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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, July 29, 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
(Not Present)

MS. JANET E. EVANS

MS. SHERRY FANUCCI
(Not Present)

MR. WILLIAM COURTRIGHT

MS. KAY GARVEY, CITY CLERK

MR. NEIL COOLICAN, ASSISTANT CITY CLERK

MR. AMIL MINORA, SOLICITOR

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

3 MR. MCGOFF: Roll call.

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Here.

6 MR. COOLICAN: Mrs. Gatelli.

7 MS. GATELLI. (Not present.)

8 MR. COOLICAN: Ms. Fanucci.

9 MS. FANUCCI: (Not present.)

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. For the record,
15 Mrs. Gatelli informed us that she will not
16 be attending today's meeting and also
17 Mrs. Fanucci will not be in attendance. She
18 was here, but her daughter -- there was a
19 family emergency and she will not be here
20 either.

21 As a result of that I would like to
22 make a motion at this time to appoint Mrs.
23 Evans as temporary chair for finance.

24 MR. COURTRIGHT: Second.

25 MR. MCGOFF: On the question? All

1 in favor?

2 MS. EVANS: Aye.

3 MR. COURTRIGHT: Aye.

4 MR. MCGOFF: Aye. Opposed? The ayes
5 have it. Also I would like to make a motion
6 to temporary appointment for community
7 development, Mr. Courtright, as temporary
8 chair for community development.

9 MS. EVANS: Second.

10 MR. MCGOFF: On the question? All
11 in favor?

12 MS. EVANS: Aye.

13 MR. COURTRIGHT: Aye.

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

16 MS. GARVEY: THIRD ORDER. 3-A.
17 MINUTES OF THE NON-UNIFORM MUNICIPAL PENSION
18 BOARD MEETING HELD ON JUNE 25, 2008.

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

21 MS. GARVEY: 3-B. AGENDA FOR THE
22 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING
23 TO BE HELD ON JULY 23, 2008.

24 MR. MCGOFF: Are there any comments?
25 If not, received and filed.

1 MS. GARVEY: 3-C. MINUTES OF THE
2 SCRANTON-LACKAWANNA HEALTH & WELFARE
3 AUTHORITY BOARD MEETING HELD ON JUNE 19,
4 2008.

5 MR. MCGOFF: Are there any comments?
6 If not, received and filed.

7 MS. GARVEY: 3-D. MINUTES OF THE
8 POLICE PENSION COMMISSION MEETING HELD ON
9 MAY 28, 2008.

10 MR. MCGOFF: Are there any comments?
11 If not, received and filed.

12 MS. GARVEY: 3-E. MINUTES OF THE
13 POLICE PENSION COMMISSION MEETING HELD ON
14 JUNE 25, 2008.

15 MR. MCGOFF: Are there any comments?
16 If not, received and filed.

17 MS. GARVEY: 3-F. MINUTES OF THE
18 COMPOSITE PENSION BOARD MEETING HELD ON JUNE
19 25, 2008.

20 MR. MCGOFF: Are there any comments?
21 If not, received and filed.

22 MS. GARVEY: That's it for third
23 order.

24 MR. MCGOFF: Thank you. Any
25 announcements?

1 MS. EVANS: Yes. The Scranton Police
2 Department is sponsoring it's Sixth Annual
3 National Night out On August 5, 2008, at the
4 Tripp Park Complex on Dorothy Street from 6
5 to 10 p.m. National Night Out is a crime
6 prevention event which promotes police
7 partnerships. I hope to see many of you
8 there, however, if you are unable to attend
9 you are asked to lock your doors, turn on
10 outside lights and spend the evening outside
11 with neighbors and police in recognition of
12 this nationwide event.

13 St. Lucy's annual church picnic will
14 be conducted on the church grounds in West
15 Scranton from August 4 through August 9.
16 This event offers great food, games and fun
17 for all ages.

18 Last evening I attended a meeting of
19 Minooka residents regarding improvements to
20 the William Barrett park and playground.
21 The meeting was organized by school director
22 Chris Phillips, and was also attended by the
23 mayor. Residents presented us with a list
24 of improvements they would like to see
25 occur. Although \$100,000 was allocated in

1 2002 for this project, the money was spent

2 elsewhere.

3 As a result, the mayor will put
4 \$100,000 of new money into the budget for
5 this worthy and long overdue project. In
6 three week's time the basketball court will
7 be removed, more trees will be trimmed and
8 temporary lighting will be installed.
9 Scranton police will also be assigned to
10 patrol the area when the court is removed,
11 that is according to the mayor.

12 In addition, graffiti removal
13 equipment was purchased by the city and is
14 available for use throughout our city parks.
15 The Barrett Park project is tentatively due
16 to begin construction in the Spring of 2009,
17 and that's all I have.

18 MR. MCGOFF: Thank you.
19 Mr. Courtright? Citizens' participation.
20 Andy Sbaraglia.

21 MR. SBARAGLIA: Andy Sbaraglia,
22 citizen of Scranton. Fellow Scrantonians,
23 as you know I like to comment on actually
24 the agenda and today I will do the same. I
25 want to comment on 3-C on the agenda,

2 Health and Welfare Authority board meeting
3 held on June 19, 2008, and here it says:
4 "Lackawanna County College update: Attorney
5 Durkin advised that the board at the
6 5:00 p.m. meeting TEFRA meeting convened and
7 will run concurrent with the regular
8 meeting. This project is moving along
9 nicely. This project as a resolution for
10 the county has been approved and returned.
11 The resolution for the city has been
12 introduced at the city council meeting on
13 June 17 and will be approved hopefully at
14 the next meeting on June 24. The signing
15 copy should be available by the end of June.
16 Mr. Durkin asked if everything was included
17 this and Mr. Judge indicated, yes, and hoped
18 to close on or before August 1, 2008."

19 This meeting was held, and as you
20 know in your original legislation it called
21 for a public hearing. Apparently the public
22 hearing was held on June 19 long before you
23 even approved it or before anybody in the
24 city could go out and get any information on
25 this project. If you remember the original

1 legislation, they wanted to borrow money for
2 everything but painting the green line down

3 the street. I just wondered if money was
4 even being borrowed to buy Midtown
5 apartments. All these should have been held
6 at a public meeting. Apparently, they
7 didn't want a public meeting, they held the
8 public meeting long before the people of
9 Scranton were even informed of what was
10 going on.

11 What's wrong with this system? Why
12 do you put the cart before the horse? It
13 doesn't make sense, it never made sense and
14 it will never make sense. All it does is
15 create a cloud, and that's all we have in
16 this city, clouds over everything. We had a
17 cloud over the tax office, we got clouds
18 over the administration, we got clouds over
19 the police department, fire department,
20 every department within the city there is a
21 cloud over it. What's wrong with the system
22 where you don't inform the public in a
23 timely manner so they could put input into a
24 project?

25 Some people can care less. I guess

10

1 most of the people can care less and most of
2 the legislation that's passed you could care

3 less. You don't look at anything beyond
4 what's in front of your noses.

5 I attended a meeting where they said
6 maybe 30 firemen would be laid off, that's
7 saving about two million or something like
8 that, how true it is, I don't know, but I do
9 know one thing, you have to look a lot
10 further than the \$2 million if that would be
11 a saving. For one thing you have to look at
12 our fire insurance is going to go up. Less
13 firemen maybe we fall into a different
14 bracket and our insurance can go up, and I
15 was told many, many times when you give
16 money, allocate money to all of these
17 projects you tell me that, well, \$1 in
18 public funds usually generates \$3 in input
19 on the trickling effect. What would happen
20 if you take \$2 million out of the local
21 economy, what would that do? Are we going
22 to have more homes for sale? Are we going
23 to have more people that are put out in the
24 streets? How are we going to make up that
25 \$2 million because they pay taxes, so when

11

1 you start deducting what's going on with the
2 taxes and so forth and so on money generated
3 for homes that they may be forced out,

4 increased fire insurance and what have you
5 plus a trickle down effect, is it a good
6 idea to lay off 37 firemen or 30 firemen or
7 whatever thinking that you are going to get
8 a \$2 million cost instead you only may get
9 \$100,000 cost savings?

10 This administration doesn't look at
11 anything, anything you ever see coming for
12 them you know they don't look at anything.
13 All you have to do is look at your nose and
14 look in the mirror and see yourself. It
15 just isn't there. You got to look further
16 out on whatever you do and whatever you vote
17 on. We heading into very trouble times.
18 People that can't make their payments on the
19 first of April if they are in delinquency
20 look at what's being imposed on them and
21 what can be imposed on them. I thank you.

22 MR. MCGOFF: Thank you,
23 Mr. Sbaraglia. Mr. Quinn.

24 MR. QUINN: Ozzie Quinn, Taxpayers'
25 Association. Yes, the first thing I would

12

1 like to address is the reports and
2 communications, you are receiving a report
3 from the Single Tax Office what's not being

4 done under the McDowell administration, have
5 you been receiving these reports? I never
6 see anything in this saying that you have
7 received reports which is one of the ways
8 that you are going to be the watchdog of
9 what's going on down there. Have you been
10 receiving these reports?

11 MR. MCGOFF: I'm sorry?

12 MS. EVANS: Yes.

13 MR. QUINN: You have, okay. Thank
14 you. The second thing I want to talk about
15 is the Recovery Plan and last week we had a
16 Lieutenant David Gervasi address our group
17 and he spoke about the Recovery Plan and
18 it's not a finished deal as it was reported,
19 and there is concern and one of my concerns
20 is the fact that if you do eliminate "X"
21 amount of firemen, 36 to 38 or whatever they
22 do, I'm concerned about one other thing is
23 the fact that there is a spin off effect
24 with the fire department with the department
25 boroughs such as Dunmore and I'm just

13

1 wondering if a fire was started in Dunmore
2 would we be able to help them in the future,
3 that's one of my concerns, and as Andy said,
4 I don't know if anybody has looked into that

5 because a lot of people don't look farther
6 than their nose.

7 Okay, and now we have like August
8 coming up, but I'm asking you people please
9 for the taxpayers to please contemplate on
10 the Doherty debt. Mrs. Evans, since you are
11 the finance chairperson temporary, I'm
12 very -- we are very concerned about the fact
13 that there is a \$5.5 million payoff debt in
14 December, we are going to borrow for that,
15 and we don't know how much more we are going
16 to have to borrow for the 2008 operating
17 budget to balance that and we are concerned
18 about the fact that cumulatively when we
19 look at thumb are talking \$11 million you
20 don't know how much you are going to get
21 from the Single Tax Office and you got to
22 look at -- when you look at the big picture,
23 again, you look at the school board they are
24 principal \$185 million in debt and they are
25 negotiating with two unions right now, so

14

1 and they passed a resolution that they could
2 increase our taxes in 2009 up to
3 6.4 percent. The county is \$207,000,000 in
4 debt principal, we are not looking at long-

5 term and the 2006 budget we still have the
6 2007 budget, do we, Mrs. Evans? Have we
7 received the 2007 budget yet?

8 MS. EVANS: You mean the audit?

9 MR. QUINN: The audit, sorry.

10 MS. EVANS: No, we haven't received
11 that as of yet.

12 MR. QUINN: And that was due in May.

13 MS. EVANS: Yes.

14 MR. QUINN: So, we don't know what
15 the debt of the city is.

16 MS. EVANS: Correct.

17 MR. QUINN: So we are talking maybe
18 a half a billion dollars in principal, you
19 know, and it scares me, it really scares me.
20 You know, especially with the fact that we
21 had, you know, again, I always say we have a
22 median income in this area, it's very low.
23 The unemployment if you saw this morning
24 it's 5.9 percent, the second lowest in the
25 state, the second highest in the state, and

15

1 you bring in the high cost of living right
2 now, utilities and whatnot, and we are going
3 to have a tough time when you are looking at
4 meeting bills in January and receiving that
5 tax bill you people who are looking at the

6 revenue side of bringing this money, whether
7 it's from the treasurer's department or
8 what, I just see that a lot of people are
9 going to hold back on paying their taxes and
10 it concerns me.

11 The last thing I want to talk about
12 is the fact that it appears that we have a
13 Home Rule Charter that was mandated by the
14 people, okay, and it's a law I understand,
15 right? We also have ordinances adopted yet
16 I have pointed out and continue to point out
17 that this administration is circumventing
18 many times the Home Rule Charter and the
19 ordinances.

20 I urge you to please anything that
21 comes before the city council in the future,
22 I don't know if you listen to me because not
23 many people do, to please look at these
24 resolutions or ordinances or anything that's
25 been expended that you may know of if it's

16

1 in violation of anything. We know, we saw a
2 case in point was the fact of the mayor
3 giving that \$10,000 to East Scranton
4 Business Association which in turn laundered
5 it over to ECTV and that was in violation of

6 the ordinance. There is no doubt about it,
7 you don't have to be a lawyer to know that.
8 Thank you very much.

9 MS. EVANS: Mr. Quinn?

10 MR. MCGOFF: Thank you.

11 MS. EVANS: I'm sorry, if I could
12 just clarify two things quickly, first of
13 all, council does receive the minutes of
14 meetings of commissions, boards, and
15 authorities, but generally that would occur
16 approximately a week before they would be
17 presented for our approval at city council,
18 so to the point that was made by
19 Mr. Sbaraglia we wouldn't have received the
20 minutes of that commission concerning a
21 public hearing until about a week ago. So,
22 again, that would have occurred without our
23 having known.

24 Secondly, I, too, am concerned about
25 the borrowing. The legislation was due to

17

1 come before council in June, but it has not
2 been presented and I'm beginning to wonder
3 if perhaps there might have been problems
4 obtaining bond insurance or there may have
5 been problems with the borrowing itself in
6 the sense that, you know, the city is

7 overextended and our bond rating has
8 plummeted, but also the bond market right
9 now is in serious trouble as well, so I
10 think when you combine those two entities
11 that might have explain why the legislation
12 has not yet been presented.

13 MR. QUINN: Okay, thank you, and to
14 follow up with that, I have never seen
15 anything yet in regards to the Single Tax
16 Office on any of these reports and that's
17 why I question that, okay?

18 MR. MCGOFF: Thank you.

19 MR. QUINN: And the other thing is
20 this here is the fact that she mentioned
21 about, and I mentioned previously and she
22 brought it up and I have to say, the fact
23 that that audit, I don't know how you can
24 borrow anymore money without that audit --

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

18

1 MR. QUINN: -- in your hands.

2 MR. MCGOFF: Thank you. Mr. Gilroy?

3 MR. GILROY: Before I start to speak
4 I have some pictures.

5 MR. MCGOFF: Could you please just
6 state your name for the record.

7 MR. GILROY: Rich Gilroy, Scranton
8 resident. I have some pictures before I
9 start to speak, would you care to look at
10 them?

11 MR. MCGOFF: Bring them up, please.
12 Thank you.

13 MR. GILROY: Can I start speaking
14 now? I'm here, I was here four times in
15 regard to those garbage dumpsters,
16 commercial, Village Park Apartments, there
17 is still no lids on them, there is still
18 birds flying and bird droppings all over the
19 place, cats, skunks and they smell. The
20 vendor never changes them and we have been
21 for a whole year. My mom has been trying to
22 get something done about that and there is
23 still nothing done about it. And I also I
24 want to know about the fireworks, I brought
25 the fireworks, them illegal fireworks with

19

1 me here last week, those rocket launchers
2 that were shot at my mom's siding, burnt the
3 fan, the exhaust fan on it and singed the
4 steps and I was almost hit in the face with
5 one of them. I mean, they are illegal. Why
6 are they -- if there is supposed to be
7 security at that Village Park Apartments,

8 which there isn't, those fireworks would
9 have never been shot off, but they were. It
10 was like a regular fireworks display at a
11 stadium what they did and they are still
12 shooting M-80's off, what is it, three weeks
13 past the Fourth of July, still M-80's
14 shooting them off and they are illegal, too.

15 And getting back to those dumpsters, is
16 there an ordinance about picking garbage up
17 like 4:00 in the morning? Sometimes that
18 driver picks the garbage up at 4:00 in the
19 morning, 4:00 or 4:30, and that shouldn't
20 be, wakes you right out of your sleep, and
21 if you look at those pictures those
22 dumpsters are not equipped to handle all of
23 that garbage. The garbage is laying all
24 over the ground, I mean, it's a disgrace we
25 have to look at there.

20

1 I mean, there is drug dealing going
2 on there. Like I said the last week when I
3 was there, back in '99 our road was blocked
4 off for a year with a concrete barricade and
5 the drug dealing is still going on. We
6 never forgot what happened in '99. I mean,
7 sir, all you have to do is go up and check

8 with the neighbors and find out about that
9 housing development and they will tell you
10 how bad it is, it's bad. Make a meeting
11 with the neighbors up there and you will
12 find out about it.

13 And about the those are other
14 pictures about two blighted houses 106 and
15 108. The one the shed was all busted on the
16 side and there was skunks and everything
17 living under there, the shed is repaired,
18 but the grass, the grass is over a foot and
19 a half high in back of the fence, the fence
20 is all busted, all rusted, I mean, the two
21 properties, the city inspector was always
22 there, there was always a problem with it.

23 And at the one house there was a drug
24 house in '05 which we had to hire a lawyer
25 because he couldn't get -- there were

21

1 pitbull dogs and they would attack you.

2 So, I mean, I would like it answer
3 about those dumpsters though what she
4 intends to do about it, and when I was here
5 last week my mom received a phone call from
6 this park manager screaming at my mom on the
7 phone, it's a wonder she didn't have a heart
8 attack. She called her like 5:00 in the

9 evening and she was really screaming at her.
10 I mean, I have every right in the world to
11 come here. We got problems up there. I
12 mean, this is a free country, it's freedom
13 of speech. Why if there is something wrong
14 then why can't I come here and speak about
15 it.

16 MR. COURTRIGHT: Would you like me
17 to answer you?

18 MR. GILROY: Yes.

19 MR. COURTRIGHT: The dumpsters, the
20 woman that runs the place called me and the
21 dumpsters, the lids have been ordered for
22 them, all right, that was maybe Thursday she
23 called me I believe. I spoke to the police
24 department, Townhouse, I call it Townhouse,
25 what is it, Village Park, they have

22

1 requested officers on Wednesdays, Thursdays,
2 Fridays and Saturdays, two officers, so the
3 police are telling me, yeah, they are there.
4 I think where we have gotten into a problem
5 I received a letter from Village Park
6 apartments maybe we are not going be able to
7 intervene anymore, they have got a written
8 request from Village Park Administration

9 from the residents, there's about 30 names
10 on this, filing a complaint against you, so
11 Village Park now is considering going to
12 their attorney to file against you and once
13 a lawsuit is generated, and I checked with
14 Mr. Minora, I think we have to back out of
15 it now.

16 MR. GILROY: Mr. Courtright, my mom
17 was advised to file a civil lawsuit, so much
18 happened, even a guy exposed himself.

19 MR. COURTRIGHT: I understand, but --

20 MR. GILROY: Please let me finish.
21 One of the tenants that are living there he
22 is staying at that house, and this happened
23 last year, there was numerous police reports
24 filed about this person and she had a
25 serious offense, too, and she shouldn't even

23

1 be living there and that housing development
2 is government funded by HUD. So, I mean,
3 and we could get all of the neighbors though
4 with the drugs and everything, we are the
5 ones that should have the petitions, not the
6 neighbors that live there for what we have
7 to put up living there. We are the ones
8 that should have the petition.

9 MR. COURTRIGHT: I understand, I'm

10 not saying that your problems aren't -- -

11 MR. GILROY: Please let me finish.

12 MR. COURTRIGHT: Okay.

13 MR. GILROY: All you have to do if
14 you want to meet with the homeowners, come
15 up and meet with us and we'll let you know,
16 we'll let you know what kind of a place it
17 is and we will sign a petition against this
18 place. We are the ones that should sign the
19 petition not the people that are living
20 there. My mother is putting up with hell
21 living there. We are the ones that should
22 have the petition. That's not right.

23 MR. COURTRIGHT: I'm not saying that
24 your problems aren't legitimate, I'm saying
25 once legal action takes place then --

24

1 MR. GILROY: Can I just finish?
2 Even my mom's home was damaged with
3 fireworks. It's a disgrace and nothing has
4 been done about it. Thank you.

5 MR. COURTRIGHT: Just for the record,
6 I'm not saying that this gentleman's -- I'm
7 not -- I can't speak directly to you now
8 because your time is up, I'm not saying this
9 gentleman's accusations aren't true or are

10 true, what I'm saying is if legal action
11 takes place then we are out of the loop, we
12 can't step in. I consulted with Mr. Minora
13 about that, you have every right to file
14 your own suit, but if they file one and you
15 file one I think we are pretty much taken
16 out of the loop then.

17 MR. GILROY: Well, you know, can I
18 say one thing, meet with the neighbors,
19 that's all.

20 MR. MCGOFF: Thank you.

21 MR. GILROY: Talk with us and we
22 will get a petition, we will file a civil
23 lawsuit against them.

24 MR. MCGOFF: Thank you. Nancy Krake.

25 MS. KRAKE: Good morning, Council. I

25

1 had some questions for Mrs. Gatelli this
2 morning even though she is not here and
3 Mr. Quinn mentioned them, I feel they bear
4 repeating. Mrs. Gatelli, the finance chair,
5 I would hope she would be wondering also
6 what's happened to the legislation that
7 would have allowed the 11 million in
8 borrowing. I believe it was part of the
9 2008 budget and it was supposed to happen in
10 June, so I had all of those questions for

11 her. Perhaps she can study up and after the
12 break we will get some answers.

13 Also, I would like to answer some of
14 the remarks she made last week.

15 Mrs. Gatelli, Mr. McGoff and Mrs. Fanucci
16 voted not once, but twice for the outrageous
17 penalties and fines on delinquent real
18 estate taxes. Mrs. Evans and Mr. Courtright
19 tried to amend that, they voted it down. I
20 would like to remind everyone that all of
21 that money goes to Abrahamsen, Moran and
22 Conaboy, a law firm that also owns Northeast
23 Credit and Collection. Apparently
24 Mrs. Gatelli, Mr. McGoff and Mrs. Fanucci
25 feel that this law firm is well deserving of

26

1 our hard-earned tax dollars. That money
2 that's collected by the law firm does not
3 add a penny to the city coffers for anything
4 we might need, public safety, road
5 maintenance or any services.

6 Mrs. Gatelli is proud she voted
7 twice for this legislation since it affects
8 absentee landlords, not worried about all of
9 the people who live here and couldn't pay
10 the tax to begin with, never mind up to

11 thousands of dollars in added fines which go
12 to Abrahamsen, Moran and Conaboy.

13 Also, it wasn't mentioned about
14 people who were helped with their taxes --
15 or, excuse me, it was mentioned by her. She
16 also relayed back to us that she helps some
17 folks. I'm assuming this means removing
18 penalties and fines. I am in total
19 agreement with that policy, in fact, I think
20 everyone should enjoy help with their taxes.
21 So, once again, I'm asking that this
22 legislation being rescinded.

23 Mr. Quinn made an excellent point,
24 this is very trying economic times that we
25 are living in. There is no need for three

27

1 people on council and a mayor to hurt people
2 even more than they are already hurting. I
3 don't think that this legislation will be
4 rescinded, but I'm asking anyway or maybe
5 we'll continue to do political favors for
6 the few while the rest carry the burden of
7 full payment. Thank you.

8 MS. EVANS: Mrs. Krake, you had been
9 requesting at several previous meetings
10 information concerning that and exactly what
11 the amounts were --

12 MS. KRAKE: Yes.

13 MS. EVANS: -- that were going to
14 Abrahamsen and Company, I have a copy of the
15 letter that was sent and the response
16 received and I'm going to ask that you would
17 read this over and if this is not respond to
18 you in the specific manner that you have
19 requested --

20 MS. KRAKE: Yes.

21 MS. EVANS: -- would you please jot
22 down on this for me exactly what else it is
23 you seeking and I'll resubmit a letter
24 looking for those exact figures for you.

25 MS. KRAKE: Thank you very much.

28

1 MS. EVANS: You are welcome.

2 MR. MCGOFF: Mike Dudek.

3 MR. DUDEK: My name is Mike Dudek,
4 608 Depot Street, Scranton, PA, I live down
5 in the Plot. Last week I read in the
6 newspapers that Attorney Solfanelli filed on
7 behalf of Ken McDowell, the former tax
8 collector, a rather unusual document,
9 apparently, they are going to fight the
10 subpoena that he had been served with, with
11 a rather unusual legal doctrine that since

12 he was elected by the people of the tax
13 collector that he not answerable to them in
14 some way.

15 Just for your information, it's my
16 legal belief that as a custodian of the tax
17 money he collects for your benefit, and part
18 of your benefit is you have to try to make a
19 budget, you or the mayor or the both of you
20 try to make a budget you have to know how
21 much money you have in your coffers, and if
22 Mr. McDowell is holding back 7 or 9 or
23 12 million dollars then you obviously have a
24 means of finding out what's going on and
25 getting that money and that means as a

29

1 subpoena, and he has to answer to it. So,
2 as to that legal theory that's going to go
3 by the boards and that's -- and eventually
4 he is going to appear before you.

5 When this meeting occurs I am making
6 a very strong suggestion to the five members
7 of city council. My suggestion is that you
8 not ask him any questions yourselves
9 personally, prepare your questions and give
10 them to your solicitor and let your
11 solicitor handle the questions. Why?
12 Because Mr. McDowell raised the stakes when

13 he decided he wanted to put this through a
14 legal process. He wanted to deal with
15 lawyers? Okay, let's let him deal with one
16 of the best prosecutors this town has ever
17 produced and he may have forgotten that
18 Mr. Minora is a prosecutor. Mr. Minora
19 knows how to frame questions and he knows
20 how to get answers.

21 Many cases in this country, whether
22 it's a city council or congress, a
23 legislative body, in a technical matter such
24 as something like this, tax money, will get
25 a professional to do the questioning and you

30

1 have the professional sitting right there to
2 your right. Let Mr. Minora frame the
3 questions, submit your questions to
4 Mr. Minora. If I were sitting at city
5 council, if I were one of the councilman,
6 oh, man, I would love to want to question
7 Mr. McDowell myself, but I myself wouldn't
8 do it. I would submit my questions to the
9 solicitor and let the solicitor do his job
10 on this.

11 Mr. McDowell wants to raise the
12 stakes. He didn't want to the informal sit

13 down to exchange information to help you get
14 it he decided he wants this legal process.
15 For some reason he wants to deal with
16 Mr. Minora and I say let's let it happen.
17 Thank you.

18 MR. MCGOFF: Thank you, Mr. Dudek.
19 Brett McCloe.

20 MR. MCCLOE: Good morning. My name
21 is Brett McCloe, I'm a Scranton taxpayer,
22 homeowner. I just wanted to say a couple of
23 things before you guys go on your little
24 vacation or your little time off, I hope
25 your days of vacation actually find you

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1 closer to the problems that face the average
2 citizen of this city, closer to the
3 solutions without the use of a carefully
4 scripted manual or state sponsored program.
5 Closer to kitchen table logic and the
6 abandonment of ideology that quite often
7 skews the vision of those who are in power.
8 I hope that many will get on a city bus and
9 go to neighborhoods you wouldn't ordinarily
10 go to, seek out and engage dialogue with
11 your perceived detractors. Your leadership
12 skills are not required and will most likely
13 hindering you from seeking out and truly

14 following the will of the people. I just
15 hope that you enjoy your vacations. Thank
16 you.

17 MR. MCGOFF: Thank you, Mr. McCloe.
18 David Dobson.

19 MR. DOBSON: Good morning, Council,
20 Dave Dobson, resident of Scranton. I would
21 also like to comment on our ongoing
22 differences between the city government and
23 firemen and police contracts, they should
24 just be settled already, it's six years,
25 it's ashame that it's gotten this far and

32

1 from what I have been made aware of and
2 suspected before then on my own
3 considerations we may have a huge insurance
4 increase when we are reviewed by the
5 industry on our insurability on fire and so
6 forth and it may not even be worth 50 bucks
7 or something that it might cost us on taxes.
8 Otherwise, there is -- there should be
9 plenty of money there to settle with these
10 people and it's ashame that a Democrat town
11 has so much trouble with the labor union, I
12 can't imagine the problem.

13 Now, on 6-A I would like to

14 compliment Council on this motion. Citizens
15 have become acutely of aware of five tax
16 bodies and not knowing who to complain to or
17 about. We should only be compelled on a
18 criminal basis to answer to state and
19 federal law uniform widely known and
20 hopefully obey. That's the last I'll say on
21 that matter.

22 On swim and issues like Channel 61,
23 and this is a before vacation wrap-up,
24 another situation that have become
25 contentious at times and that's why

33

1 democratic principals such as referendums by
2 citizens applied, the decisions of the few
3 can hurt many and cause hard feelings often
4 long after the fact.

5 In the future, I feel that we should
6 possibly have referendums as to whether a
7 pool should be a pay only or whatever and
8 these people from the Hill Section should
9 have some kind of additional identification
10 that they could get in and possibly swim for
11 free. If they want to restrict the sliding
12 board then let them restrict the sliding
13 board, but to have an eight or ten-year-old
14 kid just the bus fare for him to get back

15 and forth across town, him or her, would be
16 in excess of what it would cost to them to
17 get into the pool anyway and they are
18 traveling and who knows where they are, all
19 the way up in West Side or North Scranton or
20 what have you.

21 And finally, again, I would urge
22 council and the mayor and economic
23 development officials to survey and begin
24 the plan for industrial space in this town.
25 We have a lot of brownfields and unused

34

1 land, rural development is unsustainable, it
2 requires complete infrastructure and is
3 unwise in an energy lean environment. It's
4 unsustainable and our entire federal
5 government has been encouraging this and
6 it's out of date. It's way past this date.
7 People have to resign themselves that if
8 they don't need gasoline in large quantities
9 then they won't have to pay the price for
10 it.

11 Also, it's my feelings that many of
12 these satellite industrial projects are just
13 a big gift to outerlying communities so that
14 they don't have to pay taxes some day on

15 their properties to sustain roads and
16 bridges and so forth. So, please over the
17 vacation try and look into possible
18 industrial development and redirecting our
19 funds. Thank you. Have a good day.

20 MR. MCGOFF: Thank you, Mr. Dobson.
21 Other speakers?

22 MS. FRANUS: Fay Franus. I was
23 reading the paper about this -- the tigers
24 up at Nay Aug, do you have any control over
25 that at all? Nothing? The mayor is the

35

1 only person?

2 MR. MCGOFF: For what, I'm sorry?
3 The recreation Authority I believe.

4 MS. FRANUS: Is that a done deal?
5 Those tigers should not be up at Nay Aug.
6 How would you like to be in a cage all day?
7 They belong out in the wild. So, something
8 is going to have to be done, PETA has to get
9 involved or something or protest or anything
10 it takes. Those tigers should not be at Nay
11 Aug, they should be taken away immediately.

12 Another thing, the dog park, I think
13 you better get in touch with Ally Duffy, the
14 one that wanted it up there so much and get
15 her little magic volunteers up there, I took

16 my boy up there three times, three times I
17 had to leave because nobody cleans up after
18 their animals, so how am I supposed to play
19 with my dog if he has to run through all of
20 that, you know what I'm referring to. There
21 is no way. There is no way at all. Three
22 times I tried and three times -- how could
23 be throw a ball and let him run through that
24 then what you are supposed to do with him?
25 Knock on somebody's' door before you get in

36

1 your car and say, "Can I put my boy in your
2 shower?"

3 I mean, something has to be done
4 because it's disgraceful, so I suggest
5 somebody call Ally Duffy or Judy Gatelli,
6 since see was up there, and do something
7 about this. It's not -- let them put
8 somebody up there.

9 I came here to ask Judy Gatelli some
10 financial things, but I see she is not here.
11 Why isn't she here today? You don't know?
12 Okay, Mr. McGoff, did she call you and tell
13 you she wasn't coming?

14 MR. MCGOFF: The only thing that's
15 required, not even required, but the

17 lot of backbone. Where are the rules?

18 MR. MCGOFF: Excuse me.

19 MS. FRANUS: Yes?

20 MR. MCGOFF: I don't need to be
21 insulted.

22 MS. FRANUS: Well, when the shoe
23 fits, as I told you many, many times. You
24 have a job to do. I think it's your job to
25 tell these other council persons to be at

38

1 work. If I didn't go to work I think I
2 couldn't just write a letter and say I'm not
3 going to be there, no reason, I have to have
4 a reason and it would have to be a pretty
5 darn good reason.

6 So, Judy Gatelli, God bless your
7 little soul, she is leaving the summer
8 vacation with a nice little missing in
9 action again, same with Sherry.

10 Anyway, I wish you would do
11 something about the dog park. I was going
12 to ask Judy some financial questions, but
13 she probably wouldn't know them anyway
14 because she took it by default financial
15 head so she really doesn't want to be there.
16 Please find something out about the dog park

17 and I definitely want to hear something on
18 this tiger. I don't know who could do it,
19 what we could do, but it has to be stopped
20 just because certain people, whoever wants
21 these tigers at Nay Aug certainly don't care
22 about animals. They do not care about
23 animals because if they did they would never
24 have them up there. I say take the tigers
25 out and put these people that want them

39

1 there in that cage and see how they like it.

2 Thank you.

3 MR. MCGOFF: Anyone else?

4 MR. COURTRIGHT: Hi, Jim.

5 MR. STUCKER: Over at Providence
6 Square right by the Taurus Club, now, the
7 guy yesterday he picks up Mr. Stirna's place
8 where they tore that building down next to
9 Stirna's building and they put that redwood
10 chips around the trees and stuff, why can't
11 they do that and the Taurus Club get a bunch
12 of guys out there, well, the city owns the
13 parking lot, the city -- why don't the city
14 get up there and do it? It's all a bunch of
15 grass and weeds around, around the clock,
16 all around that beautiful nice black clock.
17 There a bunch of weeds and grass growing

18 there. We were going to try and make the
19 square look nice and the guy is just going
20 to the bar and drink all day and night and
21 don't go out there and do anything. They
22 should have a volunteer up there to do that.
23 Get a bunch of volunteers from the Taurus
24 Club to go up there and do that, pull the
25 weeds out.

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1 MR. COURTRIGHT: Good idea, Jim.

2 MR. STUCKER: And what about them
3 signs for that Providence Square and Market
4 Street, we need them there. They are still
5 parking -- they are still parking off the
6 lot. The city owns the laundry mat lot and
7 there is people parking there on the
8 sidewalk.

9 MR. COURTRIGHT: Jim, I'm going to
10 have to sit down and explain this to you
11 outside of here, I have tried to explain it
12 to you, I don't think you understand what
13 I'm telling you, so I'll talk to you later
14 on about it, okay?

15 MR. STUCKER: Okay. On Market
16 Street -- Oak Street where you come down
17 that hill that van is still on the sidewalk.

18 MR. COURTRIGHT: The what?

19 MR. STUCKER: The van, a white van is
20 parked on the sidewalk and they told the
21 cops about it and they aren't doing nothing.
22 You can't walk the sidewalk somebody is
23 going to hit out in the road, like, I'm
24 walking last night, I walked up to the bar
25 last night and right away you got to walk

41

1 out in the street at night. That van should
2 not be there at all on the sidewalk.

3 MR. COURTRIGHT: Okay. We'll look
4 into that, Jim.

5 MR. STUCKER: Somebody is going to
6 get hit out there on that road.

7 MR. COURTRIGHT: Got you.

8 MR. STUCKER: All right?

9 MR. MCGOFF: Thank you very much,
10 Mr. Stucker.

11 MR. STUCKER: Okay. All right.

12 MR. MCGOFF: Thank you.

13 MR. STUCKER: Have a good vacation,
14 all three of you.

15 MR. COURTRIGHT: Thanks, Jim.

16 MR. MCGOFF: Thank you.

17 MR. GERVASI: Good afternoon, City
18 Council. My name is Dave Gervasi.

19 Mr. Courtright, I know you have been on top
20 of this, I would like to ask the other two
21 council members who are present here today,
22 have any of you spoken to any police
23 officers this week?

24 MS. EVANS: I have.

25 MR. GERVASI: Mr. McGoff?

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1 MR. MCGOFF: This week? No.

2 MR. GERVASI: I had the opportunity
3 to speak to two more, I'm sorry, three more
4 officers in the last four or five days and
5 you do guys realize how critical and what's
6 going on is, I mean, last night
7 approximately 7:30 they called a code red,
8 not exactly sure what the situation was, my
9 wife was listening to the scanner, and there
10 was no cars available again. I mean, it was
11 lifted shortly after, I don't know what
12 transpired.

13 MR. COURTRIGHT: The call was bats
14 and pipes fighting up in South Side.

15 MR. GERVASI: And there was no cars
16 available to respond?

17 MR. COURTRIGHT: They sent every car
18 in the city, luckily I think Sergeant

19 Sheridan was the command car and he called
20 for every car in the city. When they got
21 there they dispersed or there wasn't
22 anything going on.

23 MR. GERVASI: Mr. Courtright, I don't
24 know if you are aware, you are also aware I
25 was speaking to a couple of Dunmore police

43

1 officers, one guy has been there for years,
2 never remembers going into Scranton, do you
3 know they are being called to backup our
4 police at times?

5 MR. COURTRIGHT: That I wasn't aware.
6 I know with the fire we have a little bit of
7 a reciprocal agreement, but I didn't know
8 they were backing us up, no.

9 MR. GERVASI: It's my understanding
10 that we are calling Dunmore guys when our
11 guys are all tied up. You know, I don't
12 want to make a political statement out of
13 this whole thing, but I'm going to. You
14 know, I remember back during the Recovery
15 Plan when the police union and the fire
16 union and the clerical union everyone was
17 fighting the Recovery Plan because nobody
18 knew exactly what the intent of the
19 administration was. There was past council

20 people that were saying don't worry about
21 it, that's not the mayor's intent. Well, we
22 have past council people now that are
23 publically stating they are deceived what
24 the mayor's intent was and what they are
25 going to do to us.

44

1 With raises aside and benefits aside
2 and all of things that we're litigating and
3 I think some are trying to negotiate and
4 arbitrate, we knew that this was the intent
5 of this administration. They made it pretty
6 clear right from the start what their intent
7 was and their intent was to gain so much
8 control to the point where no one had a say
9 even if it came to public safety and this is
10 one of the main concerns that the police
11 union has been fighting and what the fire
12 union has been fighting has to be try to
13 protect the level of public safety that we
14 have, and I'm not going to sit here and, you
15 know, be doom and gloom and everyone is
16 always saying that these are scare tactics.

17 It's a mess right now in the police
18 force. I'm hearing that there is ten more
19 police officers trying to seek employment

20 elsewhere. I mean, what are we going to do?
21 Are we going to keep hiring new guys every
22 week or every year, train them, get them on
23 the street and then we are going to be a
24 training grounds for police officers
25 elsewhere. I mean, something has got to be

45

1 done here and somebody is going to get hurt
2 and there is not much we can do. I mean,
3 the only thing that's going to settle this
4 is public pressure.

5 MR. COURTRIGHT: Can I interrupt for
6 just one second? I'm going to speak on this
7 when it's my turn to speak, I have been
8 following it as closely as I can, and I
9 don't want to take your time, but this
10 council has supported me, everybody on this
11 council in what I'm doing, so I think it's a
12 joint effort here and I'll elaborate on it,
13 I don't want to take up your time.

14 MR. GERVASI: Well, that's refreshing
15 to hear. That's all I've got to say because
16 people have to how critical the situation
17 is. We are going to burn these police
18 officers out, there is not enough help,
19 somebody is going to hurt if they need
20 backup, I'm sure I'm going to up here, you

21 know, screaming about what their intention
22 is with us the next few months in the fire
23 department, but I'm very, very, very
24 concerned with our police officers and I
25 think, you know, constant pressure is the

46

1 only thing that's going to change it. Thank
2 you.

3 MR. MCGOFF: Thank you, Mr. Gervasi.

4 MR. DAVIS: Salaam aleikum. We know
5 that as police protection goes down people
6 at the bottom of the ground, those who have
7 the least economically speaking, tend to get
8 the worst treatment, tend to be the ones who
9 are sort of forgotten in the way of things.
10 We spend a great deal of our time, those of
11 us at that are my age and things like that,
12 teaching our young boys and teaching our
13 young kids to be aware. When there is a
14 problem get away from the problem, don't be
15 caught in the middle of a problem because
16 most of the officers that you are going to
17 run into will not understand what you are
18 talking about, they will not understand how
19 to handle you properly because we know from
20 our experiences, okay? Scranton has always

21 been a very tough town for nonwhites as far
22 as police are concerned. Always, always has
23 been.

24 But that's not what I'm here for,
25 I'm here because I keep asking you about Nay

47

1 Aug Park. I ask you about rescinding the
2 order to charge money up there, and I don't
3 even hear a response in your part of the
4 meeting. When you respond to what has been
5 said I don't hear anybody on the panel, I
6 don't hear anybody on the council saying,
7 well, maybe we should do this or maybe this
8 is a hardship for most of the people that
9 live in Scranton.

10 You know what the salaries, you know
11 what the income of the people who live in
12 Scranton are, you have been told it by many
13 people, but yet and still you don't seem to
14 differ with what's being done and said by
15 the mayor. What are we -- are we just -- we
16 are just dupes? We are -- you are treating
17 us like we are not -- like we have no
18 sensibilities. You are treating us like we
19 have no ability to understand what's being
20 done or what's being said to us. You are
21 telling us what are we here for? What are

22 we talking to you about the problem that you
23 had no -- you can't change. Is that what
24 you are saying? That you are helpless in
25 your -- you are helpless in your situation,

48

1 you cannot change it? Oh, how horrible.

2 That's not what you were elected for.
3 You were elected to represent us or
4 represent our problems, I know some of our
5 problems are very silly and some of them
6 are-- they don't gather water, but this one
7 when you know what the kids -- you are from
8 Scranton, you know what the kids from
9 Scranton can afford and still we still
10 penalize them. It's \$3.50 to ride a slide
11 that we have already paid for. It was paid
12 for by tax dollars out of Scranton. So
13 therefore, I don't understand why it's so
14 difficult for you to just rescind the order
15 and say, yeah, let the kids swim. Even if
16 it's just for one weekend a week a month,
17 but let them swim free for a weekend, but
18 nothing happens.

19 Maybe my conversation -- maybe I'm
20 saying the wrong things at the wrong time,
21 but I really feel this is being -- you are

22 ignoring us and ignorance is not even
23 blissful at this point in time, it almost
24 makes us angry. Something, you know, and I
25 congratulate the SPCT or the new television

49

1 station, it's a beautiful show, they really
2 do. I sat and I have watched it for many
3 hours and I think that the photography, the
4 composition is well done and I congratulate
5 them for taking over and doing something
6 about it. You have done a beautiful job, I
7 have seen the transition happen and I'm very
8 happy with it, so we can do things.

9 We have the ability to change. We
10 know that we have the ability to change and
11 we know that you have the ability to change,
12 but we are refuse to do it. We let things
13 that really -- it's just skirts under the
14 skin, why are you charging these kids that
15 can't afford to really -- they need to swim,
16 but they can't swim. All right. Thank you
17 for the bell.

18 MR. MCGOFF: Thank you, Mr. Davis.

19 MR. DAVIS: And do something, please.

20 MS. SCHUMACHER: Marie Schumacher,
21 city resident, member of the taxpayers'
22 group. I'd like to start of by emphasizing

23 what Ozzie said today on the debt and also
24 weave in what Dave Gervasi brought forward
25 with the financials that they had prepared.

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1 It does show, and the financials of the city
2 show, that revenues exceed expenditures and
3 then we are also told as reported by several
4 people that our collections of the wage tax
5 are up \$4 million this year over last year.
6 So, I question whether or not we really need
7 to borrow any money and I guess at this time
8 I would say I'm disappointed that you are
9 taking all four weeks of August off, I think
10 there is so many major issues that need to
11 be addressed. I don't know how in good
12 conscience you can walk away from it for
13 four weeks and then come back and try to
14 gear up again when you are going to have two
15 budgets when you come back.

16 The bonded debt has gone in 2000 it
17 was \$80.94 per capita. In 2005, the last
18 year for which numbers are available, it was
19 \$989.66. That's quite a change and I don't
20 think we need to make that number any
21 larger.

22 Back in April I asked about when

23 city inspectors go out and make a citation
24 if they provide materials to the person as
25 to their rights. I was informed by I

51

1 believe Mrs. Gatelli that, indeed, they
2 were. I asked if I could see a copy of
3 those and you all were kind enough to send a
4 letter asking that that material be
5 provided. There was a follow-up to that and
6 the materials hadn't been received. It's
7 three months have passed, have those
8 materials been received yet?

9 MS. EVANS: No.

10 MS. SCHUMACHER: And now to the
11 future. Again, we still do not have an
12 audit. Now, a couple of years ago there was
13 some reason for not having an audit because
14 you all hadn't selected who the auditor
15 would be, but now I would suggest you need
16 to start looking forward and you need to
17 start an investigation so you can subpoena
18 if that's what it's going to take department
19 heads who have not responded to the auditors
20 to come in here and explain what the problem
21 is. When they are requested to provide
22 information in the month of February and
23 here we are in the month of August and

24 people still have not responded to the
25 auditors you need to investigate. You need

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1 to find out why. I would hate to think that
2 it would take a subpoena to do that, but,
3 gosh darn it, that's what you are going to
4 have to do. We have got to start looking
5 forward and not just backward.

6 I would also like to reiterate that
7 what Nancy has asked, we need to revisit
8 those onerous penalties and fines on the
9 property owners. I'm sure the city tax data
10 is old, but it's all that's available out
11 there and currently -- and it says we have
12 4,000 unoccupied homes in the City of
13 Scranton, that's a lot. I don't think
14 that's an accurate figure, but it still --
15 it's still gives perspective. We are going
16 to keep adding to those, we are going to
17 keep adding to blight, and as I said before,
18 maybe we will get the number of homes down
19 to the number of residence at some point and
20 if that's the goal then I think we need to--
21 we need to be honest about it and buy up
22 some of these homes and we have got cars
23 parking because we don't have room, we got

24 cars parking on sidewalks all over, it's
25 increasing. It's terrible for pedestrians

53

1 and particularly for the disabled. Maybe we
2 need to make neighborhood parking lots out
3 of some of those and require people to park
4 off street, but something.

5 I would also like to ask why the
6 City of Scranton does not do any recycling
7 of organic materials. Why everything has to
8 go to the dump, grass clippings and things
9 that people cut from their yards. Smaller
10 boroughs around the area collect those
11 things separately and they go to a
12 composting place. I've got lots more but I
13 will be back in September maybe.

14 MR. MCGOFF: Thank you, Mrs.
15 Schumacher. Anyone else? Mrs. Evans?

16 MS. EVANS: Good morning. Once
17 again, I wish to return to the \$10,000 the
18 mayor gave to the East Scranton Business
19 Association to give to ECTV. I spoke with
20 our council earlier today and Attorney
21 Minora stated that he will forward his
22 documented responses later today. I'd also
23 like a copy of your opinion, Attorney
24 Minora, on the right of a mayor to spend

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federal funds without the knowledge and

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consent of council and to give these funds

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to one organization to give to another

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organization.

4

Kay, did council receive a response

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from OECD regarding the date of blight

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determination and reasons for such at 933

7

Prescott Avenue?

8

MS. GARVEY: No.

9

MS. EVANS: Thank you. Please send,

10

Kay, a second letter to OECD on behalf of

11

city council requesting a response on or

12

before August 15, 2008. Is that agreeable?

13

MR. MCGOFF: Fine.

14

MS. EVANS: Thank you. Attorney

15

Minora, what is the update on the McDowell

16

subpoena?

17

MR. MINORA: I'm preparing an answer

18

and could we talk about that after the

19

meeting? I'll be glad to -- it's in the

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middle of litigation and I --

21

MS. EVANS: That's fine then.

22

MR. MINORA: -- don't want to

23

broadcast what I'm doing with another

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lawyer, I'm glad to tell you, I'd just

1

mind.

2

MS. EVANS: Thank you. Last week

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council unanimously approved a motion to

4

reinstitute a Home Rule Charter Commission.

5

Although I feel it is beneficial to

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undertake a review every five years, I also

7

know that such a review entails a required

8

process. For example, a specifically worded

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Home Rule Charter review question must be

10

placed on the ballot for the residents of

11

Scranton to decide if they want a charter

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review to be conducted. At the same time, I

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believe, potential commission members must

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be listed on the ballot and elected by the

15

voters to serve on the Home Rule Charter

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Commission if it is approved by a majority

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vote. Thus, council's motion can

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demonstrate it's approval of a charter

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review, but much needs to be done to place

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the question on the ballot.

21

Attorney Minora, another job for

22

you, would you research what steps must be

23

taken in this process and inform council

24

during August so that we can determine a

25

time table for the proceedings?

1 MR. MINORA: Of course.

2 MS. EVANS: Thank you. And, Kay,
3 please send a letter to Mr. Brazil and
4 Mr. Doherty on behalf of council requesting
5 if any of the \$69,000 in recycling grant
6 money can be used to purchase recycling
7 receptacles for the citizens or will the
8 entire amount be used for the mayor's
9 anti-littering campaign and we ask for a
10 response on or before August 15, 2008.

11 Last Thursday, a report released by
12 a policy think tank, specifically, Policy
13 Link, out of Oakland, California, was
14 covered in the newspaper. It's author,
15 Radika Fox, is an associate director at
16 Policy Link who based her conclusions for
17 this report solely on interviews with
18 Mr. Doherty. The report praises Mr. Doherty
19 for balancing the city's budgets, raising
20 it's bond rating and borrowing money. It
21 seems, however, that Mr. Doherty neglected
22 to tell Ms. Fox that Standard and Poors
23 lowered our bond rating in 2007 for
24 excessive borrowing and failure to control
25 costs.

1 Scranton's bond rating is
2 significantly down from it's I believe
3 double "A" rating received six years ago by
4 purchasing \$1 million in bond insurance. In
5 fact, it has dropped so notably that in
6 concurrence with the state of the bond
7 market it appears it may be very difficult
8 for Scranton to obtain bond insurance and to
9 yet again borrow millions of dollars at this
10 juncture in time.

11 Mr. Doherty further forgot to
12 mention that he raised taxes over 25 percent
13 and created a long-term debt of
14 approximately \$270 million in a city with a
15 high population of senior citizens and the
16 working poor. Ms. Fox admits that her
17 report isn't meant to be scientific or
18 quantitative, thus, it offers us, the
19 citizens of Scranton, no validity and no
20 reliability. It is merely the spin of a
21 mayor facing his reelection campaign and
22 seeking free publicity.

23 At last week's council meeting,
24 Mr. Courtright informed the public of a
25 police staffing decline. Two weeks ago at a

1 council meeting I spoke about the
2 implementation of phase one of the Recovery
3 Plan within the police department and the
4 reductions in staffing that occurred as a
5 result. Both Mr. Courtright and I had
6 personally spoken to police personnel to
7 determine the accuracy of reports we
8 received. All five council members were
9 very concerned for the safety of the public
10 and our police personnel.

11 Thus, council requested a full list
12 of manning figures from the date of the
13 initiation of the Recovery Plan to last
14 week, however, Chief Elliott declined to
15 release these figures which raising a
16 blazing red flag.

17 Further, this administration insists
18 of counting desk officers and transport duty
19 officers as patrol officers and states that
20 next year's shifts will be assigned on peak
21 crime hours. It appears that during the
22 next a five months of 2008, however, the
23 City of Scranton may well continue to be
24 understaffed. Under the current contract
25 the department required the same number of

1 officers regardless of shifts.
2 Unfortunately, crime doesn't work that way,
3 Chief Elliott said in response to the
4 manning clause in the Saturday, July 26,
5 2008, edition of the Scranton Times. Like
6 everyone here, I hope that we experience
7 staffing improvements and increased safety
8 next year, but what happens now? Why
9 jeopardize the safety of our police
10 department and our people from now until
11 2009?

12 I respond to Chief Elliott in his
13 own words, unfortunately, crime doesn't work
14 that way. Criminals will hardly agree to
15 scale down their activities until after the
16 police department bids for next year's
17 shifts in the fall. Also, I hope these bids
18 follow a contractually established process,
19 otherwise, subjectivity may certainly invade
20 the shift assignments. The public needs to
21 remain aware of the status of public safety
22 in Scranton and to make it's wishes known
23 clearly and emphatically. Citywide patrols
24 of three or four cars per shift are
25 unacceptable and they are dangerous.

1 Finally, I'd like to wish everyone a
2 very safe and enjoyable summer. Council
3 will recess for the month of August and
4 return to it's regularly scheduled meetings
5 at 6:30 p.m. in September. It is my hope
6 that when we reconvene at the first
7 September meeting city council will be
8 broadcast live once again, and that's it.

9 Oh, I'm sorry. I'm sorry,
10 Mr. Courtright, I am so sorry. I have to
11 postpone you for a minute. I forgot about
12 my citizens' requests for the week and then
13 that's it. First, 1307-1309 North
14 Washington Avenue, the house was condemned
15 and bushes in front of the property are
16 overgrown. Neighbors report that there are
17 huge piles of trees and bushes as well as
18 skunks, a cat family, and possums in the
19 corner of the backyard. The animals travel
20 through neighboring yards to reach their
21 destination behind the condemned property.
22 Please address as soon as possible since
23 residents can't use their own yards
24 currently and provide a written response to
25 council on or before August 25, 2008.

1 Neighbors in the area request that a
2 house backing 621 and 623 Cedar Avenue be
3 inspected for it's deplorable condition.

4 Please send the street cleaner to
5 the 500 block of Willow Street, rain storms
6 cause dirt, rock and debris to collect.

7 Residents of South Side once again
8 request that DPW employees place trash cans
9 at properties and refrain from throwing
10 them. Numerous citizens report damages to
11 their trash cans.

12 The 1500 block of Rosen Court,
13 please trim overgrown trees that are
14 entangled in utility wires. Also, residents
15 request the installation of one streetlight
16 for their safety and security in the 1500
17 block of Rosen Court.

18 The 1400 block has such lights yet
19 there are none in the 1500 block. Please
20 provide a written response to council on or
21 before August 29, 2008.

22 114 RidgeView Drive, this is a third
23 request and it's kind of like the saying
24 three strikes you are out, council would
25 like Mr. Brazil and a city engineer to

1 examine this area. On one side of the
2 street water run off causes dirt and rocks
3 to collect in front of this property after
4 every rainy event. On the other side of the
5 street, there is a very deep opening large
6 enough for a child to fall into. Again,
7 caused by continual water runoff. The
8 residents of 114 RidgeView Drive are senior
9 citizens and they are not able shovel and
10 remove the debris that collects at their
11 property regularly nor should they have to
12 could such work considering the very high
13 taxes that they pay in Fawnwood. I will not
14 forget their problems and will continue to
15 pursue a solution from the engineer and the
16 DPW director until I learn from the home
17 owner that his problem has been addressed by
18 these city employees.

19 Council requests that an abandoned
20 lot at 134 South Merrifield Avenue is
21 cleared by the DPW during August and this is
22 a second request.

23 Watters Avenue off the 2200 Of Ash
24 Street, please fill potholes, that is a
25 second request.

1 And council requests guidelines that

2 are given to homeowners by LIPS inspectors
3 and I believe that, too, is the second
4 request, and that's it. Mr. Courtright.

5 MR. MCGOFF: May I add something to
6 the end of your list?

7 MS. EVANS: Oh, please, do.

8 MR. MCGOFF: I got a call just before
9 I came to the meeting, shrubbery and weeds
10 blocking the line of site at the corner of
11 Harrison Avenue and Olive Street. The
12 property is 548 Harrison Avenue where the
13 overgrowth is located. Apparently it's very
14 difficult to see either up or down Harrison
15 Avenue at that point and someone was just
16 requesting if something could be done to at
17 least trim those or remove them. Thank you.
18 Mr. Courtright?

19 MR. COURTRIGHT: Okay. In light of
20 the newspaper article written last week, the
21 response I got from Dave Elliott, the police
22 chief, and the many, many people that have
23 contacted me about the manning of the police
24 department, I was at St. Joe's picnic and
25 that was probably the only thing anybody

1 talked to me about. I'm going to read

2 again, because they are saying I didn't give
3 them anything specific, but I'm going to
4 read again what the shift was on July 20 of
5 this year, the second shift.

6 Central city there was one vehicle,
7 that vehicle came in service at 3:00, was
8 taken out of service and sent to St. Ann's
9 Novena until 9:00. At 9:00 when he done at
10 St. Ann's Novena he was sent to the crime
11 scene until 11:00, so there was no car
12 assigned to central city the entire night.

13 North Scranton had one vehicle the
14 entire night so there is one car, I don't
15 know what kind of math this guy is doing.
16 Greenridge had one car all night. That's
17 two car. South Side had two cars, so that's
18 four cars so far, but of the two cars in
19 South Side the one car from 3 to 5 was at
20 the crime scene and then the other car from
21 5 to 9 was at the crime scene, so I'm going
22 to give them the benefit of the doubt there
23 is four cars. West Side had one car
24 assigned and that car was pulled to go to
25 St. Ann's from 3 to 9, so no car in West

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1 Side from 3 to 9. Car 18, Car 18 is a
2 transport vehicle and I'll speak a little

3 bit more about that later on, it's not --
4 it's purpose isn't to respond to calls.

5 And the desk guy. This has got to
6 be the most ridiculous, ludicrous statement
7 I have ever heard in my entire life that the
8 desk guy counts in the rotation. The desk
9 man answers calls from citizens such as
10 yourself that calls in. He answers calls
11 that are transferred over from the COMCenter
12 to him. He answers calls from police
13 officers that are out in the field, they
14 need a plate run, they need to search and
15 see if there is any wants or warrants on
16 somebody, he calls for cars to come into the
17 building if there is a person that walks in,
18 what do you call it, he runs the plates and
19 he gets the towers come out and tow cars, he
20 has a whole host of things and when Car 18,
21 which tis the transport vehicle is tied up,
22 he needs to watch the screen and makes sure
23 that if there's a prisoner that is held that
24 they are not something they shouldn't be
25 doing. I can't understand for the life of

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1 me how anybody could make that statement
2 that the desk guy is included in the

3 rotation that is just ludicrous.

4 MS. EVANS: Mr. Courtright, is that
5 the officer who monitors the security
6 cameras?

7 MR. COURTRIGHT: We haven't
8 determined yet who is going to do that yet,
9 I don't think. They're not up and running
10 yet I don't believe fully.

11 MS. EVANS: They are not working.

12 MR. COURTRIGHT: Now, the other
13 thing is the man doesn't have a vehicle how
14 is he going to respond to a call, get out
15 and run to it? I mean, this is just -- I
16 don't understand this at all, all right?
17 And I'm going through things that were in
18 the letter and from the article, the PACE
19 unit. As far as I know the PACE unit is not
20 responding on Sundays, they are not working
21 on Sunday I should say the PACE unit to the
22 best of my knowledge, and I also don't
23 believe, and they can correct me if I'm
24 wrong, that they are in the rotation. When
25 I say in the rotation the COM Center would

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1 dispatch them to calls. The PACE unit is a
2 proactive unit, they go out and basically
3 create calls, they are looking for crime, so

4 they are not in the rotation to the best of
5 my knowledge.

6 Com-D officers, this is another
7 ridiculous statement, I think they need to
8 speak to Lieutenant Dan Duffy, he runs the
9 COM-D program, you can't dispatch calls.
10 The COM Center cannot dispatch calls to a
11 Com-D officer, it's against the law we would
12 lose our grants if we starting using them in
13 the rotation, so I don't know where they are
14 coming up with the amounts of cars.

15 I got four so far and there was a
16 sergeant who was acting as a command car,
17 usually there is a lieutenant if the
18 lieutenant is not there, there is a
19 sergeant, and there was an East 6 car, he
20 would be a corporal. I'm not in favor of a
21 command car responding to calls. If there
22 is an emergency he has got to control what's
23 going on in the shift, has got to control
24 all of the other guys. If he is out on an
25 accident with injuries and a gun call comes

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1 in and there is a shooting what he is going
2 to do, leave the accident with injuries?
3 Chaos is going to happen.

4 The article in the newspaper,
5 Captain Graziano says, and I have a lot of
6 respect for Captain Graziano, "Meanwhile it
7 appears that changes could be wearing on
8 some officers, Captain Graziano says."

9 That's what I said last week. You
10 can't run these guys from call to call, it's
11 going to wear them thin. "He and Bob
12 Martin, union president, both say they are
13 hearing safety concerns from the ranks that
14 the officers are hurried and stretched thin.
15 Captain Graziano said officers needed to do
16 more with less is never a good thing."

17 All right? Now, that's the captain
18 of all the patrol. Is he a veteran, he is a
19 good officer, he knows what he is talking
20 about. Also, in the letter from the police
21 chief he is saying that there has been no
22 greviances filed for officer's safety. I
23 called Detective Sergeant Martin, he is the
24 president of the union. He says he is in
25 the process or already has filed grievances

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1 for manning which the safety would come
2 under, he is concerned for officers and
3 police safety.

4 Also, from the police department

5 Dave is saying that he cannot -- "The
6 request for all details along with
7 breakdowns of cars, patrol officers and
8 supervisors would be too much work to pull
9 our staff away from their daily duties and I
10 feel this is not beneficial to the public to
11 look into more nonspecific complaints."

12 I think there might have been a
13 total six days we asked for give or take a
14 few. All that is each day is three sheets
15 of paper, if it's seven days 21 sheets of
16 paper, if it's such a burden if they leave
17 them at the desk I'll go and copy them. Why
18 don't they want us to see the manning? I
19 know what the manning is, the guys tell me,
20 I want it in writing so that you know.

21 I challenge Dave Elliott or anybody
22 in the administration to dispute what I have
23 just said. I put this to them to dispute
24 anything that I just said. If I'm incorrect
25 I will stand corrected. I will admit that I

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1 am incorrect, but I don't believe I'm
2 incorrect on any one of those points there.
3 I have talked to many, many people about
4 this.

5 I would ask that Director Hayes do
6 this, get the police captain and the
7 lieutenants on a one-on-one basis without
8 anybody, the chief or the mayor or anybody
9 in there, and ask them off the record what
10 do you think, do you think this is a good
11 practice? They never had the police chief
12 determine whether overtime was warranted or
13 not. It was always the commander of the
14 shift would determined if he needed to call
15 guys in, now it's switched to where it's the
16 police chief. I don't think, and this is
17 just my opinion, that is my understanding,
18 the only one who can do it is the chief, if
19 he is not available Captain Graziano, I
20 don't think you would see Captain Graziano
21 run the shifts as short as they were if that
22 was his sole responsibility if he was
23 responsible. I think Captain Graziano would
24 have more people on the street.

25 You know, I asked many of the

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1 people, obviously, I get a little bit more
2 calls on public safety than the rest of
3 council just because of the fact that's it's
4 my committee. Now, I have asked some of the
5 people why don't you come to council and

6 express your concerns or why don't you write
7 a letter to the editor, a lot of them want
8 to remain anonymous, they don't want to be
9 on TV, they don't want to have their name in
10 the paper and I can understand that and I'm
11 not complaining about getting the requests
12 because I believe that it's the five of us
13 up here it's our job to speak on your
14 behalf, that's what you elected us for and
15 is there a safety concern? I absolutely
16 believe there is a safety concern.

17 But, I would think the other members
18 of council because this is one of the few
19 times I have ever seen us all band together
20 and agree that something needs to be done,
21 so I will continue to watch what is
22 happening and I will continue to report to
23 you and, again, I challenge them to dispute
24 what I just said and that's all I have.
25 Thank you.

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1 MR. MCGOFF: Thank you,
2 Mr. Courtright. Just a couple of items,
3 first on a little bit lighter note, I would
4 like to congratulate the Connell Park South
5 Scranton/East Scranton Junior League All

6 Stars. Junior League is the 13, 14 year old
7 component of little league. They went as
8 the Scranton All Stars to a state tournament
9 and they tied for fifth in the state
10 tournament. It just so happens that my
11 grandson is on the team and that's why I am
12 mentioning it, but --

13 MS. EVANS: Congratulations.

14 MR. MCGOFF: But they played very
15 well and represented the city very well.
16 Also, I have asked council members if they
17 would resubmit the appointments that they
18 made to the oversight committee for ECTV and
19 we will have that on the agenda when we
20 return in September so that that committee
21 can be formalized and the members -- or the
22 members appointed formally to that committee
23 and should then become active in September.

24 Just a response on the dog park issue,
25 there is no supervision of the dog park, it

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1 is supposed to be it was designed, it was
2 always intended to be self-regulatory. It
3 was up to the dog owners who frequented the
4 park to maintain the control of their animal
5 and also to I guess provide for the
6 cleanliness of their particular animal. I

7 know that there are at times people that go
8 there and collect trash, do some, you know,
9 wash the area and so on, but there is not
10 any -- there is no one there, you know, on a
11 regular basis to regulate the dog owners and
12 the dogs. I don't know of too many, and
13 I'll I guess maybe investigate a little bit,
14 but I think that most dog parks tend to be
15 self-regulatory and if there are problems it
16 really is created by or caused by the dog
17 owners themselves who are not being
18 responsible for taking care of their animal
19 and, hopefully, people will abide by the
20 rules. There are rules posted for the dog
21 park and hopefully people will if they are
22 made aware of, you know, breaking those
23 rules or that they themselves are not
24 behaving properly then perhaps hearing some
25 of these complaints will prompt people to

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1 regulate themselves and make for a better
2 situation at the dog park and at Connell
3 Park.

4 With that said, I will talk to
5 Mr. Dougher and see if, you know, perhaps
6 maybe a more frequent, you know, run by

7 since we have number of crews, you know,
8 part-time workers for the summer through
9 parks and recreation perhaps we can make
10 some more frequent visits to the dog park as
11 far as maintenance and clean up.

12 One of things Mrs. Evans you
13 mentioned was the recycling containers, I'll
14 check on that, I thought that at some point
15 in time within the past year that we
16 provided -- that there was legislation for
17 the purchase of recycling containers. I
18 will check back and I'll also contact DPW,
19 but I know a number of months ago I went and
20 asked for a recycling container and there
21 were, you know, numbers of them available,
22 so --

23 MS. EVANS: I know I have had
24 requests for those, not for myself, but for
25 individuals who had contacted me who had

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1 said when they called the DPW they were told
2 that none were available and so when I
3 procured them I gave them to these
4 individuals, but that's what had caused me
5 to have this concern because so many
6 residents had been contacting me that they
7 were in need of new recyclables which is a

8 good sign that they are recycling.

9 MR. MCGOFF: Yes, and hopefully if,
10 in fact, they are, which I believe they are
11 available, perhaps we can do something to
12 even if it's through Channel 61 to run a
13 little thing, you know, where containers are
14 available and how they can be obtained since
15 we won't be here for a couple of weeks.

16 And I hope it doesn't appear that we
17 are being rude or inconsiderate to
18 Mr. Gilroy when he has come here. When
19 Mr. Gilroy first appeared before council
20 with his complaints I know that almost
21 immediately inspectors, police, whoever went
22 to those places and looked into the
23 complaints almost on a daily basis after his
24 first visit and we as council had talked
25 about some, you know, speaking with him and

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1 trying to remedy some of the problems, so we
2 are not being inconsiderate, we are not
3 ignoring what Mr. Gilroy said, I think he is
4 looking for a more immediate solution than
5 is available and I know that sometimes you
6 can run out of patience with issues that are
7 personal to you. Hopefully, we are looking

8 into some of these situations and some of
9 them will be resolved, but we are not
10 ignoring the situation and that is all that
11 I have for today.

12 MS. GARVEY: FIFTH ORDER. NO
13 BUSINESS AT THIS TIME. SIXTH ORDER. 6-A.
14 READING BY TITLE - FILE OF COUNCIL NO. 35,
15 2008 - AN ORDINANCE - REPEALING FILE OF
16 COUNCIL NO. 64, 2006, (AS AMENDED), AN
17 ORDINANCE, ENTITLED "ORDINANCE OF THE CITY
18 OF SCRANTON, LACKAWANNA COUNTY,
19 PENNSYLVANIA, ESTABLISHING THE CLEAN INDOOR
20 AIR WORKER PROTECTION LAW WITHIN THE CITY,
21 PROVIDING FOR PENALTIES FOR VIOLATIONS OF
22 SUCH SMOKING RESTRICTIONS AND ESTABLISHING
23 AN EFFECTIVE DATE" DUE TO THE PASSAGE OF ACT
24 27 OF 2008 BY THE GENERAL ASSEMBLY OF THE
25 COMMONWEALTH OF PENNSYLVANIA.

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

3 MR. COURTRIGHT: I move that Item 6-A
4 pass Reading by title.

5 MS. EVANS: Second.

6 MR. MCGOFF: On the question?

7 MS. EVANS: Yes. The statewide
8 smoking ban is certainly not perfect by any

9 means, but at least Scranton business owners
10 are placed on fairer ground than they were
11 under the local ordinance.

12 MR. MCGOFF: Anyone else? All in
13 favor signify by saying aye.

14 MS. EVANS: Aye.

15 MR. COURTRIGHT: Aye.

16 MR. MCGOFF: Aye. Opposed? The ayes
17 have it and so moved. At this time I would
18 like to make a motion to move 6-A to Seventh
19 Order for the final reading.

20 MR. COURTRIGHT: Second.

21 MR. MCGOFF: On the question? All in
22 favor?

23 MS. EVANS: Aye.

24 MR. COURTRIGHT: Aye.

25 MR. MCGOFF: Aye. Opposed? The ayes

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1 have it and so moved.

2 MS. GARVEY: SEVENTH ORDER. 7-A. FOR
3 CONSIDERATION BY THE COMMITTEE ON FINANCE -
4 FOR ADOPTION - FILE OF COUNCIL NO. 34, 2008
5 - AN ORDINANCE - AMENDING FILE OF COUNCIL
6 131 OF 2007 ENTITLED "SALE OF TAX DELINQUENT
7 PROPERTY AT GRAND AVENUE/BATLUCK STREET,
8 ALSO DESCRIBED AS LOT NO. 134, SCRANTON

9 PENNSYLVANIA, TO KEVIN AND FRANCINE
10 FITZGERALD, 309 BATLUCK STREET, SCRANTON,
11 PENNSYLVANIA, 18505, FOR THE SUM OF
12 \$1,357.00" TO CORRECTLY IDENTIFY PROPERTY
13 INFORMATION AS LOT NO. 152, MAP NO.
14 15719-030-047.

15 MR. MCGOFF: What is the
16 recommendation of the temporary chairperson
17 for the Committee on Finance?

18 MS. EVANS: As temporary chair for
19 the Committee on Finance, I recommend final
20 passage of Item 7-A.

21 MR. COURTRIGHT: Second.

22 MR. MCGOFF: On the question? Roll
23 call.

24 MR. COOLICAN: Mrs. Evans.

25 MS. EVANS: Yes.

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1 MR. COOLICAN: Mrs. Gatelli.

2 MS. GATELLI. (Not present.)

3 MR. COOLICAN: Ms. Fanucci.

4 MS. FANUCCI: (Not present.)

5 MR. COOLICAN: Mr. Courtright.

6 MR. COURTRIGHT: Yes.

7 MR. COOLICAN: Mr. McGoff.

8 MR. MCGOFF: Yes. I hereby declare
9 7-A legally and lawfully adopted.

10 MS. GARVEY: 7-B. FOR CONSIDERATION
11 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT --
12 FOR ADOPTION - RESOLUTION NO. 50, 2008 -
13 ACCEPTING THE RECOMMENDATION OF THE
14 HISTORICAL ARCHITECTURE REVIEW BOARD
15 ("HARB") AND APPROVING THE CERTIFICATE OF
16 APPROPRIATENESS FOR HEMMLER + CAMAYD, 409
17 LACKAWANNA AVENUE, SCRANTON FOR ADDITION OF
18 ADA RAMP TO THE SIDE PORCH AND INSTALLATION
19 OF LOUVER SCREENING AT THE REAR OF THE
20 ESTATE BUILDING AT THE UNIVERSITY OF
21 SCRANTON, MONROE AVENUE AND RIDGE ROW,
22 SCRANTON, PENNSYLVANIA.

23 MR. MCGOFF: What is the
24 recommendation of the temporary Chairperson
25 for the Committee on Community Development?

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1 MR. COURTRIGHT: As temporary
2 Chairperson for the Committee on Community
3 Development, I recommend final passage of
4 Item 7-B.

5 MS. EVANS: Second.

6 MR. MCGOFF: On the question. Roll
7 call, please.

8 MR. COOLICAN: Mrs. Evans.

9 MS. EVANS: Yes.

10 MR. COOLICAN: Mrs. Gatelli.

11 MS. GATELLI. (Not Present.)

12 MR. COOLICAN: Ms. Fanucci.

13 MS. FANUCCI: (Not Present.)

14 MR. COOLICAN: Mr. Courtright.

15 MR. COURTRIGHT: Yes.

16 MR. COOLICAN: Mr. McGoff.

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

19 MS. GARVEY: Before reading Item 7-C
20 there is one more opportunity for anybody to
21 speak on it before final passage.

22 MR. MCGOFF: Yes, we probably should,
23 I'm sorry. We need to do that. If anyone
24 would care to speak on 7-C prior to passage
25 -- or prior to voting I should say. Please

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1 indicate that there are no speakers.

2 MS. GARVEY: 7-C, which was formerly
3 6-A - FOR CONSIDERATION BY THE COMMITTEE ON
4 RULES - FOR ADOPTION - FILE OF COUNCIL NO.
5 35, 2008 - REPEALING FILE OF COUNCIL NO. 64,
6 2006, (AS AMENDED), AN ORDINANCE, ENTITLED
7 "ORDINANCE OF THE CITY OF SCRANTON,
8 LACKAWANNA COUNTY, PENNSYLVANIA,
9 ESTABLISHING THE CLEAN INDOOR AIR WORKER
10 PROTECTION LAW WITHIN THE CITY, PROVIDING

11 FOR PENALTIES FOR VIOLATIONS OF SUCH SMOKING
12 RESTRICTIONS AND ESTABLISHING AN EFFECTIVE
13 DATE" DUE TO THE PASSAGE OF ACT 27 OF 2008
14 BY THE GENERAL ASSEMBLY OF THE COMMONWEALTH
15 OF PENNSYLVANIA.

16 MR. MCGOFF: As Chairperson for the
17 Committee on Rules, I recommend final
18 passage of Item 7-C.

19 MR. COURTRIGHT: Second.

20 MR. MCGOFF: Roll call, please.

21 MR. COOLICAN: Mrs. Evans.

22 MS. EVANS: Yes.

23 MR. COOLICAN: Mrs. Gatelli.

24 MS. GATELLI. (Not present.)

25 MR. COOLICAN: Ms. Fanucci.

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1 MS. FANUCCI: (Not present.)

2 MR. COOLICAN: Mr. Courtright.

3 MR. COURTRIGHT: Yes.

4 MR. COOLICAN: Mr. McGoff.

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

7 Motion to adjourn.

8 MR. COURTRIGHT: So moved.

9 MS. EVANS: Second.

10 MR. MCGOFF: Please enjoy the month

11 of August and we'll see you in September.
12 Thank you.

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C E R T I F I C A T E

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.

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CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER

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