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1 SCRANTON CITY COUNCIL MEETING

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5 HELD:

6

7 Thursday, July 26, 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
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9 MR. ROBERT MCGOFF

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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

2 moment of reflection.)

3 MS. GATELLI: Before we do our

4 proclamations, we will have our roll call.

5 MS. GATELLI: Roll call.

6 MR. COOLICAN: Mrs. Evans.

7 MRS. EVANS: Here.

8 MR. COOLICAN: Mrs. Fanucci.

9 MS. FANUCCI: Here.

10 MR. COOLICAN: Mr. McGoff.

11 MR. MCGOFF: Here.

12 MR. COOLICAN: Mr. Courtright.

13 MR. COURTRIGHT: Here.

14 MR. COOLICAN: Mrs. Gatelli.

15 MS. GATELLI: Here. Council, please

16 come with me. For those of you who don't

17 know, we are having a special day today in
18 the City of Scranton. We have people with
19 us who we are honoring for saving people
20 from fire. They are very heroic, we are
21 very, very proud of them and had they not
22 have been there a tragedy may have occurred,
23 so we are very proud in our city today to
24 honor these people and I will read the
25 proclamation.

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2 WHEREAS, the COUNCIL OF THE CITY OF
3 SCRANTON is desirous of honoring "FIRE
4 FIGHTERS, PAUL SCHIRRA and DAN HALEY AN
5 DEPARTMENT OF PUBLIC WORKS EMPLOYEES KIM
6 KANDEL and GENE REED" for their quick
7 response during a recent fire in the City of
8 Scranton; and WHEREAS, "KIM KANDEL and GENE
9 REED" Traffic Maintenance Personnel, members
10 of Machinist Union Local 2462, on their way
11 to a job in West Scranton noticed the home
12 on Court Street ablaze and stopped to help;
13 and WHEREAS, "MS. KANDEL" at the controls of

14 the departments bucket truck, raised "MR.
15 REED" to the porch roof where he grabbed Ms.
16 Farley, from her burning home, and pulled
17 her to safety; and WHEREAS, "MR. REED" then
18 grabbed a sledgehammer and broke open the
19 front door of the home seconds before fire
20 trucks arrived; and WHEREAS, "MS. KANDEL and
21 MR. REED'S" quick decision to react to the
22 dire situation until emergency personnel
23 arrived, showed much bravery as they took
24 the initiative to maintain a claming force
25 during what otherwise could have been a
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1 catastrophic event; and WHEREAS, "FIRE
2 FIGHTERS PAUL SCHIRRA AND DAN HANLEY"
3 members of International Association of Fire
4 Fighters Local 60, with thermal imaging
5 camera in hand pierced the heavy smoke and
6 flames inside the Court Street home through
7 an active fire in the hallway to find David
8 Bradshaw face down on the floor of his
9 second story bedroom, unconscious; and
10 WHEREAS, "FIRE FIGHTERS SCHIRRA AND HANLEY"

11 carried 11 year old David out of his home to
12 paramedics for immediate medical attention;
13 and WHEREAS, 'FIRE FIGHTERS SCHIRRA AND
14 HANLEY" faced with a very dangerous
15 situation for themselves followed rules of
16 fir fighting which state the first task is
17 to save lives, the second task is to save
18 property; and WHEREAS, "FIRE FIGHTER
19 SCHIRRA'S" face mask flew off during the
20 fire and treated for smoke inhalation.

21 WHEREAS, Scranton City Council is very proud
22 and grateful for "MS. KANDEL, MR. REED, FIRE
23 FIGHTERS DAN SCHIRRA and PAUL HANLEY'S"
24 unselfish act of courage. NOW, THEREFORE,
25 BE IT RESOLVED, that on Thursday, July 26,

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1 2007, Scranton City Council wishes to honor
2 these City of Scranton Employees for their
3 bravery and heroic actions during this life
4 threatening event. BE IT FURTHER RESOLVED,
5 that this Proclamation be made a permanent
6 part of the Minutes of this Council, as
7 lasting tribute to "FIRE FIGHTER DAN HANLEY,

8 FIREFIGHTER PAUL SCHIRRA, MS. KANDEL and MR.

9 REED".

10 Dispense with the readings of the

11 minutes.

12 MR. MINORA: Did we do roll call,

13 already?

14 MS. GATELLI: Yes, we did roll call.

15 MR. MINORA: Reports and

16 Communications 3-A. MINUTES OF THE COMPOSITE

17 PENSION BOARD MEETING HELD ON JUNE 27, 2007.

18 MS. GATELLI: Are there any comments?

19 If not, received and filed.

20 MR. MINORA: 3-B. PETITION FOR A

21 STREET LIGHT AT THE CORNER OF GRAND AVENUE

22 AND ELMHURST BOULEVARD.

23 MS. GATELLI: Are there any comments?

24 If not, received and filed.

25 MR. MINORA: 3-C. MINUTES OF THE

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1 SCRANTON-LACKAWANNA HEALTH & WELFARE

2 AUTHORITY BOARD MEETING HELD ON JUNE 2007.

3 MS. GATELLI: Are there any comments?

4 If not, received and filed.

5 MR. MINORA: 4-A, MOTIONS.

6 MS. GATELLI: I only have one

7 announcement and that is a follow-up to the

8 people that we have just honored. David

9 Bradshaw, there will be a fundraiser for him

10 on August 25 from 12 to 6 at Weston Field.

11 They need a lot of volunteers and anyone who

12 wishes to volunteer can call Judy Lasky at

13 941-9174 or call Kay at the council office

14 or Neil and we'll make sure your name gets

15 handed in as a volunteer, and any funds can

16 be sent to PNC Bank, 1902 N. Main Avenue,

17 18508, in care of David Bradshaw Fund.

18 Mr. Courtright?

19 MR. COURTRIGHT: Yes. I have two

20 announcements, if you don't mind. There is

21 going to be a free swim on July 28 up at Nay

22 Aug from noon until closing any child

23 15 years old or under will be able to swim

24 for free all day. I received this

25 information from Mr. Jackowitz, I'm not

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1 quite sure who is sponsoring it, I'm going

2 to assume it's his group, but, anyway, free
3 swim July 28, Nay Aug from noon until
4 closing. And the second annual Cindy
5 Collins Carney memorial breakfast to benefit
6 ovarian cancer research will be held Monday,
7 September 3, 2007, at 10:00 a.m. at the
8 Radisson, Lackawanna Station Hotel grand
9 ballroom on Lackawanna Avenue. You can make
10 checks payable to ovarian cancer research
11 and on the check write, "In memory and
12 support of Cindy Collins Carney," or the
13 name of the loved one that you would like to
14 put on there. So, again, that's going to be
15 Monday, September 3, 2007, 10 a.m. at the
16 Radisson downtown here and that's all I
17 have. Thank you.

18 MS. GATELLI: Thank you. Anyone
19 else? Mrs. Evans?

20 MS. EVANS: Good afternoon. I, too,
21 ask for your priors for my Sy Duwayi. I had
22 the pleasure of working with him for many
23 years at Scranton High School. Sy is one of
24 the kindest gentleman any one of you could
25 ever enjoy meeting and he was one heck of a

.

9

1 social studies teacher before he retired so,
2 Sy, get well soon. I also ask for your
3 prayers today for Mr. Bill Moran who is
4 hospitalized and quite ill. Billy and his
5 family are very good, kind and hardworking
6 members of our community.
7 I have also brought a small memento
8 of this year's Solemn Novena for St. Ann for
9 my colleague. It's a wristband which was
10 contributed last Saturday during the
11 children's mass. I had also given these
12 bands to junior council as well. Perhaps,
13 you might like to give these to your
14 grandchildren or children. The wristband
15 carries an important message not only for
16 children, but for all people. It is
17 inscribed character, compassion and values.
18 I hope that many of you will try to visit
19 St. Ann's Basilica during your busy life
20 schedule and enjoy the peace and comfort it
21 offers.
22 During the past week, council

23 received a proposal from Expand for the
24 purchase of delinquent taxes. This is the
25 company that asked to be considered for such
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1 a contract in addition to or in competition
2 with Municipal Revenue Sources. I
3 originally requested that council and the
4 mayor consider Expand's proposal in the hope
5 of possibly increasing the sale price. I
6 now request that a public caucus with
7 representatives of Expand is scheduled for
8 the first council meeting in September
9 before any legislation involving either firm
10 is placed on our agenda. Would that be
11 agreeable, Mrs. Gatelli?

12 MS. GATELLI: That would be agreeable
13 with me, sure.

14 MS. EVANS: Thank you. Of late, the
15 University of Scranton made the news
16 regarding building projects. At the same
17 time I received some very interesting
18 information regarding numerous properties
19 owned by the University in 2006. What is

20 most notable and curious about these
21 properties are that the assessment
22 reductions they received which together
23 totaled over \$1.7 million is, indeed, a
24 significant figure, however, one property in
25 particular seems to have been originally

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1 assessed at nearly 40 times it's value and
2 was correctly reduced to it's apparent
3 value. Since the University of Scranton is
4 a tax exempt nonprofit institution, why did
5 such drastic assessment reductions occur?
6 Do these reductions perhaps lower the
7 purchase price? Do they alter statistics to
8 make it appear as though far less tax
9 revenue has been lost in Scranton? I do not
10 know, but I would appreciate an explanation.
11 At the same time that the University's
12 property assessments went down their annual
13 revenue tops \$120,000,000 and they are
14 endowment fund is listed at \$104,000,000.
15 The University is visibly demolishing
16 numerous buildings and is undertaking

17 massive construction projects. Such
18 projects serve as a boom to not only the
19 Hill Section but also the city at large in
20 that they increase property values,
21 encourage further development on Mulberry
22 Street, enhance one of the gateways to the
23 downtown and provide a beneficial economic
24 impact from the increased number of
25 students. That having been said, the
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1 University of Scranton's insatiable appetite
2 for city property must be paid for beyond
3 the annual \$11,000 payment in lieu of taxes
4 and the monetary compensation for lost
5 revenue from parking meters and liquid fuels
6 tax. Countless institutions of higher
7 learning which are located within
8 municipalities donate millions of dollars
9 annually to their home cities in order to
10 counter the loss of taxable properties which
11 they have removed from the tax rolls. These
12 universities recognize their primary
13 financial responsibilities to their home

14 cities even while providing the same
15 benefits of increased property values,
16 redevelopment, and economic impact as the
17 University at Scranton offers our city.
18 Again, the University's insatiable
19 appetite for city property must be paid for
20 either through significant increases in
21 payments in lieu of taxes or through city
22 imposed fees.

23 While the Scranton Times was
24 diligently helping to sell the University's
25 latest land acquisition deal, it failed to
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1 report the city's latest grievance loss to
2 the International Association of
3 FireFighters Union Local 60 Scranton.
4 According to the Union News, the city is in
5 violation of the contract because of the
6 current level of firefighters. Under the
7 contract the department is required to have
8 150 fire fighters, however, the city
9 currently employs only 144 because the city
10 has not replaced retiring firefighters and

11 one who has resigned.
12 The contract language states that
13 should the city allow the number of
14 firefighters to drop below 150, the city
15 would be assessed a penalty of 1 percent of
16 an entry level firefighter's salary per
17 position below 150. Meanwhile, Mr. Doherty
18 intends to reduce the staff to 112, but has
19 never stated how the department could run
20 with only 112 and what the consequences
21 would be to the people of Scranton.

22 Further, Mr. Doherty threatens to
23 appeal an arbitrator's decision that granted
24 pay increases to the unions after a six-year
25 period of no increases all of the way to the

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1 Supreme Court. Foolishly, this mayor
2 continues to violate contracts and appeal
3 decisions which cost our distressed city
4 untold amounts of money and it's taxpayers
5 painful financial burdens. The Doherty debt
6 continues to climb, unfortunately, and some
7 very important developments that effect all

8 of us can only be read in the Union News.
9 I am very pleased that Diamond
10 Avenue and Foster Street have been taken
11 care of within the last several days and
12 Hollister Avenue as well and that the huge
13 pothole adjacent to the St. Ann's school
14 building was finally repaired. A diligent
15 resident reported having called the DPW and
16 spoken with more than one employee over and
17 over and over again for the last two months
18 about the St. Ann's crater. She was
19 concerned for the safety of senior citizens
20 who would cross the street to attend
21 scheduled dinners at the school building
22 during the Solemn Novena and she was also
23 ashamed of the appearance of that street
24 since thousands of tourists visit the Novena
25 over the ten-day span. I thank you,

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15

1 Dorothy, for your perseverance in getting
2 this much needed job accomplished.
3 And next I have citizens' requests
4 for the week. I want to thank Mr. Brazil

5 for responding so quickly to the pothole
6 problems at Park Gardens. The city is not
7 responsive for this area, rather it is the
8 Scranton Housing Authority, thus, a letter
9 to the Scranton Housing Authority: Please
10 repair potholes behind unit 17 through 21 at
11 Park Gardens. Residents experience
12 difficulty parking and are damaging their
13 vehicles doing so. I request a written
14 response by August 10, 2007.

15 A letter to Jeff Brazil: Please
16 pave or fill potholes on Parrot Avenue from
17 Sloan Street to St. Ann's Street. Fill
18 three gapping potholes in an alley located
19 halfway down the 500 block of S. Irving
20 Avenue. A letter to Mr. Seitzinger: Please
21 send inspectors to the following locations
22 about which I have received complaints: The
23 corner of Price Street and N. Garfield
24 Avenue neighbors report that the property is
25 overgrown with weeds and hasn't been cleared

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1 in years. 416 Prospect Avenue a pool in the

2 backyard is located inches away from a
3 neighbor's fence, the pool is not filtered
4 and has no ladder, neighbors report that
5 young children jump in from the porch steps.
6 There is also garbage littered along the
7 side of the house and a couch on the porch.
8 706 Prospect Avenue, couches and indoor
9 furniture on the porch. 402 River Street,
10 bushes and lawn are left unit. Residents of
11 the area request the placement of a stop
12 sign anywhere on West Locust Street heading
13 towards South Main Avenue. They report
14 excessive speeding on this street of road.
15 Finally, I'd like to wish all of you a
16 save and happy month of August and we'll see
17 you in September. That's it.
18 MS. FANUCCI: I have two things to
19 address, Daron Northeast is first. It seems
20 to be there is a lot of speculation about
21 Daron Northeast and my relationship to
22 someone there and I had said last week, and
23 I want to make sure I clarify this in every
24 way possible, my cousin -- my second cousin
25 who is once removed is married to the

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17

1 brother of the man who owns Daron Northeast.

2 I have to say I have never met him, I did

3 lay eyes on him once when I was down on

4 request of the neighbors to come and see

5 what was going on. He did drive by in the

6 car very quickly. Also, as far as the

7 planning commission is concerned, the

8 planning commission actually never had Daron

9 themselves in front of them or the zoning.

10 They were not required to come before zoning

11 or planning because they did not expand the

12 building. The only time the building has

13 been up before the planning commission when

14 I was on the commission was in 2001, that

15 was when the Redevelopment Authority had

16 brought it before us. That is how to

17 approve the sale, so that is the only time

18 there was any involvement with Daron.

19 Also, I wanted to make that clear

20 because there seems to be to be a lot of

21 speculation like for some reason it was a 20

22 year in progress scam or something, I don't

23 know, but I did want to make sure that that
24 was out in public. I also talked to Pizanos
25 on the Pizano property, this is what they
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18

1 call the gateway into south side, the reason
2 that this has not been developed so far as
3 that he was waiting on a lot of permits
4 after he had received the money, he was
5 waiting n permits. He did receive the
6 permits. Another problem we had discussed
7 last week was the overgrown weeds, well, I
8 find out, see, you never know, everything
9 sounds like it's bad, they are intentional,
10 the overgrown weeds they have been actually
11 been told to keep weeds blowing there
12 because the dust was blowing from the site
13 and Krispe Kreme and other businesses were
14 having problems around the area so he
15 actually did that intentionally to be a good
16 neighbor because there was problems after
17 the demolition of the property had come
18 down, so I did want to clarify that and as
19 far as they can tell that the equipment will

20 be delivered this week to start the
21 progress, which is wonderful because we all
22 were wondering what was going on. We really
23 wanted it to come into be the most beautiful
24 place in south side, but that's all I have.
25 I want everybody to have a wonderful summer.

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19

1 I do want to make one apology to our
2 police officers that there seem to be some
3 very sad communications lately and I just
4 want to say I certainly do not believe under
5 any circumstances that anyone would
6 intentionally do anything wrong and
7 especially the people who serve us and
8 protect us every single day and I definitely
9 want to make sure that I note that and say
10 thank you for everything you have done for
11 us and, again, when you have people come
12 here like we had today who gave their lives
13 in a way that I can honestly say I never
14 could, I would never be brave enough to run
15 into a building and help someone in that way
16 or give my life to help other people in such

17 a heroic way that this is the backbone of
18 our city and this is the reason that I serve
19 and the reason that I will continue to serve
20 to the best of my ability, and that is all I
21 have. Thank you.

22 MR. MCGOFF: Thank you. A couple of
23 items that have come up in recent weeks and
24 also some things have that have been in the
25 mail. First, I'd like to, again, there has
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20

1 been a request or there has been talk about
2 money from the golf course recently and I
3 attempted to address this at another
4 meeting, apparently what was said at that
5 meeting was either not heard or
6 unacceptable, but there is nothing in the
7 legislation on the sale of the golf course
8 that dedicates the money that was received
9 to any particular purpose. Whatever was
10 stated it may have been stated by the mayor
11 or someone else that there was some intent
12 for use of that money, but there is nothing
13 that particularly dedicates that \$3 million

14 or what's now \$1.5 million to any particular
15 purpose and, therefore, the use of it is
16 open and can be used and I know Mrs. Evans
17 brought it up at the last meeting that that
18 money can be used for other things. Now,
19 would it be nice to be used for recreation
20 and things, perhaps. But it is the use of
21 it in last year's budget is not illegal and
22 further use of it in any particular way
23 would not be illegal and I don't know what
24 else we can do to clarify that, but
25 certainly it's not in the legislation that
.

21

1 it's dedicated and, therefore, this talk
2 about, you know, illegal use of the money I
3 think is unfounded.
4 The other issues that has been
5 talked about repeatedly is the idea of
6 delinquent taxes. Just from my own
7 clarification, I asked about tax delinquency
8 and the loss of property by citizens in the
9 City of Scranton. To find out that for at
10 least the past three years there have been

11 no tax liens placed on anyone's property
12 because of delinquent property taxes in the
13 city.
14 Also, there has been no sale, no
15 property sale, conducted by the city since
16 1996, I believe, which means that in essence
17 nobody has lost property because of
18 delinquent property taxes in the City of
19 Scranton, at least in recent years. Will
20 this change? I don't know, but this talk
21 about people, you know, losing their
22 property and losing their homes because of
23 city taxes is, again, unfounded. It simply
24 has not happened. They can't lose their
25 homes through the school district either, so
·
22

1 if people are losing homes or property it is
2 probably through the county assessing and
3 collecting delinquent taxes and conducting
4 tax liens and property sales and not the
5 City of Scranton.
6 I was going to mention also last
7 week there was -- Mrs. Gatelli what her

8 interpretation of free speech was and,
9 again, at the end of the meeting I
10 inadvertently left the microphone on and
11 made some comment about being a failure as a
12 social studies teacher because people
13 obviously didn't understand the idea of free
14 speech. Again, the concept of free speech
15 does not mean that you have -- that anybody
16 has the right to say anything they want.
17 All of the rights that we have been given in
18 the constitution are limited. They have a
19 concomitant responsibility and limitations.
20 We have a right to bear arms, but we can't
21 carry guns wherever we want. We have a
22 right to assemble, but you can't hold a
23 party on my porch unless I give you
24 permission, likewise, freedom of speech is
25 limited. It has limitation and city council

23

1 has within it's power the right to limit, to
2 place limitations on speech within it's
3 meetings. Also, the Courts have given broad
4 power to the council president to determine

5 when, in fact, those rules are violated.

6 So, yes, we do have freedom of speech, but
7 it is within limits and it is within the
8 powers of the council to determine those
9 limits and within the power of the president
10 of council as to when those limitations have
11 been violated.

12 With that, I am going to make two
13 motions that we will -- I would ask that we
14 not vote on until after the public comment
15 section of the meeting since they did give
16 the public an opportunity to respond or to
17 comment. First motion, I make a motion to
18 amend the Rules of Council to change the day
19 of our meetings from Thursday at 6:30 to
20 Tuesdays at 6:30 p.m. when we return in
21 September 2007, and to establish our next
22 meeting for Tuesday, September 11, 2007.

23 MS. GATELLI: On the question?

24 MR. MINORA: You need a second,
25 first.

.

24

1 MS. FANUCCI: No, he doesn't want to

2 vote now, okay.

3 MR. MCGOFF: That is seconded, so
4 it's introduced, okay. Also, I make a
5 second motion to amend the Rules of Council
6 to change the public comment portion of the
7 agenda so that Fourth Order will be public
8 comment on agenda items for two minutes, and
9 Eight Order will be comment order on other
10 general city issues for three minutes, this
11 to commence on September 11, 2007.

12 MS. FANUCCI: Second.

13 MR. MCGOFF: Let's vote on the end
14 as well. That way people will have an
15 opportunity to respond, and that is all.
16 Thank you.

17 MS. EVANS: Mrs. Gatelli, before we
18 move on I just wanted to read from
19 Mr. McGoff some justification for his first
20 point regarding the golf course. This was a
21 letter dated November 16, 2006, and actually
22 it was written in response to a question
23 posed by Mr. Courtright, so the letter was
24 addressed to you, Mr. Courtright: "In
25 response to your correspondence dated

.

25

1 November 14, 2006, to business administrator
2 Leonard Krushefski regarding information on
3 the proceeds from the sale of the golf
4 course which was referred to me for
5 response, this is to advise you that on July
6 28, 2006, I opened up a one-year certificate
7 of deposit at First National Community Bank
8 in the amount of \$3,832,000.91 at 4.90
9 percent interest. A copy of the CD is
10 enclosed for your references."

11 So, as Mr. McGoff stated, that
12 money has not been placed in a trust and as
13 I indicated last week that money has
14 continuously been placed in CD's and so I
15 would agree with your assessment on that
16 particular matter, Mr. McGoff.

17 Just one more thing I wanted to say
18 though, I'm sure the police department
19 knows, they know me personally and they have
20 known since the first time I ran for office
21 how much I respect them and the work that
22 they do. Now, we also know that police

23 officers must take their orders from their
24 superiors and their superiors take their
25 orders from the mayor, and any officer given
. .
26

1 orders must follow those orders regardless
2 of what they are and I know, for example,
3 most police officers don't relish the idea
4 of being assigned to a city council meeting,
5 they much prefer to be out on the street
6 doing the real work, so, thank you.

7 MS. GATELLI: Mr. Courtright?

8 MR. COURTRIGHT: Yes. The first two
9 items I have, this council and the council
10 before I think touched on the first one, you
11 know, if you can guide me in the right
12 direction this week I'll make the call
13 myself, the Tripp Park development since
14 Mr. Parker quit we really don't have anybody
15 with a lot of knowledge to go to, so he did
16 call in or e-mail Kay recently about the
17 punch list and I'll wait for Kay to get back
18 to get that answer, but I'm not quite sure,
19 maybe Leonard Krushefsky, if you can find

20 out and I'll call if that's who I go to
21 about the bond if the developer had a place,
22 is the bond still in place and what the
23 dollar amount and if it's going to be
24 returned to him, but I'll be make the call
25 if you could just find out for me who it is
.
27

1 I need to ask that question for. And one
2 thing we talked about recently, Gordan
3 Avenue, you know, the police were there
4 again this week, and that was 520 and I know
5 we have asked, find out what is going on
6 there.

7 MS. GATELLI: Just to let you know, I
8 talked to Mark and he is waiting for the
9 historic commission to send a report.

10 MR. COURTRIGHT: All right.

11 MS. GATELLI: I just talked to him
12 this week, I'm sorry to interrupt.

13 MR. COURTRIGHT: So if you people on
14 Gordan Avenue can hold on a little longer
15 it's in the works. I got a phone call
16 asking me about the parking meters out in

17 front of the courthouse because there was
18 all horses put up in front of there and the
19 meter heads were taken off and Neil so
20 graciously got this information for me. He
21 talked to Mr. Wintermantle, the Parking
22 Authority is billing the construction
23 company for the meters at \$10 a day per
24 meter, and he believes there is 19 meters,
25 so we are being paid for these meters.

28

1 One last thing, I've got to see what
2 is the best line of communication when I try
3 to get the answers or answers from the
4 mayor, I haven't been too successful in my
5 almost four years here, but it was in the
6 paper, and I know you are probably sick of
7 me talking about Main Avenue and the project
8 there, but I want to get it done and if it's
9 the mayor that gets it done or somebody I
10 don't care who gets done I just want to see
11 it get down and I know Ozzie said last week
12 that, you know, that was just for the paper
13 and I'm hoping that's not the case, I'm

14 going to try to be optimistic, Oz, so I will
15 either call him if I could or send some kind
16 of communications to him and ask him
17 specifics of where we stand on that project
18 to try and get it done and I hope it wasn't
19 just to make a good newspaper article. I'm
20 going to try to be optimist and say it was
21 it wasn't. I know, Oz, I know, but I have
22 no other choice, so I'm going to call or
23 write a letter or whatever or whatever the
24 easiest route is for me to get answer and
25 when I get an answer I will convey that all
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1 to you, and that's all I have. Thank you.

2 MS. GATELLI: Thank you,

3 Mr. Courtright. Mr. Minora.

4 MR. MINORA: 4-B, no business at this

5 time. 5-A. ORDINANCES - READING BY TITLE.

6 FILE OF COUNCIL NO. 105, 2007 - AN ORDINANCE

7 - ESTABLISHING A REGISTRATION PROGRAM FOR

8 RESIDENTIAL RENTAL PROPERTIES; REQUIRING ALL

9 OWNERS OF RESIDENTIAL RENTAL PROPERTIES TO

10 DESIGNATE AN AGENT FOR SERVICE OF PROCESS;

11 AND PRESCRIBING DUTIES OF OWNERS, AGENTS AND
12 OCCUPANTS; DIRECTING THE DESIGNATION OF
13 AGENTS; ESTABLISHING FEES FOR THE COSTS
14 ASSOCIATED WITH THE REGISTRATION OF RENTAL
15 PROPERTY; AND PRESCRIBING PENALTIES FOR
16 VIOLATIONS.

17 MS. GATELLI: You have heard Reading
18 by Title of Item 5-A, what is your pleasure?

19 MR. COURTRIGHT: I move that Item
20 51-A pass Reading by Title.

21 MR. MCGOFF: 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 MR. MINORA: In order for that to

6 pass before the recess we'd have to suspend

7 your rules and move it into the Sixth Order.

8 MR. COURTRIGHT: I was under the
9 impression after we did all three I was
10 going --

11 MR. MINORA: Move all three, that's
12 fine. 5-B. READING BY TITLE - FILE OF
13 COUNCIL NO. 106, 2007 - AN ORDINANCE -
14 AUTHORIZING THE CONVEYANCE BY SEALED BID OR
15 AUCTION OF ONE PARCEL OF PROPERTY LOCATED IN
16 THE CITY OF SCRANTON AT 1008 FISK STREET,
17 AND RECORDED AT RECORD BOOK RO62, PAGE 3895.

18 MS. GATELLI: You have heard head
19 Reading by Title of Item 5-B, what is your
20 pleasure?

21 MR. COURTRIGHT: I move that Item F-B
22 pass Reading by Title.

23 MR. MCGOFF: Second.

24 MS. GATELLI: On the question? All
25 those in favor?

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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 MR. MINORA: 5-C. READING BY TITLE -

8 FILE OF COUNCIL NO. 107, 2007 - AN ORDINANCE

9 - AMENDING FILE OF COUNCIL NO. 155 OF 2005,

10 ENTITLED, "AN ORDINANCE AUTHORIZING THE

11 MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE

12 CITY OF SCRANTON TO TAKE AL NECESSARY

13 ACTIONS TO IMPLEMENT THE CONSOLIDATED

14 SUBMISSION FOR COMMUNITY PLANNING AND

15 DEVELOPMENT PROGRAMS (AS AMENDED) TO BE

16 FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK

17 GRANT (CDBG) PROGRAM, HOME INVESTMENT

18 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY

19 SHELTER GRANT (ESG) PROGRAM", BY

20 TRANSFERRING \$50,0000.00, FROM PROJECT NO.

21 06-33 CONTINGENCY TO PROJECT NO. 06.229.6

22 UNC COMMUNITY SERVICE BUILDING.

23 MS. GATELLI: You have heard Reading

24 by Title of 5-C, what is your pleasure?

25 MR. COURTRIGHT: I move Item 5-C

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1 pass Reading by Title.

2 MR. MCGOFF: Second.

3 MS. GATELLI: On the question? All

4 those in favor?

5 MS. EVANS: Aye.

6 MS. FANUCCI: Aye.

7 MR. MCGOFF: Aye.

8 MR. COURTRIGHT: Aye.

9 MS. GATELLI: Aye. Opposed? The

10 ayes have it and so moved.

11 MR. COURTRIGHT: I'd like to make a

12 motion, but before I make the motion I will

13 say once we vote on the motion if it does

14 pass, we will give you the audience an

15 opportunity to speak on all three of these

16 items. I make a motion to suspend rules to

17 move all of Fifth Order items to Sixth Order

18 to be considered for final passage.

19 MS. FANUCCI: Second.

20 MS. GATELLI: On the question? All

21 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 MR. COURTRIGHT: And now I'd like to
4 make a motion that we allow the audience to
5 let them speak on all three of these items.

6 MS. GATELLI: Just let them speak, I
7 don't think we need a motion. Does anyone
8 care to speak on any of those three
9 subjects? Anyone care to speak on 5-A, B
10 and C? Come up, Mr. Sbaraglia.

11 MR. SBARAGLIA: Had I known that you
12 were going to do this, I would have brought
13 my copy of it, so I have to speak from
14 memory and not have actual text because I
15 don't know what you are doing there, usually
16 you want something like this to go through
17 reading but apparently you want to push it
18 on, but I did read it, you have it in front
19 of you I suppose, the only important part of
20 was the exemptions and since I don't have my
21 copy I would give up my time if one of you
22 would read the exemptions of that ordinance.

23 The last part of it all the way to the end

24 on 5-A.

25 MR. COURTRIGHT: 5-A.

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1 MR. SBARAGLIA: Go the last part of

2 it and you will see the exemptions and

3 that's the only part of the whole

4 legislation and they should know that.

5 MS. GATELLI: The following

6 properties would be example, rental units

7 owned by the public authorities,

8 multi-dwelling units.

9 MR. SBARAGLIA: That's all I care

10 that you read it out so the people have a

11 record of it.

12 MS. GATELLI: The following

13 properties would be exempt: Rental units

14 owned by public authorities as defined under

15 the Municipal Authorities Act. Elderly

16 dwelling units where 75 percent or more of

17 the occupants are over age 65.

18 Multi-dwelling units that operate under

19 Internal Revenue Code Section 482 concerning

20 entities that operate with an elderly
21 component. Hotels or dormitories and (e)
22 property in which the owner maintains a
23 bonafide domicile in which there are no more
24 than four rental units. So if the owner
25 lives there and there is to more than four
. .
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1 units they also would be exempt. Is that
2 okay, Mr. Sbaraglia? Anyone else care to
3 speak on any of these three items? Let the
4 record reflect that there is no one else.
5 Mr. Minora.

6 MR. MINORA: SIXTH. FINAL READING
7 OF RESOLUTIONS AND ORDINANCE. 6-A. FOR
8 CONSIDERATION BY THE COMMITTEE ON FINANCE -
9 FOR ADOPTION - FILE OF COUNCIL NO. 103, 2007
10 - AUTHORIZING THE MAYOR AND OTHER
11 APPROPRIATE CITY OFFICIALS TO APPLY FOR AND
12 EXECUTE A GRANT APPLICATION AND IF
13 SUCCESSFUL A GRANT AGREEMENT AND ACCEPT THE
14 FUNDS RELATED THERETO THROUGH THE EDWARD J.
15 BYRNE JUSTICE ASSISTANCE GRANT ("JAG")
16 FORMERLY KNOWN AS THE LOCAL LAW ENFORCEMENT

17 BLOCK GRANT (LLEBG).

18 MS. GATELLI: What is the

19 recommendation of the Chair on Finance?

20 MS. EVANS: As Chair for the

21 Committee on Finance, I recommend final

22 passage of Item 6-A.

23 MR. COURTRIGHT: Second.

24 MS. GATELLI: On the question? Roll

25 call.

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1 MR. COOLICAN: Mrs. Evans.

2 MS. EVANS: Yes.

3 MR. COOLICAN: Ms. Fanucci.

4 MS. FANUCCI: Yes.

5 MR. COOLICAN: Mr. McGoff.

6 MR. MCGOFF: Yes.

7 MR. COOLICAN: Mr. Courtright.

8 MR. COURTRIGHT: Yes.

9 MR. COOLICAN: Mrs. Gatelli.

10 MS. GATELLI: Yes. I hereby declare

11 6-A legally and lawfully adopted.

12 MR. MINORA: 6-B.FILE OF COUNCIL NO.

13 104, 2007 - AN ORDINANCE - DECLARING (1) THE

14 ACQUISITION OF PARKING FACILITIES BY THE
15 PARKING AUTHORITY OF THE CITY OF SCRANTON,
16 PENNSYLVANIA AND THE ASSOCIATED REFUNDING OF
17 THE REDEVELOPMENT AUTHORITY OF THE CITY OF
18 SCRANTON GUARANTEED VARIABLE RATE DEMAND
19 LEASE REVENUE BONDS, SERIES OF 2004, ISSUED
20 TO FINANCE SUCH PARKING FACILITIES, (2) THE
21 ACQUISITION, CONSTRUCTION AND EQUIPPING OF
22 NEW PARKING FACILITIES OF THE PARKING
23 AUTHORITY OF THE CITY OF SCRANTON,
24 PENNSYLVANIA, (3) THE RENOVATION OF EXISTING
25 PARKING FACILITIES OWNED BY THE PARKING
.
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1 AUTHORITY OF THE CITY OF SCRANTON,
2 PENNSYLVANIA AND LOCATED IN THE CITY OF
3 SCRANTON AND OPERATED BY THE CITY PURSUANT O
4 AN OPERATING AGREEMENT, AND (4) THE
5 FINANCING OF NECESSARY RESERVES, CAPITALIZED
6 INTEREST AND COSTS OF ISSUANCE OF THE
7 HEREINAFTER MENTIONED 2007 BONDS, TO BE A
8 PROJECT OF THE CITY FOR WHICH LEASE RENTAL
9 DEBT IS TO BE INCURRED; DETERMINING TO INCUR
10 LEASE RENTAL DEBT IN THE MAXIMUM AMOUNT OF

11 \$35,000,000 IN RESPECT OF THE PROJECT, SUCH
12 DEBT TO BE EVIDENCED BY BONDS TO BE ISSUED
13 BY THE AUTHORITY AND SECURED BY RENTALS
14 PAYABLE TO THE AUTHORITY BY THE CITY UNDER A
15 LEASE (INCLUDING A FIFTH SUPPLEMENTAL LEASE)
16 OF THE PARKING FACILITIES, AND BY A COVENANT
17 OF GUARANTY OF THE CITY CONTAINED IN SAID
18 FIFTH SUPPLEMENTAL LEASE; STATING THE
19 ESTIMATED REALISTIC USEFUL LIVES OF THE
20 PARKING FACILITIES; AUTHORIZING CERTAIN CITY
21 OFFICERS TO PREPARE, CERTIFY AND FILE WITH
22 THE DEPARTMENT OF COMMUNITY AND ECONOMIC
23 DEVELOPMENT THE DEBT STATEMENT REQUIRED BY
24 SECTION 8110 OF THE LOCAL GOVERNMENT UNIT
25 DEBT ACT AND ANY STATEMENTS REQUIRED BY
.

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1 SECTION 8026 OF SUCH DEBT ACT TO QUALIFY THE
2 DEBT INCURRED AS SELF-LIQUIDATING DEBT;
3 AUTHORIZING THE PREPARATION OF A DEBT
4 STATEMENT AND BORROWING BASE CERTIFICATE;
5 SPECIFICALLY APPROVING AMOUNTS OF FIXED RENT
6 AND OTHER PAYMENTS (INCLUDING THE GUARANTY
7 OF DEBT SERVICE ON SAID BONDS) TO BE MADE BY

8 THE CITY UNDER SUCH LEASE; APPROVING AND
9 ACKNOWLEDGING NOTICE OF THE AUTHORITY'S
10 ASSIGNMENT OF SUCH RENTALS TO TRUSTEE IN
11 RESPECT OF THE AUTHORITY'S BONDS;
12 AUTHORIZING INCIDENTAL ACTION; REPEALING
13 INCONSISTENT PRIOR ORDINANCES; AND APPROVING
14 THE FORM OF, AND AUTHORIZING, SUBJECT TO
15 RECEIPT OF NECESSARY STATE APPROVALS,
16 EXECUTING AND DELIVERY OF THE FIFTH
17 SUPPLEMENTAL LEASE AND THE THIRD OPERATING
18 AGREEMENT.

19 MS. GATELLI: What is the
20 recommendation of the Chair on Finance?

21 MS. EVANS: As Chair for the
22 Committee on Finance, I recommend final
23 passage of Item 6-B.

24 MR. COURTRIGHT: Second.

25 MS. GATELLI: On the question?

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1 MS. EVANS: Yes, I believe I made my
2 stand on this particular piece of
3 legislation very clear last week and that is
4 enough said.

5 MS. GATELLI: Anyone else?

6 MR. BOLUS: Mrs. Gatelli, if I may,

7 I'd like to speak on this.

8 MS. GATELLI: Attorney Minora, could

9 you rule on this please?

10 MR. MINORA: I did last week.

11 MS. GATELLI: You are not allowed to

12 speak.

13 MR. BOLUS: I'd like to say it's a

14 violation of the Sunshine Act.

15 MR. MINORA: It's been on the agenda

16 for the last two weeks, it has been twice.

17 There have been two opportunities for public

18 comment and basically Mrs. Evans has waived

19 another opportunity because she has already

20 stated her position very clearly and that's

21 the point, that there is there an

22 opportunity to be heard, the opportunity has

23 been presented.

24 MR. BOLUS: I believe our

25 opportunities are --

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1 MS. GATELLI: Thank you. Mr.

2 Coolican.

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: Yes.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Yes. I hereby declare

13 6-B legally and lawfully adopted.

14 MR. MINORA: 6-C FOR CONSIDERATION BY

15 THE COMMITTEE ON RULES - FOR ADOPTION -

16 RESOLUTION NO. 161, 2007 - APPROVING THE

17 AMENDMENT OF THE SEWER AUTHORITY OF THE CITY

18 OF SCRANTON'S ARTICLES OF INCORPORATION TO

19 EXTEND THE AUTHORITY'S CURRENT CHARTER TO

20 JANUARY 9, 2058 TO ACCOMMODATE A THIRTY YEAR

21 BOND ISSUE AND DEFEASANCE SCHEDULE FOR THE

22 PURPOSE OF FINANCING NECESSARY AND REQUIRED

23 COLLECTION SYSTEM IMPROVEMENTS.

24 MS. GATELLI: As Chair the Committee

25 on Rules, I recommend final passage of 6-C.

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1 MR. COURTRIGHT: Second.

2 (Unknown audience members speaks

3 inaudibly.)

4 ATTORNEY MINORA: It's out of order

5 to be --

6 MS. GATELLI: You are out of order.

7 MR. MINORA: Number one. That's the

8 second time --

9 MS. GATELLI: All of these have had

10 opportunity for the speakers to be.

11 (UNINTELLIGIBLE COMMENT FROM THE

12 AUDIENCE.)

13 MS. GATELLI: Well, that's your

14 problem. It's been on the agenda and it's

15 been publically recorded that it was on the

16 agenda. Attorney Minora ruled on it, so no

17 one is going to speak on any of these items.

18 MR. MINORA: Again --

19 MS. GATELLI: Second? On the

20 question?

21 MS. EVANS: Yes. Council very

22 graciously tabled this piece of legislation

23 last week at my request because I wished to
24 be able to review all of the financial
25 statements of the Scranton Sewer Authority
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1 from 2002 through 2006. I reviewed those
2 financial statements, as I said,
3 particularly the operating expenses as noted
4 by the executive director in his letter to
5 Mrs. Garvey. I have seen the increases in
6 expenses over the five-year period, many of
7 which are understandable, but I am concerned
8 about the significant increase in personal
9 salaries and wages in 2005, \$59,241; in
10 2006, \$134,821, but more importantly, total
11 administrative and general expenses rose
12 from \$572,120 in 2005 to \$1,713,289 in 2006.
13 In 2002 those administrative and general
14 expenses amounted to \$189,681, although, I
15 do expect an annual increase, of course, in
16 operating expenses the jump from 2005 to
17 2006 in administrative and general expenses
18 raises a red flag.
19 Further, I believe that government

20 by and an authority is undemocratic.
21 Citizens elect officials to make the hard
22 decisions, any authority is appointed not
23 elected. Now, we, city council have lost
24 the ability to set sewer rates, yet we are
25 asked to extend the Scranton Sewer
. . .
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1 Authority's charter to 2058 for 51 more
2 years the Sewer Authority will control all
3 spending, borrowing, and rates. I can't
4 vote for this extension. Their charter
5 currently extends to 2033, I believe, and
6 that should be sufficient.

7 MR. COURTRIGHT: Mrs. Gatelli.

8 MS. GATELLI: Sure.

9 MR. COURTRIGHT: Mr. Barrett was
10 here earlier, and he left before Mrs. Evans
11 got here and probably my fault because I
12 thought you were going to be late because of
13 the Novena and I told him you weren't here
14 and I had a conversation with him and I
15 didn't know what you had found in the
16 information that he gave you, and at that

17 time I didn't appear to have any problem
18 with it. I would ask, and I know it sounds
19 crazy, but I would ask to table it again,
20 but if we were to do that and ask for his
21 response on those salary increases and
22 operating expenses, but I know they are
23 under a time constraint and then they would
24 miss the deadline. I find myself in a
25 situation now, I have to agree with you with
.

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1 the operating expenses. I did not know you
2 found that out previous, and I know that
3 now. If anybody is interested in tabling it
4 until we can get his answers to that I would
5 be willing to vote, yes, in favor of that.

6 If not, I'm probably going to going to vote,
7 no. That's all I have. Thank you.

8 MS. GATELLI: How would that affect
9 them, do you know, Mr. Minora?

10 MR. MINORA: Mr. Barrett mentioned
11 that, actually I think he said the date of
12 September 11 they have a deadline of some
13 sort with a Pennvest loan and the Pennvest

14 loans with the rates are, of course,
15 ridiculous. I think it was a half a percent
16 during the build out and then the take out
17 loan would be 1 1/2 percent, so, I mean, you
18 just can't borrow money for that kind of
19 thing and at least -- I was here earliest
20 and I spoke it him at some length, even
21 longer than you, Mr. Courtright, and he also
22 mentioned that the fixes that needed to be
23 done these were all capital improvements
24 were mandated by the federal government and
25 that they are being sanctioned for not
.
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1 having completed some of those already and
2 their hope is to negotiate the elimination
3 of sanctions by moving ahead with this
4 stuff. Now, I didn't do an investigation,
5 I'm just reporting what he told me.
6 MR. COURTRIGHT: Can I make a
7 suggestion, I don't know how well this is
8 going to go over, again, I apologize, I
9 didn't know what Mrs. Evans had just found
10 out until just now. If, in fact, we can ask

11 Mr. Barrett to answer those questions, if
12 you are interested in doing this, and we can
13 get three members to come back next week and
14 hold a special meeting and vote on it then I
15 would be willing to do that, and I apologize
16 for the inconvenience. I do know, he did
17 explain to me the time constraints and there
18 would be sanctions on us and I certainly do
19 not want to see that happen, but I'm just
20 trying to look for a way out of this and we
21 can get our answers.

22 MS. EVANS: Mr. Courtright, do you
23 know the term of the loan?

24 MR. COURTRIGHT: No, I'm sorry, I
25 don't know.

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1 MS. EVANS: Is it a 50-year loan.

2 MR. COURTRIGHT: I don't know. I
3 don't want to tell you what I think it is
4 and then be wrong.

5 MR. MINORA: It was one of several
6 that were coming as one project completes
7 there is another capital improvement that

8 would follow on. He did mention some
9 numbers and I'm probably going to get them
10 confused, so I'm not going to say the
11 numbers, but I thought the first loan was
12 for \$4 million and it might have ended up at
13 nine after they did these first couple of
14 improvements before they get into the, you
15 know, mandated basically rebuilding of the
16 whole sewer authority.

17 MS. EVANS: Oh, and I do understand
18 that and the federal government I believe
19 has sorely failed all municipalities since
20 the time of the Eisenhower administration
21 when the focus was taken from cities to
22 suburbs and as a result our infrastructure
23 has suffered greatly and the federal
24 government should be stepping up to the
25 plate for all of the municipalities to have

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1 to make these mandated corrections, but it
2 does seem quite a lengthy time period in the
3 future, well beyond probably when most of us
4 are going to be alive except for these young

5 men to be borrowing money.

6 MR. MINORA: If I could make a
7 suggestion, I didn't see any of the
8 documents that you that you brought today
9 and the administrative -- increased
10 administrative costs, but with federal
11 sanctions overhead it might not be wise to
12 attach one to the other. There are
13 certainly separate items that could be
14 investigated separately. I mean, he was
15 here to talk about the loans, Mr. Courtright
16 didn't ask him, I certainly didn't ask him
17 about administrative costs, but that might
18 be something that could be investigated
19 later on and, you know, questioned at length
20 without jeopardizing the authority.

21 MS. EVANS: Well, no, I agree with
22 what you are saying but it does appear that
23 the Sewer Authority might be able to tighten
24 it's belt more than it is and it might not
25 have to be borrowing exactly the amounts of

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1 money that's it's envisioning for the next

2 51 years, but that is out of our control.

3 They are not accountable to City Council and

4 that is what the great disappointment is.

5 It is a very mas I said, undemocratic

6 system. There is no accountability there

7 and they can continue their endeavors and

8 their efforts for the next 51 years really

9 without oversight, that's what concerns me.

10 MS. GATELLI: Yeah, but they all come

11 under the Municipal Authority's Act. We

12 don't have control over any authorities.

13 MS. EVANS: No, but we did have the

14 ability to vote on the rates that were set

15 for many, many years.

16 MS. GATELLI: Yeah, but the lease

17 ran out.

18 MS. EVANS: Well, the lease ran out

19 at the same time that this -- that was

20 something else that troubled me. There had

21 been a letter, Mr. Courtright, this was also

22 to you, you are a popular man, this was

23 January 18, 2007, you apparently were asking

24 about the American water services awards and

25 how they would be paid and Mr. Barrett

1 responded, "The said contract dictates that
2 Section 1.8 effective termination that after
3 the commencement dates the termination fee
4 shall be payable by the City of the Council
5 and Dunmore severally and not jointly in
6 proportion to the amount of the initial
7 concession and signing fees received by
8 them, and that there shall be no recourse to
9 the authority for the payment of any such
10 termination fees. Since the City and
11 Borough were recipients of the initial fee
12 of \$8 million and not the authority, that
13 the occurrence of a termination fee and
14 payment of the same would not be the
15 responsibility of the authority."
16 Yet, the authority months later did
17 quite the opposite and made those payments.
18 Why, I don't know. I'm assuming also from
19 what I have read of the sewer authority
20 literature that our storm water system has
21 been transferred to the sewer authorities
22 ownership from the ownership of the people.

23 MR. COURTRIGHT: What do we do now
24 is the question I guess? I only feel a
25 little responsible for this because when
. . .
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1 talking to Mr. Barrett at the time I didn't
2 have that information and I had told him, I
3 don't want him to think I'm a liar, I told
4 him that I think it seems okay to me and
5 that I was going to be in favor of it, but
6 in light of this information I just without
7 having some answers I simply can't, I
8 apologize to Mr. Barrett.

9 MS. EVANS: Mr. Courtright, I think
10 that because of the comments made by
11 Mr. Minora that time is of the essence if
12 the majority of the council wishes to vote
13 today and is in favor of the passage then I
14 don't see that that would alter from one
15 week to the next and rather than holding up
16 the sewer authority you might as well just
17 pass the legislation.

18 MR. COURTRIGHT: Okay.

19 MR. BOLUS: I'd like to respond to

20 that.

21 MS. GATELLI: You are out of order.

22 (Untranscribable comments from Mr.

23 Bolus.)

24 MR. JACKOWITZ: Mrs. Gatelli, Section

25 --

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1 MS. GATELLI: Excuse me, you are out

2 of order. Officer, would you please tell

3 these people to not speak.

4 (Untranscribable comments from Mr.

5 Jackowitz.)

6 MS. GATELLI: Roll call.

7 MR. COOLICAN: Mrs. Evans.

8 MRS. EVANS: No.

9 MR. COOLICAN: Mrs. Fanucci.

10 MS. FANUCCI: Yes.

11 MR. COOLICAN: Mr. McGoff.

12 MR. MCGOFF: Yes.

13 Mr. COOLICAN: Mr. Courtright.

14 MR. COURTRIGHT: No.

15 MR. COOLICAN: Mrs. Gatelli.

16 MS. GATELLI: Yes. I hereby declare

17 6-C legally and lawfully adopted.

18 MR. MINORA: 6-D - FOR CONSIDERATION

19 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -

20 FOR ADOPTION - RESOLUTION NO. 162, 2007 -

21 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

22 CITY OFFICIALS FOR THE CITY OF SCRANTON TO

23 ENTER INTO A LOAN AGREEMENT AND MAKE A LOAN

24 FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT

25 LOAN PROGRAM, PROJECT NO. 03-150.12 IN AN

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1 AMOUNT NOT EXCEED \$250,000 TO KELBRI

2 DEVELOPMENT, LLC. TO ASSIST AN ELIGIBLE

3 PROJECT.

4 MS. GATELLI: What is the

5 recommendation of the Chair on Community

6 Development?

7 MS. FANUCCI: As Chairperson for the

8 Committee on Community Development, I

9 recommend final passage of Item 6-D.

10 MR. COURTRIGHT: Second.

11 MS. GATELLI: On the question? Roll

12 call.

13 MR. COOLICAN: Mrs. Evans.

14 MRS. EVANS: No.

15 MR. COOLICAN: Mrs. Fanucci.

16 MS. FANUCCI: Yes.

17 MR. COOLICAN: Mr. McGoff.

18 MR. MCGOFF: Yes.

19 Mr. COOLICAN: Mr. Courtright.

20 MR. COURTRIGHT: Yes.

21 MR. COOLICAN: Mrs. Gatelli.

22 MS. GATELLI: Yes. I hereby declare

23 6-D legally and lawfully adopted.

24 MR. MINORA: 6-E FOR CONSIDERATION BY

25 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR

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1 ADOPTION - RESOLUTION N O. 163, 2007 -

2 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

3 CITY OFFICIALS TO EXECUTE AND ENTER INTO A

4 LOAN AGREEMENT AND TO EXECUTE A PROMISSORY

5 NOTE, IN THE AMOUNT OF \$250,000 BY AND

6 BETWEEN THE CITY OF SCRANTON AND POSH LIFE,

7 LLC FOR ENTERPRISE ZONE COMPETITIVE GRANT

8 FUNDS TO BE DEDICATED TO THE POSH LIFE, LLC

9 PROJECT.

10 MS. GATELLI: What is the

11 recommendation of the Chair on Community

12 Development?

13 MS. FANUCCI: As Chair for the

14 Committee on Community Development, I

15 recommend final passage of Item 6-E.

16 MR. COURTRIGHT: Second.

17 MS. GATELLI: On the question? Roll

18 call.

19 MR. COOLICAN: Mrs. Evans.

20 MRS. EVANS: Yes.

21 MR. COOLICAN: Mrs. Fanucci.

22 MS. FANUCCI: Yes.

23 MR. COOLICAN: Mr. McGoff.

24 MR. MCGOFF: Yes.

25 Mr. COOLICAN: Mr. Courtright.

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1 MR. COURTRIGHT: Yes.

2 MR. COOLICAN: Mrs. Gatelli.

3 MS. GATELLI: Yes. I hereby declare

4 6-E legally and lawfully adopted.

5 MR. MINORA: 6-F. FOR CONSIDERATION

6 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -

7 FOR ADOPTION - RESOLUTION NO. 164, 2007 -

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

19 MS. GATELLI: What is the
20 recommendation of the Chair on Community
21 Development?

22 MS. FANUCCI: As Chair for the
23 Committee on Community Development, present
24 final passage of 6-F.

25 MR. COURTRIGHT: Second.

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1 MS. GATELLI: On the question? Roll

2 call.

3 MR. COOLICAN: Mrs. Evans.

4 MRS. EVANS: Yes.

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: Yes.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Yes. I hereby declare

13 6-F legally and lawfully, adopted.

14 MR. MINORA: 6-G. FOR CONSIDERATION

15 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -

16 FOR ADOPTION - RESOLUTION NO. 165, 2007 -0

17 AUTHORIZING THE FILING OF A PROPOSAL FOR

18 FUNDS WITH THE DEPARTMENT (DCED),

19 COMMONWEALTH OF PENNSYLVANIA AND AUTHORIZING

20 THE MAYOR AND OTHER APPROPRIATE CITY

21 OFFICIALS TO EXECUTE AND APPLY FOR SAID

22 GRANT FOR HOUSING AND REDEVELOPMENT

23 ASSISTANCE THROUGH DCED; ACCEPTING THE GRANT

24 IF THE GRANT APPLICATION IS SUCCESSFUL, AND

25 COORDINATING THE USE OF THE GRANT FUNDS

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1 THROUGH THE PROGRAMS RUN BY UNITED

2 NEIGHBORHOOD CENTERS OF LACKAWANNA COUNTY.

3 MS. GATELLI: What is the

4 recommendation of the Chair on Community

5 Development?

6 MS. FANUCCI: As Chair for the

7 Committee on Community Development, I

8 recommend final passage of Item 6-G.

9 MR. COURTRIGHT: Second.

10 MS. GATELLI: On the question? Roll

11 call.

12 MR. COOLICAN: Mrs. Evans.

13 MRS. EVANS: Yes.

14 MR. COOLICAN: Mrs. Fanucci.

15 MS. FANUCCI: Yes.

16 MR. COOLICAN: Mr. McGoff.

17 MR. MCGOFF: Yes.

18 Mr. COOLICAN: Mr. Courtright.

19 MR. COURTRIGHT: Yes.

20 MR. COOLICAN: Mrs. Gatelli.

21 MS. GATELLI: Yes. I hereby declare

22 6-G legally and lawfully adopted.

23 MR. MINORA: 6-H. FOR CONSIDERATION

24 BY THE COMMITTEE ON PUBLIC WORKS - FOR

25 ADOPTION - RESOLUTION NO. 166, 2007 -

1 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
2 CITY OFFICIALS TO EXECUTE AND ENTER INTO A
3 SUPPLEMENTAL REIMBURSEMENT AGREEMENT NO.
4 040928-F WITH THE COMMONWEALTH OF
5 PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION
6 ("PENNDOT") FOR THE PURPOSE OF INCREASING
7 THE FUNDS ALLOCATED FOR THE CONSTRUCTION
8 PHASE OF THE EST MARKET STREET BRIDGE
9 PROJECT.

10 MS. GATELLI: What is the
11 recommendation of the Chair on Public Works?

12 MR. MCGOFF: As Chair for the
13 Committee on Public Works I recommend final
14 passage of Item 6-H.

15 MR. COURTRIGHT: Second.

16 MS. GATELLI: On the question? Roll
17 call.

18 MR. COOLICAN: Mrs. Evans.

19 MRS. EVANS: Yes.

20 MR. COOLICAN: Mrs. Fanucci.

21 MS. FANUCCI: Yes.

22 MR. COOLICAN: Mr. McGoff.

23 MR. MCGOFF: Yes.

24 Mr. COOLICAN: Mr. Courtright.

25 MR. COURTRIGHT: Yes.

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1 MR. COOLICAN: Mrs. Gatelli.

2 MS. GATELLI: Yes. I hereby declare

3 6-H legally and lawfully adopted.

4 MS. FANUCCI: Before we read 6-I I'd

5 like to make a motion. I'd like to amend

6 6-I, to amend Section 6 of the rentor's

7 ordinance to add the following language:

8 Any person found in violation of the events

9 Numbered 1 through 7 shall be ordered to be

10 closed by the city for a period of time

11 which will be lesser of the time needed to

12 cure the violation events or for six months.

13 Each reopening without having cured the

14 violation shall be considered a new

15 violation and subject to new closure order.

16 MS. GATELLI: I'll second that

17 motion. On the question? All in favor.

18 MS. EVANS: Aye.

19 MS. FANUCCI: Aye.

20 MR. MCGOFF: Aye.

21 MR. COURTRIGHT: Aye.

22 MS. GATELLI: Aye. Opposed? The

23 ayes have it and so moved.

24 MR. MINORA: 6-I FOR CONSIDERATION -

25 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -

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1 FOR ADOPTION - FILE NO. 105, 2007, AS

2 AMENDED - ESTABLISHING A REGISTRATION

3 PROGRAM FOR RESIDENTIAL RENTAL PROPERTIES;

4 REQUIRING ALL OWNERS OF RESIDENTIAL RENTAL

5 PROPERTIES TO DESIGNATE AN AGENT FOR SERVICE

6 OF PROCESSES; AND PRESCRIBING DUTIES OF

7 OWNERS, AGENTS AND OCCUPANTS; DIRECTING THE

8 DESIGNATION OF AGENTS; ESTABLISHING FEES FOR

9 THE COSTS ASSOCIATED WITH THE REGISTRATION

10 OF RENTAL PROPERTY; AND PRESCRIBING

11 PENALTIES FOR VIOLATIONS.

12 MS. GATELLI: What is the

13 recommendation of the Chair on Community

14 Development?

15 MS. FANUCCI: As Chairperson for the

16 Committee on Community Development, I

17 recommend final passage of Item 6-I.

18 MR. COURTRIGHT: Second.

19 MS. GATELLI: On the question? Roll

20 call.

21 MR. COOLICAN: Mrs. Evans.

22 MRS. EVANS: Yes.

23 MR. COOLICAN: Mrs. Fanucci.

24 MS. FANUCCI: Yes.

25 MR. COOLICAN: Mr. McGoff.

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1 MR. MCGOFF: Yes.

2 Mr. COOLICAN: Mr. Courtright.

3 MR. COURTRIGHT: Yes.

4 MR. COOLICAN: Mrs. Gatelli.

5 MS. GATELLI: Yes. I hereby declare

6 6-I legally and lawfully adopted.

7 MR. MINORA: 6-J, which was formerly

8 5-B, FOR CONSIDERATION BY THE COMMITTEE ON

9 FINANCE - FOR ADOPTION - FILE OF COUNCIL NO.

10 106, 2007 - AN ORDINANCE AUTHORIZING THE

11 CONVEYANCE BY SEALED BID OR AUCTION OF ONCE

12 PARCEL OF PROPERTY LOCATED IN THE CITY OF

13 SCRANTON AT 1008 FISK STREET, AND RECORDED

14 AT RECORD BOOK R062, PAGE 3895.

15 MS. GATELLI: What is the

16 recommendation of the Chair on Finance?

17 MS. EVANS: As Chair for the

18 Committee on Finance, I recommend final

19 passage of Item 6-J.

20 MR. COURTRIGHT: Second.

21 MS. GATELLI: On the question? Roll

22 call.

23 MR. MCGOFF: Could I just -- there

24 seems to be some confusion, these are items

25 from Fifth Order that were moved to Sixth

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1 Order, they were originally A, B and C and

2 now introduced in Sixth Order is 6-I, 6-J

3 and 6-K. The ones that we gave you the

4 opportunity to -- asked if anybody wanted to

5 speak on before.

6 MS. EVANS: They were moved forwarded

7 in order to be passed prior to the council

8 recess during the month of August.

9 (Untranscribable comment from the

10 audience.)

11 MS. GATELLI: You did. I asked
12 people to come and speak on those three
13 objects, did I not?

14 MS. EVANS: Yes.

15 MR. COURTRIGHT: Yes, Mr. Sbaraglia
16 spoke on one.

17 MR. MCGOFF: Thank you.

18 MS. GATELLI: Anyone else on the
19 question? Roll call.

20 MR. COOLICAN: Mrs. Evans.

21 MRS. EVANS: Yes.

22 MR. COOLICAN: Mrs. Fanucci.

23 MS. FANUCCI: Yes.

24 MR. COOLICAN: Mr. McGoff.

25 MR. MCGOFF: Yes.

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1 Mr. COOLICAN: Mr. Courtright.

2 MR. COURTRIGHT: Yes.

3 MR. COOLICAN: Mrs. Gatelli.

4 MS. GATELLI: Yes. I hereby declare

5 6-J legally and lawfully adopted.

6 MR. MINORA: 6-K, which was formerly

7 5-C - FOR CONSIDERATION BY THE COMMITTEE ON

8 COMMUNITY DEVELOPMENT - FOR ADOPTION - FILE
9 OF COUNCIL NO. 107, 2007 - AMENDING FILE OF
10 COUNCIL NO. 155 OF 2005, ENTITLED, "AN
11 ORDINANCE AUTHORIZING THE MAYOR AND OTHER
12 APPROPRIATE OFFICIALS OF THE CITY OF
13 SCRANTON TO TAKE ALL NECESSARY ACTIONS TO
14 IMPLEMENT THE CONSOLIDATED SUBMISSION FOR
15 COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS
16 (AS AMENDED) TO BE FUNDED UNDER THE
17 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
18 PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME)
19 PROGRAM AND EMERGENCY SHELTER GRANT (ESG)
20 PROGRAM", BY TRANSFERRING \$50,000.00, FROM
21 PROJECT NO. 06-33 CONTINGENCY TO PROJECT NO.
22 06.229.6 UNC COMMUNITY SERVICE BUILDING.

23 MS. GATELLI: What is the
24 recommendation of the Chair on Community
25 Development?

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1 MS. FANUCCI: As Chairperson for the
2 Committee on Community Development, I
3 recommend final passage of Item 6-K.
4 MR. COURTRIGHT: Second.

5 MS. GATELLI: On the question? Roll

6 call.

7 MR. COOLICAN: Mrs. Evans.

8 MRS. EVANS: Yes.

9 MR. COOLICAN: Mrs. Fanucci.

10 MS. FANUCCI: Yes.

11 MR. COOLICAN: Mr. McGoff.

12 MR. MCGOFF: Yes.

13 Mr. COOLICAN: Mr. Courtright.

14 MR. COURTRIGHT: Yes.

15 MR. COOLICAN: Mrs. Gatelli.

16 MS. GATELLI: Yes. I hereby declare

17 6-K legally and lawfully adopted.

18 MR. COURTRIGHT: Mrs. Gatelli, could

19 you indulge me for one second?

20 MS. GATELLI: Sure.

21 MR. COURTRIGHT: If the rest of

22 council would agree, obviously the

23 legislation passed with the Sewer Authority

24 and I'm hoping there is no problem with it,

25 but I would ask if we could send a letter on

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1 behalf all of council with those questions

2 that Mrs. Evans had. Even those it's passed

3 I'd like to have the answers if everybody

4 would agree on the.

5 MS. GATELLI: Sure, absolutely.

6 MR. COURTRIGHT: So, maybe, Neil,

7 Mrs. Evans could give you those questions

8 and I'm sure that he will be happy to answer

9 them for us. Thank you.

10 MS. FANUCCI: Do it in a motion,

11 Bill, so that it's from all of council.

12 MR. COURTRIGHT: Okay. I'll make a

13 motion that we send the questions that Mrs.

14 Evans had on the sewer authority

15 legislation.

16 MS. GATELLI: On the question? All

17 in favor?

18 MS. GATELLI: On the question? All

19 in favor.

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MR. MCGOFF: Aye.

23 MR. COURTRIGHT: Aye.

24 MS. GATELLI: Aye. Opposed? The

25 ayes have it and so moved.

1 MR. COURTRIGHT: Thank you,
2 appreciate it.

3 MS. GATELLI: Douglas.

4 MR. MILLER: Good afternoon, Council,
5 Doug Miller. I'd just like to begin by
6 recognizing James Piazza, he did graduate
7 and he be moving onto college so he will be
8 not joining us in September. He will be
9 moving on, so I'd just like to thank Jimmy
10 for his time and service and dedication, it
11 was great for him to be here and have the
12 opportunity (audience applause.) It was
13 great to have the opportunity to be here and
14 learn more about your government, and I hope
15 he did, and I wish you the best of luck.

16 MS. EVANS: And he was an excellent
17 student. He was in my class this year and
18 he was at the top of his class.

19 MR. MILLER: After nine months of
20 speaking about junior council's mission to
21 raise funds for a children's handicapped
22 accessible swingset to be located directly

23 across from the newly completed handicapped
24 treehouse, which has been openly talked
25 about on Channel 61 here in the meetings and
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1 in numerous publications in the Scranton
2 Times regarding what our mission was and
3 along came a letter from a Miss Ann Frick,
4 from the St. Joseph's Center, and later on
5 Mr. Bolus will expand on that letter. In
6 conscience, we as the junior council can't
7 and will not be deceptive to deceiving those
8 that contributed towards our project whom
9 were are all under the impression that the
10 handicapped swingset was going to be placed
11 across from the treehouse. This site was
12 approved 11 months ago by Mayor Doherty.
13 So, therefore, we, the Junior Council of
14 Scranton, have voted unanimously to refund
15 the money to the contributors after a
16 meeting last week at the Weston Fieldhouse
17 with Mark Dougher, Jeff Brazil and Frank
18 Maranuchi, who rejected the site and instead
19 offered a location on the opposite side of

20 Nay Aug Park off in a dirt area which they
21 termed as the proposed future handicapped
22 area, but they had no time frame and if or
23 when this was even going to take place.

24 Looking at the area and distance
25 between the tree house and the city's

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1 proposed site, we felt that parents trying
2 to push their children in wheelchairs up
3 steep rocky roads would be inconvenienced
4 and we, as the junior council, find that
5 totally unacceptable. Therefore, since the
6 city has deemed that we can't put the
7 handicapped swing set across from the
8 handicapped tree house, it is the decision
9 of the Junior Council to refund the money in
10 it's entirety to all of those that
11 contributed towards this project.
12 I apologize to all the handicapped
13 residents in this area, something that was
14 supposed to be a special time and a day that
15 could have happened for a ribbon cutting for
16 this, unfortunately, turned into just a lot

17 of controversy and unfortunately we weren't
18 able to finalize this project and give the
19 handicapped children what they so deserve,
20 and that's a handicapped swing set, so I
21 apologize. Thank you.

22 MS. GATELLI: I'd just like to say
23 something about that particularly issue.
24 The money was raised for a handicapped swing
25 set, but when I talked to people that deal

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1 with handicapped children as Mr. Rinkk does
2 and as the educators that sit up here with
3 me know that in our country now is a thing
4 called inclusion and we are to include all
5 those people that have any type of
6 disability and we are to include them with
7 the so called quote normal people, and when
8 I read Mrs. Rink's letter, and I spoke to
9 Mr. Dougher, I could see where they had a
10 point not to put the handicapped swing set
11 next to another handicapped facility. The
12 idea would be is to put the handicapped
13 swing set near a regular swing set so that

14 the children who are handicapped would have
15 the benefit of being and playing with normal
16 quote children.

17 So, I am very disappointed that they
18 are going to hand this money back, and I'm
19 not sure that everyone that gave really
20 cared about where it was going to be
21 located, they cared that the kids would have
22 a swing, that the kids that are handicapped
23 would have somewhere to play, so I am very
24 disappointed and my feeling is that I say
25 the experts should say where the swing set
.

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1 goes, not the Junior Council, and I was a
2 proponent of the Junior Council, but I
3 certainly don't think you are in any way are
4 an expert as to where a handicapped swing
5 set should go, as I am not either, but I
6 know working in the schools that the goal of
7 this country in education and children is
8 called inclusion and I believe that the
9 swing set should be near where the normal
10 quote kids will also play, so that's just my

11 feeling on it.

12 MS. FANUCCI: I also have one thing

13 to say, a lot of these people have children

14 that are handicapped and also have children

15 that are not, and to be able to place the

16 two swing sets together would make a lot of

17 sense, then they could play with their

18 sisters and brothers and bring friends that

19 are also, you know, to me, to do something

20 wonderful is to do something wonderful not

21 to put -- we seem to do this all of the

22 time, to put our own spin on what we think

23 should be. This is a gift and it should be

24 looked at as a gift and I don't care if they

25 put it in Guam and we have to take a ride

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1 there in a car to get there, it's something

2 that's a gift for all of us, and that's how

3 we should look at it. It does sadden me

4 that we have drawn another line in the sand

5 over an issue that could be something

6 wonderful. It makes me -- it makes me sad

7 and for all of those people who did donate I

8 want to thank you and know that you will be
9 there for the next cause and realize that
10 government will never be perfect and as long
11 as we decide where and how these things
12 should be done on our own it's sort of like
13 saying, you know, I'll give you a car, but
14 you've got to drive it where I tell you to
15 drive it. It just is not something I would
16 definitely back. I understand, Doug, I
17 understand you are upset and I understand
18 that was something from day one that was
19 agreed on, but I do think the more research
20 you do on projects the more you will find
21 out and if you don't grow with the project,
22 projects will never happen. So I, too, have
23 to say I'm very saddened and the information
24 I had received lately had made me change my
25 mind on the event also, so what can you do.

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1 We go from here and move on and it is sad
2 and you have made your decision and that's
3 all we can do, but as far as being an
4 elected official it is very sad to see

5 something like this not happen because of
6 not being able to work together. That's all
7 I have.

8 MR. MILLER: How are you this
9 afternoon? I'm Tim Miller. We bring very
10 good news to council. We are the children
11 of Mary Miller that was missing last week
12 and we came because the community came
13 together, the police force, firemen and we
14 came just to address the council:

15 MS. MILLER: Hi. The weekend of
16 July 13 and 14 will be forever remembered in
17 our family. Our mom, Mary Miller, who has
18 Alzheimer's walked away from her home in
19 west side. During this extremely stressful
20 and difficult time we witnessed firsthand
21 the enormous outpouring of support and
22 compassion from the citizens, police and
23 fire department of Scranton. Together, with
24 our dad, we will be forever grateful for the
25 police and firemen who assisted in the

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1 search and rescue. Everyone from these

2 departments went above and beyond the call
3 of duty. There was some policemen who went
4 off duty during the search only to return
5 and continuing searching while off-duty on
6 Friday night. There were countless
7 neighbors who we don't even know that showed
8 up to help after seeing the story on the
9 news. Neighborhood kids on bikes circulated
10 her picture not to mention family and
11 friends who came out to help. We would also
12 like to thank Channel 16 for their
13 continuing air off story. Also, the local
14 businesses who donated bottled water, ice
15 and food for the countless searchers.
16 Almost, Thornhurst Search and Rescue who
17 worked tirelessly through with their search
18 dog both Friday night and Saturday. Do you
19 want to finish?
20 MR. MILLER: Words can't express our
21 gratitude for the fire --
22 MS. MILLER: You want me to take
23 over. Words can't express our gratitude for
24 the five firemen, Mike Doherty, Joe Snitzer,
25 Tom McColligan, Mike Hales and Brian Moran

1 who had the idea to look one last time in
2 the area she was found. If not for these
3 dedicated men this tragedy would have a very
4 different outcome for our family, so for the
5 citizens, businesses and police and fire
6 departments, to the chiefs and assistant
7 chiefs of these departments who I don't even
8 remember their names, our family would like
9 to publically thank everyone from the bottom
10 of our hearts.

11 MS. GATELLI: Thank you very much.

12 MS. EVANS: I know that those
13 gentlemen would tell you, "It's nothing
14 special, we are just doing our job," but
15 they are very special people and they
16 demonstrate that by not only risking their
17 lives everyday, but by doing this off-duty
18 as well, and so even though they probably
19 wouldn't agree and say, "Oh, it's just our
20 job," I think they, too, like the
21 individuals we have had in today they, too,
22 should be honored with a proclamation.

23 MS. MILLER: I don't even know the

24 names for the newspaper.

25 MS. EVANS: And, see, that displays

.

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1 the fact that those individuals are very

2 humble and they are not looking for, you

3 know, the public recognition or the pat on

4 the back, but I think they really, really

5 deserve it.

6 MR. MILLER: She is still in the

7 hospital, she is doing well.

8 MS. EVANS: We'll pray for her.

9 MR. MILLER: Thank you.

10 MS. GATELLI: That's great. Thank

11 you. Andy Sbaraglia.

12 MR. SBARAGLIA: Andy Sbaraglia,

13 citizen of Scranton, fellow Scrantonians, a

14 few words on the swing set. Instead of

15 losing this project, why don't we just add a

16 few regular swings along with the

17 handicapped at that site and that would make

18 everybody happy. I mean, simple solutions

19 are there instead of looking for complex

20 ones.

21 Okay, let's go with this, the sewer
22 authority, please explain to me why a
23 30-year bond has to extend our sewer
24 authority out to 2058, are we planning to
25 give this bond in 2021? Are we going to

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1 give this bond, 30 years, but I think that's
2 simple, when you get a 30-year bond it
3 should be paid off in 30 years, but
4 apparently that doesn't go in this city.
5 Okay. Let's go back to my favorite, I
6 never got to speak on the delinquent loans
7 which I call amoral and I see you are
8 looking -- following the amoral path to sell
9 these loans off. Now, don't -- we are not
10 stupid in this city, I mean, you've got to
11 be an idiot to figure somebody is going to
12 give you two point some million dollars and
13 not use this series of penalties that you
14 applied. We are not babes in toyland, we
15 understand these things and the people of
16 this city understand these things. Maybe

17 when it's brought out a little more, we are
18 talking about, I'll tell you my house taxes
19 because I can speak on mine, is \$356 was my
20 city tax, of course, the school tax is a lot
21 more, but \$356 was my tax, had I not paid it
22 last year and you had sold the loans, my
23 house could have been put up for sale and a
24 penalty taxed on upward of \$3,000. Now, the
25 constitution of this country really speaks
.

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1 against unfair and unjust punishment, and
2 this is a punishment. This is not something
3 you can go by, it has to fit within the
4 constitution. This is very unfair, and it's
5 unjust, and for anybody even to even go
6 further with it is beyond me. I call it
7 amoral, council may call it amoral and if
8 need be I will have this legislation printed
9 up and delivered to everybody in the city so
10 they can read it and understand it. The
11 paper put it, but it was very, very brief
12 and a lot of people forgot about it. But,
13 believe me, I heard that Nancy Krake has

14 said NCC has already sent it out warning the
15 people, which I think was a good idea, I
16 hope they send to everybody in the city what
17 could happen to them. And notice that this
18 was for '06 and '05. Why '06 and '05?
19 Because they are the newest houses. They
20 are the newest, they figure people are in
21 there and they are not run down, but, yet
22 nobody cares for a lousy what is it two
23 point some million in the budget we are
24 going to cause people to lose their homes or
25 their lot, even the lots. There is no
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1 differentiation of this thing for lots.
2 Believe me, Mr. McGoff, I'm going to through
3 the whole city saying this over and over and
4 over again until in sinks in that people are
5 being sheared like sheep and they've got a
6 right to know it. I thank you.
7 MS. EVANS: Mr. Sbaraglia, I don't
8 know that it's so much the sale of
9 delinquent taxes as it is the fees,
10 penalties, costs and fines that have been

11 passed by city council that accompany that
12 sale, however, the municipality I believe,
13 according to state regulations, sets and
14 indeed they did, the cost, fines, penalties
15 and fees so the city did not in my opinion
16 have to be as draconian in all of those
17 costs as they chose to be, and I do recall
18 mentioning to you based on a legislative
19 update that anyone since now it has become
20 law, because that ordinance was passed and,
21 of course, I did not vote for that, but now
22 that it is law citizens do have the right to
23 appeal what they feel is excessive and
24 unjust in any of those costs, fees,
25 penalties and fines and I'm sure there will
.

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1 be many who do so.

2 MR. SBARAGLIA: Who does it benefit?

3 MS. EVANS: Who does it benefit?

4 MR. SBARAGLIA: Yeah.

5 MS. EVANS: The monies are supposed

6 to be coming into the city.

7 MR. SBARAGLIA: It only benefits the

8 lawyers when you have to go for lawsuit

9 after lawsuit. I thank you.

10 MS. EVANS: Oh, they will get very

11 wealth, you are right.

12 MS. GATELLI: Bob Bolus.

13 MR. BOLUS: Council, Bob Bolus,

14 Scranton. Let me go right through the chain

15 here. First of all, I would like to tell

16 council that if I'm not allowed to respond

17 after my time is up, please do not address a

18 question to me or talk to me. I'm a

19 professional and if I can't have dialogue

20 back, don't address the question, I'll turn

21 my back and walk away from you, so we

22 clearly understand the ground rules.

23 As far as these kids and the swing

24 set none of you council members were even

25 involved in it, these kids went out and did

.

79

1 it on their wrong. The Parks and Recreation

2 didn't do it, the mayor didn't do it, nobody

3 did it, the kids did it, and it's their

4 right to do what they want. I spoke to Mrs.

5 Rink today in length and I asked her where
6 she was for the last 30 plus years that she
7 put in her letter with handicapped kids, why
8 there weren't happened swings in other areas
9 of Nay Aug Park, 30 years, five years, two
10 years, they weren't there, and all of a
11 sudden because they kids bring to light the
12 disabilities of handicapped people and give
13 them something that's rewarding everybody
14 turned against them or they want to blow
15 their own horn and put it here or put it
16 there. Nobody here spoke up when the mayor
17 spent millions of dollars in Nay Aug Park
18 and squandered i, he didn't put a
19 handicapped swing set, he didn't worry about
20 the disability of kids yet she wants them to
21 work together. Where was she? Where was
22 everybody else? I told her flat out, you
23 have the handicapped swing set there you
24 could put another swing set right alongside
25 it and I'll donate it, okay? Don't tell me

.

80

1 what these kids did was wrong and because

2 she doesn't like it or for whatever
3 political reasons she has to come forward
4 after it has been around for nine plus
5 months, on TV, in the papers. It's a total
6 disgrace what the adults in this community
7 have done to these kids and you should all
8 hang your head in shame from the top to the
9 bottom. I have worked with these kids and
10 I'm proud to say I did and I'll stand and
11 defend them because that's what I'm doing
12 here and everybody here should have did that
13 instead of put it in trust, yeah, like our
14 golf course money. You know, enough of that
15 nonsense. She could have put a swing set
16 right alongside of it but she wasn't around.
17 Why doesn't St. Joe's put a swing set
18 somewhere else in the park? Remember, the
19 tree house is utilized by both handicapped
20 and quote normal people, all use it, so
21 what's the difference? Yet, you people, all
22 of you out there will put these kids in the
23 position to maintain their pride and
24 principal, some of things a lot of people
25 don't have in this community, to give the

1 people money back to those that believe this
2 was where it would be going and where it
3 best benefited the kids and adding a couple
4 of swings it doesn't hurt so everybody could
5 play together. So, my adage to Mrs. Rink
6 and everybody else, grow up it's time, these
7 kids are more mature than most people in
8 this city. Last week -- and I applaud them
9 to give the money back, let council, let the
10 Parks and Recreation, let Mrs. Rink do
11 fundraisers on their own time now and put
12 the swinsets in where they think they should
13 go. That's a smack in the face to the city
14 that they now they come forward and I just
15 hate to even say I'm a Scrantonian at this
16 point for what happened to these kids and
17 the people that contributed the money and
18 what happened to the disabled kids is a
19 first class slap in everyones' face so
20 everybody should put their head in shame
21 where it belongs. You know, it's a poor
22 excuse to blame the kids rather than stand

23 up and look in the mirror and everybody

24 blame themselves.

25 Last week, Mrs. Evans, when I

.

82

1 I couldn't respond back to you because I was

2 out of order, first of all, the \$3 million

3 that Mr. McGoff, the intent was, before you

4 people even got here, was to be put into

5 trust and you weren't here, I was, I was in

6 Court over it, so I know what the intent

7 was. How it was legislated didn't mean

8 anything, it sat in CD's, a form of trust

9 that was put away, yet you elected to take

10 the money and squander it. You didn't give

11 it anywhere, you squandered it, you wasted

12 it and unless a bill was brought to light by

13 Mrs. Evans nobody was touching it and the

14 mayor couldn't get it until you three people

15 decided to vote for it. Remember that. And

16 was it legal or illegal? Maybe a test in

17 Court needs to be done, okay and maybe we'll

18 resolve this issue once and for all how the

19 people in this city are stepped on by

20 council members who think they know
21 everything. This isn't a classroom out
22 here.

23 And first of all, personally when I
24 heard your motion three minutes, maybe you
25 need to go back to a classroom and teach

.

83

1 rather than come here and represent the
2 people of the city and teach them how to
3 shutup and give them three minutes to speak
4 in your future motion. You know, the issues
5 here --

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

7 MR. BOLUS: You are not welcome
8 really, and please do not comment.

9 MR. COURTRIGHT: Mrs. Gatelli, can
10 I say something?

11 MS. GATELLI: Yes.

12 MR. COURTRIGHT: I'm not going to
13 address Mr. Bolus because he said he would
14 turn his back and walk away, and I'm not
15 speaking for everybody up here so when I'm
16 done so if you don't agree with what I said

17 I would certainly ask you to step in, I
18 don't hear anybody up here say they weren't
19 in favor of the swing set, I think every one
20 of us are in favor of the swing set and, no,
21 we did not raise the money, but we also have
22 nothing to say where it goes. I think
23 somebody people up here, I didn't say
24 anything, but some people are just trying to
25 offer solutions to where they thought the
.

84

1 swing set could have went because, you know,
2 they worked very hard to raise the money and
3 everyone would like to see a handicapped
4 swing set, so everybody applauds junior
5 council for raising the money and not trying
6 to tell them what to do with it, I think
7 they are making suggestions so that this
8 money wasn't returned and that the
9 individuals who it was intended to get the
10 swing set would get it. I don't think
11 anybody here is trying to tell them what to
12 do or trying to do them a disservice. I
13 think they were trying to offer what are

14 solutions and if I'm incorrect, correct me.

15 Thank you.

16 MS. EVANS: No, I agree with you,

17 Mr. Courtright, and, as you said, we are not

18 in charge of that. We have no power over

19 any of the individuals who made that

20 decision. They report to the mayor. He can

21 change their minds, so this issue I believe

22 is better taken to him because none of these

23 people take their marching orders from us,

24 unfortunately.

25 MS. GATELLI:

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85

1 MR. QUINN: Ozzie Quinn, President of

2 the Scranton Lackawanna County Taxpayers and

3 Citizens Association. The first thing I

4 want to say is that the Taxpayers

5 Association represents not only the city of

6 Scranton, but Lackawanna County and we have

7 a web site www.Scrantontaxpayers.org and if

8 you will scroll down on that website you

9 will see that there is a petition to get a

10 second paper in the City of Scranton. It's

11 a healthy thing, it's much needed, it's
12 related to the taxpayers because we don't
13 feel that a lot of this is being
14 investigated and all of this money being
15 spent by the city, by the school district,
16 by the county, and case in point this
17 \$35 million the strong-arm SRA gives it over
18 to the parking authority, they don't have
19 two nickles to rub together, they are
20 putting things all the way out of the
21 parking meters all the way up in the hill,
22 you know, and it is just unbelievable, so we
23 do need a second newspaper,
24 Scrantontaxpayers.org and you can just click
25 on what to do.

.

86

1 Okay, in regards to Judy and the
2 constitutional right to speak, I didn't
3 know, Mr. McGoff, that you were versed in
4 the law. They were really articulate
5 opinions that you gave there. Gosh, they
6 must have come from someplace.
7 Mr. Courtright, you did say that you,

8 two weeks ago, three weeks ago if I
9 presented something you would go to the
10 Courts and when I was leaving the other day
11 you said, you will reply after I'm finished
12 speaking, you mentioned two lawyers that --
13 who were they?

14 MR. COURTRIGHT: Mr. Minora wasn't
15 there at the time so his brother was taking
16 his place and Mr. Butler, was it Mr. Butler?
17 I believe Mr. Butler.

18 MR. QUINN: Why would they do it if
19 Mr. Penetar is the zoning board --

20 MR. COURTRIGHT: They were in the
21 caucus with us that evening and I asked them
22 about this.

23 MR. QUINN: Well, Mr. Penetar,
24 Attorney Penetar has been the zoning board
25 solicitor for numerous years. Now, this is

87

1 just off the cuff, a jerk of the knee, an
2 opinion.

3 MR. COURTRIGHT: We were discussing
4 it in the caucus that evening.

5 MR. QUINN: Well, now what right do

6 they have to really discuss it?

7 MR. COURTRIGHT: I asked --

8 MR. QUINN: Give an opinion to you

9 and you agree with it.

10 MR. COURTRIGHT: I asked their

11 opinion because I'm an attorney.

12 MR. QUINN: Ask Attorney Penetar.

13 MR. COURTRIGHT: He wasn't there.

14 MR. QUINN: I think you should

15 actually get a clarification of this from

16 the Courts because those people are

17 suffering down there. They are using both

18 gates now to drive people in there, a

19 hundred trucks a day in there, and it's

20 unbelievable and you should do something and

21 if you can't stand up for the health and

22 welfare of these people shame on you people.

23 Now --

24 MR. COURTRIGHT: I certainly stand up

25 for their health, you know.

.

88

1 MR. QUINN: Why you are agreeing with

2 two lawyers that are Doherty lawyers. They

3 all met with Mrs. Fanucci and her cousin,

4 what's his name?

5 MS. FANUCCI: Oz, let it go.

6 MS. QUINN: McGee. I won't let it go

7 because you didn't even --

8 MS. GATELLI: Mr. Quinn.

9 MR. QUINN: I'm not out of order,

10 Judy, so don't say I'm out of order. I'm

11 speaking on issues here. She is a cousin of

12 Mr. Keisling.

13 MS. FANUCCI: He is not my cousin.

14 He is not related to me.

15 MR. QUINN: Is your mother a second

16 cousin to her?

17 MS. FANUCCI: Pardon me?

18 MR. QUINN: What's your mother to

19 him?

20 MS. FANUCCI: It's not to him. He is

21 not even related to our family. He is

22 married into the family.

23 MR. QUINN: I have the family tree if

24 you want me to read it.

25 MS. FANUCCI: Oz, come on.

1 MR. QUINN: You are a cousin and you
2 are denying it when I say it.

3 MS. FANUCCI: You are wrong. Because
4 you are wrong still.

5 MR. QUINN: You are wrong and talk
6 about spin, you are putting the spin on
7 things.

8 MS. FANUCCI: He is married to a
9 family member.

10 MR. QUINN: You should be ashamed.
11 You should be ashamed --

12 MS. FANUCCI: And he's not -- his
13 brother is married to a family member.

14 MR. QUINN: I'm speaking. You should
15 be ashamed to go down in front of those
16 people and you know that your cousin owns
17 the land and is double dipping on a KOZ --

18 MS. FANUCCI: God bless, you really
19 believe yourself.

20 MR. QUINN: Don't bless me. I don't
21 want a blessing from you.

22 MS. FANUCCI: You don't know what you

23 don't know and that's what's wonderful.

24 MR. QUINN: I don't want any

25 blessings from you, believe me. I think

.

90

1 that we have to watch them. We have to do

2 something about that 35 million because of

3 the fact we have a debt -- goodbye. We have

4 a debt of approximately \$300 million and

5 Mrs. Evans tells you all of the time, the

6 Doherty debt, okay? We have the school

7 district \$152 million as of 2006 and they

8 want another school \$60 million, without

9 what's the amortization now we are going to

10 be over \$200 million, we have prorated for

11 the what 40 some thousand from the county

12 and this here loan for \$35 million when you

13 amortization out it's going to be

14 \$80 million. We cannot afford over a half a

15 billion dollars coming down to the Scranton

16 taxpayers. Now, let's start addressing

17 this, will you please? Judy, you are not

18 going to sit down and honestly and say that

19 you are going to get taxes to pay in August

20 to pay off this debt. Let's be realistic
21 about this. They haven't done anything you
22 said you were going to for revenue and the
23 same four people. Thank you.

24 MR. JACKOWITZ: Bill Jackowitz, South
25 Scranton resident. I was denied my right in

91

1 violation of the Scranton Home Rule Charter,
2 Article 4, Section 407, citizens right to be
3 heard before a vote is taken. I was denied
4 that right a little earlier during the
5 meeting.

6 I heard the word pathetic again by a
7 council person. Rules of Council, do they
8 apply to council members, also, or do they
9 just apply to speakers? I hope I get an
10 answer when I am done speaking. Name
11 calling must stop, again, I just heard
12 pathetic, especially by the council
13 president and council members. A member of
14 the state legislation, a week ago I was
15 watching Channel 60, he called Governor
16 Rendell a liar and everybody laughed

17 including the speaker for the house. If
18 that had happened in Scranton Mrs. Fanucci
19 and President Gatelli would be screaming,
20 "Office, officer, officer," and the person
21 would be removed from the meeting.

22 Questions are not being answered
23 especially before a vote. Mr. McGoff, Ms.
24 Fanucci and President Gatelli, you voted for
25 the fines and penalties charges to be placed

92

1 on delinquent tax returns. My hope is that
2 in September when the meetings return they
3 will speak publically on this matter
4 explaining to the taxpayers just what all of
5 these penalties are, who must pay them and
6 who will be receiving the monies that are
7 paid. Also, if a taxpayer cannot make these
8 payments what will happen to their property.
9 I do not want to know what has happened in
10 the past, the past 2 or 3 years, I want to
11 know when this new legislation what is going
12 to happen in the future in the present.
13 So, the three council people who

14 voted for it I respectfully request that you
15 give us a detailed explanation as to why you
16 voted, yes, when you come back in September,
17 you have plenty of time to think about it.
18 \$53,000 lost tax revenue and Hill
19 Section properties. This is not a one time
20 deal, this is forever. The remaining
21 property owners and taxpayers hold onto your
22 wallets, the city is coming after you.
23 Six people killed, 37 shot and
24 wounded in 72 hours, where? In
25 Philadelphia, but, yet, Mayor Street came to
.

93

1 Scranton and tried to tell us that Scranton
2 is improving and that our elected officials
3 are doing a good job. Mayor Street,
4 concentrate on Philadelphia.
5 There's going to be a free swim at
6 Nay Aug Park 28th July '07 sponsored by the
7 Scranton Lackawanna Taxpayers' Association.
8 The Minooks Lion's Club was going to sponsor
9 it, but due to the conversation they had
10 with Mr. Dougher they backed down this

11 afternoon about 12:00. Okay. Thank you
12 Mrs. Judy Nayheeley, the Shamrock Rod Gun
13 Club of Minooka and Sandone Tires of
14 Scranton for your donations.
15 Again, back on name calling, Janet
16 Evans posse. Is that going to bring us the
17 unity when council person makes that
18 statement to the newspaper, Janet Evans
19 posse plus the word pathetic that I just
20 heard about three minutes ago.
21 Also, Mrs. Fanucci, I know you are
22 not here, but could somebody advise her,
23 could she please list her accomplishments
24 since she was been on council for a year and
25 a half since she said that Janet Evans
.
94

1 hasn't had any. And also, Mrs. Evans, after
2 I'm done can you please tell me who
3 subpoenaed you, was it the prosecution or
4 the defense and who were you referring to as
5 the blackman with dreadlocks in the article
6 in today's paper by staff writer Stacy
7 Brown; and, also, can someone please tell me

8 if Ms. Fanucci testified because in the
9 paper today it said at that Ms. Fanucci
10 testified. I was there, I do not believe
11 she testified, so, again, I'd like to know
12 who subpoenaed the people, was it the
13 prosecution or the defense. Thank you.

14 MS. EVANS: Mr. Jackowitz, I was
15 subpoenaed by the prosecution. The next
16 question, could you repeat that for me,
17 please?

18 MR. JACKOWITZ: Yeah, who were you
19 referring to about the blackman with
20 dreadlocks?

21 MS. EVANS: Oh, I believe Mr. Patilla
22 had asked a question if I had ever heard
23 anyone at any time refer to him by anything
24 other than his name Sam, Mr. Patilla or Sam
25 Patilla, and I said, "Yes, that black man,"
.

95

1 because there are citizens who stop me on my
2 travels wherever I'm going, who will
3 indicate to me that, you know, they enjoy
4 listening to that black man or they do not

5 enjoy listening to that black man because

6 they don't know his name.

7 MR. JACKOWITZ: So those were not

8 really your words then?

9 MS. EVANS: Well, they are implying

10 something very different from what was

11 stated.

12 MS. KRAKE: Good afternoon, Council.

13 I would just like to say that what I have

14 been doing every week, reporting on the very

15 unfair law that this council passed has a

16 lot to do with what happened in 2002 when

17 this mayor first came in and he had a

18 council that never questioned anything he

19 did. It made our government very, very

20 oppressive. They didn't care to look at any

21 of the facts they just followed his

22 direction. That was very unfortunate. I

23 know since then that our past council tried

24 very hard to change a lot of the things that

25 he did, they weren't always successful, but

.

96

1 if nothing else the truth came to light many

2 times, and so I would like to shed a little
3 light on why I feel we need equity and
4 accountability and why I feel that this
5 should be this council's job before they
6 just arbitrarily pass anything.
7 For example, our recovery plans, as
8 they may be, wanted us to go after any
9 delinquent taxes for a lot of reasons, one
10 of them being equity -- or two of them being
11 equity and accountability. We have never
12 gone after the delinquent wage or
13 mercantile, yet, we are punishing people for
14 real estate delinquencies arbitrarily.
15 Before you passed this law you should have
16 said, why aren't we changing those laws that
17 exist for the wage and mercantile? For
18 example, if you work out of town there is
19 nothing, nothing that requires that township
20 to -- or requires your employer to collect
21 more than what that particular township
22 collects. There is no penalty for nonfilers
23 and we don't even have a law that says you
24 must file. Think about that for one moment.
25 How much sense that would make. It's

1 extremely simple. You must file a return
2 that way it can be tracked to see if anyone
3 hasn't paid. This doesn't happen. There is
4 no penalty and it's not illegal. Much, much
5 money is gone just because of this simple
6 fact. People who work outside don't file so
7 it's never collected. Owners of businesses
8 don't file so we can't track them and that's
9 never collected. Instead of filling up
10 holes in the budget with the Draconian
11 outrageous fees why aren't we doing these
12 simple tasks? Those are the questions you
13 should be asking your mayor when he sends
14 down legislation of this nature. That's all
15 I have.

16 MS. SIMMONS: Good afternoon,
17 Council, Reverend Katherine Simmons,
18 Florence Midtown Crime Watch. I came here
19 today to talk specifically about the junior
20 council, but I was surprised, President
21 Gatelli, by something that you neglected to
22 talk about today. I have sat in council

23 many times over the years and I've heard
24 council members acknowledge when a fireman
25 or a police officer has passed on, but I

98

1 didn't hear anything today and I thought to
2 myself why is Thomas forgotten about?
3 Thomas Hoban, the one fireman who should
4 stand out in Scranton passed this week,
5 black fireman, proud. This is going to hurt
6 my community. It's going to hurt the
7 children in our church that he was forgotten
8 by you.

9 MS. EVANS: I'm so sorry, I didn't
10 know honestly, I haven't --

11 MS. SIMMONS: And that is why my
12 children are going to say, they didn't know?

13 MS. EVANS: Well, honestly --

14 MS. SIMMONS: Take the time to find
15 out.

16 MS. EVANS: I really haven't been
17 keeping up with the paper in the last ten
18 days.

19 MS. SIMMONS: Okay. Just another

20 black man gone to the heavens, but we'll
21 remember him. We will keep him in our
22 hearts.

23 And now onto junior council. Good
24 children, and they did a good thing and I
25 can talk to you Mrs. Fanucci about disabled

.

99

1 people because I'm a disabled person and I
2 went up and looked at the site where they
3 wanted to place this swing set and there was
4 an excellent site, would have been easy
5 access for anybody with any disability of
6 any kind to get to the other site if you had
7 some disabilities would have been hard
8 sometimes, but you wouldn't know that
9 because you are in good health. God gave
10 you and granted you good legs so you can
11 walk and get to where you are going. I'm
12 not going to give up. I'm not going to keep
13 on the mayor because I don't think that
14 money should go back. That money was given
15 because I believed in my heart that nobody
16 thought that tree house was going to turn

17 out to be the -- well, it just wasn't going
18 to draw all of the people that it's drawing,
19 so nobody wants anybody to see disabled
20 souls around there. Oh, yeah, disabled
21 people are not an attraction at a site, we
22 know that, we have learned that over the
23 years, but I'm here to tell you disabled
24 people can fight. We know how to speak up,
25 Mayor Doherty. We're on the rise and we are
.

100

1 going to get that swing by the tree house,
2 we are not ready to give up yet, so we are
3 coming and maybe we'll name that swing set
4 in name of the fireman that was forgotten
5 today because he deserves to be remembered
6 just like all of us. Thank you.

7 MS. GATELLI: On behalf of my fellow
8 council members I would like to express my
9 deepest apology that we did not know about
10 Fireman Hogan, am I saying it correctly?
11 Hoban. And I would ask that everyone stand
12 for a moment of reflection in his memory.
13 (Moment of reflection observed.)

14 MS. GATELLI: Thank you.

15 Mr. Talimini is next.

16 MR. TALIMINI: Joe Talimini,

17 Scranton. I'm here for one reason and one

18 reason only, I am very upset for the fact

19 that a very private issue was made public

20 last week and it was condoned by this

21 council. I have heard you chastise many

22 people for speaking about something which

23 was not a city business, this was a very

24 private matter, but I will say this, there

25 is an accounting available, every receipt

.

101

1 from the Jonathan Clauss fundraiser is

2 available, all of the facts and figures are

3 there and we did not make any money, and I

4 find it very distressing that the biggest

5 noise is coming from the people who

6 contributed the least and it's very, very

7 annoying to me and I'm terribly sorry that

8 this has to come to be in a public forum,

9 but I do think I have to defend my honor.

10 Being prejudged for something like this is

11 absolutely ridiculous and all it did was it
12 deprived anybody else of any services
13 because I have heard from a lot of people
14 they would never ever get involved in a
15 fundraiser for anything in this town and
16 it's paradoxical that you can throw 50 and a
17 100 and \$500 into a political fundraiser and
18 you couldn't do it for a kid who needed it,
19 I'm very sorry for you. Thank you.

20 MS. GATELLI: Thank you. Ron Ellman.

21 MR. ELLMAN: Hello, Council. I'm
22 going to read my notes so I don't get off on
23 my usual ramblings like I always do. I
24 might parallel a few things that was said,
25 but I wrote this a day or two ago. You
.

102

1 know, the people out there stereograph
2 almost everybody here as being anti-Doherty
3 and anti this and anti that and other things
4 and when Ray Lyman gets up here and talks he
5 is trying to be like one of the good old
6 boys out here that is anti this, that and
7 the other thing he and does not speak for no

8 one. I can't find anybody that supports
9 him. He is a disgrace. And last week's
10 meeting was a disgrace, this is the third
11 time that he has disrupted meetings. It
12 seems like there is something that could be
13 done not to recognize someone that just
14 comes to council meetings and just wants to
15 have chaos with him. Well, that's enough
16 about him, I get all mad when I talk about
17 him and we had some words after the meeting
18 all the way down the steps out to the
19 street. And I hope we can -- to change the
20 subject, the illegal plant on Dickson Street
21 is not shoved under the carpets like it's
22 trying to be done and I hope Mr. Hubbard and
23 the rest of the people keep on the subject,
24 I believe this is Mr. Doherty's Achille's
25 heel that there is just nothing legal about

103

1 this plant, there is just no way in the
2 world it helps this city. It's -- it's
3 polluting it, it doesn't pay for nothing,
4 it's KOZ, it's built a KOZ and the man has

5 another KOZ so how can we benefit from an
6 illegal plant like this? Don't you guys
7 give up one bit. Don't back down any. You
8 know, I'm not really involved.
9 When I was a little boy my maid was
10 always spanking me for something and she
11 said what's right is right and what's wrong
12 is wrong. This plant is wrong and the
13 support of it is wrong. A mayor should be a
14 competent professional, not a foolish
15 rheologist at the taxpayers expense running
16 experiments and that's what we are doing, we
17 are just experimenting with KOZ and we are
18 giving it to houses and a bunch of bars and
19 restaurants, we are making people wealth at
20 taxpayers' expense, it's got to end.
21 Our present mayor has lost the
22 ability to, and maybe he never had it, to
23 value -- to perceive the value of his
24 consequences with all this giving away.
25 There is millions of dollars is supposed to
.

104

1 be in a park, it's nothing but trees. I've

2 been going to that park for 30 years, it
3 doesn't look any different. I'm talking
4 about millions of dollars worth. We are
5 broke and all we talk about is the
6 extravagance around here, it just never
7 ends, you know?
8 I heard that last -- two weeks ago
9 at the taxpayers' meeting they said that we
10 are 46 new jobs created and the parole in
11 the city is 11 million dollars. I'd like to
12 see 46 jobs worth of street repairs or I'd
13 like to see any kind of benefit from 46 new
14 jobs. I've call Mr. Seitzinger 100 times
15 about abandoned cars and nothing was ever
16 done, he never got nothing done. Nothing.
17 Now, what did we need him for? I went to
18 Mr. Hayes' office about putting up a lousy
19 stop sign on North Main Avenue and I was
20 told they would not impede the flow of
21 traffic. Cars go by my house 60, 80 miles
22 an hour and he doesn't want to impede the
23 flow of traffic. You know, that's the kind
24 of people we got in this administration.
25 To change the subject a little bit,

1 have you all ever watched this mayor enter a
2 room? I'm not invited to his social
3 functions, of course, but I have seen him on
4 television with his own peers and supporters
5 he enters a room, he only talks to people he
6 likes. That's how he treats this whole city
7 as far as I'm concerned. You know, I was
8 sitting at the bench reading a paper at the
9 grocery store one time and Mr. Connors came
10 with his wife and sat down next to me and we
11 talked like two people knowing each other
12 for years. I saw Mr. Connors at several
13 funerals I went to, he was a person for the
14 people for getting his political, you know,
15 the political aspect of it. This man is
16 arrogant and aloof and is so unfriendly it's
17 just not mayor material. And putting back
18 three minutes is a terrible mistake to do to
19 the people of this city. We went through
20 it, all you are trying to do is punish the
21 rest of us for Lyman's conduct last week.
22 MR. COURTRIGHT: Thank you, Mr.

23 Ellman. Jim Davis. Mr. Davis?

24 MR. DAVIS: Salaam aleikam. I thank

25 Sister Simmons for getting up here and

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1 apprising us of a great loss that we had in

2 the community. Tom Hoban, Jr., was -- his

3 father was a saxophone player and he was

4 also a waiter down at the Casey Hotel. As a

5 matter of fact, he taught me how to wait

6 tables. He had a lot -- he was a part of

7 the family. There was a family in Scranton

8 that emanated from the Pine Street Baptist

9 Church and we worked in the hotels and we

10 worked every where we could work at in order

11 to make a living and Tom Hoban left Scranton

12 after high school and went into the Air

13 Force. I went into the Army. I ran into

14 him in Tokyo, it was the weirdest setup you

15 have ever seen in your life, but here is two

16 guys who with were raised together literally

17 and were running into each other at a

18 basketball game in Tokyo. Tom was a

19 gentleman's gentleman. We have lost two men

20 out of our community who served this
21 community honorably their entire lives, and
22 I just wanted to say this to the kids out
23 there, all you minority kids out there, all
24 of you kids that are not minorities, look
25 towards a job in the fire department. These

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1 people are respected, but they deserve
2 respect because they carry themselves in
3 very respectful ways. You don't hear about
4 a fireman beating anybody over a head with a
5 bottle or anything like that because they
6 don't act that way, so I'm asking if there
7 is any kid out there that would like to
8 become a firemen, that would like to become
9 a policeman, contact me, get in touch with
10 me, there is all kinds of ways you can get
11 in touch with me. My address is Post Office
12 Box 401, Scranton, Pennsylvania, 18501,
13 write me any time you want, let me try and
14 help you, let us, because I have a group of
15 people that work with me and we are all out
16 there looking for you, also. We are trying

17 to protect you in every way that we can,
18 that's the reason why we come here so we can
19 try and protect you from them doing things
20 that's going to harm them and going to harm
21 you.

22 I heard Mr. McGoff talk about
23 something that really brought back a pain in
24 any eyes. In 1996, 1996, the last person
25 who lost her property to the City of

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1 Scranton was my aunt Thelma, Miss Thelma
2 Franklin. She owned a property at the 1300
3 block of Linden Street, and Miss Judy
4 Gatelli was the person who worked for the
5 community development who came into our
6 apartment, came into our house and accused
7 my aunt Thelma of drug dealing, but it
8 wasn't her at all. There was two people who
9 were renting there who they had arrested
10 before they came there, sat them down and
11 then accused my aunt Thelma of having drugs
12 in the house. They happened to have been
13 where the two people were sitting, but they

14 had left by the time -- when the police came
15 into the building they went upstairs. I
16 have seen this. We tried to -- and Judy
17 Gatelli said, "Put the cuffs on them."

18 Now, I'm sorry she is not here to --

19 MR. COURTRIGHT: Again, I don't know
20 where you are going with this, Mr. Davis.

21 MR. DAVIS: I'm just saying that we
22 have lost properties in Scranton over the
23 years for such a thing as not paying taxes
24 or because of erroneous -- when the city
25 wanted your property in the Hill Section you

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1 are gone. There was no if's, and's and
2 but's about it. If you owned property if
3 you owed any kind of tax liens or anything
4 else like that they would make sure to take
5 it. If you can't get the money up it was
6 gone, and every single black family that I
7 know that lived in the Hill section lost
8 their properties to the City of Scranton and
9 the school board on liens. Don't trust my
10 word for it, check is out. I wouldn't lie

11 to you. I have no reason to. I sit here
12 day after day wondering if and when -- now
13 you are going to change it to Tuesday at
14 6:30, what is wrong, Mr. McGoff? What is
15 wrong with your schedule after all of these
16 years of having the schedule of Thursday at
17 7:00 because people work, they get off from
18 work, they get here. Why do we have to
19 change now? Why is -- you have another
20 commitment that you would rather keep?
21 Please, I mean, seriously.

22 MR. COURTRIGHT: Your time is up
23 there, Mr. Davis.

24 MR. DAVIS: Well, you told us you
25 could speak on this later on.

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1 MR. COURTRIGHT: You were already
2 afforded the opportunity to speak on 5-A.
3 Mr. Morgan. Lee Morgan.

4 MR. MORGAN: Good afternoon, Council.

5 I wanted to speak before on the agenda--

6 MR. COURTRIGHT: Can you just say
7 your name for the record, please?

8 MR. MORGAN: Yes. My name is Lee

9 Morgan.

10 MR. COURTRIGHT: Thank you.

11 MR. MORGAN: I wanted to speak before

12 on the agenda about increasing the length I

13 would assume to pay the sewer authorities

14 time to like 50 some years I believe it is

15 of their charter I believe at this time at

16 2033. I took Mr. Douglas Miller with me, we

17 went and we sat down and we spoke with

18 Mr. Barrett of the charter because when it

19 came on the agenda I said, "Doug, let's go

20 down, I want to teach you something, I want

21 to show you something about city government,

22 come on, let's go down and talk to this

23 gentleman," so I took him with me, because I

24 think it's important to teach the junior

25 council all you can just not your

.

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1 perspective, but the perspective of the

2 citizens here and we spoke to this

3 gentleman. There is plenty of time in the

4 present charter to meet all of their

5 borrowing at this point, so there was really
6 no reason, that's why I wanted to speak from
7 upstairs there before the vote, there was no
8 reason for this extension, okay, absolutely
9 none, and you voted on something without the
10 necessary knowledge and now, nothing
11 personal, Mr. Courtright, but now you are
12 asking questions after the vote. You don't
13 ask for information after you have a vote
14 and give somebody something and then say,
15 "Well, let's have information after we do
16 it," the important thing is to have it first
17 and that has to do with this whole council.
18 This whole council votes on things once
19 again with no information.
20 Now, in regard to the swing set with
21 Mr. Douglas Miller and the rest of junior
22 council I hope that they would hold those
23 funds temporarily at this point, okay? I
24 went to the Scranton Recreational Authority
25 as a representative of the Scranton

.

2 Association. Mr. Maranuchi was there and
3 Mr. Brazil was there. I stated that the tax
4 group, and the citizens of Lackawanna
5 County, which we represent, wanted that
6 swing set placed across from the handicapped
7 tree house. Not only did we do that, but we
8 went up -- and I went up personally and
9 spoke with people who were using the
10 handicapped tree house and asked them where
11 they thought this swing set should be
12 placed. They all said across from the tree
13 house. They can't understand the
14 controversy, and then I stated, as I stated
15 to Mr. Brazil, Mr. Maranuchi and the others
16 from the Recreational Authority, that the
17 Scranton Lackawanna County Taxpayers and
18 Citizens Association also felt the ten
19 parking spaces adjacent to the tree house
20 should be designated handicapped so that the
21 people who would like to use that tree house
22 and that swing set would have access. Now,
23 initially the mayor was on board for this
24 project, but when went to the recreational
25 authority Mr. Brazil stated that it didn't

1 matter what anybody wanted because the
2 junior council's plans did not fit with the
3 revised ideas for the park that the mayor
4 had come to. Now, I can't understand how
5 the mayor can support something one day,
6 tell junior council to go out and do
7 something and then remove support from that
8 project. It's absolutely terrible to do
9 that, okay? I just can't understand that
10 and I also can't understand why this
11 council, the five representatives here at
12 this council have an obligation to all of
13 the citizens in this city, including the
14 handicapped, because, you know, you are
15 standing here talking about access and
16 inclusion, well, that is access and
17 inclusion, okay? They need that access to
18 that. This council should include them in
19 their thoughts. We don't need no move that
20 tree house where that ---- I mean, that
21 swing set where they plan to move it because
22 I looked at that site myself two days ago

23 with Doug Miller, it's an absolute joke, all

24 right? It's just a crime that this council

25 fails to realize the obligation that it has

.

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1 to all of it's citizens as we preach as if

2 we care about them. So, what I would say to

3 this council is go down and talk to the

4 mayor and say, look at it your Honor or

5 Mr. Mayor or however you care to address

6 him, we need to reconsider this issue. We

7 need to have junior council reconsider their

8 position, we need the mayor to reconsider

9 his position, and we need to consider the

10 handicapped people which are going to have

11 access to that swing set and put politics

12 out of this, and that's where it was with

13 Mr. Maranuchi. Mr. Maranuchi looked for

14 nothing but a fight when I attended that

15 meeting. Bickering isn't getting us

16 anywhere. It's time for this council to go

17 downstairs, talk with the mayor, go talk

18 with Mr. Dougher now, okay? And the other

19 problem I have is why did the Minooka Lion's

20 Club withdraw from support of free swimming

21 supposedly after a conversation with

22 Mr. Dougher? I can't understand that. Now,

23 I grew up with Mr. Dougher as a child so I

24 don't know if that's an accurate statement

25 or not, but you know something, we all have

.

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1 -- we all have a debt to these children and

2 this city doesn't do enough for the children

3 of this city, I'm going to tell you that

4 right now. We asked a lot of things, but we

5 need to consider everything. Thank you.

6 MS. GATELLI: Mary Ann Owens.

7 MS. OWENS: Mary Ann Owens, Jonathan

8 Clauss' aunt. I'd just like to say that the

9 fundraiser that Scranton at large had we did

10 have such an enjoyable time, it was great,

11 but I think when we spent \$240 of our money

12 I could have given it right to Jonathan. I

13 was promised a week later that I would get a

14 phone call. No phone call. None

15 whatsoever.

16 MS. GATELLI: Mrs. Owens, I'm going

17 to ask Attorney Minora, I did hear

18 Mr. Talimini talk about it before, I'm not

19 sure either that it's city business.

20 MS. OWENS: Okay.

21 MS. GATELLI: Although it was

22 mentioned here on numerous occasions about

23 this fundraiser it sort of became city

24 business because we are all involved with

25 it.

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1 MS. OWENS: Right.

2 MS. GATELLI: But I don't want to

3 infringe on someone else's criminal activity

4 or their rights as a citizen or whatever

5 because that might be involved here and I

6 don't know that we should get involved,

7 Attorney Minora. It was a fundraiser and

8 she is alleging, you know, so I don't know

9 if we should talk about it.

10 MR. MINORA: You know, it's probably

11 not good to make it a public issue.

12 MS. OWENS: Right.

13 MR. MINOR: It's something that ought

14 to be brought for authorities for proper

15 investigation and --

16 MS. OWENS: Okay, I understand it.

17 MR. MINORA: And most investigations

18 are better kept confidential until they are

19 completed.

20 MS. OWENS: Sure.

21 MS. GATELLI: And we have all helped

22 Jonathan and supported him in his endeavors

23 and we will continue as a council to do

24 that.

25 MS. OWENS: Right, that's fine.

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1 MS. GATELLI: So whatever you need.

2 MS. OWENS: One thought, nothing

3 totally different, but regarding handicapped

4 accessible, why don't they ask the kids

5 where they would like the swing set. They

6 are going to use the swing set, why don't

7 the kids have a say in where they would like

8 the swing set. Also, there is a program

9 and, yes, brothers and sisters with a

10 handicapped brother and sister get along.

11 There is a program now because many of the
12 students that are handicapped don't -- the
13 kids don't know how to approach them and
14 that happens in school, and independent
15 living has a program to teach all ages how
16 to interact with them, and maybe that's one
17 reason why they don't want that inclusion
18 because they don't know how. Yes, brothers
19 and sisters are there all of the time with
20 them and, no, you know, understand what they
21 are going through, but some people just
22 can't accept what happened to their friend.
23 I, don't know, but maybe, you know, they
24 should ask the handicapped children where
25 they would like it best.

.

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1 MS. GATELLI: That's a great idea.
2 Thank you for bringing that up.
3 MS. OWENS: Oh, one more. That
4 Bradshaw I would like to donate and
5 volunteer so --
6 MS. GATELLI: Give your name and
7 phone number later to Neil.

8 MS. OWENS: Okay.

9 MS. GATELLI: Jonathan, why don't

10 you come up so everyone on TV can see you.

11 I'm not sure that they have all seen you.

12 Jonathan is a student at West Scranton High

13 School, with his mother Susan. Can you take

14 that microphone down, Neil, to reach him?

15 Maybe you can put it on the side.

16 MR. CLAUSS: Jonathan Clauss, I'm a

17 senior at West Scranton High School and -- I

18 don't know what to say.

19 MS. EVANS: Well, we are thrilled

20 that you are here, Jonathan. Where do you

21 think the swing sets should go?

22 MS. CLAUSS: Just so it would be

23 easier to get to I guess.

24 MS. EVANS: Yes.

25 MR. CLAUSS: I'd like where it would

.

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1 just be easier to get to.

2 MS. EVANS: I think that's a very

3 wise statement.

4 MR. CLAUSS: I never could tell where

5 it was supposed to go in the first place,

6 so, I don't know.

7 MS. GATELLI: Thank you. Mrs.

8 Clauss, you're a speaker.

9 MS. CLAUSS: Hi, my name is Susan

10 Clauss, I'm Jonathan Clauss' mother. About

11 this swing set, I think it should be along

12 with the other kids swing sets, the

13 quote/unquote with the normal kids. They

14 are just all kids. In my experience as

15 being a mother of a handicapped child plus I

16 have two younger ones it's good to see, how

17 can I say it, from all playing together and

18 it's most important that walking children

19 that have no disability be able to just

20 better understand handicapped children

21 because that's a big thing that I have

22 learned, that many children veer away from

23 handicapped children so if you put them

24 altogether they will actually have a better

25 understanding, they will be more -- you will

.

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1 have better friendships because it shouldn't

2 stop, oh, stay away from child, you don't
3 know what that child has, you know. I mean,
4 a lot of kids just -- kids are kids. They
5 accept ability or nonability, they are just
6 kids and you they should be altogether and
7 make a prider world because they are
8 accepting no matter what abilities. And my
9 younger son has proved to me, he is 13 years
10 old, and his best friend is a paralyzed boy
11 that he has met at West Scranton
12 Intermediate and he has accepted him with
13 open arms and open heart for who he is
14 inside not for his outer shell or his
15 disability, and the kids sure get together
16 and bring that -- bring everything together.
17 You know, the kids can show us the way if
18 you let them show us because they will be
19 friends with anybody, they just want to play
20 and be happy and be safe. I think that's --
21 I mean, you should really put everything
22 together, make it a community playground and
23 let the kids be kids. Jonathan loves to be
24 with his brother and sister and for the
25 first time in three years my son actually

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1 went swimming with his brother and sister,
2 and I can't say anymore, I still cry even
3 now, but it was something that I never
4 thought would happen and it happened.
5 We should make the pools accessible.
6 Handicapped children can go swimming, they
7 can do anything that quote/unquote normal
8 kids can do. You just have to give them a
9 little bit of help and the equipment to do
10 it and that's what we should bring here to
11 Scranton to make this city the handicap
12 friendly accessible city and I think with
13 the agencies around here that we already
14 have it would be a good idea to bring more
15 places and try to put something in every
16 playground for a handicapped child then you
17 cannot -- their parents may not have the
18 ability to get up into Nay Aug and that's
19 something for future thought. Thank you.
20 MS. GATELLI: Thank you. Charlie
21 Newcomb.
22 MR. NEWCOMB: Good afternoon, City

23 Council, all members, a few comments, and

24 maybe a question. I'd like to clear up some

25 of these what I say are conspiracies that

.

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1 are out there. I believe I heard

2 Mrs. Shumaker in the back talking about

3 something that happened to my son awhile

4 back which is all public knowledge, it was

5 all in the newspaper. You know, these

6 website people think that there is a

7 conspiracy and we were offered all kind of

8 deals, let me tell you something, the only

9 reason why my son hasn't been back here is

10 because he works a job, unlike some people

11 that come to the podium here and they tell

12 you they are taxpayers and everything else,

13 but when you really investigate them and

14 what they do for a living and how much taxes

15 they pay you would be surprised. He has a

16 job that takes him well into Thursday nights

17 out of town after 7:00 so that's the reason

18 why -- and he works during the day, that's

19 the reason why he is not here.

20 As far as it goes with any kind of
21 deals, nobody offered us anything, he went
22 through the system like anybody else did and
23 he is paying his whatever he was ordered to
24 pay by the Courts and there was a comment
25 made yesterday and I that a read a police
.
123

1 report, nobody gave me anything in advance.
2 I read nothing and I remembered it from what
3 I said up here. I believe the whole day
4 yesterday was a six-hour charade, it could
5 have ended in ten minutes, all you had to do
6 was look at the tape and my statement on the
7 whole thing is some wise made a statement
8 that said, "Any man that represents himself
9 has a fool for a client," and I think
10 yesterday turned out to be one of these
11 six-hour --

12 MS. GATELLI: Excuse me, Mr. Newcomb,
13 I'm not sure that we should be discussing a
14 case that's in litigation, you know --

15 MR. NEWCOMB: Ill stop. I was just
16 discussing it because the transcripts are

17 going to come out anyway.

18 MS. GATELLI: Well, when they come

19 out they can be discussed in the proper

20 forum, but I don't think we should talk

21 about it at council; is that correct,

22 Mr. Minora?

23 MR. MINORA: Well, it's in Court,

24 there's a judge making a decision and I

25 think that's really what counts, not what we

.

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1 all say here, so it's not really the proper

2 forum.

3 MR. NEWCOMB: Okay, I apologize.

4 Just a question about delinquent taxes and I

5 do agree that these fees are pretty

6 exorbitant, but on our bills that we get I

7 believe it says taxes are not delinquent

8 until I believe it's the 31st of the year,

9 like the end of the year, so my question to

10 anybody up there if they can answer them

11 from January 1 of any year, let's say 2007,

12 until December 31 of 2007, and like the

13 gentleman spoke before, you know, the city

14 tax is like \$300, not the thousands of
15 dollars when you look at your county and
16 your school, from the 1st of January until
17 the 31st of December, if anybody up there
18 can answer this, if your taxes are paid in
19 this amount of time how much are these fees
20 would you pay?

21 MS. GATELLI: I believe zero.

22 MR. NEWCOMB: Correct. So the moral
23 of the story is we only have the problem
24 when our taxes are not paid, and I know
25 there was some talk here about amnesty in

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1 the past and Mr. Quinn stated himself about,
2 you know, we should have an amnesty, but as
3 you stated today, you know, how is a tax
4 base going to pay all of these bills so I
5 don't know if an amnesty would be fair for
6 all of the people that all of the people
7 that have lived in the city their whole life
8 and have been struggling, you know, to pay
9 their taxes. People on social security,
10 people on fixed incomes and just families

11 that work and don't make a lot of money, so
12 I think we really do have to work at the
13 only time that fees are going to be a burden
14 on people is when they don't pay their taxes
15 and they carry on from year to year, so I
16 just hope -- that's all I really have today
17 and I was going to ask a question on if that
18 money was deposited in Citizens Bank, but
19 that's off the board right now, so the only
20 thing I want to say is have a good summer
21 and have a safe August and we'll see
22 everybody in September. Thank you.
23 MS. GATELLI: Thank you. Mr. Dobson?
24 I think he left. I'm not sure. Is he out
25 there? No. How about Jim Stuckard.
.

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1 MR. STUCKARD: They fixed the barber
2 shop next to the bar, there is a high grass
3 the city is supposed to take care of it and
4 I have been doing it myself, I did it twice
5 a couple of times between the bar and the
6 restaurant, the pizza -- the barber shop on
7 Providence Square Road, Market Street next

8 to Murphy's Bar there is a little piece of
9 yard on each side of the bar, it's getting
10 pretty high. Maybe get one of the city guys
11 to come over and do it or pay me I can do
12 it.

13 MS. EVANS: Okay, we'll try.

14 MR. STUCKARD: Okay. We have a -- we
15 need a light on Church Avenue.

16 Mr. Courtright told me yesterday --

17 Mr. Courtright told we had to get a petition
18 put up for a light.

19 MS. GATELLI: A petition for a
20 light.

21 MR. COURTRIGHT: I'm sorry, Jim,
22 what did I ask you?

23 MR. STUCKARD: Remember you went over
24 and we had our sign put up on the pole.

25 MR. COURTRIGHT: Right.

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1 MR. STUCKARD: And I think you told
2 me two weeks ago or three weeks ago we had
3 to get a petition put up for a light on a
4 pole.

5 MR. COURTRIGHT: If you want to get a
6 light you have to get a petition, yes.

7 MR. STUCKARD: Well, how come the
8 lady next door to us, I feel why the lady
9 right next door to us got a pole in front of
10 the house with no petition. She got a pole
11 and a light. She got a pole and put on her
12 house.

13 MR. COURTRIGHT: With a light?

14 MR. STUCKARD: With a light.

15 MR. COURTRIGHT: I don't know, Jim,
16 give me the address and we'll check it out.
17 You need a petition though to get the light.

18 MS. GATELLI: Unless you put it up
19 yourself. I know people that have put them
20 up themselves.

21 MR. COURTRIGHT: Did she put it up
22 herself, Jim?

23 MR. STUCKARD: She had the pole put
24 up.

25 MS. COURTRIGHT: Maybe she paid for
.

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1 it herself.

2 MR. STUCKARD: She had no petition to
3 put a pole up.

4 MR. COURTRIGHT: If she did it
5 herself, Jim, she could --

6 MR. STUCKARD: No.

7 MR. COURTRIGHT: The city did it?

8 MR. STUCKARD: Yeah.

9 MR. COURTRIGHT: Well, just give Neil
10 the address and we'll check it out for you,
11 okay?

12 MR. STUCKARD: It's at Church Avenue.

13 MR. COURTRIGHT: Well, don't say it
14 now, just give to Neil, okay?

15 MR. STUCKARD: What about that house
16 on Greenridge Street, are you going to have
17 something to do with that? Is the city
18 going to take it down or --

19 MR. COURTRIGHT: You got to give me
20 the address, Jim, because I don't know --

21 MR. STUCKARD: It's right next to
22 McGinty's Bar, next door to McGinty's.

23 MR. COURTRIGHT: All right, don't
24 say it on the air, but get the address and
25 then give it Neil and then we'll take a look

1 at it, okay? All right?

2 MR. STUCKARD: Okay.

3 MR. COURTRIGHT: Thank you.

4 MR. STUCKARD: And I feel sorry for

5 that kid who was in the fire.

6 MS. GATELLI: Yes.

7 MR. COURTRIGHT: So do we in.

8 MS. GATELLI: Go to the party, it's

9 on August 25.

10 MR. STUCKARD: Yes, I was just there,

11 not the fire, I went by yesterday and it was

12 pretty bad, the back of it, so I feel sorry

13 for the kid.

14 MS. GATELLI: Okay. Thanks, Jim.

15 MR. STUCKARD: And, Mr. Courtright, I

16 got another scooter, another one.

17 MR. COURTRIGHT: Don't ride it on

18 the road, right? You are not allowed to

19 ride it on the road that's why they made you

20 get rid of your last one, remember?

21 MR. STUCKARD: Well, there is no

22 license plate on it so I can still ride it

23 on the road to the cops, down a couple of
24 blocks.

25 MR. COURTRIGHT: Jim, you can't ride

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1 it on the road. That's why they made you

2 get rid of the last one, remember?

3 MS. GATELLI: You better watch,

4 Mr. Courtright will take this one, too.

5 MR. STUCKARD: Yeah. No. And I work

6 for the N & G Company, I work for them and

7 he gave me two scooters.

8 MR. COURTRIGHT: Well, that's good,

9 I'm glad for you. That was nice of him.

10 MS. GATELLI: Don't ride it on the

11 street.

12 MS. COURTRIGHT: Okay, be careful.

13 MS. GATELLI: Have a good summer, be

14 careful.

15 MR. COURTRIGHT: Thank you.

16 MS. GATELLI: Anyone else care to

17 speak before council? Come up, sir. Go

18 ahead, Mr. Patilla, you can go. If anyone

19 else cares to speak move over.

20 MR. PATILLA: Sam Patilla, Scranton
21 resident, Scranton taxpayer, Scranton
22 homeowner. Mrs. Evans, I wasn't going to
23 speak today because the judge told me to
24 stay out of trouble and I took that as
25 staying in my house and not coming out
.

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1 unless I got 20 people around me, a
2 microphone and a camera, but after I heard
3 that comment about the question I asked you,
4 all right, I just want people to know I
5 don't care how they feel about me, but I'm
6 behind you 110 percent, okay? And I will
7 not let anybody try to duplicitous you
8 anything other than for the people, of the
9 people and 100 percent taxpayer first
10 person, and for that I respect you and I
11 commend you for that.

12 Secondly, in regard to whatever
13 article was written in that newspaper, I
14 didn't read that newspaper, I don't tune
15 into Channel 16, as you know, me and the
16 microphone, all right? The only two, let me

17 clarify this because it has been brought up,
18 the only two witnesses for the prosecution
19 were Ms. Gatelli and Mr. Newcomb, all right?
20 The prosecutor saw fit after their testimony
21 not to call anymore witnesses, okay? So,
22 you can take that, you know, and take that
23 to the bank.

24 Now, the statement was made earlier
25 as far as amnesty, okay? This is amnesty
.

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1 101. If amnesty is adopted it's treated
2 just like a write-off meaning that
3 delinquent amount is zeroed out from the
4 book thus lowering your total amount due so
5 the taxpayers do benefit from amnesty, you
6 know, that's accounting 101.

7 And, secondly, in regards to the
8 sewer authority, you know, it really is
9 outlandish to float a bond 20 years past the
10 actual maturity of which the loan becomes
11 due. You know, I hear people crying about
12 sanctions, nobody cried about not
13 sanctioning the mayor when he violates the

14 Sunshine Act, the Recovery Plan and the Home
15 Rule Charter. The Sewer Authority and the
16 City of Scranton had plenty of time to abide
17 by the guidelines that were imposed upon the
18 Scranton Sewer Authority, all right? It's
19 just like Ms. Evans and you yourself said,
20 Mr. Courtright, we have no accountable, no
21 authority over those authorities, but yet
22 still they can run through our money like
23 it's their's. That has to stop. They make
24 a bill, let them pay it. The easiest way to
25 do that is to lower the salaries in

.

133

1 administration. All right? This doesn't
2 take rocket science to understand. You
3 tighten your belt, you start at the top, you
4 don't start at the bottom. You get rid some
5 of those jobs that Doherty created. You
6 recall those raises that he gave to
7 unqualified people. Those are the only
8 qualified people that's why the city is in
9 the position it is because we don't have
10 qualified people in the positions that they

11 should be, so if a job requires a diploma or
12 requires certification that is important.
13 As far as the handicapped swing set at
14 Nay Aug Park, all right, like I said, I
15 wasn't coming until I heard the idiotic
16 comments made about Miss Evans, everybody
17 has forgotten what that young man stated, it
18 was difficult, it is difficult for them
19 parents to get those handicapped kids, those
20 handicapped adults, those handicapped young
21 people from point A to point B. I was at
22 the original meeting when I sat in the -- I
23 said it before, when they voted on the fees
24 for the pool where these three same
25 individuals told that young man and
.

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1 Mr. Bolus and Lee Morgan that they had that
2 site picked out already so this is not new,
3 the site that they told them they want to
4 put that swing set up they didn't mention
5 that site then because the corporate sponsor
6 or whoever is putting money into Nay Aug
7 Park in that area has locks on that area, so

8 let's get the truth out there, that's why
9 they don't want that swing set there. And
10 going back to what he said, the most
11 important part is if you are going to put
12 that swing set in the area that they want it
13 in you have to make it accessible, okay?
14 The parents have to be able to get the kids
15 there, the handicapped people have to get
16 the kids there. Nobody is sitting there and
17 they're not -- you fail to listen to the
18 small words, all right, and most times than
19 not those little words, those two letter
20 words carry more weight than the \$50 word.
21 When I was in college I had to tell one of
22 my professors stop speaking to your students
23 like they are road scholars. Speak to them
24 like they are undergraduates, like they are
25 fresh from high school and they will

.

135

1 understand you and they will be able to
2 relate to you. That's why I speak the way I
3 speak because I'm not trying to influence
4 somebody who is already there. I'm trying

5 to make somebody who is not there or trying
6 to get there aware of how to get there. You
7 have to fight for the citizens, not fight
8 for corporate America, not fight for your
9 mayor, you have to fight for citizens, the
10 once that pay your paychecks.

11 MS. GATELLI: Thank you.

12 MR. MITCHELL: Hi. I'm Mike
13 Mitchell from Center City in Scranton,
14 Pennsylvania, and I'm a little unhappy
15 because I have lived here for over 20 years
16 and have never attended a council meeting
17 until now and I wish I had come before this.
18 I have lived here about 18 years, I'm not
19 originally from here, I live in center city
20 Scranton. It's come to my attention that
21 certain members of the council have been
22 shouted at and personally I know how they
23 feel. In public I'm being shouted at and
24 it's not pleasant, and I know I have made
25 certain mistakes in my life, but what I'm
.

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1 trying to share today is, you know, if you

2 shout at someone and try to silence someone
3 they will never be a convert to your
4 viewpoints, and I think it's time for
5 Scranton to return to civility and allow
6 inclusion in Scranton. And what -- I'd like
7 to thank each member for allowing me to come
8 here and speak today and thank you very
9 much.

10 MS. GATELLI: Thank you.

11 MR. LORI: Good afternoon, Council.

12 My name is Paul Lori and as a current
13 college student who is planning a future in
14 this city, I have been sitting here for a
15 few weeks now at council meetings just
16 trying to get a good breast of what is going
17 on in the city and in the environment. I
18 want to make a comment, Mrs. Evans, what she
19 said early about the University of
20 Scranton's takeover at Mulberry Street and
21 the 19 properties or whatever that we are
22 losing from the tax roles in this city and I
23 thought it was a little bit unusual the
24 University of Scranton only provides the
25 city with a little over \$100,000 a, year

1 although, she was saying that other
2 communities receive a million or more for
3 that same, you know, loss of tax rolls.
4 Now, also in other communities, I was
5 thinking of maybe you guys could draft a
6 letter together to send to the college, we
7 have a big problem in the city with the
8 colleges, a lot of students aren't staying
9 after college, I know the University of
10 Scranton probably about half, if not more,
11 come from out-of-state and then they leave
12 as soon as they get their degree. A lot of
13 my friends I graduated from high school with
14 just two years ago they are already waiting
15 to get out of the city, waiting to get out
16 of the area. Now, some colleges do offer
17 incentives to, you know, offer a free year
18 of tuition in exchange for a student
19 agreeing possibly to stay in the city or in
20 the area for a certain number of years after
21 graduation to try to help the community to
22 build up the tax base a bit. I believe that

23 was being tacked on with the medical school

24 for the first class, possibly getting free

25 tuition for a year or the entire time. My

.

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1 cousin was investigating that possibly as a

2 premed major and going back and staying in

3 the city for a few years, and I thought it

4 might be good for the University to put it's

5 money where it's mouth it basically. They

6 say how much of a contributor they are to

7 the city and how they want to see it move

8 forward and whatnot, if somehow they can be

9 convinced to offer students the option of,

10 you know, having a year of free tuition or

11 maybe even more if they agree to stay in the

12 city for a certain time after their

13 graduation or receive their degree, because

14 this is going to be a trickle down effect.

15 I mean, they can convince more students to

16 stay with their degree in the area, and the

17 city more specifically, obviously, and of

18 course our census statistics a lot more --

19 the higher percentage of adults in the city

20 with college graduates and when you look at
21 the census, you know, it's not only
22 individuals looking at this it's perspective
23 employers that will be looking at this, if
24 they see, you know, we have a more highly
25 skilled work force living in the city they

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1 might want to move better paying jobs to our
2 city which will improve our economy and, you
3 know, there is a lot of trickle down things
4 to look at with possibly just a college
5 endowment fund that has offering such a
6 program to a student and getting more people
7 to stay in the city. And also, you know,
8 just for the city itself if all of these
9 students went out to then to find properties
10 to live in with the city so they could
11 possibly put neglected -- put renovations
12 and improve property values of neighboring
13 -- throughout the neighborhoods and, just
14 give you really an idea if council to get
15 together and issue a letter just suggesting
16 something like that to the University, like,

17 since you only contribute so little to the
18 city in terms of -- in lieu of the taxes
19 that are lost, instead of, you know, asking
20 initially just for more money if they could
21 offer us a program to get more students to
22 stay in the city which I think would just in
23 the long-term benefit us more. Thank you.

24 MS. GATELLI: Thank you. That's an
25 excellent idea. Mrs. Shumaker.

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1 MS. SHUMAKER: Marie Shumaker.
2 Originally I wasn't going to speak tonight,
3 but with the two motions that you are about
4 to vote on I decided to speak and also that
5 maneuver with moving three pieces of
6 legislation through two orders of business
7 on one day I don't know how that comports
8 with saying citizens have three strikes to
9 get their butts here and make a comment. I
10 mean, it is summertime, a lot of people go
11 away for two weeks is not an atypical
12 vacation I don't think, so if somebody went
13 off on vacation and they couldn't comment

14 last week and they couldn't comment this
15 week and they think perhaps they are going
16 to be able to comment at the first meeting
17 when you return from your vacation, forget
18 it, you already passed them through two
19 orders of business on the same day. The
20 same -- yeah, on the same day, so really
21 there is only two chances on this one, just
22 like the one on the horrendous legislation
23 on the liens. A lot of people didn't get to
24 talk on that because I think there were
25 three speakers and then the meeting was
.

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1 adjourned. How can you call that an
2 opportunity to speak? I don't think that
3 was a --that was a missed opportunity for a
4 lot of people, so I really think you have to
5 rethink and people have to be given their
6 three chances to speak if that's the way
7 it's going to be. You can't compress them
8 or deny them the opportunity on one of those
9 nights and count it as a good endeavor.
10 I would like to speak on changing

11 the time of the day of the meeting. Now,
12 back when I was a pup, and this may not be
13 true anymore because I don't follow high
14 school sports anymore, but I know basketball
15 games used to be on Tuesday and Friday
16 nights, so essentially by moving the
17 meetings from a Thursday to a Tuesday night
18 you are denying parents who want to be
19 involved in their high school children's
20 sports programs to not attend council
21 meetings, and I don't think -- I think you
22 are excluding a large amount there. I know
23 my parents with us, so that would have been,
24 you know, four when I was growing up. They
25 attended every single basketball game with
.

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1 us and I don't think that's right. I think
2 it should be a night that is not a regularly
3 scheduled school night so people can come.
4 I don't know even know, maybe some of your
5 junior council people will be athletes even
6 and they will be precluded from attending on
7 a Tuesday night. That's my input.

8 MR. MCGOFF: Just hold her time for
9 a second, Mr. Minora. There are also
10 events, school events on Thursday nights.
11 Traditionally, girls basketball games are
12 played on Thursday nights. So, no matter
13 what night you have a meeting it's going to
14 conflict with some --

15 MS. GATELLI: School event.

16 MR. MCGOFF: Some school event of
17 some kind or, you know, any other event, so
18 it wasn't done with any intent of, you know,
19 I'm a regular attendee at, you know, boys
20 basketball games, so the movement we
21 understood, but it was done for other
22 reasons and not necessarily --

23 MS. SHUMAKER: Like I say, I'm not up
24 to what nights what's played and, of course,
25 girls sports, it's totally new since I was a

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1 pup, but the other the other thing is the
2 time. I don't think a motion that cannot be
3 even ready in two minutes to be allowed to
4 comment on something as complex, for

5 instance, the parking authority legislation
6 that passed tonight, I don't think two
7 minutes is sufficient time to address
8 necessarily business, on some items that may
9 be, but not necessarily, so I think going
10 back to the three to three and see how that
11 works would be preferable.

12 And then, finally, since I have a
13 minute left I will -- what brought me here
14 the first time was the inhospitability of
15 Nay Aug Park to handicapped persons, that's
16 what brought me here and it still is. I
17 think I'll put my two cents in on the
18 equipment. I think if there is room across
19 from the -- across now from the tree house
20 it should be placed there. I'm sure it's
21 moveable. If this other area is not
22 prepared and it's something that off in the
23 future, now, I'm sure Mayor Doherty's
24 capital budget will be very specific on
25 parks and recreation and capital

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1 expenditures and will know exactly how much

2 he is planning to invest in the handicapped
3 area, but it took, it took almost two years
4 to get extensions put -- of attending rec
5 authority meetings to get extensions put on
6 picnic tables so that a person in a
7 wheelchair could actually come up to a
8 table. That comfort station is still not
9 accessible. We have been spending, we spent
10 as taxpayers almost \$30,000 on that thing
11 and it started, I think the work started in
12 2001 or 2002 and it still ain't there. I
13 mean, how long is this other project going
14 to take? Why not let kids enjoy the
15 equipment now and when this other facility
16 opens then move it then. Why -- I don't see
17 how why it has to be an issue. Thank you
18 for your time.

19 MS. GATELLI: Thank you, Mrs.

20 Shumaker.

21 MS. SHUMAKER: Happy August.

22 MS. EVANS: Mrs. Shumaker, I do have
23 some information for you.

24 MS. GATELLI: I think Sherry gave it
25 to her.

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1 MS. EVANS: Oh, did you receive this?

2 MS. GATELLI: Yes, Sherry gave it to

3 her.

4 MS. EVANS: Oh, thank you.

5 MS. WILLIAMS: Good afternoon,

6 Council, Joanne Williams. I came down this

7 afternoon specifically to speak about Nay

8 Aug Park, and as I was sitting there

9 listening quite a few things did come up

10 about Nay Aug. I am disappointed about the

11 handicapped swing set for the children that

12 Mr. Miller has decided to give back the

13 money. I think there is always a way to

14 compromise. I'm sure if he talks with the

15 mayor and expresses his feelings about it

16 there could be some kind of compromise. I

17 also, I have been up the park quite often

18 and I marvel in the beauty and the progress

19 of it. Last weekend I visited again the new

20 bridge, I don't know how many residents have

21 gotten that opportunity to see that new

22 bridge, it's absolutely gorgeous. While I

23 was up there, there was quite a few
24 visitors, home town visitors, out of town
25 visitors and I sat around and watched and
.

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1 listened while pictures being taken and
2 people saying that they couldn't get over
3 what Scranton had to over, especially the
4 out-of-towners, so I'm thinking that with
5 the handicapped swing set I think inclusion
6 is a good thing, that's the point I want to
7 get it to.

8 Also, Nay Aug, someone, I think it's
9 Ron, I'm not sure of his name, that came up
10 and said that it is no different in Nay Aug.
11 You know, a lot of time we get the negative
12 park of Nay Aug park a lot of time and let
13 tell you, Ron, I don't mean to be -- I don't
14 want to be nasty, but I think you need to
15 get a new pair of glasses because Nay Aug
16 has improved greatly over this
17 administration. I have to thank Mayor
18 Doherty and his administration and the
19 people on the city council who have backed

20 those projects, not only at Nay Aug, but all
21 of the parks.

22 Now, I just want to get onto the

23 Lackawanna County Taxpayers' Group. I

24 watched that on TV when it aired and it has

25 taken me a lot to get up here and express
.

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1 this, but I have sat and watched these

2 meetings on television. I don't understand

3 why it's called Lackawanna County Taxpayers'

4 Group. What I do see once awhile maybe

5 someone from Throop or Jessup, maybe Dunmore

6 going to these meetings, and really they are

7 like, you really don't get much to say

8 because it's taken over by this group. This

9 group, I feel, my opinion, this group only

10 downs this city, attacks the mayor, attacks

11 some of you council people and, you know,

12 and I don't think it's fair and I am really

13 upset that Channel 61 does air that because

14 for me it's just a downer and a doomer group

15 that gets together.

16 Now, one question about Habitat for

17 Humanity, back in Mayor Connors era who

18 headed that program, does anyone know?

19 MS. FANUCCI: I believe it was Ozzie

20 Quinn.

21 MS. WILLIAMS: Ozzie Quinn, okay.

22 And then when Mayor Doherty took over what

23 happened, does anyone know? We don't know?

24 Okay. You know, it's time that we all come

25 together. It's time that we realize what we

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1 have in this city, you know, whether it be

2 Mayor Connors or right now it's Mayor

3 Doherty. He is going to pick his

4 administration just like the next mayor and

5 the mayor after him or when he is leaving

6 offices mayor and pick his administration

7 that is going to work with him and move this

8 city forward. I love this city, I'm very

9 proud of it, and I am very proud of you

10 people who sit on council each week. I

11 don't know how you take the negativity week

12 after week, but like I said before, and I'll

13 say it again, you people were voted in to

14 sit in those seats. The minority that comes
15 here every week and speaks is not the
16 majority of this city and also Mayor Doherty
17 also is elected to sit down in that office
18 and run the city so, it's time to put this
19 negativity back and let's start looking
20 ahead to positive and progress for this
21 city. Thank you.

22 MS. GATELLI: Thank you. Anyone
23 else?

24 MR. HUBBARD: Good evening, Council,
25 Dan Hubbard, lower Greenridge. A quick
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1 comment on Nay Aug, I agree, yeah, it does
2 look better, does it look 6 1/2 million
3 dollars better, certainly not. Not even
4 close. 1.5 million dollars in landscaping
5 it's really not visible and I have worked
6 for landscapers and I can tell you there is
7 not \$1.5 million of landscaping at Nay Aug,
8 so, yes, the park does look better, but it
9 doesn't match the price tag that we paid to
10 get it there.

11 Now, Mrs. Gatelli, I was going to
12 let it go, but several weeks ago you made a
13 comment as I walked away from the podium,
14 you called me disgraceful. Now, I have come
15 here as an elected neighborhood
16 representative time and time again about a
17 questionably operating company and the
18 flooding in lower Greenridge. Your two
19 comments --

20 MS. GATELLI: I'm sure I did not say
21 that.

22 MR. HUBBARD: Yes, Judy, you did say
23 it. You did say it.

24 MS. GATELLI: Well, I apologize.

25 MR. HUBBARD: Well, you know, I have
.

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1 come to you on two major issues in this
2 city, one is a company that's polluting
3 the --

4 MS. GATELLI: And I told you exactly
5 what to do with that company and I will go
6 with you.

7 MR. HUBBARD: Please, you are eating

8 my time.

9 MS. GATELLI: To meet the attorney.

10 MR. HUBBARD: You told me to sue

11 them --

12 MS. GATELLI: You can have the time

13 back.

14 MR. HUBBARD: You told me to sue

15 them. There is already two lawsuits against

16 Daron Northeast at this point the city needs

17 to step up to the plate.

18 MS. GATELLI: City council cannot do

19 anything about that. We cannot sue --

20 MR. HUBBARD: So you guys are

21 powerless --

22 MS. GATELLI: Yes, we are.

23 MR. HUBBARD: You are powerless?

24 MS. GATELLI: Yes, we are.

25 MR. HUBBARD: Okay. So then please

.

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1 explain to me why you made the same comment

2 in a meeting that you called me disgrace you

3 attempted to use part of the \$281,000 from

4 Elm Street to demo houses in south side?

5 MS. GATELLI: I didn't do that.

6 MR. HUBBARD: You made that comment.

7 Yes, you certainly did. You certainly said,

8 "I tried to use part of the 281,000 --"

9 MS. GATELLI: I don't think I --

10 MR. HUBBARD: -- from the Elm Street

11 project --

12 MS. GATELLI: No, I don't think.

13 MR. HUBBARD: To demo houses in south

14 side.

15 MS. GATELLI: I don't think so.

16 MR. HUBBARD: You did say that.

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

18 MR. HUBBARD: Yes, you did. You did

19 say that.

20 MS. GATELLI: Well, I'm not going to

21 sit here and argue with you.

22 MR. HUBBARD: But you do argue. You

23 are going to call me disgraceful, yet you

24 are going to use flood project -- try to use

25 flood project money, I come here week after

.

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1 week asking for help for my neighborhood and

2 you come here week after week with a feather
3 in your cap to protect the interests of one
4 man and the property values of a few in the
5 city. You have complete and utter disregard
6 for the needs of the many in this city. I
7 think you more of a disgrace or
8 representative of any neighborhood in the
9 city than I could ever be.

10 MS. GATELLI: Thank you.

11 MR. HUBBARD: And I come here week
12 after week. Yes, you know why, I have been
13 getting more aggressive, certainly more
14 anger as the months go by, but can you blame
15 me? We have already passed the one year
16 anniversary, what have you as a council done
17 to try to force or request Mr. Brazil,
18 Mr. Parker, or Mr. Doherty to do in lower
19 Greenridge? You all unanimously passed a
20 motion for a flood siren. Sara Hailstone
21 said and they said, "No, you can't do that,
22 Mr. Hubbard has to submit the paperwork."
23 I submitted very detailed paperwork
24 including the RFP and all the information
25 they needed from the manufacturer for the

1 previous two sirens, where is the siren?
2 Where is the repairs? Has anybody bothered
3 to try and talk to Mr. Parker before he left
4 about why he refused to do the repairs that
5 he clearly indicated to me in a meeting with
6 Miss Fanucci that he would do? The problem
7 here is that is if it is not your agenda as
8 a council or council majority it is
9 forgotten the minute that -- yes, you will
10 say to me, "Oh, Mr. Hubbard, we will placate
11 you, we will get you meetings, we will get
12 you to Mr. Parker," but have you done
13 follow-up on anything? As the president of
14 this council have you followed up on any of
15 the major issues that affect these
16 residents? Telling me we need to sue Daron
17 of Northeast is not the answer. It's the
18 same gentleman. You told me as the
19 representative of south side neighborhood
20 you were sick of battling with the city over
21 Compression Polymers. Now, you are in that
22 seat. You are in the city and I'm battling

23 with the same man that you didn't get any

24 response from the city battling, James

25 Kiesling. You told me, "I couldn't get

.

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1 anything from the city so we had to sue them

2 on our own."

3 Well, now you are in the seat. You

4 are the city. I'm looking to you for the

5 help that you couldn't get from the city and

6 your response to me was, "Sue them. Sue

7 them."

8 Based on several comments made by

9 Mayor Doherty and Mr. Ludovici I have now

10 informed the residents of lower Greenridge

11 to remove their rain gutters because once

12 they are gone we won't have flooding. That

13 was their comment to a lady on Luzerne

14 Street in regards to the sewer drains and

15 storm drains, now she is actually getting

16 help, but do you see the pattern of comments

17 from the people in this city including

18 yourself? We're disgraceful, we are losers,

19 we are malcontents. We come to you for

20 help. I come to you representing an entire
21 neighborhood that has been inundated by the
22 Lackawanna River twice in two years. Your
23 department heads in this city have told me
24 they would help me, they have done nothing.
25 What have you done to follow-up on that?

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1 Have you done one thing to follow-up on my
2 flood siren? Have you made one phone call
3 to OECD to ask where is the funding that I
4 requested through the proper letter that
5 they said I needed to submit? Where is my
6 siren?

7 MS. GATELLI: Thank you, Mr. Hubbard.

8 MS. EVANS: Mr. Hubbard, I hope that
9 you are submitting the CDBG application and
10 I'm hoping that that's going to help you,
11 and I had spoken with your mother, but I
12 just wanted to reiterate that after I
13 believe it was last week's meeting another
14 correspondence was sent to Mr. Brazil to
15 update him on the fact that Mr. Parker had
16 made these promises regarding your

17 neighborhood building up the riverbank and
18 now that, you know, as he is on the job he
19 can become aware of the situation it's my
20 hope and my request that he is going to make
21 good on Mr. Parker's word.

22 MR. HUBBARD: I would hope so. He
23 said we would have to actually raise the
24 funding for the total flood project and
25 provided by the city and the government.

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1 MS. FRANAS: Fay Franas, Scranton. I
2 wasn't here, I walked in when Mrs. Evans was
3 speaking about the properties on the Hill
4 Section so I don't know if she said anything
5 I want to address so forgive me if I'm
6 repeating something she might have
7 addressed. Mr. Stacy Brown wrote an article
8 in the Times about the properties that the
9 University of Scranton were acquiring, it's
10 sort of like I wish Mr. Brown would
11 sometimes come to the podium and state how
12 he got his -- how he compiled his figures
13 and how he came about. The taxpayers are

14 going to be losing \$53,000 a year.

15 Mrs. Gatelli, are you aware that property,
16 319 N. Webster, was appraised at \$395,000
17 and after the University acquired it they
18 lowered this assessed value to \$10,000?

19 MS. GATELLI: I wasn't aware of
20 that, Mrs. Franas, but every week, and I'll
21 give them to you if you would like, we get a
22 list of people that want their taxes
23 lowered.

24 MS. FRANAS: I don't care what the
25 people, I'm talking about the University of
.
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1 Scranton.

2 MS. GATELLI: No, I understand.

3 MS. FRANAS: Tons and tones and this
4 should not be. Who is going to make up for
5 that money that they are we are losing from
6 that? I wonder what that property, what
7 kind of taxes we would get from that taxes
8 if that \$295,000 was still assessed at that.

9 This is just -- this is favoring the
10 University of Scranton again and lowering

11 the prices so they -- and why aren't they
12 giving you us the lost taxes in revenue or
13 the money for the pilot programs to go and
14 get -- go after them for the money that we
15 would have gotten the taxes for, the
16 \$395,000 or 319, that's not going to happen.
17 I also want to make a comment here,
18 Mrs. Gatelli, you made a comment saying that
19 you only missed three meeting, while I just
20 have to clarify this: Between 2006 and 2007
21 you cancelled eight meetings, you adjourned
22 two, you recessed the one, you left four
23 early so that's like 17 meetings or so that
24 -- versus the three that you say you missed.
25 That's a heck of a lot of meetings that you
.

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1 weren't here and you left and you just
2 didn't come to, so I just wanted to get that
3 straight.
4 Another thing, my son, Frank, lives
5 out of town and last night he wrote me an
6 e-mail because I have been keeping his
7 advised of what's going on in the City of

8 Scranton. I'd just like to read what his
9 little comments were, I shouldn't say
10 little, he is 30 some years old I think he
11 knows what he is speaking of, he is a
12 college graduate, so my son wrote: "The
13 entire city needs to revote and take back
14 their pride and good government that's been
15 taken from them by the disgustingly corrupt
16 Judy Gatelli. She'll go down in history as
17 a city council president who cared the least
18 for the city and it's people. The behavior
19 and decisions she has made were obviously
20 ones that she rationalized to herself
21 somehow, but she knows her true motivations
22 for greed and power. What moral compass, if
23 any, does her conscience follow? I have
24 never seen someone believe in karma less.
25 In the end, the term Gatelli will stay in

.

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1 use around the city when someone makes
2 glaringly obvious deals with their cronies
3 that screw the city, you can say, he pulled
4 a Gatelli. Only the people can stop this

5 glutenous, flesh mass determined to take
6 Scranton back decades through tax hikes and
7 insane inside deals and nauseating levels of
8 nepotism by ejecting the EOC governor's
9 chair. Further council members need to see
10 how acting so illegally and immorally will
11 not be tolerated."

12 MR. MCGOFF: Mrs. Franas.

13 MS. FRANAS: "Get her out of here."

14 MR. MCGOFF: I'm sorry, you cannot
15 make accusations.

16 MS. FRANAS: I disagree. Yes, I can.

17 MR. MCGOFF: No, you can't.

18 MS. FRANAS: I also want to address
19 something else, Mr. --

20 MR. MCGOFF: And I'm stepping in for
21 Mrs. Gatelli --

22 MS. FRANAS: You're out of order, Mr.
23 McGoff.

24 MR. MCGOFF: ---because I know she
25 won't do --

.

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1 MS. FRANAS: You are out of order.

2 Point of order, Mr. McGoff. Hold.

3 MR. MCGOFF: Hold the time on this.

4 MS. FRANAS: You won't obey the Rules

5 of Council. Let's go to point of order.

6 Rules of Council. You are out of order,

7 Mrs. Fanucci, let's not start. Mr. McGoff

8 --

9 MR. MCGOFF: I'm not going to start

10 an argument with you, Mrs. Franas --

11 MS. FRANAS: Stop the time here.

12 Mrs. Evans, someone stop the time.

13 MR. MCGOFF: All I'm trying to say

14 is --

15 MS. FRANAS: Well --

16 MR. MCGOFF: You spoke before. I

17 said before --

18 MS. FRANAS: Point of order,

19 Mr. McGoff. Point of order, Mr. McGoff.

20 MR. MCGOFF: You do not have the

21 right to make accusations against --

22 MS. FRANAS: Yes, I do. Freedom of

23 speech.

24 MR. MCGOFF: No, you don't.

25 MS. FRANAS: Would you like to

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1 address Mr. Thomas Jefferson, Mr. History

2 Teacher?

3 MR. MCGOFF: Yes.

4 MS. FRANAS: I think you flunked

5 yourself.

6 MR. MCGOFF: No, I don't think so.

7 MS. FRANAS: Mr. Jefferson would come

8 to meetings and he would if he had to --

9 MR. MCGOFF: Excuse me.

10 MS. FRANAS: No, you excuse me.

11 MR. MCGOFF: Making accusations --

12 MS. FRANAS: I can say whatever I

13 want, Mr. McGoff. Mr. McGoff, I want to

14 address you for saying before that people

15 don't have a right to say what they want,

16 who are you to say that they don't have a

17 right to say what they want? Who are you?

18 Just because you say as council person and

19 Mrs. Gatelli may say --

20 MS. GATELLI: I'm not calling her on

21 it. She can say whatever she wants.

22 MS. FRANAS: -- just because she is

23 the council president. All I'm saying is
24 just because you say it doesn't mean it's
25 true. Just because you say you think that
.

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1 people feel they have to listen to you.

2 They do not have to listen to you. We have
3 a right to speak.

4 MS. FANUCCI: Thank you for being
5 part of the problem instead of being part of
6 the solution, Mrs. Franas.

7 MS. GATELLI: Thank you. Is there
8 anyone else that cares to speak before
9 council?

10 MS. FRANAS: Mrs. Fanucci, you don't
11 have a right to speak, I didn't give you the
12 floor. You have no right.

13 MS. GATELLI: Is there anyone else
14 that wants to speak? We have some motions.

15 MR. MINORA: Before you adjourn you
16 have to vote on Bob's two motions.

17 MS. GATELLI: Before we adjourn we
18 have two motions.

19 MR. MINORA: The first motion that

20 needs a vote. The first motion that needs a
21 vote --

22 MR. MCGOFF: I'll reread the first
23 motion.

24 MS. GATELLI: Oh, you want to speak?

25 Oh, all right, I'm sorry.

.

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1 MS. HUBBARD: I just a have a couple
2 of questions and a comment, I was out for
3 coffee with a friend the other night and we
4 were discussing city council and it came up
5 that you were not going to be here for the
6 month of August and he just very calmly
7 looked at me and said, "Who did they think
8 they are, the Iraqi Parliament?"

9 And I said, "Well, what can I tell
10 you."

11 Anyway, I have a question on 6-H,
12 the East Market Street Bridge project, isn't
13 that the project finished?

14 MS. FANUCCI: No.

15 MS. GATELLI: Well, all of the --
16 yeah, all of them haven't been completed.

17 MS. HUBBARD: The bridge isn't --

18 MS. GATELLI: The bridge itself, but

19 all --

20 MS. FANUCCI: All the underneath and

21 the expansion project I think to widen it

22 is --

23 MS. HUBBARD: Through what?

24 MS. GATELLI: Through PennDOT.

25 MS. HUBBARD: They redid Market

.

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1 Street down to the bridge, they have the

2 bridge.

3 MS. GATELLI: They haven't completed

4 the whole project yet. I mean, it looks

5 complete but the paperwork is not all

6 complete.

7 MS. HUBBARD: Okay. All right. Now

8 why are you changing the meeting night?

9 MS. GATELLI: Because it's more

10 convenient for all of us on a Tuesday.

11 MS. HUBBARD: For all, everyone on

12 council?

13 MS. GATELLI: Yes, we all agreed.

14 MR. COURTRIGHT: We all agreed on it.

15 MS. GATELLI: To change it to

16 Tuesday.

17 MS. HUBBARD: Now, you are going to

18 have the first meeting on September the

19 11th, which is a Tuesday.

20 MS. GATELLI: Yes.

21 MS. HUBBARD: September 4 is also a

22 Tuesday, where is the meeting on that night?

23 Why is there no meeting on that night?

24 MS. GATELLI: Because the first

25 meeting when we come back is September 11?

.

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1 MS. HUBBARD: Why do you get an extra

2 week's vacation --

3 MS. GATELLI: I believe because it's

4 the Labor Day weekend. I'm not sure.

5 MS. HUBBARD: Which Labor Day is

6 Monday, everybody goes back to work on

7 Tuesday.

8 MS. GATELLI: I don't know, but

9 council all agreed that the first meeting

10 was September 11.

11 MS. HUBBARD: So the next five weeks
12 without a council meeting instead of four
13 that are in August, so now we get an extra
14 week. It's like the extra day for the
15 Fourth of July which was on a Wednesday and
16 --

17 MS. GATELLI: Well, everyone voted on
18 it, Mrs. Hubbard. Everyone voted on it,
19 so --

20 MS. HUBBARD: Well, I don't know.

21 There is more nonmeetings than meetings.

22 Yeah, I would just like to say that the
23 comments in the paper about Janet's people
24 and the posse and all of that were
25 appalling. There is no reason for comments
.

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1 like that by anyone member of council.

2 MS. GATELLI: Thank you. Anyone
3 else? Are you sure there is no one else
4 that wants to speak? All right. We will
5 get to our motions.

6 MR. SBARAGLIA: Are we allowed to
7 speak on the granting of these motions?

8 MS. GATELLI: No, we said before you
9 would be able to speak that's why we waited
10 until the end and you already spoke,
11 Mr. Sbaraglia.

12 MS. FANUCCI: You had to speak during
13 your time.

14 MS. GATELLI: You had to speak about
15 it during your time, that's why we put it
16 after citizen participation. Go ahead,
17 Mr. McGoff.

18 MR. MCGOFF: The first motion was a
19 motion to amend the Rules of Council to
20 change the day of our meetings from
21 Thursdays at 6:30 to Tuesdays at 6:30 when
22 we return in September and to establish our
23 next meeting for Tuesday, September 11,
24 2007.

25 MR. MINORA: That motion was made and
.

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1 seconded and now it's to the question.

2 MS. GATELLI: Now it's on the
3 question. All in favor?

4 MS. EVANS: Aye.

5 MS. FANUCCI: Aye.

6 MR. MCGOFF: Aye.

7 MR. COURTRIGHT: Aye.

8 MS. GATELLI: Aye. Opposed? The

9 ayes have it and so moved.

10 MR. MCGOFF: The second motion was a

11 motion to amend the Rules of Council to

12 change the public comment portion of the

13 agenda so that Fourth Order will be public

14 comment on agenda items for two minutes, and

15 Eight Order will be public comment on other

16 general city issues for three minutes, this

17 to commence on September 11, 2007.

18 MS. GATELLI: We already had a

19 second on that.

20 MR. MINORA: That motion was made and

21 seconded and now it's on the question.

22 MS. EVANS: I really didn't know

23 about this change, I wasn't at today's

24 caucus meeting and I did want everyone to

25 know that I do attend caucus meetings, but I

.

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I wasn't there today because I was coming back

2 from St. Ann's, so I really -- this was news
3 to me, although, not completely, because I
4 had asked Mr. McGoff last week during the
5 recess that was taken if he would please
6 consider returning meetings to their
7 original format and that being the format of
8 the council of 2004 and 5 and prior to that
9 and he had good reasons, his own reasons, I
10 respect his reasons, I don't agree with him,
11 but, nevertheless, I do respect that and he
12 was not agreeable. I really do feel that
13 it's virtually impossible for anyone, anyone
14 seated up here, anyone seated out there to
15 make a comprehensive cohesive statement on
16 any issue in two minutes. Most agenda items
17 really don't require comment, I've rarely
18 seen anyone if ever I have comment on every
19 item on an agenda, but when there are
20 significant items that are going to affect
21 you personally there are many people who
22 want to comment and two minutes doesn't do
23 the job, and even in three minutes
24 afterwards I would expect that's the time in
25 which you can report your problems,

1 concerns, suggestions, again, three minutes,
2 my goodness, you are going to have to be
3 probably the most talented writers and
4 orators that I have ever encountered to be
5 able to accomplish that in such a time
6 period. I see it's kind of like education.

7 We go from one bandwagon to another every
8 decade trying to cure what's wrong and what
9 I've seen with the meetings, at least the
10 public participation portion, is that we
11 have gone from one rule to another to
12 another trying to solve or trying to cure
13 the malady and I think the easiest, the
14 easiest and probably what's going to avoid
15 what I'm hearing through rumors of more
16 lawsuits, what's going to avoid all of that
17 is just returning it to it's original
18 position and time, so that's why I will be
19 voting, no.

20 MS. GATELLI: Anyone else?

21 MS. FANUCCI: As far as I'm
22 concerned I checked into most cities and

23 their meetings and they do a total of three
24 minutes public comment, regardless if you're
25 speaking on the agenda or if you are
.

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1 speaking about city business or just your
2 own complaints. It's usually limited to
3 three minutes total. Last time when we did
4 change or made the effort to change we have
5 been trying to accommodate the regular
6 speakers here and we didn't make the change
7 because actually it might have been, Fay,
8 wanted it changed and we can did change it
9 to what we had just recently, and that
10 didn't work and I said I would continue and
11 go back to what we had, never intending it
12 to be a five-minute before or a two minute
13 before, I like the fact of keeping the
14 agenda separate and that we can vote so that
15 way we can keep track of what we are doing
16 here which is supposed to be city business.
17 I'd like to keep that separate because,
18 believe me, it gets lost in the shuffle of
19 the regular droning of nonproductive and

20 self-motive activity that we get here
21 everyday. I don't like it. I don't enjoy
22 it and, personally, if the constitution
23 would let me put it down to a half a minute
24 at the end I probably would do it because
25 this has become nothing but a game here, so
.
171

1 I'd like to keep the city business separate
2 and actually do what we are supposed to do
3 and attend to our jobs and do what the
4 taxpayers need us to do not only to further
5 others expectations, but to make the city be
6 what we want it to be which is the best
7 place. That's all I have.

8 MS. GATELLI: Anyone else? A motion
9 has been made and seconded. All in favor?

10 MS. FANUCCI: Aye.

11 MR. MCGOFF: Aye.

12 MS. GATELLI: Aye. Opposed?

13 MR. COURTRIGHT: No.

14 MS. EVANS: No.

15 MS. GATELLI: The ayes have it and so
16 moved. Before we adjourn the meeting I

17 would just like to make a statement to the
18 public that what is said here is not always
19 the truth. I have never taken anything that
20 didn't belong to me and I resent when people
21 say I'm corrupt. If you don't agree with my
22 vote, that's fine, we can argue about it,
23 but I am ashamed and embarrassed in front of
24 my children that people come here and say I
25 have done illegal things. I haven't. And
.

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1 if I have go to the Attorney General and
2 have me arrested, but you are not going to
3 come here and bad mouth me every week and
4 have me not answer. I have done a lot for
5 my community for 25 years. I worked for
6 south side and those people never abused me
7 like I get abused here. I gave back \$625 of
8 my pay, no one else did.
9 I am the president of this council,
10 I put in a lot more time than the rest of
11 the members so if I miss a meeting or I have
12 to leave early for a meeting I put my time
13 in way above and beyond and I apologize to

14 the citizens of this community that they
15 have to hear lies and lies and lies about my
16 illegal activity. I never took a dime that
17 didn't belong to me. I'm working since I'm
18 14 years old. My parents worked in
19 factories struggling. My mother used to
20 drag her leg coming in the door at night she
21 worked so hard to provide for me and my dad
22 and I resent people saying that I am
23 corrupt. If I don't vote the way you like I
24 e guess I'm corrupt then, but that doesn't
25 mean that my heart and my sole is corrupt
.
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1 because it's not.
2 I love my town and I'm going to
3 continue to vote the way I see fair up here
4 and the way I see the town to move forward,
5 but I am not going to allow someone to say
6 that I do illegal things and that I am
7 corrupt. I am not. Thank you very much.
8 I'll make a motion to adjourn.
9 MR. COURTRIGHT: So moved.
10 (Meeting adjourned.)

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2 CERTIFICATE

3

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.

10

11

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13

CATHENE S. NARDOZZI
14 OFFICIAL COURT REPORTER

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