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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, October 14, 2008

LOCATION:

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

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

1 CITY OF SCRANTON COUNCIL:

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MR. ROBERT MCGOFF, PRESIDENT

4

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MS. JUDY GATELLI, VICE-PRESIDENT

6

MS. JANET E. EVANS

7

8

MS. SHERRY FANUCCI (Not Present)

9

MR. WILLIAM COURTRIGHT

10

11

MS. KAY GARVEY, CITY CLERK

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MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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MR. AMIL MINORA, SOLICITOR

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

3 MR. MCGOFF: Roll call, please.

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Here.

6 MR. COOLICAN: Mrs. Gatelli.

7 MS. GATELLI. Here.

8 MR. COOLICAN: Ms. Fanucci. Mr.
9 Courtright.

10 MR. COURTRIGHT: Here.

11 MR. COOLICAN: Mr. McGoff.

12 MR. MCGOFF: Here. Dispense with
13 the reading of the minutes. For the record,
14 I would like to note that Mrs. Fanucci
15 informed council that she would not be able
16 to attend this evening's meeting. Third
17 order.

18 MS. GARVEY: THIRD ORDER. 3-A.

19 INDEPENDENT AUDITORS REPORT OF THE SCRANTON
20 SEWER AUTHORITY FOR THE YEAR ENDING MARCH
21 31, 2008.

22 MR. MCGOFF: Are there any comments?
23 If not, received and filed.

24 MS. GARVEY: That's it for Third
25 Order.

1 MR. MCGOFF: Thank you, Mrs. Garvey.
2 Mr. Courtright, I know you wanted to say
3 something.

4 MR. COURTRIGHT: If I may, former
5 Councilman Dan Noone was in an automobile
6 accident and is currently in the hospital,
7 so if everybody could just keep him in your
8 prayers that would be appreciated. And I
9 just have one announcement that was sent to
10 all of us, I hope you don't mind me reading
11 it. Monday, October 20, 2008, 7:00 p.m. at
12 Kilcoyne's Bar at 129 Main Avenue in West
13 Scranton a benefit for Tony Masosky who is
14 diagnosed with large B-cell lymphoma. Tony
15 is married to Christine Stulgis Masosky and
16 they have a teenage son named Allen, and so
17 the fundraiser again is on the 20th, it's a
18 Monday evening at 7:00 and guests bartenders
19 will be Calina McNichols, Tom Welby and
20 myself, and that's all. Thank you.

21 MS. EVANS: May I? First of all,
22 before I read the announcements that I have
23 I would like to commend our council
24 president, Mr. McGoff, for running the
25 Steamtown Marathon, and that's quite a feat

1 that I know I personally would never
2 undertake. I make a very good spectator,
3 but certainly not a participant, so
4 congratulations to you, Mr. McGoff.

5 The Upper Hill Ecumenical Committee
6 comprised of Myrtle Street Methodist Church,
7 Immaculate Conception Church and St. Peter's
8 Angelical Lutheran Church will conduct a
9 pancake, sausage breakfast from 7:00 to 11
10 a.m. on October 25. The breakfast will be
11 held in the social hall of St. Peter's
12 Lutheran Church corner of Ash Street and
13 Taylor Avenue. The hall is handicapped
14 accessible. Tickets are \$5.00 for adults
15 and \$3.00 for children. Proceeds will go to
16 St. Francis of Assisi kitchen in Scranton.

17 Also, a Friendly's Family Fun Night
18 will conducted tomorrow, October 15, between
19 the hours of 5 and 8 p.m. A percentage of
20 the food receipts from all of those eating
21 in or dining out will be donated to St.
22 Francis of Assisi Kitchen in Scranton. You
23 can make a difference in the lives of others
24 by participating in both of these events and
25 encouraging others to do so as well.

1 The Unico Tram of Terror will
2 operate from Shookie's at Nay Aug Park on
3 Friday and Saturday evenings beginning at
4 dusk. Adult tickets are \$5.00 and children
5 are \$3.00. Bring the family and enjoy a
6 terror filled good time.

7 And, finally, the Genisis Wildlife
8 Center will conduct a fall fund fair at Nay
9 Aug Park in Scranton this Saturday,
10 October 18, in front of the wildlife center
11 from 12 to 4 p.m. All money raised goes to
12 the animals. There will games, hot dogs,
13 coffee, hot chocolate, pony rides, so,
14 please, bring your children and have some
15 fun on a brisk autumn afternoon. Thank you.

16 MS. GATELLI: I just have one.
17 Tomorrow evening at West Scranton High
18 School at 6:30 the resource officer of our
19 school, Officer Steve Carroll, will be
20 giving a presentation to the public and
21 especially to the parents of students of
22 West Scranton on bullying and cyberbullying.
23 He will also be accompanied by two district
24 attorneys from Andy Jarbola's office. If
25 you do not know, starting in January of this

1 coming year all school districts in

2 Pennsylvania will have to have an
3 anti-bullying policy in their school
4 district, so it's very, very important that
5 parents and the public attend this very
6 important session. Thank you.

7 MR. MCGOFF: I hesitate to do this as
8 Mr. Courtright has said in the past, as soon
9 as you mention somebody's name you probably
10 forget three others, but as Mrs. Evans said,
11 the Steamtown Marathon was held this past
12 weekend on Sunday. Once again it attracted
13 somewhere around 1,900 applicants, I think
14 over 1,500 finishers of the marathon. I
15 would like to just commend, again, the
16 organization of the Steamtown Marathon, Bill
17 King, from the Scranton School District,
18 Jack Marks, Jim Cummings, John McGovern, the
19 committee members that I'm familiar with.
20 Also, Vince Fedor was this year's honorary
21 director, Vince is a long-time coach,
22 cross-country coach and distance runner and
23 also I am going to -- some of the people
24 that work within the city that were
25 participants in the marathon are finishers,

8

1 I know Dan Duffy and Tommy Lee from the

2 Scranton Police Department. Jack Davis and
3 Tom Davis from the Scranton Fire Department.
4 Paul O'Hora from flood control. I know Jack
5 and Paul -- Jack Davis and Paul O'Hora ran
6 somewhere around three hours which a great
7 time for a marathon, and Don Davis from DPW
8 was also a participant. If I have left out
9 anybody I'm sure I will hear, but,
10 congratulations to all of them. It was,
11 again, a great event. It brings a number of
12 people to the city, hotels were filled and
13 everybody that I speak to concerning the
14 Steamtown Marathon feels it's one of the
15 best races of it's kind in the country and
16 it brings -- every year brings people from
17 all over the United States and I think this
18 year from three foreign countries to
19 Scranton for the marathon. So, again,
20 congratulations to the organizers. And we
21 will move to Fourth Order. Citizens'
22 participation. Marie Schumacher.

23 MS. SCHUMACHER: Good evening. Marie
24 Schumacher, city resident and member of the
25 Taxpayers' organization. And I, too, would

9

1 like to congratulate Mr. McGoff for
2 finishing -- how many laps around Scranton

3 lake is that?

4 MR. MCGOFF: Eight plus.

5 MS. SCHUMACHER: So just like you do
6 almost everyday; right?

7 MS. GATELLI: I can only do five.

8 MS. SCHUMACHER: I'll witness that
9 any day you are ready. Mrs. Gatelli, can
10 you or will you testimony me if we will have
11 a 2007 city audit before the budget is
12 released on 11-15?

13 MS. GATELLI: I will find out for
14 you.

15 MS. SCHUMACHER: Thank you. And
16 awhile back you talked about the need for
17 Home Rule Charter review where does that
18 effort stand, and if you can answer me now
19 because I can't stay for motions tonight.

20 MS. GATELLI: You want the answer
21 now?

22 MS. SCHUMACHER: Yes, if you would.

23 MS. GATELLI: I did ask Attorney
24 Minora.

25 MR. MINORA: The research indicated

10

1 two things, if the Home Rule Charter is
2 amended to elect council people by district

3 or from by district at large, then they
4 don't have to go through the entire process
5 of a Home Rule Charter, but if it's other
6 amendments they actually have to go through
7 the entire process as though, basically as
8 though you didn't have a charter to begin
9 with, so it's --

10 MS. GATELLI: And, Attorney Minora,
11 would council have to start to proceed?

12 MR. MINORA: Council could. Council
13 could.

14 MS. GATELLI: Because I know if it's
15 a five-year period you have to wait from the
16 last commission that was elected because
17 they run, they are elected to be Home Rule
18 Study Commission.

19 MR. MINORA: Correct.

20 MS. SCHUMACHER: So, we can expect
21 that to move forward?

22 MS. GATELLI: I would like to move it
23 forward, yes, I don't know if my colleagues.

24 MS. SCHUMACHER: Well, you can take
25 that up later, but--

11

1 MS. GATELLI: I think we should it,
2 yes.

3 MS. SCHUMACHER: That was sufficient

4 for now, I don't know since you are Finance
5 Chair if you are the proper person to ask or
6 just ask it at large, but have there been
7 any status reports on the ongoing forensic
8 audit of the Single Tax Office? Has one
9 being requested, a status report being
10 requested and is there a --

11 MS. GATELLI: Yes, there has been
12 requested and they said that the audit
13 should be finished within 60 days.

14 MS. SCHUMACHER: That was when?

15 MS. GATELLI: About a week ago.

16 MS. SCHUMACHER: And then,
17 Mrs. Evans, have you received a copy of the
18 guidelines that LIPS inspectors give to
19 homeowners when they condemn a property that
20 tells the homeowners of their rights and
21 responsibilities and what code has been
22 violated?

23 MS. EVANS: No, I have not.

24 MS. SCHUMACHER: I know you have
25 asked twice, maybe in motions you could make

12

1 it a third, go for three.

2 MS. EVANS: Surely.

3 MS. SCHUMACHER: Boston is on

4 tonight. And with respect to what ECTV said
5 tonight to go back to that just a minute
6 because Mr. Darcy under oath testified from
7 this very podium at the zoning hearing that
8 all they were paying was \$1.00 per year
9 lease and tonight he said it's ECTV is
10 paying a dollar a year plus utilities and
11 plus half of the taxes, which I questioned
12 whether he even knows who his landlord is
13 because he should know that that is a tax
14 exempt property because it's held by
15 Lackawanna Institute, and I would also
16 suggest that since it's being used for a
17 purpose that is outside of the realm of the
18 Lackawanna Institute's charter that you
19 might want to go back to the assessor and
20 have that property reassessed and it might
21 be taxable. So, that's just something to
22 look into.

23 And the rest of my time tonight I
24 was going to spend talking with Mrs. Fanucci
25 because I have a number of questions, but I

13

1 guess she can read it in the minutes when
2 they are published. Back on September 2 I
3 sent a letter to OECD and asked why 11 loans
4 that you as council had approved during the

5 last year were not contained on the CDBG in
6 their paper where they report on economic
7 development activities and loans, and I
8 identified them and the amounts and I really
9 don't understand their response because they
10 told me in essence several of them were from
11 funds other -- from UDAG funds and a couple
12 of enterprise zone grants, but seven of
13 those ten loans when they were presented to
14 council were presented as commercial
15 industrial loans, and one in particular
16 really, and that's the way eight on the
17 Caper report were also presented the same
18 way, they had the exact same account numbers
19 and, as a matter of fact, there is one here
20 and then I'll finish up with this, it's a
21 loan that's reported on the Caper to Paul
22 Nardone in the amount of \$65,000 on
23 August 30 of last year and what they -- and
24 despite the fact that OECD's response to my
25 Right to Know claims that the outrageous

14

1 loan in the amount of \$65,000 was a CDBG
2 revolving loan and as such it would not
3 appear on the listing.

4 Coincidentally, council minutes of

5 7-12-07 presents a loan funded from the
6 commercial industrial loan program in an
7 amount not to exceed \$65,000 to Paul Nardone
8 doing business as Outrageous. I would
9 contend they are one in the same, so they
10 have in on the report, but --

11 MR. MCGOFF: I was going to suggest
12 that if you have questions for Mrs. Fanucci
13 if you would just give them to Mr. Coolican
14 and he can forward them to Mrs. Fanucci.

15 MS. SCHUMACHER: Okay. I'll e-mail
16 them to her. Thank you very much.

17 MR. MCGOFF: Ozzie Quinn.

18 MR. QUINN: Ozzie Quinn, Taxpayers'
19 Association. I'm coming here today as
20 president of the Taxpayers' Association
21 because we want to ask council if they would
22 consider something. You know, last Saturday
23 in the Times-Tribune there was a very
24 alarming statement and it really shook me up
25 and that's what I want to speak about

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1 tonight and it was made by Mike Hanley, who
2 is the executive director of the United
3 Neighborhood Centers, and I'm going to read
4 it verbatim, okay? He said, "We are seeing
5 new faces coming through our door," he said,

6 "lots of new faces, people who used to be
7 donors. People are coming to us looking for
8 food assistance and we have tuna fish and
9 grapefruit juice to offer them."

10 That sort of scares me, okay, that
11 there are people that are actually -- they
12 are actually donors that are now going to
13 the food pantries and the food pantries are
14 empty, as he said, grapefruit juice and tuna
15 fish, so what I really would like to do, you
16 know, it's a serious situation, very
17 serious, and it's going to be get more
18 serious, as we know, because of the economic
19 conditions that prevail today and I would
20 like to try and if someone would make a
21 motion or arrange that we have a meeting
22 with Mr. Hanley and Mrs. Siconolfi, the
23 bankers, the person for the county who runs
24 the communities service block grant and the
25 state that runs the community service block

16

1 grant and the OECD and other people to sit
2 down at a round table to see what we can do
3 to come up with some way of funding these
4 pantries this winter. It's a very serious
5 situation and I don't know if a lot of

6 people are going to make it.

7 Thank God for the school district
8 that some of these kids are going to be able
9 to at least get a meal --

10 MS. GATELLI: Two meals.

11 MR. QUINN: Or two meals, which is
12 great, so I'm asking to please consider some
13 kind of a meeting, a motion and we would be
14 glad to participate in it and give you some
15 names so that we could raise some funds or
16 sources of funding maybe if it's Washington
17 or whatnot to shake the tree and get some
18 monies in here to stock these pantries. I'd
19 appreciate if you could do that, okay?
20 Thank you.

21 MR. MCGOFF: Thank you, Mr. Quinn.
22 Andy Sbaraglia.

23 MR. SBARAGLIA: Andy Sbaraglia,
24 citizen of Scranton. Fellow Scrantonians,
25 on your agenda items for consideration for

17

1 adoption, 7-G, attached with that there was
2 a stipulation from this Ford, what do they
3 call it, Ford Motor, Ford Credit Company
4 limiting the amount we could borrow, have
5 you any idea why that was put into our
6 agreement?

7 MR. MCGOFF: I personally do not.

8 MR. SBARAGLIA: And the \$6 million, I
9 think it was for \$10 million, we already
10 borrowed 6.1 million in the name of the
11 Scranton Recreation -- no, the Scranton
12 Redevelopment Authority and does that come
13 to the ten million? In other words, we are
14 being told that we've got to watch what we
15 are spending by these people and they are
16 not even giving us much. It's not a big
17 contract, but yet they are worried about our
18 financial ability to pay. They want to
19 limit our borrowing for the end of this
20 year. Something like that tells you
21 something. Whatever they are telling you
22 about upstairs someone else is telling you
23 something different. People that are
24 lending you the money are saying you've got
25 to watch and you are not watching or they

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1 wouldn't have to put that stipulation in
2 there. It's just an odd think that I read
3 that.

4 Now, I know you are borrowing
5 vehicles, you are borrowing for police cars,
6 okay, and so forth, and Ford does make good

7 cars, especially if they are Crown Vex, but
8 the stipulation struck a cord with me
9 because I was wondering, we were told that
10 our credit rating was something like DDD
11 which must be even be below junk bonds
12 because I can't understand where they would
13 get a credit rating of DDD because of the
14 fact is, but Ford apparently saw that or
15 understood that and said, "You got to watch
16 what you are doing up there in Scranton."

17 Now, I realize they limit it to
18 \$10 million, you borrowed 6.1 million, do
19 you plan to borrow anymore money in the name
20 of taxpayers to the end of the year or is
21 the 6.1 million well within what Ford has
22 allowed? There is something to look at.
23 When you see stipulations like that, that
24 should raise red flags because any time you
25 put a stipulation in there, there is a

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1 reason underlying that stipulation.

2 Okay, let's go onto 7-F. This
3 project keeps growing and growing and
4 growing and I keep telling you all of the
5 taxes in the city for two years, probably
6 two and a half years don't makeup for what
7 we are throwing into that one block, and

8 it's not even a whole block, the two ending
9 parcels aren't in on this. They want to go
10 there anyway, which they should, they should
11 be, that's their right. No one should force
12 redevelopment on anybody. I think if you
13 own the piece of property that is your
14 property then and the only way they can get
15 it from you is not even condemnation because
16 I don't believe in that even though the
17 Supreme Court says you can do it. I don't
18 believe in it. I don't believe condemnation
19 is the way to go with anything. If you want
20 something and you want it bad enough you
21 should pay for it, but anyway, this is the
22 federal government. I don't know exactly
23 what they are going to do other than the
24 fact is they want to put an elevator up to
25 this parcel of land, they want to fix the

20

1 wall, I don't know if they want to put a
2 path there, I have no idea because there was
3 no dollar figure associated with this, but
4 you should look into it.

5 I mean, we are becoming the laughing
6 stock of this nation. We are bridges to
7 nowhere, now we are spending millions on a

8 block and the whole city is collapsing
9 around us, but yet we are going to spend a
10 million dollars on the block. There is more
11 to Scranton than central city and I wish you
12 would all realize that. Central city is one
13 hub and I don't know even think they bring
14 enough money into the city to even worry
15 about it. I think if you look at where the
16 money is coming from it's the wage tax and
17 the poor underage people they are the ones
18 that live in the city outside of central
19 city. Most of the people from central city
20 probably live out of town, they don't live
21 here. Why should they live here? Bad
22 enough they have to pay 2 percent, 0why
23 should they pay 3.4 plus. Well, thank you.

24 MR. MCGOFF: Thank you,
25 Mr. Sbaraglia. Fay Franus.

21

1 MS. FRANUS: First, I'd like to say
2 that last week on Tuesday before the council
3 meeting I heard that the caucus with ECTV
4 was postponed or cancelled, so I called and
5 left a message and nobody answered it and
6 Mark called me back the next morning,
7 Wednesday at 10:00, and he asked why I had
8 called and I just said that I wanted to know

9 why the meeting was cancelled and he said he
10 didn't have to answer me. He said he is
11 working it out with council, he didn't have
12 to answer me. And I just thought that odd
13 and I said to him, "The taxpayers are paying
14 your salary."

15 He said, "I made it very clear that
16 I had other commitments."

17 I just wanted to let you know how
18 his attitude was. I'd also like to know the
19 amounts the employees are getting since we
20 are paying them, I'd like to that to be one
21 of the questions, the follow-up questions,
22 what are employee salaries when they get it.

23 Mrs. Gatelli, I'm asking you these
24 questions as a citizen, a taxpayer. In your
25 lawsuit of which you are a defendant for

22

1 defamation what city insurance company is
2 paying for your defense?

3 MS. GATELLI: I have no idea.

4 MS. FRANUS: During the July 15,
5 2008, meeting there was a resolution for
6 insurance with Nautilus Insurance for city
7 insurance coverage for a period June 12,
8 2008, through June 12, 2009. Perhaps this

9 is the company, it was approved by council.
10 I just want to get it on the record. Are
11 you filing as a city council person?

12 MS. GATELLI: Mrs. Franus, I'm not
13 going to answer any of your questions.

14 MS. FRANUS: This is taxpayer
15 appointed money, Judy, that's representing
16 you.

17 MS. GATELLI: I was sued by someone
18 and it was countersued by the city.
19 Attorney Minora can answer your questions.

20 MS. FRANUS: Mr. Minora is Mrs.
21 Gatelli suing as a councilperson and as a
22 private citizen.

23 MR. MINORA: Council person.

24 MS. FRANUS: Not a private citizen?

25 MR. MINORA: Council person. She was

23

1 sued as a council person, she wasn't sued as
2 a private citizen.

3 MS. FRANUS: Okay. In your
4 countersuit, Mr. Minora maybe you can answer
5 this, in Mrs. Gatelli's countersuit against
6 against the anonymous motions of the website
7 s the same insurance company paying for your
8 legal fees?

9 MR. MINORA: Well, I'm not

10 representing her.

11 MS. FRANUS: But, you don't know
12 what the city insurance company from the
13 city?

14 MR. MINORA: Do I know the name of
15 the company? I do not know the name of the
16 company. It would not have been a new
17 company. It would have been a company who
18 was --

19 MS. FRANUS: Appointed before --

20 MR. MINORA: That would have been in
21 force at the time the lawsuit was filed.

22 MS. FRANUS: I see, the company
23 before this other one.

24 MR. MINOR: So whatever that company
25 is.

24

1 MR. MCGOFF: Mrs. Franus, I believe
2 we are in --

3 MS. FRANUS: Mr. McGoff, this is
4 taxpayer questions.

5 MR. MCGOFF: We are talking about
6 things that aren't --

7 MS. GATELLI: Mrs. Franus, if you
8 want to know you should find out how many
9 lawsuits are in this city and how much it is

10 costing the taxpayers.

11 MS. FRANUS: I'm asking about this
12 one specifically.

13 MR. MCGOFF: This one is still in
14 Court.

15 MS. GATELLI: I know why you asking.

16 MS. FRANUS: The taxpayers are still
17 paying for this.

18 MS. GATELLI: And so are the posters
19 on the website.

20 MR. MCGOFF: Please.

21 MS. FRANUS: I have a right to know
22 00.

23 MS. GATELLI: Many of whom are in
24 this room.

25 MS. FRANUS: Mrs. Gatelli, I have a

25

1 right -- Mr. McGoff, please, I have a right
2 as a taxpayer to ask these questions.

3 MR. MCGOFF: Well --

4 MS. FRANUS: I'm paying for it.

5 MR. MCGOFF: Well, for the time I'm
6 saying it's order of record because
7 it's still --

8 MS. FRANUS: Well, I'm sorry, it's
9 not. I'm not asking about any of the
10 litigation, I'm asking who is paying for it.

11 I also want to know if you win damages on
12 your countersuit for defamation who gets the
13 money? Does it go back to the city or are
14 you getting this, Mrs. Gatelli?

15 MS. GATELLI: I have no idea.

16 MR. MCGOFF: Excuse me.

17 MS. GATELLI: Excuse me.

18 MR. MCGOFF: I'm going to -- I said
19 the questions I believe are out of order.
20 It's a current case, we are not going to
21 discuss it and I'm going to advise
22 Mrs. Gatelli and --

23 MS. FRANUS: Isn't that convenient,
24 Mr. McGoff.

25 MR. MCGOFF: -- to not answer.

26

1 MS. FRANUS: Any other thing that has
2 to do with city money we have to right now,
3 but because it's Judy Gatelli in a lawsuit
4 the gavel is banged? I find that very
5 interesting, very deceptive, since I'm
6 paying for it and every citizen in this city
7 is paying for it we as citizens have a right
8 to know. I mean, you sat there on that
9 council, Mrs. Gatelli, and stated how you're
10 distraught over all of this, and you take

11 medication for all of that, I'd like to know
12 who is paying for all of that as well. It's
13 all coming back to us.

14 MS. GATELLI: Is this all part of
15 the meeting you had to discredit me for the
16 election, Mrs. Franus?

17 MR. MCGOFF: Please.

18 MS. GATELLI: You know, the private
19 meeting that you had to start harassing me
20 so that I'll lose the election?

21 MR. MCGOFF: Please.

22 MS. FRANUS: Mrs. Gatelli, what
23 private meeting are you referring to?

24 MS. GATELLI: The private meeting
25 that I got a note about that you were going

27

1 to do this until the election.

2 MS. FRANUS: I never had a private
3 meeting with anybody and I resent you saying
4 that because --

5 MS. GATELLI: Well, I resent you
6 saying that about me, too.

7 MS. FRANUS: Well, what I'm saying is
8 in the logs.

9 MS. GATELLI: I have a record, I have
10 a 27-year record in this community and you
11 can look it up.

12 MS. FRANUS: What I am looking up?

13 MR. MCGOFF: Thank you.

14 MS. FRANUS: Not your qualities.

15 MR. MCGOFF: Mr. Talimini.

16 MR. TALIMINI: That's going to be a
17 tough act to follow. Joe Talimini, I'd like
18 to start off by acknowledging something.
19 Today is birthday of Reverend Dan Waters of
20 Bethel AME Church. Reverend Waters is
21 84 years old today and I would like the
22 whole city to know that this man even at his
23 age and his physical condition walks down to
24 that Bethel Church everyday, every night, he
25 is there seven days a week and I think the

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1 man is well worthy of note, and I personally
2 would like to wish him a happy birthday and
3 I hope the council that would do the same
4 thing.

5 MS. EVANS: Yes.

6 MR. TALIMINI: He is a remarkable
7 man. Going over what we just heard from the
8 television people, if there is a game such
9 as fantasy football I would like to have
10 Mr. Darcy on my team for illusive answers.
11 I think he would be one of the charmers in

12 the group. I think it's kind of interesting
13 Mr. Darcy is a one-man company as he said
14 because it appears that is dealing with a
15 one-person city administration based on what
16 I heard and I resent the mayor saying this
17 is not your ballgame, it's his. Well, if it
18 his let him put the money out of his own
19 pocket and not out of mine because this is
20 the City of Scranton and the taxpayers are
21 represented by the government and,
22 unfortunately, whether Mr. Doherty realizes
23 it or not he is part of the government. He
24 not a dictator, he is a mayor and he better
25 learn very quickly that he does represent

29

1 the entire city not just his own group.
2 Now, into today's newspaper, which I
3 hate to acknowledge, but I will, there was a
4 little survey they did asking for the
5 important traits for a would be president of
6 the United States, I think the same thing
7 applies to any politician. There were six
8 options. One was ambitious, one was easy
9 going, one was intrepid, one was responsive,
10 one was stubborn and one was tenacious.
11 And, you know, overwhelmingly the winner was
12 responsive, and that's what we need in this

13 city is a responsive government, not only
14 from our mayor but from our council as well
15 as all of our authorities, all of our
16 department heads. This should apply to any
17 of you whether he is elected or appointed,
18 we need responsiveness and that's a key
19 factor. I hope you all remember that and.

20 Most importantly, in view of the
21 economic situation we are undergoing and I
22 don't know nobody wants to believe it but we
23 are in recession, some of the finest minds
24 in the country have said we are in a
25 recession, we're on the verge of depression,

30

1 it's have a very serious condition, I would
2 hope that this council within it's limit
3 would exercise fiscal restraint in this
4 upcoming budget because we just don't have
5 the money to spend and there is no telling
6 if we are going to have any money to spend
7 in the next year and the way things are
8 going, it's not a good situation, so again,
9 I would urge you to exercise fiscal
10 restraint. I know it's a very tough thing
11 to follow, but I'll e-mail Mrs. Fanucci and
12 makes sure she understands that as well.

13 Thank you very much.

14 MR. MCGOFF: Thank you, Mr. Talimini.
15 Les Spindler?

16 MR. SPINDLER: Good evening, Council,
17 Les Spindler, city resident, and homeowner.
18 I was wondering if council could find
19 something out for me, how many lawsuits have
20 been filed against Office of Licenses and
21 Inspections from the time Mr. Fiorini
22 retired to the present? Could someone
23 possibly find out for me for next week?

24 MS. EVANS: Well, we may not receive
25 the response by next week, but I'll

31

1 certainly make the request.

2 MR. SPINDLER: Thank you, Mrs.
3 Evans. Last week Mrs. Fanucci stated that
4 council is powerless to do anything against
5 CGTV when, in fact, that's not true and any
6 funding for CDTV has to come before council
7 and council can deny the funding, and
8 standing here and listening to Mr. Darcy or
9 Mr. Migliore, or whatever his name is, and
10 they are saying about how, you know, they
11 received \$100,000 and they need all of that
12 money to get everything up and going when I
13 stated before, Scranton Today worked on a

14 shoestring budget, they had live meetings,
15 the sound was much better, when I listen to
16 these meetings at home the sound from the
17 people speaking at the podium, I have to put
18 the volume all the way up on my remote and
19 then when council people speak I have to put
20 it down because their volume is louder. So,
21 like I said, Scranton Today worked on a
22 shoestring budget and did a much better job.
23 If they had \$100,000 lord knows what they
24 would have been able to do.

25 Moving on, Mrs. Evans, you stated

32

1 last week about maybe looking for a new
2 cable provider, I think we absolutely have
3 to look for a different cable provider.
4 Comcast raised their rates almost every
5 year, we get nothing more for it, people
6 just can't make it anymore. In 2010 the PPL
7 rate caps are coming off, people will be
8 paying outrageous rates for the electricity,
9 everything is going up, give us a break,
10 Council? Would you give the taxpayers a
11 break? Let's look to get a cheaper cable
12 company?

13 I was going to -- driving down

14 Spruce Street last Thursday, I came to the
15 corner of Franklin and Spruce and I couldn't
16 believe it, there were lines painted and
17 arrows on the street? Then I went down
18 Lackawanna Avenue and the same thing at the
19 mall, miracles do exist I guess. No, a
20 miracle would be if I get my corner fixed so
21 my sidewalks don't get flooded.

22 Did anyone look into the smoking
23 issue at Whistles?

24 MS. GATELLI: Yeah, I did. I'll
25 report it in motions.

33

1 MR. SPINDLER: Okay. The last thing,
2 I have a couple of announcements, next
3 Tuesday, August 21st at 7:00 at the Tripp
4 Park Community Center is a meeting of the
5 Tripp Park Crime Watch. Anyone living in
6 Tripp Park is welcome to come and join us if
7 they want to, we would like as many people
8 as possible.

9 Also, on November 11, that's a
10 Tuesday, also, at 7:00, there is a regular
11 meeting of the Tripp Park Neighborhood
12 Association and everyone is welcome, every
13 one at Tripp Park is welcome to join us
14 there. That's all. Thank you.

15 MR. MCGOFF: Thank you, Mr. Spindler.

16 Lee Morgan.

17 MR. MORGAN: Good evening, Council.

18 I only came up here tonight to really
19 briefly touch two issues and I really think
20 they are very vital in this city. The first
21 issue is ECTV. Now, we have to realize how
22 this came about. East Scranton Business
23 Association, \$10,000, \$90,000 Community
24 Development money, same money, same with
25 East Scranton Business Association and the

34

1 only thing this is doing is it's stifling
2 the ability of residents to understand
3 what's happening in their city. Not only in
4 regards to city council meetings, but every
5 other single thing that happens in this
6 city. It's really the only way I believe
7 that Mayor Doherty can win election because
8 if the residents of this city were allowed
9 to see Channel 61 as it previously was,
10 Mr. Doherty wouldn't have a chance to win
11 the election even if he was the only
12 candidate, okay? They understand what's
13 happening to this city. This city is being
14 systematically looted.

15 Now, if you pay any attention to
16 what's happened to the bond market and all
17 of the other things and to find out that our
18 elected officials haven't done anything for
19 us, really, be honest with yourselves, I
20 mean, how did the sewer rate increases tax
21 place and how is council skirted. How is
22 this mayor managed to skirt every bit of the
23 city's government and do every single thing
24 he has wanted to do and build unnecessary
25 projects to the detriment of the residents?

35

1 Evidently, somebody wasn't doing their job
2 and I think that I'm looking at somebody who
3 could have did something, and I'm not
4 picking on one council person, you know,
5 somebody has to make a decision.

6 And the other problem we seem to
7 have is that America isn't just in a
8 recession. We are probably heading for a
9 very hard depression because if anybody
10 understands what's happening on the capital
11 intensive markets in this country you find
12 out that America is nationalizing nine of
13 it's largest banks and York is done the same
14 thing and the bond market is collapsing, so
15 that tells you something.

16 And my question is, if we have
17 \$100,000 to help Mr. Doherty win reelection
18 do you think that we could come up with a
19 little bit of money to supply the food
20 pantries with food for the poor in this city
21 that are losing their jobs or have lost
22 their jobs and do you think we can pass any
23 legislation to protect people's properties
24 if it so comes to pass that they can't pay
25 their property tax or are we going to nail

36

1 all of those fees on top of all of those
2 people and try to sell their property, is
3 that what we are going to do in this city?

4 Because really, you know what, it's
5 time for this council to stand up and lead
6 and you lead by example and it's time, the
7 time is now, the time for politics to end is
8 now. Somebody has got to call this mayor on
9 the phone or going to talk to him in person
10 tomorrow or talk to any of his subordinates
11 and say, "Look it, we have got to give
12 relief to the residents of this city and
13 they need it, the food pantries are empty,
14 the poor, the working poor are losing their
15 jobs, there is very small middle class in

16 this city, almost everybody if you look at
17 the statistics for free school lunches you
18 can see the pain and suffering in this
19 community, and it's time for somebody to
20 step up and if we can spend \$100,000 for
21 ECTV that can't even transmit a live meeting
22 and when the gentleman comes before this
23 council, and he knows he doesn't have to
24 deal with you because the mayor is funding
25 him, he only talks to one master and the

37

1 master is on the first floor, and I guess he
2 pretty much told you people that when he was
3 here today, so my point is could you think
4 that you can help the residents of this city
5 by trying to find some money to make it
6 available for food pantries and for the poor
7 families in this city that actually need
8 help because now it's time to show where you
9 stand, okay?

10 I mean, they have an article, they
11 had a commercial yesterday on Chris Doherty
12 throwing garbage in a garbage can and when I
13 saw that you know what I thought about? I
14 thought about all of the money he borrowed
15 and wasted. You know, let your conscience
16 serve you well and think about it tonight.

17 Do you owe the residents of this city
18 anything? You know, I find it really
19 pathetic when people in this city come
20 forward and ask a council member if you can
21 make it possible for the garbage in front of
22 their house to be removed or if you can plow
23 the snow from in front of their house. Your
24 responsibility is 100 times more than that.
25 I hope you live up to your obligations.

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1 MR. MCGOFF: Bill Jackowitz.

2 MR. JACKOWITZ: Bill Jackowitz,
3 Scranton resident, member of the Taxpayers'
4 Association. I want to make it perfectly
5 clear that I have never attended a private
6 meeting or a private meeting and discussed
7 anything about city council. Everything I
8 do is out in public, normally televised or
9 printed in the newspaper, so I just want to
10 make that clear on the record because I have
11 never done it and I never will do it if I
12 have something to say I will say it directly
13 to you in public.

14 Toastmaster's International, a
15 highly respected public speaking
16 organization worldwide states that a person

17 at the podium is the speaker and everybody
18 else are the listeners. What is so hard to
19 understand about that simple rule of
20 courtesy and etiquette? Again, I ask city
21 council members please do no interrupt the
22 speakers. We as speakers only have five
23 minutes to express ourselves while council
24 members have as much time as they desire to
25 express themselves. The first three words

39

1 of the preamble to the constitution, "We,
2 the people," not "we", the elected, or "we",
3 the politicians. "We, the people." That
4 does include you and me.

5 I actually agree with Mayor Doherty
6 and Councilwoman Fanucci. City council has
7 no authority whatsoever. That was taken
8 away with the election of the majority three
9 and the passing of a strong form of mayoral
10 government. The mayor once said all I need
11 is three votes. Well, he has three. Until
12 council starts to vote 5/0 against the
13 mayor's budget, borrowing, appointments,
14 council will remain an inept government body
15 controlled by Mayor Doherty. How can one
16 man, Mayor Doherty, be correct about
17 everything considering he is the mayor of a

18 distressed city, has no contact with his
19 police and fire unions, police officers
20 purchase their own vehicles and he must
21 borrow and raises taxes to stay afloat.
22 Borrow more to pay back borrowed money. How
23 can he be right all of the time?

24 Again, I will ask who is responsible
25 for the City of Scranton being distressed

40

1 for 16 years starting in 1992? Patiently
2 awaiting answers from last week. Patience
3 is a virtue. What is wrong with fair,
4 honest and open government? Closed doors
5 meetings are things of the past. Informed
6 an intelligence citizens will no longer
7 tolerate that. Government at all levels
8 need to be open to all citizens and
9 taxpayers. Put the people first and your
10 friendships and allegiance second. Why is
11 public access television important? The
12 camera does not lie. Close doors, shut the
13 citizens out and then the lies start.

14 Most citizens will not take the time
15 to participate in their government until it
16 becomes too late like now. After the fire
17 starts it is too late to practice fire

18 safety. You may not like the questions or
19 for that matter the person who asks the
20 questions, but, again, we the people are now
21 demanding answers, truthful answers, no more
22 I believe or somebody told me this, I think
23 so, and my favorite, back when I was with
24 Mike Washo this is the way we did it.
25 Ancient history. How is it being done in

41

1 2008.

2 Finally, in response to Councilwoman
3 Gatelli and, Councilwoman, this is not a
4 dig, from last week comparing the county
5 budget to the city budget, if the streets
6 were being paved and plowed during
7 snowstorms, remember the St. Valentine's Day
8 massacre, if the fire and police were under
9 contract, if city residents were not paying
10 an extra \$178 a year to have their garbage
11 picked up, when residents call DPW or the
12 mayor's office they receive answers not
13 answering machines and, finally, when will
14 the city wage tax be reduced from
15 3.4 percent? Please, answer during motions.

16 The budget is far too high for a city
17 of approximately 67,000 residents and
18 declining unless you account the

19 undocumented illegals. If you need your
20 computer, like Mrs. Fanucci said, then bring
21 it to the meetings if the answers are on the
22 computer. ECTV advisory board? Nonsense.
23 Just like the Scranton Ethics' Committee and
24 this ECTV selection board. Mayor Doherty
25 only needs himself and his majority three

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1 for Doherty television to succeed.

2 A reasonable amount of time to grow?
3 How about a reasonable amount of time and a
4 reasonable amount of private money, not
5 public money, to finance ECTV. If it's
6 going to be financed by me, the public, a
7 taxpayer, for about 48 years now then I
8 should have a say in the running of ECTV and
9 every other taxpayer in this city should
10 have a say in the running of ECTV. So,
11 really, let's start working for the people.

12 MR. MCGOFF: David Dobson.

13 MR. DOBSON: Good evening, Council,
14 Dave Dobson, member of the Taxpayers'
15 Association, City of Scranton. I would like
16 to point out the expense of Comcast on our
17 citizens. I have a question, are we cash
18 cows unduly burdened and taxed? Basically

19 around \$20 a month all you will get is local
20 TV. Limited, \$45 a month, now, these are
21 approximate figures, no CNN, no ESPN, no
22 channels between 20 and 70, no CSPAN, except
23 for Channel 61 and 62. The new rate for
24 full service is \$70 plus per month. Now,
25 that would include CSPAN and ESPN and so

43

1 forth that I mentioned were excluded before.

2 On Channel 61 I must remain neutral at
3 this time. I have associations with both,
4 but I have a question, where is Channel 62?
5 I see no programs in three months, why do
6 these people have a franchise with 62 if
7 they have no interest in programming?
8 Council should review Channel 62 activities
9 and request intent from these people and to
10 see if they are really interested in holding
11 this franchise or would they like to relay
12 it to some more interested parties? I would
13 also like to request, as other people have
14 requested tonight, a better deal be
15 negotiated, more affordable for Comcast.
16 Also, Channel 61 should not offer children
17 programs. WVIA is goo-gaa-gaa from 6 a.m.
18 to 6 p.m. We have enough, enough Sesame
19 Street on, we are interested in information

20 that we can use.

21 Direct TV channel, 130 channels,
22 \$29.95. No Channel 61. So, as you go along
23 here with these different negotiations and
24 so forth, I would like to see things improve
25 because at the current it's hardly worth

44

1 paying for, it's really ashamed. I hear
2 Channel 61 and 62 are going to go to Channel
3 9 and 11, well, I'm liable to go down to
4 just basic and get cable. I can save myself
5 30 or 40 -- or Direct TV, I could save
6 myself 30 or 40 dollars a month. Thank you
7 and have a good night.

8 MR. MCGOFF: Thank you, Mr. Dobson.
9 Anyone else? Mr. Davis.

10 MR. DAVIS: A salaam aleikum. Peace
11 and blessings of the law be with you. It
12 seems as though the world, the world and our
13 city, is in a financial conundrum with
14 everything mixed up, nobody understand where
15 we are going or why we are going, but there
16 are people who say that they know the
17 answer. Do we know the answer in Scranton?

18 I look at the kids, the number of
19 children going into the shelter every day.

20 They are exploding. How many kids are they
21 turning away? How many parents are they
22 turning away? Do we care? No. I don't see
23 us caring about those who don't have.

24 When we come up with the answer that
25 the shelter is running out of food. There

45

1 is no drugs, there is no problem, let's get
2 food down there to them. Let's start a
3 thing where people can bring their
4 additional canned food and things like that
5 and deposit it for them, so we can help them
6 out. We don't have that.

7 That used to be a thing I could
8 remember of Scranton of the past. If we
9 came to the city council and said one of our
10 -- it's a progressive city that doesn't have
11 the food to serve the people that are coming
12 there, something would have been done. Even
13 if we had to bring in Sister Adrian to prove
14 our point, but I'm saying it's getting worse
15 so, therefore, the amounts of crime is going
16 to increase because I'm not going to start,
17 seriously, I'm not going to sit out here and
18 starve while there is money being made or
19 not made there.

20 There is food there, there is this

21 MS. GATELLI: Mr. Davis, you know,
22 why the house was condemned. You know why
23 the house was condemned. You can ask anyone
24 in the Hill Section why the house was
25 condemned.

47

1 MR. DAVIS: That same house that you
2 condemned was repaired.

3 MS. GATELLI: It was my job to do
4 that, Mr. Davis.

5 MR. DAVIS: So that was a necessary
6 evil.

7 MS. GATELLI: It was my job to do
8 that, and Mr. Burton can look up the details
9 of that condemnation in the paper back then
10 to see what was happening at that particular
11 address and the police reports.

12 MR. DAVIS: That doesn't mean that
13 you couldn't condemn it. There was nothing
14 that had been done there to cause you to
15 condemn that property.

16 MS. GATELLI: Mr. Davis, it went to
17 the Housing Board of Appeals, and I'm not
18 going to dispute it with you.

19 MR. DAVIS: That's a joke. Come on
20 now. This poor old black lady trying to
21 survive with 15 nephews and things around

22 her to feed and stuff like that, and then
23 you are worried about condemning it.

24 MS. GATELLI: Mr. Quinn knows what
25 went on up there.

48

1 MR. DAVIS: Yeah, Mr. Quinn --

2 MS. GATELLI: And Mr. Neverosky knows
3 what went up on there, and the rest of the
4 neighbors and the police know went up on
5 right there.

6 MS. DAVIS: Mr. Parker was there,
7 too. I remember them. I remember most of
8 all of them.

9 MS. GATELLI: Yes, because that was
10 my job and I did my job when I worked for
11 the city.

12 MR. DAVIS: Well, I hope that we do
13 our job and make sure that you don't have
14 anything else to do with the city.

15 MS. GATELLI: Well, thank you,
16 Mr. Davis.

17 MS. HUMPHRIES: Hi, everybody.
18 Praise be Jesus and Mary, all of the holy
19 saints and peace to everybody here. I want
20 to read something out of the dictionary and
21 then I'm going to go on. I represent truth

22 in the fullest. "Justifying. Justifying,
23 justicator. To prove, to show, to be
24 just, right and reasonable, to show to have
25 a sufficient legal reason to qualify oneself

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1 to surety by taking the oath through the
2 ownership of sufficient property. To
3 administer justice worthy of salvation. To
4 absolve. To make even, to justify. Through
5 justification there is margins and lines.

6 Now, we have art here in the City of
7 Scranton. I have a disability, so I walked
8 from Mulberry Tower with that sheet that
9 says end terrorism in the United States and
10 in all nations, inside and outside of the
11 woman. When they asked my if I signed what
12 my number was I says, no more number, this
13 is it, bring our countrymen home and
14 abortion, euthanasia, capital punishment and
15 get our country back in the proper order
16 that it is.

17 My name is Phyllis Bernadette,
18 150 years Bernadette, the virgin mother came
19 to Bernadette. The virgin mother has come
20 to me since a little girl, they've locked me
21 up, I have been in psychiatric wards, God
22 allowed me to go through all of the

23 different organizations for the justifying
24 of the poor, the rich, the bureaucratic that
25 has all away through monetary, you have seen

50

1 what happened with the money going in. Show
2 me the money, honey.

3 And I have seven people that in
4 order to serve in our country, I am an
5 American, but I dress in ethnic. One day I
6 am an Indian, one day I am Muslim, one day
7 I'm Jewish. The guy that's going to get me
8 if he wants to marry me he is going to have
9 a lot of fun. It's International Showtime.

10 What I am bringing you is this, it's a
11 strong message, I'm not here to tear down my
12 town. My town has torn down me because of
13 my religious faith. A lot is going to be
14 happening in the next couple of weeks and I
15 have tried to intercede through the
16 newspaper to give them love and forgiveness,
17 I feel we should boycott the Scranton Times
18 at this point. I don't want to be shocked,
19 but this is the way it is.

20 This is the art work. Now, there is
21 money behind here. You are not going to get
22 a lot of money checks. This is the picture

23 the color came out of pencil appeared an
24 angel. There is a woman there. This is
25 Guadeloupe, a pencil appeared there. She

51

1 wrote a letter for the world.

2 This is my father, used the rhythm
3 method, 14 kids, forget about everything
4 else. This is my granddaughter, she is an
5 American/Russian and I baptized her, she
6 speaks two different languages. She is
7 going to be the angel of reconciliation,
8 love and peace. Lines came across her,
9 miracles appeared in that. Right above, my
10 cousin was a boxer, and I have a cousin that
11 died, the golden gloves awards, Paul Roach,
12 he was in nine months, he got hit, nine
13 months he was ill and he died. He is boxing
14 from heaven telling everybody straighten up,
15 get your politics right and support the
16 people.

17 MR. MCGOFF: Thank you. Oh, there
18 are two sides.

19 MS. HUMPHRIES: You are going to
20 listen, you're not going to chase me away
21 from this one. This is seize the man and
22 carpa diem, eighth-grade student, right here
23 is the picture miraculously of our lady

24 Estes, June 26, 1990, when the miracle
25 occurred the virgin Mother, the dove, the

52

1 olive branch and venus. This is what
2 happened. Lights appeared across it. She
3 is the mother of Ephapses. June 26, 1931
4 they proclaimed Mary the mother of God. For
5 every knee shall bend and every head shall
6 bow is every tongue will proclaim that Jesus
7 Christ is Lord. We want to see the City of
8 Scranton straightened out and you got to get
9 the Scranton Times, they are not doing their
10 job.

11 MR. MCGOFF: Phyllis.

12 MS. HUMPHRIES: God bless you.

13 MR. MCGOFF: You have gone too far.

14 Thank you.

15 MR. HUMPHRIES: God is timeless.

16 MR. MCGOFF: Than you. Mrs. Evans?

17 MS. EVANS: Good evening. Prior to
18 this regular meeting, council finally met in
19 public caucus with representatives of ECTV
20 following three requests for such a caucus.
21 It should be noted that the mayor was
22 requested to attend this caucus, but he
23 failed to do so. Like former tax collector

24 Ken McDowell who continues to ignore council
25 subpoena, Mr. Migliore, manager of ECTV,

53

1 cited originally the circus atmosphere of
2 council meetings as they reason for failing
3 to appear publically. This is a prime
4 example of the pot calling the kettle black.
5 It's apparent that both Mr. McDowell and
6 ECTV have created their own circuses.

7 As for having another commitment
8 last week, Mr. Migliore arranged for the
9 second meeting with council himself after
10 canceling the first. Why then would he
11 schedule another commitment at the same time
12 as the meeting with council he had already
13 agreed to? Like everything else that ECTV
14 has touched to date, it doesn't pass the
15 smell test.

16 Mr. Doherty believes in absolute
17 power. He alone selects, replaces, funds
18 and controls public access channel
19 television then he alone is responsible for
20 the lack of services and poor quality
21 broadcasting of government meetings for the
22 last five months. Although he has given
23 \$100,000 of taxpayer money to ECTV, he
24 prefers to wait until 2009 when at some

25

point a new cable contract begins to provide

54

1

a live feed for government meetings. I

2

believe that a percentage of the cable

3

franchise fee should be allocated to local

4

PEG channel management. However, I don't

5

believe that the people should have to wait

6

any longer for live broadcasts of all

7

government meetings.

8

Scranton Today earlier this evening

9

generously offered to provide the live feed

10

until ECTV is capable of providing it. I

11

agree with this solution and I thank the

12

board of Scranton Today for it's great

13

community spirit and generosity. However, I

14

also believe that ECTV should pay Comcast

15

for the hard wire from the \$100,000 in

16

taxpayer money it has been given. It is a

17

good faith action toward the public it

18

serves and does not require the consent of

19

the mayor since there is no contract and

20

such purchase falls within the requirements

21

for use of the OECD loan/grant.

22

If ECTV fails to purchase hard

23

wiring and, thus, fails to provide it's own

24

live coverage by October 23 then it can be

25

called Elect Chris TV as so many residents

55

1

have stated and the mayor does control these

2

public television stations. It has become

3

increasingly clear that this project, ECTV,

4

is yet another project which is stamped by

5

the mayor's thumbprint. All fluff, no

6

substance.

7

At last week's council meeting I

8

asked my colleagues to consider a dollar

9

amount to be plugged into legislation

10

concerning the use and disbursement of UDAG

11

funds that come before council for approval.

12

The clock is ticking and in the interim

13

additional UDAG funds could be spent without

14

council knowledge or approval. Therefore, I

15

ask that each my council members offers his

16

or her opinion now, please, so that we may

17

reach an agreement and the legislation can

18

be placed on our agenda.

19

MR. COURTRIGHT: We were talking

20

while you were talking, Mrs. Evans, and Mr.

21

McGoff said to me, I don't think you mind me

22

saying this, what is reasonable, he said

23

10,000. I think 10,000 is fair. Anything

24

10,000 or over who have to come before this

25

council?

1 MS. EVANS: Mrs. Gatelli?

2 MS. GATELLI: Yes, that's fine with
3 me. Is it with you?

4 MS. EVANS: No, but I will have to
5 concede.

6 MS. GATELLI: What did you want, all
7 of it?

8 MS. EVANS: All of it. If I could
9 just explain it and then the majority
10 decides. When I made the motion to draft
11 this legislation I stated that all UDAG
12 funds must come before council and I stand
13 by that statement. In this time of
14 excessive government waste and park barrel
15 spending it's become increasingly important
16 to safeguard spending.

17 In addition, the mayor has
18 demonstrated that he not always trustworthy
19 in financial matters by funneling \$10,000 to
20 the East Scranton Business Association to
21 give to ECTV. He defended his action by
22 saying the money was needed for blight
23 elimination, however, there was no
24 declaration of blight and the money was used
25 to purchase a digital server and for

1 supplies according to Mr. Migliore, who was
2 on record in the Scranton Times newspaper.

3 In addition, if a figure were set at
4 let's say \$10,000, for example, was is to
5 prevent any mayor, not just this mayor, any
6 mayor from writing two separate checks for
7 \$5,000 and funneling the extra check to his
8 friends through another entity? That's why
9 I believe all UDAG use and disbursement
10 should come before city council for
11 approval.

12 MR. COURTRIGHT: Can I speak? I
13 don't disagree with that only because we had
14 a little to-do back a few meetings ago when
15 over a year ago when we thought all of the
16 money being voted on was going to come
17 through us and then we found out it wasn't,
18 so that didn't set too well with me. I
19 would be agreeable for all of it to come
20 through because it would have to be three of
21 us again like any other project.

22 MR. MCGOFF: I believe that any
23 agency should have some discretionary funds.
24 I know that that may sound -- and regardless
25 of who is mayor at the time, I think there

1 is some need for discretionary funding
2 without approval of, you know, a council or
3 whatever, any other governing board, so I
4 think \$10,000 is a reasonable amount. I
5 understand your hesitancy, but I still think
6 that discretionary spending or some type of
7 discretionary fund is acceptable in certain
8 circumstances.

9 MS. EVANS: Well, there is spending
10 though that occurs outside of UDAG funds,
11 let's say, without our having to vote on it.
12 There are miscellaneous accounts in the
13 budget, for example, that none us are quite
14 sure, you know, of the source or the use
15 for, and then even within the mayor's
16 department there are monies.

17 MR. MCGOFF: We could discuss this in
18 caucus next week and arrive at a something
19 might be acceptable to everyone? Would that
20 be acceptable?

21 MS. EVANS: Yes. My concern is just
22 that we get this on the agenda and pass this
23 prior to the introduction of the mayor's
24 2009 proposed budget because once that item
25 is introduced it consumes council and very

1 many other issues seem to be placed on a
2 back burner.

3 Also, I remain very concerned about
4 the residents of Dickson Avenue and the
5 remainder of the area surrounding Daron
6 Northeast, and I know that Ms. Gatelli is
7 also very supportive of helping these
8 residents. So, Attorney Minora, could you
9 please have a draft --

10 MR. MINORA: Can I tell you what I've
11 done already on that?

12 MS. EVANS: Um-hum.

13 MR. MINORA: I have spoken to
14 Attorney Penetar, who is the solicitor for
15 the zoning board, and I have asked him for
16 an opinion as to whether or not changing the
17 zoning for that property would be considered
18 spot zoning or whether or not there is a
19 question that would expose us to a lawsuit
20 or perhaps damages, so I've actually written
21 him a letter and asked for that opinion. I
22 haven't received it back from him yet, but I
23 was going to report back to you as soon as I
24 did.

25 MS. EVANS: Now, would that mirror

1 the situation on 7th Avenue across from
2 Scranton High School where zoning was
3 changed to accommodate the purchaser of that
4 property?

5 MS. GATELLI: The only reason that
6 was able to be done, I believe, is because
7 it was to a lesser use.

8 MR. MINORA: Yeah.

9 MS. GATELLI: They were going from
10 industrial to commercial, which is a lesser
11 use. You can to a lesser, but not to a
12 higher.

13 MS. EVANS: Well, I think isn't that
14 what we are trying to do?

15 MR. MINORA: No. We are trying to
16 make what is basically light industrial into
17 something --

18 MS. EVANS: Into commercial.

19 MR. MINORA: -- a lesser, well,
20 commercial would be a less of a use, so--

21 MS. GATELLI: We might be able to do
22 a commercial rather than residential.

23 MR. MINORA: I'm sorry, I can't hear
24 you.

25 MS. GATELLI: We might be able to do

1 it to commercial, but not to residential.

2 MS. EVANS: Because there are office
3 buildings that were constructed that are
4 attached to Daron Northeast. Now, they have
5 -- although, they are KOZ's they have
6 remained vacant since they were built, but I
7 can see certainly someone wanting to put
8 businesses into those buildings, so we
9 wouldn't want to prevent that. We just
10 don't want to see a repeat of what we have
11 witnessed all of these years.

12 MR. MINORA: As soon as I hear back
13 from Attorney Penetar I will, you know, give
14 you a report in caucus.

15 MS. EVANS: Because this another
16 issue I want to get on the agenda.

17 MR. MINORA: And I knew that and I'm
18 actually trying to think when I requested
19 it. It was probably last week. It was
20 probably before last week's meeting, and I
21 followed that up with a letter. I talked to
22 him on the phone and followed it up with a
23 letter. I have not received a reply back
24 from him in an opinion form, which is what I
25 asked for.

1 MS. EVANS: But, surely whatever
2 communication the two of you share, there
3 must be something done with that area to
4 prevent a similar business from purchasing
5 that and operating in the manner in which
6 Daron Northeast has functioned all these
7 year?

8 MR. MINORA: All I can really do is
9 report back the legal situation as it is.
10 Council's decision is council's decision.

11 MS. EVANS: Did you inform Attorney
12 Penetar that DEP suggested this?

13 MR. MINORA: What I suggested to him
14 was that we consider the possibility of
15 whether or not to reduce this property from
16 light industrial to commercial because that
17 was basically what was asked to me by
18 council and I explained to him the problems
19 that have been there in the past and the
20 suits and so forth, which he was aware of
21 actually, none of this was news to him and
22 so I asked if he could look at it and give
23 me an opinion because it also requires
24 looking at the surrounding properties which
25 maybe moves it out of the role of being spot

1 zoning. So, you know, that's why I asked

2 him. He is the expert in that. He is
3 sitting on that board.

4 MS. EVANS: Can you please relate to
5 him though the fact that DEP in it's report
6 of Daron Northeast suggested or recommended
7 that the city rezone the area to prevent
8 another business of this type from locating
9 into that residential area?

10 MR. MINORA: I'll be glad to pass
11 that onto him. I suspect he is going to
12 give me a legal opinion based on not DEP
13 workload, but on the real legal questions.
14 Dan is a very brilliant guy and
15 knowledgeable in this area, so that's why I
16 want to rely on him.

17 MS. EVANS: Thank you. Also,
18 Mr. Courtright, I was asked to give you
19 this, it's the ordinance concerning noise
20 levels. It was dropped off at my house
21 today and the neighbors of Daron Northeast
22 state that the building is being dismantled
23 and the noise continues and it has grown
24 even worse and they asked me to ask you what
25 they could do because it seems the police

1 haven't done anything.

2 MR. COURTRIGHT: Mr. Liptai gave it
3 to me. I have it. He dropped it off to me.
4 I spoke with Captain Graziano about this
5 problem and he -- I had actually called him
6 from this meeting because Mrs. Andrews asked
7 me and he didn't off the top of the head the
8 ordinance, he said he would look into it I
9 told I would get a copy of it so I will
10 forward it to him and he will have to make
11 the officers and apprise them that are going
12 out there of the ordinance and how to
13 enforce it. I truly believe need
14 Mr. Wallace to get involved here, that's his
15 department. The police can absolutely
16 enforce it, but I am going to ask Captain
17 Graziano and, Kay, I will give him a copy of
18 the order and ask him if he can't sit down
19 with Mr. Wallace and try to get this
20 straightened out once and for all.

21 MS. EVANS: That would be very much
22 appreciated by all of those residents.

23 MR. COURTRIGHT: Mr. Liptai did give
24 that to me.

25 MS. GATELLI: Mr. Wallace does use a

1 Mr. Guzek who we used in South Side on
2 numerous occasions and he is a certified

3 sound specialist and his testimony can be
4 used in Court, so that's who Mr. Wallace
5 would use. Maybe you can suggest that he
6 hire him.

7 MS. EVANS: Very good.

8 MS. GATELLI: And go over the noise
9 levels.

10 MS. EVANS: Very good. And, finally,
11 I have a few requests for the week. Fill
12 potholes and a dip in the road in East
13 Wyoming Avenue and Greenridge Street, and
14 that's the second request.

15 A letter to Mr. Oleski,
16 Mr. Seitzinger and Mr. Brazil, provide
17 written responses to council previous
18 requests on or before October 20, 2008,
19 deadlines were ignored, and I would ask my
20 colleagues that if we do not receive the
21 responses by October 20 that we would agree
22 to request a meeting with these department
23 heads. Yes?

24 MR. MCGOFF: Fine.

25 MS. EVANS: Thank you. Kay, if you

1 would please determine the date of
2 termination or renewal for the current cable

3 TV contract? And a letter to licensing,
4 inspections and permits, what is the number
5 of lawsuits filed against LIPS from the date
6 of retirement of Mr. William Fiorini, former
7 director, to October 14, 2008. Please
8 respond on or before October 27, 2008. And
9 that's it.

10 MR. MCGOFF: Mrs. Gatelli?

11 MS. GATELLI: I just have a few
12 things for Mrs. Garvey. I sent a request to
13 OECD several weeks ago regarding loans that
14 were delinquent and I have not received an
15 answer yet, if we could please resend that
16 again for me.

17 Also, a note to Mr. Wallace. I
18 wrote him a letter in June about a tractor
19 trailer that was parked on Pittston Avenue
20 and Palm Street and it is still sitting
21 there, so I would like to know. He told me
22 it was going to be removed, but it's still
23 there and that was from June, so if he could
24 either call me or let me know the status of
25 that particular property.

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1 We talked about the Home Rule Study
2 Commission tonight with Mrs. Schumacher and
3 I think that it was misinterpreted that I

4 wanted to know something about council
5 members being at large or being from
6 neighborhoods. My intent was to reinstitute
7 the Home Rule Study Commission. The time
8 has elapsed since the last one and their
9 recommendations were defeated, but I think
10 that it's time to do another one.

11 I think there are some changes that
12 are necessary. The people are elected to be
13 on the commission and does take several
14 years for them to meet and take in public
15 input and then make their recommendations
16 that are then put on the ballot, so I will
17 make that tonight in the form of a motion
18 that we start the process necessary to redo
19 a new Home Rule Study Commission.

20 MS. EVANS: Didn't we already do
21 that?

22 MR. COURTRIGHT: Second.

23 MS. GATELLI: She thinks I already
24 made the motion, but let's do it again.
25 Amil, I don't know why it didn't come out

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1 the way I wanted it to, but we'll say it
2 again and Bill seconded it.

3 MR. MCGOFF: On the question?

4 MS. GATELLI: For the record we will
5 just do it again.

6 MR. MCGOFF: All in favor signify by
7 saying aye.

8 MS. EVANS: Aye.

9 MS. GATELLI: Aye.

10 MR. COURTRIGHT: Aye.

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

13 MS. GATELLI: Also, someone brought
14 up sending a letter to Mike Hanley about the
15 food pantries, I think it was Mr. Quinn, I
16 think that's an excellent idea, Kay, and I
17 think we should setup -- I will be seeing
18 Mr. Hanley tomorrow at United Neighborhood
19 Centers and I will tell him that the letter
20 is coming, but to get to together with some
21 of the groups and see what we can't do for
22 the pantries. I know that my parish, St.
23 Francis of Assisi, we have very several
24 drives a year for the pantries, but with the
25 economy and the fiscal problems of the

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1 federal government and the local and county
2 government at this time, it behooves us to
3 get everyone involved to have those pantries
4 equipped for the winter. So, we will send

5 them a letter and I'll mention that to him
6 tomorrow.

7 I hear a lot of people talking about
8 getting a new cable provider. It sounds
9 real nice, but for a new -- I asked several
10 people that were in the cable business from
11 Verizon, and I forget the name of the other
12 one that I talked to, and for them to even
13 be interested to put in a proposal they
14 would have to run all of their own wiring
15 which would run approximately \$8 million.
16 So I think that's the reason that we see
17 Comcast, and it was Adelphia before that,
18 that got two very lucrative contracts from
19 the past councils. They had two 15-year
20 contracts with the City of Scranton, and I
21 think the second one was probably for that
22 reason. No one else is going to come here
23 with the cable company because it would cost
24 them too much money, so in essence Comcast
25 has a monopoly with the City of Scranton as

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1 far as I can see, and I have spoken to
2 several people and maybe we could put some
3 letters out to some cable companies to see
4 if they are interested, as a council, you

5 know, if you would want to do that, but
6 those are the answers that I had received,
7 that they would have to put all of their own
8 optic cables in the whole City of Scranton
9 which Comcast a/k/a Adelphia had done in the
10 past, so that seems to be the problem.

11 I think that we should maybe send
12 the mayor a letter for whatever it's worth,
13 I will not be comfortable voting on a
14 15-year contract and the last two councils,
15 I don't remember who was on there at the
16 time, but when they voted for 15-year
17 contracts I just scratched my head, like,
18 they must be crazy, you know, to give
19 somebody a contract for 15 years. That's a
20 long time, so I would not be comfortable
21 voting for a 15-year contract and if there
22 is one up here I'm going to vote, no,
23 because I criticized the two councils before
24 me that did that, so I will be voting, no,
25 and I don't know about anyone else up here

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1 but I would like to right write the mayor a
2 letter and say that we would definitely be
3 opposed to a 15-year contract.

4 Congratulations to the Tripp Park
5 Neighborhood Association. I'm not sure if

6 Dave Kester is the new president. He had
7 been president for many years now and he did
8 a wonderful job at the community center. He
9 cut the grass at the Dorothy Street
10 playground. The city reimbursed him for
11 keeping that property clean and it's a lot
12 of work when you have a community center,
13 and before him was the founder of the Tripp
14 Park Neighborhood Association, Gene Malino,
15 know who has since passed away, but Gene was
16 the founder of the Tripp Park Neighborhood
17 Association and did many good deeds for the
18 Council of Neighborhoods by fighting the
19 utility companies. Gene was our utility
20 person and he went to all of the hearings on
21 behalf of the neighborhoods and we sure miss
22 him doing that.

23 Zoning, Janet wants to zone at the
24 Daron. Besides the Daron I think there are
25 numerous places where the zoning just isn't

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1 right anymore. There not a right fit with
2 abutting neighborhoods, abutting
3 neighborhood commercial. We haven't had a
4 new zoning ordinance since 1993, that's a
5 long time to be living under the same zoning

6 ordinance and that's why I think that we are
7 having problems such as Daron and other
8 businesses in neighborhoods zones.

9 I spoke to Donny King about this
10 when I first got on council, I wanted
11 proposals out for us to do a new zoning
12 ordinance for the City of Scranton. Zoning
13 is probably the most important thing in a
14 neighborhood is zoning. Donny said that we
15 were waiting for that Abington Planning
16 Review thing to happen and then we were
17 going to do a zoning, a new zoning plan. I
18 think that it's almost three years since I
19 have been here and SAPA has not completed
20 their mission yet, so I think that it's too
21 long to be without a new zoning ordinance
22 and that maybe we can do it in conjunction
23 with SAPA, but I think that we need to at
24 least put the request for proposals out
25 because that in itself will take another two

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1 years. You know, the wheels of justice move
2 slowly in government and everything seems to
3 take an awful long time, so I would make a
4 motion that we send a letter also to the
5 mayor that we would like a request for
6 proposals to begin a new zoning ordinance

7 for the City of Scranton.

8 MS. EVANS: Second.

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

11 MS. EVANS: Aye.

12 MS. GATELLI: Aye.

13 MR. COURTRIGHT: Aye.

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

16 MS. GATELLI: Just a few more
17 things, if you would like to call and you
18 are in a restaurant and they are smoking,
19 there is a hotline number to call, and I'm
20 not sure if it's on Channel 61 yet, but
21 maybe, Kay, is it on there? It's
22 1-877-835-9535, and that's the number to
23 call for the Clean Indoor Air Act.

24 I also downloaded a report form
25 which we will have in city council, I'll

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1 give it to Kay and anyone that has a problem
2 we can mail you one, you have to be a patron
3 or a customer to fill out the form. I was
4 going to fill out one for Mr. Spindler, but
5 when I read it, it said you have to be a
6 patron, so we'll make sure we get one of

7 these to Les and if anyone needs one they
8 call the office and we can mail it to them.

9 I belong to AARP, in case you didn't
10 know I'm over 50, just a little bit, and
11 they sent me a notice about the electric
12 rates which many of you know because we
13 received it in our bill if you want to pay
14 it in he escrow ahead of time because it's
15 going to go up so much they are afraid we
16 are not going to be able to afford the bills
17 so we pay it ahead of time starting now, and
18 I got this, It says Pennsylvania Lawmakers
19 must fix our electric rate crisis not just
20 delay it. It says that the rates are going
21 to rise dramatically in 2010 and Governor
22 Rendell and the lawmakers are having
23 meetings with the state utilities hammering
24 a deal that will still allow the power
25 companies to charge excessive price

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1 increases. It says we need true reform and
2 it says to contact the governor and your
3 state legislators that they fix the electric
4 crisis. Tell them you want to stop the move
5 to complete the deregulation, require the
6 utilities to give us electricity at the
7 lowest cost possible, create a power

8 authority to help utilities lower energy
9 prices and don't mandate new smart meters
10 without studying the cost and benefits to
11 consumers.

12 I would like to make a motion that
13 we send this request to the governor, to
14 Kenny Smith, Frank Shimkus and Bob Mellow on
15 behalf of the residents of our city that
16 they do not go for complete deregulation and
17 do the things that AARP has suggested, and
18 I'll make that in the form of a motion.

19 MR. COURTRIGHT: Second.

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

22 MS. EVANS: Aye.

23 MS. GATELLI: Aye.

24 MR. COURTRIGHT: Aye.

25 MR. MCGOFF: Aye. Opposed? The

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1 ayes have it and so moved.

2 MS. GATELLI: And one last thing, I
3 know I'm talking a lot tonight, my husband
4 will be happy, maybe I'll be quiet when I
5 get home. The last thing is the South Side
6 Revitalization is having a public input
7 meeting on Wednesday, October 29, from 6 to

8, at United States Neighborhood Centers at
425 Alder Street. They need your
suggestions for bringing positive changes
into your South Side neighborhood. National
consultants, Wallace, Roberts and Todd, will
be on-hand to kick off the program, so you
are certainly welcome to come and we
encourage all South Side residents to be
there. We are also going to have our South
Side residents' neighborhood meeting at this
same time that evening to try to get more
people there for the Elm Street program and
I'm going to also ask Kay if we can get this
put on Channel 61. And that's all I have.
Thank you.

MR. MCGOFF: Mr. Courtright?

MR. COURTRIGHT: Yeah, I want to
thank the DPW workers, they filled some

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potholes on Palmer Drive, I've always said
how dangerous is its there and when the
potholes are there it's a bad curve. People
go out in the other lane, as a matter of
fact, this week the potholes were filled,
this week somebody actually spun their car
around and went into the woods on that
curve. Sometimes deer cross there, I don't

9 know if they were trying to avoid a deer or
10 what happened there, but I thank the DPW for
11 helping me out with that.

12 You know, Mr. McGoff talked about
13 the Steamtown Marathon and I have gone there
14 every year I think for about the last six
15 years, I like watching them come in, I
16 admire those people and one thing I see each
17 and every year this has gotten bigger and
18 bigger, is the families of the people that
19 run, the enthusiasm and the support they
20 give the runners is something to see. I
21 stood there for several hours, you know, and
22 just observed all of that and so a lot of
23 credit to the family members, some of them
24 travel from a distance and have their
25 children with them and everything, and a lot

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1 of support and I thought that was very nice.

2 We are talking about Comcast. I have
3 more than one person tell me in the last
4 couple of weeks that what they are doing is
5 they are going to just use the basic, the
6 basic Comcast, which I believe it was
7 somewhere around \$17 or whatever because
8 they don't want to miss Channel 61, and then

9 they went and they got Direct TV in
10 conjunction with that and it still came out
11 cheaper than their actual Comcast bill. I
12 don't know what they can do in this city,
13 but I have been told in other cities they
14 have more than one provider, you know, some
15 two and three, so maybe that's an option,
16 but I think you got to get yourself a better
17 deal than what we have going on now.

18 I would like to thank Scranton Today
19 for offering the live feed. I hope that
20 ECTV will accept their offer and maybe they
21 can work together and they will be back
22 live. I don't see why they wouldn't accept
23 the offer, so hopefully they will work
24 together, members of ECTV and Scranton
25 Today. I saw Mr. Finnerty and Mr. Migliore

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1 talking out in the hallway, so I hope that's
2 what they were talking about.

3 You know, we have talked about this
4 \$10,000 that went through the East Scranton
5 Neighborhood Association and then over to
6 ECTV, and if it's acceptable to everybody, I
7 think maybe we looked into it already, but,
8 Kay, maybe it we can ask Mrs. Aebli to just
9 give us a full-blown report on this \$10,000.

10 Was it within the boundaries, was it not,
11 did they avoid some of the rules? Is there
12 a possibility that that money is going to
13 have to be returned? Just if she can give
14 us her professional opinion, she does run
15 that department. What is happening, was it
16 right, was it not right and put something in
17 writing to this council so we can see.

18 I don't know, I heard Mrs. Evans ask
19 Mr. Darcy about the money and I believe he
20 said some of it was used for salaries, was
21 it not? You know, I was under the
22 impression that it couldn't be used for
23 that, you know, and I'm a little confused at
24 this point and I think maybe the public is
25 too. So, if she can clarify that as soon as

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1 possible I would appreciate that if that's
2 agreeable to everybody else?

3 MS. EVANS: Yes. But if you review
4 the memorandum drafted by Attorney Minora it
5 includes the only paperwork on that \$10,000,
6 copies of the only paperwork on that \$10,000
7 transaction and that was a thank you letter
8 from Mr. McDonough and Mr. Darcy to OECD and
9 a copy of the check.

10 MR. COURTRIGHT: Right. And being
11 that Mrs. Aebli is the head of that
12 department ultimately, you know, if HUD were
13 to come in and check on it she would be the
14 one that would have to do the answering, so
15 she has been pretty fair with me, you know,
16 she has given me anything I have ever asked
17 to be honest with you, so maybe we can ask
18 her and if see could do that, Kay, as soon
19 as possible we would appreciate it and let's
20 put this \$10,000 to rest one way or the
21 other. And that's all I have.

22 MR. MCGOFF: Thank you, Mr.
23 Courtright. Very quickly a few things. As
24 far as Comcast is concerned, one of the
25 things that I think we should really push

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1 for is some type of competitive bidding
2 process once this contract is completed. I
3 know, as Mrs. Gatelli said, that other
4 providers are reluctant to get involved
5 because of the expense, but I think that we
6 really have to at least provide the option
7 for a competitive bidding process.

8 Also, I think that we have to be
9 more -- that when the time comes and a
10 contract is signed with or proposed with any

11 provider that there has to be some stringent
12 wording in that contract to protect those
13 people who are paying for that service since
14 it does essentially become a monopoly, we
15 can't allow one company to just raise rates,
16 you know, whenever they want and take away
17 services as they will. I know I have had
18 numerous complaints from friends who have
19 Comcast, and I just think that knowing what
20 we know about the contracts that there needs
21 to be some hard work done before a new one
22 is completed.

23 Also, Mr. Dobson, I think that your
24 question about Channel 62 is very legitimate
25 and I will make some attempt to find out

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1 what the intent for Channel 62 is as far as
2 programming. I know at one time I believe
3 the intent was supposed to be that Channel
4 61 would be for governmental programming and
5 Channel 62 was going to be for more
6 cultural, social/cultural programming. I
7 don't know if that is still the plan, I
8 don't know have Comcast so I don't see
9 either channel, but I will see if I can find
10 out. I think that's a real legitimate

11 question since there are two PEG channels,
12 you know, what's happening with the second.

13 And let's move to Fifth Order. Prior
14 to Fifth Order I would like to make a motion
15 to appoint Mrs. Gatelli as temporary chair
16 for Community Development. On the question?
17 All in favor signify by saying aye.

18 MS. EVANS: Aye.

19 MS. GATELLI: Aye.

20 MR. COURTRIGHT: Aye.

21 MR. MCGOFF: Aye. Opposed? The
22 ayes have it and so moved. Mrs. Garvey?

23 MS. GARVEY: FIFTH ORDER. 5-B.

24 Before I read it I just want to make a
25 correction that one of the names is

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1 misspelled in the legislation and I will
2 take care and make sure that is the proper
3 spelling to put back into it.

4 MS. EVANS: I have an additional
5 concern though because it's listing Public
6 Access Channel 61 and 62 and I know in our
7 original legislation we had discussed that
8 and I think we eliminated the numbers and
9 replaced that with all PEG channels since
10 the numbers could change more often than we
11 anticipate.

12 MS. GATELLI: I think they are
13 changing already.

14 MS. EVANS: In November.

15 MS. GATELLI: Six and nine or
16 something.

17 MR. MCGOFF: Didn't we just put in
18 something?

19 MS. GATELLI: PEG channels.

20 MR. MCGOFF: But, I think we also
21 just indicated by saying something to the
22 effect of management of public access
23 channels now designated as 61 and 62.

24 MS. EVANS: That's fine.

25 MR. MCGOFF: All it needs is the

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1 additional one word.

2 MR. MINORA: Can I suggest the motion
3 that maybe embodies what you are
4 questioning? Amending 5-B to say, "FOR
5 INTRODUCTION - A RESOLUTION - PURSUANT TO
6 FILE OF COUNCIL NO. 32 OF 2008, AS AMENDED,
7 THE FOLLOWING PEOPLE HAVE BEEN APPOINTED BY
8 CITY COUNCIL MEMBERS TO THE OVERSIGHT
9 COMMITTEE TO ACT AS AN ADVISORY BOARD ONLY
10 TO OVERSEE THE MANAGEMENT OF ALL PUBLIC
11 ACCESS CHANNELS BY ELECTRIC CITY TV," and

12 then their names. Does that work?

13 MR. MCGOFF: That would be fine.

14 Anyone else?

15 MR. MINORA: You need that as a
16 motion then to amend.

17 MR. COURTRIGHT: I'll make a motion
18 that we amend 5-A to say all public access
19 channels -- 5-B, all public access channels
20 operated by Electric City TV to the Comcast
21 cable system.

22 MS. EVANS: Second.

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

25 MS. EVANS: 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-B. FOR INTRODUCTION -
6 A RESOLUTION - PURSUANT TO FILE OF THE
7 COUNCIL NO. 32, 2008, AS AMENDED THE
8 FOLLOWING PEOPLE HAVE BEEN APPOINTED BY CITY
9 COUNCIL MEMBERS TO THE OVERSIGHT COMMITTEE
10 TO ACT AS AN ADVISORY BOARD ONLY TO OVERSEE
11 THE MANAGEMENT OF ALL PUBLIC ACCESS CHANNELS
12 BY ELECTRIC CITY TELEVISION ("ECTV") THROUGH

13 THE COMCAST CABLE SYSTEM: JACK FINNERTY,
14 MARK MONAHAN, TOM WELBY, JAMES COYLE AND
15 KAREN BAZZARI.

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

19 MR. COURTRIGHT: So moved.

20 MS. EVANS: Second.

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

23 MS. EVANS: Aye.

24 MS. GATELLI: Aye.

25 MR. COURTRIGHT: Aye.

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

3 MS. GARVEY: SIXTH ORDER. NO
4 BUSINESS AT THIS TIME. SEVENTH ORDER. 7-A.
5 FOR CONSIDERATION BY THE COMMITTEE ON
6 FINANCE - FOR ADOPTION - FILE OF COUNCIL NO.
7 42, 2008- SALE OF TAX DELINQUENT PROPERTY
8 MORE COMMONLY KNOWN AS 902-908 NORTH
9 WASHINGTON AVENUE, SCRANTON, PENNSYLVANIA,
10 TO ALFRED D. PANTUSO, SR., RD #2, BOX 2165,
11 MOSCOW, PENNSYLVANIA, 18444, FOR THE
12 CONSIDERATION OF \$8,000.00.

13 MR. MCGOFF: What is the
14 recommendation of the Chairperson for the
15 Committee on Finance?

16 MS. GATELLI: As Chair for the
17 Committee on Finance, I recommend final
18 passage of 7-A.

19 MR. COURTRIGHT: Second.

20 MR. MCGOFF: On the question? Roll
21 call, please.

22 MR. COOLICAN: Mrs. Evans.

23 MS. EVANS: Yes.

24 MR. COOLICAN: Mrs. Gatelli.

25 MS. GATELLI. Yes.

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1 MR. COOLICAN: Ms. Fanucci. Mr.
2 Courtright.

3 MR. COURTRIGHT: Yes.

4 MR. COOLICAN: Mr. McGoff.

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

7 MS. GARVEY: 7-B. FOR CONSIDERATION
8 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -
9 FILE OF COUNCIL NO. 43 , 2008 (AS AMENDED)
10 SALE OF TAX DELINQUENT PROPERTY MORE
11 COMMONLY KNOWN AS 2110 CAPOUSE AVENUE,
12 SCRANTON, PENNSYLVANIA, TO MARK F. AND
13 CHRISTINE L. FRYER, 902 WOODLAWN STREET,

14 SCRANTON, PENNSYLVANIA, 18509, FOR THE
15 CONSIDERATION OF \$2,000.00.

16 MR. MCGOFF: What is the
17 recommendation of the Chair for the
18 Committee on Finance?

19 MS. GATELLI: As Chair for the
20 Committee on Finance, I recommend final
21 passage of 7-B.

22 MR. COURTRIGHT: Second.

23 MR. MCGOFF: On the question? Roll
24 call, please?

25 MR. COOLICAN: Mrs. Evans.

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1 MS. EVANS: Yes.

2 MR. COOLICAN: Mrs. Gatelli.

3 MS. GATELLI: Yes.

4 MR. COOLICAN: Ms. Fanucci. Mr.
5 Courtright.

6 MR. COURTRIGHT: Yes.

7 MR. COOLICAN: Mr. McGoff.

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

10 MS. GARVEY: 7-C. FOR CONSIDERATION -
11 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -
12 FILE OF COUNCIL NO. 44, 2008 - SALE OF TAX
13 DELINQUENT PROPERTY MORE COMMONLY KNOWN AS

14 902-904 MADISON AVENUE, SCRANTON,
15 PENNSYLVANIA, TO STEVEN ANDERS AND WILIM NG,
16 RR 2, BOX 2051, STROUDSBURG, PENNSYLVANIA,
17 18360, FOR THE CONSIDERATION OF \$5,000.00.

18 MR. MCGOFF: What the recommendation
19 for the Chair for the Committee on Finance?

20 MS. GATELLI: As Chair for Finance, I
21 recommend final passage of 7-C.

22 MR. COURTRIGHT: Second.

23 MR. MCGOFF: On the question? Roll
24 call, please?

25 MR. COOLICAN: Mrs. Evans.

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1 MS. EVANS: Yes.

2 MR. COOLICAN: Mrs. Gatelli.

3 MS. GATELLI. Yes.

4 MR. COOLICAN: Ms. Fanucci. Mr.
5 Courtright.

6 MR. COURTRIGHT: Yes.

7 MR. COOLICAN: Mr. McGoff.

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

10 MS. GARVEY: 7-D.

11 FOR CONSIDERATION BY THE COMMITTEE ON RULES
12 - FOR ADOPTION - RESOLUTION NO. 71, 2008 -
13 APPOINTMENT OF ELMER J. NALEVANKO, 1000
14 RICHMONT STREET, SCRANTON, PENNSYLVANIA,

15 18509, AS A MEMBER OF THE ETHICS COMMISSION,
16 EFFECTIVE JULY 13, 2007. MR. NALEVANKO WILL
17 BE REPLACING LORAYNE TALLO WHOSE TERM
18 EXPIRED ON JULY 12, 2007. MR. NALEVANKO'S
19 TERM WILL EXPIRE ON JULY 12, 2012.

20 MR. MCGOFF: As Chairperson for the
21 Committee on Rules, I recommend final
22 passage of Item 7-D.

23 MR. COURTRIGHT: Second.

24 MR. MCGOFF: On the question? Roll
25 call, please?

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1 MR. COOLICAN: Mrs. Evans.

2 MS. EVANS: Yes.

3 MR. COOLICAN: Mrs. Gatelli.

4 MS. GATELLI. Yes.

5 MR. COOLICAN: Ms. Fanucci. Mr.
6 Courtright.

7 MR. COURTRIGHT: Yes.

8 MR. COOLICAN: Mr. McGoff.

9 MR. MCGOFF: Yes. I hereby declare
10 Item 7-D legally and lawfully adopted.

11 MS. GARVEY: 7-E. FOR CONSIDERATION -
12 BY THE COMMITTEE ON RULES - FOR ADOPTION -
13 RESOLUTION NO. 72, 2008 - RE-APPOINTMENT OF
14 KEVIN A. ICKER, 108 ABBY WAY, SCRANTON,

15 PENNSYLVANIA, 18504, AS A MEMBER OF THE
16 ETHICS COMMISSION. MR. ICKER'S TERM EXPIRED
17 ON JULY 12, 2006. MR. ICKER'S NEW
18 TERM WILL EXPIRE ON JULY 12, 2011.

19 MR. MCGOFF: As Chair for the
20 Committee on Rules, I recommend final
21 passage of Item 7-E.

22 MR. COURTRIGHT: Second.

23 MR. MCGOFF: On the question? Roll
24 call, please? I'm sorry.

25 MS. EVANS: I many not going to be

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1 voting in favor of this piece of legislation
2 because Mr. Icker would have been party to
3 the problems experienced by that group that
4 had filed an ethics complaint which had
5 never been addressed.

6 MR. MCGOFF: Anyone else? Roll
7 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. Mr.
13 Courtright.

14 MR. COURTRIGHT: Yes.

15 MR. COOLICAN: Mr. McGoff.

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

18 MS. GARVEY: 7-F. FOR CONSIDERATION
19 - BY THE COMMITTEE ON COMMUNITY DEVELOPMENT
20 - FOR ADOPTION - RESOLUTION NO. 73, 2008 -
21 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
22 CITY OFFICIALS TO EXECUTE AND ENTER INTO A
23 MEMORANDUM OF AGREEMENT BETWEEN THE UNITED
24 STATES DEPARTMENT OF THE INTERIOR NATIONAL
25 PARK SERVICE AND THE CITY OF SCRANTON,

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1 PENNSYLVANIA OFFICE OF ECONOMIC AND
2 COMMUNITY DEVELOPMENT FOR THE PURPOSE OF
3 AUTHORIZING THE CITY TO UNDERTAKE AND MANAGE
4 CONSTRUCTION ACTIVITIES AT THE STEAMTOWN
5 NATIONAL HISTORIC SITE (THE "PARK") THAT IS
6 INCLUDED IN THE 500 BLOCK OF LACKAWANNA
7 AVENUE PROJECT ENTITLED "PARK, PLAZA AND
8 PEDESTRIAN COURT.

9 MR. MCGOFF: What is the
10 recommendation of the temporary chair for
11 the Committee on Community Development.

12 MS. GATELLI: As Chair for the
13 Committee on Community Development, I
14 recommend final passage of Item 7-F.

15 MR. COURTRIGHT: Second.

16 MR. MCGOFF: On the question?

17 MS. EVANS: The 500-block of
18 Lackawanna Avenue project doesn't include
19 two anchor city businesses, therefore, I
20 will be voting, no, even though it is a very
21 worthy project.

22 MR. MCGOFF: Roll call, please?

23 MR. COOLICAN: Mrs. Evans.

24 MS. EVANS: No.

25 MR. COOLICAN: Mrs. Gatelli.

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1 MS. GATELLI. Yes.

2 MR. COOLICAN: Ms. Fanucci. Mr.
3 Courtright.

4 MR. COURTRIGHT: Yes.

5 MR. COOLICAN: Mr. McGoff.

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

8 MS. GARVEY: 7-G. FOR CONSIDERATION -
9 BY THE COMMITTEE ON PUBLIC SAFETY- FOR
10 ADOPTION - RESOLUTION NO. 74, 2008 -
11 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
12 CITY OFFICIALS TO EXECUTE AND ENTER INTO AN
13 AMENDMENT TO THE MASTER EQUIPMENT LEASE-
14 PURCHASE AGREEMENT LEASE NO. 6293000 BETWEEN
15 THE CITY OF SCRANTON AND FORD MOTOR CREDIT
16 COMPANY FOR THE LEASE- PURCHASE OF SEVEN (7)

17 NEW 2008 POLICE VEHICLES.

18 MR. MCGOFF: What is the
19 recommendation of the Chairperson for the
20 Committee on Public Safety.

21 MR. COURTRIGHT: As Chairperson for
22 the Committee on Public Safety, I recommend
23 final passage of Item 7-G.

24 MS. EVANS: Second.

25 MR. MCGOFF: On the question? Roll

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1 call, please?

2 MR. COOLICAN: Mrs. Evans.

3 MS. EVANS: Yes.

4 MR. COOLICAN: Mrs. Gatelli.

5 MS. GATELLI: Yes.

6 MR. COOLICAN: Ms. Fanucci. Mr.

7 Courtright.

8 MR. COURTRIGHT: Yes.

9 MR. COOLICAN: Mr. McGoff.

10 MR. MCGOFF: Yes. I hereby declare
11 Item 7-G legally and lawfully adopted.

12 MS. GARVEY: 7-H. FOR CONSIDERATION
13 BY THE COMMITTEE ON PUBLIC SAFETY - FOR
14 ADOPTION - RESOLUTION NO. 75, 2008 - A
15 RESOLUTION IN SUPPORT OF HOUSE BILL 1768.

16 MR. MCGOFF: What is the

17 recommendation of the Chairperson for the
18 Committee on Public Safety?

19 MR. COURTRIGHT: As Chairperson for
20 the Committee on Public Safety, I recommend
21 final passage of Item 7-H.

22 MS. EVANS: Second.

23 MR. MCGOFF: On the question? Roll
24 call, please?

25 MR. COOLICAN: Mrs. Evans.

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1 MS. EVANS: Yes.

2 MR. COOLICAN: Mrs. Gatelli.

3 MS. GATELLI. Yes.

4 MR. COOLICAN: Ms. Fanucci. Mr.
5 Courtright.

6 MR. COURTRIGHT: Yes.

7 MR. COOLICAN: Mr. McGoff.

8 MR. MCGOFF: Yes. I hereby declare
9 Item 7-H legally and lawfully adopted. A
10 motion to adjourn, please?

11 MR. COURTRIGHT: So moved.

12 MR. MCGOFF: Thank you for your
13 participation.

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1 C E R T I F I C A T E

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

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CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER

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