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1 SCRANTON CITY COUNCIL MEETING

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5 Held:

6 Thursday, February 2, 2006

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9 Time:

10 6:30 p.m.

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13 Location:

14 Council Chambers

15 Scranton City Hall

16 340 North Washington Avenue

17 Scranton, Pennsylvania

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23 Lisa M. Graff, RMR

24 Court Reporter

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1 CITY OF SCRANTON COUNCIL:

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3 MS. JUDY GATELLI, COUNCIL PRESIDENT

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5 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

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7 MS. JANET EVANS

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9 MS. SHERRY NEALON FANUCCI

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11 MR. ROBERT McTIERNAN

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13 MR. AMIL MINORA, ESQUIRE, SOLICITOR

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15 MS. KAY GARVEY, CITY CLERK

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17 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MS. GATELLI: Okay. Please stand for

2 the Pledge Of Allegiance. Please remain standing for a

3 moment of reflection for our servicemen and women

4 serving in the Armed Forces to protect our freedom.

5 Roll call.

6 MR. COOLICAN: Mrs. Evans.

7 MS. EVANS: Here.

8 MR. COOLICAN: Mrs. Fanucci.

9 MS. FANUCCI: Here.

10 MR. COOLICAN: Mr. McTiernan.

11 MR. MCTIERNAN: Here.

12 MR. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Here.

14 MR. COOLICAN: Mrs. Gatelli.

15 MS. GATELLI: Here. Reading of the

16 minutes.

17 MS. GARVEY: Third order, 3-A,
18 CONTROLLER'S REPORT FOR THE MONTH ENDING DECEMBER 31,
19 2005.

20 MS. GATELLI: Are there any comments?

21 If not, received and filed.

22 MS. GARVEY: 3-B, LIQUID FUELS TAX FUND
23 AUDIT REPORT FOR THE YEAR ENDED DECEMBER 31, 2004.

24 MS. GATELLI: Are there any comments?

25 If not, received and filed.

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1 MS. GARVEY: 3-C, LETTER FROM THE
2 SCRANTON-LACKAWANNA HUMAN DEVELOPMENT AGENCY, INC.
3 REGARDING COUNCIL'S DESIGNEE ON THE BOARD OF DIRECTORS.

4 MS. GATELLI: Are there any comments?

5 If not, received and filed.

6 MS. GARVEY: There are no clerk's notes
7 tonight. Fourth order, citizens participation.

8 MS. GATELLI: Before you start, Kay, I
9 just have a few things. I was told that the flood
10 siren at the pump station on Shawnee Avenue -- the
11 flood siren at the pumping station on Shawnee Avenue
12 will be tested on Wednesday, September the 8 between
13 eleven and noon, so anyone out in that section that

14 hears the siren --

15 MS. EVANS: September?

16 MS. GATELLI: September, February.

17 MS. EVANS: Okay.

18 MS. GATELLI: September must have been

19 a good month. February the 8th between eleven and

20 noon, next Wednesday, so if anyone hears the siren.

21 Mrs. Cook will take care of that, I'm sure.

22 I had a question about streetlights on the corner of

23 Lackawanna Avenue that they weren't lit.

24 There are four large street signs and

25 they're brown, they're old, they haven't functioned for

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5

1 years and they're going to be removed, so I just wanted

2 you to know the status of that.

3 Olyphant Avenue to Parker Street is on

4 the 2006 list to be paved. It was reported about the

5 speeding on the 26 of North Main.

6 Mr. Fiorini took care of that property

7 on Gibbons Street. He also is involved with a person

8 that would like to purchase a condemned property, so it

9 is possible if there is a property that's condemned and

10 you're interested in purchasing it and remodeling it,

11 it is allowed and there is a way to do that, so anyone
12 out there that lives near any properties that are
13 condemned could call Mr. Fiorini if they have any
14 concerns about that.

15 I'd like to thank Charlie Matthews for
16 his expeditious repair of the catch basin at 1099
17 Diamond Avenue where three houses were flooded, he's
18 finishing that up this week.

19 The sign at Saginaw and Pittston Avenue
20 has been repaired. Someone brought up about having the
21 mayor ask the KOZs for donations for the tree house,
22 well, he did ask them, and many of them contributed. I
23 have a whole list of people that have contributed so
24 far.

25 Sarine O'Malley, I spoke to Mr. Parker

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1 today about your situation, he's going to get me a cost
2 estimate for that particular project, then we will go
3 from there it.

4 Nelson Ancherani brought up about
5 cameras and that they are going to be purchased through
6 the police department, new cameras, and possibly we can
7 use them for the graffiti. I think they're being

8 bought for drug activity, but if we have a necessity,

9 we can use them for other things also.

10 I didn't talk to the mayor about that

11 \$200 a month because I didn't have a meeting with him

12 this week, we only spoke very briefly on the telephone,

13 but I will bring it up the next time we meet.

14 Okay. I think that's all I have for

15 now. First speaker is Keith Williams.

16 MR. WILLIAMS: Good evening, Council.

17 It's nice to be here.

18 MR. COURTRIGHT: Mr. Williams, maybe if

19 you come over to Neil's desk, you won't be hidden

20 behind the podium.

21 MR. WILLIAMS: Okay. Good thing I

22 brought my own chair. Good evening, Council. It's

23 nice to be here. My name is Keith Williams. I'm

24 actually wearing two hats tonight, I'm chairperson of

25 the Mayor of Scranton's Committee on Disability, which

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1 is basically a watchdog advisory and we advise the

2 city, the administration and Council about issues

3 pertaining to people with disabilities and

4 accessibility compliance with the Americans With

5 Disabilities Act, Rehab Act and other issues, and my
6 other hat is also as a community organizer for the
7 Northeast Pennsylvania Center For Independent Living.
8 We're located in the IBEW building on Wyoming Avenue,
9 and we're a non-profit agency that obviously advocates
10 for the rights of people with disabilities, and I'm
11 here tonight on behalf of the proposed tree house in
12 support of that, and I think it's fair to say that I'm
13 representing many people who have called my office who
14 have been in contact with me who have expressed their
15 support of Mayor Doherty and the administration's
16 support for funding for the tree house.
17 The idea first came to our attention
18 last summer, and I guess it was around the last week of
19 July to coincide with the 15th anniversary of the
20 passage of the Americans With Disabilities Act, that
21 some advocates from the area, people from our office,
22 went up to Nay Aug, we saw the area that was being
23 addressed where the plans were being made for the
24 creation of the tree house, and it's a wonderful idea.
25 I have to be honest, I'm a lifelong

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8

1 resident of Lackawanna County, and I think back to my

2 days as a youth, as many years ago as it was, and my
3 pleasurable visits to Nay Aug Park and not having
4 access to not only if there were a tree house there at
5 the time, but other facilities in the area, and seeing
6 the progress the City of Scranton has reached over
7 recent years, last fall, in fact, most recently last
8 October, we had the passage of the Visibility
9 Ordinance, you know, a milestone in Scranton,
10 Lackawanna County, even in Pennsylvania.
11 The city supported increased curb cuts
12 on sidewalks and corners in the downtown area and
13 throughout the residential areas and parks and
14 recreation becoming more -- facilities becoming more
15 accessible.
16 The tree house idea, the accessible
17 tree house, is an innovative creative expansion of the
18 work that's already being done in Lackawanna County,
19 and I think one of the other benefits of this is that
20 we would really be the first and only city in
21 Pennsylvania to have an accessible tree house, because
22 I think that you've read the background material on
23 this, the company that's involved with this only
24 chooses one site per state, and they have visited other
25 areas besides Scranton, but decided when, I believe

1 with good reason, that Scranton is the ideal location
 2 for an accessible tree house.
 3 Take a look at some of the other
 4 factors that are affecting this in favor of such an
 5 initiative. Many of you are familiar with the Scranton
 6 School District and surrounding school districts and
 7 the push for inclusion and getting children with
 8 disabilities going through the inclusion process in
 9 every day classes, the same as students without
 10 disabilities.
 11 Well, when do students with
 12 disabilities go? They want to have fun, they want to
 13 go to the park, particularly younger kids would want to
 14 go to a tree house, something like this would enable
 15 kids with disabilities to be able to be side by side
 16 with their non-disabled peers, and what happens is you
 17 work to break down the attitudinal barrier, the
 18 architectural barriers, and you're really talking about
 19 community, true community integration.
 20 So, the accessible tree house would be
 21 an asset to the community. It's definitely money well
 22 spent and is something that would help Nay Aug Park to

23 provide even for the safety, the convenience and for
24 the ability of all residents in the area to be able to
25 fully participate.

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1 And I realize with that having been
2 said, I realize that I don't have much time, but if I
3 can briefly read one letter that was presented to me
4 this afternoon by a Scranton resident with a
5 disability, I might add, and I will leave this for the
6 record, along with my letter, a copy of my letter from
7 a Beverly Schmidt who lives in North Scranton, Scranton
8 City Council, and it's dated today, as a tax-paying
9 resident of the City of Scranton and as a person with a
10 disability, I feel comfortable sharing my humble
11 opinion in the matter of Scranton's participation in
12 the tree house project.

13 The possibility of having this unique
14 attraction so available to every resident and visitor
15 of all ages and abilities would be in itself a
16 wonderful asset, then to add to the honor of being
17 chosen as the only city to represent the entire state
18 and the one out of fifty to represent our nation is an
19 opportunity with many and various types of future

20 positive outcomes that would benefit the community.

21 It's clear that there are several

22 worthwhile options for using this grant money, however,

23 the rare prospect of the tree house provides is far

24 reaching.

25 As a taxpayer, it's important to me

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11

1 that our city spend this money on a community service,

2 but with the constraints of this financial grant, it

3 appears that the tree house project will be a perfect

4 fit.

5 Paved streets, more police protection,

6 et cetera, is great, but we have a once in a lifetime

7 shot and a privileged proposal, and I for one say,

8 Let's go for it.

9 Many thanks to all of you for your good

10 public service that you give to all of us. Sincerely,

11 Beverly Schmidt in North Scranton.

12 And also while I have the opportunity,

13 and the floor, just switching tracks just slightly, I'd

14 like to offer both the commission and my employer, the

15 Center For Independent Living, as a resource to you, to

16 Council, in the future in any issues that come up, any

17 developments related to accessibility or
18 disability-related issues, if you want a sounding
19 board, if you would like my advice, if you have a
20 question or if you'd like to seek input, let me give
21 you some contact information real quickly, if I can.
22 First all an Email address where I
23 could be reached is Kwilliams@nepacil.org, and a phone
24 number to reach me would be 344-7211, Extension 209.

25 So, again, we're hoping that Council

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12

1 will support the tree house. It's the right thing to

2 do. Thank you.

3 MS. GATELLI: And I just want to say,

4 Keith, that Eddie Ransom would be very happy with the

5 work that you're doing. You know, she was very active

6 in the South Side Neighborhood Association for the

7 disabled.

8 MR. WILLIAMS: She was the first

9 chairperson of the commission when it was the 504 Task

10 Force.

11 MS. GATELLI: Yes. I also have a list

12 here of -- I have more, but I don't have them with me,

13 the tree house contributors, PNC Bank, the Iron Workers

14 Union, the Electricians Union, the Brick Layers Union,
15 the Carpenters Union.
16 If you saw in the flier in the
17 newspaper yesterday with the realty, the houses for
18 sale, Robert Vanston has agreed to give ten percent of
19 his profits for the month, I think, of February and
20 March to the project, Carlini Cleaners, US First
21 Mortgage, La Trattoria Restaurant, Johnson School,
22 Lowe's, Stone Office Equipment, the Chamber of
23 Commerce, Ed Pisano's Smoke Shop, Rita Hubshman
24 Florist, McGloin Florist, Jerry Donohue, Noble Fiber,
25 Cosgrove's, Wachovia, Lamar Industries, IBEW Local 81
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1 and BMC Office Furniture.
2 So, I think that with all these people
3 involved, I'm hoping that we can get all the money, if
4 anybody on Council knows anyone.
5 MS. EVANS: That is my hope, as well.
6 I think that's is a most impressive beginning, but
7 there are so many other businesses and organizations
8 throughout the city and Lackawanna County that I'm
9 hoping are going to step up to the plate, as well.
10 But what I did want to ask you, would

11 it be appropriate or agreeable to you if certain city
12 residents could contact you, these are individuals with
13 disabilities who have had a terrible time in their
14 dealings with the city constructing handicapped
15 accessible ramps to their homes, and these are
16 individuals that require the use of wheelchairs, and
17 it's happened in more than one section of the city,
18 would you be able perhaps to assist them, because I
19 think it's probably -- well, it's at least equally
20 important, if not more so, that they have that
21 accessibility to it their own homes, and I think, too,
22 it disturbs me that City Hall itself right now is not
23 properly accessible to the handicapped, and I think
24 those are issues we have to be rectifying immediately.

25 MR. WILLIAMS: Sure, sure, they can

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14

1 contact our agency and I will give them some
2 information to what's available in the community for
3 home modification programs for people with
4 disabilities.
5 And you're right, that is a need in the
6 area. The best accessible facilities in the world
7 don't mean a thing if you can't get out of your house

8 and off your porch, sure.

9 MS. EVANS: Exactly. And in one case

10 in South Side, that was the precise circumstance, and

11 it was most upsetting to this individual, so, I'm

12 really quite excited to be able to tell them there

13 could be hope after all. Thank you.

14 MR. WILLIAMS: Definitely. Sure. I

15 will do anything I can to help them. Thank you.

16 MS. EVANS: Thank you.

17 MS. GATELLI: Ray Lyman.

18 MR. LYMAN: I have just a few

19 questions. Mrs. Gatelli, you know I gave you the

20 numbers for those --

21 MS. GATELLI: The streetlights.

22 MR. LYMAN: -- the lights, and I want

23 to say about the police that caught the drug dealers in

24 the neighborhood and the stabbing, I want to

25 commemorate the good job that they did. You must have

.

15

1 heard about that, Mr. Courtright.

2 MR COURTRIGHT: Yes.

3 MR. LYMAN: And I think that if you

4 remember the last City Council, you remember we did

5 with the workers of the week, do you remember that, the

6 --

7 MR. COURTRIGHT: I'm not quite sure

8 what you're saying, Ray.

9 MR. LYMAN: Remember, like, each week

10 we recommended an officer?

11 MR. COURTRIGHT: Well, as I get them

12 in, if somebody makes a comment to me, I bring it up

13 here each week, yes.

14 MR. LYMAN: Yeah, and I think Officer

15 Conway and Phillips did a good job, I think we should

16 recognize them for good job that they did.

17 MR. COURTRIGHT: Okay.

18 MR. LYMAN: And I also was thinking

19 some ideas that could help the city. Like, my opinion,

20 like, that tree house, it should be funded by private

21 hands, not taxpayers' hands. I mean, it's a good idea,

22 but the city does not have the funds to do it.

23 I mean, we should care more about

24 hiring more cops, that is more important, the safety of

25 people's lives.

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16

1 I mean we had a slashing, God help that

2 that person wasn't killed. I mean, my neighborhood, I
3 mean, it wasn't even two houses down from where I live,
4 people were selling drugs.
5 I mean, a lady had a new born baby, she
6 could have been killed. I mean, the guy they captured
7 had not only one gun, he had two guns and the other guy
8 had a knife.
9 And the police officer said if they
10 didn't catch those guys, they were lucky they didn't
11 grab guns and open fire and the newborn baby could have
12 been killed. That was their words.
13 And they we wish we had more cops. An
14 officer could have been killed. That was the words I
15 heard them say.
16 And what did our mayor do? He's
17 worrying about a tree house. Where is this reality
18 come to? We need more cops. We should impeach this
19 mayor and hire more cops. He's out of touch with
20 reality.
21 Safety is more important than a tree
22 house, in my opinion. I mean, Mrs. Gatelli, you live
23 in South Side, you know about crime.
24 MS. GATELLI: I absolutely know about
25 crime, and I absolutely know we need police officers.

1 MR. LYMAN: That's right.

2 MS. GATELLI: There's no question about

3 that, but just because a person is in favor of the tree

4 house, doesn't mean they're not in favor of public

5 safety.

6 MR. LYMAN: It's not just a tree house,

7 it's other things. I mean, he's caring about parks. I

8 mean, in my opinion, Nay Aug Park was better the way it

9 was when Mayor Connors was here.

10 I didn't like Nay Aug the way it is

11 now, I liked it the way it was. It was a waste of

12 money, in my opinion. \$700,000 for dirt? I mean, you

13 could buy a bag of dirt for a dollar for gardening. I

14 mean, it's a waste of money. I mean, it's just a waste

15 of money.

16 You got things that you worry about,

17 roads. We -- I mean, we got roads on Capouse Avenue

18 that are so useless, I mean, people could fall through

19 break their legs in the middle of the night, lights are

20 burned out, it's ridiculous.

21 And this Council and the former Council

22 don't care, in my opinion. We got a school board that

23 wants to close schools and build another school by

24 Scranton High.

25 MS. GATELLI: Excuse me. You need to

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18

1 go talk to the school board about that.

2 MR. LYMAN: I went to the school board.

3 MS. GATELLI: Okay. This is just for

4 city business, Ray, please.

5 MR. LYMAN: This is city business, Mrs.

6 Gatelli, this is city business.

7 MS. GATELLI: Andy Sbaraglia.

8 MR. LYMAN: Thank you.

9 MR. SBARAGLIA: Andy Sbaraglia, citizen

10 of Scranton. Fellow Scrantonians, I'm glad to see this

11 tree house brought up. You know at the last meeting I

12 requested why the people can't swim -- the kids can't

13 swim for free up at Nay Aug, and it so happens we got a

14 reply in the newspaper, which I'll read, Last year the

15 city collected more than \$56,000 from pool revenues at

16 the park, even after increasing the fee from five to

17 one to swim and \$3.00 to use the pool.

18 And then further on he says, I believe

19 in fees because things cost money and the fees help

20 keep things there good and is also -- and also allows
21 us to keep those out who may cause problems. That is
22 from the mayor.

23 How could he attack the poor? This
24 is an attack upon the poor, and there's no way you can
25 say no against it. You can color it any way you want,

19

1 but it's an attack against the poor.

2 To keep those out who might cause
3 problems; in other words, if you can't afford to go to
4 the pool, you cause trouble, and that's ridiculous.
5 Never in my life have I heard such things coming out of
6 the mouth of a mayor.

7 I grew up in this city for, well, my
8 67 years I lived here, other than the time I spent in
9 the service, that was the only time I ever left the
10 city, and I've watched this mayor attack the children
11 of the city constantly for the good of God knows what.
12 I got letters from actually from
13 Roseann Novembrino when this mayor went out and spent
14 that \$700,000 without bidding saying that it wasn't
15 exactly the thing to do, and if he did it again, he
16 would be in trouble. This is what the lawyer said that

17 gives advice to the controller.

18 But look at this, we're spending almost

19 three quarters of a million dollars to build a bridge

20 to nowhere, three quarters of a million, and they're

21 talking about a lousy \$56,000 is the reason why the

22 kids can't swim for free.

23 Do you know how much three quarters of

24 a million would allow them kids to swim for free? Do

25 you know for how long? Probably for my lifetime.

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20

1 This is not the way to do things in the

2 city. Then you wonder why you have so much kids out

3 there with graffiti.

4 Things close. West Side, the Boy's

5 Club closed. Now, I know you had nothing to do with

6 that, in fact, we had nothing to do with that, just it

7 was there, but it was supported by the city through one

8 of the various things, which we do.

9 These are things that are falling.

10 When I grew up, okay, we had movies and we had dances

11 for the kids in the summer. We also had parks

12 supervisors, I don't know if you remember when we had

13 our little pools with little pools where the kids used

14 to play, that was for the little kids, and then as they
15 grew up, we had this sort of a canteen, you had dancing
16 at the schools and so forth and so on, but these were
17 all projects to keep the kids out of trouble, and we
18 have lost these projects, and now you're looking at
19 graffiti, you're looking at kids forming gangs, you're
20 looking at the neighbors deteriorating.

21 These are all caused by not putting
22 enough emphasis on the children in the city. These
23 children are our children. I have no children,
24 probably will never have any, well, other than, I mean,
25 grandchildren, I do have one son, but he's 40 some
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1 years old and I doubt if he'll use any of these things,
2 but the children that are in the city growing up in the
3 city deserve these things.

4 Some way, some way, you must get
5 together probably with the schools and the city to fund
6 these projects. But for them to say we don't have
7 money, these \$56,000 are needed because they keep the
8 low people without money from swimming, that is
9 ridiculous and cruel. That's the most cruelest thing I
10 ever seen.

11 Do you know what the temperature was
12 last year? And if you didn't have money to go the
13 pool, you were out of luck.
14 Now, true, \$1 isn't much, unless you
15 got five or six kids or five kids today, four kids
16 every day seven days a week, that's 28 bucks a week,
17 and if you go to Nay Aug, it's more, because they
18 aren't going to go up there without using the pool, the
19 slide, so these things you've got to do.
20 And talking about the handicap, one
21 thing, is there a handicap toilet at Nay Aug?

22 MS. EVANS: I don't know.

23 MS. GATELLI: We'll find out.

24 MR. COURTRIGHT: I was going to wait
25 until it was my turn to speak, but I think there's
.

22

1 going to be several people speaking about the tree
2 house, I got quite a few calls and questions asked to
3 me that I really can't answer, and one I never thought
4 of is it actually going to be attached to tree?
5 Because the person was concerned it would kill the
6 tree. I said, I don't believe so, I believe it's free
7 standing.

8 The other one was, Why does it cost
9 \$300,000, when you could build a nice house for
10 \$300,000? So, I would suggest that we ask the
11 administration to maybe have somebody come in here and
12 give us the drawings on what the tree house is going to
13 look like and why it cost, how much it costs, and just
14 fill everybody in on it, because I think there's a lot
15 of questions.

16 So, maybe we could agree to ask the
17 administration if they could ask somebody come in and
18 explain this whole process to us, if everybody is
19 agreeable to that.

20 MS. GATELLI: Would you like to do it
21 next week? Do we have anybody next week?

22 MS. GARVEY: No.

23 MS. GATELLI: If they can, would you
24 ask Mr. Scopelliti?

25 MS. GARVEY: I do have to check one
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23

1 thing that Janet had mentioned last week with Chief
2 Elliott, I don't know -- I haven't been called on that
3 to have anything confirmed, so I will check that out
4 first.

5 MS. GATELLI: And if not, put it on for

6 the next meeting.

7 MS. EVANS: And some additional

8 concerns that I had, I, too, had been, as I said last

9 week, innidiated with Emails and calls concerning the

10 tree house, but some additional concerns are, the cost

11 of the insurance for such a structure, the cost of the

12 maintenance in years to come, the cost of monitoring,

13 and I know that the mayor has opposed using UDAG monies

14 for the hiring of additional police, because he insists

15 that once the source dries up, then of course the city

16 is going to be paying for it.

17 Well, I would submit to him quite

18 similarly that the city will be incurring the cost of

19 the liability insurance, the upkeep and maintenance

20 throughout the future, at least I would hope there

21 would be a maintenance program, and what salaries could

22 be paid to those who are going to either assist with

23 the structure or monitor it.

24 There may be police patrols; for

25 example, in the past I know in the past police have

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24

1 been assigned to Nay Aug Park to guard the pool area

2 and the water slide overnight, so I think there are a
3 number of hidden costs involved in the project that
4 have not even been put out there on the table as of
5 yet.

6 MS. GATELLI: Doug Miller.

7 MR. MILLER: Good evening, Council,
8 Doug Miller, Scranton. I saw the Saturday paper had an
9 article on renovations at Connell Park, and it would be
10 nice for any interested kid to help out with any
11 projects up there. I really believe that these
12 upgrades will help boost South Scranton.
13 Also in the summer kids are always
14 looking for something to do, a program allowing
15 interested kids to clean up the downtown area, parks
16 and neighborhoods would be something to look at. I
17 think this would help keep a lot of our kids out of
18 trouble.

19 Regarding Nay Aug tree house, I am for
20 this project, I think it's a great idea, and from what
21 I understand, all the money for this project should
22 come from private donations. I believe all people
23 should be given the same opportunities. Far too many
24 times people forget handicapped people are people and
25 have needs to be addressed and that the money the city

1 would have contributed to this project go towards more
2 accessible handicapped projects throughout the city.

3 Thank you.

4 MS. GATELLI: Bob Bolus.

5 MR. BOLUS: Good evening, Council,

6 Bob Bolus. I think Keith had some great ideas. The

7 tree house has a purpose, the mayor so decides that.

8 But, you know, I think that all the KOZ businesses and

9 non-profits should come to the plate and pay for this

10 exclusively.

11 The excess \$150,000 or whatever the

12 dollars are, the city would use to go to either more

13 police, more fire protection, maybe help to pay to swim

14 while some of the people who can't swim go toward it,

15 that the handicap would have an accessibility to the

16 pool in an area that they, too, could go to Nay Aug and

17 be able to be submerged in some cool water and enjoy

18 the lake, just like everybody else.

19 So, if we're on that subject, let's

20 look at the whole perspective, and not \$300,000 just in

21 the one spot.

22 Maybe the Scranton Times thinks that a

23 no bid contract to Greco for hundreds of thousands of
24 dollars is a soap opera, but to thousands of
25 hardworking Scrantonians and taxpayers, it is nothing
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1 more than an outrageous political waste of our money.
2 Just because The Scranton Times makes
3 light of the situation, doesn't mean the federal
4 government will look at it lightly.
5 I would like to read a letter that I
6 sent to the United States Department of Housing and
7 Urban Development, it says, Attention to Mr. Guy
8 Sirocchi, Dear director Sirocchi, I'm a resident and
9 taxpayer of the City of Scranton, it is my
10 understanding that the City of Scranton has spent
11 federal and OECD funds without employing the required
12 bidding procedures.
13 I request an audit of the City of
14 Scranton's OECD funds and the city's practice of not
15 requiring competitive bidding for many matters.
16 Please feel free to contact me at any
17 time at my above daytime business address or telephone
18 number, and I'd like to give Council a copy of this
19 letter that was sent. Maybe we will get the ball

20 rolling.

21 Now, I'm not going to pick on

22 Mrs. Fanucci, but when it comes to political favors,

23 and I've been in the political arena, you have to kind

24 of remember the people elected you to this seat, not

25 just a handful of self-serving politicians.

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27

1 You know, and not knowing who did what,

2 is not an excuse really. And, you know, from being on

3 Council two weeks and say I didn't do this and do that,

4 I think at that juncture it should be more important

5 because of the fact that you're new to Council and

6 other members, that you kind of pay attention to what

7 you review before you come here and understand the

8 people are going to ask questions.

9 I don't think you should be criticized

10 as badly as you're being criticized, but sometimes we

11 all bring it on ourselves by not paying attention to

12 details, and I think truth is a priority to anybody

13 sitting in the city administration, and I think people

14 are offended, not only with your answer in a sense, but

15 because of what's gone on in the past by other

16 politicians that have been here.

17 So, maybe that's just a little help for
18 you in the future to know that people are paying
19 attention here.
20 Southern Union, I don't think the mayor
21 could tell us he didn't know this was coming. Before
22 the election, I mean, it's another sham. We knew
23 things were going on, it slide down, and, you know,
24 we've been playing with enough smoke and mirrors, and
25 then I think we'll se CECO or one of the other
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1 companies taking over on a KOZ free ride. The Rinaldi
2 Development on Lackawanna Avenue, I'd like to know what
3 the status of that is.
4 Another very important issue, and it's
5 something I think that involves, because we have a
6 Council President and three women sitting on this
7 Council, and I think we have a lot of women in various
8 administrative areas in government throughout the
9 communities, and I'm asking tonight that these women
10 come here and unit behind the Councilwoman Cindy
11 Johnson in Throop.
12 If anybody's followed the paper and saw
13 what's going on up there, we had three women in Throop,

14 a Council president, Darryl Menichetti and Susan Short,
15 the way they were degraded and abused verbally what
16 they go through there by their male counterparts is
17 just an outrageous disgrace.

18 They took the cameras out with this
19 new administration because they don't want people to
20 really see what goes on in Throop, but what happened
21 there the other evening and the nonsense going on and
22 the fact that people are following and stalking and
23 invading the privacy of another Councilperson because
24 she's a woman and can't really defend herself, it's
25 just pathetic.

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1 And I would like to ask everyone that
2 could hear this tonight, the women themselves, you
3 know, to come forward and stop this abuse of women in
4 politics and in government.
5 Women may be a minority, but there is
6 much a value to us in their thoughts and wisdom that we
7 get from them that we got from our mothers and everyone
8 else that guided us through life, that this verbal
9 abuse going on has to stop.
10 And, I mean, it's just out of control.

11 The University of Scranton, I can see \$30 million going
12 up, I have asked that this Council and this city impose
13 a KOZ fee on non-profits and everyone else in this city
14 to bring everybody into line equally on a level playing
15 field without playing games here, that enough money
16 could come in here out of the coffers of those making
17 millions and millions of dollars and just throwing us
18 little tidbits.

19 We need a fee, whether we want to call
20 it a maintenance fee or whatever Attorney Minora wants
21 to call it, we need that, spread it across everyone in
22 this community, but let the big guys getting the free
23 rides start paying to the piper and taking out of the
24 little guys, maybe we'll get the proper police help,
25 we'll get the better fire departments, we'll get the
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30

1 needs of the people addressed that aren't the big guys
2 that can't pay for the big guys any more with the high
3 cost of living.

4 And one last thing I would like to ask,
5 if I may, Attorney Minora, a couple weeks ago I had
6 brought up about Mr. Doherty's campaign finances, and
7 you said there's an agency to send a letter to, and I

8 apologize, I didn't get the name of that, and if you

9 could tell me that.

10 MR. MINORA: I'm not sure, you know, of

11 the exact name, but there's a state agency for the

12 filing of your financial reports, it's in Harrisburg,

13 I'm not sure of the name of it.

14 MR. BOLUS: Okay. Thank you. I

15 thought maybe you might have known it off the top of

16 your head. Thank you, Council.

17 MS. GATELLI: Bill Jackowitz.

18 MR. JACKOWITZ: Good evening, Council,

19 Bill Jackowitz, city resident and taxpayer, registered

20 independent voter, retired military.

21 This was a difficulty week because I

22 didn't know what I wanted to talk about. First I was

23 going to talk about crime, but then I remember that

24 I've been talking about crime for about the last four

25 six months. I even took us down a trip down memory

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1 lane, and I still believe that there is a crime

2 problem.

3 We don't have as big a crime problem as

4 other cities do in our area, Wilkes-Barre is, for one,

5 is really getting hammered these days, but we do have a
6 crime problem, so we really need to start looking into
7 this crime problem.

8 And I still, with 28 years in security
9 and law enforcement, the only way you're going to stop
10 crime, you're never going to stop crime, let me
11 rephrase that, the only way you're going to slow crime
12 down is with police presence.

13 Police presence does it all the way
14 around. The more police presence you have, the more
15 informants you have, and basically that's how crimes
16 are solved with informants, we all know that.

17 So, we really got to work on this.

18 And, you know, the mayor making statements like the
19 city is one of the safest cities in Pennsylvania or the
20 safest city in Pennsylvania, those statements have to
21 stop because they're not true. We have a problem, we
22 have to look at that problem, we have to address that
23 problem.

24 Then I was going to talk about
25 community development, but then I remember, we've been

32

1 talking about community development, again, for months,

2 you know? And what happens, every time we are told
3 that the community is going to be developed and we're
4 going to get this new building, whether it be Southern
5 Union or the Hilton or whatever, come to find out, it
6 doesn't work, and the citizens don't find out that it
7 doesn't work until after the damage has already been
8 done.

9 And the politicians and elected
10 officials, I hope, are staying abreast of everything
11 that goes on in this city on a day to day basis.

12 So, when bad news is coming, I think
13 the majority of the citizens of Scranton are mature
14 adults, we should be told about it when it happens, not
15 after it happens, not after an election, not after it's
16 already gone bankrupt or going bankrupt.

17 I walked through the Steamtown Mall,
18 there's a lot of vacant space in that Steamtown Mall,
19 especially up in the food court. What's going to be
20 done about that? How are we going to solve that
21 problem, especially when the new mall is going to be
22 built up at Montage?

23 These are issues areas that I've been
24 talking about for months, months. Nobody either seems
25 to either care or pay attention. It's time that the

1 politicians, the elected officials, start caring, start
2 paying attention and start doing things that help the
3 citizens of Scranton.
4 Ethics, truthfulness and elected
5 officials, I've talked about that. The first time I
6 spoke here I gave the definition of a politician. It
7 wasn't a very flattering definition, but it is the
8 definition of a politician.
9 You know, we put our trust and faith in
10 officials and politicians when we elect them to office.
11 Again, we're all adults, we're all mature people, we
12 can handle the truth.
13 I've said many times from this podium,
14 the coverup is what causes trouble, and that's exactly
15 true. Look at what's going on in Washington, D.C.,
16 look at what is going on in Harrisburg. Pick a state,
17 pick a country, you don't tell the truth about
18 something, eventually it's going to catch up to you,
19 and when it catches up to you, it's twice as bad.
20 I've asked many times from this podium,
21 new election coming up, new four-year term for the
22 mayor, two new city councilmen, let's all get together,

23 let's all work together. You know, Rodney King, Why

24 can't we just all get along? And I mean it.

25 Let's get it straight. Mistakes have

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1 been made in the first three weeks, let's get over

2 them, let's move on, let's quit making the mistakes.

3 If you've got something to hide, don't

4 hide it. Bring it out to the public and we'll deal

5 with it from there.

6 My next thing is, Why is it that when

7 City Council invites someone from administration here,

8 why is it they never show up? Can somebody please

9 answer that and address that hopefully in your closing

10 remarks?

11 Mr. Courtright, you suggested to have

12 somebody come next week, I'm a betting man, I'll give

13 you six to one they don't show up, because they never

14 show up.

15 How many times have we been waiting for

16 Mr. Parker? How many times have we been waiting for

17 Chief Elliott? How many times have we been waiting for

18 Mr. Scopelliti? You want me to go on? I don't think I

19 need to, I think I made my point.

20 Let's do something about this. We have
21 a new City Council, a new City President, we have a new
22 attorney, let's get it together, people. I'm sick and
23 tired of it.

24 I'm 58 years old, I spent 22 years of
25 my life serving the military defending this

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1 constitution, and I want results, and the only people
2 who can give me results are you five elected officials
3 sitting up there and the mayor who has an office
4 downstairs. It's time to get it right. Thank you.

5 MS. GATELLI: Julie Jones.

6 MS. JONES: Good evening, Council,

7 Julie Jones. I'd like to start off tonight, my son
8 asked me to read something, he's at work, he couldn't
9 be here.

10 Good evening, Council. My name is

11 Corey Jones. I am in tenth grade at Scranton High.

12 I'm writing to you this evening to let you know that I

13 am interested in the junior caucus that I've been

14 hearing about from Doug Miller on the weekly council
15 meetings.

16 I would be more than proud to be part

17 of this caucus, and at the same time represent Scranton
18 High. I follow the weekly meetings in The Scranton
19 Times. I am interested in following issues of the city
20 and also hear classmates talking about different
21 concerns that the young people have regarding the city.
22 I feel by forming this caucus is big in
23 the aspect of getting today's youth involved and
24 hopefully taking issues brought up by today's youth to
25 Council to possibly secure what will happen with our
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36

1 future. I am asking that I would be considered for the
2 junior caucus. Thank you, Cory Jones.

3 There's a copy. It was mentioned had
4 possibly the principal had to pick it out, I don't
5 think it should be handled that way.

6 Doug brought it up to Council, Council
7 should be picking out the members. In my eyes, if the
8 principals pick them out, it's discrimination. And
9 it's a Council thing, so you guys should be picking
10 them out.

11 Okay. I'm here this evening for a few
12 reasons, and I hope I can get it all in. I would like
13 to thank you this evening for getting some of my

14 requests taken care of.

15 Also, I know you are going to reopen

16 the Greco issue, and I would hope Ms. Fanucci would not

17 vote on the issue because of the factors involved.

18 At least some of the past Council

19 members have refrained in the past if it was a conflict

20 of interest. I hope Ms. Fanucci would follow the same

21 pattern and don't vote on this issue.

22 She started off on the wrong foot with

23 the Council, and that's not a good --

24 MS. GATELLI: Julie, I'm going to ask

25 Attorney Minora for a legal opinion on people coming up

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1 -- I know that Ms. Fanucci was discussed before at this

2 particular meeting, I feel as though she answered the

3 questions, she has been given a legal opinion by our

4 city solicitor that she indeed can vote for the Greco

5 contract.

6 Whether someone thinks that's wrong or

7 right, is absolutely their opinion, but I don't feel as

8 President of this Council that I would like people to

9 get up here and berate another colleague.

10 I would not want it to be done to me,

11 and I would not want it to be done to anyone up here.

12 We all mistakes in our life, I'd like to see someone

13 that didn't. I make ten of them a day myself. And

14 could we just move on, like Mr. Jackowitz said, from

15 there?

16 Ms. Fanucci is an adult, she's been

17 elected by 13 or 14,000 people in this community, and

18 she has made her decision, and we have a legal opinion.

19 Now, Attorney Minora, if you can follow up on that,

20 please.

21 MR. MINORA: Well, our rules do not

22 allow any of the speakers to disparage anyone on

23 Council or in the administration, for that matter, on a

24 personal level, they're not entitled to do that, and if

25 anyone gets to that level, you have a right to gavel

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1 them down and cut them off as a speaker.

2 MS. JONES: Okay. Freedom of speech

3 flew out the window again this week.

4 I am here on another concern this

5 evening that I ran into this week. I was parked in 200

6 block of Linden Street on 1/26/06, I faithfully went up

7 and down early to put money in my meter before my time

8 ran out, but when I went down at ten o'clock to put
9 money in my meter, there sat a parking ticket on my van
10 which still had 15 minutes left in the meter.
11 I was outraged by this and said to
12 myself, Another crooked person in the city. I put more
13 money in the meter. I was still upset, I have never
14 gotten a parking ticket before. Well, I said to
15 myself, You cannot fight the City of Scranton.
16 So, I went back into where I was, I
17 then left the building to go home, and low and behold,
18 another parking ticket, when there was 45 minutes left
19 on my meter. I noticed several other parkers at that
20 time fighting with the meter guy, so it wasn't only me.
21 I was really mad for sure. I drove
22 right up to the Parking Authority and went in and said
23 I felt it was wrong to get these tickets. She said I
24 would have to fill out a form, then I would be notified
25 by mail. I'll come back next week.

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1 MS. GATELLI: You can -- please give
2 her permission, because I interrupted her, so give her,
3 you know, a couple minutes more. I interrupted here.
4 MR. MINORA: I'm just doing my job.

5 MS. GATELLI: I understand. Go ahead.

6 MS. JONES: While I was at the -- then

7 I was told that I'd be notified by mail whether the

8 tickets would be dismissed.

9 While I was at the window filling out

10 the paper, a Parking Authority worker came out on the

11 back and started to argue with me, and I told her,

12 Let's walk down the block and I will show you the

13 meter. Well, forget that. The response I got from

14 here was appalling. She started yelling at me and

15 using foul language with me that I cannot repeat here.

16 Some kind of worker. I should not have

17 been treated like that. I received a letter yesterday

18 that once a parking ticket is given, there's nothing

19 they can do about it, and if I wanted to do something

20 about it, I would have to pay the magistrate costs.

21 More money the city soaks you for.

22 The letter I received was the only form

23 I filled out -- was a form I filled out, not even an

24 official letter signed by the Parking Authority.

25 Anybody in that office could have filled out that

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1 paper.

2 So, what is a citizen to do when

3 treated like that? And by the way, do you really think

4 one person would be so stupid to get two tickets in one

5 day? Think about it. I thank you for your time.

6 MS. EVANS: Mrs. Jones, first of all,

7 do you know the name or the badge number of the Parking

8 Authority employee who issued the tickets, that you had

9 the conversation with?

10 MS. JONES: At the building itself, no.

11 MS. EVANS: But you could identify the

12 individual?

13 MS. JONES: Sure I could.

14 MS. EVANS: Okay. I would like to

15 speak to you after the meeting about that, because

16 perhaps this is an issue I believe that should be

17 reported to management, and it needs to be handled by

18 management, because certainly the employees have to

19 conduct business and behave in an appropriate manner,

20 but I wanted to quickly revisit an earlier issue, and

21 that involves people's right to speak and voters'

22 rights.

23 I think all of the people have the

24 right to express their opinions about elected officials

25 more than once every four years during an election, and

1 actually whether we like it or not, and I know
2 personally I've been subjected to much criticism, much
3 questioning from the audience, but I accept that and I
4 respond, because that is part of the duty and
5 responsibility of an elected City Councilperson, and I
6 do believe that, yes, we are under scrutiny every day
7 by virtue of this office, it sets us on a plateau that
8 is different from the ordinary citizen.

9 It's not that we are better, but we are
10 different because we are now beholden to you. We
11 represent you. You are the boss. Our vote should
12 represent your opinion, your beliefs, not our own.

13 And I might add from, you know, my own
14 perspective, my decisions are not made from the heart,
15 and that's often been said in the last two years on
16 Council, I don't believe my heart at this point has
17 anything to do with the issues.

18 The issues require research and
19 investigation, the issues require the opinions of the
20 citizens and taxpayers of the municipality that you
21 represent, and then you have the duty and obligation to
22 vote to represent them, not yourself, not your heart,

23 not your mind, and so, I would tend to disagree with
24 what was said earlier, in that, as long as all of these
25 people pay for city business, pay for the operation of
.

42

1 this government, they have every right to address any
2 concerns they have regarding that government or the
3 operation thereof. They also have the right to express
4 their opinions to all elected officials, not just City
5 Council.

6 What is fortunate for the people of
7 this city is that the members of City Council are
8 available to them weekly and daily in terms of E-Mail,
9 phone calls, and providing the citizens with a public
10 forum whereby you can express your suggestions, your
11 concerns, and ask for our intervention with your
12 problems.

13 There are very few other government
14 bodies that afford such opportunity. I don't know that
15 this group seated before me tonight would be given that
16 opportunity to walk into the mayor's office and express
17 their needs and their opinions as they can so readily
18 do here. That is only right, that is only appropriate,
19 and that is the matter in which City Council and its

20 rules should function.

21 MS. GATELLI: I guess your legal

22 opinion doesn't count, Attorney Minora.

23 MS. JONES: I just have one comment

24 before I leave. I want to answer Mrs. Evans.

25 MS. GATELLI: No. Time is up.

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1 MS. JONES: Everybody else got more

2 than five minutes.

3 MS. GATELLI: I gave you extra time.

4 MS. JONES: No you didn't, not -- no,

5 you didn't. First of all, last week I came and I was

6 told to be quiet, this week I came and I was told to be

7 quiet. At least 60 percent of this audience anymore is

8 told to be quiet. Why?

9 MS. GATELLI: Why? Because you're not

10 going to come her and make a mockery of the government.

11 The -- I just want to read to you the lawsuit. It

12 says, No person --

13 MS. JONES: I don't care about the

14 lawsuit, it want to hear about freedom of speech.

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

16 You're out of order. Please sit down. Erik Johnson.

17 MS. JONES: If it wasn't for us, you

18 would not be sitting there, Mrs. Gatelli.

19 MR. JOHNSON: Good evening, City

20 Council and staff. We're not like a bunch of dogs

21 going after a cat.

22 MR. GATELLI: It's terrible. It's

23 really terrible. It's disgraceful.

24 MR. JOHNSON: I'm not here to bash the

25 office. Erik Johnson, resident of North Scranton and

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1 taxpayer.

2 I've been wondering how Mark Walsh was

3 doing health wise, and that many citizens, plus myself,

4 are concerned. I called Mark last night and his wife

5 told me he's doing very well with his chemotherapy, and

6 by August he should be cured. We all miss Mark. Let's

7 not forget him in our prayers.

8 Concerning the \$52 job tax, it means --

9 its main purpose is for Scranton City emergency

10 purposes, and it should be for that purpose, only

11 police, firemen services and road repairs, not for any

12 other purposes, but to put more police on patrol,

13 particularly on the night shift where crime is more

14 rampant. Bring back the bicycle cops, which were
15 phased out. There are a lot of vacant bikes around.
16 And as for -- and as Mrs. Gatelli
17 states, the neighborhood beat cop that used to be back
18 in the '50s and '60s, when the crime was at its lowest
19 ever in Scranton.
20 And as for our firemen, the emergency
21 fund could also be allowed Scranton to keep most or all
22 of the fire personnel we have today it.
23 As for road repairs, with the help of
24 block grants, and also as for Nay Aug tree house
25 project, we can think that the price is too high and
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45

1 make a burden on the project, but let's wait and see
2 how many and how much money is donated.
3 If it is at least \$150,000, then it
4 would be a complicated situation, but if it's \$150,000,
5 and it may even turn out to be the whole \$300,000 or
6 more.
7 As I am for handicapped people, it
8 would be a fantastic idea. We may not have to use the
9 UDAG funds after all. There are a lot of Scrantonians
10 for the handicapped people. It's not a selfish idea at

11 all.

12 Let's wait on our judgment and see what

13 really happens in donations. Scranton is a good

14 hearted city. There are also a lot of handicapped

15 children who would love this opportunity.

16 As for Mrs. Fanucci taking flack over

17 disputed votes where a number of speakers are calling

18 for her to resign, my opinion is I do not know

19 Mrs. Fanucci as well as Janet Evans, my concern tells

20 me Mrs. Fanucci should not resign as a City

21 Councilwoman, although before election I did not

22 support her, and I supported Janet Evans, plus gladly

23 with a donation.

24 It is not my call or any speaker's call

25 for Mrs. Fanucci to resign. She was elected by the

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1 people and for the people to serve as one of our City

2 Councilwomen. She didn't get two-dozen votes, she

3 received several thousand or more Scrantonian votes.

4 I haven't heard an outcry from the many

5 Scrantonians on the street and places for Mrs. Fanucci

6 to resign, in fact, it's the opposite. They're telling

7 me that she shouldn't resign.

8 If we asked every politician to resign
9 because they told a white lie, there wouldn't be any
10 politicians to run our city, state or county, and there
11 would be times when other City Council personnel would
12 vote for favor projects or contracts from firms or
13 certain people who support them or give them a
14 donation. Should ever time you vote, should we ask you
15 did you receive a donation from that firm or person?
16 The Scranton Times Tribune exaggerated
17 the number of 24 speakers against Mrs. Fanucci. Let's
18 gives Ms. Fanucci a chance, as she is a freshman up
19 there and she's learning on the job. Thank you.

20 MS. GATELLI: Les Spindler.

21 MR. SPINDLER: Good evening, Council,
22 Les Spindler. Mrs. Fanucci, last week you said someone
23 takes care of your finances, you didn't know Carl Greco
24 contributed to your campaign, well, if that's the case,
25 when Mrs. Evans asked you that first week, why did you

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1 say no? Why didn't you say then that people take care
2 of your finances and you didn't know?
3 By taking the oath to serve on Council,
4 you are entrusted to make decisions which are crucial

5 to the taxpayers of this city.

6 That being said, I don't think you

7 could be trusted to make those decision. So, again,

8 I'm asking for your resignation.

9 MS. NEALON FANUCCI: Could I have an

10 order? Is this a little bit -- is this what we're here

11 for?

12 MR. SPINDLER: This has to do with city

13 business. You were elected to make decisions for us.

14 MS. NEALON FANUCCI: Attorney Minora.

15 MR. MINORA: As I've said, a personal

16 attack can be gaveled down. Every personal attack can

17 be gaveled down, and in my opinion, it should be

18 gaveled down.

19 MS. GATELLI: And what constitutes a

20 personal attack, when they're asking her to resign and

21 saying that she did things that were --

22 MR. SPINDLER: I'm talking about --

23 MR. MINORA: Attacking someone's

24 integrity is a personal attack.

25 MR. SPINDLER: I'm rebutting things

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1 that she said last week. I quoted stuff. She said

2 someone takes care of her finances, she didn't know
3 Carl Greco donated.
4 I think if I got \$500 from someone, I
5 would know who that person is. I think that's another
6 lie. I think she cannot be trusted with making crucial
7 decisions for Council. She should resign immediately.
8 She also said that her isn't vote sale,
9 well, I think she'll vote whatever way Chris Doherty
10 wants her to vote, and she should abstain from voting
11 on the Carl Greco issue tonight.
12 Changing the subject, Saturday the
13 headline in the newspaper was about Southern Union
14 going south, well, we knew that six months ago even
15 before the election.
16 Mayor Doherty says we have a \$16
17 million building there and there will be 100 jobs,
18 where are there going to be 100 jobs in the Southern
19 Union building? What's he going to do, move everybody
20 in there that's paying taxes now and give them a free
21 ride in the Southern Union building? That's the only
22 way he'll get people in there.
23 Mayor Connors built up the downtown, he
24 brought in the Hilton, he brought in the Steamtown
25 Mall, and he brought in Diversified. Chris Doherty is

1 ripping our downtown apart.

2 He should sit down with Al Boscov and

3 see what they can do about keeping all the stores in

4 the Steamtown Mall that are threatening to go to

5 Montage. Let him come out of his office and do

6 something constructive for a change.

7 The last thing about the tree house, I

8 don't know if this is true or not, but I was told the

9 tree house is going to be built 140 feet above the

10 gorge. Now, they built a fence on the turnpike bridge

11 in Clarks Summit, I think all the people that were

12 jumping off there are going to come down to the tree

13 house and jump into the gorge.

14 Who's going to be responsible for that

15 when that happens? That's all I have to say. Thank

16 you.

17 MS. GATELLI: Charlie Newcomb. Oh, I'm

18 sorry. Ian Miller. Then Charlie, you're next.

19 Pardon? Okay. Charlie.

20 MR. NEWCOMB, SR.: Good evening,

21 Council. I'd just like to make a statement. I think

22 the Constitution of the United States oversees any

23 attorney in this room or any attorney in the City of
24 Scranton's opinion.

25 I tuned in a few weeks ago, and I

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1 I thought it was a Tuesday or a Wednesday night, because
2 when I tuned in there was somebody at the podium here,
3 was bad American Idol, bad American Idol night, that's
4 what I thought I was seeing here, I had the wrong show
5 on.

6 Mrs. Gatelli, I'd just like to make a
7 comment, my son told me to tell you thank you for the
8 letter that you received and he will call you at your
9 home tomorrow. He hasn't been at the meeting because
10 he and his wife celebrated the birth of a little girl
11 last week, so that's why he hasn't been here for a few
12 weeks.

13 A few weeks ago I came to the podium
14 when I was here, and Mrs. Evans and Mrs. Gatelli
15 answered my question, and now I said I would bring it
16 back, so I don't want to take a lot of time up, because
17 I have a few things, but I would like to ask the other
18 three council members up there, Mr. Courtright,
19 Mr. McTiernan, and Ms. Fanucci, if you, basically just

20 a yes or no answer, if you agree with the budget that
21 was brought down from the mayor with an assistant for
22 Mr. Parker, and we had two \$50,000 -- and assistant to
23 the director, I think they were \$50,000 each, and there
24 was a \$35,000 person, I believe, to answer phones, do
25 you agree the way the city's financial shape is, that

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1 those are acceptable?

2 MR. COURTRIGHT: I did not agree,
3 that's why I asked them to be taken out.

4 MS. NEALON FANUCCI: I can honestly say
5 that I haven't looked over those figures that you're
6 telling me. I really haven't studied the whole budget,
7 but do I believe that we need to incur any more costs,
8 no, I don't.

9 MR. NEWCOMB, SR.: Mr. McTiernan.

10 MR. MCTIERNAN: I think my vote was
11 clear on the budget.

12 MR. NEWCOMB, SR.: Okay. Very good.

13 We had a lot of talk in the paper about the pension
14 ordeal, and all I have to say on that, I know what
15 happened there and I know why the vote came like it
16 did, because the people that were on the pension could

17 have sued, but I just hope that it stands in court that
18 these two people do not get to keep continuing getting
19 their pension, because if they do, we might as well
20 just have a big bonfire right in the middle of the room
21 here and light the Home Rule Charter on fire, because
22 it doesn't mean anything. We all know what the
23 language says on that.

24 And about campaign funds, there's a lot
25 of talk about campaign funds, I'll tell you what, I
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1 believe that anybody sitting up there or anybody from
2 the President of the United States on, we should be
3 able to have at least 70 percent of our campaign funds
4 we should be able to come up with out of our own
5 pockets, which gives people an idea that you really
6 have -- - you know, you really want to serve that
7 office, and the other 30 percent should be raised
8 through, you know, spaghetti dinners, concerts,
9 whatever else, but these individual campaign
10 contributions, I believe it's not good.
11 I know we did read the paper, and, you
12 know, I guess it was proven that Mr. Greco did donate
13 \$500 for Mrs. Fanucci's campaign, and I believe -- I

14 understand that she made a comment about, you know,
15 votes not for sale, but I believe it wasn't illegal,
16 but it is immoral.
17 If you collect money from somebody,
18 like Mr. Pocius used to sustain because his company
19 used to get money from the city contracts, I believe
20 anybody who donates money only donates it for a
21 purpose, for their own agenda.
22 Speaking, last election before this
23 one, Mr. McTiernan Mr. Murphy and Mr. McCormick were
24 running for City Council, the ad said, Vote the
25 Recovery Team, and underneath their ad it said, Paid
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1 For Chris Doherty Mayor.
2 Now, what's he paying for with that ad?
3 Obviously for you to be on City Council, because you
4 are going to approve his agenda, and the people spoke,
5 and the recovery team was not put in.
6 But that was my point, if people have a
7 certain agenda, they definitely should not -- should
8 not vote on things that's going to benefit them money
9 wise for the City of Scranton.
10 And I know there's a lot of controversy

11 about this \$52 tax, you know, I work in Dunmore, but I
12 live in Scranton, and they just took it out in one
13 shot, you know, so that's the way that Dunmore did it.
14 And I know a lot of people that are going to pay this
15 \$52 are people that don't live here, from Clarks Summit
16 or wherever else, so that's something that has to be
17 addressed.

18 But again on closing, I don't think
19 that anybody should vote on anything that's going to
20 benefit somebody that contributed to their campaign.
21 Thank you.

22 MS. GATELLI: Lee Morgan.

23 MR. MORGAN: Good evening, Council. My
24 first question is for Mr. McTiernan, and that question
25 is, Sir, do you know if all that information I

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1 requested is available at Council?

2 MR. MCTIERNAN: Yes. I have to look at
3 it and review it, and then you can see it.

4 MR. MORGAN: Thank you. I have
5 additional questions, and I'll present them to Council
6 at the next meeting.

7 The question -- the first thing I want

8 to ask is this, Mrs. Gatelli, we had a meeting of the
9 taxpayers and citizens association, and that meeting,
10 for some reason, wasn't recorded, and we discussed the
11 city's self insurance position and the \$7 million and
12 put some constraints on it and some accountability, and
13 I'd like to know, have you continued to look into that
14 and work towards a solution with that problem?

15 MS. GATELLI: Yes. I've been working
16 with Nancy Krake and Dave Gervasi on a lot of those
17 medical issues, because we have the same problem and
18 we're trying to work on it together.

19 MR. MORGAN: Okay. Have you used any
20 of Mr. Bolus' recommendations, as far as finding out
21 where money is going to, who it's going to, and, you
22 know, I assume you remember the conversations that took
23 place that Mr. Bolus had said that there were ways to
24 find out, you know, where this money was going, and I
25 just hope that you are looking into that.

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1 The other thing is this gentleman that
2 came here before, Mr. Williams in the wheelchair, does
3 the City of Scranton have a handicapped committee or a
4 board that works to make the city more accessible?

5 MS. GATELLI: There's a task force for
6 handicapped people, 504 Task Force, and I believe that
7 he's on it.

8 MR. MORGAN: Okay. So, I'd assume then
9 that Council is going to work with this gentleman to
10 make some kind of ramp or access to this building for
11 the handicapped relatively soon, is that possible?

12 MS. GATELLI: There is a handicapped
13 ramp to this building.

14 MR. MORGAN: It's comes in the back
15 way, though, right?

16 MS. GATELLI: It's in MS. GATELLI.

17 MR. MORGAN: Yes. But, I mean,
18 possibly to be more conducive to conduct business by
19 coming in the front door.

20 MS. GATELLI: I don't know if that task
21 force ever pursued that, but I can ask Keith.

22 MR. MORGAN: Well, I mean with the
23 police department not in the basement anymore, maybe it
24 will be a lot safer for people to enter the front of
25 the building.

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1 MS. GATELLI: Yes, it isn't -- I agree

2 with you, yeah, I agree with you there.

3 MR. MORGAN: My question is for your

4 solicitor, and that question is, Where in the Home Rule

5 Charter does it state the constraints on freedom of

6 speech? Could you cite that for me, sir?

7 MR. MINORA: It doesn't say in the Home

8 Rule Charter.

9 MR. MORGAN: Okay.

10 MR. MINORA: It says in the United

11 States Supreme Court opinions.

12 MR. MORGAN: Okay. But where in the

13 Home Rule Charter, since we're speaking here --

14 MR. MINORA: The United States Supreme

15 Court has precedent over the Home Rule Charter of

16 Scranton.

17 MR. MORGAN: Absolutely, and didn't the

18 judge already decide that we had a right to speak on

19 matters of opinion? And at what time --

20 MR. MINORA: Neither judge that you're

21 referring to that have rendered opinions in a case

22 involving the City of Scranton and another one

23 involving Scott Township approved disparaging remarks

24 to a politician or a board member by a speaker.

25 MR. MORGAN: Okay. So --

1 MR. MINORA: Not either case.

2 MR. MORGAN: So, disagreeing with a

3 Council member, that's not allowed; in other words,

4 you're freedom of speech is --

5 MR. MINORA: What I said Mr. Morgan was

6 --

7 MR. MORGAN: I'll just ask the --

8 MR. MINORA: -- what I said, Mr.

9 Morgan was, Disparaging remarks of a personal nature

10 are gaveled down.

11 MR. MORGAN: Okay. What disparaging

12 remark is made when you question somebody's vote?

13 Because being an citizen of this country and freedom of

14 speech encompassing all it encompasses, at what time

15 can't you question an elected official? That's my

16 question for you.

17 Because, you know, we seem to live in a

18 city that's decaying as --

19 MR. MINORA: Do you want an answer or

20 do you just want to talk?

21 MR. MORGAN: I'd love to hear an

22 answer, but you know what, I'll be honest with you, I

23 haven't really --

24 MR. MINORA: So, you don't want to hear

25 an answer.

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1 MR. MORGAN: No. I'm having a

2 conversation with you and --

3 MR. MINORA: Talk to me.

4 MR. MORGAN: Absolutely. You know,

5 when we start hiding behind what this person said or

6 that person said and what a disparaging remark is when

7 you want to question a Councilperson on their vote or

8 what they believe, and then what you seem to say is,

9 Well, you just can't ask that question because it's not

10 proper, and my question for you is, you know,

11 everything you say here is --

12 MR. MINORA: Do you want an answer to

13 this one or are you just going to keep talking?

14 MR. MORGAN: Hold on. Everything you

15 say here is only an opinion. We've listened to Mark

16 Walsh's opinions, we've listened to Mr. Hickey's

17 opinions, we've listened to all these opinions, and yet

18 and still the city is bankrupt.

19 MS. GATELLI: We have a lawsuit.

20 MR. MORGAN: What's that?

21 MS. GATELLI: We have a lawsuit right

22 here that Mr. Bolus filed.

23 MR. MORGAN: Absolutely, I've read

24 that. I have a copy of it.

25 MS. GATELLI: It tells you what you can

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1 and can't do.

2 MR. MORGAN: But we're allowed to speak

3 on matters of our own opinions.

4 MS. GATELLI: Absolutely, and Mr.

5 Newcomb spoke on the issue and he was fine.

6 MR. MORGAN: Absolutely. But I think

7 what we seem to have taken place here is that we're

8 trying to put constraints on freedom of speech here,

9 and I seem to believe that that's what's taking place

10 here. We're trying to decide what people should say

11 and what people shouldn't say.

12 And you know, some people here may not

13 care that this lady got up and sang and whatever she

14 did, but, you know, I really can't see the harm she did

15 to anybody, because freedom of speech encompasses a lot

16 of -- a lot of times when people express freedom of

17 peach, it may be something you don't want to hear, but
18 it's important to protect it at all times, and I just
19 think that what we get here is we get a bunch of
20 lawyers deciding what we should say and what we
21 shouldn't say, and then we've got judges who look at
22 things politically locally, and what we try to do is
23 stifle off free speech and all freedom of ideas.

24 And what you're trying to say to us is
25 that we shouldn't question what we you think or what
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1 you say because you represent the government, and
2 that's absolutely wrong. You represent us. We're the
3 government, okay, and you represent us, like Mrs. Evans
4 said.

5 And I think what's going on here is
6 we're going back to the Murphy rubber stamp thing. It
7 may be that we're heading that way.

8 MS. GATELLI: I resent that. I will
9 not be a rubber stamp for anybody, Mr. Morgan.

10 MR. MORGAN: What I'm saying here, I
11 didn't make an accusation against, you, I think,
12 though, that what we're doing here is we're trying to
13 put constraints around speech, all right, and that's

14 only the beginning, and that should stop.
15 You know, let people come to this
16 podium and express their views. You know, if somebody
17 utters a profanity, that's one thing, okay, but if
18 they're giving you their opinion, you don't have to
19 like it, but they're entitled to it.
20 Now, if they slander you, you've got an
21 option, you can go to court and sue them, okay? But
22 you know what, you should really let people express
23 their own opinions here.
24 And I think that when we start going
25 down the other avenue of asking y our solicitor what he
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1 thinks about anything, to be honest with you, that's
2 only his opinion. He's not a sitting judge. A judge
3 would decide that issue. And as far as I'm concerned,
4 his opinion means very little here, okay?
5 He can tell you what the rules or what
6 this law says, but only a judge will really decide
7 what's what.
8 MS. GATELLI: A judge did decide it,
9 it's right here.
10 MS. EVANS: Mr. Morgan, I just wanted

11 to add two things, number one, Council hires a
12 solicitor for legal opinions, and that is what they
13 are, an opinion, because the solicitor works for City
14 Council, Council does not work for the solicitor, so,
15 whatever City Council deems the solicitor will do
16 within reason and reason legal parameters, the
17 solicitor must do as an employee, and secondly --

18 MS. GATELLI: Oh, oh, oh, I'm sorry,
19 Mrs. Evans, but I cannot let you say that about
20 Attorney Minora.

21 MS. EVANS: I'm not saying that about
22 -- Mrs. Gatelli, I didn't name any names, so don't
23 insinuate -- I'm speaking of all solicitors, past,
24 present and future.

25 MS. GATELLI: First off, there is a
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1 lawsuit here that Mr. Bolus filed, Mrs. Wardell, who
2 else, Mr. Ferke, Lord rest his soul, it says no person
3 shall use his or her time during citizen participation
4 to personally insult or attack any individual.
5 Personal insults, attacks, name calling and other
6 behavior that is inconsistent with the purpose and
7 intent of conducting official business shall not be

8 permitted or tolerated. I want --

9 MS. EVANS: I think probably what

10 citizens are addressing, as I said before is city

11 business, but I think here is your bottom line, City

12 Council isn't a private club, City Council is the

13 people's forum, it's the only one, as I said, available

14 to them, and I think Council has to be very, very

15 careful with the decisions it makes so that it never

16 returns to that place and time where it had become a

17 private club.

18 MS. GATELLI: Well, Mr. Newcomb spoke

19 about it and he wasn't gaveled down.

20 MR. MORGAN: I'm going to walk away,

21 but my only question is this, what insults were said

22 from this side of the podium tonight? I didn't hear

23 any. Maybe I missed something.

24 And you know something, I believe that

25 Mrs. Fanucci may, in my own opinion, is entitled to the

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1 vote, if that's what it is, but I really think we have

2 to question when people give contributions, because we

3 can't let this city go to a place where it's going to

4 be pay to play, and that's why I've asked for these

5 documents, because I intend to ask this Council --

6 MS. NEALON FANUCCI: Mr. Morgan, you

7 know what, I've --

8 MR. MORGAN: I didn't --

9 MS. NEALON FANUCCI: I've let this go

10 on long enough, and you know, this is exactly what the

11 intent of our meetings have come to. We do not get

12 anything done. This is ridiculous, to be honest with

13 you.

14 Okay. Let's be honest, let's take it

15 this way, if somebody has gotten a contribution from

16 special interest groups, let's say the union guys, if

17 you get a contribution from the people in the union to

18 run your campaign, which a lot of people do, now, if

19 it's thousands and thousands of dollars, should you say

20 to yourself, no, I should not vote on this contract?

21 Well, does that mean that you really shouldn't vote on

22 this contract?

23 What you're saying is that I am not

24 able to make an informed decision, which I am very

25 sorry, I am very able.

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1 You and your room, I understand this is

2 something that you do here, but what I look out and see
3 are people from the campaign season who have done
4 nothing but harass me and my family, almost in ways
5 that it has been in names of other people. In fact, I
6 can cite probably three people this week.

7 I understand you have your opinions,
8 and I totally understand that they are important to
9 you, but you are not the only people in this city. And
10 I'm very sorry. I've gotten phone calls from people
11 all week. In fact, can I say, I probably got 35 phone
12 calls today, which in fact is more than the reporter
13 has reported were asking for my resignation last week.

14 This is not what the intent of these
15 meetings are for. We are not trying to stifle your
16 freedom of speech, we're trying to get the work done.

17 We are a whole Council of people who
18 are here to make rules to help you. If you want to
19 come up here and try to take away from our intent and
20 our business, if you want to be all focused on what it
21 is that you think I should be doing or worrying about
22 who is going to attack me or not attack me or say
23 things to my family or my poor brother who was out to
24 get a pizza has to worry, if that's what we're coming
25 to as a city, we are not going to get anywhere.

1 You are the taxpayers. The only people
 2 who lose out in this tug of war are you. And if you
 3 seriously think that this is to your benefit, you are
 4 wrong, you are dead wrong.

5 We are to come together as a city to
 6 work together to get our job done, and that's all we
 7 want to do, and that's all I'm going to do.

8 I will not be resigning, nor will I be
 9 heard or asked to resign one more time. I am here, I'm
 10 going to be here, and I will be sitting here for four
 11 years for all of you to come to me with great solutions
 12 and great ideas to make this a better place, that's
 13 what I'm here for. Thank you.

14 MR. MORGAN: Thank you. Mrs. Gatelli,
 15 I'd just like to say that nobody -- I have never asked
 16 Mrs. Fanucci to resign, and I don't think that's
 17 proper, but I would like to say that I think she
 18 received some very bad advice in voting for Mr. Pocius'
 19 pension, and I'm not criticizing you for that, because
 20 you only -- she's new to the Council, there's no doubt
 21 about that, you've only been here a short period of
 22 time, nobody is perfect, but it is against the Home

23 Rule Charter, and maybe it will have to be settled in
24 court, but there's a lot of serious dilemmas here, and
25 we're looking for this Council, believe it or not, to
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1 save the city, and we want all five of you to work
2 together for us. Thank you.

3 MS. GATELLI: Sarine O'Malley.

4 MS. STOKER O'MALLEY: Good evening,
5 Council. Sarine O'Malley, East Mountain. First off I
6 want to say this, okay, this week -- I came here last
7 week for help, Janet said she was going to talk to Mr.
8 Parker, Judy Gatelli said she was going to talk to Mr.
9 Parker, Saturday night I was sitting at home, my phone
10 rang, okay? Judy Gatelli was on the phone and said,
11 I'm on my way up tomorrow, can we get together? I want
12 to see what Maple Street's about, okay?
13 Sunday morning, eleven o'clock my phone
14 rang, Judy said, I'm on my way up. She came up. We
15 walked Maple Street, okay? That's the first time
16 that's happened for years, okay? Thank you, Judy,
17 sincerely.

18 Okay. My problem is this, I'm still
19 paying taxes on land I can't use. You know, you can

20 say to me you're going to get in touch with Mr. Parker,
21 that's all well and good, he's going to talk cost,
22 well, that's nice, okay, but I don't care what it
23 costs.

24 The State paid the city \$330,000, I
25 found out this week, too, that bridge, that walkway,
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1 that right of way, The State is still paying for
2 something that's not even there.

3 Now, how ridiculous is this? Enough is
4 enough. I don't, you know, the \$330,000, that is --
5 the city was paid to do that. It wasn't done. I can't
6 see them putting a part of a road that's going to cost
7 more than \$330,000, besides my taxes, besides the taxes
8 of the person on the other side of the street.

9 Now, I mean, I don't know what else to
10 say here at this point. I truly, truly don't want to
11 hear cost. I know everybody means well and everything
12 else, but they've been paid ten fold to open a street
13 three quarters of the way.

14 I'm not even asking for it to be all
15 the way open, I'm asking honestly to have it opened so
16 that I can use my land and I can -- I mean, I'm paying

17 for it. I have a job that I have to work for it, as

18 everybody does. You know, this is ridiculous.

19 What can we do? You know, honestly,

20 Mr. Minora, what can I do, other than sue the city at

21 this point? Do you have any recommendations for me?

22 MR. MINORA: I don't have -- I don't

23 know enough of the facts, and I'm not representing you

24 privately to give you that advice, I'm sorry.

25 MS. STOKER O'MALLEY: Would you?

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1 MR. MINORA: I don't think I can.

2 MS. STOKER O'MALLEY: I'm kidding. No,

3 I mean, honestly, if anybody has anything for me that

4 --

5 MS. GATELLI: Did you ever get in touch

6 with the other property owner across the --

7 MS. STOKER O'MALLEY: Yes, I did, and

8 he's -- he's just so busy --

9 MR. COURTRIGHT: Sarine, could I ask

10 you a question, I was up there three times last year,

11 remember? They told you it was going to get done, you

12 told me you were going to invite me to the party, what

13 happened?

14 MS. STOKER O'MALLEY: I'm still

15 waiting.

16 MR. COURTRIGHT: I thought it was

17 settled last year.

18 MS. STOKER O'MALLEY: George told me it

19 was, so did the mayor tell me it was.

20 MR. COURTRIGHT: And why didn't it get

21 done, did they tell you that?

22 MS. STOKER O'MALLEY: You tell me.

23 That's why I'm here.

24 MR. COURTRIGHT: I was under the

25 impression it was --

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1 MS. STOKER O'MALLEY: The mayor told me

2 at the fishing derby to my face this was going to be

3 taken care of. I honestly thought it was going to be

4 done and taken care of. Honestly in answer to your

5 question, I thought it was going to be done, I thought

6 it was going to be taken care of, that's why I'm still

7 here.

8 MR. COURTRIGHT: We haven't seen you

9 for several months, I figured they did it.

10 MS. STOKER O'MALLEY: Well, everybody,

11 you know, I wanted to give everybody enough chance to
12 get it done, you know what I mean? I mean, I
13 understand that there's other things that are more
14 important in the city than my street, you know, Maple
15 Street. It's not even my street, I shouldn't say that,
16 but Maple Street. And this is a legitimate thing that
17 I'm here talking about.
18 I'm not asking or talking about anybody
19 or anything else, I'm here as a concerned citizen who
20 pays their taxes and I can't use it.
21 Now, my thing that I want to stress, I
22 have people that will say to me, Well, you know,
23 there's a lot of streets -- Judy, we even talked about
24 it -- Judy there's a lot of streets that are this way
25 in the City of Scranton, my situation becomes different
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1 because of that walk bridge over 81 and the right of
2 way and The State paying the city to maintain it and it
3 was grossly neglected, that's the difference.
4 And, I mean, everybody says to me,
5 Well, yeah, this should be done, this should be done,
6 and you yourself, Judy, you got an answer, they're
7 going to talk cost, well, and I mean no disrespect to

8 you, that was your answer, I don't want to hear what it
9 costs. They've already been paid, they're still being
10 paid to this day \$10,000 a month -- a year to maintain
11 a bridge that's not even there. Well, hello, what do
12 you do now?

13 MS. GATELLI: It would -- there's
14 property on the other side.

15 MS. STOKER O'MALLEY: Yes, that are
16 cleared. And, you know, truthfully --

17 MS. GATELLI: If it were open, it could
18 open up some development for some new homes.

19 MS. STOKER O'MALLEY: It would open new
20 homes, probably three, at least three, my three.

21 MS. GATELLI: Well, let's wait until I
22 get the information from --

23 MS. STOKER O'MALLEY: I understand.

24 MS. EVANS: Ms. O'Malley, I know you
25 probably don't want to hear this, but I think this is

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1 the bottom line, I mean, evidently you've been waiting
2 for years and years and years and years for action --

3 MS. STOKER O'MALLEY: Twelve myself.

4 MS. EVANS: -- years that long predate

5 this Council --

6 MS. STOKER O'MALLEY: Right.

7 MS. EVANS: -- but here it is, the

8 administration has had an opinion in the past of I

9 don't care, what did you buy it for, and that's what

10 I've run up against when I've talked to them about more

11 than one dreadful situation that a tax-paying resident

12 is suffering through, and the answer I've gotten is,

13 What did they buy it for --

14 MS. STOKER O'MALLEY: I didn't buy it.

15 MS. EVANS: -- which is no answer.

16 Well, these are various situations. And another sad

17 fact I think is, it's who you are.

18 MS. STOKER O'MALLEY: Nobody.

19 MS. EVANS: Right. It's who you are.

20 What gets done depends on who you are, and also some

21 things that get done and how quickly they get done, it

22 also depends on who does the asking.

23 MS. STOKER O'MALLEY: Yes, you're

24 totally correct, totally correct.

25 MS. EVANS: Because you have to be

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1 inside the circle in order to get the action.

2 MS. STOKER O'MALLEY: Yes. I totally

3 agree.

4 MS. EVANS: At least these days. But

5 it shouldn't be that way, because everyone pays taxes,

6 MS. STOKER O'MALLEY: Right.

7 MS. EVANS: And unfortunately people

8 have a lot of problems, and the problems should be

9 addressed, regardless of their socioeconomic

10 backgrounds, regardless of their campaign

11 contributions, regardless of the title next to their

12 name, it should just be done, that's the point of

13 government, but unfortunately in this city, it hasn't

14 been happening.

15 Now, I hope tonight this will stir the

16 pot enough that it's going to happen for you, and I

17 wish it would happen for all the cases I know of,

18 because I know it wasn't my property, but I was

19 offended when I was told a flippant response like, What

20 did he buy it for, no, I'm not helping, or, do you know

21 how much that will cost, we can't afford that.

22 Well, I see that we can afford many,

23 many other things that aren't the essentials.

24 MS. STOKER O'MALLEY: Yeah. Right.

25 Honestly, that's -- at this point I understand, like,

1 there are other things that are more important in the
2 city, you know, but I think I've waited my share of
3 time.

4 MS. EVANS: More than your share.

5 You've waited about five people's shares.

6 MS. STOKER O'MALLEY: And this goes
7 back honestly my father, my Aunt Madeline. There was a
8 home there in 1974. I had to pay to inherit this land
9 \$2600 for the sewer. Notice, PP&L maintains the
10 electric. The sewer, as you saw, Ms. Gatelli, is
11 basically ready for action in a second, they can get
12 that top off and be in it.

13 No, but you can't walk up it and I
14 can't get to my property. I think this is gross
15 negligence on the part of the City of Scranton, and
16 I've had it.

17 I mean, I have no other choice at this
18 point, you know? And I'm a hardworking person who just
19 wants what I'm rightfully entitled to.

20 MS. EVANS: Well, I can tell you just
21 to end the discussion that the other individuals with
22 problems that are as severe as yours, they have sued

23 the city.

24 MS. STOKER O'MALLEY: Have they won?

25 MS. EVANS: It's not been decided yet.

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74

1 You know how long legal action takes --

2 MS. STOKER O'MALLEY: Yes, I do.

3 MS. EVANS: -- unfortunately, but they

4 have sued the city.

5 MS. STOKER O'MALLEY: Thank you, and

6 thank you to Mrs. Gatelli and Janet and everybody

7 who's, you know, lent an ear or at least let me vent,

8 you know? And that's why I come here. I come here to

9 Council for help for a city problem. Thank you.

10 MS. GATELLI: Mr. Davis.

11 MR. DAVIS: Asssalaam Alaikum. I've

12 been coming to this Council room almost 20 years, count

13 it back, 20 years, if not more, I have sat before, I

14 have stood before, I have listened to a number of

15 people, I have never in my lifetime seen such

16 disparaging remarks coming from you as Council people.

17 I don't understand. I try to explain

18 it to the kids down at the progressive, now, this is

19 the way voting goes. You vote for someone, if they

20 obtain the most votes, they're the ones that lead the
21 group, and I couldn't understand how -- how did
22 Mrs. Gatelli become the president of this Council? I
23 don't understand that. That means there had to be
24 complicity somewhere, and I believe that to be so.
25 Now, I don't care, it's done. I pray to Allah.

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75

1 You do a good job. We're watching.
2 You do a good job, you do a good job, because we're
3 watching you. And we care, that's why we're watching
4 you.
5 I had a lady come to me the other day,
6 Mr. McTiernan, who just pulled her son out of Tech High
7 School, and she couldn't understand what to do next.
8 Home training, I told her, put him in home school.
9 He's not getting -- he's not getting
10 along at the school, he's having problems. Every time
11 he turns around, he's having another problem, get him
12 out of there before he goes to jail.
13 Because you see, we have a lot of kids
14 that go from school to jail, they don't go to college
15 like with the rest of the population because they don't
16 look right, because of the way they do look or the way

17 they dress or the way they talk.

18 Ms. Gatelli, I have to pray to my aunt

19 every day, every time I see you because of the anger

20 that wells up in me. You took her house from her on

21 Linden Street, you took her house again from her up on

22 Prescott Avenue, she ended up in a nursing home broken

23 hearted, and here's a woman that had been independent

24 all of her life since she came here from

25 South Carolina. That's personal.

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76

1 MS. GATELLI: Mr. Davis, when I did my

2 job in the community development --

3 MR. DAVIS: That was not your job.

4 MS. GATELLI: -- people were removed

5 from unsafe houses.

6 MR. DAVIS: You called anything that

7 was black owned unsafe at that time.

8 MS. GATELLI: No. I resent that. I've

9 been -- I've worked with --

10 MR. DAVIS: You resent it, but --

11 MS. GATELLI: I worked with Ms. Usarey

12 from the University of Scranton --

13 MR. DAVIS: Oh, please, she just came n

14 town. She's not from Scranton.

15 MS. GATELLI: I'm not going to stand

16 for that abuse.

17 MR. DAVIS: Okay. I am. I have.

18 MS. GATELLI: Morris Jackson, who

19 worked in this building was my best friend.

20 MR. DAVIS: Oh, please. That's the

21 most racist thing you could have said.

22 MS. GATELLI: No.

23 MR. DAVIS: You pull out another black

24 name from out here somewhere and say --

25 MS. GATELLI: No, you're not going to

.

77

1 call me that, Mr. Davis.

2 MR. DAVIS: Excuse me?

3 MS. GATELLI: Absolutely not.

4 MR. DAVIS: You've called me worse.

5 MS. GATELLI: No. Absolutely not.

6 You're going to be called out of order.

7 MR. DAVIS: You've called me worse than

8 that.

9 MS. GATELLI: No, I've never called you

10 any names.

11 MR. DAVIS: In the street of Linden
12 Street and Taylor Avenue, you called me worse than
13 that, Lady.

14 MS. GATELLI: No, you haven't.

15 MR. DAVIS: I had to come to you in
16 order to get into your apartment after you had the
17 house closed down, remember that?

18 MS. GATELLI: The house was closed for
19 unsafe conditions, and people were living --

20 MR. DAVIS: That's what you said.

21 MS. GATELLI: It wasn't me, it was the
22 inspectors.

23 MR. DAVIS: Of course. And then they
24 were sold to the University of Scranton who were trying
25 to buy it for ten years. I fought them for ten years.

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78

1 MS. GATELLI: I did didn't do my job
2 that way. I protected the citizens of this community.

3 MR. DAVIS: You protected the Hill
4 Neighborhood Association, you protected the University
5 of Scranton.

6 MS. GATELLI: No, I didn't.

7 MR. DAVIS: You didn't protect the

8 people of the community.

9 MS. GATELLI: You're out of order,

10 Mr. Davis.

11 MR. DAVIS: I am not.

12 MS. GATELLI: Please sit down.

13 MR. DAVIS: Hey, look, Lady. Excuse

14 me.

15 MS. GATELLI: You're not going to abuse

16 me. And don't call me Lady.

17 MR. DAVIS: Excuse me. I said excuse

18 me.

19 MR. COURTRIGHT: Mr. Davis, why don't

20 you sit down and come back next week a little --

21 MR. DAVIS: I sat down last time I was

22 here and I came back.

23 MR. COURTRIGHT: I know, but you can't

24 say Hey Lady to her. You can't say --

25 MR. DAVIS: I said excuse me, Sir.

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79

1 MR. COURTRIGHT: I know.

2 MR. DAVIS: I mean, that's what we say

3 in the street.

4 MR. COURTRIGHT: I would suggest you

5 sit down and maybe come back next week when things

6 aren't as hot. You don't want to get in an argument

7 back and forth here.

8 MR. DAVIS: I have one more point and

9 I'm gone. I'm off her. She knows what I think of her.

10 You do, too.

11 Okay. Now, we have a problem in the

12 African American community of Scranton, we have not

13 received a dollar, dime or spittoon from this City

14 Council for the last eight years, check your files.

15 MR. COURTRIGHT: Did -- aren't they

16 giving all this money to the Progressive Center?

17 Didn't we just --

18 MR. DAVIS: No. They're giving nothing

19 to the Progressive Center, they're giving in to UNC.

20 UNC is an organization, sir, it's a corporation, and

21 what they do is they have many different functions.

22 Like Catholic charities, they have

23 different things that they do with the money. They

24 don't just give it to progressive center.

25 I've asked to earmark money for the

.

80

1 Progressive Center, I've asked you to earmark money for

2 the Boys Club, and you never say yes, instead you said,

3 Oh, we're going to give it to UNC, for this, for that.

4 MS. EVANS: Mr. Davis, I know the city

5 has allocated funding to Project Hope, the summer

6 program for underprivileged children, it's also

7 allocated money for the annual trip to Washington that

8 is directed by Sister Adrian Barrett.

9 MR. DAVIS: That's for all over the

10 city, that's not just for Tech Central, that's not just

11 for our community. You don't understand.

12 MS. GATELLI: I think there was money

13 allocated this last CDBG program to Cathryn Simmons.

14 MR. MCTIERNAN: The last CDBG Grants

15 went to Reverend Newberry.

16 MS. GATELLI: And to Reverend Newberry.

17 MR. DAVIS: The money was allocated

18 through the budget this year to go to Bethel AME

19 Church, that was besides the point. We haven't

20 received it yet, we haven't received a dime.

21 That program itself is in real repair.

22 He can't -- well, he's doing the best he can, but

23 there's no money given yet. He hasn't received -- if

24 you know better than that --

25 MS. GATELLI: I'll call Reverend

.

81

1 Newberry tomorrow.

2 MR. DAVIS: Is that the same money

3 given to --

4 MS. GATELLI: I'm not sure, but I'll

5 call him tomorrow.

6 MS. NEALON FANUCCI: Actually,

7 Mr. Davis, I had met with Mr. Reverend Newberry this

8 week, him and I had sat down, the money has been

9 allocated.

10 He will be receiving that money. I

11 believe he said that the target date was, like, two

12 months away, but he had been aware of that before. He

13 said he is making due, and it is very difficult, and he

14 does understand that problem, as we all do.

15 MR. DAVIS: When a church suffers like

16 that, when a church has been promised -- see, you don't

17 -- okay. Listen to me, please, Ms. Fanucci, please --

18 MS. GATELLI: I think your time is up,

19 Mr. Davis.

20 MR. DAVIS: I know, it's always up.

21 MS. GATELLI: Mike Dudek.

22 MR. DAVIS: Ms. Fanucci, whenever you

23 promise a black church funds, the whole community
24 becomes involved in it. When the money does not come,
25 the services have to stop.

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82

1 MS. EVANS: Mr. Davis --

2 MR. DAVIS: Do you know what I'm
3 saying? Therefore, it causes more of a drain on the
4 community and more disheartment in the community than
5 anything else in the world until the money is there.
6 Because he cant go anywhere and get credit on what you
7 might --

8 MS. GATELLI: Mr. Dudek.

9 MS. EVANS: Mr. Davis, it isn't often
10 that CDBG allocations are distributed immediately,
11 regardless of the project. Sometimes it even takes
12 more than a year, sometimes it's two years before those
13 funds actually go into the proper hands, but in
14 addition to that, I believe that, you know, for
15 example, a project is described and they are applying
16 for a group or an organization is applying for funding
17 for this particular project, now, the money, if I
18 understand the operation of OECD correctly, the money
19 never goes into the hands of the organization, the

20 money is used to pay for the project; in other words,
21 for example, the Senior Citizens Center downtown needed
22 sidewalk repairs, the check was never given to the
23 Downtown Senior Center, rather, it's handled through
24 OECD with the contractors and OECD selects the
25 contractors, OECD pays the contractors, I don't believe
.

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1 that the funds were ever given to those individuals,
2 you know, who are managing and running that particular
3 organization.

4 MR. DAVIS: One question to you, In
5 1980 I wrote grants for OECD, at that time it was
6 economic development, that's all it was, for Tech
7 Central, and we received a grant for \$1.5 million from
8 HUD to run a yearlong program, we got a summer out of
9 it, we got the winter out of it, and the funds were
10 snatched by, at that time, the mayor, because he needed
11 it somewhere else and he said we had performed our
12 function. I know what I'm talking about, I know the
13 federal guidelines as far as HUD is concerned, what can
14 be done, and what can't be done. I had to learn them
15 in order to do that, all right?

16 Now, our kids are hurting. We don't

17 have a field to play in. I've been saying this so
18 long, I'm tired of saying it. The kids say, Mr. Davis,
19 why do you keep asking the very same thing, because we
20 know they're not going to do anything about it?
21 Mr. McTiernan, if you don't do
22 something with the kids, you're going to have a racial
23 riot down there.

24 MS. GATELLI: Mr. Davis, please sit
25 down.

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84

1 MR. COURTRIGHT: Sit down now.

2 MS. GATELLI: Mike Dudek.

3 MR. MCTIERNAN: I don't think you're
4 giving the folks you're talking about enough credit. I
5 think you're making assumptions --

6 MR. DAVIS: Everything I say is an
7 assumption, sir.

8 MR. MCTIERNAN: I work with them every
9 day, and there's some great kids at Scranton High,
10 there's great kids down there.

11 MS. GATELLI: All right. Sit down.

12 Mr. Dudek, please start.

13 MR. DUDEK: My name is Mike Dudek, 608

14 Depot Street, Scranton, I live in The Plot. And the
15 first thing I'm going to do is to give each member of
16 City Council a homework assignment.
17 Cornell University press has just
18 published a book, it is on the history of the City of
19 Scranton, specifically the economic history of the City
20 of Scranton.

21 The title of the book is called, The
22 Face of Decline. It starts with the coal industry back
23 in the late 1880s and goes right up to and including
24 the recovery plan. It costs \$65. It is a hardcover
25 book. I'd say it is required reading, not only for
.
85

1 City Council, but for anybody who has any interest in
2 the City of Scranton. And the book pulls no punches
3 once it starts describing things that have happened in
4 the City of Scranton.

5 Just as a belief example, one of the
6 organizations that really gets skewered quite well in
7 this book is the Diocese of Scranton for the way it
8 behaved at the turn of the century.
9 It points out that the work of the
10 Bishop at the time, Bishop O'Hara, was overturned by

11 Pope Leo the 13th in an encyclical on the rights of
12 working men. Very interesting reading.
13 The only time in the history of the
14 church that the pope overturned the teachings of a
15 bishop. I think you'll find it very interesting.
16 But they point out how the church at
17 the turn of the century was really more in favor of the
18 mine owners than the miners.
19 As you go through this book, you'll
20 find that the book is quite thorough, not only about
21 the whole City of Scranton, but about the whole mining
22 operation in general going all the way down to the
23 Schuylkill Valley.
24 It's a very educational book. It is
25 written by two professors. One of the professors teach
.

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1 at Binghamton University and the other at Cornell. It
2 is a history monograph. It's really worth reading.
3 Again, the name of it, The Face of Decline. You can
4 get it from Borders.
5 The next thing I would like to bring
6 up, Montage is trying to take away some of the
7 businesses that we have in the Steamtown Mall. The

8 Borough of Moosic is building their own mall. We hear
9 stories that up to 30 of our tenants are being
10 attracted to leave Steamtown to go up there. Can
11 something be done to head this off now?
12 Council meeting with the mayor, meeting
13 with these tenants, meet with Steamtown, do whatever we
14 can to keep our clients in Steamtown. Keep them here
15 now while we have the opportunity to keep them here,
16 rather than wait until after they leave and say, Oh, my
17 God, why didn't we do something?
18 That's the one major point I wanted to
19 make for this week, is to please let's do something to
20 keep the businesses we have at the Steamtown Mall in
21 the Steamtown Mall. Oh, and please read that book.

22 MS. GATELLI: Fay Franus.

23 MS. FRANUS: Fay Franus, Scranton. I
24 came here for a specific reason, but I want to talk
25 about something else right now, and then I'm gong to
.

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1 get to this reason because of what was said.
2 Now, Mrs. Fanucci, I have to differ
3 with you a little bit here. I go to work every day, as
4 everybody here does and other people, and we work hard

5 and we get paid, and out of our paychecks comes money
6 that pays for your salary up here, and if you were to
7 go to a store and buy something, you would expect
8 services for what you get, you want something to work
9 right if you buy a new appliance or something or a
10 service.

11 If by chance you do something I don't
12 like, I will definitely come here and tell you about
13 it, and if you don't like it, I'm sorry. I mean, if
14 maybe the way it's done some things will be said to
15 you, maybe if they don't yell or scream it across,
16 that's fine, but we have a right to tell you.

17 MS. NEALON FANUCCI: You definitely do.

18 MS. FRANUS: But you're saying you're,
19 like, sort of fed up with it and you're not going to
20 take it anymore, we'll you're going to have to take it.
21 You said before you're tired of it and
22 nothing's going to get done if people keep on coming
23 and complaining to you.

24 MS. NEALON FANUCCI: Fay, I think
25 you're misconstruing what I said. What I said was the
.

88

1 fact that I'm tired of the accusations, I'm tired of

2 the character, you know, assassination, and that's what

3 I'm tired of. I'm tired of this forum being used for

4 --

5 MS. FRANUS: But that's my point.

6 MS. NEALON FANUCCI: -- not only

7 political, but also a forum to, like, defame people in

8 the city because of opinions. That's what where the

9 problem lies, not in your suggestions. I totally

10 understand that, I believe what you say is what you

11 think, but you cannot assassinate my character and try

12 to act like I'm doing things for reasons that don't

13 exist, and I can't sit here and take that, and I won't,

14 and I definitely won't. No, I won't.

15 MS. FRANUS: But certain things are

16 opinions, and I have a right to my opinion. If I

17 firmly believe something that I think you're doing, I

18 have a right to say this, and no lawyer is going to

19 give me an opinion saying I can't, you'll take me to

20 jail first. I mean, you really will.

21 MS. NEALON FANUCCI: And that's your

22 opinion.

23 MS. FRANUS: That is my opinion.

24 MS. NEALON FANUCCI: Right.

25 MS. FRANUS: But an example when you

1 mentioned about if you had gotten a contribution from
2 Mr. Greco, you would not vote, and then you turned
3 around and voted.

4 My opinion is, you have a right to
5 vote, you have every right in the world to vote, one
6 thing you said, you said you would not vote, and then
7 you turned around and voted, that's what made it look
8 bad, okay? You sort of contradicted yourself.

9 Now, if you voted, that's fine, you
10 have a right to vote. Maybe I might not think you
11 should, but you have that right, and nobody should take
12 that right away from you, but my point is this, Judy,
13 and everybody else --

14 MS. GATELLI: I agree, you said it
15 perfect. You said it perfectly.

16 MS. FRANUS: But my oint is this, if
17 you do something I don't like or somebody else doesn't
18 like, when you mentioned all these people here are the
19 ones that were against you in the campaign, that may be
20 so, but there's thousands of people at home that were
21 for you, why don't they come? I mean, just because
22 these people are against you --

23 MS. NEALON FANUCCI: Because this forum
24 has to be put in a position as being a campaign
25 continuing and on constant campaign mode. That's where
.
90

1 we've been for a year and a half, we've been on
2 constant campaign mode in this room. I think it's time
3 to stop that. The campaigning is over.

4 MS. FRANUS: I know, but when they see
5 you do things that they don't agree with, like I don't
6 agree with, we have a right to say so.

7 MS. NEALON FANUCCI: Yo have a right to
8 say so, but don't bring my campaign -- I ran a
9 wonderful campaign with great people. I was a stay at
10 home mom, and I'm here.

11 MS. FRANUS: Sure, and they worked
12 hard.

13 MS. NEALON FANUCCI: But when people
14 put my ethics in question, and I'm -- and we won't have
15 a problem. I won't put yours in question, you won't
16 put mine in question, that's all I'm asking for.

17 MS. FRANUS: It has nothing to do with
18 the campaign. It just so happens that this happened
19 during your campaign. So, hypothetically supposed this

20 happened a year into your Council seat --

21 MS. NEALON FANUCCI: It is keeping our

22 forum in constant campaign mode, and that's what I'm

23 just trying to avoid for everyone, the taxpayers and

24 everyone else sitting here, I think it's time to move

25 on, and that's --

.

91

1 MS. FRANUS: Okay. When you keep on

2 saying nothing's going to get done if we keep this up,

3 but if we have issues with something you did or

4 anybody, Mrs. Evans, Judy, Billy or anybody, we want to

5 come here and be able to address it, not be saying

6 nothing's going to get done if we don't be quiet; in

7 other words, you're trying to stifle us -- you are

8 trying to intimidate us into thinking we shouldn't say

9 things.

10 If I have something to say, and I hope

11 everybody else, they say it, and I'm sorry if you're

12 offended.

13 Now, Mrs. Evans, take her for a good

14 example, since the school board, Judy, you could attest

15 to this, the newspaper crucified her week after week,

16 and they're still doing it. They don't think twice

17 about hurting her feelings, and she's going to take it
18 because she's getting paid to take it. She doesn't
19 like it, but she certainly doesn't have the right to
20 say anything about it. They give it to her all the
21 time. You don't hear her saying, I'm not going to take
22 this and we have to move on. She takes it and she
23 learns from it, and she knows who's right and who's
24 wrong.

25 But I would just like what I came here

.

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1 for, please, and I wasn't going to steer away from
2 this, but some people have spoke for 20 minutes, my
3 little magic stop watch --

4 MS. GATELLI: I did tell them to sit,
5 but they don't listen, Fay.

6 MS. FRANUS: I know.

7 MS. GATELLI: Maybe you can be my
8 bouncer.

9 MS. FRANUS: I have enough watches, but
10 anyway, here's what was in the paper, if I may, A
11 hearing scheduled Tuesday over whether former
12 Councilman John Pocius and Alex Hazzouri are eligible
13 to receive a city pension was postponed.

14 The pension issue has become a hot bed
15 of controversy after it was determined that under the
16 city's Home Rule Charter Council members were entitled
17 only to their salary and no other benefits.

18 Okay. Now, this whole pension issue is
19 getting out of hand. Something like this flies in the
20 face of reason. I came last week and I asked a
21 question, but I'd like to ask this one more time,
22 because I really didn't get an answer, I got a partial
23 answer from Mrs. Fanucci, but I would like to start
24 with Mr. McTiernan, please, this is why I came tonight,
25 do you feel it's right to give Mr. Pocius and Mr.

.

93

1 Hazzouri a pension, since the Home Rule Charter states
2 he should not get it?

3 And Mr. Doherty this morning or
4 yesterday in the paper said he's going by the Home Rule
5 Charter where it comes to Mr. Greco, isn't it funny how
6 he goes for the Home Rule Charter for one thing, but
7 not for another?

8 What would you like to say on this,
9 would you think it's right to give these Councilmen a
10 pension, Mr. McTiernan:

11 MR. MCTIERNAN: I can only speak for
12 myself. I didn't accept a pension.
13 MS. FRANUS: So, you're against it,
14 sir? No, no, I'm not asking you if you're accepting, I
15 say, How do you feel about Mr. Pocius and Mr. Hazzouri,
16 do you feel it's right that they would get a pension?
17 I'm not asking you about yourself. That was a
18 question. No answer?
19 MR. MCTIERNAN: I answered.
20 MS. FRANUS: No, you didn't. What was
21 the answer?
22 MR. MCTIERNAN: I voted not to take the
23 pension for myself.
24 MS. FRANUS: I didn't ask you, I asked
25 you what you thought --
.
94

1 MS. GATELLI: Let's not get into a
2 controversy.
3 MS. FRANUS: That was a question, Judy.
4 Why can't --
5 MS. GATELLI: That was his answer.
6 MS. FRANUS: Well, Kevin Murphy did
7 that once, you know what happened. We, boy, you just

8 blew it for yourself.

9 MR. MCTIERNAN: You're not going to

10 vote for me again?

11 MS. FRANUS: I'm not worried about me,

12 you should be worried about the other ones, the rest of

13 the city watching this. Oh, Boy, you just really blew

14 that one. Billy.

15 MR. COURTRIGHT: All right. Let me

16 just say this first, and then I'll answer it.

17 MS. FRANUS: You can do whatever you'd

18 like.

19 MR. COURTRIGHT: All right. I headed

20 this whole problem off for myself, I didn't even allow

21 them to ask me. Before I got on Council, I sent them a

22 letter saying, Don't ask me, I don't want to be on. Do

23 I think they should get it? I mean, I think that's up

24 to the judge. Whatever the judge says --

25 MS. FRANUS: You, not the judge.

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95

1 MR. COURTRIGHT: -- that's the way I

2 go. The way I read the Home Rule Charter, do you want

3 me to interpret it my way?

4 MS. FRANUS: No. I want to ask you

5 personally what I asked, Do you personally feel they
6 should get a pension? Now, that should be very simple.

7 MR. COURTRIGHT: My personal opinion, I
8 do not believe any Council person is entitled to a
9 pension.

10 MS. FRANUS: Good. Thank you. That's
11 what I asked.

12 MR. COURTRIGHT: That's my personal,
13 but I'm not a lawyer, I'm not a judge.

14 MS. FRANUS: That's fine. I'm only
15 asking you your personal opinion. Thank you.

16 Mrs. Gatelli.

17 MS. GATELLI: No, I'm not in favor of a
18 City Councilperson getting a pension.

19 MS. FRANUS: So, Mr. Pocius and
20 Mr. Hazzouri you don't think should get it?

21 MS. GATELLI: No.

22 MS. FRANUS: Thank you. Mrs. Fanucci.

23 MS. NEALON FANUCCI: I don't know how
24 it is you want me to answer this question, if you want
25 me to answer this question as a City Councilperson or
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1 as a person who was on the pension board at the time.

2 They are two totally separate answers,
3 and this is the only way I can answer this question, as
4 a City Councilperson, I do look at the Home Rule
5 Charter, which is what, right, that is different, that
6 does not apply in the pension board, they are totally
7 two separate things.

8 If I took this for the Home Rule
9 Charter into the pension board, it doesn't hold water.
10 The pension is guided by attorneys, lawyers and legal
11 findings, so they are totally two separate things.

12 So, for me to answer you in the way
13 that you want me to answer, it is not possible.

14 MS. FRANUS: I'm not going by the law,
15 Mrs. Fanucci, I'm asking you your personal opinion, do
16 you think Mr. Pocius and Mr. Hazzouri should receive a
17 pension, nothing to do with the law.

18 MS. NEALON FANUCCI: I believe that --
19 I would say that I would believe whatever the attorneys
20 decided is exactly what I would believe.

21 MS. FRANUS: You didn't answer the
22 question.

23 MS. NEALON FANUCCI: I did answer the
24 question.

25 MS. FRANUS: You're skirting it by

1 saying the law, the law.

2 MS. NEALON FANUCCI: I am telling you

3 exactly how I feel. You're asking me how I feel, I

4 believe that that is somebody better than myself who is

5 not an attorney who can decide that. That's not for me

6 to decide.

7 MS. FRANUS: Okay.

8 MS. NEALON FANUCCI: Okay. Thank you.

9 MS. FRANUS: That's a vote with Mr.

10 McTiernan. Mrs. Evans.

11 MS. EVANS: I think the Home Rule

12 Charter is explicitly clear. I think it's unfortunate

13 that it is selectively applied.

14 In addition The Court ruled in the past

15 when council members received health benefits, health

16 care benefits, as well as a pension and a salary, that

17 that was illegal and those benefits were removed, and I

18 see no difference between a benefit package and a

19 pension, they're both wrong, and I believe this will be

20 removed, too. It's just a shame to have wasted so much

21 money trying to do the wrong thing.

22 MS. FRANUS: Thank you very much.

23 MS. GATELLI: Is there anyone else that

24 would like to -- Mr. Ancherani.

25 MR. BUDZINSKI: Fred Budzinski,

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1 Scranton resident. The talk of the town is

2 Southern Union. They came to Scranton promising 100

3 jobs, then they moved down to ten, they're probably

4 going to wind up with two jobs, the cleaning woman and

5 the janitor.

6 Now, they got a ten-year tax exemption.

7 Now, I want to know, in my opinion, this tax exemption

8 should be removed, and I'm asking Janet Evans if it's

9 possible to make a motion just to go through the

10 formalities to pass it on to the mayor to remove this

11 ten-year exemption to Southern Union, after all,

12 they're a billion-dollar company, and why should they

13 own that building, break it up and get thousands of

14 dollars of rent and have no employees -- none of their

15 own employees in that building? Now --

16 MS. EVANS: Fred, I think, too, one of

17 -- I agree with everything you've said, and one of my

18 additional concerns is that we may find tenants who are

19 currently tax-paying businesses who are going to

20 relocate simply to avoid those responsibilities.

21 MR. BUDZINSKI: You're absolutely

22 correct on that one.

23 MS. EVANS: But I don't know --

24 actually I'm looking for information in this area

25 myself that I will elaborate on under motions, but I

.

99

1 don't know frankly that it's within City Council's

2 power to revoke a KOZ or a KOEZ. These are state run

3 programs that, yes, are approved by the Scranton School

4 District, the City of Scranton and Lackawanna County,

5 but, again, overseen by the state, so I would expect

6 that it is -- you know, we have to take a look at the

7 regulations involved, and then I would think, although

8 I could be wrong, that the state has to make that

9 decision or the state already provides that information

10 for such cases.

11 MR. BUDZINSKI: Now, that's true. The

12 only reason it got that KOZ by the law is for having

13 employees. They're not going to have no damn employees

14 and they're going to get rich and pocket the money. It

15 seems to me Scranton has been a patsy on this one.

16 Now, Mr. Courtright, with all the wind

17 we've been having, you drive over the Scranton bridge,
18 there's two or three potholes that are deep, five or
19 six inches of deep, and if you drive over that bridge
20 in the nighttime, you don't see it, and God forbid if a
21 car drives over there and hits that potholes and loses
22 control of the car, there could possible be an
23 accident. I think you should get right on this and
24 fill up those potholes.

25 MS. EVANS: Where are those potholes?

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100

1 MR. BUDZINSKI: The West Mountain

2 Bridge, going up the --

3 MS. GATELLI: The Lackawanna Bridge.

4 MR. BUDZINSKI: You should see the big

5 potholes, they're four, five inches deep and they

6 should be immediately filled in.

7 MR. COURTRIGHT: Fred, we can get the

8 holes fixed, but I think this summer they're going to

9 start doing something with that bridge, they're going

10 to start repairing that.

11 MR. BUDZINSKI: This should be done

12 immediately, not in a couple months.

13 MR. COURTRIGHT: The potholes, right,

14 but I'm just saying I think the bridge itself is going
15 to start to be repaired this summer.
16 MR. BUDZINSKI: Also I read in the
17 paper there's 400 homes, 400 homes have been
18 demolished. One of them homes was up in the 1700 block
19 of North Main Avenue, it's a white home, a beautiful
20 home. I understand it took six or \$700,000 to knock
21 that home down.

22 Now, the mayor wants to bring the young
23 people into this city, with all these homes being
24 knocked down, I don't see why this home can't be given
25 to them or sold or so forth for \$1 and let these people
.

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1 put up \$2,000 upfront money to fix those homes and put
2 them on the tax base.
3 And finally, as far as the Steamtown
4 Mall, I think that's the -- the only way you're going
5 to promote that Steamtown Mall, you can have Boscov one
6 end, Bon-Ton's on the other end, you got all these
7 specialty stores -- now, I went up there the other day
8 and there was no activities going on, and I couldn't
9 even count 25 people upstairs or downstairs.
10 I looked in them specialty shops, most

11 of them was all empty. The handwriting is on the wall.

12 If they don't know how to promote something, I think

13 Boscov's or Bon-Ton should put up about \$200, specialty

14 stores put up \$50, have drawings once a month for gift

15 certificates, I think that would bring people down and

16 you will see action, and thank you.

17 MS. GATELLI: Next.

18 MR. SMITH: Good evening, Council, a

19 new face. My name is Paul Smith, and I'm a Green Ridge

20 resident. First of all, Mrs. Gatelli, I think Tony

21 Noto, a mutual friend of both of ours would say, Way to

22 go up there.

23 Mrs. Fanucci, I don't know you from

24 Adam, but I want to apologize to you for the citizens.

25 I'm probably going to be booed for this, but we made

.

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1 our point, I agree with the attorney, get over it, it's

2 under the bridge and let's move on.

3 The tree house issue, a person who has

4 a degree in human services, such as I do and my

5 associates, I sort of have a heart for the handicapped

6 and mental retarded, whatever you want to call it.

7 If it's going to be funded through

8 funds other than tax dollars, what's wrong with it?

9 Insurance purposes? Mrs. Gatelli, UDAG funds. It

10 seems to be the answer for everything. We talked about

11 that at our taxpayers meeting, didn't we?

12 MS. GATELLI: Yes.

13 MR. SMITH: I just feel it's time as a

14 city we get together. And I watch this on television,

15 and I'm going to be honest, I sat out there tonight, I

16 wasn't going to say a word. A lot of times it's

17 looking like a circus.

18 Do you know what symbol -- and, again,

19 I'm probably going to get booed and criticized, and I

20 don't really care. Today, tonight, it looked like a

21 circus.

22 Mrs. Gatelli, I'm not saying you're not

23 trying to conduct your meeting, you are, you're doing

24 an excellent job, but, come on people, keep yourself to

25 five minutes, keep a demeanor, be professional and

.

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1 respect them and respect one another. That's all I

2 have to say. Thank you.

3 MS. GATELLI: Amen. Mr. Ancherani.

4 MR. ANCHERANI: Good evening, Council,

5 I'm Nelson Ancherani, I'm a resident, taxpayer, city

6 employee, member of the FOP.

7 Mrs. Gatelli, I'm happy that you're

8 working on the Army Veterans or soldiers, I should say,

9 not just Army Veterans for the city employees.

10 I would just like to say, one of our

11 city policemen returned from Iraq very recently. He

12 was the last one from the police department that was

13 there.

14 Speaking about the tree house, it's

15 more than likely going to be built. The maintenance,

16 if we build something for \$300,000, regardless who pays

17 for it, keeping the maintenance, there's questions

18 about that, especially when we have a Davis Trail that

19 has raw sewage. That should be maintained. That

20 should be taken care of, cleaned up.

21 MS. GATELLI: Is it still -- it's still

22 not clean, the Davis Trail?

23 MR. ANCHERANI: I'm sorry. The raw

24 sewage, that has to be cleaned up. I mean, that -- the

25 leak might have stopped, but the raw sewage has to be

.

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1 cleaned up.

2 Also, the green fish pond, okay, it's
3 winter now, spring will be coming, that should be
4 cleaned.

5 The Southern Union building, that, I
6 believe, since that isn't meeting the criteria now or
7 doesn't seem to meet the criteria, that it should
8 actually be immediately put back and taxed accordingly.

9 If they didn't live up to the
10 specifications on how that was built, that should be --
11 I think that should be looked into it.

12 The police building, beautiful
13 building, it's very nice. I know I've been here before
14 saying it isn't big enough, I'm going to say it again,
15 it's not big enough.

16 Here in this building we're probably --
17 our juvenile unit is probably going to be some located
18 somewhere down here either over in the firehouse or in
19 this building. If it's over the firehouse, we're going
20 to need accessibility for disabled persons.

21 Also about the graffiti, I was a member
22 of the Community Justice Program in the Hill Section
23 before that was discontinued, and there was a house in
24 the Hill Section that was painted with graffiti.

25 The Community Justice Program through

1 that, they installed cameras. They did catch the
 2 people, and they were transients through a program
 3 between the Hill Neighborhood Association and The
 4 University, they thought that would help, you know,
 5 like, they painted the house for the senior citizen
 6 that had the house with the graffiti.

7 But anyway, getting back to the
 8 cameras, maybe those cameras could be borrowed for
 9 different specific areas.

10 Going back to the tree house, I forgot
 11 to say this, but when they're building that, I think
 12 there should be adequate fencing and railings. There
 13 have been many accidents over the years jumping from
 14 the rocks into the gorge. That's going to be 140 feet
 15 over the gorge. You know, that might look inviting to
 16 a lot of juveniles, teenagers or anyone.

17 Some questions, The cost of the
 18 plumbers to fix the leak of the raw sewage in the park.
 19 Getting back to the raw sewage, will it be cleaned up?
 20 If it was a tank that was repaired and the leak
 21 stopped, where does that sewage from the zoo go and did
 22 they clean out and do they have trucks like septic tank

23 cleaners?

24 Questions on the health care committee,

25 we know the mayor fired the health care consultant, so

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1 if there's any information on that that could be shared

2 with us. Why did he fire the health care committee? I

3 think that's a good question. Did he have a reason?

4 I mean, they were saving us millions of

5 dollars, not only the employees, but the city. And

6 also if they did meet, what was accomplished and what

7 is the reason the \$5.5 million arbitration lost to

8 American Anglican wasn't appealed? Everything else was

9 appealed, and that's \$5.5 million. I think that one

10 should have been appealed. Thank you.

11 MS. GATELLI: Anyone else?

12 MR. MCANDREW: Good evening, Council.

13 My name is Larry McAndrew, I'm a Scranton Resident and

14 taxpayer, also Vice President of the Lackawanna County

15 Taxpayers and Citizens Association, and we are

16 incorporated.

17 This coming Tuesday evening we are

18 going to have our meeting here at City Council chambers

19 at 7 p.m., and our guest speaker will be Attorney Chris

20 Cullen. Attorney Cullen represents one of our
21 Lackawanna County taxpayers who has a lawsuit that's
22 pending in court right now.

23 And attorney Cullen is planning to give
24 us an update on where we stand with this lawsuit.

25 Listening to the speakers tonight, and

.

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1 you might say it was quite hot in here tonight, and I
2 don't mean temperature, listening to the speakers
3 tonight, for saying that, you know, that this is like a
4 circus, I just want to say this, this is open
5 government here, and I think it's great that the people
6 can get up and voice their opinion, that we have
7 dialogue going back and forth here, that we get an
8 understanding of where we're at and try to accomplish
9 things.

10 I agree with you, Mrs. Fanucci, we got
11 to get to working on the city. The city has so many
12 problems here. We're in such debt, it's unbelievable,
13 and we have a mayor thinking a priority about a city
14 tree house -- don't get me wrong, I'm not against
15 disabled people, I think they should have every
16 advantage to look at this gorge, but the situation this

17 city is in, we have other priorities to take care of,

18 and this should be on the bottom of the list.

19 As far as Mr. Johnson's comments about

20 our politicians, yes, they are corrupt. It's

21 unfortunate in this county and in this city that we

22 have to pay to play. I wish it would change.

23 I addressed the county commissioners on

24 their activity in the last two years, and I see it

25 right here in our city government.

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1 On the issue of the comments on each

2 individual on their own opinion how they would vote

3 about this pension, if we have a Home Rule Charter and

4 if we're supposed to be living under the rules of that

5 Home Rule Charter and that's says right in there that

6 no Councilperson is entitled to a pension, so be it,

7 that's it. Why amend the rules for these two

8 individuals? I thank you.

9 MS. GATELLI: Anyone else?

10 MS. FIDATI ADSIT: Good evening.

11 Annabelle Fidati Adsit, I'm a South Side taxpayer.

12 Now, this evening I think it's quite

13 interesting that we all have an opinion as to what we

14 read in the paper today, and I appreciate
15 Mrs. Fanucci's opinion, but I think Fay Franus has said
16 it best, no one had beaten up on Janet Evans more than
17 The Scranton Times, and when you're a politician, if
18 you're running for office, expect it, because once you
19 throw your hat in the ring, you're fair game, so
20 there's no way you can sit there and say, I'm not going
21 to take it anymore, because if you think that way, you
22 should never run, because you're going to take it
23 whether you deserve it , whether you don't deserve it,
24 you're all going to get beaten up sooner or later,
25 And whether it's fair or not, that's what happens to
.

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1 politicians. I think you all know it.
2 But Janet knows it more than anybody,
3 because The Times really does a number on her. And
4 what happened here, regardless of what Attorney
5 Minora's opinion was, I didn't come here and tell any
6 outrageous lie, I came here as a property owner, as a
7 taxpayer, I expect each and every one of you to help me
8 in my city where I was born and raised.
9 I don't expect anyone ever to tell me a
10 lie. And that really turns me off big time. And I

11 know the God I serve says forgive, and if you're
12 willing to do your share, because the more you speak,
13 the deeper you are digging yourself when you say things
14 that you do with the crowd.

15 Now, I know what it's like to campaign,
16 because I've done it, I've probably put in the past
17 year, knocking door to door, there's at least 90,000
18 people that do watch Council, 90,000 people, and
19 they're watching this.

20 I've had people tell me that they
21 don't leave their home on Thursday night because they
22 watch Council. And I've covered all of Scranton, and
23 more than once, and two of the people are sitting right
24 next to you there, Mrs. Fanucci, so I was successful
25 there. And it's very hard work, I realize that it, but
.

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1 what we're asking you for is if you are in any way
2 receiving funds from Attorney Greco or any person,
3 according to the Ethics Commission and the Ethics Code,
4 rightfully you should recuse yourself, this way you
5 keep your head above water and then you're not out
6 there for whatever you feel is berating you.
7 But I actually don't think anyone

8 degraded you, I think what you did, you did, and maybe
9 you need more experience, maybe you weren't prepared
10 for this big job, and it is a very big job, and you're
11 serving a very big community here.
12 I mean, we all work hard, too, and
13 everyone pays their taxes, and I always felt I'm paying
14 more than my share, so we all have a complaint, and
15 you're there to listen to them, like all of you are
16 supposed to be, and I think it's -- and no one is here
17 to beat up on anybody.
18 I've never been a mean-spirited person,
19 but, you know, when you're wrong, you're wrong, and I'm
20 going to say so, if you're right, you're right, and I'm
21 going to say so, and I'm going to ask for a favor here
22 and there of some little thing in my neighborhood that
23 needs doing, I'm going to speak up and ask, and if you
24 can do it, I appreciate it, if you can't, that's fine,
25 but I'm not going to get mean about it.

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1 But let's not say, I'm not going to
2 take this anymore, because you've got four years to
3 take it. One way or the other, it's up to you. It's
4 up to you. It's what you make of it, you know? And

5 the respect that you show the people here, that's how

6 you're going make to make it or break it.

7 And like I said before, no one took it

8 better than Janet Evans, and she's still taking it, and

9 she does it with grace, so you can follow that, okay?

10 Thank you very much.

11 MS. GATELLI: Anyone else?

12 Mr. McGuire, no?

13 MS. NEALON FANUCCI: I just want to

14 comment, I'm very happy with your change of heart,

15 because during the election I know that we had had a

16 lot of words on behalf of other people, you had come up

17 and said some things to me that were almost degrading,

18 and I'm very happy that you've had a change of heart

19 now and believe that this forum is for the people,

20 because that's what I believe, too.

21 So, I am happy that you've come up and

22 said that, the things you've said. It actually shows

23 that people can change and that maybe we are here to

24 work together.

25 I'm willing to put the past beside us

.

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1 and behind us and stop this who was for who and who

2 wasn't for who, because quite frankly, it doesn't
3 matter, we're all here for the same reason, and it's
4 the taxpayers, so I want to thank you for coming up and
5 saying those words. Thank you.

6 MS. GATELLI: Fourth order.

7 MS. GARVEY: 5-A, Motions.

8 MS. GATELLI: Mrs. Evans.

9 MS. EVANS: Good evening. First I send
10 out my best wishes and Council's, as well, good wishes
11 for a speedy recovery DPW worker Mr. Robert Pope, who
12 is hospitalized. He's in our thoughts, he's in our
13 prayers, and we're all hoping that you're going to be
14 well and back on the job very soon.

15 Also, I would like to read the
16 citizens' requests for this week. Reed Court, stress
17 cracks have opened up and the middle of the court is
18 sinking noticeably. Please examine the court for
19 repairs.

20 A letter to Mr. Fiorini, please check
21 lower Hill Section area for apartment buildings
22 advertising apartments with up to seven bedrooms per
23 unit. It appears to be indeed a violation of a city
24 ordinance, and residents have registered numerous
25 complaints throughout The Hill.

1 A letter to Ms. Hailstone, OECD, and
2 Mayor Doherty, what is the status of the Mulberry
3 Corridor Project and what has prevented the progress of
4 said project?
5 The intersection of North Washington
6 Avenue and Lackawanna Avenue which was mentioned
7 earlier by President Gatelli, these lights, the four
8 streetlights in question, have not worked since long
9 before Christmas, and I, too, understand, according to
10 Mr. Luciani, that the intent is to replace them,
11 however, I would like a letter to Mr. Luciani
12 requesting what measures will be taken in the interim,
13 because citizens have reported incidents of near
14 accidents at night.
15 1517 Snook Street, an abandoned home
16 which was previously up for sheriff's sale, yet
17 attracted no buyers at the time. Apparently there are
18 a number of interested buyers at this particular time,
19 and so I would like to seek the advice of Mr. Fiorini
20 or Mr. Shane to not only determine the ownership, I
21 think we have pretty much determined the bank involved,
22 as well as the owner, but we need direction to pursue a

23 sale.

24 In East Mountain, on Yesu Drive, in a

25 corner of a yard garbage remains 24 hours per day, in

.

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1 addition, garbage bags are also constantly piled in

2 this same area near a neighbor's property and in the

3 view of the entire neighborhood and I would like an

4 inspector sent out yet again.

5 Also the corner of Spring Street and

6 North Main Avenue, when North Main Avenue was being

7 paved, Linde Construction made a pave cut on that

8 particular corner, they put down the binder, but never

9 returned to lay the finished coat, consequently the

10 pave cut is deepening and vehicles turning onto Spring

11 Street travel to the opposite side of the road to avoid

12 it creating very hazardous, not only driving

13 conditions, but conditions for pedestrians, as well.

14 And what I wanted to add to that

15 situation was this, I first learned of this problem at

16 the opening of the East Market Street Bridge, and I

17 have asked a number of times to have this particular

18 problem addressed so that it wouldn't escalate to the

19 point that we now find it in, and in addition the

20 residents tell me that they themselves have contacted
21 the engineering department, and still five months
22 later, nothing, nothing has been done, and I don't
23 believe we can use the excuse this time of incimate
24 weather, because fortunately God has blessed us with
25 one of the most beautiful winters in my memory, and
.

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1 we're saving so much on these exorbitant heating bills,
2 so I'm quite grateful for the weather, but I think it
3 could also enable us to get a lot more work done.
4 One of the highly touted, yet
5 significantly overestimated projects of the last three
6 years is the Southern Union headquarters in Downtown
7 Scranton. The people have multiple questions and
8 demand honest answers about the debacle.
9 Kay, I would like to send a letter to
10 Mr. Doherty, how much money did the city provide in an
11 economic development package to Southern Union?
12 According to the June 28, 2005 edition
13 The Times Leader, and I quote, At the time of the
14 company's announcement on August 5, 2005, Mayor Doherty
15 said the city provided an economic development package
16 worth an estimated \$1 million to Southern Union.

17 Conversely, The Times Leader reported
18 on July 17, 2005, and I quote, Neither the city nor its
19 Office of Community and Economic Development gave any
20 money toward the Southern Union project, said OECD
21 Director Sara Hailstone.

22 Now, this isn't the first time
23 Mr. Doherty's story contradicted that of Ms. Hailstone,
24 but there is a striking difference between zero dollars
25 and a million dollars. Somebody obviously thinks the
.

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1 citizens of Scranton just got off the boat.

2 Also, I would like a letter to

3 Ms. Hailstone requesting a breakdown of funding for the
4 Southern Union project. And since state and federal
5 funds are derived from state and federal taxes, it is
6 the people's money, as much as city's monies belong to
7 the people.

8 And next, I request a letter to

9 Highland Associates, attention Mr. Don Calina, can he
10 answer direct this correspondence to the appropriate
11 party who can provide a completion date for Southern
12 Union.

13 For over two years, Lackawanna Avenue

14 has been torn up and tied up, and we'd like to know
15 when the end is in sight and who is responsible now to
16 complete that building?

17 I believe we need a firm completion
18 date so that this building can be declared a nuisance,
19 its permits can be revoked and the street opened once
20 again if the owner fails to meet the deadline.

21 If Southern Union or UGI fails to
22 comply, I believe such measures should be taken
23 immediately thereafter.

24 And, Kay, I was hoping that we can
25 obtain this information as soon as possible, the name,
.

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1 address and phone number of the local KOZ coordinator
2 and also a complete list of the KOZs and KOEZs in the
3 City of Scranton.

4 And once again, we're going to revisit
5 the tree house, and I think, I'm going to go through
6 quickly, and the first thing I did want to say is this,
7 these are not handicapped people, these are people with
8 disabilities, and a disability is very, very different
9 from a handicap, because they may lack one ability that
10 you and I possess, but they certainly have other

11 wonderful abilities that are so finely honed that we
12 don't possess. So, I would hope that everybody would
13 be more cognizant and use the befitting terminology.
14 And as I said before, I also find it
15 highly ironic, though, that private citizens with
16 disabilities have encountered such trouble making their
17 own properties handicapped accessible because of the
18 city, and yet suddenly we're very, very concerned about
19 a \$300,000 tree house at Nay Aug.
20 I think it's much more important to
21 make these corrections for people in their homes, and I
22 think it's much more important to make our public
23 buildings accessible to all of these individuals, most
24 particularly the building we sit in tonight.
25 And I'm hoping that the city will
.

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1 continue to contact all of these generous donors that
2 Mrs. Gatelli enumerated earlier tonight, I'm sure there
3 are many more out there who would like to even join
4 that group or put them to shame.
5 Now, I mentioned earlier that there are
6 additional costs to this tree house that have not
7 either been revealed or considered at this point in

8 time, and certainly I think they should be added to the
9 cost. Now, I do believe the mayor can and
10 should build his tree house, but with donations. UDAG
11 funds should be allocated to the neighborhoods for
12 paving or police officers or home improvements.
13 And further, I can say that these views
14 were expressed to me by three people of disabilities.
15 That's it.

16 MS. GATELLI: Ms. Fanucci.

17 MS. NEALON FANUCCI: I just want to
18 report on a few things that I had called about this
19 week. Two trees were down, and the owners had called
20 me for fast-acting tree removal, which I thought would
21 be, like, a major problem, because we obviously know we
22 have one man in charge of every tree in the city, and I
23 just want to thank DPW and the fast acting, that we
24 didn't have to incur something that would have been a
25 lawsuit or something that we would have had to incur in

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1 the city.

2 I want to also report on the fact that
3 I met with Reverend Newberry this week, and he has been
4 trying to initiate this wonderful program for his

5 church in helping the homeless people.

6 This is a wonderful program that I

7 think we all need to support, and I had promised him

8 that we would probably get together and maybe meet with

9 him as a Council at some point and see what it is we

10 can do to help bring this program into light and make

11 it happen. So, I also want to see if we can put that

12 on the agenda at some time.

13 I also would like to ask Kay for a --

14 to see if it's possible, Kay, if we can get a copy of

15 the Allentown budget from the past year, and maybe the

16 past two years, to see what the difference was in the

17 past two years to help me maybe get a grip on what it

18 is we should be looking at, what it is we shouldn't be

19 looking at and prepare for that in the future.

20 And also I'd like to thank the people

21 when I had called to help people with a blight

22 situation, neighbors had had a very large problem with,

23 I don't know, with some of the people in the

24 neighborhood and they had cleaned that up pretty quick

25 and were able to resolve all of their problems, and I

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1 just want to thank them. And that's all I have. Thank

2 you.

3 MS. GATELLI: Mr. McTiernan.

4 MR. MCTIERNAN: Thank you,

5 Mrs. Gatelli. Two things, I had an opportunity this

6 past weekend to have a conversation with former City

7 Clerk, Jay Saunders, and he's watching tonight. He

8 said he would be with his father and his mother, so

9 just saying hello to him out there, and he did offer

10 his hellos to his successor and Neil, that they were

11 doing a great job, from what he can see.

12 And on a serious note, Mrs. Garvey,

13 could you determine officially whether or not there

14 were any in-house applicants for your former job, and

15 secondly, Attorney Minora, could you determine who has

16 the authority to hire a new Assistant City Clerk,

17 please?

18 MR. MINORA: I will.

19 MR. MCTIERNAN: Thank you very much.

20 That's all I have, Mrs. Gatelli.

21 MS. GATELLI: Mr. Courtright.

22 MR. COURTRIGHT: Yes. I know that

23 there's some type of talks going on between the

24 administration and the police department with an

25 arbitrator involved, and I'm not quite sure to what

1 extent. I hope sooner than later that they have a

2 contract.

3 So, with that in mind, I would ask, and

4 maybe I'll do it in the form of a letter, I haven't

5 decided yet or maybe I'll just try to call down and

6 speak with the mayor, but I think it's time now he sits

7 down with the fire department and try to get something

8 worked out with them.

9 I think we need to get a contract with

10 both these unions that's fair to the unions, fair to

11 the administration and fair to the citizens, because

12 everybody always talks about let's move on, let's move

13 ahead and progress, and I don't think we can progress

14 until these contracts are settled, so I'm going to

15 request that he sit down and subpoena with them.

16 And I think both sides need to be

17 willing to give a little, and then we can get

18 somewhere, and then we can move on.

19 The administration could move on with

20 moving the city ahead ad the police and fire department

21 could continue to keep us safe. So, I'm going to press

22 that and see if there's not something we can do in the

23 near future to bring both sides together and talking
24 again.

25 And if they are, I don't know about
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1 that, I'll be more than happy to step back, but if not,
2 I'm going to keep pressing until somebody starts
3 talking with these unions and we can get this resolved.
4 It's gone on far too long.
5 And one last item, several retired
6 police officers have a major concern, when they built
7 the new building down there, and it's a beautiful
8 building, there was many, many trophies from softball,
9 and I wasn't aware, I guess the police department had a
10 football team at one time, also, but there was many
11 trophies that were down there, patched from other
12 police departments, and they have been spread about and
13 various people have them now, and they're concerned,
14 they would like them displayed as they were displayed
15 downstairs, they would like them displayed in the
16 hallway of the entrance way to the new police
17 department.
18 I spoke with Dave Elliott briefly on
19 it, and I guess it seems that money might be an issue

20 as far as getting some cases. He thought I should talk
21 with Director Hayes, he had a little bit more to do
22 with it, and if in fact it is money to get the cases,
23 that maybe we can do some kind of fundraiser and get
24 some cases, because I know the retired guys feel very
25 strongly about those trophies, so I'll speak with
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1 Director Hayes, and if money is the issue, maybe I can
2 get together with some of the retired guys and we can
3 figure out a way to buy the cases and put them in there
4 so that these trophies can be displayed. And that's
5 all I have. Thank you.

6 MS. GATELLI: Thank you. I received a
7 letter from Mr. Cochran, the Chairman of the Board of
8 Directors for The Lackawanna Human Development Agency,
9 and according to bylaws, City Council is to be
10 represented on their board of directors and ask that we
11 appoint a representative.

12 Before making a motion, I would like to
13 extend our sincere thanks to Mr. William Gaynor, who
14 has served in this capacity for many years. We would
15 like to thank him for his dedication, time and effort
16 he put into representing City Council on this board.

17 Kay, are we going to send him a letter to that effect,
18 please?

19 MS. GARVEY: Yes, I will.

20 MS. GATELLI: I make a motion that City
21 Council appoints Christopher Phillips to represent
22 Scranton City Council on the board of directors of the
23 Scranton Lackawanna Human Development Agency.

24 MR. COURTRIGHT: Second.

25 MS. GATELLI: On the question?

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1 All in favor?

2 MS. EVANS: Aye.

3 MS. NEALON FANUCCI: Aye.

4 MR. MCTIERNAN: Aye.

5 MR. COURTRIGHT: Aye.

6 MS. GATELLI: Aye. Opposed? The ayes

7 have it and so moved. Kay, you can send a letter to

8 Mr. Cochran.

9 The next thing I have to say is that I

10 asked Kay this week to send a letter to Len Kresefski,

11 and I'm asking him what the difference would be if the

12 residents of the City of Scranton only paid 2.3 wage

13 tax rather than 2.4.

14 I was always under the assumption that
15 when we passed the \$52 occupational fee, that in some
16 way our residents wouldn't have to bear all that
17 burden, so I'm asking to find out that information,
18 what the difference would be if we lowered the wage tax
19 by .5 percent.

20 It may be ludicrous, but I think that
21 we have to look for that if not for this year, for next
22 year in the budget. The citizens of this community are
23 totally overburdened with the wage tax, and that's the
24 reason a lot of them are moving away.

25 The second thing I'd like to do, and I

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1 don't know who I'd have to talk to about it, maybe
2 Attorney Minora could direct me in the right direction,
3 but I'd like to set up a meeting with the presidents of
4 all of the universities and all of the hospitals and
5 see if we can get them to start paying in lieu of
6 taxes.

7 I know that, you don't have to clap,
8 it's not necessary, but I really think it's a disgrace
9 that they are multi-million dollar corporations living
10 in our community, getting our service from police,

11 fire, street paving, everything else, building
12 beautiful buildings that are going to be tax exempt and
13 they don't pay their fair share, and this is something
14 that I've tried in the neighborhoods for years, you
15 know, and we used to come and fight at City Council
16 with whoever was up here.
17 The only two places that paid last year
18 were Lutherwood that paid \$6,000, and the University of
19 Scranton paid \$110,000. So, just so you all know,
20 they're the only two people in this community that paid
21 in lieu of taxes, non-profit organizations.
22 So, if there's any others that you
23 think we should send a letter to, and any one from
24 Council is welcomed to come with me, because I intend
25 to go and meet with them myself.

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1 I'm not going to wait for anyone else
2 to do it, I'm not going to ask the mayor to do it, I'm
3 going to do it, because I think it's time that we
4 pursue that.
5 I know that the school district years
6 ago filed a lawsuit, and it's still in litigation,
7 because I talked to Greg Sunday about it, they get

8 \$80,000 from Allied and \$80,000 from Moses Taylor in
9 the school district, so, you know, they're not getting
10 it from everybody either, but I'm sure that years ago I
11 investigated, and I think it was Philadelphia, where
12 they were imposing ing this on the non-profits, so
13 maybe we can just meet with them first and see if
14 they'll agree to give us a small percent and maybe we
15 can use that money to help lower the wage tax. And
16 that's all I have.

17 MS. EVANS: Actually, Mrs. Gatelli,
18 there are a number cities, not only in Pennsylvania,
19 but throughout the east coast who receive significant
20 contributions in lieu of taxes, particularly from
21 colleges and universities who are cognizant of the fact
22 that they have devoured a tax base by their building
23 growth, and as a result, they pay not just, you know,
24 for one year, but it continues for many years, but at a
25 declining rate each year in order to make up to that

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1 city the tax loss it has incurred, and it's done not
2 just by one, but by many within each of those cities
3 and it's done voluntarily --

4 MS. GATELLI: Yes, it is.

5 MS. EVANS: -- without the governing
6 body having to enact any type of fees or taxations, if
7 you will, against them. They're simply aware that
8 they're a partner in the city, and if the city goes
9 under, so do they, and so they do their fair share to
10 make up for what they have taken, but the problem has
11 been that, you know, in four years you haven't seen the
12 donation from, although I'm very grateful to receive
13 it, and admittedly, they are the only school providing
14 it, but The University's contribution has not
15 increased, and to my knowledge, the administration has
16 never been amenable to persuing the issue with any of
17 the non-profits.

18 MS. GATELLI: Well, we're going to
19 pursue it. That's going to be my mission, my new
20 mission.

21 MS. EVANS: Why don't you invite them
22 into Council?

23 MS. GATELLI: Yes, I may do, I may do
24 that. All right. Mrs. Garvey.

25 MS. GARVEY: 5-B, FOR INTRODUCTION - AN
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1 ORDINANCE - SALE OF TAX DELINQUENT PROPERTY AT 422

2 SOUTH MAIN AVENUE, SCRANTON, PENNSYLVANIA, TO FIDELITY
3 DEPOSIT AND DISCOUNT BANK, 338 NORTH WASHINGTON AVENUE,
4 SCRANTON, PENNSYLVANIA, 18503 FOR THE SUM OF \$8,000.00.

5 MS. GATELLI: At this time I'll
6 entertain a motion that Item 5-B be introduced into
7 it's committee.

8 MR. COURTRIGHT: So moved.

9 MS. NEALON FANUCCI: Second.

10 MS. GATELLI: On the question? All
11 those in favor.

12 MS. EVANS: Aye.

13 MS. NEALON FANUCCI: Aye.

14 MR. MCTIERNAN: Aye.

15 MR. COURTRIGHT: Aye.

16 MS. GATELLI: Aye. Opposed? The ayes
17 have it and so moved.

18 MS. GARVEY: 5-C, FOR INTRODUCTION - AN
19 ORDINANCE - SALE OF TAX DELINQUENT PROPERTY AT 1351
20 BRYN MAWR STREET, SCRANTON, PENNSYLVANIA, TO JAMES D.
21 AND LAURA A. DECKER, 920 DESALES AVENUE, SCRANTON,
22 PENNSYLVANIA, 18504, FOR THE SUM OF \$2,500.00.

23 MS. GATELLI: At this time I'll
24 entertain a motion to introduce it into it's proper
25 committee.

1 MR. COURTRIGHT: So moved.

2 MS. NEALON FANUCCI: Second.

3 MS. GATELLI: On the question? All in

4 favor.

5 MS. EVANS: Aye.

6 MS. NEALON FANUCCI: Aye.

7 MR. MCTIERNAN: Aye.

8 MR. COURTRIGHT: Aye.

9 MS. GATELLI: Aye. Anyone opposed?

10 The ayes have it and so ordered.

11 MS. GARVEY: 5-D, FOR INTRODUCTION --

12 A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

13 APPROPRIATE CITY OFFICIALS TO EXECUTE AND APPLY FOR A

14 GRANT FOR HOUSING AND REDEVELOPMENT ASSISTANCE THROUGH

15 DCED; ACCEPTING THE GRANT IF THE APPLICATION IS

16 SUCCESSFUL, AND COORDINATING THE USE OF THE GRANT FUNDS

17 THROUGH THE PROGRAMS RUN BY UNITED NEIGHBORHOOD

18 CENTERS.

19 MS. GATELLI: At this time I'll

20 entertain a motion that 5-D be introduced into it's

21 proper committee.

22 MR. COURTRIGHT: So moved.

23 MS. NEALON FANUCCI: Second.

24 MS. GATELLI: On the question? All

25 those in favor.

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1 MS. EVANS: Aye.

2 MS. NEALON FANUCCI: Aye.

3 MR. MCTIERNAN: Aye.

4 MR. COURTRIGHT: Aye.

5 MS. GATELLI: Aye. Opposed? The ayes

6 have it and so moved.

7 MS. GARVEY: 5-E, FOR INTRODUCTION - A

8 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

9 APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO

10 ENTER INTO A LOAN AGREEMENT AND MAKE A LOAN FROM THE

11 COMMERCIAL/INDUSTRIAL REVOLVING LOAN PROGRAM, PROJECT

12 NO. 03-150 IN AN AMOUNT NO TO EXCEED \$25,000.00 TO

13 NORTHERN LIGHTS ESPRESSO BAR, INC., TO ASSIST AN

14 ELIGIBLE PROJECT.

15 MS. GATELLI: At this time I'll

16 entertain a motion that Item 5-E be introduced into

17 it's committee.

18 MR. COURTRIGHT: So moved.

19 MS. NEALON FANUCCI: Second.

20 MS. GATELLI: On the question?

21 MS. EVANS: Yes. I have searched the

22 backup for the type of project, and it appears on a

23 very rapid perusal that it is working capital and

24 inventory that seems to comprise the project, and I

25 would like just a bit of information, if there are any

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1 city tax delinquencies incurred by this particular

2 business .

3 I do recall there is problem with state

4 taxes, there's a state lien placed against the

5 particular business, so I just want to be certain, I'm

6 not opposed to the loan, but I want to be certain that

7 it's not a high risk loan that the city stands to

8 collect its payments.

9 MS. GATELLI: Does anyone else have a

10 question? All those in favor.

11 MS. EVANS: Aye.

12 MS. NEALON FANUCCI: Aye.

13 MR. MCTIERNAN: Aye.

14 MR. COURTRIGHT: Aye.

15 MS. GATELLI: Aye. All those opposed?

16 The ayes have it and so ordered.

17 MS. GARVEY: 5-F, FOR INTRODUCTION - A

18 RESOLUTION - APPOINTING NANCY REEDY, 2026 PROSPECT

19 AVENUE, SCRANTON, PENNSYLVANIA, 18505, AS ALTERNATE NO.

20 1 MEMBER TO THE BOARD OF ZONING APPEALS FOR THE CITY OF

21 SCRANTON. MS. REEDY WILL FILL THE UNEXPIRED TERM OF

22 JUDY GATELLI, WHOSE TERM EXPIRES ON JULY 1, 2007.

23 MS. GATELLI: At this time I'll

24 entertain a motion that 5-F be introduced.

25 MR. COURTRIGHT: So moved.

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1 MS. NEALON FANUCCI: Second.

2 MS. GATELLI: On the question? All

3 those in favor, signify by saying aye.

4 MS. EVANS: Aye.

5 MS. NEALON FANUCCI: Aye.

6 MR. MCTIERNAN: Aye.

7 MR. COURTRIGHT: Aye.

8 MS. GATELLI: Aye. Opposed? The ayes

9 have it and so moved.

10 MS. GARVEY: 5-G, FOR INTRODUCTION - A

11 RESOLUTION - APPOINTING ROBERT SHUMAKER, 702 STAFFORD

12 AVENUE, SCRANTON, PENNSYLVANIA, 18505 AS ALTERNATE NO.

13 2 MEMBER TO THE BOARD OF ZONING APPEALS FOR THE CITY OF

14 SCRANTON. MR. SHUMAKER WILL FILL THE UNEXPIRED TERM OF
15 TODD JOHNS, WHOSE TERM EXPIRES ON JULY 1, 2007.

16 MS. GATELLI: At this time I'll
17 entertain a motion that 5-G be introduced into its
18 committee.

19 MR. COURTRIGHT: So moved.

20 MS. NEALON FANUCCI: Second.

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

23 MS. EVANS: Aye.

24 MS. NEALON FANUCCI: Aye.

25 MR. MCTIERNAN: Aye.

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1 MR. COURTRIGHT: Aye.

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

4 MS. GARVEY: 6-A, READING BY TITLE -
5 FILE OF COUNCIL NO. 14, 2006, AN ORDINANCE - AMENDING
6 FILE OF COUNCIL NO. 82, 2004 - AN ORDINANCE ENTITLED
7 GENERAL CITY OPERATING BUDGET 2005 BY TRANSFERRING
8 \$63,715.06 FROM ACCOUNT NO. 01.401.15240.4299 (TAN
9 SERIES B) AND \$48,284.94 FROM ACCOUNT NO.
10 01.401.15307.4299 (OPERATING TRANSFER-DEBT SERVICE

11 2003B BOND) FOR A TOTAL TRANSFER AMOUNT OF \$112,000.00
12 TO ACCOUNT NO. 01.080.00083.4460 TO PROVIDE FUNDING TO
13 COVER STREET LIGHTING EXPENSES THROUGH YEAR END.

14 MS. GATELLI: You've heard reading of
15 6-A, what is your pleasure?

16 MR. COURTRIGHT: I move that Item 6-A
17 pass reading by title.

18 MR. MCTIERNAN: Second.

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

21 MS. EVANS: Aye.

22 MS. NEALON FANUCCI: Aye.

23 MR. MCTIERNAN: Aye.

24 MR. COURTRIGHT: Aye.

25 MS. GATELLI: Aye. Opposed? The ayes
.

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1 have it and so moved.

2 MS. GARVEY: 7-A, FOR CONSIDERATION BY
3 THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF COUNCIL
4 NO. 11, 2006 - AN ORDINANCE - AUTHORIZING THE TRANSFER
5 OF TWO (2) PARCELS OF LAND ACQUIRED BY THE CITY THROUGH
6 THE FLOOD CONTROL PROJECT BY SEALED BIDS TO THE HIGHEST
7 BIDDER, PROPERTY LOCATED AT 2322-2324 SHAWNEE AVENUE,

8 TO BE SOLD AS ONE PARCEL, AND IDENTIFIED AS TAX MAP

9 NUMBERS 13510-040-034 AND 13510-040-033.

10 MS. GATELLI: As chairperson for the

11 committee on rules, I recommend final passage of Item

12 7-A.

13 MR. COURTRIGHT: Seconded.

14 MS. GATELLI: On the question? Roll

15 call.

16 MR. COOLICAN: Mrs. Evans.

17 MS. EVANS: Yes.

18 MR. COOLICAN: Mrs. Fanucci.

19 MS. NEALON FANUCCI: Yes.

20 MR. COOLICAN: Mr. McTiernan.

21 MR. MCTIERNAN: Yes.

22 MR. COOLICAN: Mr. Courtright.

23 MR. COURTRIGHT: Yes.

24 MR. COOLICAN: Mrs. Gatelli.

25 MS. GATELLI: Yes. I hereby declare

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1 Item 7-A legally and lawfully adopted.

2 MS. GARVEY: 7-B, FOR CONSIDERATION BY

3 THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF COUNCIL

4 NO. 12, 2006 - AN ORDINANCE - AUTHORIZING THE TRANSFER

5 OF TWO (2) PARCELS OF LAND ACQUIRED BY THE CITY THROUGH
6 THE FLOOD CONTROL PROJECT BY SEALED BIDS TO THE HIGHEST
7 BIDDER, PROPERTY LOCATED AT 2326-2328 SHAWNEE AVENUE,
8 TO BE SOLD AS ONE PARCEL, AND IDENTIFIED AS TAX MAP
9 NUMBERS 13510-040-034 AND 13510-040-035.

10 MS. GATELLI: As chairperson for the
11 committee on rules, I recommend final passage of Item
12 7-B.

13 MR. COURTRIGHT: Seconded.

14 MS. GATELLI: On the question? Roll
15 call.

16 MR. COOLICAN: Mrs. Evans.

17 MS. EVANS: Yes.

18 MR. COOLICAN: Mrs. Fanucci.

19 MS. NEALON FANUCCI: Yes.

20 MR. COOLICAN: Mr. McTiernan.

21 MR. MCTIERNAN: Yes.

22 MR. COOLICAN: Mr. Courtright.

23 MR. COURTRIGHT: Yes.

24 MR. COOLICAN: Mrs. Gatelli.

25 MS. GATELLI: Yes. I hereby declare
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1 Item 7-B legally and lawfully adopted.

2 MS. GARVEY: 7-C, FOR CONSIDERATION BY
3 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION -
4 NO. 24, 2006 - AUTHORIZING THE MAYOR AND OTHER
5 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A
6 CONTRACT FOR PROFESSIONAL SERVICES WITH THE LAW FIRM OF
7 CARL J. GRECO, P.C. FOR LEGAL SERVICES INCLUDING BUT
8 NOT LIMITED TO GENERAL COUNSEL TO THE OFFICE OF
9 ECONOMIC AND COMMUNITY DEVELOPMENT (OECD), URBAN
10 RENEWAL PROCESS AND PROCEDURE, EMINENT DOMAIN AND
11 RELATED LITIGATION, DISPOSITION OF SURPLUS URBAN
12 RENEWAL LANDS, TITLE SEARCHES AND DEED PREPARATION FOR
13 \$10,000.00 OR UNTIL DECEMBER 31, 2006 WHICHEVER COMES
14 FIRST.

15 MS. GATELLI: As chairperson for the
16 committee on rules, I recommend final passage of Item
17 7-C.

18 MR. COURTRIGHT: Seconded.

19 MS. GATELLI: On the question?

20 MS. EVANS: Yes. I've been told that
21 the Steamtown Mall was built with far less legal fees
22 than Mr. Greco has earned over a four-year period, and
23 although Mr. Doherty agrees to an RFP, he emphasizes
24 that the charter allows him to select any attorney he
25 desires, therefore, I move to amend 7-C to require that

1 this contract be put out to bid.

2 MS. GATELLI: Anybody have a second?

3 There's no second.

4 MS. EVANS: Then it dies for a lack of

5 a second, and I'm going to indicate that though

6 professional services, as I'm sure you're all aware, do

7 not have to be bid, nor does the law outlaw their

8 bidding, now, I'd like to make another motion, I move

9 to amend 7-C to require the submission of at least

10 three proposals and that the advertisements be placed

11 in three newspapers.

12 MS. GATELLI: Do you mean just for this

13 \$10,000 one?

14 MS. EVANS: No.

15 MS. GATELLI: You mean for the --

16 MS. EVANS: For the permanent position,

17 and in addition I'd like the contract to be split into

18 two solicitorships, as it had always been, one serving

19 OECD and the second serving the SRA.

20 MS. GATELLI: I'm not sure that we can

21 do that. This is just for the \$10,000.

22 MS. EVANS: Right. But I am amending

23 that to include these RFPs and the manner in which they
24 should be done, because I believe the city should
25 provide documentation for the mayor's choice, since
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1 it's evidently going to be a subjective choice, I think
2 that because the position is funded by HUD, there
3 should be documentation that can provide the backup for
4 his selection.

5 MS. GATELLI: I agree with you.

6 MS. EVANS: Just to cover ourselves.

7 MS. GATELLI: I agree with you, but I
8 don't think it's relevant to this particular piece of
9 legislation. This is only for the \$10,000.

10 MS. EVANS: Correct, but in the
11 interim, the mayor has indicated that he will agree to
12 an RFP.

13 MS. GATELLI: The RFP was in the paper
14 today.

15 MS. EVANS: Okay. That should bring
16 in, though, I believe, at least three, no less than
17 three proposals.

18 MS. GATELLI: Well, how --

19 MS. EVANS: So, in other words, if that

20 does not --

21 MS. GATELLI: How do we know that?

22 MS. EVANS: Well, that's going to

23 evidently go to the legal department or --

24 MS. GATELLI: I mean, how could we

25 control how many bids come in? We can't control that.

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1 MS. EVANS: No, we can't control that,

2 but if it's been advertised solely in the Scranton

3 Times Tribune, and perhaps you receive one response,

4 one proposal rather, then you can also advertise in The

5 Times Leader, in a newspaper in Allentown, in

6 Philadelphia, the Philadelphia Inquirer, in order to

7 attract proposals of qualified individuals.

8 MS. GATELLI: I mean, I see your point,

9 and I agree with you, but I still don't think it's

10 relevant to this piece of legislation that we're going

11 to do. We can talk about that next week, I think.

12 MS. EVANS: Well, it would attach to

13 this piece of legislation that in order to --

14 MS. GATELLI: Yeah, but this is in

15 seventh order, how are we going to -- -

16 MS. EVANS: You can do that, according

17 to Roberts Rules of Order.

18 MS. GATELLI: Yeah?

19 MS. EVANS: Yeah. Now, what it would

20 do is attach to this piece of legislation the

21 requirement for three proposals coming from three

22 different sources, three different newspapers,

23 advertising rather in three different --

24 MS. GATELLI: Do you know if he didn't

25 advertise in three newspapers?

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1 MS. EVANS: No, I don't, but I wouldn't

2 -- I guess I'm assuming, but what's led me to that

3 assumption is the fact that I believe RFPs were never

4 done for this position in 2002.

5 MS. GATELLI: No, I'm sure they

6 weren't.

7 MS. EVANS: So, I'm simply attempting

8 to dot the I's and cross the T's. And since no one on

9 Council supports putting this contract out to bid, and

10 I would assume no one on Council supports RFPs

11 performed in this manner or supports a return to the

12 procedure that was followed for many, many years by

13 OECD and the SRA, then so be it.

14 MS. GATELLI: Yes. I mean, we did that
15 when we were there, we did RFPs, but I don't think we
16 advertised in three papers.

17 MR. COURTRIGHT: Can I ask Mr. Minora a
18 question? I certainly have no problem with getting
19 three proposals, I have no problem with three
20 newspapers, but my understanding is we were voting on
21 this \$10,000, could we attach to future contract to
22 this? Could we do that? I don't want to put you on
23 the spot, but I don't know how to --

24 MR. MINORA: No, no, no. I think the
25 answer is this, this is a very limited contract for a
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1 very limited time. Council imposed or requested and
2 received compliance by the mayor that he would put the
3 bid out for an RFP, it was in this morning's paper.
4 When that come before Council, if there
5 aren't enough -- there might be ten proposals coming
6 from this, you know. There's assumptions going on that
7 I just don't know. Everything might be fine.
8 Everybody might love what results from this.
9 And if not, that contract will come
10 before this Council, and if there's a problem or

11 something that needs to be addressed to change it, I

12 think that would be the time to do it.

13 MR. COURTRIGHT: So, if in fact we

14 don't get three proposals, then we can just reject it

15 at that time, correct?

16 MR. MINORA: It's a contract that comes

17 to the Council for approval.

18 MS. EVANS: I think -- I agree with

19 Attorney Minora in that, yes, I am assuming, and we

20 could hopefully very well receive ten, twenty

21 proposals, but on the other hand, when the mayor states

22 his intention to make his own selection, regardless of,

23 and it is implied in that, regardless of the costs

24 involved, regardless of the experience involved, I

25 think that discourages an awful lot of attorneys from

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1 even submitting a proposal in this area.

2 MS. GATELLI: Well, we had that same

3 problem when we had Boyd Hughes, I mean, eventually

4 nobody submitted one.

5 MS. EVANS: That's when they advertised

6 out of the city, and it was done, because I believe,

7 would it have been Mr. McDowell or --

8 MS. GATELLI: I don't know. He was

9 there before me.

10 MS. EVANS: And they felt it was

11 imperative that such documentation would be provided to

12 HUD, and so it was pursued and placed in out of town

13 newspapers when it failed to attract a local proposal,

14 other than that of Attorney Boyd Hughes.

15 MS. GATELLI: Apparently there were

16 Councils before this Council that just let it happened

17 and they approved the contract, so, I, you know, I

18 think we're doing good that we're asking for RFPs.

19 I mean, every other Council since Carl

20 Greco is there has let it go.

21 MS. EVANS: Well, actually that's only

22 one Council, because while we were on Council in 2004

23 and 2005, no contract for Mr. Greco --

24 MS. GATELLI: Yes, but before you there

25 was.

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1 MS. EVANS: Before us there was, yes.

2 MS. GATELLI: And no one ever had a

3 question. So, you know, I think we're way ahead of the

4 game, and I'm going to keep persisting that he do that.

5 And I think it's a law, the law of HUD,
6 that you must do that, and I will bring that next week,
7 Attorney Minora, for you to look at. I forgot to bring
8 it. Maybe I can drop it off at your office.

9 MR. COURTRIGHT: Again, I just want to
10 be clear on this, because we've done a lot of talking
11 here, if in fact we do not get three proposals at the
12 time when the contract come down, we could vote it down
13 at that time, correct?

14 MR. MINORA: Everything that comes
15 before you, it's got to pass.

16 MR. COURTRIGHT: And I would be
17 agreeable to do that if we didn't get three proposals.
18 I think in a city -- we've got an abundance of lawyers
19 in this city --

20 MR. MINORA: Can I add one thing?
21 Advertising in Philadelphia and expecting to get the
22 lowest responsible bidder versus a Scranton attorney,
23 any Scranton attorney, is really a pipe dream, is
24 really a pipe dream. Their billing hours are going to
25 start at \$250 and up.

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1 MS. EVANS: That's why I was so

2 concerned about the administration having used
3 Philadelphia law firms over the last four years, but I
4 know there are other areas, whether it be Wilkes-Barre,
5 Reading, Lancaster, Lancaster, there are a myriad
6 municipalities within Eastern Pennsylvania that I'm
7 certain may not even be as bustling as Scranton, but
8 the efforts should be made to obtain a minimum, minimum
9 of three.

10 MR. MINORA: If I can, there's motions,
11 about three of them.

12 MS. EVANS: No, none of them were
13 seconded. They're all dead.

14 MR. MINORA: Okay.

15 MS. GATELLI: Do you have any more?

16 MS. EVANS: No. I give up.

17 MS. GATELLI: Don't give up. Don't
18 give up the ship, because we will prevail.

19 MS. EVANS: Well, you'll have to
20 forgive me if I don't bet the check on it.

21 MS. GATELLI: Well, bet the check on
22 it. Take it to the bank. All right. As chairperson
23 for the committee on rules, I recommend final passage
24 of Item 7-C.

25 MR. COURTRIGHT: Seconded.

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1 MS. GATELLI: On the question? Anyone

2 else? Roll call.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: No.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. NEALON FANUCCI: Yes.

7 MR. COOLICAN: Mr. McTiernan.

8 MR. MCTIERNAN: Yes.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Yes.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Yes. I hereby declare

13 Item 7-C legally and lawfully adopted.

14 MS. GARVEY: 7-D, FOR CONSIDERATION BY

15 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

16 26, 2006 - APPOINTMENT OF JAMES SCANLON, 929 RICHMONT

17 STREET, SCRANTON, PENNSYLVANIA, 18509, AS A MEMBER OF

18 THE ETHICS COMMISSION, EFFECTIVE FEBRUARY 1, 2006.

19 MR. SCANLON WILL BE REPLACING VINCE CIMINI, WHOSE TERM

20 EXPIRED ON JULY 12, 2002. MR. SCANLON'S TERM WILL

21 EXPIRE ON JULY 12, 2007.

22 MS. GATELLI: As chairman for the

23 committee on rules, I recommend final passage of Item

24 7-D.

25 MR. COURTRIGHT: Seconded.

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1 MS. GATELLI: On the question? Roll

2 call.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: Yes.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. NEALON FANUCCI: Yes.

7 MR. COOLICAN: Mr. McTiernan.

8 MR. MCTIERNAN: Yes.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Yes.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Yes. I hereby declare

13 Item 7-D legally and lawfully adopted.

14 MS. GARVEY: 7-E, FOR CONSIDERATION BY

15 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

16 27, 2006 - APPOINTMENT OF STEPHEN E. WHITTAKER, PH.D.,

17 443 WHEELER AVENUE, SCRANTON, PENNSYLVANIA, 18510, AS A

18 MEMBER OF THE ETHICS COMMISSION EFFECTIVE

19 FEBRUARY 1, 2006. MR. WHITTAKER WILL BE REPLACING

20 MR. RICHARD LASKE, WHOSE TERM EXPIRED ON JULY 12, 2004.

21 MR. WHITTAKER'S TERM WILL EXPIRE ON JULY 12, 2009.

22 MS. GATELLI: As the chairperson for

23 the committee on rules, I recommend final passage of

24 Item 7-E.

25 MR. COURTRIGHT: Seconded.

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1 MS. GATELLI: On the question? Roll

2 call.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: Yes.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. NEALON FANUCCI: Yes.

7 MR. COOLICAN: Mr. McTiernan.

8 MR. MCTIERNAN: Yes.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Yes.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Yes. I hereby declare

13 Item 7-E legally and lawfully adopted.

14 MS. GARVEY: 7-F, FOR CONSIDERATION BY

15 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

16 28, 2006 - APPOINTMENT OF WAYNE EVANS, 717 ALDER

17 STREET, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF
18 THE ETHICS COMMISSION, EFFECTIVE FEBRUARY 1, 2006.
19 MR. EVANS WILL BE REPLACING GEORGE BURNS, WHOSE TERM
20 EXPIRED ON JULY 12, 2005. MR. EVAN'S TERM WILL EXPIRE
21 ON JULY 12, 2010.

22 MS. GATELLI: As chairperson for the
23 committee on rules, I recommend final passage of 7-F.

24 MR. COURTRIGHT: Seconded.

25 MS. GATELLI: On the question? Roll

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1 call.

2 MR. COOLICAN: Mrs. Evans.

3 MS. EVANS: Yes.

4 MR. COOLICAN: Mrs. Fanucci.

5 MS. NEALON FANUCCI: Yes.

6 MR. COOLICAN: Mr. McTiernan.

7 MR. MCTIERNAN: Yes.

8 MR. COOLICAN: Mr. Courtright.

9 MR. COURTRIGHT: Yes.

10 MR. COOLICAN: Mrs. Gatelli.

11 MS. GATELLI: Yes. I hereby declare

12 Item 7-F legally and lawfully adopted. Can I have a

13 motion to adjourn?

14 MR. COURTRIGHT: So moved.

15 MS. NEALON FANUCCI: Second.

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17 (MEETING WAS ADJOURNED.)

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

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4 I hereby certify that the proceedings and

5 evidence are contained fully and accurately in the

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

7 that this copy is a correct transcript of the same

8 to the best of my ability.

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11
LISA M. GRAFF, RMR
12 Official Court Reporter

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