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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, July 15, 2008

LOCATION:

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

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

MR. ROBERT MCGOFF, PRESIDENT

MS. JUDY GATELLI, VICE-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 recited and moment of reflection  
2 observed.)

3 MR. MCGOFF: Roll call.

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Here.

6 MR. COOLICAN: Mrs. Gatelli.

7 MS. GATELLI. Here.

8 MR. COOLICAN: Ms. Fanucci.

9 MS. FANUCCI: Here.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MR. COOLICAN: Mr. McGoff.

13 MR. MCGOFF: Here. Dispense with  
14 the reading of the minutes. Third Order.

15 MS. GARVEY: 3-A. APPLICATIONS AND  
16 DECISIONS RENDERED BY THE ZONING HEARING  
17 BOARD ON JULY 9, 2008.

18 MR. MCGOFF: Are there any comments?  
19 If not, received and filed.

20 MS. GARVEY: That's it for Third  
21 Order.

22 MR. MCGOFF: Any announcements?  
23 Mr. Courtright?

24 MR. COURTRIGHT: I just have one. A  
25 lot of people have been calling I'm sure

1 more than us just me about houses that were  
2 condemned and they want condemned and they  
3 want torn down and we all got a copy of the  
4 list of what's going up for bid, so very  
5 quickly I'll read them and if you are  
6 interested there's a file in city hall in  
7 the council office. They are due for  
8 demolition of 621-623 Rosen Court. 409 St.  
9 Francis Cabrini Avenue. 1215-1217 Division  
10 Street. 311 Fairview Street. 540 North  
11 Rebecca. 520 North Main Avenue. 122  
12 Hennessey Court. 1209-1211 Hampton Street.  
13 601-603 South Main Avenue and 713 and 715  
14 Eynon Street and I've looked at just about  
15 every one of those and they certainly need  
16 to be demolished, and I'm sure there are  
17 others, and I know there are others that  
18 need to be done and I'm sure there is some  
19 people that have said they are not on there,  
20 but if you call us we will see what you can  
21 do about them and that's all I have. Thank  
22 you.

23 MS. EVANS: And on Saturday, July 26,  
24 there will a benefit for Kelly Osborne from  
25 1 to 6 p.m. at the Minooka Legion. Kelly, a

1 graduate of Scranton High School and a  
2 wonderful young woman, is in need of our  
3 help to pay for serious medical expenses.  
4 Tickets are \$10 and can be purchased at the  
5 door or from members of the Minooka Lion's  
6 Club. Please come to the Minooka American  
7 Legion on July 26 and help Kelly and her  
8 family.

9 The annual Solemn nine-day Novena to  
10 St. Ann will commence on Thursday, July 17,  
11 and conclude on Saturday July 26, the feast  
12 of St. Ann. St. Ann's Basilica Shrine in  
13 West Scranton is one of 61 shrines and only  
14 11 basilicas throughout the United States.  
15 Tens of thousands of the faithful will visit  
16 St. Ann's Basilica throughout this ten-day  
17 period many from beyond Scranton. I hope to  
18 see many of you there.

19 And the Scranton/Lackawanna County  
20 Taxpayers' Association conducted three swim  
21 events last week. On Wednesday July 9, 101  
22 children from Sister Adrian's group were  
23 able to take advantage. Saturday, July 12,  
24 552 children swam and used the slide  
25 including visitors to Nay Aug Park and on

1 Sunday, July 13, 334 children from all of  
2 Lackawanna County and Scranton. The grand  
3 total for the three days of free swimming is  
4 987 children. The total cost for the three  
5 days is \$2,075. This money was donated by  
6 local businesses and private citizens. The  
7 Kids Swim Free Program is still accepting  
8 donations. Checks may be made payable to  
9 "Kids Swim Free" and donations may be mailed  
10 to Mr. William Jackowitz, 1416 South Webster  
11 Avenue, Scranton, PA, 18505. This truly is  
12 a wonderful project for kids and  
13 Mr. Jackowitz tells me that all those nearly  
14 1,000 children truly enjoyed themselves last  
15 weekend, so, please, let's try to help.

16 MR. MCGOFF: Anyone else? Andy  
17 Sbaraglia.

18 MR. SBARAGLIA: Andy Sbaraglia,  
19 citizen of the City of Scranton. Fellow  
20 Scrantonians, I, too, was of course up at  
21 the pool for the swim free. I'd like to  
22 really say something, not that it's  
23 derogatory to anybody, but the program is  
24 for families and not really groups, so I  
25 wish this to go out to anybody that wishes

7

1 to sponsor a group that you sponsor a group.

2 If they wish to come as a family, they are  
3 quite welcome, but we don't do groups  
4 without prior approval, so let me state that  
5 now so it goes out. There was some  
6 confusion up there Sunday and there is no  
7 sense getting into it. We paid for the kids  
8 no matter what, but we don't sponsor groups,  
9 only children. If their group does come  
10 like Sister Adrian she made a prior  
11 commitment and we went out for her because  
12 the program was setup for children, really  
13 children and families, that's the whole idea  
14 of the program. You come up with there with  
15 your kid, you maybe can't afford to get them  
16 all in or so forth and so on, we take care  
17 of that, you know, and it's only the adult  
18 that has to pay, we don't cover adults, of  
19 course, and that's the whole idea of the  
20 program.

21 If anybody looks back at it the  
22 reason it was really started was when all of  
23 the pools you had to pay for this is what  
24 really put the ball rolling into the  
25 program, but as it is now it's only Nay Aug

1 we have to take care of and we are quite

2 willing to do that because kids to get  
3 some -- I guess they like the slide because  
4 of the way they were running up and down  
5 there they had to. So, enough on that.

6 MS. FANUCCI: Andy, let me just ask  
7 you, if they want to bring a group and they  
8 want a prior approval or whatever, what do  
9 they do just contact you guys and then --

10 MR. SBARAGLIA: Well, they have to  
11 contact Ozzie Quinn like Sister Adrian did,  
12 okay? But, usually a person that's  
13 sponsoring a group, like, if I was  
14 sponsoring a group of up there I would  
15 sponsor the group, the pools and the rides.  
16 I would make a deal with the people who had  
17 the rides and the people at the pool and got  
18 the pavilion and that's the way it's done.  
19 You sponsor something you sponsor it. Okay.

20 This insurance, let me give it to you  
21 here, this insurance of 5-C, the period goes  
22 back to January 1, 2008, could anybody  
23 explain why we were not covered from January  
24 1, 2008, to now because now you are  
25 ratifying some kind of agreement with these

9

1 people?

2 MS. FANUCCI: Actually, we can answer



3 that for you if you want an answer about the  
4 coverage or did you just want to talk about  
5 it?

6 MR. SBARAGLIA: No, that's okay if  
7 you can't answer it.

8 MS. FANUCCI: We can answer it.

9 MR. SBARAGLIA: Well, go ahead,  
10 answer it. There isn't many people here.

11 MS. FANUCCI: Let me talk to Attorney  
12 Minora if you want to answer that.

13 MR. MINORA: I spoke to the city  
14 solicitor yesterday, I specifically asked if  
15 we had coverage in place for this  
16 ratification of prior actions which is "C",  
17 and for "D" which is the water slides and I  
18 was informed that we are covered, have been  
19 covered throughout. "C" is a ratification  
20 of actions that have already taken place,  
21 "D" is a policy and position for the water  
22 slide, payment is due within 30 days I  
23 believe but, you know, there is a grace  
24 period.

25 MS. FANUCCI: So we have been

10

1 covered.

2 MR. MINORA: We have been covered the

3 whole time.

4 MR. SBARAGLIA: Well, we will find  
5 out anyway if there is any losses whether we  
6 were covered or not. I read that on the  
7 water slide. It's geared to the amount of  
8 people that use the pool, I don't exactly  
9 how many people use the pool, but there is a  
10 number, I don't even now you would be figure  
11 it out, how many people use the pool for  
12 that number to come off. What is it, 30,000  
13 or something like that? I don't have the  
14 legislation before me. It's something like  
15 30,000 I think and I don't exactly how the  
16 coverage is, it's an odd way of saying  
17 anything. Usually you would say for the  
18 season and that would be it, why they would  
19 put a number is a little questionable, but  
20 I'm sure they have their reasons, I just  
21 hope it's in our benefit and not in the  
22 insurance company's benefit because I read  
23 they are still fighting with that fence some  
24 more.

25 Okay, there really isn't much on the

11

1 agenda other than you are on really putting  
2 out money for people again to go into some  
3 of these programs. Center Street though

4 stuck in my mind, that's, of course, the  
5 block. Well, it will stay stuck. Thank  
6 you.

7 MS. FANUCCI: Andy, I'll talk about  
8 that during my motions, the Center Street  
9 project.

10 MR. MCGOFF: Thank you,  
11 Mr. Sbaraglia. Mr. Quinn.

12 MR. QUINN: Ozzie Quinn, Taxpayers'  
13 Association. I, too, would like to speak  
14 about the Kids Swim for Free. Because of  
15 the fact that I saw a great social injustice  
16 on Sunday when many observers have told me  
17 that a number of minorities that were able  
18 to swim for free and during the rest of the  
19 summer that are not was obvious on Sunday  
20 and I think it's ashame that this mayor and  
21 the Recreation Authority stopping those  
22 children, 15 and under, mainly from the Hill  
23 Section from given the opportunity to swim  
24 and it should be addressed because it's --  
25 people -- there should be social justice and

12

1 this is definitely a violation of people's  
2 right to social justice.

3 MS. FANUCCI: Ozzie, can you tell us

4 what happened?

5 MR. QUINN: No, I can tell you just  
6 observing the fact, not only myself, but the  
7 fact that it was like -- there was like  
8 30 percent Latin American, 30 percent  
9 Afro-Americans, and us whites, okay? You go  
10 up there on any given Saturday or Sunday or  
11 whatever and you will not find that ratio.  
12 Thank you.

13 I also wanted to speak on the fact  
14 that they are taxpayers and they don't have  
15 a pool in the Hill section, we tried to  
16 address that to no avail.

17 Also, I want to address the fact in  
18 the Home Rule Charter, Section 313, the  
19 annual audit, Mrs. Gatelli, you can tell me  
20 where that is, okay, it was supposed to be  
21 published according to the Home Rule Charter  
22 on May 31, and what's outstanding and why it  
23 isn't being published or why. You want to  
24 answer that before I leave, okay, because I  
25 don't want to -- after I leave. The mayor

13

1 continues to ignore things such as this, he  
2 ignores the time frame with capital  
3 improvements, given the Home Rule Charter.  
4 Last week, he circumvented the council

5 approving sewer authority rates. Last week  
6 it was a debacle when he ignored the  
7 ordinance and he was able to launder \$10,000  
8 to the East Scranton Business Association  
9 through ECTV. Now, also under the Home Rule  
10 Charter he ignores the Ethics Commission.  
11 So the mayor is rubbing his hands together  
12 to implement the Recovery Plan against the  
13 firefighters and the police unions after  
14 violating with his outrageous hiring in city  
15 government.

16 It's nothing short of anarchy when  
17 you see this going on continuously violating  
18 the Home Rule Charter which people elected--  
19 in which people elected you to follow  
20 through to see that that is enacted. It's  
21 terrible to see that, but it's just total  
22 anarchy in city government and it's because  
23 of this mayor, there is no doubt about it.

24 I want to point out, also, the fact  
25 that this Saturday, this coming Saturday,

14

1 the public is invited to participate in the  
2 Taxpayers' Association sponsored  
3 demonstration to be held on July 18,  
4 Saturday, at 11 a.m., meeting on the North

5 Washington side of the Courthouse regarding  
6 the Recovery Plan, the Doherty debt, and the  
7 lack of abiding by the Home Rule Charter.  
8 Thank you very much.

9 MR. MCGOFF: Thank you, Mr. Quinn.  
10 Mrs. Krake.

11 MS. KRAKE: Morning, Council. I'm  
12 sure everyone is aware of the 29 percent  
13 increase in additional wage tax collection.  
14 How and more importantly why this  
15 administration chose to ignore the facts  
16 placed before them is a very important  
17 question that this council should be asking  
18 itself. Those facts, 3 to \$4 million each  
19 year in uncollected wage tax for the past  
20 six years, that could have netted the city  
21 \$18 million. Mr. McDowell did not allow the  
22 capable men and woman of that office to do  
23 their jobs and millions of dollars were left  
24 uncollected. Mr. Doherty nor his council,  
25 three members of council, did not ask where

15

1 the money was. Three people who just  
2 listened to the mayor, Mrs. Gatelli,  
3 Mr. McGoff and Mrs. Fanucci, they did not  
4 listen to the workers who came to this  
5 podium, the people or Mrs. Evans and

6 Mr. Courtright in questioning where that big  
7 chunk of money was that disappeared from our  
8 annual budget.

9 This entire situation is ultimately  
10 Mayor Doherty's fault. The tax collector  
11 works for all of the cities and boroughs in  
12 Lackawanna County. When the money doesn't  
13 come in the mayor, in our case Mayor  
14 Doherty, is responsible for holding the tax  
15 collector accountable. Other Boroughs have  
16 approached that office and demanded their  
17 monies, not Scranton. He willfully allowed  
18 the taxes to remain uncollected. If his  
19 choice to leave the taxes uncollected was  
20 not deliberate then it must have been  
21 incompetency on his behalf.

22 The mayor has been able, however, to  
23 see his way clear to borrow so much money  
24 that a huge chunk of the money we need every  
25 year to run out city goes to pay off our

16

1 debt. Then he lumps up the homeowners even  
2 more with 27 percent tax increase on their  
3 property taxes. The biggest hurt of all is  
4 the outrageous fines and penalties imposed  
5 on folks for desperately trying to pay the

6 back taxes. And, by the way, both of these  
7 items were supported by three people on  
8 council, Mrs. Gatelli, Mr. McGoff and  
9 Mrs. Fanucci. All of these things have  
10 transpired while wage taxes were uncollected  
11 for six years.

12 This mayor promised to run our city  
13 like a business and instead he is running it  
14 like a train wreck and three people on this  
15 council are supporting that. I'd also like  
16 to remind counsel that I'm still awaiting to  
17 see how much money has got into the coffers  
18 of Abrahamsen, Moran and Conaboy since they  
19 are being allowed to collect the outrageous  
20 fines and penalties. I know that was  
21 requested, I hope you would continue to look  
22 into that. Thank you.

23 MS. EVANS: Mrs. Krake, I do believe  
24 we received a response on that, I'll look  
25 for it for you and share it with you, but if

17

1 memory serves me well I believe perhaps the  
2 figure made by that law firm was about  
3 \$89,000.

4 MS. KRAKE: I'd like to see a  
5 breakdown, I'm sorry, I should have said  
6 that, I get a little nervous sometimes, but



7 I would like to see it as I originally  
8 requested it broken down to what the tax  
9 was, what each as the ordinance was so if  
10 that could be done I would appreciate that.

11 MS. EVANS: Certainly.

12 MS. KRAKE: Thank you.

13 MR. MCGOFF: Thank you, Mrs. Krake.

14 Mr. Gilroy.

15 MR. GILROY: Rich Gilroy, resident of  
16 Scranton. I was here last week in regard to  
17 those dumpsters owned by the housing  
18 development on Curtis Lane, it's been like  
19 that for a year, I spoke to various  
20 inspectors about it and I was wondering  
21 what's going to be done about it? They  
22 right back actually they are more closer to  
23 the homeowners than the tenants that live at  
24 that development. They are right on the  
25 road. Can anybody tell me if they heard

18

1 anything about that?

2 MS. EVANS: I haven't heard anything  
3 about it, but may I ask you, what inspectors  
4 you have spoken to?

5 MR. GILROY: I spoke to Mr. Liptai,  
6 I spoke to Mr. Lawless, Mr. Seitzinger last

7 year. I went to Mr. Shimkus' office, his  
8 secretary I spoke with she works for the  
9 mayor now, his confidential secretary I  
10 spoke with her, that was last year. I spoke  
11 to the mayor twice, he said he would take  
12 care of it last year, last fall, still  
13 nothing done about it.

14 MS. EVANS: But of late since last  
15 week's meeting you have spoken with  
16 Mr. Liptai?

17 MR. GILROY: Mr. Liptai. He went up  
18 on two properties, blighted properties, the  
19 one running a garage in a residential area,  
20 I observed them taking out maybe like last  
21 night ten tires in there. You hear air  
22 compressors, you smell paint fumes, they  
23 have a -- there is a guy from Tunkhannock, I  
24 heard him say from Tunkhannock, they bring  
25 cars down there to get repaired. They also

19

1 have a junk business which Mr. Liptai went  
2 up there and investigated it. There is  
3 still -- they moved them dumpsters, you got  
4 little kids crawling in there and picking  
5 out cans and all kinds of aluminium and they  
6 are stashing it, they got to be stashing it  
7 somewhere because I seen them go on the

8 property but it's in the either in -- they  
9 might even be taking them in the house or  
10 hiding the in the garage, I don't know, but  
11 it shouldn't be.

12 MS. EVANS: I agree, but I think  
13 since Mr. Liptai has been out there  
14 obviously he would have spoken with the  
15 property owners and asked for or directed  
16 that the situation be cleared and then they  
17 are given a certain amount of time in which  
18 to comply with that and then if they have  
19 failed to do so then they are cited by the  
20 Office of Licensing and Inspection.

21 MR. GILROY: Getting back to those  
22 dumpsters, my mom has lived there 20 years,  
23 no lids on them.

24 MR. COURTRIGHT: Sir, I have an  
25 answer for you that if you want to hear it.

20

1 I spoke to the woman who runs, I call it  
2 Townhouse, what are they calling it, Village  
3 Park, I spoke to her because you brought up  
4 issues and a lot of different issues, there  
5 are police officers there, they are not  
6 there seven days a week, but they are there,  
7 she gave me the officer's name, I checked,

8 they are there, I asked her about the  
9 dumpsters, the reason they don't have lids  
10 on the dumpsters is the fact that there is a  
11 large amount of children living in this  
12 development and they are afraid if a child  
13 were to climb into that dumpster and the lid  
14 slammed closed the kid could be trapped in  
15 there, that's the reason there is no lids on  
16 the dumpsters.

17 MR. GILROY: Mr. Courtright, my mom  
18 is there, there was an enormous amount of  
19 children living there, my mom is there  
20 20 years and there was always lids on them.  
21 She is a good talker, she is in the real  
22 estate, too, she could win an Academy  
23 Award. Once you talk to her, forget it, she  
24 turns everybody's mind around. Good talker.

25 MR. COURTRIGHT: Well, Mr. Liptai is

21

1 looking into it, I'm sure he will talk to  
2 her.

3 MR. GILROY: Like I said, the one  
4 over there, this housing development over  
5 here has lids on them. I checked it before  
6 I came here. Midtown Apartments, in that  
7 development he had one entrance, one  
8 entrance and there should be two entrances

9 and in Scranton, don't we an ordinance for  
10 two entrances, she only has one and they had  
11 the one apartment there was nine people  
12 parked there and the one tenant was changing  
13 oil and dumping it into the -- there is a  
14 drain there and I went down to the office  
15 about it, changing oil and dumping the oil  
16 down the drain and all of a sudden now they  
17 parked the seven vehicles down by Fiorelli's  
18 and leave two vehicles there, they had nine  
19 total. She has an enormous number of  
20 people, that's the low income housing. She  
21 gets money from HUD for a lot of projects  
22 she does there.

23 And the house next to my mom, which  
24 is 106 Mt. Vernon Avenue, that shed, one of  
25 her tenants knocked it out the foundation,

22

1 well, it's so rotted now the whole side of  
2 it has a big hole in it and there was  
3 skunks, in back the grass is all the way  
4 into the top of the shed and outside of the  
5 fence, too. The front of the house, the  
6 grass is high, and that's all blight. And  
7 1108 where they're running that illegal  
8 garage, you know, that was condemned that

9 one time and the base of it was flooded and  
10 they are still living in there. Everybody  
11 in the neighborhood doesn't know how they  
12 could live in a place that's flooded and  
13 there is an enormous amount of people living  
14 in that place, too.

15 But, I would like you to check that  
16 about that one entrance on the housing  
17 development. I notice the ones in town have  
18 two entrances, that only has one. We don't  
19 want everybody doesn't know how she got away  
20 with that.

21 And another issue I'd like to bring  
22 up with the fireworks, we cannot figure out  
23 how they can afford to buy like them rocket  
24 launchers, shoot them over and aim them at  
25 homeowner's property, my mom has property

23

1 damage there, we just got the police report  
2 the other day. The one fan on the house is  
3 damaged, that has to be repaired. She  
4 should have a letter sent to them about  
5 those fireworks. You shouldn't be allowed  
6 to do that. When I was a kid the only thing  
7 we had was sparklers. My mom and I always  
8 say about the professionals, let them worry  
9 about the fireworks. We always looked at

10 the stadium to see them, but they shoot  
11 them, it's like a regular fireworks display  
12 and it goes on a week before the Fourth of  
13 July and when I came here last Tuesday they  
14 were still shooting them off, so they got a  
15 lot of money to burn. So she would be sent  
16 a letter about that, too, sir, about the  
17 fireworks.

18 MR. MCGOFF: It's obvious we are  
19 trying to look into it, it's been --

20 MR. GILROY: And one more issue is  
21 them condemned properties, there is three of  
22 them up the street.

23 MR. MCGOFF: Mr. Gilroy, we have  
24 passed all of the information on. Thank  
25 you.

24

1 MR. GILROY: Mr. McGoff, that house  
2 been empty for ten years. There is rodents  
3 and everything. It's terrible. Probably  
4 cat feces and everything in there. You  
5 wouldn't want to live up there, I told you  
6 we had a drug problem and everything ten  
7 years ago there.

8 MR. MCGOFF: It's being looked into.

9 MR. GILROY: Well, that's what I was

10 told last year about the dumpsters, too,  
11 about the lids, but a year later the same  
12 problem. Thank you.

13 MR. MCGOFF: Anyone else?

14 MR. HUBBARD: Good evening, Council,  
15 Daniel Hubbard, Lower Greenridge  
16 Neighborhood Association. Mrs. Fanucci, I'd  
17 like the date and the time of the flood  
18 siren test, please. You can -- when I'm  
19 done. That test was supposed to be  
20 conducted when Mr. Parker was still with the  
21 DPW.

22 MS. FANUCCI: It was. Thank you.

23 MR. HUBBARD: It was conducted during  
24 daylight hours when most of the residents of  
25 lower Greenridge were at work. Mr. Parker

25

1 and I had an argument over the issue because  
2 I wanted the test done either on a weekend  
3 or in an evening so that the residents would  
4 be home. It was also done during a clear  
5 day. The sirens are rated at 127 decibels.  
6 The project was originally designed for  
7 three sirens so that the signal would  
8 overlap all three neighborhoods. The RFP  
9 called for three sirens, the community  
10 development block grant money that was



11 pulled out by Mary Alice Burke back then was  
12 for three sirens.

13 A normal conversation or what we are  
14 having now is anywhere from 60 to 70  
15 decibels, 127 decibel siren sounding during  
16 the rain that we had the night before last  
17 would not be heard two blocks away. We  
18 received over two inches of rain the other  
19 night in under two hours. The Lackawanna  
20 River went from 1.9 feet to 4.5 feet in  
21 45 minutes. The sirens wouldn't have  
22 sounded because the Plot and Park Place were  
23 the Middle Street siren is are fully  
24 protected by levies.

25 Yes, our flood project is ongoing in

26

1 our neighborhood right now, but we are still  
2 at our most vulnerable stage as the Army  
3 Corp likes to state. They are cutting into  
4 an existing riverbank to put new storm  
5 draining systems in, so at least once a week  
6 we have a full river bank. A rain event we  
7 had last night for another two hours, say  
8 three inches of rain would have put the  
9 river at 6 to 7 feet which would have been  
10 flood stage in our neighborhood. That

11 original flood system was designed for three  
12 sirens. The new sirens are 130 decibels,  
13 the manufacturers actually increased the  
14 siren decibel level. City traffic in your  
15 car with your windows up is 85 decibels, so  
16 you know what that sounds like when you are  
17 sitting in your car downtown, so tell me you  
18 are going to hear 127 decibel siren in  
19 torrential downpours with thunder and  
20 lighting at 2:30 in the morning in your  
21 house while you are sleeping.

22 I don't want to have to carry my  
23 83-year-old father out of the house through  
24 knee deep water again because nobody, and I  
25 mean nobody, Mrs. Fanucci, came to Lower

27

1 Greenridge to notify us that the water was  
2 coming up the riverbank in 2006 irregardless  
3 of what Director Hayes said, the police  
4 department was unable to get to lower  
5 Greenridge because Market Street, Greenridge  
6 Street, Atlantic Street, the Greenridge  
7 Street bridge were all flooded out.

8 This original system was designed  
9 for three sirens, Bloomsburg just erected  
10 one for their residents and they put one in  
11 that is twice as large as what was needed,

12 they spent 40 grand of block development --  
13 or community development money to put it in.  
14 You have a \$120,000 on the agenda tonight,  
15 today, I'm sorry, \$215,000 on the agenda  
16 today going out to businesses, a winery and  
17 a pizza place are getting money today, but  
18 this city can't come up with -- we can do a  
19 shell game for ten grand, but we can't come  
20 up with \$20,000 of community development for  
21 a flood siren which we were originally  
22 supposed to get because this system was  
23 designed for three sirens. They make larger  
24 sirens, but they didn't put the larger ones  
25 in because there were supposed to be three

28

1 sirens that would overlap each other.

2 I have here -- I have all the  
3 paperwork from the manufacturer, it was  
4 submitted to OECD under Mrs. Hailstone, I  
5 guess we know that was shoved under the  
6 table, so, I mean, what's the problem here?

7 This city, this council majority, this  
8 city is giving money left and right to  
9 businesses. I mean, hey, I like Fratelli's  
10 they have good food, but I'd rather have a  
11 siren. It's \$20,000. You are shell gaming

12 ten grand to ECTV, the mayor's playing money  
13 games, a 600 and some thousand dollar  
14 treehouse, a 1.2 million bridge to nowhere,  
15 sure, that all looks great. What about the  
16 safety, health and welfare of the residents  
17 of the City of Scranton? It's a three siren  
18 system. It's not like I'm asking the city  
19 to spend money that's going to hurt it's  
20 budget. It's not like I'm asking the city  
21 to take food out of people's mouths. It's  
22 grant money. If Bloomsburg can do it why  
23 the hell can't the City of Scranton do it.  
24 If you did it for two other neighborhoods  
25 why won't you do it for ours?

29

1 And I don't want to hear about a  
2 test because the same argument I had with  
3 Mr. Parker if you want to test a flood siren  
4 you test it in real world conditions. Where  
5 is the decibel level of the siren that was  
6 taken at my mother's house, because you know  
7 what? I went on and did the research on  
8 decibel levels and earshot, earshot is what  
9 you said last week, "You are within earshot  
10 of the siren at your house, Mrs. Hubbard."

11 Earshot is not listed. They don't  
12 have a listing for earshot as a decibel

13 level.

14 MS. FANUCCI: Oh, Daniel, God bless  
15 you.

16 MR. HUBBARD: God bless me? Mrs.  
17 Fanucci --

18 MS. FANUCCI: No, let me finish.

19 MR. HUBBARD: When was the last time  
20 you had to get six people out of --

21 MS. FANUCCI: Now, Daniel, your time  
22 is finished and it is time for me to respond  
23 after you finish. I certainly have no  
24 problem with you getting a siren, Daniel.

25 MR. HUBBARD: Then why didn't you --

30

1 MS. FANUCCI: I went with you, if  
2 you recall, I went with you to talk about  
3 this issue for two hours of my time so that  
4 you could get a siren.

5 MR. HUBBARD: You guys were going to  
6 open the budget.

7 MS. FANUCCI: Wait. Please step  
8 away from the microphone your time is over,  
9 let me finish what I'm saying. Now, I have  
10 no problem in getting a siren, we all  
11 actually all unanimously said we wanted a  
12 siren, all five of us. We wanted that extra

13 siren, I am telling what your mom came up  
14 last week and asked me I am telling you the  
15 information I received. Whether you like it  
16 or not, I'm giving you the information.  
17 Don't come back at me because you don't like  
18 the information I am providing you.

19 MR. HUBBARD: You're a unanimous  
20 body--

21 MR. MCGOFF: Could we address this  
22 during motions, please? Can we address  
23 this --

24 MS. EVANS: Mr. McGoff, just one  
25 thing that I think may help him, I don't

31

1 know if you have done this before, but as  
2 president of the Greenridge --

3 MS. GATELLI: That's not fair. I  
4 don't mean to cut you off, but if you are  
5 going to let one council member answer a  
6 person then we all should be allowed to  
7 answer them.

8 MS. FANUCCI: Right.

9 MR. MCGOFF: You are right, and we  
10 all agreed that we would not do that.

11 MS. GATELLI: Well, you just told  
12 Sherry to stop talking and let Mrs. Evans  
13 talk so it's not fair. Either we are all

14 going to be able to answer people or none of  
15 us answer people. So, let's make a decision  
16 now. You know, we got into a debate with  
17 Kevin Murphy last week for 20 minutes.

18 MS. EVANS: Well, no, I wouldn't --

19 MS. GATELLI: Is that fair to Dave  
20 Gervasi this week or is that fair to Dan  
21 Hubbard that we can't talk to him for  
22 20 minutes? It's not fair. So, either go  
23 by the rules or we change the rules because  
24 the rest of these people here would all like  
25 20 minutes, a diatribe for 20 minutes.

32

1 Wouldn't you like one, Dave?

2 MR. GERVASI: I do a lot.

3 MS. EVANS: I think we --

4 MS. GATELLI: We need to make a  
5 decision.

6 MS. EVANS: -- have had more that  
7 Mr. Murphy and I don't believe that would  
8 have been 20 minutes actually, but I think  
9 we have allowed Mr. Munchak the week before  
10 to speak well over his time --

11 MS. FANUCCI: Either we are doing it  
12 or we're not doing it. I'm not going to get  
13 off during trying to answer a question and

14 then you allowed to answer a question or I'm  
15 not allowed.

16 MS. EVANS: I think we should be  
17 allowed to respond to residents.

18 MS. GATELLI: But I think it should  
19 be when they're gone and not back and forth.

20 MR. MCGOFF: We will address any  
21 questions during motions. Thank you.  
22 Mr. Gervasi.

23 MR. GERVASI: Good morning. My name  
24 is Dave Gervasi, firefighter with the City,  
25 City of Scranton resident. I'd like to jump

33

1 into this conversation if you don't mind, I  
2 think everybody worries about being too much  
3 on rules, I have to agree with all of you, I  
4 don't think it actually should be all or  
5 nothing, I think this council should be able  
6 to address, each member of this council  
7 should be able to address any citizen that  
8 comes up here who has a concern.

9 If Mrs. Fanucci has something to say  
10 I think if it takes her ten minutes to say  
11 it what's wrong with that? I think what  
12 Mrs. Gatelli is saying is that sometimes  
13 people get extra time, I think I have been  
14 up here eight minutes at one point, but, I



15 mean, if there is something important going  
16 on, I mean, man, let people speak from this  
17 podium and you guys by all means should have  
18 a right to speak all you want. Answer,  
19 discuss, debate, I mean, isn't that what  
20 democracy is? All I see with rules is  
21 oppressing people, whether it's council  
22 people or people from the public. I think  
23 it should be a free for all, it's democracy.

24 But, anyway, to get back to what I  
25 came here to say. I told Mr. Pocius

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1 something a long time ago, many years ago  
2 that I'd hate to come up here at some point  
3 in the future and say, "I told you so," and  
4 I said I wasn't going to get any pleasure  
5 out of coming up here and saying, "I told  
6 you so," these were long debates that we had  
7 years ago on a totally different makeup of  
8 this council, and it seems like a lot of  
9 things are coming to light at this point and  
10 we have been here, myself and Mrs. Krake,  
11 Mrs. Stulgis, many of the speakers,  
12 especially Mr. Sbaraglia, Mrs. Schumacher,  
13 and when you have independent audits and you  
14 have true financial figures of the city

15 within your possession and you start reading  
16 them you realize what you read in the  
17 newspaper what is basically coming from this  
18 administration is false.

19 We are told over and over again that  
20 there is no money to pay for a fair contract  
21 with police and firefighters, we are told  
22 there is no money for flood sirens, there is  
23 no money to let kids swim for free, and as  
24 time goes on the newspaper has to print what  
25 is actually going on. Just recently we

35

1 found out that no one was paying -- lots of  
2 people weren't paying taxes. Apparently,  
3 they must have gotten nervous because the  
4 FBI was in town and all of a sudden people  
5 just had this epiphany that, wow, I must  
6 have to pay my wage taxes, so now we  
7 increased by \$4 million. Like I spoke on  
8 last week and a million times before, I have  
9 to correct myself. Last week I made a  
10 statement that the city at the end of 2006  
11 had a year end fund balance of \$11.7 million  
12 and I was incorrect. The exact number is  
13 \$11,112,372.00.

14 So, to put this in perspective, the  
15 police and firefighters haven't received

16 anything. I was here months ago and gave  
17 you a complete breakdown to take it from the  
18 city's own documents, the city's own  
19 independent audits and the city's own  
20 budgets and our budget has increased since  
21 Mayor Doherty took office by approximately  
22 \$26 million. It has cost the City of  
23 Scranton for the police and fire department  
24 approximately \$373,000 more than it did  
25 since 2002, so where did the \$26 million

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1 come from? This is another part of the  
2 puzzle.

3 Mrs. Krake has been coming to this  
4 meeting I believe for at least five years  
5 talking about the problems at the tax  
6 office. No one is paying their taxes. They  
7 stopped going after -- they stopped actually  
8 came back from collecting delinquencies.  
9 What people don't realize is that the  
10 collection is now up 4.8 million dollars on  
11 top of an \$11 million surplus and for 1  
12 second you think you sit there and let Mayor  
13 Doherty borrow anymore money?

14 Moody's, which is your standard on  
15 finances within municipalities, says you

16 need to have at least a 5 percent  
17 contingency fund balance, that's proper,  
18 that's a proper thing to have within the  
19 municipality in case you have an emergency.  
20 We may now right now be sitting on a  
21 29 percent contingency, but there is no  
22 money to give a flood siren, we can't let  
23 the kids swim for free, we can't give the  
24 police and firemen a cost of living  
25 adjustment over the last seven years.

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1 It's baloney. It's always been  
2 baloney and it's been a lie, and the lie was  
3 that if he can continue to look like he is  
4 broke that way he will continue to borrow  
5 money so he can do all of his pet projects  
6 so, so he can get all of his photo op's, so  
7 he can become Congressman Doherty or Senator  
8 Doherty or Auditor General Doherty or  
9 whatever Doherty he wants to be in his next  
10 step in his political career. It's been  
11 false. It's been completely false and now  
12 when you see these things coming to light  
13 don't believe it anymore. Thank you very  
14 much.

15 MR. MCGOFF: Thank you, Mr. Gervasi.  
16 Mrs. Schumacher.

17 MS. SCHUMACHER: Good morning. Marie  
18 Schumacher, city resident. Regarding 5-E,  
19 inasmuch as this business received a  
20 \$130,000 loan approval on October 12, 2006,  
21 I'm wondering how much principal remains on  
22 that loan? Also, how much funding will  
23 remain in the economic development loan  
24 program.

25 Also, I understand these economic

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1 development administration loans must be  
2 used to leverage private investments of at  
3 least two dollars for every dollar of EDA  
4 investment. Can you please share a  
5 description of this \$390,000 eligible  
6 project? Mrs. Fanucci, perhaps you could  
7 respond to this in motions.

8 Also, in motions I would ask  
9 Mrs. Gatelli to provide the estimated  
10 availability date for the 2007 audit. In  
11 January we were told the investigation of  
12 the fire that took the mortal lives of  
13 Captain Robeson and the Feintermachers by  
14 the federal agency would take six months or  
15 more. Since six months have passed could we  
16 please have an update as to when this report

17 will be completed? I guess this one falls  
18 into Mr. Courtright's court.

19 Now, moving onto several  
20 disappointments. This month marks the first  
21 anniversary of two incidents that occurred  
22 at the Sewer Authority property off Cedar  
23 Avenue. In one incident someone drove a  
24 front-end loader which is parked on the  
25 property across the lot, through a chain

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1 link fence, then drove through the chain  
2 link fence again at which time the vehicle  
3 began to leak fluids. Then this vehicle was  
4 driven back across the lot, through the side  
5 wall of the building.

6 In another incident last July, 30  
7 15-foot aluminum pipes were taken from the  
8 property. At a Sewer Authority meeting I  
9 heard a description of their security system  
10 which includes lock gates and surveillance  
11 cameras. I'm disappointed neither of these  
12 crimes have been solved. According to the  
13 police department incident report, review of  
14 the camera tapes place was left to the  
15 Scranton Sewer Authority personnel not  
16 trained police officers.

17 A few days ago I read the police

18 department has a software package that can  
19 compensate for low lights, blurriness and  
20 other quality issues, so I'm left to wonder  
21 why physical evidence including footage from  
22 the surveillance cameras weren't collected  
23 from the Scranton Sewer Authority crime  
24 scenes as they reportedly were for a recent  
25 shooting incident at Midtown apartments.

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1 The next disappointment was finding a  
2 public notice for an OECD public hearing  
3 buried on page J-6 of an employment market  
4 place special section instead of the public  
5 notice section of the paper on page E-9.  
6 Since nine days have passed without  
7 correction, I am forced to believe burying  
8 this public notice was intentional. This is  
9 very disappointing and I think it's sad. I  
10 think that should be resubmitted to the  
11 paper and all dates should be accordingly  
12 moved up so people have enough time to  
13 prepare and that public notice should appear  
14 in public notices not buried in employment  
15 sections.

16 Yesterday we learned wage tax  
17 collections for the city are up 29 percent

18 over last year. I'm disappointed that the  
19 majority of council did not investigate the  
20 declining wage tax revenue which has been  
21 pointed out by council speakers over the  
22 past several years, very disappointed.

23 Finally, I have a request, would  
24 council please petition the county  
25 commissioners to maintain the original

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1 reassessment schedule? Many property owners  
2 have been overpaying for decades and it is  
3 time to get some relief. When I returned to  
4 Scranton I was delighted to find the  
5 assessor's data base on-line. I began  
6 making comparisons and rapidly became upset.  
7 I found my mother's modest home with  
8 1,140 square feet of living space and a one  
9 car garage was assessed a mere \$250 less  
10 than a property across town with 4,860  
11 square feet of living space and a three-car  
12 garage. This, of course, is the mayor's  
13 home which has been described as a mansion.  
14 A mansion appraised at \$250 more than my  
15 mom's modest home.

16 Of course, I appealed, but we need  
17 action on this and I encourage the City of  
18 Scranton council to encourage the



19 commissioners to keep to the original  
20 schedule. Too many people have been  
21 overpaying for too long. Thank you.

22 MR. MCGOFF: Thank you, Mrs.  
23 Schumacher.

24 MR. MCCLOE: Good morning. My name  
25 is Brett McCloe, Scranton taxpayer,

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1 homeowner. Last week I had made a statement  
2 about how Scranton reminded me of a society  
3 and a system of government that defined  
4 Europe between the 9th and 15th century, it  
5 was called a futile system. Here are some  
6 other terms from Webster's dictionary that  
7 may define our local government and our  
8 society.

9 Plutocracy: Government by the  
10 wealthy. A controlling class of wealthy.  
11 I'm not necessarily talking about wealthy  
12 people, I'm talking about wealthy  
13 institutions, the kind that makes you think  
14 and wonder if there are more lobbyists in  
15 Scranton than in Washington, D.C.

16 Kleptocracy: Government by those  
17 who seek status and personal gain at the  
18 expense of those they govern. Sound

19 familiar? Enough said.

20 Aristocracy: Government by the best  
21 individuals by a small privileged class. A  
22 government in which power is best in a  
23 minority consisting of those believed to be  
24 the best qualified. A governing body of  
25 upper class usually made up of hereditary

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1 nobility. The aggregate or sum total of  
2 those believed to be superior.

3 The only thing missing from this  
4 definition is the word perceived, perceived  
5 best individual, perceived best qualified,  
6 perceived superiority. I think it's  
7 important for people of this city to  
8 understand the exact nature of this society  
9 we live in reference to everything and  
10 everyone else around us. I think most will  
11 find that all four terms are alive and well  
12 within our local government and in our  
13 society. What role do you play?

14 Mr. Courtright, I have to give you a  
15 hand for inadvertently showing your  
16 discomfort when faced with spending money to  
17 hire a city engineer. In a way the citizens  
18 of this city should be thankful not so much  
19 for your decision, but the way you let the

20 citizens know of your discomfort and why. I  
21 have been a waiter for many years and I have  
22 watched thousands upon thousands of people  
23 make decisions. You begin to understand  
24 what how and why people order what they do.  
25 I actually enjoy watching people make

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1 decisions. I try to use that ability  
2 whenever I come to these council meetings.

3 For instance, the four -- the vote to  
4 subpoena Mr. McDowell, two council members  
5 voted for the subpoena because they felt a  
6 genuine injustice for the taxpayer.

7 Two council members stated they  
8 voted for it because of the possibility that  
9 money benefitting their own departments and  
10 one didn't say much and just went along for  
11 the ride. At any rate, you did what you had  
12 to do and it shows that you have a  
13 conscience.

14 Different is the one size fits all  
15 3-2 drive through made politics we have all  
16 grown accustomed to with this administration  
17 and the majority of the city council. Where  
18 conscience will quite often take a back seat  
19 to an ideology because with strong ideology

20 based on progress at any cost conscience is  
21 no longer needed and is actually a nuisance.  
22 The phrase let your conscience be your guide  
23 is of no use to an opportunist.

24 One last note, to those people who  
25 think we who come up here to speak at

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1 council meetings are pessimists, in my  
2 opinion it is far better to think that the  
3 glass of water is half empty when you are  
4 forced to drink what you know is in it.  
5 Thank you.

6 MR. SLEDENZSKI: Hello, is that your  
7 article?

8 MR. COURTRIGHT: You're famous now.  
9 Famous. Look at that, Chris Sledenzski.

10 MS. GATELLI: Be sure to show Tippy.

11 MR. COURTRIGHT: He will be jealous  
12 of you. Very nice, Chris. Very nice, yes,  
13 sir.

14 MR. SLEDENZSKI: I'll tell you,  
15 Billy, that bridge over here, Bill, the  
16 Lackawanna bridge, Bill, are they working on  
17 that? They are ripping the whole bridge  
18 over there, that bridge over there?

19 MR. COURTRIGHT: They are working on  
20 it.

21 MR. SLEDENZSKI: All right, Bill.

22 Thanks, Billy.

23 MR. COURTRIGHT: Okay, you're

24 welcome, Chris.

25 MR. LYMAN: Raymond Lyman. I got

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1 some questions for you, Mrs. Evans, and city  
2 council. Number one, Mrs. Evans, one of the  
3 neighborhood people who live in Pinebrook  
4 down in the field, the Pinebrook field there  
5 is graffiti on a slide and I was wondering  
6 if I don't know if it's the Rec Authority or  
7 city council could do something about it and  
8 the basketball hoops are vandalized and I  
9 wants to know if something can be done about  
10 that since you can spend \$60,000 on trees in  
11 my opinion it's ridiculous.

12 And since for years I complained  
13 about this catch basin, now, we have roots  
14 growing in the catch basin and it destroyed  
15 the pipe and now sewage in the sewer drain  
16 is destroyed. I got photos, I want to show  
17 you, Mrs. Evans, and I want something done.  
18 I talked to Chris Doherty after six years 25  
19 minutes, this was his words that he told me,  
20 and I don't want you guys to tell me I'm out

21 of order, he told me, "Put your hand on your  
22 behind and you will never get it done."

23 Those were his words. The people in  
24 Pinebrook are outraged and they are  
25 screaming at me and they said, "Well, you're

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1 going to be the next Mayor of Scranton."

2 MS. EVANS: Mr. Lyman --

3 MR. LYMAN: Now they are all  
4 screaming about it.

5 MS. EVANS: Mr. Lyman, what's the  
6 address?

7 MR. LYMAN: The 300 block of Phelp  
8 Street. And, Mrs. Gatelli, since you are  
9 supposed to be -- they are still saying that  
10 you are the head of the South Side  
11 Neighborhood Association?

12 MS. GATELLI: No, I'm not. That's  
13 Wayne Evans.

14 MR. LYMAN: Well, that's what some  
15 people are still saying.

16 MS. GATELLI: Well, I don't know who  
17 tells you all of these things, Ray, but it's  
18 not true. It's Wayne Evans.

19 MR. LYMAN: Well, maybe Wayne Evans  
20 or you, maybe you can talk to the mayor and  
21 do something about it because people are

22 screaming.

23 MS. GATELLI: I talk to Jerry  
24 Richardson on a regular basis and he never  
25 told me anything.

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1 MR. LYMAN: Well, Jerry Richardson --

2 MS. GATELLI: He is the president of  
3 Pinebrook.

4 MR. LYMAN: Well, Jerry Richardson,  
5 he don't want to do nothing.

6 MS. GATELLI: Well, I think he has  
7 done a fine job in his neighborhood.

8 MR. LYMAN: Well, last Thursday when  
9 I was coming to the Taxpayers' Association  
10 an 86-year-old woman in a Jazzy got hit by a  
11 car on the 600 block of Capouse Avenue, you  
12 know where Kevin's is, but you know where  
13 that old building is down there, past that,  
14 the sidewalks are deteriorated down to the  
15 rebar, two Scranton cops came up to me and  
16 they said, "Well, ain't you the president of  
17 the Pinebrook Association?"

18 I said, "No, I'm not."

19 And they said, "Well, why don't you  
20 fix the sidewalk?"

21 I said, "I never got any block

22 grants or nothing," I said, "Jerry  
23 Richardson got it and he gave it all to  
24 Mayor Doherty for that stupid western --  
25 Weston Field pool thing."

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1 And I said, "Hey, you two cops are  
2 part of Mayor Doherty's police force," I  
3 said, "Don't be screaming at me," I said,  
4 "That old lady should have never got hit and  
5 those sidewalks should have been fixed."

6 We never got anything from  
7 Pinebrook. Providence Road got all new  
8 sidewalks, they got a clock put there, South  
9 Side got trees, they got all sidewalks, we  
10 never got anything from Pinebrook. Nothing.  
11 And our neighborhood looks like a war zone  
12 with all of the crime and people are asking  
13 what happened to the beat cop, we only had  
14 them two days and crime is running around  
15 rampant like Gotham City down there. We  
16 have teens running around and people are  
17 scared for their lives.

18 And, Mrs. Fanucci, now your house on  
19 Colfax Avenue is up for sale, where are you  
20 living?

21 MR. MCGOFF: Mr. Lyman, that is not--

22 MS. FANUCCI: I think on Colfax



23 Avenue, Ray.

24 MR. LYMAN: No, that house is  
25 abandoned, it's up for sale.

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1 MS. FANUCCI: Oh, it is?

2 MR. LYMAN: It's up for sale. I was  
3 at that house.

4 MS. FANUCCI: It's abandoned?

5 MR. MCGOFF: Mr. Lyman --

6 MS. FANUCCI: I better tell my  
7 daughter to evacuate quickly.

8 MR. LYMAN: That house is up for sale  
9 and I was there.

10 MR. COURTRIGHT: Ray, change the  
11 subject, buddy.

12 MR. MCGOFF: Mr. Lyman, that's --

13 MS. FANUCCI: Raymond, you have been  
14 hanging around my house? I don't know if  
15 you want to go there.

16 MR. LYMAN: I was at that house on  
17 Colfax Avenue.

18 MS. EVANS: Mr. Lyman, can we go  
19 back to the graffiti on the slide? Where --  
20 can you give me the location for that?

21 MR. LYMAN: The slide, the Pinebrook  
22 field down in --

23 MS. EVANS: Pinebrook field. Thank  
24 you.

25 MR. MCGOFF: Thank you, Mr. Lyman.

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1 MR. LYMAN: Well, Mr. McGoff, you  
2 allowed people to speak for 20 minutes and I  
3 should speak for 20 minutes.

4 MR. MCGOFF: Thank you.

5 MR. LYMAN: Just like my lawyer said  
6 since I filed a lawsuit for violation of my  
7 civil rights and since last week I didn't  
8 speak for five minutes I am going to speak a  
9 little longer.

10 MR. MCGOFF: Mr. Lyman, your time is  
11 up.

12 MS. FANUCCI: Ray, can you give those  
13 pictures to Neil, please?

14 MR. LYMAN: I already gave the  
15 pictures to Mrs. Evans and I asked you a  
16 question, Miss Fanucci.

17 MS. FANUCCI: Ray, can you give those  
18 pictures to Neil right now?

19 MR. COURTRIGHT: The other pictures.

20 MS. FANUCCI: The other pictures.

21 MR. LYMAN: Oh, this picture I have,  
22 Mrs. Fanucci, I asked you a question, where  
23 do you live at?

24 MR. MCGOFF: Mr. Lyman, your time is  
25 finished.

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1 MS. FANUCCI: Officer, I would like  
2 you to get those pictures, please.

3 MR. MCGOFF: Please leave the podium.  
4 Thank you.

5 MS. FANUCCI: You need to get those  
6 pictures off of him.

7 MR. MCGOFF: Anyone else?

8 MS. HUBBARD: Good morning, Council,  
9 Liz Hubbard, Scranton resident. I just have  
10 a couple of questions, getting back to the  
11 flood siren issue, why can't the Council  
12 provide the funds for the flood siren?

13 MS. EVANS: Actually, Mrs. Hubbard,  
14 what I was as trying to tell your son  
15 earlier was that I wanted to suggest that  
16 the Greenrdige, the lower Greenridge  
17 Neighborhood Association file an application  
18 for a CDBG grant for the siren. Now, of  
19 course we all know that the mayor through  
20 the office of OECD selects the projects that  
21 are be funded. However, that must come  
22 before city council for a vote and when that  
23 occurs city council has the ability to

24 include other projects, to delete projects  
25 that the mayor might have suggested and

53

1 since I believe, as Mrs. Fanucci said, all  
2 five members of council are in favor of your  
3 neighborhood receiving a siren, even though  
4 you would not have been let's say  
5 hypothetically selected by the mayor to  
6 receive the \$20,000, city council can  
7 certainly inject into that list for approval  
8 the \$20,000 for a siren for the lower  
9 Greenridge Neighborhood Association and then  
10 you will receive it.

11 MS. HUBBARD: You can't just get that  
12 done out of your budget, or doesn't council  
13 have a budget?

14 MS. EVANS: Actually, city council's  
15 budget is solely underfunded.

16 MS. HUBBARD: I'm sure. I know the  
17 city isn't really needed, we just need the  
18 funding. Private land can be used for it,  
19 and I don't know why we are not getting it.  
20 I mean, there is money for everything else  
21 except a flood siren for lower Greenridge,  
22 and I think Daniel pointed out they are  
23 doing this subsurface work now and moving  
24 the sewer lines and the water lines and gas

25

lines, but the work on the levy isn't

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1

projected to start I think until next year

2

if then, so in the mean time, you know, they

3

are damaging the bank and every time it

4

rains now we have to be even more worried

5

about flooding. I don't know, I just think

6

it's appalling.

7

And I have another question,

8

Mrs. Gatelli, you stated last week that in

9

the discussion about the \$577,000 in UDAG

10

funds that council never voted on that dog

11

park. I think they did. I remember someone

12

coming in with the --

13

MS. GATELLI: I don't think we did.

14

MS. HUBBARD: -- plan and a drawing.

15

MS. GATELLI: I don't think we voted

16

on it. I could be wrong.

17

MS. HUBBARD: I don't know, could

18

you look in your archives and let me know on

19

that as to whether there was a vote on the

20

\$300,000 because I think there was. Anyway,

21

that was it. Thank you.

22

MR. MCGOFF: Thank you, Mrs.

23

Hubbard.

24

MS. HUBBARD: I'm sorry, I got all

1

MS. GATELLI: No, that's okay.

2

MR. MCGOFF: Anyone else? Ms. Evans.

3

MS. EVANS: Good morning, everyone,

4

and welcome back, Attorney Minora. I'd like

5

to return to the transfer of \$10,000 in UDAG

6

funds to the East Scranton Business

7

Association who then donated the \$10,000 to

8

ECTV. Attorney Minora, were you able to

9

answer my questions that I gave to Attorney

10

Williams at last week's meeting?

11

MR. MINORA: I have some of the

12

answers for you. The statute itself does

13

not require council action. I have

14

reviewed -- I'm sorry?

15

MS. EVANS: Do you have the backup

16

for that? In other words, I'm looking for a

17

copy of your source and then I had also

18

requested your opinion in writing.

19

MR. MINORA: The statutes are covered

20

under 42 USCS 5301 is the beginning of it, I

21

mean, I can't give you a negative, there is

22

nothing requiring councilmanic action

23

anywhere in the statute. It goes through

24

5318 which begins another section of grant

25

money so it's, you know, that's the statute.

1           I looked first at the statute, there is  
2           nothing requiring that. I have begun to  
3           look through the regulations. They are at  
4           42 -- no, I'm sorry, I might be getting  
5           dyslexic, 24 Code of Federal Regulations  
6           Title Part 570 is the beginning of it, it is  
7           very lengthy, I have not had time to go  
8           through it, I was in a trial last week  
9           that's why I was not here, so I'm reviewing  
10          that.

11           MS. EVANS: When your review is  
12          complete, again, I'd ask for copies of your  
13          sources and your opinion in writing, and I'd  
14          also like you to look into this question  
15          which is certainly related, can one entity  
16          organization transfer --

17           MR. MINORA: Subrecipient?

18           MS. EVANS: -- it's UDAG funding to  
19          another organization.

20           MR. MINORA: I understand. I had  
21          intended to look into that myself.

22           MS. EVANS: Okay. Now, I would like  
23          to remind the public that both  
24          Mr. Courtright and I did not vote in  
25          March 2006 for the \$557,000 in UDAG funds to

1 be used by the mayor at his own discretion  
2 and either Mr. Courtright nor I approved of  
3 the mayor spending federal money without any  
4 checks and balances from city council.

5 In the last week there has been much  
6 talk of the Recovery Plan particularly by  
7 Mr. Doherty and Mr. Hayes. I think it's  
8 time to examine the other half of the story  
9 today. In 2002, the mayor sold his Recovery  
10 Plan on the threat of a tax increase despite  
11 his 2001 campaign promise to reduce the wage  
12 tax by 1/10th of 1 percent annually if he  
13 became mayor. Although, Mr. Doherty's  
14 threat worked and he got his Recovery Plan  
15 passed, here is what he did:

16 He raised property taxes by over  
17 25 percent. He raised the real estate  
18 transfer tax. He created many new  
19 management positions. He awarded hefty  
20 raises to his management staff. He borrowed  
21 hundreds of millions of dollars, etcetera.  
22 Both Mr. Doherty and Mr. Hayes have  
23 publically stated that the purpose of the  
24 Recovery Plan is to make our city  
25 financially solvent. Yet, the estimated



1           \$3.5 million that may be realized from the  
2           implementation of the Recovery Plan does not  
3           balance the books. It doesn't makeup for  
4           seven years of borrowing and spending. In  
5           fact, the 3.5 million does not even cover  
6           the annual Doherty debt payments which for  
7           2008 for only city general obligation bonds  
8           and capitalized leases, no city authorities  
9           included in this totals 12.8 million and  
10          that is a conservative figure because as I  
11          perused the 2008 budget, the pie chart  
12          included for expenditures indicates that  
13          19 percent of an \$84 million budget is  
14          allocated for long-term debt payments.

15                 So that, ladies and gentlemen, puts  
16          us actually closer to \$16 million, better  
17          than \$16 million annually on debt payments.

18                 I seem to be having a problem with  
19          my microphone. It doesn't turn off yet the  
20          sound turns off, so I'd say that someone has  
21          to be bumping the controls.

22                 Now, this Recovery Plan, however,  
23          does do one thing, it cuts public safety  
24          services and here is one example of the cut  
25          in your services: Just yesterday I learned

1           that since the mayor has implemented the  
2           Recovery Plan within the police department  
3           it has been running with only 6 to 9  
4           officers per shift rather than the normal 12  
5           or more. Apparently, the administration  
6           often is not hiring overtime and when it  
7           does it may only be one officer for a shift  
8           providing a total of 6 or 9 police officers  
9           which includes the desk officer and the  
10          prisoner transporter. This plan leaves only  
11          seven officers at best to respond to calls  
12          and handle problems citywide.

13                        Thus, it appears that the mayor by  
14          means of his Recovery Plan is running police  
15          shifts at dangerously low levels  
16          jeopardizing the safety of our police force  
17          and our people.

18                        Before Mr. Doherty attempts any  
19          further actions, an independent safety  
20          impact study agreed upon by both the  
21          administration and the municipal unions  
22          should be conducted to determine the  
23          necessary level of the police and  
24          firefighters staffing for Scranton. A city  
25          with a population of over 72,000 residents,

1 a high percentage of old structures and an  
2 area of 27 square miles. Amazingly, the  
3 Recovery Plan does not require a safety  
4 impact study. It basis your safety and  
5 security on dollars and cents, not facts.

6 Additionally, according to the 2006  
7 independent audit the city's long-term debt  
8 including all authorities stands formally at  
9 \$226,925,15.00. However, this figure does  
10 not include the \$35 million borrowed by the  
11 Scranton Parking Authority in 2007. If we  
12 add this principle and interest at a  
13 conservative figure of 52.5 million to the  
14 2006 long-term debt, the new total is  
15 \$279,000,000 in long-term Doherty debt.

16 Ladies and gentlemen, Scranton will  
17 need a new financial plan to recover from  
18 eight years of the Doherty debt.

19 Another current and crucial issue  
20 that concerns city and county residents is  
21 the Scranton Single Tax Office. The FBI  
22 cleared Mr. McDowell of any criminal  
23 activity. Nevertheless, Mr. McDowell has  
24 violated state laws by failing to provide  
25 monthly financial reports to governing

1 bodies, maintain separate tax accounts,  
2 disburse tax dollars to government bodies,  
3 and most importantly collect delinquent wage  
4 taxes and particularly those owed by city  
5 residents who work outside of Scranton.

6 Furthermore, Mr. McDowell is subpoenaed  
7 by city council and those subpoenas are  
8 ready to be delivered today. It appears  
9 that he is arrogantly ignoring council. He  
10 wants our questions in advance, but as I  
11 said long ago, we don't provide take-home  
12 tests. Seemingly, it will take a judge to  
13 compel Mr. McDowell to appear at council and  
14 to answer to the people.

15 I was pleased to learn that the tax  
16 office finally approved a forensic auditor,  
17 Nyhill and Wrigley of Philadelphia,  
18 Mrs. Vitali hopes the audit will be  
19 completed by the end of the year. However,  
20 had the process begun in March and an  
21 auditing firm been hired in May the audit  
22 would have been completed in October using  
23 Mrs. Vitali's time line.

24 City council and the public believe  
25 that the last five months of delays and

1                   excuses were precious time wasted. My hope  
2                   today is that whatever dollars our city  
3                   receives following the completion of this  
4                   audit Mr. Doherty will use these tax dollars  
5                   to pay down his debt.

6                   Finally, I was vindicated to read  
7                   that the city wage tax revenue is up  
8                   \$2.7 million for the first half of the year.  
9                   I don't doubt that recent publicity  
10                  regarding the Single Tax Office and the FBI  
11                  investigation contributed greatly to this  
12                  considerable increase of wage tax  
13                  collection. In any case, this high  
14                  watermark must continue from year to year  
15                  going forward and a mayor should use these  
16                  tax dollars to pay down the Doherty debt and  
17                  to pave streets, not to create jobs, award  
18                  management raises, buy dirt or build coy  
19                  fish ponds.

20                  Moreover, I included \$3 million from  
21                  wage tax collection in my 2008 budget last  
22                  December. I was scorned by the newspaper  
23                  and the majority of council who did not  
24                  approve my balanced budget and surplus.  
25                  There was no borrowing and no tax increase

1                   in the budget I created as finance chair of

2 city council because I believed there was at  
3 least \$3 million in wage taxes that needed  
4 to be collected.

5 In prior years I asked Mr. McDowell  
6 to come in, he refused, yet the Scranton  
7 Times newspaper still endorsed Mr. McDowell  
8 for county controller and previously for  
9 Scranton tax collector. Last December I  
10 asked for two employees of the Single Tax  
11 Office to come in, Mr. McDowell refused to  
12 allow them to do so. I asked for  
13 Mrs. Vitale and Mr. McGovern to come in and  
14 was accused of political gainsmanship. I  
15 suspected financial mismanagement in the  
16 Single Tax Office and was mocked by a  
17 majority of council.

18 Now, the Scranton Times wants to  
19 expose McDowell and the Single Tax Office  
20 and the very same council members who  
21 criticized me and my budgets want answers  
22 from Mr. McDowell and the tax office as well  
23 as the forensic audit. They agree now that  
24 this forensic audit languished and lingered  
25 unnecessarily. They are happily surprised

1 by the collection of 2.7 million dollars in

2                   formerly delinquent wage taxes which I  
3                   included in my 2008 budget last December.

4                   As for Mr. Courtright and myself who  
5                   voted against the mayor's budget and chose  
6                   my alternate budget, we are not surprised,  
7                   but we are rather pleased that these tax  
8                   revenues are finally being collected.

9                   And, now, I would like to make a  
10                  motion to amend the motion I made at last  
11                  week's council meeting concerning the  
12                  investigation by Scranton City Council of  
13                  the tenure of the former tax collector. I  
14                  move that the Scranton City Council  
15                  investigate the effectiveness and efficiency  
16                  of tax collection by the Scranton Single Tax  
17                  Office. Said investigation shall include,  
18                  but is not limited to, commingling of tax  
19                  receipts in a single account for  
20                  distribution to multiple municipalities,  
21                  collection practices, payment extensions,  
22                  labor and management issues and work  
23                  attendance, information therefrom to be used  
24                  for available legislative remedies where  
25                  inadequacies may have been found.

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1                   And this is an amendment, as I said,  
2                   to last week's motion.

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MS. GATELLI: Second.

MR. MCGOFF: On the question? All those in favor signify by saying aye.

MS. EVANS: Aye.

MS. FANUCCI: Aye.

MS. GATELLI: Aye.

MR. COURTRIGHT: Aye.

MR. MCGOFF: Aye. Opposed? The ayes have it and so moved.

MS. EVANS: I also have some requests for the week: The 200 of North Garfield Avenue, residents of the block report that there are two couches full of boxes and bags of trash at this address. Please pick up these items this week.

A letter to Mr. Oleski, there is an empty lot located to the right of 134 South Merrifield, residents complain that this lot is completely overgrown and is a breeding ground for the neighborhood stray animals, wood chucks, snakes, etcetera. The DPW cleaned this lot several years ago, but it's not been touched since that time. Please

1  
2

clean this up when the abandoned lots in West Scranton are being addressed this



3 summer and notify council when it has been  
4 taken care of.

5 The corner of Dickson Avenue and  
6 East Market Street there is a large  
7 overgrown bush on this property which is for  
8 sale and this bush prevents pedestrians from  
9 using the sidewalk forcing them on to the  
10 street at this intersection. Please contact  
11 the owner to trim the bush.

12 The corner of George Avenue and  
13 Wilder Street, residents report a large  
14 whole, ten by ten feet in the road, they  
15 have called DPW, but no action was taken.

16 The residents of Mt. Vernon Avenue  
17 request the paving of their streets.

18 And graffiti on slides in Pinebrook  
19 field needs to be cleaned and, Neil, I'll  
20 also be passing along the photos that were  
21 provided by Mr. Lyman of the deteriorating  
22 sewer, and that's it.

23 MR. MCGOFF: Thank you, Mrs. Evans.  
24 Mrs. Gatelli.

25 MS. GATELLI: To address Mrs.

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1 Schumacher concerning the independent audit,  
2 last week we did send out letters to all of  
3 the authorities to get their audits in ASAP

4 to expedite our independent audit.

5 I'd also like to ask Mrs. Garvey to  
6 investigate the last several years when was  
7 the time frame of the independent audit,  
8 when did we receive them?

9 I'd also like to make a motion that  
10 we do send the county commissioners a letter  
11 concerning the reassessment. I, too, was  
12 uncomfortable with the length of time it's  
13 going to take. I understand it is some type  
14 of a mapping problem, but in my opinion  
15 that's the problem of Century 21 or whoever  
16 they hired to it do it. There are many  
17 properties also included in my neighborhood  
18 where we are paying considerably more than a  
19 lots of properties in the neighborhood that  
20 are rental properties. They get to charge  
21 rent and make some money, and then the other  
22 people are in single family homes and we  
23 have to pay the brunt of the taxes, so I'd  
24 like to make that motion to send the  
25 commissioners a letter that we are concerned

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1 and to expedite the time frame if possible.

2 MR. COURTRIGHT: Second.

3 MR. MCGOFF: On the question?

4 MS. EVANS: Yes. I know that this  
5 has been a topic of discussion and great  
6 concern to not only city residents, but  
7 those residing throughout Lackawanna County,  
8 but I have to say that many of the residents  
9 who approached me to discuss this matter  
10 indicated quite the opposite, that they were  
11 very pleased that the reassessments would  
12 not occur immediately in light of the  
13 economy, in light of job losses, home  
14 losses, etcetera.

15 Now, admittedly, many of the people  
16 with whom I spoke are senior citizens, but I  
17 think before I could agree to sending this  
18 letter I would like to hear from more  
19 residents not only of Scranton but  
20 Lackawanna County because it seems that  
21 there are -- there are opinions on both  
22 sides of this issue and I would like to be  
23 certain where the majority stands on that  
24 before I would agree to send a letter.

25 MR. MCGOFF: Anyone else on the

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1 question? All those in favor signify by  
2 saying aye.

3 MS. FANUCCI: Aye.

4 MS. GATELLI: Aye.

5 MR. COURTRIGHT: Aye.

6 MR. MCGOFF: Aye. Opposed?

7 MS. EVANS: No.

8 MR. MCGOFF: The ayes have it and so  
9 moved.

10 MS. GATELLI: Thank you, and that's  
11 all I have. There will be a Community  
12 Justice meeting at 10:00 Thursday at 705  
13 Pittston Avenue, and I'm still awaiting any  
14 other neighborhoods that are concerned about  
15 starting a community justice program. I  
16 haven't heard from any as of yet, but the  
17 offer is certainly still out there.

18 MR. MCGOFF: Thank you, Mrs.  
19 Gatelli. Mrs. Fanucci.

20 MS. FANUCCI: Yes, I want to speak  
21 about "Outrageous," which is on our agenda  
22 today for a -- it's Item 5-G. This is a  
23 downtown store which has a lot of great like  
24 jewelry and there is a coffee shop in there  
25 and what they are doing is they had put on

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1 the second floor they are putting in a book  
2 store. This is the trend now for downtowns,  
3 in fact, Grand Rapids, Michigan, Cincinnati,  
4 Charlotte, they have all done this so that

5 to compete with the bigger bookstores so  
6 that you have something to bring you  
7 downtown, this would help actually with the  
8 University and a lot of our colleges, so  
9 what they are doing is they are creating a  
10 bookstore, it's going to obviously be  
11 smaller than your Barnes and Noble, but your  
12 big -- it's a smaller quaint bookstore, so  
13 that's what they are doing and that is what  
14 the loan and the purpose is for, extra  
15 space, also buying the books bringing them  
16 in. So, this is something that actually is  
17 very good for our downtown, it would help a  
18 lot with the walking traffic and hopefully  
19 bring a lot more people down, you know, it  
20 would be the closest bookstore depending on  
21 where you live so that's a good thing, so I  
22 wanted to tell you a little bit about that.

23 Also, I want to speak about some of the  
24 comments that were made about the Single Tax  
25 Office. We obviously have had some issues

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1 with the tax office ourselves, but as for  
2 mocking another council member, if I recall  
3 I did was asking for proof, facts and some  
4 information, where the information was from.  
5 I did not receive that, but that's what I

6 was inquiring about. A lot of times here  
7 there are a lot of speculations made and all  
8 I was asking was for a speculation to be  
9 backed before anything proceeded. Now the  
10 facts are in front of us and we are  
11 proceeding, but a lot of times people's  
12 remembrance are a little bit more one-sided  
13 than actually is. Sometimes you would need  
14 to be in caucus maybe to find that out.

15 But I am very happy with the way  
16 that this is proceeding. I have to say as  
17 far as not showing up here I'm a little  
18 disappointed. I think Mr. McDowell is a  
19 very nice person, I have nothing against  
20 him, but I do believe that there are times  
21 when you need to answer questions and none  
22 of us could dodge them when it is time and  
23 we have to answer questions to the public,  
24 so I'm happy with what we are doing, but  
25 also need to know that it is time now to

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1 move forward. The people who are in charge  
2 of the store now need to get here and need  
3 to explain exactly about this \$12 million,  
4 they are in charge.

5 You know, we can find out from Kenny

6 what happened, but to me it's now. I do  
7 agree that I would have rather seen this  
8 take place a lot quicker, the budget coming  
9 into time now where we have to worry about  
10 paying not only our employees, but keeping  
11 the city going and new hires and whatever,  
12 you know.

13 We settled one of the union  
14 contracts, actually two, hopefully, you  
15 know, we will settle the rest, but until we  
16 know what kind of money we are looking at  
17 this is a very important issue. So, I am  
18 happy that we are proceeding with that.

19 Also, I'm not sure where the  
20 information, and this is a question I do  
21 have for Mrs. Evans, I'm not sure where the  
22 information, are you talking about current  
23 contracts that are being discussed with the  
24 police union and what's being discussed  
25 there because I'm not sure how you would be

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1 privy to that information?

2 MS. EVANS: What information?

3 MS. FANUCCI: Information providing  
4 how many cops would be on, who wouldn't be  
5 on, how that would be -- like, I don't  
6 understand how the manning power you would

7 know that right now? Aren't they -- they  
8 don't have a new contract; correct?

9 MS. EVANS: I'm not talking about a  
10 new contract, they are still in  
11 negotiations, I'm talking about the  
12 implementation of Phase 1 of the Recovery  
13 Plan within the Scranton Police Department.

14 MS. FANUCCI: Which could not take  
15 place because of the contracts were, you  
16 know, they're contracted to have as many  
17 people as they were under contract. I don't  
18 think we can change that.

19 MS. EVANS: It's already taken place.

20 MS. FANUCCI: Well, the first phase.

21 MS. EVANS: The first phase which  
22 would include an affidavit of Chief Elliott  
23 that outlines, for example, the elimination  
24 of the manning clause, etcetera.

25 MS. FANUCCI: The manning clause;

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1 right.

2 MS. EVANS: And so these are facts.

3 MS. FANUCCI: So the manning power is  
4 what you are describing?

5 MS. EVANS: Yes.

6 MS. FANUCCI: That's what I didn't



7 understand, so I'm glad to know that.

8 Oh, okay, and Daniel Hubbard as  
9 wonderful as it is to have you back in our  
10 forum again, I have to say that you can't  
11 get angry when you get answers that you  
12 don't like. I'm sorry I can't provide you  
13 with better answers. We have all supported  
14 you on this, we all wanted you to have your  
15 flood sirens, certainly none of us were  
16 against the flood siren, in fact, I believe  
17 we tried to pay for the flood siren out of  
18 money we didn't even have trying to get you  
19 your flood siren, so in the future when you  
20 come here don't feel like we are against  
21 your flood siren. We are not. We think  
22 everyone down there should have as much  
23 protection as possible. No one is looking  
24 at doing anything to harm the citizens of  
25 this city, and a lot of times when you come

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1 here you come across as if we are out to get  
2 you. No. We want you to have your flood  
3 siren and we will keep working on it,  
4 hopefully that will happen some day, but all  
5 I was doing was providing your mom with  
6 answers that she wanted, unfortunately, they  
7 weren't the answers that she was looking

8 for. And, again, that is all I have. Thank  
9 you.

10 MR. MCGOFF: Mr. Courtright. Thank  
11 you, Ms. Fanucci.

12 MR. COURTRIGHT: Yes, Mrs. Evans  
13 covered the questions I was going to ask  
14 Mr. Minora also about the \$10,000 so I don't  
15 have to speak on that.

16 Kay, I do have one, if you could  
17 send a letter to inspection 315 North  
18 Cabrini Avenue, 315 North Cabrini, the  
19 inspection department I got out there before  
20 and helped the residents out with a problem  
21 over there and now there seems to be garbage  
22 and graffiti at that location again so if  
23 they can possibly take a look at that.

24 Mrs. Schumacher, I'm sorry, I was doing  
25 something when you spoke, but I believe you

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1 were asking about the fire. Dave Elliott  
2 had sent us a letter Marty Monahan and  
3 members of the Scranton Police Department  
4 and fire departments they are the ones doing  
5 the investigation. Marty is extremely well  
6 qualified. I don't know that we would be  
7 privy to that information if it's an ongoing

8 investigation, so if I could ask for you if  
9 they would give you that information, but I  
10 don't know -- I don't know -- I don't  
11 believe if it's an ongoing investigation  
12 they are going to turn over that information  
13 to me or anyone else, but it's our police  
14 department that's doing the investigation on  
15 that fire if that was your question.

16 I'd like to see maybe if council  
17 could agree to this, what Mrs. Evans said  
18 about the staffing of the shifts is -- that  
19 information is available through me and the  
20 way that information is available to me it's  
21 the people working the shifts that are  
22 telling me, but I think what has happened  
23 here now is rather than paying overtime or  
24 running the shifts which would be considered  
25 short, and when I say short I mean short by

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1 the standards that we have on operating for  
2 the last umpteen years here, short on  
3 manpower, you know, I'm being told one  
4 shift, the midnight shift on Saturday we  
5 only have five cars, maybe seven officers,  
6 five cars. Central City one night maybe  
7 second shift running with one Central City  
8 car, obviously, I don't think anybody would

9 agree that's adequate.

10 So I think what I would like to do  
11 and, again, I would like the support of the  
12 rest of the council is to send a letter to  
13 Dave Elliott and ask him if he would supply  
14 us with how the shifts have been operated  
15 both last week and this week, how many cars  
16 on each shift, what cars they were, patrol  
17 cars, supervisor cars, you know, we have  
18 Corporals that are in supervising capacity,  
19 we have sergeants that are supervisory  
20 capacity and, Kay, you don't have to write  
21 it down, it's too much for you to write  
22 down, I'll go over it with you later if  
23 everybody agrees, you know, I know I'm under  
24 the understanding that the judge has allowed  
25 a sergeant to take calls and that's fine,

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1 and I don't disagree with that, I hope the  
2 sergeants don't get mad with me, but I don't  
3 disagree with the sergeants if they are  
4 available to take calls, if they are doing  
5 something in their supervisory capacity that  
6 prevents that then obviously they can't do  
7 it.

8 But I'm being told by not only the

9 police officers but the people that have  
10 scanners that we are running our cops all  
11 over the city. We got North end cops in  
12 South Side, when they are trying get back to  
13 North end they are getting pulled from that  
14 end and go over to the West Side and they  
15 feel it's just not working out. This is the  
16 general public and the officers themselves,  
17 so if the council would agree to ask Dave to  
18 just give us a list of how many cars were on  
19 their road, and I need him to be specific as  
20 to where they were supposed to be going, if  
21 they are patrolling their supervisors, if  
22 guys have been doubled up in cars, just so  
23 that we have an accurate understanding of  
24 what's going on I think one thing this  
25 council has agreed on both last council and

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1 this one is that we are pro public safety,  
2 you know I believe that's the feeling, so if  
3 council would agree to me dictating a letter  
4 to Mrs. Garvey to Dave Elliott.

5 MS. GATELLI: Absolutely.

6 MS. FANUCCI: Bill, will you include  
7 response time in there, also, because that  
8 will show, too, how hard it was to go from  
9 spot to spot in the city and the frequency.

10 MR. COURTRIGHT: There was an  
11 incident I believe yesterday where a north  
12 car had to respond over to west side and it  
13 was an extended period of time so he wanted  
14 it noted by his supervisor that, you know,  
15 the call came in at such and such an hour,  
16 but I was only dispatched at such and such  
17 an hour because obviously citizens will get  
18 irate if they are waiting 20, 25 minutes for  
19 a police car to show up, so it's just turned  
20 out to be an uncomfortable situation, but I  
21 sit down, and then before she sends the  
22 letter out or give a copy to everybody here  
23 so it's agreeable to all of you --

24 MS. FANUCCI: Sure.

25 MS. EVANS: Mr. Courtright, maybe

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1 the number of calls per shift.

2 MR. COURTRIGHT: What's going to  
3 happen in my opinion, and this is just my  
4 opinion, and I think I have an educated  
5 opinion is that if we are running less guys  
6 at the end of the year we are going to have  
7 a less of a total calls because there is  
8 nobody proactively, we are reacting to  
9 everything, so that, you know, if you are

10 running from call to call you are not able  
11 to if you see a suspicious vehicle pulled  
12 over because you are just running from call  
13 to call and I think that's going to drop  
14 those numbers down and that's just my  
15 opinion, but I think it's an educated  
16 opinion, so I'll give it to you, Kay,  
17 possibly tomorrow and then you can show it  
18 to everybody else and if they agree we will  
19 send it out.

20 I'm happy that the trees have gotten  
21 trimmed in front of Carl Sevino's funeral  
22 home there finally, I think that ultimately  
23 would have been a safety issue.

24 Mrs. Gatelli spoke about, you know,  
25 crime watch so I spoke to Wally

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1 Vanacoski about it, I think it's all but  
2 defunct over there, but I asked him to look  
3 into it or to see if there is anybody  
4 interested and who they would contact if  
5 they were interested, but one woman after we  
6 spoke, one woman, I believe she was a school  
7 teacher, she came to the podium once before  
8 stopped me and asked me about it, so maybe  
9 she will be interested in resurrecting it.

10 Mister, I hope I say his name right,

11 Migliori, is the guy's name, the guy from  
12 ECTV, he called me this past week because of  
13 my concern and how many times this would be  
14 played and the motion that Mrs. Gatelli  
15 recommended I make and here's what he just  
16 told me, he said that this meeting that we  
17 would have today at 10 a.m. will be aired  
18 today at 2:30, and that's when every meeting  
19 and will air tomorrow at 9:30 and then air  
20 tomorrow at 6:30 so as to cover, I requested  
21 three times. I asked about live, he is  
22 telling me that the reason that we are not  
23 live right now is something to do with  
24 Comcast, he is hoping that is going to be  
25 rectified by the time we come back from our

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1 summer break.  
2 I said there was concerns of these  
3 meetings and other meetings being edited,  
4 things taken out that weren't palatable to  
5 some people, he said that would not happen.  
6 What else did I ask him? Oh, he said that  
7 once it will be become a reality that, and  
8 if I'm wrong I'm sure he will correct me on  
9 this, what they are going to do with the  
10 municipal meetings that say, for instance,



11 on Saturday run them, and I'm just giving  
12 you a time frame I can't remember exactly  
13 what he told me from like noon to whenever,  
14 one municipal meeting after other so if you  
15 were interested in taping them you could  
16 tape them. So, that's the information I  
17 have gotten so far and he called me with  
18 that, so I do have to thank him for calling  
19 me. I didn't call him, he called me.

20 And one last thing, and I hope I  
21 don't start on another discussion here, but  
22 one more thing before I go to this, you  
23 know, Mrs. Fanucci's house or Mr. McGoff's  
24 house or Mrs. Evan's house or Mrs. Gatelli's  
25 or my house, I don't think where we live as

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1 long as we are in the city is anybody's  
2 business. I don't want anybody running  
3 around my house, you know, stalking me,  
4 taking pictures, I think it's wrong, you  
5 know, no matter who it is up here. You are  
6 free to move around the city, I think we all  
7 know we need to live in the city to be on  
8 this council, so I don't condone that, I  
9 don't think it's right, you might be  
10 actually scaring some people, you know, if  
11 someone comes up here and produces pictures

12 of their house or some of us have children  
13 or your child, so I don't condone that at  
14 all and I would hope that we don't see that  
15 happening. That bothers me.

16 And here's the thing I hope I don't  
17 go into another discuss, it was  
18 understanding that when we adopted the Rules  
19 of Council this time around, you know, there  
20 was a little to-do about it and I was one of  
21 the ones that made the to-do about it, that  
22 we would respond to council speakers, if the  
23 council speakers wanted an answer and it  
24 would remain in their time frame, and I  
25 think we pretty much held to that, but I

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1 think there is extenuating circumstances  
2 also. You know, if somebody who would  
3 appear here, like the mayor, who never comes  
4 here and he wanted to speak a little extra I  
5 think maybe that would be at the discretion  
6 of the president of the council and we could  
7 do that.

8 And I tried to adhere to this as  
9 much as possible, evidently my question to  
10 Mr. Murphy last night broke those rules --  
11 or last week I should say broke those rules,

12 but I think that was the understanding that  
13 we would -- if the speaker wanted us to  
14 respond during their time we would respond,  
15 if they did not want us to respond during  
16 their time we would respond in motions and  
17 it was agreed upon I believe by all of us, I  
18 can't remember that far back, but I believe  
19 by all of us, so I think maybe if we kind of  
20 keep to that maybe we won't have what we had  
21 today, and if I'm incorrect in my assessment  
22 of that please let me know, but I believe  
23 that's what it was, was that not? Do you  
24 agree with that, everybody, is that what we  
25 said? All right. And that's about it.

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1 Thank you.

2 MS. EVANS: Wait, Mr. Courtright, can  
3 I ask you to help me with this issue, it  
4 involves speeding in the 500 block of West  
5 Market Street, I will give this to you.

6 MR. COURTRIGHT: I received that.

7 MS. EVANS: Okay, and I know I talked  
8 about his a year ago and I travel that route  
9 frequently when I'm going to Keyser Oak  
10 Plaza or up to the Viewmont Mall and I do  
11 see the speeding and, nevertheless, nothing  
12 was really ever, ever done about that so I

13 was hoping --

14 MR. COURTRIGHT: I have got an  
15 answer for you, I know what it is, what  
16 happened in the very original time they  
17 can't ticket somebody unless there is a  
18 speed limit posted every so many feet, so  
19 they went up there and they put the speed  
20 limit signs there. When they were available  
21 to go out and do traffic, they went out and  
22 did traffic, actually, we might not have a  
23 traffic division soon. With the judge  
24 allowing these people to do as they please  
25 they could very well do away with the

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1 traffic division. I'm not saying that they  
2 won't do any traffic, we are going to have  
3 to regular patrolman doing traffic, but  
4 right now we have a traffic division and in  
5 the dayshift they call them unit cars, there  
6 are two-unit cars and there is a unit one  
7 and a unit two and that's the dayshift.

8 Now, the second shift there is unit  
9 cars. On third shift they mostly do that,  
10 so when they were available they went to do  
11 it. I guess not enough to the people's  
12 liking, but I don't think we are going to be

13           able to solve the problem for sure now  
14           because we have less guys, so I don't know  
15           how we are going to make that gentleman or  
16           anybody for that matter, not just that  
17           individual, happy if we have less officers,  
18           so I will ask again but I know what the  
19           answer is going to be when we individuals  
20           available we will send them there.

21                       MS. EVANS: Okay. I thank you for  
22           that.

23                       MR. COURTRIGHT: I'll ask again.

24                       MS. EVANS: And just one other thing  
25           that I forgot on the citizens' requests, I

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1           made this request last week concerning  
2           Ridgeview Drive and I understand that  
3           nothing has been done, I asked that the city  
4           engineer would go out there with Mr. Brazil  
5           and so I'm going to repeat that request  
6           today and I'm hoping by next Tuesday's  
7           meeting I am going to hear from the people  
8           who live on that street and they will be  
9           telling me that that's gentlemen have been  
10          out there to examine the problem and  
11          hopefully offer a situation because, you  
12          know, the longer this goes on the greater  
13          the problem grows, so --

14 MR. COURTRIGHT: Well, I spoke to  
15 him, the gentleman that you are talking  
16 about last night, and I told him I would go  
17 up there and take a look at it and he  
18 explained the problem to me, so hopefully  
19 they will go out there. I will take a look  
20 at it myself because it's only up the street  
21 from where I live.

22 MS. EVANS: I have seen it, too, and  
23 I do understand what he is talking about and  
24 because of the latest rain storm that we  
25 have had, again, he has had all of that dirt

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1 and debris accumulate in front of his  
2 property because that's the drop off point  
3 there.

4 MR. COURTRIGHT: He and I have the  
5 same situation, I have a low spot on the  
6 street, too, I have a pool in front of my  
7 house 365 days a year, but I don't dare ask  
8 the city to fix it I'll get accused of  
9 getting a special favor or something, so  
10 I'll wait until I'm off council.

11 MR. MCGOFF: I wasn't going to  
12 address this, but since it was brought up,  
13 and I'm sorry Mr. Gervasi left I was going

14 to tell him that it might be the first time  
15 that I have agreed had with him in quite  
16 awhile, the Rules of Council are things that  
17 we have adopted, and as Mr. Courtright said,  
18 we did come to an agreement at the beginning  
19 of this term for certain rules. I guess  
20 what I've tried to do is see them not so  
21 much as hard fast rules, but more as  
22 guidelines and when time limits were  
23 exceeded or there were occasions where there  
24 was productive discussion taking place I  
25 have maybe ignored the time limits.

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1 Also, I know I have been criticized  
2 for allowing certain speakers to continue  
3 beyond. I think that when there are  
4 extraordinary circumstances such as, you  
5 know, former council members or members of  
6 the county government, etcetera, that come  
7 to speak before council that maybe there is  
8 some discretion that's allowed and I'm  
9 willing to take the criticism for that  
10 because I think at times that it's  
11 productive and I think I have at least  
12 attempted to follow the Rules and use  
13 discretion when there was productive  
14 discussion. When it seems as though there

15 were controversy or argument attempted to  
16 curtail that.

17 If I have offended someone by doing  
18 that, I don't want to say that I'm  
19 apologizing for it, but I think that that's  
20 what the discretion of the president of the  
21 council is -- that's why it's provided for  
22 some discretion so that that can take place.

23 If we decide that we want to go by the  
24 strict interpretation of the Rules,  
25 certainly we can do that as well, but I

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1 thought that for the most part what was  
2 happening in council as far as discussions  
3 is concerned seem to be proceeding well even  
4 though there were some discrepancies in the  
5 Rules, but we can discuss that before the  
6 next meeting.

7 Also, in response to Mr. Quinn and  
8 the Nay Aug Park situation, I don't see the  
9 fees and things at Nay Aug as being racially  
10 motivated and what he speaks about is, you  
11 know, racial injustice or whatever term he  
12 used, my experience in going to Nay Aug is  
13 has been just the opposite, that the times  
14 that I have been there I have found that



15                   there -- the pool seems to be, at least my  
16                   perception of it is, that there seems to be  
17                   a rather diverse group of people utilizing  
18                   the pool and the park and maybe it's just a  
19                   difference in perception between Mr. Quinn  
20                   and I, but I just haven't experienced what  
21                   he spoke of.

22                   And, lastly, and again not to start  
23                   an argument, I hope that I have never  
24                   scorned or mocked any members of council. I  
25                   don't think that's something that we should

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1                   do to anyone and for that if I did or that  
2                   perception was received by members of  
3                   council I would certainly apologize for  
4                   that. Disagree with people, yes. I would  
5                   hope that I have never scorned one of my  
6                   colleagues or mocked one of my colleagues in  
7                   the past, and that's is all.

8                   MS. EVANS: Mr. McGoff, I just wanted  
9                   to say that I personally feel that you have  
10                  been performing your duties and  
11                  responsibilities as council president quite  
12                  well and I wanted to add to that in addition  
13                  the residents of the city with whom I speak  
14                  as I am out and about are generally very  
15                  complimentary about your service thus far,

16 so I have no -- I have no grievance with  
17 what has transpired these seven months. I  
18 think, yes, there are Rules, but you have  
19 guided and at times appropriately made  
20 exceptions and I do agree with that.

21 And I also thank you for your ending  
22 comments and I should say I did not feel  
23 those sentiments coming from you, but I know  
24 I was accused of alleging criminal  
25 activities in the tax office at the time,

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1 that I had no substantiation which basically  
2 was simply taking a look through the budgets  
3 through the years, going back through the  
4 years and comparing the figures between the  
5 past and the present and also receiving  
6 recommendations from the employees of the  
7 tax office in writing who admitted these  
8 taxes were not being collected and that was  
9 why I wanted them to come in and state that  
10 again for the record, but Mr. McDowell  
11 stepped in and wouldn't allow that to  
12 happen. So, anyway, that's all I had to say  
13 and, again, Mr. McGoff, I think you do a  
14 fine job.

15 MR. MCGOFF: Thank you. And 5-B.

16 Mrs. Garvey.

17 MS. GARVEY: 5-B. FOR INTRODUCTION -  
18 AN ORDINANCE - AMENDING FILE OF COUNCIL 131  
19 OF 2007 ENTITLED "SALE OF TAX DELINQUENT  
20 PROPERTY AT GRAND AVENUE/BATLUCK STREET,  
21 ASLO DESCRIBED AS LOT NO. 134, SCRANTON,  
22 PENNSYLVANIA, TO KEVIN AND FRANCINE  
23 FITZGERALD, 309 BATLUCK STREET, SCRANTON,  
24 PENNSYLVANIA, 18505, FOR THE SUM OF  
25 \$1,357.00" TO CORRECTLY IDENTIFY PROPERTY

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1 INFORMATION AS LOT NO. 152, MAP NO.  
2 15719-030-047.

3 MR. MCGOFF: At this time I'll  
4 entertain a motion that Item 5-B be  
5 introduced into it's proper committee.

6 MR. COURTRIGHT: So moved.

7 MS. FANUCCI: Second.

8 MR. MCGOFF: On the question? All  
9 those in favor signify by saying aye.

10 MS. EVANS: Aye.

11 MS. FANUCCI: Aye.

12 MS. GATELLI: Aye.

13 MR. COURTRIGHT: Aye.

14 MR. MCGOFF: Aye. Opposed? The  
15 ayes have it and so moved.

16 MS. GARVEY: 5-C. FOR INTRODUCTION -

17 A RESOLUTION - AUTHORIZING THE MAYOR AND  
18 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE  
19 AND ENTER INTO A CONTRACT WITH KNOWLES  
20 ASSOCIATES, L.L.C., FOR INSURANCE WITH  
21 HOUSING AND REDEVELOPMENT INSURANCE  
22 EXCHANGE, (HARIE), INDIAN HARBOR,  
23 PHILADELPHIA INDEMNITY INSURANCE COMPANY AND  
24 ARCH INSURANCE COMPANY FOR CITY INSURANCE  
25 COVERAGES FOR THE PERIOD JANUARY 1, 2008,

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1 THROUGH JANUARY 1, 2009, AND TO RATIFY ANY  
2 AND ALL ACTIONS AND SERVICES PERFORMED SINCE  
3 THE EXPIRATION OF THE PRIOR INSURANCE  
4 CONTRACT.

5 MR. MCGOFF: At this time I'll  
6 entertain a motion that Item 5-C be  
7 introduced into it's proper committee.

8 MR. COURTRIGHT: So moved.

9 MS. FANUCCI: Second.

10 MR. MCGOFF: On the question. All  
11 those in favor signify by saying aye?

12 MS. EVANS: Aye.

13 MS. FANUCCI: Aye.

14 MS. GATELLI: Aye.

15 MR. COURTRIGHT: Aye.

16 MR. MCGOFF: Aye. Opposed? The

17 ayes have it and so moved.

18 MS. GARVEY: 5-D. FOR INTRODUCTION -  
19 A RESOLUTION - AUTHORIZING THE MAYOR AND  
20 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE  
21 AND ENTER INTO A CONTRACT WITH KNOWLES  
22 ASSOCIATES, L.L.C. FOR INSURANCE WITH  
23 NAUTILUS INSURANCE COMPANY FOR CITY  
24 INSURANCE COVERAGE FOR THE PERIOD JUNE 12,  
25 2008 THROUGH JUNE 12, 2009.

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1 MR. MCGOFF: At this time I'll  
2 entertain a motion that Item 5-D be  
3 introduced into it's proper committee.

4 MR. COURTRIGHT: So moved.

5 MS. FANUCCI: Second.

6 MR. MCGOFF: On the question? All  
7 those in favor signify by saying aye.

8 MS. EVANS: Aye.

9 MS. FANUCCI: Aye.

10 MS. GATELLI: Aye.

11 MR. COURTRIGHT: Aye.

12 MR. MCGOFF: Aye. Opposed? The  
13 ayes have it and so moved.

14 MS. GARVEY: 5-E. FOR INTRODUCTION -  
15 A RESOLUTION - AUTHORIZING THE MAYOR AND  
16 OTHER APPROPRIATE CITY OFFICIALS FOR THE  
17 CITY OF SCRANTON TO ENTER INTO A LOAN

18 AGREEMENT AND MAKE A LOAN FROM THE ECONOMIC  
19 DEVELOPMENT ADMINISTRATION LOAN PROGRAM,  
20 PROJECT NO. 008.500.3 IN AN AMOUNT NOT TO  
21 EXCEED \$120,000.00 TO FRATELLI'S PIZZA &  
22 PASTA HOUSE, INC. TO ASSIST AN ELIGIBLE  
23 PROJECT.

24 MR. MCGOFF: At this time I'll  
25 entertain a motion that 5-E be introduced

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1 into it's proper committee.

2 MR. COURTRIGHT: So moved.

3 MS. FANUCCI: Second.

4 MR. MCGOFF: On the question? All  
5 those in favor signify by saying aye.

6 MS. EVANS: Aye.

7 MS. FANUCCI: Aye.

8 MS. GATELLI: Aye.

9 MR. COURTRIGHT: Aye.

10 MR. MCGOFF: Aye. Opposed? The  
11 ayes have it and so moved.

12 MS. GARVEY: 5-F. FOR INTRODUCTION -  
13 A RESOLUTION - AUTHORIZING THE MAYOR AND  
14 OTHER APPROPRIATE CITY OFFICIALS FOR THE  
15 CITY OF SCRANTON TO ENTER INTO A LOAN  
16 AGREEMENT AND MAKE A LOAN FROM THE COMMUNITY  
17 DEVELOPMENT BLOCK GRANT PROGRAM, PROJECT NO.

18 08-150.18 IN AN AMOUNT NOT TO EXCEED  
19 \$35,000.00.

20 MR. MCGOFF: At this time I'll  
21 entertain a motion that Item 5-F be  
22 introduced into it's proper committee.

23 MR. COURTRIGHT: So moved.

24 MS. FANUCCI: Second.

25 MR. MCGOFF: On the question? All

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1 those in favor signify by saying aye.

2 MS. EVANS: Aye.

3 MS. FANUCCI: Aye.

4 MS. GATELLI: Aye.

5 MR. COURTRIGHT: Aye.

6 MR. MCGOFF: Aye. Opposed? The  
7 ayes have it and so moved.

8 MS. GARVEY: 5-G. FOR INTRODUCTION -  
9 A RESOLUTION - AUTHORIZING THE MAYOR AND  
10 OTHER APPROPRIATE CITY OFFICIALS FOR THE  
11 CITY OF SCRANTON TO ENTER INTO A LOAN  
12 AGREEMENT AND MAKE A LOAN FROM THE  
13 COMMERCIAL INDUSTRIAL REVOLVING LOAN  
14 PROGRAM, PROJECT NO. 08-150.17 IN AN AMOUNT  
15 NOT TO EXCEED \$60,000.00 TO IT'S OUTRAGEOUS,  
16 LLC, TO ASSIST AN ELIGIBLE PROJECT.

17 MR. MCGOFF: At this time I'll  
18 entertain a motion that 5-G be introduced

19 into it's proper committee.

20 MR. COURTRIGHT: So moved.

21 MS. FANUCCI: Second.

22 MR. MCGOFF: On the question? All  
23 those in favor signify by saying aye.

24 MS. EVANS: Aye.

25 MS. FANUCCI: Aye.

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1 MS. GATELLI: Aye.

2 MR. COURTRIGHT: Aye.

3 MR. MCGOFF: Aye. Opposed? The  
4 ayes have it and so moved.

5 MS. GARVEY: 5-H. FOR INTRODUCTION -  
6 A RESOLUTION - AUTHORIZING THE ZONING  
7 HEARING BOARD OF THE CITY OF SCRANTON TO  
8 EXTEND THE CONTRACT FOR PROFESSIONAL  
9 SERVICES WITH DANIEL L. PENETAR, JR.,  
10 ESQUIRE TO ACT AS ITS SOLICITOR FOR A PERIOD  
11 OF TWO (2) YEARS FROM JULY 1, 2008 THROUGH  
12 JULY 1, 2010.

13 MR. MCGOFF: At this time I'll  
14 entertain a motion that 5-H be introduce  
15 into it's proper committee.

16 MR. COURTRIGHT: So moved.

17 MS. FANUCCI: Second.

18 MR. MCGOFF: On the question? All



19 those in favor signify by saying aye.

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MS. GATELLI: Aye.

23 MR. COURTRIGHT: Aye.

24 MR. MCGOFF: Aye. Opposed? The

25 ayes have it and so moved.

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1 MS. GARVEY: SIXTH ORDER. 6-A.

2 READING BY TITLE - FILE OF COUNCIL NO. 31,

3 2008 - AN ORDINANCE - AUTHORIZING THE MAYOR

4 AND OTHER APPROPRIATE OFFICIALS TO EXECUTE

5 AND ENTER INTO AN AGREEMENT BETWEEN THE CITY

6 OF SCRANTON AND LACKAWANNA HERITAGE VALLEY

7 AUTHORITY FOR A PRIVILEGE AND EASEMENT FOR

8 THE CONSTRUCTION AND DESIGN OF THE

9 LACKAWANNA RIVER HERITAGE TRAIL TO BE

10 LOCATED ON THE TRAIL AREA.

11 MR. MCGOFF: You have heard Reading  
12 by Title of Item 6-A, what is your pleasure.

13 MR. COURTRIGHT: I move that Item  
14 6-A pass reading by title.

15 MS. FANUCCI: Second.

16 MR. MCGOFF: On the question? All  
17 those in favor signify by saying aye.

18 MS. EVANS: Aye.

19 MS. FANUCCI: Aye.

20 MS. GATELLI: Aye.

21 MR. COURTRIGHT: Aye.

22 MR. MCGOFF: Aye. Opposed? The  
23 ayes have it and so moved.

24 MS. GARVEY: 6-B. READING BY TITLE -  
25 FILE OF COUNCIL NO. 32, 2008 - AN ORDINANCE

100

1 - CREATING AN OVERSIGHT COMMITTEE TO ACT IN  
2 AN ADVISORY CAPACITY ONLY TO OVERSEE THE  
3 MANAGEMENT OF PUBLIC ACCESS CHANNEL 61 AND  
4 62 BY ELECTRIC CITY TELEVISION ("ECTV")  
5 THROUGH THE COMCAST CABLE SYSTEM.

6 MR. MCGOFF: You have heard Reading  
7 by Title of Item 6-B, what is your pleasure?

8 MR. COURTRIGHT: I move that Item 6-B  
9 pass Reading by title.

10 MS. FANUCCI: Second.

11 MR. MCGOFF: On the question. All  
12 those in favor signify by saying aye.

13 MS. EVANS: Aye.

14 MS. FANUCCI: Aye.

15 MS. GATELLI: Aye.

16 MR. COURTRIGHT: Aye.

17 MR. MCGOFF: Aye. Opposed? The  
18 ayes have it and so moved.

19 MS. GARVEY: 6-C. READING BY TITLE -

20 FILE OF COUNCIL NO. 323, 2008 - AN ORDINANCE  
21 - AMENDING FILE OF COUNCIL NO. 140, 2007, AN  
22 ORDINANCE "ENTITLED GENERAL CITY OPERATING  
23 BUDGET 2008" BY TRANSFERRING \$50,000.00 FROM  
24 ACCOUNT NO. 01.080.0001.4010 (STANDARD  
25 SALARY-DEPARTMENT OF PUBLIC WORKS-BUREAU OF

101

1 ENGINEERING) TO ACCOUNT NO.  
2 01.080.00081.4201 (PROFESSIONAL  
3 SERVICES-DEPARTMENT OF PUBLIC WORKS-BUREAU  
4 OF ENGINEERING) TO PROVIDE FUNDING TO COVER  
5 CITY ENGINEERING PROFESSIONAL SERVICES  
6 PAYMENTS TO PENNONI ASSOCIATES.

7 MR. MCGOFF: You have heard Reading  
8 by Title of Item 6-C, what is your pleasure?

9 MR. COURTRIGHT: I move that Item  
10 6-C pass Reading by Title.

11 MS. FANUCCI: Second.

12 MR. MCGOFF: On the question? All  
13 those in favor signify by saying aye.

14 MS. EVANS: Aye.

15 MS. FANUCCI: Aye.

16 MS. GATELLI: Aye.

17 MR. COURTRIGHT: Aye.

18 MR. MCGOFF: Aye. Opposed? The  
19 ayes have it and so moved.

20 MS. GARVEY: SEVENTH ORDER. 7-A. FOR

21 CONSIDERATION BY THE COMMITTEE ON RULES -  
22 FOR ADOPTION - FILE OF COUNCIL NO. 26, 2008  
23 - AN ORDINANCE OF THE CITY OF SCRANTON  
24 PROVIDING FOR AN AGREEMENT OF  
25 INTERGOVERNMENTAL COOPERATION FOR THE

102

1 PURPOSE OF MULTI-MUNICIPAL COMPREHENSIVE  
2 PLANNING BY THE CITY OF SCRANTON AND THE  
3 ADJACENT MUNICIPALITIES OF: ABINGTON  
4 TOWNSHIP, CLARKS GREEN BOROUGH, CLARKS  
5 SUMMIT BOROUGH, DALTON BOROUGH, DUNMORE  
6 BOROUGH, GLENBURN TOWNSHIP, NEWTON TOWNSHIP,  
7 NORTH ABINGTON TOWNSHIP, SOUTH ABINGTON  
8 TOWNSHIP AND WEST ABINGTON TOWNSHIP.

9 MR. MCGOFF: As Chairperson for the  
10 Committee on Rules, I recommend final  
11 passage of Item 7-A.

12 MR. COURTRIGHT: Second.

13 MR. MCGOFF: On the question? Rolls  
14 call, please.

15 MR. COOLICAN: Mrs. Evans.

16 MS. EVANS: Yes.

17 MR. COOLICAN: Mrs. Gatelli.

18 MS. GATELLI: Yes.

19 MR. COOLICAN: Ms. Fanucci.

20 MS. FANUCCI: Yes.

21 MR. COOLICAN: Mr. Courtright.

22 MR. COURTRIGHT: Yes.

23 MR. COOLICAN: Mr. McGoff.

24 MR. MCGOFF: Yes. I hereby declare

25 Item 7-A legally and lawfully adopted.

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1 MS. GARVEY: 7-B. FOR CONSIDERATION  
2 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -  
3 FOR ADOPTION - FILE OF COUNCIL NO. 28, 2008  
4 - AMENDING FILE OF COUNCIL NO. 123 OF 2007,  
5 ENTITLED, "AN ORDINANCE AUTHORIZING THE  
6 MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE  
7 CITY OF SCRANTON TO TAKE ALL NECESSARY  
8 ACTIONS TO IMPLEMENT THE CONSOLIDATED  
9 SUBMISSION FOR COMMUNITY PLANNING AND  
10 DEVELOPMENT PROGRAMS (AS AMENDED) TO BE  
11 FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK  
12 GRANT (CDBG) PROGRAM, HOME INVESTMENT  
13 PARTNERSHIP (HOME) PROGRAM AND EMERGENCY  
14 SHELTER GRANT (ESG) PROGRAM", BY  
15 TRANSFERRING \$90,000.00 FROM PROJECT 02-234  
16 INVESTMENT IN GROW SCRANTON FUND TO PROJECT  
17 NO. 08-248 ELECTRIC CITY TELEVISION.

18 MR. MCGOFF: What is the  
19 recommendation of the Chairperson for the  
20 Committee on Community Development?

21 MS. FANUCCI: As Chairperson for the

22 Committee on Community Development, I  
23 recommend final passage of Item 7-B.

24 MR. MCGOFF: Second. On the  
25 question?

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1 MS. EVANS: Yes. I was looking  
2 through information that was given to all of  
3 council by I believe Lori Reed of the OECD  
4 Office, and I noticed a few provisions that  
5 I think are pertinent to these financial  
6 transactions, one stating that the economic  
7 development specialists will review all  
8 funding sources, etcetera, to ensure that  
9 proceeds from the loan will not be used to  
10 pay existing debt or satisfy terms of a  
11 bridge loan. So, I think that certainly  
12 that's -- or should be a very good guarantee  
13 that none of the \$90,000 can be used to pay  
14 for any of the expenses already incurred at  
15 ECTV.

16 Also, the deputy director will  
17 evaluate the management resumes of each  
18 principal borrower and review their personal  
19 financial statements to determine the  
20 ability of the applicant to manage the  
21 business and assess the risk associated with

22 each. I would assume that the deputy  
23 director has done her due diligence there,  
24 but certainly questions arose regarding  
25 personal financial statements of those who

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1 are considered management of that  
2 organization.

3 And then finally, under covenants  
4 and conditions, Section F, tax status, the  
5 borrower has filed and shall as required  
6 file in a timely manner all federal, state,  
7 and local tax returns and has paid or shall  
8 pay all taxes shown to be due thereon. That  
9 again raises another problem with the  
10 principals involved with this loan, the  
11 individuals who would be signing on the  
12 dotted lines, so I can see that OECD has  
13 certainly very stringent requirements for  
14 the awarding of loans and grants, etcetera,  
15 I just don't know that they are being  
16 followed, so I will be voting, no.

17 MS. FANUCCI: They have to be  
18 followed to be able to get the money from  
19 the state. It's actually not OECD's  
20 stringent laws, it's the state laws, so they  
21 have to be followed for them to release the  
22 funds, so that might give you a little

23 background, you know, they can't just make  
24 them up, it's the state's laws.

25 MS. EVANS: Well, I think it's

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1 excellent because it provides such security  
2 for them to say, you know, of course, what I  
3 said applies to, for example, all of the  
4 loans that we are approving today. So, of  
5 course, such checks and balances have to be  
6 in place, but I do have a problem in that  
7 Mr. Darcy, who is one of the principals in  
8 ECTV according to speakers at city council  
9 and to public records obviously does have  
10 tax problems, so it opens the door to, you  
11 know, how forcefully these provisions are  
12 applied or if they can be overlooked in some  
13 instances.

14 MS. FANUCCI: They cannot be  
15 overlooked, the only reason that the  
16 provisions were taken into consideration is  
17 because that has been rectified and there  
18 has been a plan made between Mr. Darcy and  
19 his tax status, so he has been making  
20 payments on that and he has been in an  
21 agreement with the federal tax, so that's  
22 why.



23                   Also, this is also filed under  
24                   corporation which means, you know, just  
25                   because I work for a corporation it

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1                   certainly doesn't take my tax status into  
2                   it, but because of the fact that he has been  
3                   on a plan with them and has been for quite  
4                   awhile now, not just in light of this  
5                   project that is probably why it was all  
6                   approved.

7                   MR. MCGOFF: Roll call, please?

8                   MR. COOLICAN: Mrs. Evans.

9                   MS. EVANS: No.

10                  MR. COOLICAN: Mrs. Gatelli.

11                  MS. GATELLI. Yes.

12                  MR. COOLICAN: Ms. Fanucci.

13                  MS. FANUCCI: Yes.

14                  MR. COOLICAN: Mr. Courtright.

15                  MR. COURTRIGHT: No.

16                  MR. COOLICAN: Mr. McGoff.

17                  MR. MCGOFF: Yes. I hereby declare  
18                  Item 7-B legally and lawfully adopted.

19                  MS. GARVEY: 7-C. FOR CONSIDERATION  
20                  BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -  
21                  FOR ADOPTION - FILE OF COUNCIL NO. 30, 2008  
22                  - AUTHORIZING AN EASEMENT ON CITY-OWNED LAND  
23                  TO THE SCRANTON SCHOOL DISTRICT FOR THE

24 CONSTRUCTION OF THE NEW WEST ELEMENTARY  
25 SCHOOL.

108

1 MR. MCGOFF: What is the  
2 recommendation of the Chairperson for the  
3 Committee on Community development?

4 MS. FANUCCI: As chairperson for the  
5 Committee on Community Development I  
6 recommend final passage of Item 7-C.

7 MR. COURTRIGHT: Second.

8 MR. MCGOFF: On the question? Roll  
9 call.

10 MR. COOLICAN: Mrs. Evans.

11 MS. EVANS: Yes.

12 MR. COOLICAN: Mrs. Gatelli.

13 MS. GATELLI. Yes.

14 MR. COOLICAN: Ms. Fanucci.

15 MS. FANUCCI: Yes.

16 MR. COOLICAN: Mr. Courtright.

17 MR. COURTRIGHT: Yes.

18 MR. COOLICAN: Mr. McGoff.

19 MR. MCGOFF: Yes. I hereby declare  
20 Item 7-C legally and lawfully adopted.

21 MS. GARVEY: 7-D. FOR CONSIDERATION  
22 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -  
23 FOR ADOPTION - RESOLUTION NO. 42, 2008 -

24 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
25 CITY OFFICIALS TO GRANT A SPECIAL

109

1 ENCROACHMENT PERMIT TO FARLEY'S EATERY AND  
2 PUB, TO OPERATE AND OUTDOOR RESTAURANT AT  
3 300-302 ADAMS AVENUE, SCRANTON,  
4 PENNSYLVANIA.

5 MR. MCGOFF: What is the  
6 recommendation of the Chairperson for the  
7 Committee on Community Development?

8 MS. FANUCCI: As Chairperson for the  
9 Committee on Community Development, I  
10 recommend final passage of Item 7-D.

11 MR. COURTRIGHT: Second.

12 MR. MCGOFF: On the question.

13 MS. GATELLI: Yeah, I just have a  
14 question, that maybe we can find out,  
15 Mrs. Garvey, from the License and Permits  
16 Department, I know that a lot of restaurants  
17 are putting tables outside and I do think  
18 it's very nice and appealing and comfortable  
19 in the warmer months, although, I'm a little  
20 concerned when there is tables outside about  
21 traffic and about having an accident and  
22 people being injured when they are sitting  
23 out on a sidewalk. I know that there are  
24 some places that have bollards, concrete

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bollards near the curb stone to prevent an

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accident from happening, so I would just

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like to know from Mr. Seitzinger if we do

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have an ordinance for that when they have

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outside eating, are there measures taken to

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prevent an accident from happening because

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they are all near vehicular traffic and it

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is to be a concern, but other than that I

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think it's a great idea.

9

MR. MCGOFF: Roll call, please?

10

MR. COOLICAN: Mrs. Evans.

11

MS. EVANS: Yes.

12

MR. COOLICAN: Mrs. Gatelli.

13

MS. GATELLI: Yes.

14

MR. COOLICAN: Ms. Fanucci.

15

MS. FANUCCI: Yes.

16

MR. COOLICAN: Mr. Courtright.

17

MR. COURTRIGHT: Yes.

18

MR. COOLICAN: Mr. McGoff.

19

MR. MCGOFF: Yes. I hereby declare

20

Item 7-D legally and lawfully adopted.

21

MS. GARVEY: 7-E. FOR CONSIDERATION

22

BY THE COMMITTEE ON RULES - FOR ADOPTION -

23

RESOLUTION NO. 43, 2008 - APPOINTMENT OF

24

RYAN MCGOWAN, 735 NORTH BROMLEY AVENUE,

1 POSITION OF CITY TREASURER EFFECTIVE JUNE  
2 30, 2008. MR. MCGOWAN WILL BE REPLACING  
3 DOUG HEIN WHO RESIGNED.

4 MR. MCGOFF: As Chairperson for the  
5 Committee on Rules, I recommend final  
6 passage of Item 7-E.

7 MR. COURTRIGHT: Second.

8 MR. MCGOFF: On the question? Roll  
9 call, please?

10 MR. COOLICAN: Mrs. Evans.

11 MS. EVANS: Yes.

12 MR. COOLICAN: Mrs. Gatelli.

13 MS. GATELLI: Yes.

14 MR. COOLICAN: Ms. Fanucci.

15 MS. FANUCCI: Yes.

16 MR. COOLICAN: Mr. Courtright.

17 MR. COURTRIGHT: Yes.

18 MR. COOLICAN: Mr. McGoff.

19 MR. MCGOFF: Yes. I hereby declare  
20 Item 7-E legally and lawfully adopted.  
21 Thank you for your participation. A motion  
22 to adjourn.

23 MR. COURTRIGHT: So moved.

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

CATHENE S. NARDOZZI, RPR  
OFFICIAL COURT REPORTER