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2 SCRANTON CITY COUNCIL MEETING

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6 Held:

7 Thursday, November 16, 2006

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10 Time:

11 6:30 p.m.

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14 Location:

15 Council Chambers

16 Scranton City Hall

17 340 North Washington Avenue

18 Scranton, Pennsylvania

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23 Lisa M. Graff, RMR

24 Court Reporter

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1 CITY OF SCRANTON COUNCIL:

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3 MS. JUDY GATELLI, COUNCIL PRESIDENT

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5 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

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7 MS. JANET EVANS

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9 MS. SHERRY NEALON FANUCCI

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11 MR. ROBERT MCGOFF

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13 MR. AMIL MINORA, ESQUIRE, SOLICITOR

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15 MS. KAY GARVEY, CITY CLERK

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17 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MS. GATELLI: Okay. Please stand for

2 the Pledge Of Allegiance. Please remain standing for a

3 moment of reflection. Roll call.

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Here.

6 MR. COOLICAN: Mrs. Fanucci.

7 MS. FANUCCI: Here.

8 MR. COOLICAN: Mr. McGoff.

9 MR. MCGOFF: Here.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MR. COOLICAN: Mrs. Gatelli.

13 MS. GATELLI: Here. Dispense with the

14 reading of the minutes.

15 MS. GARVEY: Third order. 3-A, AGENDA

16 FOR THE ZONING BOARD HEARING MEETING HELD ON NOVEMBER

17 8, 2006.

18 MS. GATELLI: Are there any comments?

19 If not, received and filed.

20 MS. GARVEY: 3-B, MINUTES OF THE

21 COMPOSITE PENSION BOARD MEETING HELD ON OCTOBER 25,

22 2006.

23 MS. GATELLI: Are there any comments?

24 If not, received and filed.

25 MS. GARVEY: 3-C, MINUTES OF THE

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1 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING HELD ON

2 OCTOBER 25, 2006.

3 MS. GATELLI: Are there any comments?

4 If not, received and filed.

5 MS. GARVEY: 3-D, APPLICATIONS AND

6 DECISIONS RENDERED BY THE ZONING HEARING BOARD MEETING

7 HELD ON NOVEMBER 8, 2006.

8 MS. GATELLI: Are there any comments?

9 If not, received and filed.

10 MS. GARVEY: 3-E, MINUTES OF THE VACANT

11 PROPERTY REVIEW COMMITTEE MEETING HELD ON SEPTEMBER 12,

12 2006.

13 MS. GATELLI: Are there any comments?

14 If not, received and filed.

15 MS. GARVEY: 3-F, MEETING OF THE

16 SCRANTON FIRE DEPARTMENT PENSION COMMISSION FOR THE

17 MONTH OF OCTOBER 2006 WAS CANCELLED DUE TO LACK OF

18 QUORUM.

19 MS. GATELLI: Are there any comments?

20 If not, received and filed.

21 MS. GARVEY: 3-G, AGENDA FOR THE

22 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING HELD ON

23 NOVEMBER 15, 2006.

24 MS. GATELLI: Are there any comments?

25 If not, received and filed.

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1 MS. GARVEY: 3-H, MINUTES OF THE

2 SCRANTON POLICE PENSION COMMISSION MEETING HELD ON

3 OCTOBER 25, 2006.

4 MS. GATELLI: Are there any comments?

5 If not, received and filed.

6 MS. GARVEY: 3-I, CONTROLLER'S REPORT

7 FOR THE MONTH ENDING OCTOBER 31, 2006.

8 MS. GATELLI: Are there any comments?

9 If not, received and filed.

10 MS. GARVEY: That's all I have.

11 MR. COURTRIGHT: I'd just like to make
12 an announcement. Because of all the rain we had, the
13 Director of Public Safety asked me to tell everybody
14 out there that the main problem they're having right
15 now is people are trying to drive through flooded
16 areas, and it's blocking up the roads and the police
17 and the fire departments can't get through.
18 The traditional low-lying areas are
19 getting flooded, in addition to other areas. They are
20 monitoring the river. They haven't closed any flood
21 gates yet.
22 If, in fact, they do need to close the
23 flood gates, they will also send a fire truck through
24 Gardner Avenue and that area there, because sometimes
25 when the alarm goes off, they don't hear it over in
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1 that area.
2 There's not much they can do at this
3 point. They're out there doing everything they can do,
4 but they're just asking people to stay off the road.
5 We've got an awful lot of flooding. Thank you.

6 MS. GATELLI: Thanks, Bill. I just
7 have a few announcements. I'd like to wish a special

8 friend a happy birthday. I don't normally do this, but
9 when you're 85, I think that could warrant saying it on
10 the City Council meeting. So, I'd like to wish a happy
11 85th birthday to Fred Merkel.

12 Saturday at nine o'clock starting at
13 Franklin and Spruce Street traveling down Wyoming
14 Avenue to the Steamtown Mall will be Santa Claus. It's
15 supposed to be a nice day, and I would encourage
16 everyone to go and support the Jaycees.

17 Telespond Senior Center is in desperate
18 need of senior companions to assist the elderly and
19 visit them. You must be 60 years of age or older and
20 on low to moderate income. You can work 20 hours a
21 week, and the income is tax free. The number there is
22 347-7911.

23 The potholes were fixed on Division
24 Street between Lucky Run and Lookout Drive, and the
25 side streets along Cedar Avenue from Cherry to Breck

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1 are now being milled and paved. Please be aware the
2 traffic patterns along Cedar Avenue are being disrupted
3 due to the construction.

4 I just have a few requests for Mrs.

5 Garvey to send to Mr. Parker to trim the trees at the
6 rear of 535 Genet Street. They've already been marked
7 by Mr. Santolli. Additional potholes on Hickory Street
8 between Hickory and Boland and the intersection of
9 Hickory and Earth.

10 And I'd like you to send a request to
11 the Mayor and Sara Hailstone to consider doing a
12 sidewalk project on the 500 block of Linden Street down
13 near Sal's Pizza and have it come around the corner of
14 the 300 block of North Washington.

15 I see that they are doing some sidewalk
16 projects in the city, and those are in desperate need
17 of repair. Someone fell there this week and got hurt.
18 So, please have them look into that possibility.

19 I've received several names from people
20 that are interested in serving on the budget and
21 financial task force for the City of Scranton. So, I'd
22 like to say, again, if anyone is interested, to please
23 submit your name and your resume to City Council.

24 I'd also like Attorney Minora to look
25 into -- someone gave me this idea, and I thought it was

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1 a good one, look into the possibility of the colleges

2 and universities adding a fee to their tuition of \$100
3 per student. I don't know the feasibility of it, but
4 it sounds like a good idea in theory.
5 Maybe a public safety fee or something
6 of that nature, and it could have the potential to
7 bring in about a million five. So, Amil if you could
8 investigate that, I think there are some communities
9 that do that.
10 As far as the commuter tax, I have
11 spoken with Ken Smith and Bobby Mellow, I couldn't get
12 a hold of Frank Shimkus, and they assured me that they
13 are going to try to help Scranton to get the commuter
14 tax back.
15 I don't know how long that will take,
16 but they pledge their support in helping us to
17 accomplish that goal.
18 And before we go any further, I'd like
19 to submit my check for my five percent that I promised.
20 I was very happy with the mayor and his cabinet
21 following through on that, and I was also happy with
22 the first non-profit giving such a large amount to our
23 community.
24 We are scheduling appointments with the
25 non-profits, and we will be starting the week after

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1 next to attack them one by one. So, let's all hope
2 that they will be as kind as the Housing Authority was
3 and giving something in lieu of taxes.
4 It certainly is desperately needed and
5 it's time for them all to step up to the plate, and I'd
6 like to thank the Housing Authority on behalf of City
7 Council. And that's all I have. The first speaker is
8 Doug Miller.

9 MR. MILLER: Good evening, Council.

10 Doug Miller. Mrs. Judy Kilmer, our journalism teacher
11 at West Scranton High School, would like me to give to
12 you a copy of our school paper. There is an article on
13 page three regarding the Council meeting that was held
14 at West early in October. So, if I could give each of
15 you a copy.

16 MR. MILLER: Just regarding the smoking
17 ban, students are here tonight, as we can see from West
18 Scranton, along with their teacher, Mr. Tom Murray.
19 They're here tonight to share with us the dangers of
20 smoking, and I'm glad to see that the smoking ordinance
21 has made its way to the agenda, and I hope this Council
22 will really take it into consideration.

23 And lastly tonight, I just have an
24 announcement to make. The Scranton Junior City Council
25 will be sponsoring a breakfast with Santa on Saturday,
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1 December 2 from nine to one at Scooter's Hot Dog Hut in
2 Dunmore. There's an all you can eat breakfast buffet
3 for only \$5.99. Fifty percent of the proceeds will be
4 donated to Channel 61. So, I would like to welcome
5 City Council and encourage everyone else in the city to
6 attend. Thank you.

7 MS. GATELLI: Charlie Newcomb.

8 MR. NEWCOMB, SR.: Good evening,
9 Council. To touch on a few things, I spoke last week,
10 Mr. Courtright and Mrs. Evans, Mrs. Gatelli, about my
11 son's problem over there on Cameron Avenue, and I do
12 appreciate, you know, George Parker was over there and
13 they dug a ditch for a temporary solution, but as I
14 came over here tonight, and I'm going to use these
15 words, it's more serious than it's ever been.
16 As of right now as I speak, they lost
17 their whole front yard, all their landscaping, and they
18 cannot, and I repeat not, come out of their house.
19 They cannot get on the street.

20 So, Mr. Moss and those people on that
21 side of Cameron Avenue, if it keeps raining like this,
22 I guarantee you they will come out of there in a boat.
23 That's how dangerous that situation is over there right
24 now. And the water is almost up to their ankles or
25 higher in the basement.

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1 I know the problem, they dug it up, but
2 with all the rain we're having right now, it just can't
3 take it. So, they have -- it's 20 times more, as we
4 speak right now, than it was on television that day for
5 WBRE.

6 And if anybody seen that, right now
7 you're talking taking them out of there in a boat. And
8 the sad thing is it's not even a flood zone. So,
9 you know, they can't look at any kind of, you know,
10 have insurance or anything, because they don't -- it's
11 not a flood zone.

12 And, Mr. Courtright, last week I spoke
13 about North Grant Avenue, that intersection, I was home
14 today and I heard a noise outside, and somebody worked
15 on the road, dug it up, and they put some, you know,
16 patch or something over it, so they -- I appreciate

17 that. I hope the rain just doesn't wash it away,

18 because it was done this morning.

19 MR. COURTRIGHT: Did they cut the pipe,

20 Charlie?

21 MR. NEWCOMB, SR.: To be honest with

22 you, they were out there for a while. I probably heard

23 them when they were half way out there, but when I went

24 out and looked, it's covered with, you know, concrete

25 or something on top. I couldn't tell you if they cut

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1 the pipe or not.

2 MR. COURTRIGHT: I just think if they

3 don't cut the pipe, it's going to come back.

4 MR. NEWCOMB, SR.: It's not sticking up

5 right now, but you're right. If it's just piled on

6 top, it could come back. I can't tell you if they cut

7 the pipe, because I didn't see them do that.

8 MR. COURTRIGHT: All right. I'll check

9 it tomorrow.

10 MR. NEWCOMB, SR.: Okay. Thanks. And

11 the other thing is about -- I see the loan, of course.

12 That's the big topic on the agenda. And did anybody

13 take into consideration up there when the mayor was

14 asking for the \$15 million -- I understand our school
15 tax is going to go up \$72 or \$55 roughly for the city
16 tax, did anybody consider arbitrations that we owe when
17 we're considering these loans?

18 Because it's not in any of the figures
19 that he put in the paper or anybody else. Well, I
20 didn't hear anybody up there talk about it. As we
21 stand right now, it's over \$10 million in arbitrations.
22 And from what I understand, Mr. Courtright, you can
23 answer this, but I don't have all the details, so I'm
24 just going to speak on, I heard last week the city lost
25 another one, one that was already lost before, appealed

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1 and the union won. You can check into that.

2 But even without that one, we owe \$10
3 million in arbitration awards.

4 MR. COURTRIGHT: What was that, the SIT
5 clerks?

6 MR. NEWCOMB, SR.: Yeah, the SITs. We
7 lost that again, from what I understand. The union won
8 it again, which they should have, because it was wrong
9 in the first place for the city to do what they did.

10 So, now, from what I understand, you're

11 looking at close to -- a little bit under \$11 million
12 for the arbitrations when you got all these interest
13 and everything on top.
14 So, just take all this stuff into
15 consideration when, you know -- I understand everybody
16 was cut back five percent, which was, like Mrs. Gatelli
17 just said, it was a great effort to see that finally
18 somebody in the administration cut the salaries back,
19 but I just think \$15 million, I just think that's way
20 too much money.

21 I understand we're probably going to
22 have to fill the hole that we have for this year, but
23 take into consideration we owe \$10 million in
24 arbitrations that's not even considered.

25 I know he thinks there's going to be

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1 some, you know, magic wand that's going to come down
2 and says you don't have to pay it, but believe me when
3 I tell you, I've been in labor for 30 years, we're
4 going to pay it. We're going to pay it one way or
5 we're going to pay it the other, because how many times
6 can you keep appealing it?
7 The only way you're not going to pay it

8 is if the city goes bankrupt. That's about the only
9 way you're not going to be obligated to pay those
10 things, and I don't think anybody wants to head in that
11 direction.

12 The school board raised our taxes, it's
13 going to be \$72. And I know a lot of people go to the
14 school board meetings, but -- and they come here and
15 everybody is screaming about the loans, but just take
16 into consideration they get 56 percent of the pie and
17 we get 16 maybe.

18 And if you look into their budgets,
19 and, you know, I'm not going to come up here and
20 mention names, because I don't do that kind of -- do
21 those kind of tactics, but whoever our liaison is up
22 here for City Council, what I tell you to do is go and
23 check some recent hires or whatever you want to call it
24 in the school board, and you'd really be surprised on
25 how much money we're paying some salaries for the jobs

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1 that they do, like duplication of services, maybe,
2 like, two people doing the same type of job for
3 X-amount of dollars.

4 So, you really will be surprised on how

5 much money in the school district, and this is the
6 reason why we're going to be paying \$72 more a year,
7 and the city we're struggling now for \$55.

8 So, roughly that's \$127 for next year's
9 taxes, which is about \$12 a month. I know for a lot of
10 people \$12 a month, you can say, Ah, it's worth it with
11 the services. But take into consideration with these
12 increases --

13 MR. MINORA: Excuse me, Mr. Newcomb.

14 Mr. Newcomb, that's your five minutes. Excuse me, Mr.

15 Newcomb. That's your five minutes.

16 MR. NEWCOMB, SR.: Okay. I'll come

17 back next week. Thank you.

18 MS. EVANS: Mr. Newcomb, just if I can

19 go back quickly to your first issue, which was the

20 flooding on North Cameron, I do have that listed as

21 part of citizens' requests this evening, but in the

22 meantime, I also received quite a number of photographs

23 of the area during a normal rainfall, and I'd like to

24 pass those along to my colleagues so that they can see

25 these photos.

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1 And I'll ask for them back, because my

2 intent is to keep sending a photo per week to Mr.
3 Parker's office until we finally have this resolved to
4 the residents' satisfaction.

5 MR. NEWCOMB, SR.: After tonight it
6 looks like now is going to have to take them out of
7 there because it's terrible over there. Thank you.

8 MS. GATELLI: Andy Sbaraglia.

9 MR. SBARAGLIA: Andy Sbaraglia, citizen
10 of Scranton. Fellow Scrantonians, consider for final
11 reading of resolutions D with this putting in for a
12 grant for growing greener grant, does anybody know what
13 that is? It has nothing, I presume, to do with
14 actually growing greener, because they're putting in
15 for a million dollar loan for a building -- not a loan,
16 but a grant, let's put it that way, a grant for a
17 building, the Connell Building. They're putting in for
18 a million dollar grant out of this growing greener. I
19 just hope that it has nothing to do with any of the
20 bond issues that we put in for buying up land around
21 the country side.

22 MS. GATELLI: No. It's for the Connell
23 Building.

24 MR. COURTRIGHT: No, no.

25 MR. SBARAGLIA: Yeah, it's OECD, I

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1 I think, handled it, but I didn't know what it was. It
2 just has growing greener, and no one knows exactly what
3 growing greener. Usually growing greener means you got
4 to plant somewhere and it grows greener, but apparently
5 this isn't.

6 MS. GATELLI: I think it's something to
7 do with using recycled products in the renovations.

8 MR. SBARAGLIA: Is that what it is?

9 Okay. And the \$4 million grant they want from the
10 federal government, I guess, is similar to it for \$5
11 for that total project. Okay. So, at least we know
12 what the growing greener is.

13 As you know, the mayor come forth with
14 some cuts, but they're \$178,000, even with his cut in
15 his salary, if you want to call it, it's under a bonus
16 or whatever, it's still peanuts. It's \$200,000 that
17 really isn't nothing.

18 Somewhere along the line we've got to
19 do a lot more cutting, because I don't know -- \$200,000
20 is nothing in this city. We pay that to lawyers. So,
21 we've got to do something a little better along the
22 line there.

23 And that tax they put in the paper, I
24 guess that was only on improvements to increase what
25 the mayor wants, was that on improvements?

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1 As you know, the city has two different
2 things, the land and improvements. He put in for some
3 type of an increase. Was it on the improvements or on
4 the land? Could you tell --

5 MR. COURTRIGHT: One part's a realty
6 transfer tax. He's asking if is it on the land itself
7 or just the improvements. Both. I'm going to go out
8 on a limb, Andy, and say it's on improvements and the
9 land.

10 I've got to be honest with you, I
11 didn't get an opportunity. I picked up the budget
12 today, and I had every intention on going over it, and
13 I had a little flooding of my own that I had to attend
14 to today, so I didn't get an opportunity to go through
15 this. But I'm guessing it's on both.

16 MR. SBARAGLIA: Yeah, the newspaper is
17 just -- I have the newspaper article, but, like I said,
18 all it says is increase it from 17 mills up to
19 24.something mills, and that would mainly, if you look

20 at it, that would mainly go to the improvements.

21 MR. COURTRIGHT: Yeah, if it was just

22 the land, then it would be miniscule the amount of

23 money we would get. That's why I'm thinking it's on

24 both.

25 MR. SBARAGLIA: No. Actually the land

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1 would have been a lot better. A lot more money on land

2 then on --

3 MR. COURTRIGHT: I mean if you combine

4 both.

5 MR. SBARAGLIA: Okay.

6 MR. COURTRIGHT: I think that's what

7 they did. We will find out for you.

8 MR. SBARAGLIA: Okay. Now, I don't

9 like to bring up the -- the business privilege tax, do

10 you know when that was lowered from two to one percent?

11 Your legislation here is very cryptic on the matter.

12 All it says is that in 19, what is it, I think it was

13 1976, you imposed a tax -- somebody imposed a tax at --

14 yeah. Council No. 8, 1976, entitled an ordinance as

15 amended provided for the general revenue by imposing a

16 tax rate of 2 mills upon the businessmen in the city,

17 that means business privilege tax and whatever they --

18 I guess what you sell, too, doing business and gross

19 business and having the privilege to do business in

20 this city, I guess, is the best way to describe it.

21 Does anybody know when that was lowered?

22 I don't think it was lowered in -- I

23 mean in 2006, because I looked at one of the '05

24 budgets, and it was already in there. So, it must have

25 been some time before that.

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1 MR. MINORA: Excuse me. Mr. Sbaraglia,

2 that's your five minutes.

3 MR. SBARAGLIA: Okay. I don't want to

4 go over.

5 MR. MINORA: Thank you.

6 MS. GATELLI: Jamie Kane.

7 MR. KANE: Good evening, City Council.

8 My name is Jamie Kane. I'm a city resident and

9 taxpayer. I also happen to work for the American

10 Cancer Society.

11 My father was a smoker and battled

12 cancer for several years. Watching his and many other

13 relatives and friends battle with tobacco addiction, as

14 well as my dad's courageous battle with cancer has
15 inspired me to help others. That is why I chose eight
16 years ago to do what I do.

17 For the past several years, your
18 American Cancer Society with our grassroots network of
19 volunteers and community partners have been asking our
20 legislatures in Harrisburg for a statewide
21 comprehensive smoke free legislation.

22 While we are closer than we ever were
23 before, we're still not quite there yet. Due to the
24 recent elections, there will be much change coming to
25 Harrisburg, and the coming year provides us with
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1 perhaps the best opportunity to pass this legislation.
2 Municipalities and cities across the
3 Commonwealth are not waiting for Harrisburg to take
4 action on this issue, though.
5 The City of Philadelphia, and most
6 recently Allegheny County, have passed smoke free
7 legislation this past year.
8 Other communities such as Erie and
9 parts of Lehigh Valley are currently considering
10 legislation, as you are.

11 Currently 2200 communities across the
12 country and 17 states are smoke free. Entire countries
13 such as Ireland, Italy, India and New Zealand and
14 Scotland and have instituted country wide smoking bans.
15 Isn't it time that Scranton and the rest of
16 Pennsylvania join this group? I say, Yes, it is.
17 Pennsylvania's closest neighbors have
18 all banned smoking. Why? Because the research says it
19 works. Some health example come from New York,
20 Delaware, Massachusetts, all have shown a rapid decline
21 in workplace solution and improvement in worker health.
22 On the economic side, New York City,
23 New York State, Delaware and Massachusetts have seen an
24 increase in sales and increases in the numbers of bars
25 and restaurants.

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1 According to the campaign for tobacco
2 free kids, exposure to tobacco smoke pollution kills up
3 to 3,000 Pennsylvania, adults and kids, each year.
4 Tobacco smoke is linked to cancer,
5 heart disease, lung disease, as well as sudden infant
6 death syndrome and low weight in babies.
7 A recent survey by the Pennsylvania

8 Alliance to Control Tobacco showed 80 percent of
9 Pennsylvanians support smoking bans in workplaces.
10 Scranton City Council is prepared to
11 begin this debate tonight. I urge you to please
12 consider this legislation. I would also urge you to
13 insure that the legislation is comprehensive and allows
14 no exemptions. This would allow us to provide the same
15 health benefits to all workers and all consumers within
16 this city. Remember that this legislation is about the
17 health of workers and consumers.

18 As you also may know, today is the 30th
19 anniversary of the Great American Smoke Out. This
20 awareness campaign has been very effective over the
21 past 30 years. It is the day each year where the
22 American Cancer Society asks smokers to quit for one
23 day in the hopes that they would continue to quit for
24 the rest of their lives.

25 If you are interested and ready to quit

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1 smoking, please contact the PA Free Quit Line at

2 1-800-QUIT-NOW.

3 In closing, I would like to thank City

4 Council for consideration of this legislation and for

5 taking up this important issue. However, I have to
6 reserve my biggest thank you to the students of West
7 Scranton High School. Without the efforts of these
8 students, we would not be here discussing this issue
9 today.

10 And it's wonderful to see the youth of
11 our city taking action on this important issue. Once
12 again, thank you and good luck.

13 MS. GATELLI: Thank you. Tony Delanti.

14 MR. DELANTI: Hello, folks. My name's
15 Tony Delanti, I'm with the American Lung Association of
16 Pennsylvania, and I cover 16 counties, and of course
17 Lackawanna is one that I have a lot of work that I do
18 in here.

19 About 20 years ago, and probably none
20 of you know this, a group of us met at this table here
21 to actually discuss an ordinance in Scranton.

22 At the time it was an ordinance that
23 was actually based on what was going on in Minnesota,
24 but at that time the state was also considering
25 one, too, so we kind of shifted our efforts, but that

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I didn't work out too well because the state law really

2 didn't turn out as well as it did. So, here we are
3 20 years later and now we have the opportunity to
4 actually put Scranton on the map with this.
5 I mean, we're looking at Philadelphia,
6 we're looking at Pittsburgh and the other cities that
7 are considering this, even Harrisburg, and how great it
8 would be if Scranton beat out those other cities in
9 doing this.

10 The one thing to remember is that we're
11 not talking about some sort of mannism or, you know,
12 we're trying to tell people what to do.

13 In any public place, there are
14 Department of Health laws that deal with the
15 temperature of the water, the lighting in a certain
16 area all to protect our health, especially when in
17 comes to food handling.

18 In this case what we're doing is we're
19 not only protecting the health of the people going in
20 there, but the health of the workers, because
21 unfortunately I had the -- I heard news just last week
22 about someone who was a waitress in a restaurant and
23 she was exposed to quite a bit of tobacco smoke, and
24 unfortunately she now has a lung cancer.

25 So, at the lung association we're

1 trying to prevent that from happening, and legislation
2 like this, which is tobacco free legislation, a nice
3 positive way to put it, is going to make strides in
4 putting Scranton on the map and also to increasing the
5 business because of those places we know that have
6 already instituted smoking bans, they're doing very
7 well, including bars.

8 So, if you're providing good food and
9 good service, you shouldn't worry about whether or not
10 people are allowed to smoke in your place or not.

11 In my hand there's cards, they're not
12 exactly for you here, but getting back to those
13 students up there, it was young people that got the
14 stadium to go smoke free in the seating areas. I tried
15 it for four years, but when young people got involved,
16 in a month, it happened.

17 These students from West Scranton took
18 it upon themselves, there was no pushing from us or
19 from any other organization, they did it on their own.

20 They did a lot of homework. These are the future of
21 Scranton here. This is just a small sample of the

22 cards they signed to support the State Clean Indoor Air

23 Act.

24 So, you can tell there is support,

25 especially among our young people. The Electric City

.

26

1 paper had a poll just recently that said 70 percent

2 would like to see a similar law like we have in

3 Philadelphia.

4 And like Jamie said, Comprehensive. We

5 want to protect everyone. There's many things that we

6 don't allow people to do in public that really doesn't

7 harm them or harm others, but this one thing, smoking,

8 of course, harms the users, but as we see the studies

9 coming down, we see just how much damage it's doing.

10 Just the short exposure of a non-smoker in a smoking

11 place begins the thickening of their blood cells which

12 leads to things like heart attack, has an immediate

13 effect on the lungs.

14 So, you'll be doing my organization a

15 big -- a big favor by getting this, because I always go

16 ahead and say I would like to be put out of business

17 because I'd like to see lung disease eradicated, and

18 hopefully the Scranton City Council, what was began at

19 this table 20 years ago will happen in the next few

20 weeks.

21 So, I thank you, and always be aware

22 that we will provide any type of information that you

23 may need to help in support of your goals. Thank you

24 very much for your time.

25 MS. GATELLI: Thank you. Mike Dudek.

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27

1 MR. DUDEK: Mike Dudek, 608 Depot

2 Street, Scranton, PA. I live in The Plot. And I want

3 to address two different issues.

4 I wore the uniform today because of the

5 cartoonist in The Times. He got me pretty well. I

6 mean, he got the girth correct. He didn't quite get

7 the face, so I'll just give the camera a little so he

8 can get my face the next time he does it.

9 Draw it right. I mean, I don't mind

10 being a caricature, I think it's cute. The caricature

11 -- the message in the caricature is what I want to talk

12 about.

13 It has we Legionaires devouring City

14 Council, but I think the secondary message is the more

15 important message, is that we the people have an

16 influence over our city government, and The Times took

17 the time to sketch that influence.

18 Whether or not The Times agrees with

19 our methods or not, we do have an influence, and it's

20 worth using, and it's our proper use of the First

21 Amendment that is working to keep the people of the

22 City of Scranton informed as to the problems that we

23 have. So, if anything, I'm kind of take a little pride

24 with that cartoon.

25 The second thing I want to point out, I

.

28

1 think we should take a good look at our city

2 infrastructure and start with this building. A pole

3 collapsed earlier today, but also there was a car

4 parked next to this building that got crushed by what I

5 believe was a big piece of masonry.

6 Now, I was really upset when I heard

7 about it, because my first reaction was, Well, we

8 better get Mr. Fiorini, the city building inspector, on

9 it right away and find out who owns that automobile and

10 make sure that that person is properly taken care of,

11 but then I found out that was Bill Fiorini's car that

12 got crushed by that piece of masonry.

13 The city building inspector's own car

14 got crushed by a piece of masonry falling off a
15 building that he has to inspect. Only in Scranton.

16 Thank you.

17 MS. GATELLI: Michelle Smith. Les

18 Spindler.

19 MR. SPINDLER: Good evening, Council.

20 Les Spindler, city resident. I, too, want to talk

21 about the rain outside. My problem isn't as bad as

22 Charlie Newcomb Jr.'s, but I, too, could not get out my

23 front door today. And I talked about this problem for

24 a few years now, and it doesn't seem to get any

25 consideration. I don't know what I have to do to get

.

29

1 that done, but maybe I will have to call the television

2 station, also. But my whole front yard was flooded

3 this time.

4 I really didn't plan on coming this

5 evening, but when I woke up and read the Doherty

6 newsletter Tuesday morning, I saw about another pit

7 bull attack. I don't know if anybody saw that, but a

8 gentleman was pretty badly attacked and he was in the

9 hospital, and further on in the article it said about

10 two weeks ago, I think it was, where a policeman had to

11 shoot a pit bull because it was attacking other dogs.

12 Now, so-called experts come up to this

13 podium and they keep saying it's not the dog, it's the

14 owners. Well, I disagree.

15 There's plenty of dog owners in this

16 city with different breeds, and all you ever hear about

17 is pit bull attacks. You don't hear about German

18 Shepard attacks, you don't hear about Rotweiller

19 attacks, you don't hear about Doberman attacks. It's

20 pit bulls. Am I correct?

21 So, something has to be done before

22 there's a very serious tragedy in this city. I mean,

23 if we have to be breed specific, I think we have to be

24 breed specific, because all dogs do bite. That's true,

25 but it's all we ever hear about is pit bull attacks.

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30

1 There's no other breed you hear about

2 attacks. So, something has to be done. That gentleman

3 could have been killed the other day if the owner

4 didn't come after the dog. And then the owner ran away

5 with the dog.

6 Something has to definitely be done,

7 and I don't think it's the dogs. I mean, I don't think

8 it's the owners, it is the breed of dog. Pit bulls are
9 dangerous vicious dogs that were bred to fight. That's
10 all there is to it. That's a fact. I did the
11 research. So much for that.
12 I, too, want to talk about the smoking
13 ban. I hope Council passes that unanimously tonight.
14 And Mr. Courtright, I read a comment by you in the
15 morning paper today that something about bartenders
16 called you and you had thoughts about that.
17 Well, did you ever consider maybe if we
18 had a smoking ban, people that didn't smoke would go to
19 those bars now because there is no smoking there?

20 MR. COURTRIGHT: I got calls from both
21 sides, Les, both people who want it and didn't want it.

22 MR. SPINDLER: And I was shocked to
23 hear on the local news tonight they had a story about
24 that, I was shocked to hear that, you know, a person
25 dies from cigarette smoke every eight seconds. I was

31

1 shocked to hear that statistic. I think this is a very
2 important legislation to pass, and I hope you do it
3 unanimously tonight.

4 Another thing, the line painting I've

5 been asking about for, I don't know how long. A
6 co-worker of mine said she was at a light on Spruce
7 Street at Franklin the other day in the straight lane.
8 There was a person in the turning lane. The light
9 turned green, the person in the turning lane went
10 straight and almost went right into my co-worker's car.
11 And she said if she does get in an
12 accident there, she's going to sue the city, because
13 it's documented that I've asked about this for years
14 and the city has yet to paint those lines on that
15 corner.

16 MR. COURTRIGHT: Les, Pat McMullen, I
17 spoke with him this week, and I think the city in
18 conjunction with the state did some line painting
19 recently and he told me where --

20 MR. SPINDLER: Not there.

21 MR. COURTRIGHT: -- and it escapes me.
22 I know, but I think they're trying to get to it. I
23 wish they'd get it faster, also, but they did do
24 something this past week, I believe.

25 MR. SPINDLER: I'll believe it when I

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32

I see it. And also the entrance to the Steamtown Mall, I

2 mean, it's done in certain areas, but maybe it's
3 because I'm asking for it. I don't know. I guess
4 maybe it depends on what sign you had in your front
5 yard last year. Thank you.

6 MS. GATELLI: Thank you. I have the
7 dog ordinance in my hand. You know, it does address
8 vicious dogs and it does address harboring, they have
9 to be on a leash.

10 MS. EVANS: Mrs. Gatelli, I know we
11 discussed this in Council that we were asking for the
12 recommendations of the animal control officer and the
13 chief of police in terms of enforcement issues, but
14 also any possible suggestions for amendments that they
15 may have to put more teeth into this ordinance.

16 And I think we might have discussed
17 that well over a month ago, so I would suggest that
18 another letter be sent to police Chief Elliott asking
19 him to please forward any suggestions for amendments to
20 the dangerous animal ordinance to City Council as soon
21 as he possibly can so that we can try to address these
22 situations that unfortunately seem to be occurring more
23 and more often, or at least now perhaps it's a matter
24 of we know about them more often. I really don't know.
25 But I think we need some expert opinions on how to best

1 address the situation.

2 MR. COURTRIGHT: I spoke with the

3 police department this week on another matter and we

4 talked about that, and enforcement is an issue. So, if

5 we add to that ordinance, which is probably what we

6 need to do, I think we're going to have to have the

7 police department tell us, do they have the manpower to

8 enforce this and is it going to be the police

9 department or the animal control officer or whatever,

10 because they're spread pretty thin the way it is. So,

11 that definitely is going to be an issue no matter what

12 ordinance we create, enforcement is going to be an

13 issue.

14 MS. GATELLI: And I know Mr. Preambo is

15 doing one at the planning commission, so I don't know

16 how far his has gone. So, we should probably include

17 him on that, because he's -- he already has an

18 ordinance prepared.

19 MR. MINORA: If enforcement's an issue,

20 there is also the possibility of preparing an ordinance

21 that makes someone strictly liable for what their dog

22 does to another person.

23 Strict liability then kind of is a
24 civil way of handling it, rather than an quasi criminal
25 way of summary citation or something like that.

34

1 And that sort of puts the ownness on the
2 homeowner that if you don't take care of your dog and
3 make sure your dog is safe and safely away from people
4 if he has any propensities at all, then you're going to
5 pay, you're going to pay without question, because it's
6 strict liability for the damage that dog does, so
7 that's another matter to consider that would eliminate
8 the necessity for enforcement through the police
9 department and it would need to take any resources from
10 the city and probably would have a greater effect
11 particularly once, you know, the impact of that hit and
12 people were sued and found out that they had to pay a
13 bunch of money because they didn't take care of their
14 dog properly.

15 MR. COURTRIGHT: I like that
16 suggestion.

17 MS. GATELLI: Yeah.

18 MS. EVANS: I think we can do that, as
19 well, but we may have mentioned something about having

20 dogs registered, which I think, you know, we already --
21 we may already have on the books your dog should be
22 licensed, and your dog is not allowed outdoors without
23 a leash, without being on a leash, and perhaps we
24 should be looking into some type of fencing with regard
25 to this particular breed.

35

1 MR. MINORA: Well, that's the problem
2 with any kind of legislation, is you can't be breed
3 specific, so --

4 MS. EVANS: Can we go to perhaps
5 certain weight or size? No?

6 MS. EVANS: Yeah, I guess you can do it
7 by weight or size, but you're going to have some dog
8 owners very unhappy with the other -- you know, the
9 worse thing they do is lick you to death.

10 That's why maybe strict liability is
11 something you ought to have me look into a little bit
12 more thoroughly, because it puts the owness right where
13 it belongs, on the owner of the dog, and the
14 responsibility for doing it right and for doing it
15 wrong, either way. I can look into it more thoroughly
16 and get back to you.

17 MS. GATELLI: The ordinance we have

18 puts the liability on the owner.

19 MR. MINORA: That's probably all that

20 really --

21 MS. GATELLI: The fines are minimal,

22 though.

23 MR. MINORA: In many products liability

24 cases, there's strict liability for a defectively

25 designed product. That puts the ownness on the person

36

1 who's developing the product and selling it to the

2 public to do it in the safest manner possible. It's

3 probably been a great deal more effective than all the

4 government regulations that, you know, that we have for

5 consumer products, and that theory of liability has

6 been around for a long time and has probably done more

7 civil good than all the regulations the United States'

8 government's put forth in the last 20 years. So, it's

9 just a thought. It's just something that I --

10 MS. GATELLI: That's good. William

11 Spear.

12 MR. SPEAR: Okay. Good evening,

13 everyone. What I really wanted to talk about was the

14 smoking issue that's being talked about tonight.

15 I first want to start out by saying

16 that I'm a non-smoker, but I really think it'd be a

17 wrong, wrong move to the -- what's being considered to

18 ban smoking everywhere, all businesses, whatever you're

19 thinking of, all restaurants and taverns. It's just

20 very unfair to the owners of, you know, restaurants and

21 taverns.

22 The current policy we have I think is

23 really fair to everyone, like people that want to go in

24 a place that bans smoking have many places to go. Many

25 have banned smoking. And there's -- then the people

.

37

1 that want to smoke can go to places or people that

2 don't care, there are many places. To just have a one

3 size fits all policy just doesn't make sense.

4 I know many people who, you know, are

5 bothered by smoke, don't like going in a place that

6 offers smoking, and virtually all of them are perfectly

7 contentious to go in a place that bans smoking.

8 They're not -- I never heard any of them saying --

9 demanding every place should outlaw smoking or it's

10 banned or anything. I think it's just really, really

11 unfair, a total lack of respect for the, you know, for
12 the owners of the businesses.

13 The current policy is just -- I don't
14 see how -- no one person can go into every single
15 restaurant, you know, tavern or whatever, you know,
16 like that.

17 And what I also find on this issue is
18 many of the groups and individuals who are, you know,
19 pushing so hard to ban smoking, you know, in all
20 businesses, public places, they act like people who are
21 exposed to secondhand smoke are victims, somehow or
22 some way, some sort of victim.

23 It's just totally beyond me how
24 somebody who makes a free choice by their own free will
25 going into a place can be considered a victim. I think

38

1 that's just downright absurd. I don't see how anybody
2 could that's not -- like, people that get food
3 poisoning or something had no idea they were getting
4 it, now, that would be a victim, somebody in a
5 situation like that. You know, of course, that's total
6 negligence. They had no way to prevent that.

7 But somebody who makes their own free

8 choice by their free will to go into a place and at
9 some point a small amount of them get sick at some
10 point because they do that often, I don't see how
11 anybody like that can be a victim, but yet it seems the
12 groups that are lobbying so hard almost act like
13 they're victims somehow.
14 What I've noticed is many of the groups
15 that are pushing for the ban, they're really
16 manipulating statistics and completely twisting the
17 truth. There's an awful lot of deception there.
18 Like some are citing -- there's a Surgeon
19 General Report that 50,000 people die from secondhand
20 smoke each year. A man said here, like, every eight
21 seconds somebody dies from secondhand smoke.
22 Well, what it really is is people that
23 are -- they make it sound like it's people that were
24 murdered or, you know, really victimized, assaulted and
25 died or something.

39

1 This would be somebody that out of
2 their own free will makes a free choice to, you know,
3 be around secondhand smoke and maybe lives to be 78
4 instead of 80, what they would have been, or 75 instead

5 of 81. It's their -- making their own free choice.
6 Some people, you know, free will to make, you know, a
7 free choice on an issue like that.
8 And I wanted to say, too, you know, as
9 far as the students at West Scranton, I think it is
10 really great that they're interested in public affairs
11 and that, but I somehow get the opinion that all
12 students just think alike on that same issue.
13 I'm sure many of the students from West
14 Scranton don't at all agree that it should be, you
15 know, criminalized just to smoke in all taverns and
16 restaurants. I mean, it seems you're getting one
17 opinion.
18 So, I still think it's good that
19 they're interested in public affairs, but, you know,
20 I'd like to see more than one opinion, you know, from
21 the students like that.
22 And what I just wanted to weigh in on,
23 too, was that, and now switching topics, was with
24 arbitration and the finance.
25 I know a lot of people in the City of
. . .
40
1 Scranton are really --

2 MR. MINORA: Excuse me, sir. That's

3 your five minutes.

4 MR. SPEER: Okay.

5 MS. GATELLI: Okay. Joe Talamini.

6 MR. TALAMINI: My name is Joe Talamini.

7 I've got a couple of items that I would like to mention

8 tonight, and I hope, Mr. Minora, that your watch is a

9 little off.

10 One of the things I'd like to address

11 is you have an item on here on the agenda regarding a

12 \$15 million loan. I still don't understand it. I've

13 read this thing over 15 times, and I still don't

14 understand what this is for.

15 It says the lease of certain real

16 property to the Redevelopment Authority declaring a

17 guarantee of said authority's guarantee lease revenue

18 bonds Section 8110 of the local government unit debt

19 act repealing inconsistent prior ordinances declaring

20 said project desirable for the health safety and

21 welfare of residents of the city. Can any of you

22 people tell me what this means, what this \$15 million

23 means? What this 6-A means? Do any of you have any

24 idea in the world, because I don't know, and I've read

25 it over 15 times.

41

1 Now, you're going to vote on a \$15

2 million loan and you have no idea what's going on.

3 Unless somebody can tell me, I would love to stand here

4 and listen to you tell me what this is about.

5 MR. COURTRIGHT: I'll do the best I

6 could. We got a letter in our mail this week, and I

7 believe he's -- I don't have it with me, so I couldn't

8 give you the exact figures, some were to fill the

9 budget hole last year, some of the money would be to

10 fill whatever hole would be created this year, and some

11 would be for 2008.

12 MR. TALAMINI: You people got the

13 budget yesterday, it was submitted yesterday.

14 MR. COURTRIGHT: Yes.

15 MR. TALAMINI: Have you had a chance to

16 look it over?

17 MR. COURTRIGHT: I have to admit, I

18 didn't really. A little bit. I --

19 MR. TALAMINI: Well, I was down here

20 this afternoon when all of this fiasco was taking place

21 with the building collapsing on the city owned truck,

22 or I guess it's his own truck, and I read the budget,

23 and I've come up with some pretty interesting things.

24 The mayor is talking about eliminating

25 some positions and saving some money, and everybody is

.

42

1 making token things here.

2 I went over the proposed 2007 operating

3 budget, and I can come up with one, two, three, four,

4 five, six more positions that could be eliminated

5 saving the city \$307,000-plus.

6 I mean, I see no need for a deputy

7 director of public safety. This is a city of, what,

8 60,000, 70,000 people? We are paying in the vicinity

9 of \$113,000 a year. For what?

10 Okay, go along with one. Even at

11 \$65,000, he's overpaid. Information technology

12 director, \$50,000. What does he do? What does an

13 information technology director do?

14 MR. COURTRIGHT: The computers in City

15 Hall.

16 MR. TALAMINI: Okay. A director, an

17 open position for \$65,000, that could be eliminated. A

18 Redevelopment Authority deputy director. We're already

19 paying \$57,690 for one, and we're going to pay another

20 \$45,000 for a deputy?

21 A parks director, an open position for

22 \$49,000. That's \$307,000-plus that could be saved by

23 eliminating those jobs.

24 If we're not going to save that money,

25 let's at least take that money and put it where it

.

43

1 belongs, and that is with the police and fire

2 department.

3 Because I understand there's no crime

4 in this city, but as of the time I left my house at six

5 o'clock tonight, there were over 59,000 police calls in

6 this city alone, plus the fire department is overtaxed

7 because of the stupidity of people who are trying to

8 drive through water.

9 Right down near the high school a

10 police car is sitting down there. There are three cars

11 inundated, people in them, they can't rescue them, and

12 yet people are still trying to drive through this

13 water.

14 Now, this is what your police

15 department and your fire department are involved in.

16 And I know you people really don't know because you're

17 not in touch with it, but there are 59,000 calls, and
18 you have, what, 150, 160 policemen? And that's only as
19 of November the 15th.

20 Now, your fire department is an
21 excellent fire department. I have yet to see them when
22 they're not in action and not doing something.

23 I live right near them. I hear them go
24 by every minute. You hear it outside here. Let's take
25 -- if you took that \$300,000 and gave it to, let's say,

44

1 300 fire department and police department members, at
2 least you're giving them \$1,000 a year more than
3 they're getting now.

4 And to my understanding, they haven't
5 had anything in the last five years. And I see
6 exorbitant salaries here. For what? I don't know in a
7 city of this size.

8 I'm going to give you an example of
9 what's going on with your community development. I
10 happened to spend 19 years in New York. I had a very
11 good friend of mine who represented a pharmaceutical
12 company who came over here last Friday and asked me to
13 show him around this town. They were thinking about

14 moving the headquarters around here.

15 They've gone through all the rhetoric,

16 they read everything that's going on. He asked me if I

17 would take him on a tour, and I did. He laughed. He

18 said, You really think anybody in their right mind is

19 going to move into this town?

20 MR. MINORA: Excuse me. That's your

21 five minutes.

22 MR. TALAMINI: I realize that's five

23 minutes. I'm sorry. But, you know --

24 MS. EVANS: If I may respond quickly.

25 The lease back agreement, I believe, involves either

.

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1 DPW -- I believe it is the DPW, if not, the new police

2 headquarters, but I felt it was a ludicrous agreement,

3 as I did in past years, in that, the city doesn't even

4 fully own that building, that, well, they own the

5 property, but in other words it's newly constructed and

6 not yet paid for, and yet it was leased to the Sewer

7 Authority in order to be able to borrow money.

8 Now, when you say that former

9 ordinances would be repealed, the reference there is

10 that the ordinances leasing the DPW to the Sewer

11 Authority would be repealed, because the lease now
12 would go to the Scranton Redevelopment Authority rather
13 than the Sewer Authority.

14 MR. TALAMINI: All I can say is this,
15 we have five elected officials up here, you're all
16 supposed to be on top of what's going on, and I have
17 yet to have an explanation of what this means right
18 here, and yet you're supposed to be voting on it. Good
19 luck. I'd like to remind you all that your duty is to
20 the citizens of this city. Thank you.

21 MS. GATELLI: Marie Shumaker.

22 MS. EVANS: And while Ms. Shumaker is
23 coming up, Mr. Newcomb, I was looking for a response to
24 your first question, I believe, with regard to the
25 arbitration awards, within the 2007 budget, there is a

46

1 line item for \$250,000 for court awards. A minimal
2 amount, I know, but I just wanted to give you that
3 information.

4 MR. NEWCOMB, SR.: Thank you.

5 MS. SHUMAKER: Don't you just wish it
6 was 30 degrees colder and all of this was snow? God, I
7 love it. Anyway, on the 14th of September, I sat in

8 this gallery and I listened to PEL say there would be a
9 \$1 million reduction in the operating budget for 2007
10 that would not be replaced in the out years and there
11 would be a 25 percent millage increase. What did we
12 get? A \$3 million increase and a 31 percent millage
13 increase and a \$15 million bond request without a firm
14 breakdown of how these funds will be appropriated.
15 Now, a budget is more than revenue and
16 expenditures. Expenditures should represent services
17 to the citizens, one of which is public health.
18 For months I have been requesting an
19 ordinance covering swimming pool maintenance without
20 success; however, it has come to my attention there are
21 inadequate health inspectors.
22 As a matter of fact, there is but one
23 health inspector to cover required hotel, bar, personal
24 care, deli inspections, and also respond to complaints
25 and be on-call 24 hours a day for code enforcement.

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1 Wilkes-Barre has three health inspectors, and Scranton
2 has but one.
3 Now to the capital budget which was due
4 September 15 and is still not available. Three years

5 ago there was an article in the paper saying Mayor
6 Doherty had made a commitment to upgrade smaller
7 neighborhood parks in addition to the larger facilities
8 of Nay Aug Park and Weston Field.

9 Mr. Doherty planned to spend \$150 to
10 \$200,000 at each park using money set aside for parks
11 from the \$72 million bond issue floated the previous
12 summer.

13 At Robinson Park, the existing parking
14 area, there's a whole litany of things that I won't
15 read, however, what I will tell you is none of them
16 have been done.

17 Now, where did that money go? There
18 was money in the bond issue, he said. It's very
19 specific about what was going to be done. It's three
20 years later, and it's still not done.

21 He said, Improving our parks and
22 recreation areas improves the neighborhood. Mr.
23 Doherty said, That's why I'm committed to making this
24 project a priority of my administration.

25 Well, if that's a priority, I hope I'm

48

1 never a priority when I need help and he's around.

2 Also, a recent article in the monopoly
3 paper reported that the mayor had established a park
4 conservancy. My question to you is, Can any Council
5 member tell me if this is a true park conservancy, a
6 parks conservancy, or is it again a park conservancy
7 restricted to Nay Aug Park?

8 Also on the capital budget, are there
9 any new police cars in the capital budget for the mayor
10 next year? I know you can't tell me, because the mayor
11 is still delinquent on submitting that budget.

12 Now I'll close by asking for five
13 items, one, that you restrict any approval for a bond
14 until it is known how each and every penny will be
15 appropriated and you agree with the expenditure that
16 each is essential; two, that you add two more health
17 inspectors; three, that you ask PEL to sanction Mayor
18 Doherty for adding back administrative positions they
19 forced Mayor Connors to cut, abuse of consultants and
20 other no-bid professional services; four, that you ask
21 the DECD to sanction PEL for non-performance and to
22 appoint another entity in their place, and, finally,
23 that you declare a moratorium on causes and all manner
24 of tiffs until an independent assessment is made to
25 determine whether benefits outweigh the tax burden

1 shifted to other taxpayers.

2 Include the costs of this analysis in

3 the Council's budget for 2007 and allow the finance

4 committee to select the contractor. Thank you.

5 MS. GATELLI: Thank you. Wayne

6 Phillips.

7 MR. PHILLIPS: Good evening, ladies and

8 gentlemen and City Council. I'm Wayne Phillips,

9 resident and pit bull survivor.

10 Some of this may be repetitive,

11 however, on the 26th of September this year I appeared

12 before this forum. Mr. Spindler has already referenced

13 a newspaper article pertaining to more pit bull attacks

14 in the City of Scranton, and in that article Mrs.

15 Gatelli was quoted at saying, The owner should be fined

16 and it should be the maximum. If the dog bites

17 someone, then they should have to be put down. Mrs.

18 Gatelli, do you stand by these words?

19 MS. GATELLI: Yes, I do.

20 MR. PHILLIPS: Okay. Very good. I've

21 seen the Allentown vicious animal ordinance under

22 consideration by this city. It is a one free bite law.

23 It states when a dog bites someone causing multiple
24 sutures, they may file a complaint with a five member
25 volunteer board who decides whether the animal is
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1 vicious or not.

2 If this law was in effect in Scranton,

3 I would have to say thank God I was also bitten in the

4 leg. The permanent scars on my arm would not be

5 considered a vicious bite because I had no stiches,

6 although I had five in my leg. Now back to the

7 ordinance.

8 If the dog is deemed vicious by the

9 board, the owner has 30 days to provide proof of

10 liability insurance and comply with measures to protect

11 the public. This takes care of the problem after the

12 fact.

13 Why do we need to copy some other

14 city's ordinance? We have talent here to draft such

15 laws. One example ordinance would be, one, Anyone

16 applying for a dog license must provide proof of

17 insurance; number two, anyone not licensing a dog to

18 get around that should pay a stiff fine, such as \$500;

19 number three, any dog that bites a person, whether

20 stiches are required or not, should be considered

21 vicious, any if bodily injury is sustained, it should

22 be put down.

23 If an ordinance or something like this

24 is not feasible, I want to throw my hat in the ring for

25 a seat on the board under your law. I assure you, Mrs.

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1 Gatelli, and the rest of the board, it's easier to have

2 a human put down for beating an animal then to put down

3 an animal for mauling a human. Thank you for your

4 time.

5 MS. GATELLI: Thank you. Anyone else?

6 MR. DAVIDSON: Council, my name is

7 David Dodson, and I'm an opposing taxpaying resident of

8 Scranton, PA.

9 My intent is to address two issues, one

10 is non-profit tax codes. It should be revised and

11 reviewed to preclude evasion of taxes on frivolous

12 grounds.

13 Recently in the news, a non-profit

14 group have expressed interest in certain properties to

15 become tax exempt, an old school, which is fine.

16 Churches, synagogues, hospitals, schools, etc., are

17 legally tax exempt, and that's a reasonable premise
18 under The Constitution of Pennsylvania.
19 However, homes, businesses, should pay
20 taxes similarly as most residents are required. All
21 citizens should be required to pay for police, roads,
22 parks and so forth equally and without discernable
23 discrimination at their fair share, and no loop holes
24 should exist, as was expressed in The Scranton Times
25 articles from New York State communities.

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1 There was a recent article a few weeks
2 ago stated that certain people were declaring their --
3 maybe a house of worship, erect a little shrine around
4 the television set and declare it a religious
5 institution and you'll beat the taxes. So, we could
6 probably look into this hopefully.
7 If it's a living residence, my mother
8 ran a day care center in the early '70s, and to the
9 best of my knowledge, my father paid taxes on the
10 house.
11 Okay. Now, on the no smoking, I'm in
12 reasonable support of banning smoking in restaurants
13 and so forth. I consider it very bad manners to light

14 up. I'm a former smoker that's fallen back a little
15 bit at times, but, okay.
16 But taverns and dance institutions and
17 such should be excluded from any ordinance. And here's
18 a few of my reasons, smokers may be influenced to
19 travel if it's a citywide ban for the right to light up
20 outside of Scranton, which could cause D.U.I. concerns
21 with our citizens, and we don't need to go any further
22 on that when people are drinking and driving. They
23 should have a convenient place to drink in a
24 neighborhood.

25 And smoking outside of the bar, if

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1 people are ducking out for a cigarette, may cause
2 neighborhood disturbances. It has in California.
3 There were serious, serious complaints about people
4 ducking outside a bar and indulging in cigarette
5 smoking, fights, noisy, neighbors being disturbed at
6 odd hours and so forth, and they were, of course,
7 unsupervised by the tavern staff, so the tavern staff
8 had no control over what was going on out there.
9 Entertainers and musicians and tavern
10 employees may suffer losses. Now, in 1983 or '82, we

11 adopted a severe D.U.I. law, and I'm not going to
12 justify it either way, people aren't killing themselves
13 as much, but the venues for entertainers, such as
14 musicians, have gone down drastically.

15 Your typical band in Scranton area may
16 work as little as 20 percent than what they were paid
17 in 1980.

18 Owners of businesses should operate
19 without impunity of excessive regulations, as, yes,
20 they must pay their own bills.

21 Impact cannot be determined before
22 implementation, and it's rarely compensated thereafter,
23 such as the lack of venue for musicians.

24 If it works and there's more work --

25 MR. MINORA: Excuse me, sir. That's

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1 your five minutes.

2 MR. DODSON: Okay. Thank you. Other
3 than police resources will be required and also taxes
4 will have to be paid to enact these.

5 MS. GATELLI: Thank you.

6 MR. FERNANDEZ: Hello. My name is
7 Alina Fernandez, and I'm a freshman student at West

8 Scranton High School.

9 I'm very excited to be a part of the

10 Junior City Council and have the opportunity to witness

11 our government in action.

12 It has recently come to my attention

13 that the City of Scranton is in a multi-million deficit

14 and that Mayor Chris Doherty has recently asked for a

15 \$15 grant.

16 I simply ask the citizens and Council

17 members to maintain an open and honest relationship.

18 In order for any effective decision to be reached we

19 must learn from our past, look to our future and

20 maintain an open mind.

21 We all have one common goal, to improve

22 the City of Scranton. If we all work together, there's

23 nothing that cannot be accomplished.

24 I have faith in our Council and trust

25 that they will lead us in the direction that will serve

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1 Scranton and its citizens to the fullest.

2 That was all I had planned to say

3 today, but throughout the course of the meeting I have

4 some opinions I would like to express.

5 First of all, I believe that you should
6 pass the ban on smoking, and second of all, I do
7 believe that to single out a specific breed would be
8 wrong, and especially by weight or size.

9 I am owner of three large dogs, and I
10 must tell you that they would not harm a fly. And so,
11 to be so general would not be in the best interest of
12 the citizens of Scranton.

13 I believe that it should be up to the
14 owner to be a responsible owner and take care of their
15 dog and responsibilities due to it. Thank you.

16 MS. GATELLI: Thank you.

17 MR. O'DONNELL: Good evening, Council.

18 My name is Paul O'Donnell, and I'm here tonight to talk
19 about my family. We recently sold our family home on
20 North Main Avenue. My parents bought that house over
21 55 years ago.

22 My dad was a member of the Scranton
23 Fire Department for more than 24 years, and he was very
24 instrumental in the union with the fire department and
25 with training.

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1 After he died, my mother was one of the

2 first fire widows to receive a heart and lung award,
3 and she did for the next 32 years.
4 So, since we sold the home, my brother,
5 who's a doctor up in Boston, and I decided that we'd
6 like to make a donation to the firemen's fund. I
7 called today to find out who to make the check out to,
8 and I talked to Kay, and she sent me to the treasury's
9 office, and they sent me to another office.
10 Anyway, five offices later, nobody
11 knows how to make the check out. So, what I did was I
12 wrote a check to the City of Scranton/Firemen's Fund,
13 Scranton Fire Department. And I was hoping someone
14 from the fire department would be able to be here
15 tonight, but I understand they're a little busy.
16 So, I would like to pass that check
17 over to the Council and hoping that the firemen's fund
18 can find a good use for it, okay, in memory of our
19 father.
20 I would also like to say on a related
21 note that on Saturday nights, I work at the Blue Street
22 Cafe, which is a non-smoking bar in Scranton. We have
23 no trouble with our patrons coming in, because it's
24 non-smoking.
25 Those who want to smoke, go outside,

1 I have a cigarette, they come back in. I don't find it
2 to be a problem.

3 And as a second related note, I'm a
4 cancer survivor. I've had five major operations for
5 neck and throat cancer. I'm a non-smoker, never smoked
6 in my life.

7 So, to the young man that talked about
8 non-smoking or secondhand smoke, he's looking at one
9 that survived. So, I hope that you do consider a
10 smoking ban.

11 So, again, thanks, and both my brother
12 and I are real honored to present this check to City
13 Council. Thank you very much.

14 MS. GATELLI: Thank you.

15 MR. BUDZINSKI: Fred Budzinski, Jermyn
16 Apartments. I wasn't going to be here tonight. It
17 stopped raining, so I walked.

18 It seems those benches are coming to
19 town by Lamar Advertising. The first one of them
20 styles is down by Bon-Ton's. The benches are a little
21 longer and it's got a canopy. And from what I heard,
22 within a couple weeks there will be benches coming to

23 Wyoming Avenue.

24 Now, I said when I started this,

25 Theresa told me to get donations. Well, anyway, I have

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1 \$154 in this envelope for Saint Joseph's Children

2 Hospital. A few gave two, a couple gave three, and two

3 people gave five, and Mr. Kaminski offered ten, but I

4 gave him money back. I said, Just give a dollar, so I

5 felt I shortchanged him \$9.

6 So, I have no way of getting to Saint

7 Joseph's, so I would like to give this envelope to, if

8 I may, with her permission, Mrs. Evans, because she

9 lives a couple blocks from there and let her turn the

10 money over. Is that all right with you?

11 MS. EVANS: Yes, that's fine. I'd be

12 very proud to present that from you, Fred. Thank you.

13 MR. BUDZINSKI: Now, I've been

14 following in the newspaper every day and keeping

15 records on properties being sold, transactions. Now,

16 in today's paper there's 21 properties being sold, 19

17 of them are being sold outside of Scranton, and only

18 two in the City of Scranton.

19 And this is the way it's been going

20 every day week to week. And, in fact, three of them,
21 four of them properties are in Old Forge of a
22 population of 78,000. And I surmise at this rate the
23 population of Scranton -- roughly today I figured about
24 68 and \$69,000.

25 So, if you're going to vote on a \$15

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1 loan for the mayor, I would suggest try and lower that
2 a little more, because otherwise you are going to see
3 this property transaction will keep going on. Thank
4 you.

5 MS. GATELLI: Thank you.

6 MR. SLEDZINSKI: Bring it down, Bill?

7 MS. EVANS: Hey, Chris,

8 congratulations. You won your playoff game.

9 MR. SLEDZINSKI: Thank you. I

10 appreciate it.

11 MS. EVANS: You're welcome.

12 MR. SLEDZINSKI: Well, tomorrow night,

13 Bill, a big win tomorrow night, Billy. What do you

14 think, Bill? Win or loss tomorrow, Bill. What do you

15 think?

16 MR. COURTRIGHT: We're going to win,

17 Chris. We're going to win.

18 MR. SLEDZINSKI: Remember one thing,

19 Billy, West is best and it's still the best in the City

20 of Scranton right now. West is number one on my list,

21 Bill. Good luck tomorrow, boys.

22 MR. COURTRIGHT: Thanks, Chris.

23 MS. GATELLI: And we get out early.

24 MS. EVANS: Wow.

25 MR. SPOHRER: Hi. My name is Frank

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1 Spohrer, and I'm a resident of Scranton, a proud

2 resident of the City of Scranton. Before me I have

3 papers that I have dozens of, but I've only brought one

4 before you.

5 This one states that we borrowed

6 \$10,000 in the year 1866. From the year 1886, it took

7 us to 1893 in order to pay it back.

8 I really don't know which way this vote

9 is going, and honestly, like I said, I'm just a proud

10 resident. But I brought before you people the proof

11 with all the signatures, just like -- because two of my

12 family members hang on these walls in your chambers.

13 Not so much that, as I just don't want

14 to see us get involved in something that it's going to
15 take the next 20-something years to pay back. It's
16 just crazy. It's \$15 million. It's a lot of money.
17 If it took us seven years to pay back
18 \$10,000 in 1886, where are we going with this? I mean,
19 this is -- I have dozens of these. I just happen to be
20 the proud heir of these things, whatever.
21 I came to basically say that if there
22 was some way that we could get grants or whatever like
23 we did when Kevin was here, I don't know however we got
24 money, you know, it's just -- I guess I'm here to
25 plead, plead with you all to say, you know, if there's
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1 any way that we can, you know, get this money
2 accumulated through some other sources, through
3 matching funds, anything like that, that would be so
4 much better, really, Mrs. Gatelli.
5 Basically I'm not a speaker, so I came
6 up here, and I'm going to bring this up to you. I want
7 you all to sit. I have dozens of them, so basically --
8 here you go, Mrs. Gatelli. Thank you so much.
9 MS. GATELLI: Thank you.
10 MR. SPOHRER: And, again, I just wanted

11 to say thank you, and I just -- I think you're all
12 doing a good job, and I really appreciate you getting
13 hammered every week. You know, I'm within 30 seconds
14 of this place. So, you know, I just, I mean, I see
15 what goes on here week in and week out. I'm not here
16 to hammer any nails, Mr. McGoff. Thank you so much for
17 your time. And, Mrs. Gatelli, Mrs. Evans, you know me
18 from a shopping cart. Thank you.

19 MS. GATELLI: Thank you. Maybe these
20 are worth money and we can sell them to raise some
21 funds.

22 MR. GOWARTY: Council, thank you for
23 giving me the opportunity to come up here and speak
24 tonight.

25 The reason why I'm here is because of a

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1 situation that happened in the last few days with a
2 gentleman getting attacked but the pit bulls, and it
3 was -- the person was actually talking tonight about
4 pit bulls, or it seems like they're the only dogs that
5 are doing the attacking.

6 It's not just pit bulls. It's small

7 dogs, large dogs, you name it. They're all different

8 types of breeds, mixed breeds.

9 The one that attacked my wife was a

10 mixed breed. It was a mixed Rotweiller German Shepard

11 mix. It was a very large dog. Small dogs, you hear

12 about small dogs biting other people and stuff like

13 that.

14 But just this weekend again my neighbor

15 was chased by a dog or attacked by a dog, I don't know

16 exactly what happened, but I'd like to thank Sean

17 Lavollo and the two officers that came to the situation

18 that happened.

19 The dog previously within the last few

20 days before that bit a child, and Sean Lavollo and the

21 two police officers took this dog into custody in a

22 cage, and this dog also was a mixed breed.

23 The only thing I know you're trying to

24 pass a law with certain dogs and stuff like that, a lot

25 of people think trying to keep a dog in a fence not

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1 leashed up, it's not the dogs. The dogs aren't to

2 blame, it's the owners. The owners, how long does it

3 take for an owner to bend down and put a leash on a

4 dog?

5 Other than that, you can have the best
6 laws in the world, but you also have to have the police
7 officers and the staff to enforce the laws.
8 I just have one question, and I don't
9 know who would be able to answer it, how many animal
10 control officers do we have in this town?

11 MS. EVANS: One.

12 MR. GOWARTY: How many animals are in
13 the town?

14 MS. EVANS: Countless.

15 MR. GOWARTY: Countless. I mean, not
16 only are we shorthanded on police, we're also
17 shorthanded on animal control officers.

18 I know Sean Lavollo, he's been to my
19 house a couple times because I had problems with
20 rodents and different possums and stuff like that.

21 He's a great guy. I know he's very busy, and Sean
22 just can't be everywhere.

23 I don't know if there's any plans on --
24 even though passing this law, is there any plans on
25 getting more animal control officers, not only that,

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1 and also police?

2 I spoke here about two weeks ago about
3 the situation that happened with my wife and my
4 children, and I kind of asked or requested more police
5 on the streets. And has anything since then happened
6 or --

7 MS. GATELLI: No, but this Council
8 requested \$300,000 in block grant funds for next year
9 for additional beat officers.

10 MR. GOWARTY: Okay.

11 MS. GATELLI: And it was approved, so
12 we're happy about that. And sir, before you leave, we
13 need your name.

14 MR. GOWARTY: My name is Michael
15 Gowarty.

16 MS. GATELLI: Michael Ward?

17 MR. GOWARTY: G-O-W-A-R-T-Y.

18 MS. GATELLI: Gowarty. Thank you.

19 MR. GOWARTY: Thank you.

20 MR. MCGOVERN: How you doing, City
21 Council? I want to address the smoking issue tonight.
22 Mr. Courtright, you were quoted in the newspaper --

23 MS. GATELLI: Can we have your name,
24 sir?

25 MR. MCGOVERN: Daniel McGovern.

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1 MS. GATELLI: Thank you.

2 MR. MCGOVERN: You were quoted in the
3 newspaper as saying you had been contacted by some bar
4 owners.

5 MR. COURTRIGHT: Yeah.

6 MR. MCGOVERN: I have concerns with
7 that. Do you have the names of those bars?

8 MR. COURTRIGHT: No, I don't.

9 MR. MCGOVERN: No? Okay. And, Mrs.
10 Fanucci, last week at the Council meeting you stated
11 that there are bars and restaurants that already have a
12 no smoking ban.

13 MS. NEALON FANUCCI: Yes.

14 MR. MCGOVERN: So, I don't see the
15 problem here. I mean, why is it that you were
16 attacking the business owners and infringing on their
17 freedoms?

18 MS. NEALON FANUCCI: Is this a
19 question?

20 MR. MCGOVERN: Yes.

21 MS. NEALON FANUCCI: I'm certainly not
22 attacking any business owners or infringing on anyone's

23 freedoms, so --

24 MR. MCGOVERN: Well, as a veteran of
25 the U.S. Navy for eight years, I was very disappointed

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1 on the outcome of the personnel at the Veteran's Day
2 memorial service last Friday. Mrs. Gatelli, I saw you
3 there. And these are the same people that are going to
4 be making laws that are infringing upon our freedoms,
5 when you can't even have the courage and the decency to
6 show up and take a half an hour out of your busy
7 schedule.

8 MS. NEALON FANUCCI: Sir, I was -- it
9 was not intentional that I did not show up. I was at a
10 doctor's appointment, but does -- I'm a little confused
11 on the analogy.

12 MR. MCGOVERN: These are the same
13 people that fight around the world for freedom and
14 democracy.

15 MS. NEALON FANUCCI: And I certainly
16 appreciate everything that they do every step of the
17 way. I am very proud, and I absolutely am
18 appreciative. What does that have to do with the
19 smoking?

20 MR. MCGOVERN: These people are trying

21 to uphold, you were trying to knock down.

22 MS. NEALON FANUCCI: Okay. Now I see.

23 Okay.

24 MR. MCGOVERN: It's not about the

25 smoking. It's the right to the business owners.

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1 MR. COURTRIGHT: Sir, what was your

2 first name again?

3 MR. MCGOVERN: Daniel.

4 MR. COURTRIGHT: Daniel, I was going to

5 wait until it was my turn to speak, but I have some

6 questions on the smoking ban, and I was going to leave

7 them to Mr. Minora to interpret, but in here there's

8 exceptions made for private clubs --

9 MS. NEALON FANUCCI: And bars.

10 MR. COURTRIGHT: And it says, yeah,

11 bars, in a drinking establishment provided that all of

12 the following conditions are satisfied. And there's a

13 whole host of conditions.

14 But basically if they apply for an

15 exception, they would receive it. And I don't -- I'll

16 wait again until it's my turn to speak and I'll ask Mr.

17 Minora the questions that I had and then I will ask him
18 at a later date to give me the answers, but my
19 understanding so far, and, again, I'm not a lawyer, is
20 that there's exceptions for, like, bars. I read it as
21 being corner bars more or less, and I'll leave that to
22 Mr. Minora to interpret it.

23 MS. NEALON FANUCCI: Actually I would
24 like to speak on that, if I may. Is it okay, Mrs.
25 Gatelli?

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1 MS. GATELLI: Yes.

2 MS. NEALON FANUCCI: I've been working
3 with Michael Nutter, who is the person in Philadelphia
4 who provided this ordinance who was very inclined to
5 work with the bars and restaurants.

6 He, in fact, held many meetings with
7 them to make sure that this was fair for them and that
8 they were represented, because he believes, as I do,
9 that economic development is very, very important to
10 our city.

11 I in no way am trying infringe on any
12 bar or restaurant of people's rights, rights to smoke
13 or rights not to smoke.

14 Right to clean air is very important,
15 as well as the right to smoke. That is what this is
16 about, but the bars and restaurants do have the option.
17 Certain bars, if your 80 percent sales
18 of alcohol, I believe it's 80, is that it, Amil? I
19 believe we said 80 percent, they can apply for a
20 variance.

21 I do feel bad that you felt that this
22 was an infringing on the rights and that this was not
23 appreciative of the Veterans that fought for my
24 freedom, but that certainly was not the case. This is
25 for everyone in the City of Scranton, and we do
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1 appreciate everything you've done.

2 MR. MCGOVERN: Well, thank you for your
3 time. I just wanted to address the smoking ban.

4 MS. GATELLI: Thank you.

5 MS. KRAKE: Good evening, Council. My
6 name is Nancy Krake. This year the mayor's 2007
7 budget, I'd like to address some issues that I have
8 with that.

9 He has one year of five percent salary
10 reductions after five years of \$5 million in salary

11 increases. This pales in comparison with a 30 percent
12 increase in property tax he would like the citizens of
13 Scranton to pay.
14 The salary cuts are a paltry one
15 quarter of one percent of the total budget. This is
16 hardly the deep cuts that Council was looking for.
17 The Scranton Times said people will be
18 paying approximately \$55 more. Very, very misleading.
19 We took three examples today of city residents and came
20 up with \$155 on the low end, \$343 in the middle, and
21 over \$600 going up.
22 If you'd like to know the answer to
23 Andy Sbaraglia's question, since I hope Council will be
24 reading the mayor's budget, and there will be people
25 who will probably vote for it anyway, it's on, I
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1 believe, page 3 is the millage where it's broken down
2 into land improvement.
3 Since '99, I believe, it's been .0822
4 for land, was raised to .103145, that's what you would
5 multiply it by to get the tax, the assessed value.
6 The improvements were .017861. That's
7 raised to .022432. Hopefully these figures will not

8 change. There is no reason at all that these taxes
9 need to be raised. In fact, it's shameful that this
10 Council does this to the average taxpayer. There are
11 lists and lists of revenue ideas that could easily
12 equal the property tax increase.
13 The other issue I have with this budget
14 so far is on Page 6. I actually asked the business
15 administrator's office today what this was. The
16 business administrator was not in. They told me to ask
17 the mayor. I prefer to ask Council. What is the
18 municipal revenue service that is taking the place of
19 delinquent real estate tax?

20 MS. EVANS: Mrs. Krake, if I might, I'm
21 assuming that this is the company to which the mayor
22 would like to sell our delinquent property taxes.

23 MS. KRAKE: And this is a budget. I
24 don't recall, but has it been put out for RFP or has
25 there been an ordinance? I don't recall seeing that.

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1 MS. EVANS: I don't believe so. The
2 first time I can say that I became aware of this
3 potential sale was during a caucus meeting during which
4 the mayor responded to a question I had posed, what new

5 revenue sources will you pursue, and his response was
6 that he intended to sell delinquent property taxes as a
7 package for, I believe, a price of \$2.5 million.

8 MS. KRAKE: Well, I hope he doesn't
9 treat this the same way he treated the payroll system,
10 just arbitrarily and unilaterally took it upon himself
11 to take in a company that was absolutely not needed,
12 that was for payroll.

13 And whether this brings in more revenue
14 than our normal way of collecting revenue is another
15 issue. I can't believe that it would be included in
16 the budget without consulting Council and the citizens
17 of Scranton.

18 MR. COURTRIGHT: Mrs. Gatelli, may I?

19 MS. GATELLI: Yes.

20 MR. COURTRIGHT: Could you hold it -- I
21 don't want to take her time up. Before we got the
22 budget, I had asked Kay at some point in time if we
23 could ask the business administrator who the company
24 was, what they were paying, you know, what the deal
25 was. We haven't received that information, have we,

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1 Kay?

2 MS. GARVEY: No. I was going to ask
3 him today when I made the phone calls for the other
4 questions and he wasn't in.

5 MR. COURTRIGHT: Kay had an awful lot
6 to do this week, so I had asked that question before I
7 received the budget, who the company is, what they're
8 willing to pay, what we're going to make out of it.

9 MS. EVANS: Actually it is in the
10 budget.

11 MR. COURTRIGHT: I haven't had an
12 opportunity to look at it.

13 MS. EVANS: It's in the budget under
14 miscellaneous revenues, cable TV Page 6, and there is
15 an addendum, Letter A, which is explained at the bottom
16 of the page, \$3,657,174, a very specific amount, I
17 might add --

18 MS. KRAKE: Exactly.

19 MS. EVANS: -- to be received from
20 municipal revenue service in 2007. Now, I'm very sure
21 that's not come before Council, but I am a bit confused
22 on the figures that are floating about, in that, you
23 know, the mayor said \$2.5. I believe the newspaper
24 quotes \$2 million, and the budget includes \$3.6, which
25 --

1 MS. KRAKE: So it's a combination. And
2 still, though, they were able to determine a specific
3 amount. So, someone has to be in contact with the
4 company without ever asking if this is who we want.

5 MS. EVANS: Some are being sold now, so
6 is that money being used for 2006 or 2007? I wasn't
7 aware that anything was being sold.

8 MR. COURTRIGHT: Yeah, I thought we
9 were just looking at that. It started already? Oh, I
10 thought you said it was already --

11 MS. GATELLI: I don't know. I think it
12 just ended.

13 MR. COURTRIGHT: I thought you said it
14 was already --

15 MS. EVANS: Right. Some are being sold
16 and some are future sales. I mean, from what I
17 understand, this will occur hopefully in 2007, but
18 there are, in fact, other revenue sources, I think,
19 that have crossed the table between at least the
20 administration and PEL, but for whatever reason, no
21 further action was taken on it, and that involves the
22 possible tax receivable sale of delinquent property and

23 a potential sale of the worker's compensation pool

24 claims and related assets.

25 So, obviously there are ideas, but I

.

74

1 can't explain to you, because I'm not a participant in

2 those meetings why all action ceased.

3 MS. KRAKE: Even if Council is able to

4 determine the exact nature of this and so on. I would

5 be very careful, seeing that the track record from NCC

6 for once again beating up the basic taxpayer for --

7 MR. MINORA: Mrs. Krake, that's your

8 nine minutes.

9 MS. KRAKE: I'm sorry. I apologize.

10 MS. EVANS: I'm sorry for having eaten

11 your time.

12 MR. COURTRIGHT: Could I ask a

13 question? Is it NCC? Did we say it was them or --

14 MS. EVANS: No, no, no.

15 MS. KRAKE: I would just hope that we

16 wouldn't do a repeat of --

17 MS. GATELLI: But Kay is going to find

18 out.

19 MS. KRAKE: -- NCC, which just --

20 MR. COURTRIGHT: Oh, all right.

21 MS. GATELLI: Mrs. Garvey will find

22 that out.

23 MS. GARVEY: What am I finding out,

24 just the company?

25 MS. GATELLI: The company and if it was

.

75

1 bid or whatever.

2 MR. COURTRIGHT: And what kind of

3 payment we're getting for these, maybe the percentage.

4 MS. GATELLI: Maybe Attorney Minora you

5 can ask, too.

6 MR. MINORA: Okay.

7 MR. COURTRIGHT: Mrs. Garvey is taking

8 her vacation.

9 MR. ANCHERANI: Good evening. Nelson

10 Ancherani, resident, taxpayer, city employee and

11 financial secretary of the FOP exercising my First

12 Amendment Rights.

13 Well, the budget was presented to

14 Council, \$77,400,000. That's 2,704,455 increase over

15 2006. It's a record budget. The increase was

16 predictable. Some cuts employees total \$157,000,

17 capital spending cut, \$1 million, \$30,000 consultant

18 Penn Northeast for a decrease of \$1,187,000.

19 There were two OECD positions that

20 totalled \$66,085. They're non-additions to the budget.

21 So, the budget was increased by \$2,704,455. We

22 decreased it with that \$1,187,000. So, there was an

23 increase of \$1,517,455.

24 From 2002 to 2006 with revenue taxes

25 and loans, the city took in \$416 million. That's

76

1 including the \$8 million deficit. They spent that to

2 get that.

3 \$77,400,000 for the 2007 budget.

4 That's \$493,400,000. All we need now to do is pass a

5 \$15 million loan. I'm not advocating that.

6 Add that to it, we get \$508,400,000

7 that comes into the city from 2000 to 2007, half a

8 billion dollars. Now, there's a record.

9 Mrs. Fanucci, last week you talked

10 about health care costs going up, and then you

11 addressed me from the Council chair as I stood in the

12 back of Council chambers.

13 I was disagreeing with you because you

14 didn't say why they increased. They increased because
15 the mayor fired Sara Packard from Millenium Health
16 Care. She saved us \$5 million, straightened out the
17 health care. I have to ask why would anyone fire
18 someone that did a good job and saved the city
19 millions?
20 Additionally, 100 city employees were
21 forced out of this city with full benefits for their
22 families. The mayor forced them out, and 100 new
23 replacements were hired with full benefits.

24 The mayor when asked if he fired her
25 from this podium, he said something like, Oh, yeah, we
.
77

1 fired her, we fired her.
2 What he never did was he never said
3 why. I'll tell you why, if they kept her on and she
4 saved money, how would the city justify being
5 distressed?
6 Along with that, don't forget that the
7 city didn't enact a \$52 job tax that would have brought
8 in \$2.1 million in 2005. The mayor didn't want that, I
9 believe, for the same reason.
10 Now for the editorial in the paper,

11 quote, Show must go on, but freaks should hit the road,

12 end quote. This is authored by Chris Kelly The

13 Times-Tribune columnist.

14 Kelly should be ashamed of himself. He

15 is calling people freaks. He's doing what he is

16 accusing the Council speakers of, a poisonous

17 atmosphere, but poisonous atmosphere, but this time

18 it's the paper.

19 Someone on the website thanked the

20 paper for the priceless publicity that the paper is

21 giving the small group of freaks, as Kelly calls them.

22 I wish to thank the paper also for the

23 publicity given to the Legion of Doom. This small

24 group of people, The Legion, is getting pounced on by a

25 giant, the Shamrock alliance, but yet this small group

.

78

1 of nobodies keeps marching on.

2 Call us what you want. Millions of

3 brave Americans fought on many battle fields so that we

4 could be able to say and enjoy saying our first

5 amendment rights of free speech.

6 Paper, you won't take that away from

7 us. You make us stronger. Keep calling us names.

8 It's shows how small a giant can be and how big a small

9 group the Legion of Doom is. Thank you.

10 MS. GATELLI: Thank you. Anyone else?

11 MS. GILBERT: Hello. I'm Amy Gilbert.

12 I'm a sophomore at West Scranton High School. I feel

13 there should be a ban on smoking in public places.

14 I come from a large family, and out of

15 my whole family, I only have one sister that smokes.

16 We go out to eat a lot in restaurants. When we go, we

17 sit down in non-smoking areas because we don't want to

18 inhale smoke.

19 If my sister can sit through one meal

20 without smoking a cigarette, I feel others should be

21 able to, too. I'm still a young kid, I like to play a

22 lot of sports. I don't want to harm my body.

23 Secondhand smoking affects the

24 cardiovascular systems and causes lung cancer.

25 Children exposed to secondhand smoke are at an

.

79

1 increased risk to sudden infant death syndrome,

2 respiratory infection, air problems and asthma.

3 Scientific evidence indicates that

4 there is no safe level of exposure to secondhand

5 smoking, so please pass the ban on smoking in public

6 places. Thank you for your time.

7 MS. GATELLI: Thank you.

8 MR. ELMAN: A real Missouri toad

9 springer out there before, wasn't it? North Main

10 Avenue is all flooded where the Corps of Engineers did

11 such a great job.

12 You know, this past year I've bet I've

13 talked to 200, 300 people. I just can't get over it.

14 You people just keep -- I don't mean to hammer at you,

15 but you keep making the same mistakes over and over

16 again, and the city isn't happy with anything.

17 You know, the mayor is up here --

18 pardon? The mayor was on 22. And I phoned in. They

19 wouldn't let me talk to him. You know, that's

20 censorship. And I talked to some other people in here

21 that phoned and they know our names and they didn't get

22 to talk to him.

23 He doesn't want to hear anything

24 adverse, I guess. And I think -- again, I'm saying why

25 can't we have a phone in and rate the performance of

.

80

1 Council and the performance of the mayor and settle it

2 one way or another and then you can start off on a new
3 sheet of paper.

4 You know, I might be wrong. I eat my
5 words. I don't know. I don't think I am after 200 or
6 300 people say the same thing to me continuously.

7 And next was about the parking permits.

8 You wouldn't believe how many people came up to me, I
9 don't know, 15 people or so this week and said this
10 isn't a fair situation not being able to park there
11 when people have garages in the back they're not using.

12 And I told you, I know personally some
13 of my friends have rented garages in that area for
14 their antique cars and all. It's just the streets
15 ought to be able to park a legal car. And there's a
16 simple solution. The whole Hill Section is just full
17 of empty lots. Use them for off street municipal
18 parking, because some of them are too small to build
19 on. Let the Parking Authority Charge our, you know,
20 run it. I know that would work. You know, look at how
21 many lots there are just around the hospital that are
22 vacant.

23 And lastly, or not lastly, but this
24 little weasel here, Kelly, this was in bad taste. You
25 know, that's what I think of him. You know, I can't be

.

81

1 sued for calling him a weasel. He called us a freak.

2 These are people out here that pay

3 taxes and want to say something, and right here he said

4 we ought to have the right to speak, but he doesn't

5 want these people to speak.

6 You know, if he was any good, I don't

7 think he would be working for a last rate newspaper

8 like he is.

9 I wish to thank Mr. Austin Burke for

10 pulling his head out of the sand finally and informing

11 the city that the average wage is \$15 an hour. I know

12 that's got to be big news to 20, 30,000 people around

13 here.

14 You know, this city would survive

15 because of people like these out here and people

16 watching on television.

17 It's just so hard to make a living and

18 pay bills and then half the city is probably retired

19 and the school board doesn't take that into

20 consideration, and you people don't seem to take it

21 into consideration sometimes, and right now the school

22 board's just an inch away from having a thousand little

23 extra kiddies come in if they close the Catholic school

24 system. What would that do to us at \$10,000 a child?

25 Tuesday at the taxpayers meeting I said

.

82

1 maybe we can have a volunteer way to shore up the

2 Catholic schools by letting some children that want to

3 go over go and we'll pay them \$4,000 to take them.

4 That saves \$6,000 a child, you know. It would work.

5 I've talked to, I don't know, six,

6 eight people that, you know, are knowledgeable in those

7 things. But something's got to be done. We can't

8 afford to have a thousand kids drop into the school

9 system. It'll just ruin the tax base here. It's

10 already terrible.

11 I was thinking about running against

12 Mr. Minora over there when the elections come up,

13 because I stated Holiday Inn, and even though I'm not

14 an attorney, I know all about it now.

15 MR. MINORA: Five minutes.

16 MS. FRANUS: Fay Franus, Scranton.

17 Mrs. Fanucci, I never thought I'd be saying this, but,

18 boy, I tell you, I give you credit, I really do. Why?

19 Because you're honest. You're telling the people how

20 you really feel. You actually say you want this or you
21 want that and you don't really care what other people
22 think and you're going to do what you think is right,
23 which is honest, and I give you credit for that.

24 If the mayor wants something and you
25 want it, and you're going to say, I don't care. If I

83

1 think it's right, I'm going to do it. I congratulate
2 you for that, I really do.

3 Unlike you, Mrs. Gatelli, who say I'm
4 for the people and then you say I'm for the mayor.
5 You, on the other hand, are not honest.

6 You were saying one thing to one person
7 and one thing to another to try to get popularity
8 contest or whatever, but you're representing the people
9 that elected you. We're paying you, and your \$625, to
10 me, is grandstanding.

11 When somebody wants to do something
12 good, they don't have to broadcast it all over the
13 paper and all over, here's my check. Do it without
14 anybody knowing about it if you really care.

15 And who are you to speak for the other
16 ones? You're putting them on the spot. Maybe they

17 can't afford it, maybe for whatever reason. So you're
18 saying, I'm going to give my money. So, how do you
19 think they feel? Grandstanding, grandstanding,
20 grandstanding.

21 And as far as this loan goes, if you
22 really care about the people that you claim to care
23 about, you'll say no to any amount. I'm sure you won't
24 vote for \$15 million. You'll come down and say I'm the
25 hero again, and everybody in the city will say, Oh,

84

1 Judy lowered it from \$15 million to whatever, four,
2 whatever, so she's wonderful. No, she's not wonderful,
3 because she's selling you right down the river.

4 Now, maybe you're in a financial
5 situation where you can pay all these bills. We can't.
6 90 percent of the people in the City of Scranton cannot
7 pay this. Many of them will be moving out because of
8 you, because of you. You have a deciding vote up here.

9 Now, you can commit political suicide
10 here. If you vote for this, any borrowing whatsoever,
11 you can kiss your career goodbye, out the window,
12 goodbye. So, I hope it's worth it for you, because I
13 know what you're going to do. If you say no to

14 anything, then you have the people, otherwise say

15 goodbye.

16 Now, I'm here -- Mrs. Evans is head of

17 the finance committee. How come you never listen to

18 her suggestions how to save money for the city? She

19 says thousands of things up there and she gives you all

20 different ways to do it, one ear, out the other.

21 She's brilliant. Not one thing is

22 taken into consideration from what she's suggesting how

23 to cut money in the city. She's head of the finance.

24 Is that just a token chairmanship just to give her

25 something?

.

85

1 Why give her something and not let her

2 use it, implement it? Why not listen to her

3 suggestions? Why did you put her there if you're not

4 going to listen to what she suggests?

5 She has some pretty good ideas and

6 nobody listened to one of them, not one of them. Maybe

7 if you did you wouldn't be in this position you are

8 today. She's for the people.

9 And I still want an answer to my

10 question from last week. Just like Mrs. Evans said

11 tonight, she and Mr. Courtright wasn't aware of certain
12 information. Again, they were not included.
13 So, when I'm done speaking, I want to
14 know how come Mrs. Evans -- when that litigation is
15 done, how come Mrs. Evans and Mr. Courtright weren't
16 told until 6:20 last week about the appointment of Mr.
17 McGoff? I want an answer. Because there's no excuse.
18 I don't want to hear anything about
19 they knew. You knew and Mrs. Fanucci knew. They
20 didn't know and they should have.
21 They're part of Council. You say work
22 together. Well, why don't you start working together?
23 Talk is cheap.
24 Is there a switch under your thing,
25 Mrs. Gatelli?
.

86

1 MS. GATELLI: Yes. It's only for the
2 people at the podium. It's not for other Council
3 members.

4 MS. FRANUS: Is that true? Why would
5 it be for people at the podium? Are you trying to
6 silence us?

7 MS. GATELLI: If they're out of order.

8 MS. FRANUS: Who gets to say we're out
9 of order? If you think I said something that's out of
10 order and it really isn't but you think it is, you can
11 turn the switch off then?

12 MS. NEALON FANUCCI: She's never done
13 it before.

14 MS. FRANUS: Who decides?

15 MS. GATELLI: It's always been here.

16 MS. FRANUS: Have you used it?

17 MS. GATELLI: No, I haven't.

18 MS. FRANUS: Then why have it? Did you
19 just get it installed? No? Anyway, where is the
20 answer to my question as to why Mrs. Evans and Mr.
21 Courtright didn't know? That's a question.

22 MS. GATELLI: You'll have to look in
23 the lawsuit to find that out.

24 MS. FRANUS: No, I'm asking you. What
25 do you mean in the law?

.

87

1 MS. GATELLI: I'm not answering,
2 because you don't believe me anyway.

3 MS. FRANUS: Try giving me a reason. I
4 asked for a reason. I want an answer.

5 MS. GATELLI: Everyone knew we were
6 voting. We were ready to vote for a person. It wasn't
7 Mr. McGoff. It was someone else.

8 MS. EVANS: But Mrs. Evans said she
9 wasn't told until 6:20 that night. Why not?

10 MS. GATELLI: I don't even think I told
11 her at 6:20.

12 MS. FRANUS: She's part of this
13 Council. Why wouldn't they know?

14 MS. GATELLI: There's lots of things I
15 don't know either, Mrs. Franus, lots of things.

16 MS. FRANUS: But that's not answering
17 my question. Why didn't they know about the important
18 vote, very, very important vote that night?

19 MS. GATELLI: They should have known.

20 MS. FRANUS: Well, how come you didn't
21 tell them? You knew. Why didn't you inform them?

22 That's a simple question.

23 MS. GATELLI: They knew.

24 MS. FRANUS: Mrs. Evans said she didn't
25 know.

.

88

1 MS. GATELLI: Well, you take her word

2 for it with my word.

3 MS. FRANUS: Pardon me?

4 MS. GATELLI: You can take her word

5 with my word.

6 MS. FRANUS: Well, I'm certainly not

7 going to take your word over her word.

8 MS. GATELLI: Well, I didn't think so.

9 MR. MINORA: That's five minutes.

10 MS. FRANUS: Thank you.

11 MS. GARVEY: 5-A, motions.

12 MS. GATELLI: Well, that was

13 appropriate for the grand finale. Mrs. Evans.

14 MS. EVANS: I would just like to

15 briefly --

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

17 sorry. You can't speak after public speaking is over.

18 Thank you.

19 MS. EVANS: Good evening. I'd like to

20 wish everyone a very safe and Happy Thanksgiving, and

21 I'm going to begin with a few citizens' requests for

22 the week.

23 Mrs. Gatelli, the public has rarely had

24 access to Scranton Redevelopment Authority meetings,

25 unlike the zoning board and the planning commission,

1 and even very often the Sewer Authority meetings.

2 I've not seen Mr. Shane since possibly

3 2005, so I would like a public caucus meeting with Mr.

4 Shane, executive director of the SRA, and any board

5 members who can attend to discuss the lease back

6 agreement that was mentioned earlier this evening and

7 grant programs to recondemn program for sale and place

8 them on the tax rolls.

9 MS. GATELLI: Is that a motion?

10 MS. EVANS: No. I was just asking.

11 MS. GATELLI: Ozzie Quinn and I are

12 meeting on December 5 with the SRA board and I'll ask

13 him then if they will come.

14 MS. EVANS: Thank you.

15 MS. GATELLI: But they are televised,

16 the SRA meetings.

17 MS. EVANS: I haven't seen them.

18 MS. GATELLI: Oh, yes.

19 MS. EVANS: Well, I'll have to catch

20 that.

21 MS. GATELLI: They're televised. I

22 don't know what night, but if you would like me to find

23 out, I will.

24 MS. EVANS: Please.

25 MS. GATELLI: Because they are

.

90

1 televised.

2 MS. EVANS: Next, contact Attorney

3 Farrell regarding the purchase of 439, 441 Tenth

4 Avenue. I would also like a written update on the

5 progress of this purchase.

6 This taxpayer paid \$250 for an

7 appraisal and application fee in September or October

8 of 2005. He was contacted by the law office well over

9 a month ago, but he's heard nothing since. He wishes

10 to purchase this property.

11 If the city continues to ignore this

12 purchase, which would put this property back on the tax

13 rolls, then I believe the law office should return his

14 \$250.

15 And in addition, we received a letter

16 tonight from a citizen who also was interested in

17 purchasing a piece of property in The Plot, and he has

18 since removed his bid because he's made call after call

19 after call to that office to receive answers, and none

20 of his calls were returned.

21 I really think, you know, considering

22 the financial situation we find ourselves in, we should

23 not be so ready to lose potential sales of property.

24 A letter to Mr. McMullen, please

25 provide a written response by November 29 explaining

91

1 why a no parking sign has not been installed on

2 Division Street right off the corner of the 300-block

3 of 16th Avenue and Division Street, and at the ben on

4 Mountain Lake Road in East Mountain. Both locations

5 are currently safety hazards.

6 The corner of Wyoming venue and

7 Woodlawn Streets. Residents report that a manhole

8 cover is loose and presents a safety hazard to

9 pedestrians.

10 Residents of Woodlawn Street request

11 the installation of signs on the islands which prohibit

12 dog waste.

13 Neighbors in the 2200 block of Wyoming

14 Avenue request the installation of a streetlight.

15 Eight months ago three poles in the block were

16 inspected, but the residents have seen no progress

17 since. Please send an update including the decision
18 whether or not to install a streetlight.
19 A letter to Mr. Parker, please send a
20 report to City Council regarding North Cameron Avenue
21 by November 29, 2006, what short-term solution has been
22 implemented, what long-term solution is in the works,
23 and I will before I leave this evening give you one
24 photo to send along with that.

25 Attorney Minora is not here, and I do
.

92

1 have two questions for him. Oh, perfect timing.

2 MR. MINORA: What can I do for you?

3 MS. EVANS: What is the progress on the

4 legislation to levy an entertainment tax?

5 MR. MINORA: As I understood it, and I

6 think I mentioned this last week, because I thought

7 that was coming down with the budget, and when I last

8 spoke with Attorney Farrell, that was going to be one

9 of the revenue items and that was going to come down

10 with legislation from his office.

11 If it doesn't, as I said, as I said, I

12 can put together an ordinance that would exact an

13 amusement tax.

14 MS. EVANS: I've only been able to very
15 briefly skim the budget, but I did not notice the
16 inclusion of an entertainment tax. I could be wrong,
17 but I did not notice.

18 However, my concern is that legislation
19 to levy such may indeed need to be passed prior to
20 passing the budget so that it can be actually added
21 into a budget.

22 MR. MINORA: All right. I thought all
23 of the --

24 MS. EVANS: They are brought before us
25 in January, but this is a new tax. Those that, you
.

93

1 know, we'll consider in January are the longstanding
2 taxes.

3 MR. MINORA: What if I talk to you
4 after the meeting? And as I've said, I've already
5 looked into it starting last June, so --

6 MS. EVANS: Yes, it's --

7 MR. MINORA: I'm prepared to make an
8 ordinance up, if that's what needs to be done.

9 MS. EVANS: Very good. I would say we
10 should do that as a safety net in the event that it's

11 not forthcoming from the administration.

12 MR. MINORA: Okay.

13 MS. EVANS: And also, do we have an

14 update on the legislation concerning the DPW's

15 performance of services in a chronological order that's

16 both fair and uniform to the citizens of Scranton?

17 MR. MINORA: I'll have that for you

18 next week.

19 MS. EVANS: Very good. There's another

20 one that has been waiting since the summer.

21 The 2007 proposed operating budget

22 arrived yesterday afternoon, and I noted the mayor is

23 moving in the right direction.

24 For example, he is cutting is 13

25 administrative salaries by five percent, and I thank

.

94

1 him for his help, but allow me to assist him and cut

2 the 13 salaries back to the 2001 levels, to which all

3 other employees in the city have subject.

4 Five positions were eliminated, but two

5 of them, I believe, the deputy engineer and the

6 assistant architect had said they were leaving their

7 positions for other employment. Thankfully, however,

8 the mayor is not replacing them.

9 I can point out quite a few additional

10 eliminations that must occur. The mayor can increase

11 revenue in ways that are not included in his budget;

12 for example, he excludes, as I just alluded to an

13 entertainment tax, and any new payments in lieu of

14 taxes from non-profits beyond what was arranged and

15 collected in 2006.

16 I am looking forward to work with the

17 mayor for the good of the city and formulating

18 solutions, thus, I will develop an option for the

19 people of the city and for the mayor.

20 I will formulate and submit a 2007

21 operating budget in the next few weeks and let the

22 people, the mayor and this Council decide which budget

23 they prefer.

24 But when all is said and done, the

25 vehicle, which is our city, only has one driver's seat

.

95

1 and one steering wheel. You can't have six hands on

2 the same wheel, rather only the hands of the driver,

3 the mayor.

4 He and his navigator will ultimately

5 select whether to drive over the prosopus into
6 financial ruin or steer us back onto a course of fiscal
7 responsibility. That's it.

8 MS. GATELLI: Thank you. Mrs. Fanucci.

9 MS. NEALON FANUCCI: I was pretty
10 surprised when we got the budget. I did not go over
11 the whole entire thing, so I really can't speak as
12 fluently as everyone else who has read the whole
13 budget.

14 I'm happy for the cuts that were made.

15 I'm thrilled that we are starting to move in the right
16 direction, as Mrs. Evans has said.

17 I also want to commend President

18 Gatelli on getting some money from the non-profits,
19 which has been a quest since day one.

20 Nothing is ever going to be enough. We

21 know that. We could beat people over the head and
22 probably get as much money as we possibly can and it
23 will never be enough, because that is the nature of our
24 business.

25 But I do want to say that it is a great

.

96

1 start and it shows that everyone is feeling the burden

2 now and realizing that this is something we need to
3 pull together for all of us. And I'm grateful for
4 that.

5 The no smoking, for those who are left
6 that are out there. I have to say I'm a little taken
7 back from one of the speakers tonight, because I'm
8 certainly am not -- not appreciative of the vets and
9 the freedom that we have, and my attempt for
10 non-smoking is not to infringe on people's rights.

11 I'm going to give you some statistics,
12 and I'm going to tell you why first. After you go
13 through with any family member or anyone out there a
14 terrible cancer death and watch someone in agony and in
15 pain and see what goes on in a family, then and only
16 then can you understand when there's passion involved
17 in something that you're going to do.

18 It's certainly not a right -- I don't
19 feel like the right to smoke is better than someone's
20 right to breathe clean air. I don't. And, you know, I
21 was a smoker. Listen, I'm not one of those freaks
22 either that can't be around smoke, I have to say. You
23 know, in case there's going to be an article tomorrow
24 out. I'm not one of those.

25 But this is something that the children

1 thought of that was brilliant.
2 And you know what, the only complaint I
3 received so far from one person -- I got three bad
4 E-mails. The only complaint I got was that they're
5 18-years-old, they shouldn't be in bars anyway, which
6 we would love to say that wasn't the case, and I'm sure
7 in our city it isn't, but in three or four years,
8 they'll be there, and I think they're intelligent
9 enough to know that this is something that may last.
10 And if they want to smoke in three
11 years, they've created quite a mess for themselves.
12 So, I'm going to give you some statistics that are
13 pretty staggering.
14 For every eight smokers that the
15 tobacco industry takes from death from cancer, they
16 take one non-smoker with them from just breathing
17 secondhand smoke.
18 Now, is that amazing? You have to
19 admit that that is -- it's amazing for me. 3,000 lung
20 cancer deaths annually in otherwise healthy
21 non-smokers.
22 If you are a non-smoker, you actually

23 still die of this smoke. I mean, this is a health care
24 issue. This is not something of, like, me trying to
25 discriminate against people who want to smoke. This is
.

98

1 all about health.

2 The economics show this is excessively

3 business friendly; in fact, I know that some of the

4 bartenders and patrons who have come up to me saying,

5 you know, I would be thrilled for the non-smokers

6 because then they can breathe the clean air.

7 But as much as we say maybe you will

8 lose ten percent of your business or smokers, you also

9 will gain some people who are non-smokers who might

10 want to come to your establishment, also.

11 Nobody should have to chose between a

12 job and good health. If you're a bartender or a

13 waitress or working in these establishments serving

14 food, you shouldn't have to make a choice, like, I'd

15 love to have a job, but now I have to work in an

16 establishment where we're smoking.

17 These are the issues that are

18 important. This is a very progressive thing for us,

19 and I know that new is scary. We're always afraid of

20 change. I understand that.

21 And believe me, I'm the first to say

22 that this is a very bold step for us, but the ordinance

23 is extremely fair. It does give the rights to my

24 friend Tom Coyne with Kilcoyne's and places that are

25 just strictly establishments that are bars. It gives

99

1 them the right to apply for a variance and say, Here's

2 what. I want this to be -- this is my business. And

3 it does give them the right.

4 The food and the cigarettes bothers me

5 a lot. That's what really this is going.

6 I think we changed it from 15 feet away

7 from the entrances of all -- 20 feet? I was looking --

8 trying to look quick. Twenty feet away from all

9 entrances, and that's what Philly does.

10 There is nothing worse than having to

11 walk through the loft of 25 employees who aren't

12 allowed to smoke inside their building and I might as

13 well had two packs of cigarettes, which is fine, except

14 for, you know, I'm busy. I don't have time to sit down

15 and smoke two packs of cigarettes.

16 Outdoor cafes have an exception.

17 You're sitting outside, you're having a cocktail. Have
18 a smoke. That's going to be fine.
19 This is going to work out. I know it's
20 scary and I know people, but I have to say tonight
21 shows we had a lot of support. And this is a wonderful
22 thing.
23 I just hope that everybody realizes
24 that out of the mouth of babes, they seem to be really
25 progressive, and I'm proud of them for taking the step,
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1 I'm proud of them for making us stand up and do
2 something that probably, I have to say, I probably
3 wouldn't have done if it weren't for the west siders.
4 Those kids really made me step up to the plate. And
5 that's all I have tonight. Thank you.

6 MS. GATELLI: Thank you. Mr. McGoff.

7 MR. MCGOFF: I, too, would like to wish
8 everyone a Happy Thanksgiving and realize -- I do
9 realize that I have much to be thankful for, especially
10 living in this city that I have been a part of for
11 58 years.

12 But I do have one hope for the
13 Thanksgiving season, and that would be that this city

14 starts to live out the true meaning of Thanksgiving,
15 and that's to be to become a welcoming community, one
16 that welcomes people of all race, all cultural
17 background, ethnic background, socioeconomic background
18 and really lives out this true meaning of Thanksgiving
19 where all people are welcome.

20 The only other thing that I would
21 really like to comment on is the smoking ban. I've
22 listened to a number of people talk about it. I really
23 believe that people -- I believe that people have a
24 right to smoke. Tobacco is not an illegal substance,
25 and people do have that right to smoke, and even the

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1 right to harm themselves by smoking. That's well
2 within their rights.

3 As a history teacher, I'm also aware of
4 the fact that throughout history attempts to legislate
5 morality have simply not worked, but I think it was the
6 words of Oliver Wendell Holmes said the person's right
7 to swing their arm ends at the tip of my nose, and the
8 big but is that no one has the right to infringe on my
9 right to breathe.

10 And I think that when that right is

11 infringed upon that we need to do something, people
12 need to do something to protect the rights of everyone.
13 And this smoking ban is something that I think is going
14 to be good for the city, it certainly can be good for
15 the health of the city without harmful effects to the
16 retail businesses that will be required to enforce it.
17 I think it is far more important to
18 deal with the health of people than the very limited
19 right of people to smoke. And thank you.

20 MS. GATELLI: Mr. Courtright.

21 MR. COURTRIGHT: Yes. I guess I'll
22 talk about the smoking first. One of the questions I
23 had Mr. Minora kind of answered earlier, and I like his
24 idea, about enforcement.

25 Some issues -- I get many more calls on

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1 than others, and this issue I did, I got a lot of calls
2 on, so I tried to take as much time as I could to read
3 this, and, you know, I'm looking at gaming, any
4 licensed gaming facility, and it just jumped out to me
5 because the casino's down in Plains, and I wish it was
6 in Scranton, so hopefully we won't have to worry about
7 that someday.

8 You know, as Mrs. Fanucci mentioned
9 exemptions for sidewalk cafes, outdoor decks, similar
10 outdoor areas and private clubs, because, boy, the
11 Dante Club, the Taurus Club, the Victor Alfieri club
12 would shoot me. You know, they have smokers, that's
13 what they call them, right? I don't smoke unless I go
14 to one of those, to be honest with you.

15 But I would just ask this, because I'm
16 not a lawyer, I would ask Mr. Minora is it possible
17 maybe next week for you in layman's terms just to tell
18 the public what the exemptions are and what they need
19 to get them, because I think a lot of people are
20 misinformed.

21 I was misinformed until I read it, and,
22 again, I'm hoping I'm interpreting it correctly, but
23 maybe next week, if you can do that, because I think
24 this is a pretty fair ordinance.

25 If you could just explain who's exempt

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1 and how they go about, just for laymen.

2 MR. MINORA: I can do that now.

3 MR. COURTRIGHT: If you'd like, sure.

4 MR. MINORA: The exemptions are listed,

5 and I'll just go through them quickly, because they're
6 kind of self descriptive.

7 Tobacco products distribution business,
8 specialty tobacco establishments, lodging within up to
9 25 percent of sleeping quarters within a lodging
10 establishment wherever available, so there could be
11 smoking rooms in a hotel or motel, sidewalk cafes,
12 which you just mentioned, and private clubs.

13 And there are things that private clubs
14 have to do to exempt themselves, but they're fairly
15 straight forward, but they would be an exempt
16 possibility.

17 There is for drinking establishment a
18 one-year exemption if they apply for it, and there's
19 some reasons that, you know, it may be difficult for a
20 bar to do that for one reason or another, so they have
21 a one-year exemption.

22 If they've got a problem with having to
23 enforce this which would take effect January 7, '07,
24 then they can have an exemption until January of '08.

25 And they've got, again, a procedure they've got to go
.

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1 through and that's fairly straight forward.

2 MR. COURTRIGHT: They can only be

3 exempt for one year, they can't apply?

4 MR. MINORA: One year. It expires on

5 January 7, '08.

6 MR. COURTRIGHT: Bars.

7 MS. EVANS: So it's not permanent?

8 MR. COURTRIGHT: See, I didn't see that

9 in there.

10 MR. MINORA: It's not permanent. It's

11 a one year exemption.

12 MR. COURTRIGHT: One year. Okay. I

13 wasn't aware of that.

14 MS. EVANS: No.

15 MS. NEALON FANUCCI: The reason being

16 that the state -- if the state comes in and stops

17 anything that we're doing, we're going to have to adopt

18 what they're doing, so we would have to reinstitute in

19 a year. You know, I would think that that --

20 MR. COURTRIGHT: Wouldn't the state

21 just supercede us or no?

22 MS. NEALON FANUCCI: Yeah, yeah.

23 MR. MINORA: They can supercede us any

24 number of different ways. Gaming being one of them, by

25 the way, that's why that's in there.

1 MR. COURTRIGHT: If we gave them more
2 than one year and the state did enact the law, then it
3 supercedes us, right?

4 MS. NEALON FANUCCI: Right.

5 MR. MINORA: You can amend it next year
6 if something like that comes up.

7 MR. COURTRIGHT: All right. All right.

8 I thank you for that, because I did, I got a real lot
9 of calls on this, especially after we were at West
10 Scranton High School that day. I got a tremendous
11 amount of calls for that. I thank you for that.

12 MR. MINORA: Sure.

13 MR. COURTRIGHT: I got a call from a
14 business owner in West Scranton, he's asking me, I did
15 send a letter out about the project we'd like to do on
16 Main Avenue that Congressman Kanjorski was involved in.
17 I did send a letter to the mayor asking
18 him where we stand on that. I just haven't received an
19 answer yet, right, Kay? I didn't get an answer for
20 that, did I?

21 MS. GARVEY: No.

22 MR. COURTRIGHT: Okay. So, hopefully

23 there will be an answer forthcoming. We need to get an
24 estimate on what the costs will be, and the mayor was
25 supposed to pick some company to give us that estimate,
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1 but I just haven't heard anything yet. I'll wait

2 another week, and if we don't get an answer, I will

3 send another letter, I guess.

4 I would really like to congratulate the

5 West Scranton football team on their win last week. My

6 nephew is a member, so congratulations, Brian. And

7 they will be playing for the district championship this

8 week, and we certainly will be winning that game, so I

9 will be able to congratulate them next week.

10 Kay, my questions, Kay, that I'm asking

11 tonight, I don't need until, I know you're going to be

12 on vacation, and I do not want you scrambling tomorrow

13 to try to answer these. When you come back, will be

14 fine.

15 I think Mrs. Evans brought up last week

16 about the Sewer Authority, and I just haven't heard

17 anything on how we plan on paying them off and where we

18 stand on that and is there any interest in privatizing

19 it again as we did in the past. So, maybe we can ask

20 that question of Mr. Barrett, you know, if he can bring
21 us up to date on that.

22 Tonight I see we do not have a police
23 officer here, but I get a lot of questions about
24 police, being public safety is my committee, and some
25 people are concerned with the fact that we have a

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1 police officer here taking them off the street, and so
2 I would recommend this maybe to the administration, the
3 school district does have a police officer at every one
4 of their meetings, but the school district pays that
5 police officer extra duty.

6 So, maybe we can do the same here. I
7 know City Council doesn't have the money in their
8 budget to do it, but maybe the administration would be
9 gracious enough to pay extra duty two to three hours,
10 whatever it would take, for an officer here, if, in
11 fact, we are going to continue to have one here. I'm
12 assuming there's not one here this evening because of
13 the flooding we had.

14 MS. NEALON FANUCCI: I would imagine,
15 yeah.

16 MR. COURTRIGHT: So, I did check into

17 it, and the school district pays for that cop that goes

18 to their meetings.

19 This has nothing to do with the

20 flooding this evening, and just coincidental, if we can

21 send it to the Sewer Authority, Kay, the corner of

22 Washburn and Hyde Park Avenue, that -- I think what it

23 is it's just the sewer is blocked and that floods with

24 the least little bit of rain. Tonight the whole street

25 was flooded. It always floods. And I think it's just

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1 a blocked sewer. Maybe they can take a look at that.

2 Mrs. Gatelli brought up an idea earlier

3 about adding \$100 on to the tuition of students in

4 local colleges here, and I agree with that, but with

5 one exception, I always thought that, and I see it done

6 in other areas, if somebody lives in Scranton and they

7 go to a college that's within Scranton, I always

8 thought that the students should get a break.

9 You know, some states if you live in

10 that state and you go to a state college, you can go

11 there for free.

12 I actually had a friend who moved to

13 Carolina, and after one year's residency, he got to go

14 to college for free. So, I will be all for tacking on
15 the \$100, but not for students that live in the City of
16 Scranton. And I don't know could you do that? Is that
17 being discriminatory? I don't know.

18 But I think people living here deserve
19 a break. We're paying taxes already. So, if we're
20 going to pursue that, I would like to see that happen,
21 if possible.

22 Mrs. Gatelli, you mentioned that you
23 were going to create a budget, I would only ask this, I
24 know we did one, I think it was 2004, and I happened to
25 be out of town, the commission that I'm on, and I

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1 probably will be out of town right about the time we're
2 doing this, but I would ask if when you put together
3 your budget, if you could give us all a copy as soon as
4 possible so if we would like --

5 MS. EVANS: Oh, certainly --

6 MR. COURTRIGHT: -- so if we would like
7 to make some, you know, alterations to yours. You're
8 the finance chair, and I have absolutely no problem
9 with you creating a budget, I'm sure you could do a
10 good job at it.

11 So, I'd just ask that we all get a copy
12 and maybe we can work something out, you know, maybe we
13 can take the mayor's budget and take your budget and
14 maybe we can find some happy ground. And that's all I
15 have. Thank you.

16 MS. GATELLI: Thank you. Mrs. Garvey.

17 MS. GARVEY: 5-B, FOR INTRODUCTION - AN
18 ORDINANCE - ORDINANCE OF THE CITY OF SCRANTON,
19 LACKAWANNA COUNTY, PENNSYLVANIA, ESTABLISHING THE CLEAN
20 INDOOR AIR WORKER PROTECTION LAW WITHIN THE CITY,
21 PROVIDING FOR PENALTIES FOR VIOLATIONS OF SUCH SMOKING
22 RESTRICTIONS AND ESTABLISHING AN EFFECTIVE DATE.

23 MS. GATELLI: At this time I'll
24 entertain a motion that 5-B be introduced.

25 MR. COURTRIGHT: So moved.

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1 MS. NEALON FANUCCI: Second.

2 MS. GATELLI: On the question? All
3 those in favor.

4 MS. EVANS: Aye.

5 MS. NEALON FANUCCI: Aye.

6 MR. MCGOFF: Aye.

7 MR. COURTRIGHT: Aye.

8 MS. GATELLI: Aye. Opposed? The ayes

9 have it and so moved.

10 MS. NEALON FANUCCI: I'd like to on the

11 ordinance, Attorney Minora, I believe that we said that

12 it would be 15 feet away from an entrance, and on Page

13 5-B it says 15 feet away and not 20.

14 MR. COURTRIGHT: It's 20 on mine.

15 MS. NEALON FANUCCI: Am I in the wrong

16 section? I just want to check that out for us.

17 MR. MINORA: Yeah, there's a lot of

18 backup. I think ours -- you may be looking at some of

19 the backup.

20 MR. COURTRIGHT: Outdoors within

21 20 feet and --

22 MS. NEALON FANUCCI: And mine said 15,

23 so -- okay. So, the original says 20?

24 MR. MINORA: Yes, outdoors 20.

25 MS. NEALON FANUCCI: Okay. All right.

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1 Well, then we're fine. Second.

2 MS. EVANS: No, we voted.

3 MS. GATELLI: We're on C.

4 MS. FANUCCI: Yea.

5 MS. GARVEY: 5-C, FOR INTRODUCTION - AN
6 ORDINANCE - AMENDING FILE OF COUNCIL NO. 162, 2005 - AN
7 ORDINANCE ENTITLED GENERAL CITY OPERATING BUDGET 2006
8 BY TRANSFERRING \$390,000.00 FROM ACCOUNT NO.
9 01.401.13090.4299 (CONTINGENCY) TO ACCOUNT NO.
10 01.401.15311.4299 (DEBT SERVICE-SALE LEASEBACK) TO
11 PROVIDE FUNDING TO COVER THE PRINCIPAL AND INTEREST
12 PAYMENTS ON SERIES OF 2004, \$4,000,000.00 SALES
13 LEASEBACK OF DPW AND SERIES OF 2005, \$5,500,000.00
14 SEWER AUTHORITY GUARANTEED LEASE REVENUE.

15 MS. GATELLI: At this time I'll
16 entertain a motion that 5-C be introduced.

17 MR. COURTRIGHT: So moved.

18 MS. NEALON FANUCCI: Second.

19 MS. GATELLI: On the question? All
20 those in favor.

21 MS. EVANS: Aye.

22 MS. NEALON FANUCCI: Aye.

23 MR. MCGOFF: Aye.

24 MR. COURTRIGHT: Aye.

25 MS. GATELLI: Aye. Opposed? The ayes

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1 have it and so moved.

2 MS. GARVEY: 5-D, FOR INTRODUCTION - AN
3 ORDINANCE - APPROPRIATING FUNDS FOR THE EXPENSES OF THE
4 CITY GOVERNMENT FOR THE PERIOD COMMENCING ON THE FIRST
5 DAY OF JANUARY 2007 TO AND INCLUDING DECEMBER 31, 2007
6 BY THE ADOPTION OF THE GENERAL CITY OPERATING BUDGET
7 FOR THE YEAR 2007.

8 MS. GATELLI: At this time I'll
9 entertain a motion that 5-D be introduced.

10 MS. NEALON FANUCCI: So moved.

11 MR. MCGOFF: Second.

12 MS. GATELLI: On the question?

13 MR. COURTRIGHT: On the question, it's
14 no one's fault but my own, I picked up the budget this
15 morning and then I had some flooding problems, and I
16 just didn't get to read it.

17 I've read some of it, and there are
18 some changes I would like to make, but I'm going to
19 vote in favor to move it ahead. I don't want that to
20 be misconstrued in any way, shape or form that I'm in
21 favor of this budget, because I haven't really read
22 much of it.

23 And somebody might come forward next
24 week and say, How could you vote to move it ahead and
25 you didn't read it?

1 Well, I will read it and I will offer
2 my changes, and I will look at Mrs. Evans' budget and I
3 will offer my changes there, too. But tonight I'm
4 going to move -- vote to move it forward.
5 MS. EVANS: I just wanted to indicate
6 that I've only briefly perused the document, but I
7 already detect a few problems; for example, the \$1.2
8 million payment in lieu of taxes from the Scranton
9 Housing Authority is listed on Page 6 under
10 miscellaneous revenue as an advance from the SHA.
11 I'm not really sure what that means,
12 whereas, on Page 2 in lieu of taxes is listed for a
13 dollar amount of \$118,250 showing that no new payments
14 are anticipated from non-profits.
15 Also, to correct some of the numbers
16 that appear in the newspaper, the total 2007 debt
17 service including the \$15 million in borrowing is
18 \$22,753,000, according to the final page, Page 59, of
19 this budget. The number is not \$3 million for 2007.
20 So, that roughly comes out to
21 30 percent of the city's operating budget for 2007, 30
22 percent of the budget is devoted to debt service

23 payment for one year only. So, I will be voting no,
24 and as I indicated earlier, I will be developing an
25 alternate budget.

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1 MS. GATELLI: Anyone else on the
2 question? All in favor.

3 MS. NEALON FANUCCI: Aye.

4 MR. MCGOFF: Aye.

5 MR. COURTRIGHT: Aye.

6 MS. GATELLI: Aye. Opposed?

7 MS. EVANS: No.

8 MS. GATELLI: The ayes have it and so
9 moved.

10 MR. COURTRIGHT: I'm sorry, Mrs.

11 Garvey. I would like to make a motion we hold a public
12 hearing on November 30 at six o'clock for 5-D.

13 MS. EVANS: Second.

14 MS. GATELLI: On the question? All in
15 favor.

16 MS. EVANS: Aye.

17 MS. NEALON FANUCCI: Aye.

18 MR. MCGOFF: Aye.

19 MR. COURTRIGHT: Aye.

20 MS. GATELLI: Aye. Opposed? The ayes

21 have it and so moved.

22 MS. GARVEY: 5-E , FOR INTRODUCTION -

23 AN ORDINANCE - AMENDING FILE OF COUNCIL NO. 162, 2005 -

24 AN ORDINANCE ENTITLED GENERAL CITY OPERATING BUDGET

25 2006 BY TRANSFERRING A TOTAL AMOUNT OF \$94,990.00 FROM

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1 VARIOUS CITY ACCOUNTS LISTED BELOW TO ACCOUNT NO.

2 01.040.00041.4201 (DEPARTMENT OF HUMAN RESOURCES

3 PROFESSIONAL SERVICES) TO PROVIDE FUNDING TO COVER TWO

4 (2) OUTSTANDING INVOICES PAYABLE TO SEGAL CONSULTING.

5 MS. GATELLI: At this time I'll

6 entertain a motion that 5-E be introduced.

7 MS. NEALON FANUCCI: So moved.

8 MR. COURTRIGHT: Second.

9 MS. GATELLI: On the question?

10 MS. EVANS: Yes. Just a quick

11 explanation here, this is the health care consultant,

12 payments for the health care consultant which was court

13 ordered, and there actually is no new savings

14 unfortunately that have been realized because of this

15 health care consultant, but that is not due to any

16 negligence on their part. They are a very reputable

17 capable firm.

18 It's, I am told by members of the

19 health care committee, the fact that the city has not

20 provided documents necessary for the consultant to form

21 a decision whereby they will be saving the city money.

22 So, this is a consultant, as I said,

23 court ordered. Hopefully it's going to realize

24 savings, so I will vote for this consultant.

25 MS. GATELLI: Anyone else on the

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1 question? All those in favor.

2 MS. EVANS: Aye.

3 MS. NEALON FANUCCI: Aye.

4 MR. MCGOFF: Aye.

5 MR. COURTRIGHT: Aye.

6 MS. GATELLI: Aye. Opposed? The ayes

7 have it and so moved.

8 MS. GARVEY: 5-F, FOR INTRODUCTION - A

9 RESOLUTION - ACCEPTING THE RECOMMENDATION OF THE

10 HISTORICAL ARCHITECTURE REVIEW BOARD (HARB) AND

11 APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR A.J.

12 GUZZI GENERAL CONTRACTORS, INC., 9 SKYLINE DRIVE,

13 CLARKS SUMMIT FOR REPLACEMENT OF WINDOWS AT REAR AND

14 BACK OF THE SCRANTON PUBLIC LIBRARY ANNEX CHILDREN'S

15 LIBRARY AT 520 VINE STREET.

16 MS. GATELLI: At this time I'll

17 entertain a motion that 5-F be introduced.

18 MR. COURTRIGHT: So moved.

19 MS. NEALON FANUCCI: Second.

20 MS. GATELLI: On the question? All

21 those in favor.

22 MS. EVANS: Aye.

23 MS. NEALON FANUCCI: Aye.

24 MR. MCGOFF: Aye.

25 MR. COURTRIGHT: Aye.

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1 MS. GATELLI: Aye. Opposed? The ayes

2 have it and so moved.

3 MR. MINORA: At the end of the reading

4 on 6-A, if it -- in order to move it on, there has to

5 be a motion for a public meeting at the next meeting.

6 MS. GARVEY: Sixth order. 6-A, READING

7 BY TITLE - FILE OF COUNCIL NO. 63, 2006 - AN ORDINANCE

8 - AUTHORIZING THE LEASE OF CERTAIN REAL PROPERTY TO THE

9 REDEVELOPMENT AUTHORITY OF THE CITY OF SCRANTON,

10 PURSUANT TO A LEASE AGREEMENT; DECLARING THE GUARANTY

11 OF SAID AUTHORITY'S GUARANTEED LEASE REVENUE BONDS FOR
12 THE BENEFIT OF THE CITY OF SCRANTON, LACKAWANNA COUNTY,
13 PENNSYLVANIA, TO BE A PROJECT OF THE CITY FOR WHICH
14 LEASE RENTAL DEBT IS TO BE INCURRED; STATING THE
15 REALISTIC ESTIMATED USEFUL LIFE OF THE FACILITIES
16 RELATING TO THE BONDS; DETERMINING TO INCUR LEASE
17 RENTAL DEBT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO
18 EXCEED \$15,000,000 IN RESPECT OF SAID PROJECT, SUCH
19 DEBT TO BE EVIDENCED BY THE CITY'S SUBLEASE AND
20 GUARANTY AGREEMENT WITH RESPECT TO SAID BONDS;
21 AUTHORIZING CERTAIN CITY OFFICERS TO PREPARE, CERTIFY
22 AND FILE WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC
23 DEVELOPMENT THE DEBT STATEMENT REQUIRED BY SECTION 8110
24 OF THE LOCAL GOVERNMENT UNIT DEBT ACT AND AUTHORIZING
25 THE PREPARATION OF A DEBT STATEMENT AND BORROWING BASE
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1 CERTIFICATE; APPROVING THE FORM OF, AND AUTHORIZING,
2 SUBJECT TO CERTAIN CONDITIONS, EXECUTION AND DELIVERY
3 OF THE AFORESAID LEASE AGREEMENT AND SUBLEASE AND
4 GUARANTY AGREEMENT; REPEALING INCONSISTENT PRIOR
5 ORDINANCES; SETTING FORTH CERTAIN CONDITIONS TO THE
6 EXECUTION AND DELIVERY OF THE AFORESAID LEASE AGREEMENT
7 AND SUBLEASE AND GUARANTY AGREEMENT; AUTHORIZING THE

8 PROPER OFFICERS OF THE CITY TO TAKE ALL REQUIRED,
9 NECESSARY OR DESIRABLE RELATED ACTION IN CONNECTION
10 WITH SUCH PROJECT AND THE EXECUTION AND DELIVERY OF THE
11 LEASE AGREEMENT AND SUBLEASE AND GUARANTY AGREEMENT;
12 DECLARING SAID PROJECT DESIRABLE FOR THE HEALTH, SAFETY
13 AND WELFARE OF THE RESIDENTS OF THE CITY.

14 MS. GATELLI: You've heard reading by
15 title of Item 6-A, what is your pleasure?

16 MS. NEALON FANUCCI: Madame
17 Chairperson, I move that Item 6-A pass reading by
18 title.

19 MR. MCGOFF: Second.

20 MS. GATELLI: On the question?

21 MS. EVANS: Yes. \$15 million in
22 additional borrowing adds approximately \$38,162,000 to
23 our long-term debt. With this increase the total
24 long-term debt, principal plus interest, is
25 approximately \$246 million, which roughly, when rounded

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1 off, equals a quarter of a billion dollars.

2 Now, that's -- I think you are going to
3 have to ask your questions of the driver of the car
4 that has taken us down the road to the Doherty debt

5 here.

6 Also, according to Article Six, Section

7 601B of The Administrative Code, and I'll quote, If at

8 any time during the budget year the business

9 administrator shall ascertain the probability of a cash

10 deficit, he shall reconsider the work programs and

11 allotments of the several offices, departments and

12 agencies.

13 Upon such reconsideration, and with the

14 approval of the mayor, the business administrator shall

15 revise the allotment so as to forestall so far as

16 possible the making of commitments and expenditures in

17 excess of the revenue to be realized during fiscal

18 year.

19 It would appear in some cases that that

20 code has been violated, because the city entered the

21 fiscal year 2006 full well knowing there was going to

22 be a deficit. No cuts had been made, no additional

23 revenue was brought in, outside of an EMS tax, yet no

24 efforts were made to control that spending, as is

25 provided for in The Administrative Code. Rather than

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1 controlling the spending, we were adding to our costs.

2 In addition, one last thing that I
3 would ask my honorable colleagues to pay particular
4 attention to would be the file notes of the meetings of
5 PEL and some members of the administration.
6 And if you look week by week at those
7 meetings, there's a discrepancy, not only among the
8 amount of money to be borrowed, but also the intended
9 uses for that borrowed amount of money. And so, I
10 would ask my colleagues then, Whom do you trust? Whom
11 do you believe?

12 MS. GATELLI: Are we -- are we
13 answering?

14 MS. EVANS: If you chose.

15 MR. MCGOFF: I would, again, realizing
16 that I'm new to the process, I don't think that there's
17 any way that any organization, no matter how small or
18 how big, can afford to default on a loan, and that
19 there's a need to at least make up the shortfall that
20 exists for 2006.

21 And without any other -- without any
22 other options available, this loan becomes to me almost
23 a necessity, unless there is something that can replace
24 it.

25 MS. EVANS: Well, If I may respond to

1 Mr. McGoff, there are monies sitting in the First
2 National Community Bank that exceed \$3 million. There
3 is a dollar amount of, I believe, \$600,000 that is owed
4 to the City of Scranton by The Icebox that has never
5 been paid.

6 And what concerns me, and I'm sure
7 you'll be concerned, as well, is this, according to the
8 article in today's paper, glasses, here we go, on the
9 breakdown for this loan, we're looking at \$9.2 million
10 for a 2007 budget and tax anticipation note deficit.

11 Again, if you are able to look at the
12 file notes of those meetings, you'll notice that the
13 dollar amount of the deficit is changing all the time
14 from \$6 million to \$8 million to, you know, \$15 million
15 down again.

16 But I think most telling here is that
17 \$3.1 million is included in this \$15 million for other
18 unidentified costs. Why are we borrowing money and we
19 don't know what it's going to be used for?

20 MS. NEALON FANUCCI: It was my
21 understanding that the unidentified costs are because
22 they cannot put a number on how much money for the

23 service of paying back the TAN. That was what I was

24 told, that it is not, like, it's not for curbs or for,

25 you know, to put another street in, that is undefined

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1 costs, because until the TAN is paid back, if we

2 default or we are a little bit late or whatever it

3 takes for the closing process of that, that is the

4 undefying cost. That is what I was aware. But I

5 believe that that was, like, in the neighborhood of

6 \$2.3 million.

7 MS. EVANS: Yeah, I would agree. I

8 don't believe that any penalty would amount to \$3.1

9 million. I think there's certainly an intended use, I

10 just don't know what it is.

11 MS. NEALON FANUCCI: Well, that's my

12 understanding of it.

13 MS. EVANS: Right. But that, I think,

14 there's a remainder in that amount that's unaccounted

15 for.

16 MS. NEALON FANUCCI: Well, also I know

17 we were worried about, as all of us are, whether or not

18 the health care, I know, Mr. Ancherani, I don't want

19 you to jump off the top there on me, but the health

20 care, although we know that we have a new consultant,

21 we still are not sure what that debt will be.

22 That is a debt we are unsure of, and

23 also pension-wise, that's a debt that we're unsure of.

24 But everything else I think is pretty much spoken for

25 pretty easily. We know we're in the hole, we know that

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1 the money needs to be paid back from the budget last

2 year, and to me it seems like this was a pretty low

3 amount of money for what actually can occur in the next

4 four or five years.

5 And the 2008, I know there was talk

6 about putting money in for 2008, that was actually just

7 to start in January, just to get the ball rolling in

8 2008, so that when we go into the first year, we had

9 some money in our account.

10 The rest, I believe, I felt and, you

11 know, we all have our own opinions, but I felt the rest

12 was pretty justified. What was the number on that?

13 \$1.2 million.

14 So, maybe for, yeah, \$1.2 million was

15 pretty much in January so we had money to pay our

16 employees and our fire department and our police so

17 there's money in the account. That was my
18 understanding.

19 MR. COURTRIGHT: I just have one
20 comment, if I may, about the 2008. When I see that
21 we're going to use money for 2008, that tells me we
22 don't plan on making up any ground.

23 That tells me we plan on being in
24 trouble in 2008, and that concerns me. And I'm just
25 talking on the money for 2008. We just don't see

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1 ourselves getting out of this hole by then.

2 And that -- I think we need to take a
3 different attitude that we're going to get ourselves
4 out somehow. And there are going to be cuts and people
5 are going to lose jobs, and that's a hard thing to do.

6 And I don't like to see anybody lose
7 their job. We got a request from an individual that's
8 losing their job asking us to reconsider because it's
9 in the budget, but if we're going to use \$1.2 million
10 for 2008, we mustn't have a positive outlook for 2008.

11 That's all I have.

12 MS. NEALON FANUCCI: Well, ironically,
13 and I'm going to say something, ironically it's funny

14 tonight here we are sitting with this budget in front
15 of us and we are asked to make cuts and we agree to
16 make cuts, and then we have speakers come up and want
17 us to add two or three new employees to help with their
18 cause, which is, you know, not a cause that's not
19 common to the whole city, you know, health -- the
20 health inspectors. I mean, we definitely need more of
21 those. These are the issue that we have to face.
22 I mean, we're going to cut some people,
23 we're going to add some people. And you know where you
24 end up? Right back where we are.

25 I mean, you know, you can take away ten

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1 employees. If you have to add five, we're back where
2 we are. This is definitely an issue.
3 I don't see it possible. I don't think
4 that we can cut \$7 million out our budget and provide
5 service the way that we should in this city. I really
6 don't. I think \$7 million is a lot of money and a lot
7 of service to start digging away at.
8 We all know that the only way to do
9 this is to increase revenue. I mean, there's no way to
10 cut that much out of our budget.

11 MS. EVANS: And there are, you know,
12 according to what I've seen in the newspaper, it
13 appears that there's well over \$8 million planned for
14 2007 in terms of tax increases, new revenues streams,
15 et cetera, and I'm also aware that the 2007 deficit is
16 predicted to be larger than that of 2006.

17 Now, if that were the \$6 million
18 originally stated, then -- and you have about, I'm
19 going to guess, \$8.8 or \$8.9 million coming in next
20 year in new revenue sources and cuts.

21 MS. NEALON FANUCCI: And debt.

22 MS. EVANS: Well, no, not the debt, but
23 this would be the property taxes, the transfer tax, the
24 sale of the delinquent property taxes, et cetera.

25 MS. NEALON FANUCCI: Right.

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1 MS. EVANS: Have you not then covered
2 -- more than covered your anticipated deficit? And why
3 the need for this borrowing for next year and then the
4 following year?

5 Again, I agree with Mr. Courtright, and
6 I've advocated for this before. I don't believe that
7 we should plan to deficit spend. I don't think we want

8 to look into the future and say, Well, I intend to
9 continue a pattern of deficits throughout my tenure on
10 City Council or as a mayor of Scranton.

11 It should be our intent to eliminate a
12 deficit, and we're going to have to do that by cutting
13 costs along with raising revenue.

14 MS. NEALON FANUCCI: I'm going to ask
15 you a question, you guys were here, is this something
16 that was normal practice to have money in the account
17 for January? I mean, what is it that we did before you
18 did this? How did this work?

19 MS. EVANS: Before we did what?

20 MS. NEALON FANUCCI: Before you did the
21 borrowing. I know you had borrowed last year --

22 MS. EVANS: And the year before and the
23 year before.

24 MS. NEALON FANUCCI: Right. So, what
25 is it that -- in January there's always had to be money

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1 there, that's how we function, right, so what is it

2 that --

3 MS. EVANS: The TAN. The TAN supplies

4 that, yes. The tax anticipation note brings the money

5 into the city immediately so that in the interim when
6 taxes are being collected, et cetera, you have this
7 immediate revenue flow.

8 MS. NEALON FANUCCI: So, if you have a
9 TAN --

10 MS. EVANS: Cash flow, I should say.

11 Pardon?

12 MS. NEALON FANUCCI: You buy the TAN --

13 well, you don't buy the TAN --

14 MS. EVANS: Right. It's a loan.

15 MS. NEALON FANUCCI: Right to know for

16 one year you're going to get the money.

17 MS. GATELLI: To carry over.

18 MS. NEALON FANUCCI: But is that --

19 that starts in January?

20 MS. EVANS: Yes. And as the tax

21 monies, for example, come in throughout the year,

22 you're able then to pay back by December 31 of that

23 year the money that has been borrowed in two bond

24 series A and B of tax anticipation notes.

25 MR. COURTRIGHT: It's plugged in this

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1 budget, right? It's plugged in.

2 MS. NEALON FANUCCI: Yeah. Okay.

3 Thank you.

4 MS. EVANS: Pardon?

5 MR. COURTRIGHT: It's plugged into this

6 budget.

7 MS. EVANS: The new budget?

8 MR. COURTRIGHT: Yeah.

9 MS. EVANS: Yeah, the number remains

10 the same. I believe Series A is \$5 million and Series

11 B is \$9.5 million, and that's identical to the 2006

12 operating budget.

13 MS. NEALON FANUCCI: Okay. Thanks.

14 MS. GATELLI: Okay. Anyone else on the

15 question? All those in favor.

16 MS. NEALON FANUCCI: Aye.

17 MR. MCGOFF: Aye.

18 MS. GATELLI: Aye. Opposed?

19 MR. COURTRIGHT: No.

20 MS. EVANS: No.

21 MS. GATELLI: The ayes have it and so

22 moved.

23 MR. MINORA: We need a motion now for a

24 public hearing.

25 MS. GATELLI: Yeah, he's going to make

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1 one.

2 MR. MCGOFF: I'd like to make a motion

3 for a public hearing to be held on November 30th at

4 5:45 to consider 6-A.

5 MS. EVANS: Second.

6 MS. GATELLI: All those in favor.

7 MS. EVANS: Aye.

8 MS. NEALON FANUCCI: Aye.

9 MR. MCGOFF: Aye.

10 MR. COURTRIGHT: Aye.

11 MS. GATELLI: Aye. Opposed? The ayes

12 have it and so moved. Seventh order.

13 MS. GARVEY: Seventh order. 7-A, FOR

14 CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR

15 ADOPTION - FILE OF COUNCIL NO. 60, 2006 - AN ORDINANCE

16 - SALE OF TAX DELINQUENT PROPERTY AT 1361 WYOMING

17 AVENUE, SCRANTON, PENNSYLVANIA, TO DONNA G. MEYERS 1045

18 COLUMBIA STREET, SCRANTON, PENNSYLVANIA, 18510, FOR THE

19 SUM OF \$3,300.00.

20 MS. GATELLI: What is the

21 recommendation of the chair on finance?

22 MS. EVANS: As chair for the finance

23 committee, I recommend final passage of Item 7-A.

24 MR. COURTRIGHT: Second.

25 MS. GATELLI: On the question? Roll

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1 call.

2 MR. COOLICAN: Mrs. Evans.

3 MS. EVANS: Yes.

4 MR. COOLICAN: Mrs. Fanucci.

5 MS. NEALON FANUCCI: Yes.

6 MR. COOLICAN: Mr. McGoff.

7 MR. MCGOFF: Yes.

8 MR. COOLICAN: Mr. Courtright.

9 MR. COURTRIGHT: Yes.

10 MR. COOLICAN: Mrs. Gatelli.

11 MS. GATELLI: Yes. I hereby declare

12 Item 7-A legally and lawfully adopted.

13 MS. GARVEY: 7-B, FOR CONSIDERATION BY

14 THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION -

15 FILE OF COUNCIL NO. 61, 2006 - TRANSFERRING BOTH

16 PERMANENT AND TEMPORARY EASEMENTS FOR A PARCEL OF

17 PROPERTY LOCATED ALONG THE RIGHT-OF-WAY OF SOUTH

18 WASHINGTON AVENUE WHERE THE STAFFORD MEADOW BROOK FLOOD

19 PROTECTION PROJECT INTERSECTS THENCE TO A POINT IN THE

20 EDGE OF THE WATER LINE OF THE LACKAWANNA RIVER TO THE
21 SCRANTON SEWER AUTHORITY FOR THE CONSTRUCTION OF A
22 COMBINED SEWER OUTFLOW TO GAUGE OUT FALLS ON THE LINE
23 AND AS A PREVENTATIVE DEVICE IN STORM EVENTS.

24 MS. GATELLI: What's the recommendation
25 of the chair on public works?

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1 MR. MCGOFF: As chairperson for the
2 committee on public works, I recommend final passage of
3 Item 7-B.

4 MR. COURTRIGHT: Second.

5 MS. GATELLI: On the question? Roll
6 call.

7 MR. COOLICAN: Mrs. Evans.

8 MS. EVANS: Yes.

9 MR. COOLICAN: Mrs. Fanucci.

10 MS. NEALON FANUCCI: Yes.

11 MR. COOLICAN: Mr. McGoff.

12 MR. MCGOFF: Yes.

13 MR. COOLICAN: Mr. Courtright.

14 MR. COURTRIGHT: Yes.

15 MR. COOLICAN: Mrs. Gatelli.

16 MS. GATELLI: Yes. I hereby declare

17 Item 7-B legally and lawfully adopted.

18 MS. GARVEY: 7-C, FOR CONSIDERATION BY

19 THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION -

20 FILE OF COUNCIL NO. 62, 2006 - TRANSFERRING BOTH

21 PERMANENT AND TEMPORARY EASEMENTS FOR A PARCEL OF

22 PROPERTY LOCATED ALONG THE RIGHT-OF-WAY OF

23 WEST ELM STREET WHERE IT INTERSECTS THE LACKAWANNA

24 RIVER TO THE SCRANTON SEWER AUTHORITY FOR THE

25 CONSTRUCTION OF A COMBINED SEWER OUTFLOW TO GAUGE OUT

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1 FALLS ON THE LINE AND AS A PREVENTATIVE DEVICE IN STORM

2 EVENTS.

3 MS. GATELLI: What is the

4 recommendation of the chair on public works?

5 MR. MCGOFF: As chairperson for the

6 committee on public works, I recommend final passage of

7 Item 7-C.

8 MR. COURTRIGHT: Second.

9 MS. GATELLI: On the question? Roll

10 call.

11 MR. COOLICAN: Mrs. Evans.

12 MS. EVANS: Yes.

13 MR. COOLICAN: Mrs. Fanucci.

14 MS. NEALON FANUCCI: Yes.

15 MR. COOLICAN: Mr. McGoff.

16 MR. MCGOFF: Yes.

17 MR. COOLICAN: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MR. COOLICAN: Mrs. Gatelli.

20 MS. GATELLI: Yes. I hereby declare

21 Item 7-C legally and lawfully adopted.

22 MS. GARVEY: 7-D, FOR CONSIDERATION BY

23 THE COMMITTEE ON FINANCE - FOR ADOPTION - RESOLUTION

24 NO. 113, 2006 - AUTHORIZING THE MAYOR AND OTHER

25 APPROPRIATE CITY OFFICIALS TO EXECUTE A GRANT

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1 APPLICATION TO THE COMMONWEALTH OF PENNSYLVANIA,

2 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR A

3 GROWING GREENER GRANT FOR THE REDEVELOPMENT OF THE

4 CONNELL BUILDING IN THE AMOUNT OF \$1,000,000 AND

5 ACCEPTING SAID FUNDS IF SUCCESSFUL.

6 MS. GATELLI: What is the

7 recommendation of the chair on finance?

8 MS. EVANS: As chair for the committee

9 on finance, I recommend final passage of Item 7-D.

10 MR. COURTRIGHT: Second.

11 MS. GATELLI: On the question? Roll

12 call.

13 MR. COOLICAN: Mrs. Evans.

14 MS. EVANS: Yes.

15 MR. COOLICAN: Mrs. Fanucci.

16 MS. NEALON FANUCCI: Yes.

17 MR. COOLICAN: Mr. McGoff.

18 MR. MCGOFF: Yes.

19 MR. COOLICAN: Mr. Courtright.

20 MR. COURTRIGHT: Yes.

21 MR. COOLICAN: Mrs. Gatelli.

22 MS. GATELLI: Yes. I hereby declare

23 Item 7-D legally and lawfully adopted.

24 Before we adjourn for the evening, I'd

25 like to thank everyone for a nice meeting this evening.

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1 It was very pleasurable. Most of the speakers were

2 very kind and cordial, and it is much appreciated.

3 There will be no meeting next Thursday,

4 because it is Thanksgiving, and Happy Thanksgiving and

5 enjoy it with your family. May I have a motion to

6 adjourn?

7 MR. COURTRIGHT: So moved.

8 MS. FANUCCI: Second.

9 MS. GATELLI: All in favor.

10 MS. EVANS: Aye.

11 MS. NEALON FANUCCI: Aye.

12 MR. MCGOFF: Aye.

13 MR. COURTRIGHT: Aye.

14 MS. GATELLI: Aye.

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16 (MEETING WAS ADJOURNED.)

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1 C E R T I F I C A T E

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3 I hereby certify that the proceedings and

4 evidence are contained fully and accurately in the

5 notes taken by me on the hearing of the above cause and

6 that this copy is a correct transcript of the same

7 to the best of my ability.

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LISA M. GRAFF, RMR

11 Official Court Reporter

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