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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, May 27, 2008

LOCATION:

Council Chambers  
Scranton City Hall  
340 North Washington Avenue  
Scranton, Pennsylvania

CATHENE S. NARDOZZI- COURT REPORTER

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CITY OF SCRANTON COUNCIL:

MR. ROBERT MCGOFF, PRESIDENT

MS. JUDY GATELLI, VICE-PRESIDENT

MS. JANET E. EVANS

MS. SHERRY FANUCCI

MR. WILLIAM COURTRIGHT

MS. KAY GARVEY, CITY CLERK

MR. NEIL COOLICAN, ASSISTANT CITY CLERK

MR. AMIL MINORA, SOLICITOR

1 (Pledge of Allegiance recited and  
moment of reflection observed.)

2

3

MR. MCGOFF: Roll call, please.

4

MR. COOLICAN: Mrs. Evans.

5

MS. EVANS: Here.

6

MR. COOLICAN: Mrs. Gatelli.

7

MS. GATELLI. Here.

8

MR. COOLICAN: Ms. Fanucci.

9

MS. FANUCCI: Here.

10

MR. COOLICAN: Mr. Courtright.

11

MR. COURTRIGHT: Here.

12

MR. COOLICAN: Mr. McGoff.

13

MR. MCGOFF: Here. Dispense with

14

the reading of the minutes.

15

MS. GARVEY: THIRD ORDER. 3-A.

16

MINUTES OF THE SCRANTON-LACKAWANNA HEALTH &

17

WELFARE AUTHORITY MEETING HELD ON APRIL 17,

18

2008.

19

MR. MCGOFF: Are there any comments?

20

If not, received and filed.

21

MS. GARVEY: 3-B. CONTROLLER'S REPORT

22

FOR THE MONTH ENDING APRIL 30, 2008.

23

MR. MCGOFF: Are there any comments?

24

If not, received and filed.

25

MS. GARVEY: 3-C. MINUTES OF THE

1 NON-UNIFORM MUNICIPAL PENSION FUND MEETING  
2 HELD APRIL 23, 2008.

3 MR. MCGOFF: Are there any comments?  
4 If not, received and filed.

5 MS. GARVEY: 3-D. AGENDA FOR THE  
6 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING  
7 TO BE HELD ON MAY 28, 2008.

8 MR. MCGOFF: Are there any comments?  
9 If not, received and filed.

10 MS. GARVEY: That's it for Third  
11 Order.

12 MR. MCGOFF: Announcements for  
13 anyone?

14 MR. COURTRIGHT: I just have two.

15 MS. EVANS: Go ahead.

16 MR. COURTRIGHT: We want to wish  
17 West Scranton baseball the best of luck in  
18 the District II semi-finals and there game  
19 was cancelled to today at 4:30 at the  
20 Tagliery Field and we wish them the best of  
21 luck.

22 MS. GATELLI: And Bill just stole all  
23 of my thunder. Thank you.

24 MR. COURTRIGHT: I'm sorry.  
25 Thursday, June 5, 7:00 p.m. to 1 a.m. there

1 is going to be a celebrity bartending night  
2 at Killcoyne's in West Scranton this is  
3 fundraiser is being held for Riley Jones, he  
4 has a rare disease, a genetic disorder  
5 called Edward's syndrome, she was born on  
6 May 15th of '08, her dad is Mark Jones and  
7 her mom is Rose Mary Sparazzo, she is a  
8 secretary at John Marshal School, and all of  
9 the donations if you would be willing to  
10 make one would be sent to Riley-Clare Jones  
11 fund, Penny's Credit Union, 441 North  
12 Seventh Avenue, so that would be June 5 at  
13 Killcoyne's for this young woman and that's  
14 all I have. Thank you.

15 MS. EVANS: I, too, was going to  
16 mention the Riley-Clair Jones Fund, but  
17 Mr. Courtright has already covered that on  
18 so I'll go directly into my second item.  
19 Please remember in your prayers all those  
20 who have died in the last week,  
21 particularly, Edward Gallagher and his dear  
22 family and friends, he leaves behind.

23 Also, please say a prior for Matt  
24 Grendel, he was found a year ago today after  
25 having been missing for 78 days and remember

1 in that prayer also his parents, brother and  
2 sister who continue to face this tragedy so  
3 bravely each day.

4 MS. GATELLI: I just have a few  
5 things. This weekend at the Masonic Temple  
6 the Broadway Theatre is sponsoring the Billy  
7 Joel play called "Moving Out."

8 The second thing is that a very dear  
9 family friend of mine had an article in the  
10 paper on Memorial Day, you might have seen  
11 it, the Tamarellis and Marty is still alive,  
12 all of his brothers and he were in the  
13 service, armed services, and Marty takes  
14 care of the Italian-American cemetery back  
15 on Kane Street, so they had a very nice  
16 Memorial Day celebration there yesterday and  
17 we are very happy and proud of Marty and his  
18 family for participating in the Armed  
19 Services.

20 Comcast gives away scholarships  
21 every year in the municipality and I just  
22 wanted to tell you that this year the winner  
23 was Leonard Vinciquera, and he is a senior  
24 the a West Scranton High School and he  
25 received the Comcast scholarship.

7

1 Also, last week I know, I think it

2 was Mrs. Evans sent out a letter about the  
3 800 of Archbald Street. I spoke with the  
4 gas company supervisor, who happens to be my  
5 cousin, and he told me to tell you, actually  
6 Joe's cousin, and he told me that the  
7 streets will not be rehabilitated up there  
8 because they are now going to replace the  
9 water lines. First thing they replaced the  
10 gas and now they are going to replace the  
11 water, so the curbs and the streets will not  
12 be rehabilitated until the total project is  
13 finished, so anyone living in the Archbald  
14 Street area, Schneider Avenue, Aker Avenue,  
15 that project will take the rest of the  
16 summer, so don't anticipate, you know,  
17 having any repairs until the end of the  
18 summer, and that's all I have. Thank you.

19 MR. MCGOFF: Anyone else? I just  
20 want to make mention of one thing, the  
21 Scranton Relay For Life will be held on  
22 June 21 and 22, it's a noteworthy event  
23 sponsored by the American Cancer Society.  
24 There is still opportunity for teams to be  
25 created to participate. Anyone who is

1 familiar with the Relay for Life it's a

2 constantly on the track or in walking for a  
3 24-hour period and it's a way to raise money  
4 and build some comradery with family and  
5 friends. It's a really a neat event and  
6 very noteworthy and well worth the time and  
7 effort that people put in. I do have some  
8 information if there is anyone interested in  
9 creating the team or sponsorship for the  
10 relay for life. I do have some information  
11 and I would be more than happy to give to  
12 you, and that's all. Citizens'  
13 participation. Doug Miller.

14 MR. MILLER: Good evening, Council,  
15 Doug Miller, president of the Scranton  
16 Junior City Council. I would just like to  
17 wish the West Scranton High School Boys  
18 baseball team the best of luck tomorrow in  
19 the very important playoff game.

20 I'd like to begin tonight by  
21 addressing the statewide smoking ban  
22 proposal. Last week we were all informed  
23 that Senator Bob Mellow proposed an  
24 amendment to the smoking ban legislation.  
25 Senator Mellow's amendment would allow

1 municipalities such as Scranton to enact  
2 ordinances similar to the one that will be



3 passed by Pennsylvania. This is certainly  
4 great news for Scranton because it gives us  
5 the opportunity to reenact the ordinance  
6 past by the majority of Scranton City  
7 Council over a year ago. Senator Mellow has  
8 finally stepped up and shown his true  
9 leadership. While the majority of  
10 Pennsylvanians support this legislation,  
11 there are few critics, including here in  
12 Scranton. Arguments range from loss of  
13 money to loss of rights. My question to the  
14 critics would be is what is more important,  
15 losing money or losing your life to  
16 secondhand smoke? The facts state that  
17 smoking is harmful and can kill you. You  
18 can't argue the facts as many of you try to  
19 do. We must give the students from West  
20 Scranton High School the credit because they  
21 know the facts and they are committed to  
22 improving our quality of life. I strongly  
23 urge citizens to continue to contact their  
24 local representatives and urge them to  
25 support the statewide smoking ban, our

10

1 future depends on it.

2 Two weeks ago a motion was made by

3 council to donate \$20,000 to Scranton Today  
4 TV 61. This motion was voted down 3 to 2.  
5 Personally, I support the decision made by  
6 the majority council. I find it totally  
7 unnecessary to donate a large amount of  
8 money to the current operators when they  
9 will no longer be operating the station.  
10 Last week many citizens criticized council's  
11 decision and they continue to show their  
12 support for Scranton Today.

13 Personally, I believe Scranton City  
14 Council meetings have become more like a  
15 circus than a government meeting. Many  
16 weekly speakers address council with the  
17 intent to personally attack members of  
18 council and help push the agendas of other  
19 elected officials. These speakers offer  
20 nothing productive, though they wouldn't  
21 miss an opportunity to get their five  
22 minutes of fame.

23 Mrs. Gatelli said last week that our  
24 meetings are viewed more than NBC's "The  
25 Office," and quite frankly I'm expecting

11

1 sometime soon that we can all view these  
2 meetings from Comedy Central. We have  
3 become a laughing stock to this area and

4 many people just view these meetings to get  
5 a laugh out of it. I find this to be very  
6 sad and pathetic. For two years I have  
7 served on this Junior Council. I have been  
8 personally attacked from this podium as well  
9 as on local Internet sites. I have never  
10 let it get to me because I see that it's  
11 coming from very uneducated people.

12 This junior council has been laughed  
13 at and told that we don't belong here. I  
14 guess these people would rather see us out  
15 raising money for drugs rather than for the  
16 police and firefighters' memorial.

17 Channel 61 has become a network for  
18 politics. Personally, I believe it is time  
19 to take Scranton City Council meetings off  
20 the air. We must move forward with city  
21 business and this is why tonight I am asking  
22 Scranton City Council to make a motion to  
23 remove live Scranton City Council meetings  
24 from Channel 61. We can no longer allow  
25 people to come up here and make Scranton

12

1 look foolish. It's time to move on with  
2 city business. We all need to be productive  
3 here. That's why we come here every two

4 night to conduct city business and move this  
5 city forward. Thank you.

6 MR. MCGOFF: Thank you, Mr. Miller.  
7 Mrs. Franus.

8 MS. FRANUS: I was only going to make  
9 one statement, but Doug Miller makes me now.  
10 I'm going to address him for a second here.  
11 I don't think consider myself or anybody  
12 else that comes here uneducated as he  
13 claims, I don't know who put him up to this,  
14 but I pay my taxes and I vote. He doesn't  
15 pay taxes, he doesn't vote. I mean,  
16 everybody is so nice to Doug Miller because  
17 he is a kid. Well, if he can come here and  
18 criticize all of these people and say the  
19 things he does, he supposed to be coming  
20 here to learn things not to criticize the  
21 speakers that come here, he is the one that  
22 has the agenda. I mean, enough is enough,  
23 Doug Miller, enough is enough. Student  
24 council, one member? I'll let it go at  
25 that.

13

1 I wanted to thank you all for having  
2 the tax office here, it really means a lot  
3 to the taxpayers and everybody that is  
4 watching it and that is why Channel 61 is so

5 important because the people at home that  
6 can't make it here can see like tonight.  
7 That was very valuable and thank you very  
8 much.

9 Mrs. Gatelli, I'd like to ask you,  
10 would you please tonight, if you would, make  
11 a motion to subpoena Ken McDowell and  
12 possibly Attorney Rinaldi, would you do that  
13 tonight, because I think it's very much  
14 needed? I mean, before this man is charged  
15 with anything then he will say, "I can't  
16 speak."

17 Now he can speak, so would you make  
18 a motion tonight to subpoena him, please?

19 MS. GATELLI: If we can. I mean,  
20 I'll ask Attorney Minora if we can still do  
21 that.

22 MS. FRANUS: Mr. Minora, can that be  
23 done?

24 MS. GATELLI: Since he is not in that  
25 position anymore, I don't know.

14

1 MS. FRANUS: It doesn't matter.  
2 It's in response -- just to ask him  
3 questions.

4 MR. MINORA: All subpoenas have to be

5                   pursuant to an investigation or some pending  
6                   legislation so there would have to be a  
7                   motion to do that first.

8                   MS. FRANUS: With does that mean?

9                   MR. MINORA: To investigate --

10                  MS. FRANUS: It's already been  
11                  investigated.

12                  MR. MINORA: Do you want an answer or  
13                  do you just want to comment?

14                  MS. FRANUS: Go ahead.

15                  MR. MINORA: So there would have to  
16                  be a motion, you just can't issue a subpoena  
17                  out of the clear blue, there has to be some  
18                  proceeding from which the subpoena issues,  
19                  so you would have to start an investigation  
20                  into the former tax collector and/or his  
21                  counsel for whatever reason. I would  
22                  suggest before you do anything like that you  
23                  have your reasons in writing and stated so  
24                  that it's not some helter-skelter proceeding  
25                  with no purpose beginning or end. So, if

15

1                   you are of a mind to do that I would ask to  
2                   consult with me and I'll put together a  
3                   written motion as we had --

4                   MS. GATELLI: The last time.

5                   MR. MINORA: -- thought about in the

6 past.

7 MS. FRANUS: Would you do that, Mrs.  
8 Gatelli?

9 MS. GATELLI: We will discuss it with  
10 council and Attorney Minora.

11 MS. FRANUS: Pardon me?

12 MS. GATELLI: We will discuss it  
13 with Attorney Minora and whatever he says,  
14 you know, I'm agreeable. Absolutely.

15 MS. FRANUS: Okay, because he  
16 mentioned helter-skelter, we certainly --  
17 there is certainly enough reason to have Ken  
18 McDowell in here to investigate. I don't  
19 think you have to look far at all for that.  
20 I think it's just a matter of writing your  
21 reasons why you want to see him and Attorney  
22 Rinaldi you have enough reasons, please, I  
23 mean, I hope this isn't someone trying to  
24 get some reason like Mr. Minora said that it  
25 can't be. I don't believe that's true. I

16

1 believe you absolutely have every right to  
2 subpoena them. You may not want to all of  
3 you, but I hope you do the right thing and  
4 subpoena him as soon as possible. Thank you  
5 very much.

6 MR. MCGOFF: Thank you. Just an  
7 aside, I mean, we can certainly request his  
8 presence prior to going through the process  
9 --

10 MR. MINORA: You can, absolutely.  
11 You can request just as you have with  
12 Mr. McGovern and Mrs. Vitale.

13 MR. MCGOFF: In the mean time we  
14 will look into what Attorney Minora said.  
15 I'm sorry, Andy Sbaraglia.

16 MR. SBARAGLIA: Andy Sbaraglia,  
17 citizen of Scranton, fellow Scrantonians.  
18 This weekend the Shuttle Discovery is going  
19 into space and one of the astronauts on that  
20 shuttle has ties to Scranton, in fact, I'm  
21 wearing his shirt and the designated patch  
22 that goes with this mission, and I wanted to  
23 mention him because his wife is from  
24 Scranton and his mother-in-law, of course,  
25 lives in Scranton and it would be amiss if I

17

1 didn't at least mention it that that shuttle  
2 has an astronaut with ties to Scranton.  
3 Okay, let's go on from something different.

4 MS. GATELLI: What's his name?

5 MR. SBARAGLIA: Garvan. G-A-R-V-A-N.  
6 G-A-R-A-N. And like I say he is going, you



7 know how things go with the shuttle. Let's  
8 go on for something different. I ain't  
9 going to give a big spiel about 61, but  
10 since Mrs. Gatelli mentioned it I will tell  
11 you why the taxpayers meeting was on and the  
12 city meeting wasn't on because one of our  
13 members taped it, it's as simple as that.  
14 61 does not cover all of the meetings, so if  
15 you are willing to tape your meeting they  
16 are willing to give you know how about how  
17 to do it and that's what was done and that's  
18 the reason why you saw the taxpayers'  
19 meeting and you didn't see the city meeting.  
20 It's just as simple as them not having the  
21 manpower to do what has to be done and you  
22 know why they don't have the manpower, and I  
23 don't want to even mention everything else  
24 about -- well, maybe I will eventually, but  
25 I got an article here, it's a nice article,

18

1 it makes sense. Amazon to open center in  
2 Northeastern Pennsylvania. This facility  
3 will create 1,100 jobs in the Hazleton Park.  
4 How much did the mayor -- the governor give  
5 them for this tremendous project, 1.5  
6 million. Now, let's get on to this pork

7 barrel going on here on Lackawanna Avenue  
8 where we got 28 million involved. Now, how  
9 could you compare 28 million, 1.5 million  
10 and over 1,000 jobs and we are pouring into  
11 28 million plus, this is not even done  
12 because even when you get that -- if you get  
13 that million that was already advertised I  
14 presume the money is in place or something  
15 is going on that we don't know about, maybe  
16 if the mayor isn't there when the mayor is  
17 finally distributed the contacts are given  
18 out.

19 MR. COURTRIGHT: Mr. Sbaraglia, real  
20 quick, I don't want to take your time, that  
21 advertisement I found out wasn't an  
22 advertisement for our legislation, it was a  
23 different one, I asked that question.

24 MR. SBARAGLIA: But it was for the  
25 park.

19

1 MR. COURTRIGHT; yeah, but it wasn't  
2 for --

3 MS. GATELLI: It wasn't for this  
4 money.

5 MR. SBARAGLIA: It wasn't for the  
6 grant, I realize that, it was for the park.

7 MR. COURTRIGHT: The specific

8                   legislation because some people were under  
9                   the impression, myself included, that they  
10                  had advertised before we had an opportunity  
11                  to vote.

12                 MR. SBARAGLIA: Is the money in place  
13                 for that park?

14                 MR. COURTRIGHT: Not all of it. Not  
15                 all of it.

16                 MR. SBARAGLIA: There is like  
17                 \$3 million for that park and the elevator to  
18                 go up to the next level.

19                 MR. COURTRIGHT: I just want to tell  
20                 you about the advertisement.

21                 MR. SBARAGLIA: I understand what you  
22                 are saying, but it's not quite true but you  
23                 need this million for the project.

24                 MR. COURTRIGHT: Yes.

25                 MR. SBARAGLIA: So obviously they

20

1                   don't have the money, they are putting it  
2                   out for bids and there is a reason why they  
3                   are doing that. It's obvious. If the  
4                   project is delayed past the mayor's election  
5                   and he is no longer there he already signed  
6                   the contract and it's done, you can't change  
7                   it. That's what's wrong with half of this

8 stuff.

9 You heard them talk about the  
10 computers at the tax office, obviously,  
11 somebody bought them computers and how much  
12 politics went into that decision. Was it  
13 the best one? Obviously not, but obviously  
14 somebody running around had a lot, a lot of  
15 pull on what computers went into that  
16 system. It's bad enough they took it from a  
17 free place and moved it to a place where  
18 they pay rent on it, but this is the way the  
19 city operates. We got claims all over this  
20 city that's -- the whole city is going down  
21 the tubes and if you think anything  
22 different you can't add one to one and get  
23 two, it's obvious. When you see us spending  
24 that kind of money for a project, I won't go  
25 any further. Thank you.

21

1 MR. MCGOFF: Thank you,  
2 Mr. Sbaraglia. Marie Schumacher.

3 MS. SCHUMACHER: Marie Schumacher,  
4 city resident and member of the Taxpayers'  
5 Association. Just two brief comments  
6 regarding tonight's caucus. I find it hard  
7 to reconcile that if the problem has,  
8 indeed, existed for six years but the

9 computer system was not instituted until  
10 2005 something just doesn't add up. Six  
11 years would have been 2001, so that's my  
12 first problem with it.

13 And, second, where the RFP was  
14 distributed and published for an area that  
15 wants to be Wall Street West I find it  
16 curious that the RFP was not advertised in  
17 New York City where there is tons of  
18 forensic accounting firms. Those are just  
19 my two brief comments.

20 Then, I'm concerned as somebody else  
21 mentioned tonight or maybe several of you  
22 about the budget. If you take the revenues  
23 to date for this year for the general funds  
24 and you assume that 1/3 of the year has gone  
25 by, then from 19 -- from last year we're

22

1 \$2.8 million short or \$9 million for the  
2 year. If you assume that the rate is not a  
3 straight -- it's not 1/3 of the expenditures  
4 but the same as it was last year which was  
5 36.86 percent, then to date we are  
6 \$5,000,457 short and that, my friends, leads  
7 me to my next point which is the Home Rule  
8 Charter specifies that the council shall

9 meet once a week, Section 401, and I would  
10 implore you to not take a month off this  
11 year. I think if there is no other city  
12 business that's being brought forward I  
13 think four weeks of intense budget scrubbing  
14 would be in order. I think you all need to  
15 understand what's in each of these accounts,  
16 where it comes from, is it being properly  
17 collected, or is it being indiscriminately  
18 collected and we just sort of hope for the  
19 best.

20 As far as revenues go and  
21 expenditures where can cuts be made because  
22 I got to tell you it's looking pretty,  
23 pretty dim, so I would implore you not to  
24 take a month off this year.

25 Section 313 of the Home Rule Charter

23

1 states that the summary of the fiscal  
2 affairs shall be published in the local  
3 newspaper by May 31 of each year and I want  
4 to know when that will actually occur; and  
5 Section 401, of course, is where it says the  
6 council shall meet once a week. Section 312  
7 that deals with an investigations, again,  
8 not a word from Solicitor Minora on why that  
9 particular section does not mean what it

10 sales. I would really like an answer to  
11 that. I don't know why it is taking so long  
12 but --

13 MR. MINORA: Did you listen to the  
14 last speaker and my comments? That answered  
15 your question.

16 MS. SCHUMACHER: And then I would  
17 also hope, as I said last week, I really  
18 think all of this -- with all of this  
19 demolition, it's not that there isn't a lot  
20 of blight in the city, but I think ways  
21 could be found to make corrections to homes  
22 before they become blighted, but I really  
23 suspect that what we are trying to do is  
24 reduce the number of houses to match the  
25 population and I think what we really need

24

1 to do is establish an account similar to the  
2 Section 108 commercial revolving loan  
3 accounts whereby people are helped in  
4 refurbishing homes so they don't have to  
5 reach the state where they have to be  
6 demolished and liens are placed on them when  
7 the houses are sold, the money comes back in  
8 to that revolving account, and then somebody  
9 else can get that. I think it's certainly

10 time to circumvent the need for demolition,  
11 and I thank you very much.

12 MR. MCGOFF: Thank you, Mrs.  
13 Schumacher. Les Spindler.

14 MR. SPINDLER: Good evening, Council,  
15 Les Spindler, city resident, homeowner. I,  
16 too, would like to make a comment on the  
17 previous comments about the council meetings  
18 be taken off Channel 61. Not just from  
19 Scranton, people coming up to me from all  
20 over Lackawanna County, I don't want to blow  
21 my horn, but to say what a great job I do or  
22 what other speakers do here and they love  
23 watching it, they wish their only council  
24 meetings were put on television. So, for  
25 someone to come up here and say the meetings

25

1 should be taken off 61, I think that's just  
2 somebody else doing another job for Gepatto  
3 Doherty, pulling the puppet strings.

4 Moving on to the caucus meeting.  
5 Mrs. Evans, you made a remark that the city  
6 has budgetary problems. Boy, I didn't know  
7 that, I guess I must be listening to Chris  
8 Doherty too much.

9 Next thing, Mrs. Evans, about two  
10 weeks ago I think I was here and told you



11 about that hole on Elizabeth Street, well,  
12 thank very much because the next day, I  
13 wasn't there, but the neighbors told me they  
14 were up there the next day looking at it,  
15 two days later it was filled in but --

16 MS. EVANS: Very good.

17 MR. SPINDLER: -- after a rainfall it  
18 did fall down another foot though. They  
19 came and filled it up again and now it's  
20 totally filled now and I'm curious to see  
21 what's going on now after the rainfall  
22 today.

23 MS. EVANS: Well, Mr. Brazil is doing  
24 a good job.

25 MR. SPINDLER: Well, the neighbors

26

1 told me the Sewer Authority was up there.

2 MS. EVANS: Oh, the Sewer Authority  
3 was there?

4 MR. SPINDLER: That's what one of  
5 the neighbors told me.

6 MS. EVANS: Oh, okay, well, then  
7 thanks I guess --

8 MR. SPINDLER: It's three feet from  
9 a sewer so it might be a sewer problem.

10 MS. EVANS: It might be then.

11 MR. SPINDLER: But I appreciate your  
12 help and the neighbors do.

13 MS. EVANS: I also coincidentally heard  
14 the Sewer Authority was out painting  
15 crosswalks in the city as well.

16 MR. SPINDLER: Oh, maybe we can get  
17 them to paint the lines I've been asking in  
18 the city for about three years.

19 MS. EVANS: Maybe.

20 MS. GATELLI: They are not green,  
21 Les? They didn't paint them green?

22 MR. SPINDLER: No, I have asked in  
23 many areas and so far no lines.  
24 Mrs. Gatelli, thank you very much for  
25 looking into that dangerous dog legislation

27

1 and I didn't get a chance to read what you  
2 gave me yet, but at least it's a move in the  
3 right direction so I'm sure a lot of people  
4 are thankful for your help.

5 Lastly, what Andy said about the 500  
6 block of Lackawanna Avenue, a few weeks ago  
7 the Governor was here and Mayor Doherty was  
8 blowing his horn about that, I think the  
9 Governor would be interested in knowing if  
10 the two main stays in that block aren't  
11 included in the project. I'll bet he is not

12 even aware of that. The two businesses that  
13 are in this city for close to 100 years  
14 aren't included in the project. I think the  
15 Governor would be really interested in  
16 hearing about that. Thank you.

17 MR. MCGOFF: Thank you, Mr. Spindler.  
18 Tom Ungvarsky.

19 MR. UNGVARSKY: Good evening, city  
20 council, I'm Tom Ungvarsky, and I'm a member  
21 of Scranton Lackawanna County Taxpayers.  
22 Two weeks ago we had a quite interesting  
23 council meeting, in fact, it was so  
24 interesting that it took two staff writers  
25 from the Scranton Times to write this

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1 article. The only problem with it is the  
2 only thing they wrote about was  
3 Mrs. Vitali-Flynn coming here to answer some  
4 questions. They said nothing in the paper  
5 about city council by a vote of 3 to 2  
6 voting down funding for Channel 61 to  
7 continue until the new operator took over.

8 Also, they did not mention the  
9 \$1 million that we are going to give to 500  
10 Lackawanna Avenue. They didn't say who it  
11 was for, what it was going to be used for,

12                   how much we have already invested in it and  
13                   how much the developer is going to put into  
14                   it. Not did they mention \$60,000 that we  
15                   are giving to someone somewhere here in the  
16                   city for some kind of a project, they didn't  
17                   mention anything about that nor did they  
18                   mention 36,000 that we're giving to someone  
19                   else for some kind of a project where who  
20                   knows where.

21                   MS. GATELLI: Excuse me, I have to  
22                   interrupt you because you are not saying  
23                   completely what's happening. The things  
24                   that we vote on it says right there what  
25                   it's for and it's for businesses that are

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1                   starting downtown.

2                   MR. UNGVARSKY: No, there is nothing  
3                   in that, there is nothing -- what I'm  
4                   referring to is this article. I'm not  
5                   referring to your agenda. This is in the  
6                   article I'm referring to, okay?

7                   MS. GATELLI: Oh, well, you would  
8                   have to take that up with the Scranton  
9                   Times.

10                   MR. UNGVARSKY: Well, I'm bringing it  
11                   up here.

12                   MS. GATELLI: And the \$1 million we

13 are not giving them a million dollars, it's  
14 a grant from the state.

15 MR. UNGVARSKY: It's a grant and we  
16 are giving it to them, we could use it -- -

17 MS. GATELLI: We are accepting the  
18 grant on behalf of the state.

19 MR. UNGVARSKY: We could use it for  
20 something else in this city, I'm sure there  
21 is many other projects -

22 MS. GATELLI: No, we can't, it's  
23 specifically for that purpose.

24 MR. UNGVARSKY: -- that have been  
25 brought up that we could have used it for.

30

1 MS. FANUCCI: No, that's not true.

2 MS. GATELLI: No, you can't.

3 MR. UNGVARSKY: I hope this isn't  
4 coming off my time.

5 MS. GATELLI: The money cannot be  
6 used for anything other than a project that  
7 involves a park, a national resource.

8 MR. UNGVARSKY: I'm sure there is  
9 many other things that we could have used it  
10 for according -- also, the 60,000 and the  
11 37,000.

12 MS. FANUCCI: They are loans.

13 MR. UNGVARSKY: But you couldn't vote  
14 a few thousands dollars for Channel 61.

15 MS. GATELLI: I'll vote for \$20,000  
16 for a beat cop, that's what I'll vote for.

17 MR. UNGVARSKY: But we could give  
18 away this other. Now, if I could get back  
19 to what I was saying. Perhaps the reason  
20 that we didn't give Channel 61 the money is  
21 because we didn't want these facts  
22 presented. If it wasn't for Channel 61  
23 people would have no idea of what was going  
24 on here and as far as Andy said, Scranton --  
25 or the Scranton Lackawanna County Taxpayers

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1 being televised it's because we do provide  
2 our own cameraman.

3 MR. MCGOFF: Thank you,  
4 Mr. Ungvarsky. John Scelara.

5 MR. SCELARA: Good evening, Council  
6 members, ladies and gentlemen, I'm here  
7 tonight on behalf of Reverend Simmons, she  
8 had a prior commitment. I'd like to read  
9 her statement: Good evening, city council  
10 members, I can't be with you on this blessed  
11 evening so I have asked my coworker and  
12 friend, Mr. John Scelara, president of  
13 Florence Midtown Tenant Council, to come and

14 speak on my behalf.

15 First, I want to remind you that  
16 tomorrow evening at 6:00 p.m. there will be  
17 a service at Bethel AME Church for the  
18 firefighters and their families across this  
19 area. It is an interfaith service and for  
20 the protection and safety of our blessed  
21 firefighters. I pray that all who can will  
22 come out and show support for these heroic  
23 souls who offer so much for us each day. I  
24 do not care about your politics or your  
25 feeling for unions or nonunions, it is not a

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1 night for that. It is a night for support,  
2 heroism and fellowship. I, Reverend Kathryn  
3 Simmons, pray that all will show your true  
4 love for this city on that night. I will  
5 see you tomorrow evening Wednesday, May 28,  
6 at 6:00 p.m. at Bethel AME Church. Thank  
7 you.

8 MR. MCGOFF: Thank you, Mr. Scelara.  
9 Joe Talimini.

10 MR. TALIMINI: Joe Talimini, city of  
11 Scranton. Mr. Courtright, I want you to pay  
12 attention to me because this is of your  
13 concern.

14 MR. COURTRIGHT: Thank you.

15 MR. TALIMINI: First of all, I would  
16 like to take issue with Channel 61, the  
17 statements made earlier about the \$20,000  
18 which you people promised them and then  
19 renigged on later on, and don't tell me you  
20 didn't renig because you voted on it and  
21 then you rescinded that vote. As far as  
22 giving them \$20,000, apparently we are going  
23 to be giving them somewhere in the vicinity  
24 of \$182,000 if they get their way, and  
25 that's only in their Phase I, and that comes

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1 right from their proposal. This is kind of  
2 interesting because with their proposal they  
3 are only asking for \$158,055 coming from  
4 various sources, but they do quote the fact  
5 that the city gets roughly \$750,000 a year  
6 from Comcast and they are only asking for  
7 25 percent of that. I'm sorry, but that's  
8 an awful lot more than \$20,000 and somebody  
9 is misguided here if they think that giving  
10 away \$20,000 is lot of money because this  
11 group has done a magnificent job with what  
12 they had to work with and they are all  
13 volunteers.

14 There was supposedly another



15 proposal which was submitted which was far  
16 superior that the one submitted by ECTV  
17 which was not even considered. There was a  
18 letter sent to the Ethics Committee if it  
19 does exist, never been answered. So, you  
20 know, this fiasco with Channel 61 I don't  
21 know what you people are up to or whoever is  
22 up to with this thing, but it's a joke.  
23 It's a travesty and it's not over, believe  
24 me because we are not going to let it be  
25 over. I guarantee you that. We are not too

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1 let this slide just like that.

2 One of the things that distressed me  
3 most this week is reading the newspaper, if  
4 you pardon the expression, Mrs. Gatelli, you  
5 made a lot of statements about circus  
6 performers and we have been called ankle  
7 biters and we come, we are, we are circus  
8 performers, but, you know, if we are circus  
9 performers believe me you people are as  
10 well, so don't take issue with us because we  
11 are citizens and we are the ones who pay the  
12 taxes and pay your salaries.

13 MS. GATELLI: And I pay them, too.

14 MR. TALIMINI: I agree with you, but

15 that does not give you the right to  
16 challenge us and call you circus performers.

17 MS. GATELLI: It's my opinion.

18 MR. TALIMINI: Well, our opinion is  
19 that you people are phonies.

20 MS. GATELLI: Well, that's fine.  
21 You are entitled to your opinion and I'm  
22 entitled to mine.

23 MR. TALIMINI: Thank you. Now can I  
24 finish with my time?

25 MS. GATELLI: Yes.

35

1 MR. TALIMINI: Thank you. That has  
2 been going on for quite some time and then  
3 to have this lawyer come up here and tell  
4 the people that, you know, who the heck does  
5 this guy think he is anyway? And he called  
6 this a circus as well. Well, if this is a  
7 circus his is a shyster and I hope he  
8 doesn't like that because he is calling us  
9 ankle biters and circus performers, well, he  
10 is a shyster and I hope he doesn't like it  
11 and if that's what he got from his legal  
12 education I feel sorry for the legal system  
13 in this country because the man showed no  
14 class whatsoever, he showed no common sense  
15 and I personally resent it and I resent this

16 constantly. You people complain all of the  
17 time. You don't deserve respect, you earn  
18 respect. The fact that you are an elected  
19 official and sitting up there doesn't make  
20 you any different than me. Remember that.

21 MS. GATELLI: No, it doesn't.

22 MR. TALIMINI: So if you treat us  
23 with respect --

24 MS. GATELLI: You're right, it  
25 doesn't.

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1 MR. TALIMINI: -- we will treat you  
2 with respect.

3 MS. GATELLI: Absolutely. I agree  
4 with you 100 percent.

5 MR. TALIMINI: Thank you very much,  
6 and as far as the rest of this goes, you  
7 know, that comment that she made I apologize  
8 on our behalf, Mr. Courtright, because it is  
9 your business, it's the business of  
10 everybody in this city, not just five people  
11 sitting up there or one who supposedly  
12 exists and nobody ever sees except the St.  
13 Patrick's Day parade or in a bar someplace.

14 MR. COURTRIGHT: I agree with that.

15 MR. TALIMINI: Thank you.

16 MR. MCGOFF: Thank you, Mr. Talimini.  
17 Chris Jennings.

18 MR. JENNINGS: Good evening,  
19 Council, sidebar council. My name is Chris  
20 Jennings, I am a Scranton City taxpayer. I  
21 recently observed your attempts to correct  
22 the city streets and around the city for  
23 many it's taken a little too long. I  
24 understand that how city -- I don't know how  
25 you put thousands of dollars into parks, but

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1 yet our cars can't even make it to the parks  
2 because of the broken axles, blown out tire,  
3 bending a rim or having to get a new  
4 alignment on our cars. I understand that  
5 after I read this list of roads to be paved  
6 once they are on record the city is on  
7 notice if someone is to do harm to the car  
8 the city is to reimburse them for the  
9 damage.

10 On some of the streets there are  
11 attempts to patch, but not smooth out of the  
12 paving leaving craters in the roads so when  
13 the roads are paved this time I would  
14 appreciate if they are smoothed out. I  
15 understand that I'm not here to be an  
16 activist or a complainer I'm just only here

17           stating the obvious, you know, sick and  
18           tired of driving down the roads and trying  
19           to listen to a CD and not being able to and  
20           skipping about 400,000 times, you know, it's  
21           a little aggravating after awhile.

22                         And I know that on the opposite side  
23           of the roads, on the other side they are  
24           paved with gold so I'm not going to mention  
25           most of Greenridge area roads, I know most

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1           of them are in pretty good shape. I would  
2           like to know your plan of attack once I am  
3           done reading. I also understand that I have  
4           five minutes of my time so with that in mind  
5           let's go on the way because I'm probably  
6           going to need them all and if I don't finish  
7           I will be here next week: 12th Avenue  
8           through 20th Avenue, Academy Street, Aker  
9           Avenue, Adams Avenue, Elmhurst Street,  
10          Archbald Street, Ash Street, Birch Street,  
11          Bryn Mawyr Street, Cabrini Avenue, Capouse  
12          Avenue, Cedar Avenue, Cherry Street, clay  
13          Avenue, Decker Court, DeSalle's Avenue,  
14          Division Street, East Park Avenue, Everett  
15          Avenue, Eynon Street, Fellow Street,  
16          Franklin Street, Grant Street, Hampton

17 Street, Hickory Street, Hunlock Street,  
18 Jackson Street, Jefferson Avenue, Kirst  
19 Court, Lafayette Street, Luzerne Street,  
20 East and West Linden Street, Main Avenue,  
21 Madison Avenue, Maple Street, Meridian  
22 Avenue, Morrison Avenue, Moosic Street,  
23 Mulberry Street, North Bromley Avenue, North  
24 Hyde Park Avenue, North Sumner Avenue, North  
25 Rebecca Avenue, North Lincoln Avenue, the

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1 bricks on Olive Street if we are at all  
2 possible to get them off because I really  
3 don't see any purpose to them, kind of like,  
4 you know, a little bit of a bumpy ride.

5 MS. FANUCCI: There is reason, I'll  
6 tell you later.

7 MR. JENNINGS: Orchard Street,  
8 Oxford Street, Parrot Avenue, Penn Avenue,  
9 Pittston Avenue, Price Street, Providence  
10 Avenue, River Street, Rock Street, Rundell  
11 Street, Swetland Street, Slagger Street,  
12 Spruce Street, Smith Street, Snyder Avenue,  
13 Van Buren Avenue, Vine Street. If we could  
14 at all possible ever in my lifetime I hope  
15 we see it fix the bridge over on Lackawanna  
16 Avenue maybe some day, boy, I hope. West  
17 Park Avenue, Washburn Street, Washington

18 North and South Avenue, Watson Street, West  
19 Locust Street, Willow Street, Wyoming  
20 Avenue, with part of Luzerne Street called  
21 the Cosmo Yakovazzi Way, so I don't know if  
22 you guys know, it's kind of half and half,  
23 if you would just pave that, too. And  
24 probably the two worse roads in all of the  
25 city are Mifflin Avenue and Lackawanna

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1 Avenue and if you could at all possible just  
2 please do something about this. It's really  
3 aggravating and everybody feels the same way  
4 about it. And I talked with a few people,  
5 some of my friends they are here in  
6 attendance, they feel the same way. I'll be  
7 back next week to hear what your plan of  
8 attack is.

9 MS. GATELLI: Chris, if you want to  
10 give that to Neil we'll send it to DPW.

11 MR. JENNINGS: I appreciate it.  
12 Thank you.

13 MS. GATELLI: Just so you all know,  
14 Chris was a West Scranton student and he --

15 MR. JENNINGS: Great time in West  
16 Side.

17 MS. GATELLI: -- was one of the

18 wrestling champions.

19 MS. JENNINGS: Yes, it was a great  
20 time.

21 MS. GATELLI: And a medical room  
22 frequent flyer.

23 MR. JENNINGS: All the time.

24 MS. GATELLI: Chris was my good  
25 buddy.

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1 MR. JENNINGS: Thank you.

2 MS. GATELLI: Nice to see you.

3 MR. JENNINGS: You, too.

4 MR. MCGOFF: Any other speakers?

5 MR. DOBSON: Good evening, Council,  
6 Dave Dobson, resident of Scranton,  
7 Taxpayers' Association associate. Last week  
8 I was somewhat taken back that something was  
9 overheard that wasn't and even though I  
10 didn't say it I'll apologize for it,  
11 however, the team of 61 did not deserve to  
12 be fired which is essentially what happened  
13 because of what a few people that get out of  
14 hand come up here and say. I think an  
15 excellent idea would possibly be to separate  
16 Channel 61 and 62 and let the public decide  
17 who does the best programming.

18 Now, I have a question, is it a good



19 idea to have a patchwork of laws? Would  
20 they be impossible to obey, confusing to  
21 sort out and totally nonuniform. Every town  
22 council or small governing body should not  
23 be able to set the standards in criminal  
24 behavior through remove ten days in jail  
25 from there smoking ban at the solicitor's

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1 advice. How lucky we are in America. Saved  
2 from the occasional secondhand smoke and,  
3 unfortunately, shot for threatening to take  
4 the last pork chop off the well-armed obese  
5 person. Life's experience teaches us a  
6 great deal. I'm against any intrusion or  
7 punishment for minor infractions of public  
8 courtesy. That's my total reason for  
9 standing up here commenting on that  
10 ridiculous proposal.

11 I respect the constitution of the  
12 United States and PA. I don't need 500 or  
13 so municipalities dictating social conduct  
14 or defining criminal behavior. I do not  
15 need one side of the press or Scranton newer  
16 tax exempts campaigning for issues of  
17 political nature. Furthermore, a  
18 well-censored education is almost as good as

19 none whatsoever. Disrespectful pompous  
20 pontification by tax liabilities are not  
21 unacceptable representation. Thank you and  
22 have a good night.

23 MR. MCGOFF: Thank you, Mr. Dobson.  
24 Anyone else? Mrs. Hubbard?

25 MS. HUBBARD: Good evening, Council.

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1 Liz Hubbard, Scranton resident and taxpayer.  
2 I just have a couple of things. On the 500  
3 block of Lackawanna Avenue I believe  
4 somebody asked last week how much is the  
5 developer putting into that project? I  
6 mean, there is \$28 million of federal tax --  
7 federal, state and city money, what is he  
8 putting in? Did you ever get an answer?

9 MS. EVANS: There has been no answer  
10 from OECD or the developer to that question.

11 MS. HUBBARD: And why is the  
12 interest rate on that 12 million dollars  
13 secret? I mean, she told you it was none of  
14 your business. It's got to be our business,  
15 it's our money, the public's money,  
16 taxpayers' money and what's the harm in  
17 saying what an interest rate they getting?  
18 I don't understand.

19 MR. COURTRIGHT: I don't know,

20                   evidently it set her off.

21                   MS. HUBBARD: It's like a secret. I  
22                   don't think she likes you, Bill.

23                   MR. COURTRIGHT: I don't think so  
24                   either.

25                   MS. FANUCCI: I didn't get that at

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1                   all.

2                   MR. COURTRIGHT: I'll try harder.

3                   MR. HUBBARD: On a lighter note, now,  
4                   I understand we have bears in the city, is  
5                   anybody up there know if they eat skunks?

6                   MS. FANUCCI: I was thinking that  
7                   myself.

8                   MS. HUBBARD: And, I mean, we don't  
9                   really need a zoo we kind of have one right  
10                  in the streets, between the groundhogs, the  
11                  skunks, the bears. There were a couple of  
12                  other things last week, the comments about  
13                  the city council meetings are the laughing  
14                  stock, well, I'll tell you, everywhere I go  
15                  somebody, one or two people stop me to  
16                  comment on city council and that they feel  
17                  that the speakers are doing a good job to  
18                  keep up the good work and that they don't  
19                  understand how the people that speak can put

20 up with the shenanigans of some of the  
21 members of city council. I mean, I have  
22 heard people refer to them as the three  
23 stooges. Now, I don't understand which  
24 three they mean, but you can take it from  
25 there.

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1 MS. GATELLI: Why would you not say  
2 it, everybody else says it?

3 MS. FANUCCI: I'm stooge number one.

4 MS. HUBBARD: Now why would I say  
5 that.

6 MS. GATELLI: That's exactly the  
7 point, Mrs. Hubbard. That is exactly the  
8 point.

9 MR. HUBBARD: Channel 61 --

10 MS. FANUCCI: You just proved it.

11 MR. HUBBARD: I think that Channel 61  
12 is good thing for the city. I think people  
13 should know what their government is. Now,  
14 I feel that you guys are trying to close  
15 them down and yet you have some teenager in  
16 here saying that he doesn't think that  
17 meetings should be televised? Why not? I  
18 mean, open government is a good thing and  
19 I'm not sure that this ECTV is ever going to  
20 get up and running pretty soon and I think

21 that you should have given them the \$20,000  
22 that you promised them or voted on. Anyway,  
23 that's all I have to say. Have a good  
24 night.

25 MR. MCGOFF: Thank you, Mrs. Hubbard.

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1 MR. SLEDENZSKI: What's up, Bob?

2 Hello, Bill.

3 MR. COURTRIGHT: Hi, Chris.

4 MR. SLEDENZSKI: Billy, that is  
5 lights aren't on, the lights aren't on.

6 MR. COURTRIGHT: That's right. I  
7 will ask, Kay, the last two weeks all the  
8 lights are out on the Linden Street bridge.

9 MR. SLEDENZSKI: I told you now,  
10 Billy. Well, tomorrow, Jude, it's our big  
11 game tomorrow, so, guys, good luck tomorrow,  
12 let's whip them good.

13 MS. GATELLI: I'll be up on the  
14 hill, Chrissy.

15 MR. SLEDEZSNKI: All right, Jude.

16 MS. GARVEY: Mr. McGoff if I can just  
17 break in for one minute, regarding the  
18 developer's amount of money that was asked,  
19 that was one of the questions asked, I did  
20 pose that to Mrs. Aebli and her response was

21 she does not have that information, she  
22 referred me to the SRA, Bill Shane, I did  
23 put a call into him today to get that  
24 response but right now have not heard back  
25 from him.

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1 MS. FANUCCI: Just today? Okay.

2 MR. ANCHERANI: Good evening, Nelson  
3 Ancherani, First Amendment Rights. From the  
4 Slimes on 5-21-08: "Council strikes back to  
5 critics who question TV funding. Broadcasts  
6 of city council meetings are a laughing  
7 stock and a source of entertainment to the  
8 residents of other municipalities,"  
9 Councilwoman Judy Gatelli said Tuesday.

10 Now, why are the meetings the laughing  
11 stock and a source of entertainment? Could  
12 it be that a certain council person, who was  
13 council president, argued with the speakers?  
14 Speakers who supposedly furnish the  
15 entertainment and she still argued with the  
16 speakers. Could it be that a certain  
17 councilperson laughs, snickers, giggles at  
18 council speakers and who gets up and leaves  
19 the room when certain council speakers get  
20 up to speak? The same council person who  
21 called council meeting the Jerry Springer

22 Show.

23 MS. FANUCCI: That would be me. Just  
24 say Sherry Fanucci, don't say certain  
25 people. Come on.

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1 MR. ANCHERANI: Could it be that  
2 council speakers are called names, Legion of  
3 Doom, which I personally like. Legion of  
4 Dumb, Inane, ankle biters, Halloweeners,  
5 clowns, approximately 30 names or more.  
6 Could it be that some council persons call  
7 the speakers name and also they were called  
8 a name by an attorney working for the  
9 council. Could it be that the local tabloid  
10 or tabroid, whatever, the Slimes,  
11 editorialists who are professional people  
12 have called us council speakers names? If  
13 it's the laughing stock look in the mirror.

14 It must be remembered that council  
15 speakers are a diverse group. Everyone has  
16 their own personality. Everyone expresses  
17 themselves differently. Every problem,  
18 every subject is important to the council  
19 speakers especially when you are bringing it  
20 up. It also must be remembered that the  
21 speakers are residents and taxpayers until

22 the last -- until recently, maybe the last  
23 three years or so, government is starting,  
24 and I say starting, to become more  
25 transparent if I'm using the right word.

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1 Because of Channel 61 and the Internet  
2 taxpayers and residents of the City of  
3 Scranton don't want to be in the dark as to  
4 where their money is going, they want to  
5 know what's going on, politicians don't want  
6 that, they don't want to the people to know  
7 where the money is being spent, they want  
8 the status quo. And I'm wondering if  
9 Channel 61 will be here next week or that  
10 other TV station will.

11 Now, some of the issues they  
12 probably would like to forget: 15 million  
13 in raises, 59 new hires, 30 clerical  
14 positions lost in the city. I'll mention  
15 the potholes, 5.5 million American Anglican  
16 arbitration loss paid by the Sewer  
17 Authority, we got that 56 percent raise in  
18 our sewer bills; 12.2 million dollars found  
19 in the tax office; 25 percent real estate  
20 tax levied on the city taxpayers while that  
21 12.2 million was found, seven years of labor  
22 strikes, seven record budgets by this



23 administration, 400 million in long-term  
24 debt, excessive borrowing and spending.  
25 \$803,000 for the parking authority this year

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1 even though the parking authority received a  
2 \$35 million loan. City got a Triple A bond  
3 rating for 1 million dollars only to fall to  
4 junk bond rating. Paying 4,000 plus to the  
5 Life building for monthly rent for OECD  
6 office while space at city hall goes unused.  
7 Undersized police building built. \$300,000  
8 for Christmas lights at Nay Aug. \$27,123  
9 spent on Nay Aug water bills due to that  
10 leak. Three million dollar surplus that was  
11 left by Connors blown. Spent 1.7 million  
12 more on a DPW complex when \$3 million was  
13 allocated but yet they wouldn't do that for  
14 the police building. And over 600 million  
15 in revenues taken in by the city, what do we  
16 have? Thank you.

17 MR. MCGOFF: Thank you, Mr.  
18 Ancherani. Fifth Order. Motions. Mrs.  
19 Evans.

20 MS. EVANS: Thank you. Good evening.  
21 Prior to tonight's council meeting my  
22 honorable colleagues and I met with

23 Mr. McGovern and Mrs. Vitali at the Scranton  
24 Single Tax Office. I will credit  
25 Mr. McGovern and Mrs. Vitale for coming to

51

1 speak to council unlike Mr. McDowell who was  
2 requested to appear on more than one  
3 occasion and failed to appear whether  
4 publically or privately. As I said earlier,  
5 it is my hope that the dialogue will  
6 continue among the Single Tax Office, city  
7 council and the school board since it is the  
8 taxpayers' money which is at stake. You  
9 have a right to the information and answers  
10 to this conundrum and I do believe it is the  
11 only way in which to restore public  
12 confidence in at least the Single Tax  
13 Office. I think at least 99 percent of the  
14 questions posed this evening by my  
15 colleagues and myself were not those that  
16 required responses of confidential or of a  
17 confidential nature. I am very pleased with  
18 the cooperation that was demonstrated with a  
19 few exceptions, I do believe it is important  
20 to know the interest rate on the people's  
21 money. I also believe it would not be  
22 confidential information to learn who  
23 exactly was present at private meetings and

24 perhaps that would lead to the fact that  
25 council, or at least I'll speak only for

52

1 myself, council was not aware of any of  
2 these developments until I as a councilwoman  
3 for one had to read it in the newspaper and  
4 that information I believe should have been  
5 forthcoming to council from the  
6 administration immediately. So, as I said,  
7 I don't believe that's confidential  
8 information as to who attends a meeting and  
9 as to what statements would have been made.

10 Also, we are had requested an update on  
11 the city's 2007 audit and we have received a  
12 very timely response from Robert Rossi and  
13 Company, evidently there are 15 major areas  
14 that the public accountants are requesting  
15 answers to from the administration and they  
16 are further asking for a time line from the  
17 administration as to when they planned to  
18 provide those items. I know that we are  
19 very close to May 31, certainly we are not  
20 going to see that audit by the deadline  
21 stated in the Home Rule Charter, but I think  
22 with more active cooperation from the  
23 administration and particularly the business

24 administrator we can hope to see a completed  
25 audit over the summer. In fact, I would

53

1 hope it would be presented to council prior  
2 to any council recess.

3 Last Friday, I had the pleasure of  
4 attending the Architectural Heritage award  
5 ceremony in city hall and I must say I was  
6 very impressed by the renovations made to  
7 numerous homes and businesses throughout  
8 Scranton and particularly by the number of  
9 homeowners in West Scranton who have  
10 renovated their properties over the last  
11 year, that number saw a significant increase  
12 this year. Now, all homeowners and business  
13 owners are to be congratulated for their  
14 tremendous efforts which have transformed  
15 not only their properties but hopefully  
16 their neighborhoods as well.

17 And I do have some requests for the  
18 week. Again, the Dorothy Street playground  
19 despite the cleanup and painting performed  
20 for which we have most grateful, tagging  
21 continues. The number 515 has resurfaced.  
22 Please check city playground areas at least  
23 monthly for problems and cleanup.

24 A second request to Attorney

25

Patterson, city solicitor, please forward a

54

1

copy of the letter of agreement between the

2

city and ECTV to city council per our letter

3

of request dated April 16, 2008.

4

I might also just add as a sidenote

5

that I believe it was in August 2006 that

6

Scranton Today applied for funding from OECD

7

in the amount of \$7,073 and it was never

8

awarded to Scranton Today. Further, I was

9

also informed during the week that a

10

complaint has been made to the Ethics

11

Commission by one of the organizations who

12

submitted a proposal to operate Channel 61

13

and 62 and it is neither obviously Electric

14

City TV nor is it Scranton Today and that

15

letter had been sent registered and mailed I

16

believe quite awhile back and yet it appears

17

no one, no city office, nor the members of

18

the Ethics Commission are in receipt of that

19

letter, so I would assume that before

20

anything further progresses certainly the

21

Ethics Commission and the legal department

22

should be taking a look at that complaint

23

and providing a ruling on that.

24

MS. FANUCCI: Mrs. Evans, can I ask

25

you how you are aware of that? Did you

55

1

receive a copy of the proposal or something?

2

MS. EVANS: No, I don't have a copy

3

of the complaint. I was told by a member of

4

that organization, that group that had

5

applied.

6

MS. FANUCCI: And the Ethics

7

Commission as of right now they have -- the

8

Ethics Commission has been following, they

9

filed it and put it in proposal to say that

10

they were violated as of right now?

11

MS. EVANS: They actually sent that

12

out, I'm going to approximate here six to

13

eight weeks ago.

14

MS. FANUCCI: Wow.

15

MS. EVANS: But nothing -- no one

16

apparently ever received the letter,

17

although, someone signed for that registered

18

letter.

19

MS. FANUCCI: Um-hum.

20

MS. EVANS: In addition, 420

21

Jacqueline Street an abandoned house was

22

condemned three years ago and was never

23

boarded up. The neighbors are concerned

24

about teens and the homeless gaining entry

25

and potentially starting a fire.



1                   MR. MCGOFF: Just in response, Mrs.  
2                   Evans, with council's permission, why don't  
3                   we send something to Mr. Renda asking if  
4                   they can do anything to expedite the items  
5                   that are on the response from Mr. Rossi.

6                   MS. EVANS: On behalf of all of  
7                   council.

8                   MR. MCGOFF: On behalf of all of  
9                   council.

10                  MS. EVANS: Yes.

11                  MR. MCGOFF: And also perhaps a  
12                  letter also to the accounting firm  
13                  requesting that the audit be presented to us  
14                  by August so at least they would know that  
15                  we are waiting for it.

16                  MS. EVANS: I think they know  
17                  annually we are waiting for it, but in my  
18                  experience over the last several years they  
19                  have been unable to complete the audit  
20                  because they were not provided the required  
21                  information by the administration or the  
22                  Single Tax Office.

23                  MR. MCGOFF: I just -- maybe just  
24                  what I'm asking is more formality just so  
25                  that it's there and they are aware of our



1 needs.

2 MS. EVANS: I think they are aware.

3 MR. MCGOFF: I know. I just think it  
4 would be the right thing to do.

5 MS. EVANS: That's fine.

6 MS. GATELLI: That's fine.

7 MR. MCGOFF: Thank you. I'm sorry,  
8 Mrs. Gatelli.

9 MS. GATELLI: I only have a few  
10 things. I would just like to wish the West  
11 Scranton baseball, once again, good luck for  
12 tomorrow and we're hoping that they can win.  
13 Bill and I and Chrissy will be there for  
14 sure. We are talking about the  
15 redevelopment on the 500 block of Lackawanna  
16 Avenue and although it wasn't included in  
17 the packet here I do recall, maybe Attorney  
18 Minora will remember also, when we worked on  
19 the Steamtown Mall I believe we also did  
20 recommend the 500 block for slum and blight  
21 purposes and for redevelopment being that  
22 was the last block of the avenue that was so  
23 called blighted. And, you know, we went  
24 through a lot of the same things that are  
25 happening now in the 500 block only we have

1 three blocks to deal with and 35 or 40  
2 owners that had to be talked to everyday and  
3 relocated and we also had some that  
4 contested it and went to eminent domain, so  
5 that is part of the process of a  
6 redevelopment project. You do get people  
7 that don't want to participate or, you know,  
8 don't want what you are offering them for  
9 the business and they do have the right to  
10 contest that and to go to eminent domain and  
11 then that's how it's remedied, but as I was  
12 looking through the packet that we got from  
13 Mrs. Aebli I found resolutions from -- one  
14 is from 2004 authorizing the 500 block of  
15 Lackawanna Avenue for redevelopment pursuant  
16 to the urban redevelopment law and that was  
17 Resolution 19 of 2004. It was passed  
18 unanimously by McTiernan, Evans, Pocius,  
19 Courtright, and DiBileo, and signed by Gary  
20 DiBiello, the president.

21 Then there was another one,  
22 Resolution No. 119 of 2005, for slum and  
23 blight in the central business district, and  
24 that was also it was to eliminate slum and  
25 blight and redevelopment of the 500 block of

1 Lackawanna Avenue, and that was also  
2 McTiernan, Evans, Pocius, Courtright and  
3 DiBileo, signed by Gary DiBileo, the  
4 president at the time.

5 Resolution No. 39 of 2006, this was  
6 giving five \$550,000 to the 500 of  
7 Lackawanna Avenue to assist in an urban  
8 development project and that was also  
9 unanimous, Evans, Fanucci, McTiernan,  
10 Courtright and Gatelli. Well, how about  
11 that, we all voted for something.

12 MS. FANUCCI: There it is.

13 MS. EVANS: We don't often do that.

14 MS. GATELLI: So, I just wanted you  
15 to know that these things on Lackawanna  
16 Avenue have been going on since 2004. This  
17 is not just something that we are coming up  
18 with out of the clear blue sky because we  
19 feel like doing it. It has been done, it  
20 has been approved since 2004, and I do  
21 believe it was done before that even though  
22 we don't have any legislation on it when the  
23 Steamtown Mall was done. The Steamtown Mall  
24 also was criticized, Boscov's, you know,  
25 they were criticizing him, oh, where is his

1 money, where is this, where is that, but,  
2 you know, these are the things that happen  
3 in a redevelopment project. There are a lot  
4 of public monies that are involved when you  
5 have things like this, but it's allegedly  
6 for the greater good and this is what we  
7 have to do have faith in. You have to have  
8 faith and have a renaissance and that's what  
9 we are trying to do in South Scranton. I  
10 mean, you have to do something. You just  
11 can't let something deteriorate and  
12 especially in the downtown, that is the last  
13 block of a four-block area that was  
14 scheduled for redevelopment and I think it's  
15 necessary and you can see by all of the  
16 other councils that passed it they also  
17 believed in it. Now, do we believe in  
18 everything and are we happy that two people  
19 aren't involved? No, we are not, but that  
20 it is not council's role, that is their own  
21 role, their own lawyers, eminent domain and  
22 they will work it out that way, and I'm sure  
23 in the end we will all be very proud of the  
24 project that we have there.

25 Also, when Tom spoke about those

1 businesses and saying that we gave a \$60,000  
2 loan for something and a \$36,000 loan for  
3 something, yes, we did. We gave them for  
4 businesses. That money was given for  
5 businesses to start. It's done in  
6 communities across the United States  
7 everyday, that's what the American dream is  
8 all about, starting a business. Now, most  
9 small businesses collapse within the first  
10 five years, statistics prove it, small  
11 businesses normally don't last five years,  
12 but if you don't give someone an opportunity  
13 some of them stay 40 years like my friend  
14 Neil Alteiri that we honored a few months  
15 ago, he is there for 40 years. If somebody  
16 didn't give him a chance he wouldn't be  
17 there, so all of the money is given and this  
18 money is strictly for business and job  
19 creation. We cannot use it to pave streets.  
20 I mean, I know it's sounds nice to say use  
21 that money, why are doing that when you  
22 could be paving streets? You cannot use  
23 that money to pave streets. It is a  
24 specific amount of money from the federal  
25 government and you must use it for a

1 specific purpose. Do we want to pave the

2 streets? Yeah, I would like to pave every  
3 one of them that Chris Jennings talked about  
4 because I ride over them everyday, too, and  
5 my alignments is not good as we all know  
6 that fact, but we can't stop helping  
7 businesses and we cannot stop helping  
8 promote the city. So, that's all I have to  
9 say on that.

10 And I would like to congratulate the  
11 clerical union on finally settling a  
12 contract and I am very happy for them and I  
13 hope that the police and fire will soon  
14 follow. I have very strong faith that  
15 things are going to happen in a positive  
16 fashion. And that's all I have. Thank you.

17 MR. MCGOFF: Thank you, Mrs. Gatelli.  
18 Mr. Fanucci.

19 MS. FANUCCI: You pretty much said  
20 everything I was going to say, but I do want  
21 to elaborate a little bit on the 500 block.  
22 As of right now, well, I can say two weeks  
23 ago, there were 100 people in construction  
24 working on that project. So, every project  
25 that comes along we are employing our own

1 people and they are putting in, you know,

2 right now they are taking out windows or  
3 doing whatever they have to do, the next  
4 phase, the next phase, the next phase, is  
5 job opportunity. It's constant creation of  
6 job opportunity, so it's not about, you  
7 know, I laughed at the developer. Would you  
8 not want to be -- would you want to be the  
9 developer of that project? I mean, I really  
10 can't even imagine. It is not something  
11 that's an easy process. You have to have  
12 your own money, you have to put tons of  
13 money in, you have to be on top of things,  
14 you have to comply with all of the rules and  
15 regulations of the state, the city and  
16 everyone else, but the jobs that this is  
17 going to create in the long run between  
18 whatever, if it's boutiques, if it's  
19 offices, if it's, you know, talking about  
20 restaurants and bars and whatever it is,  
21 that is what it's about. And everybody  
22 says, well, we want higher end jobs, every  
23 community has every type of job, that's what  
24 the community is about. We need McDonald's  
25 and we need, you know, high end stores,

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1 that's life and that's what we are about.  
2 We want everyone to have jobs here, so to me

3 to get up and be upset about a grant that  
4 could be somewhere else is, I just can't  
5 comprehend it. Why do I want that to go to  
6 Allentown or to Reading? I don't. I want  
7 that in Scranton. I want that money here.  
8 I want as much grant money in this city as  
9 we possibly can get our hands on. That is  
10 creation, that is bringing back our city and  
11 that to me is something that I just, I can't  
12 wrap my brain around everytime gets up and  
13 says we don't want grant money.

14 But also I want to talk about the  
15 tax office being here. I thought that it  
16 was a good meeting, we did find out some  
17 information. I also believe there were a  
18 lots of unanswered questions that after  
19 reviewing some of my notes I believe that  
20 next week I'm going to have maybe Kay send a  
21 letter of some things that I thought of,  
22 maybe everyone would probably do the same  
23 thing, some thing we did think to ask Mr.  
24 McGovern, but I also feel that, you know,  
25 what they were saying, they are saying that

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1 the computer was the problem but as Mrs.  
2 Schumacher did point out the computer was



3 not installed as there were deposits years  
4 and years before, so I don't know, I think  
5 that that has to be clarified in some  
6 fashion and find out exactly when the money  
7 started going into that account. It was  
8 good to find out where the \$5 million came  
9 from because that was something that I was  
10 wondering myself, so that was also to my  
11 benefit. So, next week I will have some  
12 questions put together.

13 And I also want to congratulate the  
14 clerical union for settling and hoping that  
15 all of the other unions keep the lines of  
16 communication open and we can settle the  
17 other contracts, and that is all I have.

18 MR. MCGOFF: Thank you, Mrs. Fanucci.  
19 Mr. Courtright.

20 MR. COURTRIGHT: Yes. I'd like to  
21 thank Jerry Shock and Larry Wind and Johnny  
22 Pizo, from the DPW they helped out these  
23 people on Theodore Street and they are very  
24 pleased, so thanks for your help.

25 They had a ride for Jimmy Robeson

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1 this weekend, it was very well-attended,  
2 there was a misprint in the paper, they put  
3 the wrong date down so they missed out on

4 some people, but I attended, it was very  
5 well-attended, I'm sure next year it will  
6 even larger.

7 I'll speak on the 500-block of  
8 Lackawanna Avenue. It was one of the first  
9 big things I voted on when I came onto  
10 council and we stood out there on the 500  
11 block of Lackawanna Avenue, we had  
12 presentations given to us, and I thought it  
13 was a good thing, I still think it's a good  
14 thing. I'm not happy with the way some of  
15 the things transpired from 204 until now, I  
16 don't know if it could have been avoided or  
17 not avoided, and I'm not one that's big on  
18 tabling it, but I had said last week I  
19 needed some questions answered and Linda  
20 Aebli happened to be in the council office  
21 this morning and I had a conversation with  
22 her and she answered just about all of the  
23 questions that she was able to answer.

24 One of the questions that has been  
25 asked of me and that I have asked is how

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1 much money the developer has put into the  
2 project and Kay called Mr. Shane, I guess he  
3 hasn't gotten back to her yet, and I would

4 like to know that. I don't know if the rest  
5 of council would entertain tabling it until  
6 we got that information, but that was pretty  
7 much the only question, I mean, do I want to  
8 see the 500 block of Lackawanna Avenue? I  
9 certainly do. I think they know that. I  
10 think it's good thing, were there some  
11 things along the way I didn't care for,  
12 absolutely. I had wished Buona Pizza got a  
13 fair shake and Coney Island. I still wish  
14 that something could be worked out with them  
15 because their businesses have been here in  
16 the city and they have faithfully paid their  
17 taxes for years and years and years, so  
18 hopefully something could be worked out in  
19 their favor and in the city's favor.

20 I don't know what's going to become  
21 when the new company takes over Channel 61  
22 and 62, some people are telling me it will  
23 shown one time live and only one time after  
24 that. I would hope that this council  
25 wouldn't agree with that. I don't think

69

1 showing it just one time is enough. Some  
2 people don't have an opportunity to see it.  
3 I mean, I know, they play it ten times, when  
4 we first came on it was on quite a few

5 times, but I don't think one replay is  
6 enough, so I would hope they could consider  
7 doing more than one replay.

8 I spoke with Director Hayes, as I  
9 said last week, and Dave Elliott and Stu  
10 Renda about the police getting back to the  
11 streets for the summer. I also pinned down  
12 Linda Aebli about that when she was in  
13 council office, the question was how to pay  
14 the time half and we did not know if OECD  
15 would be able to pay time and a half. She  
16 has told me this morning that when I asked  
17 her that they found, possibly they found out  
18 it could be done, they could pay it. I  
19 think their concern is that we would run out  
20 of money by paying them time and a half. I  
21 don't see that concern because of the fact  
22 that say, for instance, all of this summer  
23 we pay time half we won't see any of these  
24 officers that are in the Act 120 come out  
25 until I believe September and then they have

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1 to get certified and they have to do ride  
2 alongs so all of that money is sitting there  
3 from 2008. I believe she said we are into  
4 2007, Kay, I'm not quite sure moneywise, and

5 then that's I believe five officers. Then  
6 when the next come in you are talking  
7 another eight more months before they hit  
8 the streets so I do not think we'll exhaust  
9 the money, so I will talk with Director  
10 Hayes this week and ask him if we can  
11 implement this immediately, it looks like  
12 it's a go, and I thank everyone on council.  
13 I think everybody here wants to see that  
14 happen I don't think there is anyone that's  
15 against it.

16 And then I would ask Mr. Minora if  
17 you can enlighten me on something, and maybe  
18 after the meeting or maybe whenever you get  
19 an opportunity or I don't know if you know  
20 the answer off the top of your head, I  
21 believe I asked Mrs. Vitale a question, I  
22 believe her attorney answered, and the  
23 question was if it was me I would have  
24 pursued Mr. McDowell and said, "Come on,  
25 tell me what's going on here," who better to

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1 know why that \$12 million is sitting there  
2 but him and he told me he couldn't answer  
3 that question. So, maybe you can fill me in  
4 later on as to why he can't contact  
5 Mr. McDowell more than one time. I know he

6 is an attorney and I respect, you know, his  
7 law degree, so I certainly wouldn't argue  
8 with it.

9 MR. MINORA: I'll be glad to talk to  
10 you about it, but I'm probably be  
11 speculating just from his answer, but, you  
12 know, if you talk to me after I have no  
13 problem calling him and seeing if there is  
14 additional information and see if he can  
15 answer whatever it is we will get.

16 MR. COURTRIGHT: I just didn't --

17 MR. MINORA: You mentioned that to --

18 MR. COURTRIGHT: I didn't think that  
19 was a confidential question to be honest  
20 with you.

21 MR. MINORA: I don't know.

22 MR. COURTRIGHT: Honestly, did you  
23 think it was a confidential question?

24 MR. MINORA: I wasn't sure. You  
25 know, there was -- because there is a

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1 criminal investigation going on, I mean, at  
2 least reportedly by the FBI there may have  
3 been something I just don't know.

4 MR. COURTRIGHT: Maybe I didn't  
5 articulate the question too well. I was

6 talking about the very beginning, you know,  
7 here is the 12 million bucks. I think that  
8 would have been the first guy I would have  
9 called and pursued it, I've been sitting  
10 here for six years if the police call me,  
11 you know, and I just thought that more than  
12 one attempt should have been made in my  
13 opinion because now Mrs. Franus rightfully  
14 so is coming to the podium and is asking  
15 Mrs. Gatelli for a motion for us to subpoena  
16 Mr. McDowell here and I don't have a problem  
17 with that at all, but if they were having  
18 and, again, this is just my opinion and I'm  
19 sure you know much more than I do, if they  
20 were having a problem getting in touch with  
21 Mr. McDowell in the very beginning maybe  
22 they should have come to us as a council and  
23 come to the school board and say, "Could you  
24 use your powers to get him in here," and we  
25 might have avoided a lot of the problems

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1 that we have now, so I just -- I didn't, you  
2 know, I didn't want to take up a lot of time  
3 and I did want to pursue it, so maybe you  
4 can fill me in.

5 MR. MINORA: Yeah, just --

6 MR. COURTRIGHT: To the best of your

7 ability.

8 MR. MINORA: I will do that and I  
9 will also follow-up for you if you just, you  
10 know, sit down with me and specifically what  
11 you want to get.

12 MR. COURTRIGHT: All right. And  
13 that's all I have. Thank you.

14 MR. MCGOFF: Thank you, Mr.  
15 Courtright. Just very briefly, I do want to  
16 comment on some of the things that were said  
17 regarding the nature of the meetings that we  
18 have here. I do take issue with anyone who  
19 describes the conduct of the meetings in a  
20 negative way, and with Mr. Talimini, I do  
21 take some issue with your idea of respect.  
22 I think respect is something that's  
23 inherent. I think respect should be  
24 inherent in the fact that people come to  
25 this podium as citizens, concerned citizens,

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1 and I think that people that come to the  
2 podium should also realize that there is a  
3 certain amount of inherent respect in these  
4 chambers and the people who are elected to  
5 represent the city and I think the more that  
6 we continue to criticize one another, the



7 more that the meetings become what you are  
8 calling them. I think it has to stop  
9 somewhere. We can't continue to just  
10 harangue one another over behavior.

11 It is my -- I don't have any desire  
12 to play ringmaster. I think these meetings  
13 serve a purpose. I believe that Channel 61  
14 should continue to function because there  
15 are people who need Channel 61 to be a  
16 source of information, but we can't continue  
17 to berate one another, harangue one another  
18 and to criticize one another because all we  
19 are doing is perpetuating what we are  
20 arguing about. Hopefully we can continue to  
21 improve the relationship that exists on  
22 council and exists between council and  
23 speakers and whoever else is in these  
24 chambers and have the respect for one  
25 another that is inherent in all people, and

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1 enough of preaching. I guess that is enough  
2 preaching. Let's move on. Thank you.

3 MS. GARVEY: FIFTH ORDER. 5-B. FOR  
4 INTRODUCTION - A RESOLUTION - AUTHORIZING  
5 THE MAYOR AND OTHER APPROPRIATE CITY  
6 OFFICIALS TO EXECUTE AND ENTER INTO A GRANT  
7 AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT

8 OF CONSERVATION AND NATURAL RESOURCES  
9 (DCNR), BUREAU OF RECREATION AND  
10 CONSERVATION IN ORDER TO ACCEPT THE GRANT OF  
11 \$50,000.00 FROM THE HERITAGE AND OTHER PARKS  
12 APPROPRIATION FOR SWIMMING POOL IMPROVEMENTS  
13 IN THE CITY OF SCRANTON.

14 MR. MCGOFF: At this time I'll  
15 entertain a motion that Item 5-B be  
16 introduced into it's proper committee.

17 MR. COURTRIGHT: So moved.

18 MS. FANUCCI: Second.

19 MR. MCGOFF: On the question? All  
20 those in favor signify by saying aye.

21 MS. EVANS: Aye.

22 MS. FANUCCI: Aye.

23 MS. GATELLI: Aye.

24 MR. COURTRIGHT: Aye.

25 MR. MCGOFF: Aye. Opposed? The

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1 ayes have it and so moved.

2 MS. GARVEY: SIXTH ORDER. NO  
3 BUSINESS AT THIS TIME.

4 MR. COURTRIGHT: Mr. McGoff, if I  
5 may, I can understand if the rest of council  
6 doesn't want to agree with this, it's been  
7 belabored long enough, but if somebody would

8 be interested in going along I would make a  
9 motion to table it until we got the answer  
10 from Mr. Shane, I don't know if you would go  
11 along with that. If there is no majority  
12 vote I wouldn't make the motion, but I would  
13 ask council if anybody is willing to go  
14 along with that or --

15 MS. EVANS: Yes.

16 MR. COURTRIGHT: So, we don't have  
17 enough so I won't make the motion.

18 MS. GARVEY: 7-A. FOR CONSIDERATION  
19 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -  
20 FOR ADOPTION - RESOLUTION NO. 32, 2008 -  
21 RATIFYING THE ACTIONS OF THE OFFICE OF  
22 ECONOMIC AND COMMUNITY DEVELOPMENT AND OTHER  
23 APPROPRIATE CITY OFFICIALS TO EXECUTE AND  
24 APPLY FOR A GRANT THROUGH THE PA DEPARTMENT  
25 OF CONSERVATION AND NATURAL RESOURCES (DCNR)

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1 IN THE AMOUNT OF \$1,000,000.00 ACCEPTING THE  
2 GRANT, IF SUCCESSFUL, COORDINATING AND  
3 DISBURSING THE GRANT FUNDS FOR THE PROJECT  
4 TO BE NAMED AS "500 LACKAWANNA AVENUE  
5 REDEVELOPMENT PARK, PLAZA AND PEDESTRIAN  
6 COURT."

7 MR. MCGOFF: What is the  
8 recommendation of the Chairperson for the

9 Committee on Community Development.

10 MS. FANUCCI: As Chairperson for the  
11 Committee on Community Development, I  
12 recommend final passage of Item 7-A.

13 MR. COURTRIGHT: Second.

14 MR. MCGOFF: On the question.

15 MR. COURTRIGHT: On the question, I  
16 had every intention when I came here this  
17 evening after speaking with Linda Aebli of  
18 voting, yes, I know it's going to pass  
19 because there is three votes. I just can't  
20 bring myself to vote, yes, without having  
21 that answer from Mr. Shane and, believe me,  
22 it's nothing to do with the project, I'm in  
23 favor of the project, and I'm not in favor  
24 of the losing it from Scranton for another  
25 city, certainly not. I just can't in good

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1 conscience do it so, again, nothing against  
2 the project, I'm in favor of the project,  
3 but I will be voting, no.

4 MS. EVANS: I'm probably the only one  
5 who hasn't addressed this yet. I'm not  
6 criticizing the project I was merely asking  
7 questions, asking for information on behalf  
8 of the taxpayers. Now, one of the questions

9 I posed has been lingering for several weeks  
10 now and Mrs. Aebli has been aware of that  
11 question for several weeks and if, indeed,  
12 she does not have the answer, and I believe  
13 when she says she doesn't that is the case,  
14 then immediately Mr. Shane should have been  
15 contacted, but it just seems as if there is  
16 an unnecessary delay here.

17 I think it's quite evident that the  
18 developer does not wish to disclose the  
19 dollar amount that he has invested in that  
20 project. I also wanted to know about any  
21 possible involvement in any of the projects  
22 on the 500 block of Lackawanna Avenue in  
23 terms of Coney Island and Bueno Pizza and  
24 very coincidentally we received tonight  
25 quite a package from the Moran family,

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1 owners of Coney Island, and they are  
2 requesting 13 very important items under the  
3 Pennsylvania Right to Know Law and these  
4 requests regard the streetscaping, the  
5 building construction and redevelopment and  
6 the neighboring park area creation and  
7 extensions comprising the overall 500 block  
8 of Lackawanna Avenue project area, and that  
9 tells me that apparently at least Coney

10 Island has been discluded from any of these  
11 projects, any of these grants --

12 MS. FANUCCI: That's not accurate.  
13 They opted out. They opted out of the  
14 projects.

15 MS. EVANS: Yes, but, you know --

16 MS. FANUCCI: They're excluded now  
17 because they opted out in the beginning.  
18 They cannot be part of the project because  
19 once the project was filed they had opted  
20 out, so they cannot be included in the  
21 project and will not be included in the  
22 project.

23 MS. EVANS: Well, I know that the  
24 owners indicate that they would be very  
25 happy to speak with any elected officials --

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1 MS. FANUCCI: It's too late.

2 MS. EVANS: -- about their situation  
3 so I think they --

4 MS. FANUCCI: They opted out.

5 MS. EVANS: -- should speak for  
6 themselves if, indeed, they opted out, but I  
7 do know this, Coney Island could have sued  
8 this city and --

9 MS. FANUCCI: Actually, our attorney

10 sat down with them and spoke to Mr. Moran so  
11 maybe you want to fill her in.

12 MS. EVANS: Well, maybe he can  
13 address this when I have concluded.

14 MR. MINORA: Sure.

15 MS. EVANS: Coney Island I believe  
16 could have sued the city, as I was saying,  
17 but they have not and the reason they have  
18 not is because they realize in suing the  
19 city they are, in fact, suing the taxpayers,  
20 they people who reside in the city, the  
21 people who are members of their clientele,  
22 and that isn't anything that they wish to  
23 pursue and I remember reading that during  
24 the governor's visit when he unveiled the  
25 500 block of Lackawanna Avenue project very

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1 recently it was Coney Island who provided  
2 free refreshments for everyone.

3 MS. FANUCCI: Not that Coney Island.

4 MS. EVANS: The one across the  
5 street.

6 MS. FANUCCI: Right, yeah. The  
7 original Coney Island.

8 MS. EVANS: Thank you, the original.  
9 Well, I did question how that could have  
10 been the case since their restaurant burned

11 down and it was deemed an arson, a case of  
12 arson yet I don't hear anything further on  
13 that and certainly, you know, that's a cause  
14 for concern, I don't think anyone even  
15 addressed that, myself included, that a  
16 longstanding business who is trying to keep  
17 their place as anchor at the end of that  
18 street was set on fire and no one did or  
19 said anything about it and --

20 MS. GATELLI: I think we should ask  
21 the fire inspector because I know he was  
22 there and ask him for his report. I mean,  
23 the fire inspector is the one that inspects  
24 arsons.

25 MS. EVANS: But to this point, you

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1 know, nothing else was --

2 MR. MCGOFF: Are we still on the  
3 question?

4 MS. FANUCCI: Are we going to stay on  
5 the question?

6 MS. EVANS: Yes, nothing else has  
7 been learned about it, so I think when, you  
8 know, obviously, I'm perusing quickly  
9 tonight what was in our mailboxes tonight  
10 from the Morans and quite a number of



11 entities are addressed in this and requested  
12 to respond, including us, Scranton City  
13 Council, we are on the second page. So, you  
14 know, I don't think it's unreasonable to ask  
15 questions. When you don't have information  
16 that's the intelligent course of action to  
17 take, ask questions, and if someone won't  
18 give you the answers whether it's in a  
19 caucus with the tax office, whether it's in  
20 this event then I think the people who act  
21 foolishly are those who forge ahead without  
22 answers because when you don't get an answer  
23 there should be a red flag somewhere in your  
24 mind and you don't have to be terribly  
25 educated. There is a difference and I'm

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1 going off on an tangent here, there is a  
2 difference, I shouldn't say terribly  
3 educated, I mean well-schooled, there is a  
4 difference between well-schooled and  
5 educated. You can be very well-schooled and  
6 still not be an educated an individual.  
7 Education comes from many sources not just a  
8 school building or degrees, but I think we  
9 all have the ability to ask questions and as  
10 representatives of the people do demand  
11 those answers, and without the answers

12                   legislation should not move ahead. I don't  
13                   think it does in the Senate or in Congress  
14                   and I don't see why it should in Scranton,  
15                   Pennsylvania, either.

16                   MS. FANUCCI: Attorney Minora, can  
17                   you know answer the questions that we sat  
18                   down with Mr. Moran and his attorneys and  
19                   maybe explain a little bit why this is not  
20                   an issue.

21                   MR. MINORA: Yeah, actually, at the  
22                   request of council last year, probably last  
23                   summer if I recall, I sat down with the  
24                   developers, I wanted to know, and I reported  
25                   back to everyone, why two businesses were

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1                   not included and what had been offered to  
2                   whom without specifically the contents of  
3                   their agreements, I didn't think we were  
4                   entitled to that, and I was told and then I  
5                   met with Attorney Joseph Lach who represents  
6                   Mr. Moran, and what I learned was that  
7                   Mr. Moran was offered basically the same  
8                   contract or the same agreement as the other  
9                   landowners and he rejected that and even  
10                   after he rejected it he was invited to each  
11                   and every meeting of the property owners on

12 Lackawanna Avenue, some of which he  
13 attended, some of which he didn't, but in  
14 each one that he did attend he made it clear  
15 that he was not going to be part of the  
16 project, he refused to be part of the  
17 project, he was going to go it alone.

18 At the last moment when it was ready  
19 to begin or groundbreaking was to begin kind  
20 of last spring I believe or last fall  
21 Attorney Lach filed an injunction so  
22 actually they did sue the city to try to --

23 MS. EVANS: Was that withdrawn?

24 MR. MINORA: I don't know if it was  
25 withdrawn or dismissed. I believe it was

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1 dismissed by the Court, it was not  
2 withdrawn, as I understand it, I did not  
3 attend, but there was a hearing and then --

4 MS. EVANS: Had you met with -- what  
5 is his name?

6 MR. MINORA: Attorney Joseph Lach.

7 MS. EVANS: Lach?

8 MR. MINORA: L-A-C-H.

9 MS. EVANS: Okay, had you met with  
10 Attorney Lach following that meeting that  
11 you described to city council?

12 MR. MINORA: I don't know that I met

13 with him personally, but I know we have  
14 spoken on the phone several times since then  
15 and I don't know what you are referring to  
16 so, yeah, the answer is I haven't met  
17 face-to-face with him that I recall, but I  
18 know we have spoke on the phone since then,  
19 yes, and after the injunction was dismissed  
20 the project went forward without Mr. Moran  
21 which, frankly, looked an awful lot like the  
22 one that went on with the Steamtown Mall, in  
23 other words, they tried to stop the  
24 developer, there were individual property  
25 owners who made all kinds of attempt to stop

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1 the project and frankly all of those cases  
2 went to the Supreme Court and eventually  
3 they were submitted to eminent domain and  
4 handled that way and some of them may have  
5 been by negotiations, I'm not sure, but it  
6 looked to me like a similar attempt at the  
7 last minute to enjoin a project that had all  
8 of years of investment and time and effort  
9 and to try and stop it, so it looked to me  
10 like, quite frankly, what I saw as the city  
11 solicitor and because case law had developed  
12 during the Steamtown development I think

13 that's part of the reason our Court either  
14 it wasn't followed up or our Court dismissed  
15 it, I'm not sure what happened with it, but  
16 the injunction was not given.

17 MS. EVANS: Well, I also understood  
18 though from some of the owners that beyond  
19 the initial offer there was a second offer  
20 made which was not extended to everyone and  
21 a number of owners accepted that second  
22 offer and were unable to discuss it because  
23 the contract, the terms of the contract, had  
24 been sealed and that was a concern to the  
25 business owners who were left out, but, you

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1 know, in addition to that I think we also  
2 discussed at the time that it would be, I  
3 don't know remember it was the first or  
4 second offer, I really don't know because I  
5 haven't seen either offer, but it involved I  
6 believe it was 15 percent of profits going  
7 to the developer from each one of those  
8 businesses and we discussed that publically  
9 before a year ago.

10 So, I think we are far off track  
11 here, but it's evident that there are still  
12 problems, it's evident that that are  
13 unanswered questions and we might as well go

14 ahead with the vote and just, you know, the  
15 chips will fall where they may and each  
16 council person has a right to their own  
17 perspective on this issue situation.

18 MR. MCGOFF: Now, I just very  
19 quickly, I do want to say something on this,  
20 the question and while we all have the right  
21 to ask questions, I think some of the  
22 questions that are being asked have no  
23 relation to the legislation before us and  
24 while I think that we deserve answers to  
25 some the questions, and Mr. Courtright

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1 certainly does deserve to, you know, get an  
2 answer to that question, I think that we can  
3 have an educated, a learned vote on this  
4 proposal without the answers -- the answer  
5 that at least specifically that  
6 Mr. Courtright was looking for.

7 So, it is -- I think we are making  
8 an educated vote on this and one that's  
9 pertinent to the legislation. Roll call,  
10 please.

11 MS. EVANS: I would respond to that  
12 very quickly with it actually -- well, maybe  
13 it was Mr. Courtright, too, it was actually

14 my concern to know what amount had been  
15 invested by the developer, but that's not  
16 neither here or there because we have at  
17 least two council people who at least share  
18 that concern and that request or  
19 information, but the reason I posed the  
20 question and that it even occurred to me was  
21 due to the backup provided for the  
22 legislation which enumerated the amounts  
23 being invested through the federal  
24 government, the state government, and it  
25 indicated local sources, etcetera, and that

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1 it makes a very nebulous statement about a  
2 developer, and again, as others have noted  
3 this evening on other occasions we can't  
4 always believe what we read in the  
5 newspaper, but according to the newspaper  
6 once again on the date of that unveiling  
7 before the Governor the developer would not  
8 answer a newspaper as to how much money he  
9 has invested, and so it's just a simple  
10 question, it's not a criticism. I just have  
11 simple questions and I think, too, we do  
12 have a responsibility to be looking out for  
13 all of the taxpayers' money and that's where  
14 these grants come from and we also have a

15 great responsibility to be looking out for  
16 existing businesses in the City of Scranton,  
17 tax paying businesses.

18 MR. MCGOFF: Roll call, please.

19 MR. COOLICAN: Mrs. Evans.

20 MS. EVANS: No.

21 MR. COOLICAN: Mrs. Gatelli.

22 MS. GATELLI. Yes.

23 MR. COOLICAN: Ms. Fanucci.

24 MS. FANUCCI: Yes.

25 MR. COOLICAN: Mr. Courtright.

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1 MR. COURTRIGHT: No.

2 MR. COOLICAN: Mr. McGoff.

3 MR. MCGOFF: Yes. I hereby declare  
4 Item 7-A legally and lawfully adopted.

5 MS. GARVEY: 7-B. FOR CONSIDERATION  
6 BY THE COMMITTEE ON PUBLIC SAFETY - FOR  
7 ADOPTION - RESOLUTION ON. 33, 2008 -  
8 APPROVING REVISION OF THE EXISTING TRAFFIC  
9 SIGNAL AT THE INTERSECTION OF MAIN AVENUE  
10 AND LACKAWANNA AVENUE DUE TO THE ADDITION OF  
11 THE NEW DRIVEWAY APPROACH TO MAIN AVENUE IN  
12 CONJUNCTION WITH THE PROPOSED DEVELOPMENT OF  
13 JAY'S COMMONS.

14 MR. MCGOFF: What is the



15 recommendation of the Chairperson for the  
16 Committee on Public Safety.

17 MR. COURTRIGHT: As Chairperson for  
18 the Committee on Public Safety, I recommend  
19 final passage of Item 7-B.

20 MS. GATELLI: Second.

21 MR. MCGOFF: On the question? Roll  
22 call, please.

23 MR. COOLICAN: Mrs. Evans.

24 MS. EVANS: Yes.

25 MR. COOLICAN: Mrs. Gatelli.

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1 MS. GATELLI. Yes.

2 MR. COOLICAN: Ms. Fanucci.

3 MS. FANUCCI: Yes.

4 MR. COOLICAN: Mr. Courtright.

5 MR. COURTRIGHT: Yes.

6 MR. COOLICAN: Mr. McGoff.

7 MR. MCGOFF: Yes. I hereby declare  
8 Item 7-B legally and lawfully adopted.

9 Motion to adjourn?

10 MR. COURTRIGHT: So moved.

11 MR. MCGOFF: Thank you for your  
12 participation.

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C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes of testimony taken by me at the hearing of the above-captioned matter and that the foregoing is a true and correct transcript of the same to the best of my ability.

CATHENE S. NARDOZZI  
OFFICIAL COURT REPORTER

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