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1 SCRANTON CITY COUNCIL MEETING

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5 Held:

6 Thursday, July 20, 2006

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9 Time:

10 12:00 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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24 Lisa M. Graff, RMR

25 Court Reporter

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1 CITY OF SCRANTON COUNCIL:

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3 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

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5 MS. JANET EVANS

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7 MS. SHERRY NEALON FANUCCI (Left where noted)

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9 MR. ROBERT McTIERNAN

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11 MR. AMIL MINORA, ESQUIRE, SOLICITOR

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13 MS. KAY GARVEY, CITY CLERK (Left where noted)

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15 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MR. COURTRIGHT: Okay. Please stand

2 for the Pledge Of Allegiance. Please remain standing

3 for a moment of reflection.

4 MR. MCTIERNAN: Mr. Courtright, if I

5 may. First of all, I would like to make a motion to

6 appoint Mr. Courtright temporary chair for rules in the

7 absence of Mrs. Gatelli.

8 MS. EVANS: Second.

9 MR. COURTRIGHT: All in favor.

10 MS. EVANS: Aye.

11 MS. NEALON FANUCCI: Aye.

12 MR. MCTIERNAN: Aye.

13 MR. COURTRIGHT: Aye. Opposed? The

14 ayes have it, so ordered.

15 MR. MCTIERNAN: Thank you. And there's

16 has been some newspaper articles, and I guess it's

17 probably appropriate for me to ask Attorney Minora, I
18 know that Mrs. Gatelli brought up the tax abatement
19 that has been bantered about in the past few days, and
20 could you give me any information on some of the
21 research that you and Mrs. Gatelli talked about and
22 whether or not that should be something we go through
23 today?

24 MR. MINORA: It was brought up last
25 week in caucus with Mike Washo, who is one of the
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1 county commissioners. There's a number of issues that
2 have to be resolved before any tax abatement would be
3 considered.

4 This would be for the people who were
5 affected by the flood a couple weeks ago, and one of
6 which, of course, would be whether the abatement would
7 be on the improvements only and/or the land, whether or
8 not it would be on the land only. So, those are the
9 types of issues we're looking into.

10 I don't think we have a firm answer on
11 those things yet, and they have to be coordinated with
12 the other or they ought to be coordinated with the
13 other taxing authorities.

14 MR. MCTIERNAN: And would that be a
15 statutory situation or just convenience for the taxing
16 office that the other taxing bodies were part of the
17 deal?

18 MR. MINORA: Well, frankly, I haven't
19 talked to the tax collector himself to see what kind of
20 problems that would create, and I'm sure it's an
21 administrative problem.

22 Whether or not -- I'm sure it can be
23 overcome or I believe it could be overcome, but not
24 without some administrative difficulties, and, frankly,
25 I don't know how to address that because I haven't

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1 spoken to him.

2 So, I'm making some assumptions that I
3 think are correct, but I don't know for sure. So
4 there's a lot more to be done before that's determined,
5 and unfortunately we have time because tax bills
6 wouldn't come out again until next February, I guess,
7 January.

8 MR. MCTIERNAN: Sure. That way we can
9 make sure we're as equitable as possible and fair to
10 everybody who's involved, because it's a good idea. We

11 just have to make sure we do it right.

12 MR. MINORA: Exactly.

13 MR. MCTIERNAN: Thank you. That's all,

14 Mr. Courtright.

15 MR. COURTRIGHT: All right. Could we

16 have a roll call, Neil?

17 MR. COOLICAN: Mrs. Evans.

18 MS. EVANS: Here.

19 MR. COOLICAN: Mrs. Fanucci.

20 MS. NEALON FANUCCI: Here.

21 MR. COOLICAN: Mr. McTiernan.

22 MR. MCTIERNAN: Here.

23 MR. COOLICAN: Mr. Courtright.

24 MR. COURTRIGHT: Here.

25 MR. COOLICAN: Mrs. Gatelli.

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1 MR. COURTRIGHT: Okay. Two more items

2 before we get started. Mrs. Gatelli asked that I

3 mention that the reason she isn't here today is there's

4 a medical situation within her family and she couldn't

5 make it, and the other thing is that Mrs. Garvey will

6 be leaving early to attend a PUC meeting for us. So,

7 if you see her get up and leave, that's why she's

8 leaving.

9 And if I may, because the flood is in
10 the front of everybody's mind, I would just like to
11 briefly read a part of a letter to those who may be
12 interested.

13 The Pennsylvania Emergency Management
14 Association, PEMA, will be conducting a public
15 assistance applicant briefing for all county
16 municipalities which incurred damage to their
17 infrastructure during the flooding on June 27 and
18 June 28 of 2006.

19 This briefing is scheduled for Monday,
20 July 24, 2006 at 7 p.m. at the Lackawanna County
21 Administration building, 200 Adams Avenue, Scranton.
22 The meeting will take place in the old single tax
23 office on the first floor.

24 The presentation is approximately one
25 hour and programs specific issues will be discussed.

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1 The initial request for public assistance forms will
2 also be collected at the briefing and all potential
3 applicants will also schedule their one on one kickoff
4 meeting after the presentation.

5 So, if there's anybody interested in
6 attending that, I'm sure you will be welcomed there.

7 And I think that's it. We can move on now, Mrs.
8 Garvey.

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

10 APPLICATIONS AND DECISIONS RENDERED AT THE ZONING
11 HEARING BOARD MEETING HELD ON WEDNESDAY, JUNE 14,2006.

12 MR. COURTRIGHT: Are there any
13 comments? If not, received and filed.

14 MS. GARVEY: I have no clerk's notes.

15 We can move to fourth order.

16 MR. COURTRIGHT: Mrs. Evans.

17 MS. GARVEY: 4-A, Motions.

18 MS. EVANS: Good afternoon. Last week

19 Council discussed only county tax abatements with

20 Mr. Washo. Although Mr. McTiernan just indicated that

21 he had had a discussion with Mrs. Gatelli, that was

22 news to me as it was announced today.

23 Since then the city newspaper, however,

24 has reported that the county will offer abatements to

25 flood victims and suggested that the city and the

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1 school district follow suit. And I certainly agree.

2 Although the city provided manpower and
3 equipment from the departments of police, fire, public
4 works and licensing and permits for flood prevention
5 and recovery, it should join the county in helping our
6 neighbors receive financial relief, and I don't believe
7 that we need to wait and investigate before we decide
8 that this is a move that should be taken. I think we
9 need to step up, just as the county stepped up not
10 once, but twice immediately.

11 Therefore, I move that Scranton City
12 Council in cooperation with the city administration
13 provide temporary property tax abatements for Scranton
14 residents who are victims of the flooding that occurred
15 on June 27 and 28, 2006. Council solicitor will
16 contact the city solicitor in order to prepare
17 legislation, if necessary.

18 MR. COURTRIGHT: Second it. On the
19 question anybody?

20 MS. NEALON FANUCCI: There is only one
21 question I had, and I had discussed it with Mrs. Evans
22 previously --

23 MS. EVANS: Yes.

24 MS. NEALON FANUCCI: -- that we would
25 also add to that, and I don't know if you would like to

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1 make an amendment, to include the school board in this.

2 They do collect a lot of taxes, and I'm sure that they

3 would want to be included in this, also. So, if you

4 would like to make an amendment to include maybe

5 sending a letter to the school board or something to

6 that effect.

7 MS. EVANS: Well, that I agree is very

8 important, and I can't say that the school district

9 would turn a blind eye to this, but I think if we vote

10 on this first and then I will make a motion that a

11 letter be sent to the Scranton School District

12 indicating our intent and our hope for their

13 cooperation so that three taxing bodies will be

14 offering this relief to flood victims.

15 MR. COURTRIGHT: Anyone else? All

16 those in favor.

17 MS. EVANS: Aye.

18 MS. NEALON FANUCCI: Aye.

19 MR. MCTIERNAN: Aye.

20 MR. COURTRIGHT: Aye. Opposed? The

21 ayes have it and so ordered.

22 MS. EVANS: I move that a letter be

23 sent to the Scranton School District indicating the
24 intention of Scranton City Council in cooperation with
25 the city administration to provide temporary property

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1 tax relief to flood victims who are residents of the
2 City of Scranton and hoping for the cooperation of the
3 Scranton School District in such measures in order that
4 three taxing bodies will provide relief measures to
5 flood victims.

6 MS. NEALON FANUCCI: Second.

7 MR. COURTRIGHT: All those in favor.

8 MS. EVANS: Aye.

9 MS. NEALON FANUCCI: Aye.

10 MR. MCTIERNAN: Aye.

11 MR. COURTRIGHT: Aye. Opposed? The

12 ayes have it and so ordered.

13 MS. EVANS: I was outraged when reading
14 of the administration's tenth arbitration loss in less
15 than five years. These losses total over \$8 million
16 and counting daily, because the mayor choses to break
17 the law.

18 \$6 million is owed to American Water

19 Services, millions, upon millions borrowed money.

20 Simultaneously many seniors face a sizeable gap in
21 their drug coverage, \$2850 per senior, utility cost
22 rise, gasoline prices soar, and our people struggle to
23 make ends meet.

24 The giveaways, the borrowing, the
25 arbitration appeals, the spending must stop, because

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1 the elderly, the middle class and the poor simply can't
2 afford this mayor.

3 Kay, please send a letter to

4 Ms. Hailstone requesting the June 2005 compliance
5 report issued by HUD.

6 And finally I have citizens' requests

7 for the week. Depression in the road, the neighbors

8 can't open windows in their homes due to the dirt

9 that's coming out of the depression, and that's at 1048

10 Mohawk Avenue. Fleet Place needs paving behind Rock

11 Street in West Scranton. 1415 South Irving, neighbors

12 report a house that should be condemned. Please send

13 an inspector.

14 Residents continue to justifiable

15 complain about Kane Street, which they compare to a

16 scrub board, particularly in the area of the Italian

17 American Cemetery. There have been numerous reports
18 and requests to repair and pave this street for two
19 years. Please address immediately.

20 The 200 block of South Decker Court
21 still requires a stop sign. Children continue to
22 frequent this area and vehicles still speed, even after
23 two years. Both current and former Council members
24 have requested this very simple safety measure. Please
25 install this month.

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1 853 Capouse, the owner was notified
2 several times over the last year and a half to trim
3 trees and cut overgrown grass. Now, he's been given
4 chance after chance after chance, and I believe that
5 this owner should be cited by the department of
6 licensing and inspection and permits.

7 1427 Birch Street, please install an
8 asphalt curb in front of a driveway. When the street
9 was paved, the resident's curb was removed by the
10 contractor. Now, during each rainfall, he's forced to
11 put boards up in his driveway and towels through his
12 doors in order to help prevent flooding of a finished
13 basement in his bi-level home.

14 As of July 19, 2006, the drain in front
15 of the house is completely destroyed, sinking and
16 unsafe. In October 2005, Mr. Luciani stated to the
17 homeowner that the curb would be installed. The
18 resident also contacted the mayor's office to no avail.
19 Nine months later, it's time for Mr. Luciani to keep
20 his word.

21 1529 Hawthorn Street, please send an
22 inspector to examine scaffolds, garbage and reports of
23 rats and termites.

24 The 100 block of West Elm Street, after
25 crossing the Elm Street bridge, there's a metal plate
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1 in the road. The plate has remained for three years
2 while vehicles continue to slide over it. Please
3 provide a written report regarding the purpose of such
4 plate, if removal is possible, and how the problem can
5 be solved. Repair potholes in the three and 400 blocks
6 of Decker Court behind Wendy's on Main Avenue.
7 Now, as I've said today, at least half
8 of these problems have been ongoing for two years, and
9 at the same time I see structures demolished at no cost
10 to small developers, loans that are forgiven or offered

11 interest free, land that's transferred for a dollar a
12 year, and Hollow Avenue favors dot the city.
13 And my question to the administration
14 today is this, When will the people be helped, the
15 taxpayers, their problems? They're a priority. And
16 that's it.

17 MR. COURTRIGHT: Thank you.

18 Mrs. Fanucci.

19 MS. NEALON FANUCCI: I have two
20 requests. The first we need, if we can, Kay, if we can
21 send a letter to DPW regarding the back alley. This is
22 a back alley between Wyoming and Penn. I could not
23 find markings on the alley, but we need to send the
24 street cleaner there. There's lots of debris, and with
25 the heat, I'm afraid of what else can happen. So, if
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1 we could send the street cleaner there, I would be very
2 happy.

3 Also, another one, 2309 Watrous Avenue.

4 This is going to Mark Seitziner. We are having a
5 problem there. There are two lots, one filled with
6 debris, another which is weeds and -- I can't even tell
7 you how high the grass were. I believe the quote were

8 almost like four feet or something ridiculous. It just
9 kept going up. So, I would like to have that checked
10 into. I don't know who the owners are of these
11 properties, but maybe if we can get them cleaned up it
12 would be great for the neighborhood.

13 The city pools, we knew this was going
14 to be a big issue today. Obviously I already read what
15 my vote is going to be, but I have to say after looking
16 into this, there were only two issues that I came
17 across, one being the fact that when we were not free
18 swim -- when we were free swim, we had to hire
19 policemen at the pools every day to help guard.

20 Now, I'm not saying to guard the people
21 who were at the pools, but we had had three instances
22 where we had -- the lifeguards were actually assaulted.
23 That was a problem for me, because to
24 pay -- I do not want to pay police to go there. That
25 was number one. After I looked into other fees, we are

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1 not a large fee, we are a very small fee compared to
2 Allentown, which is 5:50, 3 50 for kids daily,
3 Pittsburgh, \$3.00 for kids, \$4.00 for adults. Numerous
4 pool fees are higher than our dollar.

5 So, we know I'm going to change my
6 voted to. My intent was always to work with the
7 administration, I had said that from day one working
8 together, because us against them hasn't gotten anyone
9 nowhere. So, that is why I'm going with that.

10 Also after last week's meeting, this
11 was a huge deal me leaving these meetings. I really
12 can't even get over it, but I'm going to address it.

13 Why? Because I have to.

14 This was not for me. We've always had
15 meetings in the afternoon in the summer. This was not
16 to change or to go with my schedule. In fact, it was
17 to help out the people who were not working all summer
18 and to say, you know what, we will do it during the
19 day. It's not that big of a deal.

20 I understand that you feel like you
21 need to insult me to my face so that you can see my
22 reaction, which is quite amusing to me, and it will
23 always be amusing.

24 I am not going to let you think or let
25 the public think that this is not important to me.

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1 This is an excessively important job, and if you

2 believe that anyone could run for this office and not
3 take it important, you are wrong.
4 When I walk out of this room,
5 90 percent of my time -- I cannot go to a grocery store
6 without helping someone. You have to keep a pen and
7 paper on you at all times.
8 So this room is here to conduct
9 business, and that is what I intend to do. And I'm
10 here for that part of the meeting.
11 Another thing after watching last
12 week's meeting, I got so many phone calls. I have to
13 say you guys rang the bells on the phone this time.
14 I've never had so many phone calls from people that
15 I've never known before.
16 First and foremost, this is to the
17 people at home watching my broadcast, many whom voted
18 to elect me to this position, I'd like to thank you for
19 your support. You have made a constant source of
20 encouragement for me, and believe me, encouragement is
21 something every member of this Council needs.
22 But this message is not directed to
23 you. This message is directed to the people who come
24 to these weekly meetings, some of you have developed a
25 cult following, some of you have been famous amongst

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1 your friends, and some of you have become infamous auto
2 among the loyal viewers.

3 I'm a newcomer to politics. In the
4 short two-year span since I took this task for running
5 for Council, I have learned a lot. I have become
6 inspired and in other ways I have become very, very
7 disillusioned.

8 But both respects, my eyes have been
9 open to the way this system works. The public comment
10 portion of these meetings has its own system. What
11 began as a form for concerned citizens has now become a
12 covert political movement with very specific political
13 agendas.

14 In the beginning speakers found
15 gratification in being the watch dogs for the people.
16 Taxpayers brought many important issues to the
17 forefront and out of the back room, and we discussed
18 them and we did what we needed to do, which was come to
19 conclusions and actually help the people.

20 We were not behind closed doors
21 anymore, but fruitful debates often resulted in
22 solutions and benefit all of us.

23 But now grandstanding speeches written
24 by anonymous third parties filled much of the political
25 comment. Speakers targeted politicians with all the

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1 stealth and accuracy of a guided missile. Intent, on
2 accomplishing their own political agendas.

3 And although there are still

4 good-hearted people, and a lot out there today I can

5 see, who come here to take part and truly make a

6 difference in what happens in this city, regular

7 speakers have become the embodiment of the very system

8 they're supposed to be speaking out against.

9 I want you to know, as well as the

10 majority of citizens that especially have called me

11 this week, that we are going to be the watch dogs and

12 we are aware of your tactics and we are acting as our

13 own watch dogs against you in keeping a close eye on

14 everything you do.

15 I am proud of what we have been able to

16 accomplish as a City Council in such a short time. I

17 love this city, which is another misconception that was

18 out there last week, I love the people of this city.

19 And as long as I hold this seat, I will never cater to

20 the covert factions of speakers, nor the rumor mills,
21 nor slandering websites, which I have to giggle, nor
22 the minority of special interest groups who have a
23 strangle hold on this city.

24 I will always be an advocate for the
25 good taxpayer, the ones who have elected me to protect

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1 their interests. And that is all I have. Thank you.

2 MR. COURTRIGHT: Thank you. Mr.

3 McTiernan.

4 MR. MCTIERNAN: I have nothing at this

5 time, Mr. Courtright.

6 MR. COURTRIGHT: Thank you. I have

7 quite a few things here. First I'd like to read a

8 letter from a police officer. On July 18, 2006, this

9 officer was informed that there were five different

10 locations which road work was being performed. This

11 road work consisted of closing down streets, detouring

12 traffic.

13 And I checked with the Lackawanna

14 County Communications Center, and they didn't have any

15 construction company call them to advise them of these

16 street closures, nor did they call the chief's office

17 to inform us of the street closure.
18 I don't have to explain the importance
19 of the proper notification so we can inform all
20 emergency units. I checked with the law department and
21 they advised me that there is not a city ordinance. I
22 will forward this letter to Councilman Bill Courtright.
23 So, with that said, I'll make a motion
24 that we ask Mr. Minora to look into writing an
25 ordinance that would require all construction companies
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1 to let us know when a road needs to be closed down.

2 MS. NEALON FANUCCI: Second.

3 MR. COURTRIGHT: On the question? All

4 in favor.

5 MS. EVANS: Aye.

6 MS. NEALON FANUCCI: Aye.

7 MR. MCTIERNAN: Aye.

8 MR. COURTRIGHT: Aye. Opposed? The

9 ayes have it and so ordered. I'll get you a couple

10 things, Kay, before you leave.

11 If we can take a look at a catch basin

12 on Swetland and Bromley. It needs to be repaired. And

13 I think, Kay, but I'm not sure, at 414 Cameroun we were

14 supposed to send a letter out. Did we do that? Okay.

15 Thank you.

16 Lawall Street, 354 Lawall Street, I

17 brought this up well over a year and a half ago, and

18 there was a problem there and Blair Avenue, and they

19 fixed the problem on Blair Avenue, which was supposedly

20 going to be the more difficult problem, but the one on

21 Lawall Street we didn't get repaired and it's ponding

22 in front of his house which comes up over the curb.

23 So, Kay, maybe if we can ask Mr. Parker one more time

24 to take a look at that situation.

25 He was the one that said that that

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1 really shouldn't be a problem. So, maybe it just fell

2 to the wayside.

3 I visited Providence Road this week.

4 The only address I can get is 987, which is right next

5 door -- there's a lot there, it's a fairly large lot,

6 and there's tractor-trailer and trailers inside of

7 there, 55 gallon drums in there, grass growing to

8 heights taller than myself, and the sidewalk is not

9 passable because there's grass growing in there, so I

10 will ask if we can ask Mr. Fiorini. I'm guessing the

11 address would be 989, but it's directly across from
12 Weston Field, if we can find out who owns that and see
13 if they can do something with that.

14 The neighbors are reporting seeing
15 skunks and rats coming out of there, and they're really
16 getting disgusted.

17 I got a couple calls. I think people
18 think Jackson Street is getting paved because I have a
19 business right there. I have nothing to do with
20 Jackson Street being paved.

21 Jackson Street is being paved, a good
22 portion all the way to Keyser Avenue almost, I believe,
23 because of the fact it's a K road, and 80 percent of it
24 is being paved by, I believe, it's the state, not the
25 City of Scranton. So, I don't have that kind of clout

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1 to get that much paved. So, it's not due to me.
2 And probably the majority of roads that
3 you'll see paved this summer are K roads. When I took
4 a look at the paving list, I believe the only ones I
5 saw that were going to get paved other than K roads
6 were allies and courts, which the DPW themselves would
7 be paving.

8 And something for the Junior Council
9 maybe you can consider this. I got complaints, and I
10 don't like this part of the area myself, Elm Street
11 bridge coming from South Scranton into West Scranton,
12 it's a mess. There's weeds and trees and everything
13 growing there.

14 And a woman asked me yesterday would I
15 ask the Junior Council if they would be interested in
16 going down there and cutting that and cleaning it
17 up.

18 I don't know if you could. I think we
19 need to ask the DPW, you know, for infringing on their
20 rights fixing that, but if you could and you're willing
21 to do it, I would be happy to go down there and help
22 you with that. So, that's the Elm Street bridge.

23 And one last thing, last week I made
24 mention that I thought that this Council and previous
25 Councils did much more than come to this meeting each

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1 week, and I believe that. And I got a phone call from
2 a supporter of former Council President DiBileo who
3 said to me, you know, that he had done him several
4 favors and had done friends of theirs, not favors, but

5 got things done for them that helps when maybe a
6 Councilperson makes a call, rather than yourself making
7 a call, and, you know, he never brought it up on TV,
8 never got the credit for it.

9 And I said, You know, I don't think he
10 would slight himself and I don't think anybody here
11 would slight themselves. I think it's an individual
12 thing from Council members of this Council and past
13 Councils. Some of us have different ways of doing
14 things.

15 So, most certainly anybody that wants
16 to bring up a project that we're working on or a
17 pothole we get fixed is more than welcome to do that
18 here. And I believe that's all I have, Kay. We can
19 move on.

20 MS. EVANS: Mr. Courtright, if I may.

21 There's one more situation that's very urgent actually.

22 It's 1725 Hawthorne Street. And I talked about this
23 probably two weeks ago. There's a large hole in the
24 road that is the city's responsibility. It's been

25 checked out by the PP&L and Sewer Authority and the

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1 road is caving in, but meanwhile, there is a gas smell

2 that is being emitted from this opening and the
3 residents of the block have contacted the Sewer
4 Authority and have left numerous messages for them to
5 come out there, but no one has responded.

6 The residents claim they've never had
7 this problem with an odor until the road opened up.

8 So, I would ask if today, please, we could get someone
9 from either the DPW or the Sewer Authority over there,
10 because this potentially could be a very hazardous
11 situation. And, you know, as I said, they've already
12 been living with this for a week.

13 MR. COURTRIGHT: Mrs. Evans, is this
14 the one that Mr. Fiorini sent us the E-mail on? Is
15 that the same one or no?

16 MS. EVANS: I don't know.

17 MR. COURTRIGHT: I think it is. Kay,
18 isn't it, the 1700?

19 MS. GARVEY: I'm not sure. I don't
20 recall.

21 MR. COURTRIGHT: They sent a picture to
22 me and I sent a picture down to Mr. Parker, and what
23 I'm being told is that the Sewer Authority went there,
24 dropped a camera in there. It's not their problem.

25 MS. EVANS: Right. It's the city's

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1 problem.

2 MR. COURTRIGHT: So, I sent another

3 letter asking him to go down and take a look at it.

4 Neil, maybe you can make a phone call. I wasn't aware

5 of the gas smell now.

6 MS. NEALON FANUCCI: It's everybody's

7 problem now.

8 MS. EVANS: Right.

9 MR. COURTRIGHT: So, if we can get

10 somebody down there right away once the meeting is

11 over.

12 MS. EVANS: So, this will be actually

13 then the third request in probably less than two weeks.

14 MR. COURTRIGHT: Yes, absolutely.

15 MS. EVANS: And they need to look at it

16 today, please.

17 MR. COURTRIGHT: Anybody else? Okay,

18 Kay.

19 MS. GARVEY: 4-B - FOR INTRODUCTION - A

20 RESOLUTION - APPOINTING RAY DOMINGUEZ, 2010 FARR

21 STREET, SCRANTON, PENNSYLVANIA, 18504, AS ALTERNATE NO.

22 1 MEMBER TO THE BOARD OF ZONING APPEALS FOR THE CITY OF

23 SCRANTON. MR. DOMINGUEZ WILL FILL THE UNEXPIRED TERM
24 OF NANCY REEDY, WHOSE TERM EXPIRES ON JULY 1, 2007.

25 MR. COURTRIGHT: At this time I'll

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1 entertain a motion that Item 4-B introduced into its
2 proper committee.

3 MR. MCTIERNAN: So moved.

4 MS. NEALON FANUCCI: Second.

5 MR. COURTRIGHT: On the question? All

6 in favor, saying aye.

7 MS. EVANS: Aye.

8 MS. NEALON FANUCCI: Aye.

9 MR. MCTIERNAN: Aye.

10 MR. COURTRIGHT: Aye. The ayes have it

11 and so ordered.

12 MS. GARVEY: 4-C, FOR INTRODUCTION - A

13 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

14 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A

15 CONTRACT WITH NORTHEASTERN ECONOMIC DEVELOPMENT COMPANY

16 OF PA-CDC., d/b/a AMERICAN SMALL BUSINESS FINANCE

17 (NEDCO) TO ASSIST THE OFFICE OF ECONOMIC AND COMMUNITY

18 DEVELOPMENT WITH SOURCING AND OBTAINING ECONOMIC

19 DEVELOPMENT FINANCING, LOANS AND GRANTS THE

20 ADMINISTRATION THEREOF.

21 MR. COURTRIGHT: At this time I'll

22 entertain a motion that Item 4-C be introduced into its

23 proper committee.

24 MR. MCTIERNAN: So moved.

25 MS. NEALON FANUCCI: Second.

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27

1 MR. COURTRIGHT: On the question?

2 MS. EVANS: Yes. The Office of

3 Economic and Community Development employs 13

4 individuals paying a total in salaries of \$542,625.09,

5 and many of those employees have worked in that office

6 for many years, while others, of course, were new hires

7 under the current administration.

8 But I believe it is the job of OECD,

9 particularly going into its fifth year under this

10 administration, to source and obtain funding, loans and

11 grants.

12 Furthermore, under the old Council,

13 this almost exact type of consultant was up for a

14 contract renewal and it was not approved by that

15 Council.

16 This is, in fact, another consultant

17 who has been located in order to substitute for the
18 consultant who did not receive renewal. We don't need
19 to be spending money in this way. People need to do
20 the jobs they were hired to do. So, I will be voting
21 no today and next week.

22 MR. COURTRIGHT: Anybody else on the
23 question? I in the past haven't been in favor
24 consultants, and I basically still hold to that. So,
25 when this legislation came down, I did a little bit of
.
28

1 research and I asked them questions and I got them
2 answered. And there's still some questions I need
3 answered, so I'm going to vote yes to introduce it
4 today and hopefully I will have my other questions
5 answered and that's how I will base my decision next
6 week seeing as it's just for introduction today.

7 MS. EVANS: I might add, though, as I'm
8 sure Mr. Courtright is aware, that next week in the
9 event of a five-member Council, that very likely will
10 pass so that a, you know, a vote in the negative
11 becomes ineffective.

12 MR. COURTRIGHT: Anyone else? All
13 those in favor.

14 MS. NEALON FANUCCI: Aye.

15 MR. MCTIERNAN: Aye.

16 MR. COURTRIGHT: Aye. Opposed?

17 MS. EVANS: No.

18 MR. COURTRIGHT: 3-1, the ayes have it

19 and so ordered.

20 MS. GARVEY: 4-D, FOR INTRODUCTION - A

21 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

22 APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO

23 ENTER INTO A LOAN AGREEMENT AND MAKE A LOAN FROM THE

24 COMMERCIAL/INDUSTRIAL REVOLVING LOAN PROGRAM, PROJECT

25 NO. 03-150.S IN AN AMOUNT NOT TO EXCEED \$75,000.00 TO

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29

1 DENISE'S SALON, LLC TO ASSIST AN ELIGIBLE PROJECT.

2 MR. COURTRIGHT: At this time I'll

3 entertain a motion that Item 4-D be introduced into its

4 proper committee.

5 MS. NEALON FANUCCI: So moved.

6 MR. MCTIERNAN: Second.

7 MR. COURTRIGHT: On the question? All

8 those in favor.

9 MS. EVANS: Aye.

10 MS. NEALON FANUCCI: Aye.

11 MR. MCTIERNAN: Aye.

12 MR. COURTRIGHT: Aye. Opposed? The

13 ayes have it, so ordered.

14 MS. GARVEY: Fifth order. 5-A, READING

15 BY TITLE - FILE OF COUNCIL NO. 41, 2006, AN ORDINANCE -

16 AUTHORIZING THE PLACEMENT OF SIGNS ALONG THE LACKAWANNA

17 RIVER LEVEE INDICATING THAT NO STRUCTURE MAY BE PLACED

18 WITHIN TEN (10) FEET OF THE TOE OF THE SLOPE ON THE

19 LAND SIDE OF THE LEVEE AND AUTHORIZING FINES AND

20 PENALTIES FOR VIOLATIONS.

21 MR. COURTRIGHT: You've heard reading

22 by title of Item 5-A, what is your pleasure?

23 MR. MCTIERNAN: I recommend that Item

24 5-A pass final order please.

25 MS. NEALON FANUCCI: Second.

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30

1 MR. COURTRIGHT: On the question? All

2 those in favor, signify by saying aye.

3 MS. EVANS: Aye.

4 MS. NEALON FANUCCI: Aye.

5 MR. MCTIERNAN: Aye.

6 MR. COURTRIGHT: Aye. Opposed? The

7 ayes have it and so ordered.

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

9 FILE OF COUNCIL NO. 42, 2006 - AN ORDINANCE -

10 AUTHORIZING THE INSTALLATION OF NO TRUCK TRAFFIC SIGNS

11 (EXCEPT RESIDENTIAL DELIVERIES) ALONG A CERTAIN PORTION

12 OF PEAR STREET BETWEEN CEDAR AND PITTSTON AVENUES

13 PURSUANT TO A STUDY RECOMMENDING SAID TRUCK BAN.

14 MR. COURTRIGHT: You've heard reading

15 by title of Item 5-B, what is your pleasure?

16 MR. MCTIERNAN: I move that Item 5-B

17 pass reading by title.

18 MS. NEALON FANUCCI: Second.

19 MR. COURTRIGHT: On the question? All

20 those in favor, signify by saying aye.

21 MS. EVANS: Aye.

22 MS. NEALON FANUCCI: Aye.

23 MR. MCTIERNAN: Aye.

24 MR. COURTRIGHT: Aye. The ayes have it

25 and so ordered.

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31

1 MS. GARVEY: 5-C , READING BY TITLE -

2 FILE OF COUNCIL NO. 43, 2006 - AN ORDINANCE -

3 ESTABLISHING PERMIT PARKING IN THE 2100 AND 2200 BLOCKS

4 OF NORTH WASHINGTON AVENUE FROM GRANDVIEW STREET TO

5 PARK STREET, ON BOTH SIDES MONDAY TO FRIDAY ONLY.

6 MR. COURTRIGHT: You've heard reading

7 by title of Item 5-C, what is your pleasure?

8 MR. MCTIERNAN: Mr. Chairman, I move

9 that Item 5-C pass reading by title.

10 MS. NEALON FANUCCI: Second.

11 MR. COURTRIGHT: On the question? All

12 those in favor, signify by saying aye.

13 MS. EVANS: Aye.

14 MS. NEALON FANUCCI: Aye.

15 MR. MCTIERNAN: Aye.

16 MR. COURTRIGHT: Aye. Opposed? The

17 ayes have it and so ordered.

18 MS. GARVEY: 5-D, READING BY TITLE -

19 FILE OF COUNCIL NO. 44, 2006 - ORDINANCE - AUTHORIZING

20 AND ESTABLISHING A PROCEDURE FOR THE DISPOSAL OF

21 CITY-OWNED PERSONAL PROPERTY.

22 MR. COURTRIGHT: You've heard reading

23 by title of Item 5-D, what is your pleasure?

24 MR. MCTIERNAN: Mr. Chairman, I move

25 that Item 5-D pass reading by title.

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1 MS. NEALON FANUCCI: Second.

2 MR. COURTRIGHT: 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. Opposed? The

8 ayes have it and so moved.

9 MS. GARVEY: Sixth order. 6-A , FOR

10 CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR

11 ADOPTION - FILE OF COUNCIL NO. 39, 2006 - AN ORDINANCE

12 - AMENDING FILE OF THE COUNCIL NO. 252, 2003, THEREBY

13 AMENDING FILE OF THE COUNCIL NOS. 188 OF 1994 AND 103

14 OF 1995 AS SET FORTH IN THE SCRANTON CODIFIED CODE AT

15 SECTION 332-20 PERTAINING TO FEES FOR USE OF

16 FACILITIES, TO AMEND THE FEES FOR THE USE OF OUTDOOR

17 CITY POOLS OTHER THAN NAY AUG PARK. MOTION TO OVERRIDE

18 OR SUSTAIN MAYOR'S VETO.

19 MR. COURTRIGHT: What is the

20 recommendation of the chairperson for the committee on

21 finance?

22 MR. MCTIERNAN: As chair for the

23 committee on finance, I recommend that City Council

24 sustain the mayor's veto of Item 6-A.

25 MS. NEALON FANUCCI: Second.

1 MR. COURTRIGHT: On the question? Mr.

2 Minora, could we just clarify what a yes and no vote

3 would mean on this?

4 MR. MINORA: A yes vote would be to

5 sustain the mayor's veto, that would be to defeat the

6 ordinance that was passed, a no vote would be just the

7 opposite.

8 MR. COURTRIGHT: Override.

9 MR. MINORA: Override.

10 MR. COURTRIGHT: Does anybody have any

11 questions?

12 MS. EVANS: I would just like to say

13 that, you know, I was so pleased to learn that the

14 mayor puts principles ahead of politics and has a

15 philosophy of wanting to help people, but sadly that

16 philosophy doesn't apply to lower income children or

17 parents as is evidenced by his veto.

18 I agree that Scranton was built on the

19 back of its immigrants, but the children are our

20 future. And as for the money, I believe there are many

21 sources that can be tapped, including the funds

22 realized from sales of city personal property, labor

23 attorney fees that will come before this Council
24 probably in September in order to fight more of these
25 arbitration cases, which I will not be voting for, new
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34

1 rugs and banners, building demolition for land
2 developers, the contingency fund, extra many borrowed
3 in TAN Series B for the fiscal year 2006, the
4 delinquent wage tax that hasn't been collected since
5 2003, professional services throughout almost every
6 governmental department, Gasby. In fact, I notice
7 there was a transfer out of that fund to another
8 department to cover costs.
9 Obviously those are just a few of the
10 possibilities, and I think it goes beyond the
11 financial. I think it makes another unspoken statement
12 of which we're all aware.

13 MR. COURTRIGHT: Anyone else on the
14 question? Roll call, please.

15 MR. COOLICAN: Mrs. Evans.

16 MS. EVANS: No.

17 MR. COOLICAN: Mrs. Fanucci.

18 MS. NEALON FANUCCI: Yes.

19 MR. COOLICAN: Mr. McTiernan.

20 MR. MCTIERNAN: Yes.

21 MR. COOLICAN: Mr. Courtright.

22 MR. COURTRIGHT: No.

23 MR. COOLICAN: Mrs. Gatelli.

24 MR. COURTRIGHT: So, Mr. Minora, how do

25 I read this now because it's died?

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35

1 MR. MINORA: Well, it would take four

2 votes to override the veto, so it's sustained.

3 MR. COURTRIGHT: So, the veto is

4 sustained. So, by a 2-2 vote, the veto is sustained.

5 MS. EVANS: And I would say to the

6 residents of Scranton, we've gone through quite a

7 roller coaster ride with the swimming issue. First we

8 were receiving donations from private sources, that was

9 not acceptable, then Council asked for private

10 donations, and that was replaced by free swimming

11 passes that city residents could apply for, and finally

12 even the administration has ceased offering those

13 passes and insist, and I believe that was halted

14 because so many passes were actually distributed last

15 summer.

16 Now I believe the policy is if you

17 can't pay, you can still swim. And in the heat wave
18 that we've been experiencing, I encourage everyone,
19 every child, go to the pools and swim. The
20 administration, I'm sure, will keep its word. You
21 don't have to pay.

22 MR. COURTRIGHT: I would just say I
23 agree with Mrs. Evans. If there's anybody out there
24 that's being turned away, please come to us and tell
25 us, because we don't want to see anyone turned away. I
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36

1 guess that's all I have to say on that matter.

2 Mrs. Garvey.

3 MS. GARVEY: 6-B, FOR CONSIDERATION BY
4 THE COMMITTEE ON FINANCE - FOR ADOPTION -
5 FILE OF COUNCIL NO. 40, 2006 - AN ORDINANCE - CREATING
6 AND ESTABLISHING SPECIAL CITY ACCOUNT NO. 02.229581
7 ENTITLED PAVING-K ROUTE ROADS FOR RECEIPT AND
8 DISBURSEMENT OF MONIES RECEIVED FROM THE COMMONWEALTH
9 OF PENNSYLVANIA FOR THE STATE SHARE (80%) OF COST OF
10 PAVING K ROUTE ROADS IN THE CITY OF SCRANTON.

11 MR. COURTRIGHT: What is the
12 recommendation of the chairperson for the committee on
13 finance?

14 MR. MCTIERNAN: I recommend final

15 passage of Item 6-B.

16 MS. NEALON FANUCCI: Second.

17 MR. COURTRIGHT: Roll call, please.

18 MR. COOLICAN: Mrs. Evans.

19 MS. EVANS: Yes.

20 MR. COOLICAN: Mrs. Fanucci.

21 MS. NEALON FANUCCI: Yes.

22 MR. COOLICAN: Mr. McTiernan.

23 MR. MCTIERNAN: Yes.

24 MR. COOLICAN: Mr. Courtright.

25 MR. COURTRIGHT: Yes. I hereby declare

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37

1 Item 6-B legally and lawfully adopted.

2 MS. GARVEY: 6-C - FOR CONSIDERATION BY

3 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

4 69, 2006 - ACCEPTING THE GIFT OF A POLICE VEHICLE, VIN

5 NUMBER 2FAFP71WO3X187673 FROM POLICE OFFICER GUY A.

6 SALERNO FOR USE IN THE CITY'S FLEET PURSUANT TO A LEASE

7 AGREEMENT BETWEEN THE CITY AND OFFICER SALERNO.

8 MR. COURTRIGHT: As chairperson for the

9 committee on rules, I recommend final passage of Item

10 6-C.

11 MS. NEALON FANUCCI: Second

12 MR. COURTRIGHT: On the question? Roll

13 call, please.

14 MR. COOLICAN: Mrs. Evans.

15 MS. EVANS: Yes.

16 MR. COOLICAN: Mrs. Fanucci.

17 MS. NEALON FANUCCI: Yes.

18 MR. COOLICAN: Mr. McTiernan.

19 MR. MCTIERNAN: Yes.

20 MR. COOLICAN: Mr. Courtright.

21 MR. COURTRIGHT: Yes.

22 MR. COOLICAN: Mrs. Gatelli.

23 MR. COURTRIGHT: I hereby declare Item

24 6-C legally and lawfully adopted.

25 MS. GARVEY: 6-D, FOR CONSIDERATION BY

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38

1 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

2 70, 2006 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

3 CITY OFFICIALS TO EXECUTE AND ENTER INTO A LEASE/POLICY

4 AGREEMENT WITH OFFICER GUY A. SALERNO GOVERNING THE USE

5 OF OFFICER SALERNO'S "PRIVATE CRUISER" AS DEFINED

6 HEREIN.

7 MR. COURTRIGHT: As chairperson for the

8 committee on rules, I recommend final passage of Item

9 6-D.

10 MS. NEALON FANUCCI: Second.

11 MR. COURTRIGHT: On the question? Roll

12 call, please.

13 MR. COOLICAN: Mrs. Evans.

14 MS. EVANS: Yes.

15 MR. COOLICAN: Mrs. Fanucci.

16 MS. NEALON FANUCCI: Yes.

17 MR. COOLICAN: Mr. McTiernan.

18 MR. MCTIERNAN: Yes.

19 MR. COOLICAN: Mr. Courtright.

20 MR. COURTRIGHT: Yes.

21 MR. COOLICAN: Mrs. Gatelli.

22 MR. COURTRIGHT: I hereby declare Item

23 6-D legally and lawfully adopted.

24 MS. GARVEY: 6-E, FOR CONSIDERATION BY

25 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

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39

1 71, 2006 - ACCEPTING THE GIFT OF A POLICE VEHICLE, VIN

2 NUMBER 2FAFP71W63X168786 FROM POLICE OFFICER ROBERT J.

3 STELMAK FOR USE IN THE CITY'S FLEET PURSUANT TO A LEASE

4 AGREEMENT BETWEEN THE CITY AND OFFICER STELMAK.

5 MR. COURTRIGHT: As chairperson for the
6 committee on rules, I recommend final passage of Item
7 6-E.

8 MS. NEALON FANUCCI: Second.

9 MR. COURTRIGHT: On the question? Roll
10 call, please.

11 MR. COOLICAN: Mrs. Evans.

12 MS. EVANS: Yes.

13 MR. COOLICAN: Mrs. Fanucci.

14 MS. NEALON FANUCCI: Yes.

15 MR. COOLICAN: Mr. McTiernan.

16 MR. MCTIERNAN: Yes.

17 MR. COOLICAN: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MR. COOLICAN: Mrs. Gatelli.

20 MR. COURTRIGHT: I hereby declare Item

21 6-E legally and lawfully adopted.

22 MS. GARVEY: 6-F, FOR CONSIDERATION BY

23 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

24 72, 2006 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

25 CITY OFFICIALS TO EXECUTE AND ENTER INTO A LEASE/POLICY

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40

1 AGREEMENT WITH OFFICER ROBERT J. STELMAK GOVERNING THE

2 USE OF OFFICER STELMAK'S "PRIVATE CRUISER" AS DEFINED

3 HEREIN.

4 MR. COURTRIGHT: As chairperson for the

5 committee on rules, I recommend final passage of Item

6 6-F.

7 MS. NEALON FANUCCI: Second.

8 MR. COURTRIGHT: On the question? Roll

9 call, please.

10 MR. COOLICAN: Mrs. Evans.

11 MS. EVANS: Yes.

12 MR. COOLICAN: Mrs. Fanucci.

13 MS. NEALON FANUCCI: Yes.

14 MR. COOLICAN: Mr. McTiernan.

15 MR. MCTIERNAN: Yes.

16 MR. COOLICAN: Mr. Courtright.

17 MR. COURTRIGHT: Yes.

18 MR. COOLICAN: Mrs. Gatelli.

19 MR. COURTRIGHT: I hereby declare Item

20 6-F legally and lawfully adopted.

21 MS. GARVEY: 6-G, FOR CONSIDERATION BY

22 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION -

23 RESOLUTION NO. 73, 2006 - APPROVING AND AUTHORIZING

24 LOAN FORGIVENESS, IN FAVOR OF THE SCRANTON CULTURAL

25 CENTER AT THE MASONIC TEMPLE CONCERNING A CITY OECD

1 COMMUNITY DEVELOPMENT BLOCK GRANT LOAN DATED SEPTEMBER
2 16, 1999.

3 MR. COURTRIGHT: What's the
4 recommendation of the chairperson for the committee on
5 community development?

6 MS. NEALON FANUCCI: As chairperson for
7 the committee on community development, I recommend
8 final passage of Item 6-G.

9 MR. MCTIERNAN: Second.

10 MR. COURTRIGHT: On the question?

11 MS. EVANS: Yes. I think the cultural
12 center is undoubtedly one of the most magnificent
13 structures in the City of Scranton and it's certainly a
14 vital part of the cultural education of this city, but
15 the people loaned this money to the cultural center
16 through their state and federal taxes, and they can't
17 afford to forgive \$196,000.

18 In addition, they all pay a one mill
19 county tax for the arts and key cultural institutions,
20 further, they pay for tickets to the Philharmonic,
21 Broadway Theater, concerts, et cetera, they pay for
22 wedding receptions and organized dinners and parties.

23 Now, if the average person can't make
24 his mortgage payment, and he goes to the bank and he
25 says, Please, I can't lose my house, and if you take
. . .
42

1 this from me, you're going to take this off the tax
2 rolls, and that hurts every one in this city. So,
3 please, forgive this mortgage. The bank is not going
4 to listen. The bank is going to foreclose and put you
5 out on the street and that is that.

6 This isn't a fairy tale, that's a
7 reality that happens too, too much these days because
8 of the rising costs of just surviving in this city and
9 across America.

10 So, I'm hoping that private patrons,
11 sponsors and boosters who are financially blessed and
12 able to assist the Scranton Cultural Center will step
13 up to the plate and help them with the payments that
14 they have been unable to make over and, I guess it
15 would be, the last six to seven years. This was taken
16 out in 1999.

17 MR. COURTRIGHT: Anyone else on the
18 question? Roll call.

19 MR. COOLICAN: Mrs. Evans.

20 MS. EVANS: No.

21 MR. COOLICAN: Mrs. Fanucci.

22 MS. NEALON FANUCCI: Yes.

23 MR. COOLICAN: Mr. McTiernan.

24 MR. MCTIERNAN: Yes.

25 MR. COOLICAN: Mr. Courtright.

43

1 MR. COURTRIGHT: Yes.

2 MR. COURTRIGHT: I declare 6-G legally

3 and lawfully adopted.

4 MS. GARVEY: 6-H, FOR CONSIDERATION BY

5 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

6 74, 2006 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

7 CITY OFFICIALS TO EXECUTE AND ENTER INTO A PROFESSIONAL

8 SERVICES AGREEMENT WITH ACKER ASSOCIATES, INC. FOR

9 PROFESSIONAL ENGINEERING SERVICES FOR DESIGN AND

10 CONSTRUCTION ADMINISTRATION FOR SCRANTON STREETScape

11 CENTER STREET PROJECT.

12 MR. COURTRIGHT: As chairperson for the

13 committee on rules, I recommend final passage of Item

14 6-H.

15 MS. NEALON FANUCCI: Second.

16 MR. COURTRIGHT: On the question? Roll

17 call.

18 MR. COOLICAN: Mrs. Evans.

19 MS. EVANS: Yes.

20 MR. COOLICAN: Mrs. Fanucci.

21 MS. NEALON FANUCCI: Yes.

22 MR. COOLICAN: Mr. McTiernan.

23 MR. MCTIERNAN: Yes.

24 MR. COOLICAN: Mr. Courtright.

25 MR. COURTRIGHT: Yes.

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44

1 MR. COURTRIGHT: Yes. I hereby declare

2 Item 6-H legally and lawfully adopted.

3 MS. GARVEY: 6-I, FOR CONSIDERATION BY

4 THE COMMITTEE ON RULES - FOR ADOPTION RESOLUTION NO.

5 75, 2006- AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

6 CITY OFFICIALS TO EXECUTE AND ENTER INTO A LEASE

7 AGREEMENT WITH LACE BUILDING AFFILIATES, LP, A

8 PENNSYLVANIA LIMITED PARTNERSHIP TO ALLOW FOR PARKING

9 FOR LAMINATIONS, INC. DURING THE PENDENCY OF THE FLOOD

10 PROJECT WORK AT THE SITE.

11 MR. COURTRIGHT: As chairperson for the

12 committee on rules, I recommend final passage of Item

13 6-I.

14 MS. NEALON FANUCCI: Second.

15 MR. COURTRIGHT: On the question? Roll

16 call.

17 MR. COOLICAN: Mrs. Evans.

18 MS. EVANS: Yes.

19 MR. COOLICAN: Mrs. Fanucci.

20 MS. NEALON FANUCCI: Yes.

21 MR. COOLICAN: Mr. McTiernan.

22 MR. MCTIERNAN: Yes.

23 MR. COOLICAN: Mr. Courtright.

24 MR. COURTRIGHT: Yes. I hereby declare

25 Item 6-I legally and lawfully adopted.

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45

1 MS. GARVEY: 6-J, FOR CONSIDERATION BY

2 THE COMMITTEE ON FINANCE - FOR ADOPTION - RESOLUTION

3 NO. 76, 2006 - ACCEPTING GRANT FUNDS FROM ACT 101,

4 SECTION 902 RECYCLING GRANT FROM PENNSYLVANIA

5 DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT OF

6 \$266,892.00 AND AUTHORIZING THE MAYOR AND OTHER

7 APPROPRIATE CITY OFFICIALS TO EXECUTE ANY AND ALL

8 DOCUMENTS NECESSARY TO RECEIVE SAID FUNDS.

9 MR. COURTRIGHT: What is the

10 recommendation of the chairperson for the committee on

11 finance?

12 MR. MCTIERNAN: I recommend final

13 passage of Item 6-J.

14 MS. NEALON FANUCCI: Second.

15 MR. COURTRIGHT: On the question? Roll

16 call, please.

17 MR. COOLICAN: Mrs. Evans.

18 MS. EVANS: Yes.

19 MR. COOLICAN: Mrs. Fanucci.

20 MS. NEALON FANUCCI: Yes.

21 MR. COOLICAN: Mr. McTiernan.

22 MR. MCTIERNAN: Yes.

23 MR. COOLICAN: Mr. Courtright.

24 MR. COURTRIGHT: Yes. I hereby declare

25 Item 6-J legally and lawfully adopted.

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46

1 MS. GARVEY: 6-K, FOR CONSIDERATION BY

2 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION -

3 RESOLUTION NO. 77, 2006 - AUTHORIZING THE MAYOR AND

4 OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF

5 SCRANTON TO ENTER INTO A LOAN AGREEMENT AND TO MAKE A

6 LOAN FROM THE COMMERCIAL/INDUSTRIAL REVOLVING LOAN

7 PROGRAM, PROJECT NO. 03-150.4 IN AN AMOUNT NOT TO

8 EXCEED \$250,000.00 TO WILLIAM J. FOX D/B/A NATIONAL

9 PASTRY BAKE SHOP TO ASSIST AN ELIGIBLE PROJECT.

10 MR. COURTRIGHT: What's the

11 recommendation of the chairperson for the committee on

12 community development?

13 MS. NEALON FANUCCI: As chairperson for

14 the committee on community development, I recommend

15 final passage of Item 6-K.

16 MR. COURTRIGHT: Second.

17 MR. COURTRIGHT: On the question? Roll

18 call, please.

19 MR. COOLICAN: Mrs. Evans.

20 MS. EVANS: Yes.

21 MR. COOLICAN: Mrs. Fanucci.

22 MS. NEALON FANUCCI: Yes.

23 MR. COOLICAN: Mr. McTiernan.

24 MR. MCTIERNAN: Yes.

25 MR. COOLICAN: Mr. Courtright.

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47

1 MR. COURTRIGHT: Yes. I hereby declare

2 Item 6-K legally and lawfully adopted.

3 MS. GARVEY: 6-L, FOR CONSIDERATION BY

4 THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO.

5 78, 2006 - AUTHORIZING THE CITY OF SCRANTON TO
6 PARTICIPATE IN THE LACKAWANNA COUNTY AUTOMOTIVE AND
7 EQUIPMENT CONTRACT TO COVER JOINT PURCHASING OF
8 VEHICLES, EQUIPMENT AND LIKE PRODUCTS.

9 MR. COURTRIGHT: As chairperson for the
10 committee on rules, I recommend final passage of Item
11 6-L.

12 MS. NEALON FANUCCI: Second.

13 MR. COURTRIGHT: On the question? Roll
14 call, please.

15 MR. COOLICAN: Mrs. Evans.

16 MS. EVANS: Yes.

17 MR. COOLICAN: Mrs. Fanucci.

18 MS. NEALON FANUCCI: Yes.

19 MR. COOLICAN: Mr. McTiernan.

20 MR. MCTIERNAN: Yes.

21 MR. COOLICAN: Mr. Courtright.

22 MR. COURTRIGHT: Yes. I hereby declare

23 Item 6-L legally and lawfully adopted.

24 MS. GARVEY: 6-M, FOR CONSIDERATION BY

25 THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION -

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48

1 RESOLUTION NO. 79, 2006 - AUTHORIZING AGREEMENT FOR THE

2 TRANSFER CONVEYANCE AND ACCEPTANCE OF THE DAVIS STREET,
3 GREENWOOD AVENUE, AND COREY STREET SANITARY SEWER
4 CONVEYANCE LINE FROM MOOSIC BOROUGH TO THE SEWER
5 AUTHORITY OF THE CITY OF SCRANTON.

6 MR. COURTRIGHT: What's the
7 recommendation of the chairperson for the committee on
8 public works?

9 MS. EVANS: As chair for the committee
10 on public works, I recommend final passage of Item 6-M.

11 MS. NEALON FANUCCI: Second.

12 MR. COURTRIGHT: On the question? Roll
13 call, please.

14 MR. COOLICAN: Mrs. Evans.

15 MS. EVANS: Yes.

16 MR. COOLICAN: Mrs. Fanucci.

17 MS. NEALON FANUCCI: Yes.

18 MR. COOLICAN: Mr. McTiernan.

19 MR. MCTIERNAN: Yes.

20 MR. COOLICAN: Mr. Courtright.

21 MR. COURTRIGHT: Yes. I hereby declare
22 Item 6-M legally and lawfully adopted.

23 MS. GARVEY: Seventh order. Citizens
24 participation.

25 (WHEREUPON, Councilwoman Nealon-Fanucci left.)

1 MR. COURTRIGHT: Okay. Our first

2 speaker is Andy Sbaraglia.

3 MR. SBARAGLIA: Andy Sbaraglia, Citizen

4 of Scranton. Fellow Scrantonians, certain speakers

5 that sit on Council hold the people who come before you

6 in contempt, and they show it.

7 Even the way you're running your

8 meetings now shows contempt for the people of Scranton.

9 For one reason, they have no input before you vote,

10 other than a few minutes that you can scan the

11 documents out there in the office.

12 The way you set this meeting was

13 terrible. You should have citizens participation

14 before a final vote. If you believe in democracy or if

15 you consider open government -- I have doubts with you

16 people. I don't think that you believe in honest, open

17 and efficient government. You get off on agendas.

18 Now, I don't -- some of these things,

19 okay, they're marginal, but the children of our

20 community are not marginal, and for you to turn your

21 backs on them.

22 Now, four of you sitting up there as

23 councilmen have jobs that the taxpayers pay for your
24 full-time job, not even your second time job, but your
25 full-time job, plus you get paid for your sitting on
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1 Council.

2 But to take it out and have no
3 compassion for the children of Scranton is beyond me.
4 I don't think any of you went and said, How are they
5 going to pay me when they hired me? You just took the
6 job. You knew you'd get paid by the taxpayers, and the
7 taxpayers are paying 90 percent of the costs for them
8 pools.

9 I don't care what you said about kids
10 being this or kids being that. Kids are kids. You got
11 good kids and you got bad kids, but to hold them in
12 contempt is beyond me. That's all I'll say on that
13 subject.

14 Now, let's go. Now, with this police
15 vehicles, 80,000 miles is the borderline on you
16 accepting these vehicles. How many miles does a police
17 car get within the City of Scranton?

18 MR. COURTRIGHT: How many do we
19 average?

20 MR. SBARAGLIA: No. What's the average

21 life expectancy of mileage?

22 MR. COURTRIGHT: I don't know. We have

23 many of them over 100,000.

24 MR. SBARAGLIA: Yeah. But from 80,000

25 to 20,000 how much is it going to cost to convert these

.

51

1 cars?

2 MR. COURTRIGHT: Well, here is the

3 thing, Andy. This police vehicle, say, for instance,

4 it was mine, I was a police officer, is only going to

5 be running one shift, where all the other vehicles are

6 running five days a week only. All the other vehicles

7 are going 365 days a year, all three shifts.

8 So, the officer of that vehicle will

9 only go when he's on shift. When he's on vacation, he

10 won't be going, won't go on any other shift but his

11 shift.

12 MR. SBARAGLIA: I realize that, I read

13 the legislation, but it also says he can use the car

14 himself anywhere he wants to drive in the city when

15 he's off duty, is that not in there, too?

16 MR. COURTRIGHT: Yes.

17 MR. SBARAGLIA: Plus, the fact is if he
18 calls down to Joe Blow downstairs and says I want to
19 take this car to California, and the guy gives him
20 permission, he can go?

21 MR. COURTRIGHT: No, that's not going
22 to happen.

23 MR. SBARAGLIA: That's the only
24 stipulation in there, that he gets permission.

25 MR. COURTRIGHT: Well, I don't believe
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1 that's going to happen.

2 MR. SBARAGLIA: Well, I didn't say it's
3 going to happen, I'm saying it could happen. Okay.
4 Let's get on to some of these others. Of course you
5 voted on them, so it really wouldn't -- now, this
6 National Bakery, you know, of course, the building is
7 there, has been there, employs a good amount of
8 employees. So, exactly was Fox an owner, part owner,
9 that he wants to buy out the business? Plus, it's a
10 secondary loan behind one of the bank loans, too.

11 MR. COURTRIGHT: We received a letter.
12 Kay, who did we get this from, on National Pastry? Who
13 sent that to us, do you know? Was it --

14 MS. GARVEY: I'm trying to think.

15 There were two that just came i. Lori Reed from OECD,

16 yep.

17 MR. COURTRIGHT: All right. If you'd

18 like, Andy, I'll read it to you. He gave us a little

19 bit of an explanation. Would you like to hear it?

20 MR. SBARAGLIA: Go ahead.

21 MR. COURTRIGHT: I wanted to give yo

22 some information on Mr. Bill Fox, National Pastry,

23 should the Council have any questions. We are helping

24 with the acquisition of Pastry Bake Shop, 1303 North

25 Main Avenue, Bulls Head Location. It's a \$250,000

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53

1 commercial industrial loan at five percent for

2 20 years.

3 Mr. Fox has worked with Vitaletti

4 Family, National Bakery, since 1982 as a baker and

5 manager. He is purchasing the National Pastry division

6 which has been primarily a wholesale operation to this

7 point servicing restaurants and supermarkets.

8 He will expand this business and

9 product line will create upwards of eight required new

10 jobs with marketing positions to generate sales in

11 addition to a delivery person.

12 MR. SBARAGLIA: Are you saying over the
13 ten employees he even employs now, the 18 employees?

14 MR. COURTRIGHT: Pardon? I didn't hear
15 you.

16 MR. SBARAGLIA: He employs
17 approximately more than eight employees now, so you're
18 saying that this is more than them employees that are
19 currently work there?

20 MR. COURTRIGHT: He's required to have
21 at least eight more.

22 MR. SBARAGLIA: Eight more. But does
23 anybody know how many he actually employs there?

24 Probably not.

25 Okay. Let's go on to something else.

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54

1 Let's go on to the sanitation line. Do you know how
2 much it's going to cost the ratepayers when the Sewer
3 Authority takes control of that line?

4 MR. COURTRIGHT: I'm not aware of it.

5 MR. MCTIERNAN: I don't have that
6 dollar figure, but what I do know is that the Moosic
7 Sewer Authority was carrying several ratepayers that

8 were Scranton ratepayers for years.

9 I had a conversation with Joe Dente,
10 who's a councilman in Moosic, and he indicated this
11 would be essentially a win situation for the city,
12 because if my memory serves me, we would be adding, I
13 believe, it was either 53 or 63 ratepayers that are
14 formerly Moosic ratepayers by accepting this line.

15 Second of all, it would transfer back
16 to Scranton, residents of Scranton, whose sewage was
17 being treated by the Moosic Sanitation Plant.

18 So, essentially there is a history of
19 years of where Moosic was paying to treat Scranton
20 customers. So, I don't have all those dollar figures,
21 but they're some of the facts.

22 In addition to the additional revenue,
23 I don't believe that the cost is prohibitive. As I'm
24 told by Councilman Dente, that the two sewer lines run
25 parallel to one another and they are less than five
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55

1 feet apart.

2 He explains that the job to connect
3 those two sewer lines so that they're one leading to
4 the Scranton facility is minimal. But, again, I'm not

5 an engineer. Now is when I wish Mr. Pocius was here.

6 MR. SBARAGLIA: Yeah, I wish so, too,

7 because your literature in there is a little thing.

8 They were saying something about separating the water

9 lines from the sewer lines, which you know would be

10 quite high.

11 And they were saying something about

12 running a line, but you say it's only a slight line,

13 but your literature says a line. It could be anything,

14 plus it runs from Montage. What are we hooking up for?

15 Are they planning to hook Montage onto this sewer line,

16 the new buildings they're building up there?

17 MR. MCTIERNAN: To their line? I'm not

18 sure about that. I'd have to ask that question.

19 MR. SBARAGLIA: Because, you know, this

20 could be quite expensive if it's really, really in

21 there more than for 30 houses that was being -- for all

22 these years nobody cared about 30 homes, and I don't

23 care about 30 homes, but when you're talking about a

24 lot of infrastructure being changed, the effluents

25 being changed, the amount -- you know we can't handle

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56

1 what we got now.

2 MR. MCTIERNAN: I don't know that
3 that's true, but I know one of the reasons why Moosic
4 is interested in this is because the diameter of their
5 piping, they're over their limits. And according to
6 Councilman Dente, we are not. We're well within our
7 limits. And that's what I've been told. So, I'm not
8 sure I agree with you that we can't handle it.

9 MR. SBARAGLIA: We're within our limits
10 if it doesn't rain, but if it does rain, the whole
11 system overflows, and you know that and I know that.
12 They plan to spend \$50 million, \$200 million to
13 correct. Why add more?

14 MR. MCTIERNAN: It's a federal
15 government requirement, not a Moosic requirement.

16 MR. COURTRIGHT: Thank you, Mr.
17 Sbaraglia. Bill Jackowitz.

18 MR. JACKOWITZ: Good afternoon,
19 Council. Mrs. Fanucci's comments sounded like a threat
20 to me. Bill Jackowitz, South Side resident and
21 taxpayer, retired United States Air Force.
22 Illegal means illegal. Aiding and
23 abetting is a crime. Illegal residents in South
24 Scranton? Will all the illegal residents live in South
25 Scranton or will they be deported to Green Ridge?

1 Also, fewer kids will be swimming
2 because they cannot afford to swim. And all this we
3 can thank to a part-time Councilperson who changed her
4 vote.

5 If I am incorrect with any of my
6 statements, Council, feel free to stop me and correct
7 me. These are not personal attacks, only my
8 observation and opinions.

9 Watching a taped broadcast is not the
10 same as being present for a meeting. All five
11 Councilpersons were elected to work for the people.
12 That means attending meetings.

13 Take away citizens participation,
14 meeting would last less than one hour. Smallest part
15 of a City Councilperson's job? The meeting? I
16 disagree.

17 Is the meeting not the place where
18 legislation is passed, taxpayers' money given away,
19 citizens speaking directly to their elected officials?
20 Answering E-mails and telephone calls is secondary.

21 City Council, I say again, you need to
22 work together as one for all the taxpayers. Know what

23 you are voting on and stand firm. Do not waiver
24 because of friendships or politics. You should not
25 allow one member of your Council to openly violate her
.
58

1 duties and oath of office and ignore citizens who
2 elected her to office by allowing her to walk out of
3 the meeting and turn her backs on the taxpayers.
4 Mr. Hayes, acting mayor, should have
5 been aware of proper emergency procedures. He is paid
6 \$65,000 a year. His deputy is paid \$48,169.10. Total,
7 \$113,169.10.
8 Mayor Doherty should have insured that
9 Mr. Hayes knew the procedures prior to leaving on
10 vacation. We all knew in advance the rain was coming.
11 Also, City Council should be aware of proper emergency
12 procedures. Mayor Doherty should have stayed in
13 Scranton.
14 DPW did not pay for the cleaning of
15 Granito's project, the city taxpayers paid. How much
16 revenue will the city receive from the parking lot on
17 Moosic Street? Will a parking fee be implemented? How
18 many jobs created by this project? What are the
19 businesses on this property, and what is the estimated

20 completion date of the Granito project?

21 Mayor Connors had a list of delinquent

22 tax properties. How about Mayor Doherty's

23 administration? Mayor Connors has been out of office

24 for four and a half years.

25 Economic development used quite

.

59

1 frequently as reasons for giveaways, but yet the

2 chairperson for economic development misses meetings,

3 leave early, must not be important to the chairperson.

4 Her job seems to be her priority. Townhouses, another

5 name for row houses.

6 Finally, I would appreciate a complete

7 and accurate report on economic development next week

8 before Council goes on vacation, including but not

9 limited to Southern Union, the Brixx project, the

10 Granito project, Rinaldi project, and the parking

11 garages, Hilton and Radisson Hotels. I've been waiting

12 all year. I would like to get these answers before you

13 go on vacation. I hope Mrs. Fanucci is listening.

14 Also, a financial report for the City

15 of Scranton, if not the official report, which is two

16 months late, a guesstimate, and that this report be

17 given with microphones turned on.

18 Mr. Spindler may be a good city

19 solicitor. Hollow Avenue report last week, a complete

20 farce. PEL meetings, bigger farce.

21 Mr. Courtright, can you please find out

22 how many police calls to the Amber Lounge on Pittston

23 Avenue this year? Location, across the street from the

24 old Tony and Mary's.

25 MR. COURTRIGHT: As of two weeks, there

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60

1 was 20-some.

2 (Whereupon, Ms. Garvey left the meeting.)

3 MR. JACKOWITZ: 20-some in two weeks,

4 okay.

5 MR. COURTRIGHT: No, two weeks ago from

6 this year. Two weeks ago I asked about that.

7 MR. JACKOWITZ: Okay. In six months,

8 20-some calls.

9 MR. JACKOWITZ: Sounds like a lot to

10 me.

11 MR. COURTRIGHT: A real lot, yes.

12 MR. JACKOWITZ: It's right across the

13 street from the old Tony and Mary's in South Scranton.

14 Also, the Renaissance Center is also located in that
15 area. Again, if you can give this to me before you go
16 on vacation.

17 And I hope when they have the Latino
18 dancing down there, they verify that everyone is an
19 American citizen.

20 My grandparents were immigrants, but
21 they were legal immigrants, and there's a big
22 difference between legal immigrants and illegal
23 immigrants.

24 MR. COURTRIGHT: Thank you.

25 MR. JACKOWITZ: Short story, since
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61

1 Council likes to go back to past administrations, in
2 1967 and 1968 while stationed in the Philippines, I
3 worked 72 straight 12-hour shifts, 6 p.m. to 6 a.m.
4 before getting one day off.

5 Then I worked 53 straight shifts, same
6 schedule, before having another day off. Why? Because
7 that was my job. Also, I swore an oath of enlistment,
8 which is the same as an oath of office.

9 MR. COURTRIGHT: Thank you, Mr.

10 Jackowitz.

11 MR. JACKOWITZ: I honored my oath --

12 MR. COURTRIGHT: Mr. Jackowitz, I am

13 going to have to ask you to come back next week.

14 MR. JACKOWITZ: -- which is all that

15 I'm asking City Council and the mayor. Thank you. The

16 truth hurts.

17 MR. COURTRIGHT: Thank you. Reverend

18 Kathryn Simmons.

19 MS. SIMMONS: Good afternoon, Council.

20 Good afternoon, Junior Council. My name is Reverend

21 Kathryn Simmons. I'm representing Florence Midtown

22 Crime Watch.

23 Let me begin by saying again, Unless

24 the Lord builds the house, they labor in vane who build

25 it. Unless the Lord guards the city, the watchman

.

62

1 stays away in vane. Amen.

2 Psalm 127 is quite to the point. But

3 let me be even more stern and graphic this day. On

4 July the 28th, Florence Midtown Crime Watch wants to

5 honor law enforcement in the City of Scranton, they

6 want to begin with a seminar on gang activity and then

7 proceed into a dinner that evening at Saint Mary's

8 Center honoring policemen and women, firemen and women,
9 sheriffs deputies, prison officers, assistant D.A.s and
10 a judge this county has come to love dearly.
11 In doing so, massive requests were sent
12 out to businesses and political leaders to purchase
13 tables and/or tickets so that the cost would be
14 overlooked for one night, that family members of said
15 pre-persons, they wouldn't have to worry about
16 purchasing tickets for their families, they could come
17 one night and see that people in the city and in the
18 county looked up to them, that their family members
19 could come and see that when they risk their lives,
20 there are people out here, there are people out here
21 who support them.

22 But as at all times, business,
23 universities and community leaders have mostly come up
24 with the same excuses for not being able to support.

25 To my sorrow, they do not want to support a day of law

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63

1 enforcement.

2 These are some of the same people who
3 are the first to insult police and fire unions, they're
4 the first to call the neighborhood crime watch and

5 report graffiti marked on the walls of the garages or
6 buildings on their properties, they're some of the same
7 businesses where our beloved C.O.'s families come to
8 purchase their spouses' uniforms, they're the same
9 hospitals which surround the crime watch areas, and yet
10 say no to support them.

11 The CEOs, the leaders and owners of all
12 involved should read Psalm 127 again and come to
13 understand what it is saying.

14 Yes, the tickets are still selling, the
15 dinner will go on, the gang seminar will go on. I
16 don't care how deep in debt Florence Midtown Crime
17 Watch has to go to say to our law enforcement, we are
18 proud of the work that you do, and we will support you
19 every day of the growing year.

20 I will see to it that our men and women
21 are honored and taught that day. May God help me to
22 understand the hatefulness of our financial
23 institutions. I don't understand their attitude toward
24 crime watch, and I certainly don't understand their
25 attitude towards our law enforcement community, but

64

1 maybe I'll learn if I keep attending Council meetings,

2 since hatred seems to be the growing word here. Have a
3 good day.

4 MR. COURTRIGHT: Thank you. Les
5 Spindler.

6 MR. SPINDLER: Good afternoon, Council.

7 Les Spindler, city resident and legal U.S. citizen. I
8 had no intentions of being here today, but after I read
9 in the paper the other day the stance Mayor Doherty
10 took on the legislation of the illegal immigrants in
11 Hazleton, I had to be here and say something.

12 Mayor Doherty doesn't agree with Mayor
13 Barletta's new legislation in Hazleton about not
14 letting illegal immigrants in the city. What part of
15 illegal doesn't Chris Doherty understand?

16 I don't have a problem with anybody
17 that's in this country legally, but if you're in this
18 country illegally, you shouldn't be here at all, you
19 should be deported.

20 Chris Doherty might as well put out the
21 welcome mat for all the illegal immigrants, because
22 they're going to come from Hazleton right up to our
23 city, and it's not anything we need. We have enough
24 problems in this city without illegal immigrants.

25 Coming into the city on Spruce Street

1 there's a sign welcoming our troops home. They might
2 as well put a banner up there saying, Welcome to
3 Scranton, home of illegal immigrants.

4 You know, in Mexico, if you're in
5 Mexico illegally, you go to federal prison for one
6 year, but here in Scranton I guess you can be here
7 illegally.

8 Changing subjects. I wasn't surprised
9 at all to read in the paper this morning about Mrs.
10 Fanucci changing her mind. I called it last week when
11 she said she was going to Mayor Doherty to talk about
12 it, I knew it was over.

13 All Mayor Doherty did was pull her
14 strings and she acted like the puppet she is and
15 changed her vote. Too bad she doesn't have a mind of
16 her own.

17 Next thing. Mr. Courtright, does
18 Council plan on any legislation with the pit bulls or
19 the dangerous dogs?

20 MR. COURTRIGHT: I haven't discussed
21 that with anybody. I have information on your
22 particular case. We now have our animal control

23 officer back, and I was told by Captain Graziano, and I

24 spoke to him before we got the animal control officer

25 back, that if, in fact, we didn't get one in the near

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66

1 future, he would have a police officer cite that

2 individual if it was warranted.

3 So, it's in the hands of the animal

4 control officer. He knows about your case. He's

5 looking into it. He just came back. So, as far as

6 your case goes, it should be taken care of soon.

7 MR. SPINDLER: Thank you.

8 MR. COURTRIGHT: You're welcome.

9 MR. SPINDLER: But as far as making it

10 a new law, we can do that. Pittsburgh and Monroeville

11 have laws where people with pit bulls and Dobermans --

12 rotweillers, I mean, they have to have an eight-foot

13 fence, they have to have a special license and

14 liability insurance.

15 And in the article that Stacy Brown

16 wrote about a month ago in the paper, that makes it

17 almost impossible for them to own these dogs. I think

18 we should look into doing that legislation in this

19 city, because there's no reason we can't do it, because

20 Pittsburgh and Monroeville can do it, and I think we're
21 in the same state as them.

22 Lastly, a fellow citizen came up to me
23 yesterday and asked me if I could mention the flags,
24 the American flags on Main Avenue, a lot of them are
25 tattered and worn, and she told me, which I was unaware

67

1 of, they were only put up for Memorial Day.

2 MR. COURTRIGHT: There's volunteers
3 that put them up, and I believe at their own cost, that
4 the city doesn't --

5 MR. SPINDLER: Well, she told me
6 differently. I thought it used to be the West Side
7 Neighborhood Association. She told me now the city is
8 doing it.

9 MR. COURTRIGHT: Well, I could be
10 wrong, but I believe one of the gentleman is Mr. Rossi,
11 and I don't know if the other gentleman wants his name
12 mentioned, so I won't mention it. I believe they put
13 them up at their own expense, and I do believe they try
14 to maintain them as best as possible, but I'll check
15 into it and make sure if I'm right or not.

16 MR. SPINDLER: Okay. I had something

17 else to ask Mrs. Gatelli, but she isn't here. It had
18 to do with the idea she had last week about the people
19 in Florida, that if you're not there all year you have
20 to pay taxes, and someone asked me to ask something
21 about that, but she's not here, so --

22 MR. COURTRIGHT: She should be here
23 next week, Les.

24 MR. SPINDLER: Well, I don't know if I
25 will.

68

1 MR. COURTRIGHT: Okay. I tell her you
2 were asking about it.

3 MR. SPINDLER: I had to rearrange my
4 schedule to be here today, and I'm not even a
5 Councilperson. Thank you.

6 MR. COURTRIGHT: Thank you. Mary Ann
7 Wardell.

8 MS. WARDELL: Good afternoon, Council.
9 My name is Mary Ann Wardell, I'm a Scranton resident.
10 First before I begin, let me say, I'm very happy to
11 find that Mrs. Fanucci finds the taxpayers that bother
12 to come to this meeting amusing. I'm glad we can amuse
13 her.

14 I also have a comment to make. I
15 talked to Council last week about the handicapped
16 situation at City Hall. Well, they changed the sign
17 back in the back from saying, Pick Up Only to
18 Handicapped Parking Fine \$50, however, there's no
19 handicapped parking, unless they expect someone that's
20 handicapped to park in front of the mayor's spot.
21 There is no handicapped parking in the
22 alley. I am parked -- I parked on the other side of
23 the alley next to the fire --

24 MR. COURTRIGHT: Didn't they put up
25 two, Mary Ann? I thought they put two up. I thought I
.

69

1 saw two of them, two parking spots, one in front of
2 where Chris Doherty parks and then one two or three
3 back.

4 MS. WARDELL: If you park in front of
5 where Chris Doherty parks, you're going to block the
6 entrance to get on that ramp, and if someone is in a
7 wheelchair, they can't get in there.

8 MR. COURTRIGHT: How about behind
9 there? There's not one behind there?

10 MS. WARDELL: There's none behind

11 there. They are not marked.

12 MR. COURTRIGHT: I thought I saw two

13 signs. I could be wrong. I will check it when I leave

14 here today.

15 MS. WARDELL: Well, the sign is there

16 in front of where the mayor's --

17 MR. COURTRIGHT: And I thought I saw a

18 second. I'll check.

19 MS. WARDELL: Maybe in the back.

20 MR. COURTRIGHT: I'll check.

21 MS. WARDELL: But if I parked in front

22 of the mayor's vehicle, then nobody would be able to

23 get in that ramp.

24 And speaking about someone in a

25 wheelchair, that large handicapped button that's on the

.

70

1 wall that says if you push that button, that door

2 opens, that does not work. So, if anybody's coming in

3 a wheelchair, they're not going to get in that back

4 door. That does not work, okay?

5 MR. COURTRIGHT: Neil, if you can tell

6 Mr. Fiorini about that. Okay. Thank you.

7 MS. WARDELL: Okay? According to the

8 Home Rule Charter, and I'm going to quote Section 302,

9 The mayor, part of his powers as mayor, is to enforce

10 the charter.

11 It also says, The mayor will present to

12 Council and the public within 30 days after closing the

13 quarter, a quarterly report covering the city's state

14 of affairs. Now, I would like a copy of this quarterly

15 report.

16 I know I have not seen it in the paper.

17 I am assuming you as Council have this. So, I was

18 wondering if I could get a copy of these quarterly

19 state of affairs that the mayor has done since the

20 beginning of 2006 at least.

21 MR. COURTRIGHT: I don't think I've

22 ever gotten one, unless it's something I -- Neil, have

23 we received that in the office?

24 MS. WARDELL: Well, maybe somebody can

25 check on it, because obviously he's not following his

.

71

1 home rule charter.

2 MS. EVANS: I know that we do receive

3 regular reports from Mrs. Novembrino.

4 MR. COURTRIGHT: Right.

5 MS. WARDELL: She's not the mayor,

6 though, Janet.

7 MS. EVANS: Right. And I know that we

8 do receive reports, perhaps they are quarterly, from

9 Mr. Kresefski.

10 MS. WARDELL: Well, I'd like to see

11 them. If I could get copies of them --

12 MS. EVANS: But I know I've never

13 received anything from the mayor's office.

14 MS. WARDELL: Well, the Home Rule

15 Charter says the mayor, okay?

16 MR. COURTRIGHT: We will check into it

17 and see.

18 MS. WARDELL: Okay. I would appreciate

19 that. I would like to know, I have been trying to find

20 out the cost of the demolition on Green Ridge Street

21 and Sanderson Avenue. I have made several phone calls.

22 The first time I was told there was nobody there that

23 could give me the information, the second time I was

24 told that that is not public information.

25 Now, as a citizen and someone that pays

.

72

1 3.4 percent wage tax, plus property tax to the city, I

2 feel if the city is tearing down a project, I have a

3 right to know how much that's going to cost.

4 MR. COURTRIGHT: Who told you it wasn't

5 public information?

6 MS. WARDELL: The girl I spoke today in

7 licensing and permits.

8 MS. EVANS: I think under The Right to

9 Know Act you do have that right.

10 MS. WARDELL: Well, she told me I have

11 to write a letter, and I don't see why every time I

12 need a bit of information, I have to write a letter.

13 MS. EVANS: Neil, if you could give

14 this to Kay, please, that I would like the information

15 Mrs. Wardell is asking for, and I'm still awaiting the

16 information concerning the demolition of structures on

17 Moosic Street, and the question was posed prior to

18 flooding of the city, and I've been very patient and

19 waiting. Next week is our final meeting, and I would

20 like those answers for next week.

21 MS. WARDELL: And let me also say, I

22 think the way these meetings are conducted, I told you

23 last week, I don't approve of it. People can't speak

24 on these things, and, you know, that's wrong.

25 We have a right to speak before you

1 vote. We have a right to ask questions before you

2 vote.

3 You know, it's unnecessary to say we

4 have our own political agenda and we come here to

5 harass you people. We put you in office. You work for

6 us.

7 And you know what, your decisions

8 should not be based on what the mayor says. Your

9 decisions should be based on what we say.

10 And I don't mean only the people that

11 come here and speak, I mean the people that call you

12 and E-mail you and write you letters.

13 You don't represent the mayor. You

14 represent us. The mayor represents us, but we -- you

15 are our outlet. We have to come to you.

16 So, when Mrs. Fanucci sits there and

17 says she said that she would work with this

18 administration, and then changed her vote on this free

19 swimming for kids, she certainly showed her true

20 colors. We know who she's working for, and let me tell

21 you, it is not us. Thank you.

22 MR. COURTRIGHT: Thank you. Daniel

23 Hubbard.

24 MR. HUBBARD: My name is Daniel

25 Hubbard, 1515 Gardner Avenue in Scranton. The meeting

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74

1 two weeks after the flood, I was here, we were talking

2 about debris in the river at the bridge at Albright

3 Avenue.

4 At the Army Corps meeting, and I'd like

5 to thank the Council that did attend that meeting,

6 thank you for coming to that meeting.

7 MR. COURTRIGHT: You're welcome.

8 MR. HUBBARD: Also while I'm thanking

9 people, I'd like to thank the Catholic Social Services

10 for their assistance that they gave the flood victims

11 in lower Green Ridge.

12 Mr. Parker was informed by a

13 representative of Senator Santorum's office at that

14 meeting that he could obtain emergency permits from the

15 DEP for removal of debris at 50 feet upstream or

16 downstream of the bridges, given that it is an

17 emergency situation due to the flood.

18 MR. COURTRIGHT: Right.

19 MR. HUBBARD: We are -- I think we're

20 at 12 days, I think, since the Army Corps meeting.

21 Nothing's been done. In the Army Corps meeting, he

22 said that -- I'm sorry. We're nine days since the

23 meeting.

24 In the Army Corps meeting, Mr. Parker

25 stated that they would have to contract that work out.

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75

1 The DPW facility is a block and a half from this

2 bridge. There is a front loader, a backhoe sitting in

3 the parking lot. I drove by this morning.

4 Those pictures you have with the flood

5 debris are as of yesterday evening. That is last

6 night.

7 The last two pictures are of the 28th.

8 The debris piled up on the 27th, which was Tuesday.

9 When the water came back up on Wednesday, the bridge

10 was completely choked, it was a dam. The water hit it.

11 It poured over the riverbank 200 yards upstream from

12 that bridge.

13 This is -- why are we dragging -- why

14 is the DPW dragging their feet? The permit had been

15 obtained on Wednesday after the Army Corps meeting with

16 just a phone call.

17 We need to contract this out. Well,
18 how long does it take? I could call a rental agency
19 and have a backhoe dropped off at my house in 24 hours.
20 How hard is to find a contractor in the area with the
21 equipment to remove that debris? This isn't a
22 difficult process, you just remove the debris.
23 If we get any more heavy rains -- now,
24 they also stated -- DPW stated they wanted to wait for
25 the water to drop. The Lackawanna River as of this
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76

1 morning was at 2.1 feet. If it gets any lower, a rat
2 could walk across it without getting wet. What are we
3 waiting for?

4 MR. COURTRIGHT: I don't know. I
5 thought after that meeting when it was said 50 feet
6 each way that that's what we were going to do.

7 MR. HUBBARD: I thought after that
8 meeting a lot of things were going to get done, and
9 nothing has been done as of yet.

10 The Army Corps is coming to put a small
11 Band-aid on the upstream side of the riverbank right by
12 the bridge. They have done nothing below the bridge by
13 Laminations. The city has not come in and done

14 anything. The one pile -- the one picture is the
15 downstream picture. I was downstream shooting up at
16 the back of the bridge. There is a gravel pile now.
17 The debris funnel -- the water is
18 dragging this debris down river. It hits something, it
19 slows down, it drops what it's carrying.

20 MR. COURTRIGHT: The debris, I can't --
21 I don't have an answer for. I think the other part,
22 the Army Corps, didn't they say they were concerned
23 about the creek?

24 MR. HUBBARD: They were concerned about
25 Meadow Brook Creek --

77

1 MR. COURTRIGHT: Right.

2 MR. HUBBARD: But the Army Corps still
3 has until the end of the month. We were given -- by
4 the end of the month, they would have temporary
5 measures in place to help alleviate the problems by the
6 lack of riverbank below the bridge. So, I'm holding my
7 breath for the next couple weeks on that one.

8 The city did say they would take care
9 of this. Mr. Parker was notified by Senator Santorum's
10 representative that this could be obtained over the

11 phone.

12 This week alone there was a newspaper

13 article out stating that these permits could be

14 obtained by over the phone, not just by municipalities,

15 but by regular citizens who live with their property

16 backed up to the river.

17 So, to me, a phone call on Wednesday

18 would have gotten the permit over the phone. The DPW

19 equipment is right there. They literally don't even

20 have to drive on the city street. They can go up the

21 -- out of the facility to the top of the levee and

22 ride right to the bridge. It's a block and a half.

23 MR. COURTRIGHT: Irregardless of the

24 location, I just assumed, and I guess we can't assume,

25 you know what they say, but I have to -- after the

.

78

1 gentleman told them that, I thought the next day we

2 would have --

3 MR. HUBBARD: It's not a priority.

4 MR. COURTRIGHT: I think we're going to

5 have to ask him. We're going to have to ask them.

6 MR. HUBBARD: It's a priority to the

7 residents of lower Green Ridge. I'm here to speak for

8 them. This is a priority for us. This is a serious
9 priority for us.

10 MR. COURTRIGHT: I think it's a
11 priority for the city or it should be a priority for
12 the city, and we'll ask him and see why he hasn't done
13 it.

14 MR. HUBBARD: I'd like to see something
15 from the city at least, something. Since this has
16 happened, we've seen nothing.

17 MR. COURTRIGHT: Well, we will get a
18 letter out and ask him what the holdup is.

19 MS. EVANS: Mr. Hubbard, can we keep
20 these pictures or do you need them?

21 MR. HUBBARD: Certainly.

22 MS. EVANS: I think the pictures really
23 should be turned over to The Scranton Times.

24 MR. HUBBARD: Now, those pictures are
25 as of yesterday evening. And the one picture that's
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79

1 facing the bridge, I was standing in 12 inches of water
2 in the middle of the river taking that photograph, so
3 --

4 MS. EVANS: And they need to be turned

5 over to the DPW, as well, because we were present at
6 that meeting. We heard Mr. Parker's response. We can
7 testify to that. I do agree that such a project
8 certainly would fall very likely under the financial
9 ceiling that requires a bidding process or the DPW
10 itself might be working in unison with a contractor.
11 But really, I'm as outraged as you are.

12 MR. HUBBARD: But it is the city's
13 responsibility, 50 feet upstream and 50 feet downstream
14 from the bridge is the city's responsibility. That is
15 something we were all clear on at the meeting, correct?

16 MR. COURTRIGHT: We were told they have
17 the right to. They normally wouldn't, but now under
18 these conditions, they would have the right to work
19 50 feet in each direction.

20 MR. HUBBARD: My point is, why do we
21 need -- why does the City of Scranton have to spend
22 additional funds to do something that the DPW is
23 completely capable of doing? Why would they have to
24 contract or bid this out to a contractor to clear this,
25 when the DPW has dump trucks and excavators and front

80

1 end movers that are fully capable of doing this work?

2 MR. COURTRIGHT: That answer we're
3 going to have to get from Mr. Parker, I guess.

4 MR. HUBBARD: I meant, that's just -- I
5 asked him that at the Army Corps meeting, and he just
6 did a runaround. We don't need to spend the money to
7 do this, we just need to do it. I mean, the city just
8 needs -- the DPW needs to get it done.

9 MR. COURTRIGHT: We'll send a letter,
10 but I also will call down and ask what the holdup is.

11 MR. HUBBARD: The river level is right
12 where it was the day before the flood. It will take
13 more than what we have several weeks ago to put it
14 right back where it was, and then the bridge was clear.
15 So, what do we look forward to now that the bridge is
16 completely choked? Any debris from upstream will
17 immediately clog it worse and overflow the banks.

18 Thank you.

19 MR. COURTRIGHT: Thank you. We will
20 see what we can do. We will do the best we could for
21 you. Thank you.

22 MR. HUBBARD: Appreciate it.

23 MR. COURTRIGHT: William Needham.

24 MR. NEEDHAM: Yes. Good afternoon,
25 Council. My name Bill Needham, city resident and

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81

1 taxpayer. I come here today with some of the things
2 that I don't like seeing going on in my neighborhood.
3 I can't believe the transition that
4 I've been seeing in the last five to six years. You go
5 down to the 1600 block of Cedar Avenue, you're going to
6 find cars parked on both sides of the street. You got
7 elderly people, some of them even call me, I help them
8 get down that street.

9 This is a main thoroughfare. They have
10 to walk out on Cedar Avenue, which is US 11. I don't
11 think it should be because somebody is parked on the
12 sidewalk, sometimes on both sides, north and
13 southbound.

14 You find garbage. The DPW picks up the
15 garbage on Monday. Monday afternoon, it's out and it's
16 out there for a week.

17 MR. COURTRIGHT: We have an ordinance
18 covering that.

19 MR. NEEDHAM: We have an ordinance on
20 that. We have an ordinance on an absentee landlord.
21 This is what I'm getting at. This absentee landlord
22 ordinance that we have on the books right now, anybody

23 living -- having a property and they're six miles from

24 the site, they're supposed to have a manager in the

25 general area that you can contact when you have a

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82

1 problem with the property. That's number one.

2 The other thing that doesn't help in

3 this area is Section Eight. I know Section Eight

4 Housing, they need it, but when you get Section Eight

5 Housing that's rented by a mother and a daughter, maybe

6 two children, and you take a look later and see 15 or

7 20 people living in that apartment, something is wrong.

8 The Housing Authority isn't doing their job.

9 MR. COURTRIGHT: Well, they need to be

10 notified. If somebody notifies them --

11 MR. NEEDHAM: I notified them just on

12 monetary compliance, because the first thing on their

13 form when you look at it is how many people are going

14 to live in the house, and the Social Security numbers.

15 If they're over monetary compliance, they don't get

16 that Section Eight. So, it's a combination of that and

17 the absentee landlord.

18 And, I mean, these people -- some of

19 these people just don't care. You know, you want to

20 sleep at night, you have an ordinance, disturbing the
21 peace, ten to 6 a.m. in the morning. It just goes on
22 and on.

23 And if we need a crime watch, I'm only
24 too glad to start it. If you could, Mr. Courtright, if
25 you can steer me to the right person within the police

83

1 department, somebody there, how to start it, I would
2 only be too glad to help initiate it and get it
3 started.

4 MR. COURTRIGHT: I believe it's
5 Lieutenant Lenny Namiotka, I believe, is the guy you
6 would need to see.

7 MR. NEEDHAM: All right. With him.

8 Yeah, these things are just an ongoing thing. And it's
9 a shame to see the neighborhoods go down, down, down,
10 steadily downhill.

11 And you live in the house 40 years, you
12 buy it with good intentions, you build it from scratch,
13 then you see what's transpiring, it's unbelievable.

14 And there was one thing on the agenda
15 that I picked up today, the Sewer Authority putting
16 more lines in, am I getting that right? They're

17 putting more lines in, and then they're going to run
18 some off of the mountain?
19 I believe, and I lived there for 0
20 years in that general locale, that that plant is
21 operating at capacity or near capacity, because when
22 you go out in the morning and you go from your home to
23 your garage at the end of your lot, and sometimes you
24 have to go back and get a wet towel or something to put
25 over your mouth. That's really telling you something.

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84

1 I think it's --you know, I don't think I -- until such
2 time as they update that facility, I don't think they
3 should put any more lines in there, because it's
4 brutal.
5 You have an air conditioner running,
6 you shut it down, you have a window open, you shut it.
7 I mean, you can't even get air these hot nights. It's
8 terrible.
9 So, somebody maybe they could find out,
10 I mean, what capacity it is at, and if it is, I don't
11 think it should go any higher. Thank you.
12 MR. COURTRIGHT: Thank you. Dick
13 Laske.

14 MR. LASKE: Dick Laske, North Scranton

15 resident. Amil, are you done with the pictures?

16 MR. MINORA: I am, and I'm not sure if

17 I have them with me still. Let me look in my --

18 MR. LASKE: Okay. Now, just wait a

19 minute. Did you make a decision as to Mr. Parker up

20 there?

21 The pictures specifically prove that a

22 DPW truck was on the private property, and, I mean,

23 like, he completely ignores us, he won't meet with us,

24 and it's frustrating.

25 MR. MINORA: I discussed that last

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85

1 week, Mr. Laske, I don't know if you were here or not

2 at the Council meeting.

3 MR. LASKE: No, I wasn't here.

4 MR. MINORA: I had an opportunity to

5 review documents and -- at least I was given summations

6 trifier of what might be considered testimony, and it was

7 my opinion that proceeding with this as a case, looking

8 at it from a purely an evidence standpoint and what

9 could be proved and what couldn't be proved, I

10 recommended to Council that proceeding with an

11 investigation would be probably fruitless, and since I
12 believe it was Mr. Moran who said that there were no
13 trees cut on private property, that proceeding on that
14 theory as an investigation and for penalties of some
15 sort would be fruitless.

16 The question of whether or not work was
17 done by DPW in other rights of way and some other
18 priority, other than first in line, was another
19 question that was political in nature not having to do
20 with -- not having to do with evidence questions, and I
21 didn't address myself to that, nor did I think that I
22 should have.

23 The photographs show whatever the
24 photographs show. I don't think you can make
25 conclusions like you've made with them, but regardless
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86

1 whether I agree or you agree to disagree or agree on
2 that, the fact that Mr. Moran got up here and said that
3 he saw that they cut trees in the right of way only
4 undercuts any question in my mind, and I think any
5 reasonable mind, as to whether or not work was done
6 illegally on private property.

7 MR. LASKE: Well, we all have our own

8 opinion.

9 MR. MINORA: Absolutely.

10 MR. LASKE: And I beg to differ with

11 your opinion.

12 MR. MINORA: That's okay.

13 MR. LASKE: You know what I mean, Amil?

14 I know you a long time.

15 MR. MINORA: I'm looking at it like a

16 lawyer, and that's the only way I can.

17 MR. LASKE: So, I beg to differ with

18 you. Now, also up there on Hollow Avenue, the sewer

19 line, are they sending the bills out to the people for

20 the sewer line?

21 MR. COURTRIGHT: Mrs. Gatelli said last

22 week they were going to be build for that.

23 MR. MINORA: Yes.

24 MR. COURTRIGHT: She looked into it,

25 Mrs. Gatelli did, and she said they will be billed for

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87

1 the sewer line.

2 MR. LASKE: Yeah. See, this thing

3 could have been settled with a 90-degree pipe, you know

4 what I mean? And it escalated to this point, and my

5 problem is not with the homeowners per se, my problem

6 is with the man that got this stuff done through

7 political favoritism.

8 And, I mean, like, maybe you're going

9 to bill them from the Sewer Authority, but it remains

10 to be seen. I mean, the man created a lot of problems

11 up there, he had city inspectors up, he harassed

12 people.

13 And, I mean, it's a political issue.

14 It's a political patronage issue, it's just simple as

15 that. And it's a dead issue now, I guess, if you're

16 going to send him a sewer bill or if you're not.

17 But, I mean, like, I thought it

18 warranted attention, and I have to live with it, you

19 know what I mean?

20 MR. COURTRIGHT: I understand.

21 MR. LASKE: I don't have to agree with

22 it, but I have to live with it. No offense, Amil.

23 MR. MINORA: Mr. Laske, incidentally, I

24 just checked in my brief case. I had those pictures,

25 took them out. I will bring them with me next week and

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88

1 --

2 MR. LASKE: I won't be here next week.

3 MR. MINORA: I will just throw them in

4 my brief case and I will see you when I see you.

5 MR. LASKE: Yeah, I'll meet you

6 someplace somewhere. I thought I had a good case, but

7 evidently I don't.

8 MR. COURTRIGHT: Thank you, Mr. Laske.

9 MS. EVANS: Mr. Laske, at last weeks'

10 meeting after -- well, actually I requested the opinion

11 of Solicitor Minora, and after he provided that

12 opinion, I made a motion that was passed by this

13 Council for Mr. Minora to investigate the city's policy

14 on not only clearing right of ways for citizens, but

15 also providing equal treatment to all citizens in terms

16 of, you know, such projects and problems surrounding

17 their neighborhood, and if the city has a policy in

18 place, then obviously it's been violated, but if the

19 city does not have a policy in place, then I asked Mr.

20 Minora to draft legislation that would provide such a

21 policy so that we will not see a repetition of Hollow

22 Avenue.

23 MR. COURTRIGHT: Thank you. I can't

24 read the person's first name, but I believe the last

25 name is Cawley. Okay. Must have left. Ron Elman.

1 MR. ELMAN: Hi.

2 MR. COURTRIGHT: How you doing?

3 MR. ELMAN: Yeah. Before I start, I

4 was talking to Joe Yuhas before he died a year or so

5 ago about flooding in Scranton, and he was an engineer

6 and a surveyor, and he knew this city well, and he just

7 happened to tell me, if there was curbs and gutters on

8 all these streets, a lot of it would be alleviated.

9 You know, it's true. I don't have no

10 -- you go down North Main Avenue for miles, there's no

11 curbs. So, maybe he had something.

12 Well, what I came for was Mr. Doherty's

13 statements about opening our flood gates to illegals.

14 It's terrible. I don't know how to put it, but I know

15 I'm on the streets and talk to people, and I know more

16 about what's going on in the city than our mayor does

17 evidently, and the people do not want to see an influx

18 of illegals coming in. They're not welcomed, like he

19 says here in the paper. You know, he could speak for

20 himself on this issue.

21 It's hard to say something without

22 everyone thinking I'm a bigot or something, but it's

23 just -- it's just not -- I'm trying to weigh my words.

24 My son had a business for 15 years on

25 711 Wyoming. God, he paid -- there was an \$800 note,

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90

1 there was \$5,000 taxes, insurance, and he held his own

2 very well against Firestone and Williams and that

3 little corner where all those -- he had a couple

4 hundred thousand dollars worth of cars over the years

5 he bought and sold. He did well.

6 The last three or four years since that

7 neighborhood has been infested with illegals, I'm

8 talking about Pine Brook, he got broken into dozens of

9 times. They tore walls apart. We caught several of

10 them, and they were no English speaking people. That

11 was the gist of it.

12 They're out there changing brakes on a

13 car for \$5 labor or a quart of beer or something. You

14 can't compete. He lost his business this year. It

15 just wasn't there no more after 15 years.

16 And it seems to me that he was a lot

17 more beneficial for the city than somebody on Welfare

18 sitting up there drinking beer all day long in front of

19 the Melba.

20 But I have to say, Mr. Doherty's right
21 on one thing, immigrants built the U.S., but these were
22 all legal immigrants. All four of my grandparents come
23 from Europe, one from Russian and one from Poland, and
24 two from Germany, and I don't know a word of any of
25 those.

91

1 Everybody, when I was growing up, all
2 four of them spoke English. I mean, it just -- they
3 could read the paper to me. It's not like it is now.
4 These people that are infesting this
5 city, they don't want to be American, their children
6 don't want to be American. You know, like I said, I'm
7 trying to weigh my words so I don't sound like a bigot.
8 I've been to Mexico probably more than
9 anybody in the City of Scranton. I've probably been to
10 Tijuana a couple hundred times over the years, I've
11 been to Mexico City three times by car, I've been to
12 the Hanging Gardens, Vera Cruz, Tampeeko and all the
13 border places. I've spent weeks and weeks and weeks
14 down in Mexico, so you can't -- and I never had a bit
15 of trouble. You can't say I'm anti-Mexican.
16 But for someone that wants to make a --

17 has political aspirations to make a statement that we
18 should welcome illegals, that's advocating an illegal
19 situation. It just shouldn't be.

20 It seems like a prerequisite in this
21 state is you do the worse possible job where you are
22 now, then you can jump for a bigger office down the
23 line, you know? That's what seems -- I heard what a
24 terrible job the governor did when he was the mayor,
25 then look, now he's the governor.

92

1 Well, Mr. Doherty said he wants to work
2 on his track record. We all know what that is. A \$250
3 million in debt and spending \$50,000, \$75,000 tearing
4 down houses and giving the property away, and it seems
5 like he's against kids swimming free.
6 How much can it cost for these kids to
7 swim free this year, you know, a thousand dollars,
8 \$5,000, \$10,000, kids swim free? That just would be a
9 drop in the bucket to what he's absolutely wasted in
10 KOZ and other programs that have cost the taxpayers all
11 this money. Thank you.

12 MR. COURTRIGHT: Mr. Morgan, Lee

13 Morgan.

14 MR. MORGAN: Good afternoon, Council.

15 I haven't had an opportunity to be here in about three

16 weeks, but I'd like to retract a part of a statement I

17 made three weeks ago, and this is probably the only --

18 the second time I've done that. The one time was when

19 I mispronounced Mr. Hazzouri's name.

20 And I'd like to say that I stated that

21 all lawyers should be removed from the legislature, and

22 I think that was overstatement, and I think there may

23 be some problems there, but I think that that statement

24 was flawed, and I'd like to retract most of that.

25 The other thing I have is, now, the SIT

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93

1 clerks, from what I understand, I just found this out

2 not very long ago, that we've lost an arbitration with

3 them for over a million dollars, and we're sitting here

4 and we're debating whether kids in this community

5 should swim for free.

6 I find that to be outrageous. We're

7 taking money in a garbage fee and putting into our

8 general operating budget, and yet, and still, we can't

9 seem to find money.

10 And I'm not concerned what Allentown or

11 Bethlehem does, that's not my concern. The only
12 concern I have -- I mean, I hope they do all the right
13 things for their residents, but the only real concern I
14 have is what my -- I won't say my sphere of influence,
15 but the things that I understand are things that are
16 here in Scranton, and I know there's a lot of big
17 problems here. And if we can't invest in our own
18 children, I think we've got a serious problem.

19 We spend an awful lot of money for
20 litigation, and we do -- when you look at this agenda
21 honestly, what do you see here for the ordinary people
22 that walk up and down the street every day? I really
23 don't see anything here.

24 We're still debating a dog ordinance
25 over years. As far as I know, we haven't even done

94

1 anything to name the playground at Nay Aug after Morris
2 Jackson or in honor of Morris Jackson. And it has
3 really very little to do with the Recreational
4 Authority, okay?
5 Because, you know what, a strong stand
6 by this Council can make things happen, and we can't
7 even come to an agreement on that.

8 We look through the whole city and we
9 see nothing but blight. We have a mayor that came down
10 to the South Side there and had a meeting and talked
11 about all the money he was going to dump into South
12 Side. South Side is falling apart.

13 I mean, we had that meeting on the
14 road. I don't know what it's called. And I just keep
15 seeing spending and borrowing and borrowing. And if
16 we've lost a million dollars here with the SIT clerks
17 and all the other money we've lost.

18 People come here with -- in my opinion,
19 our debt is much more than \$250 million. I'd have to
20 say we're well over \$500. And I think we're still
21 debating subjects we shouldn't be debating any more.
22 We need a strong Council to take its place here and
23 start moving legislation.

24 And I just really don't see a lot of
25 that. I mean, you know, there was an article in the

95

1 paper about Mrs. Evans being just ignored by Council.

2 I think a lot of that's valid. That's only my opinion.

3 And I'm not going to say I'm a

4 supporter of you, Mrs. Evans, I'm just going to say

5 that I'm here to voice my opinion, and I've seen too
6 much politics here take place. I saw when Mr. DiBileo
7 was here, the way votes were taken, okay, and I see
8 what's going on now.

9 And I honestly believe this, I think
10 that every single caucus should be held right here in
11 open discussion. I find the way the agenda has been
12 changed here to be seriously flawed.
13 I don't see any problem with people
14 speaking twice at the podium, if that's what it takes,
15 one on the agenda in the beginning before the Council
16 votes and one on concerns of citizens. And that's not
17 what's happening here.

18 And I also think that before something
19 is put here on the agenda, the residents of this city
20 should be made aware of it a week before that time so
21 they can inform themselves and find all the information
22 they have to come to this podium as informed as they
23 possibly can be so that they can debate this issue with
24 Council.

25 And I think that these discussions are

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1 all one sided, because I don't hear this Council saying

2 an awful lot coming this way. And we hear a lot of
3 talk about how we're going to study something, we're
4 going to find stuff out, and to be honest with you,
5 when it all comes down, most councilmen later on say,
6 Well, I didn't have that information. So, all I have
7 to ask is, how are we voting if we don't have
8 information?

9 And as far as the mayor doing things
10 quarterly, I think that if you look into that, nothing
11 has been done, okay?

12 And this city has a major financial
13 problem, and it's not being solved, and we're just
14 rolling it over and borrowing. It all has to stop and
15 it should stop today. Thank you.

16 MR. COURTRIGHT: Thank you. That's it
17 for the sign-in sheet. Anyone else would like to
18 speak?

19 MS. VANBUSKIRK: Good afternoon,
20 Council. Deanna Vanbuskirk, Scranton resident.
21 Mrs. Evans, thank you very much for everything that
22 you've done.

23 MS. EVANS: You're welcome.

24 MS. VANBUSKIRK: I do still have
25 pictures of the truck. The truck is still parked in

1 front of the property. It's on the sidewalk. He also
2 has -- this gentleman also has a car parked on the
3 sidewalk.

4 Now, when we're backing out of my
5 parents' driveway, we cannot see oncoming traffic from
6 Sanderson Avenue. Something has to be done.

7 MS. EVANS: Ms. Vanbuskirk, the police
8 have been contacted twice about this.

9 MS. VANBUSKIRK: I've gotten your
10 E-mails about it, and they have not come out yet.

11 MS. EVANS: I know. I think it's
12 probably what's playing into it is a lot of the sick
13 days, perhaps the absences on the police force. Maybe
14 Mr. Courtright --

15 MR. COURTRIGHT: What's the address?

16 MS. EVANS: It's Sanderson Avenue and
17 Glen Street.

18 MS. VANBUSKIRK: The truck is parked on
19 Glen Street right across from a garage.

20 MR. COURTRIGHT: It's illegally parked?

21 MS. EVANS: Yes, on the sidewalk.

22 MS. VANBUSKIRK: It's on the sidewalk.

23 I have the pictures here.

24 MR. COURTRIGHT: I'll have somebody

25 there tomorrow. What I will do is I will call down

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1 when I leave the meeting here. Will it be there when

2 we leave here? Is it there every day?

3 MS. VANBUSKIRK: It's there every day.

4 He does not move it. He doesn't drive it.

5 MR. COURTRIGHT: All right. I will

6 call down there when we leave the meeting.

7 MS. VANBUSKIRK: Now, not just that.

8 Mrs. Evans, there is other issue that I have. My

9 parents live by the Scranton Building Blocks up the

10 street from Scranton Laceworks.

11 When they had that flood, the sewer

12 smell now is coming up the hill to their house. It's

13 unbearable. You can't open a window. They have not

14 cleaned it up. No one has gone down there. DPW hasn't

15 gone down there to clean it up. My parents get sick

16 from the smell. Is there anything that can be done?

17 MR. COURTRIGHT: Where exactly is --

18 haven't they cleaned up? I know they've been down

19 there.

20 MS. VANBUSKIRK: Right around by the
21 Scranton Laceworks. You can't miss it. As soon as you
22 drive around there. Last night me and my husband drove
23 down that way --

24 MS. EVANS: It's Mylard Avenue and --

25 MR. COURTRIGHT: Haven't they been down
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1 there?

2 MS. VANBUSKIRK: It's right around by

3 the bridge.

4 MS. EVANS: And Albright Avenue.

5 MS. VANBUSKIRK: Uh-huh.

6 MS. EVANS: Some work was done, but

7 I've been driving by there every day, and there is a

8 lot of dirt and debris remaining. They did, believe

9 me, they did do something or it would have been far

10 worse, but --

11 MS. VANBUSKIRK: That smell is coming

12 --

13 MR. COURTRIGHT: Well, maybe that's the

14 Sewer Authority. Neil, maybe we can call down to the

15 Sewer Authority and ask them if they can do something

16 about the smell down there.

17 MS. VANBUSKIRK: Also by my house, I
18 live over in West Side, I know that if it's not our
19 property, we can't cut the trees.
20 I park in an alleyway. In the
21 wintertime, the city don't take care of it. I'm lucky
22 if I get out of my alley. When it's snowing and ice,
23 I'm lucky I get out of there.
24 I have three children. I came down
25 that hill one time slower than anything and almost
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1 collided into the building with my children in the car.

2 MS. EVANS: What is the name of the
3 alley?

4 MS. VANBUSKIRK: I believe it's Wymbs
5 Place, W-Y-M-B-S. My house is on the 100 block of
6 North Hyde Park.

7 MR. COURTRIGHT: One of north? I've
8 lived on the one of south. I can't --

9 MS. VANBUSKIRK: You can't miss it.

10 MR. COURTRIGHT: Up the hill, where's
11 the hill at?

12 MS. VANBUSKIRK: Right between my
13 house. I'm a blue house on North Hyde Park, and then

14 there's another building, and the alley is right there.

15 MR. COURTRIGHT: It's the alley that

16 runs behind the bank, that alley?

17 MS. VANBUSKIRK: Behind the bank. But

18 if you keep going straight up, you're going to go up a

19 hill to Bromley, right there.

20 MR. COURTRIGHT: Oh, okay. All right.

21 MS. VANBUSKIRK: There's trees coming

22 out of the fence. It's an abandoned house. My husband

23 went up there and cut the trees because he's tired of

24 driving down there and scratching up our vehicles. I'd

25 like something to be done.

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101

1 MR. COURTRIGHT: Okay. Do you think

2 you can get the address of that home and call it into

3 our office?

4 MS. VANBUSKIRK: I can. I can get it

5 tonight when I go home.

6 MS. COURTRIGHT: All right. If you can

7 call it into our office, then we'll see about having

8 somebody go out there and take a look at it.

9 MS. VANBUSKIRK: Okay. Mrs. Evans,

10 would like the photos of --

11 MS. EVANS: Yes. Thank you.

12 MR. COURTRIGHT: All right. Thank you.

13 Is there anyone else? No one? Just one item. I

14 didn't have an opportunity -- there was an award handed

15 down to me about the SIT clerks while the meeting was

16 going on, and I had to pay a little closer attention

17 being I was doing Mrs. Gatelli's job today, so I turned

18 it over to Mrs. Evans and she read it. It appears that

19 we lost another arbitration award. I don't know if you

20 want to expand on that or not.

21 MS. EVANS: The opinion is rendered by

22 Judge Pelligrini. It is handed down in the

23 Commonwealth Court of Pennsylvania. Obviously the

24 testimony was given before two, four, six, seven

25 judges. It appears to be a unanimous decision in favor

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102

1 of the fraternal order of police.

2 And this decision, or I shouldn't say a

3 decision, this opinion is dated today, July 20, 2006.

4 If I may, this probably isn't going to mean too much to

5 the average citizen, but the final paragraph I'll read,

6 As we noted previously, the review of an Act 111

7 arbitration award must be conducted under the narrow

8 certiori scope of review and our Supreme Court has
9 rejected the use of the essence test as inconsistent
10 with this scope of review, because narrow certiori and
11 not the essence test is the proper scope of review for
12 an Act 111 arbitration award.

13 The arbitrator's award was rationally
14 derived from the CBA, because it properly applied the
15 narrow certiori scope of review. Accordingly, the
16 decision of the trial court is affirmed. Dan
17 Pelligrini, Judge.

18 Now, I certainly hope that we're not
19 going to take this to the Supreme Court and waste even
20 more money. And now it seems as if, what, every week
21 or every other day there's another decision rendered
22 against the city. And, again, it's simply because the
23 mayor continues to break the law, contract law. But
24 the sad part is, we're all going to pay for this, and
25 it needs to stop.

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103

1 MR. COURTRIGHT: Anyone else? All
2 right. Seeing no further business, I'll make a motion
3 to adjourn.

4 MR. MCTIERNAN: So moved.

5 MS. EVANS: Second.

6 MR. COURTRIGHT: We're adjourned.

7 Thank you.

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9 (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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LISA M. GRAFF, RMR

12 Official Court Reporter

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