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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, February 24, 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. JOHN WILLIAMS, SOLICITOR

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

3 MR. MCGOFF: Roll call, please.

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Yes.

6 MR. COOLICAN: Mrs. Gatelli.

7 MS. GATELLI: Yes.

8 MR. COOLICAN: Ms. Fanucci.

9 MS. FANUCCI: Yes.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Yes.

12 MR. COOLICAN: Mr. McGoff.

13 MR. MCGOFF: Yes.

14 MR. MCGOFF: Dispense with the
15 reading of the minutes. Third Order,
16 please.

17 MS. GARVEY: 3-A. CONTROLLER'S
18 REPORT FOR THE MONTH ENDING JANUARY 31,
19 2009.

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

22 MS. GARVEY: That's it for Third
23 Order.

24 MR. MCGOFF: Thank you, Mrs. Garvey.
25 Announcements from anyone?

1 MS. EVANS: Yes. Please remember
2 all those who have died this week,
3 particularly Mark Boock, a devoted family
4 man, local historian, photographer for the
5 Scranton fire department and selfless
6 gentleman, as well as Linda Fields, a loving
7 mother and grandmother, founding mother of
8 the Women's Resource Center, and
9 humanitarian, and their family and friends
10 they leave behind.

11 Also, in preparation for her musical
12 study abroad trip to Italy this summer, Dana
13 Cerminaro will be hosting a performance
14 entitled "A song for the ages" on Saturday,
15 March 7, 2009, at St. Luke's Episcopal
16 church, 232 Wyoming Avenue, Scranton.
17 Special guess performer is Jim Cerminaro.
18 All are invited to attend. And that's it.

19 MR. MCGOFF: I would just like to
20 reiterate the benefits that are coming up.
21 This Saturday, the 28th at the Clarion, at
22 8:00, is for Joseph Nunez, and Saturday
23 March 7th at the 20th Ward Club is the one
24 for Jimmy Chapman, and that's Saturday
25 March 7th from 1 to 5.

1 I would also like to acknowledge
2 Mark Boocks passing away. He was a South
3 Side resident and did attend meetings and
4 showed us his many works that he compiled
5 concerning the fire department, so certainly
6 we are all offering our condolences to his
7 family.

8 I'd like to congratulate the West
9 Scranton High School boys basketball team.
10 Unfortunately, they had a District II
11 quarter final last evening and they were
12 down by 18, came back to lose it only by two
13 points, but they were a wonderful bunch of
14 boys, coached by our great coach, Jack
15 Lyons, and I would just like to acknowledge
16 them because they did a great job this year.

17 Also, Scranton high school Stars are
18 putting on a musical called "Honk" at 7:00
19 on Friday, March 6, 7 and 8, at 2:00.
20 Saturday and Sunday it's at 2:00 at Scranton
21 High School Auditorium. Tickets are
22 available at the door, \$7.00 for adults and
23 \$5 for students, and many of our Scranton
24 students will be in the play, including my
25 next door neighbor, Ryan Caviston, and one

1 of my coworker's daughters, Abby Lutz, and
2 they have been in plays before at Scranton
3 High and they do a wonderful job so we would
4 like to give them a little plug too.

5 I spoke to John McGovern today, for
6 the record, and they are having a meeting I
7 believe he told me tomorrow with the
8 Department of the Treasury to review the
9 audit from the Single Tax Office, so it
10 should be any day now barring any
11 complications with the report to the
12 Treasury Department. He anticipates having
13 a meeting with the municipality and all of
14 the state holders early next week, so I will
15 keep you apprised of that situation. And
16 that's all I have. Thank you.

17 MR. MCGOFF: Mr. Courtright?

18 MR. COURTRIGHT: Yeah. I, too, would
19 like to send my condolences to Mark's
20 family, and I need to read this press
21 release again. I told them -- they asked me
22 if I would do it for two or three weeks, so
23 if you could bear with me.

24 West Scranton High School would like
25 to introduce the West Scranton High School

1 directory, the most compressive directory

2 West Scranton High School ever published.
3 The contents of the directory will be
4 divided into four sections, biographical,
5 geographical, class roster, and most
6 importantly, the introductory section
7 showing the school's history and events.
8 All efforts are being made to contact West
9 Scranton High School alumni via phone,
10 e-mail and to verify biographical
11 information. West Scranton High School has
12 contracted with Alumni Research Incorporated
13 to collect and compile the information into
14 a hardbound library bound volume in an
15 on-line community. This directory is being
16 made available to West Scranton High School
17 alumni only and is limited edition press run
18 offered only one time.

19 Alumni Research Incorporated is in
20 the process of contacting those who have
21 provided current telephone numbers and
22 addresses to verify biographical
23 information. Please help your alma mater
24 keep in touch with you. If you are
25 interested in replying and you have not

1 received any communications from Alumni

2 Research, Incorporated, you may call
3 1-800-299-1230. And that's all I have.
4 Thank you.

5 MR. MCGOFF: Thank you. Fourth
6 Order. Last week it was asked if Attorney
7 Cullen could appear and inadvertently time
8 at caucus was not provided, so I would since
9 he was asked to be here this evening I would
10 like to ask Attorney Cullen if he would be
11 the first speaker during civic
12 participation.

13 MR. CULLEN: Thank you very much,
14 Mr. McGoff. I appreciate that very much,
15 and I appreciate all members of council
16 allowing me to appear there this evening on
17 a matter which I believe has impact on not
18 only the City of Scranton, but in the larger
19 sense the County of Lackawanna.

20 With me to tonight is State
21 Representative Kevin Murphy, and Mr. Murphy
22 will share my time that council is so nice
23 to give to me on this matter. I have sent
24 to council a six-page letter that outlines
25 the state of the affairs for Home Rule

9

1 Municipality in the Commonwealth of
2 Pennsylvania today. Some time ago through a

3 legal effort, Mr. Thomas Masevitch of South
4 Scranton sought to challenge the imposition
5 by the county commissioners of Lackawanna
6 County of a 48.4 percent tax hike. That
7 matter, unfortunately, was not successful in
8 the Court system, but what occurred was the
9 exhausting of all legal remedies that would
10 be available to challenge that type of tax
11 increase. Essentially, it came down to an
12 understanding of amendment to the Home Rule
13 Charter and Optional Plans Law that would
14 allow, as the Commonwealth Court pointed
15 out, that would allow a municipality that's
16 a Home Rule municipality to impose any
17 level of any amount of taxation upon it's
18 residents without any kind of protections or
19 opportunity to challenge that by any
20 taxpayer or property owner of that
21 municipality.

22 The letter that I sent to council
23 outlines a motion and the need for a motion
24 to support an effort to State Representative
25 Murphy is in the process of putting together

10

1 now with other members of the General
2 Assembly to deal with the issue of how does

3 a Home Rule municipality protect it's
4 residents and property owners in the future
5 and safeguard them against excessive tax
6 increases. Previously, under the various
7 codes that regulates the conduct of cities
8 and townships and boroughs in this
9 Commonwealth, there has always been some
10 type of protective aspect to the amount of
11 taxation that a governing body of one of
12 those municipalities could possibly enact
13 the tax rate without having the need to go
14 to the Court of Common Pleas of that
15 particular county and ask for permission.

16 In the county code, for example,
17 Section 1770, limits the amount of tax
18 increase that the county commissioners can
19 make in any one given tax year to five
20 mills. If they wish to do it more than five
21 mills they have to file a petition in the
22 Court of Common Pleas and come before the
23 judge and explain why they need the
24 additional millage rates. This has happened
25 with several other boroughs and townships in

11

1 this region.

2 When the Home Rule Charter of
3 Lackawanna County was enacted, there was a

4 provision which is known as 302 (C) which
5 required an excessive tax rate levied by
6 county commissioners that exceeded a certain
7 amount as set forth in that section of the
8 Home Rule Charter, it required that
9 excessive tax rate to be approved by public
10 referendum. It was based on my client's
11 understanding of 302 (C) the challenge to
12 48.4 tax increase imposed by the county in
13 2004 was challenged.

14 This letter talks about the fact
15 that now that all judicial remedies have
16 been exhausted the matter now becomes one
17 for the legislature to deal with, and we
18 asked in this letter for the opportunity for
19 this council to show that it does share the
20 concerns of those residents of the City of
21 Scranton that pay a county tax, that an
22 excessive tax rate with no protections
23 afforded is not what the legislature
24 probably meant when they gave the idea to
25 Home Rule municipalities in the

12

1 Commonwealth. The motion simply statements
2 that the City Council of the City of
3 Scranton supports an amendment to the Home

4 Rule Charter -- excuse me, the Home Rule
5 Charter and Optional Plans Law to permit the
6 reactivation of Section 302 (C) in the Home
7 Rule Charter of Lackawanna County. That is
8 the protection afforded to residents and
9 property owners from an excessive tax rate
10 and allows them the opportunity for public
11 referendum.

12 The City of Scranton has a Home Rule
13 Charter and so does the City of Carbondale.
14 Neither one of those Home Rule Charters have
15 a provision like 302 (C) that the county
16 Home Rule Charter has. So that this matter
17 would not effect the City of Scranton in
18 what type of taxation the City of Scranton
19 can impose or the City of Carbondale. It
20 would only affect the County of Lackawanna.

21 The significance is that every
22 resident of the City of Scranton is a
23 resident of the City of the county of
24 Lackawanna and they your constituents, would
25 still be subject to an excessive tax passed

13

1 by the county on city residents, so to this
2 extent, this measure, this motion, is an
3 attempt to provide support to the efforts by
4 Mr. Murphy in Harrisburg to have this

5 legislation, that is the Home Rule Charter
6 and Optional Plans Law amended to allow the
7 Home Rule Community like Lackawanna County
8 to have it's section, Section 302 (C)
9 reactivated and serve as a protection for
10 county taxpayers from having an excessive
11 tax rate imposed upon them and not having
12 any way to challenge it or to voice their
13 concerns. The only way now is every four
14 years at the election poles in an election
15 that you can turn out people who do impose,
16 public officials who do impose the 48
17 percent tax hike. I think we all know,
18 those of you in public service, what
19 happened in the last commissioner's election
20 largely because of that 48 percent tax hike.
21 The trouble is why do you have to wait for
22 four years to do it?

23 All the other codes that regulate
24 the various municipalities in this
25 Commonwealth provide for some type of

14

1 opportunity to voice a challenge or to go
2 through a Court proceeding. Lackawanna
3 County doesn't have one now. Representative
4 Murphy is committed to preparing this

5 legislation and introducing it, and to that
6 extent I have taken this on behalf of Mr.
7 Masevitch, my client, to contact the City of
8 Scranton and other municipalities asking
9 them for their support.

10 You have been extraordinarily
11 gracious in your time, and I appreciate
12 that, and my letter has said it all I think,
13 and if you would grant a few more minutes
14 Representative Murphy would like to address
15 this.

16 MS. FANUCCI: Can I ask a question?

17 MR. CULLEN: Sure.

18 MS. FANUCCI: I have a question while
19 the attorney is here. I want to thank you
20 for coming because this is good information
21 for us. Now, I need to know how this
22 effects us under -- being sanctioned by the
23 state and the Recovery Plan, so say the
24 Recovery Plan says to us we need to up our
25 taxes, is there any way that -- do they

15

1 trump this law?

2 MR. CULLEN: No.

3 MS. FANUCCI: Or then we are in
4 violation constantly and we never get out of
5 a Recovery Plan like the say.

6 MS. CULLEN: That's a very good
7 point and I appreciate that, and I looked at
8 that because that was one of the concerns I
9 had coming before the city because of it's
10 current status and the Recovery Plan, and
11 what I did is I looked at the -- I looked at
12 the act that did the research and came back
13 to the conclusion that this would only
14 effect the County of Lackawanna because in
15 it's original Home Rule Charter there is the
16 Section 302-C. It's technically invalidated
17 now by Court decision, but this legislation
18 if passed in Harrisburg would revitalize
19 that. The county's Home Rule Charter has
20 that section, but the city's Home Rule
21 Charter has no section like that. It could
22 not be -- there is no section to be
23 reactivated, that's what I'm getting at, and
24 if -- I mean, we all know if you look at the
25 Home Rule Charter and Optional Plans Law

16

1 there is opportunity for those residents of
2 a Home Rule Municipality to see amendment or
3 change of their charter, that's a whole
4 process that if even if it was put in the
5 play certainly allows and affords the whole

6 democratic experience to that effort. That
7 would not be brought to bear in this limited
8 circumstance, and in this limited
9 circumstance it would only effect the county
10 of Lackawanna.

11 MR. COURTRIGHT: I have one quick
12 question for you, if you don't mind. There
13 was some concern because you have a client
14 and you have a lawsuit that we would become
15 a party to that lawsuit, is that lawsuit
16 done?

17 MR. CULLEN: Gratefully, I refer to
18 Mr. Masevitch as my client, yes, he was my
19 client. There is no lawsuit. The Supreme
20 Court has basically said it's over. We have
21 exhausted every legal remedy we can. There
22 is no lawsuit involved in this. This is a
23 legislative effort that we are trying to
24 coordinate and this is a matter of the state
25 legislature.

17

1 MS. FANUCCI: So we can assume you
2 lost --

3 MR. CULLEN: Yes.

4 MS. FANUCCI: And now this is the
5 only way to try to make it right? Does that
6 work?

7 MR. CULLEN: Well, that's very true
8 and you will see in this a lot of legal
9 opinions and circumstances like this where
10 Courts, whether local or on the appellate
11 level, will say this is a matter for the
12 legislature and because we exhausted all
13 legal remedies, and quite determinedly so,
14 since we exhausted all legal remedies it is
15 now in the hands of the legislature, much
16 like your function as a legislative branch.

17 MS. FANUCCI: Thank you.

18 MR. CULLEN: Thank you.

19 MS. GATELLI: I have a question, too.

20 MR. CULLEN: Yes, Judy.

21 MS. GATELLI: Since this is going to
22 affect the Count of Lackawanna have the
23 commissioners been informed of this and are
24 they in favor of it?

25 MR. CULLEN: I don't know if they're

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1 in favor of it, they have been informed of
2 it.

3 MS. GATELLI: You didn't speak to
4 them?

5 MR. CULLEN: Not yet. I haven't had
6 the opportunity to appear in front of them.

7 MS. GATELLI: And also, Kevin, you
8 might know the answer, is Representative
9 Smith aware of this and he is in favor of
10 it?

11 MR. MURPHY: This is just proposed
12 legislation at this point. I haven't
13 discussed it with Representative Smith at
14 any great length. There are many
15 representatives that know I am working on
16 something to strengthen the code to ensure
17 that the taxpayers are protected, but the
18 specific language hasn't been drafted yet.
19 We will be going over that with the
20 representatives in Harrisburg that serve
21 here locally in the Scranton/Lackawanna
22 County area, but to this point we have not.
23 I'm going to present this not only before
24 the City of Scranton and the council here in
25 the City of Scranton, but before all of the

19

1 boroughs, municipalities within the 113th
2 District and every Borough, I believe at
3 this point, every elected official has
4 gotten a copy throughout Lackawanna County.

5 MS. GATELLI: Did anyone vote on it
6 yet?

7 MR. CULLEN: Yes, I can answer that.

8 The Borough of Throop last evening endorsed
9 this motion and passed it and will be
10 sending it to the seven elected officials
11 that are listed on attachment one as a copy
12 showing their support for this.

13 MR. MURPHY: One of the reasons that
14 I'm here this evening is we are not in
15 session this week, and because of that it is
16 somewhat time sensitive, there is a lot of
17 boroughs, there is a lot of other
18 municipalities to get to in order to get
19 this message out here, but I wanted to make
20 sure that I could appear before Scranton
21 City Council personally to discuss this, but
22 this isn't the end of the road, this is
23 really just the beginning of the road.

24 I felt it was very important through
25 the course of the last couple of campaigns

20

1 it was brought to my attention by many, many
2 people the unfairness of the 48 percent tax
3 increase in Lackawanna County. Everyone
4 asked what can you do it about it in order
5 to protect the taxpayer from an overly
6 burdensome tax increase, tax increase such
7 as that, so this is what I propose we do.

8 I propose that we amend the Home
9 Rule Charter and Municipalities both because
10 Lackawanna County, as counsel had stated, is
11 really the only place where this is
12 applicable. It's not going to have a
13 subsection, it's not going to effect the
14 City of Scranton, but it will effect all of
15 us as taxpayers, and has the councilman
16 stated, the citizens of Scranton are also
17 taxpayers of Lackawanna County. So that's
18 the intent of the legislation, to protect
19 the people, to make sure that there is a
20 check and balance in place as there is here
21 in the City of Scranton, but with just two
22 people being majority commissioners here in
23 Lackawanna County it's too much power, it's
24 too burdensome on the taxpayers and
25 potentially it could have been in excess of

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1 100 percent, so this is just an effort to
2 protect the taxpayer.

3 I know when you asked the question,
4 Councilwoman Fanucci, whether council lost
5 his particular pursuit --

6 MS. FANUCCI: It wasn't to be mean, I
7 was trying to see this is why we --

8 MR. CULLEN: There is always a winner

9 and a loser.

10 MS. FANUCCI: It wasn't a shot.

11 MR. MURPHY: That was fine, but I'm
12 sure all attorneys are somewhat sensitive
13 not having decisions not going in their
14 favor before any Court.

15 MS. FANUCCI: But sometimes the law
16 is not on your side and that's what it's
17 about. I mean, that's basically --

18 MR. MURPHY: That's exactly right, so
19 he did exhaust all of the avenues that were
20 available to him as far as the Court system
21 in effort to protect the best interest of
22 his client and Lackawanna County and at this
23 point the amending of this legislation I
24 think is what has to done, so I'm going to
25 try to pursue that, and I want to thank all

22

1 of you, Councilmen, Councilwomen, for your
2 time it was very courteous of you, and I
3 don't have anything further unless you have
4 any questions of me.

5 MS. GATELLI: Is the school district
6 involved in this, too?

7 MR. CULLEN: Yes, I'm sorry, I should
8 have pointed that out. I have made sure

9 that every school district in this county
10 has received copies of this. All the
11 members of the school district, the
12 superintendents. I have had a few
13 preliminary discussions with the Scranton
14 School District, evidently, they had a
15 couple of other issues that we wanted to get
16 out of the way, but they would like to look
17 at this one and we would probably be
18 addressing them about and the school
19 district is aware as well as ever other
20 school district in town.

21 MR. MCGOFF: Thank you. Thank you,
22 Attorney Cullen.

23 MR. MURPHY: If I may one last point
24 of information, there is going to be a rally
25 at the Scranton State School for the Deaf

23

1 this Saturday at noon. That's another cause
2 that we are working on. It was put into the
3 Governor's budget, the funding for the
4 Scranton State School for the Deaf would be
5 cut and the school would be closed this
6 coming fall. We are working hard and we are
7 talking with top aids in the Rendell
8 administration to try to remedy the
9 situation. To this point, we don't have a

10 solution, but I want to make sure that we
11 study this, we look at this a little bit
12 closer and we find out if there are other
13 alternatives that we could keep this school
14 and we have make sure that the proper
15 studies are done, the proper transition is
16 in this place so that the students, if they
17 were to have to close that school, that the
18 studies would be done, that these questions
19 could be answered by the Secretary of
20 Education, with you'll due respect to him,
21 we had many questions that he couldn't
22 answer and we have to try and help out, and
23 I have pledged to the alumni, to the parents
24 and to the students and faculty up in the
25 Scranton State School for the Deaf to be

24

1 involved in trying to keep that school open,
2 so that would be Saturday at noon up at the
3 Scranton State School for the Deaf. Thank
4 you.

5 MR. MCGOFF: Thank you,
6 Representative Murphy.

7 MS. FANUCCI: If we have any more
8 questions who should we call, which one?
9 Who wants the phone calls?

10 MR. CULLEN: You have my card, feel
11 free to contact me, I appreciate your time
12 and your graciousness this evening.

13 MS. FANUCCI: Thank you so much.

14 MR. MCGOFF: Andy Sbaraglia.

15 MR. SBARAGLIA: Andy Sbaraglia,
16 citizen of Scranton. Fellow Scrantonians,
17 your five I guess it would be "B", we are
18 looking for a half a million dollars for the
19 Connell building again. What are we looking
20 for there where it says \$500,000?

21 MR. MCGOFF: It's basically a change
22 in name, that's all.

23 MR. SBARAGLIA: I was told that
24 building was recently sold; is that true?

25 MS. FANUCCI: One of the partners had

25

1 changed, so it wasn't that the whole system
2 -- of the whole sale had changed, just one
3 of the partners had changed.

4 MR. SBARAGLIA: Why wasn't it down
5 though?

6 MS. FANUCCI: Because they were
7 actually changing for the same corporation.
8 It would be like Bill and I going into
9 business together, which would be fun.
10 Right, Bill? You and I going into business

11 and Bill deciding he is going to go out of
12 business, well, I'm still the primary
13 holder, so now I'm going to take on someone
14 else, and you have to make it legal.

15 MR. SBARAGLIA: Was there a deed
16 transferred? What happened?

17 MS. FANUCCI: I believe that the
18 primary person is still the same person in
19 charge.

20 MR. SBARAGLIA: But there was a deed
21 transferred, wasn't there?

22 MS. FANUCCI: Well, I think you have
23 to do that legally, yes.

24 MR. SBARAGLIA: So basically if they
25 had taken like \$1,000 we would have got a

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1 transfer fee on it?

2 MS. FANUCCI: I don't know that. I
3 can find that out answer for you. Do you
4 want me to find out for you? I mean, it
5 depends because I'm not sure if you don't
6 change totally the person who is in charge
7 of the deal itself, I don't know that.

8 MR. SBARAGLIA: But you do know that
9 the deed was transferred, that means there
10 was a real estate transfer.

11 MS. FANUCCI: Of course.

12 MR. SBARAGLIA: And it was done for
13 one buck, but in the mean time you want to
14 give them \$11 million.

15 MS. FANUCCI: They just changed
16 names.

17 MR. SBARAGLIA: I don't care who they
18 changed. There was a deed transfer, that
19 means real estate was transferred.

20 MS. FANUCCI: No.

21 MR. SBARAGLIA: In other words, if
22 you transfer real estate, no matter what you
23 do --

24 MS. FANUCCI: That's a very awkward
25 of looking at it, Andy, it's a name change

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1 on a document. You have to do things
2 legally, but the dollar is pretty much a --
3 you know, if you sell your wife your car and
4 you want to change it over they are going to
5 make you pay a dollar.

6 MR. SBARAGLIA: I realize why it's a
7 dollar, but it could have just as well been
8 a thousand dollars, but then they would have
9 had to pay transfer tax.

10 MS. FANUCCI: It's the same person.
11 It's the same person.

12 MR. SBARAGLIA: Regardless. I seen
13 people in a bank account where they had
14 somebody else's name on it, it was their
15 money with someone else's name on it they
16 died and there was a tax imposed, and
17 actually an inheritance tax, so if you want
18 to cover this, okay, but it's still
19 \$11 million you want to pour into these
20 people.

21 MS. FANUCCI: Absolutely.

22 MR. SBARAGLIA: Why? What is so
23 important of that building that you are want
24 to spend 11 1/2 dollars to fix?

25 MS. FANUCCI: Are you asking me a

28

1 question?

2 MR. SBARAGLIA: Yes.

3 MS. FANUCCI: Oh, this is a good
4 one. Why? Because we want the job
5 creation. We want to fix the building. We
6 don't want an empty building sitting down
7 there. As of next week if we pass this
8 legislation 40 people are going to start
9 work, 40 union people are going to walk
10 downtown and start work. What do you mean,
11 why? With this economy the way it is that's

12 a very strange question to ask.

13 MR. SBARAGLIA: Not, it's not. It's
14 a --

15 MS. FANUCCI: You want an empty
16 building?

17 MR. SBARAGLIA: How many people are
18 being foreclosed upon? How many people are
19 losing their homes?

20 MS. FANUCCI: Right. And this will
21 give them an opportunity to work.

22 MR. SBARAGLIA: No.

23 MS. FANUCCI: What are you talking
24 about?

25 MR. SBARAGLIA: They are not the ones

29

1 that are losing their homes. I worked in
2 construction --

3 MS. FANUCCI: You are mixing apples
4 and oranges. Ask the question that stays
5 the same on track.

6 MR. SBARAGLIA: That's what you
7 believe?

8 MS. FANUCCI: Absolutely 100 percent.

9 MR. SBARAGLIA: You can believe that.
10 I believe in the people. I believe in all
11 of the people.

12 MS. FANUCCI: The people who want to

13 work and people want to make money.

14 MR. SBARAGLIA: All the people.

15 MS. FANUCCI: The people who want to
16 work.

17 MR. SBARAGLIA: No, somebody is
18 making out on this, 11 1/2 dollars that man
19 is making out, the person who owns that
20 building is getting 11 1/2 dollars worth of
21 equity put in while other people are losing
22 their homes.

23 MS. FANUCCI: That's not true.

24 MR. SBARAGLIA: And soon. You know
25 that and I know that.

30

1 MS. FANUCCI: I would not say that.

2 MR. SBARAGLIA: When you take away
3 from the people --

4 MS. FANUCCI: That's not true.

5 MR. SBARAGLIA: The state is in debt
6 2 1/2 billion because of people like this.
7 Things aren't being done like this. They
8 are not really creating that many jobs. I
9 don't care if they put 100 people in there
10 and fix that building up, they wouldn't be
11 Scrantonians. , they would be from Dunmore,
12 they would be from all over. All you would

13 get out of them, if are lucky, would be the
14 52 bucks. If you are lucky, and you might
15 need even get that. You got to look at
16 Scranton first, last, and always.

17 MS. FANUCCI: You definitely do.

18 MR. SBARAGLIA: You got to look at
19 everybody in Scranton what you are doing
20 when you take money, huge amounts of money,
21 and give them one individual or one
22 contractor, them people are making money.
23 The people that own the Connell building are
24 going to make money on this deal. You are
25 denying it or not denying it? You know they

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1 are going to make money and vast amounts of
2 money. Thank you.

3 MR. MCGOFF: Ozzie Quinn?

4 MS. SUETTA: He went home. He got
5 sick.

6 MR. MCGOFF: Les Spindler.

7 MR. SPINDLER: Good evening, Council,
8 Les Spindler, city resident, taxpayer and
9 homeowner. I have to echo what
10 Mr. Sbaraglia said, I was going to talk
11 about this, too. You dump millions and
12 millions of dollars into the Connell
13 building. The people that bought this

14 building couldn't fix it up or what with
15 their own resources then they shouldn't have
16 bought the building.

17 Job creations, Mrs. Fanucci? What
18 jobs are going to go in there, like the same
19 jobs that were created in the Southern Union
20 building? That's a joke. That was supposed
21 to be filled with jobs. How many people are
22 in there, 10 or 20 maybe? If that. It's a
23 joke. Job creation? There aren't any jobs
24 in this city. The Connell building is not
25 going to create jobs, all it is going to do

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1 is line certain people's pockets. It's
2 going to be an empty white elephant just
3 like the Southern Union building.

4 Moving on, Mrs. Gatelli, you
5 answered my question, I was going to ask
6 about the audit for the tax office. The
7 only question I have, what took so long?
8 Can't anybody do an audit in this city in a
9 timely fashion? I mean, it was months and
10 months ago and that was brought up.

11 MS. GATELLI: It's a year ago.

12 MR. SPINDLER: Oh, a year? Okay, a
13 year ago. Next thing, Mr. McGoff, it was

14 brought up last week about people not paying
15 parking tickets and you said maybe the DA's
16 Office is not going to investigate it, well,
17 that's not going to happen, Mr. McGoff,
18 because people in the DA's Office names are
19 on that list, so not to worry, I have a call
20 into the Attorney General's Office, I have a
21 contact there, and hopefully this will be
22 taken care of, but it's funny how names
23 weren't mentioned in the Doherty newsletter.
24 I could guarantee you if Mr. Courtright and
25 Mrs. Evans didn't pay parking tickets their

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1 names would be in the newspaper.

2 In last Friday's Doherty
3 newsletter, Mr. Doherty talked about some
4 accomplishments, talked about improvements
5 to the neighborhood parks, rising real
6 estate values, construction projects that
7 include the Connell building, new medical
8 college and the 500 block of Lackawanna
9 Avenue. First of all, I have as much to do
10 with the medical college coming here as
11 Chris Doherty did. He had nothing to do
12 with that medical college coming here, it
13 was Bob Mellow. Just because he is the
14 mayor of the city he takes credit for the

15 college coming here? It's a joke. And then
16 the parks and the Connell building, and the
17 500 block of Lackawanna Avenue? Is that
18 going to bring jobs into our city and going
19 to make our kids want to stay here? Is it
20 going to bring young people into this city?
21 I don't think so.

22 I could just see my daughter coming
23 to me when she is out of school, "Dad, you
24 know, I have a job offer out of town for
25 \$65,000 a year, but I think I'll stay in

34

1 Scranton because we have a dog park and a
2 treehouse."

3 It's a joke. The man has done
4 nothing to keep our young people in this
5 city. Moving on, Mr. Doherty also said city
6 hall is leaner and more efficient under his
7 watch. Yeah, it's leaner, he illegally laid
8 off the SIT clerks and it's costing the city
9 \$1.74 million. That's all this man is doing
10 is costing the taxpayers money. It's
11 ridiculous and I hope the people realize
12 this when it comes May.

13 Lastly, Mrs. Fanucci, I couldn't be
14 happier you decided to run for reelection.

15 MS. FANUCCI: I heard you are running
16 my campaign, is it true?

17 MR. SPINDLER: Now a lot of
18 taxpayers' best interest who you haven't
19 served in the past three and a half years
20 can vote you out of office. Thank you.

21 MR. MCGOFF: Thank you, Mr. Spindler.
22 Tom Ungvarsky.

23 MR. UNGVARSKY: Good evening, city
24 council. I'm Tom Ungvarsky, and I'm a
25 member of the Scranton and Lackawanna County

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1 Taxpayers' Association. About three weeks
2 ago, city council met with Austin Burke
3 concerning making Mt. Pleasant a KO. You
4 met in council office, not out here. I wish
5 Mr. Burke had the courtesy to come out here
6 to this podium and answer some of the
7 questions such as what it's going to cost
8 the city to make that a KOZ. We have
9 already given him \$250,000 from the City,
10 and I understand the State of Pennsylvania
11 has given him 2 /12 million, and I'm sure
12 once construction starts he will be back
13 here looking for grants.

14 And as far as what it costs the
15 city, I believe that parcel of land has

16 already paid \$15,000 a year in taxes, but
17 more than that for the length of the KOZ the
18 City of Scranton will be losing all property
19 taxes that would have been collected on
20 that, all mercantile taxes for anyone in
21 there and I believe all profit taxes.

22 Now, I'm at a lost really. I can't
23 understand how we would even consider
24 turning that into a KOZ.

25 I see on this weeks agenda we are

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1 going to give the Connell building another
2 grant of a million dollars. I guess again
3 we are going to send good money after bad.
4 It seems as though there are a few members
5 on city council who can't help but give out
6 grants. There is not a grant that they have
7 ever seen that they haven't liked, and I
8 would to know the difference between a
9 developer from out of town who comes in here
10 and gets a grant and landlords from out of
11 town. It seems like they are both taking
12 money out of the city.

13 MR. MCGOFF: Thank you, Mr.

14 Ungvarsky. David Bergerhoff.

15 MR. BERGERHOFF: David Berghoff,

16 North Scranton. I really don't have much to
17 say tonight, lucky for some of you, I'm
18 sure, but Mrs. Evans, and I guess the rest
19 of you, you kind of blew off the question
20 about the North Scranton Junior High School.
21 I mean, yeah, you did read a form a couple
22 of weeks ago and you said something about a
23 500 seat auditorium, I wonder if any of you
24 have seen this building lately, like in the
25 last 10, 15 years, three-quarters of the

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1 building still has busted, broken windows,
2 guaranteed loaded with lead paint, and there
3 is plenty of other stuff that you said that
4 was done on that building or removed that
5 hasn't been done I can guarantee that as
6 well. I specifically asked questions, is
7 this project even approved? No answer on
8 that.

9 Maybe people would come here less
10 every week if you guys actually started
11 answering questions, and maybe if you were
12 honest that would help, too. But, I mean,
13 give me a break on the North Scranton Junior
14 High School you have to find out more for us
15 as far as where the money is being spent or
16 it went. Did it just go to the front of the

17 building which is all that looks it's been
18 done in the last 15 years. As I stated last
19 week or two weeks ago, there wasn't enough
20 dumpsters out there to do half the work that
21 needs to be done in that building. There is
22 drug dealing going on up in that building,
23 there is three or four access points to that
24 building that I guarantee there is homeless
25 people living up in that building right now.

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1 God only knows what takes place up there. I
2 see kids walking up there and leaving their
3 every single day. Yes, I reported this, and
4 I don't know if anything is being done.
5 It's pointless. I mean, they could at least
6 seal up these entrances to say the least.

7 I also asked for accessibility
8 perhaps for a citizen's panel or some people
9 to at least go in this building and see if
10 any work has really ever been done. You
11 know, I seen names of work that was proposed
12 to be done in the future, they seem to ring
13 true with the name of people who are running
14 this project. This is where my concerns and
15 questions come from and the none of them
16 have been addressed or answered. I didn't

17 think they would, but I'm going to keep the
18 asking the question. I'm going to come here
19 every week whether I like it or not because
20 I can watch this at home as Mr. McGoff so
21 aptly pointed out to me, so I don't want
22 mind watching it at home and I don't min
23 coming here when I feel it's an important
24 issue, and this is just one of the issues.
25 I listened every week and I hope there is

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1 more I can pick on about because you guys
2 never answer the question, and God knows
3 that the Elm Street Park project is going
4 along because that's the only thing we have
5 hear from Mrs. Gatelli, I even see it's
6 probably going to be your campaign thing
7 because I see it in the paper quoted for
8 you.

9 Ms. Fanucci was more than happy too
10 point out that's it's very stressful doing
11 this job and, you know, apparently politics
12 is a tough job. Well, welcome to the real
13 world. And you know, it's funny, because I
14 implore anybody who is thinking voting this
15 election, and I really would like a lot of
16 people to come out, these people win by very
17 few amount of jobs. You don't need a lot to

18 win a council seat, so all you got to do is
19 vote for somebody different. I don't care
20 --

21 THE COURT: We don't do politicking
22 from the podium.

23 MS. FANUCCI: That's all we do.

24 MR. BERGERHOFF: Well, I'm not a
25 politician, I'm just stating an opinion.

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1 MR. MCGOFF: Excuse me.

2 MR. BERGERHOFF: I'm just basically
3 stating an opinion. I'm not running for
4 politics, and I'm not supporting any
5 candidates.

6 MR. MCGOFF: We have asked people to
7 not advocate voting or not voting for any
8 particular person.

9 MR. BERGERHOFF: That's fine. If
10 none of you did campaigning either then I
11 guess I'll be fine with that.

12 MR. MCGOFF: It's inappropriate.

13 MR. BERGERHOFF: Perhaps if you just
14 did your job then that would be campaign
15 enough, but we can watch the way you treat
16 us and that's your campaign as far as I'm
17 concerned. Again, I will implore people to

18 watch You Tube if you really want to see
19 camera work done on this council here and
20 see what it's really all about.

21 You know, the Al Boscov's thing, I
22 like Al Boscov, he seems to have done a lot
23 for the city, but it's scary to me to think
24 that the whole downtown lies on the back of
25 one man, as he stated, you're so quick to

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1 accept the fact that he said that if he
2 fails the mall fails, the whole downtown
3 fails. Well, that's great we put all our
4 hopes on one businessman who has proven when
5 you give that business up it fails and he
6 has got properties all over this city that
7 you're giving government grants and
8 government funding and it doesn't seem to be
9 given us a dime except the fear factor that
10 if he leaves he takes everything with him.
11 Well, I'm not going to give into that
12 either. If we are going to give him the
13 monies because we support what he has done
14 and not because he's scared to take it.

15 MR. MCGOFF: Thank you,
16 Mr. Bergerhoff. Sam Patilla.

17 MR. PATILLA: Good evening,
18 Mr. Courtright and Mrs. Evans. Can I swap

19 with Daniel? Can I swap my time with Daniel
20 because I really want to hear what he has to
21 say. Come on, Daniell.

22 MR. HUBBARD: Gets me home to my dad
23 earlier. Thank you. Lately we have seen
24 articles in the paper, you know, talking of
25 progress and movement in the city. My

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1 question is where is the progress in
2 Scranton? There are actually less
3 businesses in the downtown now than there
4 were two years ago or eight years ago
5 because the mall is not full, and if it is
6 it's a turnover rate of every few months for
7 some of the businesses, so let's talk about
8 the progress in the downtown, and we are
9 going to run through a little list of I
10 guess what we call progress.

11 Quint's Army/Navy, empty. Scranton
12 Enterprise Center, empty spaces available.
13 Scranton Bakery building, one or two spaces
14 is still an empty space.

15 MS. FANUCCI: And 60 jobs created.

16 MR. HUBBARD: Thank you. Please.
17 Please. Two empty spaces in the Scranton
18 Enterprise Center. Scranton bakery building

19 was restored and has one empty store front.
20 The Citizens Bank on the corner of Wyoming
21 and Lackawanna, empty, the entire building.
22 Third floor above Alexander's empty and
23 looking for tenants for office space.

24 The empty building next to the
25 incoming Kildaire's, three empty retail

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1 spaces. The former Grabowski train store,
2 two empty store fronts. The Gianetta Music
3 Building across the street from Giovanni
4 Picolino's pizza store, two empty store
5 fronts. Empty. Mulberry Street: American
6 Warhorse. PCX Print Center has a space for
7 rent. 600 block of Mulberry, two empty
8 store fronts. Spruce Street, 610 Spruce,
9 one empty store front, Scranton Life
10 Building, 426 Spruce, the former Boccardo's,
11 the KOZ units above the Martini Bar, 414
12 Spruce. Helen Schwartz's building. Linden
13 Street. Now, Linden is a tough one because
14 we have demolished half of the street to
15 hide the lack of progress because let's face
16 it, a bulldozer knocking down an empty
17 building is progress where an empty building
18 is just an eyesore. 317 Linden, 419 Linden,
19 Flashbacks, moved to Adams Avenue. The 400

20 block of Adams Avenue in the Scranton Center
21 building, office spaces available with
22 parking. North Washington Avenue, Mulberry
23 Plaza, right across the street, office space
24 is available. 205-207 North Washington,
25 Wyoming Avenue, 36,000 square feet of office

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1 space available in the Oppenheim building.
2 A space above Curry Donuts on the second
3 floor. The Semian Gress building,
4 commercial space for rent. 214 Wyoming, 217
5 Wyoming, 320 Peen, 306 Penn, 312 Penn, 220
6 Penn, 119 Penn, 120 Franklin, empty space
7 next to Whistle's in the same building and
8 201 Franklin, the corner of the medical
9 office building empty. 42 plus empty office
10 suits, spaces or retail spaces in this city,
11 not included in that list are empty spaces
12 in the Steamtown Mall.

13 Now, from that list I purposely left
14 out some several important structures.
15 Southern Union, Connell building, 500 block
16 and the new business park. You know why,
17 because they are not needed because we have
18 43 empty office spaces in the downtown.
19 Just the downtown.

20 Now Charlie Brown's closed. That's
21 in Scranton, another business shut down in
22 this city. How many businesses and empty
23 spaces do we have just outside of downtown?
24 So where is the progress? How can you
25 justify hundreds of millions of dollars in

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1 taxpayer money being dumped into the 500
2 block of Lackawanna Avenue and the Connell
3 building and a new proposed business park
4 when I would say a good almost 50 percent or
5 more of our downtown is sitting empty? So
6 there is no progress. The debt that's been
7 created over the last eight years has driven
8 this city backwards generations, so how can
9 you say there is progress? We have not
10 brought any revenue producing businesses
11 into this city that can overcome the amount
12 of debt that's been accumulated so we are
13 operating at a deficit so where is the
14 progress. How can you claim progress in a
15 city that's going backwards?

16 Our debt outweighs any revenues
17 coming into this city from businesses, and
18 let's face it, if you are not going to
19 change the mercantile tax and you are not
20 going to change the wage tax and not going

21 to change the tax structure on businesses in
22 this city, nobody is going to come to this
23 city and open a business when they can go to
24 Moosic, Archbald, Dickson City, Old Forge
25 and open a business in a close proximity to

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1 the City of Scranton that people don't care
2 that they are not in Scranton.

3 I mean, really do we honestly care?
4 Is it really that difficult to go up to
5 Dickson City or Moosic for us? Most of us
6 do it every day, so why could businesses
7 open here with an oppressive mercantile tax
8 and wage tax. There is no progress in this
9 city. The only thing that's progressed is
10 the level of our debt. I mean, if you went
11 back eight years I guarantee there were more
12 businesses in the downtown, mom and pop
13 shops especially, Deemer's, all of the other
14 shops, some of these places I read off are
15 these little store fronts that are empty,
16 that were businesses that have stayed in
17 this city, but you know what, there is no
18 traffic.

19 Our downtown is supported by
20 government welfare. County, state, city,

21 and federal employees. By 5:00 in the
22 evening this down is a ghosttown. You could
23 drive a golf ball down any major street in
24 the downtown on Saturday or Sunday and you
25 wouldn't hit a single person. So, please,

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1 if you are going to campaign, campaign on
2 something, but don't campaign on progress
3 because it's quite obvious to the people in
4 this city that we have gone backwards,
5 generations that are going to have to pay
6 for this debt.

7 MR. MCGOFF: Thank you, Mr. Hubbard.
8 Bill Dwyer.

9 MR. DWYER: Good evening, members of
10 Council. My name is Joe. I'm with the
11 House of Hope Ministries. It's our local
12 ministry housing single girls, girls who are
13 pregnant, soon to be mothers with children
14 and senior citizens who are displaced
15 because they don't have the means today to
16 support themselves. I'm asking you today to
17 help me in an endeavor we are trying to put
18 forward in the community, and that is to use
19 the available city-owned lots to raise food
20 for the food pantries. We have -- it's an
21 ecumenical project in that several of the

22 houses of worship of all different faiths
23 have come together and have brain stormed on
24 how we can best meet the needs of the local
25 food pantries and the soup kitchens, and the

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1 idea was proposed that we use the available
2 space to plant fruits and vegetables on
3 these open lots. We met with Mayor Doherty,
4 he likes the idea. We met with several
5 other people and they have not only
6 supported us, but they have asked if they
7 could become volunteers to help plant the
8 seeds and harvest the produce. I'm here
9 asking for your endorsement and your support
10 in helping us to bring this project to
11 fruition. Thank you.

12 MR. MCGOFF: Thank you, Mr. Dwyer.
13 Jean Seta.

14 MS. SUETTA: Jean Suetta, Scranton.
15 I'm not picking on you today, Bill.

16 MR. COURTRIGHT: Thank you, Jeannie.

17 MS. SUETTA: Do we get grants for
18 recycling?

19 MR. COURTRIGHT: Yes.

20 MS. SUETTA: We do? Well, then why
21 is the mayor jeopardizing that?

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MS. FANUCCI: Why?

MS. SUETTA: Because he has the television ad, Great Scranton, with the guy from "The Office," throwing plastic bottles

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in the garbage. I'm sure you seen the ad, where the guy takes the bottle and hits him in the head, but they are throwing plastic bottles in the garbage and there is not one recyclable container up at Nay Aug. Not one. As a matter of fact, there is none around the city. They are only little blue containers, can't they put them out there?

And the streets, we all know they are deplorable. Years ago when at they were bad we used to take the coal ashes and throw them in the holes. I know they can't get hot patch, it ain't open yet, and the hot patch is no good. If they threw the ashes in the hole at least it would be some kind of consistency there.

And, Judy, my friend went through the park to see the Christmas lights and he made a donation and he asked how many people went through, and you said 235,000 cars.

MS. GATELLI: I did?

MS. SUETTA: Yeah. I don't know if

23 you were being sarcastic or what, but if
24 235,000 cars went through and they gave a
25 dollar each --

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1 MS. GATELLI: Whoever told you that
2 is mistaken.

3 MS. SUETTA: John McKeean.

4 MS. GATELLI: Well, he didn't tell
5 you the truth, because I don't know how cars
6 went through there.

7 MS. SUETTA: Well, you were there at
8 the box --

9 MS. GATELLI: I was volunteering.

10 MS. SUETTA: Yeah. You were there.

11 MS. GATELLI: I didn't say how many
12 cars went through because I don't know.

13 MS. SUETTA: Well, I don't think he'd
14 lie to me.

15 MS. GATELLI: Well, maybe somebody
16 else standing there said it, but I never
17 said it because I don't know that.

18 MS. SUETTA: There's only one Judy
19 Gatelli I know.

20 MS. GATELLI: Well, I didn't say it.

21 MS. SUETTA: All right. He said you
22 did.

23 MS. GATELLI: Well, I didn't say it.

24 MS. SUETTA: Because if that many
25 went through --

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1 MS. GATELLI: I'll have to ask
2 Mr. Dougher how many went through.

3 MS. SUETTA: Yeah, because at a
4 dollar a piece that's \$235,000 and only
5 \$46,000 --

6 MS. GATELLI: I'll ask him how many
7 if they have a record of it. They do give
8 us an account of how much money was
9 collected. We don't recall the amount.

10 MS. SUETTA: And who is the engineer
11 that put the island down on Lackawanna
12 Avenue by Coney Island? They are doing
13 construction on this side. There is two
14 parking places in front of Coney Island and
15 the Scranton Hobby Center. How are these
16 people going to compete with anybody with
17 this thing they put down the middle? Why
18 would they even do that? Take the parking,
19 there is no parking. And you can't park in
20 the bank they will tow you.

21 MS. GATELLI: I know Coney Island
22 has some spots on the side.

23 MS. SUETTA: There is two. There is

24 two in front.

25 MS. GATELLI: No, I mean on the side

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1 of the building.

2 MS. SUETTA: Do they?

3 MS. GATELLI: When you go in the
4 court. You have to go in the court.

5 MS. SUETTA: How many people know to
6 go in the court?

7 MS. GATELLI: I don't know.

8 MS. SUETTA: You can't double park
9 because there is only one lane, and when you
10 are making a left-hand turn you got to -- if
11 you're trying to go straight then your stuck
12 through two lights. Who put the island
13 there? Whose idea?

14 MR. COURTRIGHT: I don't know.

15 MS. SUETTA: You like my Polish beads
16 for Fat Tuesday?

17 MS. GATELLI: Mardi Gras. Did you
18 have your Paczacki's today?

19 MS. SUETTA: No, I went up to
20 Charlie Brown's today and it was closed. It
21 pissed me off.

22 MR. MCGOFF: Please.

23 MS. SUETTA: I know. I know. And

24 the Bishop, while he get condemned them
25 churches wait until I start on him.

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1 MS. FANUCCI: Yeah, don't.

2 MR. COURTRIGHT: Don't start on him.

3 MS. SUETTA: You know, if he won't
4 open the church let everybody go up to
5 DeNaple's landfill, with Bobby Kazern is his
6 name, say the mass, and we'll give him all
7 the blessing. You know why, we have to kiss
8 his dupa.

9 MR. MCGOFF: Please.

10 MS. SUETTA: That's not a curse I
11 could have used the one and why don't we
12 just call him a donkey name. All right.
13 I'm not picking on you, Bill.

14 MR. COURTRIGHT: Thank you.

15 MS. SUETTA: Have a good night. Why
16 wouldn't he let the policewomen have
17 representation when they were having that
18 hearing over what's his name calling them
19 whores? He wouldn't let them have no union
20 representation at all. I don't think it's
21 right. I mean, I know what it's like to be
22 a woman working with all men. I was the
23 first garbage woman and I took more guff
24 than you can handle, but I dished it out

25 back.

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1 MR. COURTRIGHT: We believe that.

2 MS. SUETTA: But why can't they use
3 the ashes?

4 MS. GATELLI: I know they have been
5 using cold patch because I seen some of them
6 being filled.

7 MS. SUETTA: Some of the holes are
8 like MINES.

9 MS. GATELLI: I know. I saw them
10 using it on the viaduct and they are using
11 cold patch right now.

12 MS. SUETTA: I came down Hochiman
13 trail to get here today over Albright
14 Avenue.

15 MR. MCGOFF: Thank you, Jean. Bob
16 Martin.

17 MR. MARTIN: Distinguished members of
18 council, Bob Martin, president of the
19 Fraternal Order of Police. When I spoke
20 before you last week I neglected to address
21 one very important issue. Over the weekend
22 I was in Philadelphia and it became more
23 poignant to me when I made that neglect and
24 that was I failed to recognize the men and

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woman I represent. I want to come before

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you say I'm proud to do that and I am proud

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to do that because they come to work

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everyday under extreme and unbearable

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adverse conditions, and that is the

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disgraceful way that they are being

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disrespected in this city.

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And the incident that I'm referring

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to in Philadelphia I'm sure you are all

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aware, the Friday night before I addressed

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you was there was a fallen police officer,

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25-year-old police officer in Philadelphia

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left his wife five months pregnant, and I

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failed to recognize them and I hope the

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citizens and the City of Scranton and the

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council don't fail to recognize and

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appreciate what they do every day and what

17

they have been doing. Not only do they come

18

to work every day, but they come to work and

19

they do a stellar job, it's unbelievable

20

that they do that for me, and I just want

21

everybody to understand that I am thankful,

22

my family and myself personally thank them

23

for coming in every day and working under

24

the conditions they do and doing the job

25

that they do. I just want to say thank you.

1 MR. MCGOFF: Thank you, Mr. Martin.
2 Marie Schumacher.

3 MS. SCHUMACHER: Good evening. Marie
4 Schumacher, resident and member of the
5 taxpayers' organization. Tonight I would
6 like to ask why in our progressive city we
7 can't pay our property taxes using a credit
8 card as you can in other places that are
9 fairly progressive. At least that way it
10 dulls the pain if we get extra points on
11 our --

12 MR. MCGOFF: Rewards.

13 MS. SCHUMACHER: So I would like
14 someone to look into why we can't pay our
15 property taxes with credit cards. Next,
16 Alexander's Salon, the agreement, this keeps
17 cropping up, and it's very troubling. Late
18 in December of '08 Joe Pilcheski requested a
19 copy of the agreement which he received I
20 believe in early February and posted to his
21 website. I read it there, but I had also
22 requested to review that same agreement via
23 Right-to-Know, and my appointment was today,
24 and lo and behold when I went down there
25 today it was total different agreement from

1 the one that was provided to Mr. Pilcheski
2 just a few weeks ago, and I don't understand
3 that and I would like to know why the two
4 agreements are different.

5 If I had to vote, I'd like to vote
6 in favor of the one that I reviewed this
7 afternoon because that took away the no
8 payment at all for three years and if the
9 requisite number of employees had been hired
10 the loan would turn into a grant in three
11 years, that also has also been deleted in
12 what I reviewed today.

13 MS. FANUCCI: Which one was that
14 one? I'm confused, was it the one that --

15 MS. SCHUMACHER: Alexander's
16 agreement, the quarter of a million
17 dollars--

18 MS. FANUCCI: Yeah, but you are
19 saying there was two, so which amount was
20 that agreement that you read today. Both --

21 MS. SCHUMACHER: You are taking my
22 time.

23 MS. FANUCCI: Well, I'm asking you
24 -- if you don't want to -- I can't help you
25 if I don't know what the heck you are

1 talking about.

2 MR. MCGOFF: Just hold the time for a
3 moment.

4 MS. SCHUMACHER: I said it's the same
5 agreement --

6 MR. MCGOFF: Mrs. Schumacher?

7 MS. SCHUMACHER: Yes

8 MR. MCGOFF: Just maybe to answer --

9 MS. FANUCCI: It's not clear. Go
10 ahead.

11 MR. MCGOFF: Well, the agreement --
12 the agreement that was originally -- or the
13 legislation that was originally presented to
14 us as a loan that would turn into a grant,
15 that was I believe, my recollection is that
16 we sent that back and changed it to --

17 MS. FANUCCI: What you say.

18 MR. MCGOFF: -- a loan only and that
19 that is the legislation that was passed.

20 MS. SCHUMACHER: Well, what --

21 MR. MCGOFF: That is strictly a loan.

22 MS. SCHUMACHER: Well, then it's
23 rather incredible that Mr. Renda would send
24 in response to a Right-To-Know request to a
25 citizen just several short weeks ago the

1 agreement which was signed and stated that
2 there were no payments due for three years
3 and --

4 MS. FANUCCI: You didn't receive
5 that?

6 MS. SCHUMACHER: No.

7 MS. FANUCCI: Was it your
8 Right-To-Know letter?

9 MS. SCHUMACHER: I said Mr.
10 Pilcheski did that and he posted it on his
11 website, I read it there, and then I went in
12 today and reviewed it and it had been marked
13 up, it had not been marked up until January
14 of '08 which was -- and I believe you
15 approved that in April of 2007, so --

16 MR. MCGOFF: I can't explain why the
17 difference. All I can do is tell you that
18 the deal -- or the Alexander's legislation
19 was a loan.

20 MS. SCHUMACHER: Thank you, because
21 that was very troubling to see two different
22 things with the same -- now, onto Mt.
23 Pleasant. I received also in response to a
24 Right-To-Know, I asked for a list of the
25 KOZ/KOEZ properties by map number, and I

1 received that subsequent to the meeting last
2 week. The Mt. Pleasant Corporate Center is
3 on that list, but I have also been informed
4 that the property taxes were paid on that,
5 so I didn't again find that out this
6 afternoon, so I will do some more
7 investigating before next week.

8 Now, I also recall reading that
9 Tripp Park had a water problem and judge --
10 well, one of the judges anyway, said that
11 the city was partly responsible and I have
12 here a Rosemount resident sued Old Forge
13 developer and here is what the Borough of
14 Old Forge did. It said, "The Borough is
15 also seeking permission to temporarily
16 repair the development's roads and to pass
17 that cost onto the developer by judgment and
18 municipal lien and to assess fines and costs
19 if they fail to do so within 30 days."

20 Has the city done a similar thing
21 with the village of Tripp Park issue or are
22 those poor people still subject to water?
23 Does anybody know?

24 MS. GATELLI: We are not involved in
25 the litigation.

1 MS. SCHUMACHER: It's not litigation.

2 MS. GATELLI: Well, it was a result
3 of a lawsuit --

4 MS. SCHUMACHER: It was decided by a
5 judge.

6 MS. GATELLI: -- and we are not, you
7 know, we are not involved in that.

8 MS. SCHUMACHER: But what action is
9 the city taking?

10 MS. GATELLI: Until it's through
11 litigation.

12 MS. SCHUMACHER: But what action is
13 the city taking in response to that, that's
14 what I'm asking. Here is a suggested way
15 that another municipality --

16 MS. GATELLI: We will have to ask
17 Attorney Patterson.

18 MS. SCHUMACHER: I would like that.
19 Thank you. And now concerning all of these
20 grants to all of these private developers,
21 we get no equity out of them, I would like
22 to implore all of you to get with our state
23 representatives and ask them to do something
24 that would benefit everybody and that is
25 instead of giving the money with all kinds

1 of strings attached that you have to give it
2 to a developer, give it to the city to
3 reduce the wage tax. That would be fair to
4 every business.

5 MS. FANUCCI: You can't do that.

6 MS. SCHUMACHER: Yes, I know,
7 Mrs. Fanucci, that it's not --

8 MS. FANUCCI: It was Bill that said
9 it --

10 MS. SCHUMACHER: You --

11 MS. FANUCCI: -- to me and I agreed.

12 MS. SCHUMACHER: You shook your head.

13 MS. FANUCCI: You are speaking, but
14 you can't do that, but, go ahead.

15 MS. SCHUMACHER: But with legislation
16 you can, and you should be down on your
17 knees imploring people to give the money to
18 the city to reduce that wage tax so that we
19 can be competitive with those -- at least
20 those who are around us who only have a 1
21 percent wage tax, and so it's fair to
22 everybody and it reduces taxes and it
23 doesn't give developers a gift.

24 And now I would start -- like to
25 start reading a letter that I wrote to the

2 Economic Development. I guess I'll do that
3 next week. Thank you.

4 MR. MCGOFF: Thank you, Mrs.
5 Schumacher. Bill Jackowitz.

6 MR. JACKOWITZ: Bill Jackowitz, South
7 Scranton resident and member of the Scranton
8 Lackawanna County Taxpayers' Association.
9 First of all, I would like to remind people
10 that the government, any government, any
11 branch of government can't give anybody
12 anything until they first take it from
13 someone else, and that someone else are
14 myself, and you people, anybody who has ever
15 paid taxes of any sort that's who the
16 government takes their money from and 11 1/2
17 million dollars of public taxpayers' money
18 for 40 jobs it doesn't add up unless those
19 jobs are each paying \$500,000 to each one of
20 those 40 people, it doesn't add up. This is
21 all public taxpayers' money.

22 Okay. Now, I would like to read
23 something about the First Amendment because
24 we have this discussion a lot around here.
25 "Oklahoma City police officer pulls man over

1 from anti-Obama sign on vehicle. The police

2 officer who stopped the Oklahoma city
3 motorist, Chip Harrison, and confiscated a
4 sign from his car and told him he has a
5 right to his beliefs, but the Secret Service
6 could construe this as a threat against
7 President Obama.

8 According to the incident report
9 released this morning, the sign which read
10 "Abort Obama not the unborn" was returned to
11 Harrison later that day the report said.
12 The police spokesman, Steve McCool, said
13 this morning that the sign was taken in
14 error and Oklahoma city residents should not
15 be worried that their First Amendment Rights
16 will be violated.

17 Harrison told the officer that in
18 his opinion the words "Abort Obama" meant to
19 impeach him. He told the officers he does
20 not believe in abortion because he is a
21 Christian. Harrison was stopped on the
22 Westbound Interstate 248 at 8:45 a.m. on
23 February the 12th according to the police
24 report. Harrison said he later received a
25 call from a person who said he was a

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1 lieutenant supervisor for the internal
2 investigation's department and wanted to

3 know his location and return his sign to
4 him.

5 According to Harrison, the
6 supervisor said the Secret Service has been
7 contacted on the matter and told him the
8 sign was not a threat to the president.
9 Harrison was asked if he would like to file
10 a complaint, and he said he was not sure,
11 but would take the paperwork just in case,
12 but his run-in with the law wasn't over yet.

13 The Secret Service called and said
14 they were at my house, Harrison said. After
15 talking to his attorney Harrison went home
16 where he met the Secret Service. "When I
17 was on my way the Secret Service called me
18 and said they weren't going to ransack my
19 house or anything, they just wanted to walk
20 through the house and make sure I wasn't
21 part of any hate group."

22 Harrison said he invited the Secret
23 Service agents into his house and they were
24 very cordial. We walked through the house
25 and my wife and two-year-old were in the

1 house, Harrison said. He said the
2 interviewed him for about 30 minutes and

3 then left not finding any evidence Harrison
4 was a threat to the president.

5 I'm still in contact with the lawyer
6 right now, Harrison said. I don't know what
7 I'm going to do. Harrison said he feels his
8 First Amendment Rights were violated.
9 McCool said the officer that pulled over
10 Harrison misinterpreted the sign. We had an
11 officer that his interpretation of the sign
12 was different than what was meant McCool
13 said. You got an officer who had a
14 different thought on what the word about
15 meant. McCool said the sign basically meant
16 Obama should be impeached and it was not a
17 threat. The officer shouldn't have taken
18 the sign, McCool said. That was Harrison's
19 First Amendment Right to voice his concern.

20 McCool said although the sign should
21 not have been confiscated the situation was
22 made right in the end. We always try to do
23 the right thing and in end we did the right
24 thing by returning the sign McCool said."

25 The same thing happened with Joe

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1 Decker down in Kingston with his four-letter
2 sign in the back of his vehicle. The first
3 Amendment is very strong and we have the

4 right as citizens to express our opinions
5 and city council rules or whatever do not
6 matter. We, as citizens, have the right and
7 it's been proven over and over and over and
8 in Court how strong the First Amendment is,
9 and every military person who has ever
10 defended this country defended the First
11 Amendment right and no one, no one is going
12 to take that away, so when people come up
13 here at this podium or anywhere and speak
14 their mind and say what they believe you do
15 not have to listen to them, you do not have
16 to believe what they say, but you cannot
17 stop them from saying what they want to say
18 because that is the First Amendment Right in
19 the constitution and every single American
20 has that right and it was proven again, just
21 like the lady who cursed at her toilet, that
22 case was thrown away, also.

23 So as an American citizen, you have
24 the right to express yourself at any time if
25 you want to do just that, and another

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1 person's opinion is just that. Their
2 opinion. It's not the law. And if you go
3 to Court nine out of ten times the person is

4 going to be allowed to say what they want to
5 say. And again, just another case, so, you
6 know, we could talk about city council
7 rules, they mean absolutely nothing.

8 MR. MCGOFF: Anyone other speakers?
9 Mr. Patilla?

10 MR. PATILLA: Good evening, Mrs.
11 Evans and Mr. Courtright. The reason I
12 requested that Daniel come ahead of me,
13 since Phyllis and I relocated to Scranton
14 three years ago, and I don't consider a
15 doggy park, a \$350,000 doggy park or the
16 things that's going on in Nay Aug Park to be
17 progress, okay? I consider family
18 sustaining jobs, the creation of family
19 sustaining jobs, that's progress.

20 You know, getting outside
21 communities to come into Scranton and spend
22 their money, that's progress. You know,
23 given 11.5 million dollars to a crony
24 developer for a garage, that's not progress,
25 that's just more same of the same.

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1 And, Mr. Courtright, I have one
2 question, what's the status of the Hilton?

3 MR. COURTRIGHT: As far as what?

4 MR. PATILLA: Is it in foreclosure,

5 has it been sold or --

6 MR. COURTRIGHT: As far as I know
7 it's still operational.

8 MR. PATILLA: Okay, the reason I
9 question that is that I know at one point I
10 read somewhere where they had not only a
11 state but a federal lien against that
12 business and awhile back it was a \$3 million
13 loan from the city made to that organization
14 and I'm just looking for some type of leeway
15 when the taxpayers are going to get their
16 money back, you know, because with the case
17 with many of the deals made within this
18 city, you know, and it has been spoken on by
19 other speakers, the taxpayers are often left
20 with their hands held out and their pockets
21 empty, you know, you give our money to these
22 organizations and these individuals and we
23 don't reap any of the benefits, you know.

24 You know, as I look on the agenda,
25 the \$3 million for Boscov's, now, actually,

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1 if that money were to remain in Scranton I
2 wouldn't have a problem with it. Well,
3 actually I would be because you are talking
4 it from the low to moderate income people

5 again, but if the money was actually used
6 invested to pursue job creations here in
7 Scranton then I don't think anybody would
8 really have a problem with that, but we all
9 know that's not the case, you know?

10 I think that the owner, as well
11 intended as he might be, needs to take a
12 closer look at consolidation and close down
13 some of the stores that aren't performing as
14 well in order to get the financing that he
15 needs. Luckily, the taxpayers have an ace
16 in the hole being that this application had
17 to go through HUD and they are not tied into
18 Scranton politics and with any luck they
19 will send this thing right back to you
20 telling him to go take a hike, you know,
21 because since I have been here all I see is
22 millions upon millions of taxpayer money and
23 assets poured into these projects or scams
24 is what they actually are, and we get
25 nothing in return but more headaches.

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1 You know, this country is in a
2 tailspin and then to have your mayor stand
3 on WYOU television and tell the world that
4 we are in great shape when our police or
5 fire unions having had paid costs of -- paid

6 increases and cost of living increases for
7 six or seven years, you know, we just
8 settled with the clerical union. You know,
9 we have an abundance of senior citizens
10 trying to decide rather to eat or pay their
11 bills thanks to NCC, and you know the bogus
12 deals made by this man. You know, there is
13 no way you can consider this progress
14 because it's not progress.

15 Each week you have individuals and
16 Scranton taxpayers a long-time Scranton
17 residents come before you with bonafide
18 suggestions, I heard one earlier, the
19 gentleman talking about using some of the
20 lots for vegetable gardens and flower
21 gardens, something I think I said two and a
22 half years ago, you know?

23 As our elected officials and our
24 appointed officials sometimes individuals
25 have to take the wax out of their ears, they

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1 have to get off their little high horse and
2 they have to actually pay attention to what
3 the bill payers -- those actually paying the
4 bills are saying.

5 You know, nobody has anything

6 against you personally because, like I said,
7 half the people don't even know you on a
8 personal level. You know, they just know
9 you as their representative and they look
10 for you for guidance when things don't go
11 right, and if they come here and they ask a
12 question and they get shot off or blown off
13 or ridiculed, you know, that hostility is
14 self-created, and it's not what -- it's not
15 what we are looking for. All we want is a
16 reason why you spend our money on such and
17 such a project? Why is that individual
18 getting our money when it should be going to
19 a business within Scranton? I can't recall
20 too many agendas that I have read since I
21 came to this city that the money actually
22 went to a developer with roots to Scranton.

23 And one more thing before I go, this
24 morning I got my letter of expungement from
25 the bogus charges back in 2007, I believe,

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1 and I want a \$25,000 loan from OECD so I
2 could buy a frame and hang it up, all right?

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

4 MR. PATILLA: Now, if you got the
5 individual at OECD given his father and
6 other family members, money --

7 MR. MCGOFF: Mr. Patilla, thank you.

8 MR. PATILLA: -- Then I want my
9 money, too.

10 MS. EVANS: Mr. Patilla, you can't
11 return, but I did want you to provide you
12 just a bit of information about the Hilton,
13 the city continues to pay annual payments on
14 the Section 108 loan for the Hilton Hotel,
15 that's been ongoing now for that I'm aware
16 of since at least 2004. As for the
17 \$3 million, I believe that I can say safely
18 the city will never see that money because
19 at the time that the threatened foreclosure
20 was occurring an agreement was struck
21 between the mayor and the owners of the
22 Hilton at that time and part of that
23 agreement was that the city would see it's
24 \$3 million at the time of sale of the Hilton
25 hotel to yet another purchaser, but it is

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1 the sale price that is highly questionable
2 because if memory serves me correctly I
3 think it was something like 30 to 35 million
4 dollars, and I don't believe we are going to
5 see any group coming in and making a
6 \$30 million purchase of the Hilton Hotel.

7 MR. MCGOFF: Thank you, Mrs. Evans --

8 MR. PATILLA: Thank you, Mrs. Evans.

9 MR. MCGOFF: -- and Mr. Patilla.

10 Any other speakers?

11 MR. MORGAN: Good evening, Council.

12 The only thing I have is it seems tonight
13 that the agenda basically only has to do
14 with the Connell Building, and to be honest
15 with you, you know, I mean, even the
16 president of the United States is talking
17 about ending all the waste of money and that
18 we really have to do something about the
19 problem we have of misspending the money and
20 the revenues that we take in, and for the
21 life of me with all of the millions of
22 dollars that we have put into this building
23 I really don't see how it will ever benefit
24 us and, you know, I have to agree.

25 I mean, I know I came late today, I

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1 went to meet with some candidates for judge,
2 but I'm just really troubled because it just
3 seems that after almost two decades of
4 coming here to these council chambers I
5 haven't really seen anything that benefits
6 the average every day Scrantonian, almost
7 nothing. I mean, we have got a drug problem

8 in the city that a playground program could
9 have helped to alleviate by, you know,
10 giving young adolescents and young children
11 another avenue to keep their minds occupied
12 in the summer. It would have fought
13 vandalism.

14 We have a mayor with all kinds of
15 plans and building parking garages and
16 things that the residents of this city just
17 can't pay for. I mean, I have to be honest
18 and tell you that I've got a very good job,
19 probably better than most people in this
20 city and I don't mean that to belittle
21 people that make less money than me, but
22 when your tax bills come it's just heart
23 wrenching, and then to see the way the
24 agendas spins through this council. I mean.
25 If the waste is ever going to end it's going

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1 to end here. I mean, this council is going
2 to be the people that are going to make this
3 city turn around and grow, and for the life
4 of me -- I mean, Mr. Hubbard came up here
5 and spoke about all of the vacant
6 properties, commercial properties in the
7 downtown, well, that's a problem throughout

8 the whole United States. The only country
9 that's even close to us is Great Britain
10 that has a vacancy rate almost as high as
11 ours, and it just seems that when things
12 come up to council they just pass them. I
13 mean, this is millions of dollars.

14 The budget came through and then --
15 and it's passed and then later on you turn
16 around to the residents and say, well, that
17 was in the budget, we got to raise this, we
18 got to do that, tax anticipation notes every
19 year. I mean, tons and tons of debt. I
20 mean, how long can you beat a dead horse
21 until it's actually dead?

22 Is there any real hope for the
23 residents of in city that to ever pay the
24 debt they owe? I don't think there is and I
25 have to say that if this is all you can put

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1 on the agenda for the benefit of
2 Scrantonians maybe we should just abolish
3 council, because evidently if we can't do
4 anything good.

5 I mean, you know, we have no
6 dangerous dog ordinance. We have -- I
7 brought pictures in here at one time where a
8 dog was ripped to shreds right in his own

9 yard. I mean, you know, you have got to
10 actually come back to reality here sometime
11 soon. Good luck.

12 MR. MCGOFF: Thank you, Mr. Morgan.
13 Anyone else?

14 MR. ELLMAN: I will. Well, Ronnie
15 Ellman, homeowner and member of the
16 Taxpayers' Association and a taxpayer. I
17 paid my taxes this week under protest. I
18 wasn't going to come tonight, but Miss Rosie
19 through me out of the house so she could get
20 some work done so you can blame her for the
21 inconvenience.

22 You know, I spend all of my time at
23 the grocery store talking to people and I
24 have come to the conclusion that council
25 doesn't hear the people of the city. I

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1 haven't talked to one person in the past
2 month or so that thinks Boscov's is worth a
3 darn. He is going to take our money and it
4 will be in an Easton Bank. He is a
5 dinosaur, well, the business is a dinosaur.
6 It's not going to make it.

7 Last Sunday I went to John's Big
8 Lot's and I got Miss Rosie a set of

9 stainless eight pieces for \$20, and in the
10 same paper Boscov's had ten pieces for \$200.
11 You know, their buyer is out of touch or
12 something. You know, I don't care what the
13 experts say, you can't keep in business with
14 things like this going on.

15 I have heard nothing -- I haven't
16 heard one person say that they favor any
17 more KOZ's. I won't call Mr. Burke any
18 names tonight, but he is just a big stuffed
19 shirt, like I said. He is a bag of wind, he
20 got a \$200,000 salary so what's he care if
21 all of the KOZ's are seven more years.
22 There are people like me that had to pay
23 taxes this week and it's a struggle. It's
24 like borrowing from Peter to pay Paul. It's
25 ashamed. I talked to three or four people

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1 when I was down their paying taxes and there
2 is no happy campers down there, I'll tell
3 you, with the way the city is being run.

4 You know, you people you refuse to
5 acknowledge what's happening. We are not
6 making any progress. You know, this very
7 television, and I don't mean anything
8 adverse to this young man, this television
9 was taken something good and turning it into

10 something bad. I went to the library and
11 got a tape you can't hear nothing, you can't
12 see nothing, they are terrible, and then if
13 you compare it to what we had it's like
14 sixth-graders or somebody could probably do
15 better.

16 Well, I got a whole bunch more
17 notes. I would like to say one thing though
18 before I leave, I have talked to some people
19 about the licensing practices, I guess, of
20 the city for these little vendors that come
21 up like the Latino affair and the big car
22 show and they can only enhance this city and
23 they are in business one or two days. It's
24 so ridiculous to have somebody over there
25 chasing them down and wanting \$100 for

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1 whatever it is for fees. I think the city
2 ought to be able to get together with some
3 kind of licensing for these people that are
4 only in business a day or two or three out
5 of the whole year. I spoke to a man at the
6 St. Joseph's and he said he didn't have to
7 pay any fee, but I have had a couple of
8 people when I watch them play soccer down
9 there during the summer and they said they

10 were bothered for fees and they are in
11 business, you know, one day for a couple of
12 hours, not even a day, a couple of hours
13 trying to sell some tacos.

14 And they did the same thing at the
15 car show last summer. That can only help
16 the city, my God, there was probably hundred
17 cars there from out-of-state and there is a
18 chance for something to grow and those
19 people the vendors that were there they paid
20 \$25 to be there then the city comes along
21 want licensing and it's not right, you know.
22 It's just greed.

23 MS. GATELLI: Mr. Ellman, if they
24 are selling food they have to have a license
25 so that the health inspector can inspect

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1 their food products so no one will get sick.

2 MR. ELLMAN: I don't know what the
3 man was selling that day at St. Joseph's --

4 MS. GATELLI: Tacos.

5 MR. ELLMAN: But I imagine it was
6 food.

7 MS. GATELLI: Well, they had to have
8 a permit to sell food.

9 MR. ELLMAN: And I don't know if you
10 knew Sammy Diana died, I don't know if you

11 knew Sammy, he used to have the -- he was
12 telling me he said I might not go another
13 year because it's gotten some expensive and
14 he told me some kind of exorbitant rate that
15 he paid downtown, I forgot what it was.

16 MS. GATELLI: For the Festival.

17 MR. ELLMAN: Five, six hundred
18 dollars or so.

19 MS. GATELLI: For La Festa. That's
20 different than us. They pay that to La
21 Festa.

22 MS. ELLMAN: Well, I'm just saying,
23 he told me it he had grown so much that he
24 wasn't going anymore.

25 MS. GATELLI: Well, he's still -- his

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1 family is still there.

2 MS. ELLMAN: Well, I know he is not.

3 MS. GATELLI: The boys are still
4 there, Marlow and Angel.

5 MR. ELLMAN: Thank you.

6 MR. MCGOFF: Thank you, Mr. Ellman.

7 MS. KRAKE: Good evening, Council.
8 My name is Nancy Krake. I would just first
9 of all like to remind everyone if they are
10 able to pay their delinquent real estate

11 taxes before April 1 in the City Treasurer's
12 Office, thereby, bypassing NCC's very large
13 fines. I would also like to remind council
14 president, current and past president, that
15 I would have assumed you would have a
16 learned what happens when you suppress and
17 oppress the speakers. They just scream that
18 much louder. So, I really -- that being
19 said, believe that there should be no
20 problem when someone says they would like
21 everyone in the city to exercise their right
22 to vote. There is nothing wrong with that
23 statement. I don't think anyone here said
24 it tonight in any way that was offensive, so
25 I'm just going to put that out there every

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1 week, also. There is a flag behind you and
2 you are to uphold those laws.

3 Last week, Ms. Fanucci once again
4 said that legal fees would be coming to the
5 city. They do not come to the city, they go
6 to the attorneys that collect them. She
7 also alluded to the fact that a person owed
8 taxes all that information is public, she
9 did not say the name, however. So, once
10 again, any of the fees in the ordinances
11 that was passed by this council for legal

12 services do not come to the city coffers.

13 Legislation to enforce collection of
14 wage tax would be what I would assume that
15 this council next is going to be pushing
16 because they are extremely interested in
17 collecting delinquent wage tax -- or, excuse
18 me, delinquent real estate tax, they will do
19 anything, in fact, to collect that, impose
20 huge fines and fees, they want it to be
21 punitive but nothing, nothing for wage tax,
22 which is where all of our money lies. I
23 think it will be a very large source of
24 revenue since we have eight years to
25 collect.

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1 Also, several weeks ago I asked a
2 question about why the 2009 budget does not
3 have -- or, excuse me, has the fact that the
4 clerical union health care costs have gone
5 down 32 percent and Mrs. Fanucci was going
6 to ask I believe she said Stu Renda and Lisa
7 Moran for the answer to that.

8 MS. FANUCCI: We didn't receive it.

9 MS. KRAKE: We did receive it?

10 MS. FANUCCI: We did not receive it.

11 MS. KRAKE: Oh, you did not receive

12 it. Okay, I would again then ask if anyone
13 on council would be able to get that
14 information what the active cost is for
15 health care for the clerical union and what
16 the retiree health care costs are and why
17 it's gone down 35 percent and what that
18 refers to? Does it refer to the active
19 35 percent in combined amount? What I'm
20 asking for is a breakdown.

21 MS. FANUCCI: A breakdown of the
22 retired and active.

23 MS. KRAKE: And where these figures
24 come from. We are self-insured and it was
25 very curious to me that the numbers were

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1 identical for the costs of 2007 and 2008 for
2 health care, so apparently we use the exact
3 same amount of claims, that's the cost of
4 claims is the same for those two years. I
5 don't think that's humanly possible, but
6 that is what the city said.

7 And, also, a good friend reminded me
8 tonight of a quote by Leona Helmsley that
9 the little people pay taxes, and I would
10 just like this council to remember that.
11 Thank you.

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

13 MR. ANCHERANI: Good evening. Nelson
14 Ancherani, First Amendment Rights. From the
15 Scranton slimes on Saturday 2-21-09,
16 "Scranton Police: City owes 1.47 million."
17 By Jeremy Burton staff writer. I quote,
18 "The Scranton police union is claiming the
19 city owes 1.47 million from a 2004
20 arbitration award over the elimination of
21 department of clerks. The city union
22 attorneys argue their cases Friday in front
23 of an examiner from the State Labor
24 Relations Board after which business
25 administrator Stu Renda called the sum

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1 outrageous."

2 Outrageous. How about that?
3 Outrageous. I'll tell you what's
4 outrageous. Never have I heard Stu Renda
5 open his mouth and call the following
6 outrageous: Stu's 46,000 pay increase from
7 2003 when he started his employment with the
8 city and the newly created position at
9 \$39,000 a year. He now makes \$85,000 a
10 year. Twice the base pay of a second-year
11 patrolman. Now, that's outrageous.

12 How about this for outrageous? Stu

13 Renda on 12-31-01, the principal debt left
14 by the Connors' administration was
15 \$35,925,000. The long-term debt at the time
16 was \$75,668,00. On 12-31-07, the end of the
17 sixth year of the Doherty reign, the
18 principal debt was \$159,163,00, an increase
19 of 123 million. The long-term debt at the
20 end of it 2007 was \$237,340,000.

21 This 273,340,000 doesn't include the
22 11.1 million extra borrowed in 2008 or the
23 one million borrowed by the Scranton Sewer
24 Authority at the end of the 2008 to balance
25 the Scranton Sewer Authority 2009 budget.

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1 The long-term debt with the extra borrowing
2 would be approximately 300 million, an
3 increase of 198 million long-term debt.

4 More outrageous, the 25 percent tax
5 increase in 2007 voted and approved by none
6 other than our three council members, Ms.
7 Fanucci, at the time council president Ms.
8 Gatelli, and Mr. McGoff. This 25 percent
9 tax increase was the first of three
10 25 percent tax increases wanted by the mayor
11 and the infamous, invisible Pennsylvania
12 Economy League. What makes it more
13 outrageous is that while the taxpayers of

14 the city were strapped with the 25 percent
15 tax increase, 12.2 million was sitting in a
16 secret account in the Single Tax Office.
17 The taxpayers were taxed for nothing. Now
18 that's outrageous.

19 Another outrageous, close to
20 three-quarters of a billion dollars, that's
21 the total amount of the 2001-2009 city
22 budgets along with the borrowing for the
23 revenue side of the budgets. It does not
24 even include the tax anticipation notes.
25 Where was three-quarters of a billion

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1 dollars spend? Outrageous. I heard the
2 question where is Waldo, but where is Stu.

3 There are many more outrageous
4 items, but not enough time to cover them
5 all. More from the slimes article, "That's
6 the whole purpose here, Mr. Renda said,
7 calling the unions numbers smoke and
8 mirrors. We are trying to save money and
9 these guys are slamming it down our
10 throats."

11 How does it feel, Stu. We union
12 members have been getting it slammed down
13 our throats for eight years now and I don't

14 hear a peep from you about that. Your
15 statements are so hypocritical. I didn't
16 hear you trying to save money by giving back
17 your \$46,000 raise. Your \$46,000 raise is
18 more than our base pay. The second year
19 that -- the second year that you worked for
20 the city you got a \$5,000 raise. I didn't
21 hear you complaining. I don't hear you
22 calling the \$20 million in raises and new
23 hires outrageous or smoke and mirrors. All
24 I hear is hypocritical hypocrite's comments.

25 If the city was trying to save money

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1 the smart thing to have been done was not to
2 violate the same contract for the second
3 time after losing in arbitration the first
4 time. Thank you.

5 MR. MCGOFF: Thank you, Mr.
6 Ancherani.

7 MR. SLEDENZSKI: Last one. Best for
8 last one, right, Bob?

9 MR. MCGOFF: There you go.

10 MR. SLEDENZSKI: Hi, Billy.

11 MR. COURTRIGHT: Hi, Chris.

12 MR. SLEDENZSKI: These cops they are
13 doing a really good job, all of them are.
14 I'm proud of all of them. Keep it up down

15 there. I'm proud of you. Thank you.

16 MS. EVANS: Chris, I got your note.

17 MR. SLEDENZSKI: Okay, Janet.

18 MS. EVANS: Okay. Take care, Billy.

19 MR. MCGOFF: And I like the shirt,
20 I'm going there right after the meeting.

21 Anyone else? Mrs. Evans.

22 MS. EVANS: Good evening. Today
23 council's office received a report from the
24 Scranton Tax Office, and was indicated the
25 forensic auditors are meeting with

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1 Pennsylvania Department of Treasury this
2 week, and if all goes well the final report
3 should follow shortly. I certainly hope
4 dispersement of funds will also follow
5 shortly.

6 We also received the first tax
7 distribution for 2009. It is as follows:
8 Real estate: \$1,325,521. Earned income tax
9 or wage tax: \$3,479,966; and the EMS tax
10 which technically now has been changed to
11 the LST or local services tax \$374,461.

12 At last week's council meeting, I
13 moved to support a state amendment of the
14 Home Rule Charter law in order to safeguard

15 and protect taxpayers from excessive taxes.
16 My colleagues requested further information
17 from Attorney Chris Cullen, whose
18 correspondence requesting council's support
19 triggered my motion last week. He did
20 appear before council and the public this
21 evening in order to further explain this
22 motion and the excessive tax situation in
23 the county. He fielded the questions of
24 city council.

25 Currently, as I said, there are no

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1 protections available that give property
2 owners in Lackawanna County, and
3 specifically Scranton, the opportunity to
4 contest excessive county tax rates other
5 than exercising their right at the voting
6 poles every four years. As it stands,
7 Lackawanna County may enact without any
8 limitations whatsoever an excessive rate of
9 taxation and impose excessive taxes upon
10 taxpayers. Certainly we all remember the
11 48 percent tax increase of 2005 levied by
12 the county.

13 This motion will not incur any
14 expense and does not involve city council in
15 litigation. It does not effect Scranton's

16 Home Rule Charter since our charter contains
17 no language which addresses tax rates.
18 Rather than, it will apply only to
19 Lackawanna County and a governing body,
20 obviously, to which all of us in Scranton
21 pay taxes. As elected officials, I believe
22 we have the duty and responsibility to
23 protect Scranton residents who are also
24 county residents from excessive tax
25 increases. Therefore, I move to approve and

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1 support the proposed motion in support of
2 amending Section 2962 (b) of the Home Rule
3 Charter and Optional Plans Law, 53 Pa.
4 C.S.A. Section 2962 (b) to prevent or
5 eliminate enactment and imposition of an
6 excessive millage rate, specifically in
7 excess of 5 percent of the preceding year's
8 rate of millage by the governing body of the
9 Home Rule Charter municipality. Such
10 amending legislation will be prepared and
11 introduced by State Representative Murphy.

12 MS. GATELLI: I just have a few
13 questions. You have to second it, but --
14 where is Mr. Courtright?

15 MS. FANUCCI: You are going to second

16 it so we can discuss it?

17 MR. MCGOFF: We seem to be at a -- I
18 know that Mr. Courtright did second it last
19 week, if you would wish to wait until
20 Mr. Courtright is seated for a second.

21 MR. COURTRIGHT: I apologize.

22 MS. GATELLI: That's okay.

23 MR. MCGOFF: Just for information's
24 sake, Mrs. Evans made the motion that she
25 made last week concerning the legislation

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1 talked about by Attorney Cullen earlier, and
2 she made the motion and it has not been
3 seconded.

4 MR. COURTRIGHT: Could you please
5 restate it for me, I'm sorry?

6 MR. MCGOFF: It's the same.

7 MS. EVANS: It's identical to last
8 week.

9 MS. Gatelli: She changed the
10 county --

11 MR. COURTRIGHT: I'll second it. Are
12 we on the question?

13 MR. MCGOFF: Now we are. On the
14 question.

15 MR. COURTRIGHT: Here is my take on
16 it. It appears to me from what he had

17 spoken about this evening, I wish I had
18 known what the other government entities
19 were interested in, that I don't know, but
20 from what he had said this evening kind of
21 hit home with me that I don't want to get
22 into any elections, but I do know when I
23 stood at the pole last election and many
24 that came through that's what they were
25 upset about, was the large tax increase.

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1 He stated to us that it's not going
2 to -- you know, it's not going to impact the
3 city, which I believe, it's going to impact
4 the county, but will it impact the city
5 residents if, in fact, it was enacted and my
6 one concern was would we be a party to his
7 lawsuit, and evidently his lawsuit is over
8 he had lost it, all right? The way it looks
9 to me is that the legislation is there in
10 the County's Home Rule Charter and he is
11 looking to have it resurrected, so at this
12 stage of the game I'm in favor of this, so
13 I'm in favor of what he is doing.

14 MR. MCGOFF: I would -- there are a
15 number of things I questioned. First of
16 all, the fact that the Pennsylvania State

17 Constitution is being amended in order to
18 allow this to take place, I don't see how
19 any other Home Rule Charter is not involved
20 and people that I have talked to about this
21 in the past week are also of the same -- or
22 of the opinion that all Home Rule
23 municipalities will be affected. What we
24 have is Mr. -- or, excuse me, Attorney
25 Cullen's interpretation. I believe there

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1 still is a constitutional issue as to
2 whether this will or will not apply to other
3 Home Rule Charter municipalities, so that's
4 one question that I have.

5 The second is that we are being
6 asked to approve something that is not in
7 it's final form. The amendment or the end
8 of the motion says legislation will be
9 prepared, so that what we are -- we are
10 being asked to approve something that's
11 not --

12 MS. FANUCCI: Seen.

13 MS. GATELLI: That we didn't see yet.

14 MR. MCGOFF: That we have not seen
15 and so we could actually vote on approving
16 this and then the legislation could be much
17 different than what we voted on.

18 Also, in speaking with other people,
19 the idea everyone of establishing the 5
20 percent limit, and it's not -- it's 5
21 percent on the rate of millage, which for
22 Lackawanna County would mean that any
23 millage rate over two would be subject to
24 referendum which means that to me any
25 attempt to raise taxes in Lackawanna County

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1 would then be referred to a referendum, and
2 referendums are by nature very cumbersome,
3 especially if it would apply to other
4 municipalities as well. Referendums tend to
5 be expensive, and if in the history of
6 referendums on tax increases is one that
7 says voters rarely, rarely vote to raise
8 taxes, and so what you end up doing through
9 referendum is stagnating government and the
10 only thing that many governments can then do
11 is either reduce the number of jobs or
12 reduce services.

13 And while I recognize that the
14 48 percent rate increase that was enacted
15 was certainly not well-received, I think the
16 end result was that the electoral process
17 worked and those people were removed from

18 government, and while they there are no
19 specific guarantees for years, the electoral
20 process I think has served as a -- a
21 safeguard against exorbitant rates, so at
22 this point in time I cannot -- I don't think
23 I can vote to approve this motion. Perhaps
24 after seeing the legislation and getting an
25 interpretation from others as to how it will

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1 affect our municipalities, perhaps I would
2 think differently, but at this time I can't
3 vote "yes" for it.

4 MS. GATELLI: I'd like to speak,
5 also. I'm just uncomfortable voting on a
6 motion for another governmental body. I
7 think that if the charter is going to be
8 changed for the county then the county
9 should be involved in the discussion. I
10 wouldn't want the county or the school
11 district making motions determining what we
12 are going to do on this platform. We were
13 all elected and we make our own decisions.
14 I'm very uncomfortable making a decision for
15 the county commissioners.

16 I do agree that that tax increase
17 was very cumbersome, especially for the
18 elderly and the poor of this community, but

19 I think that we have an obligation to meet
20 with the county commissioners and get their
21 take on this particular item.

22 Also, I don't every call us voting
23 on motion when legislation hasn't even been
24 prepared yet. I mean, we have addressed
25 bills that are before the legislature

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1 approving them or agreeing with them or
2 disagreeing with them, House Bills that are
3 before the legislature, but I don't recall
4 as long as I can have been on here ever
5 agreeing to a motion when we haven't seen
6 what it is yet, so I'd also like to see at
7 least a draft copy of that and to meet with
8 the county commissioners.

9 I would be willing, if my colleagues
10 would see fit, I would be willing to table
11 this until we met with the county
12 commissioners and get a little more input.
13 I am not adverse to it, but I just need to
14 get a little more facts, so I would be more
15 comfortable in voting for it.

16 MR. COURTRIGHT: I would agree with
17 just two points there: Number one, that
18 maybe we do need to get the county

19 commissioners in, but it looks if you don't
20 withdraw the motion it's going to fail
21 anyway, and also to get a look at the actual
22 legislation, you know? So just a suggestion
23 maybe if you withdraw it and resurrect it at
24 some point --

25 MS. GATELLI: And the school

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1 district, too, because they have the same
2 taxpayers.

3 MR. COURTRIGHT: -- if it's going to
4 fail 3/2.

5 MS. GATELLI: And what is the school
6 district going to do? You know, it's the
7 same thing with the KOZ's. Everything comes
8 to city council, you know? Nobody else
9 gives their input. It's always on us, and I
10 don't think that's fair. I think everybody
11 should have a say when it involves the whole
12 county. Why are the five of us responsible
13 for the whole county? Let's find out what
14 the school district wants, they are the same
15 taxpayers and they are the same county
16 people. So, you know, I think we should all
17 meet.

18 MR. MCGOFF: Mr. Courtright?

19 MR. COURTRIGHT: I just think that at

20 this point in time, again, I repeat myself,
21 that if you don't withdraw it's not going to
22 pass anyway.

23 MS. EVANS: Well --

24 MR. COURTRIGHT: Right? And then in
25 order for it, as we all know, to be brought

100

1 up again, it would have to be --

2 MS. GATELLI: You don't have to
3 withdraw it, can't you just simply table it.

4 MS. EVANS: I don't wish to withdraw
5 it or table it, and I do think that, first
6 of all, the language has been provided.
7 Everyone received the language together.

8 MS. GATELLI: He said the legislation
9 was not drawn up.

10 MS. EVANS: The legislation has not
11 been drafted, but it is quite evident that
12 the legislation will repeat what is
13 contained in the motion of support. A
14 motion of support can't simply support
15 something nonexistent. It spells out quite
16 clearly what it is to be supported.

17 As for each of us making our own
18 decisions, perhaps to an extent that's true,
19 but what we all do have in common or what we

20 all should have in common is that we make
21 our decisions in the best interest of the
22 taxpayers, and it is those very taxpayers
23 who are addressed in this support of
24 legislation, and I sadly believe what I
25 think I'm hearing tonight is that my

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1 colleagues aren't interested in preventing
2 an excessive tax increase. They are not
3 interested in the taxpayers --

4 MS. GATELLI: Well, that's the
5 whole -- that's what this was all about.
6 This was all about the --

7 MS. EVANS: -- of Scranton.

8 MS. GATELLI: This was all about
9 that, Mrs. Evans.

10 MS. EVANS: No, it wasn't.

11 MS. GATELLI: Yes.

12 MS. EVANS: Not at all because this
13 is not --

14 MS. GATELLI: No, you are doing
15 something to the county and they are not
16 involved. That's wrong.

17 MS. EVANS: And when the county --
18 when the county levies excessive taxes
19 against the people it --

20 MS. FANUCCI: You vote them out.

21 MS. EVANS: It swears to protect and
22 serve --

23 MS. FANUCCI: They vote them out.

24 MS. EVANS: They are wrong, and there
25 should be an opportunity more than once

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1 every four years.

2 MS. FANUCCI: Well, and I didn't
3 speak on this yet. I do agree that at some
4 point this needs to be looked at, but I
5 believe that that's what we have, you know,
6 we have our representatives. Let them look
7 at this. Let them draw the legislation up.
8 Bring it back to the table and let's discuss
9 it. Let them do their jobs. This is not at
10 our level that we should be deciding this.

11 Hey, if I wanted to decide to have
12 more money, let's make a motion now, we'll
13 take half of it--

14 MS. EVANS: But we --

15 MS. FANUCCI: -- we won't have to
16 worry about it.

17 MS. EVANS: We are not -- we are just
18 deciding if we support preventing excessive
19 tax increases.

20 MS. FANUCCI: And I think certainly

21 think this needs to be looked at in many,
22 many drafts.

23 MR. MCGOFF: No, we are being asked
24 to support --

25 MS. EVANS: Well --

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1 MS. FANUCCI: It is.

2 MR. MCGOFF: Excuse me. We are being
3 asked to support a particular piece of
4 legislation. Your interpretation is that it
5 would save taxpayers excessive rates. I am
6 not sure that that is correct, and while you
7 are characterizing our intentions as not
8 caring, I think that that's -- that let us
9 speak for ourselves.

10 MS. EVANS: Well --

11 MR. MCGOFF: We are -- I am saying --

12 MS. EVANS: I don't --

13 MR. MCGOFF: Excuse me. I am saying
14 that at this point in time I cannot vote on
15 a piece of legislation I am not sure the
16 effect that it is going to have, and there
17 are constitutional questions, there are
18 legal questions, there are economic
19 questions that are unanswered, and that is
20 not caring, that is being diligent.

21 MS. EVANS: Well, I think it's doing

22 your due diligence to say that, yes, there
23 are economic issues, there is certainly job
24 and services that are unnecessary that
25 should be cut. There have been a number of

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1 no bid contracts throughout several county
2 administrations that should not occur, but
3 yet we are very free and easy with spending
4 the people's money. Why? Because it's not
5 our money, it's their money, so it's almost
6 like it's Monopoly money, and if I gave you
7 the impression that I'm inferring that you
8 do not care, I'm sorry, but I do believe
9 that you are a talented apologist.

10 MR. MCGOFF: For whom?

11 MS. FANUCCI: It's amazing.

12 MS. EVANS: Well, it's certainly not
13 on behalf of the taxpayers.

14 MR. MCGOFF: For whom? You are
15 calling me an apologist, I'd like to know
16 who you feel that I am apologizing for?

17 MS. EVANS: Well, perhaps the county
18 commissioners. Perhaps --

19 MS. FANUCCI: The county
20 commissioners --

21 MS. GATELLI: Well, why don't we ask

23 sending a letter that, you know, I am
24 interested in seeing this legislation
25 because ultimately we are not going to have

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1 the say in whether this legislation passes
2 or not, it's going to happen down in
3 Harrisburg. I haven't talked to the county
4 commissioners, and maybe I would have liked
5 to beforehand, but they will have their
6 opportunity as we do. Mr. Cullen, I
7 believe, is going to present his case to
8 everyone and then each individual governing
9 body will be able to say whether they are
10 going to support it or not support it.

11 MS. GATELLI: Well, why are we always
12 first?

13 MR. COURTRIGHT: I don't know.

14 MS. EVANS: Because I brought it up
15 last week and it was tabled because you
16 wanted more information and the information
17 was provided and now it seems though we have
18 the information for whatever reason we don't
19 have the fortitude to take the step. We
20 would rather wait until everyone else
21 receives a presentation, see what they want
22 to do, and then base our decision on what

23 other people are doing or maybe what, you
24 know, what the point is to put the pressure
25 on the other governing bodies rather than

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1 taking responsibility ourselves.

2 MS. FANUCCI: Well, quite frankly, I
3 will not make a decision based on one
4 person's side, which is what you want us to
5 do. We had one presentation here tonight.
6 I'm to assume that everything that was
7 stated was accurate in what would happen,
8 but I don't know that so I think it would be
9 only prudent to talk to the other governing
10 bodies that actually would be exempted by
11 this also to talk to the state to make sure
12 that what we said about not being effected
13 under the Recovery Plan this wouldn't effect
14 us. I know he said that, but I don't know
15 that for a fact.

16 This was information for me to start
17 investigating and understanding more, but to
18 certainly vote on it right now after hearing
19 one side is not something that I think
20 anybody should do. I don't think that
21 that's in the best interest of the taxpayer
22 or the people.

23 MS. EVANS: It isn't, but that's what

24 always occurs at city council whenever we
25 get information from OECD or the mayor's

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1 office or Stu Renda, it's pretty much taken
2 as the, you know, letter of the law. It's
3 not researched --

4 MS. FANUCCI: Well, when OECD --

5 MS. EVANS: Everyone doesn't read the
6 complete comparison and then votes for it.

7 MS. FANUCCI: When I get information
8 from OECD that means it had to go through
9 the state, through HUD, information that is
10 backed by other entities. This isn't just
11 off-the-cuff information. Here is what --

12 MS. EVANS: Well, we are still
13 waiting for the answer on the \$10,000, that
14 you know, was a type of laundering from one
15 entity to another.

16 MS. GATELLI: Well, that has nothing
17 to do with on the question.

18 MS. EVANS: No, but it's just an
19 example of the responses or lack thereof
20 that you get in these situations.

21 MR. MCGOFF: Mr. McGoff --

22 MS. GATELLI: My representative
23 doesn't even know anything about it.

24 MR. MCGOFF: Please, I am going to
25 call for a vote on this, if we can.

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1 MS. GATELLI: Well, can't we table
2 it?

3 MS. FANUCCI: I'd rather table it,
4 but --

5 MS. GATELLI: Mr. Williams, if she
6 doesn't withdraw it can somebody make a
7 motion and table it?

8 MR. MCGOFF: Anybody can do that.

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

10 MS. GATELLI: No?

11 MR. WILLIAMS: I don't think so.

12 MR. MCGOFF: Anyone can -- well,
13 Robert's Rules of Order say that anyone can
14 vote to table it.

15 MS. EVANS: I have it. Would you
16 like to look it up?

17 MR. COURTRIGHT: While they are
18 looking it up, Mr. McGoff, I would like to
19 answer what Mrs. Gatelli said --

20 MS. GATELLI: We need more
21 information. We had a lawsuit. He has a
22 vested interest. He had a client that filed
23 a lawsuit.

24 MS. EVANS: And the lawsuit --

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MS. GATELLI: He lost.

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MS. EVANS: It's exhausted. It's

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over. That's right.

3

MS. GATELLI: Yeah, he lost.

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MS. EVANS: And as Mrs. Fanucci said

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earlier, because that was unsuccessful now

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you look for a legislative redress.

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MS. GATELLI: Right. And I say let

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them do it and then we'll support it.

9

MR. MCGOFF: At this point in time

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we just seem to be talking back and forth.

11

MS. GATELLI: Well, I'd still like to

12

make a motion to table it until we get more

13

information.

14

MR. MCGOFF: Attorney Williams, I

15

should have mentioned that earlier, Attorney

16

Williams is representing Attorney Minora

17

this evening at council.

18

MR. COURTRIGHT: While he is looking

19

that up, just a sidebar to what Mrs. Gatelli

20

just said about why are we all always first,

21

a lot of the things that come here that

22

bothers me also sometimes. It's always city

23

council first, and I'm going to say this, I

24

hope I don't get in trouble with this, the

25

only time we weren't first was when we were

111

1

talking about the \$12 million and then we

2

were last, you know?

3

So sometimes that does bother my why

4

are we always first, and in this particular

5

instance it doesn't really even bother me as

6

much because I have read and understood as

7

much as I could on there and I just my only

8

thing is I think that he said he was going

9

to go to each governing body, and they are

10

all going to be able to say whether they

11

would like to send a letter of

12

recommendation or not, what I had hoped

13

maybe that it might have been a little bit

14

better thing that happened was that a

15

representative from each one of us might

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have gotten together, and that didn't

17

happen, that might have been the better way

18

to go, but it didn't and so we are where we

19

are. Did I talk long enough for you to get

20

--

21

MR. WILLIAMS: I think you did.

22

MS. GATELLI: And Attorney Minora

23

wasn't here to review it to give us his

24

legal opinion.

25

MR. MCGOFF: Have you --

1 MR. WILLIAMS: Actually, you were
2 correct, Chairman. Anybody can make a vote
3 to table a motion and then discussion is
4 allowed on the motion to table the vote.

5 MS. GATELLI: Well, I'm restating my
6 motion to table the issue until we get some
7 more information.

8 MS. FANUCCI: I'll second that.

9 MR. MCGOFF: On the question to
10 table? All in favor of tabling say aye?

11 MS. FANUCCI: Aye.

12 MS. GATELLI: Aye.

13 MR. MCGOFF: Opposed?

14 MR. COURTRIGHT: No.

15 MS. EVANS: No.

16 MR. MCGOFF: No. So the motion to
17 table is defeated. Now, we will since the
18 motion is still on the table I'd like to
19 call for a vote.

20 MS. GATELLI: What was the vote to
21 table it?

22 MR. COURTRIGHT: Three/two.

23 Defeated.

24 MR. MCGOFF: Three/two.

25 MS. GATELLI: I missed that one.

1 MR. MCGOFF: A vote on the motion,
2 all in favor of the motion by Mrs. Evans
3 please signify by saying aye.

4 MS. EVANS: Aye.

5 MR. COURTRIGHT: Aye.

6 MR. MCGOFF: Opposed?

7 MS. FANUCCI: No.

8 MS. GATELLI: No.

9 MR. MCGOFF: No. The motion is
10 defeated.

11 MS. EVANS: Thank you. Also, at last
12 week's meeting --

13 MS. GATELLI: I'm still going to go
14 back to there because I'm sorry, but I
15 didn't understand what happened.

16 MR. MCGOFF: Three people voted
17 against tabling it, Mrs. Evans, myself and
18 Mr. Courtright.

19 MS. GATELLI: Okay.

20 MS. EVANS: Also at last week's
21 meeting, council and you, the viewers,
22 learned that the State Department of
23 Community and Economic Development or DCED,
24 is currently using Scranton as it's proving
25 ground for Act 47. The spawn of DCED which

1 empowers them to keep a municipality
2 distressed for indeterminate periods of
3 time. Twenty-three municipalities were
4 designated as distressed since 1987 and out
5 of those 23 only six cities have had that
6 designation lifted. Roughly three-quarters
7 of these cities remain distressed. I
8 thought Scranton held the record at 17
9 years, however the municipalities of Farrell
10 and Aliquippa tie for the award at 22 years
11 of distressed status.

12 DCED has a unique relationship with
13 the Pennsylvania Economy League or PEL, a
14 professional recovery plan author and
15 coordinator. The longer a city remains
16 distressed the longer PEL employees keep
17 their jobs. Evidently, PEL enjoys greater
18 job security than do you unions or many of
19 you employed in the private sector. They
20 appear to be accountable to no one since
21 they are unable to solve problems in 22
22 years, yet they may maintain their
23 positions.

24 However, at least two Pennsylvania
25 cities have narrowly escaped Act 47

1 designation, Erie and Altoona. Their mayors
2 not only seek legislative changes to the
3 binding arbitration rules of Act 111, but
4 equally important they seek a reduction in
5 the designation of tax exempt properties in
6 their cities in order to improve their
7 financial health. Scranton, on the other
8 hand, encourages the encroachment of tax
9 exempt properties and seems to avoid any
10 discussion or push toward reducing their
11 numbers.

12 Scranton prefers to finance a battle
13 in the Court system to emasculate Act 111,
14 and as a result has made itself the pawn of
15 DCED not the Guinea pig. In scientific
16 experimentation, the rodent subject of the
17 study or guinea pigs, mice, etcetera, do not
18 chose to participate.

19 Through it's multi-year costly court
20 battles Scranton has positioned itself to
21 become the pawn of DCED and it's a dangerous
22 game to play because the Commonwealth Court
23 did not seem to rule on years 2008 through
24 2014 as did the arbitrators. Commonwealth
25 Court ruled on only 2003 through 2007.

1 Ladies and gentlemen, Commonwealth Court
2 judges seem to leave the years 2008 through
3 2014 quite open-ended in an apparent lack of
4 faith in a Recovery Plan. That's the key
5 the administration and even the newspaper
6 seem to negligent, and that arbitration
7 award is vastly more expensive than the
8 contract the unions and administration shook
9 hands on in the fall of 2008.

10 In fact, that arbitration will dwarf
11 the ruling by the Commonwealth Court, and
12 this seems to be the case of the city
13 cutting off it's nose to spite it's face.

14 Further, the differences between
15 Scranton and the merely six of 23 cities who
16 have freed themselves from the yolk of DCED
17 and PEL, is that this administration is
18 wasting taxpayers' money, borrowing away our
19 future, amassing monumental debt and
20 fighting a legal battle that some
21 Pennsylvania cities are too wise to spend
22 their limited funds on and that is what also
23 separates us from those very fortunate
24 cities like Erie and Altoona who have
25 avoided the claws of Act 47 and PEL.

1 Until DCED, PEL, and the conscience
2 of the newspaper expose the financial
3 mismanagement and call for an end to
4 borrowing, unnecessary spending and debt
5 madness, they all continue to fail the very
6 people they profess to serve and inform.

7 Next, council received a copy of the
8 letter from Congressman Kanjorski to
9 Assistant Secretary Woodley of the Army
10 Civil Works urging him to use part of the
11 4.6 billion dollars Congress appropriated to
12 the Army Corp to complete the Scranton Flood
13 Control Project with particular emphasis on
14 the lower Greenridge area bordering the
15 Scranton Lace Works.

16 In addition, we also received
17 correspondence from the oversight committee
18 of the PEG channel and they have submitted
19 questions to ECTV, ECTV is providing those
20 responses I believe this week, and there
21 will be a meeting conducted between
22 representatives of ECTV and the oversight
23 committee. In the mean time, however, ECTV
24 indicates that after long delays they are in
25 the process of purchasing new equipment and

1 establishing new programming.

2 And, finally, I have citizens'
3 requests for the week: First, a letter to
4 the Army Corp of Engineers, please provide a
5 timeline for the completion of the flood
6 project in lower Greenridge, particularly,
7 the area bordering the Scranton Lace Works,
8 to city council on or about March 13.

9 A letter to Chief Elliott and ECTV:
10 Is it possible for the police department to
11 tape a regular segment for broadcast on ECTV
12 presenting Scranton's most wanted list of
13 criminals. Perhaps a police officer could
14 provide photos of the perpetrators and a
15 contact number for citizens to provide
16 information or sightings. The Sunday Times
17 provides a similar service, however, many
18 residents do not subscribe to the newspaper.
19 Public access television provides a free
20 manner in which to transmit important
21 information to the citizenry who can be a
22 valuable asset to fighting crime, as is so
23 often the case in "America's Most Wanted."
24 And that was presented to me by a number of
25 city residents.

1 Mr. McGoff, a resident of North

2 Cameron Avenue asked me to ask you if you
3 would -- oh, he is not here. Will you tell
4 Mr. McGoff to please call him regarding the
5 water problems on his block.

6 Also, residents of Theodore Street
7 request paving of the street from North
8 Scranton Junior High to Ralph Avenue.
9 Although some of the surrounding streets
10 haven't been paved in the past -- or rather
11 have been paved, they report that this
12 stretch of road hasn't been paved in ten
13 years. Potholes are so large that hubcaps
14 land in yards when vehicles hit them
15 unexpectedly.

16 Also, PEL summaries of meetings
17 conducted with administrative
18 representatives haven't been received for
19 close to two months. Please provide
20 summaries of all meetings held in January
21 and February 2009.

22 Fill potholes in Fleet Place and the
23 500 block of South Decker Court; right,
24 Chris?

25 MR. SLEDZENSKI: Yeah, they are bad

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1 back there. They are a mess.

2 MS. EVANS: I believe it.

3 MR. SLEDZENSKI: They are mess. They
4 are mess.

5 MS. EVANS: Absolutely. We got a lot
6 of those. I request to pave the rear of
7 Matthew Avenue and the 200 block I think it
8 might be of Ash Street to Mr. Brazil. I'll
9 give you, Kay, the copy that was placed in
10 our mailbox to send along to him.

11 Also, if we can find out who is
12 responsible for the creation of the island
13 in the 500 block of Lackawanna Avenue, and
14 it might be I think a good idea for DPW to
15 consider placing some recyclable containers
16 in the park over the summer months
17 particularly when people are picnicking and
18 enjoying the environment so much, and that's
19 it.

20 MR. MCGOFF: Thank you, Mrs. Evans.
21 Mrs. Gatelli?

22 MS. GATELLI: I just have several
23 things to report. I received -- we all
24 received it in other mailboxes about
25 Pennsylvania property tax and rent rebate

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1 program for 2008. The deadline for rebate
2 on property taxes or rent paid is June 30,

3 2009. And you call the Department of
4 Revenue anyone who needs assistance, the
5 toll free number we can please see if we can
6 get it on the television, Mrs. Garvey, it's
7 1-888-222-9190, and we probably can put the
8 income levels also on Channel 61 and maybe
9 the newspaper will also put it in to remind
10 people. Some people probably don't even
11 know that they are entitled to it.

12 And I received an answer about a
13 problem up in the Hill Section with noise.
14 It was sent by Attorney Penetar and it is
15 about the bursts on that property. The
16 neighbors state that the website states it
17 provides worldwide internet services to
18 other businesses 24 hours a day.

19 "Business services is a permitted
20 neighborhood commercial use. My opinion is
21 that we would be fighting a losing battle in
22 the courts to try to say that providing
23 internet services is not a business
24 service."

25 So they are trying to say that that

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1 business is allowed in that neighborhood. I
2 will be contacting those neighbors because I

3 feel that it is similar to cases that we
4 have had before in my neighborhood that we
5 have fought and won, by the way, and if the
6 neighbors are willing to pitch in a small
7 amount of money to get an attorney then we
8 can see where we can go from there, but
9 apparently the opinion stands, and I think
10 the only other recourse is to hire an
11 attorney and fight it as a nuisance.

12 The noise is there, it does not
13 exceed the decibel level, but it is
14 continuous, a continuous buzzing sound, and
15 in my opinion, and I'm not an attorney, but
16 it is certainly a nuisance, especially for
17 the people that live in that particular
18 area, so I will be contacting them if they
19 don't watch it on television and we will see
20 if we can't get an attorney to take the case
21 and try to fight it as a nuisance rather
22 than through the zoning, and that's all I
23 have. Thank you.

24 MR. MCGOFF: Thank you, Mrs. Gatelli.
25 Mrs. Fanucci?

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1 MS. FANUCCI: I only have a few
2 things. I want to speak on the Connell
3 building again and my views on that. I will

4 always vote, and I have said this from day
5 one, for anything that will create any type
6 of economic development in the city. I will
7 vote for grants. I want them here. I do
8 want them in any other part of the state.
9 So, yes, I could be righteous and say, well,
10 we are not going to spend money here, but if
11 someone else is going to get it I want it.
12 I want it in our city, so I will always do
13 that and I will always vote for that.

14 Yes, and I do agree somebody got up
15 and say the job creation at 40 jobs does not
16 pay what we are putting into it. Of course
17 not. It's almost -- that's a ludicrous
18 statement. Of course we are starting off
19 with 40 jobs because the first group of the
20 union employees are going down to start the
21 project. Does that mean what we are ending
22 up with? It's almost like comparing apples
23 and a bowling ball. It just doesn't even go
24 together. Of course, we need to start
25 somewhere and at this stage of the game

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1 where we are in our city I will create any
2 job. Three jobs are better than no jobs.
3 Four jobs, better. So, yes, I will always

4 be voting for legislation for progress in
5 the neighborhood downtown and everywhere
6 else.

7 I also want to speak on some of the
8 points that were brought tonight about DCED.
9 DCED does not consider us as even started
10 the Recovery Plan, whether we like or not,
11 this is not a fact that has to do with me.
12 It is not a fact that has to do with us.
13 It's how they look at us. We can sit here
14 and we can cry and yell and scream and until
15 we comply with the regulations that we are
16 sanctioned with we are not getting out of
17 recovery. We will not be recovered. We
18 will be in the Recovery Plan until that
19 happens.

20 So as much as we want to talk about
21 it and blame everyone, and blame is always
22 good, blame isn't going to solve any of our
23 problems here. It's time to look forward.
24 I think when we get a new revised Recovery
25 Plan, well, then we will see. Do I agree it

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1 all can work? I don't know. I don't know,
2 but until it is actually, you know,
3 implemented we don't know.

4 And, no, it's not Scranton who

5 decided, the voters decided. 76 percent
6 voted for this plan, so it is not just an
7 off-the-cuff decision. The voters spoke and
8 were listened to, whatever reasons you want
9 to give, I mean, we have ever heard
10 everybody's assessment of why, but still
11 unless they spoke to 76 percent of the
12 people they don't know why. Everyone had
13 their own decision when they walked into
14 that room to make. They made it and this is
15 what we have to deal with. We can cry about
16 our past, we can cry about where we are now,
17 but until we decide to change it and to move
18 forward and do what we need to do to break
19 this city out of recovery we are going to be
20 here, and we are going to cry about it next
21 year, and another week from now and next
22 month.

23 No, it's time to work together and
24 get out of this, and as far as I'm concerned
25 when you look at it, it's not going to be

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1 tomorrow and it's certainly not going to be
2 next year and it's not going to be two years
3 from now. The recovery is going to take a
4 long time. Why? Because we certainly

5 didn't get into it in an hour. Just like
6 the rest of the country, nobody got into the
7 situations they are in without everyone
8 else.

9 And I also want to speak on the
10 legislation that was brought forward tonight
11 by Representative and Mrs. Evans. I would
12 have liked to look at that. I would have
13 liked to be able to investigate what that
14 legislation had to do and how it would
15 effect everyone, but again, we have seen all
16 over the state and all over the country what
17 happens when you don't have anybody working
18 together. We see it all the time. You know
19 why? You know how you know? You are in it
20 now. You are in it now. Play against this
21 one. Stop against this one. I'm not doing
22 that, because this one wants to do that.
23 I'm not going to help, I'm not going to do
24 that. If this one is going to stop it I'm
25 going to start it.

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1 You are here. So this is how you
2 got where you are now. This is it how the
3 taxpayers got where they are because nobody
4 would sit down at the table, so to me to
5 pass legislation for the county and decide

6 how they are going to run their house when
7 I'm busy trying to get my house in order,
8 this is where I need to worry about. I
9 can't worry about what they are doing
10 because, quite frankly, I don't know what
11 they are doing. I don't know what their
12 business entails because I don't work on it
13 every day. I know where we are and I know
14 why we are here just like everyone else does
15 in your home. You know right where you are.
16 It's because your insurance rates went up,
17 it's because your housing bill went up, it's
18 because your electric bill went up, not any
19 different than your city. We have the same
20 thing. We are paying employees, you know,
21 everybody is in the same situation. It's
22 not even any different.

23 So this wasn't something we got into
24 overnight, it's not something we are going
25 to get out of overnight, but hopefully if we

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1 work together, it's sad because I would have
2 liked to sit down with the county, I would
3 have liked to find out exactly how that
4 would effect would them and what it would
5 have brought forth for them, and talk to the

6 representatives who are, you know,
7 supposedly on this. I would like to know
8 what their views are because they certainly
9 have a different view than I do as a council
10 person, so that makes me sad that that
11 didn't go through because I would have liked
12 the opportunity to see where that would have
13 lead, but that really is all I have. So,
14 thank you.

15 MR. MCGOFF: Mr. Courtright?

16 MR. COURTRIGHT: Yes, Crisp Avenue
17 Bridge, I actually got a call from
18 Representative Kevin Murphy the other day,
19 somebody was in there asking him a question
20 about it, it was supposed to happen last
21 August and then they got a year extension,
22 so my understanding is that this August
23 barring any other unforeseen thing happening
24 that the Crisp Avenue Bridge will start this
25 August.

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1 Scooters. I have almost been
2 labeled, people call me Scooter when they
3 see me, for God's sake, and so I guess we
4 call that our laugh, but on a serious note,
5 I have had more than one person ask me about
6 this, and this is on a serious note, about

7 we have some of the seniors citizens driving
8 the scooters downtown here or --

9 MS. GATELLI: Jazzy's.

10 MR. COURTRIGHT: Jazzy's for lack of
11 a better name, and one individual almost
12 struck somebody the other night. The person
13 was all dressed in black, their jazzy
14 scooter or whatever name you want to give it
15 was dark, no lights on it, no flag that some
16 of them have on it, and so I'm going to look
17 into what the police department, and we are
18 also going to ask --did we send a letter
19 yet, Kay, to him?

20 MS. GARVEY: No we didn't send a
21 letter, but I did make a phone call and he
22 returned that call and Sue took the
23 information from him, there are no
24 regulations as far as he is concerned or
25 they are concerned that state that you have

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1 to have either flags or anything on them.
2 They are considered pedestrians.

3 MR. COURTRIGHT: My understanding is
4 they shouldn't be -- they are not allowed to
5 be on the road at all, but I will check with
6 the police department and find out further.

7 This one woman was very upset. She almost
8 ran right over somebody, and we certainly
9 don't want to see that happening.

10 Mr. Pleasant, a couple of people
11 came that have questions about it, and I
12 have questions about it I think the rest of
13 council have questions about it, so if there
14 is some questions that you the citizens want
15 us to ask about Mt. Pleasant if you would
16 write them down and get them into the office
17 we can ask them for you because I don't
18 think any of us has decided what we are
19 doing there, or the majority anyway haven't
20 decided what we are doing there yet. We
21 would like to get a feel for what the school
22 district is going to do, so if you have
23 questions by all means if you can hand them
24 into our office and I'll see if we can't get
25 them answered for you.

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1 Although, I would love to do what
2 Mrs. Schumacher said and take the money and
3 do away with the wage tax and reduce it or
4 property tax, whatever tax you call it, we
5 simply can't do that. I believe she said we
6 could do it by legislation. That I don't
7 know how you accomplish that, if she can

8 enlighten me to that maybe we can look into
9 it, but I believe that grant money that we
10 give out is specifically designed for what
11 we are giving it out for.

12 And I'll ask for one letter to ECTV,
13 a growing number of people are losing their
14 patience with this station. They do not
15 like the fact that they just get the one
16 shot with the camera, and I have told them
17 that there are two remote cameras up there,
18 they have just not operational yet, so if we
19 can ask them when those remote cameras will
20 be working and when they are going to do
21 something with the sound. We have, for
22 those of you don't see it, for lack of a
23 better word a boom with a microphone on it
24 up against one of the speakers that have
25 been left here, and I'm sure they have plans

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1 on making the situation better here, but if
2 they could update us on when that might
3 happen, and we did have a conversation with
4 OECD about if, in fact, they sell the
5 building that ECTV is in what would become
6 of the money that we gave to them and
7 preliminarily what I'm being told is that,

8 you know, the money for the equipment,
9 obviously, the equipment would go with them.
10 The \$10,000 we haven't gotten an answer yet
11 on the \$10,000 that they invested in that
12 building, so I'm still waiting to hear what
13 type of answer we would get back to that so
14 I asked for an answer in writing so I could
15 ready that to you, and that's all I have.
16 Thank you.

17 MR. MCGOFF: Thank you,
18 Mr. Courtright. Apparently when I was out
19 of the chamber when Mrs. Evans asked about
20 the flood control project, I did talk to
21 Paul O'Hora and he told me that the bids for
22 the remaining part of the project were going
23 out and that Mrs. Garvey reminded me of
24 that, and I thought I had a date, and I'm
25 looking through my notes here and I can't

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1 find out where I wrote that, but you did
2 give me a date and I'll see if I can locate
3 it, but that the bids are going out and as
4 soon as they acted on a bidder that the
5 remaining part of the project should begin
6 in the Spring of 2009. What he didn't have
7 was a specific timetable for completion. He
8 said that that is a rather difficult thing

9 to get from the Army Corp of Engineers.

10 MS. EVANS: From what I understood
11 was that the costs have risen as the project
12 progressed and that wasn't I guess initially
13 envisioned because it's taken more time, and
14 I would think that's why Congressman
15 Kanjorski is getting involved in trying to
16 find the funding to make up that difference
17 and move it along.

18 MR. MCGOFF: Okay. But that is what
19 I found out from Mr. O'Hora.

20 As far as the action tonight on the
21 proposed bill from Representative Murphy, I
22 would be more than happy to, you know,
23 reconsider this when the actual legislation
24 is presented to the state house and have a
25 more accurate look at what is being

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1 presented and maybe, you know, maybe at this
2 point in time we can have a better
3 understanding of what's being done.

4 I did attempt today, it was a
5 seminar on intergovernmental something, I
6 forget the long title that went with it, but
7 basically it was conducted by the county
8 commissioners and it had to do with

9 regionalization of services. I don't know
10 that anything specific came from that, but
11 what they are going to do is to continue to
12 meet and to discuss the possibilities of,
13 you know, ways in which municipalities can
14 share services, not consolidate, but simply
15 share services and hopefully through shared
16 services reduce tax burdens. As I said, it
17 was the initial meeting and more are
18 scheduled, but it seemed to be a step
19 towards doing something that would in some
20 way provide for continuation of services
21 that people are now receiving without
22 increasing taxes in order to continue it, so
23 I will hopefully attend meetings in the
24 future and also keep you informed as to
25 what's being done there.

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1 ECTV, I happen to be in city hall
2 the other day and ran into Mr. Darcy and
3 Mark while they were in the chamber here
4 with someone from Comcast who was, I
5 believe, working on the sound and trying to
6 do something with the equipment that is
7 here. I was told, don't hold me to, you
8 know, dates, but I was told the cameras that
9 are present here could be operational, at

10 that point in time they said within two
11 weeks, and they said the expectation is that
12 they will have four cameras operational
13 during the meetings and that the
14 presentation of the meetings should be
15 enhanced through the use of those. Again, I
16 am merely repeating what I was told. Do not
17 hold me to that two-week time limit.

18 The other things, it seems that
19 every couple of months we get into an
20 argument about freedom of speech and things
21 in council. I don't know of anybody who has
22 been denied their freedom to speak here, at
23 least in my recent memory, and I think it's
24 become a moot point, but with that said, the
25 law is quite clear that the Courts have

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1 ruled and even at the local level that, yes,
2 government entities do have a right to set
3 limits to establish rules for the operation
4 of their meetings, and the claim that
5 anybody can say anything they want here is
6 not true. There are limits. There are
7 always limits. That is the basis of the
8 Bill of Rights. That it is a limited right.
9 It is not an absolute, and that those limits

10 are established through precedent and the
11 Court have sat a precedent for what can be
12 done in governmental meetings such as ours.

13 And also, there was no attempt
14 tonight to deny anybody the right to say,
15 you know, go out and vote. What we have
16 said before is that it borders on coming in
17 and asking someone to vote for or to not
18 vote for a particular candidate is to me
19 using our dais as a political tool and we
20 have asked the people not do that. I think
21 that that's a legitimate request. To ask
22 people to go out and vote, no problem, but
23 when you mention particular candidates and
24 to vote for or not for particular candidates
25 I think we have gone too far, and that is it

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1 all I was trying to do.

2 And the last thing, yes, I did speak
3 to the commissioners about the motion that
4 Mrs. Evans made tonight. I also listened to
5 Attorney Cullen and his presentation. I
6 believe that that's what we are supposed to
7 do. Because I disagreed with what I heard,
8 because I may have had some questions about
9 what I heard, because I spoke to the
10 commissioners, and just for point of

11 reference, I didn't speak to Mayor Doherty
12 about it because I didn't think that it had
13 anything to do with the mayor's office,
14 therefore, I didn't ask him, but if that
15 makes me an apologist, I don't believe that
16 makes me an apologist for anyone.

17 I have been reminded that I should
18 go and do my homework, and I believe in this
19 case that's what I did. I went out and did
20 my homework and made an independent decision
21 on the information that I received and I
22 attempt to do that in any situation, and I
23 believe that -- or to me it was insulting to
24 be referred to as an apologist, and I think
25 that we should treat one another in this

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1 council with more respect than that, and
2 that is all I have. Thank you.

3 MS. GARVEY: FIFTH ORDER. 5-B. FOR
4 INTRODUCTION -- A RESOLUTION - A LENDING
5 RESOLUTION NO. 55, 2008 ENTITLED " A
6 RESOLUTION AUTHORIZING THE MAYOR AND OTHER
7 APPROPRIATE CITY OFFICIALS TO APPLY FOR AN
8 EXECUTE A GRANT FOR HOUSING AND
9 REDEVELOPMENT ASSISTANCE (HRA) IN THE AMOUNT
10 OF FIVE HUNDRED THOUSAND DOLLARS \$500,000.00

11 THROUGH THE COMMONWEALTH OF PENNSYLVANIA
12 DEPARTMENT OF COMMUNITY AND ECONOMIC
13 DEVELOPMENT (DCED); AND IF THE APPLICATION
14 IS SUCCESSFUL TO COORDINATE THE USE OF THE
15 GRANT FUNDS FOR THE PROJECT TO BE NAMED AS
16 THE "CONNELL BUILDING" WITH
17 "JEFFERSON-WERNER, LLC", THE DEVELOPER, OR
18 ITS DESIGNEE TO REFLECT THE CHANGE OF THE
19 DEVELOPER AND RECIPIENT OF THE GRANT FROM
20 JEFFERSON-WERNER, LLC TO SCRANTON-CONNELL,
21 LP.

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

25 MR. COURTRIGHT: So moved.

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1 MS. FANUCCI: Second.

2 MR. MCGOFF: On the question?

3 MS. EVANS: Yes. I would like to
4 know if the grant was approved by DCED?

5 MS. FANUCCI: Already you mean?

6 MS. EVANS: Yeah. It was submitted
7 early, like the first week of September in
8 2008.

9 MS. FANUCCI: I don't think they can
10 give us the legislation without approval
11 from DCED.

12 MS. EVANS: Well, this is the back --

13 MS. GATELLI: If the application is
14 secured.

15 MS. FANUCCI: This is the
16 application, but didn't this already go
17 through?

18 MS. EVANS: Yeah. What I said was
19 right, the legislation passed I think maybe
20 September 7th or 9th of 2008, this exact
21 legislation minus the change to the name
22 from Connell.

23 MS. FANUCCI: Right.

24 MS. EVANS: And so my question is has
25 this grant been approved by DCED.

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1 MS. FANUCCI: I would imagine, but I
2 don't know. Do they have to agree to file
3 it under the new name? I don't know. I can
4 find that out.

5 MS. EVANS: And also if you could
6 find out if it was approved was the money
7 received by this -- I know the city must
8 receive it first then it disperses then to
9 the developer, so I would really like to
10 table this legislation and the next piece of
11 legislation until we get the answers to

12 those two questions before we move this
13 along.

14 MS. GATELLI: I'll second that.

15 MS. FANUCCI: That's fine.

16 MR. MCGOFF: Are you making a motion
17 to table both 5-B and 5-C?

18 MS. EVANS: To table 5-B and 5-C
19 until the two questions are answered, they
20 are the same questions for the million and
21 the \$500,000, and that way we will have the
22 answer and then change their name.

23 MR. MCGOFF: On the motion to table
24 item 5-B and 5-C all in favor signify by
25 saying aye.

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1 MS. EVANS: Aye.

2 MS. FANUCCI: Aye.

3 MS. GATELLI: Aye.

4 MR. COURTRIGHT: Aye.

5 MR. MCGOFF: Opposed? No. The ayes
6 have it and so moved.

7 MS. GARVEY: 5-B and C have been
8 tabled. SIXTH ORDER. NO BUSINESS AT THIS
9 TIME. SEVENTH ORDER. 7-A. FOR
10 CONSIDERATION - BY THE COMMITTEE ON
11 COMMUNITY DEVELOPMENT FOR ADOPTION - FILE
12 OF COUNCIL NO. 61, 2009- AUTHORIZING THE

13 MAYOR AND OTHER APPROPRIATE OFFICIALS FOR
14 THE CITY OF SCRANTON TO MAKE APPLICATION TO
15 THE UNITED STATES DEPARTMENT OF HOUSING AND
16 URBAN DEVELOPMENT ("HUD") FOR A SECTION 108
17 FEDERAL LOAN GUARANTEE IN THE AMOUNT OF
18 THREE MILLION DOLLARS (\$3,000,000.00) AND IF
19 SUCH APPLICATION IS SUCCESSFUL, TO ACCEPT
20 THE LOAN PROCEEDS AND DISTRIBUTE THEM TO
21 BOSCOV'S, INC. FOR AN ELIGIBLE PROJECT, AND
22 FURTHER TO AMEND THE CITY OF SCRANTON'S
23 CONSOLIDATED PLAN FILED IN 2004 AND THE
24 FISCAL YEAR 2009 ANNUAL ACTION PLAN FOR THE
25 COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG")

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1 PROGRAM TO INCLUDE AND PERMIT SUCH SECTION
2 108 APPLICATION AND LOAN ACTIVITIES.

3 MR. MCGOFF: What is the
4 recommendation the Chairperson for the
5 Committee on Community Development?

6 MS. FANUCCI: As Chairperson for the
7 Committee on Community Development, I
8 recommend final passage of item 7-A.

9 MR. COURTRIGHT: Second.

10 MR. MCGOFF: On the question?

11 MS. EVANS: I know that questions
12 were raised about this and I did provide a

13 rather lengthy explanation last week after
14 having been in contact with Mr. Boscov and
15 his controller for five to six days and I
16 can tell you that Boscov's is current on all
17 of it's taxes, not only for the mall, but
18 for the office buildings it owns as well and
19 I would venture to say, because I don't have
20 all of my materials with me this evening,
21 that Boscov's is paying over 1.2 million
22 dollars annually in taxes, and that's
23 certainly tax revenue in this economic time
24 we can ill afford to lose, and we can ill
25 afford to put even more people out of

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1 business -- or rather more people out of
2 jobs, and I do think that all of the stores
3 within the mall are codependent, they need
4 one another to survive, and I think even the
5 stores outside of the mall in our downtown
6 are codependent and they need the mall to
7 survive. So, I am voting "yes" on this.

8 MS. GATELLI: And just for the
9 record, the jobs that are there, Mrs. Evans,
10 are all low to moderate income people, so,
11 that's who is being employed.

12 MR. MCGOFF: Anyone else? Roll call,
13 please?

14 MR. COOLICAN: Mrs. Evans.
15 MS. EVANS: Yes.
16 MR. COOLICAN: Mrs. Gatelli.
17 MS. GATELLI. Yes.
18 MR. COOLICAN: Ms. Fanucci.
19 MS. FANUCCI: Yes.
20 MR. COOLICAN: Mr. Courtright.
21 MR. COURTRIGHT: Yes.
22 MR. COOLICAN: Mr. McGoff.
23 MR. MCGOFF: Yes. I hereby declare
24 Item 7-A legally and lawfully adopted.
25 MS. GARVEY: 7-B. FOR CONSIDERATION

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1 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -
2 FOR ADOPTION - RESOLUTION, 107, 2009 -
3 ACCEPTING THE RECOMMENDATION OF THE
4 HISTORICAL ARCHITECTURE REVIEW BOARD
5 ("HARB") AND APPROVING THE CERTIFICATE OF
6 APPROPRIATENESS FOR SCRANTON-CONNELL, LP,
7 700 SOUTH HENDERSON ROAD, SUITE 300 B, KING
8 OF PRUSSIA, PENNSYLVANIA FOR FAÇADE MASONRY
9 REPAIR/RESTORATION; REPAIR OF LIMESTONE AND
10 TERRA COTTA BLOCK ELEMENTS; POINT BRICK;
11 REPLACEMENT OF MISSING BALUSTERS;
12 REPLACEMENT OF ROOF WITH EPDM SYSTEM;
13 REPAIR/REFINISH ALL EXISTING UPPER AND LOWER

14 SASHES AND SURROUNDING CASEWORK ON WINDOWS,
15 INCLUDING FABRICATION WHEN NECESSARY TO
16 MATCH ORIGINAL TO THE CONNELL BUILDING,
17 119-129 NORTH WASHINGTON AVENUE, SCRANTON
18 PENNSYLVANIA.

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

22 MS. FANUCCI: As Chairperson for the
23 Committee on Community Development, I
24 recommend final passage of Item 7-B.

25 MR. COURTRIGHT: Second.

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1 MR. MCGOFF: On the question? Roll
2 call, please.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: Yes.

5 MR. COOLICAN: Mrs. Gatelli.

6 MS. GATELLI: Yes.

7 MR. COOLICAN: Ms. Fanucci.

8 MS. FANUCCI: Yes.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Yes.

11 MR. COOLICAN: Mr. McGoff.

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

14 MS. GARVEY: 7-C. FOR CONSIDERATION

15 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -
16 FOR ADOPTION - RESOLUTION NO. 108, 2009 -
17 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
18 CITY OFFICIALS TO EXECUTE AND APPLY FOR A
19 GRANT THROUGH THE COMMONWEALTH OF
20 PENNSYLVANIA, DEPARTMENT OF COMMUNITY AND
21 ECONOMIC DEVELOPMENT (DCED) FOR A GROWING
22 GREENER II MAIN STREET AND DOWNTOWN
23 REDEVELOPMENT GRANT IN THE AMOUNT OF ONE
24 MILLION DOLLARS (\$1,000,000.00). IF THE
25 GRANT APPLICATION IS SUCCESSFUL, THE CITY

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1 WILL ACCEPT THE GRANT FUNDS AND DISTRIBUTE
2 TO "SCRANTON-CONNELL, LP" AND ITS GENERAL
3 PARTNER "SCRANTON-CONNELL, GP, LLC" FOR THE
4 "PROJECT" TO BE NAMED AS "CONNELL BUILDING
5 ADAPTIVE RE-USE".

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

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

12 MR. COURTRIGHT: Second.

13 MR. MCGOFF: On the question?

14 MR. COURTRIGHT: On the question,

15 Mr. McGoff, I did speak to representatives
16 from the carpenters union and the
17 bricklayer's union and they did tell me that
18 they believe the work being done there will
19 be done by local union people.

20 MR. MCGOFF: Roll call, please.

21 MR. COOLICAN: Mrs. Evans.

22 MS. EVANS: Yes.

23 MR. COOLICAN: Mrs. Gatelli.

24 MS. GATELLI. Yes.

25 MR. COOLICAN: Ms. Fanucci.

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1 MS. FANUCCI: Yes.

2 MR. COOLICAN: Mr. Courtright.

3 MR. COURTRIGHT: Yes.

4 MR. COOLICAN: Mr. McGoff.

5 MR. MCGOFF: Yes. I hereby declare

6 Item 7-C legally and lawfully adopted.

7 MS. GATELLI: Motion to adjourn.

8 MR. COURTRIGHT: So moved.

9 MR. MCGOFF: Thank you for your
10 participation.

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C E R T I F I C A T E

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

CATHENE S. NARDOZZI, RPR
OFFICIAL COURT REPORTER

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