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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, January 6, 2009

LOCATION:

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

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

MR. ROBERT MCGOFF, PRESIDENT

MS. JUDY GATELLI, VICE-PRESIDENT

MS. JANET E. EVANS

MS. SHERRY FANUCCI

MR. WILLIAM COURTRIGHT

MS. KAY GARVEY, CITY CLERK

MR. NEIL COOLICAN, ASSISTANT CITY CLERK

MR. AMIL MINORA, SOLICITOR

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

3 MR. MCGOFF: Roll call, please?

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Here.

6 MR. COOLICAN: Mrs. Gatelli.

7 MS. GATELLI. Here.

8 MR. COOLICAN: Ms. Fanucci.

9 MS. FANUCCI: Here.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MR. COOLICAN: Mr. McGoff.

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

15 MS. GARVEY: 3-A. MEETING OF THE
16 COMPOSITE PENSION BOARD SCHEDULED FOR
17 NOVEMBER 12, 2008 WAS CANCELLED DUE TO LACK
18 OF QUORUM.

19 THE COURT: Are there any comments?
20 If not, received and filed.

21 MS. GARVEY: 3-B. MINUTES OF THE
22 NON-UNIFORM MUNICIPAL PENSION MEETING HELD
23 ON NOVEMBER 12, 2008.

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

1 MS. GARVEY: 3-C. MINUTES OF THE
2 SCRANTON POLICE PENSION COMMISSION MEETING
3 HELD ON NOVEMBER 12, 2008.

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

6 MS. GARVEY: 3-D. MINUTES OF THE
7 SCRANTON-LACKAWANNA HEALTH AND WELFARE
8 AUTHORITY MEETING HELD ON NOVEMBER 20, 2008.

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

11 MS. GARVEY: 3-E. MINUTES OF THE
12 FIREMEN'S PENSION COMMISSION MEETING HELD ON
13 NOVEMBER 26, 2008.

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

16 MS. GARVEY: 3-F. CONTROLLER'S
17 REPORT FOR THE MONTH ENDING NOVEMBER 30,
18 2008.

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

21 MS. GARVEY: 3-G. APPLICATIONS AND
22 DECISIONS RENDERED BY THE ZONING HEARING
23 BOARD MEETING HELD ON DECEMBER 10, 2008.

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

1 MS. GARVEY: 3-H. AGENDA FOR THE
2 CITY PLANNING COMMISSION MEETING HELD ON
3 DECEMBER 17, 2008.

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

6 MS. GARVEY: 3-I. AGENDA FOR THE
7 NONUNIFORM MUNICIPAL PENSION MEETING HELD ON
8 DECEMBER 17, 2008.

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

11 MS. GARVEY: 3-J. TAX COLLECTION
12 COMPARISON REPORTS RECEIVED FROM THE SINGLE
13 TAX OFFICE ON DECEMBER 24, 2008.

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

16 MS. GARVEY: 3-K. TAX COLLECTION
17 COMPARISON REPORTS RECEIVED FROM THE SINGLE
18 TAX OFFICE ON DECEMBER 30, 2008.

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

21 MS. GARVEY: 3-L. AGENDA FOR THE
22 ZONING HEARING BOARD MEETING TO BE HELD ON
23 JANUARY 4, 2009.

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

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MS. GARVEY: That's it or Third
Order.

MR. MCGOFF: Thank you, Mrs. Garvey.
Prior to citizen's participation are there
any announcements? No? Citizens
participation. Andy Sbaraglia.

MR. SBARAGALIA: Andy Sbaraglia,
citizen of Scranton, fellow Scrantonians.
About two months ago I got a copy of the
Parking Authority audit, and I stated at
that time that the parking authority was in
effect bankrupt. There is a little article
in the paper, "Shouldered with debt," and
the reason we are shouldered with debt is
because you keep building garages and that's
the reason why. The Scranton Parking
Authority over borrowing \$568,000 to close
their budget. This is that letter of credit
that you seem to like to give to people,
okay? What it is, is a personal bank
problem. They don't come to you anymore,
they got \$10 million in high debt, the last
one was ten million, I don't know if this
one is, I shouldn't quote ten million, but
that's seems to be somewhere in the

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neighborhood that they like to give these

2 letters of credit for.

3 Now, there is a big thing to keep
4 building garages when you really can't
5 afford to upkeep them or even pay the
6 interest on it. You know what's going to
7 happen, don't you? The parking authority is
8 going to come to a point where they got to
9 pay off all of these bonds, they are not
10 going have the money. I was told that you
11 can park over the mall and you pay a hundred
12 bucks and they give you a hundred bucks to
13 purchase stuff in the mall. In other words,
14 you have a net income of free, okay? You
15 don't think about it. Well, it was offered
16 to the workers in the state office building.

17 MS. FANUCCI: I park over there
18 myself and I'm wondering why I never heard
19 of that. I don't know about this program.

20 MR. SBARAGLIA: Ask for the parking
21 -- ask for the parking from the state, what
22 kind of a deal they worked out with the
23 state employees.

24 MS. FANUCCI: I work for the state.
25 That's why I'm saying --

1 MR. SBARAGLIA: I realize that --

2 MS. FANUCCI: I will say I don't
3 know that with anyone that I know who works
4 for them.

5 MR. SBARAGALIA: It was in the paper,
6 but I'm not going to get into a long
7 discussion of it because I don't use it, but
8 it was quoted in the paper. Whether it's
9 true or not, I don't know.

10 MS. FANUCCI: I don't know.

11 MR. SBARAGLIA: Unfortunately, I
12 don't know park down that way, but anyway in
13 the end they are going to collapse, and
14 there is no question about that. When you
15 keep borrowing even for repairs there is no
16 way in heck it can sustain itself and it's
17 going to collapse. You's are all going to
18 walk away and say, "Too bad, so sad, the
19 taxpayer is going to have to take the
20 brunt."

21 Your job is to protect the taxpayers
22 at all costs, not individual taxpayers, but
23 the taxpayers at large. You have another
24 thing here. Now, let's go with the 5-L.
25 You want to -- 5-F you want to subordinate

9

1 another loan like you keep saying, the bank
2 don't want to give money to these people, so

3 if anything goes wrong the bank gets their
4 money and what do we do? Where do we put
5 our hands out? You cannot keep
6 subordinating loans, surely the hotel must
7 have taught you something. Maybe not. But
8 anyway.

9 Now, let's look at 5-M. You are
10 looking for another grant for \$4 million for
11 where, the Connell building. You are
12 building them a garage that eventually is
13 going to bankrupt the city and you can care
14 little or nothing, you just keep pouring
15 money into these projects. Now, that man
16 bought that building, he got I believe it's
17 called market, in other words, no matter how
18 much money he puts into that building we
19 can't raise the taxes.

20 Now, if you give her \$4 million we
21 will never get it back. Did you ever figure
22 out -- did any of you ever say, "Let me go
23 out and see what this man is actually paying
24 taxes on that building?"

25 I don't think you did. I don't

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1 think you are interested one way or another.
2 Who tells you what to do, I know not, but

3 you should be independent of anybody's
4 thinking. You should know these things.
5 You should say, like I went out and found a
6 home that was worth \$400,000 on the tax
7 rolls. Now, how in anybody's right mind
8 would you figure that whole mall is worth
9 400,000, but that's what it's on the tax
10 rolls for. God knows what the Connell
11 building is on the tax rolls if the mall is
12 only worth \$400,000, what is the Connell
13 building on the tax rolls for, 25, 30? Who
14 know, but nobody ever looks. Nobody cares.
15 You sit there and stare and vote on these
16 things time after time after time. I mean,
17 his word is hanging over our heads. That
18 can be cut at any time. We just lost
19 \$20 million on our, I guess it's retirement
20 funds and so forth and so on, if the state
21 makes us somewhere, put in that money, which
22 we hope they never do, where would the
23 \$20 million come from? I thank you.

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

11

1 MR. QUINN: Ozzie Quinn. Taxpayers'
2 Association. On the agenda tonight, they
3 the business, where they have to go through

4 the business privilege tax, the mercantile
5 tax, that's a tax that usually grows,
6 garbage fee, general and special tax,
7 whatever that is, wage tax, transfer of
8 rural property tax and the emergency
9 municipal tax.

10 Most people have to pay the federal
11 and state tax, you know, I just don't
12 understand how people are going to be able
13 to do it, you know? There is 30,000
14 households in the city and 15,000 of them
15 are below the median income of \$32,484.00.
16 I think it doesn't give them much money to
17 really play with. That wage tax, you know,
18 when you add the school districts 3.4, we
19 all know that's the third highest in the
20 state behind Pittsburgh and Philadelphia.
21 And back in 2001 when Mayor Doherty was
22 running they had the charter group and drew
23 up a new charter, and the mayor was against
24 that, and the charter group lost. The
25 charter was defeated, and in the Times the

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1 next day, in the editorial, it said that it
2 would have lowered the tax from 2.4 to
3 1.9 percent. It's since impossible to

4 conceive the Doherty administration will
5 ignore the obvious need to reduce the wage
6 tax as a matter of city survival of
7 long-term revival. Mr. Doherty said he
8 pledges to balance the budget, get this, not
9 spend more money than the city brings in,
10 provide through the taxpayers services.

11 Well, there was \$30 million when he
12 come in indebtedness, principle only, no
13 interest without going in, and we are now up
14 to 108 million dollars, I assume, because of
15 the 2007 city independent audit. So if
16 that's really helping the people and
17 pledging to bring the city back up into
18 where we can get going it's just
19 unbelievable. There is no doubt about it.
20 When you look at it, and you got to look at
21 it, you know, with the figures, we only have
22 74,566 people left in the city. How the
23 heck are we going to pay off this enormous
24 debt? I don't know really, you know, and it
25 scares me with the jobs that we have around

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1 here they are not paying anything, and I
2 don't know where they are going to go, I
3 don't know, when people graduate from
4 colleges we know and they are still going

5 out of town and even if President Elect
6 Obama gets this economic development
7 stimulus package working and everything like
8 that, I just can't see, it's really getting
9 on, this debt. I can see my grandchildren's
10 grandchildren actually paying this debt, you
11 no he? And he said he was going to balance
12 the budget and he balanced it, but what he
13 is doing is ine credit card, pay off the
14 debt with this credit card, and we all know,
15 again, you can't do that. So, you know, you
16 can't do anything about it. Now you passed
17 the budget, you passed the budget and there
18 we are, we are left again in poverty.

19 Now, I do want to say one other
20 thing, okay, and it hasn't been brought up
21 in a long time, it's the fact that we do
22 spend a lot of Community Development Block
23 Grant money and the people down there in
24 that Nay Aug section and that flood section
25 they asked for a siren, I don't know, maybe

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1 two years ago or so, and they said around
2 \$8,000 to \$10,000 so when the water got so
3 high that had siren that would go off and
4 alert them so they could get out, and they

5 still haven't got that siren. I just don't
6 understand it. Yet, we are talking -- we
7 spent \$180 million and \$8,000 and we are
8 talking a mere \$4 million grant, I think
9 they already got \$4 million for the Connell
10 building in CDBG, it's just not right. He
11 is not helping the people. He is not
12 helping the people. He is helping those who
13 have helped him, and it's about time you
14 started realizing that, and I hope that the
15 council stand up and against this man and
16 try to do something. We are just doing it
17 wrong. He keeps on hiring people. When you
18 hire and you don't cut the fat you are not
19 cutting the budget, and it's just getting
20 out of proportion. It's out of perspective.

21 And you may say, what I am doing
22 here, I'll be coming here and coming here as
23 long as this debt is here and we are not --
24 he is not trying to do something to evade
25 it. Thank you.

15

1 MR. MCGOFF: Thank you. Mr. Quinn.
2 Bill Jackowitz.

3 MR. JACKOWITZ: Bill Jackowitz, South
4 Scranton resident, member of the Taxpayers'
5 Association. Firefighters don't chose the

6 fires, police officers don't choose the
7 crime. Warfighters don't choose the wars.
8 The alarm sounds, they go.

9 A few weeks back council mentioned
10 that Scranton was runner-up to Pittsburgh
11 for the best place to raise your kids.
12 Pittsburgh was selected number one in
13 Pennsylvania, Scranton and Levittown were
14 runner-ups for Pennsylvania. I agree,
15 Scranton is a good place to raise your kids.
16 The problem Scranton has is keeping the kids
17 when they become adults and taxpayers.

18 Top five medium household income by
19 Business Weekly for raising kids: Eagan,
20 Minnesota, \$99,904. Overland Park, Kansas,
21 \$99,078. Edison, New Jersey, \$96,640. New
22 Rochelle, New York, \$89,684, the Dick Van
23 Dyke show. Gilbert, Arizona, \$89,031. Mt.
24 Pleasant, Illinois was ranked number ten,
25 \$82,504 for median income. They were the

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1 winner. They have 19 parks, each park has
2 ballfields, children have access to hiking
3 trails, skating rinks, indoor swimming pools
4 and recreation centers. As you notice, they
5 are all plural.

6 Omaha, Nebraska, \$65,611.
7 Murfreesboro, Tennessee, \$65,531.
8 Murfreesboro, Tennessee was runner-up and
9 they hosted many musical festivals. Warren,
10 Utah, \$63,271. Number 29, Rio Rancho, New
11 Mexico, \$63,239. Number 38, West Haven,
12 Connecticut, \$63,191.

13 The bottom five: Number 46,
14 Pittsburgh, Pennsylvania, \$49,102.
15 Pawtucket, Rhode Island, \$48,207; Lackland,
16 Oklahoma, \$47,988; Jacksonville, North
17 Carolina, \$43,489. Charleston and West
18 Virginia, \$39,829.

19 According to the current US Census
20 report, 2007, Scranton Pennsylvania median
21 household income \$35,171. The household
22 income difference between Eagen, Minnesota
23 and Scranton is \$64,733 a year. This is why
24 we cannot keep the young people in Scranton.
25 Until the wage tax is reduced, mercantile

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1 tax reduced and working class wages
2 increased, unemployment decreased, 7 percent
3 for November, second highest in the state,
4 Scranton will continue to suffer. The only
5 people who can afford to live in Scranton
6 are retirees, politically connected people,

7 and those that are just plain stuck here.
8 The economy has always been the most
9 important issue. No money, no can live.

10 Also, according to the 2007 US
11 Census report, Scranton's population is
12 72,485. Percentage of residents living in
13 poverty has risen to 20.3 percent. Number
14 of residents receiving public assistance has
15 risen to 1.5 percent. Scranton ranks below
16 the national median income by 23 percent,
17 the state median income by 19 and the county
18 median income by 8 percent. What is more
19 disturbing is the per capita income for
20 Scranton residents, \$17,187 annually.

21 Attorney Carl Greco's wage, \$25,000,
22 was higher than many Scranton resident's per
23 capita income. Stu Renda's \$40,000 raise
24 over the years is unbelievable.

25 2008 cost of living index:

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1 Scranton, 86.6 percent. US average:
2 100 percent. Again, Scranton falls behind.
3 Electricity shut-offs soar, 77 percent
4 increase. UGI Penn and natural gas shutoffs
5 nearly 37 percent in the last three years.
6 Shutoffs for the region are higher than the

7 state's average 60 percent.

8 Chapter 14, a 2004 law which was
9 passed, allows utilities to cut the power
10 and goes for nonpaying customers even in
11 winter, and allows the utility companies to
12 charge security deposits for reconnections.
13 Scranton Council once said they cannot shut
14 off utilities during the winter months.
15 Again, council was wrong and not current on
16 the laws of the state.

17 Scranton School Board will raise
18 taxes another 5.6 percent. Recent
19 evaluations the Scranton schools, they
20 failed in just about every category. Thank
21 you.

22 MR. MCGOFF: Thank you, Mr.
23 Jackowitz. Mr. Spindler.

24 MR. SPINDLER: Good evening,
25 Council. Les Spindler, city resident,

19

1 homeowner. Happy New Year, Council.
2 Mr. Courtright, I echo your sentiments about
3 Captain Robeson. I think about the family
4 all the time. They only lived a few blocks
5 from where I live. Every time I pass their
6 house I think about Jimmy, so I think about
7 him quite often.

8 First thing, I have here a copy of
9 the Home Rule Charter, and Article IV,
10 Section 401, council meetings: Council
11 shall meet once a week in regular session in
12 regular council chambers.

13 Here I have a copy of the city's
14 administrative code, Section 203: Regular
15 meetings of council shall be held at least
16 once a week at such place and time as fixed
17 by the resolution of council.

18 There is two documents that clearly
19 state that this council should meet weekly
20 and I have been coming to this council
21 meetings for seven years, this council since
22 Mrs. Gatelli, Mrs. Fanucci and Mr. McGoff
23 are here have cancelled more meetings than
24 any other council I have spoken in front of.
25 I think that if meetings of council are

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1 cancelled, council should be docked for that
2 meeting. I don't care if you work 80 hours
3 that week doing other council work, which I
4 don't believe you do that much, but if you
5 don't have a council meeting you shouldn't
6 get paid for that meeting, and it states
7 clearly here in two different documents,

8 that you shall be meeting weekly. There is
9 no argument there. It's a disgrace that the
10 meetings were canceled most of December. If
11 there is no legislation, the people have a
12 right to come here and speak.

13 Moving on, I think it was the last
14 meeting, Mrs. Evans, you said about NCC, and
15 they have to be notified six months in
16 advance?

17 MS. EVANS: Yes.

18 MR. SPINDLER: If they are not going
19 to get a contract?

20 MS. EVANS: Yes.

21 MR. SPINDLER: And Mayor Doherty
22 never did that?

23 MS. EVANS: I don't know what the
24 mayor did. All I know is that the
25 termination date, according to the contract,

21

1 was December 31, 2008, and one of the
2 provisions of the contract was that whether
3 the city intended to terminate or renew the
4 agreement that notice has to be given six
5 months prior to the termination of an
6 agreement. So, evidently, I'm assuming they
7 must have been renewed.

8 MR. SPINDLER: Yeah, and council knew

9 nothing about it; correct?

10 MS. EVANS: I knew nothing about it.

11 MR. SPINDLER: I don't know how this
12 man gets away doing stuff behind everybody's
13 back and nothing is done. He circumvents
14 council all the time, he circumvented
15 council with the sewer rate hike, he was
16 supposed to come to council for that, he
17 circumvents council for the sewer -- the
18 American Anglican deal, he violated the Home
19 Rule Charter, he violates his own Recovery
20 Plan, and he gets away with it. PEL let's
21 this man get away with murder. He hires a
22 public safety director Jimmy Connors had to
23 do away with how can this man get away with
24 it? And people get mad and people come up
25 here and say he is corrupt? Well, I think

22

1 he is.

2 Yesterday in the Doherty newsletter,
3 it said, "A deal with Comcast is expected to
4 be reviewed."

5 Well, I hope it's not. As I said,
6 their rates keep going up and we get nothing
7 more for it. Has council heard from any of
8 the cable companies? Mrs. Gatelli?

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MS. GATELLI: No.

MR. SPINDLER: That's really sad. Comcast is -- they are really sticking it to the taxpayers. Today's Doherty newsletter said the city made \$47,000 on the Christmas light display. What it didn't say is how much did it cost to light those lights all night long. I don't know if you aware, those lights are lit all not long. What is the reason behind that? I know somebody that went by there at four in the morning and they were on at 4:00 in the morning. That's just a waste of taxpayer money. I can imagine all of the -- the mayor always talks about how many lights were up there, I would love to know what the cost of keeping those lights on all night is, but you don't

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see that written in the Doherty newsletter.

Next thing, awhile back, Mrs. Evans, I asked about stop signs either at the corner of North Rebecca and Bulworth and North Rebecca and Hawthorne, has anything been heard about that?

MS. EVANS: The request was sent, we heard nothing back. We requested a response, however, very coincidentally, I do

10 have that included tonight among several
11 other issues that I want resubmitted to the
12 department head and I want an answer this
13 time. So that is included in that grouping.

14 MR. SPINDLER: Thank you. The snow
15 storm we had a few Fridays ago, we had seven
16 inches of snow, and again in the Doherty
17 newsletter: In general, cleaning crews get
18 high marks in wake of storms."

19 I'd love to know what rating system
20 they used because Jeff Brazil gave them a
21 "B". A coworker of mine came into work on
22 Monday and said she had to park three feet
23 from the curb because she couldn't get any
24 closer. My brother-in-law came in for
25 Christmas Eve from Baltimore, Maryland, five

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1 days, later, he said how terrible the
2 streets were, five days later. And I agree
3 with Jeff Brazil they do deserve a "B" for
4 bad. Thank you.

5 MR. MCGOFF: Thank you, Mr. Spindler.
6 Ms. Schumacher?

7 MS. SCHUMACHER: Good evening. Marie
8 Schumacher, citizen and member of the
9 Taxpayers' Association. The day after the

10 last council meeting the Times-Tribune
11 reported work had been halted by Judge
12 Minora on a Tripp Park subdivision. Judge
13 Minora's order directed that the city cannot
14 issue any more permits of any nature for the
15 continued development of the Village at
16 Tripp Park by any person or entity until the
17 storm water issues are addressed. The city
18 was held accountable to enforce
19 administration of it's subdivision
20 regulations. This is but one example of the
21 importance of having qualified personnel in
22 the licensing, inspections and permits
23 department.

24 However, as we all have painfully
25 learned, Scranton is special. Scranton

25

1 doesn't have to play by the rules or for
2 that matter use common sense. Mr. Doherty
3 said he would run the city like a business.
4 If Mr. Doherty ran a business as he is
5 running the City of Scranton he would have
6 been out of business a long time ago as
7 businesses must depend on customers willing
8 to pay for goods or services and he would
9 have had to raise his prices so high his
10 customers would have found a much less

11 expensive competitor. The power to tax and
12 raise fees is a walk in the park compared to
13 providing a competitively priced good or
14 service.

15 Today's Times-Tribune article on
16 Mayor Doherty hiring of former Mayor Jim
17 Connors' son to fill a newly created
18 position at a salary of \$32,85 plus benefits
19 without any qualifications is a great
20 example of why educated professionals raised
21 in Scranton, but living out of town have
22 absolutely no desire to return to an area
23 where who you know trumps what you know. Do
24 you have any idea how many qualified
25 applicants might have applied for this

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1 position had it been advertised? Worse, and
2 this is painful to discuss, but I do not
3 want to see us taxpayers saddled with both
4 an inexperienced employee and a potentially
5 expensive liability.

6 Magisterial court records show an
7 individual named Zachary T. Connors, born
8 February 7, 1985, with an address in
9 Scranton, zip code 18504 --

10 MS. FANUCCI: You need to stop right

11 there. We are going to get in trouble. I
12 think we should defer to our attorney. You
13 think she should be reading this into the
14 record?

15 MS. SCHUMACHER: This is public
16 information.

17 MS. FANUCCI: Still, I don't know
18 this should be read in the record. I
19 believe this might cause some problems.

20 MS. HUBBARD: Why, public record?

21 MR. JACKOWITZ: Public record.

22 MS. SCHUMACHER: This is public
23 information?

24 MS. GATELLI: Should she --

25 MR. MINORA: Is this an address only?

27

1 MS. SCHUMACHER: May I continue?

2 This is public information.

3 MR. MINORA: I'm not sure where you
4 are going. There are records that are
5 classified.

6 MS. SCHUMACHER: This is public
7 information. It's available on the Internet
8 from the Court system. They are just docket
9 sheets. They are available on the Internet.
10 Anybody -- what is your ruling,
11 Mr. Chairman?

12 MR. MCGOFF: I will defer to --

13 MR. MINORA: I don't know how to
14 answer it because I don't know where she is
15 going with it. I don't know what
16 information. I don't really know where it
17 was gotten from, you're possibly exposing
18 yourself to a liability, and my concern, of
19 course, is whether or not she is exposing
20 this council to liability. I would suspect
21 if you have something, a document that's a
22 public record, why don't you bring the
23 docket, public record downloaded so we can
24 all know what it is and I'll be glad to take
25 a look at it and give you my opinion on it

28

1 next week.

2 MS. SCHUMACHER: I will certainly do
3 that, but if this person that I started, and
4 I assume that people on this council know
5 what I'm talking about, and maybe that it's
6 true and that's why they are --

7 MS. FANUCCI: Excuse me, that's not
8 correct.

9 MS. GATELLI: I'm not denying whether
10 what you are going to say is true or it's
11 not true, but I know under the Sunshine Law

12 council as a body can't discuss personnel in
13 public, so --

14 MS. FANUCCI: Under any
15 circumstances.

16 MS. GATELLI: So if we can't discuss
17 it in public how can it be discussed at the
18 podium about an employee.

19 MS. HUBBARD: Because she's not on
20 council.

21 MS. GATELLI: I'm just afraid.

22 MS. SCHUMACHER: Because I'm not on
23 council.

24 MS. GATELLI: I know, but I'm
25 afraid--

29

1 MS. FANUCCI: You are addressing the
2 public and you are addressing council so we
3 are afraid --

4 MS. SCHUMACHER: Okay, I won't give
5 anymore --

6 MS. GATELLI: I'm really more
7 comfortable if the solicitor said it was
8 okay.

9 (Whereupon several people began
10 talking at once and the proceedings became
11 unreportable.)

12 MS. SCHUMACHER: May I have the

13 floor, please?

14 MR. MCGOFF: Mrs. Schumacher.

15 MS. SCHUMACHER: Yes.

16 MR. MCGOFF: Please, continue.

17 MS. SCHUMACHER: I was about to say
18 if the charges and the disposition were the
19 same person who was hired as the assistant
20 zoning officer, I respectfully request that
21 this council disapprove this hire. This
22 also begs the question of what kind of
23 background checks the city uses in it's
24 hiring. That is the subject of a
25 Right-to-Know request I made today.

30

1 Now, with the permission of the
2 Chair, I have a few questions to follow-up
3 from last year, may I? Since most of my
4 time was consumed otherwise.

5 MR. MCGOFF: Please.

6 MS. SCHUMACHER: I'd like to direct
7 them to Mrs. Fanucci since they deal with
8 her role as OECD liaison. First, have you
9 found out how much of the quarter million
10 dollars loan to Alexander's Salon and Spa
11 has been drawn down and how much equipment
12 was to be used at collateral has actual been

13 purchased?

14 MS. FANUCCI: Yes, I have. I
15 actually -- do you want an answer or not?

16 MS. SCHUMACHER: In motions. Oh,
17 give it to me now. Go ahead.

18 MS. FANUCCI: This is your time, so.

19 MS. SCHUMACHER: Go ahead.

20 MS. FANUCCI: All right. Yes, I did.
21 I inquired about that. The loan was given
22 out the day of the closing, and it was --
23 when I went back in the records I was a
24 little concerned about what you were saying
25 and why you were saying, you know, they

31

1 weren't complying. They did comply. The
2 equivalent of a positions have been up to
3 par. They actually started off currently --
4 they currently have 75 employees and they
5 actually were only asked to create 50
6 employee positions. You were saying about
7 the equipment, yes, the machinery has been
8 purchased, the machinery is there and they
9 are still being monitored by -- I want to
10 make sure I say this right, quarterly.
11 Every quarter they are still being monitored
12 and are still are compliance.

13 MS. SCHUMACHER: They got the entire

14 four million dollars?

15 MS. FANUCCI: They got everything and
16 they are still up to par as far as the loan
17 has been considered, yes.

18 MS. SCHUMACHER: I'll ask the rest
19 of them next week since my time is expired.

20 MR. MCGOFF: Thank you. Sam Patilla.

21 MR. PATILLA: Good evening, Mrs.
22 Evans and Mr. Courtright.

23 MS. EVANS: Good evening.

24 MR. PATILLA: According to President
25 Elect Obama, the federal government is going

32

1 to be facing a trillion dollars deficit, and
2 according to another report only six states
3 in this great country of ours will have a
4 surplus for their annual budgets. You know,
5 those numbers aren't great and that leads me
6 to the brunt of my discussion because I'm
7 going to direct this to you, Mr. Courtright,
8 I happen to like talking to you, okay?

9 We have numerous residents come to
10 the podium and speak. We all know what the
11 problem is, we need solutions. Me
12 personally, I don't think your job on city
13 council is done because you really haven't

14 had the opportunity to do the things that
15 motivated you to run for that position
16 initially. As a representative of the
17 police department rank and file, and of our
18 rank file firefighters, you know, you should
19 be appalled of any new hires that this
20 administration makes, of any new job
21 creations that this administration creates
22 because those honest men and woman have gone
23 eight years, eight long years without a
24 raise, without a cost of living increase,
25 and since I have been here two, going on

33

1 three years, okay, I can't count on my hands
2 the number of jobs that have been created,
3 the amount of money that have suddenly
4 appeared out of nowhere to fund these new
5 hires and these raises. And yet Scranton
6 still remains after 17 years a distressed
7 city.

8 Like I said, we already know what
9 the problem is. We need solutions. Some of
10 those solutions will come in the upcoming
11 elections. New blood always changing
12 things, okay? God has granted me 50 years,
13 half a century on this planet, and I have
14 seen a lot of things during those times, but

15 as a child my favorite poet was always
16 Langston Hughes, my poem was always "A Dream
17 Deferred, "but tonight I want to read off
18 another poem of his to you, Mr. Courtright,
19 and I really, really suggest that you give
20 this a lot of thought because deep down in
21 my heart I know you are a good man, but it's
22 kind of hard to do what you have to do with
23 your hands tied behind your back.

24 Democracy. "Democracy will not come
25 Today, this year nor ever through compromise

34

1 and fear. I have as much right as the other
2 fellow has to stand on my two feet and own
3 the land. I tire so of hearing people say;
4 let things take their course tomorrow is
5 another day. I do not need my freedom when
6 I'm dead. I cannot live on tomorrow's
7 bread. Freedom is a strong seed planted in
8 a great need. I live here, too. I just
9 want freedom. Just as you."

10 And I need you to ponder those
11 words. You know, you can go to the library or
12 download it on the Internet, you know,
13 Langston Hughes, the name of the Poem is
14 "Democracy." The city residents need you.

15 They need you to stand up and say, "Hey, I'm
16 on your side. I'm here for you. I ran for
17 this position to represent you," all right?

18 We don't need any more grants. We
19 don't any more increases in the taxes. We
20 don't need any more increases in our service
21 fees, all right? I personally know Comcast
22 isn't going anywhere especially after they
23 wired the building and ECTV's building, they
24 are not going anywhere. You know, this
25 country is built on competition, okay? It

35

1 was built on the backs of men and women who
2 weren't born with silver spoons in their
3 mouths, who didn't control mass media,
4 Scranton, even though this is the year 2009,
5 is a picture mirror image of 1809. The
6 citizens need more from their elected
7 officials. There is job creations, crony
8 raises and garages that we will never see
9 I'll never go to Alexander Spa and Salon, I
10 don't need Botox. Thank you for your time.

11 MR. MCGOFF: Thank you, Mr. Patilla.

12 MR. DOBSON: Good evening, Council
13 Dave Dobson, resident of Scranton. Once
14 again, I probably sound like a broken
15 record, but for the next year I'd love to

16 see the gift that keeps on giving, look into
17 industrial parks and development that's
18 going to attract potential employers, and
19 finish off projects and closeouts and
20 reevaluate the need for investment. A lot
21 of these projects might be more expensive to
22 close down than they are to finish, who
23 knows, it might take a little research, but
24 I would suspect that they started violating
25 contracts and so forth the next thing you

36

1 know you sit in Court and wind up paying out
2 the money anyway, so that's what we need to
3 do is to reevaluate.

4 On the police and fire contracts,
5 please settle them. They have gone on long
6 enough. I know certain members of the
7 council were chided for talking to the
8 firemen by people from this audience and I
9 thought that was kind of a bad idea. Let
10 them talk all they want. They just can't
11 sign the contract, that's the impression I
12 get.

13 And on NCC, now if my math is
14 correct anybody can answer this question,
15 6-30 of 2011 is the day that we can all look

16 forward to? That would be two and a half
17 years from December 31 --

18 MS. EVANS: Yes.

19 MR. DOBSON: -- of 2008. You surely
20 need somebody to collect taxes, but at the
21 rate that they collect taxes, it's just too
22 much. They have too many fees and fines and
23 penalties and what have you, and they don't
24 really pay attention to their business, they
25 don't try to contact anybody. One thing I

37

1 might add when I dealt with them, I was down
2 there to pay taxes on another property I
3 purchased in Scranton, he is sitting right
4 there at the computer, and he did not notify
5 me that I was delinquent on a garbage fee
6 for the first year that I bought my house.
7 And that is sloppy. That is very sloppy
8 and, you know, there is no hard feelings
9 anymore about it, but I could see it
10 happening to other people and I just paid it
11 and got it the heck out of my face and, you
12 know, they shouldn't do stuff like that.
13 They shouldn't be that sloppy with all the
14 money they collect and the computers they
15 have they should be better off.

16 And on Comcast, I misunderstood

17 something on the budget, how much do they
18 pay actually every year, does anybody know?

19 MS. EVANS: It's approximately 870
20 some thousand dollars and a cable franchise
21 fee of 5 percent of their gross profits,
22 which is the maximum that can be given to
23 the franchise -- what we call us, the
24 franchisee or the franchisor.

25 MR. DOBSON: Franchisor, I guess,

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1 but, in other words, that's annually?

2 MS. GATELLI: Yes.

3 MS. EVANS: And it's paid in
4 quarterly payments.

5 MR. DOBSON: Because that's a sizable
6 sum. Well, it seems that the money gets
7 budgeted into other things than what it
8 should as we will read in the paper. I
9 don't want to go too far there because other
10 people have their -- are more involved with
11 it, but that was somewhat disturbing to see
12 that 780,000 was just thrown into general
13 fund with the considerations and
14 developments last year with the public
15 television, but I'll leave that up to other
16 people to speak on. Thank you and have a

17 good night.

18 MR. MCGOFF: Thank you, Mr. Dobson.
19 Jim Stucker. Anyone else? We can get Jim
20 when he comes back.

21 MR. HUBBARD: Good evening, Council,
22 Daniel Hubbard, lower Greenridge. A couple
23 of things first, I know I mentioned it in
24 the past, we would like to know what we need
25 to do to get a four-way stop sign at the

39

1 intersection of Albright and Marian, I
2 brought that up in the past.

3 Also, I'd still like to know what we
4 need to do to try and have the 100 and
5 200 blocks of Marian changed into a one-way
6 so that the blind turn on Marian as part of
7 the flood project doesn't cost the
8 neighborhood anything more than already one
9 family pet. I've had quite a number of
10 close calls, especially in inclement weather
11 people were just flying around that turn and
12 people are parking their cars everywhere but
13 in front of their houses because they were
14 afraid they going to go hit. One way going
15 to Albright to Ross help Colt's bus and
16 protect the children in the neighborhood as
17 well.

18 MR. COURTRIGHT: Dan, could you put
19 down in writing exactly what you want and I
20 will forward it because they have do a study
21 all the time, and I'll forward.

22 MR. HUBBARD: Yeah, well, they did
23 enough studies to put the turn there, so
24 they should have everything they need to fix
25 it. Okay, question real quick, can council

40

1 please explain the hiring process for
2 Mr. Connors to the unemployed and recently
3 laid off voters in this city that work in
4 the building and construction industries
5 because there is a tremendous amount of
6 people, we are the highest jobless rate in
7 the state, in this region, second highest
8 unemployment in the state for the city and
9 you are not going to tell me that there is
10 not somebody out there in the construction
11 building field with a family right now that
12 is out of work that desperately could have
13 used that job? Instead, you literally took
14 a paycheck away from a voter, a qualified
15 voter for this position, and gave it to an
16 unqualified child of a political ally as a
17 favor. During the toughest -- during the

18 toughest economic times this nation has seen
19 in my lifetime we are handing out free jobs
20 to unqualified people when Scranton seems to
21 be the only place in America that's not
22 cutting back, tightening up it's belt and
23 cutting it's budgets and laying people off.

24 The county, Wilkes-Barre, Luzerne
25 County, everybody is making cuts, but this

41

1 city. Instead, we are handing jobs out to
2 unqualified children, a 23 year old. Now,
3 if Mr. Wallace is so overwhelmed with his
4 position, and don't get me started on his
5 qualifications, if he is so overwhelmed with
6 his position as zoning officer, what kind of
7 position is Mike Wallace going to be in now
8 that he has to babysit an assistant zoning
9 officer that has no qualifications, so now
10 Mike Wallace instead of having somebody that
11 can actually help him has to take his time
12 where he should be helping the taxpayers in
13 order to train somebody instead of actually
14 putting this job out there to be applied
15 for. I mean, you need the explain to the
16 voters why you felt they didn't deserve an
17 opportunity to apply for this job.

18 I mean, you know, this city really,

19 people are literally living paycheck to
20 paycheck and barely getting by in these
21 economic times. You are not going to tell
22 me that not one person on this panel in
23 front of me has not taken a hit in their
24 pension, their retirement plan, their IRA's,
25 please, you can't deny it. Mine took a hit.

42

1 I'm down 50 percent. How about you guys?
2 You feeling it? Are you really feeling it?
3 Because other people are feeling it yet you
4 are giving it to a kid who is already
5 employed as a bartender, you are giving him
6 a job.

7 MS. FANUCCI: Daniel, the only
8 problem I have is that we aren't in charge
9 of hiring.

10 MR. HUBBARD: Well, why can't you --

11 MS. FANUCCI: You are acting like we
12 did this, with city council. This has got
13 nothing to do with us. We can't fire, we
14 can't hire it.

15 MR. HUBBARD: You can comment after
16 I'm done speaking.

17 MS. FANUCCI: Don't blame us then --

18 MR. HUBBARD: I'm not blaming you.

19 MS. FANUCCI: You did three times.

20 MR. HUBBARD: What I'm blaming you
21 for is your apathy. Your inability or you
22 unwillingness to try to trim the fat in this
23 building. Instead now, we just added to it.
24 Have you even held the mayor to task on
25 anything? Anything since any one of you

43

1 been elected?

2 MS. FANUCCI: Absolutely.

3 MR. HUBBARD: As the council majority
4 that sits here, have any of you held the
5 mayor to task on the fiscal and fiduciary
6 irresponsibility that is he running rampant
7 through this building that we stand in right
8 now? No, you haven't, because in way one or
9 another somehow in some way you have been
10 all benefited from him being in office. So,
11 why you --

12 MS. FANUCCI: I would love that list,
13 Dan. Why don't you get me that list for
14 every one of us because I would love that
15 list.

16 MR. HUBBARD: How did you get your
17 job?

18 MS. FANUCCI: How did I get my job?

19 MR. HUBBARD: How did Judy's kids get

20 their jobs?

21 MS. FANUCCI: I certainly didn't get
22 my job through the mayor.

23 MS. GATELLI: Excuse me.

24 MS. FANUCCI: Uh-huh. Bring that
25 list.

44

1 MR. HUBBARD: You are going to have
2 answer to the voters.

3 (Whereupon several people began
4 talking at once the proceedings became
5 unreportable.)

6 MS. GATELLI: How dare you.

7 MR. HUBBARD: You don't care? How
8 dare I?

9 MS. GATELLI: How dare you.

10 MR. HUBBARD: How dare you continuing
11 to take from the people of this city --

12 MS. GATELLI: How dare you.

13 MR. HUBBARD: -- without answering to
14 them.

15 MS. GATELLI: Oh, please.

16 MR. HUBBARD: You dare you. Well,
17 you know, you will have to answer to the
18 voters this year. You will.

19 (Whereupon more comments were made

20 that were unreportable.)

21 MR. MILLER: Good evening. Douglas
22 Miller, Scranton, Scranton. I'd like to
23 begin by thanking Mrs. Gatelli and
24 Mr. Courtright and all of the other
25 volunteers that gave their time to help make

45

1 the Bob Bolus Senior Christmas Day dinner a
2 huge success. It fed over 3,000 people, and
3 it was just wonderful to see all of the
4 people there that, you know, had a place to
5 go on Christmas and it was just a great
6 environment, the Christmas spirit, and
7 another year - and another year of success
8 and looking forward to next year's 15th
9 annual Christmas Day dinner, so thank you,
10 again, to all of those that made the dinner
11 a huge success.

12 Moving along here, I know this is
13 the first meeting I believe in three weeks,
14 and as a resident certainly didn't agree
15 with the cancellation of last three meetings
16 in of the year, I believe it was due to the
17 fact that there was no agenda, but the
18 people here, myself and anyone else that
19 wants to come here to speak, we have agendas
20 and we certainly have the right to address

21 council. I believe council violated the
22 Sunshine Act and I believe it's your
23 responsibility regardless of agenda or not
24 to be here to listen to the issues.

25 Finally, I believe this council need

46

1 to look into creating an impact fee on KOZ's
2 and nonprofits any other developer that
3 wants to come into this city. I believe the
4 city is losing out on thousands of dollars
5 and it's time this council become more
6 creative. People need to start paying their
7 fair share here, and while we are on that
8 topic I believe it was last week or the week
9 before, all over the news I saw University
10 of Scranton cutting trees to help curb crime
11 and they are going to put streetlighting up,
12 well, correct me if I'm wrong, but I believe
13 they are a nonprofit, they give nothing to
14 the city, so in a way it doesn't benefit the
15 city, it's only benefiting their campus.
16 They are not giving anything back to the
17 city, so I think we need to look at that in
18 the future. Thank you.

19 MR. MCGOFF: Mr. Stucker, we skipped
20 over you while you are out if you would like

21 to come to the podium.

22 MS. HUBBARD: You want to go, Jimmy?

23 MR. STUCKER: Go ahead.

24 MS. HUBBARD: Good evening, Council.

25 A belated Merry Christmas and Happy New

47

1 Year. I believe I asked a couple of
2 questions about this quite awhile ago about
3 the Scranton having a parking fee for
4 garage, private garages don't very to pay so
5 much a year per space? The Forum Garage, I
6 understand somewhere there was a lawsuit,
7 did that ever get settled?

8 MS. EVANS: A letter was sent on
9 behalf of council concerning that issue.
10 That's yet another topic that never received
11 a response, so that is part of the package
12 I'm sending, once again, with council's
13 agreement to insist on answers by a specific
14 deadline.

15 MS. HUBBARD: Now, how about the
16 hospital garages? I know the hospitals --

17 MS. GATELLI: They do pay.

18 MS. FANUCCI: They pay a lump total.

19 MR. HUBBARD: Are they paid
20 up-to-date.

21 MS. GATELLI: The last time I looked

22 they were. I believe that the Mercy, and
23 don't quote me because I'm just saying this
24 off the top of my head, but one of the
25 hospitals pays taxes on the garage, so that

48

1 garage is not -- I don't think they pay on
2 that garage. I think it's the Mercy, but
3 I'm not sure. I'll try to find out for you.

4 MS. HUBBARD: wait a minute, they pay
5 taxes on the garage?

6 MS. GATELLI: There is one hospital
7 --

8 MS. HUBBARD: So they don't have to
9 pay --

10 MS. GATELLI: Well, they used to.
11 They use part of the tax on one of their
12 garages when I worked there. I don't know
13 if they still do.

14 MS. HUBBARD: Yeah, but I'm assuming
15 the Forum Garage pays taxes on it's garage
16 plus it's also supposed to pay the fee.

17 MR. COURTRIGHT: Yeah, but the
18 hospital is nonprofit, so it's a little bit
19 different.

20 MS. HUBBARD: Yeah, but they make a
21 profit on the garage. I mean, they are not

22 giving me free parking when I'm going there.

23 MS. GATELLI: The taxes are more than
24 the fee would be.

25 MS. HUBBARD: But, no, what I'm

49

1 saying is there should be taxes plus the
2 fee.

3 MS. GATELLI: You might be right.

4 MS. FANUCCI: Well, if the Forum is
5 a private garage, and I'm sure they pay
6 taxes on their garages, they also have to
7 pay whatever it is the ten dollar fee.

8 MS. GATELLI: I think it's \$15 a
9 space per year.

10 MS. HUBBARD: So if they do that, I
11 mean, I know they are behind in their
12 payments, but if you ever get the money out
13 of them, and the hospital pays taxes on the
14 garage why should is not have to pay the
15 fee, too?

16 MS. GATELLI: I don't remember the
17 reason. I'll find out.

18 MS. HUBBARD: Okay, how about the
19 University of Scranton?

20 MS. GATELLI: I'm not sure.

21 MS. HUBBARD: They charge for
22 parking.

23 MS. GATELLI: Yeah, I know they do.
24 MS. HUBBARD: So do they pay the fee?
25 MS. GATELLI: We had a list recently,

50

1 didn't we?

2 MS. EVANS: I think that's something
3 we wanted.

4 MS. HUBBARD: Judy, you are finance
5 chair, will you look into that.

6 MS. FANUCCI: We are looking into it
7 that.

8 MS. GATELLI: I thought we just had a
9 copy and I'm trying to think of where --

10 MS. HUBBARD: I mean, I don't care
11 how many trees they cut down or don't cut
12 down and beautify the sidewalks, but if they
13 are charging students to park then they
14 should have to pay the parking fee. If they
15 were providing free parking for their
16 students I'd say, okay, they're a nonprofit,
17 but they are charging the students because I
18 know --

19 MS. GATELLI: I'll get the list for
20 you.

21 MS. HUBBARD: I'd appreciate it.

22 MS. GATELLI: And we'll check into

23 it.

24 MS. HUBBARD: I think that was all.
25 I don't have to worry about my dog getting

51

1 skunked anymore because she passed away two
2 days after New Year's, so every time I look
3 outside I think I don't have to worry about
4 the dog getting skunked until I get another
5 dog, so if you know anybody that has a
6 german shorthaired pointer that they need a
7 home for that, I would be very happy to look
8 into taking it. That goes for anybody
9 watching this.

10 MR. MCGOFF: Thank you, Mrs.
11 Hubbard.

12 MR. STUCKER: Happy New Year,
13 everybody.

14 THE COURT: Same to you, Jim.

15 MR. STUCKER: Yeah. Okay, up where I
16 live, the high-rise on Adam's Avenue, okay,
17 I talked to a Pete today, he had a place
18 there, and he told me you are in charge.

19 MR. COURTRIGHT: I'm in charge?

20 MR. STUCKER: Yeah, you are in
21 charge of --

22 MR. COURTRIGHT: Of what, Jim. I'm
23 in charge of what?

24 MR. STUCKER: Police.

25 MR COURTRIGHT: Police.

52

1 MR. STUCKER: Or cover something --
2 to cover something.

3 MR. COURTRIGHT: Well, not really.
4 What do you need, Jim?

5 MR. STUCKER: Well, we have a guy
6 that lives in my building.

7 MR. COURTRIGHT: Right.

8 MR. STUCKER: He has been playing his
9 radio 2 or 3 o'clock in the morning, 11, 12
10 at night and I sleep by day.

11 MR. COURTRIGHT: Don't you live in
12 one of those high raises, Jim?

13 MR. STUCKER: Yeah.

14 MR. COURTRIGHT: Why don't you tell
15 the manager of the high-rise?

16 MR. STUCKER: I did. She won't do
17 anything. She told me to call the cops.
18 The supervisor told me to call the cops, and
19 the custodian told me to too call the cops.

20 MR. COURTRIGHT: Who?

21 MR. STUCKER: The custodian also
22 told me.

23 MR. COURTRIGHT: Give your address to

24 Neil and I'll look into it for you, hows
25 that, okay? Don't say it on the air.

53

1 MR. STUCKER: Adams Avenue, Adams
2 high-rise.

3 THE COURT: Don't say it on the air,
4 Jim.

5 MR. STUCKER: I don't have the
6 address, I left it at home -- I live at 119
7 apartment.

8 MR. COURTRIGHT: Jim, you know what,
9 can you hang out here until after the
10 meeting and I'll talk to you, all right.
11 How's that, okay?

12 MR. STUCKER: All right. We need
13 some lights -- we had the lights fixed,
14 right on Mulberry that turns onto Main, I
15 was there yesterday and I seen a lot of car
16 go through red lights up there by the
17 school, that school or --

18 MR. COURTRIGHT: Bishop Hannon.

19 MR. STUCKER: Yeah, the light turned
20 red and they go right straight through it.
21 Today there two red lights and all of that
22 today.

23 MR. COURTRIGHT: Okay, we'll take
24 care of it, Jim.

25

MR. STUCKER: The garbage has been

54

1

picked up, I'm happy. Oh, I was over at a

2

bar next to the fire station, I don't know

3

his name, his name is Herbie, Herbie's Bar?

4

MR. COURTRIGHT: I don't know, Jim.

5

MR. STUCKER: Next to the fire

6

station they know you.

7

MR. COURTRIGHT: They know me?

8

MR. STUCKER: Yeah. They told me to

9

bring up -- yeah, he has got workers and

10

good people there.

11

MR. COURTRIGHT: Okay.

12

MR. STUCKER: They told me you have

13

been good to everybody there, so you have

14

good to us, too. Herbie.

15

MR. COURTRIGHT: Herbie.

16

MR. STUCKER: He owns the bar.

17

MR. COURTRIGHT: Okay. All right.

18

MR. MCGOFF: Thank you, Jim.

19

MR. UNGVARSKY: Good evening, City

20

Council, I'm Tom Ungvarsky. Apparently, the

21

mayor may get his way. For years we had

22

Scranton Today televising these meetings and

23

doing a good job at no cost to the city.

24

Apparently, the mayor wasn't satisfied with

25

that, and he hired his own cable system.

55

1

His own -- yes, cable system to televise

2

these. It is now costing us this year

3

\$100,000 and the quality of the broadcasting

4

isn't near as good as when Scranton Today

5

had it. I don't know how much they are

6

going to get this year, according to the

7

mayor they won't be able to get it until

8

2010. This may be playing right into the

9

mayor's hands where they may have to hold

10

and we will not see city council on Channel

11

61. Thank you.

12

MR. ANCHERANI: Good evening, Nelson

13

Ancherani. Just a few points today, I was

14

informed today that on WILK, W-I-L-K, the

15

Sue Hendrick's Show and on the Steve Corbett

16

Show, that there was mention about a newly

17

created position of assistant zoning

18

officer. This position is in addition to

19

three other newly created positions, and

20

this totals now approximately 63 newly

21

created positions in the budget since 2002.

22

Can anyone tell me when a newly created

23

assistant zoning officer was introduced into

24

the budget?

25

MS. GATELLI: In 2009. From the 2009

1 budget.

2 MR. ANCHERANI: But I believe it was
3 in the third reading of the budget, that's
4 what I meant.

5 MS. EVANS: That's correct.

6 MR. ANCHERANI: And why was it thrown
7 into the last reading of that budget, and
8 who added or introduced it into the budget?
9 How about the dance called the Ignore
10 Shuffle at the last meeting? When the tax
11 anticipation notes were motioned into
12 Seventh Order by Ms. Gatelli, I believe it
13 was Ms. Gatelli, Ms. Evans asked if the
14 motion to move the TANS to Seventh Order
15 meant there would be no further meetings in
16 December or until this year since there was
17 no agenda business if the TANS were moved to
18 Seventh Order and voted on. There was no
19 answer by Ms. Gatelli, but will sure was an
20 ignore shuffle to get away from the subject.

21 Can anybody answer why the Scranton
22 Parking Authority has to borrow \$568,000
23 when they just got a \$35 million loan, that
24 was last year. Why do they need \$568,000
25 more? This is since 2002 they have received

1 approximately \$4 million for Scranton
2 Parking Authority citation issuers, and it
3 translates into \$1,700,000 cumulative
4 raises, and don't forget that the
5 \$35 million loan is going to translate into
6 a \$94 million pay back. 59 million interest
7 payment. That's a lot of money.

8 Finally, I read online from the
9 slime's website that I was getting moved
10 from the juvenile unit over city fire
11 headquarters to the new police building,
12 read about it in the paper, didn't know
13 anything else about it. I have said over
14 the last few years that the new police
15 building was built too small and that was
16 the original reason why the juvenile unit
17 plus the training unit weren't moved into
18 that new building. It seems like a miracle
19 occurred and room was found, so I believe we
20 will be moving into the office where the
21 traffic and highway division was until they
22 were disbanded. We finally came home to
23 roost. We have been at least six difference
24 places since we were at the detention on
25 Monroe Avenue, the house of detention, but

1 every moment; Edward McGuire, a man devoted
2 to his family and his faith who constant wit
3 kept volunteers at St. Ann's Novena smiling
4 every July; captain Jim Robeson who died one
5 year ago today while battling a house fire;
6 Richard and Marie Feinstermacher who died
7 that fire, and their dear family and friends
8 who suffer their loss.

9 Mr. Ancherani posed some questions
10 about the hiring that -- the most recent
11 hiring that occurred. Mrs. Fanucci
12 indicated earlier that council had nothing
13 to do with that hiring, and that is
14 absolutely true. We do not hire, we do not
15 fire. I believe you asked when this job
16 creation would have been introduced, and you
17 were correct, yes, it was at the I believe
18 December 2, 2008, council meeting which
19 included the final reading and vote of the
20 2009 operating budget. It was proposed as
21 an amendment by Mrs. Gatelli, I believe.
22 She wanted an assistant zoning officer, I
23 believe two housing inspectors and a
24 part-time animal control officer. I voted
25 against that because my amendment -- one of

1 my amendments amendment proposed the hiring
2 of one housing inspector and one health
3 inspector and one full-time animal control
4 officer.

5 I realized at the time that the
6 position of assistant zoning officer is a
7 nonunion position, hence, it is at -- the
8 hiring is made at the discretion of the
9 mayor, hence, it is a political appointment,
10 and I think that's probably why I felt it
11 could come back to bite council at a later
12 point in time, but I honestly do believe the
13 need for housing inspectors and a health
14 inspector and animal control officers are
15 well-proven in licensing, inspections and
16 permits.

17 And now I am going to continue with
18 my prepared remarks. I'd like to discuss
19 several financial issues tonight. First,
20 the independent audit of Scranton City
21 Council was not received by year end, but
22 should be received in January following an
23 exit conference to review the audit report.
24 However, on December 18 council's office
25 received a copy of a letter from the

1 Pennsylvania Department of Community and
2 Economic Development, DCED, to Mayor Doherty
3 regarding the failure of the City to file
4 the 2007 annual audit and financial report
5 with DCED. This legislatively mandated
6 filing was due on March 1, 2008. More
7 importantly, and I quote from the letter,
8 "Effective January 1, 2009, local
9 governments that that have not filed their
10 2007 annual financial reports will have all
11 contract and/or payment activities for DCED
12 funding assistance suspended until their
13 report has been filed and accepted. Your
14 municipality will remain ineligible for
15 financial assistance until the report
16 identified has been filed and accepted."

17 The bottom line is that DCED funding
18 is now suspended until the 2007 independent
19 audit is a received and accepted by the
20 state. This audit languished well beyond
21 the deadlines mandated by the Home Rule
22 Charter in May 2008, Pennsylvania DCED in
23 March, and the nine-month window provided by
24 the state until funding suspension occurs.

25 In addition, the audit was missing

1 from the 2008 borrowing of \$11.5 million and
2 the 2009 budget. The fault does not lie
3 with city council since council does not
4 control any of the departments or
5 authorities of the city.

6 Further, I do not believe the fault
7 lies with the auditing firm since I have
8 numerous correspondences from Rossi &
9 Company providing updates and requesting
10 information from various city entities,
11 rather, the responsibilities seems to rest
12 with department heads and authorities who
13 for some reason fail to provide necessary
14 information in a timely manner. To whom are
15 they responsible? It appears to be any
16 mayor who hires and/or appoints them to
17 their positions on boards of authorities.

18 I am shocked that the mayor would
19 jeopardize state funding of his economic
20 development projects, but I hope this will
21 serve as a wake-up call to produce future
22 audits on time.

23 Second, the final year-to-date
24 comparison for the City of Scranton was
25 received from the Single Tax Office on

1 January 3. The real estate tax has

2 decreased by 4.7 percent. The wage tax
3 increased by 14.8 percent or over
4 \$2.8 million. The EMS or newly named LST,
5 that is, local services tax, has decreased
6 by 37.8 percent or over \$816,000, and the
7 business privilege mercantile tax as
8 increased by 4.1 percent. These are very
9 good numbers considering that Scranton's
10 unemployment rate has climbed 2 percent
11 since November 2007 to the second highest in
12 the State of Pennsylvania.

13 Third, despite borrowing \$35 million
14 in 2007, the Scranton Parking Authority
15 borrowed yet again to close a budget hole
16 for 2009. The authority is using a
17 \$1 million line of credit with Penn Star
18 Bank to cover their borrowing.

19 568,000 was used to plug the 2009
20 budget, which is a 19 percent increase over
21 2008. Approximately 60 percent of their
22 annual budget is devoted to debt service.
23 Although the Scranton Parking Authority is
24 building a new garage on North Washington
25 Avenue, one block from it's newest two

1 garages, and next to the soon to be

2 renovated Connell Building, it likely can't
3 anticipate a positive return on this
4 particular venture until about two years
5 after it's completion.

6 I hope the most recent borrowing
7 will be sufficient to balance their 2010
8 budget as well since they appear to
9 experience serious financial difficulty. I
10 am pleased that parking garages are
11 receiving long overdue repairs and
12 renovations. That, my friends, is money
13 well spent that is necessary, but I did not
14 believe that the Parking Authority had the
15 ability to sustain a \$35 million borrowing
16 in 2007 to construct a new garage for the
17 Connell building, the developers of which
18 are on tonight's agenda, applying for a \$4
19 million state grant. I was the only council
20 member to vote against the \$35 million loan
21 because it was clear to me that the parking
22 authority was in over it's head financially.
23 It could ill afford to build a third garage
24 so soon after the completion of the Casey
25 and Medallion Garages. I believed the

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1 \$35 million in borrowing would strain
2 parking authority annual budgets and drive

3 up parking rates.

4 Further, the ratepayers and the
5 taxpayers would bear the burden of the
6 borrowing if the Parking Authority couldn't
7 meet it's debt payments. The payment on the
8 \$35 million is \$1.5 million alone in 2009
9 and that doesn't include the payments for
10 their other bond issues of 2004 and 2006.
11 The taxing power of the city was pledged on
12 the \$35 million and yet the parking
13 authority continues to borrow. It seems to
14 be following the dangerous financial pattern
15 established by the city over the last eight
16 years and now we witness the third rate hike
17 in monthly parking in the last 18 months.
18 We pay \$90 to \$100 for a parking spot in
19 Scranton while in Pennsylvania cities of
20 similar size \$50 to \$65 is charged for a
21 parking spot. Even the bargain parking at
22 the Forum and Adams Plaza exceeds other
23 cities. This is a direct result of the
24 financial straights the parking authority
25 finds itself in despite the fact that the

66

1 City of Scranton contributes nearly \$900,000
2 to the Scranton parking authority citation

3 issuers in 2009 alone. See page 29 of the
4 operating budget if you doubt me.

5 I received several letters over the
6 holidays from parking ratepayers who are
7 very upset by the rate increase because they
8 can ill afford to pay these ever increasing
9 rates and I wish I could help. I have done
10 my best to prevent the mounting debt of the
11 Parking Authority. Since the city gives the
12 Parking Authority nearly a million dollars a
13 year I don't know that the city can and
14 should continue to make massive financial
15 contributions. In fact, I don't know why
16 the city far exceeds it's agreement with the
17 Scranton Parking Authority unless, of
18 course, another agreement occurred which I
19 many not aware of. However, I do believe
20 that rate adjustments should be made for
21 persons with disabilities and senior
22 citizens.

23 Therefore, with the agreement of my
24 colleagues I ask that a letter from council
25 be sent to Mr. Scopelliti, director of the

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1 Parking Authority, with copies to the
2 members of the Scranton Parking Authority
3 Board requesting that monthly parking rates

4 fore senior citizens and persons with
5 disabilities be decreased to a level that
6 mirrors the Bethlehem and Allentown parking
7 rates. Is that agreeable?

8 MS. GATELLI: Fine.

9 MS. FANUCCI: Yeah.

10 MS. EVANS: Thank you. Fourth, with
11 my colleagues agreement I would like a
12 letter sent to C. Elizabeth Turner, senior
13 director of Comcast, inviting her to a
14 caucus of city council at her earliest
15 convenience to discuss the cable franchise
16 renewal agreement proposed by Comcast. On
17 November 7, Comcast met with the mayor and
18 Stu Renda to discuss the cable franchise
19 renewal and Comcast is eager to include
20 council in it's discussions as well. Since
21 not all council members by law can be
22 present at those particular discussions, I
23 believe it is important for Comcast to visit
24 council in order to include all council
25 members.

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1 At this time I can say, however,
2 that unless the ratepayers should receive a
3 fixed bargain that can't be beat, I cannot

4 agree to their proposed 15-year agreement.

5 Fifth, Mr. Renda provided responses
6 to citizen's questions which were posed at
7 the November 25 public hearing of the 2009
8 operating budget. If anyone is interested
9 in a copy of his responses, please see me
10 after tonight's meeting.

11 Sixth, the Northeastern Pennsylvania
12 Alliance contacted the Office of City
13 Council regarding the possibility of a
14 federal stimulus package due to current
15 economic conditions. It is soliciting
16 potential projects to take advantage of any
17 stimulus program involving the economic
18 development administration. Since it's
19 serves, NEPA that is, as the regional
20 district for EDA in Lackawanna County. With
21 council's agreement, I would like a letter
22 send to Mr. Brazil, DPW director, to inquire
23 if any road or infrastructure projects
24 within the city have been proposed to
25 Northeastern Pennsylvania Alliance for

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1 potential funding as soon as possible since
2 the deadline for the project description
3 submission is January 31, 2009. If so,
4 please forward a copy of your NEPA

5 submission to city council on or before
6 February 1, 2009. Many streets throughout
7 our city need paving and bridges require
8 repairs.

9 In addition, some of the projects
10 that Mr. Brazil and Mr. Parker felt were too
11 expensive for the city to undertake, for
12 example, in the Marvin section, Fawnwood,
13 Cameron Avenue, the Hill Section, Oakwood he
14 Estates, where roads, driveways and
15 properties have eroded and hazardous
16 conditions resulted, could possibly be
17 included for assistance from this stimulus
18 package.

19 And, finally, I have request for the
20 last few weeks: Number one, contact the
21 Human Resources Department for printed
22 copies of both the acceptable usage policy
23 and the acceptable usage guidelines of the
24 City of Scranton's IT resources involving
25 the internet and electronic mail by the City

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1 of Scranton work force members.

2 Next, resubmit letters of citizens'
3 request to Mr. Brazil from October 29 and
4 November 12. Council received no responses

5 or updates as of January 6.

6 Resubmit the letter of November 12
7 to Mr. Stu Renda regarding fees owed to the
8 city by the Forum Garage for parking spaces.
9 Council received no response to date. Also,
10 council requests that Mr. Renda provide it
11 with a copy of the open records policy which
12 should be adopted by the city.

13 Fourth, resubmit the letter of
14 December 11 to Mr. Don King, city planner,
15 regarding the Keyser Terrace Development.
16 Request a response on or before January 12.

17 City residents report that
18 approximately eight vehicles are parking on
19 the sidewalk on the westerly side of 2509 to
20 2520 North Main avenue causing dangerous
21 conditions for pedestrians who must walk in
22 the street, particularly, during and after
23 snow falls. The front of North Scranton
24 Junior High is littered with leaves and
25 debris according to residents and motorists.

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1 Please address this.

2 A letter to Goodwill Industries,
3 please provide city council with an update
4 on the structure and property that was once
5 housed -- excuse me, that once housed North

6 Scranton Junior High School on or before
7 February 2, 2009.

8 Please clear litter along the road
9 between the firehouse at Mountain Lake and
10 East Mountain.

11 And unlike what some of tonight's
12 speakers have reported, I happened to
13 receive several 3-mails that wanted me on
14 their behalf to thank the DPW employees and
15 Mr. Brazil for their timely response to
16 streets and related problems during our
17 December snow falls, so on behalf of those
18 residents I am thanking the DPW.

19 And also, I would like to determine
20 by next week what the annual taxes paid to
21 the City of Scranton are for the Connell
22 building, and that's it.

23 MR. MCGOFF: Before we proceed, we
24 did a get a response from Mr. King on Keyser
25 Terrace. I don't know --

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1 MS. EVANS: Oh, did we? It must have
2 come today because I got my male yesterday.

3 MR. MCGOFF: It's about --

4 MS. GATELLI: Yes, the sixth.

5 MR. MCGOFF: Any objections to any of

6 the letters at that Mrs. Evans mentioned
7 being sent?

8 MS. FANUCCI: No.

9 MR. MCGOFF: So, please.

10 MS. EVANS: Thank you.

11 MS. GARVEY: If I can, before
12 Mrs. Gatelli starts, just to touch on
13 something that Mrs. Evans spoke on regarding
14 that the audit report that goes to DCED, I
15 don't know if council is aware each year my
16 office receives -- it comes to me from DCED
17 and PennDOT, a packet comes with all of the
18 forms that are necessary to be filed with
19 DCED each year and they all have deadlines.
20 Out of those letters I am responsible for
21 distributing them to the proper departments
22 and the forms in which they are required to
23 fill out. Our office is required to fill
24 out two, the controller's office has one,
25 which is the one you are speaking of, and

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1 the business administrator's office I think
2 has one or two, and then Jeff Brazil would
3 also have the liquid fuels out of that.

4 Those have gone out, I have been in
5 contact with DCED. When we received that
6 letter that you are speaking of that the

7 form was late, I looked to see where that
8 would have gone to, that was the one that
9 would have gone to the Controller's Office,
10 so I went over there so what the problem
11 was. Evidently, they wanted it in their
12 format and in the past it had been done in a
13 different format. Now DCDE is requiring --

14 MS. EVANS: Online?

15 MS. GARVEY: Yes. Online. They are
16 requiring that they do it online anymore,
17 electronically. I relayed that information
18 to both the BA's Office and to the
19 Controller's Office and they are working on
20 that right now as we speak, so hopefully
21 that will taken care of this week, so
22 hopefully that will be taken care of. So
23 that's a separate issue from the independent
24 audit that you are speaking on, however, it
25 kind of goes hand-in-hand, they will need

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1 some information from them, but they are
2 fully aware of what information they need to
3 fill out on the form, okay?

4 MS. EVANS: Well, Kay, I'm very glad
5 to know that you are responsible and are or
6 top of things. You are very responsibility.

7 MS. GARVEY: Right. I just have to
8 distribute them to them.

9 MS. EVANS: You are a very
10 responsible employee.

11 MS. GARVEY: Thank you.

12 MR. MCGOFF: Mrs. Gatelli?

13 MS. GATELLI: The first thing I would
14 like to say is I would like to congratulate
15 one of our students, Eric Shrive. I don't
16 know if any of you saw the game on Saturday
17 where we played with Army, he was one of the
18 select few to be chosen for the team and he
19 did an excellent job. We are going to be
20 giving him a proclamation, and it's being
21 prepared, but I just wanted to congratulate
22 him publically because he deserves it.

23 Also, Mike DeAntona, I'd like to see
24 if council would agree to send him a letter
25 that he will certainly be missed at West

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1 Scranton High School as a football coach.
2 He was a very dedicated coach and his heart
3 was always with the children, they always
4 came first, so if we could just send him a
5 congratulatory letter and good luck in his
6 future endeavors.

7 Mr. Sbaraglia talked about the

8 assessment value of the Steamtown Mall being
9 \$400,000, and I don't know if he is aware or
10 if the public is aware, but if you look on
11 your tax bill there is a value also there
12 for your house and the assessed value is
13 certainly in no way, shape or form
14 indicative of the value of your property.
15 That is why the county is doing a
16 reassessment because your home, if you go
17 home and look at your taxes or people that
18 are at home look at your taxes, I'm sure
19 they are much, much less of an assessed
20 value than the true value of your home, so
21 that is why the mall only has a \$400,000
22 price tag on it. If you check all of the
23 other properties in the City of Scranton I'm
24 sure they will be much lower in assessed
25 value than their true value.

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1 I read in the paper, and I'm not
2 sure but I think it's tomorrow at 4:00 in
3 OECD, they are applying for a \$3 million
4 loan to help people with foreclosures of
5 their homes in the city, and I thought that
6 was a wonderful idea and I think it's
7 commendable. I think council should send a

8 letter supporting that program because we
9 certainly need to help any residents with
10 any foreclosures or rehabilitation of their
11 homes with the economy in the shape that
12 it's in, so if the rest of you would agree I
13 would like to send a letter of support to
14 Linda Aebli to use this money and to use our
15 letter as part of her testimony if that's
16 okay with everybody? Thank you.

17 I talked to Beth Thursby, she has
18 been working on the dog ordinance with me,
19 and she is going to have it ready within the
20 next week or two, so those of you were
21 interested in that I would like you know
22 that it is on it's way and I will get it to
23 Mr. Minora and then we'll work on that once
24 I hear from Mrs. Thursby. She used to be
25 the police officer in Scranton that had the

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1 dog and she is now a dog trainer, so she has
2 a lot of knowledge concerning dogs. She has
3 been working closely with me.

4 The cell phone ordinance, Kay has
5 the one from Carbondale and we are going to
6 use it for Scranton. I don't know that it's
7 going to be able to be enforced. That's one
8 of the drawbacks of the cell phone

9 ordinance. I think Carbondale only had one
10 person fined. Maybe it will help, maybe
11 some people will abide by it even though it
12 won't be able to be enforced. It is very
13 frustrating when you are driving and the
14 person in front of you is on the phone and,
15 you know, they are not making the right turn
16 or not putting their blinkers on it is very
17 annoying, so I wish that we could enforce
18 it, but maybe if it's on the books at least
19 something can be done.

20 Meetings, having meetings and
21 cancelling meeting. I would like Kay to
22 look up for me, if she would, the last few
23 councils and if any of them have met in the
24 month of August. We recessed in the month
25 of August and I think that has been

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1 tradition for as far back as I can remember
2 coming to council, which is the better part
3 of 25 years I have been coming into these
4 chambers as a neighborhood member, and I
5 always remember council recessing in August.

6 I also remember that once the budget
7 was adopted they took a few weeks off in
8 December, so I don't think that this is

9 unusual, and I would like to see that just
10 for the record. And for the record, I did
11 give back part of my salary. I gave back
12 \$625 last year to the city, 5 percent of my
13 salary.

14 Douglas Miller talked about the
15 University of Scranton and cutting the trees
16 down. I know that we are going to be
17 hearing from the University very shortly
18 about their program that they are going to
19 be doing on Mulberry Street. It is going to
20 be much more extensive than what they had
21 originally planned for that avenue. They
22 want to make it a gateway, Mulberry Street,
23 to the city and to their campus and the tree
24 cutting, if you read the article in the
25 paper, Mr. Santolli, who is our forester,

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1 was very pleased that the University cut the
2 trees down. It is not their responsibility
3 to trim the trees that are on the tree lawn.
4 Those trees belong to the City and they did
5 save us quite a bit of money if you read the
6 article from Mr. Santolli, so I would just
7 like to state that for the record that it
8 was something, maybe it is helping them I'm
9 not denying that, but it certainly is

10 helping the city, also, saving us from
11 trimming trees that needed trimming
12 according to our city forester.

13 Parking permit list, would you get
14 that for us, Kay? I know I saw it not long
15 ago, but I don't know if I will be able to
16 find it at home. It had the list of people
17 that had paid up into a certain point, so if
18 you can get that from us from
19 Mr. Seitzinger.

20 Also, I asked for a list from Chief
21 Elliott of the COM-D police schedules and I
22 never heard from him, so if you can ask him
23 again I would like to know how many COM-D
24 officers there are and where they are being
25 used if he would please let us know that.

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1 Also, I would just like to send one
2 more notice to Mr. Seitzinger about
3 demolition and if he could please let me
4 know about the following properties:
5 2517-19 North Main Avenue, that's the
6 Habitat for Humanity House that is in
7 deplorable condition, it was repaired twice
8 and it is horrendous if you ever go by to
9 look at it. Also, 521 Main Street, 1310

10 West Locust and 612 Gibbons Street.

11 Also, I was contacted by some people
12 in the Hill Section and they have a problem
13 with the property at 418 Prescott Avenue.
14 They have compressors on the roof and it
15 seems to be disturbing the neighborhood. I
16 know they went to the zoning at one time as
17 I read through the history of it and
18 Mr. Wallace did decibel readings in the
19 neighborhood and the decibel readings,
20 although they were close to the limit they
21 did not exceed the limit of the zoning noise
22 ordinance. However, I was there on numerous
23 occasions, the noise is 24 hours a day and
24 even though it doesn't exceed the decibel
25 level for noise it is certainly a nuisance

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1 in the fact that it never stops. It just
2 keeps up. It's like a humming that it just
3 doesn't go away and it is very annoying. I
4 can't imagine living in a situation like
5 that, but I did send that letter to
6 Mr. Wallace and I am hoping that they can
7 get it back on the zoning agenda in a timely
8 fashion. I haven't heard a response.

9 Also, I got a complaint from
10 Mr. Lomma about the railroad cars over on

11 South Washington Avenue near Mr. Z's. We
12 addressed this once before, apparently the
13 railroad company does not want to comply at
14 all. I talked to Todd Cortez, who is
15 assigned to that particular area, and I
16 wondered why we couldn't treat the railroad
17 cars the way we treat a home. If there is a
18 home or a business that has graffiti all
19 over and it and it's rusted and decrepit we
20 certainly can file citations against the
21 property owner. So, Todd was going to
22 investigate that and see if we can't do
23 something about it.

24 I can't believe that the Lackawanna
25 Railroad is being so stubborn on this issue.

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1 If you take a ride over there it really is
2 disgraceful to see those old decrepit trains
3 with graffiti all over them when people are
4 trying to open legitimate businesses over
5 there and trying to get the neighborhood to
6 look better, so I'm hoping that we will get
7 a positive response this time concerning
8 that.

9 Also, I'm not sure where I read it,
10 but I think it was in an editorial in the

11 times over the holiday about the commuter
12 tax. I was told by someone, I can't recall
13 who, that we cannot revive the commuter tax,
14 because I always thought it was, you know, a
15 good thing and for some reason it was just
16 not collected. If you saw some of that
17 collected they gave the money they had to
18 charities and I would like Attorney Minora
19 to please investigate if it's possible to
20 revive the commuter tax. It certainly was a
21 good source of revenue. Those people
22 certainly come here, they use our hospitals,
23 they use our streets, and it certainly is a
24 good way to have a revenue stream that we
25 can use in the city. Philadelphia has it

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1 for many, many years and other communities
2 have, too, so I don't know why we can't have
3 it as a revenue stream. That's all I have.
4 Thank you.

5 MR. MCGOFF: May I --

6 MS. EVANS: May I?

7 MR. MCGOFF: Yes.

8 MS. EVANS: Just one second,
9 Mrs. Gatelli, when you were addressing that
10 business that has these disturbing noise
11 levels 24 hours a day, I know what you are

12 talking about because this has been ongoing
13 for years now, and I think everybody since
14 we have been on council has been contacted
15 by Joan about the situation and I know what
16 you are saying about the decibel levels and
17 such, but what did you say then you thought
18 could be done? You were going to contact
19 Mr. Wallace and -

20 MS. GATELLI: And hope that it can go
21 to the zoning board again.

22 MS. EVANS: In other words, get it
23 rezoned?

24 MS. GATELLI: No, get it heard before
25 the zoning board. It was supposed to be

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1 heard there and it wasn't heard because he
2 did a decibel reading and it didn't exceed
3 the reading, but you don't have to exceed
4 the reading for it to be a nuisance. If
5 it's not successful there I will advise them
6 to get an attorney. We did that back at the
7 old Compression Polymer on Windfield Avenue
8 and we were successful.

9 MS. EVANS: See, I'm just wondering,
10 I agree with what you are saying --

11 MS. GATELLI: It's terrible.

13 the zone at all. He is in the wrong zone
14 this guy, in my opinion. I mean, I'm not an
15 attorney or the zoning board, but in my
16 opinion he is in the wrong zone.

17 MS. EVANS: No, I agree with you,
18 but--

19 MS. GATELLI: He is commercial, and
20 neighborhood commercial shouldn't have all
21 of that stuff on the roof, in my opinion.

22 MS. EVANS: And that I believe is the
23 same thing that -- it could be the same
24 zoning down in the area of Daron Northeast.

25 MS. GATELLI: Well, Daron is in the

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1 right zone, that's the only difference
2 there.

3 MS. EVANS: I would think --

4 MS. GATELLI: They are abutting a
5 residential and that's a big problem.

6 MS. EVANS: Yeah, they are less than
7 30 feet with no buffer zone, but I would
8 think this company, you know, if Attorney
9 Pentar believes Daron Northeast would sue
10 I'll believe that company will sue, too.

11 MS. GATELLI: Well, that could be
12 true.

13 MS. EVANS: So what I'm saying bottom
14 line is --

15 MS. GATELLI: We can always do it
16 privately.

17 MS. EVANS: -- we need to look for
18 avenues of relief for these neighborhoods.
19 If zoning isn't going to do it, then we have
20 to find another way to provide it for them.
21 What that is, I don't know.

22 MS. GATELLI: Well, what we did in
23 our neighborhood is we had to hire a lawyer
24 and, unfortunately, the neighbors had to
25 chip in, and they were willing, because it

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1 was so bad that they were desperate and
2 every family chipped in \$60, which wasn't
3 really a lot to get rid of something in your
4 neighborhood, and we won the case. You
5 know, they were all Philadelphia lawyers.

6 MS. EVANS: When was the case?

7 MS. GATELLI: Oh, I'd say about seven
8 years ago.

9 MR. MCGOFF: Well --

10 MS. EVANS: Oh, I'm sorry.

11 MS. GATELLI: So there is the
12 possibility, and think I talked to Dan about
13 that at some point in time --

14 MR. HUBBARD: There were three
15 lawsuits filed.

16 MS. FANUCCI: Are we on the question?
17 No, I'm kidding.

18 MS. EVANS: No, I just thought there
19 was a similarity and what can we do.

20 MS. GATELLI: Sometimes you have to
21 did a private thing to get rid of the
22 nuisance. I know we did that in the Hill
23 years ago to a landlord, the neighbors filed
24 a nuisance against his property.

25 MS. EVANS: Oh.

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1 MS. GATELLI: And they won, but you
2 have to come up with some money on your own
3 which some people weren't willing to do.
4 I'm done. Thank you.

5 MR. MCGOFF: I'm going to interrupt
6 too, just very quickly, you mentioned that
7 the Mulberry Street and University of
8 Scranton, I'm meeting with representatives
9 from the University of Scranton on the 15th
10 at which time they are going to tell me
11 about the project and after that meeting I
12 would be more than happy, I will let
13 everyone know what they say.

14 MS. EVANS: While you are there why
15 don't you try to convince them or encourage
16 them to increase their payments in lieu of
17 taxes because that would be far more
18 beneficial to the city?

19 MR. MCGOFF: I will bend their arm as
20 far as I can.

21 MS. EVANS: Thank you.

22 MR. MCGOFF: Mrs. Fanucci?

23 MS. FANUCCI: There is two items on
24 the agenda tonight that have to do with it
25 economic development, so I want to discuss

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1 both of them. 5-M is on the docket. It's a
2 subordination agreement between the city and
3 one of the holders. Now, I'm going to
4 explain this and go into more detail next
5 week because this was even a little -- we
6 were discussing it in the back room and
7 trying to make sure that we had all of the
8 right information, but the people who own
9 the property on 410 and 412 Spruce Street
10 already is in an agreement with the city for
11 a loan. That loan is being purchased by
12 another company, so they will be in charge
13 of it. Personal guarantees will secure the
14 payments so that the city will not be losing

15 the money on the original agreement. This
16 is the building where Broadway Shoes is, New
17 Laundry, Courtside Documents and they are
18 also doing the top two floors with this
19 money, they are going to be doing the top
20 two floors spaces for -- what they are
21 saying is for office space and loft
22 apartments, so they are still going to
23 develop the two floors.

24 I will have more on this next week
25 because there were some questions I think we

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1 all had this evening. We knew we were
2 second in line to be paid after the bank, we
3 wanted to make sure that we were still
4 secure so I will find out more on that next
5 week.

6 The second is 5-L, which is John's
7 Signs, it's owner and operated by the
8 original owner of the company. He has been
9 in business for 30 years. He is looking for
10 a \$25,000 commercial industrial revolving
11 loan at 5 percent. This loan will be taking
12 place for ten years. He only actually has
13 to have one full-time position created to be
14 in compliance, but he is expected to have

15 more than that. This is for the purchase of
16 machines that will expand his business.
17 It's embroidery items and will go into
18 signage and things that he has not been
19 doing until he gets -- with this new
20 equipment, so that is all that I have on
21 that.

22 And I do want it address one thing,
23 but, of course, the gentleman has left on
24 claiming that I get my jobs from somewhere
25 else and my qualifications. I would love

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1 for that to be brought forward and to bring
2 that ahead. My daughter today is in the
3 audience and I want to, you know, say hello
4 to her and welcome her, and I prepared her
5 well for what this place would hold, yeah,
6 Isabella, but also she knows how hard mommy
7 works and she always knows why, and as far
8 as I'm concerned that's all that really
9 matters out there, but I always told you,
10 Honey, you pick and choose your battles, and
11 this one I will pick for the benefit of both
12 of us, and I love you. And that is all I
13 have. Thank you.

14 MR. MCGOFF: Thank you, Mrs. Fanucci.
15 Mr. Courtright.

16 MR. COURTRIGHT: Yes. I would like
17 to wish a happy holiday to those who are
18 observing it this eve. Bob Bolus' Christmas
19 dinner I go to every year for about the last
20 seven years, and I was talking with a friend
21 of mine there and we were saying that -- or,
22 you know, he was saying it doesn't appear
23 that some of the people there really needed
24 a meal that, you know, that they were
25 self-sufficient, you know, could provide for

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1 themselves, but I think around Christmas
2 time a lot of people come there to be with
3 somebody. There was an older woman sitting
4 there by herself and she was saying that she
5 had hoped that her friends would come, so
6 that she could be somebody so it's just not
7 for the meal it's for some companionship at
8 Christmas time.

9 Kay, I have a couple for you, at
10 Meridian and Jackson Terrace, it's a project
11 down there, if you are heading north on
12 Meridian Avenue there is a very large
13 pothole that if somebody is coming south you
14 can't avoid it and it will definitely damage
15 vehicles, and I think the city will end up

16 paying for those vehicles, so I'm going ask
17 the DPW to take a look at that, Meridian
18 Avenue right alongside of Jackson and
19 Terrace.

20 Also if you could ask, I believe it
21 would go to Mark Seitzinger, I brought this
22 up in the past, the corner of Hyde Park
23 Avenue and Jackson Street the city tore down
24 a building, they put gravel in there, and
25 it's -- every time it rains hard it washes

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1 out into the road into the 100 block of that
2 avenue have to shovel it and put it in
3 buckets or wheelbarrows and truck it back up
4 the street. Well, it's gotten so bad now
5 that the people that belong to the Jackson
6 Street Baptist Church, they have a parking
7 lot right next to it, they have to exit
8 their parking lot and walk out into the
9 roadway to go to church. The sidewalks are
10 really, really bad underneath all of this
11 gravel, also, so something has to done
12 there. People can't even go to church
13 there.

14 The cable, my hope is this with the
15 cable company, that we would have more than
16 one in the city. I looked at some places

17 where they have or two or three and then
18 it's competitive and it's a better deal for
19 the people. It doesn't appear that's going
20 to happen here, and maybe Mrs. Evans can
21 help me out with this, it's her committee so
22 I'll pass the ball to you if I could, when
23 it snows, and it just so happened that it
24 snowed on recycling day the last time, and
25 in certain parts of the city they didn't

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1 pick of the recycling and people didn't know
2 whether they were going to pick it up or not
3 so now they left out the -- it was the paper
4 at the time, now it snows on the paper, goes
5 on the paper, it's twice as heavy for these
6 guys to pick up, so maybe is it possible if
7 they are going to cancel the recycling for
8 that particular item for the entire week
9 that can flash it on Channel 61 or put a
10 blurb in the paper that way people don't
11 take it back until the next time around
12 because this time there was paper blowing
13 all over of the place, but I know those guys
14 have to pick it up and that's heavy.

15 And this one I'm going to take a
16 little bit of time on, and if you could just

17 bear with me and if anybody wants to jump in
18 after I'm done talking about this feel free,
19 since I have been on this council every year
20 the budget comes up I think it's one thing
21 that all five, whether it's this council
22 that I sat on or the prior one agreed on,
23 that we would give the largest amount
24 possible allowable by law from OECD for beat
25 cops, and every council that I have been on

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1 has done that. And what that calls for is
2 ten beat officers on the street. Last year
3 we had zero until what time that this
4 council asked to be have the regular
5 officers work overtime to fill the beats.
6 Why we needed to do that, and I said this
7 before and I'll say it again, someone
8 dropped the ball. They did not test enough
9 so that we had a pool of officers to draw
10 from, and I see where we are giving another
11 test, but I still don't think we are not
12 going to have enough officers to draw from.

13 So what is happening is this council
14 has asked that we put the regular officers
15 on and they did, but they never put ten,
16 sometimes they put six and then it went to
17 four, and when I inquired about it and I

18 discussed this with Mrs. Gatelli, when I
19 inquired about it I was told by somebody
20 they said it was money and I said, it's
21 impossible we could running out of money
22 because we appropriate this money every year
23 and if we don't use it the understanding
24 always has been that money would be banked,
25 so we should have plenty of money, never be

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1 able to run out, but there was some on so I
2 don't say anything. The last two to three
3 weeks there was zero. Zero guys on the
4 street. None.

5 If I could explain something, and it
6 might be a little bit confusing, but when
7 they use -- when we appropriate enough money
8 for ten beat officers that also has to take
9 into consideration their benefits, so there
10 is "X" amount of dollars available for ten
11 beat officers. When we put a regular cop on
12 the street you are not paying their
13 benefits, they are already being paid for
14 it, so even if you were paying them time and
15 a half, you know, it doesn't eat up what you
16 think it eats up.

17 My question is this, I think this

18 just makes sense, if we allowed "X" amount
19 of dollars per week for ten officers, five
20 days a week on the street and we don't have
21 enough officers to fill it and we want to
22 use regular cops, well, it's pretty simple
23 to figure it out. Here is how much money
24 you have each week, okay? How many regular
25 officers could we use and come up with that

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1 amount. Now, say it's \$10,000, I don't know
2 the figures, I'll just \$10,000. Well, if
3 \$10,000 puts ten guys on the street five
4 days a week and at time and a half we can do
5 ten we do ten. If we can do seven we can do
6 seven. Why wouldn't you put as many as you
7 have money for on the street? It doesn't
8 make sense to me. I mean, and if they are
9 not going to -- if they are not going to use
10 the money that we give them then why do we
11 give it to them each year and where does
12 that money go?

13 So, I hesitated to do this ever
14 before, and I really don't want to do it
15 now, and I don't want to do it now and I'm
16 hoping I don't have to, that money has got
17 to go somewhere if we are not using it and
18 it's government or federal government and if

19 we can't get some -- or I can't get some
20 satisfaction I will ask whoever oversees
21 this for the federal government to come in
22 and take a look and see if we are doing what
23 we are doing, if it's correct or not, but
24 what I would like to see this council doing
25 is to send a letter to the mayor and ask him

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1 to immediately reinstitute the beat cops and
2 if we have to pay them time and a half then
3 we pay them time and a half. If we can't do
4 the full ten, however much money the ten
5 that we paid the probations for would come
6 up to, seven, six, eight, then we do that
7 many.

8 They are going to tell me, and I
9 know they are going to tell me, we got guys
10 coming out of the academy. We didn't have
11 enough guys before, we won't have enough
12 guys now. We just had another guy leave,
13 Jason West we had, he is leaving. They
14 don't have enough guys coming out of the
15 academy to fill these spots. Even with the
16 people that are coming out now, people that
17 might come out six months or a year, they
18 still will not have enough people to fill

19 the spots. It takes time. If a new class
20 goes in it's at least six months if they go
21 full-time. Then they got to ride, they got
22 to be trained, we are talking eight months
23 to a year, so we are not going to have
24 enough people all of next year in my opinion
25 to fill the spots.

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1 So, with their money, I'm not asking
2 you to spend any more money other than what
3 we gave them, so if you can fill seven spots
4 you do the seven, but some people say, well,
5 there is some of the people that are in
6 charge aren't happy with the performance of
7 some of the people. That's up to the people
8 in charge, all right? The bottom line is
9 its' community policing and the community
10 wants to see them there. They like seeing
11 the people walk the beat. If they are not
12 living up the standards under the supervisor
13 then that's up to him to take care of that,
14 but I don't see them on the street and I
15 believe the people want to see them on the
16 street.

17 So, I hope I didn't confuse
18 everybody with what I said, but I would hope
19 that we would send a letter to the mayor to

20 ask him to immediately order whoever is in
21 charge, whether it be Mr. Hayes or Dave
22 Elliott, to put them back on now. We have
23 two on because bidding just started and
24 regular officers could bid the beat
25 positions, then the people that are going to

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1 be the COM-Dd would fill the regular
2 officers, I guess it's legal to do that.
3 There were only two position now so right
4 now we have just two officers. It's not for
5 lack of people wanting to work the extra
6 duty, they have no problem getting it.

7 As a matter of fact, some of the
8 people that were getting all the overtime in
9 the beginning aren't getting in at the end
10 because there is more seniority has been
11 jumping on it, so I hope I didn't confuse
12 you, but I haven't sat on council these past
13 five or six years where anybody could
14 disagree that they would like to see more
15 officers on the street. We have got the
16 money, let's use it. If they are telling me
17 it's not there I need to know where it is
18 because every year we have appropriated --
19 remember, I think we tried to do more than

20 allowed.

21 MS. EVANS: We tried to do more this
22 year and we were told it's not necessary
23 because we have so much remaining --

24 MS. GATELLI: Left over.

25 MS. EVANS: -- in this account. I

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1 think it was 280 and some thousand dollars.

2 MR. COURTRIGHT: I think it was more.
3 In the past we asked to give more than was
4 allowed by OECD will only allow "X" amount
5 of dollars.

6 MS. GATELLI: Well, I'll tell you, as
7 a neighborhood leader I'm very concerned
8 about that and we have a program in South
9 Side, the Community Justice, you know about
10 it, Nelson, as a police officer, and we
11 can't function without an officer. I mean,
12 that's part of the Community Justice
13 Program. The Hill neighborhood has a
14 Community Justice Program, and, you know, I
15 don't know how we can survive without a
16 police officer. We have two bicycles that
17 we paid for, the South Side Neighborhood.

18 MR. COURTRIGHT: And they are sitting
19 there, right?

20 MS. GATELLI: And they are sitting in

21 the Renaissance Center. We paid to get them
22 repaired, you know. I mean, we absorbed all
23 of the costs through the neighborhood
24 association and I think the Hill has bikes,
25 too.

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1 MR. COURTRIGHT: Weston Field I know
2 the Rotells really they paid for renovations
3 and --

4 MS. GATELLI: There are people that
5 have paid for these bicycles and paid to
6 repair them. The only problem I have though
7 is that the last several times I saw
8 officers, and I have seen them recently, I
9 called you the one day --

10 MR. COURTRIGHT: Right.

11 MS. GATELLI: -- on the phone when I
12 saw them, I saw two of them, and they were
13 in North Scranton and I have seen two of
14 them on Cedar Avenue and I did tell Bill
15 that that bothered me because even though it
16 was South Side, and that's where I live and
17 you know we all have a serious problem over
18 there, I feel very selfish having two police
19 officers if one could be in West Side, and
20 two in North Scranton, well, one could be in

21 Tripps Park or one could be in the Hill and
22 one could be in North Scranton. There was
23 never a problem with the police officer
24 being alone on the beat or alone on his
25 bike, so I don't know why they are

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1 scheduling them in two's. So, I saw two in
2 South Side and two in North Scranton, and
3 nobody else had a beat cop, so you had four
4 cops and only two areas being covered.
5 Cover four areas and put one in each
6 section.

7 MR. COURTRIGHT: Right. I asked that
8 question and I did get some answers, but I'm
9 thinking -- I'm really thinking that we have
10 enough money to cover the whole city.

11 MS. FANUCCI: We do.

12 MS. GATELLI: We do.

13 MS. FANUCCI: We definitely do.

14 MR. COURTRIGHT: And I don't know why
15 would you not do that? You know what I
16 mean? I just don't understand the reason or
17 the logic behind it and so if you would
18 agree that we send a letter --

19 MS. GATELLI: Absolutely.

20 MS. FANUCCI: Send it.

21 MR. MCGOFF: -- to the mayor and

22 Chief Elliott

23 MR. COURTRIGHT: -- and Chief
24 Elliott.

25 MS. GATELLI: I sent Elliott a letter

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1 two weeks ago, three weeks ago.

2 MR. COURTRIGHT: And ultimately the
3 buck stops with Mayor Doherty.

4 MS. GATELLI: He didn't answer me.
5 We need an answer.

6 MR. COURTRIGHT: Yeah, well, the
7 chief is not answering you, but he has got
8 to answer to the mayor, so maybe if you can
9 ask that we will get some results.

10 MS. GATELLI: Especially with the
11 spring. When the spring comes there's a lot
12 of --

13 MR. COURTRIGHT: What prompted me is
14 I knew there were because I had officers
15 complaining to me, but I had senior citizens
16 complaining to me about Christmas packages
17 being stolen, right, and cars being broken
18 into over the holidays, there is no beat
19 cops, and I agree with them, they say, if
20 somebody is going down the street and they
21 look in the car and they think about

22 breaking in and they see two cops or a cop
23 walking they are going to move on, okay?
24 And I agree with that. So I just --

25 MS. GATELLI: And what we used to

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1 recommend, too, Bill, was that he stopped in
2 the businesses during the night.

3 MR. COURTRIGHT: The businesses loved
4 that.

5 MS. GATELLI: Stop and visit, they
6 would stop at Costa's, and that helped with
7 the businesses being robbed, too, you know
8 they would make a pattern of stopping into
9 the businesses at night and just saying
10 hello.

11 MR. COURTRIGHT: So maybe, Kay, could
12 you put in the letter, and again, once if
13 everybody agrees with it that Mrs. Gatelli
14 asked for Chief Elliott to give her a list
15 every week and she hasn't received that, if
16 he can assure us that this council would get
17 a weekly report on how many officers are
18 where, and if for some confidential reason
19 they don't want us to disclose something
20 just tell us, we don't want to disclose
21 that. I don't think any of us are going to
22 do anything to jeopardize the safety of

23 anybody in this city. It just baffles me
24 why we are not putting these people on the
25 street. I just don't understand it, I'm

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1 starting to get mad here, so anyway, that's
2 all I have. Thank you.

3 MR. MCGOFF: Thank you,
4 Mr. Courtright. I would just like to make
5 one brief comment concerning tonight's
6 meeting. The Rules of Council are adopted
7 by us, and I have only been here a short
8 time, but I know we have sort of operated on
9 the spirt of the law rather than the letter
10 of the law at times and that flexibility is
11 sometimes tested, and I personally would
12 rather err on the side of caution and so
13 when Mrs. Schumacher was speaking certainly
14 it was not any attempt to prevent her from
15 saying something or, you know, exercising
16 her freedom of speech, but rather than just
17 to attempt to make sure that some else
18 wasn't being hurt by what was said.

19 Also, I don't believe that the
20 podium or the dais is a place for
21 accusations to be made. I think
22 acquisitions from either side are

23 counterproductive and all they lead to is
24 disruption in the meetings and I really do
25 not think it produces anything that is

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1 positive and certainly in the future I would
2 ask that, again, speakers and council
3 members refrain this any type of accusations
4 being made. It just -- this is not the
5 place for that type of behavior and this is
6 a place of business and I would like to see
7 the meetings conducted in that way, and my
8 apologies to our stenographer for trying to
9 keep up with what took place, I'm sorry.
10 And that is all I have, and let us move to
11 our lengthy business agenda.

12 MS. GARVEY: FIFTH ORDER. 5-B. FOR
13 INTRODUCTION - AN ORDINANCE - AMENDING FILE
14 OF THE COUNCIL NO. 8, 1976, ENTITLED "AN
15 ORDINANCE (AS AMENDED) PROVIDING FOR THE
16 GENERAL REVENUE BY IMPOSING A TAX AT THE
17 RATE OF TWO (2) MILLS UPON THE PRIVILEGE OF
18 OPERATING OR CONDUCTING BUSINESS IN THE CITY
19 OF SCRANTON AS MEASURED BY THE GROSS
20 RECEIPTS THEREFROM; REQUIRING REGISTRATION
21 AND PAYMENT OF THE TAX AS CONDITION TO THE
22 CONDUCTING OF SUCH BUSINESS; PROVIDING FOR
23 THE LEVY AND COLLECTION OF SUCH TAX;

24 PRESCRIBING SUCH REQUIREMENTS FOR RETURNS
25 AND RECORDS; CONFERRING POWERS AND DUTIES

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1 UPON THE TAX COLLECTOR; AND IMPOSING
2 PENALTIES", BY IMPOSING THE BUSINESS
3 PRIVILEGE TAX AT THE RATE OF ONE (1) MILL
4 FOR CALENDAR YEAR 2009.

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

8 MR. COURTRIGHT: So moved.

9 MS. FANUCCI: Second.

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

13 MS. EVANS: Aye.

14 MS. FANUCCI: Aye.

15 MS. GATELLI: Aye.

16 MR. COURTRIGHT: Aye.

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

19 MS. GARVEY: Five C. FOR INTRODUCTION
20 - AN ORDINANCE - AMENDING FILE OF THE
21 COUNCIL NO. 17, 1994 ENTITLED "AN ORDINANCE
22 (AS AMENDED) AUTHORIZING THE GOVERNING BODY
23 OF THE CITY OF SCRANTON TO ENACT 'A WASTE

24 DISPOSAL AND COLLECTION FEE' FOR THE PURPOSE
25 OF RAISING REVENUE TO COVER THE WASTE

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1 DISPOSAL AND COLLECTION COSTS INCURRED BY
2 THE CITY OF SCRANTON FOR THE DISPOSAL OF
3 REFUSE", BY IMPOSING A WASTE DISPOSAL AND
4 COLLECTION FEE OF \$178.00 FOR THE
5 CALENDAR YEAR 2009.

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

9 MR. COURTRIGHT: So moved.

10 MS. FANUCCI: Second.

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

14 MS. EVANS: Aye.

15 MS. FANUCCI: Aye.

16 MS. GATELLI: Aye.

17 MR. COURTRIGHT: Aye.

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

20 MS. GARVEY: 5-D. FOR INTRODUCTION -
21 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
22 NO. 100, 1976, ENTITLED "AN ORDINANCE (AS
23 AMENDED) LEVYING GENERAL AND SPECIAL TAXES
24 FOR THE FISCAL YEAR 1977", BY SETTING THE

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

4 MR. COURTRIGHT: So moved.

5 MS. FANUCCI: Second.

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

9 MS. EVANS: Aye.

10 MS. FANUCCI: Aye.

11 MS. GATELLI: Aye.

12 MR. COURTRIGHT: Aye.

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

15 MS. GARVEY: 5-E. FOR INTRODUCTION -
16 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
17 NO. 11, 1976, ENTITLED "AN ORDINANCE (AS
18 AMENDED) ENACTING, IMPOSING A TAX FOR
19 GENERAL REVENUE PURPOSES IN THE AMOUNT OF
20 TWO PERCENT (2%) ON EARNED INCOME AND NET
21 PROFITS ON PERSONS, INDIVIDUALS,
22 ASSOCIATIONS AND BUSINESSES WHO ARE
23 RESIDENTS OF THE CITY OF SCRANTON, OR
24 NON-RESIDENTS OF THE CITY OF SCRANTON, FOR

1 CONDUCTED WITHIN THE CITY OF SCRANTON,
2 REQUIRING THE FILING OF RETURNS BY TAXPAYERS
3 SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO
4 COLLECT THE TAX AT SOURCE; PROVIDING FOR THE
5 ADMINISTRATION, COLLECTION AND ENFORCEMENT
6 OF THE SAID TAX; AND IMPOSING PENALTIES FOR
7 THE VIOLATIONS", BY IMPOSING THE WAGE TAX AT
8 TWO AND FOUR TENTHS PERCENT (2.4%) ON EARNED
9 INCOME FOR THE YEAR 2009 FOR RESIDENTS.

10 MR. MCGOFF: At this time I'll
11 entertain a motion that Item 5-E be
12 introduced into it's proper committee.

13 MR. COURTRIGHT: So moved.

14 MS. FANUCCI: Second.

15 MR. MCGOFF: On the question?

16 MS. EVANS: Yes. I believe that wage
17 tax is the single most oppressive tax within
18 the City of Scranton. I believe it could
19 have been and should have been decreased at
20 points during the last eight years,
21 therefore, I am going to be voting, no.

22 MR. MCGOFF: All those in favor of
23 introduction signify by saying aye.

24 MS. FANUCCI: Aye.

25 MS. GATELLI: Aye.

1 MR. COURTRIGHT: Aye.

2 MR. MCGOFF: Aye. Opposed?

3 MS. EVANS: No.

4 MR. MCGOFF: The ayes have it and so
5 moved.

6 MS. GARVEY: 5-F. FOR INTRODUCTION -
7 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
8 NO. 7, 1976, ENTITLED "AN ORDINANCE (AS
9 AMENDED) IMPOSING A MERCANTILE LICENSE TAX
10 OF 2 MILLS FOR THE YEAR 1976 AND ANNUALLY
11 THEREAFTER UPON PERSONS ENGAGING IN CERTAIN
12 OCCUPATIONS AND BUSINESSES THEREIN;
13 PROVIDING FOR ITS LEVY AND COLLECTION AND
14 FOR THE ISSUANCE OF MERCANTILE LICENSES;
15 CONFERRING AND IMPOSING POWERS AND DUTIES
16 UPON THE TAX COLLECTOR OF THE CITY OF
17 SCRANTON; AND IMPOSING PENALTIES", BY
18 IMPOSING THE MERCANTILE LICENSE TAX AT ONE
19 (1) MILL FOR CALENDAR YEAR 2009.

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

23 MR. COURTRIGHT: So moved.

24 MS. FANUCCI: Second.

25 MR. MCGOFF: On the question? All

1 those in favor of introduction signify by
2 saying aye.

3 MS. EVANS: Aye.

4 MS. FANUCCI: Aye.

5 MS. GATELLI: Aye.

6 MR. COURTRIGHT: Aye.

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

9 MS. GARVEY: 5-G. FOR INTRODUCTION -
10 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
11 NO. 6, 1976, ENTITLED "AN ORDINANCE (AS
12 AMENDED) IMPOSING A TAX FOR GENERAL REVENUE
13 PURPOSES ON THE TRANSFER OF REAL PROPERTY
14 SITUATE WITHIN THE CITY OF SCRANTON;
15 PRESCRIBING AND REGULATING THE METHOD OF
16 EVIDENCING THE PAYMENT OF SUCH TAX;
17 CONFERRING POWERS AND IMPOSING DUTIES UPON
18 CERTAIN PERSONS, AND PROVIDING PENALTIES",
19 BY IMPOSING THE RATE OF THE REALTY TRANSFER
20 TAX AT TWO AND FIVE TENTHS PERCENT (2.5%)
21 FOR CALENDAR YEAR 2009.

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

25 MR. COURTRIGHT: So moved.

1 MS. FANUCCI: Second.

2 MR. MCGOFF: On the question? All
3 those in favor of introduction signify by
4 saying aye.

5 MS. EVANS: Aye.

6 MS. FANUCCI: Aye.

7 MS. GATELLI: Aye.

8 MR. COURTRIGHT: Aye.

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

11 MS. GARVEY: 5-H. FOR INTRODUCTION -
12 AN ORDINANCE - AMENDING FILE OF THE COUNCIL
13 NO. 145 OF 2007 ENTITLED AN ORDINANCE
14 RENAMING THE EMERGENCY AND MUNICIPAL
15 SERVICES TAX ("EMST") TO LOCAL SERVICE TAX
16 ("LST") AND BY IMPOSING A WITHHOLDING OF
17 \$52.00 FOR THE CALENDAR YEAR 2009.

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

21 MR. COURTRIGHT: So moved.

22 MS. FANUCCI: Second.

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

1 MS. EVANS: Aye.

2 MS. FANUCCI: Aye.

3 MS. GATELLI: Aye.

4 MR. COURTRIGHT: Aye.

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

7 MS. GARVEY: 5-I. FOR INTRODUCTION -
8 A RESOLUTION - ACCEPTING THE GIFT OF A
9 POLICE VEHICLE, VIN NUMBER 2G1WF55K249348192
10 FROM POLICE OFFICER WILLIAM O'BRIEN FOR USE
11 IN THE CITY'S FLEET PURSUANT TO A LEASE
12 AGREEMENT BETWEEN THE CITY AND OFFICER
13 WILLIAM O'BRIEN.

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

17 MR. COURTRIGHT: So moved.

18 MS. FANUCCI: Second.

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

22 MS. EVANS: Aye.

23 MS. FANUCCI: Aye.

24 MS. GATELLI: Aye.

25 MR. COURTRIGHT: Aye.

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

3 MS. GARVEY: 5-J. FOR INTRODUCTION -
4 A RESOLUTION - AUTHORIZING THE MAYOR AND
5 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
6 AND ENTER INTO A LEASE/POLICY AGREEMENT WITH
7 OFFICER WILLIAM O'BRIEN, GOVERNING THE USE
8 OF SCRANTON POLICE OFFICER O'BRIEN'S
9 "PRIVATE CRUISER" AS DEFINED HEREIN.

10 MR. MCGOFF: At this time I'll
11 entertain a motion that Item 5-J be
12 introduced into it's proper committee.

13 MR. COURTRIGHT: So moved.

14 MS. FANUCCI: Second.

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

18 MS. EVANS: Aye.

19 MS. FANUCCI: Aye.

20 MS. GATELLI: Aye.

21 MR. COURTRIGHT: Aye.

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

24 MS. GARVEY: 5-K. FOR INTRODUCTION -
25 A RESOLUTION - AUTHORIZING THE MAYOR AND

1 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
2 AND ENTER INTO AN ASSIGNMENT AGREEMENT
3 AUTHORIZING THE ASSIGNMENT OF ALL RIGHTS AND
4 LIABILITIES UNDER THE PRIVATE POLICE CRUISER
5 LEASE OF OFFICER JOSEPH J. HARRIS TO OFFICER
6 BRETT GRIFFITHS.

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

10 MR. COURTRIGHT: So moved.

11 MS. FANUCCI: Second.

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

15 MS. EVANS: Aye.

16 MS. FANUCCI: Aye.

17 MS. GATELLI: Aye.

18 MR. COURTRIGHT: Aye.

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

21 MS. GARVEY: 5-L. FOR INTRODUCTION -
22 A RESOLUTION - AUTHORIZING THE MAYOR AND
23 OTHER APPROPRIATE CITY OFFICIALS FOR THE
24 CITY OF SCRANTON TO ENTER INTO A LOAN
25 AGREEMENT AND MAKE A LOAN FROM THE

1 COMMERCIAL INDUSTRIAL REVOLVING LOAN
2 PROGRAM, PROJECT NO. 08-150.20 IN AN AMOUNT
3 NOT TO EXCEED \$25,000.00 TO JOHN D. MUROSKI,
4 SR. D/B/A JOHN'S SIGNS TO ASSIST AN ELIGIBLE
5 PROJECT.

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

9 MR. COURTRIGHT: Second.

10 MS. FANUCCI: Second.

11 MR. MCGOFF: On that question,
12 Mr. McGoff, I'm happy, as Mrs. Fanucci said
13 the gentleman has been 30 years. I'm glad
14 to see we are giving somebody that has stuck
15 by the city this long a loan finally.

16 MS. FANUCCI: Right.

17 MR. MCGOFF: All those in favor
18 signify by saying aye.

19 MS. EVANS: Aye.

20 MS. FANUCCI: Aye.

21 MS. GATELLI: Aye.

22 MR. COURTRIGHT: Aye.

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

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

2 OTHER APPROPRIATE CITY OFFICIALS FOR THE
3 CITY OF SCRANTON TO ENTER INTO A
4 SUBORDINATION AGREEMENT AND A MORTGAGE
5 ASSUMPTION AGREEMENT TO FACILITATE THE SALE
6 FROM 410-412 SPRUCE STREET, L.L.P. TO
7 SCRANTON DOWNTOWN, LLC OF PROPERTY LOCATED
8 AT 410-412 SPRUCE STREET, SCRANTON, PA, ON
9 WHICH THE CITY OF SCRANTON HAS A RECORDED
10 MORTGAGE DATED NOVEMBER 5, 2002 IN THE
11 PRINCIPAL AMOUNT OF \$220,000.00.

12 MR. MCGOFF: At this time I'll
13 entertain a motion that item 5-M be
14 introduced into it's proper committee.

15 MR. COURTRIGHT: So moved.

16 MS. FANUCCI: Second.

17 MR. MCGOFF: On the question?

18 MS. EVANS: Yes. I have a problem
19 with the city moving from first to second
20 place, in other words, assuming a position
21 of superordination when currently the city
22 is the mortgage holder, especially in these
23 very difficult economic times, so I'll be
24 voting, no.

25 MR. COURTRIGHT: On the question,

2 introduce it and I'm going to either -- I'll
3 do it myself, I'm going to talk to them.
4 I'm assuming the reason that he wants to
5 take it over is because the \$220,000 is a
6 better deal through OECD than it would
7 through the bank, but I would like to ask as
8 to why he can't pay off our mortgage and
9 finance the whole thing.

10 MS. EVANS: Could maybe Mrs. Aebli
11 come to council perhaps next week, I know
12 that there are a number of questions about
13 5-N and --

14 MR. COURTRIGHT: I would -- I'll
15 talk about it, I don't fully understand
16 that.

17 MS. EVANS: Right. So maybe we could
18 table it, have her come in and explain 5-N
19 for us and while she is here then we can
20 address 5-M.

21 MS. FANUCCI: I have no problem
22 introducing it and then seeing what --

23 MR. MCGOFF: Why don't we ask -- I
24 will ask Ms. Aebli if he she could come next
25 week and discuss it, and we can introduce it

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1 tonight.

2 MS. GATELLI: She could do the two of

3 ("RACP") THROUGH THE COMMONWEALTH OF
4 PENNSYLVANIA'S OFFICE OF THE BUDGET IN THE
5 AMOUNT OF FOUR MILLION DOLLARS
6 (\$4,000,000.00); IF THE APPLICATION IS
7 SUCCESSFUL, ACCEPTING AND DISBURSING THE
8 GRANT; AND COORDINATING THE USE OF THE GRANT
9 FUNDS WITH "SCRANTON- CONNELL, LP AND ITS
10 GENERAL PARTNER "SCRANTON-CONNELL GP, LLC".

11 MR. COURTRIGHT: Mr. McGoff, can I
12 ask Mr. Minora a question? If we don't
13 second this does it die? Do I have to
14 second it and then we vote on it and I ask
15 it be tabled? What will be the proper way?

16 MS. EVANS: You know what, could I
17 jump in here? I thought we were on, I'm
18 very sorry, I thought we were discussing "N"
19 previously and so on "M" I would have voted,
20 no. I thought you said 5-N not 5-M and then
21 I heard Kay read 5-N and I realized too late
22 you said "M" not "N".

23 MS. FANUCCI: Okay.

24 MS. EVANS: And the "N" was what I
25 meant I would like an explanation from Mrs.

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1 Aebli about.

2 MS. GATELLI: But we want one on
3 "M", too so that worked out.

4 MR. COURTRIGHT: But anyway --

5 MS. EVANS: Could we table it. I
6 meant table 5-N about the --

7 MS. FANUCCI: The Connell building.

8 MS. EVANS -- the 4 million dollars
9 for the Connell building, not table the --

10 MS. GATELLI: We were on "M" at the
11 time.

12 MR. MCGOFF: I will try to
13 enunciate--

14 MR. COURTRIGHT: What do we need to
15 do, Mr. Minora?

16 MR. MINORA: I don't know what you
17 are asking.

18 MR. COURTRIGHT: I would like to
19 make a motion to table, but if Kay read it
20 do we need to vote on it now, second it or
21 move it and second it then ask to have it
22 tabled?

23 MR. MINORA: Yes. Have it introduced
24 and tabled.

25 MS. FANUCCI: I'll second it.

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1 MS. GATELLI: And it needs three
2 readings.

3 MR. COURTRIGHT: No, this is only a

4 resolution.

5 MS. FANUCCI: I'll second.

6 MR. COURTRIGHT: He didn't --

7 MR. MCGOFF: He didn't ask.

8 MS. FANUCCI: Go ahead. Ask.

9 MR. MCGOFF: Thank you. At this time
10 I'll entertain a motion that Item 5-N be
11 introduced into it's proper committee.

12 MR. COURTRIGHT: So moved.

13 MS. FANUCCI: Second.

14 MR. MCGOFF: On the question?

15 MR. COURTRIGHT: On the question I
16 ask that we table this until what time as
17 Mrs. Aebli comes in.

18 MS. EVANS: Second.

19 MR. MCGOFF: On the question -- or
20 excuse me, on the question to table? All
21 those in favor of tabling 5-N please signify
22 by saying aye.

23 MS. EVANS: Aye.

24 MS. FANUCCI: Aye.

25 MS. GATELLI: Aye.

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1 MR. COURTRIGHT: Aye.

2 MR. MCGOFF: Opposed? No. The ayes
3 have it and 5-N will be tabled.

4 MS. GARVEY: 5-0. FOR INTRODUCTION -

5 A RESOLUTION - RE-APPOINTMENT OF JAMES
6 MCDONNELL, 1432 SANDERSON AVENUE, SCRANTON,
7 PENNSYLVANIA, 18509, TO THE BOARD OF THE
8 SCRANTON RECREATION AUTHORITY. MR.
9 MCDONNELL'S CURRENT TERM WILL EXPIRE ON
10 DECEMBER 31, 2008 AND HIS NEW TERM WILL
11 EXPIRE ON DECEMBER 31, 2013.

12 MR. MCGOFF: At this time I'll
13 entertain a motion that Item 5-0 be
14 introduced into it's proper committee.

15 MR. COURTRIGHT: So moved.

16 MS. FANUCCI: Second.

17 MR. MCGOFF: On the question? All
18 those in favor of introduction signify by
19 saying aye.

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MS. GATELLI: Aye.

23 MR. COURTRIGHT: Aye.

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

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1 MS. GARVEY: 5-P. FOR INTRODUCTION -
2 A RESOLUTION - RE-APPOINTMENT OF MARY
3 ELIZABETH MOYLAN, 1502 PITTSTON AVENUE,
4 SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER

5 OF THE CITY PLANNING COMMISSION. MS.
6 MOYLAN'S CURRENT TERM EXPIRED ON DECEMBER
7 31, 2008 AND HER NEW TERM WILL EXPIRE ON
8 DECEMBER 31, 2013.

9 MR. MCGOFF: At this time I'll
10 entertain a motion that Item 5-P be
11 introduced into it's proper committee.

12 MR. COURTRIGHT: So moved.

13 MS. FANUCCI: Second.

14 MR. MCGOFF: On the question? All
15 those in favor of introduction signify by
16 saying aye.

17 MS. EVANS: Aye.

18 MS. FANUCCI: Aye.

19 MS. GATELLI: Aye.

20 MR. COURTRIGHT: Aye.

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

23 MS. GARVEY: 5-Q. FOR INTRODUCTION -
24 A RESOLUTION - DESIGNATING THE CITY OF
25 SCRANTON'S BUSINESS ADMINISTRATOR AS

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1 SCRANTON'S OPEN RECORDS OFFICER, TO RECEIVE
2 REQUESTS FOR PUBLIC RECORDS, TO DIRECT
3 REQUESTS TO APPROPRIATE PERSONNEL, TO TRACK
4 SCRANTON'S PROGRESS IN RESPONDING TO
5 REQUESTS, AND TO ISSUE INTERIM AND FINAL

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

9 MR. COURTRIGHT: So moved.

10 MS. FANUCCI: Second.

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

14 MS. EVANS: Aye.

15 MS. FANUCCI: Aye.

16 MS. GATELLI: Aye.

17 MR. COURTRIGHT: Aye.

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

20 MS. GARVEY: 5-S. FOR INTRODUCTION -
21 A RESOLUTION - PURSUANT TO SECTION 702 OF
22 THE RIGHT-TO-KNOW LAW, THE CITY OF SCRANTON,
23 AS AN AGENCY OF THE COMMONWEALTH, IS NOT
24 REQUIRED TO FULFILL VERBAL OR ANONYMOUS
25 VERBAL REQUESTS FOR ACCESS TO RECORDS; AS

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1 SUCH, THE CITY OF SCRANTON'S OPEN RECORDS
2 OFFICER WILL ACCEPT ONLY WRITTEN REQUESTS
3 FOR ACCESS TO RECORDS AND WILL NOT ACCEPT
4 VERBAL OR ANONYMOUS VERBAL REQUESTS FOR
5 ACCESS TO RECORDS.

6 MR. MCGOFF: At this time I'll

7 entertain a motion that Item 5-S be
8 introduced into it's proper committee.

9 MR. COURTRIGHT: So moved.

10 MS. FANUCCI: Second.

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

14 MS. EVANS: Aye.

15 MS. FANUCCI: Aye.

16 MS. GATELLI: Aye.

17 MR. COURTRIGHT: Aye.

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

20 MS. GARVEY: SIXTH ORDER. NO
21 BUSINESS AT THIS TIME. SEVENTH ORDER. NO
22 BUSINESS AT THIS TIME.

23 MR. MCGOFF: Thank you for your
24 participation and motion to adjourn.

25 MR. COURTRIGHT: So moved.

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1 MS. EVANS: Mr. McGoff, wait, can my
2 vote be recorded as a negative for the
3 record?

4 MR. MCGOFF: I have no problem with
5 that.

6 MS. FANUCCI: I have no problem.

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MS. EVANS: Thank you. I think that
would have been 5-M.

MR. MCGOFF: "M". Please record for
the record that Mrs. Evans voted "No" on 5-M
and that the vote would be 4 to 1 passing.
We're adjourned.

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C E R T I F I C A T E

I hereby certify that the proceedings and
evidence are contained fully and accurately in the
notes of testimony taken by me at the hearing of the
above-captioned matter and that the foregoing is a true

8 and correct transcript of the same to the best of my
9 ability.

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CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER

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