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SCRANTON CITY COUNCIL SINE DIE MEETING

HELD:

Monday, January 7, 2008

LOCATION:

Council Chambers  
Scranton City Hall  
340 North Washington Avenue  
Scranton, Pennsylvania

CATHENE S. NARDOZZI- COURT REPORTER

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CITY OF SCRANTON COUNCIL:

MR. ROBERT MCGOFF

MS. JUDY GATELLI, PRESIDENT

MS. JANET E. EVANS

MS. SHERRY FANUCCI

MR. WILLIAM COURTRIGHT

MS. KAY GARVEY, CITY CLERK

MR. NEIL COOLICAN, ASSISTANT CITY CLERK

MR. AMIL MINORA, SOLICITOR

1 (Pledge of Allegiance and moment of silence observed.)

2 MS. GATELLI: Roll call.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: Yes.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. FANUCCI: Yes.

7 MR. COOLICAN: Mr. McGoff.

8 MR. MCGOFF: Yes.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Yes.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Yes. Dispense with  
13 the reading of the minutes.

14 MS. GARVEY: THIRD ORDER. NO  
15 BUSINESS AT THIS TIME. FOURTH ORDER,  
16 citizens participation for agenda items, but  
17 being there are no agenda items we may move  
18 forward to 5-A motions.

19 MS. GATELLI: Thank you. Mrs. Evans.

20 MS. EVANS: Yes. Good morning. We  
21 enter this new term of council with heavy  
22 hearts. Yesterday morning a great and  
23 honorable man died in the line of duty,  
24 captain Jim Robeson, 25-year veteran of the  
25 Scranton Fire Department lost his life while

1                   battling a fire on Ash Street. Equally  
2                   heartbreaking, the residents of the home,  
3                   Marie and Richard Fenstermacher, perished in  
4                   the fire. In addition, three firefighters,  
5                   Jennifer Hawker, Tom Owens and Rick Czyzyk  
6                   were injured.

7                   Our thoughts and prayers are with  
8                   those who died, their families and those who  
9                   were injured. No one knows what tragedy  
10                  will strike, but we are never alone. God  
11                  helps us by giving us families and friends  
12                  who sustain us in our losses and by granting  
13                  select beings the ability to face death  
14                  whenever they are a called to protect others  
15                  in their communities. These truly special  
16                  people are firefighters, and police  
17                  officers. We are grateful for their  
18                  courageous work, we mourn their loss. We  
19                  mourn the loss of Maria and Richard  
20                  Fenstermacher and we pray for the injured.

21                  At the same time, we must proceed with  
22                  proscribed governmental rule and so I wish  
23                  to congratulate all who are sworn into  
24                  office this day to uphold the constitution  
25                  and to serve and protect people. Elected

1 office is not only an honor and a privilege,  
2 but also a weighty responsibility for which  
3 we will all be judged. The future of our  
4 great city rests on what we have learned  
5 from the past and what decisions we render  
6 on behalf of the people today.

7 As pleased as I am to see all of you  
8 here today, I am also disappointed to have  
9 been absent from work and my students at  
10 Scranton High School. I take my  
11 responsibilities seriously and I apologize  
12 that you are paying for a day's work while I  
13 am absent in order to attend council  
14 meetings which could have been scheduled  
15 later in the day as in January 2004 when all  
16 council members were able to fulfill the  
17 responsibilities of both their jobs in one  
18 day. Council majority decided on today's  
19 12:00 schedule.

20 Further, they alone decided the new  
21 officers and Rules of Council and this is  
22 why I believe it is imperative that I attend  
23 today's meetings, cast my votes, and allow  
24 my voice to be heard.

25 MS. GATELLI: Mrs. Fanucci?

1 MS. FANUCCI: I myself want to issue  
2 condolences to not only the families of the  
3 tragedy, but also the firemen who have  
4 worked closely. It is very difficult to  
5 imagine such a loss and I just wanted to say  
6 I'm very sorry, and I have nothing else at  
7 this time.

8 MS. GATELLI: Mr. McGoff.

9 MR. MCGOFF: I would echo those  
10 sentiments, my condolences to the families  
11 of those who died and speedy recovery to  
12 those injured and I have no other comments.  
13 Thank you.

14 MR. COURTRIGHT: I, too, would like  
15 to say my condolences to the family of Jimmy  
16 Robeson, we graduated West Scranton High  
17 School together. I knew the family of the  
18 Fenstermakers and hope for a speedy  
19 recovery both physically and mentally for  
20 firefighters who were affected in this  
21 tragedy. That's all I have.

22 MS. GATELLI: Thank you, and I  
23 certainly echo the sentiments of all of my  
24 colleagues on council, to the family of  
25 Mr. Robeson and Mr. and Mrs. Fenstermacher.

1 MS. GARVEY: FIFTH ORDER - NO

2 BUSINESS AT THIS TIME. SIXTH ORDER - NO  
3 BUSINESS AT THIS TIME. SEVENTH ORDER - NO  
4 BUSINESS AT THIS TIME. EIGHTH ORDER -  
5 CITIZENS PARTICIPATION II, GENERAL CITY  
6 ISSUE.

7 MS. GATELLI: Fay Franus.

8 MS. FRANUS: Fay Franus, Scranton.

9 First, I'd like to congratulate you,  
10 Mr. Courtright and Mr. McGoff, on your  
11 council terms. I just wanted to address a  
12 question based on an article that was in  
13 paper about the council meeting today.  
14 Maybe you can answer this, Mr. McGoff, I  
15 don't know, I just hope somebody can.

16 When it was brought up about the  
17 news of rules of citizens participation and  
18 we are going to be allowed to speak five  
19 minutes, which is fine, my question is this,  
20 suppose I have a question to ask say  
21 Mr. Courtright, and I have five minutes and  
22 I really don't have that much to say, so if  
23 I were to ask Mr. Courtright a question will  
24 he be allowed to answer while I'm still  
25 standing here? I don't mind him taking my

1 time.

2 MR. MCGOFF: We are going to have  
3 ask that all answers to questions and any  
4 comments that council members may have be  
5 reserved until their 5-A motions.

6 MS. FRANUS: But if I'm just  
7 standing here and I have like four minutes  
8 left and I just have a couple of questions  
9 would be it be a problem for him to answer  
10 while I'm standing here? The only reason I  
11 say that is because many times people have  
12 come here and asked questions and by the  
13 time they walk away nobody has answered them  
14 and they've forgot them and there is too  
15 many questions for them to answer and it  
16 just never gets answered, I'd have to come  
17 back next week to ask the same question  
18 again and sometimes people have come and  
19 said to the council person, "Well, I asked  
20 you this last week."

21 He said, "Oh, I forgot what it was,"  
22 so then you are right back to zero again, so  
23 is there a problem, if I don't mind a  
24 council person taking up my time to answer  
25 me while I'm standing here, if I don't mind

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1 because the reason you say you did that is  
2 because you don't want to interrupt the



3 speaker's time. I don't mind a council  
4 person's time, taking my time because I come  
5 here for answers, and if a council person  
6 answers me and I would like to rebut  
7 something they said I don't have that  
8 opportunity until the following week.

9 So, I can't understand what the  
10 problem would be because if I ask a question  
11 I don't get it while I'm standing here. I  
12 mean, that's not asking too much, is it? I  
13 mean, you represent me. I come here asking  
14 a question and I would like to get an answer  
15 while I'm standing here not later because  
16 you may say something that I might want to  
17 say something back to what you say to me and  
18 I won't have that opportunity until  
19 following week. Is that asking too much?  
20 It's my five minutes. If I say,  
21 "Mr. Courtright, could you please answer me  
22 now," he can't?

23 Wouldn't that be at his discretion?

24 MR. MCGOFF: If we adopt the Rules  
25 of Council that are in the agenda then we

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1 will reserve any comments or questions or  
2 answers until 5-A motions.

3 MS. FRANUS: So you are basically  
4 saying, no, they will not be allowed to  
5 answer me while I'm speaking here then.

6 MR. MCGOFF: That's what I said, yes.

7 MS. FRANUS: Is this constitutional?  
8 Is this against the First Amendment?

9 MR. MCGOFF: I don't believe so.

10 MS. FRANUS: But, you don't know.

11 MS. GATELLI: Attorney Minora, is  
12 that against the First Amendment?

13 MS. FRANUS: Well, again, Mr. Minora  
14 said about the smoking ban, doesn't mean  
15 it's true.

16 MS. GATELLI: Anyone else here to  
17 speak before council?

18 MS. SCHUMACHER: Marie Schumacher,  
19 citizen and member of the Taxpayers'  
20 Association. I guess I have two things,  
21 I'll keep it brief. I found it very  
22 disappointing, I was hopeful that this year  
23 would be different and I guess in a lot of  
24 ways I'm the internal optimist. I hope the  
25 reorganization meeting would have some

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1 discussion I was very disturbed to read the  
2 reorganization in the newspaper last week.  
3 I don't think that bodes well for 2008, but

4 I will try to remain optimistic.

5 The other thing I would ask your  
6 input for the reorganization meeting, in the  
7 event you do discuss something and  
8 everything hasn't already been decided by  
9 the majority three, is that the number of  
10 agenda items be restricted. We have five  
11 minutes and I think that we should have a  
12 time to comment on those and sometimes five  
13 minutes isn't enough. If you're going to  
14 load up agenda with -- I'm sorry,  
15 Mrs. Gatelli, if you don't like my  
16 viewpoint, but if you are going to load 12  
17 items on an agenda and we have five minutes  
18 to speak and if we have something to say on  
19 each of them there just isn't enough time,  
20 and I think that last year there were a lot  
21 of times that have very few and then another  
22 time it would be loaded. I think they  
23 should be distributed so that people do have  
24 the time. If you take the time to come over  
25 here.

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1 I would also like to ask, and that  
2 brings up another thing, I'll make it three  
3 items, I'm sure that the Clerk's Office,

4 everything that's prepared by the Clerk's  
5 Office in response to the agenda is prepared  
6 electronically, and I would hope that you  
7 would start posting not just the agenda, but  
8 all the backup, so we don't have to  
9 physically come over here and read through  
10 everything. I think you should make it a  
11 rule that everything that's submitted to the  
12 clerk for the agenda is submitted  
13 electronically and it's posted so that we  
14 can review it before the meeting and be  
15 prepared to comment. Thank you very much  
16 for your consideration.

17 MS. GATELLI: Anyone else? Do I  
18 have a motion to adjourn?

19 MR. COURTRIGHT: So ruled.

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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C E R T I F I C A T E

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I hereby certify that the proceedings and

5 evidence are contained fully and accurately in the  
6 notes of testimony taken by me at the hearing of the  
7 above-captioned matter and that the foregoing is a true  
8 and correct transcript of the same to the best of my  
9 ability.

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CATHENE S. NARDOZZI  
OFFICIAL COURT REPORTER

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