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1 SCRANTON CITY COUNCIL MEETING

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5 HELD:

6

7 Thursday, July 19, 2007

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9 LOCATION:

10 Council Chambers

11 Scranton City Hall

12 340 North Washington Avenue

13 Scranton, Pennsylvania

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CATHENE S. NARDOZZI - COURT REPORTER
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2 CITY OF SCRANTON COUNCIL:

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MS. JUDY GATELLI, PRESIDENT
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6 MS. JANET E. EVANS

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MS. SHERRY FANUCCI
8

9 MR. ROBERT MCGOFF

10
MR. WILLIAM COURTRIGHT
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12 MS. KAY GARVEY, CITY CLERK

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MR. NEIL COOLICAN, ASSISTANT CITY CLERK
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15 MR. AMIL MINORA, SOLICITOR

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

3 MS. GATELLI: Roll call.

4 MR. COOLICAN: Mrs. Evans.

5 MRS. EVANS: Here.

6 MR. COOLICAN: Mrs. Fanucci.

7 MS. FANUCCI: Here.

8 MR. COOLICAN: Mr. McGoff.

9 MR. MCGOFF: Here.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MR. COOLICAN: Mrs. Gatelli.

13 MS. GATELLI: Here. Dispense with

14 the reading of the minutes.

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

16 APPLICATIONS AND DECISIONS RENDERED BY THE

17 ZONING HEARING BOARD ON WEDNESDAY, JULY 11,
18 2007.

19 MR. GATELLI: Are there any
20 comments? If not, received and filed.

21 MS. GARVEY: 3-B. AGENDA FOR THE CITY
22 PLANNING COMMISSION MEETING HELD ON JULY 17,
23 2007.

24 MS. GATELLI: Are there are comments?
25 If not, received and filed.

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1 MS. GARVEY: 3-C. CONTROLLER'S REPORT
2 FOR THE MONTH ENDING JUNE 30, 2007.

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

5 MS. GARVEY: That's all for Third
6 Order.

7 MS. GATELLI: Before we start with
8 motions, I just have a few announcements.
9 As you all know, there was a fire that
10 occurred in the city and some people were
11 rescued. They were rescued by firefighters
12 Dan Hanley and Paul Schirra and two DPW
13 workers who happened to be driving by went

14 in and rescued the mother, Mrs. Farley, Kim
15 Kandel and Jim Reed. Any donations may be
16 sent to the David Bradshaw Relief Fund care
17 of PNC Bank 1902 North Main Avenue, 18508.

18 And I would also like Kay to setup
19 proclamations for these people. If we can
20 get it by next Thursday it would be nice, if
21 not, we will do it when we come back.

22 MS. KAY: Is that all four --

23 MS. GATELLI: Yes. There will be a
24 jazz festival next week at the Radisson.

25 The festival is the third, fourth and fifth
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5

1 and they will be all day long. There is a
2 schedule in the newspaper.

3 And I received a letter last week
4 from a gentleman and I also heard from
5 several other people about the DPW not
6 picking up cardboard when they were picking
7 up recycling. They were leaving the
8 cardboard at the curb, so I talked to the
9 recycling center and Neil also called and
10 they said that they will take cardboard if

11 it is brought there by the citizen
12 themselves. They will not take commingled
13 paper and cardboard from the city, so I
14 talked to Jeff Brazil and he said that is
15 indeed true, and it would all have to be
16 separated, and he is going to look into
17 picking up cardboard at least on a once a
18 month basis, so I will keep you informed of
19 that, but be aware that the city will not
20 pick up cardboard from your recycling pile
21 for the present time.

22 I also was looking into Municipal
23 Revenue Service legislation that was put on
24 hold several months ago and we got an
25 interest from another company. I had been
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6

1 in touch with Mr. Smith and Michelle Bordner
2 from that particular company and they have
3 since submitted a proposal that I haven't
4 seen except for on my e-mail. I will be
5 getting a hard copy, I believe that
6 Mr. Krushefski has one so, Kay, if you would
7 get a copy for the rest of Council and they

8 can look that over and we can possibly meet
9 with them when we come back and we'll see
10 how the two proposals compare, and that's
11 all I have.

12 MR. COURTRIGHT: I have two, if you
13 don't mind.

14 MS. GARVEY: Sure.

15 MR. COURTRIGHT: You know, I'm not in
16 the habit of announcing when people pass
17 away because of the fact I'm afraid I will
18 exclude somebody and I did that. Doc
19 Doherty, I want to send my condolences to
20 his family, he died back on July 1 and he
21 volunteered for over 20 years in the school
22 district and in the city and I didn't
23 mention him, he is going to be deeply missed
24 so I apologize for not mentioning that, and
25 just one more, Sonny Sentile passed away and

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1 I've known the family my entire life since I
2 was born and I just want to send my
3 condolences to them. And I was asked out in
4 the hallway, and I didn't know the answer,

5 they asked me if Mr. Dougher is going to be
6 here today, and I just got a letter that is
7 stamped in our office at 11:55 he will be
8 out of town today so he won't be able to
9 come to our meeting, but he gave us a
10 listing of the damages for the pool at
11 Capouse Avenue. That's it. Thank you.

12 MS. GATELLI: Thank you. Anyone
13 else? Motions. Ms. Evans?

14 MS. EVANS: Good afternoon. In
15 response to questions posed during the
16 meeting of July 12, 2007, I'd like it
17 provide the following response:

18 Mr. Hazzouri, pavecut inspector,
19 states that paving of Diamond Avenue should
20 begin by Wednesday, July 25, 2007. The cost
21 for the Connell Park dog park include a
22 lengthy list, but I believe there have been
23 many questions about that, so I'll get
24 through it as quickly as possible:

25 Patch seal and topcoat, two inches

.

8

1 existing asphalt, \$43,986. Saw cut, remove

2 old pave, \$3,960. Clear and grub, \$1,200.
3 Fill existing pool, \$8,000. A six-foot
4 vinyl coated chain link fence, \$46,050. A
5 safety gate with vinyl coating, \$4,200. A
6 time out box, there are two of them, \$1,600.
7 Stock pile, place boulders, \$10,500. Six
8 benches, \$5,400. Asphalt, a three-inch base
9 with two-inch wearing \$245. A six-inch
10 subbase, \$675. The lawn, \$4,787. Top soil,
11 \$15,750. Stone subbase, \$12,250. Stone
12 dust surface, \$16,250. Pea gravel, \$10,300.
13 Trash receptacle, six, \$3,000. Water doggy
14 bag station, \$800, and there are two of
15 those. Six fire hydrants \$1,500, although,
16 I believe the water company was going to
17 donate some fire hydrants so that cost is
18 probably going to be eliminated. A two-inch
19 water line \$11,500. Valve box frost free
20 fixture, two of those, \$2,400. Lawn
21 irrigation system \$12,000. Two rule signs,
22 \$600 for a sub total of \$216,953. A
23 15 percent contingency at \$32,543 for a sum
24 total of \$249,496.53.
25 And probably if you are questioning

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1 all of the asphalt and stone subbase and
2 clearing and grub and such, there is a
3 walking trail that goes all the way around
4 that park and I believe connects to another
5 area of the park, so that is included
6 because it circles the dog park, so it's not
7 only the dog park it's the walking trail as
8 well.

9 Also, proposals for the Crisp Avenue
10 culvert replacement will be open on
11 August 3. This much needed project is in
12 process and I'm sure that's a great relief
13 to area residents.

14 I have spent the last few days
15 volunteering at St. Ann's Novena which I
16 have done for the past three summers since
17 my father passed away, Carl Tomko. He
18 volunteered for close to 50 years at both
19 the weekly Novena and the annual nine-day
20 solemn Novena to St. Ann and I wanted to
21 carry on his tradition. Although, frankly,
22 I don't do half the job that he does or did

23 and I only tell you this as background for

24 what I want to say today. I have spoken to

25 countless city residents in the last two

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1 days, senior citizens, those with illnesses

2 and disabilities and working families and

3 what they tell me ask that they have great

4 fear. Fear of tax reassessments by the

5 county, fear of tax increases by the city

6 and the school district, fear of fees,

7 fines, costs and penalties that are incurred

8 in the collection of delinquent taxes. Fear

9 of sewer rate increases.

10 Others tell me of terrible problems

11 and mistakes that have been made by NCC in

12 the collection of delinquencies and, sadly,

13 there are those who fear they are losing

14 their homes and one woman who told me that

15 her neighbors now have lost their home and

16 she is asking her husband if she can take

17 that family in at least temporarily until

18 they can find somewhere to live and get back

19 on their feet.

20 Others tell me about losing their
21 jobs and the senior citizens, of course,
22 describe what life on SSI is like and very
23 small pensions perhaps from railroad
24 retirement or whatever their line of service
25 had been through the years. One man even
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11

1 needed money to purchase -- to be able to
2 purchase all of his medication, and I'll
3 tell you, I think any elected official only
4 needs to spend -- you don't have to spend
5 the ten days, if you spend just one day,
6 eight hours out among the public then you
7 would realize the hardships of the people of
8 this city and you would think twice about
9 tax increases. You would think twice about
10 any additional costs that burden these
11 people further.

12 You know, the city has gone well
13 beyond the debt limits of it's people and
14 our bond rating has plummeted according to
15 Standard and Poors and, you know, it's
16 something that I talked about for years,

17 but, that S&P report proves it. More so,
18 the people of this city prove it to me
19 everyday, everyday that I'm over there
20 because of what they are suffering, what
21 they have lost and the fear that they live
22 in everyday.

23 And I have to thank God I'm not in
24 this circumstance, certainly I'm not the
25 wealthiest woman in town, but I'm not the
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12

1 poorest either. I'm blessed in many ways,
2 I'm blessed I have a job, a full-time job.
3 I'm blessed because that job gives me
4 security that other people in other fields
5 don't have, they could be out of a job at
6 any time, but as a teacher I'm guaranteed my
7 employment. I'm blessed to be a city
8 council woman. I'm blessed to have a roof
9 over my head, food on my table and to have
10 reasonably good health. I'm blessed to
11 still have my mother. I'm blessed for the
12 children and grandchildren I have, but so
13 many very good people of this city don't

14 have those same blessings and I just -- I
15 can't in good conscience allow more
16 borrowing. I can't in good conscience allow
17 tax increases because I know the effect that
18 it is having and certainly there are many,
19 many projects that would justify such
20 borrowing, tax increases etcetera, but they
21 aren't the necessities and right now so many
22 in our city are denied the necessities of
23 life. Medication, a roof over their heads,
24 food, peace of mind.

25 And as I said earlier, I know that I

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13

1 have been fighting hard all of these years
2 against borrowing every December, against
3 job creations, looking for balanced budgets,
4 looking for ways to increase revenue and by
5 and large I haven't been successful in those
6 endeavors. I have tried, I have let you
7 know, but, nevertheless, having met all of
8 the very good, very kind people who have
9 such faith, still have such faith in God and
10 obviously have faith in the elected

11 officials and enough faith to talk to me
12 about their problems. You know, as much as
13 we'd like it, God can't come and solve all
14 of the problems, but I think God works
15 through people and as elected officials I do
16 believe we have to be very, very conscious
17 of the population we serve. It's not just
18 the businesses, it's just not the
19 developers, certainly they are a portion of
20 it, but they are blessed people and as
21 government officials we have to do the
22 greatest good for the greatest number of
23 people and cause the fewest people the least
24 amount of harm possible.

25 So as I have done in the past I'm

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14

1 going to continue to do it and even
2 fervently more so. I'm not going to inflict
3 further financial burdens, I'm going to try
4 to do my best for every one, and I'm only
5 one person and I'm only one vote, but I can
6 assure you that that vote will always take
7 you into consideration and will always

8 represent you because I don't believe in
9 isolation. I do understand, I really do.
10 I also wanted to announce in
11 advance, and then I'm going to get right
12 into citizens' requests. I'm going to be
13 late to next week's meeting, not terribly
14 late, but I will be late because there will
15 be a mass at St. Ann's for the sole of my
16 father. I arranged that mass each year on
17 the feast day of St. Ann to honor him and
18 his volunteerism there for 50 years, so as
19 soon as the mass concludes I will report
20 directly to city council, and these are the
21 weeks requests:

22 A letter to Jeff Brazil, DPW, please
23 fill potholes in the 100 block of Ridgeview
24 Drive, particularly in front of 114
25 Ridgeview Drive. The 1500 block of Von

15

1 Storch Avenue, repair potholes. Residents
2 report that their houses shake as trucks hit
3 these gapping holes each day, this is the
4 second request.

5 Repair a large depression in Smith
6 place, an alley behind Watson Street. Also,
7 repair potholes in front of a carport in
8 Smith Place, and this is the second request.
9 Repair potholes in Park Gardens behind the
10 following building numbers, 17 through 21,
11 and should the city not be responsible for
12 that area then, Kay, I would like to that
13 letter please forwarded to the Scranton
14 Housing Authority. Residents are unable to
15 park their cars back there and they are
16 damaging their cars in the attempt to do so.
17 Kay, Hollister Avenue which consists of
18 only two or three blocks following the
19 completion of the Weston Park project, these
20 blocks resemble a washboard and present a
21 very poor appearance surrounding the
22 improvements to the park.
23 A letter to Mark Dougher, Parks and
24 Rec, please clean graffiti at Dorothy Street
25 playground. A resident of the neighborhood,
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16

1 Mr. Narsavage, regularly picks up garbage

2 and cleans graffiti and the playground and
3 the area should be regularly checked and
4 cleaned by the city rather than by a senior
5 citizen.

6 A letter to Jeff Brazil, would it be
7 possible to purchase the necessary equipment
8 to clean graffiti throughout the city? This
9 information was forwarded several months ago
10 to Mr. Parker who failed to respond. City
11 Director Don McKeean is very familiar with
12 these issues and could lead a graffiti task
13 force successfully to eliminate this
14 dangerous form of blight. Not only could
15 the equipment be utilized by the DPW and the
16 Parks and Recreation Department, but also by
17 residents and businesses who can borrow the
18 equipment after providing a security deposit
19 which would be refunded at such time as they
20 return the equipment to the DPW thereby,
21 offering an immediate remedy to gang related
22 communications.

23 A letter to Chief Elliott and I'm
24 requesting a copy of a police report that
25 relates to a vehicle accident in West

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17

1 Scranton where motorists are continuing to
2 speed through a stop sign. Rolland Avenue
3 located between Brooke and Cherry Street,
4 install a curb lip which was destroyed by
5 snow plows in 2007. Residential properties
6 are damaged by water runoff during each
7 rainfall event, and this is the second
8 request.

9 The 1400 block of Dickson Avenue, no
10 recyclables have been collected in three
11 weeks. Residents spoke to the DPW, but
12 there have been no results. Shay Place in
13 rear of Moosic Street, residents report an
14 overgrown lot an in which rodents have been
15 observed. Obviously, the citizens of
16 Scranton have quite a number of problems and
17 with the taxes we are all paying I do expect
18 that those problems are going to be taken
19 care of, and that's it.

20 MS. GATELLI: Thank you.

21 Mrs. Fanucci?

22 MS. FANUCCI: Yes. There are two

23 things on the agenda today which are in my
24 committee and I wanted to report on them.

25 There is a one building, that's called Posh
.

18

1 Light, LLG, they are looking for a loan.

2 This industry started as a catering business

3 in New York City in 1999. The property is

4 at 401 Jefferson Avenue, it's called the

5 Colonnade, I'm sure you'll start to

6 understand exactly which building it is. It

7 was purchased for \$225,000 and they are

8 establishing a full specially run operation

9 offering catering as well as event planning

10 and a boutique. They need working capital

11 for the project, primarily, architectural.

12 If you went by this building you will see

13 why they need the architectural. Phase one

14 they have already completed. The project

15 included internal restoration including new

16 electrical system, heating, cooling system

17 and plumbing. The facade will be restored

18 into it's original condition with this

19 architectural -- it's the one with the big

20 white pillars. It's an absolutely
21 incredible, beautiful home which they have
22 saved and are putting their money into and
23 helping to rebuild. It's absolutely
24 beautiful. This home was built in 1973 and
25 the building was remodeled in 1910 when the
.

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1 columns on the third floor ballroom were
2 added and in the 1950's the home was
3 purchased by the Munchaks and recently
4 owned, Irene Munchak owed the home and would
5 not sell it to anyone who was planning on
6 tearing it down, she made sure that someone
7 who was going to buy this property made sure
8 they restored it back to their flooring and
9 it's a wonderful project.

10 There will be up to ten employees
11 that they will hire to see the day-to-day
12 operations and special events will be
13 on-site as well as offsite so there will be
14 catering involved. They are going to have a
15 general manager, some chef positions, event
16 planner, hotel staff, event staff, valet,

17 all are planned to be the team for the
18 colonnade. They also are going to have
19 three or four suites upstairs that can be
20 rented and attending by the people who may
21 be downstairs at one of the events, which is
22 a great idea so it would sort of be sort of
23 like a bed and breakfast deal also, so that
24 is the first one that is on and ten
25 employees is a great addition and the
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20

1 building is absolutely beautiful, so I want
2 to wish them a lot of luck with that and
3 heavily support the project.
4 The other is, and I never say this
5 right, Kelbri Development, LLC. This is a
6 real estate holding company formed for the
7 purpose of purchasing and developing
8 property located at 313-317 Linden Street.
9 Thomas Davis acquired this property in
10 February of 2006 and engaged in two phases
11 of a third, and three-phase project.
12 The first phase consisted of gutting
13 the structure, new mechanical, electrical,

14 plumbing seems to be what everyone has to do
15 to put in a fire protection system and 1,000
16 square foot porch were added to the phase.
17 The second phase will consist of outfitting
18 the first floor side portion with two floor
19 structures for commercial and retail space.
20 The first floor presently occupied by a
21 long-term established business, successful.
22 And the third floor will end up to be
23 renovated for architectural, additional
24 commercial lease space and engineering costs
25 ill all be incurred in this space, so they
.
21

1 are going to cover the engineering costs,
2 the architectural costs and also some of the
3 new building renovations. This project will
4 result in the creation of eight full-time
5 jobs and three within three years to the
6 date of the loan, so they are borrowing also
7 \$250,000 for a 20-year term and I believe
8 this one is a Community Development Block
9 Grant Fund. So both of these projects are
10 very large and very costly, but I think are

11 put into good business in the city. Any
12 time that you save an old building, as far
13 as I'm concerned, is a good thing, so that
14 is all I have. Thank you.

15 MS. GATELLI: Thank you.

16 Mr. McGoff.

17 MR. MCGOFF: Nothing today. Thank
18 you.

19 MS. GATELLI: Mr. Courtright.

20 MR. COURTRIGHT: Yes. I think most
21 of you know I have been trying to get a
22 project under way on Main Avenue that is
23 going to bring curbs, sidewalks, period
24 lighting and then possibly underground
25 utilities so I was happy to hear that the
.
22

1 city is going after the state to get some
2 money to do that project and I many really
3 hoping that that comes to be, so I was happy
4 to hear that. A lot of people have been
5 asking me about that, asking me if that
6 project is dead. I had been in touch once
7 with the mayor and he told me it wasn't dead

8 so evidently we are going to be moving ahead

9 on that.

10 I spoke to Mr. Ludovici there was a

11 problem up in Fawnwood with a waterline and

12 they cleared that out. He said that they

13 were down there on Luzerne Street, the woman

14 that was here last week that had that

15 problem they are working on that problem now

16 and then there is also a problem at the

17 bottom of St. Ann's Street and Main Avenue

18 and they were going to go out there this

19 morning and he said take a look at it, I

20 don't know if they are able to due to all of

21 the traffic from the Novena, so I want to

22 thank them for getting on top of those

23 things for me. Again, as I said,

24 Mr. Dougher couldn't make it here today, he

25 is out of town, so we will have to wait for

.

23

1 his answer.

2 One thing that I have noticed in the

3 past year or so, I think we are getting a

4 lot more citizens' requests and especially a

5 lot more citizens' request by e-mail and
6 what I have done the last couple of weeks
7 and it seemed to work for me is rather than
8 me sending a letter every time somebody
9 e-mails me for something like I was to try
10 and e-mail that individual back and tell
11 them I was forward to the proper person, try
12 to save Neil and Kay and Sue a lot of work
13 with all of these letters because we send
14 out a lot of letters. I think they spend a
15 lot of their time sending out letters and
16 what I found out is not only is it saving
17 time, but I have gotten a quick response. I
18 have sent, I believe it was Monday I sent
19 three requests to Mr. Brazil Monday morning
20 and when I came back in Tuesday morning he
21 had e-mailed me back and said he was going
22 to take care of it so I think it cut out a
23 little bit of paperwork and sometimes when I
24 send a letter I never get an answer, so at
25 least I'm getting an answer here. So, if by
·
24

1 some reason you send me a request, I want to

2 answer you back and forwarded it the proper
3 official, I think it's going to be a little
4 more efficient for me by doing an e-mail, so
5 if you don't get -- sometimes I male a
6 letter out to you that I sent so you could
7 see I sent it, but I'm just going to e-mail
8 back to you. Those of you that call me by
9 phone or requesting the letter I will
10 certainly send a letter out, but I have been
11 a little bit more luck with the e-mail, so
12 I'm going to try and do it that way. And
13 that's all I have. Thank you.

14 MS. GATELLI: Thank you.

15 Mrs. Garvey?

16 MS. GARVEY: 4-B - FOR INTRODUCTION

17 - AN ORDINANCE ESTABLISHING A REGISTRATION

18 PROGRAM FOR RESIDENTIAL RENTAL PROPERTIES

19 REQUIRING ALL OWNERS OF RESIDENTIAL RENTAL

20 PROPERTIES TO DESIGNATE AN AGENT FOR SERVICE

21 OF PROCESS AND PRESCRIBING DUTIES OF OWNERS,

22 AGENTS AND OCCUPANTS; DIRECTING THE

23 DESIGNATION OF AGENTS; ESTABLISHING FEES FOR

24 THE COSTS ASSOCIATED WITH REGISTRATION OF

25 RENTAL PROPERTY; AND PRESCRIBING PENALTIES

25

1 FOR VIOLATIONS.

2 MS. GATELLI: At this time I'll

3 entertain a motion that 4-B be introduced.

4 MR. COURTRIGHT: So moved.

5 MS. FANUCCI: Second.

6 MS. GATELLI: On the question? All

7 those in favor?

8 MS. EVANS: Aye.

9 MS. FANUCCI: Aye.

10 MR. MCGOFF: Aye.

11 MR. COURTRIGHT: Aye.

12 MS. GATELLI: Aye. Opposed? The

13 ayes have it and so moved.

14 MS. GARVEY: 4-C- FOR INTRODUCTION -

15 AN ORDINANCE - AUTHORIZING THE CONVEYANCE BY

16 SEALED BID OR AUCTION OF ONE PARCEL OF

17 PROPERTY LOCATED INT HE CITY OF SCRANTON AT

18 1008 FISK STREET, AND RECORDED AT RECORD

19 BOOK R062, PAGE 3895.

20 MS. GATELLI: At this time I'll

21 entertain a motion that 4-C be introduced.

22 MR. COURTRIGHT: So moved.

23 MS. FANUCCI: Second.

24 MS. GATELLI: On the question? All

25 those in favor?

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26

1 MS. EVANS: Aye.

2 MS. FANUCCI: Aye.

3 MR. MCGOFF: Aye.

4 MR. COURTRIGHT: Aye.

5 MS. GATELLI: Aye. Opposed? The

6 ayes have it and so moved.

7 MS. GARVEY: 4-D - FOR INTRODUCTION -

8 AN ORDINANCE - AMENDING FILE OF COUNCIL NO.

9 155 OF 2005, ENTITLED, "AN ORDINANCE

10 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

11 OFFICIALS OF THE CITY OF SCRANTON TO TAKE

12 ALL NECESSARY ACTIONS TO IMPLEMENT THE

13 CONSOLIDATED SUBMISSION FOR COMMUNITY

14 PLANNING AND DEVELOPMENT PROGRAMS (AS

15 AMENDED) TO BE FUNDED UNDER THE COMMUNITY

16 DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME

17 INVESTMENT PARTNERSHIP (HOME) PROGRAM AND

18 EMERGENCY SHELTER GRANT (ESG) PROGRAM", BY

19 TRANSFERRING \$50,000.00, FROM PROJECT NO.

20 06-33 CONTINGENCY TO PROJECT NO. 06.229.6

21 UNC COMMUNITY SERVICE BUILDING.

22 MS. GATELLI: At this time I'll

23 entertain a motion that 4-D be introduced.

24 MR. COURTRIGHT: So moved.

25 MR. MCGOFF: Second.

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27

1 MS. GATELLI: On the question? All

2 in favor.

3 MS. EVANS: Aye.

4 MS. FANUCCI: Aye.

5 MR. MCGOFF: Aye.

6 MR. COURTRIGHT: Aye.

7 MS. GATELLI: Aye. Opposed? The

8 ayes have it and so moved.

9 MS. GARVEY: 4-E FOR INTRODUCTION - A

10 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

11 APPROPRIATE CITY OFFICIALS FOR THE CITY OF

12 SCRANTON TO ENTER INTO A LOAN AGREEMENT AND

13 MAKE A LOAN FROM THE COMMUNITY DEVELOPMENT

14 BLOCK GRANT LOAN PROGRAM, PROJECT NO.

15 03-150.12 IN AN AMOUNT NOT TO EXCEED

16 \$250,000 TO KELBRI DEVELOPMENT, LLC TO

17 ASSIST AN ELIGIBLE PROJECT.

18 MS. GATELLI: At this time I'll

19 entertain a motion that 4-E be introduced.

20 MR. COURTRIGHT: So moved.

21 MS. FANUCCI: Second.

22 MS. GATELLI: On the question.

23 MR. COURTRIGHT: On the question very

24 quickly, Mrs. Gatelli, when I was looking

25 into this legislation I did find out that a

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1 portion of the money is going to be used for

2 an elevator so that the second floor can be

3 accessible for handicap people.

4 MS. GATELLI: Anyone else? All

5 those in favor?

6 MS. FANUCCI: Aye.

7 MR. MCGOFF: Aye.

8 MR. COURTRIGHT: Aye.

9 MS. GATELLI: Aye. Opposed?

10 MS. EVANS: No.

11 MS. GATELLI: The ayes have it and so

12 move by a vote of 4 to 1.

13 MS. GARVEY: 4-F - FOR INTRODUCTION -

14 A RESOLUTION - AUTHORIZING THE MAYOR AND
15 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
16 AND ENTER INTO A LOAN AGREEMENT AND TO
17 EXECUTE A PROMISSORY NOTE, IN THE AMOUNT OF
18 \$250,000 BY AND BETWEEN THE CITY OF SCRANTON
19 AND POSH LIFE, LLC FOR ENTERPRISE ZONE
20 COMPETITIVE GRANT FUNDS TO DEDICATED TO THE
21 POSH LIFE, LLC PROJECT.

22 MS. GATELLI: At this time I'll
23 entertain a motion that 4-F be introduced.

24 MR. COURTRIGHT: So moved.

25 MS. FANUCCI: Second.

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

3 MS. EVANS: Aye.

4 MS. FANUCCI: Aye.

5 MR. MCGOFF: Aye.

6 MR. COURTRIGHT: Aye.

7 MS. GATELLI: Aye. Opposed? The

8 ayes have it and so moved.

9 MS. GARVEY: 4-G - FOR INTRODUCTION -

10 A RESOLUTION - AUTHORIZING THE MAYOR AND

11 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
12 AND ENTER INTO ANY DOCUMENTS NEEDED TO
13 SUBMIT AND DESIGNATE THE REDEVELOPMENT
14 AUTHORITY OF THE CITY OF SCRANTON AS THE
15 LOCAL REDEVELOPMENT AUTHORITY, AT THAT TERM
16 IS UNDERSTOOD BY THE OFFICE OF ECONOMIC
17 ADJUSTMENT OF THE DEPARTMENT OF DEFENSE, FOR
18 THE PURPOSE OF COORDINATING THE
19 REDEVELOPMENT OF THE SAMUEL SERENTI ARMY
20 RESERVE CENTER ON COLFAX AVENUE.

21 MS. GATELLI: At this time I'll
22 entertain a motion that 4-G be introduced.

23 MR. COURTRIGHT: So moved.

24 MS. FANUCCI: Second.

25 MS. GATELLI: On the question? All

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1 those in favor?

2 MS. EVANS: Aye.

3 MS. FANUCCI: Aye.

4 MR. MCGOFF: Aye.

5 MR. COURTRIGHT: Aye.

6 MS. GATELLI: Aye. Opposed? The

7 ayes have it and so moved.

8 MS. GARVEY: 4-H - FOR INTRODUCTION -
9 A RESOLUTION - AUTHORIZING THE FILING OF A
10 PROPOSAL FOR FUNDS WITH THE DEPARTMENT OF
11 COMMUNITY AND ECONOMIC DEVELOPMENT (DECED),
12 COMMONWEALTH OF PENNSYLVANIA AND AUTHORIZING
13 THE MAYOR AND OTHER APPROPRIATE CITY
14 OFFICIALS TO EXECUTE AND APPLY FOR SAID
15 GRANT FOR HOUSING AND REDEVELOPMENT
16 ASSISTANCE THROUGH DECD; ACCEPTING THE GRANT
17 IF THE GRANT APPLICATION IS SUCCESSFUL, AND
18 COORDINATING THE USE OF THE GRANT FUNDS
19 THROUGH THE PROGRAMS RUN BY UNITED
20 NEIGHBORHOOD CENTERS OF LACKAWANNA COUNTY.

21 MS. GATELLI: At this time I'll
22 entertain a motion that 4-H be introduced.

23 MR. COURTRIGHT: So moved.

24 MS. FANUCCI: Second.

25 MS. GATELLI: On the question? All

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1 those in favor?

2 MS. EVANS: Aye.

3 MS. FANUCCI: Aye.

4 MR. MCGOFF: Aye.

5 MR. COURTRIGHT: Aye.

6 MS. GATELLI: Aye. Opposed? The

7 ayes have it and so moved.

8 MS. GARVEY: 4-I FOR INTRODUCTION -

9 A RESOLUTION - AUTHORIZING THE MAYOR AND

10 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE

11 AND ENTER INTO A SUPPLEMENTAL REIMBURSEMENT

12 AGREEMENT NO. 040928-F WITH THE COMMONWEALTH

13 OF PENNSYLVANIA, DEPARTMENT OF

14 TRANSPORTATION ("PENNDOT") FOR THE PURPOSE

15 OF INCREASING THE FUNDS ALLOCATED FOR THE

16 CONSTRUCTION PHASE OF THE EAST MARKET STREET

17 BRIDGE PROJECT.

18 MS. GATELLI: At this time I'll

19 entertain a motion that 4-I be introduced.

20 MR. COURTRIGHT: So moved.

21 MS. FANUCCI: Second.

22 MS. GATELLI: On the question? All

23 those in favor?

24 MS. EVANS: Aye.

25 MS. FANUCCI: Aye.

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1 MR. MCGOFF: Aye.

2 MR. COURTRIGHT: Aye.

3 MS. GATELLI: Aye. Opposed? The

4 ayes have it and so moved.

5 MS. GARVEY: FIFTH ORDER - 5-A -

6 READING BY TITLE - FILE OF COUNCIL NO. 103,

7 2007 - AN ORDINANCE - AUTHORIZING THE MAYOR

8 AND OTHER APPROPRIATE CITY OFFICIALS TO

9 APPLY FOR AND EXECUTE A GRANT APPLICATION

10 AND IF SUCCESSFUL A GRANT AGREEMENT AND

11 ACCEPT THE FUNDS RELATED THERETO THROUGH THE

12 EDWARD J. BYRNE JUSTICE ASSISTANCE GRANT

13 ("JAG") FORMERLY KNOWN AS THE LOCAL LAW

14 ENFORCEMENT BLOCK GRANT (LLEBG).

15 MS. GATELLI: You have heard Reading

16 by Title of 5-A, what is your pleasure?

17 MR. COURTRIGHT: I move that Item 5-A

18 pass Reading by Title.

19 MS. FANUCCI: Second.

20 MS. GATELLI: On the question? All

21 those in favor?

22 MS. EVANS: Aye.

23 MS. FANUCCI: Aye.

24 MR. MCGOFF: Aye.

25 MR. COURTRIGHT: Aye.

1 MS. GATELLI: Aye. Opposed? The

2 ayes have it and so moved.

3 MS. GARVEY: 5-B. READING BY TITLE -

4 FILE OF COUNCIL NO. 104, 2007 - AN ORDINANCE

5 - DECLARING (1) THE ACQUISITION OF PARKING

6 FACILITIES BY THE PARKING AUTHORITY OF THE

7 CITY OF SCRANTON, PENNSYLVANIA AND THE

8 ASSOCIATED REFUNDING OF THE REDEVELOPMENT

9 AUTHORITY OF THE CITY OF SCRANTON GUARANTEED

10 VARIABLE RATE DEMAND LEASE REVENUE BONDS,

11 SERIES OF 2004, ISSUED TO FINANCE SUCH

12 PARKING FACILITIES, (2) THE ACQUISITION,

13 CONSTRUCTION AND EQUIPPING OF NEW PARKING

14 FACILITIES OF THE PARKING AUTHORITY OF THE

15 CITY OF SCRANTON, PENNSYLVANIA AND LOCATED

16 IN THE CITY OF SCRANTON AND OPERATED BY THE

17 CITY PURSUANT TO AN OPERATING AGREEMENT, AND

18 (4) THE FINANCING OF NECESSARY RESERVES,

19 CAPITALIZED INTEREST AND COSTS OF ISSUANCE

20 OF THE HEREINAFTER MENTIONED 2007 BONDS, TO

21 BE A PROJECT OF THE CITY FOR WHICH LEASE

22 RENTAL DEB IS TO BE INCURRED; DETERMINING TO

23 INCURE LEASE RENTAL DEB IN THE MAXIMUM

24 AMOUNT OF \$35,000,000 IN RESPECT OF THE

25 PROJECT, SUCH DEBT TO BE EVIDENCED BY

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1 RENTALS PAYABLE TO THE AUTHORITY BY THE CITY

2 UNDER A LEASE (INCLUDING A FIFTH

3 SUPPLEMENTAL LEASE) OF THE PARKING

4 FACILITIES, AND BY A COVENANT OF GUARANTY OF

5 THE CITY CONTAINED IN SAID FIFTY

6 SUPPLEMENTAL LEASE; STATING THE ESTIMATED

7 REALISTIC USEFUL LIVES OF THE PARKING

8 FACILITIES; AUTHORIZING CERTAIN CITY

9 OFFICERS TO PREPARE, CERTIFY AND FILE WIT

10 THE DEPARTMENT OF COMMUNITY AND ECONOMIC

11 DEVELOPMENT THE DEBT STATEMENT REQUIRED BY

12 SECTION 8110 OF THE LOCAL GOVERNMENT UNIT

13 DEBT ACT AND ANY STATEMENTS REQUIRED BY

14 SECTION 8026 OF SUCH DEBT ACT TO QUALIFY THE

15 DEBT INCURRED AS SELF-LIQUIDATING DEBT;

16 AUTHORIZING THE PREPARATION OF A DEBT

17 STATEMENT AND BORROWING BASE CERTIFICATE;

18 SPECIFICALLY APPROVING AMOUNTS OF FIXED RENT

19 AND OTHER PAYMENTS (INCLUDING THE GUARANTY

20 OF DEBT SERVICE ON SAID BONDS) TO BE MADE BY
21 THE CITY UNDER SUCH LEASE; APPROVING AND
22 ACKNOWLEDGING NOTICE OF THE AUTHORITY'S
23 ASSIGNMENT OF SUCH RENTALS TO TRUSTEE IN
24 RESPECT OF THE AUTHORITY'S BONDS;
25 AUTHORIZING INCIDENTAL ACTION; REPEALING
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35

1 INCONSISTENT PRIOR ORDINANCES; AND APPROVING
2 THE FORM OF, AND AUTHORIZING, SUBJECT TO
3 RECEIPT OF NECESSARY STATE APPROVALS,
4 EXECUTING AND DELIVERY OF THE FIFTH
5 SUPPLEMENTAL LEASE AND THE THIRD OPERATING
6 AGREEMENT.

7 MR. COURTRIGHT: I move that Item
8 5-B pass Reading by Title.

9 MR. MCGOFF: Second.

10 MS. GATELLI: On the question?

11 MR. COURTRIGHT: On the question, we
12 had a lot of questions for Mr. Wintermantle
13 and the people that came in there and I know
14 some of you were in the back room with us,
15 but I think some of the things I asked that
16 other people asked what is that are all of

17 the parking garages able to -- are they
18 generating enough revenue to pay for all
19 their bills and he said they were, asked if
20 the new facilities that they were going to
21 acquire and if that had any people that were
22 already interested in the spaces and most of
23 the spaces were all taken, asked about the
24 Medallion Garage and he said it was paying
25 for itself there was only one retail space I
.
36

1 believe he said wasn't rented out yet and
2 they are hopeful it's somebody else. Asked
3 about what the interest was on it and we are
4 going to go for a lower interest rate from a
5 variable rate to a fixed. I know
6 Mr. Sbaraglia and Ms. Shumaker asked some
7 questions and I just think that when we have
8 legislation like this in the future that
9 maybe if they come in beforehand, and I said
10 this last week, that it would be a good idea
11 to help move things along a little quicker,
12 but I just wanted to share that with you.
13 Thank you.

14 MS. GATELLI: Anyone else on the
15 question?

16 MS. EVANS: Yes. To add to what

17 Mr. Courtright has said, yes,

18 Mr. Wintermantle indicates that the parking

19 authority is in the black currently, but if

20 you take a look at the audit, the

21 independent audit of city council for the

22 Year 2005, but it's classified as the 2006

23 audit, they carry a long-term debt of

24 \$31,805,159 without, just setting aside this

25 \$35 million project.

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1 In addition, in their current fiscal

2 year 2007 they owe \$1,173,528 in principal

3 and interest on bond series from previous

4 years. That does not take into account all

5 of the monthly expenses of the parking

6 authority that would include salaries and

7 health benefits and materials and supplies,

8 etcetera to numerous to mention.

9 As of today's meeting I had not

10 received the most current monthly financial

11 reports of the Scranton Parking Authority,
12 so I had to base my questions and concerns
13 during today's caucus on the financial
14 statements of January and February 2007, and
15 according to those figures the parking
16 authority, the garages, would have been in
17 the red in that they were not earning enough
18 income in order to pay all monthly expenses
19 and the current bond issues. However,
20 Mr. Wintermantle responded that the
21 Medallion Garage recently opened I believe
22 in November 2006 and since it has now been
23 up and running for a period of eight months
24 they are anticipating much greater revenue,
25 but that is an if. There are many if's in
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38

1 this situation.

2 I also learned that a company who
3 had been very interested in the purchase of
4 the Electric City Garage will not be doing
5 so because this particular bond issue would
6 be unsuccessful without the parking
7 authority retaining ownership of all of it's

8 garages in order to remain financially
9 viable, so that bottom line here, if you
10 were to attempt to sell any of the garages,
11 the Scranton Parking Authority would find
12 itself in a difficult financial straits.
13 I do believe that the Oppenheim Garage
14 is in need of repair, it's a very old
15 garage, however, when questioned about the
16 possibility of renovation rather than
17 demolition and new construction, that had
18 never been discussed, yet Mayor Doherty in
19 2004 stated that when he was in the -- or
20 when the Scranton Parking Authority was
21 taking on a new series of bonds in January
22 2004, 1.5 million worth of that money was
23 going to be set aside for renovation to the
24 Oppenheim Garage. Unfortunately, that
25 didn't occur because the 1.5 million was

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1 needed for the additional costs of the
2 Medallion Garage which is a beautiful,
3 beautiful garage, but if renovation was
4 discussed in 2004 why has renovation not

5 even reached the stage or a discussion of
6 consideration in 2007?
7 I don't believe that the parking
8 authority can so easily assume \$35 million
9 worth of the additional debt on top of the
10 32 million they currently possess and, as I
11 said, I do believe the garage has to be
12 addressed, but I would think that perhaps
13 Sanofi-Pasteur who would like to take quite
14 a number of the those spaces might entertain
15 taking ownership of that garage and making
16 the renovations or constructing the new
17 garage at their own cost and then receiving,
18 you know, payments for that from the tenants
19 of that garage. In other words, we are
20 building something here for the employees of
21 Sonafi and the tenants of the Connell
22 building, and far fewer of the spaces are
23 designated for those who work in the City of
24 Scranton and those who shop or do business
25 in the City of Scranton. Now, we can set

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1 that aside, the fact remains this is a

2 tremendous amount of money and you
3 ultimately are responsible for those
4 payments if ever, it hasn't occurred to
5 date, but if ever the parking authority were
6 unable to make those payments and I just
7 don't believe that's a financial burden that
8 the citizens of the city can assume at this
9 point in time. Yes, there should be a
10 garage, but I think these multi-million
11 dollars companies who would like to utilize
12 it are the ones perhaps who should be
13 looking at turning that garage around.

14 MS. GATELLI: Anyone else? All those
15 in favor?

16 MS. FANUCCI: Aye.

17 MR. MCGOFF: Aye.

18 MR. COURTRIGHT: Aye.

19 MS. GATELLI: Aye. Opposed?

20 MS. EVANS: No.

21 MS. GATELLI: The ayes have it and so
22 moved.

23 MS. GARVEY: SIXTH ORDER. 6-A. FOR

24 CONSIDERATION BY THE COMMITTEE ON FINANCE -

25 FOR ADOPTION - FILE OF COUNCIL NO. 101, 2007

41

1 - SALE OF TAX DELINQUENT PROPERTY AT 2324
2 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA, TO
3 ROBERT WEBER AND MARY BETH WEBER, HIS WIFE,
4 2309 PITTSTON AVENUE, SCRANTON,
5 PENNSYLVANIA, 18505, FOR THE SUM OF \$6,000.

6 MS. GATELLI: What is the
7 recommendation of the Chair on finance?

8 MS. EVANS: As chair for the
9 Committee on Finance, I recommend final
10 passage of Item 6-A.

11 MR. COURTRIGHT: Second.

12 MS. GATELLI: On the question. Roll
13 call.

14 MR. COOLICAN: Mrs. Evans.

15 MRS. EVANS: Yes.

16 MR. COOLICAN: Mrs. Fanucci.

17 MS. FANUCCI: Yes.

18 MR. COOLICAN: Mr. McGoff.

19 MR. MCGOFF: Yes.

20 Mr. COOLICAN: Mr. Courtright.

21 MR. COURTRIGHT: Yes.

22 MR. COOLICAN: Mrs. Gatelli.

23 MS. GATELLI: Yes. I hereby declare

24 6-A legally and lawfully adopted.

25 MS. GARVEY: 6-B. FOR CONSIDERATION

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1 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

2 FILE OF COUNCIL NO. 102, 2007 - SALE OF TAX

3 DELINQUENT PROPERTY AT 113-115 SOUTH BROMLEY

4 AVENUE, SCRANTON, PENNSYLVANIA, TO JOSEPH A.

5 HAZZOURI, JR., 125 FAIRVIEW AVENUE,

6 SCRANTON, PENNSYLVANIA, 18504, FOR THE SUM

7 OF \$4,600.00.

8 MS. GATELLI: What is the

9 recommendation of the Chair on Finance?

10 MS. EVANS: As chair for the

11 Committee on Finance, I recommend final

12 passage of Item 6-B.

13 MR. COURTRIGHT: Second.

14 MS. GATELLI: On the question? Roll

15 call.

16 MR. COOLICAN: Mrs. Evans.

17 MRS. EVANS: Yes.

18 MR. COOLICAN: Mrs. Fanucci.

19 MS. FANUCCI: Yes.

20 MR. COOLICAN: Mr. McGoff.

21 MR. MCGOFF: Yes.

22 Mr. COOLICAN: Mr. Courtright.

23 MR. COURTRIGHT: Yes.

24 MR. COOLICAN: Mrs. Gatelli.

25 MS. GATELLI: Yes. I hereby declare

43

1 6-B legally and lawfully adopted.

2 MS. GARVEY: 6-C. FOR CONSIDERATION

3 BY THE COMMITTEE ON RULES - FOR ADOPTION -

4 RESOLUTION NO. 156, 2007 - APPOINTMENT OF

5 JEFFREY BRAZIL, 922 FRONT STREET, SCRANTON,

6 PENNSYLVANIA, 18505, TO THE POSITION OF

7 DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS,

8 EFFECTIVE JULY 2, 2007. MR. BRAZIL WILL BE

9 REPLACING GEORGE PARKER WHO RESIGNED.

10 MS. GATELLI: As the chairperson for

11 the Committee on Rules, I recommend final

12 passage of 6-C.

13 MR. MCGOFF: Second.

14 MS. GATELLI: On the question?

15 MR. COURTRIGHT: On the question, I'm

16 going to be voting, no, on this, not in the

17 negative that I don't think Mr. Brazil
18 should have the job, I think he will do a
19 fine job, so far he has done terrific with
20 me. I just have a problem with the salary.
21 That's what I'm hung up on. I didn't get
22 any information whether he would be taking
23 on any additional duties. The justification
24 by the administration giving Mr. Parker the
25 salary was that he was going to be the city
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44

1 engineer and he was going to be the DPW
2 director and Mr. Brazil is not going to be
3 the city engineer and he is also not in
4 charge of traffic maintenance anymore,
5 that's gone over to Mr. Elliott, the police
6 chief. And, again, I think Mr. Brazil will
7 do a fine job as the DPW director I just am
8 voting no because of the salary and I
9 certainly hope he doesn't take this
10 personally. Again, it's nothing against
11 him, it's the salary I disagree with.
12 MS. EVANS: I might add, I raised
13 most of the concerns Mr. Courtright just

14 mentioned at last week's meeting. I asked
15 for a response from the mayor as pertaining
16 to a reduction in salary for each of the
17 three positions on which we are voting
18 today. I received no answer which tells me,
19 in fact, I did receive an answer, there will
20 be no reduction in salary for any of the
21 three positions. And as Mr. Courtright
22 said, I'm sure all three men are going to do
23 a wonderful job. One of them I frankly
24 don't know at all, the other two I do. I
25 know those two to be very hardworking and I
.
45

1 have heard wonderful, wonderful things about
2 the third individual, so I do wish them
3 well, I look forward to working with them,
4 but I do want to go on record as stating
5 that these salaries are inappropriate and do
6 not reflect accurately the duties and
7 responsibilities of the positions nor do
8 they reflect the credentials and
9 experiential backgrounds of any of the
10 appointees, therefore, I will be voting, no,

11 and as Mr. Courtright said, I hope they are
12 not going to hold this against me or against
13 any of you that I am trying to help here
14 because they are fine gentlemen and I'm sure
15 they are going to do a very good job, but as
16 reasonable gentlemen I hope they can
17 understand my point what I'm saying on
18 behalf of the citizens.

19 MS. GARVEY: Anyone else on the
20 question?

21 MR. BOLUS: Madame President, Bob
22 Bolus --

23 MS. GATELLI: Mr. Bolus --

24 MR. BOLUS: If I may, under the
25 Sunshine Act I believe I have the
.

46

1 opportunity to --

2 MR. MCGOFF: Mr. Bolus, you are out
3 of order.

4 MS. GATELLI: Mr. Minora, does anyone
5 have the opportunity to ask the question
6 when we are --

7 MR. MINORA: We are not in the public

8 comment section. There has been opportunity
9 to discuss these last two weeks and you are
10 completely out of order. You are completely
11 out of order.

12 MR. BOLUS: If I got my comment
13 period after you have voted on this, it's a
14 moot point for me.

15 MR. MINORA: Well, if you were here
16 last week would you have had your
17 opportunity, so the opportunity was present
18 and you simply didn't take it and now you
19 wish to take it at a time --

20 MR. BOLUS: Well, I wasn't here.

21 MR. MINORA: -- at a time -- at a
22 time that is totally inappropriate.

23 MR. BOLUS: Mr. Minora --

24 MR. MINORA: At a time that is
25 totally inappropriate. You had your
.

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1 opportunity, you chose not to take it at the
2 appropriate time and now you are trying to
3 take it at an inappropriate time and you
4 are, therefore, out of order.

5 MR. BOLUS: I totally disagree with
6 you, that's your opinion and we all have our
7 opinion and under the Sunshine Act --

8 MS. FANUCCI: We are going to call
9 for a recess so we can have some decorum in
10 this place. This is not normal.

11 MR. BOLUS: Well, let's finish--

12 MS. FANUCCI: I'd like a recess
13 please. This goes against our rules. You
14 cannot just come in here speaking.

15 MR. MINORA: Out of order.

16 MS. FANUCCI: You can't come in here
17 speaking.

18 MS. GATELLI: I'll second it. All in
19 favor. Aye. We will be recessing for ten
20 minutes.

21 MR. BOLUS: At a public meeting if
22 there is a perceived violation of the
23 Sunshine Act and you have done that.

24 (Recess taken)

25 (After recess the vote was taken on

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48

1 6-C.)

2 MS. GATELLI: Roll call.

3 MR. COOLICAN: Mrs. Evans.

4 MRS. EVANS: No.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. FANUCCI: Yes.

7 MR. COOLICAN: Mr. McGoff.

8 MR. MCGOFF: Yes.

9 Mr. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: No.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Yes. I hereby declare

13 6-C legally and lawfully adopted.

14 MS. GARVEY: 6-D. FOR CONSIDERATION

15 BY THE COMMITTEE ON RULES - FOR ADOPTION -

16 RESOLUTION NO. 157, 2007 - APPOINTMENT OF

17 MARK DOUGHER, 1105 CORNELL STREET, SCRANTON,

18 PENNSYLVANIA, 18504, TO THE POSITION OF

19 DIRECTOR OF PARKS AND RECREATION EFFECTIVE

20 JULY 2, 2007. MR. DOUGHER WILL BE REPLACING

21 JEFFREY BRAZIL, WHO TOOK ANOTHER POSITION

22 WITH THE CITY.

23 MS. GATELLI: As Chair for the

24 Committee on Rules, I recommend final

25 passage of 6-D.

1 MR. COURTRIGHT: Second.

2 MS. GATELLI: On the question? Roll

3 call.

4 MR. COOLICAN: Mrs. Evans.

5 MRS. EVANS: No.

6 MR. COOLICAN: Mrs. Fanucci.

7 MS. FANUCCI: Yes.

8 MR. COOLICAN: Mr. McGoff.

9 MR. MCGOFF: Yes.

10 Mr. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Yes.

12 MR. COOLICAN: Mrs. Gatelli.

13 MS. GATELLI: Yes. I hereby declare

14 6-D legally and lawfully adopted.

15 MS. GARVEY: 6-E. FOR CONSIDERATION

16 BY THE COMMITTEE ON RULES - FOR ADOPTION -

17 RESOLUTION NO. 158, 2007 - APPOINTMENT OF

18 STUART RENDA, 1112 WOODLAWN STREET,

19 SCRANTON, PENNSYLVANIA, 18509, TO THE

20 POSITION OF DIRECTOR OF LICENSING,

21 INSPECTIONS & PERMITS, EFFECTIVE JULY 2,

22 2007. MR. RENDA WILL BE REPLACING WILLIAM

23 FIORINI, WHO RESIGNED EFFECTIVE JULY 2,
24 2007.

25 MS. GATELLI: As Chair for the

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1 Committee on Rules, I recommend final

2 passage of 6-E.

3 MR. COURTRIGHT: Second.

4 MS. GATELLI: On the question. Roll

5 call.

6 MR. COOLICAN: Mrs. Evans.

7 MRS. EVANS: No.

8 MR. COOLICAN: Mrs. Fanucci.

9 MS. FANUCCI: Yes.

10 MR. COOLICAN: Mr. McGoff.

11 MR. MCGOFF: Yes.

12 Mr. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Yes.

14 MR. COOLICAN: Mrs. Gatelli.

15 MS. GATELLI: Yes. I hereby declare

16 6-E legally and lawfully adopted.

17 THE COURT: 6-F. FOR CONSIDERATION

18 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -

19 FOR ADOPTION - RESOLUTION NO. 159, 2007

20 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
21 OFFICIALS FOR THE CITY OF SCRANTON TO ENTER
22 INTO A LOAN AGREEMENT AND MAKE A LOAN FROM
23 THE COMMERCIAL INDUSTRIAL LOAN PROGRAM,
24 PROJECT NO. 150.11 IN AN AMOUNT NOT TO
25 EXCEED \$65,000.00 TO PAUL M. NARDONE D/B/A

51

1 OUTRAGEOUS TO ASSIST AN ELIGIBLE PROJECT.

2 MS. GATELLI: What is the

3 recommendation of the Chair on Community

4 Development?

5 MS. FANUCCI: As chairperson for the

6 Committee on Community Development, I

7 recommend final passage of Item 6-F.

8 MR. COURTRIGHT: Second.

9 MS. GATELLI: On the question. Roll

10 call.

11 MR. COOLICAN: Mrs. Evans.

12 MRS. EVANS: Yes.

13 MR. COOLICAN: Mrs. Fanucci.

14 MS. FANUCCI: Yes.

15 MR. COOLICAN: Mr. McGoff.

16 MR. MCGOFF: Yes.

17 Mr. COOLICAN: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MR. COOLICAN: Mrs. Gatelli.

20 MS. GATELLI: Yes. I hereby declare

21 6-F legally and lawfully adopted.

22 MS. GARVEY: 6-G FOR CONSIDERATION BY

23 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR

24 ADOPTION - RESOLUTION NO. 160, 2007 -

25 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

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52

1 CITY OFFICIALS FOR THE CITY OF SCRANTON TO

2 ENTER INTO A LOAN AGREEMENT AND MAKE A LOAN

3 FROM THE URBAN DEVELOPMENT ACTION GRANT

4 REPAYMENT LOAN PROGRAM, PROJECT NO. 400.33

5 IN AN AMOUNT NOT TO EXCEED \$85,000.00 TO

6 PATRICIA E. PETROZIELLO D/B/A AROMA CAFE TO

7 ASSIST IN ELIGIBLE PROJECT.

8 MS. GATELLI: What is the

9 recommendation of the Chair on Community

10 Development?

11 MS. FANUCCI: As chairperson for the

12 Committee on Community Development, I

13 recommend final passage of item 6-G.

14 MR. COURTRIGHT: Second.

15 MS. GATELLI: On the question? Roll

16 call.

17 MR. COOLICAN: Mrs. Evans.

18 MRS. EVANS: Yes.

19 MR. COOLICAN: Mrs. Fanucci.

20 MS. FANUCCI: Yes.

21 MR. COOLICAN: Mr. McGoff.

22 MR. MCGOFF: Yes.

23 Mr. COOLICAN: Mr. Courtright.

24 MR. COURTRIGHT: No.

25 MR. COOLICAN: Mrs. Gatelli.

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1 MS. GATELLI: Yes. I hereby declare

2 6-G legally and lawfully adopted.

3 MS. EVANS: Kay, before you read the

4 next item I would like to a make a motion to

5 table 6-H until next week. Mr. Barrett was

6 kind enough to send along the operating

7 budgets for all of the years I requested,

8 however, I didn't receive these until

9 yesterday and I haven't been able to get

10 through all of them and if council wishes to

11 indulge me I would do that between now and

12 next week or if not then we'll just move

13 today, but that was a motion to table.

14 MR. COURTRIGHT: I'll second that.

15 MS. GATELLI: On the question? We'll

16 do a roll call on this, Neil.

17 MS. FANUCCI: It was a motion to

18 table. We have a second.

19 MS. GATELLI: All in favor.

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MR. MCGOFF: Aye.

23 MR. COURTRIGHT: Aye.

24 MS. GATELLI: Aye. The ayes have it

25 and so moved.

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1 MS. GARVEY: SEVENTH ORDER. CITIZENS

2 PARTICIPATION.

3 MS. GATELLI: Doug Miller.

4 MR. MILLER: Good afternoon, Council,

5 Doug Miller. I'd just like to read again

6 the list of the contributors for the

7 handicapped swingset project. For those who

8 were unable to attend or couldn't view the
9 meeting last week I would like to thank all
10 of those that purchased raffle tickets that
11 we sold at last year's Italian festival.
12 I'd like to thank the Kiwanas Club, Cecco
13 Associates, the Arc of Northeastern
14 Pennsylvania. Miss Noel Adcroft, School Nut
15 heads fundraiser. Mr. Wayne Evans, John J.
16 Ryan Insurance, Mrs. Diane Runchack, CMC
17 Health Care Systems, Tour D'Scranton,
18 Michael Burke Plumbing, Miller Bean Funeral
19 Home, Albert A. Hazzouri, Junior, Mr. Jack
20 Lions, Texcalb. Mr. Gardenevitch, Gerrity's
21 Supermarket, Mr. David Evans, the McKean
22 family and Mrs. Victoria McDonald. We
23 appreciate your support for the handicap.
24 Without your support and contributions we
25 would have achieved our goal and we look

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1 forward to installing the swingset fairly
2 soon. Thank you.
3 MS. GATELLI: Thank you, Mr. Miller.
4 Mrs. Franas.

5 MS. FRANAS: Fay Franas. I'd like to
6 start off by asking you something,
7 Mr. Courtright, but I would appreciate if
8 you would answer it at the end so I would
9 have more time. Mr. Courtright, you have
10 been a wonderful councilperson for all of
11 the people in Scranton for as long as the
12 term has served and now you are running for
13 election again for four years and you have
14 really been there for the people. Sadly,
15 I'd just like to know this because I have
16 been looking on this website for this last
17 night since there was a rumor that quite
18 possibly that if Mr. Kenny McDowell got the
19 county controller's job that you would be
20 taking over as tax collector. I would hope
21 that wouldn't be true because we really need
22 you here. If you could just say one way or
23 the other if that's quite possibly true, I
24 would appreciate it. That's all. I want to
25 get finished speaking.

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1 Okay, Mrs. Gatelli, I'd like to ask

2 you a couple of questions, please. May I
3 ask you, how do you determine what's out of
4 order and what isn't? I'd like you to
5 clearly and concisely define out of order
6 for myself and the many people that come
7 here to address council so we would know
8 what would be out of order and what wouldn't
9 be.

10 MR. GATELLI: Would you like me to do
11 that now?

12 MS. FRANAS: Yes, if it's not going
13 to be long, I guess, yes.

14 MS. GATELLI: No, it's just basically
15 one paragraph that of the rules that were
16 adopted by all of this council: No person
17 shall address council for more than five
18 minutes unless extended by the council
19 president. The five-minute time limit
20 includes any time that council may speak in
21 response to the person's question or
22 comment. All comments shall be directed to
23 the council president. No person shall use
24 his or her time during citizen's
25 participation to personally insult or attack

1 any individual. Personal insults, attacks,
2 name calling and other behavior that is
3 inconsistent with the purpose and intent of
4 conducting official business shall not be
5 permitted nor tolerated.

6 The council president in his or her
7 sole discretion shall determine if and when
8 any person violates this section. Any
9 person violating this section shall be ruled
10 out of order by the council president and
11 any immediately removed from the meeting at
12 the council president's request.

13 MS. FRANAS: May I just add that --
14 what book is that from, your rules, is that
15 written somewhere?

16 MS. GATELLI: Yes, I have a Copy.

17 MS. FRANAS: What book is that, your
18 own council set of rules?

19 MS. GATELLI: Our rules that we vote
20 on.

21 MS. FRANAS: Okay. I also would
22 want to say that I don't believe, Mrs.

23 President that those rules supercede the
24 constitution of the United States. As I
25 read the constitution there is no where in
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1 there that it says a mention of out of order
2 and stop the people's freedom of speech and
3 I would like to know what you consider free
4 speech? I mean, you say things are, I
5 believe, in my own opinion that when someone
6 says something you don't like they are ought
7 of order, but when somebody says something
8 that you like they can talk over the five
9 minutes, it's happened, not intentionally
10 but it has happened.

11 MS. GATELLI: I'm sorry that you
12 feel that way.

13 MS. FRANAS: And I'd also like to
14 ask you what you consider to be free speech.

15 MS. GATELLI: I would have -- could
16 you please be quite in the audience and
17 respect the speaker at the podium.

18 MS. FRANAS: Go ahead.

19 MS. GATELLI: I would have to defer

20 to Attorney Minora to determine what is free
21 speech and what is according to our rules.

22 MS. FRANAS: Well, I beg to differ,
23 but I really wouldn't want to take his
24 advise. I just couldn't, you are the
25 president, you set the rules.

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1 MS. GATELLI: Well, these are our
2 rules and these are what we go by.

3 MS. FRANAS: Okay.

4 MS. GATELLI: It's been adopted by
5 all of council.

6 MS. FRANAS: Okay. I also would
7 like to ask about Jeff Brazil. I think you
8 should be recuse yourself from voting there.

9 Wasn't Joe Brazil your campaign manager?

10 MS. GATELLI: Yes, I did state that
11 last week.

12 MS. FRANAS: Yeah. But, don't you
13 think it's a conflict of interest? Don't
14 you think you should not vote on this issue.

15 MS. GATELLI: I don't think so
16 because I think he is qualified for the

17 position.

18 MS. FRANAS: There's a conflict

19 there, but let me get back, I'm sorry, I

20 missed one thing. I sort of think there is

21 a little bit of hypocrisy, Mrs. Gatelli.

22 When I was called out of order last week

23 when I allegedly claimed there was some

24 deals being made here, there is a bit of

25 hypocrisy because yourself and Mrs. Fanucci

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1 accused Mr. Pilchesky and Mrs. Evans of

2 corroborating to commit a criminal act and

3 yet there has been no proof, there has been

4 no arrest, there has been no investigation,

5 but yet you sit there and you claim this

6 stuff, so here you are telling me I don't

7 have a right to say something, but, yet, you

8 have come forward and said all of these

9 claims and nothing has ever been done about

10 it. I just wondered why are all of these

11 statements been made if there has been never

12 been an arrest and I just think it's a

13 disgrace.

14 Another thing, last week you
15 mentioned, well, maybe you can answer that,
16 how come there has been no arrest? How come
17 there have been no charges?

18 MS. GATELLI: I'm not sure what all
19 is involved there, Mrs. Franas.

20 MS. FRANAS: Well, the accusations
21 that you made, how come you never followed
22 through with an arrest or any other kind of
23 criminal actions towards the people that you
24 were claiming criminally assaulting you --
25 excuse me, criminally making claims against

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1 you.

2 MS. GATELLI: Mrs. Fanucci would like
3 to address that.

4 MS. FANUCCI: I can tell you that
5 there was never done in a meeting.

6 MS. FRANAS: No, it wasn't.

7 MS. FANUCCI: Right. It was
8 definitely not done in an open public forum.

9 It was not done to go against any rules.

10 MS. FRANAS: No.

11 MS. FANUCCI: Right. So actually
12 this conversation that we are having now has
13 nothing to do with city business.

14 MS. GATELLI: Thank you, Mrs. Franas.

15 The next speaker is Bob Bolus.

16 MS. FRANAS: Yes, it does, Mrs.

17 Fanucci.

18 MR. COURTRIGHT: Can I answer her
19 question?

20 MS. GATELLI: I'd rather you wouldn't
21 because there is allegations that people can
22 talk --

23 MR. COURTRIGHT: Not about that. She
24 asked me --

25 MS. FRANAS: I asked him a question.

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1 MS. GATELLI: If you can answer it
2 quickly.

3 MR. COURTRIGHT: I'll do it as
4 quickly as possible.

5 MS. FRANAS: Bill, you don't have to
6 answer it quickly, you can take as long as
7 you want, you are a council person.

8 MR. COURTRIGHT: All right.

9 MS. FRANAS: Nobody can tell you how
10 long to speak.

11 MR. COURTRIGHT: You know, I am
12 actually glad that she asked me because
13 there has been three different rumors that
14 have been asked of me and my family: Number
15 one was the mayor is going to retire and
16 this council is going to appoint me mayor
17 for the rest of his term. The other one was
18 that Mr. Szymanski is going to retire from
19 the sheriff and I'm going to get appointed to
20 his position; and the third is that
21 Mr. McDowell is going to leave and I'm going
22 to appointed to his position. No one has
23 ever offered me any of those three
24 positions, so I don't, you know, I don't
25 know where that came from. I'm glad that

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1 they think I'm qualified for these three
2 positions, that's nice, but in all honesty,
3 all kidding aside, nobody has ever asked me
4 any of those three and I just don't know

5 where that came from.

6 MS. GATELLI: Mr. Bolus?

7 MR. BOLUS: Sister Adrian signed next

8 to me and I'd like to let her go ahead of me

9 if that's possible and then I'll follow her.

10 MS. GATELLI: Sure. That's fine.

11 MR. BOLUS: Thank you.

12 MS. GATELLI: Sister.

13 MS. BARRETT: Thank you, Mrs.

14 Gatelli, and members of council, I'm

15 delighted to be here and I'm here to give a

16 bit of gratitude. Yesterday was a very

17 special day for the Friends of the Poor.

18 They had a wonderful swim in Nay Aug Park

19 and they used the water slide and this was

20 sponsored by the Scranton Taxpayers and

21 Citizens Association and I'm here to express

22 gratitude to them and they collected money

23 through special events and they went to

24 businesses and private individuals and I

25 noticed in the newspaper they had had

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1 sponsored two free swims at the park for

2 kids who wouldn't be able to go. This was a
3 big concern to me and I was delighted to
4 read that so I called council just about a
5 couple of days ago and I very kindly spoke
6 to the clerk who, thank you, to call one of
7 the members and gave me the name and so
8 forth and I got an immediate response.
9 I want to thank Ozzie Quinn and Andy
10 Sbaraglia right here, over here, and Bill
11 Jackowitz, these were the gentlemen that I
12 was in touch with and it was an immediate
13 response and I just have to say that the
14 business community and to the individuals
15 that donated thank you, but also thank you
16 to this group, the taxpayers and citizens
17 association, for taking the initiative and
18 providing a swim for kids that wouldn't get
19 to the parks and they were so happy. We had
20 the whole day there and, of course, God was
21 very good with the weather. Thank goodness
22 it wasn't today and it was just a perfect
23 day to swim.
24 I also want to -- I'm very happy to
25 see city council did not charge a fee for

1 the other pools. I noticed that the kids
2 are using them every chance they get. I'm
3 over right near St. Lucy's now and through
4 the grass everyday there is a whole group of
5 kids running up with their trunks to
6 Novembrino pool and enjoying it and now the
7 lunch program has a hot lunch for the kids
8 there, that's so important. So these are
9 some good things that are happening and I'm
10 very grateful to you, Andy, who came by
11 yesterday and saw the children and helped
12 with the count and so forth and I want to
13 thank your group and the individuals I
14 mentioned and all of the taxpayers group and
15 also commend the businesses and corporations
16 and individuals who so kindly did this for
17 the children of the community, especially
18 children who would not be able to get there,
19 and they have the same desires and wishes
20 and hopes that every other kid has, but the
21 possibility of their seeing those things
22 happen to them very often is limited because

23 of the economic conditions and poverty and

24 the tragedy of poverty and what goes with.

25 I don't think want to take anymore time, but

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1 I say thank you to you and have a good day.

2 Glad to be here.

3 MS. GATELLI: Thank you.

4 MR. BOLUS: Afternoon, Council, Bob

5 Bolus. On a different note, I'd still like

6 to voice my objection as I did earlier under

7 the Sunshine Act regarding 6-C,D, C and D I

8 guess and 6-E under the Sunshine Act that

9 you didn't let me finish earlier, 65 DS 281,

10 Sunshine Act Section 10.1 which allows

11 anyone who has an objection at any time

12 during the public meeting, if they have a

13 belief that there is a perceived violation

14 of the Sunshine Act they have a right to

15 speak out and I did so and I want that as a

16 matter of record that I was not allowed to

17 voice my opinion. There is nothing that

18 says that I can't speak and come here and

19 vote. I'm not a paid employee of the city,

20 I'm a taxpayer and I believe my rights were
21 violated. I also believe the rights of
22 Mr. Quinn last week were violated as well.
23 Having said that, I'll move on. The
24 reason I'm here today most importantly is
25 that you are going to at some point have a
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1 committee to figure out your next budget. I
2 raised it more than once here. I believe
3 you all know my reasoning for coming here
4 regarding the golf course money, that three
5 million was originally proposed by
6 Mrs. Evans and then it was changed to 1.5
7 million by Mr. McGoff. The intent of this
8 money from all of the minutes was to be put
9 in trust and the interest used for parks and
10 recreation. I believe that was the total
11 violation that this council committed. You
12 had no right to that money and neither did
13 the mayor. You still have \$1.5 million
14 sitting somewhere. It's my request today
15 that the this council make a motion to put
16 that money in trust, permanent trust, find

17 out where the interest is and also return in
18 your next budget the \$1.5 million that you
19 had no right to vote upon and take from the
20 people in the future generations of these
21 kids the parks and recreation that this
22 money, the interest would have went to, to
23 be replaced fully with the interest that
24 should have accrued on it. If that money
25 was placed in a proper trust and invested
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1 properly it would earning somewhere around
2 \$300,000 a year plus right now, and you
3 cannot sit here as a council and squander
4 this money just to satisfy the whims of the
5 mayor or whether he could balance a budget
6 or you have to balance it. That's what
7 erasers were for. You are all educators,
8 anyway in the most part, and you know how to
9 use an eraser and that's what you should have
10 did to the budget. If he needed 1.5 million
11 dollars then you should have took it out of
12 his budget and let him figure out how to do
13 it instead of just squandering.

14 You mentioned the garage earlier,
15 somebody else bought it, Aventure Pasture,
16 or whoever, is that a K O Z project or a KOZ
17 in the city or would they be paying taxes
18 if they brought that parking garage? Okay.
19 The next thing is the kids, I call them
20 the kids, the Junior Council, which is
21 another disappointment on my part with
22 council. When these ten kids came here two
23 each were to go with each member of council
24 to learn and be educated by council and at
25 no time were they ever brought with the
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1 council to rotate throughout the year, and I
2 think that's a shame on the council that you
3 guys didn't give these kids the opportunity
4 they came here for and a lot of them left
5 because they were disappointed and bored, so
6 I think you need to reevaluate your position
7 as educators to educate these kids. These
8 children, as we want to call them, are the
9 future leaders. I went with them yesterday
10 to Weston Park and I have been backing them

11 100 percent and I was disappointed no
12 council members showed up at the meeting at
13 Weston Park yesterday over the handicapped
14 swingset that they went out, they secured
15 the money from donations, over \$4,000, to
16 put in across from the handicapped treehouse
17 up in Nay Aug. Well, we met with the
18 recreation authority, Mr. Maranucci,
19 Mr. Brazil and Mr. Dougher yesterday and
20 they were rejected from putting that at that
21 site. They want to put it at another site.
22 Well, the decision is to the kids who raised
23 this money. It's their project, but they
24 need the support of this council and it's
25 not there and I'm disappointed in that.
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1 Well, they have a week to decide where
2 they are going to put the swingset. They
3 want to put it in some other part of the
4 park that will be a handicapped park in the
5 future. I believe this council has to get
6 in this because the decision that they will
7 make that if doesn't go by the swing, the

8 swingset doesn't go by the treehouse they
9 are going to return the funds back into the
10 people that donated it.

11 MS. GATELLI: Okay, thank you.

12 MR. BOLUS: And that's a slap in the
13 face to the city for the people that did it
14 and I think you should all have been
15 involved. Thank you.

16 MS. GATELLI: Thank you, Mr. Bolus.

17 MS. EVANS: Mrs. Gatelli, I just
18 wanted to make a statement regarding the
19 golf course monies to clear this up once and
20 for all. The mayor after the sale of the
21 municipal golf course suggested that the
22 proceeds of that sale be placed in a trust
23 for the future maintenance of Nay Aug Park
24 and possibly the other city parks. That has
25 never occurred. For my first three years on

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1 council I think we could say badgered the
2 mayor, particularly at budget time, to do
3 just what he had envisioned, but I was met
4 each year with the response that, no, it was

5 not in a trust, it was not going in a trust,
6 it was in CD's, it was collecting very
7 little interest, that's how you were
8 informed of that by me.
9 Now, it still remains in a CD
10 collecting interest, 1.5 million of it that
11 is. My opinion was after waiting all these
12 years following the sale of that golf course
13 for those monies to be placed in trust this
14 was never going to happen, hence, you have
15 \$3 million available to this mayor for any
16 project or purpose he deems necessary. That
17 to me was not the ideal situation. I
18 believed that that money should be used to
19 help the taxpayers of this city and I think
20 if we conducted a survey of the people of
21 Scranton and asked, "Would you like the
22 \$3 million to stay in the bank accessible to
23 the mayor for his projects or would you like
24 this \$3 million used to prevent a tax
25 increase or decrease your taxes," I'm fairly
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1 certain they would like the money used and

2 that's why the money was put in my budget.
3 Now, the mayor in which it eventually
4 was used was to offset a reality transfer
5 tax. I did not vote to approve that because
6 I felt that was an improper use of this
7 money, but the money should be used to
8 prevent tax increases on these people
9 because you know and I know very well what
10 this administration's tendencies can be like
11 towards spending money, and, frankly, it's
12 astounding it's remained that long, but the
13 mere fact this it's never been placed in the
14 trust --

15 MR. BOLUS: If I may, Mrs. Evans --

16 MS. EVANS: -- despite the constant
17 insistence --

18 MS. GATELLI: No, she can talk, but
19 your time is up, Mr. Bolus.

20 MS. EVANS: The constant insistence
21 of myself and others on council that this be
22 done speaks for itself just as there has
23 been no response to a decrease in salaries
24 for the appointees that came before us
25 legislatively today, that failure to respond

1 and that placement as CD's roll over, that
2 continual placement into CD's of that money
3 speak for itself that he does not intend to
4 place that into a trust, so I feel it's
5 imperative that council use that money
6 wisely before that money winds up being
7 flushed down the toilet.

8 Now, as for the junior council, I
9 did tell Doug Miller last week why I was
10 unable to attend the meeting and I explained
11 that earlier. I have been volunteering at
12 St. Ann's or I would have been there because
13 I do believe, you know, that the location
14 that they had envisioned was the proper
15 location. I support them on that, but as
16 for the education of the council members I
17 think they have done wonderful things, but I
18 have to tell you, on the other hand, some of
19 the education that they get watching this
20 council isn't the type of education I would
21 like them to receive. I don't think they
22 need to know at a very young age the

23 machination that can go on with adults and
24 politics and they are better kept from that.

25 MS. GATELLI: Thank you.

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1 Mr. Sbaraglia.

2 MS. BOLUS: May I just -- excuse me,

3 may I just --

4 MS. GATELLI: No. Mr. Bolus.

5 MR. BOLUS: Because I'd like to--

6 MS. GATELLI: Mr. Bolus, you are out

7 of order.

8 MR. BOLUS: First of all,

9 Mr. Pilchesky told me --

10 MS. GATELLI: Mr. Bolus, you are out

11 of order.

12 MR. BOLUS: -- where the money was

13 and the golf course money was put into

14 trust.

15 MS. GATELLI: Mr. Bolus, you are out

16 of order.

17 MR. BOLUS: Well, I think it's wrong

18 that I can't respond to the question.

19 MS. GATELLI: No, because you are

20 getting more time than anyone else had.

21 Andy Sbaraglia. And, please, if you ask a
22 council member a question and they respond,
23 Council, please wait until they sit down
24 before you answer because I'm getting a lot
25 of complaints that people are engaged at the

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1 podium and they are there for 10,
2 20 minutes, and others are only allowed five
3 minutes, so, Council will refrain from
4 answering until the person is seated,
5 please. It will help. Thank you,
6 Mr. Sbaraglia, I'm sorry.

7 MR. SBARAGALIA: Andy Sbaraglia,
8 citizen of Scranton, fellow Scrantonians, a
9 few words on this acquisition of the parking
10 facilities. I got before me the
11 amortization chart for what we are going to
12 pay for this \$35 million loan. We are going
13 to borrow 35 million and we are going to pay
14 back 74,103,455, about two and a half times
15 more -- no, about 2 and 3 quarter times more
16 than we're borrowing. That's what we are

17 going to pay for this garage, but the
18 problem is this is at 7 percent. We got a
19 seven -- what percentage are we paying on
20 the original bond issue?

21 MS. EVANS: We were told 5 percent.

22 MR. SBARAGLIA: Now why would you
23 let somebody transfer 5 percent and then pay
24 7 percent?

25 MS. EVANS: Well, we were told today

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1 that actually it's closer to 4.7 percent at
2 a fixed rate.

3 MR. SBARAGLIA: Well, your
4 amortization chart doesn't say that, it says
5 seven.

6 MS. EVANS: I agree with you. It's a
7 discrepancy.

8 MR. COURTRIGHT: I asked that
9 question, Andy, and you were there, I asked
10 him. He said 4.7 fixed.

11 MR. SBARAGLIA: Yeah, but
12 unfortunately that isn't what your
13 amortization chart says, it says seven. Of

14 course, it isn't -- the loan isn't taken out
15 yet, so they may be correct, but they may
16 not be correct and that's a problem and, of
17 course, you know we are spending a million
18 dollars for a double A rating, but other
19 than -- we are spending a million dollars
20 for the bonding company to take over the
21 debt in case we foreclose, that's the whole
22 thing. That double rating means nothing.
23 God knows what the rating would be even with
24 the parking authority without the bond, it
25 may be b-minus like the city, we don't know.

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1 But the question is there is a lot of things
2 that we do know. We know that the parking
3 authority hasn't set aside any of their
4 income for repair of the garages us because
5 they keep having to borrow to do them. That
6 should tell you that they are skating on
7 very thin ice and if, God forbid, anything
8 ever happened to one of these garages or
9 they get caught in a big lawsuit they won't
10 make it. Of course, their insurance company

11 should cover it I hope, but anyway, that's
12 it. You are skating on thin ice with the
13 parking authority and, like I say, I'm not a
14 concrete man. If they are going to look at
15 a garage, an engineer comes in and looks at
16 the garage and says it's feasible to fix it,
17 it costs such and such amount, but like I
18 said last week, he did make one remark that
19 I made a remark on, the number of cars that
20 can be fit in that garage it went from I
21 want to say from 250 up to three something.
22 Now, there is another problem, what
23 kind of a commitment did we get from
24 Pasteur? I think they are in a KO building,
25 Pasteur is, not the garage, but I believe
.

78

1 they are in a KOZ. That KOZ probably runs
2 out in '11 I think, how long is there
3 commitment to this garage? Did anybody ask
4 them how long is their commitment? Is that
5 a ten-year commitment they are willing to go
6 with or a 15-year commitment or a two-year
7 commitment at three years to when the KOZ

8 let's out. That means a lot. The
9 commitments that they are making has to be
10 in writing and a bank would want that. If
11 they went out and actually on their own, if
12 you were in the commercial business and you
13 went out you're signed leases means a lot
14 for collateral. Well, enough on that.
15 Now, that amoral act is going to
16 come up again, and I call it amoral, that
17 poor delinquent taxes. You never -- if you
18 read that thing they never split in. If you
19 own a lot in the city you could be charged
20 penalty on that lot the same as you would on
21 nine lot and the house. There is no
22 differential in it and that's bad. I mean,
23 your taxes could be -- that penalty is
24 really -- I don't think it's going to hold
25 up in federal court really. I don't think
.
79

1 it can hold up at all. It's oppressive.
2 It's so oppressive that I think the federal
3 courts would actually throw it out. You
4 can't expect somebody to pay a \$2,500 fine

5 on a \$400 tax or \$250 tax. I thank you.

6 MS. GATELLI: Thank you,

7 Mr. Sbaraglia. Mr. Quinn?

8 MR. QUINN: Ozzie Quinn, president of

9 Scranton Lackawanna County Taxpayers and

10 Citizens Association, Incorporated.

11 Mr. Courtright, you mentioned about the West

12 Scranton Club revitalization, I guess that

13 story in the paper this morning sort of gave

14 people a little hope there like a Christmas

15 tree wish list, okay? I did talk to the

16 secretary of budgeting and they said it was

17 a political story and political propaganda

18 that that there is literally thousands of

19 programs across the state on that so there

20 is no basis for that story, it wasn't

21 anything that was concrete and I'm sorry

22 that we have to do that in this city and one

23 town newspaper.

24 MR. COURTRIGHT: I hope that is not

25 the case.

.

80

1 MR. QUINN: What?

2 MS. GATELLI: We have advocates of

3 Mr. Shimkus and Mr. Smith.

4 MR. QUINN: Pardon me, I didn't hear

5 that? Hold what you said after I'm finished

6 you can comment.

7 MS. GATELLI: Okay.

8 MR. QUINN: Okay. Don't take that

9 time away from me, please. Also, I want to

10 mention, I asked last week, Mr. Courtright,

11 you follow-up from my request of your

12 previous meeting that you said if I had

13 anything or anybody had anything regarding

14 that Daron Northeast Industries and I

15 pointed out and I gave you the handouts

16 about the unclarification of that zoning law

17 and that two administrative people made the

18 decision arbitrarily not send that to the

19 planning commission or the zoning board and

20 there was no motion to send it to the Court

21 or you did send a letter, those people poor

22 people go on.

23 MR. COURTRIGHT: I didn't --

24 MR. QUINN: Don't answer, please.

25 Answer after, please.

.

81

1 MR. COURTRIGHT: Okay.

2 MR. QUINN: Miss Fanucci, last week

3 I asked the board if they knew anything, Jim

4 Kiesling and Casey Realty and you didn't say

5 anything, you just sat there, so I do want

6 to ask you, after you can replay to this or

7 not, okay, you know, is anyone in your

8 immediate family related to Casey Realty,

9 James Keisling. No, you can answer after,

10 okay.

11 Okay, I just want to move onto what

12 Mrs. Evans said about the people losing

13 their homes and everything, okay? Years

14 two, three, four, five and six, Scranton

15 received 19 million total 723,000 CDBG

16 funding. 2005, they spent 100,000 only of

17 that 19 million for emergency housing, no

18 rehab, not with any CDBG funds, using a

19 four-year period neighborhood rehab would

20 was only 100 thousands funds for emergency

21 housing. Scranton Annual HUD Home Program

22 minus additional deductions, such as

23 personnel, I don't know if you realize it,
24 they get a percentage of the HOME money for
25 personnel, also, besides the CDBG, they are
.

82

1 not aware, and they received \$486,000 or
2 extrapolated over the four years is
3 1,944,000 combined with the Scranton CDBG in
4 home program funds for the past four years
5 indicates that Scranton received from HUD or
6 the CDBG and HOME \$21,660,000 approximately
7 around that. According to the OECD per the
8 taxpayers June 9, 2000, letter to HUD, the
9 OECD expended, now, get this here for four
10 years, and this came from OECD because HUD
11 gave them a directive and I received that
12 last week, \$915,000 on housing, but only
13 430,000 was expended for rehab of single
14 individual homes in the neighborhood or
15 1.98 percent of the total \$21,666,000 that
16 the city received. Can you imagine that?
17 1.98 percent. This is a disaster. This is
18 not a disaster waiting to happen. This is a
19 diaster occurring right now in our

20 neighborhoods I think that situation about
21 revitalization and whatnot it's not
22 happening and I don't know where it's going
23 in South Scranton, but, hey, he said that
24 about a year and a half ago.

25 Our tax base is being demolished,

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1 and this is because there is no
2 rehabilitation in these neighborhoods.
3 There is no concentrated rehabilitation
4 where they would work house to house to
5 house. They don't have the staff. They
6 contract it out and they contract it out to
7 a good service, but that service doesn't
8 have enough staff so we are the ones that
9 are suffering and without the property tax
10 we are not going to be able to pay off that as
11 Mrs. Evans says, that Doherty debt of
12 \$300 million. We are not going to get
13 enough revenue so we got to face it. We got
14 to start fixing up our homes or people are
15 leaving and these are homes are being
16 demolished.

17 To consolidate a plan, as written by
18 OECD states two to three goals were -- may I
19 finish, for housing in the neighborhood
20 revitalization, not happening. On July 17,
21 2007, I addressed the addition again to HUD
22 via letter. My sources are OECD July 6,
23 2007, letter and HUD CDBG performance
24 programs which I got online. Thank you very
25 much.

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1 MS. GATELLI: Thank you. Nancy

2 Krake.

3 MR. QUINN: I'd like to hear you from

4 you on this question.

5 MS. FANUCCI: Yes. After last week I

6 did check, I have a third cousin that is

7 married to someone from there.

8 MR. QUINN: Thank you.

9 MS. FANUCCI: You are welcome.

10 MR. COURTRIGHT: And I guess I better

11 answer my question. Ozz, when we were in

12 the meeting, I believe Mr. Butler was an

13 attorney there for Mr. Wallace zoning, and I

14 believe Mr. Minora's brother was there on
15 that day and they both felt, and they are
16 attorneys and I'm not, that it was all right
17 what they did. You are asking me to go to
18 Court, and I can't talk to you, I'm not
19 allowed to do that, but you are asking me to
20 go to Court and fight that. I don't how I'd
21 do that, I'm not an attorney and I'm not
22 being told by their attorney and by it was
23 Mr. Minora's brother that it was done
24 properly, and you disagree, I understand
25 that, but I just don't know what it is that
.
85

1 I could do for you there. Sorry.

2 MS. GATELLI: Nancy Krake.

3 MR. COURTRIGHT: You want me to file

4 a suit, I don't --

5 MS. GATELLI: Nancy, come up on.

6 MR. QUINN: You were going to comment

7 on something I said.

8 MS. GATELLI: I don't remember. Mrs.

9 Krake. So funny, aren't they? No respect

10 for anybody.

11 MS. KRAKE: Good afternoon, Council.
12 I'd like to say that I am in exact agreement
13 with everything that Mr. Quinn has to say.
14 I have worked with him over the years and he
15 has a heart for the people. Things that he
16 brings to this podium are not about himself,
17 they are about people who maybe don't have a
18 voice in the city and he doesn't get
19 anything out of it except to do the right
20 thing. One thing that he and I also agree
21 on is that if you would like to collect
22 these delinquent taxes you should get rid of
23 the ordinance that you passed that was
24 passed by Mrs. Fanucci, Mrs. Gatelli and Mr.
25 McGoff, that enforces extremely devastating

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1 and oppressive fines and fees on people who
2 are already not able to pay their taxes.
3 Amnesty will bring the taxes in and you will
4 not need those fines and fees and any one of
5 these three people that voted for it can now
6 bring this up again and it could be gotten
7 rid off or amended to the extreme amended.

8 MS. GATELLI: Mrs. Krake, I just have
9 a question for you, and don't take this off
10 her time, please, if you did an amnesty
11 could you do it for a short period of time
12 and see what came in?

13 MS. KRAKE: Yes. Yes. You as a
14 legislative body you can --

15 MS. GATELLI: Like a month or two.

16 MS. KRAKE: You could absolutely do
17 that. In fact, you will recall we did that
18 -- or the sewer authority used to do it
19 regularly, I don't see why you wouldn't be
20 able to.

21 MS. GATELLI: Has the city ever done
22 an amnesty?

23 MS. KRAKE: We had the garbage
24 amnesty tea at one time.

25 MS. GATELLI: I mean for property

·
87

1 taxes.

2 MS. KRAKE: Not to my recollection.

3 MS. GATELLI: Nobody had a tax sale
4 under Connors, but I don't believe we ever

5 had a --

6 MS. KRAKE: Not to my recollection,
7 but they may have that it's something that
8 I'm just not aware of.

9 MS. GATELLI: Thank you.

10 MS. KRAKE: I think that would be the
11 fairest way, especially since we are in the
12 process of doing the tax sales again using
13 Burheimer to update our records and bring
14 that back to the treasurer's office. I
15 don't know why we have to hurt people like
16 this. Nothing has been done to collect the
17 delinquent wage and mercantile tax for the
18 past three years. How can the onus be on
19 real estate? It makes no sense. Most of
20 these people who this would affect aren't
21 even working. Where would they get these
22 monies from unless somebody wants to take
23 their homes. Taxes should be collected
24 fairly for all people and fairly collected,
25 all types of taxes should be collected

.

88

1 fairly.

2 I also agree with the way that
3 Mr. Evan's did her budget that the golf
4 course money should have been used in this
5 fashion, not for the realty transfer tax.
6 That helped some realtors, it didn't help
7 any homeowners.
8 I want to continue reading some of
9 these excessive fines. I think people are
10 shocked. I know I have been getting phone
11 calls lately, especially after NCC sent out
12 that letter, that people are very, very
13 scared. I think we stopped at "G", it was
14 the \$30 for the preparation and mailing of
15 any correspondence. I think stamps are 41
16 cents, \$30 so -- "\$175 for the preparation
17 and filing of the default judgment to
18 account for monies received in preparation
19 of filing to satisfy a judgment so filed."
20 I don't even know that what means
21 and I have doing this for 15 years. This is
22 so vague that that terrifies me, also. Are
23 they going to just imposed it on some people
24 in some cases? Nothing is outlined here.
25 "The actual filing and satisfaction of

1 liens in affect at the time a default
2 judgment is filed and satisfied as
3 established by the Office of the
4 Prothonotary," don't know what that means
5 either, "as charged with the establishment
6 of such fee."
7 That makes absolutely no sense.
8 It's extremely vague. "\$800 for a sheriff's
9 sale. The actual filing service, execution
10 and poundage fees, if any, for service and
11 execution by the Office of the Sherif of the
12 County which are in affect at the time of
13 such filing. Service and execution is
14 established by the sherif of the county or
15 such other instrumentality of the government
16 as shall be charged with the establishment
17 of such fee."
18 What fee? When, where, how, and
19 why?
20 "\$175 for the preparation, filing
21 and conduct of proceedings to affect service
22 of process."

23 I'm assuming that refers back to the

24 one we just ready only I'm not sure.

25 "\$30 for costs incurred in

.

90

1 connection with the reissuance of writs."

2 Don't know what that is.

3 "\$50 for preparation and filing of

4 any petition to assess damages or similar

5 petition and motion."

6 What are the damages, who determines

7 what they are, how long is that in effect

8 for? Once again --

9 MS. GATELLI: Thank you.

10 MS. KRAKE: We'll continue, I still

11 have several more to go.

12 MS. GATELLI: Mr. Stuckard.

13 MR. STUCKARD: How you doing,

14 Mr. Courtright. Hi. We got the sign put of

15 this morning.

16 MR. COURTRIGHT: Did you? Good.

17 MR. STUCKARD: Yeah. I see that the

18 city truck with the thing on it, the boom on

19 to it and it came up and he put it up this

20 morning.

21 MR. COURTRIGHT: Okay.

22 MR. STUCKARD: So, what about Parrot
23 Avenue? Are they going to fix some holes?

24 I want to know what they are going to do,

25 what they are going to do with that Parrot

91

1 Avenue by George's Lumber? There is holes

2 there and holes and holes?

3 MR. COURTRIGHT: I know, Jim, and we

4 have asked them to. I'll ask them again.

5 MR. STUCKARD: What about that house

6 on Greenridge, that red house? Are they

7 going to see about getting that tore down or

8 the front porch is like everybody goes up

9 and down that street, Greenridge, I want to

10 know what they are going to do with that red

11 house, it's not by business, so -- there is

12 a lot of junk on the front porch.

13 MS. GATELLI: We'll ask about that

14 for you, Mr. Stuckard.

15 MR. STUCKARD: Last Thursday when I

16 left from here after I went home I got hit

17 by a car.

18 MS. GATELLI: Are you okay?

19 MR. STUCKARD: On Greenridge, up by
20 North Scranton High School, the old school.

21 MR. COURTRIGHT: On your bike?

22 MR. STUCKARD: Yeah. I got hit with
23 the car. I've been trying to wait for a
24 lady to call, Kay at Bill's Sporting Goods,
25 never got no answer yet, and she has got to

92

1 pay the hospital bill. So over there we

2 need a cop. Every -- right by the laundry

3 mat and up the street on Market Street, cars

4 parked by the laundry mat out in the street

5 and there is no reason for them to park

6 there out in the street, people can't get

7 down Greenridge -- up and down Market

8 Street. That block is really bad. See,

9 they are working on Mrs. Turner's lawn --

10 working on Mrs. Turner's place, there's a

11 dumpster there, they still can't get the

12 trucks up and down the road.

13 MS. GATELLI: Okay, Jim.

14 MR. STUCKARD: So we got to get a cop
15 out there or something.
16 MS. GATELLI: Okay. Thank you.
17 MR. STUCKARD: Okay, and I was -- the
18 other day riding with -- had to be Saturday,
19 Thursday or Friday last week, they are
20 ripping -- they are supposed to be
21 remodeling the TV shop, whoever bought that.
22 MR. GATELLI: Okay, Jim, we will find
23 out.
24 MR. STUCKARD: Jim, all right.
25 Thank you.

.

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1 MS. GATELLI: Thank you.
2 MR. COURTRIGHT: Thanks, Jim.
3 MS. GATELLI: Mrs. Shumaker.
4 MS. SHUMAKER: Marie Shumaker. I'd
5 like to start out today by reading a
6 dialogue that is taken from the March 1,
7 2007, minutes. It's between Mr. Sbaraglia
8 and Mrs. Fanucci. It starts out by
9 Mr. Sbaraglia saying, "Okay, okay, let's go
10 on with the 408. We might as well get it

11 through. You know how much the building is
12 appraised at right now?"

13 MRS. FANUCCI: Yes.

14 MR. SBARAGLIA: What's it appraised
15 at?

16 MS. FANUCCI: \$170,000.

17 MR. SBARAGLIA: Who appraised it?

18 MS. FANUCCI: They did not give me
19 the contractor's name who did the appraisal,
20 but it was appraised for \$170,000, that did
21 include the business itself.

22 MR. SBARAGLIA: By a licensed
23 appraiser I assume?

24 MS. FANUCCI: Oh, yes, absolutely."

25 Well, I wrote a right-to-know letter
.

94

1 to OECD and asked for that appraisal and I
2 got a response saying there was no such
3 appraisal, so I sent a second letter and I
4 included that dialogue and I got another
5 letter back saying, "I am in receipt of your
6 referenced letter requesting under the
7 Pennsylvania Right to Know Act for a copy of

8 the appraisal of the 408 Cedar Avenue
9 property. My office did not have such a an
10 appraisal responsive to your request."

11 So, I would like to know where that
12 appraisal is and how one gets to see a copy
13 of it or who that licensed appraiser even
14 was.

15 Now, next, I'd like to go onto the
16 liens. Mrs. Gatelli, you said you would
17 have the council find out about the liens
18 for demolition and I would also like to note
19 that when all of the goodies were given for
20 that Granito property there was a lot of
21 hoopla about this was a gateway to south
22 side, well, that gateway looks pretty
23 terrible. I haven't seen any action there.

24 There was some action when they wanted these
25 loans subordinated and as soon as that got

.

95

1 passed there has been no action, the grass
2 is grown up, the property looks terrible.

3 Neck, Mrs. Evans isn't here, but I'd
4 like to know, I'd like an audit report

5 status when she returns.

6 Another question for Mrs. Gatelli on

7 the budget committee, who are the members

8 that are going to be meeting from 11 to 1 in

9 August, those three Thursdays, and how would

10 the public be allowed to participate in

11 those meetings if at all?

12 I noted into today's another -- a

13 different subject. I noted in today's paper

14 that Pittston had just raised their

15 franchise, their cable franchise rates from

16 3 percent to the legal limit of 5 percent

17 and I'd like to know what percent Scranton

18 gets for it's cable franchise fee.

19 And then I'd like to go back to

20 questions, several of the questions I asked

21 at the January meeting that I followed up

22 with e-mail questions and I still don't have

23 answers: Number one, very important, on the

24 real estate tax revenue in 2007 the budget

25 increased only 6 percent but the taxes were

.

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1 raised 25 percent so why wasn't the revenue

2 in the 2007 budget increased 25 percent
3 instead of 6 percent? Why did the revenue
4 from theater licenses go from \$3,000 in 2006
5 to zero in 2007? And, finally, what
6 accounts for the budget interest earnings to
7 increase from \$150,000 to \$436,601 for 2007?
8 Where is that additional principal this is
9 earning that increased interest squirreled
10 away, and now I'll take my seat so you can
11 respond. Thank you.

12 MS. EVANS: Mrs. Shumaker, I didn't
13 hear all of your questions, probably just
14 the last two, but I would request of you if
15 you can give me a copy of your list I'll
16 research all of that to you to the best of
17 my ability. I may get answers to some, I
18 may not to others, but I'd be happy to look
19 into it.

20 MS. SHUMAKER: I think that's your
21 answer about the status of the audit.

22 MS. EVANS: Oh, the audit is ongoing
23 but, again, I don't believe that it's going
24 to be ready until late autumn. As I said
25 before, it's always late, it's never arrived

1 at least during my ten-year by May 31 and
2 Mr. Pocius, a former council person, had
3 informed me that in his ten-years it had
4 never arrived by May 31 and I know he spent
5 many years on council. Most often it
6 arrives in September. At one point it
7 had -- - one year since I have been here it
8 was finished in August, but due to the fact
9 that it was begun so very late because we
10 were trying to hire a firm that would not
11 financially rape council on the audit, it's
12 been delayed, but that work, as I said, is
13 ongoing and it should be late fall, but it
14 is a very, very important piece of the
15 development of next year's budget and it's
16 virtually impossible to due I think an
17 appropriate job on the 2008 budget at least
18 from my perspective until you have got that
19 document in your hands.

20 MS. GATELLI: The only answers that I
21 have for you are that those budget meetings
22 will be, and they are just budget and

23 whatever, the 9th, the 16th and the 23rd
24 beginning at 11 a.m. and anyone can come if
25 you would like.

.

98

1 (Unaudible comments by Ms.

2 Shumaker.)

3 MS. GATELLI: Pardon?

4 MS. SHUMAKER: You said the budget

5 committee, who's on the budget committee?

6 MS. GATELLI: Pat Ackourey, Don

7 Kurchner, Cheryl Murnin and Mike Genello,

8 they were the ones that submitted letters of

9 interest.

10 MS. EVANS: Were they the individuals

11 you were meeting with prior to this,

12 remember, you were having budget sessions?

13 MS. GATELLI: I only met with them

14 once to give them --

15 MS. EVANS: Is that the same group?

16 Okay.

17 MS. GATELLI: Yes. The other project

18 that I'd like to comment on that you

19 mentioned was the Granito project. I have

20 to tell you that I am very disappointed in
21 what's happening because nothing is
22 happening. I called about when we did the
23 subordination I called to find out about
24 that and then all of a sudden a few little
25 things happened and we approved it and I
.

99

1 will have Kay send a letter both to OECD and
2 to the housing inspectors because it is very
3 unsightly and I expected the project to be
4 much further along than it is. It is now an
5 eyesore to the gateway of south side instead
6 of a center piece, so I, too, am very
7 disappointed and Mr. Pisano is a long time
8 friend of mine and I'm very disappointed.
9 Usually, when he does a project it's first
10 class, so I don't know what the problem is,
11 but we'll try to find out. Thank you.

12 MS. FANUCCI: As far as I'm concerned
13 with that loan, now, I don't refer exactly
14 what or when, but I provide what is provided
15 to me. I don't just come up here and they
16 tell me what is going on with the loans and

17 that's how I give you my information. I ask
18 them questions and I provide it and that's
19 what I did, so that pretty much is all I
20 have to say. I mean, I don't know what
21 their end of it is, but that's what I did.
22 I provided you with what I received at the
23 time.

24 MS. GATELLI: You can only give what
25 you are provided. If we are provided
.
100

1 information and we give it to you, that's
2 because that's what was given to us. It
3 necessarily isn't the truth.

4 MS. FANUCCI: I didn't ask for the
5 receipt of the, you know, the people who go
6 in and do the appraisal, I don't ask that.
7 I say, "Is an appraisal done?"

8 "Yes."

9 "What was the number?"

10 Okay, that's what I do. I don't
11 say, "I need proof of --" that's not my job,
12 it's their job to do with that the state
13 because they could not get the approval with

14 the state unless they, you know, do all of
15 that so I know there are checks and
16 balances, they have to provide that or they
17 can't do what they need to do, so there was
18 some type of appraisal done whether it was
19 the building or the equipment in the
20 building, so I'm not sure what we are
21 talking about so I don't want to get myself
22 into something, but usually it has to do
23 what is in the building or the name of the
24 business if they are selling a business that
25 already is in existence what the business

101

1 would be worth because of what they already
2 do in business terms, but there is a lot of
3 ways that they get to appraisal factors but
4 that's all I have.

5 MS. GATELLI: Who's next. Mr. Dudek?

6 And I have to excuse myself, I have an
7 appointment and I won't be able to stay for
8 the rest of the meeting. Mr. Courtright
9 will call me this evening with anything else
10 that anyone has for me to investigate.

11 Thank you very much. Or at the Novena
12 tonight, Mrs. Evans, I'll probably see you
13 later.

14 MR. DUDEK: Mrs. Gatelli, one quick
15 question before you leave, sometime between
16 say June 25 and June 30 did Mayor Doherty
17 call you into inform you that he lost
18 another grievance to the fire department?

19 MS. GATELLI: Uh-huh.

20 MR. DUDEK: Okay, that's what I'm
21 going to talk about because the mayor
22 apparently didn't spoon feed it to the
23 times, but we got it out of the Union News.
24 I gave everybody a copy of the Union News
25 and we ran into a very weird situation

.

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1 there, or Paul Tucker did I should say, not
2 "we", I just help him with it. The paper
3 was all put together and ready to go when a
4 story finally broke his way and it had to
5 end up on page 11 or otherwise it would have
6 been the lead story, it would have been the
7 headline story. "City of Scranton violates

8 firefighter union contract by decreasing
9 staff," that's on page 11. Take the time to
10 read it when you can. The city lost another
11 one. The mayor apparently wants to reduce
12 the number of firemen to 112. Now, this
13 city has 26 square miles to it, it's too big
14 of a city to cover that way. Allentown has
15 about 100,000 people compressed into 16
16 square miles, but we have 26 square miles,
17 we still need to cover that kind of size
18 with the fire department properly staffed.
19 We cannot afford to let our fire department
20 lapse and let's put our mayor's feet to the
21 fire, not the people. Please, let's get
22 this done and let's get these contracts done
23 already, it's already an embarrassment with
24 the fire department and the police
25 department.

.

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1 I got a call from a cousin of mine
2 who lives in San Diego who accesses the
3 Scranton Times-Tribune on the Internet and
4 he saw the story about the policemen getting

5 their own police cars and his take on that
6 story, he says, "ou know, your town of
7 Scranton is just an old mining town and
8 that's all it's ever going to be. The coal
9 miners had to buy their own dynamite, now
10 the cops have to buy their own cars.
11 Scranton just isn't going to change."
12 Let's face it, how else are you are
13 going to interpret that story? How else do
14 you interpret that? Honestly it's
15 ridiculous. And one last thing I want to
16 bring up, I want to thank city council for
17 taking a suggestion of mine that I had made
18 two years ago and that I made earlier last
19 year, timely as far as getting these
20 apartments in the City of Scranton properly
21 inspected. It brings us up to the level of
22 other cities doing precisely the same thing
23 that has been going back as far as
24 100 years. Thank very much.

25 MR. COURTRIGHT: Thank you. Bill

.

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1 Jackowitz.

2 MR. JACKOWITZ: Bill Jackowitz, South
3 Scranton resident, retired United States Air
4 Force. The Scranton Pennsylvania Home Rule
5 Charter, Article 22 states that the mayor
6 has the authority to appoint his staff.
7 Now, Article 8, Section 802, testing and
8 appointing procedures, this is for full-time
9 employees, which I think the DPW director,
10 and so and so forth are. "Each vacant
11 full-time position shall be broadly
12 advertised for a period of at least ten
13 working days by posting notice of the
14 vacancy on bulletin boards at city work
15 locations and by advertising the vacancies
16 in at least one newspaper of general
17 circulation in the city."
18 I think that is a much better
19 solution to the problem is advertising it
20 and getting the best qualified people
21 instead of just making a political
22 appointee, especially when these people are
23 going to be in charge of budgets and
24 basically in charge of city departments.
25 That's just my personnel opinion, and I'll

1 stand behind that. I think you shouldn't be
2 appointing people to the Director of the
3 Public Works and Parks and Recreation, you
4 need qualified people, that's why Section 8t
5 is much better, because those people and the
6 workers have to be qualified, but
7 supervisors and leaders do not have to be
8 qualified and that's all I'm going to say on
9 that.

10 Taxpayers paying for swim/slide Nay
11 Aug Park. 17 June, 434 kids, \$1,118.
12 Fourth of July, 26 kids, \$78, bad weather.
13 18 July, yesterday for Sister Adrian, 144
14 kids, \$432 for underprivileged children.
15 Total so far 604 kids at Nay Aug Park using
16 the slid and swim, \$1,628. Last night
17 Mr. Tommy Lee, Sr., Shamrock Rod and Gun
18 Club of Minooka has made a commitment for
19 \$200 a year for swimming/slide at Nay Aug
20 Park starting this year and for every year
21 that we have the program.
22 Mr. Jack Donlin, Minooka Lion's Club

23 has been a made a commitment to sponsor one

24 day of swim/slide at Nay Aug Park this year

25 and every year as long as we have the

.

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1 program irregardless of what the cost may

2 be. This will be an ongoing commitment

3 until Nay Aug Park has free swimming and

4 slides for kids 15 and under.

5 At this time I would like to read

6 the list of contributors. If I go over my

7 five minutes, I hope you give me a couple of

8 extra seconds. Coney Island, Lackawanna

9 Avenue. Coney Island, Cedar Avenue. Bella

10 Pizza. Buona Pizza. Sam's Barber Shop.

11 Whistle's. Ground Round. Edward Chomko

12 Funeral Home. Nicholas Chomko Funeral Home.

13 Nativity Social Club. AZ's Tavern,

14 southside. Andrew Brown's. Costas Drug.

15 Smith's Restaurant. Sabroski's Garage.

16 Starr Uniforms. Chick's Diner. Union News.

17 Regan Funeral Home. Harrington's beer

18 distributor. Haas' Funeral Home. DiBileo

19 Insurance. Ferrario Insurance. Munchak

20 Insurance. Miller Bean Funeral Home, and
21 Miller Bean Funeral Home, they gave twice.
22 Paul, you know who you are. Mr. John Kuda.
23 Mr. Billy McClaine. Mr. Paul Jackowitz.
24 Mr. Mike Osborne. Mr. Bob Bolus. Scooter's
25 Hot Dogs. Mr. Dan Hubbard. Mrs. Elizabeth

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1 Hubbard. Stange's Market in Minooka.
2 Commissioners Cordaro and Munchak. John's
3 Signs in Minooka. Congressman Kanjorski.
4 Mrs. Janet Evans. Mr. Bill Courtright.
5 Mrs. Sherry Fanucci. Mr. Robert McGoff.
6 Mrs. Judy Gatelli. Mr. Les Spindler.
7 Ralph, I can't remember your last name, but
8 you know who you are. Mrs. Nancy Krake.
9 Mr. Nelson Ancherani. Flashback's and
10 staff, they donated their time at our party,
11 the staff did. Penalty Box, they gave a
12 cash donation and food donation. Royal
13 Pizza. Subway and Electric City Pizza
14 downtown. Mrs. Concetti Reese,
15 Mrs. Victoria Mc Donald. Little Pete from
16 work, you know who you are. All of the

17 people who put money into the free swim
18 jars. Kost Tires. Scranton Ford.
19 Scranton/Lackawanna County Taxpayers
20 Association. Mrs. MaryAnn Hayes.
21 Magistrate Robert Russell. WILK radio.
22 Mr. Stanley Narsavage. Mrs. Maureen McGuire
23 and Mrs. MaryAnn Hayes.
24 Again, we are still accepting
25 contributions. Make the check payable to
.
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1 Kids Free Swim, 1416 S. Webster Avenue,
2 Scranton, Pennsylvania, 18505. I would like
3 to see Mayor Doherty and Parks and
4 Recreation also give one day of free swim
5 and slide at Nay Aug Park, maybe a weekend,
6 a Saturday and a Sunday. I hope council
7 supports this and tries to get this, the
8 program is going good, it's a great program,
9 keep it going.

10 MR. COURTRIGHT: Thank you. Ron
11 Ellman.

12 MR. ELLMAN: Now that Mrs. Fanucci is
13 gone can I talk 15 or 20 minutes.

14 MR. COURTRIGHT: She is still there.
15 MR. ELLMAN: I mean Mrs. Gatelli is
16 gone I'll sit here and blabber for awhile.
17 You know, it seems that the more that I --
18 this meeting that, you know, when I don't
19 attend I have more people verbally attack me
20 about things I said six, eight months, a
21 year ago, I don't understand it. I sit out
22 here and listen and don't participate and
23 let other people say things and people, I
24 don't know, they bring up things that I said
25 last year, you know, attacks on the mayor
.

109

1 and so forth, we should be focused on the
2 city right now, not things I said a year
3 ago. I walked around the farmer's market
4 yesterday and I went with Miss Rosie and she
5 leaves me because she doesn't want to
6 acknowledge in public that she knows me I
7 guess and I had three or four different
8 couples come up and say all kind of things
9 that happened a year or two ago. I had one
10 couple though that they came up and they

11 accused me of being a homeless advocate and
12 wanting to on television and supporting a
13 city full of illegals just because I said
14 that, you know, I think it was last -- a
15 couple of weeks ago I made a remark that
16 these people from the housing complex need
17 to watch the mayor, he is going to sell them
18 out, he is going to sell them short, he
19 doesn't care about the little man. I didn't
20 say nothing about illegals and homeless
21 people, but I don't understand how I get so,
22 you know, get all of these attacks on me
23 when I'm trying to do something good. I
24 feel sorry for these people over here that
25 are being displaced for a school. The
.

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1 college is the one that ought to move, not
2 hundreds of families out of their homes.
3 Those apartments should have been fixed up
4 immediately and it would have been no
5 expense to have the panels put in there to
6 fireproof them and let people in.
7 MR. COURTRIGHT: Mr. Ellman, I don't

8 think they are using those apartments, they
9 are using the ones on the other side of the
10 college.

11 MR. ELLMAN: Yeah, I'm talking about
12 the whole -- the college wants this whole
13 complex, the mayor has got an obsession with
14 this lousy medical school, there is eight
15 schools in there. There is no immediate
16 rush to put a medical school in here. I
17 think he plans to have this as his legacy
18 instead of looking at a bunch of trees and
19 saying that's my legacy years from now. You
20 know, if he wants a medical school so bad
21 why don't they put it over here where the
22 illegal plant is on Dickson Street.

23 Well, I don't want to start with
24 that. You know, I get up here and I don't
25 have an employer, I can sort of say what I

111

1 want and I try to speak the truth as I see
2 it. You know, Mr. Brown got to appease his
3 reporting, he can't say what's in his heart.
4 I have talked to him outside, because

5 sometimes I feel that he, you know, he is
6 controlled. He just can't seem to relate to
7 facts what's going on in the public out here
8 like most of us in here can.

9 Well, to get back to these people
10 and this project, it's just an upset, it's
11 an obscenity to move people out of these two
12 projects for a medical school. There is no
13 need for it, it's not right, the school
14 bought -- when Lackawanna College bought
15 that place they were limited then and they
16 should be limited to their territory right
17 now and these people should be given their
18 homes.

19 One of the couples that was talking
20 to me yesterday they said, you are talking
21 about people that don't pay rent in 30 or
22 40 years, they live free on the public, they
23 don't pay repairs and utilities and all, I
24 understand that, but that is because of poor
25 management in Scranton Housing that has gone
.

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1 on year after year after year. The Bacon

2 boys did a terrible job, the place is run
3 down, it's nothing but a ghetto and I said
4 this, I don't know, last year that it ought
5 to be investigated and the next day was the
6 time they picked up their books. Thank you.

7 MR. COURTRIGHT: Thank you, Ron.

8 Les.

9 MR. SPINDLER: Good afternoon,
10 Council, Les Spindler. Mrs. Gatelli must
11 have ESP that I was going to talk about her,
12 she left. I came out of my vacation and I
13 guess I'll have to wait until September.

14 Anyway, moving on, last week a speaker
15 asked if those people that were hired if the
16 jobs had to be posted and Mr. Minora said
17 it's in the Home Rule Charter it states that
18 the mayor can hire whoever he wants, well,
19 we go by the Home Rule Charter to hire
20 people, but we don't go by the Home Rule
21 Charter for citizens participation? Either
22 you use the Home Rule Charter or you don't
23 use the Home Rule Charter.

24 Mrs. Fanucci, Mrs. Gatelli and

25 Mr. McGoff voted not to have citizens

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1 participation before agenda items are voted
2 on, that's against the Home Rule Charter,
3 but now we hire people because it says --
4 the Home Rule Charter says the mayor can?
5 Well, what's right here? Either we use it
6 or we don't use it. I hope the people will
7 remember that in November, Mr. McGoff.
8 I wanted to say something to Mrs.
9 Fanucci, she must have ESP, too, I'll have
10 to wait for September for her, too, I guess.
11 When they had the anti-illegal immigration
12 rally in Scranton Mr. Doherty was quoted in
13 the paper as saying, "The problems of the
14 city aren't because of illegal immigrants."
15 Well, write this date down because I
16 agree with this Mayor Doherty, it's not
17 because of illegal immigrants. The problems
18 of the city are because of him.
19 I was going to talk about the
20 \$300,000 dog park, but, Mrs. Evans, you
21 answered a lot of questions, but one thing
22 that jumped out at me is \$46,000 for a

23 fence. Is the fence made out of gold?

24 MS. EVANS: No, I'm not sure it's not

25 made out of gold, but I didn't give up the

.

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1 dimensions, the square feet, etcetera.

2 MR. SPINDLER: I understand.

3 MS. EVANS: So it's based on those

4 measurements.

5 MS. SPINDLER: Fine. It must be an

6 awful lot of fence. I'm going to bring this

7 up again, I have been saying it for how many

8 years, during the rain storm this morning my

9 house was flooded again. My lawn looked

10 like the Florida everglades, Mr. Courtright,

11 since we have a new DPW director do you

12 think we could get a letter sent to him?

13 MR. COURTRIGHT: I'll ask him ask,

14 Les. I mean, we have been asking. I think

15 all of us has asked many times.

16 MS. SPINDLER: You know how long I

17 have been asking.

18 MR. COURTRIGHT: Oh, yeah, as long as

19 I have been here.

20 MR. SPINDLER: Caused by what the
21 city did.

22 MR. COURTRIGHT: I understand.

23 MR. SPINDLER: Thank you.

24 MR. COURTRIGHT: Thank you. There is
25 no one else on the sign-in sheet. Did
.

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1 anybody else want to speak? Hi, Dan.

2 MR. HUBBARD: Good evening, Council,
3 Daniel Hubbard. Well, I had kind of
4 intended, since I had been away for a few
5 weeks and decided to spend some daytime time
6 with my son instead of putting him with the
7 babysitter to come here to only have my
8 blood pressure go through the ceiling and
9 then go home aggravated, he doesn't deserve
10 that. I gave you violations that I feel and
11 that's basically what I feel are the most
12 significant violations. I'm not going to
13 nit-pick. The ones involving Section five
14 of the zoning ordinance environmental
15 protection I think are the priority and I do
16 think it's in order, the first statements on

17 those pages basically precede what follows,
18 okay?
19 Mrs. Gatelli leaving kind of
20 derailed me. At the last meeting I attended
21 she did make a comment to Mrs. Fanucci that
22 I was disgraceful as I was walking away from
23 the podium, which I found kind of funny
24 considering that same meeting she had
25 indicated that she was trying to use some of
.
116

1 the \$281,000 from the Elm Street flood
2 project money to demo houses in south side.
3 The last I checked I would assume south side
4 is not considered a low income neighborhood,
5 and I was -- well, sections of south side I
6 certainly wouldn't consider a low income
7 neighborhood, I was told that that money was
8 HUD money and it was for low income
9 neighborhoods and so that's why we couldn't
10 have it in lower Greenridge for the flood
11 repairs on the riverbank bank because we are
12 considered low to moderate income and that
13 was also previous to when I was told that

14 money was designated to Elm Street
15 specifically even though it was actually
16 left over funds from the Pittston Avenue
17 project, so that hot potato got bounced
18 around and I guess it was to try and land in
19 south side for a demolition of houses to
20 increase property values. I would just like
21 some dirt on a riverbank. DPW is working
22 feverishly every day dumping more dirt on
23 the corner of Albright and Nay Aug to store
24 their fill from the Meadowbrook project that
25 they are getting for free from Linde

.

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1 Industries. They are digging up a huge
2 trench for the Meadowbook project.
3 MR. COURTRIGHT: That's nice.
4 MR. HUBBARD: So all of the dirt
5 that's coming out of the hole where the
6 concrete is going is the city is getting for
7 free as fill. That's a good deal for the
8 city, they don't have to pay for dirt to
9 fill -- to fill the house in south side when
10 they demo them, but if they could I would

11 rather they store the dirt somewhere else
12 than in our neighborhood. It's very
13 discouraging for the residents to get up to
14 the morning and see DPW backhoes and dump
15 trucks feverishly working to push dirt
16 around right across the street from the
17 damaged riverbank that Mr. Parker, who now
18 is gone, conveniently said that he would
19 repair the sections that we discussed. I'm
20 sure Mr. Brazil has got a lot of on his
21 plate right now and he was probably given
22 the same marching orders as Mr. Parker was
23 in regards to the poor low income residents
24 in lower Greenridge, let's just let the area
25 flood.

.

118

1 There is lot of rumors flying around
2 about the Scranton Lace Works right now and
3 they pretty much all I think hinge on the
4 medical school. If the medical school ends
5 up where they are proposing it will I'm sure
6 LJC will end up in the Lace Works like they
7 had previously planned on doing. Mrs.

8 Fanucci said that that money is still in
9 play, so we don't get a riverbank but our
10 property values get run down to the bottom
11 of the barrel so that LJC can come in and
12 just purchase up the whole neighborhood
13 conveniently for their school. If not,
14 there are other rumors circulating that the
15 county commissioners and Mayor Doherty are
16 possibly looking at putting a stadium in
17 lower Greenridge. That's great. I'm not
18 going anywhere so they can buy me out, they
19 can try and buy me out. They can't afford
20 to pay for the boat that I want that I would
21 give up my house for, so I'll sell hot dogs
22 off my front porch or chase college students
23 out of my neighborhood or second base in the
24 infield.

25 Now, we've had several discussions

.

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1 about the flood relocation specialists and
2 the coordinators and whatnot. There is two
3 businesses left in lower Greenridge and are
4 in process of being bought out right now.

5 One was Keystone Fence along Nay Aug Avenue.

6 They have since moved out of the city to

7 Olyphant so the city has lost another

8 business. They are arguing with the flood

9 control over office right now over their buy

10 out price. The other business is the Garden

11 Path Lawn and Garden Center. They have been

12 offered a ridiculously low buy out for the

13 land that they have, and the business that

14 they have. The buy out doesn't include any

15 loss of business due to moving to a new

16 location, let's face it, you take your

17 business where it's been for ten years, put

18 it somewhere else, you are going to lose

19 business, you are going to lose a lot of

20 business, so to offer them a low buy out is

21 -- is that five or -- five? Okay, real

22 quick, to offer them a low buy out is one

23 thing, if they don't want to accept the

24 offer that's up to them. We don't want to

25 see them leave the neighborhood. Look,

.

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1 Mr. O'Hora made a comment that if lower

2 Greenridge floods that it will be their
3 fault because they are not accepting the buy
4 out and they are holding up the flood
5 project.

6 MR. COURTRIGHT: All right.

7 MR. HUBBARD: So these are really
8 good people that we have in the flood
9 control office. We are coming up on the end
10 of the summer and hurricane season and we
11 are looking forward to it. We don't have a
12 siren, we don't have repairs, we've got
13 nothing, one year and -- one year and a
14 month after the flood we have received nada,
15 not one little tiny piece of assistance.

16 MR. COURTRIGHT: Thank you, Dan.

17 Chrissy.

18 MR. SLEDZENSKI: What's up, Bill?

19 MR. COURTRIGHT: Hi, Chris.

20 MR. SLEDZENSKI: Can I bring it up,
21 Bill?

22 MR. COURTRIGHT: Sure, bring it up.

23 I thought you had a speech there. Who gave
24 you this, Ray Kelly?

25 MR. SLEDZENSKI: The dream game is

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1 August 1 this year, Bill, August 1 is the
2 dream game at Albright Stadium. They're a
3 good bunch of kids up there, I'm going to
4 give them a lot of credit for that. Thank
5 you.

6 MR. COURTRIGHT: Thank you, Chris.

7 Hello.

8 MS. OWENS: Hi. Mary Ann Owens,
9 Scranton resident, taxpayer and Jonathan
10 Clauss' aunt. Doing, I thank you and junior
11 council for handicapped access swingset. I
12 thank everybody for that treehouse. It's
13 amazing that everybody that can walk and
14 that isn't handicapped can jump in a puddle,
15 but my nephew cannot jump in a puddle, he is
16 in a wheelchair.

17 We had a benefit sponsored by
18 Scranton at large, sponsored by Joe Talimini
19 which was here before, that was on June 15th
20 of 2007. It was a beautiful benefit and
21 lots of -- 50 people came, people spent
22 their money, people ate, people had

23 wonderful entertainment, but I'm very, very,

24 very disappointed at Joe Talimini. There

25 was \$175 sent to Jonathan's trust fund at

.

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1 Citizens Bank, and I know Janet and

2 Mr. McGoff have given a check and hopefully

3 it was deposited and cashed, but for the

4 raffles that I and others have spent cash,

5 my own money, \$40, which it doesn't come

6 easy to any of us today, I haven't seen

7 anything being deposited in his account from

8 that fundraiser and I'm very disappointed.

9 I trusted somebody who thought was going to

10 do something good and he hasn't. I give him

11 4:00 today to hand in everything he has to

12 Citizens Savings account wherever in this

13 city and I can't believe it took one month

14 to put it in the bank because when I did the

15 fundraiser for Jonathan it was handed in the

16 next day, over \$5,000, and I just can't

17 believe it, and I'm bringing this to city

18 council and people and please, please, help

19 me because I don't think it's right and I

20 want to see it for Jonathan. Thank you.

21 MR. COURTRIGHT: Thank you. Is there
22 anyone else? Anybody else want to speak?

23 MR. LYMAN: Raymond Lyman. Remember
24 a couple of weeks ago I said that I had a
25 letter from the Federal Attorney General's

.

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1 Office and the ACLU and you guys laughed at
2 me and I know I see in today's paper the
3 ACLU was in the paper about Judy Gatelli and
4 Amil. Well, it's a surprise Mr. Minora,
5 Mrs. Gatelli is not here. Who is lying now?

6 Who is the liar now, Mrs. Fanucci.

7 MR. COURTRIGHT: Okay, Ray, let's --

8 MR. LYMAN: Hey, I have a right to
9 speak. You can't stop me.

10 MR. COURTRIGHT: Raymond, Raymond,
11 calm down.

12 MR. LYMAN: And I have a question,
13 let me speak. Where does it say in the
14 constitution that people can only speak for
15 five minutes? Ask your lawyer.

16 MR. COURTRIGHT: It's not in the

17 constitution.

18 MR. LYMAN: No. In the constitution

19 you can speak as long as we want and this Rules

20 of Council does not exist. I can speak as

21 long as I want.

22 MR. COURTRIGHT: Raymond.

23 MR. LYMAN: The constitution

24 outrights any law in the land.

25 MR. COURTRIGHT: Raymond.

.

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1 MR. LYMAN: The Federal Attorney

2 General, Mr. Johnson, told me --

3 MR. COURTRIGHT: You talked to a

4 Federal the Attorney General?

5 MR. LYMAN: That's what the letter

6 told me.

7 MR. COURTRIGHT: Oh, I thought you

8 said he told you.

9 MR. LYMAN: Well, in the letter

10 because Mr. Gonzalez is the federal attorney

11 general.

12 MR. COURTRIGHT: Okay.

13 MR. LYMAN: And in the letter it said

14 the constitution outranks the law of the
15 land, and I will get a copy from the library
16 and I will show our hack of lawyer --

17 MR. COURTRIGHT: Oh, no, no, no.

18 Raymond, Raymond, you can't say that.

19 MR. LYMAN: I'll say what I want.

20 MR. COURTRIGHT: Well, you can't.

21 MR. LYMAN: It's freedom of speech.

22 MR. COURTRIGHT: You can't call him

23 that. It's not right, Raymond, come on.

24 MR. LYMAN: Well, I'll say what --

25 he is not here.

.

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1 MR. COURTRIGHT: Yeah, and that's

2 not true, he is not here to defend himself,

3 don't call him names, Ray.

4 MR. LYMAN: You said every time I

5 come here I'm out of order and no one else,

6 and I have a right to say what I want.

7 MR. COURTRIGHT: I never said you

8 were out of order, I said --

9 MR. LYMAN: No, but the queen mother

10 did.

11 MR. COURTRIGHT: See, you can't do
12 that, Raymond, you can't those names about
13 people. Please.

14 MR. LYMAN: The constitution says I
15 can say what I want.

16 MR. COURTRIGHT: It does not,
17 Raymond.

18 MR. LYMAN: And the Rules of Council
19 does not exist.

20 MR. COURTRIGHT: Raymond. Raymond,
21 hold on for one second.

22 MR. LYMAN: The constitution wants
23 freedom of speech.

24 MR. COURTRIGHT: Hold on for one
25 second. We adopt Rules of Council every two
.

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1 years.

2 MR. LYMAN: I don't care about the
3 Rules of Council.

4 MR. COURTRIGHT: Well, you have to
5 care because they are the rules. You got to
6 go by the rules.

7 MR. LYMAN: The constitution outranks

8 Rules of City Council.

9 MR. COURTRIGHT: All right. I'm not
10 going to argue with you, Raymond, go ahead.

11 Continue.

12 MR. LYMAN: Because the Federal
13 Attorney General told me in the letter and
14 now you have the ACLU going after you and he
15 should tell you that you will be sitting in
16 jail.

17 MR. MINORA: You won't be sitting in
18 jail.

19 MR. LYMAN: Well, when you have the
20 Federal Attorney General, they had two guys
21 in suits coming around now and there was one
22 of them here that day taking photos, not
23 just the ACLU.

24 MR. COURTRIGHT: Raymond, how about
25 changing the subject, all right? You are

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1 getting confrontational here, we don't want
2 that.

3 MR. LYMAN: It's freedom of speech
4 and it out ranks that five minutes, I can

5 speak as long as I want.

6 MR. COURTRIGHT: You can't speak as

7 long as you want.

8 MR. LYMAN: Mrs. Gatelli said to me

9 the last time I was here when she was mayor

10 she could pave the road. Well, I thought

11 that was an insult to me when all of her

12 friends got their streets paved, hey, I'm a

13 taxpayer, I'd like my street paved.

14 MR. COURTRIGHT: I'd like mine paved,

15 Oto.

16 MR. LYMAN: Well, you have a

17 business you can pave your sidewalk and your

18 street, you have a business, you can do it

19 yourself, not asking Mr. Kanjorski and make

20 my taxpayers pay for it, my taxes. I'd like

21 to have my street paved not year after year

22 after year and it's never done. This

23 sidewalks on Capouse Avenue all the way down

24 to the rebar and disabled people in

25 wheelchairs like this poor old lady that

.

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1 have to go on the road in my neighborhood.

2 They don't deserve to go on the road. They
3 can go on the sidewalk but they can't.
4 Every year they do that.
5 We deserve to be treated like human
6 beings, not like animals, and every time I
7 come here up here I talk to the wall, I
8 don't deserve that. I deserve to be treated
9 like a human being, not like the queen
10 mother up there, Judy Gatelli.
11 MR. COURTRIGHT: Raymond, I'm not
12 going to allow you to -- the next time you
13 say that you are going to be out of order.
14 You can't be calling people names. Now,
15 that's it. That's it.
16 MR. LYMAN: Well, she treats me like
17 an animal.
18 MR. COURTRIGHT: She is not even
19 here, please.
20 MR. LYMAN: Every time when she is
21 here she hollers at me.
22 MR. COURTRIGHT: You speak to her
23 when she is here, all right?
24 MR. LYMAN: When I was here the last
25 time when we were being searched that Junior

1 Council got through because they -- Judy

2 Gatelli said, as I quote, "Be a member of

3 government," and we were all outside --

4 MR. COURTRIGHT: Your time is up,

5 Raymond, you got to sit down.

6 MR. LYMAN: And we were being

7 searched.

8 MR. COURTRIGHT: All right. Your

9 time is up now.

10 MR. LYMAN: Well, the five minutes

11 doesn't matter.

12 MR. COURTRIGHT: Raymond, you have to

13 sit down. Your time --

14 MR. LYMAN: Maybe I should talk to

15 Mr. Johnson --

16 MR. COURTRIGHT: Well, you talk to

17 him but for right now you got to sit down.

18 MR. LYMAN: -- his office again.

19 MR. COURTRIGHT: Right now you got to

20 step down, Raymond, your time is up.

21 MR. LYMAN: I'll talk to the ACLU

22 again and let's see --

23 MR. COURTRIGHT: Raymond --

24 MR. LYMAN: When they come after you

25 and --

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1 MR. COURTRIGHT: Raymond, your time

2 is up, Buddy, sit down.

3 MR. LYMAN: -- see if guys don't like

4 it again.

5 MR. COURTRIGHT: Thank you. Is there

6 anyone else? No one? Come on. Okay. If

7 there is nobody else, a motion to adjourn?

8 MS. FANUCCI: Second.

9 MR. COURTRIGHT: Thank you. We are

10 adjourned.

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2 C E R T I F I C A T E

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4 I hereby certify that the proceedings and

5 evidence are contained fully and accurately in the

6 notes of testimony taken by me at the hearing of the

7 above-captioned matter and that the foregoing is a true

8 and correct transcript of the same to the best of my

9 ability.

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CATHENE S. NARDOZZI
15 OFFICIAL COURT REPORTER

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