and blew the windows  
22 right in the basement. It goes approximately  
23 ten inches deep in the -- in my yard right  
24 through like a river.

25 MS. GATELLI: Thank you.

93

1 MR. COURTRIGHT: Do you need these  
2 pictures back? Do you want your pictures?  
3 MS. EVANS: Maybe when you're  
4 calling Mr. Brazil, you can add North Cameron  
5 Avenue to that, too, because I had two e-mails  
6 from two different people on this street who  
7 were telling me again, which I -- you know, I  
8 have known for five or six years now about that  
9 flooding. And nothing ever happens over there  
10 for them either. So maybe Mr. Brazil will help

11 them out. You're terrified. I know.

12 MS. GATELLI: Reverend Simmons.

13 MS. SIMMONS: Good afternoon,

14 council and junior council. Let me begin today

15 by telling you that I came to give support

16 today to this fine young lady. When her family

17 got in touch with me, I had thought about

18 several reasons why I -- I shouldn't come, why

19 I should get in touch with west side crime

20 watch and have them come down with her. But

21 then I thought, no, you go because this is a

22 safety reason.

23 This is a health reason. On --

24 several other -- on several other occasions

25 code officers would be over there and condemn

.

94

1 her house. So I think it's more than just

2 giving a call to somebody and saying, you know,

3 how about going over and seeing what you can do

4 during the week.

5 I think you need to get somebody

6 over there. The storm drain is broken. It's

7 not a broken pipe. It's -- and there's sewage

8 flowing. People can get ill from that. So  
9 this morning, Esther Phillips from Moosic crime  
10 watch and myself were up at Nay Aug Park. We  
11 took 37 pictures that several juvenile gangs  
12 have placed up in the park in the past couple  
13 of weeks. We found it quite upsetting because  
14 the stones were painted nice and white but  
15 nobody bothered to go take the graffiti out.  
16 Now, we've been there a couple times  
17 over the past week and a half, two weeks and  
18 this graffiti was there and it's still sitting  
19 there. I find that quite upsetting. Does no  
20 one care about the gangs, or is this just under  
21 the bridge? I guess we have to go on and on  
22 again. I'll move on to something else.  
23 Yesterday at the Lackawanna County  
24 court there was a young lady who was sentenced  
25 for setting an apartment house on fire. Some  
.

95

1 of our firemen were present, and I went in and  
2 sat with them. Some of our firemen were hurt  
3 that night. And I didn't see anybody from our  
4 council there with them. I think somebody from

5 our city council, if anything ever happens like  
6 this again, should be there with them. This is  
7 something that is horrendous, and they need all  
8 of the support that they can get when they have  
9 to walk into a courtroom and face something  
10 like this.

11 So whoever sits on their group with  
12 them -- I don't know, Mr. Courtright, if it's  
13 you or someone else.

14 MR. COURTRIGHT: I wasn't aware they  
15 were going there.

16 MS. SIMMONS: I will make sure you  
17 do know.

18 MR. COURTRIGHT: No one told me.

19 MS. SIMMONS: I'll make sure you do  
20 know next time because they need all of the  
21 support they can get.

22 Now, I heard you make a comment  
23 about the police officer up Nay Aug Park.

24 Please don't say anything about that again  
25 because let me tell you something that's the

.

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1 only time we get a police officer up in the

2 hill section. Don't take him away. Thank you  
3 very much.

4 MS. GATELLI: Mr. Stuckard.

5 MR. STUCKARD: Hi, Mr. Courtright.

6 MR. COURTRIGHT: Hi, Jim.

7 MR. STUCKARD: I was over on Green

8 Ridge the other day with the bike --

9 MR. COURTRIGHT: You got to speak

10 up, Jim. I can't hear you.

11 MR. STUCKARD: I was over Green

12 Ridge the other day riding the bike. That red

13 house across from McGinty's bar across the

14 street, that red house I told you about, with

15 the junk on the front porch -- the other day I

16 went by. The door is wide open on the first

17 floor, Green Ridge -- yeah, the door was wide

18 open on the front door. I don't know who is in

19 there, who goes in there. Somebody should do

20 something about that.

21 MR. COURTRIGHT: Okay.

22 MR. STUCKARD: Down near -- on the

23 plot, where they have the bridge, right,

24 there's a junk yard down there. There is a

25 bunch of cars in that field. I seen them there

1 a couple times. I seen people go in there a  
2 lot, probably going to the garage, go inside  
3 the building or sleep or something. I don't  
4 know what they do.

5 I was the riding bike the other day  
6 in town, turn around, one of the police told me  
7 -- I don't know who he was -- told me get out  
8 in the street with the bike. I got hit about  
9 five or six times with my bike. I want to know  
10 why the police would tell me to get out in the  
11 street off the sidewalk. It was, like,  
12 yesterday it was. I was riding my bike  
13 yesterday over town a lot. The cops come up  
14 and told me, you got to get off the sidewalk.  
15 I would like to know why.

16 MR. COURTRIGHT: I think there might  
17 be an ordinance, Jim. We are not allowed to  
18 ride on the sidewalk maybe. We will find out  
19 for you. I will find out.

20 MR. STUCKARD: I got hit about five  
21 or six times.

22 MR. COURTRIGHT: You got to be

23 careful, Jim.

24 MR. STUCKARD: I seen a cop today.

25 I was talking to the policeman today down the

.

98

1 office. He seen my bike. He always seen me

2 riding the sidewalk, and he don't say nothing.

3 MR. COURTRIGHT: We will ask for

4 you.

5 MR. STUCKARD: Okay. All right.

6 About the T.V. shop, she's repairing it. So --

7 MR. COURTRIGHT: I didn't hear.

8 MR. STUCKARD: Mrs. Sterna bought

9 that T.V. shop, so she repaired it I heard.

10 MR. COURTRIGHT: That's good.

11 MR. STUCKARD: A couple doors up

12 from Green Ridge -- up by Weston Field -- I'm

13 sorry -- over by Weston Field there was that --

14 there is a street there. It's a big field all

15 brush and trees and everything in there. I

16 wonder can you get the city out there and cut

17 that down?

18 MR. COURTRIGHT: We will see if we

19 can do something there, Jim.

20 MR. STUCKARD: And Moosic --

21 Providence Square at Market Street around the

22 -- around the Taurus Club there's garbage cans

23 there and benches to sit on. There is a lot of

24 paper and stuff and butts out on the square. I

25 asked a couple times about that. Can you get

99

1 somebody out there to clean that up and the

2 laundry mat parking --

3 MS. GATELLI: Thanks, Jim.

4 MR. STUCKARD: All right. Okay.

5 All right. Bye.

6 MS. GATELLI: Mr. Patilla?

7 MS. KRAKE: Mr. Patilla graciously

8 allowed me to take his turn. Thank you very

9 much.

10 MS. GATELLI: Excuse me?

11 MS. KRAKE: Mr. Patilla graciously

12 allowed me to take his turn, so I am thanking

13 him very much. I would like to also speak as

14 Andy Sbaraglia did about the ordinance that

15 council passed three to two. Mrs. Evans and

16 Mr. Courtright did not vote for this ordinance

17 with the huge -- and I believe Mr. Sbaraglia  
18 said immoral, which is pretty close to my  
19 feeling on it -- fines and fees that are being  
20 placed on the collection of delinquent real  
21 estate taxes.

22 I would like to recommend once again  
23 that you revote and if you truly want to  
24 collect taxes, you offer an amnesty. If you're  
25 not really trying to collect taxes, if you're

.

100

1 simply trying to plug a hole in the budget, I  
2 think this is a very sad way to do that.  
3 It should also not be punitive, as I  
4 believe Mr. McGoff mentioned. That's even  
5 sadder. People who can't afford their taxes  
6 are now being penalized even further. I would  
7 also like to mention that -- I believe it was  
8 Mrs. Gatelli mentioned -- taxes haven't been  
9 raised in ten years.

10 This is a third time they've been  
11 raised. In 1999 the millage was raised. In  
12 2000 through 2006 was the same -- but that was  
13 a raise there and now again in 2007. So we've

14 had three raises in the millage on the land and  
15 improvement, and now we're adding fees. We're  
16 adding insult to injury.  
17 I would also like to go each one of  
18 these. And just as was brought up earlier, the  
19 -- how council should thoroughly research  
20 everything before they vote on it, I think  
21 maybe some of these questions I have may pique  
22 your interest -- only I hope they do. Last  
23 time I was here, which was three weeks ago, I  
24 mentioned who would be paying the \$25 every  
25 time a search was done because that's how I

101

1 believe this stanza reads.

2 Of course, we didn't have an answer  
3 for that. It says also in No. 2, an interest  
4 rate of 10 percent per annum shall be accessed  
5 from the date filing liens for real estate  
6 taxes with the prothonotary of the county.  
7 Right now currently I don't know if  
8 this is going to void this -- or when this is  
9 supposed to be enacted or if we are doing it  
10 now since the legislation did pass, I don't

11 think anyone knows the answer to that, right?

12 Okay.

13 Here's our percentages. It goes up

14 half a percentage point every month. It starts

15 out at ten percent from the first month you're

16 delinquent and then goes up accordingly.

17 I don't know if this is going to

18 nullify that that's it's now only 10 percent

19 per annum from the date of filing of the lien,

20 or is that going to be in addition to this? Of

21 course, we don't have an answer for that, okay.

22 \$160 -- this is 3 B. for filing,

23 opening and review by third party collector.

24 Who is the third party collector going to be?

25 Okay. \$160 for file opening, does that mean he

.

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1 every time a search is requested and/or for the

2 preparation of mailing of initial notice of

3 delinquency plus postage by the way. It's

4 another 42 cents. \$35 for preparation and

5 mailing of any second and subsequent notice.

6 Once again, is this with every search?

7 And who is paying this, or would the

8 attorney just be expected to pass it on their  
9 to clients? \$175 for the cost of preparing and  
10 filing the clean. We are doing a lot of  
11 preparing. I think we just prepared three  
12 times.  
13 We are going to charge every time  
14 for that. Filing a lien with office of  
15 prothonotary of the county to account for  
16 moneys received and for preparation and filing  
17 to satisfy a lien. We have a stamper that says  
18 paid and the date. We do that a lot in our  
19 office. That's how we satisfy a lien.  
20 3 E., the actual filing and  
21 satisfaction -- this is actually getting funny  
22 now -- fees in effect at the time the lien is  
23 filed. I have a question. Is that the one  
24 minute or warning, or that five minutes are up?  
25 MR. MINORA: Five minutes.

.

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1 MS. KRAKE: We will continue on 3 E.  
2 I don't know if anyone would care to look into  
3 any of these answers. I am sure the taxpayers  
4 would like to know the answers besides me.

5 MS. EVANS: Mrs. Krake, according to  
6 the legislative updates that I have read, all  
7 the costs can be created by the municipality  
8 when they are considering hiring a third party  
9 collector of delinquent taxes.

10 The two pieces of legislation are  
11 supposed to go hand in hand. All of the fees,  
12 costs and fines that are adopted by the  
13 municipality are passed on to the delinquent  
14 taxpayer.

15 I have noticed though one  
16 interesting line -- and I'm waiting for an  
17 update to see how well this went through the  
18 senate that any delinquent taxpayer would have  
19 the right to appeal unjust costs, penalties and  
20 fines in court.

21 MS. KRAKE: I can see that  
22 happening.

23 MS. EVANS: That seems to be --  
24 based on what council did, that seems to be the  
25 only saving grace for these poor people.

.

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1 MS. KRAKE: As far as this is -- no

2 one answers -- how vague this is. I can see  
3 many, many questions by an attorney in court on  
4 how this is to be interpreted because  
5 apparently no one thought through it at all.  
6 MS. EVANS: And duplication of  
7 services and fabrication of duties and  
8 responsibilities that are unnecessary.  
9 MS. KRAKE: Yes. Thank you.  
10 MS. EVANS: Huh-uh.  
11 MS. GATELLI: Thank you. Doug  
12 Miller.  
13 MR. MILLER: Good afternoon,  
14 council, Doug Miller. Today I am proud to  
15 announce that after nine months the Scranton  
16 Junior City Council completed its quest in  
17 raising funds to purchase a children's  
18 handicapped accessible swing set for Nay Aug  
19 Park.  
20 MS. GATELLI: Very good.  
21 MR. MILLER: Yesterday junior  
22 council, with the assistance of Bob Bolus, held  
23 a news conference at Nay Aug park at the site  
24 across from the handicapped tree house to make  
25 this announcement. And I would like to give

1 council a copy of the press release that was  
2 given out at the conference if I may.  
3 And I would like to read the press  
4 release. It says, the purpose of this news  
5 conference is to address the location of our  
6 children's handicapped accessible swing set for  
7 Nay Aug Park.

8 On behalf of the Scranton junior  
9 city council, I am proud to announce that after  
10 nine months we have met our goal in raising  
11 funds through contributions from citizens  
12 throughout the area. The real problem lies  
13 with the administration, parks and recreation  
14 and the recreation authority.

15 When we began our quest for the  
16 children's handicapped swing set, it was always  
17 our intent and understanding that the swing set  
18 would be located directly across from the  
19 handicapped tree house. Scranton Junior City  
20 Council and Mr. Bob Bolus met with the  
21 recreation authority, and they told us the  
22 swing set will not go at this site.

23 If this is the case, in all due  
24 respect to the mayor and the various boards  
25 that govern the park that if this children's  
.

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1 handicapped swing set does not go at this site,  
2 that it is our best interest to refund the  
3 money to the generous contributors since the  
4 swing set would not be used for its intended  
5 purpose and that is directly across from the  
6 handicapped tree house. I am disheartened that  
7 the city would deny handicapped citizens the  
8 use of this swing set at this location.

9 Hopefully the mayor and the various  
10 boards that he controls will reconsider their  
11 decision and make the compromise. I am very  
12 proud to say that with the support of many  
13 citizens we completed the fund raising part of  
14 this project. However, we do have the problem  
15 with the recreation authority, with the mayor  
16 and with parks and recreation who all said the  
17 swing set will not go at that site.

18 Next Wednesday, July 18th at 2:00 we  
19 plan on having a meeting with the parks and

20 recreation director Mark Dougher and other city  
21 officials to discuss this issue. I am asking  
22 council to participate in this meeting and help  
23 us resolve this issue. We have made it quite  
24 clear that we will not put the swing set in  
25 another location.

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1 It is not fair to inconvenience the  
2 handicapped and make them go in another part of  
3 the park to use this swing set. The intent  
4 when we began this project nine months ago, we  
5 made it clear that it was going across from the  
6 tree house and it will. If we have to fight  
7 it, we will. When that tree house was  
8 completed, that area became a handicapped zone.  
9 So, therefore, we had the space for it and it's  
10 accessible to handicapped children with their  
11 families to come and use the swing set along  
12 with picnic tables that you can put around it  
13 that the city planned on doing and it all works  
14 out.  
15 I really don't understand what the  
16 issue is. So I look forward to our meeting

17 next week. I hope to see council there because  
18 I know together we will make a decision that  
19 will benefit the handicapped children in our  
20 area in a positive way. Thank you, and thank  
21 you to all those who supported the project.

22 MS. EVANS: Doug, before you're  
23 seated -- I agree with you, and I'd very much  
24 like to be able to attend that meeting with  
25 you. But I already made a commitment long,

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1 long ago. I volunteer at Saint Anne's Novina.  
2 I am unable to be there, but I will be in  
3 spirit with you.

4 MR. MILLER: I appreciate your  
5 support, Mrs. Evans. Thank you.

6 MS. GATELLI: Doug, is James going  
7 to talk, too?

8 MR. MILLER: Yes.

9 MS. GATELLI: Mr. Patilla?

10 MR. PATILLA: Sam Patilla, city  
11 resident, homeowner, taxpayer. Good afternoon,  
12 Mrs. Evans. You know, on my way here, a  
13 business owner, homeowner, resident stopped me

14 and he told me, you know, to relay this message  
15 that, you know, we that are seeking an open and  
16 honest government aren't members of the dark  
17 side, can't be bought, not one dollar, not  
18 \$20,000. The only solution for us is an open  
19 and honest government.

20 Those of you out there in the  
21 audience and viewing this broadcast now, if  
22 ever there was an opportunity for you to see  
23 that the majority of this administration isn't  
24 for the taxpayers, today is the reason, okay.

25 On 4 C. and the 4 I. in regard to the sewer

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1 authority, those two items alone will almost  
2 max the debt this city is incurring right now.  
3 As I stated time and time before, you guys are  
4 allowing the mayor to circumvent not only the  
5 Home Rule Charter, Sunshine Act, the Recovery  
6 Plan, but city council itself. All right.  
7 Just like Mrs. Evans stated, there  
8 is no accountability. And every time these  
9 things are rubber stamped -- that's all it is  
10 -- all right. You're taking that much more

11 power away from the people. You have hidden us  
12 from all directions. It is just not fair. I  
13 don't want to hear anything about anybody's  
14 interpretation or anybody's beliefs or what  
15 they believe in. All right.  
16 Because a perfect example is the  
17 three appointees. If there is state and  
18 federal law that mandates certification, I  
19 don't care what anybody else says, the law says  
20 you have to be certified. If somebody is doing  
21 their job that one person was getting paid for  
22 two jobs, then he should receive that salary.  
23 All right.  
24 Mark Dougher regardless of whether  
25 or not he made that statement or was misquoted,  
.

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1 all right, he should have been brought here and  
2 explained himself in front of the people  
3 because that type of attitude and  
4 outlandishness should not be rewarded. When I  
5 went down to the Scranton Police Department  
6 Monday to get fingerprinted, they put shackles  
7 on, they threw me in a holding cell, all right.

8 I walked in there the same way I walked out. I  
9 told you time and time again, I'm not a  
10 criminal.  
11 But I will fight tooth and nail for  
12 an open and honest government. You really have  
13 to stop pushing through items that you don't  
14 have the backup or any knowledge on. You're  
15 not hurting us -- I mean yourselves -- you're  
16 hurting us, the taxpayers. You're hurting  
17 senior citizens. You're hurting our youth.  
18 You are hurting kids we don't even have yet.  
19 All right. Scranton sewer -- parking  
20 authority, redevelopment, all they are doing is  
21 transferring garages back and forth. They are  
22 shifting money from one location to the other.  
23 As soon as the debt comes due, they  
24 are shifting it back to another person. That's  
25 smoke and mirrors. That's all it is. It's

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1 smoke and mirrors. Every time I come in here  
2 or every other week there's a garage being  
3 transferred to this authority, a piece of  
4 property being transferred to that authority.

5 You wait a couple more weeks or a month or so  
6 and it will -- whoever that loan -- whenever  
7 that debit comes due, it will be transferred  
8 right back to the city, right back on our backs  
9 because we're the ones footing the bill.  
10 That's illegal. That's illegal.  
11 I am telling you right now I'm  
12 coming for you. And just like -- I walked into  
13 that police station. I want whoever, a male or  
14 female, be man enough or woman to walk in there  
15 the same way when it's your turn because this  
16 is illegal. Votes are definitely being bought  
17 here because the way this stuff is being pushed  
18 through. There's no -- there's no -- no backup  
19 to this information. There's no investigation  
20 going on.  
21 People are giving their  
22 interpretation there or agreement because they  
23 know somebody. I know a whole city that's \$300  
24 million in debt. Nobody is looking out for  
25 them. You guys aren't looking out for us.

.

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1 Maybe one or two of you maybe in certain

2 situations or certain instances. But -- as a  
3 whole, you're kicking us in our rear in every  
4 single chance you get. It has to stop. It has  
5 to stop because I will tell you this is only  
6 the beginning, all right. There will come a  
7 time when you have to answer to authorities  
8 outside of Scranton outside of Lackawanna  
9 County outside of Rendell's control because  
10 sooner or later somebody else's eyes will open  
11 up and they are going to question these moves  
12 and these votes. And you can believe that.

13 MS. GATELLI: Thank you. James?

14 MR. PIAZZA: Good evening, council.

15 I just want to thank the people that donated  
16 all the money for that handicapped swing set.  
17 I would like to thank the people that bought  
18 raffle tickets, The Qwanis club, C. E. O.  
19 Associates -- Ms. Noel Adcroft -- Mr. Mr.  
20 Wayne Evans, John Jay Ryan Insurance, Ms. Diane  
21 -- C. M. C. Health Care Systems, Tour De  
22 Scranton, Michael Burke Plumbing, Miller Beane  
23 Funeral Home, Albert A. Hazzouri, Mr. Mike and  
24 Jack Lyons, Petco, my Scranton pics dot com,  
25 Gerrity's Supermarket, Dave Evans, McCane

1 family and Mrs. McDonald and then Ms. Diana

2 Marinshock. Thank you, council.

3 MS. GATELLI: Thank you, James.

4 Anyone else?

5 MS. SHUMACHER: Marie Shumacher.

6 First I would like to reiterate my previous

7 request that you vote no on 4 I. until and

8 unless this council is given the authority to

9 approve or disapprove rate increases.

10 I would also like to comment that I

11 believe you set a very dangerous prescedent

12 today by using the time clock as a reason to

13 not do your due diligence. The lesson that I

14 would learn is that if I let something go the

15 last minute and I bring it here it will be

16 passed right through without the proper

17 investigation, and I think that's terrible

18 precedent to set.

19 I would like to move on to the dog

20 park. All I've been able to find out regarding

21 details is the park will cost \$300,000 and be

22 surrounded by a vinyl coated chain link fence

23 with five foot vinyl covered chain fence  
24 currently selling for \$2.40 a foot -- I checked  
25 on Tuesday. Where is the rest of the money  
.

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1 going?

2 Tuesday's paper reported the  
3 Abington Skate Association is constructing a  
4 12,000 skate park for \$200,000. Why can't the  
5 city build a dog park for under a hundred  
6 thousand dollars?

7 Next subject, shortly after the  
8 early May loss of two homes to fire on Stafford  
9 Avenue, Dave Schriber, president of fire  
10 fighter local 60 came to this podium to report  
11 they have been requesting fire hydrant flow  
12 data from the water company for years without  
13 success and asked council to intervene.

14 I wrote a personal e-mail and within  
15 24 hours received a call. So my question to  
16 you is have we been receiving this important  
17 information and it has not been -- it's been  
18 withheld from the very fire fighters who  
19 protect us and our properties? I think this is

20 really a serious concern. And if color coding  
21 is a main issue to protect our property and our  
22 persons, I believe money should be put into the  
23 2008 budget such that those flow data on those  
24 fire hydrants is -- sure it's done and done  
25 properly.

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1 Next as you already know, I would  
2 like to review the operating budget from time  
3 to time and knowing how each of you studies the  
4 budget before voting, this question will  
5 probably be a no brainer.

6 The 2006 operating budget revenue  
7 from the E. M. S. tax was \$2,100,000. The 2007  
8 operating budget revenue from this tax is  
9 \$1,908,615 for a difference of \$191,385,000.

10 At \$52 dollars a clip, this tells me that 3,680  
11 fewer persons will be paying the E. M. S. tax  
12 this year than last. Now, what accounts for  
13 this decrease? Has the number of employed  
14 persons really decreased by 3,000 people?

15 Next question similar to the wage  
16 tax, in 2001 the budget included \$17,484,643 in

17 wage tax revenue. The wage tax revenue in the  
18 2007 operating budget is only \$19,500,000, an  
19 increase of only 11 percent over six years.  
20 As a point of reference, the  
21 recovery plan using their low 2 percent rate  
22 had 2000, 2007 wage tax revenues of \$21,105,420  
23 or a 20 percent increase over this same time  
24 frame. We know the fire and police have not  
25 have had a raise during the current

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1 administration.

2 But our -- are all other wages in  
3 the City of Scranton stagnant? Or has  
4 employment decreased significantly, or are wage  
5 taxes not being fully collected? Which is it?

6 Any answers?

7 MS. EVANS: I'm just going to guess  
8 we've seen a decline in population. But in  
9 addition, I know that I have heard a number of  
10 individuals state that delinquent wage taxes  
11 have not been collected, I believe, since 2003  
12 or 2004 by the office of the tax collector.

13 MS. SHUMACHER: Could we find out

14 for sure what's going on there? I mean --

15 MS. EVANS: We can try.

16 MS. SHUMACHER: Thank you.

17 MR. DAVIS: Jim Davis. Happy Fourth

18 of July. I come here -- and I think at first

19 it's a kangaroo court because of what I hear,

20 but don't ever forget what you're doing if you

21 only service one of the citizens out in this

22 public that come before you with one of their

23 problems that is important to them, then you've

24 done your deed, you've done your duty.

25 This what you're getting paid for.

.

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1 Maybe it's not as much as you'd like to be paid

2 for it. But it is your responsibility to us

3 our and responsibility to you is to listen to

4 what you have to say, trying to garner from

5 that the truth and perhaps use it in our

6 dealings.

7 When I heard Ms. Gatelli -- I am

8 sure I missed her. I was amazed -- I was just

9 -- how many days has she missed? I don't know.

10 I've lost track of that.

11 MS. GATELLI: I missed three, Mr.

12 Davis.

13 MR. DAVIS: That's all?

14 MS. GATELLI: That's all.

15 MR. DAVIS: Oh, okay. That's not

16 bad at all. You got paid for that though?

17 MS. GATELLI: You don't get paid

18 just for the meeting.

19 MR. DAVIS: Okay. That's what -- I

20 just wanted to find out if you get paid. The

21 positions that were hired such as Mr. Brazil

22 and the other person from the D. P. -- D. P. W.

23 director, were any of those positions -- were

24 they filed in the newspaper? Were they

25 advertised as positions were open to the

.

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1 general public? I think I heard Ms. Evans

2 bring that up also.

3 MS. GATELLI: Is Amil still here?

4 MR. MINORA: Yes.

5 MS. GATELLI: Do they have to be

6 advertised?

7 MR. MINORA: No.

8 MS. GATELLI: No.

9 MR. MINORA: By the charter, the  
10 mayor has the -- the mayor has the authority to  
11 appoint, suspend, fire any -- any of those  
12 positions.

13 MR. DAVIS: And, therefore, all  
14 these positions would be like that for the rest  
15 of the time?

16 MS. GATELLI: Unless they change the  
17 Home Rule Charter.

18 MR. DAVIS: Home Rule Charter, there  
19 we are again. Every time we come around, we  
20 come to the Home Rule Charter that we --  
21 sometimes we hear -- adhere to and sometimes we  
22 don't.

23 Like, I don't know of anything in  
24 the Home Rule Charter that says we shouldn't  
25 speak before you make your decisions as far as

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1 reading -- I call it the menu and making your  
2 rulings on them and making your decisions on  
3 them that the -- the audience should speak on  
4 what they feel about them. I don't know that's

5 in the Home Rule Charter. I heard that it is.  
6 And yet, we've gone right over your  
7 rules -- I think those rules of council took  
8 you right over that. You violated our rights.  
9 And I just want to say that I -- at least I  
10 think with my ignorance -- I'm quite ignorant  
11 on certain things. Maybe I do not know the  
12 fine tuning of the criminal law or the civil  
13 law that we're working with when we work with  
14 the Home Rule Charter.  
15 I know I try to sit through their  
16 meetings when they are trying to change it, but  
17 the thing is the -- it seems like it's a  
18 travesty now. You're using whatever parts that  
19 you want to when you want to and make that  
20 justice. That's the way you want it to be, so  
21 that's the way it's going to be. I think you  
22 really ought to go back and redo that and  
23 rethink that thing about when does a citizen  
24 going to have the right to say yea or nay on  
25 what you're going to pass? Thank you very much

.

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1 for your time.

2 MS. GATELLI: Thank you, Mr. Davis.

3 MR. DAVIS: Oh, I almost forgot. On

4 the 14th we're having a Unity Festival up at

5 Nay Aug Park.

6 MS. GATELLI: 14th of July.

7 MR. DAVIS: 14th of July, Saturday.

8 MS. GATELLI: At Nay Aug?

9 MR. DAVIS: At Nay Aug.

10 MS. GATELLI: What time?

11 MR. DAVIS: I've heard two different

12 advertisements. One is from 9:00 in the

13 morning until 9:00 at night. The other one is

14 from 12 until 9. Then there was one that I saw

15 in the news -- the television Channel 61 that

16 ran from 4 until 7. So take your pick, but

17 come. That's the important part.

18 MS. GATELLI: Thank you. Long time

19 no see.

20 MR. ANCHERANI: Yeah, I know. Good

21 afternoon. Nelson Ancherani, resident,

22 taxpayer, city employee and financial secretary

23 of the F. O. P. Everyone knows I am here

24 exercising my First Amendment rights. I took

25 an hour of comp time to come here and speak.

1 As of late, council speakers have  
2 been taking a lot of flack from the media, the  
3 chamber of commerce president, city public  
4 officials and some individuals. We speakers  
5 have been called at least 30 different names,  
6 none of them complimentary.  
7 Council speakers are unfairly  
8 getting the blame for the atmosphere and  
9 decorum of the meetings and ridiculed as being  
10 freaks. If we are, so be it. We have thick  
11 skins and the amount of names we've been called  
12 and still come back shows we are persistent and  
13 won't go away.  
14 We have a policeman at the meeting  
15 because some council speakers feel threatened.  
16 Ms. Gatelli had a guest at the meeting and  
17 everyone -- council and council speakers were  
18 on their best behavior, even the guest. Vera  
19 White was on her best behavior. Our meetings  
20 are nothing according to her.  
21 We've a policeman at the meeting to  
22 protect the council members from the public.

23 Where Ms. White is council president in  
24 Harrisburg, there are police at the meetings to  
25 protect the council members from each other.  
.

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1 That's embarrassment if they have to protect  
2 each other from themselves. Council members  
3 have to be protected from each other. When it  
4 comes down to the brass tax, every city and  
5 municipality has its faults.  
6 People say Scranton city council  
7 meetings are a circus. What about other  
8 cities? We don't see their meetings, but Ms.  
9 White told us about hers. The individuals who  
10 attend meetings and speak address city  
11 business. I commend them for getting up to the  
12 podium and airing their complaints or  
13 compliments. Everyone who comes to the podium  
14 has a right to free speech even though our  
15 critics don't believe we should be here.  
16 Evidently our critics are happy with  
17 our \$300 million long term debt and our 25  
18 percent tax increase. They can be happy and  
19 not care. I'm happy -- I'm not happy, and I

20 care. My belief is that public officials don't  
21 -- I believe that public officials want to keep  
22 everyone in the dark.  
23 Our critics say the speakers don't  
24 want change. Well, we do want change. We want  
25 to know where our tax dollars are being spent.

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1 We want to know what is going on in our  
2 government. We're tired of being in the dark.  
3 We want light on the subject. It's our public  
4 officials who don't want the change. They want  
5 us out in the dark.  
6 The last meeting that I attended  
7 three weeks ago, I predicted a record 80  
8 million city budget, another 25 percent city  
9 tax hike and multimillion dollars in new loans.  
10 I clarified the multimillion as 10 million or  
11 more. One prediction that I left out and will  
12 add on now is the borrowing of tax anticipation  
13 notes totaling over 14 million.  
14 It's going to be very interesting as  
15 to how the council members vote. Three weeks  
16 ago Ms. Gatelli said she won't vote for another

17 tax increase. She doesn't intend to vote for  
18 any more borrowing. We shall see.  
19 The following is Ms. Gatelli's  
20 response from the March 1st, 2007 council  
21 meeting. It is in response to the mentioning  
22 of Ms. Gatelli's, Ms. Fanucci's and Mr.  
23 McGoff's names as the ones who voted for the 25  
24 percent tax hike, the record 77 and a half  
25 million budget, et cetera. Ms. Gatelli, and as  
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1 far as the tax increase, yes, I did vote for a  
2 tax increase. I don't intend to ever vote for  
3 it again as long as I sit up here, it was a one  
4 time shot and it's over. And I will not vote  
5 for another tax increase as long as I sit here.  
6 I make you that promise. But I did it in good  
7 faith, and I know every week my name gets  
8 mentioned. Yes, I did raise your taxes. So I  
9 find it ludicrous that you come here every week  
10 and say my name. I promise I will never raise  
11 your taxes again as long as I'm sitting here.  
12 But I felt that it was necessary to get us on  
13 the right path.

14 I am just going to mention about the  
15 56 and a half percent rate increase with the  
16 sewer authority. I got a letter that says, due  
17 to governmental mandates and increased  
18 operating costs, the Scranton Sewer Authority  
19 must raise its sewer billing rates,  
20 governmental mandates and increased operating  
21 costs. Nowhere in there does it say that the  
22 increase is in response to the 8 million loan  
23 that the sewer authority took out to bail the  
24 city out of the 5.5 million arbitration lost to  
25 American Anglican. Thank you.

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1 MR. COURTRIGHT: Thanks, Nels.

2 Dick?

3 MR. LASKY: Dick Lasky, north

4 Scranton. Excuse me. I come today with a lot

5 of things. One thing I want to compliment Ms.

6 Evans on the statement she made when she first

7 took office saying that she would work with the

8 mayor but not for him.

9 Now, I think there's some people up

10 there that don't abide by that philosophy, and

11 I question their integrity. It seems like the  
12 three of you up there, Ms. Fanucci, Ms. Gatelli  
13 and Mr. McGoff go along with whatever the  
14 administration has.

15 Now, I'm not crying poverty. But I  
16 am going to tell you something. You raised my  
17 taxes 25 percent. I got a three percent raise  
18 in Social Security and Medicare took half of  
19 that. So I'm in a losing proposition. It's a  
20 matter of time until I lose my house that I  
21 worked very hard for, and I don't think it's  
22 right. I can see tax increases, but I can't  
23 see the ten million loan that Ms. Fanucci  
24 granted the administration.

25 It was a sucker deal. She voted

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1 against the 44 million and turns around and  
2 gives ten million. This is the way things  
3 wheel and deal in the political things. Now,  
4 Mr. McGoff, I will tell you, you're running for  
5 an election. Personally I won't be supporting  
6 you because of your attitude since you've been  
7 on council.

8 Now, my logic is this. You mention  
9 about this ten percent and these fees put on  
10 the taxpayers. All of you people up there are  
11 still in the work force. Have any of you taken  
12 any consideration for us that's on a pension,  
13 that's on a fixed income? We're losing ground.  
14 I know people that would lose their  
15 home if their children didn't move back in with  
16 them. And I mean, it don't make a whole lot of  
17 sense to me to come here and complain when  
18 something is done. Now I have another very  
19 important thing.  
20 I mentioned Hollow Avenue. That's  
21 like opening a can of worms. Nobody wants to  
22 know about Hollow Avenue because it's -- my big  
23 mouth and all the tree trimming that was done  
24 up there. But we have another problem on  
25 Hollow Avenue. I'm a neighborhood activist.

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1 I've been in the neighborhood association.  
2 Judy, you remember and, Janet, you remember how  
3 many years I've been active in the neighborhood  
4 association. Now, we have a problem on Hollow

5 Avenue that is a safety factor. There's a fire  
6 hydrant on Hollow Avenue. If we receive one  
7 more rain storm, that's going to be inactive.  
8 The homes on Hollow Avenue will not have any  
9 fire protection.  
10 And unless we do bank stabilization  
11 up on Hollow Avenue and Leggets Creek, you can  
12 inform the city that they are going to rebuild  
13 a new road. Then people will have no way to  
14 get down to their homes. It's that far from  
15 taking the road out. Now, I would appreciate  
16 if you would inform Mr. Brazil to call me to  
17 come to my home, or else I will go down and  
18 pick him up and I will take him and show him  
19 how bank stabilization works.  
20 We did this years and years ago on  
21 Leggets Creek at Loop Avenue where we used to  
22 have our fishing derby. That bank has not  
23 moved an eighth of an inch in over 25 years.  
24 I've been active with Leggets Creek and  
25 stocking it and so on and so forth, but this  
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1 safety factor of that fire hydrant and the road

2 being washed out needs immediate attention.

3 You can't postpone this for a year. You can't

4 postpone it for six months unless you people

5 can come up with some money and rebuild the

6 road. So -- I will wait for a call from Mr.

7 Mr. Brazil.

8 MS. EVANS: Give your number to Neil

9 before you go.

10 MR. LASKY: I will give my number to

11 anybody.

12 MS. GATELLI: Fay Franus.

13 MS. FRANUS: I wasn't even going to

14 come here, but when I saw Mrs. Fanucci sit

15 there and make excuses for passing that money

16 for the garages and say she didn't care,

17 everything was is fine, she went through and

18 this is important and the garage is going to

19 cave in. What's the rush? For a 51-year

20 payment that we have to make, what's the rush?

21 What are you afraid of? Afraid of finding out

22 the truth. I think the dead people will want

23 to wake out of the graves to come here and

24 confront you after all your excuses.

25 Mrs. Gatelli, you sit there, the two

1 of you, making excuses, excuses, excuses for

2 what is very apparent. You should not be

3 voting on this until you get all the facts like

4 Mrs. Evans said, every single one, every person

5 in there and find out.

6 We're paying for this. You don't

7 seem to care because you have money coming out

8 of your pockets, deals with your making.

9 MS. GATELLI: I resent that.

10 MS. FRANUS: I don't care what you

11 resent.

12 MS. GATELLI: I resent that.

13 MS. FRANUS: Sorry.

14 MS. GATELLI: Don't accuse anyone of

15 that kind of -- that's criminal activity --

16 MS. FRANUS: Is it?

17 MS. GATELLI: -- and it's out of

18 order.

19 MS. FRANUS: Judy, this is about the

20 17th or 18th time you've called person out of

21 order.

22 MS. GATELLI: This is my job --

23 MS. FRANUS: And this is my opinion.

24 This is my opinion. If you --

25 MS. GATELLI: Mrs. Franus --

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1 MS. FRANUS: Judy, I'm going to tell

2 you something right now. I have the right to

3 say whatever I want to say.

4 MS. GATELLI: No, you're not allowed

5 to say whatever you want to say.

6 MS. FRANUS: I have a right to

7 regress my government.

8 MS. GATELLI: You're out of order.

9 MS. FRANUS: Listen, Judy, you

10 better listen to me.

11 MS. GATELLI: We're going to adjourn

12 the meeting.

13 MS. FRANUS: Oh, no. I got finished

14 saying what I wanted to say.

15 MS. GATELLI: You are not going to

16 accuse anyone of criminal activity.

17 MS. FRANUS: Oh, was that criminal

18 activity?

19 MS. GATELLI: That's clearly out of

20 order, clearly out of order.

21 MS. FRANUS: Okay. Well, I'm deeply

22 sorry, Mrs. Gatelli, for saying what I believe.

23 How's that? Now, let me tell you something

24 else. You sit there and say you did a great

25 job on OECD, well, you're doing a terrible job

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1 there.

2 MS. GATELLI: Well, then don't vote

3 for me again.

4 MS. FRANUS: I never voted for you

5 in the first place. What do you think I'm

6 nuts?

7 MS. GATELLI: You said I did.

8 MS. FRANUS: I never said I did.

9 Just like you said you were for Gary DiBilio

10 when you're for Doherty. Don't talk about

11 lying.

12 MS. GATELLI: I am not listening to

13 her.

14 MS. FRANUS: Can't take it, can you,

15 Judy the truth?

16 MS. GATELLI: No, I can't.

17 MS. FRANUS: Why are we paying for  
18 your lawsuits, Judy, when you can go to Europe?  
19 I can't even go to the Lackawanna River, but  
20 you can go to Europe and we should pay for your  
21 lawsuit? Bye, Judy.

22 And, Billy, I don't know why you  
23 voted -- I don't know why you voted for that  
24 loan for -- why you do that without speaking to  
25 the people?

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1 MR. COURTRIGHT: What loan was that?

2 MS. FRANUS: The one -- 6 B., why  
3 would you vote for that?

4 MR. COURTRIGHT: The one for --

5 MS. FRANUS: The two things that you  
6 -- yes, the parking and the other one, too.

7 MR. COURTRIGHT: I said I would vote  
8 for it to introduce it, and then next week when  
9 I got the information --

10 MS. FRANUS: There's no reason to  
11 introduce it, Billy, none. You have all the  
12 time in the world. What's the rush?

13 MR. COURTRIGHT: I'm not in a rush.

14 MS. FRANUS: Apparently so if you're  
15 willing to introduce it when it shouldn't have  
16 been introduced. What's the rush? Why can't  
17 we get all the people in here and get all the  
18 facts?

19 MR. COURTRIGHT: We're hopefully  
20 going to have them here next week.

21 MS. FRANUS: But you could have  
22 waited to introduce it. Mrs. Evans is finance  
23 chairman, can't you respect her wishes? I  
24 mean, she's the one who knows all about  
25 finances here. I mean, why is she finance  
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1 chairman if nobody is ever going to believe  
2 anything she says? It's like one ear and out  
3 the other. And Mrs. Fanucci has an excuse for  
4 everything all the time constantly. Mr.  
5 McGoff, I was proud of you tonight. I mean,  
6 you did the right things for the people. I'm  
7 not talking about those votes, I'm talking  
8 about the comments you made at the beginning of  
9 the meeting. That's all. I mean, Mrs. Evans  
10 is for the people, she wants the answers, and

11 nobody up here wants to work. You always have

12 your answers, Mrs. Fanucci.

13 MS. FANUCCI: I met with them you --

14 I met with the parking authority twice this

15 week on this issue. I'm sorry you feel that

16 you -- whatever your personal --

17 MS. FRANUS: All I'm saying is,

18 what's the rush?

19 MS. FANUCCI: I'm going to answer

20 your question.

21 MS. FRANUS: Go ahead.

22 MS. FANUCCI: I am sorry that you

23 feel that your perception is not -- of me is

24 not adequate, but I don't need excuses. I am

25 telling you what I felt and what I found out.

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1 Now, just because they might not be perfect for

2 you, which they wouldn't be anyway because it

3 wasn't Mrs. Evans.

4 MS. FRANUS: That's not true.

5 MS. FANUCCI: Oh, please. Oh, Fay,

6 come on. Well, you know, this has been going

7 on since the school board. Come on. You've

8 been toting the flag --

9 MS. FRANUS: I resent that.

10 MS. FANUCCI: Well, it's true.

11 MS. FRANUS: I resent that. I

12 resent that. I have a mind of my own, Sherry.

13 MR. COURTRIGHT: Okay. Hold on.

14 MS. FRANUS: Nobody tells me how to

15 think.

16 MR. COURTRIGHT: Okay. Hold it.

17 MS. FANUCCI: Listen to me, you are

18 not allowed to come in here. There are rules.

19 There's always rules. And you say I can say

20 whatever I want, no, that's the problem. It's

21 been the problem since day one. You stood bak

22 there with fire in your eyes --

23 MS. FRANUS: I have a right to say

24 -- say it again.

25 MS. FANUCCI: You say anything with

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1 fire in your eyes.

2 MS. FRANUS: Sherry, I have a right.

3 MS. FANUCCI: You're screaming --

4 MS. FRANUS: Oh, I was screaming? I

5 have a right to say whatever I want to you.

6 Because you don't do what I like, I'm going to

7 sit here and praise you? I was home minding my

8 own business until I heard you open your mouth.

9 MS. FANUCCI: And I can tell you,

10 Fay, you don't come here and accuse me of

11 criminal behavior. And if you have anything

12 that you feel is criminal --

13 MS. FRANUS: It's my opinion.

14 MS. FANUCCI: It's the wrong --

15 MS. FRANUS: That's my opinion.

16 MS. FANUCCI: -- and it's not fair.

17 MS. FRANUS: Sorry.

18 MR. COURTRIGHT: All right.

19 MS. FRANUS: It's my opinion.

20 MR. COURTRIGHT: Thank you, Fay.

21 MS. FRANUS: That's why you pass all

22 the things you pass.

23 MR. COURTRIGHT: Thank you, Fay. Is

24 there anyone else? Motion to adjourn?

25 MR. McGOFF: Second.

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1 MR. COURTRIGHT: We're adjourned.

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

4

5 I hereby certify that the proceedings and

6 evidence are contained fully and accurately in the

7 notes taken by me on the sentence of the above cause

8 and that this copy is a correct transcript of the same

9 to the best of my ability.

10

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Laura Boyanowski, RPR

13 Official Court Reporter

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