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1 SCRANTON CITY COUNCIL PUBLIC HEARING

2 IN RE: FILE OF COUNCIL NO. 63, 2006 - AUTHORIZING THE
3 LEASE OF CERTAIN REAL PROPERTY TO THE REDEVELOPMENT
4 AUTHORITY OF THE CITY OF SCRANTON, PURSUANT TO A LEASE
5 AGREEMENT; DECLARING THE GUARANTY OF SAID AUTHORITY'S
6 GUARANTEED LEASE REVENUE BONDS FOR THE BENEFIT OF THE
7 CITY OF SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, TO
8 BE A PROJECT OF THE CITY FOR WHICH LEASE RENTAL DEBT IS
9 TO BE INCURRED; STATING THE REALISTIC ESTIMATED USEFUL
10 LIFE OF THE FACILITIES RELATING TO THE BONDS;
11 DETERMINING TO INCUR LEASE RENTAL DEBT IN AN AGGREGATE
12 PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000 IN RESPECT
13 OF SAID PROJECT, SUCH DEBT TO BE EVIDENCED BY THE
14 CITY'S SUBLEASE AND GUARANTY AGREEMENT WITH RESPECT TO
15 SAID BONDS; AUTHORIZING CERTAIN CITY OFFICERS TO
16 PREPARE, CERTIFY AND FILE WITH THE DEPARTMENT OF
17 COMMUNITY AND ECONOMIC DEVELOPMENT THE DEBT STATEMENT
18 REQUIRED BY SECTION 8110 OF THE LOCAL GOVERNMENT UNIT
19 DEBT ACT AND AUTHORIZING THE PREPARATION OF A DEBT
20 STATEMENT AND BORROWING BASE CERTIFICATE; APPROVING THE
21 FORM OF, AND AUTHORIZING, SUBJECT TO CERTAIN
22 CONDITIONS, EXECUTION AND DELIVERY OF THE AFORESAID
23 LEASE AGREEMENT AND SUBLEASE AND GUARANTY AGREEMENT;
24 REPEALING INCONSISTENT PRIOR ORDINANCES; SETTING FORTH
25 CERTAIN CONDITIONS TO THE EXECUTION AND DELIVERY OF THE
26 AFORESAID LEASE AGREEMENT AND SUBLEASE AND GUARANTY
27 AGREEMENT; AUTHORIZING THE PROPER OFFICERS OF THE CITY
28 TO TAKE ALL REQUIRED, NECESSARY OR DESIRABLE RELATED
29 ACTION IN CONNECTION WITH SUCH PROJECT AND THE
30 EXECUTION AND DELIVERY OF THE LEASE AGREEMENT AND
31 SUBLEASE AND GUARANTY AGREEMENT; DECLARING SAID PROJECT
32 DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE
33 RESIDENTS OF THE CITY.

18

Held:

19 Thursday, November 30, 2006

20 Time:

5:45 p.m.

21

Location:

22 Council Chambers

Scranton City Hall
23 340 North Washington Avenue
Scranton, Pennsylvania
24

25 Lisa M. Graff, RMR
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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MS. JANET EVANS

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MS. SHERRY NEALON FANUCCI

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MR. ROBERT MCGOFF

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MR. AMIL MINORA, ESQUIRE, SOLICITOR

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MS. KAY GARVEY, CITY CLERK

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16 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MS. GATELLI: I'd like to call the

2 public hearing to order. Roll call.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: Here.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. NEALON FANUCCI: Here.

7 MR. COOLICAN: Mr. McGoff.

8 MR. MCTIERNAN: Here.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Here.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Here. Notice is hereby

13 given that Scranton City Council is holding a public

14 hearing this evening at 5:45 in Council Chambers.

15 The purpose of the public hearing is to

16 hear testimony and discuss the following:

17 FILE OF COUNCIL NO. 63, 2006 -

18 AUTHORIZING THE LEASE OF CERTAIN REAL PROPERTY TO THE

19 REDEVELOPMENT AUTHORITY OF THE CITY OF SCRANTON,

20 PURSUANT TO A LEASE AGREEMENT; DECLARING THE GUARANTY

21 OF SAID AUTHORITY'S GUARANTEED LEASE REVENUE BONDS FOR

22 THE BENEFIT OF THE CITY OF SCRANTON, LACKAWANNA COUNTY,

23 PENNSYLVANIA, TO BE A PROJECT OF THE CITY FOR WHICH

24 LEASE RENTAL DEBT IS TO BE INCURRED; STATING THE

25 REALISTIC ESTIMATED USEFUL LIFE OF THE FACILITIES

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1 RELATING TO THE BONDS; DETERMINING TO INCUR LEASE

2 RENTAL DEBT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO

3 EXCEED \$15,000,000 IN RESPECT OF SAID PROJECT, SUCH

4 DEBT TO BE EVIDENCED BY THE CITY'S SUBLEASE AND

5 GUARANTY AGREEMENT WITH RESPECT TO SAID BONDS;

6 AUTHORIZING CERTAIN CITY OFFICERS TO PREPARE, CERTIFY

7 AND FILE WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC

8 DEVELOPMENT THE DEBT STATEMENT REQUIRED BY SECTION 8110

9 OF THE LOCAL GOVERNMENT UNIT DEBT ACT AND AUTHORIZING

10 THE PREPARATION OF A DEBT STATEMENT AND BORROWING BASE

11 CERTIFICATE; APPROVING THE FORM OF, AND AUTHORIZING,

12 SUBJECT TO CERTAIN CONDITIONS, EXECUTION AND DELIVERY

13 OF THE AFORESAID LEASE AGREEMENT AND SUBLEASE AND
14 GUARANTY AGREEMENT; REPEALING INCONSISTENT PRIOR
15 ORDINANCES; SETTING FORTH CERTAIN CONDITIONS TO THE
16 EXECUTION AND DELIVERY OF THE AFORESAID LEASE AGREEMENT
17 AND SUBLEASE AND GUARANTY AGREEMENT; AUTHORIZING THE
18 PROPER OFFICERS OF THE CITY TO TAKE ALL REQUIRED,
19 NECESSARY OR DESIRABLE RELATED ACTION IN CONNECTION
20 WITH SUCH PROJECT AND THE EXECUTION AND DELIVERY OF THE
21 LEASE AGREEMENT AND SUBLEASE AND GUARANTY AGREEMENT;
22 DECLARING SAID PROJECT DESIRABLE FOR THE HEALTH, SAFETY
23 AND WELFARE OF THE RESIDENTS OF THE CITY. And the
24 first speaker is Les Spindler.

25 MR. SPINDLER: Good evening, Council,

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1 Les Spindler, city resident. Well, here we go again.

2 It's the end of the year and Chris Doherty wants \$15

3 million.

4 Well, three of you up there weren't

5 here last year at this time. Chris Doherty said if he

6 didn't get the money he needed, there'd be payless

7 paydays. Well, we all know that was a lie, because he

8 didn't get the money he asked for and there were no

9 payless paydays.

10 Now this year he's threatening if he
11 doesn't get the money he wants, the TANS won't be able
12 to be paid off. I think that's another lie. There's
13 many other ways to come up with the money.
14 Many times Mrs. Evans has come up with
15 many things -- many ways that the city can come up with
16 money and nobody be wants to listen.
17 So, I think we should listen to what
18 Mrs. Evans has to say and not give this man any money.
19 Cut the fat and come up with money other ways.
20 Last year he threatened something and
21 it didn't happen. He's just threatening again this
22 year, and I don't think he should get a penny. Thank
23 you.

24 MS. GATELLI: Is there anyone else? No
25 one else is on the sign-in sheet.

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1 MR. SBARAGLIA: As you know, what is
2 the property he wants to lease to the SRA? Does
3 anybody know what he wants to actually lease?

4 MS. EVANS: The DPW.

5 MR. SBARAGLIA: We don't own the DPW.

6 We already -- that belongs to the Sewer Authority, and

7 we are already indebted twice there, plus we didn't pay
8 off our loan on the --

9 MS. EVANS: No, I agree, the DPW is not
10 yet paid for, and it's already been involved in a lease
11 back with the Sewer Authority, but that was the
12 information given us by the mayor and the BA, but I
13 think at that time the anticipated \$44 million loan in
14 which they would have repaid the two years prior
15 borrowing that was involved in that lease back
16 agreement. We've received no further -- at least I
17 should say I have received no further information on
18 it.

19 MR. SBARAGLIA: So, we don't really
20 know whether the city actually does own the sewer -- I
21 mean the DPW building at the present time?

22 MS. EVANS: I would say we do not.

23 MR. SBARAGLIA: Another thing is, tell
24 me, do you know how much we paid for that DPW site?
25 What was it, about three and a half, \$4 million?

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7

1 MS. EVANS: I think you're fairly
2 close, Mr. Sbaraglia.

3 MR. SBARAGLIA: Okay. And we got a

4 little land involved.

5 MS. GATELLI: Just top -- I just want

6 to excuse me for one minute, but my interpretation was

7 that a public hearing was a public hearing, that

8 Council is not to respond in any way; is that true?

9 MR. MINORA: Well, I think it's just to

10 give the citizens an opportunity to give their comments

11 on the pending, in this case, loan.

12 MS. GATELLI: I mean --

13 MR. SBARAGLIA: Judy, if you don't want

14 us to talk about the subject --

15 MS. GATELLI: No. I'm just trying to

16 -- I'm trying to do it the proper way, because the

17 other public hearing we had, Council did not respond.

18 I don't think that's the purpose of a public hearing.

19 MR. SBARAGLIA: Well, you were talking

20 about a public hearing on a piece of ground vacating

21 it, most of them. When you talk about borrowing, yes,

22 especially one with -- we don't know it's very cryptic.

23 You don't know what piece of property. He wants to

24 lease property he don't even own most likely.

25 You're sitting there and going to vote

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1 on it and it's on final agenda tonight.

2 Yeah, I think it's important. I think

3 it would be more important if you got up and explained

4 everything you knew about it and void all of this us

5 asking questions. That is the better way of doing it.

6 I'd be willing to listen to all of your

7 answers about the property, what piece of property it

8 is, that we have a deed to it, that it actually is

9 worth the \$15 million.

10 I mean, you're sitting up there in the

11 blind. Believe me, if I was sitting up there, that

12 lawyer would have been right there with me, that SRA

13 lawyer, and I would ask to see who owns the deed and I

14 would know all these answers, but I'm not sitting

15 there, so I have to ask you. And if you don't want to

16 answer the question, that's fine, too. You don't have

17 to answer.

18 MS. GATELLI: It's not that I don't

19 want to answer the question, but I don't think you're

20 supposed to answer the question at a public hearing.

21 MR. SBARAGLIA: Well, tell me, where

22 are you supposed to get the answers for it, when you

23 vote for it?

24 MS. GATELLI: Well, it was on the

25 agenda for the last two weeks. It's on the agenda

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9

1 again tonight and the mayor was here and gave a

2 presentation.

3 MR. SBARAGLIA: Listen, the only thing

4 he ever said was he wants to sell -- lease -- by lease

5 of said property that he doesn't own.

6 Now, to me, that puts up a red flag.

7 If it was the police station, I would say maybe; if it

8 was City Hall, I would say maybe, but you don't even

9 know if -- when he talks about selling something, is it

10 every piece of equipment in that garage or is it just

11 the real estate? Does anybody have an answer?

12 I'm not going to ask any more

13 questions, because it's stupid of me, and I don't want

14 to make you look foolish either. Thank you.

15 MS. GATELLI: Thank you.

16 MR. MORGAN: My comments tonight will

17 be pretty brief. And I'd just like to go back to two

18 meetings ago when I asked three people on this Council,

19 yourself, Mrs. Gatelli, Mrs. Fanucci, and Mr. McGoff

20 about their relationship with the mayor, and I think

21 what's happened here is we all know that the borrowing

22 isn't right for the city.

23 And, Mrs. Gatelli, you spent a lot of

24 time in the neighborhoods and you're throwing it all

25 away, because what we have here now is a rubber stamp

.

10

1 Council that's going to borrow money that the city

2 can't pay back and nobody seems to care, okay?

3 And this thing should be removed from

4 the agenda. We can't even pay our tax anticipation

5 notes from last year. We've got additional borrowing

6 here of over \$14 million besides this, and I think it's

7 really a disgrace honestly for this Council not to have

8 used its power of subpoena to get answers for the

9 residents in this city.

10 And nothing against you, Mr. McGoff,

11 but, you know, when you appoint somebody to Council and

12 they don't even know they get a salary, that tells you

13 that this person is not informed about anything

14 whatsoever in regards to this city.

15 MR. MCGOFF: Excuse me.

16 MR. MORGAN: Excuse me. You're not

17 supposed to make comments. Remember what Mrs. Gatelli

18 said.

19 MR. MCGOFF: Excuse me. Mr. Minora, I

20 believe he's supposed to be --

21 MR. MINORA: If you're making person 1

22 --

23 MR. MCGOFF: -- speaking on the loan

24 and not on my --

25 MR. MORGAN: I'm not making a personal

.

11

1 attack.

2 MR. MINORA: Sure you are.

3 MR. MCGOFF: Thank you.

4 MR. MORGAN: No. What I'm stating here

5 is that this gentleman said he's not aware that

6 Councilmen get a salary. That is not a personal

7 attack.

8 MR. MINORA: Mr. Morgan --

9 MR. MORGAN: Go ahead.

10 MR. MINORA: Keep your comments to the

11 issue at hand, which is the loan, not Mr. McGoff.

12 MR. MORGAN: The issue here is the

13 loan. And the issue here is whether this Council is

14 working in the best interest of this city or not and

15 whether these Council people have a hidden agenda

16 that's political and whether they're even informed and
17 whether this Council has used its power of subpoena to
18 get answers that are relevant to the residents of this
19 city and to look at the infrastructure and the standard
20 of living for the residents of this city.

21 And as this Council continues to
22 borrow, I'm telling you, this is a rubber stamp
23 Council. You've done yourself a very serious -- very
24 serious harm to yourself, Mrs. Gatelli, because you
25 know what, for somebody that spent all this time in the

.

12

1 neighborhoods talking about all the things you've
2 talked about and to roll out borrowing after borrowing,
3 it's all a sham.

4 Because you know something, my question
5 for this Council is this, we couldn't pay the last
6 anticipation note, we can't even pay our bills, and
7 we're going to borrow more money? Look at the
8 neighborhoods. Thank you.

9 MS. FRANUS: Fay Franus, Scranton. I'd
10 like to ask you, you don't have to answer this, but
11 would you give your children and your grandchildren a
12 charge card and say, Here, go do what you want, I don't

13 care how you're going to pay it, just go and have a
14 great time. I think you would be a little petrified to
15 do something like that.

16 And you, Mrs. Gatelli, your
17 grandchildren and your grandchildren, and your children
18 and your children, would you let them run rampant with
19 charge cards and not care if they got paid? I think
20 you would be a nervous wreck. You want your kids to be
21 responsible.

22 Well, the people in the city try their
23 hardest to pay their bills, and you're putting us over
24 the edge.

25 Now, you sit there and say you're for

.

13

1 the people. Every week I come here and I say the same
2 thing and it goes in one ear and out the other. Just
3 like Mr. Morgan. And he has every right to say
4 everything he said there.

5 And Mr. Minora, we didn't elect you to
6 Council, we elected these people up here. And I agree
7 with him one million percent. You are a rubber stamp
8 Council.

9 Mr. McGoff, Mrs. Gatelli, and Mrs.

10 Fanucci, yes, yes, yes, yes, whatever the mayor wants
11 is going right through. No matter which way you
12 finagle it, whatever he wants, he's going to get.
13 You're going to sit there all you want and say, Well,
14 if you vote no, Mrs. Gatelli, against any borrowing,
15 it's only because you know the other ones, Mrs. Fanucci
16 and Mr. McGoff will do it, so you don't have to worry
17 about anything. So, don't think that's going to fly.
18 We're all wise to your little antics here. All I know
19 is we can't afford to pay --

20 MS. GATELLI: Mrs. Franus, I'm going to
21 comment, even though I shouldn't.

22 MS. FRANUS: Well, wait, wait.

23 MS. GATELLI: I am not going to be
24 intimidated by you every week and bullied into voting a
25 certain way.

.

14

1 MS. FRANUS: Hey, Judy --

2 MS. GATELLI: But if that's your

3 intent, it's not going to work.

4 MS. FRANUS: I don't even know what

5 you're talking about.

6 MS. GATELLI: I don't like your

7 bullying.

8 MS. FRANUS: You know, I don't really

9 care what you like.

10 MS. GATELLI: Well, that's okay. You

11 don't have to --

12 MS. FRANUS: I'm paying your salary,

13 and I don't really care. My boss doesn't like what I

14 do, I'm told about it.

15 MS. GATELLI: Well, you can tell me.

16 MS. FRANUS: And if you don't like it,

17 you know, that's too bad. Maybe if you started doing

18 things that are right for the city, you wouldn't have

19 to feel so guilty and feel so bad.

20 MS. GATELLI: I don't feel guilty.

21 MS. FRANUS: Well, you should.

22 MS. GATELLI: I just don't like being

23 intimidated --

24 MS. FRANUS: You absolutely should.

25 MS. GATELLI: -- by your venomous

.

15

1 statements every week.

2 MS. FRANUS: Oh, poison, poison,

3 poison, poison.

4 MS. GATELLI: Yes, it is.

5 MS. FRANUS: Why don't you all put your
6 hands up so the microphones don't go off again? Don't
7 turn off those microphones so the people can't hear
8 what you're saying.

9 MS. GATELLI: Oh, come on.

10 MS. FRANUS: Oh, yeah, really? Another
11 thing, \$15 million, \$15 million, you're going to
12 increase the taxes 25 percent for the people. How do
13 you expect us to pay for this? But you don't care.
14 The three of you up there don't care. You just don't
15 care. But you can talk all you want and, you know, you
16 people shouldn't even be in office.
17 There should be a way to get people out
18 of office that don't represent the people of the City
19 of Scranton. And that -- they're not there to do the
20 deeds of the mayor or anybody else they owe.
21 Now, you may say, Oh, that's terrible,
22 you can't say that. Well, it's true. And we have a
23 right to say it. We have every right in the world to
24 say it, and you should start doing what you should be
25 doing.

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1 Why don't you work together, the five
2 of you, and come up with a budget and come up with some
3 kind of plan to pay these bills? Cut, cut, cut,
4 instead of going with the mayor's budget. Why can't
5 you work together, the five of you and come up with
6 something that's wonderful for the people? It would be
7 a first. It would be a first.

8 Well, I'm not going anywhere. I'm
9 going to be back, but I hope you all vote no to every
10 bit of borrowing any kind of money at all. You don't
11 have the money, you didn't pay your past bills, how do
12 you expect to pay any more bills. Common sense.
13 Charge, charge, charge. You should be
14 ashamed of yourself. Any Council member on this panel
15 that votes yes for any money being borrowed shouldn't
16 even be here because you don't care.

17 You're all lying to the people of the
18 City of Scranton with other excuses saying why you're
19 doing it. It means crap. One ear and out the other
20 because they're only excuses. You're going to zap us
21 with a big tax increase? God help you if you do. God
22 help you.

23 MR. GERVASI: Good evening, City
24 Council. My name is Dave Gervasi. I'm here tonight as

25 a taxpayer and a home owner, and I'd like to welcome

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17

1 Mr. McGoff. I apologize for not being here for the

2 last few weeks, I was a little tied up with some

3 personal problems.

4 On this subject, the \$15 million, I was

5 here numerous times talking about why we should not

6 borrow, and I kept saying that you may need to borrow,

7 you may not need to borrow and you wouldn't know until

8 the independent audit came out.

9 I'd just like to remind you of a little

10 bit of the last -- history of the last five years and

11 history of the last few months.

12 Every year since Chris Doherty has been

13 the mayor things have been delayed right to the end

14 until they game an emergency, and I've saw Council

15 after Council after Council having their backs against

16 the walls, threats of payless paydays, threats of the

17 city shutting down.

18 It has been done numerous times. It's

19 a pattern with this administration, and I think, once

20 again, the independent audit came out late and everyone

21 up here on Council, I'm sure, is scrambling trying to

22 find answers, trying to find solutions, trying to find
23 alternatives to this borrowing, this continued

24 borrowing.

25 Again, I wish I was here a few weeks

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18

1 ago. I did some research, and hopefully I can get some
2 of this information to you.

3 These lease buy back agreements have

4 been used over the years, especially in New York State,

5 and that's what almost bankrupted New York City.

6 One economist that does a lot of -- had

7 published a lot of articles on this, has said that it's

8 not voodoo economics, it's taboo economics.

9 And New York State is still trying to

10 dig themselves out of the hole from all these -- what

11 they basically call the shell game, robbing Peter to

12 pay Paul and you're just moving money around. So, I

13 think you need to research a little bit more before

14 this thing is actually improved.

15 Recent history shows that, I mean, PEL

16 sat here -- I sat here and watched them to say to all

17 of you on Council, except for you, Mr. McGoff, you

18 weren't here, that there was no other alternative than

19 to borrow \$44 million.

20 They had no answers, they had no

21 solutions, they had no alternatives. What the mayor

22 said and what these bond salesmen were trying to sell

23 us was the only alternative we had.

24 And then you, Mrs. Gatelli, when Mr.

25 Doherty was standing right here at this podium, you

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19

1 simply looked at him in the eye and you said, How much

2 do you really need? And it changed from \$44 million to

3 \$19 million. I think he said 19 and change.

4 Now a few weeks later it's \$15 million.

5 What I think you need to do is look at the history of

6 how this guy operates, okay?

7 We have done an analysis of the

8 independent audit from our international, as we did for

9 the last five years, and I will bring those figure up

10 during the next public hearing and during the Council

11 meeting, and I would say to you, this has nothing to do

12 with what the city needs, this has everything to do

13 with what Mayor Doherty wants.

14 There's a big difference between what

15 the city needs to borrow and what the mayor wants to

16 borrow.

17 And once I reveal these figure tonight,

18 taken right from the independent audit, because we had

19 an opportunity to look at it, you're going to find out

20 that there's no reason for a tax increase, there's no

21 reason to borrow a dime. There's still money left over

22 in the operating budget, and I thank you very much for

23 listening.

24 MS. GATELLI: Thank you. Anyone else?

25 I now declare this public hearing closed. We'll get

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1 into the second hearing now.

2 (HEARING WAS CONCLUDED.)

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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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1 SCRANTON CITY COUNCIL
PUBLIC HEARING

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IN RE: FILE OF THE COUNCIL NO. 66, 2006 -
6 APPROPRIATING FUNDS FOR THE EXPENSES OF THE CITY
GOVERNMENT FOR THE PERIOD COMMENCING ON THE FIRST DAY

7 OF JANUARY 2007 TO AND INCLUDING DECEMBER 31, 2007 BY
THE ADOPTION OF THE GENERAL CITY OPERATING BUDGET FOR
8 THE YEAR 2007.

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12 Held:
Thursday, November 30, 2006

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Time:
16 6:00 p.m.

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19 Location:
Council Chambers
20 Scranton City Hall
340 North Washington Avenue
21 Scranton, Pennsylvania

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24 Lisa M. Graff, RMR
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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MS. JANET EVANS

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MS. SHERRY NEALON FANUCCI

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MR. ROBERT MCGOFF

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MR. AMIL MINORA, ESQUIRE, SOLICITOR

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MS. KAY GARVEY, CITY CLERK

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MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MS. GATELLI: I'd like to call this

2 second public hearing to order. Roll call.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: Here.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. NEALON FANUCCI: Here.

7 MR. COOLICAN: Mr. McGoff.

8 MR. MCGOFF: Here.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Here.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Here. The purpose of the

13 public hearing is to hear testimony and discuss the

14 following:

15 FILE OF THE COUNCIL NO. 66, 2006 -

16 APPROPRIATING FUNDS FOR THE EXPENSES OF THE CITY

17 GOVERNMENT FOR THE PERIOD COMMENCING ON THE FIRST DAY

18 OF JANUARY 2007 TO AND INCLUDING DECEMBER 31, 2007 BY

19 THE ADOPTION OF THE GENERAL CITY OPERATING BUDGET FOR

20 THE YEAR 2007.

21 MS. GATELLI: Okay. The first speaker

22 is Fay Franus.

23 MS. FRANUS: Fay Franus, Scranton. I'm

24 just going to basically repeat myself. Please don't

25 borrow anything. Just pay your bills and straighten up

.

4

1 your act. If you can't do that, then leave.

2 MS. GATELLI: Anyone else?

3 MR. MORGAN: I'd just like to briefly

4 say that the Scranton Lackawanna Taxpayers and Citizens

5 Association offered to review the budget with Council

6 and we haven't heard a response yet, and I think that

7 the residents of this city should be involved in

8 reviewing this document tonight, and I think a copy of

9 this document should go to the Scranton Public Library,

10 and I think a copy of this document should have been

11 left over here where you sign in.

12 I think this is a very important issue

13 for the residents of this city, because I think they

14 need to know where their money is going and how

15 business is being conducted, and I just don't see how

16 it's being done here, and I hope this Council really

17 give it some serious consideration.

18 We can all have serious disagreements

19 on borrowing and a lot of things, but I think the more

20 people that are informed about the budget and about the

21 borrowing and about everything else in this city would

22 really help this city, okay?

23 I mean, this legislation should be held

24 up until the residents of this city have a chance to

25 review it and it's made accessible to them.

.

5

1 And I just don't see that in the way

2 that this is being presented, any of it, the borrowing,

3 the budget, any of it. And I just hope you'd consider

4 that.

5 MS. GARVEY: Mrs. Gatelli, can I please

6 respond to that?

7 MS. GATELLI: Yes, you may.

8 MS. GARVEY: I just wanted to say that

9 the proposed budget has been brought to the Scranton

10 Public Library and it was advertised in the paper as it

11 needed to be to notify the citizens that it was

12 available for them in my office, as well as the public

13 library.

14 MR. SPINDLER: I just have one comment.

15 Mr. McGoff, when you were put in this position, I don't

16 remember the exact words, but you were quoted in the

17 paper as saying you don't know a lot about budgets, you

18 have to do some investigating to get advice from some

19 people, well, I don't think this is the time to be
20 investigating and getting advice from people.
21 I don't think you're qualified to be
22 voting on this budget, and I think you should abstain
23 on the vote tonight.

24 This is a very important thing and if
25 you have to get advice from other people, I totally
.
6

1 don't think you're qualified to be making this
2 decision. And it's something that's going to be an
3 important thing for the people of this city for a long,
4 long time. That's all I have to say on this matter.

5 MS. WARDELL: Good evening, Council.

6 My name is Mary Ann Wardell, and I'm here to tell you
7 the same thing that I told the school board, when you
8 work on this budget, you have to keep one thing in
9 mind, you have to -- if you're working on a budget for
10 your home and at the end of the month you don't have
11 enough money, you don't go to your employer and say,
12 Gee, I don't have enough money for my bills this week,
13 can you, you know, forward me some money here?
14 That's what you're doing when you
15 increase the debt by \$15 million. That's what you're

16 doing. You're going to your employer, which is us, and
17 you are saying, We don't enough money. We can't
18 balance this budget.

19 So, now we have to take more money from
20 you. The school district, the city, and the county are
21 all taking more money, however, it's all coming out of
22 one pocket, it's my pocket, it's your pocket, it's
23 everybody's pocket that owns property in this city.

24 First of all, I have a real problem
25 with the way that we handle our taxes in this city.

.

7

1 Property owners are unfairly taxes. We need another
2 way to tax people so that not only property owners are
3 getting stuck all the time, but the renters are going
4 to get -- are going to get taken care of, too, as far
5 as taxes go.

6 I believe that if you work on this
7 budget, there are a lot of things that you guys could
8 cut out of there.

9 I would consider most of you
10 intelligent people, and I think if you got together and
11 really were determined to reduce the expenses and
12 increase the revenue in this budget, I believe that you

13 can do it, but you have to do it as a team.

14 We all cannot have our own separate

15 agendas here. We all can't say, Well, you know what,

16 the mayor wanted me here, so I'll vote for the mayor,

17 or the mayor didn't want me here, so I'll vote against

18 him. It can't be like that.

19 There are how many property owners in

20 this city that you're affecting by what you do with

21 this budget? You need to find a way that we do not

22 borrow any money. We cannot afford to borrow any

23 money. This city is on the verge of bankruptcy, and I

24 cannot see seriously a way that we will ever pay this

25 money back. We are too far -- too, too far in debt.

.

8

1 Thank you.

2 MS. GATELLI: Anyone else?

3 MR. SBARAGLIA: Judy, just a few

4 things. There's, like, 50 pages to that budget, is

5 there not? I think it's pretty close to 50, yeah.

6 I was saying, why can't you print up so

7 many copies and sell them at a nominal fee so people

8 can go home to study them?

9 I sit at that podium there in there and

10 read them, and it takes a while to read them, and you
11 can't study them in that amount of time needed, I mean
12 standing here. I would have to take it and actually
13 study it line by line by line to actually get a -- and
14 plus taking the old budgets and correspond with them to
15 really know what's going on.

16 I noticed -- the only thing I really
17 noticed was I was reading 2005, which had nothing to do
18 with this one, but somewhere in there it says that the
19 tax, I think it was the mercantile tax or business
20 privilege tax was two percent and it has been lowered
21 to one.

22 Well, that affects the budget, too, but
23 I was pulling through some old copies and I saw it. It
24 was at two percent and then pushed to one. The other
25 one was, of course, constantly dropping it down to one
.

9

1 when they were quoting the '76 law. But that's a lot
2 of money being changed here and now when you lower the
3 taxes to one group of citizens and then raise them to
4 another, like this budget is.

5 But the main thing is, can some kind of
6 nominal fee be made for that information where people

7 can actually buy the budget and study it and actually
8 give you good answers?
9 I hate to -- well, it has nothing to do
10 with you, but when you're electric rate goes up, I
11 think you were there, weren't you there at one of those
12 rate hearings, or somebody was that represented, and
13 you had no way of knowing it, because they have no data
14 there. You can't study nothing. They tell you
15 everything is down in Harrisburg.
16 I don't want that in Scranton. I want
17 to be able to come here, buy a copy of it reasonably
18 and not at 25 cent a sheet, and study it and then speak
19 to you logical and reasonable on the budget.
20 We all know you got to borrow money. I
21 mean, no matter what they say, you've got to pay off
22 the TANS, and there's something else I think that had
23 to be paid off. That has to be paid, and there's no
24 way around it.
25 But you want to start off the new year
.

10

1 with the best possible approach to this budget, and
2 that's the only thing we can do. We all know you may
3 end up with -- you can't go five years. And Connors

4 didn't really raise that much taxes either before this
5 mayor.
6 So, hence, we're at a point now where
7 we're really up against -- now, I know some people said
8 we have enough money, yeah, maybe we do have enough
9 money to pay the police, firemen, so forth and so on,
10 but other things break down. They have to be fixed.
11 We don't have money for that. And that's where maybe
12 some of the extra money can do.
13 But really, you can't push too much
14 more on the people without really going through
15 everything we can, past budgets and this budget, and
16 come up with a comprehensive plan to go forward with.
17 We can't go backwards.
18 There's no sense sitting here and
19 trashing all of this old stuff back there. I mean,
20 there's a lot of things that can be done and should be
21 done, and maybe a small increase will be needed. I'm
22 not saying it's not. That's not the question.
23 But the question is we only have to go
24 with what we have to go with at the present time.
25 Maybe two years, maybe when that train comes, we will

1 be in a better position, maybe when the Jewish influx
2 comes in, we'll be in a better position, but right now
3 we're not in that position, so we've got to sort of put
4 a lot of things on hold and do what we have to do and
5 nothing more. I thank you.

6 MS. GATELLI: Thank you. Anyone else?

7 MR. GERVASI: Hello again, City

8 Council. Dave Gervasi, homeowner. As far as the
9 budget is concerned, there's some information I think
10 you need to know.

11 Again, from an analysis that we did, we
12 are now talking about a budget that I believe is
13 several million dollars more than last year's budget
14 that the mayor is proposing.

15 We are talking about, it amazes me, we
16 are talking about borrowing money for bills from last
17 year, but we still are increasing this year's budget.

18 Now, I heard the mayor say it was
19 health care and of course blame us, but, you know,
20 that's not exactly the truth. It didn't cost an extra
21 \$3 million in health care.

22 We have a budget that cut six more
23 police positions, when, I don't care what anyone says,
24 crime is up, and it's several million dollars more than

25 it was last year, and we're going to continue to borrow

.

12

1 again.

2 We have one question that hasn't been

3 answered in this budget that of that \$15 million that

4 needs to be borrowed supposedly, that \$3 million, we

5 have no answers to what those projects are, what those

6 capital improvements are. No one still seems to have

7 an answer to that. So, we're just going to blindly

8 give the mayor \$3 million to spend again, being with

9 his history and his pattern of no bid contracts and

10 frivolous spending.

11 Within our independent audit, I think

12 you need to know this, they broke down this, they did

13 an analysis, and they broke this down to general fund

14 revenues, transfers and expenditures. We've been

15 hearing over and over and over again that the city

16 spend more money than it brings in in taxes, which

17 we've been saying over and over for the last five years

18 that that is not true.

19 The city has always since 1999 had an

20 operating budget surplus, which simply means that we

21 bring in more money in taxes than we need to run the

22 city.

23 Again, getting back to what I said

24 about what the mayor needs and what the mayor wants.

25 From our analysis, the situation which revenue does not

.

13

1 cover expenditures is often referred to as an operating

2 deficit.

3 An operating deficit does not mean that

4 the city is bankrupt. Whether or not it is a cause for

5 serious concern depends on the amount of the operating

6 deficit, the level of the fund balance and whether it

7 is an isolated case that is unlikely to repeat or part

8 of a trend of insufficient revenue.

9 If the general fund were all the funds

10 together, all the funds, meaning all of the funds, the

11 general fund, OECD funds, all of those funds, together

12 having negative fund balance, which means that

13 liabilities are greater than assets, the city is most

14 certainly in serious financial difficulty.

15 This has not been an issue in

16 Scranton's general fund for at least the last three

17 reported fiscal years.

18 As a matter of fact, the general fund

19 balance for 2005 was \$4,402,361. \$4.4 general fund
20 balance.

21 MS. NEALON FANUCCI: Dave, repeat that
22 number again.

23 MR. GERVASI: \$4,402,361 general fund
24 balance. Mooty's on Municipals, which is your
25 guideline of how much reserve municipalities should
.

14

1 have normally states that it's five percent. The city
2 is 6.6 percent.

3 And generally, if I can get through all
4 these numbers here on revenues, as opposed to
5 expenditures, but in general it says, Scranton's
6 general fund balance increased approximately 57 percent
7 between fiscal year 2000 and fiscal year 2005.

8 The general fund asset to liability
9 ratio increased by 4.2 percent for the same time
10 period. General fund balance, both reserve and
11 unreserve, as a percentage of expenditures at the end
12 of 2005 is above Mooty's guidelines, all governmental
13 funds, with the exception of the OECD fund, have
14 positive asset to liability ratios and positive fund
15 balances.

16 So, kind of confusing, I'm sure, for
17 some people, because I'm a little confused at what I
18 read here, too.

19 Basically what that means is that, yes,
20 are we over \$200 million in long-term debt, yes, we
21 are, and it's not like we have to pay that \$200 million
22 off this year.

23 We borrow that money over, I believe, I
24 think we owe 28 years on that. That raised our debt
25 service payments per year by over \$3 million, which

15

1 they're into the \$7 million range.

2 That means that for the next 28 years,
3 the city does not have liquid money that they can use
4 for services, buying fire trucks, buying police cars,
5 paving streets. You will not have \$3 million for the
6 next 28 years to spend on services for our taxpayers.

7 That's what that means.

8 Can this budget and the revenues we
9 bring in in taxes pay that extra \$3 million? It sure
10 could, with \$4 million to spare.

11 So, again, we want to raise taxes by
12 25 percent, I believe somebody said, we want to borrow

13 another \$15 million, when we have reserves that can be
14 used.

15 I mean, this is just unbelievable.

16 That's a \$10 million gap in what the city is saying,

17 Mr. Kresefski and the mayor is saying, as compared to

18 what the independent audit says, \$10 million. And,

19 again, it's very simple to me. It's not what the mayor

20 needs, it's what the mayor wants. It's simple. Thank

21 you.

22 MR. MINORA: Five minutes.

23 MS. KRAKE: Good evening, Council. My

24 name is Nancy Krake. We have a budget here from a

25 mayor who has not cared about the fairness or, I should

.

16

1 say, he hasn't cared about any of the citizens for the

2 past six years.

3 He's reduced his part of the spending

4 one-quarter of one percent, yet he is asking the

5 taxpayers of the City of Scranton to pay 28 percent

6 more in real estate tax.

7 I can't believe that there would be one

8 single Councilperson who would be able to agree with

9 that. We're looking to this Council and Mrs. Evans as

10 finance chairman to take a look at a budget that would
11 be fair to all the citizens of Scranton to show
12 reciprocity and fairness, something this mayor knows
13 nothing about. Thank you.

14 MS. GATELLI: Anyone else? Anyone else
15 on the budget? If not, we will call this public
16 hearing to a -- oh, is she coming?

17 MS. SHUMAKER: Marie Shumaker. Just a
18 couple of comments. I just want to say that I hope
19 that balance the budget and end this structural deficit
20 that the city has been living with, cut spending, do
21 what you have to do to balance the budget. It has to
22 happen some time, and there's no time like the present.
23 Thank you.

24 MS. GATELLI: Thank you. Anyone else
25 on the budget? If not, we'll call the public hearing

.

17

1 closed. We will take a ten-minute recess.

2 (HEARING WAS CONCLUDED.)

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1 CERTIFICATE

2

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.

8

9

10

LISA M. GRAFF, RMR
11 Official Court Reporter

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1 SCRANTON CITY COUNCIL MEETING

2

3

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5 Held:

6 Thursday, November 30, 2006

7

8

9 Time:

10 6:30 p.m.

11

12

13 Location:

14 Council Chambers

15 Scranton City Hall

16 340 North Washington Avenue

17 Scranton, Pennsylvania

18

19

20

21

22

23 Lisa M. Graff, RMR

24 Court Reporter

25

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2

1 CITY OF SCRANTON COUNCIL:

2

3 MS. JUDY GATELLI, COUNCIL PRESIDENT

4

5 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

6

7 MS. JANET EVANS

8

9 MS. SHERRY NEALON FANUCCI

10

11 MR. ROBERT MCGOFF

12

13 MR. AMIL MINORA, ESQUIRE, SOLICITOR

14

15 MS. KAY GARVEY, CITY CLERK

16

17 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

18

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3

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. MCTIERNAN: 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,

16 PETITION FOR PERMIT PARKING ON THE 1000 BLOCK OF OLIVE

17 STREET.

18 MS. GATELLI: Are there any comments?

19 If not, received and filed. Could everyone please turn
20 off their cell phones? Thank you. Make sure ours are
21 off.

22 MS. GARVEY: 3-B, MINUTES OF THE
23 SCRANTON-LACKAWANNA HEALTH & WELFARE AUTHORITY MEETING
24 HELD ON OCTOBER 19, 2006.

25 MS. GATELLI: Are there any comments?
.
4

1 If not, received and filed.

2 MS. GARVEY: 3-C, AGENDA FOR THE ZONING
3 HEARING BOARD MEETING TO BE HELD ON DECEMBER 13, 2006.

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

6 MS. GARVEY: 3-D, ACCEPTING A DONATION
7 RECEIVED FROM MR. PAUL O'DONNELL TO THE SCRANTON FIRE
8 DEPARTMENT IN THE AMOUNT OF \$100.00 TO BE DEPOSITED TO
9 SPECIAL CITY ACCOUNT #02.229544 (FIRE DONATIONS.)

10 MS. GATELLI: Are there any comments?
11 If not, received and filed.

12 MS. GARVEY: 3-E, ACCEPTING A CHECK IN
13 THE AMOUNT OF \$625.00 RECEIVED FROM MRS. JUDY GATELLI
14 TO BE DEPOSITED IN ACCOUNT #01.380.38000 (MISCELLANEOUS
15 REVENUE-OTHER).

16 MS. GATELLI: Are there any comments?

17 If not, received and filed.

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

19 MS. GATELLI: I just have a few things.

20 I would like to commend the Scranton Police Department,

21 the District Attorney, the county detectives, the

22 liquor control enforcement agency and the city

23 inspectors for closing a nuisance bar in the Pine Brook

24 Section. They have been working on it for many, many

25 months, and they closed it, as you probably saw in this

.

5

1 morning's paper. So, that was a victory for that

2 particular neighborhood.

3 Tomorrow night there will be a festival

4 of trees at the trolley museum from 5:30 to eight.

5 Saturday night at the South Scranton Renaissance

6 Center, the South Side Residents Association is

7 sponsoring a Christmas get-together from seven to nine.

8 Everyone is invited. The cost is \$10.

9 The annual O'Malley Christmas party

10 will be the 10th of December from one to three at the

11 Keyser Valley Community Center. It is for preschool

12 children to fifth grade and it is free. You just need

13 to call and make a reservation. The number is

14 346-1828.

15 The Civic Ballet is having a free

16 Nutcracker performance on December 8, December 9 at

17 7:30 and December 10 at three o'clock. You must call

18 The Cultural Center for reservations, but it is free.

19 The number is 344-1111.

20 I talked to Mr. Parker this morning and

21 he told me that the contractor has started the work up

22 on Crisp Avenue where the road caved in from the creek,

23 so they have started there this morning.

24 He has not started on the top of Frink

25 Street where they think -- believe there is a mine

.

6

1 settlement, because he has not received the answer yet

2 from office of surface mines, so that's why that

3 project has not been started yet. He's waiting for

4 that answer.

5 There will be a flood meeting for all

6 interested people who had flood damage at the Keyser

7 Valley Lee Community Center this Tuesday evening at

8 seven o'clock. Mary Alice Burke has been working with

9 the DEP, I know Bill was up there, and Mr. Parker and

10 Mr. Flannigan from the County Emergency Management
11 Agency.

12 So, anyone that had any type of flood
13 damage is requested to go to that meeting, because they
14 want to compile a list to see if we can get declared a
15 disaster. So, any type of damage you had at all,
16 please go to that meeting on Tuesday.

17 I was asked to read two letters, and
18 I'm going to read them now before the ordinance is
19 read. It's concerning the smoking ban.

20 To honorable members of Council and
21 Mayor Doherty, As members of the Mercy Hospital Medical
22 staff, we applaud your introduction of an ordinance
23 that will improve the health of our community by
24 banning smoking in public places thereby protecting the
25 health of those in our city who choose not to smoke.

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7

1 We also wholeheartedly applaud the
2 students of West Scranton High School who presented
3 such a compelling, well researched and logical argument
4 for a non-smoking ban that has gained the attention of
5 our community.

6 To those students, we extend our

7 gratitude and our belief that your efforts, if
8 supported by Council, Mayor Doherty and our community,
9 will undoubtedly save lives.

10 We encourage Scranton City Council and
11 our mayor to follow the examples set by our young
12 people and move forward with this ordinance to prohibit
13 smokers from imposing their choice to smoke upon
14 others, and including our city's children.

15 We also encourage our surrounding
16 community governments to follow the positive examples
17 set here tonight by our city leaders and young people.

18 Today cigarette smoking is no longer
19 the norm, it is the exception in our society. We're
20 looking forward to life in Scranton not clouded by
21 toxic smoke.

22 As we are only the first of what we
23 believe will be a ground swell of support from other
24 area physicians and health care workers, and we hope
25 some day to have practices limited to the treatment of

.

8

1 patients with health problems that cannot be prevented/
2 This particular area of health care we
3 will gladly do without. By passing this ordinance, you

4 will save lives. There is no better way to insure our
5 city's future. Sincerely, and I won't read them,
6 because there are 63 doctors who have signed this
7 document. If anyone cares to read it, we'll have it
8 after the meeting if you'd like a copy.

9 The next letter is from the president
10 and CEO of Mercy Health Partners. The Mercy Health
11 Partners Administration congratulates the members of
12 City Council for taking this courageous step forward to
13 pursue a ban on smoking in public places to protect the
14 health of our citizens. We also commend the students
15 of West Scranton High School for having the wisdom and
16 foresight to ask for this measure.

17 We are sure the successful passage and
18 implementation of this ordinance will bring the City of
19 Scranton in line with other progressive cities like New
20 York and even Louisville, Kentucky with it's
21 tobacco-based economy.

22 The American Non-Smokers' Rights Foundation
23 reports that last year five states and 82 towns, cities
24 and counties approved smoking bans far surpassing 2004,
25 when four states and 74 cities and counties began

.

1 enforcing smoking bans.

2 Today in 2006, at least 17 states now

3 have no smoking laws in effect, as do 461 towns, cities

4 and counties elsewhere.

5 On April 15, New Jersey was added to

6 that list. From America's largest cities to tiny Tim

7 Nap, Colorado with a population of 2023, smoking bans

8 are changing our culture.

9 Non-smoking sections and ventilation

10 systems are not acceptable options any longer. The

11 dangers of secondhand smoke cannot be denied.

12 We urge you to pass this ordinance and

13 commend you for your courage as you pursue a healthier

14 Scranton. So, I just wanted to read those. If any

15 Council members would like a copy or any of the public.

16 We're late tonight, so I'm not going to

17 read all of the DPW, but there was a lot of curbing

18 done, some trees taken down, some houses boarded up.

19 The flood took the majority of the work for the past

20 several weeks, and a lot of leaves were picked up.

21 If you have any concerns about leaves,

22 please call City Council office and we will forward

23 your requests to Mr. Parker. And that is all I have.

24 MS. EVANS: Mrs. Gatelli, could I make

25 one announcement, please?

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10

1 MS. GATELLI: Sure.

2 MS. EVANS: On Saturday, December 16,

3 2006, the Community Intervention Center will be holding

4 a denim drop at the corner of Wyoming Avenue and Olive

5 Street to benefit the homeless.

6 They are asking for donations of new or

7 used jeans in all sizes. Winter coats will also be

8 appreciated. Anyone wishing to donate can drop items

9 off between 9 a.m. and 1 p.m. That's Saturday December

10 16, two weeks this Saturday, and I'm hoping during this

11 Christmas season of giving, we will all be very

12 generous to our homeless in Scranton.

13 MS. GATELLI: Thank you. The first

14 speaker is Douglas Miller.

15 MR. MILLER: Good evening, Council.

16 Doug Miller. Just in relation to the budget, this past

17 week I was online researching possible revenue ideas

18 for the city, and I came across an article from a

19 newspaper in Florida regarding an impact fee, and I

20 asked myself why Scranton would be ignoring this and

21 not looking into impact fees. And I would like to read

22 this article to you.

23 The City of Stark and Bradford County

24 have announced the dates for their upcoming public

25 hearings on impact fees. Once working toward a single

.

11

1 ordinance that would cover both the city and county,

2 the two boards are now planning to go with separate

3 ordinances.

4 The impact fee hearings for the City of

5 Stark are scheduled for Monday, November 20 and

6 Tuesday, December 5. The counties hearings will

7 include the county commission and school board have

8 been scheduled for Monday, November 27 and Thursday

9 December 14.

10 Impact fees are fees imposed on new

11 development. Revenue from those fees is set aside to

12 pay for the impact that development may have on the

13 community.

14 More and more the state is requiring

15 local governments to plan for growth and show how it

16 will be paid for or be penalized by losing the

17 authority to approve new development.

18 Impact fees on roads, for example,

19 could pay for new road construction or improvements to
20 existing roads, such as widening or adding turn lanes,
21 projects that deal with traffic created by new
22 developments.

23 Likewise, impact fees on schools can
24 build new classroom space or even new schools as
25 population growth demands it.

.

12

1 Impact fees for law enforcement can pay
2 for new patrol cars or expand jail cell space. Impact
3 fees are set aside to help local governments keep up
4 with the demands of growth in the category for which
5 the fees are collected.

6 They can only be used for the purpose
7 for which they were collected and only on capital
8 projects, not ongoing operational costs like personnel.

9 Impact fees are also charged to new
10 developers, non-existing residents and businesses,
11 unless they, too, are building a new home or business.

12 Fees are paid at the time a project is
13 permitted. Large housing developers typically build
14 the impact fees they are charged into the price of the
15 homes they are building, but an individual building a

16 new home is equally responsible for paying impact fees
17 and must consider that when looking at a cost of
18 building versus purchasing an existing home.
19 No impact fees are paid when an
20 existing home is purchased or replaced, because there
21 is no additional impact on local infrastructure.
22 The fees and the charge which -- are
23 what would be paid for for new residential and
24 commercial projects in the City of Stark, assuming the
25 city commission approves the schedule as proposed.

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13

1 That decision will not be made until after the public
2 hearings have been held.
3 Fees are paid once and that's it. This
4 is not an annual assessment or a new tax. Residential
5 fees would not be charged based on the size of the
6 housing unit or per room in the case of hotels and
7 motels.
8 Commercial fees in most cases are
9 charged per square foot. When impact fees aren't in
10 place, the county loses out on that revenue and most
11 look into other sources of revenue like additional
12 property taxes in order to fund the needs of the

13 community.

14 And, you know, citizens are charged

15 with so many taxes and fees in the city, meanwhile the

16 KOZs and the non-profits are continuing to get free

17 rides. I feel that all builders in this city should

18 have to pay an impact fee.

19 An example would be the University of

20 Scranton. They are building on Mulberry Street, and I

21 feel they should have to pay an impact fee. And it's

22 time we start reducing the burden that is put on all of

23 our citizens.

24 And I would ask Council to please visit

25 department www.bctelegraph.com where you can get more

.

14

1 information about the impact fee.

2 This Saturday, December 2 from nine to

3 1 p.m., the Scranton Junior City Council will be

4 cosponsoring with Scooter's Hot Dawg Hut a breakfast

5 with Santa. The address is 1228 O'Neill Highway.

6 Fifty percent of the proceeds will be donated to

7 Channel 61.

8 We have been criticized for holding

9 this event in Dunmore because we are the Scranton

10 Junior Council, however, Mr. Bolus has invited us to
11 his restaurant to cosponsor this breakfast.
12 This past summer Mr. Bolus donated and
13 personally served hot dogs for all of our park
14 cleanups, this being a Dunmore business supporting
15 Scranton and its Junior Council.
16 After the Channel 61 fundraiser held at
17 the Scranton Cultural Center, I was hoping more
18 businesses in this city would have reached out to
19 Channel 61 and helped with fundraisers, just like Mr.
20 Bolus has invited us to his restaurant to do so, and
21 who happens to be a Scranton resident.
22 Channel 61 is shown all across
23 Lackawanna County, and residents of Lackawanna County
24 and the City of Scranton want to keep Channel 61. This
25 is also an opportunity for the Scranton Junior City

15

1 Council to be seen by the entire county showing them
2 what a Junior Council is about and how an important
3 asset it is to your community, then possibly Dunmore
4 and other townships may become interested in forming a
5 Junior Council. And we are a Junior Council that is
6 here to reach out to other communities and work well

7 with them.

8 This past week a letter was sent by the

9 Junior Council to each of the Lackawanna County

10 Commissioners asking them to consider the formation of

11 junior county commissioners. The success of the Junior

12 Council shows that we can take it a step higher and

13 bring a youth perspective to the county level. I

14 believe it would be a wonderful educational tool, just

15 as it has been here with the Junior Council.

16 Also, I have invited all three of the

17 county commissioners to our breakfast Saturday, and I

18 would like to extend that invitation out to any other

19 political body that has benefitted by Channel 61,

20 including Scranton City Council.

21 MR. MINORA: That's your five minutes.

22 MR. MILLER: We understand the benefit

23 of Channel 61 and how important it is to our area.

24 This is the only way of finding out what really is

25 going on in our government. And I'm asking not only

.

16

1 Scranton, but all other communities in the area, to

2 support Channel 61.

3 And lastly tonight regarding the

4 smoking ban, I hope Council will continue to support
5 this ordinance. This is an issue regarding health and
6 safety of the city and its citizens, and I would
7 encourage all parents and students to attend next
8 week's meeting and speak out against the smoking issue.
9 Thank you.

10 MS. GATELLI: Thank you. And, yes, I
11 do think you should have it in Scranton, Douglas. Just
12 teasing. Andy Sbaraglia.

13 MR. SBARAGLIA: Andy Sbaraglia, citizen
14 of Scranton. Fellow Scrantonians, on your introduction
15 of ordinance, there's some TANS listed, do you know
16 what the interest rate are going to be on them TANS?
17 Like, the \$5 million and the \$9,500,000.

18 MS. EVANS: We can look that up for
19 you, Mr. Sbaraglia. I just received the information
20 before the meeting.

21 MR. SBARAGLIA: I didn't have time to
22 go through it, too.

23 MS. EVANS: I believe it is going
24 through First National Community Bank, though.

25 MR. SBARAGLIA: Yeah, they usually run
.

1 around somewhere between three and a half land four
2 percent.

3 MS. GATELLI: Wachovia.

4 MS. EVANS: Oh, they've changed it

5 then, because according to -- oh. I know what

6 happened. Mr. Kresefski recommended Community Bank to

7 Mr. Farrell. Perhaps Mr. Farrell didn't accept his

8 recommendation.

9 MR. SBARAGLIA: Okay. We can get that

10 information a little later. There's time you'll be up

11 there looking for it.

12 Do we know anything about the 5-F on

13 our bridge? That's the Lackawanna Bridge, I presume,

14 that the side is blocked off. Do they plan to extend

15 the bridge or just the project -- or the length of the

16 project? I guess it's overall extension of the

17 Lackawanna Avenue Bridge. It must mean they plan to go

18 --

19 MS. GATELLI: I think all the way up to

20 the corner.

21 MR. SBARAGLIA: Right. Well --

22 MS. GATELLI: I think all the way up to

23 the light.

24 MR. SBARAGLIA: I hope they get into

25 it. Anybody realize how much that project is going to

.

18

1 cost us? Does anybody actually know?

2 MR. COURTRIGHT: I think the city is

3 paying a very small amount of it.

4 MS. GATELLI: Twenty percent.

5 MR. COURTRIGHT: If that even. The

6 state's paying and the federal government is paying for

7 that. That took place way back when Gaynor Cawley was

8 --

9 MR. SBARAGLIA: Yeah, that's a long

10 time ago. We've been sitting there looking at that for

11 a long, long time.

12 MR. COURTRIGHT: It's just coming to

13 fruition now, but the city's paying minimal compared to

14 what the state and the federal government are paying.

15 MR. SBARAGLIA: I think it was put in

16 the paper one time, too, I should have cut it out --

17 MS. GATELLI: I think it's 20.

18 MR. SBARAGLIA: I think it was

19 advertised one time what we were going to pay on that.

20 Well, we will find out about the TANS next time, I

21 guess, because really you --

22 MR. MINORA: Between .65 on the five
23 million and 3.72 on the nine and half.

24 MR. SBARAGLIA: 3.72?

25 MR. MINORA: 3.72 on the nine and a
.

19

1 half, and 3.65 on the five.

2 MR. SBARAGLIA: 3.65 on the five?

3 MS. EVANS: On TANS series A.

4 MR. SBARAGLIA: Okay, okay. That's in

5 line with what you would get. It's nothing

6 astronomical. So, that's a good line. It's just too

7 bad we couldn't get all of our loans at that rate, then

8 I would say borrow the world, then we would all take

9 away. Okay. I'm not going to get -- I spoke enough on

10 these other subjects. I'll let someone else get a

11 chance. Thank you.

12 MS. GATELLI: Thank you. Les Spindler.

13 MR. SPINDLER: Good evening again,

14 Council, Les Spindler, city resident. First thing I

15 want to comment about, something that really irks me,

16 when Douglas was up here speaking, it's not the first

17 time it's happened, not just with Doug, Council members

18 are up there speaking with each other and laughing. I

19 think that's very disrespectful.

20 Like just like now when I'm speaking,

21 there's Council members not paying attention. I mean,

22 it's ridiculous. We're up here. We put two people in

23 office. I think you should pay attention to what we're

24 saying. Do you hear, Mrs. Fanucci?

25 I think you should be paying attention

.

20

1 to what we're saying up here, not speaking with other

2 Council members and laughing at people when they're

3 speaking. It's very disrespectful.

4 MS. NEALON FANUCCI: It's certainly not

5 as disrespectful as you're being right now. But let me

6 explain to you something, I was not laughing -- I was

7 not laughing with Mrs. Evans. We were actually

8 conducting business, which is the reason we are here,

9 Mr. Spindler.

10 MR. SPINDLER: When somebody is

11 speaking, you should be paying attention to them. How

12 do you know what they're speaking about if you're

13 talking with someone else? I'm not being disrespectful

14 to you, you're disrespecting me by not paying

15 attention.

16 The next thing on 6-A, the smoking ban
17 legislation, unless I heard wrong at the last meeting,
18 did I hear someone say that the bars are exempt from
19 that for a year?

20 MR. COURTRIGHT: Correct.

21 MR. SPINDLER: Why is that?

22 MS. GATELLI: They can file for an
23 exemption under the ordinance.

24 MR. SPINDLER: Why was the ordinance
25 written like that? I think that's ridiculous.

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21

1 MS. NEALON FANUCCI: Would you like me
2 to answer the question?

3 MR. SPINDLER: I would like --

4 MS. NEALON FANUCCI: What we can do --

5 it's only if 90 percent of the bar sales are from
6 alcohol only. This has nothing to do with food.

7 They're allowed to apply for an exemption for one year

8 and that is it. And that is the ordinance, because

9 that was the way it was adopted in Philadelphia and it

10 seemed to work really well out in Philly, and that's

11 why we chose that ordinance, opposed to the one in New

12 York, which is very, very strict and force a lot of the

13 bar owners out of business quickly.

14 This is basically an easement to help

15 the bar owners and the restauranteurs, you know, go

16 into this ordinance in a manner that's acceptable.

17 MR. SPINDLER: Well, according to the

18 children at West Side that spoke, it was very helpful.

19 It didn't help -- put anybody out of business and their

20 business picked up.

21 MS. NEALON FANUCCI: Personally I

22 agree. Personally I would love to see it all go into

23 effect with no smoking everywhere.

24 MR. SPINDLER: Why wasn't it drawn up

25 like that?

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22

1 MS. NEALON FANUCCI: Because we did

2 adopt Philadelphia's ordinance which was a little bit

3 more friendly. So, we did. And that's the one --

4 MR. SPINDLER: Friendly to smokers,

5 which --

6 MS. NEALON FANUCCI: Yes, very friendly

7 to smokers.

8 MR. SPINDLER: I think that's wrong. I

9 think it should be rewritten and voted on again.

10 The next thing, a subject I brought up
11 for weeks and weeks and weeks, any word on the line
12 painting I brought up for not weeks, for two years now?
13 Mrs. Gatelli, you're looking at me like I'm talking
14 Greek.

15 MS. GATELLI: No, I'm not. I sent two
16 letters.

17 MR. SPINDLER: You look puzzled.

18 MS. GATELLI: I sent two letters for
19 you, Mr. Spindler. Would you like to meet me down
20 there and we'll paint the line ourselves?

21 MR. SPINDLER: These are safety. It's
22 not my job.

23 MS. GATELLI: Well, it's not my job
24 either. I used to fill potholes with Betty Pisano.
25 The mayor back then didn't do it.

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23

1 MR. SPINDLER: When people make
2 requests for safety --
3 MS. GATELLI: Well, I can't make them
4 do it, Les. I can only send a letter and speak on your
5 behalf. I wrote two letters for you. I mean, there's
6 nothing else I can do. We can send another letter, but

7 --

8 MR. SPINDLER: It's totally outrageous,
9 but there's been many close calls at these corners, and
10 I think it's ridiculous that these lines aren't
11 painted. They're painted in other parts of the city.

12 MS. GATELLI: I agree with you 100
13 percent. And they're not there, because I looked
14 purposely the other day when I went by.

15 MR. SPINDLER: One think I almost
16 forgot about. Can I ask you why there's a police
17 officer here again?

18 MS. GATELLI: You can ask every week
19 why there's a police officer here, and as long as I'm
20 sitting up here and I am the president, there will be a
21 police officer here.

22 MR. SPINDLER: Why?

23 MS. GATELLI: Because I want a police
24 officer here to maintain order.

25 MR. SPINDLER: Well, when Mr. DiBileo
.

24

1 was present, there was never a police officer.

2 MS. GATELLI: Well, I'm not Mr.

3 DiBileo.

4 MR. SPINDLER: No one was escorted out.

5 MS. GATELLI: I'm not Mr. DiBileo.

6 MR. SPINDLER: Meetings were orderly.

7 MS. GATELLI: It is my right to have a

8 police officer here, and I will have one here as long

9 as I'm here.

10 MR. SPINDLER: Wouldn't this city be

11 better served with them protecting us on the streets?

12 MS. GATELLI: He has his radio. And if

13 there's an emergency, he will leave.

14 MR. SPINDLER: It could be too late by

15 then.

16 Mr. Courtright, any other word on the

17 right turn on red signs I was asking about, if that's

18 legal to be posted anywhere?

19 MR. COURTRIGHT: Yeah. As far as I can

20 tell, as long as it's posted, you said it needed to be

21 posted overhead?

22 MR. SPINDLER: I was told by two police

23 officer that they're supposed to be posted right up by

24 the lights.

25 MR. COURTRIGHT: A gentleman pointed

.

25

1 out -- some of them carry a book with them --

2 MR. MINORA: It's five minutes.

3 MR. COURTRIGHT: He pointed out in the

4 book -- I'll talk to you after the meeting.

5 MS. GATELLI: You can answer him. Go

6 ahead.

7 MR. COURTRIGHT: He pointed out in the

8 book that he had with him, as long as it was posted.

9 You can tell me the other two officers and maybe they

10 have information. You don't have to tell me on the

11 air.

12 MR. SPINDLER: No, I won't. One's from

13 another city.

14 MR. COURTRIGHT: Oh, okay. But the

15 book that he had shown me he said that --

16 MR. SPINDLER: Both are retired

17 Scranton policemen.

18 MR. COURTRIGHT: Let me know where they

19 got it from and I will check it out.

20 MR. SPINDLER: Okay.

21 MS. GATELLI: Lee Morgan.

22 MR. MORGAN: Good evening, Council.

23 It's been a lot of fun tonight coming up here three

24 times. I don't know if I've had this much fun in a

25 long time.

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1 My question is, a few weeks ago I asked
2 about the qualifications for Mark Seitzinger, and I
3 don't remember Council ever really replying on how many
4 -- I asked the question of how many positions he's held
5 in the city and what his qualifications are for the
6 position he presently holds.
7 And I would still like to get an answer
8 for that. If I have to prepare it and give it to
9 Council in writing, I will do that.
10 Because I just -- I would like to know
11 what this man's qualifications are. I think what we're
12 beginning to see here is a duplication of service.
13 I think that Mr. Fiorini and the
14 building inspectors are obligated to do the job he's
15 doing. And I could be wrong.
16 And I've presented to this Council that
17 I really think that there's a hidden political agenda
18 here, and I just an aware that this gentleman's father
19 works for Mr. -- this gentleman's father works for Mr.
20 Mellow, and I just think it's politics and politics and
21 politics, and that's my point here.

22 And the other thing I have is that, you
23 know, Andy came up and he asked a question about the
24 tax anticipation notes, and I really find it troubling
25 that Council didn't have any idea about the information
.
27

1 he asked.

2 I know that Mr. Minora asked some of
3 the questions, but my point is, how can you introduce
4 legislation you don't understand?

5 MS. EVANS: Mr. Morgan, I won't speak
6 for everyone. I do understand the information, but I
7 was just given the information before I walked in here
8 tonight. And as I'm trying listen to speakers and, you
9 know, address various questions, I'm not able to get
10 through that amount of reading material that quickly.

11 MR. MORGAN: Well, that's my point
12 here. And like I stated before, legislation that comes
13 from the mayor to this Council should come here weeks
14 in advance, because how can you make a competent well
15 informed decision about any legislation that sits with
16 this Council's decisions in the best interest of the
17 city's residents? I mean, I find it to be --

18 MR. COURTRIGHT: Mr. Morgan, don't take

19 his time away, we got it in fifth order, as Mrs. Evans
20 just said, and we just got it.

21 MR. MORGAN: Absolutely.

22 MR. COURTRIGHT: All right. But it's
23 just for introduction, and that's why we have two or
24 three readings so we have an opportunity to --

25 MR. MORGAN: But my question here is
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28

1 this, Maybe this legislation shouldn't have been
2 introduced. That's my point.

3 MR. COURTRIGHT: If we discover that
4 next week, we can vote it down.

5 MR. MORGAN: You're absolutely right,
6 okay, but my point is this, don't introduce flawed
7 legislation.

8 I think you are required to have a
9 grasp on any legislation you want to introduce to this
10 Council. I think that you should be informed on
11 everything before you even come to the first vote.

12 That's my point here.

13 And my point here is if we're going to
14 introduce legislation we have no understanding of, then
15 why are we introducing it? Because you know what, it

16 may be flawed. And then what happens when we go
17 through three readings and what happens if some of the
18 Council people on this Council were never really
19 informed?
20 We went through that when Mr. Murphy
21 was on Council and with Mr. Klee, because Mr. Klee took
22 a lot of heat for the police contracts. And so, I said
23 to Mr. Murphy, when you voted for all these contracts,
24 did you know what you were voting for? No. Did you
25 ask Council. No. I polled Council. Did you know
.
29

1 about this legislation? No. Well, why didn't you
2 know? Because the legislation came up. It was too
3 late.

4 And my point is this, how will we ever
5 know that you're well informed on any issue if when we
6 -- people watch this on Channel 61, they see Council
7 people that are carrying on the business of the city
8 and you aren't even aware of the legislation you're
9 introducing.

10 Somebody hands it to you and you say,
11 Well, we've got three readings. Well, maybe it never
12 should have been introduced, maybe it isn't right to

13 introduce it. Maybe there's something flawed with it.

14 So, when we go through three readings,

15 if you haven't deciphered what's in that legislation

16 and you vote yes, then every resident in this city is

17 going to be stuck with your decision.

18 And I think that you've been elected to

19 move in a well informed way, and at any time you don't

20 have an answer to a question, that's what your

21 solicitor is here for, okay?

22 But if you aren't -- if you don't have

23 a total understanding of the legislation you're

24 debating, how can you ask your solicitor one question?

25 You can't. And that's why I'm going here with the

.

30

1 rubber stamp Council. Things have to slow down,

2 legislation has to move through here in a very slow

3 manner.

4 MR. MINORA: Five minutes.

5 MR. MORGAN: Thank you. And you have

6 to be aware. Thank you.

7 MS. GATELLI: Mike McCormick.

8 MR. MCCORMICK: Good evening, members

9 of Council, Attorney Minora, City Clerk Mrs. Garvey and

10 our members of Junior City Council, my name is Michael
11 McCormick, I'm a resident of the City of Scranton, and
12 I thank you for allowing me time to speak to you and
13 comment on item 6-A, which is your Clean Indoor Air
14 Ordinance.

15 First, as your correspondence also
16 mentioned before, I need to applaud the students of the
17 West Scranton High School for their dedication and
18 their hard work on bringing this very difficult issue
19 and very necessary issue before this Council.

20 Secondly, I would like to thank you,
21 members of City Council, for introducing this ordinance
22 with an impressive 5-0 vote.

23 As a health care provider for nearly 20
24 years, I have witnessed the heartbreaking suffering of
25 patients and their loved ones when dealing with cancer

.

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1 and smoke-related illnesses.

2 As President Elect of the Board of
3 Directors for the American Cancer Society's Lackawanna
4 Unit, I urge all members of Council to please realize
5 this ordinance is a health and welfare related issue
6 for the many people who work in environments that now

7 expose themselves to carcinogens related to tobacco
8 smoke.
9 I am hopeful you will realize that no
10 worker should go unnoticed or unprotected and that this
11 ordinance should be and must be comprehensive with no
12 exemptions.

13 As Scranton continues with its
14 renaissance, please allow this ordinance to move
15 forward in a positive direction and let Scranton be a
16 positive example for all within this Commonwealth.

17 Thank you.

18 MS. GATELLI: Thank you. Tony Patte.

19 MR. PATTE: Good evening, members of
20 the Council. My name is Tony Patte. I am a resident
21 of the City of Scranton. This is my first Council
22 meeting. I want to thank you for giving me this
23 opportunity to speak tonight.

24 On behalf of the American Cancer
25 Society, I'm a board member, as well, of the American

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1 Cancer Society, any my story is a little different.

2 I think as a young professional in the

3 City of Scranton, I live and work in the city. I go

4 out nighttime and summertime in the bars and in the
5 restaurants. I used to work in restaurants where
6 smoking is ridiculous. It just too much.
7 I come home at night, my clothes for
8 weeks, I have to take two baths it smells so bad. And
9 I think the law we should -- no stipulations. We need
10 to pass the ordinance for everything, not just the
11 restaurants. I know you spoke about Philadelphia.
12 This is my concern, and I just want to
13 thank you for this opportunity to help. The kids at
14 West Scranton High School are doing me very proud,
15 because I was a member of West Scranton High School, so
16 I just want to thank everybody tonight. Thank you.
17 MS. GATELLI: Thank you. Derek Raines.
18 MR. RAINES: Before my official time
19 clock starts, I know you're not supposed to, but I
20 wanted to say a positive thing to everybody who serves
21 the City of Scranton, thank you for your service. You
22 probably don't -- I mean, all I see is people bashing
23 all you people all the time, and it's not like you're
24 making a million dollars doing the job.
25 You stepped up to the plate, you took

1 responsibility. My wife and my family and I thank you.
2 My name is Derrick Raines. I live at
3 919 Monroe Avenue in Scranton. I'm here today to tell
4 you and the people here about what my family went
5 through last year, a life-changing experience.
6 You see, it was last May when I was
7 told I may only have a short time to live. As a
8 42-year-old middle class man, you don't really think
9 about dying from an illness, you figure you're going to
10 die from something really stupid like parachuting or
11 motorcycling or maybe getting eaten by a shark or cave
12 diving.
13 I've done all of those things,
14 repelling, scuba diving under the ice, lots of high
15 risk stupid activities, face fear head on. My wife
16 even bought me a shirt that said no fear.
17 But when I sat in my pulmonologist's
18 office hearing him tell me that I could be really sick
19 and I may have pulmonary fibrosis, and if I did, I had
20 a 15 percent chance of being alive in five years, I was
21 scared.
22 I looked at Anna, my dear wife, and I
23 cried. I cried for days. I laid in bed and I cried
24 some more. I waited a couple of weeks for my surgery.

25 I didn't go to work, I sat home and cried.

.

34

1 I thought about all the things I wanted

2 to do before I died. I was scared for my life. I

3 wondered why me. Sure, I had smoked at points in my

4 life. I was raised in a house with parents who smoked.

5 They even smoked when they drove, all of us sitting in

6 a car. I never thought I would hear this at this point

7 in my life.

8 We scheduled a whole bunch of tests,

9 MRIs, blood work, CAT scans tests, pulmonary function

10 tests. We told our two teenage children I was facing a

11 serious illness, death was possible. It was horrible

12 for all of my family, my parents especially. I know my

13 father thought he was somewhat to blame.

14 I thought about never seeing my kids or

15 my wife again, them never seeing me alive. Would my

16 wife have enough money to live on with me gone? How

17 would their lives be different without me in it? Death

18 was standing close by.

19 Part of getting tested to see if you're

20 getting a lung disorder is a bronchoscopy, where a

21 visual inspection occurs and samples are taken. They

22 went down my throat with a bronchoscope under general
23 anesthesia. They attempted to take a piece of tissue
24 from inside my right lung but could not because my
25 airway was too small. I was breathing on one lung at
. .
35

1 this time.

2 At this time they placed a seven-inch
3 incision on my side chest collapsing my right lung
4 intentionally. They separated my ribs and they allowed
5 this to happen and cut into my right lung. They
6 removed a piece of tissue and sent it to a lab for a
7 pathology report. They rolled up my lung and stapled
8 it closed and then stapled my side closed. I was told
9 scuba diving was never to be done again. I sat and I
10 cried once again.

11 I drifted back off under the fog of
12 heavy narcotics. I awoke vomiting and in such pain.
13 You just could not imagine the pain that I went
14 through. I had to have an epidural put in because I
15 could not reinflate my right lung due to the severe
16 pain. Then eventually I had my chest tube removed.
17 I looked at my wife standing next to my
18 hospital bed hearing the vacuum draining fluid from my

19 chest tube and I realized there was no greater desire
20 for me than to live.

21 Up to this point all of my tests were
22 the same as what a smoker will go through. It's not
23 pleasant and it's very expensive, tens and tens of
24 thousands of dollars.

25 I had a large team of doctors. Lung
.
36

1 disorders just don't stay in your lungs, they go
2 everywhere. From my head to my toes, every part of my
3 body is affected.

4 After a couple weeks the reports came
5 back saying I was sick, but not as sick as a person
6 with pulmonary fibrosis. I was diagnosed with an
7 autoimmune multi-system disorder sarcoidosis and
8 interstitial lung disease.

9 I was lucky. I got a second chance on
10 life. I began a regimen of prescription drugs. Some
11 of the side effects was not pleasant. I was able to
12 tell my two children, I will be around for a while. I
13 went home after a couple days in the hospital. I was
14 off work then for 49 days. My doctor told me to stay
15 away from places where people were smoking. He told me

16 never to smoke again, and I promised him that I would
17 not.

18 I tell you this story about my ideal,
19 because if some persons hear my story and they think
20 about their life and their family and they stop smoking
21 and they live a couple years longer, then my pain was
22 worth it. Most of all, I can educate you, City
23 Council, on what I went through.

24 We cannot continue to expose our
25 children, our mothers, our fathers, our friends to none
.
37

1 carcinogens. The fact is, secondhand smoke is poison.
2 I urge this Council to put the people
3 of this city's health ahead of anyone and pass the
4 clean air act with no exceptions, no waivers and ridged
5 enforcement.

6 Private club employees deserve the same
7 protection as regular workers. All workers need to be
8 treated fairly and equally. No place deserves an
9 exception.

10 Think about it as if it were your child
11 working in a smoke filled room eight hours a day.
12 Their life will be shortened. All people deserve clean

13 air. Thank you.

14 MS. GATELLI: Thank you. Ron Elman.

15 MR. ELMAN: You sneaked up on me. I

16 wasn't expecting this. Let me say something. I must

17 be talking to too many people out there and full of

18 baloney.

19 I had a lady come up to me at Redner's

20 last week, and I thought she was going to say something

21 intelligent about these Council meeting, and she said,

22 You know who you remind me of? I said, No, ma'am, and

23 I was thinking it was going to be this Ozzie bit I hear

24 every day, she said, Shemp from The Three Stooges. I

25 said, How in the world did you come to the Shemp? She

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38

1 said because when she watches the Council, I get up and

2 my hair is always sticking in my face and all. Anyway,

3 if I sign in as Shemp, you'll know who it is, I guess.

4 And believe it or not, I'd like to give

5 Mr. Doherty a compliment. I saw him on TV last night

6 closing the Waldorf, and he said he's going to -- he

7 would just like to chase all the undesirables out of

8 town. You know, the police do their job, but the

9 courts don't. And I think that's a good statement,

10 because this group just moves around and around and
11 around.

12 But I would like to say something, they
13 always compare Tony's and Mary's, you know, use it for
14 a comparison. I went to Tony's and Mary's over
15 30 years ago, and it was a neighborhood bar, just like
16 all the little neighborhood bars, and it was like a
17 little family. You could go to the bathroom or go play
18 pool and nobody would steal your money.

19 They went on, you know, to Atlantic
20 City and clam bakes. The neighborhood changed. It
21 wasn't Tony's and Mary's. The neighborhood changed.
22 And those people like me, they just went to other
23 places more, you know.

24 That's what is happening with the whole
25 city. The neighborhoods are changing. And this -- I

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39

1 don't know how to put it, but the city is dying. You
2 people up there just don't want to acknowledge it. All
3 you do is talk about this bar and that bar and the
4 restaurants getting loans and KOZ, you don't ever
5 address the people out here, these people that are
6 taxpayers and going broke.

7 You know, it's a hardship that -- these
8 taxes are a hardship when you make X-amount of dollars
9 and you don't get like eight or \$10 extra a year in
10 Social Security or something.

11 And these people come up to me all the
12 time and talk about it. I don't know why they don't
13 phone in here. That's what I tell them to do, but they
14 just don't.

15 And the people are hurting. The people
16 in this city are hurting. You know, you just don't --
17 you listen, but you don't hear them.

18 Well, to change the subject, I had
19 somebody last night at the taxpayers meeting, I used an
20 expression, I said that the two commissioners spend
21 money faster, you know, they squander it away faster
22 than a lime can spot a limb, and I had six or eight
23 people where I got that expression.

24 I grew up in Memphis and I had a maid
25 raise me, and I loved that woman so much, I think of

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40

1 her almost daily to right now, and she used to have
2 these expressions. And she told me one time a man
3 doesn't back down.

4 That's why I come up here every week
5 and try to -- you know, I antagonize all of you all
6 probably at times, but I just try to tell you what
7 people feel, that they talk to me.
8 And, you know, they just don't come in
9 here and they don't phone, but there's, like I've said
10 100 times, I can't believe the amount of people
11 watching this program. This program has just got to
12 stay on. It's just so important for these people. I
13 hear it over and over again. Thank you.

14 MS. GATELLI: Thank you. Michael
15 Brozetti.

16 MR. BROZETTI: Thank you, Council.
17 Hopefully you guys received all the information and
18 reviewed my agenda.

19 As mentioned, I'm Michael Brozetti here
20 representing many local businesses like restaurants,
21 delis, coffee shops, bars, taverns, pizzerias, I'm also
22 representing my family business, Hugo's Amusements and
23 Hugo's Cigarette Vending, which has been in operation
24 for 50-plus years.

25 I'm not here to debate whether or not

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1 smoking is bad or as to whether or not secondhand smoke
2 is a health issue. There are many, many health issues
3 out there. I'm here to discuss other implications,
4 one's rights and the economic effects of banning
5 smoking.

6 This past weekend I was out in a local
7 tavern which was a non-smoking environment with a good
8 friend of mine who is a smoker. At the time he went to
9 light up, he was asked to leave the establishment
10 and/or smoke outside.

11 The good friend of mine had absolutely
12 no problem doing that. We in turn went outside, smoked
13 his cigarette, came back inside, had dinner, continued
14 on our night, et cetera, et cetera.

15 Is it fair or is it right that an
16 establishment can distinguish itself as non-smoking? I
17 have no problem with it, we had no problem with it.

18 But if that's the case, is it fair or
19 is it right that an establishment cannot be
20 distinguished as a smoking establishment? I don't feel
21 it is. I feel an establishment should be allowed to
22 have smoking, if that's what they want.

23 I don't know about you, but to have one
24 side of it and not the other is a bit hypocritical.

25 Is it right for someone, anyone,

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42

1 government body, like City Council, American Cancer

2 Society, to infringe on another's private business or

3 on their private property to tell them what they can

4 and cannot do regarding the legal product smoke

5 tobacco?

6 It is not illegal to smoke a cigarette.

7 That is the right of someone being taken away.

8 Cigarette smoking is legal. Multiple tax dollars are

9 generated from tobacco.

10 In my opinion, it should be at the

11 discretion of the owner to decide whether or not his

12 business in Scranton should be a non-smoking

13 environment.

14 In saying that, I remind you, there's

15 nothing stopping any Scranton business, bar, tavern,

16 restaurant from going non-smoking as of tomorrow,

17 December 1, 2006. Any business can do it, any

18 business.

19 Heck, if it were such a great idea to

20 go non-smoking, why are there only a few bars and

21 restaurants, I might be able to name five, that are

22 currently non-smoking?

23 Don't we think that if all owners

24 thought it was a great idea they would go non-smoking

25 if they felt that way? Of course not, because they're

.

43

1 afraid it's going to hurt their bottom line. It's

2 going to hurt their bottom line, their revenues, et

3 cetera.

4 I don't want to hear that people don't

5 want to change, because when you're in business, you

6 make changes to make more money. Maybe not in

7 government, because their main agenda involves the

8 people, but in business, for sure you make adjustments

9 to make your bottom line better.

10 If patrons don't like the smoke in a

11 place, they will bring it up to the owner. If the

12 owner is seeing a decline in revenue, he will make

13 adjustments.

14 I also feel that the ban solely in

15 Scranton will drive smoking customers from Scranton to

16 surrounding areas, cities, boroughs, et cetera.

17 How difficult is it to go up right up

18 the line to Dunmore, Throop, et cetera? Is this

19 something that Council wants to do?

20 Why not wait until it's a state ban?

21 Why not wait until the State of Pennsylvania decides to

22 go against smoking?

23 One thing to remember, no one knows the

24 effects until it occurs, but I have examples

25 illustrating some of the disastrous situations.

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44

1 This is stuff in Exhibit 1 that I

2 handed out to you guys. New York's bars and taverns

3 and their supplies have lost 2600 jobs, \$50 million in

4 wages, \$70 million in production.

5 New York City bar tenders losing

6 upwards of 50 percent of their nightly systems.

7 Lakewood, California, Grand Central Casino, since the

8 ban took effect, liquor sales are down 42 percent and

9 the food sales have dropped 25 percent. Employees have

10 been laid off.

11 California, Laurel Bowling Lanes, 385

12 league bowlers quit when the smoking ban went into

13 effect with a loss of \$200,000. Laurel Bowl has been

14 in business for 37 years since then, it's closed.

15 100 percent impact. No longer in business.

16 MR. MINORA: That's your five minutes.

17 MR. BROZETTI: In our family business,

18 approximately 30 to 40 percent of our cigarette

19 machines are located in Scranton. Approximately

20 50 percent of our video game, jukebox, pool table, mega

21 touches and arcade revenues come from Scranton

22 locations.

23 I challenge Council to address the

24 economic effects by adjusting the exemption to a

25 possible 60/40 alcohol food ratio. Offer exemptions

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1 for non-alcoholic establishments. Remember, their

2 business is hospitality.

3 They don't dictate behavior and

4 lifestyle choices of others. A majority of people do

5 not smoke and prefer non-smoking. There are places for

6 this, and any local business could become non-smoking

7 under free will, like I said, as of tomorrow. Thank

8 you for your time and consideration in handling this

9 matter. Thank you.

10 MS. GATELLI: Thank you. Mary Ann

11 Wardell.

12 MS. WARDELL: Well, I'm back, Council.

13 I'm Mary Ann Wardell. I have to say I know I'm going
14 to be in the minority here, but I agree with this
15 gentleman. I don't -- as a non-smoker, and I'm a new
16 non-smoker, I think that it's good that our public
17 buildings and our government building are all
18 non-smoking, however, I think when you come to private
19 industry and private businesses, I think people that
20 are in business have the right to choose whether or not
21 they should be smoking or non-smoking.

22 There are certainly several that I can
23 think of, restaurants right now, in and around Scranton
24 that are non-smoking, there are several bars that are
25 non-smoking.

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46

1 And as far as people working in them
2 and subjecting themselves to secondhand smoke, we all
3 in life make choices. We choose where we live, we
4 choose where we work, and we choose how we best live
5 our lives.

6 In that respect I say, if there are --
7 is there someone working someplace and they're
8 subjected to the secondhand smoke and they have a
9 problem with it, they have a choice, they can go find

10 another job.

11 And I -- my mother was a smoker all her

12 life, she died from emphysema. And I know, and I

13 sympathize with that young man and what he went

14 through. I also know that my life is a lot different

15 now than it was a year and a half ago which had nothing

16 to do with smoking.

17 I just think that -- I think the

18 government, not just this Scranton government, but I

19 think our government is trying to regulate too many

20 things. They are taking away freedoms that we have

21 had.

22 And I don't believe -- I think there's

23 a lot of things that you can't regulate, and I think

24 this is one of them.

25 I think that you cannot just force

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47

1 businesses to do things like this. I think businesses

2 have the right, because they are a business and they

3 are in business to make money, they have the right to

4 run their business the best way that they know how.

5 And on another subject, on 5-F here,

6 we're looking at an additional cost of \$195,000 to this

7 Buchart-Horn, can anybody tell me what we paid them so
8 far for this work?

9 MR. COURTRIGHT: Mary Ann, when I was
10 looking through the back of it, I didn't see in there
11 what we had paid them up to this point. It might be in
12 there, but I haven't found it.

13 MS. WARDELL: You know what I'd like to
14 know I would also, I'd like to know how long they're
15 working on the design for this.

16 You know, it seems to me, I'm 60 years
17 old, it seems to me like we're working on this thing
18 for 60 years. I mean, you know, this has gone through
19 lots of Councils here and it's -- nothing is still
20 done.

21 I also would like to direct your
22 attention to, where is it now, 6-D, we need \$94,990 to
23 provide funding to cover outstanding invoices for
24 consultants again to the department of human resources.
25 I will say this again, if after five

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48

1 years you cannot do your job, then guess what, you're
2 in the wrong job. We cannot continue to pay these
3 consultants year after year after year.

4 And my own personal opinion being an HR
5 person, with the mistakes that are coming out of that
6 office, even with these consultants, there's not a hell
7 of a lot of job being done in there. There's still a
8 lot of things that are going wrong there. So, I don't
9 believe that these consultants should be paid.

10 MS. EVANS: Mrs. Wardell, I agree with
11 you up to a certain point, and perhaps you'll
12 understand after this explanation.
13 Segal is the health care consultant
14 that was ordered by The Court to work with the health
15 care committee in order to hopefully significantly
16 lower health care costs in the city.

17 Now, I know that hasn't happened, but I
18 don't know that I could firmly say that is the fault of
19 Segal. I have heard, however, from members of the
20 committee that rather it is the fault of offices of the
21 administration who failed to provide the required and
22 requested information to Segal.

23 MS. WARDELL: So, Segal is the one that

24 --

25 MR. MINORA: Five minutes.

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1 MS. WARDELL: -- thank you, that came
2 to be after the mayor fired the consultant that saved
3 us all that money; is that correct? Am I understanding
4 that?

5 MS. EVANS: That's correct.

6 MS. WARDELL: Thank you. Lynn Vargo.

7 MS. VARGO: Good evening, Council.

8 Lynn Vargo, resident, homeowner in Scranton. I'm here
9 to ask the Council to amend its Clean Indoor Air
10 Worker Protection Law Ordinance to exclude its proposed
11 restrictions to smoking in any food or beverage
12 establishment and in certain sports or recreational
13 facilities, specifically pool house, pool halls,
14 bowling alleys and bingo parlors at their own
15 discretion.

16 I have read your ordinance and have
17 researched how similar ordinances have affected other
18 municipalities across the US. I have sent the Council
19 E-mails regarding some of the research I had found, and
20 I'd like to share some of that information with the
21 public, if I may.

22 I have found that such ordinances have
23 had an overwhelmingly detrimental effect on many
24 businesses across the country.

25 Bars, restaurants, bingo parlors,

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1 bowling alleys and pool halls have lost much of their

2 business and revenue, have had to lay off employees,

3 and very many of them have actually had to close.

4 Particularly subject to these hardships

5 are the smaller family run restaurants and taverns,

6 similar to so many establishments in our city, but even

7 some of the larger chains have not been spared.

8 From my research I have learned that

9 municipalities that have adopted smoking bans have lost

10 revenue to surrounding communities that do not have

11 smoking bans.

12 Commissions are thinking about amending

13 their ordinances because of businesses lost.

14 Commissioner Robert O'Kelly of Parsons, Kansas who was

15 originally in favor of such an ordinance now states

16 that if it were up to him, he would rescind it.

17 To quote him, that's the last thing we

18 need to do is start killing off businesses. It's just

19 horrible you do something that you hope and think will

20 be good for the people and you hurt the businesses.

21 His commission may opt to amend the

22 existing ordinance instead to read that businesses must
23 choose to either be smoking facilities with posted
24 signs designating them as such or they can be
25 non-smoking facilities.

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1 Olan Hills, Illinois will adopt an
2 ordinance that urges its restaurants to ban smoking,
3 but it will not require them to do so.
4 A spokesperson for McKlean County,
5 Illinois stated, When we took time to listen to the
6 arguments and look into the eyes of the people affected
7 by the ordinance, a vote for the ban would be a
8 terrible injustice.

9 Patty Shoose, spokeswoman for Senate
10 Republican Leader Frank Watson of Greenville, Illinois
11 states, The overarching issue you can't ignore is that
12 a ban limits the use of a legal substance by legal aged
13 residents on private property. That's been a concern
14 of many of their members.
15 Currently I am a smoker. Weekdays I
16 work at three different hospitals in the city, and I
17 can tell you with certainty that many medical personnel
18 still smoke.

19 On weekends I work at a tavern where
20 most of the patrons and employees smoke. I also go to
21 restaurants in town where half of the patrons smoke, as
22 well as the owners and staff.
23 My point is people who smoke can be
24 found in all walks of life. Businesses are still
25 surviving. Non-smokers are by choice frequenting
. . .
52

1 establishments that allow smoking.
2 Smokers are not frequenting smoke free
3 establishments. Leave the choice up to the business
4 owners and the people themselves. Let those businesses
5 that opt to allow smoking post signs to alert those who
6 do not smoke and let them inform any potential
7 employees that their's is not a smoke free environment.
8 Recent history has proven that
9 non-smokers have not miraculously filled the voids that
10 smokers once occupied.
11 Let me read some statistics. I will
12 not mention names, but I do have them for anybody. A
13 restaurant, Fort Washington, Maryland, lost 70 percent
14 of its business and ten employees, quote, It was false
15 for people to believe that a bar would suddenly be

16 filled with non-smokers.

17 A restaurant in Connecticut closed.

18 When the statewide smoking ban snuffed out cigarettes

19 in his bar area last October, 80 percent of its

20 business went up in smoke. The restaurant was one of

21 the few family restaurants remaining in the city.

22 A restaurant in Massachusetts lost

23 50 percent of its business and two employees. There

24 should be places for both the smoker and non-smoker. I

25 do not smoke, but you are killing our business.

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1 Mamma Lina's in Binghamton, I've been

2 there. A family owned business for 40 years closed. I

3 tried to call them the other day, the phone was

4 disconnected.

5 Another New York restaurant closed,

6 quote, The smoking ban caused an instant 80 percent --

7 MR. MINORA: Five minutes.

8 MS. FARKO: -- decrease in revenue.

9 The Royal Pheasant had been a family business for

10 58 years. I'm sorry.

11 Don't let Scranton become one of these

12 statistics, please. They say the smoking population

13 here is only 25 percent, but many of those 25 percent
14 bring in 80 and 90 percent of revenue in a lot of our
15 businesses.

16 And please do continue to educate our
17 children against smoking, but please do not dictate,
18 mandate or criminalize. Please teach tolerance. Thank
19 you.

20 MS. GATELLI: Chris Duffy.

21 MR. DUFFY: Your Honors, thank you for
22 the opportunity and thank you for your service. I
23 wanted to talk to you about illegal immigration.

24 I am the product of a successful
25 immigration practice that began in the 1840s. And to

54

1 be honest, there was no plan.

2 My immigrant foremothers and fathers
3 participated and contributed to the building of this
4 great city, state and country.

5 Back in the 1800s and prior to Ellis
6 Island, immigrants had to pay their way to become part
7 of this society. Many would only become official
8 citizens after proving themselves in the Great Civil
9 War.

10 They were burdened in their own homes.
11 They worked in an industrial society that required
12 their labor. When their children were not welcomed in
13 schools, they built their own. They built their own
14 schools, churches and homes and went on to build the
15 railroads, the skyscrapers, roads, bridges and the
16 country itself.
17 They built a great city that paid its
18 way. My grandparents would not go to a hospital for
19 fear that they would not come home.
20 Today we do not have the great industry
21 of old to support great forces of labor. This city is
22 built. The people are here. And we support what is
23 now. Labor and industry are in balance, and we
24 continually strive to attract more industry.
25 The people of this city struggle daily
.
55

1 through time, toil, torture to work, feed, clothe,
2 school, love and school again, hope their parents are
3 getting by, and all of this just to try and make it to
4 the Medicare donut hole themselves where they have a
5 hard choice to make between food, housing and health
6 care. The city needs our help to maintain hope and

7 bring back prominence. I am all for this and willing

8 to go into debt for this.

9 But now ask me if I can afford to pay

10 for the needs of citizens from another country. I

11 can't afford this, ask me to pay for the health care of

12 the illegal immigrant children born tonight in our

13 city's hospitals, I say I can't afford this, ask me to

14 pay for the police who are now so overburdened with

15 common traffic incidents from drivers without licenses

16 or insurance that they barely have time for the real

17 crime, I tell you, I can't afford this, ask me to build

18 more schools and pay for more teachers because there

19 are no more seats left in the classroom, I can't afford

20 this, ask the police to arrest an illegal immigrant for

21 breaking the law, where do we put them? How about a

22 new juvenile detention center?

23 If I had the money, then I would do

24 more, but I don't. Either hit the Lotto, or I'll tell

25 you to wake up. Do your job. Protect the city by

.

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1 protecting its ratepayers.

2 We should begin making our city great

3 again by paying for what we need, not for what illegals

4 need. Help us help you draft and pass an immigration
5 bill similar to that of Hazleton.

6 Let the more affluent communities of
7 Northern New Jersey afford this burden. Let's be
8 concerned with Scranton and its people. Take care of
9 your backyard. Let's ask the people what they think in
10 a special referendum. Thank you very much.

11 MS. GATELLI: Daniel Hubbard.

12 MR. HUBBARD: Good evening, Council.

13 My name is Daniel Hubbard. I'm here to speak on behalf
14 of the residents and taxpayers of lower Green Ridge.

15 I'd like to talk to you about a few
16 concerns we've had regarding the heavy rains of
17 November 19 and going back to the floods of June of
18 '06.

19 First, does the City of Scranton have
20 an emergency flood plan for lower green ridge or The
21 Plot? These are the two most problematic flooding
22 areas in the city, and there should be a plan put into
23 effect when something like last Thursday comes, where
24 we came really close to being flooded, and nobody was
25 there.

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1 It's really only two areas, so it
2 shouldn't be a lot to have an emergency plan set so
3 that there is a series of events that can take place
4 when we have a situation like this.
5 Second, on November 19, the DPW workers
6 were ill-equipped and untrained to close the flood
7 gates on the Albright Avenue side of the bridge. The
8 flood gate requires special winches. We were told they
9 were unable to find them. So, where is the winches?
10 They are supposed to be installed or at
11 least somewhere where somebody can find them so they
12 can close these gates.
13 Are the workers trained? Who is
14 responsible for closing the gates? Is it just random?
15 Who is working? Is there a special unit? There's
16 going to be a lot of flood gates that have to be
17 closed. Each flood gate is different. So, somebody
18 needs to be trained to close these gates.
19 If the levee was finished and we had
20 rain for two more hours, we would have gotten flooded
21 and the gate wouldn't have been closed. It has to be
22 pulled closed by winches. It's not a door. It's
23 actually a sliding gate. It's impossible to close it
24 without the right equipment. Where is the equipment?

25 We have the flood gate. Do we actually

.

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1 have the equipment to close it? And are the people

2 trained to use it? If not, train the residents, we'll

3 do it. We live right there. We don't have to come to

4 work, we don't have to be told to go there. We're

5 there. We'll close the gates.

6 Third, at the July 11 meeting at the

7 Scranton High School with the city and the Army Corps

8 of Engineers, Director Hayes promised the residents of

9 lower green ridge a flood alarm. It has not surfaced,

10 it has not been spoken of. Where is the alarm? Are we

11 going to get it?

12 MR. COURTRIGHT: Mr. Hubbard, in the

13 last event I had called and Mr. Hayes said because they

14 didn't have an alarm, that you would hear it and they

15 would send a fire engine through sounding the siren.

16 MR. HUBBARD: Yeah. I mean, we saw one

17 police car, and that was because a car got stranded

18 under the Green Ridge Street bridge. There was

19 actually a woman and her son who had to be -- in a

20 minivan at the intersection of Nay Aug and Albright

21 because nobody would answer the phone at 911.

22 I had to wade through chest deep water
23 to pull these people from their car. And I was on my
24 cell phone calling 911 repeatedly. Nobody picked up
25 the phone. There was no fire engine, there was nothing
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59

1 this time, nothing.

2 MR. COURTRIGHT: I actually called from
3 Council office before we came out on the floor.

4 MR. HUBBARD: I think my wife called
5 Judy or Janet. I mean, I started making calls as soon
6 as possible, but I was more useful down on the
7 riverbank trying to keep an eye on what was going on.

8 MR. COURTRIGHT: If I may, Mrs.
9 Gatelli, maybe we can ask Kay. I know in the past I
10 asked for the emergency plan, and for some reason they
11 don't want to give me the entire plan, I'm not sure why
12 that is. There's a reason -- we went through this one
13 before, but --

14 MR. HUBBARD: It could be there is no
15 plan.

16 MR. COURTRIGHT: Well, the county is
17 supposed to have a plan.

18 MR. HUBBARD: There's no plan to show

19 you, that's why they're telling you they don't want to
20 show it to you.

21 MR. COURTRIGHT: Maybe we can take his
22 questions and forward the to Mr. Hayes.

23 MR. HUBBARD: I'm not worried about the
24 county as much as I'm worried about the city.

25 MR. COURTRIGHT: I understand. I

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1 understand. That's what was told to me, if the siren
2 was to go off in The Plot, that they would send the
3 fire engine over to lower Green Ridge.

4 MR. HUBBARD: Well, from what I was
5 told, the flood gates in The Plot were closed but the
6 alarm was not sounded.

7 MR. COURTRIGHT: Well, if the flood
8 gate was closed, I --

9 MR. HUBBARD: But there was no alarm
10 sounding.

11 MR. COURTRIGHT: The farmer's market
12 got flooded pretty bad down there.

13 MS. EVANS: What I heard, though --

14 MR. HUBBARD: They have an alarm over
15 there, as well, and that alarm didn't go off either.

16 MS. EVANS: Right. In The Plot, it was
17 reported to me that no siren went off. The flood gates
18 were sold, thereby sealing the residents inside, and in
19 the event, God forbid, of a flood, they would have been
20 trapped in there.

21 MR. HUBBARD: We can hear the siren of
22 The Plot if you're listening for it.

23 MR. COURTRIGHT: These are legitimate
24 questions, so maybe we need to watch the tape here and
25 get all of these questions.

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1 MR. HUBBARD: At the July 11th meeting
2 again, we were told that repairs were being made to the
3 river bank along Nay Aug Avenue from the Albright
4 Avenue bridge to Green Ridge Street.

5 It was severely damaged during the last
6 flood. The vegetation is now dead. In the summer, it
7 wasn't, so you couldn't see the damage. Now it's
8 clearly visible. It's there.

9 The Army Corps of Engineers is -- they
10 are responsible for flood control. The City of
11 Scranton is responsible for flood prevention. These
12 river banks need to be repaired and maintained until

13 the new levee comes in. It's the city's
14 responsibility.
15 Fix what's there. If you can't give us
16 something more than what we have, at least take us back
17 to what we were before the river ravished these levees.
18 This needs to get repaired.
19 I mean, we have -- the schedule for the
20 Army Corps keeps getting put off more and more. So,
21 every time we get flooded, we deal with less of a
22 riverbank --

23 MR. MINOR: Five minutes.

24 MR. HUBBARD: -- and our levee is
25 further away. How long does the residents of lower
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62

1 Green Ridge have to suffer under the mismanagement of
2 the departments of the City of Scranton?
3 The mayor should be pushing for this
4 schedule to be sped up for the Army Corps to get this
5 done quicker.
6 A lot of empty promises have been made
7 and nothing has been fulfilled, and we pay taxes for
8 these services and we have to take care of ourselves
9 every single time there's a rain event. It's getting

10 old.

11 I mean, is the city trying to force the

12 residents out of lower Green Ridge? Is there plans for

13 The Lace Works that involve our neighborhood that we

14 don't know about that they're just letting this happen?

15 These issues need to be addressed.

16 MS. GATELLI: Make sure you --

17 MR. HUBBARD: I don't want the river in

18 my living room again.

19 MS. GATELLI: Were you here when

20 because you got --

21 MR. HUBBARD: I just don't want the

22 river in my living room again. Don't mind it in the

23 backyard, a half a block away, living room, it's not a

24 good thing. So, we need to address these issues. At

25 least fix what we have. Thank you.

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63

1 MS. GATELLI: Marie Shumaker.

2 MS. SHUMAKER: Marie Shumaker. Sorry I

3 was unable to make the previous hearings. Maybe this

4 question was answered there, but can anybody tell me

5 why if we are selling TAN A and B for \$14 and a half

6 million dollars, then why is another \$15 million

7 required? Nobody can answer that question?

8 MS. EVANS: I'm sorry, Mrs. Shumaker.

9 Would you repeat that, please?

10 MS. SHUMAKER: I'm saying if we're

11 planning to sell the TAN A and B for \$14 and a half

12 million, then why is another \$15 million required on

13 top of that?

14 MS. EVANS: Well, that's a very good

15 question that I don't feel that I can properly answer,

16 because I'm trying to find that same answer myself, but

17 I can tell you what's been proposed, which you probably

18 already know, that there is a 2006 purported deficit.

19 I don't know the exact cost of that

20 deficit. It appears that maybe \$1.5 million or \$1.2

21 million would be utilized for a future deficit in 2007,

22 so we are planning ahead that, you know, we'll insure

23 we have a deficit, and some of it may be for 2008, and

24 then of course there's \$3 million for unspecified costs

25 or projects. And what those are, I honestly couldn't

.

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1 tell you.

2 MS. SHUMAKER: Well, thank you. That's

3 a beautiful segway into what I want to talk about next,

4 and I hope you do have the answer to my question. I'll

5 try to be back next week to get that answer.

6 It's what we don't know. Back to the

7 capital budgets, we have -- have you received a Home

8 Rule Charter compliant capital budget yet?

9 MS. EVANS: No.

10 MS. SHUMAKER: I mean, I look at -- I

11 go back three years and I will read the -- I think I

12 had time this week to read through this. It is part of

13 the commitment Mayor Doherty made to upgrade smaller

14 neighborhood parks, in addition to the larger

15 facilities of Nay Aug Park and Western Field.

16 Mr. Doherty is planning to spend

17 \$150,000 to \$200,000 at each park using, and there were

18 four parks, using monies set aside for parks from the

19 \$72 million bond issue floated last summer.

20 At Robinson Park, the existing parking

21 area will be widened to provide parking for 21 cars and

22 space for an enclosure and enclosed trash bin, an

23 existing 1300 square foot pavilion will be enlarged by

24 900 square feet, new shingles will be installed on the

25 roof, chain link fencing around the perimeter of the

.

1 playground and the baseball -- basketball court will be
2 replaced.

3 The new playground fence will be wood

4 with wire mesh for added security. Water runoff

5 concerns will be addressed, et cetera. Money is coming
6 from last year's bond issue.

7 This is three years later. None of

8 those improvements had been made, yet I pick up the

9 monopoly newspaper and I see where we have bought, and,

10 again, I would assume this is coming out of the capital

11 budget a -- for 45 days worth of viewing a gulping -- a

12 light with a gulping Santa Claus, a moose kicking a

13 football through a goal post and 25 poinsettias.

14 There's no way to track -- where did

15 all those dollars go? That was four parks. I have no

16 idea what happened to the other four parks, but that's

17 close to a million dollars right there, but because we

18 have not had a decent capital budget from this mayor,

19 it is impossible to tell where the dollars went or

20 where he's planning to spend them next or where he

21 planned to spend them this year.

22 And I just not cannot tell you how

23 disappointed I am with each and every one of you for

24 not finding that out.

25 I mean, we are talking millions and

.

66

1 millions of dollars, and we're talking about broken

2 promises and the neighborhood parks get nothing and

3 there seems to be no end in sight for what can be

4 thrown into Nay Aug Park.

5 I mean, it's beautiful, I go there, but

6 come on. It's time. There's got to be a point where

7 enough is enough, and I sincerely hope that you people

8 find some way to get the mayor to give you a Home Rule

9 Charter compliant capital budget. It's time.

10 MR. MINORA: Five minutes.

11 MS. SHUMAKER: And there's got to be a

12 way. Thank you.

13 MR. DODRZYN: Well, it seems a few

14 people beat me to the draw on the smoking ordinance. I

15 would agree with some of the negative aspects that were

16 pointed out on our smoking ordinance, and I'd like to

17 just further elaborate that when you start to control a

18 substance, there's going to be penalties.

19 And currently we have 7,000,000 people

20 behind bars largely for drugs, which some deserve to be

21 there. Some are sick, and they just have a need that

22 society can't fulfill or approve of.

23 And as a result, we're spending about

24 \$50 billion every year nationally, our federal

25 government alone, and after 20 or 30 years, that's a

.

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1 couple of trillion of dollars or trillion and a half

2 dollars.

3 So, in the interest of not expanding

4 the criminal code, I would agree that certain places

5 should be -- you shouldn't pay for an entree and have a

6 cigar on that side and a cigarette on that side, that's

7 disgusting, but you should be able to run your business

8 in a manner that you could turn a profit.

9 And people that are non-smokers and say

10 they may patronize these establishments are not under

11 contract to do so. They simply can say that they'll do

12 it and not show up and the business closes. That's all

13 I have to say on that matter.

14 And on taxes, I'd like to at the end of

15 this Council meeting see what type of information I

16 could acquire that I could just read and figure out

17 some of the stuff for myself, tax codes and so forth.

18 Last week I made a mention on

19 non-profits and potentially people abusing the
20 non-profit -- the non-profit ordinances.
21 And, of course, we're stuck with
22 whatever the State Constitution says, but we should at
23 least make sure with all the borrowing and so forth
24 that's deemed necessary to look into whether these are
25 truly non-profits or if they're just people that don't
.

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1 want to pay their taxes like everybody else.
2 I have to pay taxes, and hopefully
3 everybody else will, and we can pay our way out of this
4 without screaming at each other each week. Thank you
5 for your time.

6 MS. GATELLI: Anyone else?

7 MR. PORTER: My name is Andrew and I'm
8 a citizen of Scranton. I'm sorry. I'm a resident of
9 Scranton, citizen of the United States, a Veteran.
10 I'd just like to inject something here. You
11 talk about smoking, right? Because something is legal
12 it doesn't necessarily make it right. I mean, you
13 know, what are we looking at here?
14 Smoking actually kills us. When God
15 put Adam and Eve on earth here, he didn't put Adam and

16 Eve on earth with a cigarette, a bottle of booze.
17 Years ago there was a little old lady
18 in Harlem, and she invented a game called the numbers,
19 and then the gangsters took it over because it was a
20 profitable thing, and then from there the government
21 took over it and they call it lotto now. Prohibition,
22 liquor, it was illegal. Now it's legal because it's
23 profitable, but it kills people.
24 We have AAs all over the place. And
25 slavery, it was legal. It didn't make it right. I
.
69

1 I think we as a city need to address the issue of --
2 moral issue, you know, is this -- is this a healthy
3 thing for us? Is this something that we really want to
4 live with, you know?
5 I'd rather -- I smoked for over
6 15 years, and I just put it down. A lot of people
7 don't that. There are other people that have done
8 that. A lot of people can't do that. I would much
9 rather prefer trying to help people to stop smoking
10 because it's a killer.
11 What helped me to stop smoking was I
12 was in a person's house and there were kids there and

13 they brought up the subject of smoking, and, you know,
14 it's killing me and it's killing the kids. Then I went
15 home and I lit up a cigarette and I saw that gray smoke
16 and it was death, you know? And I mean, quality of
17 life is important. It should be important to us.

18 I look at the Junior Council here
19 today, and I have to ask them or one day, you know, I'm
20 going to ask them, I would like for you to go home and
21 I would like for you to or at some point in time say to
22 each other, you know, do you have equal opportunity in
23 this city, you know?

24 There's a holiday coming up in January,
25 it's called Martin Luther King Day. Martin Luther King

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1 didn't just fight for blacks, he fought for all people.
2 And every time I come to speak, I must
3 tell you that city will never be great unless it's
4 inclusive of all its people. The quality of life is
5 very important in a city. We need to address that.
6 Sure, you have liberties and you have
7 freedoms. God's given us all these things, but he's
8 given us choices, too, and he's given us the choice to
9 be able to help each other. And that's what this life

10 is about. That's what this city is about.

11 This city is not about bickering, it's

12 not about arguing, it's about helping one another and

13 it's about giving a good quality of life.

14 Washington Street, there's a prison

15 there. You have criminals who sell drugs, you have

16 criminals there that have raped, that have hurt people

17 in this city, but we protect them. You know why?

18 Because they can't smoke in jail. What does that tell

19 you? It has to tell you something.

20 All I'm saying is that this city will

21 never be as great as the people that live in this city.

22 It must be inclusive of all people.

23 You don't know what is in these

24 youngsters' heads. There are great things in the minds

25 of all of these youngsters, regardless of their colors

.

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1 and creed. We must come together as a city and make

2 this city work. That's all I have.

3 MR. DELANTI: Hello, folks. Tony

4 Delanti with the American Lung Association. I didn't

5 expect to speak tonight, but after a few of the

6 comments that I heard here tonight concerning the

7 smoking policy, it's -- first of all, there's got to be

8 some things that have to be corrected.

9 The American -- the Lackawanna County

10 Drug and Alcohol put together a list of smoke free

11 restaurants that are in this area. There's 105 plus.

12 In the City of Scranton, there's going close to 50

13 right now, and it's growing.

14 Every day we keep on finding out about

15 more and more businesses doing this. If what we heard

16 before is true, then why would businesses even want to

17 consider going smoke free if they figure they're going

18 to lose business?

19 You succeed through your service and

20 your food and what you offer. If it's because of what

21 somebody can do in your place determines the business

22 you're going to have, then that can be a problem.

23 We also heard nitpicking of studies. I

24 mean, you can take any municipal law that was passed,

25 and when you really look at any business, there's

.

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1 government all over it.

2 If you do own a restaurant, you better

3 have lighting in the right place, the temperature of

4 the water better be the right temperature when you're
5 doing your dishes, that place better be clean.
6 What better example is that last night
7 a bar was closed because there was something wrong in
8 there? And there comes a time when government -- I
9 know sometimes government intrudes too much, but there
10 comes a time when government intrudes for a good reason
11 because the general citizenry just can't do it.
12 So, what we have here, folks, is we
13 still have the opportunity here in Scranton to protect
14 the public health and not taking away anybody's rights.
15 As a matter of fact, we're guaranteeing them.
16 I've been in this for 25 years, I've
17 heard the arguments countless times, and the fact
18 remains is that if these laws were so detrimental, then
19 why did the people of Ohio pass a law just this past
20 November 7 making their state smoke free? Why did New
21 York do it, one of the most populous and very
22 economically rich states? Why did they do it? And why
23 are they is so successful?
24 I mean, they judge their success on tax
25 returns from these bars and restaurants, and they've

.

1 gone up. Employment has gone up.
2 Like I says, you can take any ordinance
3 you pass, and some business is going to be affected and
4 it's going to go out of business.
5 Well, folks, there once was a time in
6 this country's history where there used to be horse and
7 buggy manufacturers, and somebody went along and
8 invented something called the car.
9 And guess what happened to the horse
10 and buggy people? They kind of had to either adapt or
11 they went away.
12 We're doing this for the health of the
13 citizens. We're not taking away anybody's rights of
14 people smoking. From the lung association, I wish
15 nobody would. If they do, we offer the help, drug and
16 alcohol offers them the help to help them to quit.
17 But the thing is is that this is
18 important, and Scranton could be at the leading edge of
19 this. Someday hopefully we'll have a state law, but
20 I'm not going to grow old waiting for that to happen.
21 So, as long as we can do something
22 locally, then we begin to step forward. I mean, once
23 again, you can't say enough about the kids who went
24 ahead and researched this.

25 And if you go back and look at their

.

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1 research, you'll see the answers to all the questions

2 you probably have here tonight.

3 And you know what, I'm one business

4 that if I succeed, I will go out of business. If I

5 succeed in getting people not to have lung disease, the

6 lung association's no longer needed. Then put me out

7 of business. I wouldn't mind it, because then people

8 are going to live fruitful healthy lives. And I thank

9 you, and hopefully next week we will get some good

10 news. Thank you.

11 MR. TALAMINI: Good evening, friends.

12 My name is Joe Talamini. I'm pretty sure by now most

13 of you know me. I'm sorry I didn't bring my violins

14 and cello tonight, it seems to be the vogue, but I'd

15 like to make a statement, too.

16 In 1950, I got shot, I got blown up by

17 a hand grenade, I was thrown off a hill when a mortar

18 shell exploded, and I didn't see any of these people

19 there at that time, and I still don't see any of them

20 talking war, but that's irrelevant.

21 What I do with myself now, if I choose

22 to smoke, that's my business. I've had open heart
23 surgery, I've had two heart attacks, neither one was
24 attributed to smoking.

25 Now, all I can say is -- for the sake

.

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1 of being politically correct, and I can't understand
2 where you people are coming from, I know some of you
3 are smokers, but for you to legislate morals and think
4 you're going to tell me I can't smoke when I go out,
5 you're barking up the wrong tree.

6 Because if you want to have a Clean Air
7 Act, let's go ahead and we'll bar all diesel engines in
8 the City of Scranton, no more buses, no more trucks,
9 nobody to bring your goods in and out of town. Let's
10 bar airplanes, let's bar Steamtown Mall where they have
11 that engine blowing smoke out every day. It's
12 hypocritical.

13 This town was predicated on coal mines,
14 and now you're going to tell me that my cigarette smoke
15 is going to pollute the air?

16 And you're telling these kids who have
17 been prompted into doing this how bad it is for them?

18 Well, I can tell you a few things about some of these

19 kids, too that's bad for me.

20 I personally don't like fish. Are you

21 going to legislate fish, that I have to eat fish? I

22 don't like fish, I don't go to fish restaurants. If I

23 choose to smoke, I am going to smoke.

24 Now, if you really want to do

25 something, why don't you attack the government that

.

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1 charges the taxes on cigarettes, why don't you attack

2 the government that subsidizes tobacco growers, why

3 don't you attack the government that buys the tobacco,

4 and why don't you charge import taxes and export taxes

5 on the tobacco that goes in and out of this country? I

6 pay a hell of a lot of money in taxes for a pack of

7 cigarettes. I do it by choice.

8 If you remember back in the twenties,

9 and I'm sure Mr. Minora can tell you the time --

10 MR. MINORA: I don't remember the

11 twenties.

12 MR. TALAMINI: No, but you have access

13 to law books, they enacted legislation against

14 drinking. And you know who was out there drinking the

15 most at the speakeasies, the same legislators who voted

16 for that bill. Speakeasies made a fortune out of it.

17 Crime was rampant all over the country because they

18 tried to legislate morals.

19 Do you think for one minute any of

20 these kids are pure and clean? And especially these

21 kids at West Scranton High who came up with this idea?

22 I doubt it very much. I doubt it very, very much.

23 MS. NEALON FANUCCI: That's not

24 necessary.

25 MS. GATELLI: I'm sorry. But I think

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1 that is totally out of line.

2 MR. TALAMINI: I don't think it is.

3 They were the ones who proposed this ordinance.

4 MS. GATELLI: The children at West

5 Scranton High School --

6 MR. TALAMINI: They proposed this

7 ordinance.

8 MS. NEALON FANUCCI: That is appalling.

9 MS. GATELLI: That's very personal.

10 MS. NEALON FANUCCI: It is appalling.

11 MR. TALAMINI: I'm sorry, but they

12 proposed the ordinance, I did not introduce it.

13 MS. NEALON FANUCCI: But we impose the
14 rules here, and we need to stick to them, which is no
15 --

16 MR. TALAMINI: Well, you should obey
17 the rules too then and pay attention to what's going
18 on.

19 MS. NEALON FANUCCI: I just did, and I
20 didn't like it at all.

21 MR. TALAMINI: Well, I don't like you
22 either. That makes no difference.

23 MS. GATELLI: Hey, that's enough. You
24 are called out of order.

25 MR. TALAMINI: I am not out of order,

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1 and you're making me out of order.

2 MS. GATELLI: Where's the officer?

3 Officer, could you please get him away from the podium?

4 MR. TALAMINI: I'll be very happy to
5 leave, but I want you to know one thing, we are not
6 done with this item.

7 MS. FRANUS: Fay Franus, Scranton. I
8 hate to disagree with that man, but these kids are
9 wonderful kids. All kids in school, they do a great

10 job, and I give them credit.

11 I also would like to say I personally

12 don't think there should be smoking anywhere, because I

13 don't think one life is worth a couple people getting

14 out of jobs or whatever. I mean, it's just not worth

15 it.

16 Everybody -- all of us have had family

17 die from cancer, and it's terrible. It's not worth it.

18 People could go outside and smoke. That's not asking

19 too much, I don't think. New York City is thriving, so

20 I don't get it.

21 I'd like to just briefly speak about

22 this budget for a second about the borrowing. Mrs.

23 Gatelli, may I ask you a question, please? In May when

24 you were running for office there was an article in The

25 Scranton Times, I believe it was May 8, it says, Mrs.

.

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1 Gatelli also said she's against taking on more debt to

2 pay bills. May I ask when it's changed?

3 MS. GATELLI: Mrs. Franus, I didn't

4 vote yet.

5 MS. FRANUS: No, I know.

6 MS. GATELLI: Well, you know, what do

7 you have -- if you have a crystal ball, I'd like you to
8 take it out.

9 MS. FRANUS: Okay.

10 MS. GATELLI: And yes, I will explain

11 -- whatever I do. I will explain my answer.

12 MS. FRANUS: It's just I heard you in

13 the past mention where you've said, well, some bills

14 have to be paid and, you know, but originally --

15 MS. GATELLI: I will answer. When I

16 vote, I will answer appropriately.

17 MS. FRANUS: Well, from what I see, I

18 think you've changed. I think you've changed your

19 views completely.

20 And as I said earlier, if you vote

21 against this borrowing, I think it's because you know

22 the mayor can veto it. And then he won't have the four

23 votes to override the veto, so he gets what he wants

24 anyway, so this is just like a -- more grandstanding.

25 So, I just hope everybody has the

.

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1 common sense to be there for the people that elected

2 you this time and do what's right.

3 And I think you all should get together

4 and work together and get a better budget than the
5 mayor. The five of you together, you better.

6 One more thing, today when I was
7 reading meters, I went around the corner and this dog
8 came running after me, a sweetheart, you know, his hair
9 stood up, but then I said, Hi, Honey. I was getting
10 kisses from this dog. It was a pit bull. So, it's not
11 the dog. It's the owner.

12 Beth Thursby was here one time speaking
13 about that, and I think she should know. It's the
14 owner, it's the owner, it's the owner.

15 Any dog will bite if they have a
16 reason. If you're going to go up and pinch a dog or
17 tie them up constantly, you can't blame them. Would
18 you like to be tide up? Do unto others. I'm telling
19 you, it's not the dog, it's the owner.

20 So, please, go after these people that
21 own these dogs and really give it to them. Don't let
22 them have dogs anymore, don't let them be allowed to
23 ever have dogs again and fine them. Thank you.

24 MR. AUSTIN: Good evening, everyone.

25 My name is Sam Austin. I'm a taxpayer and property

.

1 owner in the City of Scranton on the 600 block of
2 Quincy.
3 I'd just like to say I've had a lot of
4 success in my life. I have two kids in college now,
5 one at Penn State, one at Pittsburgh. My daughter is
6 going to be a lawyer, my son is doing a double major in
7 mechanical engineering and nuclear engineering.
8 I'm not a drug dealer, I'm not a thug,
9 I'm not a passer by night, I'm an individual that's
10 made a 30-year investment in this city, and I feel like
11 I'm an illegal alien when it comes down to
12 participating in the issue as I walk through the City
13 of Scranton. That shouldn't be.
14 There were \$2.5 million in scholarships
15 given out on each of the years that both of my children
16 graduated from the high school over here. Both of them
17 were honor roll students, both of them were in Who's
18 Who, both of them continue to be honor roll students,
19 as well as on the dean's list three or their four years
20 in the two participating colleges, and out of all of
21 them, not one of them was ever offered a scholarship.
22 We had to go out and get private funding.
23 I'm saying that to say the youth are
24 the future of Scranton, and that regardless of their

25 color, shape, size, they should be embraced.

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1 I would just like to give you a few

2 revenue streams that are being ignored that other

3 businesses are coming into town taking advantage of.

4 There's a store on the West Side of

5 Scranton that has catered to minority experience in

6 reference to food and ethnic products and stuff, and

7 that store is one of the busiest food stores in this

8 area.

9 There are a wide variety of streams of

10 revenue that are leaving this area. A lot of that

11 money is coming from myself.

12 There are no place for people with my

13 ethnic background to participate in the issue when it

14 comes to entertainment, so we take our money elsewhere,

15 we take our car repairs elsewhere.

16 Fortunately I found somebody here that

17 has worked with me and they're a very good mechanic,

18 but I had to spend six years going through that just to

19 find a decent mechanic around the area, because I mean,

20 you know, we don't have the best name for participating

21 in business in this area, if you guys know what I mean.

22 Another issue with regards to stream of
23 revenue, on my block on the average 50 illegal parkers
24 come into that area every day at a ticket value of \$25
25 per ticket. Looking at it from the standpoint of
.

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1 two-thirds of revenue collected, that would \$25,000 a
2 month, \$300,000 a year on my block alone of revenue
3 streams that are ignored.

4 We call the police frequently to come
5 out, and they do oblige us and they come out and give
6 tickets, but this shouldn't be our responsibility to
7 have to go out and call the police every day to police
8 the area for lawbreakers.

9 There are massive amounts of streams of
10 revenue in the city that's going ignored. I have my
11 little qualm with the smokers, but that's not my issue.
12 If they want to kill themselves, that's their business,
13 but I'm a participating taxpayers, I'm an educated
14 individual, I have a family, my kids are doing great,
15 there's no reason for you not to include us into
16 society.

17 I would like for you to like me as an
18 individual. If you don't, I can deal with that, but if

19 you look inside the people that you have here, you
20 would find good neighbors, and I'd be your friend if
21 you'd reach out to me. And that's all I have to say.
22 Thank you very much. Have a pleasant evening.

23 MS. FOWLER: I'm Patty Fowler, I'm the
24 city health inspector.

25 I'm going to direct my questions to
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1 you, Mrs. Fanucci, if you don't mind. It's about The
2 Clean Air Act. I'm not for it, I'm not against it, I'm
3 here curious. Who is going to be the enforcer and how
4 will this be enforced?

5 MS. NEALON FANUCCI: I'll give you some
6 foresight on that. What we've done is we've actually
7 put in legislation that it can be enforced by any
8 elected head of department. Was that how it was
9 worded? Actually it might be better off directed to --

10 MR. MINORA: The idea behind it was
11 that, you know, there's permits that need to be issued,
12 there are inspectors, health inspectors, so any one of
13 -- and, of course, police might be called for one
14 reason or another or fire department for fire
15 inspections, any department could enforce the

16 non-smoking ban.

17 MS. FOWLER: Then that leaves it very

18 vague and broad, am I right?

19 MR. MINORA: It doesn't leave it vague,

20 it leaves it broad.

21 MS. NEALON FANUCCI: To me, here's how

22 I see it. I can give you my view on it. It's like

23 when you're 21 and you go to a bar and you have to show

24 your ID. Each individual place will ultimately be in

25 charge of policing themselves, just like they are with

.

85

1 people who aren't 21 years old.

2 But as for people who will go in and

3 actually write citations or issue citations, they are

4 the people who will be --

5 MS. FOWLER: Now, you led me right into

6 my next question, so it will be enforced by a citation

7 as a summary, like a fine?

8 MS. NEALON FANUCCI: Right, exactly.

9 MS. FOWLER: Okay. And I think you

10 mentioned it, I might be wrong with the word,

11 exemptions, you mentioned exemptions?

12 MS. NEALON FANUCCI: Yes. 90 percent

13 of your alcohol sales and not foodwise, you need to
14 sell 90 percent of alcohol to apply for an exemption.

15 MS. FOWLER: And who do they apply to?

16 MS. NEALON FANUCCI: They report to the
17 city. I'm going to address all of that later. I have
18 a whole, you know, speech written up for tonight, but
19 what I've been doing is working with the
20 administration.

21 We are going to try to work with that
22 with the bureau of licensing so that they send out to
23 these bars and restaurants and know the dos and don'ts
24 and what they will have to apply for, when they will
25 apply, how they will apply. That is all going to e

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86

1 done by the city.

2 MS. FOWLER: And does that apply to my
3 license?

4 MS. NEALON FANUCCI: For? I'm sorry.

5 MS. FOWLER: Eating -- I'm the health
6 inspector. I am the health inspector, the only. Does
7 that apply to my license?

8 Like, in other words, I guess I'm
9 dancing around the question, but what I'm going to say

10 to you is this, if I go to a bar and restaurant and I'm
11 going to issue them their license but there's smoking,
12 does that mean that I can't or is that left up to my
13 boss?

14 MS. NEALON FANUCCI: That has nothing
15 to do with the legislation. I'm not sure if that would
16 impact yours.

17 MS. FOWLER: Do you know what I'm
18 asking?

19 MS. NEALON FANUCCI: I don't believe
20 so.

21 MS. FOWLER: Am I not making sense?

22 MR. MINORA: Well, I'm not sure of your
23 job, but --

24 MS. FOWLER: I'm the health inspector.

25 I'm the health inspector.

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87

1 MR. MINORA: Okay. It wouldn't affect
2 your permitting.

3 MS. FOWLER: Okay.

4 MR. MINORA: Permitting is one thing,
5 but you would be able to enforce the non-smoking by
6 issuing a citation.

7 MS. FOWLER: Okay. Okay. Then if I go
8 to a house or if I go to a place and there's a code
9 violation, that could stop me from issuing a permit.
10 So, would that stop me from issuing the permit?

11 MR. MINORA: This ordinance does not,
12 no.

13 MS. FOWLER: It doesn't, okay. So, it
14 doesn't affect issuing a license.

15 MR. MINORA: No.

16 MS. FOWLER: Okay. Thank you.

17 MR. COURTRIGHT: Okay, Chris.

18 MR. SLEDZINSKI: Bill, look at that,
19 baby. That's right, Bill. We're champions, baby.
20 We're back in town, right, Bill? They deserve it.

21 MR. COURTRIGHT: That's right, Chris.

22 MR. SLEDZINSKI: You know why, Bill.

23 I'm proud of your nephew. He played a good game all
24 season. I'm proud of him. And the quarterback, too.
25 Thank you.

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1 MR. COURTRIGHT: Thanks, Chris.

2 MR. GONZALES: Good evening, Council.

3 My name is Pedro Gonzales, director of the Latin

4 Cultural Diversity Center. I want to say welcome to
5 some new people here today.
6 I want to say welcome to the new
7 Council member, Mr. McGoff; is that correct? Welcome
8 and thank you for the support Saturday -- I mean Sunday
9 evening, November 19 at The Cultural Center. Thank you
10 so very, very much.
11 I want to thank La Senorita Judy
12 Gatelli, I know she's not here right now, for sending
13 representation and her support.
14 I'd like to thank you, Mr. Courtright,
15 for being there, also. I saw you almost tempted to
16 jump up there and do some of that Flamenco Le stuff,
17 but you contained yourself. So, thank you, Thank you,
18 too. Hello, Lisa. How are you today?
19 And I want to say welcome to all the
20 new Junior Council members, especially to La Senorita
21 Alina Fernandez. I know she's off right now, but she's
22 one of ours. She's one of our proteges. I know she
23 goes to West; is that correct? I think she goes to
24 Scranton -- I mean to West Side High School. And
25 there's nothing bad you can say about those kids.

.

1 Those kids are great. I love those kids. I interact
2 with them just about every day, so we're going to let
3 that one go.

4 But as usual, I'm here just to say
5 thank you to a lot of people here in the city. A lot
6 of people complain about there's nothing in the city to
7 do, there's nothing here, what, what. This city is
8 growing so much, cultural diversity, the arts. It's
9 such a pleasure living here compared to when I first
10 got here.

11 There's such a great influence from the
12 residents and from the people that run this city.
13 We're just thankful. We're thankful and we feel
14 privileged.

15 So, I want to thank a couple of people
16 for the November the 19th event. So, starting off,
17 this letter will be submitted to the paper. The Latin
18 Cultural Diversity Center wants to thank all the people
19 and organizations that were a part of the Latin
20 Festival '06, an event The Scranton Cultural Center
21 hosted on Sunday, November the 19th. We are grateful
22 and honored to have been a part of this spectacular
23 event.

24 We would like to thank Joanne Ferotti,

25 John Cardoni, Debbie Burkowitz (phonetically spelled)

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1 and everyone else who has anything to do with the

2 running of the Scranton Cultural Center and its

3 functions.

4 We would like to thank the major

5 sponsor, Prudential Financial. Thank you very much.

6 We would like to thank DJ Boogie, WUSR 99.5 Scranton

7 University Radio Station.

8 We would like to thank Little Puerto

9 Rico Clothing and Novelty Outlet (untranscribable),

10 very hard name to say, foods, Viva Bar and Restaurant,

11 the Best of Brazil Foods, (untranscribable) Troop and

12 Flamenco Le dance troop.

13 We also want to send a special thank

14 you to untranscribable, the newspaper, The

15 Times-Tribune, Scranton Times-Tribune newspaper and all

16 the media present that day.

17 We want to say thank you to the 200 and

18 some odd people that came out that made that event a

19 success. Thank you all very, very much.

20 And the biggest thanks goes to Mr. Dave

21 Ragnacci's Dance studios and Ray Parchinsky, the owner

22 of Uno Fitness for allowing the LCDC dancers free
23 practice time. And we bugged them a lot, trust me.
24 And they were great for us. They were great with us.
25 And last but not least, the Latin

.

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1 Cultural Diversity Center Dancers for their
2 professionalism and commitment to the dances.
3 It was a true pleasure and a blessing
4 working with each and every one of them, and it was so
5 much fun. Thank you all again for making this event a
6 great success. And thank you all so much for allowing
7 me to express myself for.

8 You were out, Judy. You're the best.

9 Thank you for your support and sending representation
10 down Sunday. We truly, truly missed you. We took a
11 lot of pictures. We will be sending you guys pictures,
12 things to that effect.

13 We have one of Mr. Courtright. He
14 doesn't know we took it, but I'm going to Email that
15 one to you, all right? God Bless you all and have a
16 great day.

17 MS. GATELLI: Was he doing the salsa or
18 the morrenga?

19 MR. GONZALES: He was attempting to do
20 a little something there, but he was great. He was
21 great. He handled himself very, very well.
22 So, once again, thank you for letting
23 me express myself. My name is Pedro Gonzales. God
24 Bless you all.

25 MS. KRAKE: Good evening, Council. My
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92

1 name is Nancy Krake. I would like to follow up on what
2 our health inspector was just asking. I'd like to know
3 in the legislature which department it specifies will
4 be enforcing that.

5 MR. MINORA: The legislation says any
6 department head or representative who has reason to be
7 there, permitting officer, an inspector for fire
8 department, health.

9 MS. KRAKE: So we're talking about
10 qualified inspectors.

11 MR. MINORA: The non-smoking we're
12 talking about, right?

13 MS. KRAKE: Yes.

14 MR. MINORA: There's no real
15 qualification to determine whether someone is smoking

16 or not.

17 MS. KRAKE: So, when you're saying it's
18 an inspector, that's what I'm getting at. Does it have
19 to be an inspector?

20 MR. MINORA: No. Any head of
21 department. It doesn't have to be an inspector or a
22 police officer or a fire inspector, for whatever
23 reason, looking for expiration dates on the fire
24 extinguishers and sees a smoker can issue a citation,
25 have a citation issued.

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93

1 MS. KRAKE: Okay. I would like to draw
2 your attention to 6-B on the agenda. There's a
3 transfer of \$390,000 from contingency.
4 If you take a look at the mayor's 2007
5 budget on Page 59, he says he has not -- he did not
6 fund in the year 2006 the 2005 series, nor did he fund
7 the 2006 bond.
8 So, he's taking the money from
9 contingency, which coincidentally is the same amount of
10 money as he's asking for in 2007 to pay the 2005 bond.
11 And the 2006 bond is still a mystery. It's funded for
12 a million dollars in 2007.

13 The contingency has grown over \$200,000
14 in 2007, and we also have for outstanding prior year
15 obligations, which has also grown \$140,000. These are
16 serious, serious issues.

17 If I were on Council, I would be asking
18 the mayor what exactly happened in 2006 that we didn't
19 feel the need to fund our borrowing, and what the heck
20 are we doing in 2007 before I went any further with
21 this budget. I was wondering if anyone else on Council
22 had been curious about the 6-B item.

23 This budget has huge questions in it,
24 and I've only looked at it very little. I could
25 imagine what would happen if you were to take a nice
.

94

1 long look at it and maybe communicate with the mayor,
2 if he would ever do that, which he hasn't in the past,
3 so I don't know if he will do in the future, but it
4 would behoove him to do that.

5 Does anyone know, since the mayor's
6 cuts were only one quarter of one person of the total
7 budget, what the cuts were that PEL wanted?

8 MS. EVANS: I was only going to admit
9 that I don't know what PEL's cuts were. I do recall

10 their having mentioned that they recommended to the
11 mayor a million dollars in cuts in the 2007 budget, but
12 I don't recall there ever having enumerated those --
13 what the cuts would be, but I think it certainly would
14 be interesting to hear from PEL what their intentions
15 were, where would they find that million dollars.

16 MS. KRAKE: They were really eager to
17 tell us about the tax increases, but not so eager to
18 tell us the cuts.

19 MS. EVANS: Uh-huh.

20 MS. KRAKE: Mrs. Fanucci, have there
21 been any meetings with PEL?

22 MS. NEALON FANUCCI: No, not recently.

23 MS. KRAKE: When was the last one?

24 MS. NEALON FANUCCI: I don't have the
25 day off the top of my head. It was a while. It's been

.

95

1 a while, several months.

2 MS. KRAKE: Several months?

3 MS. NEALON FANUCCI: Yes.

4 MS. KRAKE: I'm seriously hoping that

5 Council will be coming up with their own budget, one

6 that doesn't raise taxes and that treats everyone

7 fairly. Thank you.

8 MR. MINORA: Five minutes.

9 MR. GERVASI: Hi. Dave Gervasi for the
10 third time. You're probably sick of seeing me tonight.

11 If what Mrs. Krake was just saying is
12 true, that means that we didn't make any payments on
13 those particular bonds last year?

14 MS. EVANS: That's what it appears to
15 be in the mayor's 2007 proposed operating budget. I
16 went through it fairly carefully over the last two
17 weeks, and I, too, noticed that there were dashes under
18 the columns in that line item indicating, of course,
19 the absence of any payment.

20 And it certainly doesn't stand to
21 reason that you would fail to make your payment -- your
22 first payment on last year's \$5.5 million borrowing.

23 MR. GERVASI: May I suggest last year
24 was an election year?

25 MS. EVANS: I see.

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96

1 MR. GERVASI: Just a suggestion. I
2 think I talked too much about this budget. I just -- I
3 think there's too many questions, there's too many

4 holes in the budget. The budget has increased.

5 We don't know why it's going to

6 increase. There's no raises, once again, for the city

7 employees for the sixth year in a row, but the budget

8 increased by \$3 million.

9 Now, of course, the other day The

10 Scranton Times-Tribune had blamed for that, of course

11 it was the rising health care costs and longevity

12 payments for the police and firefighters.

13 Well, longevity payments are also made

14 to DPW employees and administrative employees and the

15 clerical people, so I guess it's just the police and

16 firefighters' longevity payments and just our health

17 care. No one else's health care went up at all, too.

18 And the article also mentioned that

19 from the city that -- the health care is going up four

20 percent this year. Well, I hate to say it, but that's

21 kind of a bargain, since the national average is about

22 a 12 percent increase, so the little bit of cooperation

23 we get with the city with the health care committee, at

24 least we've held it to four. So, we've accomplished

25 something, even though it is an added expense.

.

1 Also in the article, which, you know,
2 you read for -- probably for the last four years
3 there's a \$6 million hole in the budget.
4 That isn't exactly correct, according
5 to the independent audits. That has been the mayor's
6 wish money every year, in my opinion, based on
7 financial figures from the city. But, then again, you
8 can't believe anything you read in the paper.
9 And just, for instance, the same
10 article from the 24th of this month, it's the way they
11 set things up. The first thing is the rising health
12 care costs and longevity payments are responsible for
13 most of the increased spending in next year's proposed
14 Scranton Police and firefighter budget, and that would
15 kind of tend to make people believe that the tax
16 increases due to us, which is completely false, because
17 we received nothing.
18 They also go on to say there's a
19 5.1 percent increase in longevity pay for 152
20 firefighters. Well, I didn't get 5.1 percent increase
21 in my longevity. We only get one percent every two
22 years. We get a half percent a year with inflation at
23 3.5, 3.7. We're not exactly getting rich over our
24 longevity increases. And by the way, there's only 148

25 firefighters at this time, not 152.

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98

1 Mr. Kresefski, our business

2 administrator, said that we started getting longevity

3 payments after six years. Well, that's not correct.

4 We get that just after two years.

5 Our director, Ray Hayes, whose, by the

6 way, whose department was eliminated in the first

7 Recovery Plan, but happens to be back with a deputy and

8 two secretaries now, Despite the lack of a raise over

9 five years, longevity, overtime, education and court

10 appearance pay could be viewed as a form of increase in

11 pay.

12 Overtime is an increase in pay. Number

13 one, the fire department gave up 50 positions in 1993

14 as concessions in a negotiated contract with the state

15 and with the city to save the city because the city at

16 the time was distressed. No longer, since 1999,

17 according to all independent audits.

18 We gave up 50 people. It wasn't our

19 idea to get paid overtime or to have overtime call-ins.

20 That was the Pennsylvania Economy League who came up

21 with that brainstorm. We are just living under what

22 the state wanted.

23 So, the mayor complaining about

24 overtime pay to the firefighters or police officers is

25 bogus, because we never brought that up that we want

.

99

1 overtime. We just said there needs to be an

2 assemblance of safety when you knock off 50 firefighter

3 positions and close two engine companies.

4 MR. MINORA: Five minutes.

5 MR. GERVASI: And the state says we

6 will give they overtime. They also say that the --

7 that we make 28 percent in longevity pay. That's not

8 correct. It used to be 16 percent, and it was lowered

9 to 10 percent negotiated in 1993. So, as far as that

10 goes, it's ten percent, not 28 percent. So, I guess my

11 time is is up, Mr. Minora? Thank you for reminding me.

12 I know I've been a little vocal tonight.

13 But I just wanted everyone to know

14 that, I mean, just please don't -- when you read stuff

15 in the paper, especially the facts and figures, they're

16 wrong probably half the time.

17 So, if anybody ever has any questions

18 up there about anything that has to do with the fire

19 department, please pick up the phone, let me know, and
20 I will give you the actual factual information. I have
21 nothing to hide.

22 MS. NEALON FANUCCI: Dave, I want to
23 ask one question.

24 MR. GERVASI: Sure.

25 MS. NEALON FANUCCI: Actually two. Was
.

100

1 the 50 cops that were eliminated, was that the Clinton
2 cops program or -- the fire, I'm sorry. Was that the
3 -- what was that? Was that a specialty fire
4 department? Like, I don't understand.

5 MR. GERVASI: No.

6 MS. NEALON FANUCCI: That was under a
7 certain program?

8 MR. GERVASI: That was bona fide
9 firefighters and that was given up under a negotiated
10 contract.

11 MS. NEALON FANUCCI: And what year was
12 that?

13 MR. GERVASI: 1993.

14 MS. NEALON FANUCCI: All right. And
15 let me ask you one more question, Ten percent, ten

16 percent, you're saying for the \$400,000, you only get
17 ten percent? I'm confused. I want you to describe
18 that to me.

19 You said ten percent in the paper, they
20 said, that you were getting for longevity -- or they
21 said 28 percent, and you're saying it's ten percent.

22 MR. GERVASI: Ten percent.

23 MS. NEALON FANUCCI: Okay. So, ten
24 percent, meaning, ten percent of the salary, ten
25 percent of --

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101

1 MR. GERVASI: Ten percent of our base
2 rate.

3 MS. NEALON FANUCCI: Base rate for the
4 whole entire fire?

5 MR. GERVASI: No, no.

6 MS. NEALON FANUCCI: Okay.

7 MR. GERVASI: If you're on a year or
8 two years, you get no longevity pay. After two years,
9 you get one percent. Every two years after that, you
10 get one percent, and it takes about two years to get to
11 the full ten percent.

12 MS. NEALON FANUCCI: I see. So, you do

13 --

14 MR. GERVASI: Once you get the ten
15 percent, you capped at ten and it never goes any
16 higher.

17 MS. NEALON FANUCCI: Hence the name
18 longevity.

19 MR. GERVASI: Everyone is capped at ten
20 and one at -- I believe everyone is probably retired by
21 now, but if you were at the 16 percent max back then or
22 you were at 11, 12 percent back then, you would be
23 grandfathered in from that point on and you would keep
24 that. You wouldn't go any higher from that contract
25 on. I believe everyone who was over ten percent is
.

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1 probably retired by now.

2 MS. GATELLI: When you retire, you
3 don't get that anymore.

4 MR. GERVASI: No.

5 MS. NEALON FANUCCI: And I have one
6 more question, there's no contract -- no wordage in
7 your contract that says -- that supports overtime?

8 MR. GERVASI: Is there wordage in our
9 contract --

10 MS. NEALON FANUCCI: Yeah, you were

11 just saying now about the overtime, how you --

12 MR. GERVASI: We --

13 MS. NEALON FANUCCI: -- were fighting

14 for overtime, you didn't ask for overtime.

15 MR. GERVASI: We have a minimum manning

16 clause --

17 MS. NEALON FANUCCI: Okay.

18 MR. GERVASI: -- that there's so many

19 per shift and the overtime, that was PEL's idea, that

20 we will have this many men, this many engine companies,

21 this many firehouses and how many people have to staff

22 certain engines.

23 MS. NEALON FANUCCI: That's all decided

24 in your contract, so it really doesn't -- I mean,

25 that's kind of --

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1 MR. GERVASI: Well, our contract is a

2 result of the negotiations and the first recovery plan.

3 Our contract mirrors what was negotiated.

4 MS. NEALON FANUCCI: Well, the same is,

5 like, you can't have someone coming in tomorrow and

6 saying, okay, tomorrow we're only going to put five of

7 you on. It's already pretty much negotiated for the
8 year, for the five years, for the --

9 MR. GERVASI: Well, our contract right
10 now is from 2002.

11 MS. NEALON FANUCCI: Right. Well,
12 because we're -- yeah.

13 MR. GERVASI: Yes.

14 MS. NEALON FANUCCI: Okay. That's what
15 I wanted to check out. Thank you.

16 MR. GERVASI: Am I released? Thank
17 you.

18 MR. ANCHERANI: Good evening, Council.

19 Nelson Ancherani, resident, taxpayer, city employee,
20 financial secretary of the FOP. I'm here to exercise
21 my First Amendment Right. Kay, I'm not taking your
22 job, okay?

23 MS. GARVEY: You can have it, if you
24 want it.

25 MR. ANCHERANI: 5-D, FOR INTRODUCTION -
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104

1 AN ORDINANCE - AUTHORIZING THE ISSUANCE AND SALE OF A
2 \$5 MILLION PRINCIPAL LOAN TAX AND REVENUE ANTICIPATION
3 NOTE OF THE CITY OF SCRANTON KNOWN AS TANS SERIES A.

4 5-E, INTRODUCTION - AN ORDINANCE -
5 AUTHORIZING THE ISSUANCE AND SALE OF A \$9.5 MILLION
6 PRINCIPAL AMOUNT, TAX AND REVENUE ANTICIPATION NOTE OF
7 THE CITY OF SCRANTON KNOW AS TANS SERIES B.
8 7-A, FOR CONSIDERATION BY THE COMMITTEE
9 ON FINANCE - FOR ADOPTION - FILE OF COUNCIL NO. 63,
10 2006 - AUTHORIZING THE LEASE OF CERTAIN REAL PROPERTY
11 TO THE REDEVELOPMENT AUTHORITY OF THE CITY OF SCRANTON
12 PURSUANT TO A LEASE AGREEMENT -- yada, yada, yada --
13 DETERMINING TO INCUR LEASE RENTAL DEBT IN AN AGGREGATE
14 PRINCIPAL AMOUNT NOT TO EXCEED \$15 MILLION IN RESPECT
15 OF SAID PROJECT.

16 Okay. Just think if the original
17 amount of that \$15 million in 7-A was \$44 million, we
18 were going for that, \$44 million, \$14,500,000, we'd be
19 looking for \$59,500,000 within this week and the next
20 couple of weeks. Lots of money.
21 I can see it now, though,
22 November 2007, we need \$14,500,000 to pay the TANS. We
23 need millions. We are going to default on the loans.
24 I can see the mayor here looking for
25 that money. Why not make a CD, put a screen up there?

.

1 The mayor doesn't even have to come in to beg. The CD
2 can do it for him. It can be a yearly show, just
3 change the amount.
4 One question is, Why are these two TANS
5 you introduced tonight along with the \$15 million loan
6 in 7-A? Is that to throw salt into our \$240 million
7 long-term debt wound of the taxpayers?
8 \$500 million, half a billion dollars
9 plus. That's how much the budgets and the loans total
10 to the end of 2007, half a billion dollars. That's
11 what we took in. Where did that money go? Over a half
12 a billion dollars, and we have a deficit.
13 I came here tonight, I was going to
14 address the inaccuracies that were in the paper on
15 11/24/06 under the title, City Says Built-in Costs
16 Hurt, written by Stacy Brown, staff writer.
17 I'll also address the omissions that I
18 have time for. I have to say I was disappointed at
19 Stacy, Stacy Brown. The article has inaccuracies and
20 omissions. Sorry I'm not facing you, Stacy, sorry I
21 have to look over that way.
22 Whether or not the finished article was
23 Stacy's work or if it was edited, Stacy knows. He
24 could answer that.

25 I quote, Rising health insurance costs

.

106

1 and longevity payments are responsible for most of the

2 increased spending in next year's proposed Scranton

3 Police and Firefighters budgets.

4 The article omits that the city fired

5 the health consultant, Sara Pickard. She saved this

6 city \$5 million. And the fact that the mayor forced

7 out 100 city workers with full medical coverage for

8 themselves and their families and hired 100 new city

9 employees to take their places with full medical

10 coverage for themselves and their families, I'm sure

11 that Stacy forgot that when we wrote his article.

12 But don't blame the workers or unions

13 for the increase in health care, blame the city. If

14 Sara saved \$5 million, and the increases, it's

15 increasing now, that \$5 million still would not be

16 absorbed.

17 Longevity pay is issued to firefighters

18 and police officers on the forces for at least six

19 years, city business administrator Leonard Kresefski

20 said. Where is that written? At least six years?

21 Wrong. Stacy, you should have gotten copies of the

22 contracts.

23 While an arbitrator this year awarded

24 police and firefighters --

25 MR. MINORA: Five minutes.

.

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1 MR. ANCHERANI: Okay. I'll finish it

2 next week, but basically I don't feel we need that

3 money. I mean, I know you're all going to do what you

4 think, but think about it hard and long. We've got

5 wounds. The taxpayers have a lot of wounds. Thank

6 you.

7 MS. GATELLI: We going to take a

8 five-minute break.

9 (RECESS TAKEN.)

10 MS. GATELLI: Mrs. Garvey.

11 MS. GARVEY: 5-A, Motions.

12 MS. GATELLI: Mrs. Evans.

13 MS. EVANS: Good evening. I ask first

14 for your prayers tonight for a very dear man, Kevin

15 Welby, who passed away unexpectedly on Thanksgiving.

16 He had a heart the size of Scranton and a dazzling

17 smile and kind words for everyone. He will be deeply

18 missed by his family and friends, and as well by his

19 second family at St. Ann's Basilica.

20 I have another announcement to make

21 that arrived this evening. A presentation will be held

22 at Marywood University in Nazareth Hall from 1 p.m. to

23 8 p.m. on Friday, December 1, that is tomorrow, for

24 awareness and prevention of AIDS in honor of world AIDS

25 day. Citizens can call 348-6211 for further details.

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108

1 Mrs. Gatelli, would it be possible to

2 schedule a public caucus with Mr. Shane and any

3 available SRA board members on December 14 or in early

4 January to discuss a rehab ownership versus demolition

5 program?

6 MS. GATELLI: Yes. And I will be going

7 next Wednesday, also, so I'll ask them then

8 MS. EVANS: Thank you. I have noticed

9 that the University of Scranton appears to be

10 purchasing the South Side Complex, and having sat on

11 Council since 2004, I remember that at the time this

12 issue originally arose, the mayor had promised in the

13 event of such a sale, the construction of a new field,

14 a field that would completely replace the South Side

15 Complex for the residents of Scranton, and so I'm

16 asking tonight that the mayor please apprise City
17 Council and the citizens of Scranton exactly where will
18 the new fields, I believe there are two fields
19 involved, a hardball and a softball field, where in
20 Scranton will the new fields be located?
21 I had also taken a drive bit complex
22 this week and I noticed that our four sets of bleachers
23 remain. And if I'm correct here, I believe each set is
24 valued at \$12,000, for a total, of course, of \$48,000,
25 and the lights remain, as well.

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109

1 And, again, it was my understanding
2 that in the event of the sale, the bleachers and the
3 lights will be removed, much as when you sell your
4 home, you take your furnishings with you. So, I am
5 wondering if those items will be transferred to a new
6 field.

7 And lastly on that topic, my concern is
8 that, as was indicated initially, the people of
9 Scranton should be able to utilize that facility, even
10 if owned by the University of Scranton, and that, of
11 course, includes the walking trails that surround the
12 area, that I believe are still owned by the City of

13 Scranton.

14 So, I'm certainly hoping that the

15 University of Scranton's security police force will not

16 be asking our citizens to leave the area, that we may

17 be permitted to continue walking or walking our dogs in

18 that area.

19 I also wish Mr. Fred Budzinski to know

20 that I dropped off \$160 in donations from senior

21 citizens for downtown benches at St. Joe's Children's

22 Hospital on Monday, November 20. I have a receipt for

23 their generous donation that I would like to give to

24 Mr. Budzinski.

25 Next, I have a few citizens' requests

.

110

1 for the week. A memo to Mr. Parker concerning 417

2 Depot Street, a tree at this address was marked for

3 removal by Mr. Santolli so long ago that the paint is

4 fading. When will the tree be cut down? Please

5 respond in writing by December 13.

6 A letter to Mr. Gene Barrett, executive

7 director of the Scranton Sewer Authority, a catch basin

8 at 2802 North Main Avenue has collapsed, according to

9 residents. It no longer takes in water, consequently

10 storm water is flooding properties in the area. Please
11 address as soon as possible.

12 A letter to Mr. Wallace, zoning
13 inspector, per your requirements, a car repair business
14 located at 2726 North Main Avenue paved the area that
15 you specified. Afterwards, you gave the owner a new
16 list of requirements to meet before he can also sell
17 used cars at his business. Please forward that list to
18 me, as well as an explanation for the added
19 requirements that were not ordered by you prior to the
20 paving order.

21 Please send another photo to Mr. Parker
22 of North Cameron Avenue flooding with a reminder that
23 Council awaits a response that delineates his short and
24 long-term solutions to the chronic flooding problems.

25 And finally, a letter to Mr. Frank

.

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1 Shimkus requesting his assistance with the flooding
2 problems at the Leggett's Creek area and at Merrifield
3 Avenue in Keyser Valley, and if we could invite him to
4 attend a potential meeting with Congressman Paul
5 Kanjorski that I notice Mr. Courtright requested, and
6 perhaps both of these gentleman will be able to address

7 these issues.

8 I'm also very pleased to learn that the

9 no parking signs were installed on Division Street off

10 the 300 block of 16th Avenue and also at the bend on

11 Mountain Lake Road on East Mountain.

12 Now, the Doherty debt runs through

13 2033. That's 27 years away. Scranton's legal

14 population and its tax base, thanks to KOZs and

15 non-profits, are steadily decreasing.

16 Mr. Doherty wants \$15 million in new

17 borrowing, which will increase his long-term debt to

18 approximately \$246 million. He wants another \$15

19 million in two TANS, and a 25 percent property tax

20 increase to cover his deficit spending.

21 Many elderly citizens live only on

22 Social Security and fixed incomes. The middle class

23 live from paycheck to paycheck, while the poor depend

24 on the kindness of local charities and free school

25 lunch programs for their children. The cost of

.

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1 heating, eating, medicine and health care continually

2 rise.

3 I cannot plead with the mayor to end

4 his borrowing, to produce an honest budget and avert a
5 tax increase, because experience shows that he ignores
6 what I say, and he fails to keep his word, even when
7 publicly stated at City Council caucus meetings.
8 He has refused to allow our department
9 heads to respond to my requests for financial
10 information, rather Council must make all requests in
11 compliance with the Home Rule Charter, yet the mayor
12 himself violated the Home Rule Charter each year by
13 failing to submit a capital budget according to the
14 charter's requirements by allowing Carl Greco to work
15 for one and a half years without a contract and without
16 the consent of City Council and by overspending each
17 year beyond his budgeted allotments.
18 But two wrongs don't make a right, so I
19 have within the last ten weeks sent letters to the
20 mayor requesting information, and to his OECD director,
21 which were unanimously approved by motion by this
22 Council, but still no answers, no information; thus, no
23 one within the administration will provide either
24 financial information or a 2007 computer program or CD
25 with which I can develop and format a Council budget.

.

1 I guess if I wanted to behave like Mr.
2 Doherty, I would refuse to vote on all financial
3 matters that come down to Council and I would recommend
4 as finance chair that none of my honorable colleagues
5 vote on any financial matters sent down by this mayor.
6 But, I'm not vindictive, and I'm not
7 that type of human being; thus, I will continue to vote
8 and I will complete a Council budget for Thursday,
9 December 7's meeting, despite the iron curtain of
10 secrecy and intolerance that this mayor has hung about
11 City Hall.
12 Unlike the mayor's budget, our Council
13 budget will not financially harm the people of Scranton
14 and it will not reduce public services.
15 We, as members of City Council, cannot
16 go on record to support the Doherty borrowing and the
17 Doherty budget.
18 If my honorable colleagues support
19 borrowing, they support increasing the long-term debt
20 to nearly a quarter of a billion dollars.
21 If my honorable colleagues approve the
22 mayor's budget, they approve saddling you with a tax
23 increase.
24 Each of us must put politics aside and

25 vote for the people 's good on both the borrowing and

.

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1 the 2007 budget. That's it.

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

3 MS. NEALON FANUCCI: I'm going to start

4 off speaking about the smoking ban. I have to say most

5 of the E-mails, comments I have gotten have been very,

6 very positive.

7 I did say the other night I did go out

8 to one of our local bars and I did think I was going to

9 get people ashing their cigarettes in my hair and doing

10 all sorts of fun things as they do in the city, it

11 wasn't like that. They were actually very supportive

12 and excited almost for the possibilities of what can

13 happen.

14 I'm going to give you some of the

15 instances that were not so wonderful so that I can come

16 back and tell you what my thoughts are on it.

17 One person sent me an E-mail, and I'm

18 not going to mention their names, but they were

19 equivocating the smoking ban to the drinking, they were

20 saying that, you know, why don't you just get rid of

21 drinking, because drinking ing and smoking are pretty

22 much the same thing?

23 Well, we did make legislation that when

24 you're drunk and you get in a car and it starts to

25 affect other people's lives, it's illegal. You know,

.

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1 it has to do with affecting other people. It's not

2 what you do to yourself, it's what happens to other

3 people. Your choice to smoke is your choice to smoke.

4 Another great comment tonight, which I

5 have to bring up after his excessively -- I don't like

6 to -- ignorant, ignorant interpretation tonight, we had

7 a speaker here tonight, Joe Talamini, his name,

8 speaking about the children and the kids who brought

9 this legislation, I have to say these kids behave

10 themselves a heck of a lot better than Joe does.

11 They do know right from wrong, and they

12 do know that when you come to a public forum that you

13 do not come here and bash others because they do not

14 agree with you and do you not like their views. Talk

15 about your views. Do not come here and bash them.

16 One of his wonder analogies was that

17 you cannot drive your diesel engine, you know, you

18 drive your diesel engine outside. Clean air, we're

19 entitled to clear air, but I can assure you you're not
20 allowed to drive your diesel indoors, and this is what
21 the legislation is for. It's indoors. It has nothing
22 to do with outside. You can smoke outside. And
23 please, enjoy your cigarettes outside.

24 The Clean Air Act is for enclosed
25 areas. This is what it's about. This is where the
.

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1 problem comes in. This is where we suffer from
2 secondhand smoke.

3 Like I said last week, eight smokers
4 take one non-smoker with them right to the grave. Like
5 it or not, you're going with them. Your choice? Not
6 really, not really.

7 We had speakers here tonight with
8 unbelievable health problems. So, this isn't a freedom
9 issue. It's not a right to smoke. You're not born a
10 smoker. Nobody is born a smoker. They're born a
11 non-smoker.

12 And clean air is not, you know, a
13 privilege, it's a right. And whether you like it or
14 not -- somebody's up there on their cell phone in the
15 middle of meeting. It's amazing. They're on it.

16 Whether you like it or not, this is what -- this is
17 what the legislation is for.
18 So, I am 100 percent for this
19 legislation. I'm very excited that we can move forward
20 with it. I'm very excited that we have the option to
21 do such legislation, and that is what we're here for.
22 Whether, you know, you agree or not,
23 we're here to legislate and protect people.
24 Okay. Let's go to the borrowing. This
25 is -- this subject makes me sick, I have to say. If

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1 anybody believes that we like being in debt and that we
2 are happy making these decisions, you have to be
3 kidding me.
4 If you think we don't research and try
5 to find out what we're doing, again, you have to be
6 kidding me. You don't take this job lightly, and I
7 certainly don't take putting anything on the back of
8 taxpayers lightly.
9 I've gone through this budget. I
10 certainly have not gone through it in depth. I am
11 eager to find out what Mrs. Evans has to propose next
12 week. It is definitely something we're all into.

13 We've all said, please bring something forward that we
14 can look at.

15 Myself, 83 percent of the amount of
16 money that goes out in this seat is locked and done,
17 83 percent.

18 We have a contract, let me get my
19 little chart out. Look at me. Look at me. I have to
20 get my charts out. See, you wonder what I do on my
21 computer all the time. Look it, I get charts and
22 stuff. Always wondering.

23 But the chart that was provided for us
24 in the budget is pretty basic for me. I mean, it's not
25 going to break down everything.

.

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1 But, I mean, we have 34 percent of what
2 we have. Look at me, I'm like a teacher now. Look.
3 Am I doing good? Okay. 34 percent is for our
4 salaries, 8 percent for pensions, 20 percent for health
5 care. Like it or not, we have to pay it.
6 Worker's Comp, 7 percent, long-term
7 debt service, which is what we could have brought down
8 that number with the \$44 million, we didn't want to do.
9 We thought \$44 million was a little much. This is

10 where we could have done some changes.

11 The landfill fees can't change. That

12 was done under Jimmy Connor's administration. We're in

13 that for another -- I think it's, like, seven years or

14 eight years we have that contract.

15 Utilities, don't we all wish we could

16 do something with our utilities? I'd like to do it at

17 the house, too.

18 Other expenditures, 13 percent.

19 Pencils, pens, fixing the fire engines, fixing the

20 trucks. Everything that is not part of this is on

21 other expenditures.

22 I'd like to be able to cut \$7 million

23 out of other expenditures. I don't know if that's

24 possible.

25 We have -- I think it's something like

.

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1 three -- no 6,000 streetlights we have to light,

2 something ridiculous like that. So, this is what we're

3 dealing with. To me, it's pretty basic when you look

4 at that.

5 Now, all the talk about our money, I

6 love this, because this is where I went and did my

7 research to find out, because I can't understand where
8 all this money is going.

9 We've all said the same thing. This is
10 a ton of money. What are we spending it on? How are
11 we spending it?

12 In the year 2001, when you paid --
13 let's do it -- we'll start off with \$10,000, and you
14 paid \$10,000 in 2001, now you're going to pay
15 \$11,394.69 to get the same amount that you would for
16 the \$10,000. So, you average that in. Cost of living
17 has increased almost double, almost double, well, one
18 and a half, one and a half.

19 It's very easy to find out where money
20 has gone. Unfortunately what we're bringing in -- I
21 know, right, I'm so sorry, I really should be more
22 organized -- what we are bringing in is not -- you
23 know, we are going up with our money, but we are not
24 bringing enough in to cover our service. That's the
25 problem.

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1 So, I hope that Mrs. Evans comes in
2 with something that's phenomenal and we can do
3 something with this budget.

4 I don't see, you know, everybody is
5 talking about a lot of fat, I don't really see the fat.
6 I mean, I know that they're going to say cut the
7 lawyers out, cut this out, cut that out, I understand
8 that that's going to be the first to go, I don't
9 believe that that's -- I think it's so funny, Dave.
10 Funny? Is it okay? Oh, okay.
11 I find it amazing that it's, like,
12 interactive here, that, like, you could laugh and talk
13 on your cell phone and do everything when other people
14 are talking, and then they get mad when you're not
15 listening to the. It's so amazing. So, I would love
16 to see more out of the budget.
17 Anyway, I hope we can get it and I hope
18 we can do something with it, and I know that a lot of
19 people are working very hard, so I hope we can find
20 something. And that is all I have for tonight. Thank
21 you.

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

23 MR. MCGOFF: A few brief comments.

24 First I did want to respond to Mr. Spindler, but he
25 left. I did want to say that I respect his opinion and

1 understand his concern about my qualifications to vote
2 and my preparedness to vote on the budget. I think
3 that is something that, you know, is his right, and I
4 thought he did it in an appropriate manner. I may
5 disagree with him, about at least I respect his point
6 of view.

7 But, one of the other speakers who
8 started to make personal attacks and call names, I
9 cannot tolerate that, and in the future, anyone who
10 makes an attack on me or, I believe, on any other
11 person should be stopped immediately, and I will ask
12 that that happen.

13 Last week I was somewhat embarrassed
14 when one of the speakers asked a question and actually
15 I had no answer, and I felt that, you know, I probably
16 should have, and so, I had an opportunity this week to
17 go and get it, or at least find an answer, an
18 interpretation, and simply called the mayor's office
19 and set an appointment and went in and talked to the
20 mayor and asked him exactly what was meant by certain
21 statements and things, and at least received the
22 mayor's interpretation of what was presented. It was
23 done very easily and without any problem.

24 On the no smoking ban, while I may have

25 some sympathy for certain businesses and business

.

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1 people, I think that this is a great first step towards

2 making Scranton a smoke free city, Lackawanna County a

3 smoke free county, and hopefully at some point in time

4 Pennsylvania a smoke free state.

5 I don't see it in any way as being a

6 violation of anybody's rights. We all have limits to

7 the rights that we have, and all this is doing is

8 placing certain limitations, not taking away anyone's

9 right.

10 And by placing limitations, what we do

11 is that we guarantee the rights of everyone, the rights

12 of people to breathe clean air, and I think that that's

13 more important.

14 And in terms of, you know, costs, I

15 think one thing that we remains to be seen is what is

16 going to be saved in health costs over a long term.

17 If we can stop smoking, people from

18 smoking, if we can limit it, I think that the amount of

19 money saved in health care is going to be far greater

20 than what it's going to cost the business. And that's

21 all. Thank you.

22 MS. GATELLI: Thank you. Mr.

23 Courtright.

24 MR. COURTRIGHT: First I'd like to make

25 a motion that we ask the West Scranton football team to

.

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1 come in here at some point in time and we present them

2 with a proclamation for winning the district

3 championship. It's the first time that they've done

4 this in the history of the team, so I make a motion

5 that we give the West Scranton football team a

6 proclamation.

7 MS. EVANS: Second. Here, here.

8 MS. GATELLI: On the question? All in

9 favor.

10 MS. EVANS: Aye.

11 MS. NEALON FANUCCI: Aye.

12 MR. MCGOFF: Aye.

13 MR. COURTRIGHT: Aye.

14 MS. GATELLI: Aye. Opposed? The ayes

15 have it and so moved.

16 MR. COURTRIGHT: Thank you. As Mrs.

17 Gatelli said earlier, I met with -- Mary Alice Burke

18 had a representative from Congressman Kanjorski's

19 office, Kevin from the DEP there, Mr. Parker, some
20 residents of the area, and myself and Mary Alice, and
21 we walked up Frink Street, Newton Road, West Mountain,
22 down on Merrifield Avenue. We spent quite a bit of
23 time. They went down to Dewey Avenue, Cameron Avenue,
24 and we're waiting for Kevin really -- I think DEP's
25 going to be the one, if anybody, that's going to help

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1 us. And we're waiting for him to come back with some
2 more information.

3 But as Judy said, Mary Alice has a
4 meeting scheduled next Tuesday at 7 p.m. at the Keyser
5 Valley Community Center. I will not be able to attend,
6 I'm going to be out of town, but I'm sure she'll bring
7 me up to speed on what that is.

8 And what she's looking to do is anybody
9 from the West Mountain/Keyser Valley area that had
10 damage, she wants to get a true assessment, so possibly
11 we can get some funding to fix the problems we have
12 there.

13 It's believed by many the problems down
14 on Merrifield Avenue within the pumping station are a
15 direct result of what's coming down off of the

16 mountain. So, hopefully we can get something squared
17 away. And I want to thank Mary Alice. She's putting a
18 lot of time and a lot of effort into this.
19 Next I have Megan's Law, evidently I
20 haven't been on it, there's a website and you can take
21 a look at the sexual offenders on there, and this
22 morning a gentleman stopped me and said in a two block
23 radius of Main Avenue, and I'm not going to give the
24 exact location, in a two block radius, there's seven
25 offenders.

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1 And he asked, you know, what we can do
2 about it, and I read the ordinance again.

3 MS. GATELLI: Nothing.

4 MR. COURTRIGHT: 2500 feet, you know,
5 from the places that we mentioned, they can't be, but
6 if they're existing there already, there's nothing we
7 can do about it.

8 And I mentioned a while back, and Mr.

9 Minora looked puzzled, and I can see why, the map that
10 I had spoke about, The Times had printed in the paper.

11 It wasn't a map that we had, and that's why the

12 residents down in the Marvin Dutch Gap area in North

13 Scranton, they were concerned because it didn't include
14 -- they had a list of places, also, and they had
15 Rockwell Avenue Park, but they didn't have Marvin Dutch
16 Gap Little League.
17 And the map cuts out that one
18 particular area. Now, that was what was in the paper.
19 That's not what was in the ordinance. The ordinance
20 was fine. But that's what the residents were -- they
21 saw this and they got a little upset.
22 So, that was the paper, that was not
23 the ordinance. The ordinance is fine and that includes
24 all those areas.
25 I'll ask -- Judy, maybe you can help me
.
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1 -- Elm Street and Cedar, is that where that old
2 restaurant is?
3 MS. GATELLI: Uh-huh.
4 MR. COURTRIGHT: Kay, if we could ask
5 Mr. Fiorini, is that on the list to get torn down?
6 That's got to be one of the worst properties in this
7 city. Elm Street and Cedar Avenue, it used to be a
8 restaurant at one time.
9 MR. MINORA: Chaser's?

10 MS. GATELLI: Wayne reported that to
11 the community justice at our neighborhood meeting the
12 other night, so I'll let you know.

13 MR. COURTRIGHT: Yeah, that's real bad.

14 I mean, that's --

15 MS. GATELLI: They got a variance to
16 put in apartments, but it's over a year, so the
17 variance isn't valid anymore. I'll let you know.

18 MR. COURTRIGHT: Okay. If you'd let me
19 know, I'd appreciate that. We're getting some new
20 rules or enforcing old rules, I don't know about how we
21 send our letters out. I'll ask for the letter to be
22 sent anyway, and then I got to figure out something
23 else.

24 I sent a letter to the mayor asking him
25 about the project that we want to do on Main Avenue, I
.
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1 got no response, right, Kay? Yeah. So, can we send
2 maybe one more letter? And then if I don't get a
3 response, I guess I have to make a motion here and hope
4 that everybody on Council supports me. Because I think
5 some of the residents --

6 MS. NEALON FANUCCI: Do it now. Do it

7 now.

8 MR. COURTRIGHT: All right. I was

9 trying to be nice and give him another chance. Okay.

10 I will make a motion that we send a letter to the mayor

11 asking him if he went out and got bids for the project

12 that was proposed for Main Avenue from Jackson Street

13 to Luzerne Street.

14 MS. NEALON FANUCCI: Second.

15 MS. GATELLI: On the question? All in

16 favor.

17 MS. EVANS: Aye.

18 MS. NEALON FANUCCI: Aye.

19 MR. MCGOFF: Aye.

20 MR. COURTRIGHT: Aye.

21 MS. GATELLI: Aye. Opposed? The ayes

22 have it and so moved.

23 MR. COURTRIGHT: And I understand just

24 because we did a motion doesn't mean I'm going to get

25 an answer, but I'm not going to go away. I'm going to

.

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1 keep asking until -- right now all I'm looking for is

2 the bid to see what it would, and Congressman Kanjorski

3 has been generous in saying he would certainly try to

4 help us.

5 And I've got the people on Main Avenue

6 in West Scranton a little excited. Now they're getting

7 a little mad.

8 MS. NEALON FANUCCI: It needs to be

9 done.

10 MR. COURTRIGHT: Right. And I'm glad

11 you agree with me. You might have a little more hammer

12 with the mayor than I do. Maybe you can help me.

13 And one last thing, back when Mr.

14 McTiernan was here several weeks ago, if not months

15 ago, he mentioned what we thought was a pothole on --

16 across from 21 Forest Glen Drive.

17 And it turns out -- I went up there the

18 other day. It's not a pothole. It's some type of

19 subsidence. Now it's eating the roadway underneath,

20 and I think we're just going to have the road cave in

21 at some point in time if we can't get somebody up

22 there, Mr. Parker. It's right across the street from

23 21 Forest Glen Drive. And that's all I have. Thank

24 you.

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

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1 MS. GARVEY: MS. GARVEY: 5-B, FOR
2 INTRODUCTION - AN ORDINANCE - AUTHORIZING THE TRANSFER
3 OF A PARCEL OF LAND ACQUIRED BY THE CITY THROUGH THE
4 FLOOD CONTROL PROJECT TO RONALD F. AND MARY ANN KITLAS
5 AS PARTIAL COMPENSATION FOR THE ACQUISITION OF PROPERTY
6 THEY OWN ON ROSS AVENUE FOR THE LACKAWANNA RIVER FLOOD
7 CONTROL PROJECT.

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

10 MR. COURTRIGHT: So moved.

11 MS. NEALON FANUCCI: Second.

12 MS. GATELLI: On the question? All
13 those in favor.

14 MS. EVANS: Aye.

15 MS. NEALON FANUCCI: Aye.

16 MR. MCGOFF: Aye.

17 MR. COURTRIGHT: Aye.

18 MS. GATELLI: Aye. Opposed? The ayes
19 have it and so moved.

20 MS. GARVEY: 5-C, FOR INTRODUCTION - AN
21 ORDINANCE - AUTHORIZING THE VACATION OF A PORTION OF
22 THE RIGHT OF WAY KNOWN AS GORGE STREET CONSISTING OF AN
23 AREA 165 FEET LONG AND 26 FEET WIDE IN THE CITY OF
24 SCRANTON, AS MORE PARTICULARLY DESCRIBED ON THE MAP

25 ATTACHED HERETO.

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1 MS. GATELLI: At this time I'll

2 entertain a motion that 5-C be introduced.

3 MR. COURTRIGHT: So moved.

4 MS. NEALON FANUCCI: Second.

5 MS. GATELLI: On the question? All

6 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.

13 MS. GARVEY: We need a public hearing.

14 MS. GATELLI: We need a motion for a

15 public hearing on that.

16 MR. COURTRIGHT: Yeah. I'll make a

17 motion that Kay Garvey, our city clerk, make the

18 arrangements to hold a public hearing on 5-C.

19 MS. EVANS: Second.

20 MS. GATELLI: On the question? All in

21 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 MS. GARVEY: 5-D, FOR INTRODUCTION - AN

4 ORDINANCE - AUTHORIZING THE ISSUANCE AND SALE OF A FIVE

5 MILLION (\$5,000,000.00) DOLLARS PRINCIPAL AMOUNT, TAX

6 AND REVENUE ANTICIPATION NOTE OF THE CITY OF SCRANTON

7 KNOWN AS TAN SERIES A, AWARDED TO COMMUNITY BANK AND

8 TRUST COMPANY; DETERMINING THE FORM AND TERM OF SAID

9 NOTE; AWARDED SAID NOTE; AUTHORIZING AND DIRECTING THE

10 FILING OF CERTAIN DOCUMENTS; AND DIRECTING THE PROPER

11 OFFICIALS OF THE CITY OF SCRANTON TO TAKE ANY AND ALL

12 OTHER ACTIONS AS MAY BE REQUIRED IN CONNECTION WITH THE

13 ISSUANCE OF SAID NOTE.

14 MS. GATELLI: At this time I'll

15 entertain a motion that 5-D be introduced.

16 MR. COURTRIGHT: So moved.

17 MS. NEALON FANUCCI: Second.

18 MS. GATELLI: On the question? All

19 those in favor.

20 MS. EVANS: Aye.

21 MS. NEALON FANUCCI: Aye.

22 MR. MCGOFF: Aye.

23 MR. COURTRIGHT: Aye.

24 MS. GATELLI: Aye. Opposed? The ayes

25 have it and so moved.

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1 MS. GARVEY: 5-E, FOR INTRODUCTION - AN

2 ORDINANCE - AUTHORIZING THE ISSUANCE AND SALE OF A NINE

3 AND ONE HALF MILLION (\$9,500,000.00) DOLLARS PRINCIPAL

4 AMOUNT, TAX AND REVENUE ANTICIPATION NOTE OF THE CITY

5 OF SCRANTON KNOWN AS TAN SERIES B, AWARDED TO COMMUNITY

6 BANK AND TRUST COMPANY; DETERMINING THE FORM AND TERM

7 OF SAID NOTE; AWARDING SAID NOTE; AUTHORIZING AND

8 DIRECTING THE FILING OF CERTAIN DOCUMENTS; AND

9 DIRECTING THE PROPER OFFICIALS OF THE CITY OF SCRANTON

10 TO TAKE ANY AND ALL OTHER ACTIONS AS MAY BE REQUIRED IN

11 CONNECTION WITH THE ISSUANCE OF SAID NOTE.

12 MS. GATELLI: At this time I'll

13 entertain a motion that 5-E be introduced.

14 MR. COURTRIGHT: So moved.

15 MS. NEALON FANUCCI: Second.

16 MS. GATELLI: On the question? All

17 those in favor.

18 MS. NEALON FANUCCI: Aye.

19 MR. MCGOFF: Aye.

20 MR. COURTRIGHT: Aye.

21 MS. GATELLI: Aye. Opposed?

22 MS. EVANS: No.

23 MS. GATELLI: Oh, I'm sorry.

24 MS. EVANS: That's okay.

25 MS. GATELLI: Anyone else? 4-1. The

133

1 ayes have it and so moved.

2 MS. GARVEY: 5-F, FOR INTRODUCTION - A

3 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

4 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO

5 SUPPLEMENTAL ENGINEERING AGREEMENT NUMBER 041761-C WITH

6 BUCHART-HORN, INC. TO AMEND PART II OF THE AGREEMENT TO

7 COVER UNANTICIPATED ADDITIONAL WORK NECESSARY TO

8 COMPLETE FINAL DESIGN AND AN OVERALL EXTENSION OF THE

9 LACKAWANNA AVENUE BRIDGE PROJECT FOR AN ADDITIONAL COST

10 OF \$195,212.13.

11 MS. GATELLI: At this time I'll

12 entertain a motion that 5-F be introduced.

13 MR. COURTRIGHT: So moved.

14 MS. NEALON FANUCCI: Second.

15 MS. GATELLI: On the question?

16 MR. COURTRIGHT: On the question, Mrs.

17 Gatelli, I read most of the backup, and I'm going to go

18 through it again, but if I can't determine exactly what

19 this additional money is for, maybe we will be able to

20 ask the engineering group to do give us a more specific

21 reason, because that is quite a bit of money, and I'm

22 sure it's justified, but I would like to answer the

23 questions of the people that come to the podium. So,

24 I'll read the backup one more time and see if I can

25 determine those answers for them.

.

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1 MR. MCGOFF: I thought, also, that Mrs.

2 Krake's question about what has been paid on it, as

3 well, might be worth determining.

4 MS. EVANS: Might it then be worth

5 tabling the legislation until next week?

6 MS. GATELLI: We will find the answer

7 by next week.

8 MS. EVANS: Okay.

9 MS. GATELLI: Kay, if you can --

10 MS. EVANS: Oh, it is. It's a
11 resolution, so it only requires two readings.

12 MS. GATELLI: Yeah. Let us know if you
13 can't get an answer. Any other questions?

14 All those in favor.

15 MS. EVANS: Aye.

16 MS. NEALON FANUCCI: Aye.

17 MR. MCGOFF: Aye.

18 MR. COURTRIGHT: Aye.

19 MS. GATELLI: Aye. Opposed? The ayes
20 have it and so moved.

21 MS. GARVEY: Sixth order. 6-A, READING

22 BY TITLE - FILE OF COUNCIL NO. 64, 2006 - AN ORDINANCE

23 - ORDINANCE OF THE CITY OF SCRANTON, LACKAWANNA COUNTY,

24 PENNSYLVANIA, ESTABLISHING THE CLEAN INDOOR AIR WORKER

25 PROTECTION LAW WITHIN THE CITY, PROVIDING FOR PENALTIES

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1 FOR VIOLATIONS OF SUCH SMOKING RESTRICTIONS AND

2 ESTABLISHING AN EFFECTIVE DATE.

3 MS. GATELLI: You've heard reading by

4 title of Item 6-A, what is your pleasure?

5 MR. COURTRIGHT: I move that Item 6-A

6 pass reading by title.

7 MS. NEALON FANUCCI: Second.

8 MS. GATELLI: On the question?

9 MS. EVANS: Yes. Up until last week,

10 the majority of citizens who contacted me and with whom

11 I spoke in person favored a smoking ban in the city,

12 and although I am a smoker, I felt as an elected

13 official it was my responsibility to represent the

14 greatest number of people.

15 Now, since the ordinance was

16 introduced, last week, I have been contacted by

17 business owners, who have asked not to be identified.

18 My question to them, of course, was, Why had you not

19 appeared at Council? Why had you not contacted all of

20 us?

21 And their response was two-fold, first,

22 that they thought such legislation was merely under

23 discussion. They didn't know that it was on a fast

24 track, and secondly, they feared repercussions, and not

25 from their clientele, but rather from departments

.

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1 within the city, and so, as I said, they asked not to

2 be identified, and that is a trust that I keep with

3 anyone who speaks with me and asks for confidentiality.

4 But they have said to me, This is going
5 to kill my business, and I have outstanding loans, my
6 business will go under. And it wasn't one business or
7 two businesses, it was numerous businesses.
8 And though I do feel strongly that
9 within eateries there should be no smoking, I myself
10 don't enjoy people who smoke while I'm trying to enjoy
11 a meal, but I believe in all fairness to our
12 businesses, we should be providing an exemption to bars
13 and taverns that until such time as a countywide or
14 statewide smoking ban is enacted, our local businesses
15 will maintain an exemption in order to provide a fair
16 playing field for these businesses, because as was
17 noted earlier tonight, and this was -- these were the
18 complaints of the smokers that I heard prior to last
19 week.
20 Well, we're surrounded by boroughs and
21 townships, how easy is it for me? In fact, I'm closer
22 if I drive to Dunmore than if I drive to downtown
23 Scranton, so I will take my business elsewhere.
24 And as I said, I thought that's very
25 unfortunate, but I should be representing those who had

1 presented me with more messages and calls.
2 But now I do, as I said, I had very
3 serious concerns about our businesses, and the last
4 thing we can afford to do is to put more establishments
5 out of business and shrink further our tax base and put
6 more people into the unemployment lines.
7 Scranton doesn't enjoy a large tourists
8 population, as does Manhattan and Philadelphia.
9 Frankly, I don't believe too many tourists come to
10 Scranton for a week or two during the summer, unless
11 they're visiting relatives.
12 And I do believe, as was mentioned
13 earlier tonight, that each business, each restaurant,
14 has the ability to declare themselves voluntarily as a
15 no smoking establishment.
16 There's nothing to prohibit that, and
17 frankly, I'm quite surprised that more haven't done so
18 through the years, as more and more people have been
19 able to kick the habit.
20 But that hasn't occurred, and it must
21 be because the smokers constitute quite a percentage of
22 their patrons.
23 And so, I would ask, because I respect
24 what Mrs. Fanucci is doing, she's worked very hard on

25 this, and she has the best interest of everyone at

.

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1 heart, because she has your health as her number one

2 priority, but I would ask that it be amended to include

3 this exemption for those bars until such time, as I

4 said, that a countywide or a statewide ban is passed,

5 and then everyone has to get on the same page so no

6 business can suffer or benefit more than any other.

7 MS. NEALON FANUCCI: Okay. I'm just

8 going to say one thing, as many people who will be

9 driving out to go because they're smokers, many

10 non-smokers will be driving in. They might be passing

11 themselves, but we will be attracting as many as they

12 lose, if not more.

13 I understand the fear, I understand the

14 apprehension, but I do believe that as many people will

15 be leaving, we will be returned. That seems to be what

16 has happened all over the place.

17 They had spent three months in limbo,

18 and then their sales had returned, and I think that's

19 what we're going to see.

20 I mean, yeah, it's strange for us

21 because we have Scranton and Dunmore, you know, and

22 Throop and everything.

23 MS. EVANS: And Throop, Dickson City,

24 Moosic.

25 MS. NEALON FANUCCI: But as many people

.

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1 when I'm out I see from Throop, I see people from

2 Dunmore, and that's going to be the same. So, I would

3 recommend that we don't amend it. But -- that's all.

4 MR. COURTRIGHT: Mr. Minora, I have a

5 question. I think I know the answer, but I prefer to

6 defer to you always when it comes to this, but we have

7 the exemption in there for one year. If, in fact, we

8 see that at that year's time that we need to extend it

9 for another year, we're able to do that, correct?

10 MR. MINORA: Sure. You can amend it.

11 MR. COURTRIGHT: If we want to --

12 MR. MINORA: You can amend it next

13 year.

14 MR. COURTRIGHT: -- alter the ordinance

15 in any way, we can do it next year, right?

16 MR. MINORA: Absolutely.

17 MR. COURTRIGHT: But for right now they

18 have the one year.

19 MR. MINORA: They have a one year
20 exemption.

21 MS. EVANS: Isn't this stipulation if
22 their profits are 90 percent driven by alcohol --

23 MR. MINORA: Yeah, bars, in other
24 words.

25 MS. EVANS: Uh-huh.

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1 MR. COURTRIGHT: We're talking about --

2 I shouldn't say that, I don't know how much they make,

3 but that's my guess, that a corner bar is making

4 90 percent of their profits from alcohol, and probably

5 the sales of cigarettes. That's all I have.

6 MS. GATELLI: Anyone else on the

7 question?

8 MS. NEALON FANUCCI: There was one

9 question that was posed to me earlier, you can still

10 have your cigarette machines in the bars.

11 In fact, we had one guy here tonight

12 who was speaking on behalf of his business saying that

13 him and his friend walked out to have a cigarette,

14 well, you keep your machine there, so when you're

15 walking out to have your cigarettes, buy your smokes

16 to, you know, enjoy yourself.

17 You don't have to get rid of your

18 machines. I know that a lot of the bars were concerned

19 about that and had made some phone calls. The machines

20 are allowed to stay, it's just the smoking within the

21 establishment. So, I just wanted to clear that up.

22 MR. COURTRIGHT: One last thing. I

23 don't want to prolong this meeting any longer than it's

24 been, but one concern I got from several people was

25 that we said 20 feet from the door, and that was --

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1 that bothered a lot of people, because they said their

2 customers are willing to go outside, and they have the

3 ashtrays for that, but the 20 feet was a concern.

4 Maybe I shouldn't say this on the air,

5 I said, do you think they're going to be coming around

6 telling you -- measuring 20 feet? I think that --

7 maybe in the future maybe that's something we want to

8 think about amending, the distance from the doorway

9 that the people can smoke. I think if they're willing

10 to go outside, outside is outside.

11 MS. GATELLI: Okay. Anyone else on the

12 question? All those in favor.

13 MS. NEALON FANUCCI: Aye.

14 MR. MCGOFF: Aye.

15 MR. COURTRIGHT: Aye.

16 MS. GATELLI: Aye. Opposed?

17 MS. EVANS: No.

18 MS. GATELLI: The ayes have it and so

19 moved.

20 MS. GARVEY: 6-B, READING BY TITLE -

21 FILE OF COUNCIL NO. 65, 2006 - AN ORDINANCE -

22 AMENDING FILE OF COUNCIL NO. 162, 2005 - AN ORDINANCE

23 ENTITLED GENERAL CITY OPERATING BUDGET 2006 BY

24 TRANSFERRING \$390,000.00 FROM ACCOUNT NO.

25 01.401.13090.4299 (CONTINGENCY) TO ACCOUNT NO.

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1 01.401.15311.4299 (DEBT SERVICE-SALE LEASEBACK) TO

2 PROVIDE FUNDING TO COVER THE PRINCIPAL AND INTEREST

3 PAYMENTS ON SERIES OF 2004, \$4,000,000.00 SALES

4 LEASEBACK OF DPW AND SERIES OF 2005, \$5,500,000.00

5 SEWER AUTHORITY GUARANTEED LEASE REVENUE.

6 MS. GATELLI: You've heard reading by

7 title of Item 6-B, what is your pleasure?

8 MR. COURTRIGHT: I move that Item 6-B

9 pass reading by title.

10 MR. MCGOFF: Second.

11 MS. GATELLI: On the question? All

12 those in favor.

13 MS. EVANS: Aye.

14 MS. NEALON FANUCCI: Aye.

15 MR. MCGOFF: Aye.

16 MR. COURTRIGHT: Aye.

17 MS. GATELLI: Aye. Opposed? The ayes

18 have it and so moved.

19 MS. GARVEY: 6-C --

20 MS. EVANS: Kay, before you read this,

21 I want to make a motion.

22 MS. GARVEY: Okay.

23 MS. EVANS: I move that we table item

24 No. 6-C until next week.

25 MR. COURTRIGHT: I'll second that.

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1 MS. GATELLI: It won't interfere with

2 our 14th?

3 MS. EVANS: No, because the second

4 reading would occur on the 7th and then the third on

5 the 14th. I'm only requesting this because I was

6 unable to present to you the necessary information

7 tonight, and I want to be able to do that next week and
8 have both on par.

9 MS. GATELLI: Okay. Anyone else on the
10 question?

11 MR. COURTRIGHT: On the question, the
12 reason I second this is because, you know, we asked
13 Mrs. Evans to take back over as finance chairman when
14 Mr. McTiernan left, and now she can't get the
15 information she needs so that we can do the budget, and
16 I think all five of us are willing to take a look at
17 her budget, take a look at the mayor's budget and try
18 to come up with something that we can all live with.
19 And I don't know how Mrs. Evans or the
20 rest of us are expected to do anything if we can't get
21 information. So, I'm more than happy to second that,
22 and hopefully they'll give us the information that we
23 need. If not, our jobs is going a little bit harder.

24 MS. EVANS: Well, it's a lot harder,
25 but it's not impossible. It will still be done, and it

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1 will be using the figures that are available to us.

2 MR. COURTRIGHT: I think it's not
3 necessary, is my thing. You should have been given or

4 we all should have been given whatever information we
5 needed. I think we're playing a gotcha game here, you
6 know, and I don't go for that.

7 MS. EVANS: Well, I don't either, but
8 nevertheless, we push forward, we fight the good fight
9 and we come up with what I'm hoping is going to be a
10 very good alternative that, as I said, is going to be
11 good for the people, rather than harming them.

12 MS. GATELLI: Okay. Anyone else on the
13 question? All those in favor.

14 MS. EVANS: Aye.

15 MS. NEALON FANUCCI: Aye.

16 MR. MCGOFF: Aye.

17 MR. COURTRIGHT: Aye.

18 MS. GATELLI: Aye. Opposed? The ayes
19 have it and so moved. 6-D, I think.

20 MS. GARVEY: 6-D, READING BY TITLE -
21 FILE OF COUNCIL NO. 67, 2006- AN ORDINANCE - AMENDING
22 FILE OF COUNCIL NO. 162, 2005 - AN ORDINANCE ENTITLED
23 GENERAL CITY OPERATING BUDGET 2006 BY TRANSFERRING A
24 TOTAL AMOUNT OF \$94,990.00 FROM VARIOUS CITY ACCOUNTS
25 LISTED BELOW TO ACCOUNT NO. 01.040.00041.4201

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1 (DEPARTMENT OF HUMAN RESOURCES PROFESSIONAL SERVICES)

2 TO PROVIDE FUNDING TO COVER TWO (2) OUTSTANDING

3 INVOICES PAYABLE TO SEGAL CONSULTING.

4 MS. GATELLI: You've heard reading by

5 title of Item 6-D, what is your pleasure?

6 MR. COURTRIGHT: I move that Item 6-D

7 pass reading by title.

8 MS. NEALON FANUCCI: Second.

9 MS. GATELLI: On the question? All

10 those in favor.

11 MS. EVANS: Aye.

12 MS. NEALON FANUCCI: Aye.

13 MR. MCGOFF: Aye.

14 MR. COURTRIGHT: Aye.

15 MS. GATELLI: Aye. Opposed? The ayes

16 have it and so moved.

17 MS. GARVEY: Seventh order. 7-A, FOR

18 CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR

19 ADOPTION - FILE OF COUNCIL NO. 63, 2006 - AUTHORIZING

20 THE LEASE OF CERTAIN REAL PROPERTY TO THE REDEVELOPMENT

21 AUTHORITY OF THE CITY OF SCRANTON, PURSUANT TO A LEASE

22 AGREEMENT; DECLARING THE GUARANTY OF SAID AUTHORITY'S

23 GUARANTEED LEASE REVENUE BONDS FOR THE BENEFIT OF THE

24 CITY OF SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, TO

25 BE A PROJECT OF THE CITY FOR WHICH LEASE RENTAL DEBT IS

.

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1 TO BE INCURRED; STATING THE REALISTIC ESTIMATED USEFUL
2 LIFE OF THE FACILITIES RELATING TO THE BONDS;
3 DETERMINING TO INCUR LEASE RENTAL DEBT IN AN AGGREGATE
4 PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000 IN RESPECT
5 OF SAID PROJECT, SUCH DEBT TO BE EVIDENCED BY THE
6 CITY'S SUBLEASE AND GUARANTY AGREEMENT WITH RESPECT TO
7 SAID BONDS; AUTHORIZING CERTAIN CITY OFFICERS TO
8 PREPARE, CERTIFY AND FILE WITH THE DEPARTMENT OF
9 COMMUNITY AND ECONOMIC DEVELOPMENT THE DEBT STATEMENT
10 REQUIRED BY SECTION 8110 OF THE LOCAL GOVERNMENT UNIT
11 DEBT ACT AND AUTHORIZING THE PREPARATION OF A DEBT
12 STATEMENT AND BORROWING BASE CERTIFICATE; APPROVING THE
13 FORM OF, AND AUTHORIZING, SUBJECT TO CERTAIN
14 CONDITIONS, EXECUTION AND DELIVERY OF THE AFORESAID
15 LEASE AGREEMENT AND SUBLEASE AND GUARANTY AGREEMENT;
16 REPEALING INCONSISTENT PRIOR ORDINANCES; SETTING FORTH
17 CERTAIN CONDITIONS TO THE EXECUTION AND DELIVERY OF THE
18 AFORESAID LEASE AGREEMENT AND SUBLEASE AND GUARANTY
19 AGREEMENT; AUTHORIZING THE PROPER OFFICERS OF THE CITY
20 TO TAKE ALL REQUIRED, NECESSARY OR DESIRABLE RELATED
21 ACTION IN CONNECTION WITH SUCH PROJECT AND THE

22 EXECUTION AND DELIVERY OF THE LEASE AGREEMENT AND
23 SUBLEASE AND GUARANTY AGREEMENT; DECLARING SAID PROJECT
24 DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE
25 RESIDENTS OF THE CITY.

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1 MS. GATELLI: What is the
2 recommendation of the chairperson for the committee on
3 finance?

4 MS. EVANS: As chair for the committee
5 on finance, I recommend final passage of Item 7-A.

6 MS. NEALON FANUCCI: Second.

7 MS. GATELLI: On the question?

8 MS. EVANS: Yes. Can anyone tell me on
9 Council if you know what the exact 2006 financial year
10 deficit is?

11 MS. GATELLI: I was told it was \$8
12 million.

13 MS. EVANS: Okay. Well, at least you
14 have an answer, \$8 million. I know that I've been told
15 a variety ranging from, I believe, \$6.5 up to \$9
16 million, and I can even cite PEL summaries in which for
17 each progressive meeting, the deficit amount changes
18 back and forth. So, it was difficult to determine, but

19 let's take Mrs. Gatelli's answer as the \$8 million.

20 Now, what will be paid with the \$8 million?

21 MS. GATELLI: The deficit from last

22 year.

23 MS. EVANS: Yes, but what caused the

24 deficit? In other words, that \$8 million will be used

25 to pay off blank. What fills in the blank?

.

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1 MS. GATELLI: The budget that wasn't

2 funded. I don't know the exact --

3 MS. NEALON FANUCCI: I mean, really, we

4 didn't have the money, so I don't know exactly where

5 it's going, but the money wasn't there anyway. So, if

6 it was a pencil, you know, we didn't have the money for

7 a pencil or if it was a -- I mean, this was signed and

8 passed, right?

9 MS. EVANS: Well, what I had heard

10 mentioned at the public caucus meetings by Mr.

11 Kresefski, the mayor, in fact, our own solicitor has

12 cautioned us on this matter, and the PEL summaries

13 contain this, as well, it appears it is for repayment

14 of TAN series B of 2006, yet if Council looks at Page,

15 and I know you won't have it with you tonight, but if

16 you can look at it at home, Page 29 of the most recent
17 report of the city controller's office, TAN series B
18 has a budget amount. That means the money left in the
19 account is \$9,880,000 for an ending balance. As of
20 October 31 of \$9,880,000, and this was delivered to
21 Council on November 15, so it's fairly recent.

22 It just doesn't add up or pass the
23 smell test. We're hearing we have to repay that TAN ,
24 we must repay the TAN. Well, according to our city
25 controller, there's the money for the TAN. So, what is

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1 this \$8 million for?

2 MS. GATELLI: Attorney Minora, do you

3 know?

4 MR. MINORA: Well, a budget deficit is

5 a --

6 MS. GATELLI: It was a deficit, as far

7 as I knew.

8 MR. MINORA: It may not be one thing.

9 I don't know. It --

10 MS. EVANS: Well, they've also

11 proposed, I believe in the paper, it might be for a

12 pension payment, but the pension payment, if in deed

13 it's owed, only amounts to \$2 million, not \$8 million.

14 MS. GATELLI: That's in addition to

15 that.

16 MS. NEALON FANUCCI: That's in addition

17 to that.

18 MR. MINORA: There may be a number of

19 things that it might represent. I never had a --

20 MS. EVANS: We've never really gotten

21 an answer, so we're borrowing money to pay for the

22 unknown.

23 MR. MINORA: Well --

24 MS. NEALON FANUCCI: Yeah, \$7 million

25 of unknown.

.

150

1 MS. EVANS: \$8 million of unknown, and

2 I'm only searching as finance chair for the answers to

3 this so that your money is spent appropriately.

4 And I'll tell you what, I cannot find

5 an answer, and I find so many discrepancies in the

6 current year budget and next year's budget.

7 It's frightening, and I don't think

8 even, I'll venture to say this, I don't think even our

9 own B.A. could make heads or tails of what's been going

10 on in these budgets for years now.

11 And I believe what's required is a

12 forensic CPA to come in and trace all of this

13 information, because there is such inflation of figures

14 going on in revenues particularly and expenditures and

15 such frequent and numerous transfers of money from

16 account to account both within departments, between

17 departments, and among departments.

18 And when I cannot even determine -- I'm

19 trying to track down every possible justification the

20 administration has publicly presented for the necessity

21 for additional borrowing, and every time I seek those

22 answers, I'm finding that their reasoning is false.

23 And yet at the same time, as I said

24 before, they're putting up this iron curtain and

25 saying, No, you don't get any information. I think I

.

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1 know why.

2 MS. NEALON FANUCCI: Why?

3 MS. EVANS: Because --

4 MS. NEALON FANUCCI: I want to know

5 why. Why would anybody claim we're in debt and we're

6 not? What would be the benefit of saying that we're in

7 debt for \$7 million and we're not?

8 MS. EVANS: It could keep you in a

9 distressed status.

10 MS. NEALON FANUCCI: We don't need to

11 be kept, we are, and way too distressed.

12 MS. EVANS: Well, I think we are in

13 terms of all the borrowing that we've done.

14 MS. NEALON FANUCCI: I don't think we

15 need to be kept.

16 MS. EVANS: Which is why I'm so opposed

17 to additional borrowing.

18 MS. NEALON FANUCCI: But the borrowing

19 is only -- our long-term debt service is only

20 12 percent of our budget, 12 percent.

21 MS. EVANS: That's if you believe --

22 MS. NEALON FANUCCI: Oh, it's all smoke

23 and mirrors.

24 MS. EVANS: Yes. Because if you

25 actually go to all of the bond payments, lease back

.

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1 payments, et cetera, you're going to find that your

2 annual debt service is closer to 27, 28 percent.

3 MS. NEALON FANUCCI: How would that be

4 possible? I mean, you have a certain piece of pie.

5 You have one pie. You have 34 percent for employees,

6 eight percent for pension, health care insurance is 20

7 percent. You know what all this is. I don't

8 understand how that's possible. I don't understand.

9 MS. EVANS: I know what's in there. I

10 know what you're saying. I can -- I see the figures

11 you're alluding to --

12 MS. NEALON FANUCCI: Do you know what I

13 mean? Right. You know that what --

14 MS. EVANS: But those figure are handed

15 to you by the administration.

16 MS. NEALON FANUCCI: Well, and PEL.

17 PEL handed me the same figures.

18 MS. EVANS: Well, PEL is also the same

19 group that has stood silently by while the mayor has

20 gone from a \$2.9 million surplus in January 2002 to a

21 \$208 long-term debt in 2006. They stood by and said

22 nothing.

23 If you or I or we, let's say we went to

24 the bank together and we wanted a loan, wouldn't the

25 bank ask up, what is that loan for and give me the

.

1 specific amount? And unless we could provide that
2 information, I don't think there's a bank in the United
3 States, or globally, for that matter, who would give us
4 a dime.

5 MS. NEALON FANUCCI: But when they know
6 you don't have any money because you didn't balance a
7 budget last year, they will say --

8 MS. EVANS: I don't think they'd give
9 me any money.

10 MS. NEALON FANUCCI: And if some day
11 you run a city, you will be able to see that you will
12 be able to do that. I imagine that's what TANS are for
13 and that's what we have, and the pension payments and
14 insurance and everything else.

15 It is not -- I mean, to me, it's very
16 black and white here. We're not talking about tons of
17 money that's floating around that we can't account. I
18 wish we could not account for money.

19 We're talking about 13 percent of
20 others that's not even capital gains projects. We
21 don't even have capital gains projects anymore. \$10
22 million was taken out of this budget.

23 I don't know. I mean, it sounds to me
24 -- I mean, hey, you're entitled to your opinion, but as

25 far as I'm concerned, that sounds to be way -- I'm

.

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1 working with the figures I have, and that's all I can

2 do. I can't suspect into where the other figures are

3 or not. And that's all I have.

4 MS. GATELLI: The health care was \$13

5 million and going up.

6 MS. EVANS: Oh, I'm certain it is, but

7 I think what we have to factor in there is --

8 MS. GATELLI: I think once we get your

9 budget --

10 MS. EVANS: -- retirees and their

11 spouses.

12 MS. GATELLI: -- we'll have something

13 else to look at.

14 MS. EVANS: Well, we had -- this is

15 long before any of us sat here, but nearly 100 people

16 were forced to retire and they were given a choice, you

17 can retire now with full benefits for yourself and your

18 spouse until death or you can continue to work and lose

19 it. So, they left, and that's a great portion of what

20 we're paying for.

21 MS. NEALON FANUCCI: Is that what the

22 contract is anyway, though?

23 MS. EVANS: No.

24 MS. NEALON FANUCCI: They left with

25 their contract? I mean, isn't that what they were

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1 receiving working?

2 MS. EVANS: No.

3 MS. NEALON FANUCCI: Their contract was

4 for themselves and benefits, and then they left being

5 able to stay with that contract.

6 Isn't the problem the Recovery Plan,

7 because the Recovery plan voted for no salary increases

8 and no more of the health care? Wasn't that part of

9 the Recovery Plan? And that is the real problem.

10 The problem is that once that was voted

11 on, they could not go into that. They couldn't take

12 that away. They couldn't say, okay, now the people

13 voted, it was in place.

14 But prior to that, they did receive

15 that anyway, and they still are receiving that, I

16 believe, as far as cops and firemen, and I believe you

17 still get your -- you still get all your salaries,

18 correct, and benefits and everything that you were

19 receiving five years ago, correct? I don't think they
20 have changed. Yeah.

21 MS. EVANS: Oh, my goodness --

22 MS. NEALON FANUCCI: Isn't that right?

23 MR. COURTRIGHT: Just add in 100 more
24 --

25 MS. EVANS: Well, not 100, 200. If
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1 you're married --

2 MR. COURTRIGHT: And add another to
3 replace them.

4 MS. EVANS: Right.

5 MS. NEALON FANUCCI: But their spouses
6 don't get it now, do they?

7 MS. EVANS: Yes, they do.

8 MS. NEALON FANUCCI: Do they still get
9 it?

10 MR. COURTRIGHT: Until there's another
11 contract.

12 MS. GATELLI: Not until they die,
13 though, right?

14 MR. COURTRIGHT: Until there's another
15 contract.

16 MS. NEALON FANUCCI: No, right now
17 because we don't have a new contract in place.

18 MS. EVANS: Well, for you, though, but
19 other people had raises, administrators got --

20 MS. NEALON FANUCCI: Right. We have to
21 keep the old contract for the -- until the new contract
22 is in place. Right. Which is actually, I mean, good.

23 MR. COURTRIGHT: I think in layman's
24 terms, we're paying for another 100 employees that we
25 wouldn't have been paying --

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1 MS. EVANS: Well, actually 200. They
2 would have remained working, we would have received
3 services for the salary and benefits they were paid,
4 but now they sit at home, and they and their spouses
5 reap the benefits forever.

6 MS. NEALON FANUCCI: And they get
7 longevity, too, right?

8 MS. EVANS: Yeah. Because the mayor
9 wanted to downsize union workers, clerical
10 particularly, so he was looking to force retirements
11 among the workers.

12 MS. NEALON FANUCCI: Which was the only

13 way to do it, right? I mean, he has no control on
14 staffing as far as -- because it's all in their
15 contract, so that would probably be the only way.
16 MS. EVANS: With that, and maybe it
17 would have been a good idea if you didn't then replace
18 all that with highly paid administrators to appoint
19 where you have more chiefs than you have Indians doing
20 the work.
21 In other words, he eliminated blue
22 collar jobs and substituted with well paid white collar
23 jobs.

24 MS. NEALON FANUCCI: 100? He put 100
25 administrative jobs in?

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1 MS. EVANS: No, no, no. Because what
2 you have to realize is, you know, when you're getting
3 rid of a clerical worker, you're going to be paying
4 your white collar professional three times the salary
5 that you paid the clerk to do the same job, and then
6 you bring in a consultant on top of it for maybe
7 another \$100,000, who is there to do the job of the
8 administrator, because the administrator can't do the
9 job by himself or herself, so now you have exorbitant

10 costs, where you once had a minimal cost by using a
11 union worker. Anyway, long story, end of story.

12 MS. FANUCCI: I know.

13 MS. GATELLI: Where are we?

14 MS. NEALON FANUCCI: I don't know.

15 MS. EVANS: We're still on this

16 borrowing.

17 MS. GATELLI: We're on the question?

18 MR. MINORA: You're still on the

19 borrowing --

20 MS. FANUCCI: Are we voting for DiBileo

21 now? Oh, no. Okay. I gest so confused.

22 MS. GATELLI: Well, I'd like to make an

23 amendment, because I'm not comfortable with the \$15

24 million. I'm only comfortable with \$10 million that

25 could say that I could feel justified in going along

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1 with it, because I have the \$8 million, the TAN, the

2 increased health care and the pension, so I would make

3 an amendment that it be \$10 million.

4 MR. MINORA: You're making a motion?

5 MS. GATELLI: I'm making a motion.

6 MR. MINORA: So, the motion would be --

7 MS. GATELLI: And I believe that you
8 could be right about what you're saying, but I'm not
9 comfortable enough yet to -- I'm afraid about the TAN
10 and I'm afraid to default on that kind of stuff.

11 MR. MINORA: The motion would be to
12 amend 7-A.

13 MS. GATELLI: To amend this to \$10
14 million.

15 MR. MINORA: -- from \$10 million down
16 from \$15.

17 MS. GATELLI: Right. That would get
18 rid of that \$3 million, that I don't know what that was
19 for at all.

20 I'm not comfortable borrowing anything,
21 but I'm still afraid that we're going to default, and
22 that really scares me, and I don't want the property
23 taxes to go up again next year, and that is the reason
24 why I would approve \$10 million.

25 Don't ever ask me again, because I

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1 think we should have all our ducks in a row with our
2 increases taxes, with the amusement and, you know,
3 hopefully the commuter and some cuts.

4 And when Mrs. Evans presents her budget
5 next week to us, the cuts will be there, that in the
6 future, we're going to be okay, and I believe that. I
7 believe that in the future we are going to be okay.

8 MS. EVANS: I hope so that the new
9 revenue --

10 MS. GATELLI: I hope so.

11 MS. EVANS: -- will do that for us, but
12 it still remains that the mayor has said 25 percent in
13 2007, 25 in 2008 and 25 in 2009, so it seems that he's
14 requiring a tax increase for each of the next three
15 years, in addition to his TANs and whatever other
16 possible borrowing he may approach Council with.

17 MR. MINORA: Did the motion have a
18 second?

19 MS. GATELLI: No. My motion did not
20 have a second.

21 MR. MCGOFF: Second.

22 MS. GATELLI: On the question for that?
23 Now, what will this vote be when I call for the vote?

24 MR. MINORA: The vote is on your motion
25 to amend 7-A to reduce the amount of the loan from \$15

.

1 to \$10 million.

2 MS. GATELLI: And if we vote yes, that

3 means we're approving it?

4 MR. MINORA: That means you've amended

5 7-A to --

6 MS. GATELLI: Could you stand up? I

7 can't hear you.

8 MS. NEALON FANUCCI: I know. It's

9 awful, isn't it?

10 MS. GATELLI: Because I can't see your

11 mouth, and I --

12 MR. MINORA: All right. If your motion

13 passes, that means 7-A is amended to say \$10 million,

14 instead of \$15, and then there must be a vote on 7-A to

15 see whether or not the \$10 passes.

16 So, the first thing that has to happen

17 is, yo have to have a vote on your motion to reduce the

18 amount from \$15 million to \$10 million.

19 MS. GATELLI: Right. Okay. So, this

20 vote is just to decrease it to \$10 million.

21 MR. MINORA: That's correct.

22 MS. GATELLI: You want to do roll call,

23 please?

24 MR. COOLICAN: Mrs. Evans.

25 MS. EVANS: No.

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1 MR. COOLICAN: Mrs. Fanucci.

2 MS. NEALON FANUCCI: Yes.

3 MR. COOLICAN: Mr. McGoff.

4 MR. MCGOFF: Yes.

5 MR. COOLICAN: Mr. Courtright.

6 MR. COURTRIGHT: No.

7 MR. COOLICAN: Mrs. Gatelli.

8 MS. GATELLI: Yes. Now what do we do

9 next? Now we vote on --

10 MS. GATELLI: All right. We'll do

11 another roll call. Do I have a motion to pass?

12 MR. COURTRIGHT: Doesn't Mrs. Garvey

13 have to read it as amended?

14 MS. NEALON FANUCCI: Oh, no. Just do a

15 motion.

16 MS. GATELLI: Does she have to read it

17 again?

18 MR. MINORA: She can read it as

19 amended, just because it's a loan for \$10 million,

20 we'll make sure we're perfectly correct.

21 MS. GARVEY: Here we go again, the

22 seventh time, I think. 7-A, FOR CONSIDERATION BY THE
23 COMMITTEE ON FINANCE - FOR ADOPTION 0 FILE OF COUNCIL
24 NO. 63, 2006 - AS AMENDED- AUTHORIZING THE LEASE OF
25 CERTAIN REAL PROPERTY TO THE REDEVELOPMENT AUTHORITY OF
.
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1 THE CITY OF SCRANTON, PURSUANT TO A LEASE AGREEMENT;
2 DECLARING THE GUARANTY OF SAID AUTHORITY'S GUARANTEED
3 LEASE REVENUE BONDS FOR THE BENEFIT OF THE CITY OF
4 SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, TO BE A
5 PROJECT OF THE CITY FOR WHICH LEASE RENTAL DEBT IS TO
6 BE INCURRED; STATING THE REALISTIC ESTIMATED USEFUL
7 LIFE OF THE FACILITIES RELATING TO THE BONDS;
8 DETERMINING TO INCUR LEASE RENTAL DEBT IN AN AGGREGATE
9 PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000 IN RESPECT
10 OF SAID PROJECT, SUCH DEBT TO BE EVIDENCED BY THE
11 CITY'S SUBLEASE AND GUARANTY AGREEMENT WITH RESPECT TO
12 SAID BONDS; AUTHORIZING CERTAIN CITY OFFICERS TO
13 PREPARE, CERTIFY AND FILE WITH THE DEPARTMENT OF
14 COMMUNITY AND ECONOMIC DEVELOPMENT THE DEBT STATEMENT
15 REQUIRED BY SECTION 8110 OF THE LOCAL GOVERNMENT UNIT
16 DEBT ACT AND AUTHORIZING THE PREPARATION OF A DEBT
17 STATEMENT AND BORROWING BASE CERTIFICATE; APPROVING THE
18 FORM OF, AND AUTHORIZING, SUBJECT TO CERTAIN

19 CONDITIONS, EXECUTION AND DELIVERY OF THE AFORESAID
20 LEASE AGREEMENT AND SUBLEASE AND GUARANTY AGREEMENT;
21 REPEALING INCONSISTENT PRIOR ORDINANCES; SETTING FORTH
22 CERTAIN CONDITIONS TO THE EXECUTION AND DELIVERY OF THE
23 AFORESAID LEASE AGREEMENT AND SUBLEASE AND GUARANTY
24 AGREEMENT; AUTHORIZING THE PROPER OFFICERS OF THE CITY
25 TO TAKE ALL REQUIRED, NECESSARY OR DESIRABLE RELATED
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1 ACTION IN CONNECTION WITH SUCH PROJECT AND THE
2 EXECUTION AND DELIVERY OF THE LEASE AGREEMENT AND
3 SUBLEASE AND GUARANTY AGREEMENT; DECLARING SAID PROJECT
4 DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE
5 RESIDENTS OF THE CITY.

6 MR. MINORA: Now you can call for a

7 vote.

8 MS. GATELLI: I still can't hear him.

9 No, we need a motion. We need a motion for 7-A. What

10 is the recommendation for the committee on finance?

11 MS. EVANS: As chair for the committee

12 on finance, I recommend final passage of Item 7-A

13 amended.

14 MS. NEALON FANUCCI: Second.

15 MS. GATELLI: On the question? Roll

16 call.

17 MS. EVANS: Yes. Just quickly.

18 MS. GATELLI: Oh, okay.

19 MS. EVANS: I have to say, I think the

20 mayor faired very well tonight, because his original

21 legislation for borrowing, which I think came down

22 right before Mr. McGoff took his seat, was for

23 \$6.9 million for his deficit, and he's ended up with

24 ten. So, he's gotten above and beyond what he wanted.

25 MS. GATELLI: And my answer to that is

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1 he wanted 44 and he got 10, and I think he made strides

2 by reducing his staff and going with -- to the

3 non-profits with me.

4 And politics is the art of compromise,

5 and I hope that we can be successful in the coming year

6 going after the rest of the non-profits, putting all of

7 our new taxes in order, and I look forward to seeing

8 Mrs. Evans' budget. Roll call.

9 MR. COOLICAN: Mrs. Evans.

10 MS. EVANS: No.

11 MR. COOLICAN: Mrs. Fanucci.

12 MS. NEALON FANUCCI: Yes.

13 MR. COOLICAN: Mr. McGoff.

14 MR. MCGOFF: Yes.

15 MR. COOLICAN: Mr. Courtright.

16 MR. COURTRIGHT: No.

17 MR. COOLICAN: Mrs. Gatelli.

18 MS. GATELLI: Yes. I hereby declare

19 7-A legally and lawfully adopted. 7-B.

20 MS. GARVEY: 7-B, FOR CONSIDERATION -

21 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR

22 ADOPTION - RESOLUTION NO. 114, 2006 - ACCEPTING THE

23 RECOMMENDATION OF THE HISTORICAL ARCHITECTURE REVIEW

24 BOARD (HARB) AND APPROVING THE CERTIFICATE OF

25 APPROPRIATENESS FOR A.J. GUZZI GENERAL CONTRACTORS,

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1 INC., 9 SKYLINE DRIVE, CLARKS SUMMIT FOR REPLACEMENT OF

2 WINDOWS AT REAR AND BACK OF THE SCRANTON PUBLIC LIBRARY

3 ANNEX CHILDREN'S LIBRARY AT 520 VINE STREET.

4 MS. GATELLI: What's the recommendation

5 of the chair on community development?

6 MS. NEALON FANUCCI: As chairperson for

7 the committee on community development, I recommend

8 final passage of Item 7-B.

9 MS. EVANS: Second.

10 MS. GATELLI: On the question? Roll

11 call.

12 MR. COOLICAN: Mrs. Evans.

13 MS. EVANS: Yes.

14 MR. COOLICAN: Mrs. Fanucci.

15 MS. NEALON FANUCCI: Yes.

16 MR. COOLICAN: Mr. McGoff.

17 MR. MCGOFF: Yes.

18 MR. COOLICAN: Mr. Courtright.

19 MR. COURTRIGHT: Yes.

20 MR. COOLICAN: Mrs. Gatelli.

21 MS. GATELLI: Yes. I hereby declare

22 Item 7-B legally and lawfully adopted. May I have a

23 motion to adjourn?

24 MR. COURTRIGHT: So moved.

25 MS. NEALON FANUCCI: Second, second,

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1 second.

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3 (MEETING WAS ADJOURNED.)

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1 CERTIFICATE

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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.

8

9

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LISA M. GRAFF, RMR
11 Official Court Reporter

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