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1 SCRANTON CITY COUNCIL MEETING

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5 HELD:

6

7 Tuesday, September 11, 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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4 MS. JUDY GATELLI, PRESIDENT

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MS. JANET E. EVANS

6

7 MS. SHERRY FANUCCI

8

MR. ROBERT MCGOFF

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10 MR. WILLIAM COURTRIGHT (Not present.)

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MS. KAY GARVEY, CITY CLERK

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13 MR. COOLICAN, ASSISTANT CITY CLERK

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MR. AMIL MINORA, SOLICITOR

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1 MS. GATELLI: I'd like to welcome

2 everyone back to the city council meeting.

3 This evening we have some special guests

4 with us. We have a Boy Scout Troop from

5 North Scranton and they are going to help

6 us in the Pledge of Allegiance.

7 (Pledge of Allegiance recited.)

8 MS. GATELLI: Please remain up here

9 because, as you know, today is a special day

10 in the United States of America. We are

11 celebrating the sixth anniversary of 9/11,

12 and I'm sure all of the children are aware

13 of that and we here when it happened. There

14 were many people who sacrificed their lives

15 to help others and many lives of mothers,

16 fathers, children were lost in that tragic,

17 tragic incident, and I think it would be  
18 fitting for us this evening, even though I  
19 have a terrible voice, to sing the National  
20 Anthem to honor all of the 9/11 victims. So  
21 if someone has a good voice they can start.  
22 (National Anthem sung in unison.)

23 MS. GATELLI: Please remain standing  
24 for a moment of silence for all of the  
25 people who lost their lives and are still  
.

4

1 continue to suffer with various diseases  
2 that they have received from the debris.  
3 (Moment of silence observed.)

4 MS. GATELLI: Thank you very much.  
5 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. Mrs.

13 Gatelli.

14 MS. GATELLI: Here. Dispense with

15 the reading of the minutes.

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

17 MINUTES OF THE POLICE PENSION COMMISSION

18 MEETING HELD ON MAY 23, 2007.

19 MS. GATELLI: Are there any

20 comments? If not, received and filed.

21 MS. GARVEY: 3-B. MINUTES OF THE

22 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING

23 HELD ON JUNE 27, 2007.

24 MS. GATELLI: Are there any comments?

25 In not, received and filed.

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1 MS. GARVEY: 3-C.

2 MS. GATELLI: Are there any

3 comments? If not, received and filed.

4 MS. GARVEY: 3-D. MINUTES OF THE

5 POLICE PENSION COMMISSION MEETING HELD ON

6 JUNE 27, 2007.

7 MS. GATELLI: Are there any

8 comments? If not, received and filed.

9 MS. GARVEY: 3-E. MINUTES OF THE

10 SCRANTON-LACKAWANNA HEALTH & WELFARE

11 AUTHORITY BOARD MEETING HELD ON JULY 19,  
12 2007.

13 MS. GATELLI: Are there any  
14 comments? If not, received and filed.

15 MS. GARVEY: 3-F. AGENDA FOR THE  
16 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING  
17 HELD ON JULY 25, 2007.

18 MS. GATELLI: Are there any  
19 comments? If not, received and filed.

20 MS. GARVEY: 3-G. MINUTES OF THE  
21 COMPOSITE PENSION BOARD MEETING HELD ON JULY  
22 25, 2007.

23 MS. GATELLI: Are there any comments?  
24 If not, received and filed.

25 MS. GARVEY: 3-H. MINUTES OF THE  
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1 NON-UNIFORM PENSION BOARD MEETING HELD ON  
2 JULY 25, 2007.

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

5 MS. GARVEY: 3-I. MINUTES OF THE  
6 FIREMEN'S PENSION COMMISSION MEETING HELD ON  
7 JULY 25, 2007.

8 MS. GATELLI: Are there are comments?

9 If not, received and filed.

10 MS. GARVEY: 3-J. MINUTES OF THE

11 POLICE PENSION COMMISSION MEETING HELD ON

12 JULY 25, 2007.

13 MR. DAVIS: We can't hear you.

14 MS. GATELLI: Are there any comments?

15 If not, received and filed.

16 MS. GARVEY: 3-K. CONTROLLER'S REPORT

17 FOR THE MONTH ENDING JULY 31, 2007.

18 MS. GATELLI: Are there any comments?

19 If not, received and filed.

20 MS. GARVEY: 3-L. APPLICATIONS AND

21 DECISIONS RENDERED BY THE ZONING HEARING

22 BOARD MEETING HELD ON AUGUST 15, 2007.

23 MS. GATELLI: Are there any comments?

24 If not, received and filed.

25 MS. GARVEY: 3-M. AGENDA FOR THE

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1 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING

2 HELD ON AUGUST 22, 2007.

3 MS. GATELLI: Are there any comments?

4 If not, received and filed.

5 MS. GARVEY: 3-N. AGENDA FOR THE  
6 ZONING HEARING BOARD MEETING TO BE HELD ON  
7 SEPTEMBER 12, 2007.

8 MS. GATELLI: Are there any comments?

9 If not, received and filed.

10 MS. GARVEY: 3-O. PETITION FOR A  
11 STREET LIGHT IN THE 900 BLOCK OF WOOD  
12 STREET?

13 MS. GATELLI: Are there any comments?

14 If not, received and filed.

15 MS. GARVEY: 3-P. PETITION FOR A  
16 STREET LIGHT IN THE 400 BLOCK OF TENTH  
17 AVENUE.

18 MS. GATELLI: Are there any comments?

19 If not, received and filed.

20 MS. GARVEY: 3-Q. PETITION FOR A  
21 STREET LIGHT IN THE 1000 BLOCK OF COTTAGE  
22 AVENUE.

23 MS. GATELLI: Are there any comments?

24 I would just like to make one comment before

25 we finish up with these streetlights, it has

.

8

1 come to our attention that we are sending



2 streetlight requests down to the Department  
3 of Public Works and people are getting the  
4 impression that council is approving the  
5 installation of these streetlights. We are  
6 only forwarding the petitions to the  
7 Department of Public Works who in turn gives  
8 them to M & M, which is the consulting firm  
9 that has purchased these street lights from  
10 the City of Scranton, and they then  
11 determine if the streetlight is needed and  
12 the cost of the streetlight.

13 So our procedure from now on will be  
14 you may pick up a petition at city council,  
15 but it must then be forwarded to the  
16 Department of Public Works because the city  
17 council has no jurisdiction to approve or  
18 disapprove a streetlight. So, in the future  
19 the streetlight petitions will go directly  
20 to the Department of Public Works, I just  
21 wanted to clarify that. Thank you.

22 Mrs. Garvey.

23 MS. GARVEY: 3-R. PETITION TO CHANGE  
24 THE 1000 BLOCK OF COTTAGE AVENUE TO ONE-WAY.

25 MS. GATELLI: Are there any comments?

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9

1 If not, received and filed.

2 MS. GARVEY: That's it for third

3 order.

4 MS. GATELLI: Before we start with

5 the public input, I just have a few

6 announcements to make. St. Stanislaus Youth

7 Center asks that we make an announcement

8 that they are having a festival Sunday,

9 September 16, from noon to six at the youth

10 center, 5:30 East Elm Street in Scranton.

11 They will have home made Polish food, a bake

12 sale, games, raffles, crafts and vendors

13 sponsored by St. Stanislaus Elementary

14 School.

15 The rescue mission on Gordan Avenue

16 citations were issued by the City of

17 Scranton on that particular project and the

18 hearing is this Thursday, the 13th, at 1:00

19 at Magistrate Kennedy's office for anyone in

20 that neighborhood that's interested in

21 going.

22 We've remembered some people today

23 from 9/11 and I also think that it's fitting

24 that we remember one of our soldiers that

25 has died recently fighting for all of our

.

10

1 freedom. He happens to be the son of a

2 friend of mine who I worked with as a nurse

3 at Moses Taylor Hospital. She still works

4 at Moses Taylor and I have spoken to her and

5 I told her that I was going to announce

6 tonight where to send any money that you

7 would like to commemorate in her son's name

8 to her grandson's fund, who his name is

9 Jakub, J-A-K-U-B, Prorock, and they are

10 accepting donations to the Jakub Fund, PNC

11 Bank, 533 Main Street, Peckville, PA, 18452,

12 and I would just like to say that this

13 council is very, very proud of Jan Argonish,

14 very proud of him for defending us and his

15 country and his mom told me that he believed

16 in the war, he really believed that they

17 were there and having an impact and doing

18 the right thing, so that made me feel

19 better, not too much better because I don't

20 think the war is necessary, that's only my  
21 personal opinion, but I think that we should  
22 honor Jan for dying for his country, a nice  
23 young man and left a grandson, so let's just  
24 have one more moment of silence for Jan  
25 Argonish.

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11

1 (Moment of silence observed.)

2 MS. GATELLI: Thank you. Just one  
3 more thing, it has come to my attention  
4 there are several times in the past year  
5 that the zoning board has voted against a  
6 particular project and it seems that when  
7 the people appeal the project it goes down  
8 to the courthouse and a judge hears the case  
9 and sometimes the case is overturned, and I  
10 have heard that sometimes they are  
11 overturning the cases because no one came to  
12 the zoning board to object even though maybe  
13 it was wrong and the zoning board absolutely  
14 did the correct thing, they are taking it, I  
15 don't know if they are doing it legally, you  
16 know, on legal issues or hardship issues,

17 but I am continuing to get complaints about  
18 one specific case and I have gone there and  
19 the place is a mess. The neighbors are  
20 complaining and I just would like to see if  
21 we can't send a letter to the judge, I think  
22 the President judge is Chester Harhut, on  
23 behalf of council if everyone would agree.  
24 I don't find it necessary that we do a  
25 motion, but if everyone would agree that  
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1 they would please take into account that the  
2 zoning board is appointed by council, they  
3 do represent the people, I think that they  
4 are all doing a fine job on the zoning  
5 board, I think it's one of the best zoning  
6 boards we have had in years. Illegal  
7 apartment conversions aren't happening  
8 anymore and illegal businesses, and I think  
9 that it hurts them and it hurts their cause  
10 when right down the street they are being  
11 overturned.

12 So I would like you to send that  
13 letter, Kay, and if they want to meet with

14 us that would be fine. Maybe there are  
15 reasons that this is happening, but then  
16 it's coming back to council and we are  
17 getting the complaints about the properties,  
18 so I would also like to make the judges  
19 aware of that, that it's not going away and  
20 we are continuing to get the complaints, so  
21 I just want to have that on. Does anyone  
22 else have any announcements? Mr. McGoff?  
23 MR. MCGOFF: I would just like to  
24 commend the county commissioners on the  
25 ceremony that was conducted this morning at  
.

13

1 McDade Park as a memorial ceremony for 9/11.  
2 It was well attended by members of the fire  
3 and police departments of Scranton and local  
4 communities. A number of elected officials  
5 were also present. The ceremony was  
6 conducted by Mr. Charles Spano and I think  
7 the most moving part of the commemoration  
8 was the bell ceremony, the traditional  
9 firemen's bell ceremony that was conducted  
10 by the, and I hope I get the title, it was

11 conducted by lieutenant Dave Gervasi of the  
12 Scranton Fire Department, and the  
13 commemoration was very nice even though it  
14 was in a driving rainstorm, but they had  
15 planted two trees that are to symbolize,  
16 they had been planted last year I believe,  
17 to symbolize the twin towers and the wreath  
18 was going to be placed there to commemorate  
19 another year of the anniversary of 9/11.  
20 That's all.

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

23 MS. EVANS: And as we convene this  
24 evening in about ten minutes there will be a  
25 very lovely ceremony conducted at St. Ann's  
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1 Basilica that has been conducted annually  
2 since the year following September 11, and  
3 our city fire department and some of our  
4 police officers our involved in this, it is  
5 truly a lovely ceremony, and I'm very sorry  
6 to miss it tonight, but I'm hoping that many  
7 of our citizens not only from Scranton but

8 all surrounding areas would attend this  
9 lovely memorial service.  
10 MS. GATELLI: Anything else? Thank  
11 you for being so kind while we made our  
12 announcements. The agenda items is Giovanni  
13 Piccolino.

14 MR. PICCOLINO: Good evening, city  
15 council, and fellow Scrantonians, my name is  
16 Giovanni Piccolino, and I'm a partner in  
17 Buono Pizza, Incorporated, located 504  
18 Lackawanna Avenue and here we go again with  
19 "Q" here. They are asking for you guys to  
20 pass some legislation about it, and  
21 excluding us and Coney Island, two  
22 businesses well over 100 years combined  
23 together, and both of us have tried time and  
24 time again to be included in this and,  
25 again, we are excluded and I just don't

15

1 understand it. They are actually in the  
2 thought process of wanting to put sidewalks  
3 starting past 504 and 506 Lackawanna Avenue,  
4 so the beginning of the block will have the



5 old sidewalks and then all the way until the  
6 end until Coney Island will have new ones,  
7 then at Coney Island there will be old  
8 sidewalks, so what I'm saying to you what  
9 about safety concerns of the citizens with  
10 like lopsided sidewalks here, we're going to  
11 have old ones, new ones, old ones and they  
12 constantly, constantly exclude us.  
13 I'm still actually waiting for that  
14 letter that Doherty supposedly sent us  
15 months and months ago about being included  
16 in this, and I just don't get it. I think,  
17 Stacy, you wrote that article, I don't know,  
18 did you get a letter? We didn't and our  
19 attorney didn't and this is ridiculous now.  
20 These are two businesses, we have been here  
21 forever and it's constantly, constantly  
22 being excluded and, you know, the whole  
23 times you guys have been saying you'll take  
24 our side and I hope when this comes up that  
25 you won't pass it. Thank you very much.

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1 MS. GATELLI: Thank you. Andy

2 Sbaraglia

3 MR. SBARAGLIA: Andy Sbaraglia,  
4 citizen of Scranton, taxpayer. Fellow  
5 Scrantonians, a little play on words here,  
6 on 5-R, approving Section 147 (F) of the  
7 Internal Revenue Code, as so on and so  
8 forth, it is desired for the health, safety  
9 and welfare of the people of the City of  
10 Scranton-Lackawanna Health and Welfare  
11 Authority to undertake a project for the  
12 attorney to undertake a projects for the  
13 University of Scranton. They are building a  
14 dorm, okay? How you can classify that under  
15 that article is beyond me. You would be  
16 better off building neighborhoods for the 30  
17 million then the University to build them a  
18 dorm, but they are not. You are not really  
19 building them a dorm, all you are doing is  
20 being a conduit for the money, but it's  
21 where the conduit is coming from. It  
22 shouldn't be from there. It should have  
23 been some kind of an industrial because  
24 that's exactly what it is. They have  
25 nothing to do with the health and welfare of

.

17

1 the City of Scranton.

2 Okay, let's go down to "T", okay

3 5-T, this project to fix up this building.

4 Okay, we are going to give them \$250,000

5 bucks to lend them, okay, they are going to

6 hire eight people, but only four has to be

7 low and medium income, that means the other

8 four could be the top in the world. Why

9 somebody would lend that kind of money for

10 only -- for a low and moderate income and

11 leave the other people come from wherever

12 class they come from or the income they did,

13 in other words, the bosses are going to be

14 making money and the peons are going to be

15 the peons.

16 MS. FANUCCI: Andy, actually we are

17 going to table that tonight because they

18 have changed some of the wordage and some of

19 the legislation, so it could be there are

20 more people coming and, again, so, that

21 won't be on the agenda tonight, I'm just --

22 MR. SBARAGLIA: Well, if it's not

23 going to be there then I can always speak on  
24 it later.

25 MS. GATELLI: Thank you. Ozzie

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18

1 Quinn.

2 MR. QUINN: Ozzie Quinn, President of

3 the Scranton and Lackawanna County

4 Taxpayers' Association, Incorporated. I

5 want to on the agenda there is an

6 introduction of an ordinance approving

7 accepting the City of Scranton's capital

8 budget for the Year 2008, Section 20.904.

9 You can't really approve that because there

10 has to be a public hearing.

11 MS. GATELLI: We are going to

12 schedule that tonight.

13 MR. QUINN: So, I'm just wondering

14 about that. The other thing is on 5-C, an

15 introduction for an ordinance authorizing a

16 parcel of land to be acquired and sold which

17 is part of the flood project. When I worked

18 on the flood project for Nay Aug Avenue the

19 PEMA told us that that land had to remain

20 vacant in continuity. I feel bad for the  
21 Garden Path, but I would look into that  
22 because you might be just transferring land  
23 that can't be transferred according to the  
24 regulations of FEMA.

25 And, again, and I have nothing

19

1 against the people who are buying this land,  
2 but you have introductions of several sale  
3 of properties, are these properties through  
4 Act -- through the Vacant Property View  
5 Committee or are they through the Pittsburgh  
6 Plan, were they advertised and what is going  
7 to go on these lots, do you have any idea  
8 about that? Before you introduce something  
9 you should really know that stuff.

10 MS. GATELLI: No, but they're  
11 purchasing the property and it's been  
12 appraised.

13 MR. QUINN: That doesn't mean  
14 anything. You should know what's going on  
15 there.

16 MS. GATELLI: No, we understand --

17 MR. QUINN: If she is commenting I

18 don't want to lose my time.

19 MS. GATELLI: All right, I won't

20 comment.

21 MR. QUINN: I'm just saying we should

22 know what's going on here before you go

23 introducing this because once it's

24 introduced it's gone and I have nothing

25 against the people. Do it right.

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20

1 The other one is the resolution for

2 the loan as Andy just spoke about. What's

3 the use of that land? What's the use of

4 that money?

5 MS. GATELLI: Thank you. Les

6 Spindler.

7 MR. SPINDLER: Good evening,

8 Council, Les Spindler, city resident. I

9 also want to talk about 5-R, the University

10 wants to borrow \$30 million. Mayor Doherty

11 said in the paper that the city is not

12 liable for that. Well, why does it have to

13 go through city council? Can someone answer

14 that question?

15 MS. EVANS: It's part of the IRS

16 regulations. It's a mere formality.

17 MR. SPINDLER: It doesn't smell

18 right, I smell a rat. Why don't they go

19 through a bank like any other person would

20 do. If the city is not liable why does it

21 have to go through city council? That's all

22 I have. Thank you.

23 MS. GATELLI: Mr. McCloe.

24 MR. MCCLOE: I'm sorry, I'm going to

25 pass on this one. Thank you.

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21

1 MS. GATELLI: Mrs. Shumaker.

2 MS. SHUMAKER: Good evening and

3 welcome back from your six-week vacation.

4 First, I'd like to request you table the

5 capital budget until the caucus has been

6 held with the mayor and the business

7 administrator so they may answer questions

8 among which are: One, where are the

9 following missing projects. The police

10 headquarters lot paving. Only the binder

11 was in the construction contract. The  
12 finishing layer was left out so the money  
13 could be put into the building. I seriously  
14 doubt that the binder will not deteriorate  
15 after seven years and certainly that  
16 finishing coat should be in the capital  
17 budget.

18 Robinson Park, any Scranton little  
19 league improvements where the mayor promised  
20 to invest about a quarter of a million  
21 dollars from the 72 million dollar bond  
22 issue in his first term. Shingles are  
23 missing from the building at Robinson Park,  
24 nothing in the budget.

25 The light at softball field to  
.  
22

1 replace the Schmidt Field, where is that?  
2 The Nay Aug greenhouse that OECD told  
3 HUD had been restored, where is that? Nay  
4 Aug playground area for the handicap that  
5 held up the junior council's swing set,  
6 where is that? The Nay Aug pool house  
7 improvements, where are they?



8 The East Elm storm water project  
9 between Derby and Blucher Avenue that the  
10 mayor promised prior to the 2005 election.  
11 Where is that?  
12 Funding for the out years also  
13 depends appears dependent on more long-term  
14 debt, 16 1/3 million dollars planned for  
15 2009. Can we really afford that much more  
16 debt?  
17 Three, what is the justification for  
18 the acquisition of new property and  
19 construction of the new library?  
20 And then on F-E and F, I think  
21 parking meters have been placed at hospitals  
22 so I believe it is excessive to give the  
23 University no parking for two blocks on  
24 Mulberry Street. Thank you.

25 MS. GATELLI: Anyone else care to

.

23

1 speak on agenda items? Mr. Morgan?

2 MR. MORGAN: My question is rather

3 brief here today and I would like council to

4 explain 5-T, what kind of corporations, what

5 kind of corporation this is and what  
6 benefits this has for the city, and the  
7 other thing I had is, you know, I really  
8 would like to agree with Marie because she  
9 is right on the money and the tax group is  
10 really informed and we are really troubled  
11 by the legislation that this council is  
12 trying to ram through on such a small amount  
13 of time for the residents to speak about  
14 them and we find it very troubling and a  
15 representative of government to have that  
16 happen. Thank you.

17 MS. GATELLI: Thank you. Anyone  
18 else?

19 MR. HUBBARD: Good evening, Council,  
20 Daniel Hubbard, Scranton resident. I have a  
21 question on 5-Q, didn't council unanimously  
22 pass a motion saying that you would not  
23 entertain a look at anything that had to do  
24 with the 500 block of Lackawanna Avenue?

25 MS. EVANS: Yes.

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24

1 MR. HUBBARD: Then why is it on the

2 agenda?

3 MS. FANUCCI: We actually said that  
4 we would not look or anything or introduce  
5 anything until we knew that Mr. Giovanni was  
6 spoken to and was included in the  
7 agreements.

8 MR. HUBBARD: And you actually know  
9 that he -- -

10 MS. FANUCCI: He actually opted out.

11 MR. PICCOLINO: We never opted out.

12 MS. FANUCCI: He actually opted out.

13 MR. HUBBARD: Well, that's obviously  
14 between Mr. Giovanni and the city, but until  
15 you have some clarification on that and not  
16 just your side of the clarification, his  
17 side as well from his attorney then it still  
18 applies.

19 MS. FANUCCI: I actually passed the  
20 legislation on just his opinion and his side  
21 of it, but as far as I'm concerned this is  
22 legislation that we did pass, this is  
23 something that needs to take place for the  
24 project to go forward and that's very  
25 important now. Everyone was included and

25

1 asked to come. Whether or not he doesn't  
2 want to do that, that has nothing to with me  
3 as a city council person.

4 MR. PICCOLINO: We were never --

5 MS. FANUCCI: And that's all I can  
6 say.

7 MR. HUBBARD: I'm not going to get  
8 involved with Mr. Giovanni, I just wanted  
9 some clarification on that. Also, again,  
10 the Rejuven Essence Management Services,  
11 that's a salon; correct?

12 MS. FANUCCI: Yes.

13 MR. HUBBARD: Is that an atypical  
14 figure \$250,000 for salons, is that what we  
15 are doing now? It's the same amount as  
16 Alexander's.

17 MS. FANUCCI: Actually, they are  
18 putting \$770,000 into the salon themselves.

19 MR. HUBBARD: Where are they located  
20 at, they are located at the Ice Box;  
21 correct?

22 MS. FANUCCI: Correct.

23 MR. HUBBARD: Where is this money  
24 going to be spent, in their facility there?

25 MS. FANUCCI: No. No. This is for a

26

1 different facility, but also this  
2 legislation has been tabled, we are going to  
3 table this tonight because this is not the  
4 correct legislation from what we are being  
5 told.

6 MR. HUBBARD: We are removing  
7 parking meters on Mulberry Street as well,  
8 so not only are we just giving the  
9 University land like there is no tomorrow we  
10 are going to let them take away our parking  
11 meters as well so they we lose money on that  
12 as well?

13 MS. EVANS: I do believe though,  
14 Mr. Hubbard, that I have read communication  
15 from the university to the administration  
16 that they make five annual payments to the  
17 city for the removal of parking meters that  
18 they have caused and, also, from what I have  
19 read those monies that are giving by the

20 University of Scranton to the City of  
21 Scranton are then placed in the Parks and  
22 Recreation Fund.

23 MR. HUBBARD: That's awfully generous  
24 for them to pay for the parking meters, at  
25 least they could pay for the land.

27

1 MS. GATELLI: Anyone else on the  
2 agenda items?

3 MR. DAVIS: Salaam aleikam. My first  
4 question is for "L," 5-L, can you look  
5 Judge, an ordinance for sale of tax  
6 delinquent property at the corner of Linden  
7 Street and Taylor Avenue in Scranton, is  
8 there a number attached to that? There has  
9 got to be a physical address to that? What  
10 is it? You might have it in your backup.

11 MS. GATELLI: I don't have the  
12 address, but all of the map numbers here --

13 MR. DAVIS: How can you buy an  
14 address that doesn't exist?

15 MS. GATELLI: Well, because there are  
16 map numbers. Some properties don't have an

17 address, they have map numbers.

18 MR. DAVIS: But it came before you to

19 buy an address, I assume.

20 MS. GATELLI: No, it came with a map

21 number.

22 MR. DAVIS: To buy the property.

23 MS. FANUCCI: It came with a map

24 number.

25 MR. DAVIS: So the property has to

.

28

1 have an address, that's all housing if the

2 University of Scranton hasn't bought it

3 already. It's all personal housing in

4 there. As a matter of fact, my brother

5 owned that property there.

6 MS. FANUCCI: And what was the

7 address?

8 MR. DAVIS: At one time. Excuse me?

9 MS. FANUCCI: What was the address?

10 MR. DAVIS: Excuse me?

11 MS. FANUCCI: I asked you what the

12 address was. You said your brother knew,

13 that might help us if we can --

14 MR. DAVIS: What was his address?

15 MS. FANUCCI: Yeah.

16 MR. DAVIS: You don't know?

17 MS. FANUCCI: No, because it's a map

18 number.

19 MR. DAVIS: There is a map number?

20 MS. FANUCCI: Yes, a map number.

21 MR. DAVIS: How can they give you a

22 map number for a house?

23 MS. FANUCCI: That's how it's looked

24 at.

25 MR. DAVIS: So, therefore, next week

.

29

1 you will have an address to it? You have

2 someone give you an address for this?

3 MS. GATELLI: Yes.

4 MR. DAVIS: Because you are getting

5 \$2,000 for it, I just wanted to know what it

6 is. It's the corner.

7 MS. GATELLI: Thank you.

8 MR. DAVIS: It's a corner property.

9 Somebody has got to know. I had one other

10 question.



11 MS. GATELLI: Your time is up, Mrs.

12 Davis.

13 MR. DAVIS: You have already said

14 that you --

15 MS. GATELLI: Mr. Davis, your time is

16 up. Mr. Jackowitz.

17 MR. DAVIS: If you hadn't answered so

18 much -- I thought you weren't going to ask

19 any questions until after the person got

20 finished speaking. Okay.

21 MS. GATELLI: Mr. Jackowitz, would

22 you like to speak on the agenda items?

23 MR. JACKOWITZ: I'm waiting for

24 Mr. Davis to leave the podium.

25 MR. DAVIS: So what is it, I'm up?

.

30

1 MR. MINORA: Your time is up.

2 MR. DAVIS: Excuse me, sir?

3 MR. MINORA: Your time was up about a

4 minute ago.

5 MR. JACKOWITZ: Bill Jackowitz, South

6 Scranton. I wasn't going to speak tonight,

7 but after what has transpired. On this 5-Q

8 tonight is very important night, the first  
9 night back from city council after the  
10 vacation and a vote was taken five to  
11 nothing and I think we need to hear both  
12 sides of this 500 block of Lackawanna Avenue  
13 development. I think into Buona Pizza's  
14 side and Coney Island's side plus the  
15 mayor's side and Rinaldi's side should be  
16 heard before this voted on. You guys voted  
17 five to nothing not to vote on it, I am not  
18 convinced that things are up and aboard on  
19 this and I really think another week is not  
20 going to hurt. Hold it back a weak and  
21 let's hear from both sides. Let's give the  
22 attorneys on both sides an opportunity.  
23 Let's make it public. This is very  
24 important to the City of Scranton, very  
25 important to businesses and to citizens, to

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1 residents and we don't need to do like we  
2 did with other things like a smoking ban and  
3 everything else, shoot from the hip and  
4 shoot crooked. We need to shoot straight,

5 so let's take some time, let's cool our  
6 heels people, let's take another week, let's  
7 take another two weeks if we have to. It's  
8 not going to delay the project. Let's just  
9 wait and make sure that you hear from Boyd,  
10 the attorney and someone and make sure we  
11 did it right for once. Let's do something  
12 right in the City of Scranton. Thank you.

13 MS. GATELLI: Thank you. Anyone  
14 else? Anyone else on agenda items? Mrs.  
15 Evans?

16 MS. EVANS: Good evening, glad to be  
17 back. During our summer recess, the 2006  
18 independent audit became an issue in our  
19 local newspaper with the administration  
20 pointing the finger of blame at council,  
21 however, the only responsibility we can  
22 accept is for working to save the people of  
23 this city money. Further, if this  
24 particular audit followed the annual  
25 tradition it would just reach this desk now

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1 in September 2007. The work of the auditors

2 was delayed by a few months because of  
3 council's successful efforts to obtain a  
4 fair price and to save \$100,000 which should  
5 be spent on upgrading our roads or paying  
6 necessary salaries.

7 On the other hand, it is the fault  
8 of this administration that the audit is not  
9 progressing successfully and quickly. There  
10 are six areas of information that were  
11 requested by the CPA's dating back to  
12 6-18-07 to which the administration failed  
13 to respond. Nevertheless, both Mr. Armoni  
14 and Mr. Grassi, CPA's, will update me on a  
15 weekly basis on any progress or lack  
16 thereof. They cannot complete -- or they  
17 cannot predict a completion date at this  
18 point in time, only more timely responses  
19 from the administration will hasten the  
20 process.

21 I also have concerns regarding a  
22 \$3.4 million hole in the 2007 operating  
23 budget. Mr. Doherty plugged in this figure  
24 as revenue to be received from the sale of  
25 delinquent property taxes. He struck a deal

1 with an Erie firm without benefit of  
2 bidding. Consequently, another firm,  
3 Expand, offered to make a competitive  
4 proposal to the city as well. The  
5 administration agreed to review the expand  
6 proposal, but has failed to reach a decision  
7 and to present any legislation to council,  
8 hence, the \$3.4 million hole in this year's  
9 budget. It would behoove the mayor and Mr.  
10 Krushefski to address these two crucial  
11 issues. First, provide information to the  
12 auditors; and, second, explain how you will  
13 cover a \$3.4 million budget hole.

14 I also have two responses, two  
15 requests that were made at our last council  
16 meeting of July 26, 2007, Mr. Wintermantel  
17 responds that no spots are sets aside for  
18 county workers in any of the Scranton  
19 Parking Authority garages. Any worker for  
20 the county would be asked to pay the \$75 per  
21 month fee. Also, Chief Elliott states that  
22 regarding the traffic around Bridget Court

23 and 14th Avenue, he has notified the traffic  
24 division to monitor the situation.

25 In addition, however, I have

.

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1 received no answer from Mr. Baker of the  
2 Scranton Housing Authority regarding the  
3 potholes at Park Gardens. And I do have a  
4 few citizens' requests. A letter to  
5 Mr. Brazil, please clean the lot at the  
6 corner of River Side Drive and Depot Street,  
7 this is the second request. Residents  
8 report that overgrown trees at the corner of  
9 Sanderson Avenue and Delaware Street  
10 obstruct a stop sign, please trim trees.  
11 Fill potholes in the 1500 block of Von  
12 Storch Avenue. Although, numerous streets  
13 in need of repair have been addresses this  
14 summer, some appear to have been more recent  
15 requests. Neighbors are very upset. This  
16 is the third request ongoing since  
17 March 2007.  
18 Also, residents report sightings of  
19 snakes and mice in an abandoned lot adjacent

20 to 608 Hampton Street. These creatures have  
21 infiltrated neighbors' properties. Please  
22 address immediately due to health and safety  
23 concerns.

24 A memo to Chief Elliott, residents  
25 report the vehicles continue to speed on  
.  
35

1 Shawnee Avenue ignoring stop signs. A  
2 letter to Mr. Seitzinger, 1158 Hampton  
3 Street residents continue to complain that  
4 the property has been blighted for over  
5 15 years. The front porch roof is falling  
6 down and despite prior notification this eye  
7 sore remained untouched all summer. It is  
8 the second request, the first was made in  
9 June 2007. Also, for Mr. Seitzinger, a  
10 house at 1917 Prospect Avenue was condemned  
11 twice since December 2006. It was gutted  
12 six years ago. The property is an overgrown  
13 eyesore nestled between two well-kept  
14 properties. Neighbors have endured this  
15 blight for over six years. Update council  
16 as soon as possible with a demolition date.

17 1909 Prospect Avenue, a house was also  
18 condemned and boarded up. The property is  
19 an overgrown mess. Update council as soon  
20 as possible with a demolition date because  
21 of the conditions of both of these  
22 properties, rats have been observed by  
23 neighbors. And I also have, Kay, quite a  
24 number of excellent photos of both of the  
25 locations on the Prospect Avenue that I  
.  
36

1 would like Mr. Seitzinger to see, and that's  
2 it.

3 MS. GATELLI: Mrs. Fanucci.

4 MS. FANUCCI: I only have a few  
5 things. First of all, I would like to thank  
6 Jeff Brazil, I'm sure as well as the rest of  
7 us, have been keeping him extremely busy on  
8 our six-week vacation with all of the  
9 matters that he needed to attend to. Also,  
10 Mark Seitzinger has done so much for me and  
11 I want to bring up a situation that we had,  
12 in fact, I believe this was sent to you,  
13 Janet, and then I don't know how it got in



14 there, but it was put to all council people,  
15 but this one went on because it had a big  
16 issue and there a problem, this elderly  
17 women who is living in a home, renting in a  
18 home and that was deplorable. She had  
19 e-mailed us with the conditions of this  
20 house.

21 Now, her fear was and being up in  
22 age that if we did condemn her home that she  
23 was renting that she would not have anywhere  
24 to go, so she was torn between actually even  
25 sending us the e-mail. She didn't even want  
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37

1 us to really go and check it out because of  
2 her fear of not having anywhere to go when  
3 we went and condemned this home. When Mark  
4 had responded very quickly, thank God, the  
5 home was in terrible condition. There were  
6 electrical wires hanging that were live.  
7 There were walls ripped out. This woman was  
8 living in probably just a terrible  
9 condition, but I want to thank Mark because  
10 what he did was he relocated her the same

11 day when he condemned the home. He made  
12 sure that she was safe and in a good place  
13 that she wanted to be, and for anybody who  
14 is out there if there is your situation and  
15 you are renting off of someone and paying  
16 them money and you are living in a place  
17 that is just not liveable because it really  
18 would be condemned or hazardous to your  
19 health or dangerous do not fear that when we  
20 do, you know, send our inspectors in they  
21 will make sure that you are okay. My heart  
22 went out to this because I can't imagine  
23 between torn actually wanting to do the  
24 right thing and still paying for it and then  
25 not being serviced from the city, but I want  
.

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1 to thank him for that response because she  
2 is now very happy and I'm happy to say that  
3 the house was condemned.  
4 Also, there is a few things that I  
5 want to speak on. We in the city do not  
6 have -- our health care inspector has no  
7 right to do any type of mold inspections or

8 anything that is really concerning the  
9 general health. There was a few homes that  
10 I had gotten calls on that were infested  
11 with mold and there is really no course of  
12 action we have in that case, so I think it  
13 would be, you know, definitely beneficial if  
14 we can find some type of recourse for these  
15 people, either they can, I don't know. I  
16 don't know if they with sue because they are  
17 in a home with mold or if it's a private  
18 owner and the house is, you know, condemning  
19 the neighborhood because of the problems, I  
20 don't know, I think we need to sit down and  
21 figure out something that maybe we can help  
22 the health care inspector have something  
23 else, all she really does is goes to  
24 restaurant and that's it, to say, yes or no,  
25 you are in compliance. I think that we have

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1 to have something stronger for the city. To  
2 be able to say, you know, people are putting  
3 their money here and people want to live  
4 here and if that's the case we need to be

5 able to protect them in situations that we  
6 are get ourselves into, so that's something  
7 I think we need to work on.  
8 I also would like to speak on the  
9 fact that they capital budget, the capital  
10 budget seems to be an issue every time it  
11 comes before us. It's just a wish list.  
12 It's nothing more, it's nothing less, and  
13 it's like Christmas time, you know, you say  
14 you want everything in the world, does it  
15 mean you are going to get it? No. That's  
16 all it is. It's just projects that in a  
17 deep, you know, say we had a windfall of  
18 money this is what we want. It doesn't mean  
19 that's what the money were are spending. It  
20 doesn't mean that it's even part of a budget  
21 or will be included, it's just what we wish  
22 for. As far as citizens we'd all want it if  
23 we can get it, but obviously that won't  
24 happen, so I have no problem with the  
25 capital budget. It's pretty much a

40

1 formality. They have to send it down, we

2 have to read it and approve it and send it  
3 back and maybe you want to put more things  
4 on the wish list, I guess, we can probably  
5 go on for the next 20 years and figure out  
6 things to put on it, so I will be voting in  
7 favor of the capital budget, I don't see  
8 that to be problem.

9 As far as the Giovanni Piccolino  
10 situation, I am a little baffled on where  
11 this is going to lead me and I'm being  
12 honest, I'm not going to sit up here and say  
13 I have a made a decision or I haven't made a  
14 decision. This is a very difficult thing,  
15 but do I want to hold up a project in the  
16 city where we have other people complying,  
17 and I know that the offers are made, I mean,  
18 that is what they do. An eminent domain is  
19 not a fun -- it's not fun. It wasn't fun  
20 when they built the mall, it's not fun under  
21 any circumstances, so I'm not sure exactly  
22 where I fall on this. I think because of my  
23 job by day, I probably am more aware of the  
24 situation and what goes on with things such  
25 as this, so I'm not sure what I'm going to

.

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1 do. I'm going to have to wait on that and  
2 try to make a decision, but I do believe  
3 that my intent when we did do the  
4 legislation was to say that if he is offered  
5 and he is included that's all we wanted. It  
6 didn't mean he had to take it, it's not my  
7 decision on whether he takes what is given  
8 or accepts what's done, but as long as it's  
9 offered.

10 Now, as far as the letter from the  
11 mayor, to me that doesn't matter one way or  
12 another. The offer stands between the  
13 developer and the people who are selling.  
14 This is always in litigation and I don't  
15 know why you would want to be involved over  
16 something that's in litigation, so I just  
17 wanted to clarify my thoughts on that. I'm  
18 certainly not going to sit up here and act  
19 like any of these decisions are very easy,  
20 and one way or another there is always  
21 someone upset, so that's just what I had to  
22 say.

23 And I do want to say that it's nice  
24 being back, it's hard to believe, but it is  
25 very nice being back. We spent six weeks  
. . .  
42

1 working probably just as hard, actually,  
2 doing more things because in the summer  
3 months there seems to be a lot more that  
4 needs to be attended to, and that's all I  
5 have. Thank you.

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

7 MR. MCGOFF: Thank you. Just a few  
8 brief things, a day in August where the  
9 temperatures were somewhere in the high 80's  
10 or 90's, the snow removal committee met,  
11 that's somewhat ironic. Mr. Hayes,  
12 Mr. Brazil, Mr. Tom Gallagher from the  
13 Scranton school district, and myself,  
14 Mr. Courtright was unavailable that day, but  
15 we met and we talked about the problems that  
16 occurred last year with the snow removal.  
17 What we did was we looked at the prior plan,  
18 made some suggestions for revisions, also,  
19 some maybe additions to the plan.

20 Suggestions came from, you know, everybody  
21 that was at the meeting and such things as  
22 one of the things that came up with was the  
23 possibility of a medical emergency number.

24 I know during that storm in February there  
25 was some concern over people needing to get

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1 to doctor's appointments, hospitals, and  
2 etcetera, and so the thought was that maybe  
3 one of the things we need to include is some  
4 type of medical emergency number so that  
5 people can either be plowed out of there  
6 their homes or possibilities of some type of  
7 action taken to get them to their, you know,  
8 whatever the emergency condition may be.

9 And the other thing that was  
10 prominently mentioned was that once the plan  
11 is completed that it be published on the  
12 website, on the city website so that people  
13 can see the nature of the snow removal plan  
14 and how it could be conducted and hopefully  
15 it will alleviate some of the questions  
16 that, you know, maybe people have about why



17 certain streets are plowed and what order  
18 they are plowed. We are going to meet again  
19 at the end of September and hopefully that  
20 will be in place before the first snow  
21 storm.

22 Second thing I would like to make  
23 mention of, there was a condition at  
24 Cloverfield in West Scranton concerning a  
25 young girl that stepped on top of what  
.  
44

1 appeared to be a sewer drain or something  
2 and was harmed, she was hurt, and her father  
3 did call and we looked into it and the  
4 nature of the problem was actually not a  
5 sewer, but it was kind of a water basin that  
6 was put in with the water meter for a  
7 building that was placed at Cloverfield for  
8 the West Side Jet's football team. That the  
9 problems were addressed, the DPW and the  
10 West Side Jet's, kind of the custodians of  
11 Cloverfield, met and took care of some of  
12 the problems that lead to this unfortunate  
13 accident and some of the issues at

14 Cloverfield are continuing to be addressed,  
15 the fencing, putting up new fences, removal  
16 of I think the dug outs and some other  
17 things that are taking place to make it a  
18 more safer environment for the children that  
19 participate in events at this field.

20 And the last think I'd like to  
21 mention is I'd like to commend Mrs. Gatelli  
22 and the South Side Neighborhood Association  
23 for their action taken to address the  
24 serious blight conditions that existed in  
25 the lower part of south side. I know that

45

1 the neighbors when the plans were announced  
2 by the mayor for what was going to take  
3 place, I realize that there was some  
4 objections to what was possibly being done,  
5 but I do know that the residents of lower  
6 south side, the areas around Cedar Avenue  
7 where these properties were located were  
8 elated what was going to take place and it  
9 will be a definite improvement for the  
10 neighborhoods that are affected, and that's

11 is all. Thank you.

12 MS. GATELLI: Thank you, Mr. McGoff.

13 MS. EVANS: Mrs. Gatelli?

14 MS. GATELLI: Yes.

15 MS. EVANS: I failed to mention two

16 quick items, may I?

17 MS. GATELLI: Go ahead. Sure.

18 MS. EVANS: First of all, I was

19 hoping that council would send a letter to

20 Mr. David Montivillia, president of the

21 Delaware Lackawanna County Railroad Company

22 about the graffiti on their railroad cars

23 that are parked in south side. We received

24 several letters --

25 MS. GATELLI: I have already spoken

.

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1 to him and Mr. Boland I think it has been

2 settled. I think we can come to a --

3 MS. EVANS: Since the second letter

4 came in?

5 MS. GATELLI: Yes.

6 MS. EVANS: Very good. I'm pleased

7 to hear that; and, also, on one final note,

8 the September 2007 edition of the Union News  
9 details that six individuals have been sent  
10 for training to the fire academy. They were  
11 taken from the list and this will bring the  
12 city into compliance with the union contract  
13 requiring 150 firefighters within our city,  
14 so hopefully within possibly the next two to  
15 three months we will see six new  
16 firefighters on board. That's it.

17 MS. GATELLI: Thank you. I just have  
18 a few items. Yes, we are reviewing the  
19 proposal from the two groups that are  
20 proposing to buy the liens. Attorney Minora  
21 is also reviewing them. The 608 Hampton  
22 Street, I spoke to Mr. Howie and I am  
23 supposed to meet him there tomorrow because  
24 I drive on that street on the way home from  
25 work. 1158 Hampton, Mr. Seitzinger was

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1 there and they are not cooperating so he is  
2 going to be issuing citations on that. 1917  
3 Prospect there is someone interested in  
4 buying that particular property, so we are

5 trying to see if we can have someone buy it  
6 rather than rehab it or rather than demolish  
7 it; and 1909 Prospect will be in the next  
8 round of demolition, it is structurally  
9 unsound.

10 The capital budget, also, I'd like  
11 to reiterate that it is just a wish list.  
12 It is not necessarily things that are going  
13 to happen or things that are going to be  
14 funded. During the summit there were mayors  
15 here that didn't even submit a capital  
16 budget, and if they did it wasn't funded, so  
17 it's not unusual to not have a capital  
18 budget and to not fund it. It is primarily  
19 a wish list and there will be a public  
20 hearing to receive input from the public on  
21 what they would like to see on the wish  
22 list.

23 As far as the project on the 500 of  
24 Lackawanna, I believe that the legislation  
25 is only for us to send the hard approval to

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1 the state commission that says that it's

2 historical and if it's done it will be done  
3 according to historical standards which is  
4 what we had to do for the Steamtown Mall,  
5 also. So, I don't think it's anything that  
6 is going to hurt any one of the owners, it  
7 is just an approval from the state  
8 commission saying that, yes, if we do a  
9 project you will be in compliance with any  
10 of the requirements for a historical  
11 building, so I don't think it in any way  
12 will interfere with some of the problems  
13 that they are having down there.  
14 Also, I spoke to Mr. Rinaldi, and  
15 I'm supposed to be meeting with him later in  
16 the week, I'm going to ask Attorney Minora  
17 to come with me and I'm going to ask  
18 Mr. Rinaldi to come here for a caucus once  
19 we see if the project is, indeed, going full  
20 steam ahead. So, Mr. Piccolino, we'll keep  
21 you informed as to what is happening. If,  
22 indeed, in the end you are in litigation, in  
23 eminent domain, I'm not sure what this  
24 council can do. We have that problem with  
25 the Steamtown Mall, when I worked with Mike

1 Washo, our current county commissioners, and  
2 there were several litigants that would not  
3 give up their properties and it had to go  
4 through eminent domain. You have to follow  
5 the procedure for eminent domain. You are  
6 given fair market value for your property  
7 and in some instances at the Steamtown Mall,  
8 some of those people received a lot more  
9 than what the market value was when they  
10 went to the Board of View they ended up  
11 getting a lot more money, so I don't think  
12 that it's going to be unfair to you at all,  
13 Mr. Piccolino, and I would have Attorney  
14 Minora contact Boyd Hughes on behalf of  
15 council and see if there is anything we can  
16 do to speed that process along. I assure  
17 you that I will make that phone call, and  
18 that's all I have. Ms. Garvey?

19 MS. GARVEY: Fifth order. 5-B. FOR

20 INTRODUCTION - AN ORDINANCE - APPROVING AND

21 ACCEPTING THE CITY OF SCRANTON CAPITAL

22 BUDGET FOR THE YEAR 2008 PURSUANT TO SECTION

23 904 OF THE CITY'S HOME RULE CHARGER.

24 MS. GATELLI: At this time I'll

25 entertain a motion that 5-B be introduced

.

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1 into it's proper committee.

2 MS. FANUCCI: So moved.

3 MR. MCGOFF: Second.

4 MS. GATELLI: On the question?

5 MS. EVANS: Yes. I have withheld my

6 comments on the capital budget until the

7 issue arose under this portion of the

8 agenda. First of all, I would have to say e

9 that I find it comforting to know that this

10 is a wish list because, indeed, that's how

11 it's been structured. I have seen senior

12 graduation projects that resemble this

13 capital budget. This does not resemble a

14 true budget. Another great concern I have,

15 and I should back pedal here, I guess my

16 greatest objection in all sincerity is that

17 absolutely no costs have been broken down.

18 This is in nothing but glitter and

19 generalities.



20 Now, what concerns me more so is the  
21 fact that while \$10 million has been  
22 allocated to six city parks over the next  
23 five years, merely \$3 million has been  
24 allocated to infrastructure, specifically,  
25 our roads, our curbing and our bridges.

51

1 Now, personally, if this may well be a wish  
2 list, but I think Mr. Doherty has it  
3 backwards, I think the ten million needs to  
4 go toward our streets and our curbing and our  
5 bridges and the three million toward the  
6 parks. I know myself, I visited the parks  
7 perhaps three times in the last year, but  
8 I'm driving these city streets every day and  
9 I'm listening to the people of Scranton's  
10 complaints about our roads and bridges  
11 nearly everyday and so as for the fact that  
12 there is really no connection between the  
13 SIP and the operating budget there, indeed  
14 is, in fact, I will quote from the document,  
15 "Resources for the SIP generally come from  
16 the issuance of bonds or notes, grants,

17 contributions from the city's operating  
18 budget," that is the general fund, "or other  
19 one-time financial sources."  
20 Further along, "Traditionally the  
21 greatest part of the city's capital  
22 improvement projects has been funded through  
23 the issuance of tax supported general  
24 obligation bonds and notes," and that,  
25 indeed, means, you, the taxpayer. I will be  
.  
52

1 voting, no.

2 MS. GATELLI: Anyone else on the  
3 question.

4 MR. MCGOFF: Yes. I would like to  
5 clarify as well. First of all, there is  
6 absolutely no money allocated. There is no  
7 money to allocate to a capital budget,  
8 again, and there is absolutely nothing  
9 binding about a capital budget. The reason  
10 that there are no specific amounts there in  
11 a capital budget is that none of these  
12 projects have actually been bid or anything  
13 else. They are, as has been said, just

14 things that the city would like to see done  
15 if, in fact, it gets a grant or, you know, a  
16 bond or whatever and it has money. And  
17 there is also whatever order they are in is  
18 not binding. And, in fact, if there were  
19 money allocated for something it doesn't  
20 even have to be for something that's listed  
21 within the capital budget. Any needy  
22 project could be entertained, and so the  
23 capital budget is really just a piece of  
24 paper that itemizes a few things that could  
25 be done if, in fact, there is money

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1 available, but there is nothing binding  
2 about it, and there is no money allocated to  
3 it and so voting for it is to me just a  
4 formality saying that, yes, this is a nice  
5 wish list and nothing more.

6 MS. EVANS: Then that must, indeed,  
7 be the attitude or the response of the  
8 administration in that annually they will  
9 not present their capital budget in  
10 compliance with Section 904 of the Home Rule

11 Charter, so now I better understand what  
12 they are doing. They feel that it's a  
13 document that doesn't hold water and that  
14 would explain certainly Mrs. Shumaker's  
15 questions about all of the projects that  
16 have been listed and the money allocated  
17 and, yet, they never came to fruition, but I  
18 would suggest that this, indeed, is a  
19 working document and it is of importance or  
20 it would not be listed with specific, very  
21 specific requirements within the Home Rule  
22 Charter and I would suggest that the  
23 administration begin to follow the Home Rule  
24 Charter.

25 MS. GATELLI: Anyone else? All in

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54

1 favor?

2 MS. GATELLI: On the question? All

3 in favor. Aye.

4 MS. FANUCCI: Aye.

5 MR. MCGOFF: Aye.

6 MS. GATELLI: Opposed?

7 MS. EVANS: No.

8 MS. GATELLI: The ayes have it and so

9 moved.

10 MR. MCGOFF: I would like to make a

11 motion at this time, I move that city

12 council pursuant to the Home Rule Charter

13 publishing an ad summarizing the proposed

14 capital budget and identify the places where

15 copies of the capital budget can be obtained

16 and inspected.

17 MS. GATELLI: Second. On the

18 question? All in favor?

19 MS. EVANS: Aye.

20 MS. FANUCCI: Aye.

21 MR. MCGOFF: Aye.

22 MS. GATELLI: Aye. Opposed? The

23 ayes have it and so moved. Mrs. Garvey, we

24 will place the proper ad?

25 MS. GARVEY: Yes, I will.

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1 MR. MCGOFF: Also, a second motion,

2 I move that city council schedule to hold a

3 public hearing on the proposed capital

4 budget on Tuesday, September 25, 2007, at

5 6:00 p.m.

6 MR. GATELLI: Second. On the

7 question?

8 MS. EVANS: Yes. I am going to

9 approve both of these motions because

10 obviously I many in the minority, one, with

11 regard to the capital budget and I do

12 believe that it's of great importance that

13 the public be able to not only see these

14 CIP, but also have the opportunity to speak

15 on it, that is why I will vote, yes.

16 MR. DAVIS: Why is it closed?

17 MS. GATELLI: All in favor?

18 MS. EVANS: Aye.

19 MS. FANUCCI: Aye.

20 MR. MCGOFF: Aye.

21 MS. GATELLI: Aye. Opposed? The

22 ayes have it and so moved. You can schedule

23 that public hearing, Mrs. Garvey.

24 MS. GARVEY: Yes, I will. 5-C. FOR

25 INTRODUCTION - AN ORDINANCE - AUTHORIZING

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56

1 THE TRANSFER OF A PARCEL OF LAND ACQUIRED BY

2 THE CITY THROUGH THE FLOOD CONTROL PROJECT  
3 TO JEROME AND SUSAN M. GENOVESE, D/B/A/ THE  
4 GARDEN PATH, INC. AS PARTIAL COMPENSATION  
5 FOR A PROPERTY ACQUISITION FOR THE  
6 LACKAWANNA RIVER FLOOD CONTROL PROJECT.

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

9 MS. FANUCCI: So moved.

10 MR. MCGOFF: Second.

11 MS. GATELLI: On the question? All  
12 those in favor?

13 MS. FANUCCI: I just want to say that  
14 I'm going to look into Mr. Quinn's  
15 suggestions about this for next week and see  
16 if they are in compliance or not.

17 MS. GATELLI: Anyone else? All those  
18 in favor?

19 MS. EVANS: Aye.

20 MS. FANUCCI: Aye.

21 MR. MCGOFF: Aye.

22 MS. GATELLI: Aye. Opposed? The  
23 ayes have it and so moved.

24 MS. GARVEY: 5-D. FOR INTRODUCTION -0  
25 AN ORDINANCE - ESTABLISHING PERMIT PARKING

1 ON THE NORTH SIDE OF THE 700 BLOCK OF EAST  
2 GIBSON STREET FROM MOIR COURT EAST FOR  
3 NINETY SEVEN (97) FEET.

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

6 MS. FANUCCI: So moved.

7 MR. MCGOFF: Second.

8 MS. GATELLI: On the question? All  
9 those in favor?

10 MS. EVANS: Aye.

11 MS. FANUCCI: Aye.

12 MR. MCGOFF: Aye.

13 MS. GATELLI: Aye. Opposed? The  
14 ayes have it and so moved.

15 MR. MCGOFF: Another motion, I move  
16 that city council schedule to hold a public  
17 hearing on this legislation on Tuesday,  
18 September 18, 2007, at 6:00 p.m.

19 MS. FANUCCI: Second.

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

22 MS. EVANS: Aye.



23 MS. FANUCCI: Aye.

24 MR. MCGOFF: Aye.

25 MS. GATELLI: Opposed? The ayes

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1 have it and so moved.

2 MS. GARVEY: 5-E. FOR INTRODUCTION -

3 AN ORDINANCE - ESTABLISHING A "NO PARKING"

4 ZONE ALONG THE SOUTHERLY SIDE OF MULBERRY

5 STREET (S.R. 3027) FROM THE NOW VACATED

6 HITCHCOCK COURT TO MCKENNA COURT, THE SAME

7 DISTANCE AS MORE PARTICULARLY DESCRIBED ON

8 THE MAP/PLAN ATTACHED THERETO, TO ALLOW FOR

9 SIGH DISTANCE FOR THE DRIVEWAY OF THE NEW

10 UNIVERSITY OF SCRANTON CAMPUS CENTER.

11 MS. GATELLI: At this time I'll

12 entertain a motion that 5-E be introduced.

13 MS. FANUCCI: So moved.

14 MR. MCGOFF: Second.

15 MS. GATELLI: On the question? All

16 those in favor?

17 MS. EVANS: Aye.

18 MS. FANUCCI: Aye.

19 MR. MCGOFF: Aye.

20 MS. GATELLI: Aye. Opposed? The

21 ayes have it and so moved.

22 MS. GARVEY: 5-F. FOR INTRODUCTION -

23 AN ORDINANCE - REMOVING PARKING METERS ON

24 THE SOUTHERLY SIDE OF MULBERRY STREET (S.R.

25 3027) FROM THE NOW VACATED HITCHCOCK COURT

59

1 TO MCKENNA COURT, THE SAME DISTANCE AS MORE

2 PARTICULARLY DESCRIBED ON THE SITE PLAN

3 ATTACHED HERETO, IN THE "NO PARKING" ZONE

4 ESTABLISHED TO ALLOW FOR SIGHT DISTANCE FOR

5 THE DRIVEWAY OF THE NEW UNIVERSITY OF

6 SCRANTON CAMPUS CENTER.

7 MS. GATELLI: At this time I'll

8 entertain a motion that 5-F be introduced.

9 MS. FANUCCI: So moved.

10 MR. MCGOFF: Second.

11 MS. GATELLI: On the question? All

12 those in favor?

13 MS. EVANS: Aye.

14 MS. FANUCCI: Aye.

15 MR. MCGOFF: Aye.

16 MS. GATELLI: Aye. Opposed? The

17 ayes have it and so moved.

18 MS. GARVEY: 5-G. FOR INTRODUCTION -  
19 AN ORDINANCE - DESIGNATING THE 3200 BLOCK OF  
20 CEDAR AVENUE AS A ONE WAY STREET ALLOWING  
21 TRAFFIC TO FLOW IN A NORTHERLY DIRECTION AND  
22 PROHIBITING TRAFFIC FROM FLOWING IN A  
23 SOUTHERLY DIRECTION.

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

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1 MS. FANUCCI: So moved.

2 MR. MCGOFF: Second.

3 MS. GATELLI: On the question?

4 MS. EVANS: Yes. I think from what I  
5 have heard from residents of the area that  
6 this is a wonderful idea, but the only thing  
7 I would like to add to it is what about  
8 Birney Avenue and Pittston Avenue. Those  
9 two streets that the residents have been  
10 pleading and begging about for, oh, my  
11 goodness, it's been I believe since 2004 or  
12 2005 and Mr. Courtright often talks about it  
13 at council meetings and PennDOT it seems

14 will not listen. We have had state  
15 representatives address PennDOT and I was  
16 hoping that Mr. Shimkus might take up the  
17 case and represent those constituents, and  
18 it's just my hope that we are going to meet  
19 with success on those streets as well.

20 MS. GATELLI: They are making them  
21 just one lane; isn't it?

22 MS. EVANS: Right, it's not a one-way  
23 matter, but it's still a very, very serious  
24 safety concern because cars, as I'm sure you  
25 both know living in south side, indeed,  
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1 speed along those streets.

2 MS. GATELLI: Anyone else on the  
3 question? All those in favor?

4 MS. EVANS: Aye.

5 MS. FANUCCI: Aye.

6 MR. MCGOFF: Aye.

7 MS. GATELLI: I oppose. I'm not  
8 going to oppose I'm going to abstain because  
9 my daughter lives on that street and I think  
10 it would be a conflict of interest for me to

11 vote on this particular issue.

12 MR. MCGOFF: Another motion. I move

13 that city council schedule to hold a public

14 hearing on this legislation on Tuesday,

15 September 18, 2007, at 6:15 p.m.

16 MS. FANUCCI: Second.

17 MS. GATELLI: On the question? All

18 in favor of that time?

19 MS. EVANS: Aye.

20 MS. FANUCCI: Aye.

21 MR. MCGOFF: Aye.

22 MS. GATELLI: Aye. Opposed? The

23 ayes have it and so moved.

24 MS. GARVEY: 5-H. FOR INTRODUCTION -

25 AN ORDINANCE - AMENDING FILE OF COUNCIL NO.

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1 68, 2005, ENTITLED, "AN ORDINANCE

2 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

3 OFFICIALS OF THE CITY OF SCRANTON TO TAKE

4 ALL NECESSARY ACTIONS TO IMPLEMENT THE

5 CONSOLIDATED SUBMISSION FOR COMMUNITY

6 PLANNING AND DEVELOPMENT PROGRAMS (AS

7 AMENDED) TO BE FUNDED UNDER THE COMMUNITY

8 DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME  
9 INVESTMENT PARTNERSHIP (HOME) PROGRAM AND  
10 EMERGENCY SHELTER GRANT (ESG) PROGRAM", BY  
11 TRANSFERRING \$70,000, FROM PROJECT NO.  
12 05-1.3 ROCKWELL AVENUE BRIDGE TO PROJECT NO.  
13 07-1.10 PARKER STREET BRIDGE.

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

16 MS. FANUCCI: So moved.

17 MS. EVANS: Second.

18 MS. GATELLI: On the question? All

19 those in favor.

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MR. MCGOFF: Aye.

23 MS. GATELLI: Aye. Opposed? The

24 ayes have it and so moved.

25 MS. GARVEY: 5-I. FOR INTRODUCTION -

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63

1 AN ORDINANCE - REGULATING THE USE OF OUTDOOR  
2 FURNACES, AS DEFINED HEREIN, ESTABLISHING  
3 ZONES FOR THEIR AUTHORIZED USE, PROVIDING  
4 REGULATIONS FOR EXISTING OUTDOOR FURNACES,

5 AND PROVIDING FINES FOR VIOLATIONS OF THIS  
6 ORDINANCE.

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

9 MS. FANUCCI: So moved.

10 MR. MCGOFF: Second.

11 MS. GATELLI: On the question?

12 MR. MCGOFF: Yes. I just wanted to  
13 clarify, when I read this the first time I  
14 was unsure as to what outdoor furnaces were.

15 It applies to large installed furnaces that  
16 are placed outside of a building to  
17 supplement heat inside of a building.

18 Apparently, they are used in rural areas  
19 where there is a lot of room to place them  
20 and so that they can be placed away from  
21 other residential structures. The size of  
22 them, I went on the Internet with Mr. Hayes  
23 and took a look at them, they range in size  
24 from about a small SUV up to about three  
25 SUV's stacked on top of one another. They

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1 are large furnace structures. It does not

2 pertain to barbecue pits or any other small,  
3 you know, types of things and so this was  
4 placed here as kind of a precautionary  
5 measure in case people started to look to  
6 these woodburning furnaces as a way of  
7 supplementing their heat, so there are  
8 restrictions on it in the legislation.

9 Thank you.

10 MS. GATELLI: On the question? All  
11 those in favor?

12 MS. EVANS: Aye.

13 MS. FANUCCI: Aye.

14 MR. MCGOFF: Aye.

15 MS. GATELLI: Aye. Opposed? The  
16 ayes have it and so moved.

17 MS. GARVEY: 5-J. FOR INTRODUCTION -  
18 AN ORDINANCE - SALE OF TAX DELINQUENT  
19 PROPERTY AT 815 ADAMS AVENUE, SCRANTON,  
20 PENNSYLVANIA, TO LACKAWANNA INSTITUTE, 544  
21 JEFFERSON AVENUE, SCRANTON, PENNSYLVANIA,  
22 18510, FOR THE SUM OF \$4,500.

23 MS. FANUCCI: So moved.

24 MS. GATELLI: At this time I'll

25 entertain a motion that 5-J be introduced.



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1 MS. FANUCCI: So moved.

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 MS. GATELLI: Aye. Opposed? The

9 ayes have it and so moved.

10 MS. GARVEY: 5-K. FOR INTRODUCTION -

11 AN ORDINANCE - SALE OF TAX DELINQUENT

12 PROPERTY AT 817 ADAMS AVENUE, SCRANTON,

13 PENNSYLVANIA, TO LACKAWANNA INSTITUTE, 544

14 JEFFERSON AVENUE, SCRANTON, PENNSYLVANIA,

15 18510, FOR THE SUM OF \$4,500.

16 MS. GATELLI: At this time I'll

17 entertain a motion that 5-K be introduced.

18 MS. FANUCCI: So moved.

19 MR. MCGOFF: Second.

20 MS. GATELLI: On the question? All

21 in favor?

22 MS. EVANS: Aye.

23 MS. FANUCCI: Aye.

24 MR. MCGOFF: Aye.

25 MS. GATELLI: Aye. Opposed? The

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66

1 ayes have it and so moved.

2 MS. GARVEY: 5-L. FOR INTRODUCTION -

3 AN ORDINANCE - SALE OF TAX DELINQUENT

4 PROPERTY AT THE CORNER OF LINDEN STREET AND

5 TAYLOR AVENUE, SCRANTON, PENNSYLVANIA, TO

6 LINDE TAYLOR L.L.C, 56 LEDGE DERIVE,

7 LAKEVILLE, PENNSYLVANIA, 18438, FOR THE SUM

8 OF \$2,000.00.

9 MS. GATELLI: At this time I'll

10 entertain a motion that 5-L be introduced.

11 MS. FANUCCI: So moved.

12 MR. MCGOFF: Second.

13 MS. GATELLI: On the question? All

14 in favor.

15 MS. EVANS: Aye.

16 MS. FANUCCI: Aye.

17 MR. MCGOFF: Aye.

18 MS. GATELLI: Aye. Opposed? The

19 ayes have it and so moved.

20 MS. GARVEY: 5-M. FOR INTRODUCTION -  
21 AN ORDINANCE - SALE OF TAX DELINQUENT  
22 PROPERTY AT 1736 PERRY AVENUE, SCRANTON,  
23 PENNSYLVANIA, TO JAMES HOWELLS, 1740 PERRY  
24 AVENUE, SCRANTON, PENNSYLVANIA, 18508, FOR  
25 THE SUM OF \$3,100.00.

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1 MS. GATELLI: At this time I'll  
2 entertain a motion that 5-M be introduced.

3 MS. FANUCCI: So moved.

4 MR. MCGOFF: Second.

5 MS. GATELLI: On the question? All  
6 in favor?

7 MS. EVANS: Aye.

8 MS. FANUCCI: Aye.

9 MR. MCGOFF: Aye.

10 MS. GATELLI: Aye. Opposed?

11 MS. GARVEY: 5-N. FOR INTRODUCTION -  
12 AN ORDINANCE - SALE OF TAX DELINQUENT  
13 PROPERTY AT 2415 HERMANS AVENUE, SCRANTON,  
14 PENNSYLVANIA, TO CLEMENT SKIRPAN, 2416 N.  
15 MAIN AVENUE, SCRANTON, PENNSYLVANIA, 18508,  
16 FOR THE SUM OF \$4,000.00.

17 MS. GATELLI: At this time I'll

18 entertain a motion that 5-N be introduced.

19 MS. FANUCCI: Moved.

20 MS. EVANS: Second.

21 MS. GATELLI: On the question? All

22 those in favor?

23 MS. EVANS: Aye.

24 MS. FANUCCI: Aye.

25 MR. MCGOFF: Aye.

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1 MS. GATELLI: Aye. Opposed? The

2 ayes have it and so moved.

3 MS. GARVEY: 5-O - FOR INTRODUCTION -

4 AN ORDINANCE - SALE OF TAX DELINQUENT

5 PROPERTY AT CEDAR AVENUE AND LOCUST STREET,

6 SCRANTON, PENNSYLVANIA, TO MICHAEL

7 BROZZETTI, 407 PALM STREET, SCRANTON,

8 PENNSYLVANIA, 18505, FOR THE SUM OF \$28,000.

9 MS. GATELLI: At this time I'll

10 entertain a motion that 5-O be introduced.

11 MS. FANUCCI: So moved.

12 MR. MCGOFF: Second.

13 MS. GATELLI: On the question? I

14 just would like to make a comment on this  
15 particular property, if any of you go past  
16 the Cedar Avenue and Locust Street area it  
17 is in deplorable condition. It has been  
18 complained about for the last 15 to 20 years  
19 by the residents of the 300 block of East  
20 Locust Street, and I'm sure that they will  
21 be thrilled to know that it was tax  
22 delinquent and that someone was purchasing  
23 it. It is a very, very blighted area. It's  
24 about two blocks down from Kenny Smith's  
25 Restaurant and right along the riverbank  
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1 where the street caved in last year where it  
2 spills down to Cedar Avenue, so if any of  
3 you go by this is definitely going to be a  
4 marvelous improvement for that area of South  
5 Scranton. That's all I have. Anyone else  
6 on the question? All those in favor?

7 MS. EVANS: Aye.

8 MS. FANUCCI: Aye.

9 MR. MCGOFF: Aye.

10 MS. GATELLI: Aye. Opposed? The

11 ayes have it and so moved.

12 MS. GARVEY: 5-P. FOR INTRODUCTION -

13 AN ORDINANCE - SALE OF TAX DELINQUENT

14 PROPERTY AT 3 HERTZ COURT, SCRANTON,

15 PENNSYLVANIA, TO ROBERT F. RIVIELLO, P.O.

16 BOX 13, GOULDSBORO, PENNSYLVANIA, 18424, FOR

17 THE SUM OF \$1,500.00.

18 MS. GATELLI: At this time I'll

19 entertain a motion that 5-P be introduced.

20 MS. FANUCCI: So moved.

21 MR. MCGOFF: Second.

22 MS. GATELLI: On the question? All

23 in favor.

24 MS. EVANS: Aye.

25 MS. FANUCCI: Aye.

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1 MR. MCGOFF: Aye.

2 MS. GATELLI: Aye. Opposed? The

3 ayes have it and so moved.

4 MS. GARVEY: 5-Q. FOR INTRODUCTION -

5 A RESOLUTION - ACCEPTING THE RECOMMENDATION

6 OF THE HISTORICAL ARCHITECTURE REVIEW BOARD

7 ("HARB") AND APPROVING THE CERTIFICATE OF

8 APPROPRIATENESS FOR 500 LACKAWANNA  
9 DEVELOPMENT CO. FOR FRONT FACADE TREATMENT  
10 OF PROPERTIES LOCATED AT 508; 510/512; 514;  
11 516; 518; 524/525; 528/540; 532 LACKAWANNA  
12 AVENUE.

13 MS. GATELLI: At this time I'll  
14 entertain a motion that 5-Q be introduced.

15 MS. FANUCCI: So moved.

16 MR. MCGOFF: Second.

17 MS. GATELLI: On the question?

18 MS. EVANS: Yes. As was mentioned  
19 earlier, council did pass a motion  
20 prohibiting any resolutions or ordinances to  
21 be placed on the agenda and entertained by  
22 this council unless Buona Pizza was  
23 included.

24 Now, to my knowledge having spoken  
25 with both owners, much is amiss here between

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1 the owners, the city, and the developer and

2 there are, indeed, two sides to a story.

3 When I give my word I keep my word, and I

4 will be voting against this. And as

5 Mr. Piccolino mentioned earlier, I find it  
6 absolutely foolish that you would put new  
7 sidewalks, curbing and lighting in the  
8 middle of the street to have absolutely  
9 nothing done on each end. That will look  
10 ridiculous. I don't see any point in  
11 pursuing that, and I believe I had spoken to  
12 the mayor personally about this long ago, he  
13 made myself and Mr. Piccolino a number of  
14 promises and never kept those promises. As  
15 I said, no.

16 MS. GATELLI: Anyone else on the  
17 question?

18 MR. MCGOFF: Yes. I would like to  
19 say that I think that we have fulfilled our  
20 obligation from our vote. Again, my  
21 understanding that the matter of involvement  
22 for Buono Pizza and Mr. Piccolino is in  
23 litigation. If it weren't in litigation  
24 then an offer of some sort must have been  
25 made and he must have been included in some  
.

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1 nominal way and I feel that Mr. Piccolino is



2 attempting to use council as a means of  
3 leverage in the Court case, and I think his  
4 inclusion in the project is going to be  
5 settled not here, but through litigation and  
6 through the Court case that he is now  
7 pursuing and that I will vote, yes, to move  
8 this forward and let the Court's decide the  
9 nature of Mr. Piccolino's inclusion in the  
10 project.

11 MS. EVANS: I just wanted to add to  
12 that though, as such time as I made the  
13 motion and it was approved by this council  
14 Mr. Piccolino was involved in litigation  
15 with the city, that had not developed  
16 afterwards, that was part and parcel of what  
17 was occurring, so to now use that as an  
18 excuse really doesn't hold water.

19 MS. GATELLI: Anyone else? I do  
20 agree with you Mrs. Evans and I would like  
21 Mrs. Garvey to pull that motion out and see  
22 exactly what we voted on, for next week.  
23 I'm not sure that this HARB approval is a  
24 monetary approval, you know, approval of any  
25 sort. We are not approving any money for

1 the project, it's just to approve that it is  
2 a historical district. I will have more  
3 information next week and I will have them  
4 here if we request it and Attorney Minora  
5 will accompany me to the meeting and we will  
6 have more to say. I am going to vote to  
7 push this forward to next week. That  
8 doesn't necessarily mean that if I get  
9 information that we would violate that  
10 motion in any way that I won't vote, no,  
11 when it comes up for final passage. This  
12 does not mean that I am agreeing with it,  
13 I'm just moving it forward to the next level  
14 because I do agree with Mrs. Evans on that  
15 issue.

16 We need to all be on the same page  
17 and, you know, maybe the eminent domain will  
18 come, I can't say that, but if we can get  
19 around it and settle it another way it's  
20 much easier than eminent domain, trust me,  
21 because we have been there. I don't want to  
22 not have the project because the 500 block

23 of Lackawanna County Avenue is deplorable

24 and is the only part of Lackawanna County

25 that's not being addressed and it really

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1 needs some work on that particular block.

2 The other side where the bridge is and the

3 restaurant and the intermodal transportation

4 that money is also in place so we will have

5 all of Lackawanna County complete, so I

6 don't really want to lose the whole project,

7 but I do feel for Mr. Piccolino and, like I

8 said before, we are going to do everything

9 we can to make sure that we as a counsel can

10 do whatever we can legally to see that he is

11 treated fairly.

12 MS. EVANS: I do agree with what you

13 said, that block is absolutely in need of

14 rehab and no one wants to see that stop, but

15 I don't believe it was ever Mr. Moran's or

16 Mr. Piccolino's intention to stop progress.

17 They simply wanted to be included and

18 treated fairly and honestly and that hasn't

19 happened. So, you know, as I said, I am not

20 going to be voting to approve this, but I  
21 also would ask council if you have a  
22 questions about that motion you should very  
23 likely pose them to me, not to our attorney,  
24 it doesn't need interpretation because the  
25 mover sits with you, and I can tell you  
. .  
75

1 precisely what I meant when I made that  
2 motion.

3 MS. FANUCCI: Well, my feeling, and  
4 I said before, I'm going to introduce is and  
5 that does not mean that I'm going to pass it  
6 through. We are going to take a look at it  
7 and see next week what my feeling is on it.  
8 I'm not one way or another right now, I'm  
9 sort of in-between trying to figure out what  
10 we should do. I certainly don't want to  
11 stop a project and I certainly don't want to  
12 see anything happen like what happened with  
13 the mall. I don't want to see the taxpayers  
14 paying way to much money for a project or  
15 for businesses that aren't worth it. I want  
16 to see it be fair. Fair is all I think we

17 need to be focused on here. So if, indeed,  
18 he has not offered or was not communicated  
19 with then we will deal with that  
20 accordingly.

21 MS. GATELLI: Anyone else? All  
22 those in favor?

23 MS. FANUCCI: Aye.

24 MR. MCGOFF: Aye.

25 MS. GATELLI: Aye. Opposed?

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1 MS. EVANS: No.

2 MS. GATELLI: The ayes have it and so  
3 moved.

4 MS. GARVEY: 5-R. FOR INTRODUCTION -  
5 A RESOLUTION - APPROVING, IN ACCORDANCE WITH  
6 SECTION 147 (F) OF THE INTERNAL REVENUE CODE  
7 OF 1986, AS AMENDED, A PLAN OF FINANCING OF  
8 THE SCRANTON-LACKAWANNA HEALTH AND WELFARE  
9 AUTHORITY; AND DECLARING THAT IT IS  
10 DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE  
11 OF THE PEOPLE OF THE CITY OF SCRANTON FOR  
12 THE SCRANTON-LACKAWANNA HEALTH AND WELFARE  
13 AUTHORITY TO UNDERTAKE A PROJECT FOR THE

14 UNIVERSITY OF SCRANTON.

15 MS. GATELLI: At this time I'll

16 entertain a motion that 5-R be introduced.

17 MR. FANUCCI: So moved.

18 MR. MCGOFF: Second.

19 MS. GATELLI: On the question?

20 MS. EVANS: Yes. I refrained earlier

21 from commenting on this issue as well.

22 First, I'd like to bring everyone's

23 attention to the Municipal Reporter, a

24 publication received by council. This was

25 received August 1, 2007. It regards a study

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77

1 of the significant impact on municipal

2 revenue by University Community networks.

3 The study was conducted by the Pennsylvania

4 Economy League and I'd like to quote from

5 it: "It was expected that the study would

6 find that the expenses were significantly

7 higher for host municipalities.

8 Interestingly, the findings indicate

9 that it is revenue that is significantly

10 lower in host municipalities than in their

11 municipal counterparts. College host  
12 municipalities consistently collect less  
13 revenue per capita in earned income tax,  
14 real estate tax, and total taxes than the  
15 controlled municipalities. These findings  
16 indicate that while institutions of higher  
17 education bring an undisputed economic boon  
18 to a region or state, they may also  
19 adversely affect a municipalities fiscal  
20 resources.

21 Why is this the case? Higher  
22 learning institutions do not contribute  
23 property tax due to their tax exempt status,  
24 but they typically owe a significant amount  
25 of property in a municipality. Higher

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1 education institutions that have prominence  
2 in the municipality tend to own significant  
3 amounts of property lowering the level of  
4 real estate taxes collected by the  
5 municipality. These circumstances lead to  
6 less revenue for college host municipalities  
7 than municipalities that are comparable in

8 median family income and percentage of  
9 renters."  
10 Now, as I examined this agreement  
11 presented to us, I noticed that in an  
12 Exhibit A we have listed the description of  
13 the project of the \$30 million will be used  
14 to finance and one of those uses is  
15 financing of other miscellaneous capital  
16 expenditures including expansion. Now, what  
17 they mean by other miscellaneous is in  
18 addition to the campus dormitory they are  
19 currently erecting, so it's evident that  
20 they have plans of further expansion and/or  
21 renovation of the existing facilities on the  
22 university campus and etcetera, then they  
23 proceed to define the university's campus  
24 and included in that definition is an  
25 additional athletic complex located on both

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1 sides of Broadway Street between Third and  
2 Lackawanna River in the City of Scranton.  
3 So, is it does appear that will be  
4 great expansion. Now, I don't believe that



5 anyone can afford this. One point -- or  
6 excuse me, one in six people in Scranton  
7 still live in poverty. The University of  
8 Scranton should be building up, not out, and  
9 by agreeing to this arrangement we are in,  
10 in fact, agreeing to allow them to expand  
11 further and place additional financial  
12 burden on the taxpayers of Scranton, so I  
13 cannot approve this.

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

16 MR. MCGOFF: Yes. As I read it, the  
17 expansion that you are speaking of is to  
18 properties that that they already own that  
19 they are not purchasing additional property.  
20 The properties on O'Hara Road and the  
21 properties between Third and Lackawanna  
22 River are properties that are already in the  
23 possession of the University of Scranton.

24 MS. EVANS: Well, that's certainly  
25 very interesting, but I think we all know

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1 the history of the University of Scranton

2 which is almost an annual expansion to the  
3 point where our citizens are suffering from  
4 the amount of tax producing properties that  
5 have been devoured by the University of  
6 Scranton and removed from the tax rolls.

7 MR. MCGOFF: But, none of those --  
8 they are not going to acquire any new  
9 properties so that that's --

10 MS. FANUCCI: They are building on  
11 their own land.

12 MS. GATELLI: We are still on the  
13 question. Just for the record, I spoke to  
14 Bob Nevrosky, who is a member the  
15 association and is directly affected by the  
16 neighboring University of Scranton, and he  
17 said that the Hill Neighborhood is in total  
18 agreement with this expansion project, and  
19 they are thrilled that the homes are gone  
20 and that the students will be housed in  
21 dormitories. It makes for a much more  
22 pleasant neighborhood when the children are  
23 not crowding into homes where landlords are  
24 making excessive amounts of money and he,  
25 indeed, is in favor of this project so I

1 would be voting, yes, in agreement with the  
2 Hill Neighborhood Association.

3 MS. EVANS: Well, I can certainly  
4 respect that and I do understand the  
5 position of the neighbors of the Hill quite  
6 well and their issues over these many years.

7 I can understand that they would, of course,  
8 favor the construction of dormitories over  
9 off-campus housing, but unless I see within

10 their newly produced policy that they will  
11 not permit any student freshman through  
12 senior year or graduate students to reside  
13 off campus, I don't think they can give you

14 this guarantee. In fact, the University I  
15 believe this year has the great honor of  
16 hosting it's largest freshman class in

17 history. They are an excellent, excellent  
18 post-secondary institution. They have  
19 earned their superior academic reputation

20 and as such more and more students wish to  
21 attend the University of Scranton, and I  
22 don't believe that you are going to see all

23 of their student population encompassed in  
24 dormitory residents. There will still be  
25 off-campus housing whether we like it or  
. .  
82

1 not, particularly in light of their recent  
2 growth, and I expect that will only  
3 continue, as I said, because they are an  
4 outstanding institution.

5 MS. GATELLI: We could belabor this  
6 for the next hour. The permit fees alone on  
7 those projects are \$891,000 so we are  
8 getting almost a million dollars in permit  
9 fees. This new project is going to house  
10 all of the sophomores, so now we all have  
11 all the freshman and all of the sophomores  
12 on campus.

13 I think that the new president of  
14 the University is a very cognizant of the  
15 neighborhood and trying to move forward with  
16 getting more things done on campus and I  
17 think you will see in the future more  
18 dormitories built to keep more of the  
19 students on campus.

20 I have been in negotiation with the  
21 University of Scranton during my tax, in  
22 lieu of taxes meetings, and within the next  
23 several weeks I will be making an  
24 announcement, we are very close to an  
25 agreement on them doing a substantial

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1 project for the City of Scranton, so I will  
2 keep you posted on that, and just for the  
3 record, they are not donating -- not  
4 donating, paying \$891,000 in permit fees for  
5 this project.

6 So, I think whether you like it or  
7 not the University is here, Marywood is  
8 here, we are educating children, they are  
9 contributing to the restaurant, the bars,  
10 the stores and, you know, I don't know how  
11 you can measure that. I do agree with you,  
12 I don't like the tax exempt either, and we  
13 have to try to get what we can from tax  
14 exempts as we got from the Housing  
15 Authority, the \$900,000 which they have  
16 never done before. And so, you know, we

17 have to keep on plugging and just hope than  
18 when it's time for them to come up to the  
19 plate that they come up to the plate for us,  
20 and I do think it's going to help the Hill  
21 Section. Your points are well taken.  
22 MS. EVANS: And I did just want to  
23 add I think it is splendid of the Scranton  
24 Housing Authority to make a \$900,000 payment  
25 in lieu of taxes to the City of Scranton.

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1 MS. GATELLI: And the board members  
2 don't get paid, by the way. They had a  
3 misprint in today's paper. I know we are  
4 going off the topic, but there was an  
5 article in there that the board members got  
6 paid.

7 MS. EVANS: I saw that, yes.

8 MS. GATELLI: That is not true. The  
9 board members do not, Mr. Brown, up in the  
10 balcony, you need to make a correction, the  
11 board members do not get paid, and it is a  
12 nice contribution, but it needs to fill the  
13 potholes.

14 MS. EVANS: Yes, he does.

15 MS. GATELLI: And I'll call Marie

16 tomorrow, I thought that would be the next

17 thing you were going to say.

18 MS. EVANS: No, but I thank you.

19 Actually, as I said, I am very impressed and

20 very grateful, certainly that is most

21 beneficial and necessary, but it seems if

22 the Scranton Housing Authority can afford

23 something of that nature, is it not

24 embarrassing that we have postsecondary

25 institutions that contribute nothing to this

.

85

1 city.

2 MS. GATELLI: Yes.

3 MS. EVANS: And others who are

4 extraordinarily financially solvent to say

5 the least who have contributed a mere

6 \$110,000 for many years, so --

7 MS. GATELLI: That's true, but we are

8 making headway we just have to keep on

9 plugging. All right. Anyone else on the

10 question?

11 MS. EVANS: Could you make more  
12 headway if you withheld this until you had  
13 your discussion?

14 MS. GATELLI: I have already had my  
15 discussion and I don't think you can -- I  
16 don't think I could do that, could threaten  
17 them in any way. I don't think that would  
18 be appropriate to use this to threaten them,  
19 but they are coming forth with something and  
20 I think you will be happy. Where are we?

21 MR. MINORA: On the question.

22 MS. GATELLI: We are done with the  
23 question. All in favor? Aye.

24 MS. FANUCCI: Aye.

25 MR. MCGOFF: Aye.

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1 MS. GATELLI: Opposed?

2 MS. EVANS: No.

3 MS. GATELLI: The ayes have it and so  
4 moved.

5 MS. GARVEY: 5-S FOR INTRODUCTION - A  
6 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER  
7 APPROPRIATE CITY OFFICIALS TO EXECUTE AND



8 ENTER INTO ANY AND ALL DOCUMENTS NECESSARY  
9 TO AUTHORIZE UGI PENN NATURAL GAS, INC.,  
10 FORMERLY PG ENERGY, TO CONSTRUCT, OPERATE  
11 AND REPAIR A NATURAL GAS REGULATION FACILITY  
12 INCLUDING PIPES THEREFOR, ON WEST OLIVE  
13 STREET IN THE CITY OF SCRANTON.

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

16 MR. MCGOFF: So moved.

17 MS. FANUCCI: Second.

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

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MR. MCGOFF: Aye.

23 MS. GATELLI: Aye. Opposed? The  
24 ayes have it and so moved.

25 MS. GARVEY: We will be holding 5-T  
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1 until next week when we get the change in  
2 legislation. Sixth order. No business at  
3 this time. Seventh order, no business at  
4 this time. We are going to be taking a

5 ten-minutes recess before we continue with  
6 the rest of the hearing.

7 (A brief recess was taken.)

8 MS. GATELLI: Douglas Miller.

9 MR. MILLER: Good evening, Council,  
10 Doug Miller, Junior Council. Tonight I will  
11 begin by addressing our handicapped swing  
12 set project. On Thursday, July 26, 2007, I  
13 stated that Junior Council would be  
14 refunding the contributions made towards or  
15 project because it was not going to be  
16 placed near the handicapped accessible tree  
17 house. Junior Council had said from day one  
18 of the project that the swingset should be  
19 placed across from the handicapped  
20 accessible tree house because that area was  
21 accessible for everyone. However, that  
22 location was rejected by the city.  
23 During our summer break we realized  
24 that we would be letting many residents down  
25 if we refunded the money and we would have  
·  
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1 been breaking a promise we made to the

2 public. We realized that it was time to go  
3 into the site selection process with an open  
4 mind. We met with Parks and Recreation  
5 Director Mr. Dougher and reviewed several  
6 locations throughout Nay Aug Park and in  
7 August we were able to come to an agreement  
8 with the city on a new location in Nay Aug  
9 Park for the handicapped swing set.  
10 Tonight I am pleased to say that the  
11 politics that was involved in this project  
12 are gone and we are moving forward with our  
13 project. On behalf of Junior Council I  
14 thank Mr. Dougher for his support and  
15 patience. He is professional and respected  
16 by Junior Council. I am proud to announce  
17 to the public tonight that the swing set has  
18 arrived and was installed at Nay Aug Park on  
19 Saturday by Dunmore Evergreen Landscaping,  
20 Incorporated, lead by Mr. George Dunbar. I  
21 thank Mr. Dunbar for donating his time and  
22 service to install our swing set. We  
23 greatly appreciate all he has done to help  
24 us.  
25 Tomorrow, at 10 a.m. Junior Council

1 will hold a ribbon cutting ceremony at Nay  
2 Aug Park for the completion of our  
3 children's handicapped accessible swing set  
4 project and on behalf of the Junior Council  
5 I invite city council and the citizens of  
6 Scranton to attend. Thank you to all those  
7 who made this day possible. We are very  
8 proud that we are able to give this gift to  
9 so many residents all across our community.  
10 For the 2007-2008 school year the  
11 Scranton Junior City Council has five seats  
12 available for any interested high school  
13 students. Applications are available at  
14 West Scranton High School and Scranton High  
15 School. Students will be required to answer  
16 an essay question and receive a written  
17 recommendation from the teacher. All  
18 applications are due by Monday,  
19 September 24, and they should be sent to  
20 City Hall, 340 N. Washington Avenue and the  
21 zip code is 18503. We encourage all  
22 students to fill out an application.

23 Participation from students is important as  
24 it helps move our city forward. We look  
25 forward to hearing from students all across  
. .  
90

1 our city as junior council looks to continue  
2 it's success. Thank you.

3 MS. GATELLI: Thank you.

4 Mr. Piccolino.

5 MR. PICCOLINO: Giovanni Piccolino,

6 taxpayer, this is right off the Scranton

7 PA.gov website: "We are building a better

8 Scranton by creating new jobs and investing

9 in our infrastructure, attracting new

10 businesses and supporting our existing ones.

11 It's a plan to build our future today so we

12 are ready for the challenges that tomorrow

13 may bring."

14 That's a quote by our present mayor.

15 I'd like to break it down. "We are building

16 a better Scranton by creating new jobs."

17 The job growth in Scranton from 2001

18 to the present is a negative 5.221 percent.

19 That's out of Money magazine.

20 "We are investing in our  
21 infrastructure." Everybody knows how our  
22 roads are.

23 "Attracting new businesses. "The  
24 only businesses we attract are the ones that  
25 we gave handouts and KOZ's to, and,

.

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1 "Supporting our existing ones." They don't  
2 support us or Coney Island.

3 "It's a plan to build our future  
4 today so we are ready for the challenges  
5 that tomorrow may bring." Basically it's  
6 saying, let's borrow, borrow, borrow, and  
7 worry about what happens in the future.

8 These are some population numbers  
9 for Scranton: July '01, 75,222; July of  
10 '02, 74,505; July '03, 73,905; July '04, 73,  
11 555; July '05, 73,154; July of '06, 72,861.

12 All of this present administration had done  
13 for us has raised the taxes and has  
14 population decrease and no job growth at  
15 all. Mr. McGoff, as to you, you remind of a  
16 quarterback. Mr. Doherty is your coach,

17 every time he sends in a play you run it.

18 Remember, you weren't elected just yet, you

19 were appointed.

20 MS. GATELLI: Is Mr. Sbaraglia still

21 here?

22 MR. SBARAGLIA: In body, not in

23 spirit. Andy Sbaraglia, citizen of

24 Scranton, taxpayers' member. I noticed that

25 the University would like to borrow part of

.

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1 that to fix up our South Side complex. Does

2 anybody know where that ball field is now

3 that was supposed to be built to replace it?

4 I don't even want to get into it, it's not

5 that important because I know it's not there

6 and probably never will be there. This man

7 constantly makes promises that he can't

8 keep. I wouldn't call him a liar, but, damn

9 it, he is awfully close.

10 Let's look at the Sewer Authority.

11 Is that increase legal? You have a lawyer,

12 you can ask him. As you noticed, you people

13 were supposed to vote on that, for the

14 increase, you did not do that. Is it legal?  
15 You got a lawyer, you are supposed to vote  
16 on it. How was your power stripped? It's  
17 in your -- actually if you read the Home  
18 Rule Charter Administrative Code, that was  
19 granted to you. All increases by the Sewer  
20 Authority has to be done by council. It  
21 wasn't done that way. Nobody on council got  
22 up and said a darn thing about it.

23 MS. EVANS: I --

24 MR. SBARAGLIA: We're stuck with it.

25 MS. EVANS: I'm sorry, you finish.

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1 MR. SBARAGLIA: And we are stuck with  
2 this increase. And anybody with common  
3 sense remembers that the reason why we  
4 bought back our Sewer Authority was because  
5 they were going to give us a 42 percent  
6 increase instead of what do we got now, 53  
7 or 56 percent increase and God knows where  
8 it's going to end. There is no supervision  
9 at all over the Sewer Authority if they  
10 become autonomous. The Taxpayers'



11 Association's contacted PUC, they in turn  
12 said if the Sewer Authority extends out  
13 beyond Scranton it would probably come under  
14 the PUC and it's good chance, we are in  
15 litigation with them now. The other thing  
16 is if not then we have to go to the Courts  
17 and the Court would then supervise the Sewer  
18 Authority. You can't have a Sewer Authority  
19 without any kind of a checks and balances,  
20 it doesn't work that way. It's got to be  
21 done and it's got to be done quick. I don't  
22 know why you would let anybody usurp your  
23 powers. It doesn't make sense. It doesn't  
24 make any kind of a sense. You are there to  
25 protect the people from the mayor. You  
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1 don't do a good job of it. You probably  
2 never will do a good job of it. You are  
3 hand-in-hand with something that's pushing  
4 the city beyond it's financial feasibility.  
5 We're BP rated, that's junk bond. We are  
6 going to go lower and lower and lower.  
7 Nobody asks how much money from the sinking

8 fund when the Scranton Recreation -- the  
9 Scranton Redevelopment Authority built a  
10 garage. They had a sinking fund to pay off  
11 some of the bonds. Now, in turn, probably  
12 that fund was gone and the reason that  
13 garage was sold is to get another sinking  
14 fund, that's the only reason. Thank you.

15 MS. EVANS: Mr. Sbaraglia, I did  
16 address on the issue at the time that the  
17 \$8 million was paid to American Water  
18 Services on behalf of the City by the  
19 Scranton Sewer Authority and appeared at  
20 that time that the only, let us say, power  
21 the city retained after that transaction was  
22 the ability of the mayor to appoint members  
23 to the Scranton Sewer Authority Board, so,  
24 as I said, I did bring up the issue that I  
25 thought it was outrageous that the rate

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1 increases would no longer come before  
2 Scranton City Council and why had that  
3 ability, that right, be taken away from us  
4 in order to protect the people, but it is

5 gone and how that transpired I do not know

6 because I was not privy to any of those

7 negotiations or deals that were made.

8 MR. SBARAGLIA: That's why you have

9 a lawyer.

10 MS. GATELLI: Ozzie Quinn.

11 Mr. Sbaraglia, we will try to get that

12 answer for you.

13 MR. QUINN: Ozzie Quinn, Taxpayers'

14 Association. Janet, Mrs. Evans, you are

15 right about that CPI and, Mr. McGoff, you

16 are wrong. They are definitely has to be

17 the funding sources, be it a grant, CDBG

18 funds, taxes or whatever, and has to say the

19 amount, okay? This is not a wish list, this

20 is something in regard to the whole budget

21 and we are being hoodwinked again by Mayor

22 Doherty. We owe -- it's crunch time, we owe

23 \$300 million, that's principal and long-term

24 interest. And don't let anybody tell you

25 that the authorities are not -- that we're

.

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1 not responsible for what the authorities

2 default. Read the ordinance of July when  
3 you passed that \$35 million bond for the  
4 Scranton Parking Authority. You know what,  
5 in that ordinance it says that you are  
6 responsible. Not you, us, the taxpayers, we  
7 are responsibility. Now, we are fed up with  
8 it, enough is enough. How are we going to  
9 pay this for the 2009 with this capital  
10 budget and all of these payments he has to  
11 make? I want to ask you, Mr. McGoff, will  
12 you vote for a tax increase?

13 MR. MCGOFF: Excuse me?

14 MR. QUINN: Will you vote for a tax  
15 increase for the new budget?

16 MR. MCGOFF: I'd have to see it  
17 before I make a decision.

18 MR. QUINN: In other words, you will  
19 possibly vote for a tax increase?

20 MR. MCGOFF: Hypothetically I'm not  
21 going to give you an answer, because I don't  
22 know what --

23 MR. QUINN: Well, you know what last  
24 year was and you know it's going to be  
25 higher this year.

1 MR. MCGOFF: That's your assumption.

2 MR. QUINN: That's my assumption is

3 right because I study the books, you don't,

4 you listen. And one other thing, it's a

5 fact that we are down there in Daron

6 Industries and what's happening down there

7 is a shame, there are two people on

8 respirators down there. One is in intensive

9 care right now in the hospital, okay, for

10 the last two weeks. It's a shame, it's a

11 crying shame. Miss Fanucci, you know, you

12 passed that for to be an industrial zone and

13 a month later your relative, Keating,

14 approved that, sent the land development

15 plan into the city, SRA, that was approved.

16 You know, you should have voted or abstained

17 like Judy did tonight or says, "I want to

18 abstain because of the fact that I know my

19 daughter goes over there."

20 Well, if you were a relative you

21 should abstain to, but, no, you like before

22 when you were arguing about who is going to

23 pay for this -- don't giggle, Miss Giggles.

24 Everybody loves your giggle. The fact is

25 the --

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1 MS. FANUCCI: He is not my relative,

2 Ozzie, I don't know how many times I have to

3 tell you. God Bless you.

4 MR. OZZIE: He is a relative. He can

5 argue this for the day, he is your relative.

6 MS. FANUCCI: You find a blood link

7 and I'll believe it.

8 MR. QUINN: He is your relative, I

9 know, I went into the family tree. Mrs.

10 Evans, there is no doubt about it with the

11 Sewer Authority it's politics as usually.

12 The people are getting --

13 MS. FANUCCI: This is so sad.

14 MR. QUINN: -- upside down. It's

15 politics. The people just got their water

16 bills, they can't afford it.

17 MS. GATELLI: Thank you, Mr. Quinn.

18 MR. QUINN: Come on, let's go, you

19 people. Do something.

20 MS. GATELLI: Jim Stucker.

21 MR. STUCKER: The city, the bar at

22 Brass Pendant told me top tell you that was

23 the law. He told once again on Virginia

24 tonight. I live in John Doherty's building

25 so that's right next to East Street Park and

99

1 I live right around the back of it. I feel

2 better there and my buddy, Pat, told me to

3 tell you there is some people watching on TV

4 tonight with me. Our garbage hasn't been

5 picked up. I want to know what you can do

6 about Parrot Avenue, again. There is holes

7 up there by the school, I went about 5 or

8 10 -- five or six times about. I complain

9 about a couple of times about it on Parrot

10 Avenue.

11 MS. EVANS: Jim, I did see on the

12 weekly list provided to council by the DPW

13 director that potholes were filled recently

14 on Parrot Avenue.

15 MR. STUCKER: Well, I have a friend

16 named Jimmy Palumbo, well, he never paid me,

17 he owed me money, again, and Pat told me to  
18 keep after him, so I got the card here if  
19 you want to write the number down.

20 MS. GATELLI: Give it to Neil.

21 MR. COOLICAN: Thank you.

22 MR. STUCKER: So what happens I did a  
23 big cherry tree in the lady's yard and he  
24 never came back and finished the job so he  
25 got \$300 he did for the job to take one of

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1 the side tree down and didn't take the other  
2 side down. She wanted all of it down so I  
3 had to go back and I had my saw and I had to  
4 go back and cut the log down and the top of  
5 the tree down, so I got to go back and  
6 finish it and I'm afraid the type the tree  
7 had no ladder so it's pretty hard for me.

8 So I missed your birthday party.

9 MS. EVANS: Well, we missed you.

10 MR. STUCKER: Yeah. We need a light  
11 on -- can't you get a light on Church Avenue  
12 where I used to live on a pole? We got our  
13 sign put up, there is no parking, there is



14 no parking there and on Church Avenue.

15 MS. GATELLI: We'll check into it.

16 MS. EVANS: Tell me.

17 MS. GATELLI: Thank you.

18 Mr. Spindler.

19 MR. SPINDLER: Good evening, Council.

20 Les Spindler, Scranton resident.

21 Mrs. Gatelli, the night of West Scranton's

22 graduation you had to leave earlier, but

23 made sure you were here to pass that

24 ridiculous delinquent tax legislation which

25 if you were not here would have died with a

.

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1 2-2 tie. You say you are not a rubber

2 stamp, but I think you proved your true

3 colors that night. And, also, by voting to

4 pass that you violated the Home Rule Charter

5 because the previous meeting which adjourned

6 early and not everyone was allowed to speak

7 on that issue.

8 Mrs. Fanucci, the meeting of July 12

9 you told Mrs. Franas there are rules. The

10 following week you say the same things to

11 me. Well, you are right, there are rules,  
12 but every week you and Mrs. Gatelli and Mr.  
13 McGoff violate the Home Rule Charter, so if  
14 you want the citizens to obey the rules set  
15 a good example, do it yourself.

16 MS. FANUCCI: How do I do that, Mr.  
17 Spindler?

18 MR. SPINDLER: With citizens'  
19 participates.

20 MS. FANUCCI: I don't think so, Les.

21 MR. SPINDLER: I know so.

22 MS. FANUCCI: Oh, okay.

23 MR. SPINDLER: Also, at the July 26  
24 meeting, Mrs. Fanucci, you said you do what  
25 the taxpayers want you to do, again, I don't  
.

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1 think so. You voted for a 25 percent tax  
2 hike. I don't think the citizens wanted you  
3 to do that. You also voted for that  
4 ridiculous delinquent tax legislation which  
5 would cause people who fall on hard times to  
6 lose their houses. I don't think the  
7 citizens of the city want that either.

8 And something else, you said at one  
9 of the last meetings you made a bunch of  
10 phone calls and most cities around here have  
11 three minutes of public speaking. Don't  
12 know you who you called, I did make some  
13 phone calls, I got in touch with nine cities  
14 and boroughs, the only one that's three  
15 minutes is Hazleton. Wilkes-Barre and  
16 Dunmore are ten minutes. Olyphant,  
17 Plymouth, Kingston, Nanticoke and Moosic are  
18 all unlimited. So, I think this council is  
19 very unfair to us; and, lastly,  
20 Mrs. Fanucci, you can't drive to Guam. Your  
21 former teachers must be very proud of you.  
22 MS. FANUCCI: You have to be kidding  
23 me. You can't drive to Guam? I didn't know  
24 that.

25 MR. SPINDLER: You are wasting my

.

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1 time, please wait.

2 MS. FANUCCI: You are wasting my

3 time quite frankly.

4 MR. SPINDLER: Mr. McGoff, you said

5 something tonight, you were wrong and I  
6 think you should get the facts before you  
7 speak, you said Buono Pizza is in litigation  
8 so an offer must have been made to them,  
9 that's wrong. They are in litigation to  
10 stop the -- I lost my train of thought, stop  
11 the eminent domain proceedings, that's why  
12 it's in litigation. They were never made an  
13 offer.

14 Lastly, I think this council should  
15 look into what West Pittston just did and  
16 passing a ban on all minors smoking on  
17 public property. I think it's a health  
18 issue and I think it's a real good idea if  
19 West Pittston did it I think that's  
20 something we should also do. Thank you.

21 MS. GATELLI: Thank you. Reverend  
22 Simmons.

23 MS. SIMMONS: Reverend Katherine  
24 Simmons, Scranton resident. Good evening,  
25 council, Junior Council. I came here

.

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I tonight to talk about three issues, but I'm

2 going to put all of them aside until next  
3 week and speak about those who are not being  
4 spoken for in the City of Scranton, the  
5 needy, the poor, people who are only earning  
6 enough to get themselves through a week.  
7 The poor were insulted today. They were  
8 insulted this morning and they were insulted  
9 this evening. Any ministry or any nonprofit  
10 group that deals with homeless families or  
11 hidden families was insulted today and I  
12 thought coming to council tonight there  
13 would be some support here, but,  
14 Mrs. Fanucci, you showed that you have  
15 absolutely no regard for homeless families,  
16 families that have been evicted from  
17 condemned buildings because there is no one  
18 in the City of Scranton that helps us find  
19 housing for these people. I have been  
20 involved with these people for 18 years and  
21 not one time has anybody from a city  
22 administration come forward to help me find  
23 housing for these people. So, where you get  
24 this idea from that --  
25 MS. FANUCCI: In the instance I was

1 speaking of she did get relocated and she --

2 MS. SIMMONS: Well, bless her heart.

3 MS. FANUCCI: So personally --

4 MS. SIMMONS: One out of 18 years,

5 isn't that wonderful.

6 MS. FANUCCI: Well, that was the

7 incident I was speaking of.

8 MS. SIMMONS: Well, at the end you

9 said, you made the statement --

10 MS. FANUCCI: Yes, I did.

11 MS. SIMMONS: That anybody shouldn't

12 be afraid to turn their house over to have

13 it condemned or --

14 MS. FANUCCI: Their apartment. Their

15 apartment if they are renting from someone.

16 MS. SIMMONS: To them it's a house,

17 Dear, okay, they live in it.

18 MS. FANUCCI: But, you have to be

19 clear because I didn't say a home. I said

20 an apartment.

21 MS. SIMMONS: Well, I was sitting

22 right there, I heard it and everybody that

23 was in the front row heard it.

24 MS. FANUCCI: I said if they were

25 renting, this woman was a renter.

.

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1 MS. SIMMONS: What difference does

2 it make? It's their house.

3 MS. GATELLI: Excuse me, I don't

4 want to take your time, but we do have a

5 program in the city to assist people when

6 they are in --

7 MS. SIMMONS: Well, where is it?

8 MS. GATELLI: It's the United

9 Neighborhood Centers.

10 MS. SIMMONS: They haven't helped us.

11 MS. FANUCCI: United Neighborhood

12 Centers.

13 MS. SIMMONS: Where -- I'm asking you

14 -- do you all understand me?

15 MS. GATELLI: It's in block grant

16 money.

17 MS. SIMMONS: Where is it? Where is

18 it?

19 MS. GATELLI: I'll have Mike Hanley

20 call you.

21 MS. SIMMONS: I don't need Mike

22 Hanley call me, I had a meeting with him

23 this morning. Where is this program at? We

24 are out here every single day, 365 days a

25 out of the year trying to find housing for

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1 people who have been either evicted from

2 apartments, is that a better word you want

3 me to use, or condemned buildings.

4 MS. GATELLI: If there is -- there is

5 no evictions --if they are evicted from

6 condemned buildings there is money. Well,

7 I'm telling you there is. It's been there

8 since --

9 MS. SIMMONS: Well, I'm asking you

10 where? Where?

11 MS. GATELLI: Where? Mike Hanley.

12 You call me tomorrow and I'll tell you where

13 the money is.

14 MS. SIMMONS: Well, you better tell

15 him because it was his group that met this

16 morning and we have a mundane amount of



17 problems.

18 MS. GATELLI: Well, I'll call Mike

19 Hanley tomorrow.

20 MS. SIMMONS: Well, you do that. You

21 do that.

22 MS. GATELLI: It's there. I'm

23 telling you, it's there.

24 MR. MCCLOE: Good evening. My name

25 is Brett McCloe, Scranton taxpayer. Over

.

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1 the course of the past two months, I did

2 some light research into the nature of those

3 3-2 votes and those 4-1 votes and the more I

4 studied it the less it became important. I

5 realized it really didn't matter how, why or

6 how those votes fell or why they go the way

7 they do, or who will adversely affected as

8 long as only 30 percent of this city's

9 voting age participates in the proces. It's

10 not rocket science to figure out that the

11 upcoming tax hikes are geared towards those

12 who best absorb the increases, those who own

13 homes with household incomes of \$50,000 or

14 above. Households that don't make that kind  
15 of money may not be able to absorb the  
16 increases and will suffer due to a survival  
17 of the fittest, survival of the financially  
18 fittest's mindset. This can also be  
19 problematic when it comes to households in  
20 the lower middle class to working poor where  
21 most rent rather than own their own homes.  
22 Higher taxes mean higher rents, higher rents  
23 with no corresponding increase in income may  
24 cause household budgets to become untenable  
25 with the credible expectations that there

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1 may be a recession looming in the horizon.  
2 In my opinion it would be irresponsible for  
3 this city to do anymore borrowing or lending  
4 without first reading the fine print and  
5 telling the citizens the obvious, with every  
6 dollar borrowed and lent out by this city  
7 major tax increases and penalties will  
8 follow. The people need to be told this,  
9 the people need to be told this by you, it  
10 can't be just something that happens to

11 them.  
12 New tax legislation will probably  
13 not get to the agenda until after the  
14 November elections, and that's not hard to  
15 figure out. I think it would be a smart  
16 idea for in council to read the front page  
17 of yesterday's newspaper and recognize the  
18 realities of what could be the next  
19 important voting block. Thank you.  
20 MS. GATELLI: Thank you. Mr.

21 Jackowitz.

22 MR. JACKOWITZ: Bill Jackowitz,  
23 South Scranton resident. Mrs. Gatelli,  
24 there may be money available but the only  
25 people that get that money are the Doherty  
.

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1 real people and the Fanucci my people.  
2 Scranton Taxpayers' Lackawanna County  
3 Citizens' Group, Incorporated, we had our  
4 free swim program this year, we had a total  
5 of five free swims at Nay Aug Park for a  
6 total cost of \$3,034. One-thousand  
7 one-hundred six kids swam for free. Some

8 this was the first time they ever swam at  
9 Nay Aug Park. He we had five events, we had  
10 six events that was scheduled for 2nd of  
11 September, but it was cancelled due to the  
12 fact that no life guards were available.  
13 Labor Day weekends, no lifeguards, too bad.  
14 If you are torn or undecided you should  
15 table until you are 100 percent in favor of  
16 or against the vote that you are making.  
17 That's all that I'm asking for. You should  
18 know more about that vote that you are  
19 voting on because you are affecting every  
20 citizen in the City of Scranton, than you  
21 should know about your own family tree. You  
22 should know everything that you need to know  
23 about that vote. Legion of Doom stands for  
24 fair, honest and open government and that's  
25 all I'm asking for is fair, honest and open

.

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1 government. Let's start getting it. Let's  
2 make sure we know what we are voting on.  
3 You should be able to answer any and every  
4 question that is brought here to your

5 attention by a citizen or by a fellow  
6 councilman or anybody. You should know the  
7 answers. If you don't know the answers, be  
8 man enough or woman enough to say, "I don't  
9 know the answer, but I'll find the answer  
10 and I'm not going to vote on it until I know  
11 the answer," because it's a shame that the  
12 taxpayers and the taxpayer group knows more  
13 about what's going on in this city and this  
14 county than our elected officials.  
15 You guys were elected by us to  
16 support us and to work for us, not to  
17 support the people who voted for you, and  
18 vote against the people who voted against  
19 you. You are here to support every citizen  
20 of the City of Scranton and it's damn -- you  
21 better damn start doing it. It's as simple  
22 as that. It's not being done. If you lose  
23 your election, too bad. If you win your  
24 election, great, but don't do it off the  
25 backs of the citizens of this city. The

.

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1 city cannot tolerate it any longer. We just

2 can't. People are broke. There is not too  
3 many of us who make over \$50,000 a year.  
4 Thank God I happen to be one of them, but  
5 guess what, I'm in the minority because most  
6 of the people in this city are making  
7 between \$18,000 and \$22,000 to \$24,000 a  
8 year. Think about it. Think about it when  
9 you pass that vote. If the budget comes up,  
10 think about it, know that budget, know that  
11 budget inside and outside. Think about that  
12 person who is making \$12,000 that single  
13 mother. Think about it. That's all I ask.

14 MS. GATELLI: I think there is one  
15 more on the list, Mrs. Shumaker.

16 MS. SHUMAKER: Marie Shumaker,  
17 citizen and member of the Taxpayers'  
18 Association. I have four brief items  
19 tonight. First of all, Mrs. Gatelli, I'd  
20 like to say I was very disappointed that you  
21 decided to close the budget meetings after  
22 you had announced that there would be three  
23 meetings on the 9th, the 16th and the 23rd  
24 between 11 and 1, that was very  
25 disappointing.

1 Second, I would like to ask that you  
2 reinstate an ordinance that was brought here  
3 in December of 1993 to require all new homes  
4 being built to install curbs and sidewalks.

5 That for some reason, I don't know the  
6 history, but for some reason that did not  
7 become law, and I think it is certainly  
8 time, those of us who have persons in  
9 wheelchairs, women in strollers that are  
10 forced on the streets, it's just creating  
11 needless -- the time to do it is when the  
12 home is being built and new homes and I  
13 would suggest you have Mrs. Garvey bring  
14 that legislation back for passage.

15 Third, I'd like to ask Mrs. Gatelli,  
16 several months ago you said you are going to  
17 have the solicitor research the liens where  
18 the city has demolished buildings and done  
19 work for private individuals and I'd really  
20 like to know what the result was of that. I  
21 understand there has been another on Market  
22 Street that was done for a private

23 individual and, I don't know, I didn't go  
24 down and check to see if there is a lien on  
25 that property, but the city can't be

.

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1 affording those kinds of gifts I don't  
2 believe.

3 And then, finally, I'd like to say  
4 that the two minutes to address agenda items  
5 is insufficient. Tonight there were 19  
6 agenda items, I would like to have to spoken  
7 to more than I did, but I was restricted and  
8 I think two minutes is certainly  
9 insufficient when you have that large of a  
10 quantity. Thank you.

11 MS. GATELLI: Thank you.

12 MS. RICKARD: High. My name is Wanda  
13 Rickard, and I live in the Tripp Park  
14 Development, most of you know me. The  
15 reason why I'm here tonight is because I  
16 have a dangerous safety issue that I'm  
17 dealing with living within our new  
18 development. I'm one the first homes that  
19 was built there, and my mother-in-law lives



20 with me and last year I had an ambulance  
21 come to my home two times and the ambulance  
22 could not find my home because my treat is  
23 unmarked. This year my -- I had to call an  
24 ambulance in two weeks four times and, also,  
25 we had trouble, the ambulance had to call me

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1 to give them directions because my street  
2 wasn't marked.  
3 Now, generally, what I do is I send  
4 them over Euclid Avenue, I know you are  
5 familiar with the development, and I'll tell  
6 them to take Hawthorne, but presently right  
7 know there are trees that are really  
8 overgrown and you can't even acknowledge let  
9 alone read the Hawthorne sign, so they go  
10 way past my house and they are on the other  
11 end of the development and trying to wiggle  
12 their way through and so the response time  
13 is not good for me; and right now I'm  
14 dealing with an ambulance, police, you don't  
15 know who you are going to need, so it's a  
16 concern of mine.

17 And one other thing I'd like to  
18 bring attention to is the fact that I had  
19 brought this issue up before, I am living in  
20 my home it's going to be six years, like,  
21 back two years ago with Mr. Fiorini and he  
22 assured me that that matter would be taken  
23 care of. At that time I didn't need, I  
24 wasn't projecting that I would need an  
25 ambulance, so it was, do you know what I  
.

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1 mean, but now it's an issue because no one  
2 can find us. And I have home health coming  
3 to the home and also I have nursing, private  
4 duty nursing staff coming to my home. I  
5 have a job so I am waiting for them and I  
6 end up driving to a street three or  
7 four blocks over in the development to get  
8 them to bring them to my home and that's  
9 unnecessary when all I need is a sign to  
10 mark our street.

11 MS. GATELLI: If you would leave your  
12 name with Neil I'll have Mr. Brazil call you  
13 tomorrow.

14 MS. RICKARD: Okay, and that's all,  
15 you know I don't know who to talk to or --

16 MS. EVANS: Would you mention to him  
17 too, though, about trimming the trees as  
18 well?

19 MS. GATELLI: That's a good idea.

20 MS. RICKARD: I almost did it myself.

21 MS. EVANS: I'm sure he will take  
22 care of these things.

23 MS. RICKARD: Thank you for your  
24 time, I just didn't know who to talk to.

25 MS. GATELLI: Tell Neil, and Mr.

.

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1 Brazil will call you tomorrow.

2 MR. GONZALEZ: Good evening,  
3 Council, Junior Council, and all in  
4 attendance. My name is Pedro Gonzalez,  
5 south side resident, taxpayer and a  
6 representative of the Latin Culture  
7 Diversity Center Group and I'm here as usual  
8 to announce certain events that have are up  
9 and coming. One, the first one is at  
10 Scranton University, this coming Saturday,

11 September 15, for the Latin -- excuse me,  
12 Hispanic Heritage Month celebration.  
13 September 15 to October 15 many of you  
14 already know and some don't is Hispanic  
15 Heritage Month. The University will be  
16 kicking off an event on Saturday the 15th  
17 and I think it's going to run from 7:00  
18 until about 10:00, don't hold me on the  
19 time, but please contact the University.  
20 The United States Colors Group are the ones  
21 that are running that event.  
22 Second of all, us, the Latin Culture  
23 Diversity Center will be kicking off an  
24 event October 6 and 7, the 6th will be at  
25 the Cultural Center, the 7th will be at  
.

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1 Scranton University. The 6th will be a  
2 Latin social and performance from the kids  
3 and some of the other dance troops that will  
4 be in the city and the rest of the night we  
5 are going to have a Latin social, it will be  
6 a grown up party, we will be dancing the  
7 night away on the 6th, and I know, you know,

8 you always tell me, "You got to do it early,  
9 you got to do it early," well, it starts at  
10 7:00, Judy, okay? It starts at 7:00 and  
11 finishes at 11:00.  
12 The next day, the 7th, we are having  
13 an honoring ceremony of certain honorees in  
14 the City of Scranton, businesses which I  
15 will not reveal right now, certain people  
16 who have contributed to the Latinos and the  
17 growth of Latinos in the City of Scranton;  
18 and, last, but not least, the Lupus  
19 Foundation always has a branch council  
20 member, September the 23 Allentown they will  
21 be having a Lupus Walk and Run and then  
22 October the 14th here at Nay Aug Park all  
23 those interested please contact 888, the  
24 number again 88899, and then the word Lupus,  
25 L-U-P-U-S. Again, that's 88899 and then the

.

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1 word Lupus, L-U-P-U-S, please. Once again,  
2 my name is Pedro Gonzalez, and thank you for  
3 letting me express myself.  
4 MS. GATELLI: Thank you, Pedro.

5 Next?

6 MR. PATILLA: Sam Patilla, Scranton

7 resident, taxpayer, homeowner. Hi, Miss

8 Evans, how are you doing?

9 MS. EVANS: Fine, thank you.

10 MR. PATILLA: My better half I have

11 and I have never argued as much as we have

12 argued since we have moved to Scranton.

13 Never. All of the years we have been

14 together. Partly that's because I won't let

15 her know what's going on, more protection

16 for her than anything else, but a senior

17 citizen, an 80 or 90 year-old gentleman and

18 his wife stopped me while I was working on

19 my lawn the other day and he told me

20 Scranton has been the same for 100 years,

21 people are accustomed to being told what to

22 do. Well, you know, I learned a lot from

23 that gentleman in the 10, 15 minutes the

24 conversation that I had, but it all boiled

25 back to the fact that I only have one

.

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1 master, it's God Almighty, and unlike

2 everybody else I don't beg. I'm not going  
3 to beg council people to do their jobs, I'm  
4 not going to beg the mayor to do his job.  
5 Thank God, Alberto Gonzalez has finally  
6 stepped aside so the ADA's can finally do  
7 their job. The people in Scranton deserve  
8 Ms. Hubbard, deserve Nelson, deserve Bill  
9 Jackowitz, Ozzie Quinn, Andy, Lee, and  
10 everybody else that comes up here that tries  
11 to look out for the citizens of this city.  
12 This city has no money, but yet it  
13 finds money for parking lots. It finds  
14 money to give to the nonprofits, nonprofits  
15 don't give any money to this city, not like  
16 they should be. I'm not thrilled that the  
17 Housing Authority gave the city \$900,000,  
18 they stole 900 million, what do I care? The  
19 time for the people of Scranton to get off  
20 their duff, to shake their 100-year old  
21 duffs is upon us right now, all right? Come  
22 in November the elections, you have to be  
23 replaced. It's a domino effect. Get rid of  
24 one, and the rest will fall. This city  
25 deserves officials that care and look out

1 for them. We don't need anymore lawyers  
2 stuffing their pockets. We don't need  
3 anymore litigation or appeals or any of this  
4 other garbage. We need hardworking, honest  
5 people and we don't have that right now.  
6 Like I said, Arby's was my first  
7 introductory here. I came in, I could see  
8 what was going on. Ray Charles could see  
9 what's going on. I don't care what anybody  
10 says, it's going on. I have people  
11 following me which I don't care, I will deal  
12 with them later on. I have people calling  
13 my house and sending me all type of garbage,  
14 I don't care, I'll deal with them later one.  
15 Right now my number one priority are the  
16 senior citizens and the taxpayers and the  
17 residents of this city. I'm not going no  
18 where.  
19 MS. HUBBARD: Good evening, Council,  
20 Elizabeth Hubbard, Scranton resident and  
21 taxpayer. I have lived in this city and  
22 around this city for more than three



23 quarters of my life and I have known for  
24 many years that there are a lot of skunks in  
25 this town, but tonight I'm not here to talk  
.

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1 about the two-legged kind I'm here to talk

2 about the four-legged kind.

3 About three weeks ago my son walked

4 out of his house on his front sidewalk and

5 got sprayed by a skunk. Nice. So, the next

6 day I made a couple of calls to see what the

7 city does about this problem and I was told

8 that they don't do anything because they

9 don't have the manpower to do it. So, I

10 called the game commission to see what I

11 could do about this and they gave me the

12 name of three different people, so I called

13 one of them, a gentleman from Moscow, and he

14 came down and set two traps and the next day

15 we had two skunks, but it cost me \$240 to

16 get rid of these critters. Lo and behold,

17 two nights later here we have another skunk.

18 Now I'm afraid to go out high door at

19 night, I walk out with my dog, which she is

20 on a chain to make sure that she doesn't  
21 venture too far into the dark to keep her  
22 from the skunk. Anyway, the gentleman that  
23 I spoke with said that the city had asked  
24 him, he apparently has done some work for  
25 the city in a couple of different areas, the  
.  
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1 Washington area, the Dunmore line up there,  
2 and another area of the city, they asked him  
3 for a proposal to do this type of thing and  
4 he gave them a proposal and he never heard  
5 back from them, assuming that they don't  
6 have the money to do it. Well, they have  
7 money to do everything else. They have  
8 money to knock down buildings in North  
9 Scranton for Stirna's. They have money for  
10 bridges to no where and tree houses. They  
11 don't have the money to fix the riverbank  
12 and they don't have the money to get rid of  
13 the skunks. Now, they are disgusting. They  
14 carry disease and rabies, distemper,  
15 numerous other diseases, and I think it's  
16 about time that the city started doing

17 something about this problem, because it's  
18 not only where I live, I have friends that  
19 live up on Sunset and Electric Street, tons  
20 of skunks up there, they are coming up on  
21 people's porches, so maybe some of the  
22 two-legged skunks could try to figure out a  
23 way to get rid of the four-legged skunks,  
24 and no offense to any of you, I didn't  
25 mention any names. If I could spray, I'd  
.

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1 spray you.

2 MS. GATELLI: Jim, you spoke already.

3 MR. STUCKER: I know, I got some more  
4 things to talk about.

5 MS. GATELLI: You can't. Wait until  
6 after the meeting and you can talk.

7 MR. STUCKER: Only three things.

8 MS. GATELLI: No, you can't say it.

9 MR. HUBBARD: Good evening, Council,  
10 Daniel Hubbard and, yes, I did get skunked,  
11 so if you can do something to help with that  
12 pest problem in the city that would be  
13 great. The last meeting before your

14 vacation I submitted proposed zoning  
15 violations from Daron Northeast, I request  
16 Mr. Courtright and Mrs. Gatelli in regard to  
17 the caucus that you held with Mr. Butler,  
18 who is the attorney for zoning and  
19 Mr. Wallace. Miss Garvey submitted those on  
20 the 23rd of July and a follow-up letter was  
21 submitted on August 14. Now, it was three  
22 pages of violations. I was able to pull  
23 them from the book word for word using all  
24 of the zoning verbiage. Judy, right here.  
25 Thank you.

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1 MS. GATELLI: Excuse me?

2 MR. HUBBARD: You are the president  
3 of council, I'd like you to look at me.

4 MS. GATELLI: I'm writing notes,  
5 Mr. Hubbard.

6 MR. HUBBARD: Thank you. Why has it  
7 taken six weeks for no response in regard to  
8 these violations? Does anybody have an  
9 answer? Six weeks. I would have thought,  
10 you know, Attorney Butler or Mr. Wallace,

11 being as qualified as Mr. Wallace says that  
12 he is given the fact that he read the book  
13 once, I'm hoping that Attorney Butler is  
14 little more qualified than Mr. Wallace, they  
15 can't address these issues in six weeks?  
16 Six weeks. They weren't on vacation, you  
17 guys were. Where is the follow-up? This  
18 goes back to what I said the last meeting,  
19 Mrs. Gatelli, you are the president of the  
20 council, it's your job to follow-up on these  
21 things. You were cc'd on these letters from  
22 Kay, where is the follow-up? Where is my  
23 answers to the proposed violations that  
24 they--

25 MS. GATELLI: Mr. Hubbard, I don't

.

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1 spend anymore time than anybody else. I get  
2 the same pay as every other council member.

3 MR. HUBBARD: I understand that.

4 MS. GATELLI: And I was not at any  
5 meeting with Attorney Butler; am I correct?

6 MR. HUBBARD: Was he not at the  
7 caucus with Mr. Wallace.

8 MS. GATELLI: Not --

9 MR. HUBBARD: In regards to the Daron

10 Northeast --

11 MS. GATELLI: I don't remember him

12 being there.

13 MR. MCGOFF: One caucus meeting.

14 MR. HUBBARD: So, I guess you can't

15 assume that you are going to pay to what I'm

16 saying if you can't pay attention to who is

17 a actually in the caucuses, fine. Obviously

18 we are not getting an answer on this. I

19 want an answer.

20 MS. GATELLI: The issue, Mr. Minora,

21 is in litigation; am I not correct?

22 MR. HUBBARD: No. No, no, no, no.

23 Woah, woah, woah. The litigation with Daron

24 Northeast --

25 MS. GATELLI: Excuse me, I'm asking

.

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1 a question of the attorney, you can have

2 your time back. Attorney Minora?

3 MR. MINORA: I know what I read in

4 the paper that there was litigation, two

5 litigations, one by a neighbor bringing a  
6 nuisance action against Daron, and one by  
7 Daron against Mr. Hubbard, so I know of two  
8 litigations but only from the newspaper, I  
9 have never seen the complaints or the  
10 documents, but I don't know that we should  
11 be taking sides on litigation one way or the  
12 other.

13 MR. HUBBARD: No, no, that is private  
14 litigation, that is outside of these  
15 chambers. This is a zoning issue with  
16 Scranton. This has nothing to with my  
17 litigation and this has nothing do with the  
18 nuisance actions filed by the  
19 Zanthas family, that's private litigation.  
20 The city is not even involved in that  
21 litigation, in any of it. You asked for  
22 written -- you asked for it in writing, you  
23 got it. I was told I would have a response  
24 to that by the people in that caucus. This  
25 has nothing to do with the litigation. You  
.

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1 tried to use that during the summer, it's

2 not a part of it. It's separate. It's  
3 private. The city is not named in any of  
4 the litigation, therefore, it doesn't  
5 pertain to you and to the zoning ordinances  
6 that are being violated so I would like my  
7 answers in writing like I was told I could  
8 have.

9 MS. GATELLI: We'll tell  
10 Mr. Courtright, Mrs. Garvey, because I know  
11 he wrote the letters.

12 MS. GARVEY: Yes.

13 MS. GATELLI: On that issue. Thank  
14 you. Your time is up.

15 MR. HUBBARD: You said I could  
16 have --

17 MS. GATELLI: Go ahead, you can have  
18 a little bit back, I'm sorry.

19 MR. HUBBARD: As far as any  
20 litigation with me, that was just in the  
21 paper. I have yet to see anything in  
22 regards to it. Okay?

23 MS. GATELLI: Thank you.

24 MR. HUBBARD: How much time do I have  
25 left?



1 MR. MINORA: That was your time. I

2 gave you extra time.

3 MR. HUBBARD: He gave me extra.

4 MS. GATELLI: Mr. Morgan.

5 MR. MORGAN: Good evening, Council.

6 Here with me I have a copy of the City's

7 Charter and Administrative Code, and I just

8 like to say right up front before I even

9 begin that his council isn't using it's

10 authority and it's not moving in the best

11 interest of the residents of the city

12 whether that's with Daron Northeast or

13 anything else. We have listened to too much

14 stuff, with all due respect to Mr. McGoff

15 today you said something about snow plowing,

16 we still haven't gotten answers from the

17 storm and Valentine's last year about who

18 did the plowing, how much time they spent,

19 what equipment they used, this council has

20 skirted everything all along.

21 As a body, I have to be very honest

22 and say you are a disgrace. Mrs. Gatelli,

23 you held a meeting here, you invited the  
24 public to come and talk about the budget, a  
25 couple of people on your committee agreed  
.

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1 with myself, Ozzie Quinn, and a couple of  
2 the other people from the tax group and you  
3 folded it, there were no more. Nobody wants  
4 anything that the people have to say here.

5 You just want to tax us, misrepresent us,  
6 and I think what's really important here to  
7 remember is Mr. Kanjorski had a public town  
8 meeting and the people heckled and what did  
9 he say, "I'm very scared about the  
10 Republic."

11 Yes, because the people are tired of  
12 corrupt politics and just a total lack of  
13 interest in the general welfare of the  
14 people, and when you look at what's happened  
15 at Daron Northeast and the amount of damage  
16 that's doing to the community and the  
17 council and an administration that allows  
18 this to continue has no merit.

19 Now. I'm going go here to six, I'm

20 going to jump to six in case I run out of  
21 time. In regards to the Home -- in regards  
22 to the Scranton Sewer Authority it says,  
23 "The Council will regulate rates or charges  
24 for it's services by municipality and own  
25 public utility."

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1 That's not happening. Now, how  
2 could council possibly lose that authority  
3 if it's in this charter? This is the law of  
4 the land here, all right? Why aren't you  
5 exercising your authority? There is no  
6 excuse for it, all right? . You have a  
7 solicitor here, he should be fighting your  
8 fight. The same thing with all of these  
9 subpoenas that should have been had. They  
10 were granted by this council, the previous  
11 council before we went on recess, and then  
12 all of a sudden you were going to break them  
13 down and decide how you are going to do what  
14 and the whole thing was passed but then  
15 everybody skirted it. You don't want any  
16 knowledge that is of any benefit to the

17 people whatsoever and the truth of matter is  
18 all of these tax increases the community  
19 can't take it. They abandoning their  
20 property, the mayor said so himself. The  
21 residents are abandoning the properties, we  
22 are not rehabbing them, we know we are  
23 getting them, we are tearing them down. Is  
24 that a progressive city pruned on growth? I  
25 seriously doubt it. Our population decline

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1 is enormous. The only people that are  
2 investing in this city are people that we  
3 gave grants and loans to. The ordinary  
4 people are leaving their properties and you  
5 need to read this document, it may help you.

6 MS. GATELLI: Thank you.

7 MR. SLEDZENSKI: Hi, Judy.

8 MS. GATELLI: You have to wear your  
9 white shirt tomorrow.

10 MR. SLEDZENSKI: Friday.

11 MS. GATELLI: It's the white out.

12 MR. SLEDZENSKI: I know, I'll be

13 there. Well, Judy, we took our victory two

14 games this week, what do you think?

15 MS. GATELLI: I think we are going to

16 do it.

17 MR. SLEDZENSKI: I hope so.

18 MS. GATELLI: Watch out Scranton

19 High.

20 MR. SLEDZENSKI: That's on TV, Judy.

21 It's on TV October 5.

22 MS. GATELLI: We're hot this year.

23 MR. SLEDZENSKI: You guys are going

24 to get buried by West Scranton, Baby. Good

25 luck, West. Thank you.

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1 MS. GATELLI: Thanks, Chris.

2 MS. FOWLER: Hi. My name is Patti

3 Fowler, I'm the city health inspector for

4 the City of Scranton. There was some

5 discussion before about the city, the health

6 inspector's position. I don't want to

7 address it, I would just like to set the

8 record straight and say and mention some of

9 the things the health inspector is

10 responsible for. The mold issue was

11 mentioned before, to my knowledge there is  
12 no city, county or state authority that  
13 deals with mold at all.  
14 You also mentioned about -- it was  
15 also mentioned about the bars and  
16 restaurants. The health inspector, and  
17 there is one health inspector for the City  
18 of Scranton. She is responsible for over  
19 400 bars and restaurants along with  
20 approximately 60 vendors for one weekend of  
21 the Italian festival, which she does along.  
22 She also condemns -- along with posting stop  
23 works order she also condemns for no heat,  
24 no electricity, no water, no hot water,  
25 infestation, unsanitary conditions, feces  
.

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1 and sewage backup.  
2 The condemning officer, which would  
3 be me, for all of those reasons are also  
4 responsible to notify the owner if necessary  
5 about the combination, also to setup for  
6 temporary housing for the person who has  
7 been condemned out and pull the power if

8 necessary, if that needs to come up. A  
9 condemning officer is responsible to setup  
10 the file and carry the file. I also issue  
11 citations, attend hearings and issue  
12 licenses.  
13 I have been moved physically to the  
14 first floor yet I'm expected to issue  
15 licenses out of the fourth floor and  
16 maintain files on the fourth floor. Last  
17 year while this council voted in their  
18 budget not to give our office another health  
19 inspector, this council also voted to give  
20 me the responsibility of the smoking ban and  
21 all of the waivers because I guess I didn't  
22 have enough to do.  
23 And just one more thing, I'm also  
24 the lowest paid inspector in the officer.  
25 MS. GATELLI: Thank you.

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1 MS. KRAKE: Good evening, Council.  
2 I'd also like to mention that that was  
3 Patti, our health inspector, and just  
4 recently we had quite a scare for Patti and

5 animal control officer, they were both  
6 involved with the home that was infested  
7 with fleas and received many, many bites  
8 which, of course, nothing has been even  
9 addressed and they do much in their daily --  
10 MS. EVANS: Mrs. Krake,  
11 coincidentally, I brought up an issue  
12 regarding the fleas within the city and the  
13 Department of Health was contacted and their  
14 response was, you know, basically they  
15 didn't seem to believe that things like this  
16 occurred, that anyone would need treatment  
17 or flea or tick removal or, you know, so  
18 even though there were homes I believe it  
19 was in the area of West Mountain where there  
20 was a flea infestation outdoors, people  
21 were, you know, unable to mow their lawns,  
22 enjoy the outdoors, allow their children  
23 outdoors to play, nothing really happened  
24 about it because it seems as though the  
25 state dropped the ball.

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1 MS. GATELLI: And the state doesn't



2 address flea bites.

3 MS. KRAKE: Well, then I think it's  
4 sad if we can't take care of ourselves, and  
5 I believe we are capable of doing that and  
6 we really do need another health inspector  
7 and another animal control officer. I would  
8 like to ask that that not be taken away from  
9 my time since we only have three minutes, I  
10 hope that's okay. I don't usually speak  
11 very long anyway.

12 What I really came to speak about  
13 tonight was the Lackawanna County  
14 Commissioner's passed a resolution asking  
15 for reform of Act 47. The county has not  
16 been declared distressed, the city has been,  
17 which we've been for the past 15 years. If  
18 our county commissioners saw fit to call for  
19 reform, they were able to realize that the  
20 intent has been so perverted that that Act  
21 needs drastic change and we are going to be  
22 calling on that, we are going to be calling  
23 on all county commissioners across the  
24 state, organized labor is, to enact reform  
25 or pass resolutions to pass that reform.

1 They are asking for a time limit since  
2 15 years is a bit too long, and an oversight  
3 board which hopefully will include members  
4 of labor. This should benefit working  
5 families and all citizens across the state  
6 since it's your state tax dollars that pay  
7 for these consultants, Pennsylvania Economy  
8 League, as Mrs. Evans mentioned is a  
9 backpedaling now with their bizarre  
10 recommendations that have failed miserably.  
11 You mentioned about in your article and they  
12 have also mentioned in the hearings where  
13 they are being held by state senators that  
14 they found that they truly, even when the  
15 population goes down in a city cannot  
16 decrease fire and police protection as they  
17 had recommending adamantly. That's a no  
18 surprise to anyone. As you can see, we have  
19 poor people here and more crime. I guess  
20 I'll have to finish next week. Thank you.  
21 MR. ANCHERANI: Good evening. Nelson  
22 Ancherani, resident and taxpayer, city

23 employee and financial secretary of the FOP.

24 I'd like to thank Ms. Gatelli, Ms. Fanucci

25 and Mr. McGoff, for stifling two minutes

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1 from our free speech. They have voted to

2 change the amount of minutes so often I

3 forgot how much time we would have. Let's

4 see what we should talk about. How about

5 the budget.

6 On Tuesday, November 13, which is

7 nine weeks away, the mayor has to present

8 his budget to council. I bet it's a record

9 budget, over 77 million, I bet he is going

10 to ask for a multi-million dollar loan and I

11 bet he is going to tie in another 25 percent

12 tax increase because he will need them to

13 cover the deficit that he will say we have

14 and then blame the unions for it.

15 Oh, can't forget the TANS, we will

16 need them, too. If he asks for the above

17 that is going to put Mrs. Gatelli in a

18 dilemma because she already promised she

19 wasn't going to vote for another tax

20 increase. We shall see. There is so much  
21 to talk about besides the upcoming budget.  
22 How about the \$35 million loan by the  
23 Scranton Parking Authority, the bond? Four  
24 council persons voted for that. Mr.  
25 Courtright would be added to the list, he is

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1 not here tonight for me to tell him about  
2 it. I wondered if the four who voted for  
3 it, that's not Mrs. Evans, she didn't, read  
4 the legislation before they voted for it.  
5 On 8-12-07 in the slime Stacy Brown  
6 wrote an article titled, "Empty Promises."  
7 In that tale, he talks about  
8 development projects that haven't gotten  
9 started yet. It should have been started.  
10 The Connell building project is talked about  
11 and about developing and this is a quote,  
12 "About developing underground parking for  
13 residents."  
14 Later on in that tale, the mayor  
15 talks about the Connell Building. "As far  
16 as the Connell building that should get

17 underway soon now that city council has  
18 passed legislation approving a 35 million  
19 bond for the project."

20 Let's see, was that Connell building  
21 project in the \$35 million bond? I'll ask  
22 you now again did you foreread the  
23 legislation before you passed it? I read  
24 it. No where in the legislation does it say  
25 the money is for the Connell building. I

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1 have to ask, is the underground parking a  
2 key to doing the Connell building project?  
3 I'm curious as I'm sure everyone out there  
4 who is a taxpayer should be.  
5 And to add to Ozzie Quinn's  
6 presentation in the file of Council 104, the  
7 2000 ordinance, the \$35 million bond, "The  
8 City hereby unconditionally guarantees the  
9 full payment of the principal of an interest  
10 on the 2007 bonds of the authority issued  
11 and outstanding under and as defined in the  
12 indenture from time to time. That the  
13 authority or the trustee as paying agent of

14 the authority shall fail to pay the full  
15 amount the city will have to pay the full  
16 amount."

17 MS. GATELLI: Thank you. Is there  
18 anyone else? Motion to adjourn?

19 MR. MCGOFF: Second.

20 MS. GATELLI: All in favor?

21 MS. EVANS: Aye.

22 MS. FANUCCI: Aye.

23 MR. MCGOFF: Aye.

24 MR. COURTRIGHT: Aye.

25 MS. GATELLI: Aye.

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

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

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CATHENE S. NARDOZZI  
13 OFFICIAL COURT REPORTER

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