

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, March 31, 2009

LOCATION:

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

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

MS. SUE MAGNOTTA, ASSISTANT CITY CLERK

MR. AMIL MINORA, SOLICITOR

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

3 MR. MCGOFF: Roll call, please.

4 MS. MAGNOTTA: Mrs. Evans.

5 MS. EVANS: Here.

6 MS. MAGNOTTA: Mrs. Gatelli.

7 MS. GATELLI: Here.

8 MS. MAGNOTTA: Ms. Fanucci.

9 MS. FANUCCI: Here.

10 MS. MAGNOTTA: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MS. MAGNOTTA: Mr. McGoff.

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

15 MS. GARVEY: 3-A. AGENDA FOR THE
16 NON-UNIFORM MUNICIPAL PENSION BOARD MEETING
17 HELD ON MARCH 25, 2009.

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

20 MS. GARVEY: 3-B. MINUTES OF THE
21 NONUNIFORM MUNICIPAL PENSION BOARD MEETING
22 HELD ON FEBRUARY 25, 2009.

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

25 MS. GARVEY: 3-C. MINUTES OF THE

1 FIREMEN'S PENSION COMMISSION MEETING HELD ON
2 FEBRUARY 25, 2009.

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

5 MS. GARVEY: 3-D. MINUTES OF THE
6 SCRANTON POLICE PENSION COMMISSION MEETING
7 HELD ON FEBRUARY 25, 2009.

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

10 MS. GARVEY: 3-E. AGENDA FOR THE
11 ZONING HEARING BOARD MEETING TO BE HELD ON
12 APRIL 8, 2009.

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

15 MS. GARVEY: That's it for Third
16 Order.

17 MR. MCGOFF: Thank you, Mrs. Garvey.

18 MS. GATELLI: This Saturday,
19 April 4th, at 12 noon there will be four
20 Easter egg hunts for children ages 2 to 12.
21 It will start at noon at Weston Field,
22 Weston Park, Connell Park and Cloverfield.
23 The corresponding neighborhood associations
24 will be sponsoring and assisting with the
25 this event along with the South Side

1 Stealers and the West Side Jets. Additional
2 sponsors for this event are McDonald's and
3 Harper Collin's publishers.

4 On Sunday, April 26, at 6:00 p.m.,
5 there will be a fun walk for the children's
6 advocacy center up at Nay Aug.

7 Once again, the Scranton Knights are
8 having their night at the races on Saturday,
9 April 18, at Holy Rosary from 7 to 11, and
10 West Scranton High School is also having a
11 night at the races for their baseball club,
12 on April 18 at 7:00 at Keyser Valley
13 Community Center.

14 I would just like to recognize some
15 of the students and send them a letter for
16 the All-Regional Team for wrestling, Sean
17 Jace, Elliot Zakowski, Corey Hendry, and
18 Frank Baron, Jr.

19 The West Scranton Choir Club under
20 the direction of Karen Lutz has been
21 accepted to perform in Disney World on May
22 2. The students and chaperones will be
23 flying to Orlando on April 30, staying
24 inside of the park at the Disney All-Star
25 Music Resort. Their performance will be on

1 May 2. Thousands try out each year and West
2 Scranton this year has a privilege of being
3 selected to participate in this musical
4 event. We would like to send a letter also
5 to Mrs. Lutz and wish them luck.

6 Also, on April 18, it's a busy day,
7 I don't know if everybody is going to be
8 able to go to all of the events, it must be
9 because it's Earth Day, but also on Saturday
10 April 18 at 10:00 in the morning that will
11 be a cleanup at the Connell Park Dog Park.
12 They will picking up trash and planting
13 pansies. That's sponsored by the friends of
14 the Dog Park Association.

15 Also, on April 18, and I have some
16 flyers for Mr. Burton and for Kay to give to
17 Channel 61, to announce that on April 18
18 from 8 to 1, there will be two cleanups, one
19 will be at Penn Security Bank in South
20 Scranton near Birch Street and the other one
21 will be in Fellows Park in West Side on Main
22 Avenue and that is going to be cosponsored
23 by 1-800-GOTJUNK. They have volunteered to
24 help our community do a cleanup on that day.
25 Anyone is welcome to come and help.

1 Also, the house at 972 Johns Street

2 was boarded up. Potholes were filled in
3 Kurtz Court. The tires were picked up at
4 Mountain Lake and the recycling containers
5 have been placed at Nay Aug. The street
6 sweeper will be in South Scranton this week,
7 Tripp's Park next week and we'll give you
8 the schedule from there forward.

9 And we just got a notice from --
10 another notice from Rich Beasley about the
11 planned work with the trees and the spraying
12 and if Mr. Dobson would like to see this
13 report I know he is interested in it. We'll
14 save it for him for later, and that's you
15 will I have.

16 MR. MCGOFF: Mrs. Evans?

17 MS. EVANS: And I would just add that
18 the information that we received from
19 Mr. Beasley was the very same information
20 that was disseminated the night of the
21 meeting that was held at a home of a Matthew
22 Avenue resident last week.

23 Also, a bake sale and basket raffle
24 will be held this Saturday, April 4, before
25 and after the 4:00 mass and on Sunday,

8

1 April 5, before and after the 11:00 mass at

2 Saints Peter and Paul Church Hall, 1309 West
3 Locust Street in West Scranton.

4 Mr. Mike Murphy, who is coordinating
5 the community garden program in Scranton to
6 grow food for the poor and homeless invites
7 all volunteers to attend a meeting this
8 Saturday, April 4th at 9:30 a.m. at
9 Greenridge Assembly of God church located on
10 Greenrdige Street.

11 Also, if anyone is interested in
12 donating money for the purchase of much
13 needed equipment and seedlings or can
14 contribute pickup truck transportation of
15 materials, please contact Mr. Murphy at
16 604-7867. Saint's Peter and Paul Russian
17 Orthodox Church, 1728 Academy Street, will
18 conduct a baked haddock dinner on April 10
19 Good Friday, from 4 to 6 p.m. Tickets are
20 8:00 and takeouts are available.

21 And, finally, I have some very good
22 news for all of the residents of Scranton.
23 Just today council received a response from
24 Mayor Doherty with regard to the closing of
25 engine companies and I asked him these

1 questions two weeks ago, and I know
2 Mr. Courtright asked for a follow-up last

3 week through Mr. Hayes, and it's my
4 understanding that this letter would also
5 represent Mr. Haye's response, it's very
6 brief?

7 "In regards to the letter dated
8 March 25, the City of Scranton is not
9 closing any engine companies or trucks. The
10 City of Scranton will be adding five more
11 firemen per shift because of shift changes.
12 This will allow the City of Scranton to
13 provide better fire protection to it's
14 citizens."

15 Now, I think that's very good news,
16 as I said for everyone, but I would caution
17 you not to misunderstand that the manpower
18 would be increased. It will not. The
19 current manning level from what I understand
20 is what the mayor intends to maintain, and
21 that's it.

22 MR. MCGOFF: I would just like -- I
23 would just like to make mention of one
24 thing, we mentioned here a number of times
25 the Jason Mehalchick Memorial Fund and pasta

10

1 dinner, it was held this past weekend -- or
2 this past Sunday they served over 1,000

3 people, so a thank you to all of those who
4 helped in this very rewarding effort. Thank
5 you. Citizens' participation. Bill
6 Jackowitz.

7 MR. JACKOWITZ: Good evening, council
8 president, council members, Bill Jackowitz,
9 South Scranton resident, members of the
10 Taxpayers' Association, all taxes paid, two
11 parking tickets paid.

12 ECTV, you are doing a good job, keep
13 showing council members as speakers are
14 speaking. Bionic, believe it or not I care.
15 Confidence. Last week we were told to have
16 confidence in Stu Renda and the
17 administration. I have as much confidence
18 in the mayor and the administration as I
19 have that I will get a date with Halle
20 Berry.

21 Eighty DiBileo signs stolen and now
22 firefighters' signs being taken, that's
23 desperation in my condition opinion. Signs
24 do not vote, voters vote. Whosoever is
25 stealing the signs I hope you get caught and

11

1 I hope you get prosecuted to the fullest.
2 We had one sign stolen in Old Forge and
3 charges were filed. As of now, we have at

4 80 stolen in Scranton so whoever is stealing
5 the DiBileo signs I hope you get caught.

6 For the fifth time, what is the
7 backup plan if the \$5.5 million is not
8 there? It appears as I speak that the
9 \$5.5 million will not be there. This is the
10 fifth time that I have asked city council
11 this question. I hope tonight during
12 motions someone, possibly the finance chair
13 or the president, gives me what city
14 council's plan is in case the money is not
15 there. It was budgeted into the budget and
16 as a taxpayer I would like to know what's
17 going to happen if the budget cannot be
18 fulfilled. This is my fifth time asking
19 this question.

20 8.6 percent local unemployment rate,
21 the highest in the state, tied with
22 Williamsport, we're back up to number one
23 again. Again, I would like to know, why has
24 council not invited the mayor and Austin
25 Burke into city council to speak on this?

12

1 This has been going on forever and ever and
2 ever. I speak on it as often as I can, I
3 requested Austin Burke be invited. I

4 requested that the mayor be invited. I have
5 been ignored. I'm a taxpayer. I'm a
6 citizen. My taxes are paid up-to-date and
7 my parking tickets are paid up-to-date.
8 Please quit ignoring me. You may not like
9 me, but don't ignore me.

10 I would like to commend the local
11 Democrat party for their endorsement of the
12 challenger, Mr. DiBileo. As far as city
13 council: Incumbents, run on your own
14 record, okay, not your gender. Gender does
15 not matter anymore. It doesn't matter if
16 you are a male or if you are a female.
17 Gender does not matter. Your record is what
18 matters, so I respectfully request that all
19 the incumbents run on their record, all the
20 challengers run on the incumbent's record,
21 also. If they voted to increase taxes let
22 the people know that. If they voted to put
23 all of these ridiculous fines and fees on,
24 let people know that. If they voted for an
25 illegal smoking ordinance, let the people

13

1 know that. But, incumbents, gender does not
2 matter. That's backroom politics and those
3 days are long, long gone, okay?

4 The tax office. The briefing last

5 week they told us nothing except that we
6 have incompetent leadership of the tax
7 office. We all knew that. Speakers have
8 been coming here for three years talking
9 about that. We were ignored. Okay. Money
10 has a way of disappearing when nobody is in
11 charge and accepting responsibility. Again,
12 the taxpayers suffer. Speakers spoke about
13 this for years at council meetings, were
14 ignored. Now, what do we do to makeup the
15 difference? Please, council, you're a
16 legislative body, let us know what you are
17 going to do. What are your plans in case
18 that money does not materialize, okay?

19 I would like it know what
20 legislation has been written by city council
21 in the last four years? What agenda items
22 have been placed on the agenda by city
23 council, not the mayor. I am aware of the
24 smoking ordinance which was overturned by
25 the state for being illegal. I am also

14

1 aware or the pay rase for \$7,500 for city
2 council members and raises for the mayor and
3 city controller who, by the way, did not
4 audit the tax office for 20 years, which is

5 in violation of the Home Rule Charter.

6 Finally, it was not nice to know
7 that the Single Tax Office did not have a
8 forensic audit. For that matter, no audit
9 at all. We were told for a year there was a
10 forensic audit. Now, we find out there was
11 no forensic audit. Can city council please
12 tell the residents how much the city has
13 paid this company who was supposedly doing a
14 forensic audit and did not even do a regular
15 audit?

16 As a taxpayer, I feel that I need to
17 know that information and as elected
18 official I feel that it's your
19 responsibility to let us taxpayers know how
20 much we pay this company from Philadelphia,
21 and what they were paid to do. Thank you.

22 MR. MCGOFF: Doug Miller.

23 MR. MILLER: Good evening, Council,
24 Doug Miller, Scranton. Regarding the
25 \$25,000 loan from last week's legislation on

15

1 the agenda, totally disappointed that all
2 five members of this council passed this
3 legislation, felt it was necessary to go
4 ahead and squander some more money as usual,
5 slap the taxpayers in the face. This is

6 someone who will get a free ride just like
7 everyone else and the taxpayers will get
8 nothing in return.

9 You know, this woman submitted a
10 letter to council which was certainly well
11 over five minutes, and everyone has the
12 opportunity to come before this council and
13 speak, whatever the issue she had with
14 another speaker here that's between her and
15 him. However, this is the forum that you
16 come and speak, you know, we don't submit
17 letters here. You know, maybe if we have
18 issues we could submit letters to council
19 and we could just stay home and watch.

20 Regarding Electric City television,
21 I bring this issue up every time I'm here,
22 we have a lot of questions with this
23 station. As we know, they are looking for a
24 new home and I think the question is where
25 are we going with this? You know, when is a

16

1 decision going to be made, when are they
2 going to find a new home? You know, you
3 turn on 61 and the screen has been black for
4 days and they failed to live up to their
5 proposal. It's time that this council

6 starts getting answers and I suggest if we
7 don't get any we go back to Scranton Today
8 because there was never an issue with them.

9 You know, we are certainly not
10 getting our monies worth. While we talking
11 about loans and other money, let's take a
12 look at the issue I raised and that's grant
13 money to invest in our neighborhoods. You
14 know, we need to look at projects that would
15 allow us to install new curbs, sidewalks and
16 streetlights. These are the real issues in
17 this city. You know, we focus on the
18 downtown, the downtown, the downtown
19 constantly yet you fail to react and respond
20 to the neighborhoods. Take a look at the
21 conditions. I have been going in nice
22 neighborhood, it's pretty depressing yet you
23 continue to allow them to fall apart. It's
24 time to get our priorities straight.

25 Last week we heard a presentation

17

1 from the Single Tax Office regarding this
2 mysterious \$5.5 million that the city
3 thought they were getting. As you heard,
4 there is no \$5.5 million, there never was
5 and there never will be, yet this council
6 and the administration figured they'd pull a

7 figure from the sky because they had a
8 balance to budget and, of course, raising
9 taxes was out of the question because let's
10 not forget, it's an election season, but the
11 question that I have as well as many other
12 people do, and it was already brought up
13 tonight is how are we going to fill this
14 hole in our budget? Are we going to have to
15 raises taxes, and I know that's a last
16 resort.

17 You know, this council really put us
18 in a tough spot here and now it's your time
19 to act. It's time to make the right
20 decision for once. Thank you.

21 MR. MCGOFF: Bob Bolus.

22 MR. BOLUS: If I may, Mr. President,
23 I'd like to give you a copy here and one to
24 the solicitor of something I would like to
25 speak about this evening.

18

1 I'll be brief on this, what I
2 presented to you tonight from the Pocono
3 Equestrian Center. They have a contract
4 with the City of Scranton and Scranton
5 Municipal Recreation Authority to have
6 horses for therapeutic help with kids and

7 everything at Nay Aug Park or to put up a
8 stable, a barn, and they were to be there,
9 they were going to charge for rides, buggy
10 rides, horse rides and everything in the
11 park that would have generate income to Nay
12 Aug. It never happened and the city
13 breached the contract at the last minute.

14 I have given you copies so that you
15 could review them, I didn't want to blind
16 side you tonight without having the
17 opportunity to review the contracts and
18 everything before you and next week I'll
19 come back and you can give me an explanation
20 and answers on the issues that I brought for
21 you today. I didn't want to be unfair to
22 council tonight.

23 Another issue I really need to deal
24 with tonight is I stopped over on Meadow
25 Avenue where I pulled over and I asked the

19

1 gentleman there that was working. I said,
2 "What kind of line are you putting in here?"

3 "I don't know."

4 I said, "Do you have any clue?"

5 "Nope, have no idea what's going in
6 here."

7 "Is it a gas line? Is it a water

8 line?"

9 "I have no idea."

10 Now, he is working on the line over
11 there. It's a gas line. He is going along
12 Meadow Avenue along the old railroad bed.
13 They are putting -- he didn't know it. I
14 want to know if there is a permit for the
15 work being done, if it's a gas transmission
16 line for either natural or landfill methane.
17 Are they being inspected and by who? This
18 line is going through a residential area on
19 East Mountain along for several hundred
20 homes and residents on East Mountain, along
21 old railroad tracks and the empty landfill.

22 The Ethanol site that's being
23 proposed is on the old Baker colliery over
24 the lower part of West Side right above --
25 or below Anthracite Auto. This plant is,

20

1 you know, scary. This plant should be in
2 Greendrige where there is a railroad site,
3 where there is water, where there is 81.
4 There is access to the Interstate and
5 anything they need there. It's not as
6 heavily residential I guess if you look in
7 certain areas of Greenridge.

8 Maybe if you go to the next -- to
9 the recycling center, also to the owner that
10 owns the colliery there, as we all know who
11 that is from Dunmore. I'd like to know why
12 West Side, a heavy residential area, why
13 this issue was dropped? It was raised and
14 it was dropped. Is it waiting for the
15 election to be over to back door the people
16 in the city? If so, council, then the mayor
17 brace yourself. I will fight you on behalf
18 of the city, residents of West Side, lower
19 South Side, East Mountain residents, you and
20 this mayor will never -- or have never been
21 fought before like we will fight this and we
22 will win it, so prepare yourself. This is a
23 hidden issue. This is a danger. This line
24 could create a catastrophe in our area and
25 it's being ignored. It's going through

21

1 Dunmore, it's going through Scranton. We
2 should be getting a host community fee. We
3 should be paying so much per cubic foot of
4 gas as I brought up about the sewer line and
5 nobody has done a thing about it and we are
6 ignoring this and ignoring this.

7 I don't care about election. I care
8 about the day-to-day business of this city

9 and everybody else should be looking in that
10 area. You know, we started off with impact
11 fees, I have raised them, what bigger impact
12 fee could are we have digging up a whole
13 area going through our city, Lackawanna
14 Avenue nobody does a darn thing about it.
15 There is hundreds of thousands of dollars
16 and you guys got to do something. Don't
17 look what's favorable to get elected, do
18 what's favorable to the people and you will
19 get elected.

20 And one more thing on horses, we had
21 \$3 million that Mrs. Evans had raised a long
22 time ago about the golf course money, that
23 money was used. We made a big park up
24 there. Well, what I found the other day
25 when I read the paper I always said there is

22

1 something childish about everything going on
2 and here it is, Mayor Chris Doherty, real
3 Chris Doherty that was in the paper having
4 his birthday, a child, and we are playing
5 child's game. The guy downstairs I don't
6 know who he is. Thank you.

7 MR. MCGOFF: Thank you. Andy
8 Sbaraglia.

9 MR. SBARAGLIA: Andy Sbaraglia,
10 citizens of Scranton. Fellow Scrantonians,
11 I have before me the property list that we
12 did our insurance and, of course, it's
13 already been passed. I did bring out some
14 points on it before, but I got a little
15 better points now, I got it before me. Now,
16 does anybody know why we are paying
17 liability on the South Side Complex? I'm
18 sure it must have stuck out to you when you
19 read this thing, like a sore thumb. Either
20 we own the South Side Complex still or the
21 University is getting away with not paying
22 liability.

23 Now, certainly that's a point that
24 has to be brought up. If we own it, we own
25 it. If we don't own it why are we paying

23

1 liability on it? It's as simple as that.

2 Another thing is this 800 Providence
3 Road, I believe that was the old site of the
4 DPW site, I'm lending that that point that
5 that's where it is. Now, that man is
6 leasing that site for \$1 a year and we are
7 paying the liability, okay?

8 Now, I read some articles in the
9 paper where there was thinking about some

10 building going on at that site which, of
11 course, if you read the original contract
12 with the Ice Box he is allowed to do
13 whatever he wants to do, okay, but, why are
14 we paying the liability there? Surely when
15 you make out a lease the man should take out
16 the responsibility to take care of his
17 property if he's leasing it, but yet we are
18 paying the liability, so for \$1 a year God
19 knows what the liability would be because
20 you can't tell. This breakdown before me is
21 not a breakdown, it's just a -- I don't how
22 to put it, an overview is the best way to
23 describe it. You would have to get into
24 either the original contract, and I hope
25 this is not it. I hope you the original

24

1 contract is spelled out a heck of a lot
2 better than this is before me.

3 We also own the train up at Nay Aug,
4 okay? I didn't realize we owned it, I
5 thought that was -- it might have been given
6 to us, okay? We carry liability on it, but
7 if we own it we carry liability on it, the
8 question is are we leasing it out and is
9 that train being leased out to the people

10 who run the amusements rides up there or is
11 this something we are just giving because we
12 are good ole' fellows like everything else
13 in this city. Know the right people they
14 give you the world.

15 I mean, this thing is really
16 something, the vehicles I don't know if this
17 covers all of other vehicles within the
18 city, this contract here, because they are
19 not listed. Some are listed, but a lot
20 aren't listed. None of the firemen, and
21 this, that or whatever, they are just
22 blanket amounts. I don't know why they
23 would do it that way, but everything is
24 blanketed. In other words, there is no way
25 for you really to know what's going on in

25

1 this piece of legislation other than they
2 say -- I think they give a figure of
3 \$34 million. Now, what the \$34 million
4 covered I don't know. I don't know what the
5 breakdown means. They listed a lot of
6 things as breakdown.

7 A breakdown, I mean, a vehicle
8 brakes down, we fix it, okay? You get into
9 an accident that's a whole different ball
10 game, okay, then you are getting into

11 repairs. Now, why they have a breakdown
12 listed, not repairs listed I don't know.
13 I'm not really an insurance man and we went
14 through this last time when DiBileo was up
15 there, too, but he wasn't an insurance man,
16 so we got a little better oversight of what
17 was going on.

18 But, I mean, you really got to look
19 into these things and ask them questions. I
20 mean, when somebody says you are paying
21 liability that means you own the property
22 which, of course, the DPW site is we do own
23 it technically, technically, but that's it,
24 and when the contract was made with these
25 people it should have been put in there that

26

1 they would assume liability for it and not
2 us, but that's the way things are done in
3 this city.

4 I mean, for 100 -- I mean, for
5 99 years at a dollar a year the mayor gave
6 the property away. We all know that. We
7 could have tore it down and did something
8 else with it or put even a new DPW site
9 there, but it doesn't look good in front of
10 the school was the reason he gave, so he

11 moved it to a back parcel of the land we
12 owned back there. I thank you.

13 MR. MCGOFF: Lee Morgan.

14 MR. MORGAN: Good evening, Council.
15 I have come tonight to speak on an issue
16 since this is an election year that has
17 nothing to do with council candidates, but
18 has to do with candidates for the Court of
19 Common Pleas. With me, I have Volume 23 of
20 a law book, it comes in two volumes for
21 domestic relations, and I really think that
22 -- I would hope that the League of Women
23 Voters when they allow these judges, if they
24 do, to appear, I hope they would ask them
25 some questions based on this book and on the

27

1 statutes.

2 Today, I assume it was in
3 Wilkes-Barre, where a man shot a woman to
4 death over a custody issue and in my opinion
5 the Lackawanna County Court has some very,
6 very serious problems with the judges on
7 family court, with the masters on family
8 court, with the masters in support. I do
9 borrow this book quite often from the law
10 library to help friends with issues, male
11 and female, so it's just not one gender,

12 it's both. I would have to say that during
13 the last retention vote I was at the
14 taxpayers' group and I had requested Judge
15 Harhut and Judge Corbett to come forward
16 since they were running for retention and
17 they refused to do so.

18 And I really think it's time since
19 Judge O'Malley is going to retire relatively
20 soon as a senior judge, that the people in
21 this community get a chance to ask these
22 judges some very serious questions that have
23 to do with the welfare of children and
24 custody battles and fairness of the
25 decisions in child support and in custody,

28

1 and I think that these issues are often
2 overlooked and then the pain and the damage
3 that's done to families is just not
4 repairable, and I just think that if the
5 League of Women Voters has that opportunity
6 to come forward and ask these people
7 questions it needs to done, because to be
8 truthful with everyone here, these laws
9 should have meaning, but if the people
10 aren't respected in the Court of Common
11 Pleas and it has to be appealed these people

12 don't have money to do appeals to Superior
13 Court, they don't even know how to prepare a
14 brief to go to Superior Court, they can't
15 even afford one, so then everybody's rights
16 are injured.

17 And then what do you say to people
18 when you have situations like we had I guess
19 yesterday from in Wilkes-Barre where
20 somebody was so enraged over his custody
21 situation that he shot the opposing party to
22 death, and there is no way that somebody
23 couldn't tell me that this couldn't have
24 been worked out in mediation or in a fair
25 judgment from a fair and impartial court,

29

1 and I think that we have to start holding
2 the judiciary's feet to the fire, and that
3 time has to start when they are running for
4 election because politics has to stop
5 somewhere.

6 And before I leave of the podium I
7 would like to say that, Mrs. Gatelli, I
8 remember having a comment about the
9 franchise fee, and I do intend to address
10 that with you next week, but this issue I
11 hope the League of Women's voters will pick
12 this up, will ask these questions, and

13 change order, that's when you take a
14 contract and you have the lowest bid of the
15 contract so you get the contract so later on
16 you put an amendment, a change order, so you
17 jump right over, okay? It's an old game
18 that we have been playing in the City of
19 Scranton for a long time, so look at that,
20 please.

21 I got a letter from PEL and I asked
22 them about the distressed status of the city
23 for 17 years and the 25 percent tax increase
24 that was awarded the administration by
25 Councilman McGoff, Gatelli and Fanucci, and

31

1 they wrote me back and said 49 percent of
2 the budget goes to the police and fire
3 department, so I did a little research and
4 actually they looked at the pie chart in the
5 budget as they say right here and it says
6 49 percent in the pie chart, but actually,
7 it's 34 percent of the budget for the police
8 and fire department.

9 And I do want to point out that
10 Mayor Doherty's budget went -- from 2002
11 from \$56,597,910.30 all the way up to
12 \$78,939,348. It went up 45 percent overall
13 in seven years. 45 percent.

14 Twenty-two million dollars, about
15 \$22 million increase, okay, so that's a
16 \$107,000,000 the City of Scranton is in
17 debt. How are we going to pay for it?

18 Okay, I do want to point out that
19 the police and the fire department from 2002
20 to 2009 their budgets increased 1 percent,
21 just 1 percent. They are people that's
22 going out there everyday breaking up fights,
23 doing whatever they have to do. You can't
24 even sit on your porch, you can't go to the
25 store at night, you have to -- you are

32

1 frightened and the police they have to have
2 more police, they have to have more on the
3 beat, the fire department, and yet no pay
4 increase for how long, seven, eight years
5 and how is he going to pay for that? He
6 owes a 100 -- we own \$107,000,000 that's a
7 lot of taxpayers nickles.

8 Why do you believe the mayor does
9 what he does? Why do you believe he does
10 this? I really don't know. Now, they go
11 and they blame -- PEL again blames the
12 police and the fire department, obviously,
13 "It is our firm believe that timely

14 implementation of the cost containment
15 provisions of the city, police and fire
16 personnel is a critical step in putting the
17 city on the need to financial recovery."

18 Whoop. (Tears paper.) Thank you.

19 MR. MCGOFF: David Bergerhoff.

20 MR. BERGERHOFF: David Bergerhoff,
21 North Scranton. My issue doesn't seem all
22 that important after the good questions that
23 were raised prior to my coming up here,
24 although, mine won't be answered -- my
25 questions won't be answered anymore than

33

1 theirs is so let me go ahead with this.

2 First of all, the recycling
3 containers up Nay Aug, good idea, try
4 emptying them. That would help. I was just
5 there the other day, they were overflowing,
6 it's all over the place. You know, it's one
7 thing to have them, it's another thing to
8 clean them up and empty them. It's
9 ridiculous.

10 The point, I think as Doug Miller
11 tried to make about taxes as a last resort,
12 give me a raise. That's the first resort
13 for this council. It's going to be what
14 happens. I mean, we had that Kevin Murphy

15 in here who tried to push forth the tax --
16 the initiative on the taxes to try to
17 prevent the county from being able to raise
18 taxes, this council didn't want to have much
19 to do with it, Mr. McGoff even stated it's
20 the only way to raise revenue. I think he
21 could bring more people into the city, that
22 would help. Get rid of the tax free zones
23 and that would certainly help, and then
24 maybe come up with to some idea that
25 generate revenue. I mean, that's sort of

34

1 your job and you are supposed to work with
2 people that create revenue for the city,
3 maybe that would help, instead of always
4 thinking that we are always going to keep
5 taxing the people. That's why the people
6 keep leaving. You keep saying the people
7 are struggling to make ends meet. Well,
8 every time you raise taxes you pretty much
9 ensure that we are not going to make ends
10 meet the next time. It just seems, you
11 know, backwards.

12 And it was funny, too, when that
13 whole issue came up we had a couple of
14 people up there, Gatelli and Courtright I

15 remember saying, "Why do we have to be
16 first? Why are we always first?"

17 Well, number one, we are the county
18 seat, that does make you first, you are the
19 leader. Number two, you did have a probably
20 gain first when you were the first city
21 that-- the first successful electric
22 continuous line service here in the city.
23 That's what makes us great. We are the
24 electric city. We were first. So don't
25 worry about being first, worry about being

35

1 right and doing what's right for the
2 taxpayers.

3 Finally, I am going to come up for
4 the point I'm here, North Scranton Junior
5 High School, still never received any
6 answers regarding it. I got the memo,
7 according to the memo, Goodwill Industries
8 of Northeastern, Pennsylvania, and the
9 Penrose properties have formed a
10 Partnership, the North Scranton Partnership,
11 to acquire and develop the building.

12 I thought they acquired the building
13 back in '99. It doesn't say when this
14 partnership was conceived, so I have no clue
15 when this all took place. They speak about

16 the stabilization of the building includes
17 replacement of the windows, elevator shafts,
18 so on and so forth, I'm assuming that wasn't
19 done yet.

20 The remediation of all unsafe
21 environmental conditions including removal
22 of asbestos, lead paint and windows ETC.
23 That claims to have been complete yet
24 three-quarters of the windows in the
25 building or the original building windows,

36

1 so I'm assuming that this isn't really
2 completed and, therefore, again, I will ask
3 the question what happened to what was it, I
4 think \$350,000 the city gave to that project
5 back in '05, the additional we just slated
6 to just be sent on that project.

7 And finally on here it talks about a
8 500 seat theatre which is exactly what I
9 guess we need in this city right now, but it
10 speaks of a 500 seat theatre for this
11 project as phase one. Phase one of what?
12 How many phases and what are we getting with
13 phase two, phase three, phase four, phase
14 five, phase what? How some phases? Where
15 are is the answers to the simple questions.

16 You can talk about phase one, we're putting
17 a theatre in the middle of a vacant piece of
18 crap building in this city. Sure it could
19 be beautiful, and sure it was nice at one
20 time, but it's not now and these guys have
21 done nothing to bring it that way.

22 And for people who have, I have
23 received comments that I seem angry. Well,
24 like I said, I'm passionate, but maybe I am
25 angry, maybe I'm sick of this and sick of

37

1 council and sick of government always
2 abusing the taxpayers' dollars and we have
3 nothing to show for it.

4 I mean, I just was talking to
5 somebody before and I said, you know, if you
6 raise the taxes \$50, that's a dollar a week,
7 and you specifically geared that money
8 towards the fund for the police and you
9 didn't break it all out and just put the \$50
10 bucks per person per year into that fund say
11 you have 30,000 taxpayers, what's that, one
12 and a half millions dollars? I think we
13 could provide some new police for city and
14 we could come up with small ways without
15 getting crazy with taxes.

16 I mean, a dollar week tax I think we

17 could all agree would be worth our while if
18 we are going to get additional police and
19 perhaps fire. Maybe even \$2 a week, \$100 a
20 year may seem worth it if you are going to
21 get something for it, but happens is you
22 raise the taxes, the money gets dispersed in
23 nine different places and not one thing gets
24 improved.

25 So again I will ask that some of

38

1 these questions are answered regarding the
2 North Scranton Junior High School, what is
3 phase one leading into? What is phase two
4 and three and four going to be, how are you
5 going to attend a theatre in the middle of a
6 building that should be condemned.

7 And additionally, like I said,
8 please just empty the garbage cans up at Nay
9 Aug. It was ashame when I was up there the
10 other day, I see people are trying to use it
11 and yet there is garbage all piled up all
12 around. Thanks.

13 MR. MCGOFF: Stephanie Gawel.

14 MS. GAWEL: Good evening, Council.
15 How are you tonight? Well, I'm going to go
16 back to some of the issues, it's my job.

17 Seventeen years ago the State of
18 Pennsylvania and Harrisburg contracted PEL,
19 Pennsylvania Economy League and the city and
20 addressed unknown using tax money from the
21 taxpayers of Pennsylvania for their jobs and
22 the purpose was to come to our city by any
23 means available and rescue us from our
24 so-called distressed city. 17 years later.
25 If you do all the math it's obvious it's not

39

1 working. I think I've said that before, but
2 I'll reiterate, either is PEL.

3 If you did the math you could find
4 out how much PEL has made in paychecks for
5 doing nothing in the past 17 years. Does
6 anybody have any idea what we are paying
7 these people on a regular basis? Okay.
8 Just thought I'd ask.

9 It would also be interesting to find
10 out how much lawyers were hired for 17 years
11 and names, addresses, and throw in the
12 political affiliations. Do we know how many
13 lawyers are involved? Okay. Let's not
14 forget the lawyer's paychecks. If it was
15 possible to obtain the combined pay out of
16 the PEL and the lawyers for the past
17 17 years it would mind-boggling.

18 assistant, all new hires, got a big pay
19 raise, all no-no PEL turns it's head.

20 Emergency life saving equipment
21 assigned to police patrol vehicles
22 eliminated, obviously no concern for public
23 safety. Policemen obtaining bank loans to
24 by patrol cars and leasing the vehicles back
25 to the city. There is a lot of the unhappy

41

1 taxpayers out there and there is -- out
2 there and these guys vote. These are some
3 of the questions they have. Some are true,
4 some are funny.

5 What does PEL mean anyway? Ar they
6 cops? Do they live here? Where do they
7 come from? Seventeen years is a long time,
8 did they go to college? Do they have a --
9 do they get a good pay? Well, obviously
10 they must, they have been doing it a long
11 enough time. Can't do any job right fire
12 them. The government should come here and
13 lock them up. Wow.

14 Why does the mayor -- why doesn't
15 the mayor kick them out? Why this mayor
16 talk to the Chamber of Commerce and not talk
17 to the people? Doesn't he care about the
18 neighborhoods? This guy has got to go.

19 Eight years of this guy, he is good for --
20 he is good for the little people, got to go.
21 All right.

22 I have a couple of questions to you.
23 Do you know if the League of Women Voters is
24 going to have any sort of debates for the
25 council --

42

1 MS. GATELLI: Yes, they are.

2 MS. GAWEL: Is it going to be aired?

3 MS. GATELLI: Yes.

4 MS. EVANS: Yes.

5 MS. FANUCCI: They usually are.

6 MS. GAWEL: Well, I know they
7 usually are, but we are under new things
8 now. Okay, they are going to be televised
9 on Channel 61. Okay. Where is the building
10 -- okay. I'll get to the rest of it next
11 week. Thank you.

12 MR. MCGOFF: Joanne Williams.

13 MS. WILLIAMS: Good evening. Joanne
14 Williams, homeowner and a taxpayer, a lot to
15 say this evening. I guess politicians are
16 not entitled to birthday parties.

17 I have to go back to Nay Aug Park, I
18 remember quite a few years back Mayor

19 Doherty was our mayor and volunteers got
20 together to build a playground down where
21 the old zoo was. I don't recall a lot of
22 these people there at that time, okay, that
23 come up and criticize the park. Each week
24 speakers stand at this podium and speak
25 negative about our city, our mayor, and some

43

1 of our council members. I'm here to speak
2 positive.

3 A few weeks ago, Mr. Hubbard read a
4 list of businesses that had shut down in our
5 downtown, I recently took a ride through our
6 downtown and in a short time I found
7 businesses that are striving, such as:
8 Galucci's, Duffy's, Tom Grudis, Community
9 Bake Shop, Ann Cicotti's, Pappa's Pizza,
10 Baglewich, Linden Mini-Mart, Sheeley's
11 Drugs, Lavish, Farley's, Lenora's, Boccardo
12 Jeweler, Altier, Rocky's, Subway, Ross
13 Jeweler's, Rite-Aid, JR Jeweler's, Scranton
14 Dry Cleaners, the Guild Studio. Best Foot
15 Forward, Place One, Scranton News, Thai and
16 Panda Restaurant, Starbucks, Blue's Street
17 and I could go on and on. These businesses
18 believe in our city and with the renovation
19 of the 500-block of Lackawanna Avenue, I

20 always call it central city, is alive and
21 well.

22 Since Mayor Doherty has taken office
23 sanctions are longer. Our parks have
24 greatly improved, Nay Aug, Connell Park,
25 Mayor Connor's park in South Side, and

44

1 improvements being made to Minooka Park. We
2 can also give thanks to the mayor with his
3 vision for our city that we now have a
4 medical school that we'll be building in the
5 near future that will employ 800 and 600
6 students who will graduate with a degree as
7 a medical doctor.

8 Also, a new library in South Side
9 will be built. Ask for -- and, Mrs. Evans,
10 you had mentioned as for the mayor closing
11 firehouse you are absolutely right, he is
12 not closing firehouses. He is an adding
13 extra staff. In the last seven years our
14 city has made great improvements. I can
15 only imagine that the mayor had to make
16 difficult and unpopular decisions at times
17 along with the majority of this council, but
18 in the long run with patience it pays off.

19 I'm tired of the negativity.

20 Mr. Hubbard asked me the last time I spoke
21 at this meeting, Where have you been for
22 four years?"

23 Well, Mrs. Hubbard, I buried my
24 husband who died of leukemia and I have a
25 life and responsibilities, and basically I

45

1 love this city and the way the mayor and the
2 people on this council are running it and,
3 frankly, Mrs. Hubbard and to the other
4 critics I really don't give a darn what you
5 think. Thank you.

6 MR. MCGOFF: Is it Marie Costanzo?
7 I'm sorry, was it Maria?

8 MS. COSTANZO: Maria.

9 MR. MCGOFF: I'm sorry.

10 MS. COSTANZO: That's okay. I'm
11 Maria Costanzo, and I'm the steward of the
12 IAEBW Local 2462 which represents the Single
13 Tax Office. The Single Tax Office is
14 staffed by four makeshift positions
15 including the tax collector and 22 union
16 workers, 16 of whom have been there for
17 between 10 and 27 years. Our staff is
18 professional and we strive to serve the
19 public with courtesy and respect. We are
20 experienced and knowledgeable and previous

21 tax collectors took advantage of this
22 experience and knowledge to learn about the
23 office.

24 I know I will probably be labeled as
25 a disgruntled employee, but I hope that will

46

1 not be the place. We have had many
2 opportunities to bash Ken McDowell over the
3 past seven years, but we have not, and the
4 only reason I am here today is to respond to
5 Mr. McDowell's claim to WNEP that the
6 condition of the tax office is the fault of
7 our staff. I feel these are the words of a
8 sad and desperate man and while I was not
9 surprised by him saying them I was
10 nevertheless infuriated.

11 I spent the last week listing
12 examples of Mr. McDowell blaming others for
13 his inaccuracies and I soon realized I would
14 go well beyond my five-minute time list to
15 list them here tonight.

16 I do, however, have a few examples
17 I would like to share. On August 1, 2002,
18 the Scranton Times ran a story stating that
19 the Scranton School District told them that
20 2002 collections were running more than a

21 \$1 million behind those of 2001.
22 Mr. McDowell's response: The discrepancy
23 was probably just a matter of timing and
24 bookkeeping. His office shipped the money
25 to the school district, but the district may

47

1 not have recorded it as received. His
2 answer: It was the school district's fault.

3 January 20, 2007, on complaints from
4 outside collectors not receiving monies for
5 their residents: This office is working for
6 efficiently than it ever did, he said, but
7 the system stinks. The whole system in
8 Pennsylvania is just tedious, cumbersome,
9 and it doesn't work. His answer: It's the
10 Pennsylvania tax system's fault.

11 December 26, 2006, on complaints
12 from Dunmore Borough looking for monies for
13 their residents so they could issue refunds,
14 his answer: I believe it is the obligation
15 of the taxing body to give the refund.
16 Dunmore Borough should issue refunds based
17 on the W-2 forms taxpayers could present to
18 verify they're entitled to the refunds.

19 So his answer was to advise them to
20 give the refund even though they did not
21 have the money. That is what our tax

22 collector's suggestion was, to pay out money
23 they did not have. Are you beginning to
24 understand part of the problem?

25 July 7, 2005, October 6, 2005,

48

1 October 17, 2005, we entered the era of the
2 computer system glitches. You would think
3 that all of these glitches Mr. McDowell
4 described with all of these glitches he
5 would be at work diligently trying to
6 correct these problems. You would be wrong
7 as anyone that ever tried to call or see him
8 at the office can attest. He had neither
9 the interest or ambition to see a project of
10 this size through to fruition. So, yes, our
11 relationship with Mr. McDowell was strained
12 to say the least. You may have read this in
13 the Scranton Times because they mentioned it
14 every time they endorsed him for office. It
15 was not strained, however, as he would have
16 you believe by his refusal to honor a
17 benefit from the previous tax collector. It
18 started with his announcement that he did
19 not negotiate our contract so he did not
20 need to abide by it, and he meant it. There
21 were 18 grievances filed while he was tax

22 collector and five arbitrations. All of
23 which we won. This is an office that before
24 his term had never had an arbitration and
25 only five grievances in the previous

49

1 20 years, all of which were settled
2 amicably.

3 The grievances were for everything
4 from following bidding procedure to denying
5 medical leaves from not staffing all shifts
6 to illegal termination. There was one for
7 outsourcing union work at a huge cost to
8 taxpayers.

9 Delinquent tax collections also
10 ceased during Mr. McDowell's tenure. We had
11 a person in our office whose job was to
12 collect delinquent earned income tax and she
13 is very good at what she does. Mr. McDowell
14 fired this person illegally. She regularly
15 collected over \$1 million a year, her
16 termination went to arbitration and we won
17 and, of course, he appealed. She returned
18 to work only to have her desk cleared, her
19 computer and phone were taken and she
20 basically sat there all day unable to
21 perform her duties. We then won the appeal
22 and he was forced to allow her back to work.

23 When she did return he took her off her
24 regular job and she was given different
25 duties. She collected a million dollars a

50

1 year and yet she was not allowed to bill
2 delinquents. It was almost as if he did not
3 want us to collect taxes.

4 Can I finish?

5 MS. EVANS: Could she please finish?

6 I would like to hear this.

7 MR. MCGOFF: Is --

8 MS. COSTANZO: I have a paragraph.

9 MR. MCGOFF: Please.

10 MS. COSTANZO: There are many things
11 that Ken McDowell did not understand, but
12 I'm not here to attempt to decipher him.
13 Though I am not surprised his finger
14 pointing, I am surprised by the sudden
15 interest in our office. For years we waited
16 for someone to ask questions and no one did.
17 Then Mrs. Evans requested that Mr. McDowell
18 come to council, but that never happened.
19 She then requested that since Mr. McDowell
20 obviously was not interested in coming here
21 that some staff members come. He, of
22 course, would not allow that either.

23 Then the \$12 million showed up and
24 then the FBI. We thought now the secrets
25 would be revealed and office can start to

51

1 heal. Then council, this council, was going
2 to subpoena him, but as far as I know that
3 did not happen. Now everyone wants answers
4 and now it's too late.

5 MS GATELLI: We did.

6 MS. FANUCCI: We did subpoena him.

7 MS. CONSTANZO: You did subpoena him.

8 MS. EVANS: Yes, we did.

9 MS. CONSTANZO: Did he show up?

10 MS. EVANS: No, he never appeared and
11 he appealed it in Court and we are still in
12 litigation to this moment in time.

13 MS. CONSTANZO: You could see I'm not
14 surprised. I hope that something good can
15 come up out of this situation. I hope that
16 elected officials will spend time serving
17 the residents they represent and less time
18 making political allies. I hope they spent
19 more time looking for ways to help the
20 people that elected them and less time
21 covering for those that do not. I hope they
22 will spend less time making excuses and
23 respect taxpayers enough to take

24 responsibility for their actions; and,
25 lastly, I challenge taxpayers to remember

52

1 what happened here, and choose the best
2 qualified candidates for office and not just
3 a name or a party affiliation. Thank you.

4 MR. MCGOFF: James Judge.

5 MR. JUDGE: Good evening, Council. I
6 came back this week to talk about the engine
7 company closures. I was happy to hear that
8 you received a letter from the mayor that
9 doesn't intend on closing them. I have to
10 say that I'm kind of confused by this latest
11 letter that he sent only because within the
12 last two weeks we were in a meeting with him
13 and Director Hayes and Stu Renda when they
14 told us they were going to close these
15 engine companies. It seems to me that this
16 is, I hate to say this, that this is being
17 done politically because of all of signs
18 that people are seeing now and he is
19 back-peddling on some pressure that he might
20 be occurring. I hope that's not the case,
21 but what I would like to -- I'd like to
22 happen is I would like council, you know,
23 this fire union would love to come and

24 educate you on the importance of these
25 engine companies.

53

1 I'll give you two examples of the
2 importance of both of these engine companies
3 that have happened over the last couple of
4 days. Early Sunday morning the 800 block of
5 Cedar Avenue I believe they had a fire,
6 Engine 4, one of the companies that was
7 slated for closure by Mayor Doherty was the
8 first new company on that fire. They were
9 able to contain that fire to the garage area
10 and not have it spread to any adjacent
11 properties or structures.

12 I believe the proposed library is
13 supposed to be going in like the 500 block,
14 is that correct, like Alder and Cedar. That
15 would be Engine 4 first two areas. Sunday
16 morning they had a fire I believe it was on
17 Wilbur Street in North Scranton. Engine 8
18 was the first new company for that area,
19 they were on an CO alarm at the time, the
20 next two engine companies that were
21 responsible for that fire there were Engine
22 4 and Engine 9. If those two companies had
23 been closed under the mayor's proposal you
24 would have been waiting for Engine 7 from

25

Luzerne Street and you would have been

54

1 waiting for Engine 15 from Petersburg corner
2 for that fire. That fire was extinguished
3 quickly due to them being able to get there
4 in a fairly timely fashion.

5 I don't know how educated you are,
6 and I hate to say that, but how educated you
7 are on how the fire service works as far as
8 how we operate, but this union is offering,
9 you know, any time that council would like
10 to sit down with us so we could just educate
11 you on how we work. I think that's very
12 important. The services that you provide to
13 this city are what, police, fire and
14 municipal refuge and cleanup from the DPW.
15 That's what city government's tasks are. I
16 think it's important for you guys to kind of
17 understand how we operate, and it's very
18 important for the public to understand how
19 we operate as well.

20 You know, you are seeing all of
21 these signs pop up all over the place
22 it's -- it's education. We are trying to
23 educate the public on how we operate so that
24 when they see us doing different tasks they

25

understand how everything is kind of a

55

1

coordinated effort to get it done in a

2

timely fashion, so that we are able to limit

3

property damage, you know, also save lives.

4

That's our job. That's what we do.

5

As far as the mayor saying the five

6

extra people are going to be assigned to

7

each shift, your staffing numbers are not

8

going to go up and we have gone through the

9

numbers with the administration before.

10

It's impossible to do it the way they want.

11

Under the Commonwealth Court award five of

12

the engine companies that we have right now

13

are staffed with two person on the engine

14

company.

15

Under the Commonwealth Court award,

16

the city was supposed to put those -- all of

17

the engine companies, every piece of

18

equipment in this city to a minimum of three

19

on every piece, all right? That number is

20

supposed to go up. They are not supposed to

21

drop before that minimum. When they switch

22

over to this 3 to 2 system we are going from

23

a 42 average workweek to a 48 average

24

workweek by Commonwealth Court's decision.

25

The numbers do not match up. The way that

1 it has to be done we don't have the staffing
2 to do it so how are they going to do it, and
3 their answer in the meeting with President
4 Schreiber was we are going to close two
5 companies. So I don't know how they are
6 going to do it.

7 The mayor in one breath is saying he
8 is going to reduce another I believe -- go
9 down to 130 now through attrition or 120
10 through attrition, we have heard all types
11 of numbers. We have heard that the Director
12 of Public Safety has a manila envelope in
13 his office with scenarios once they won the
14 Commonwealth Court award. Ask for those.
15 Let us know. We don't -- this doesn't --
16 this shouldn't be political, I agree. Let's
17 figure out what's best for the city, let's
18 do it together and, you know, let's do it
19 council, you know, the mayor's office, the
20 Director of Public Safety and the fire union
21 and let's figure out what needs to be done
22 and do it the right way, but I encourage you
23 that, you know, if you want to be educated
24 this executive body from IFF Local 60 would
25 be more and willing at any time to come in

1 and speak to you either together or
2 individually, just let us know. You have
3 President Schreiber's number, just let us
4 know. Thank you.

5 MR. MCGOFF: Dave Dobson.

6 MR. DOBSON: Good evening, Council.
7 Dave Dobson, member of the Taxpayers'
8 Association and Scranton resident. First of
9 all, I would like to thank Mrs. Gatelli for
10 the offer of that disclosure form. Now, in
11 1966 my father became employed by a pest
12 control firm. A few years later he was
13 promoted to manager. He worked there until
14 about 1988, and many of the chemicals used
15 originally were banned. New chemicals were
16 reformulated and were most importantly
17 biodegradable. However, long-term effects
18 were once again unpredictable in many
19 circumstances and we see it every day with
20 medications, remember all of the wonderful
21 arthritis drugs that were causing heart
22 attacks, you don't know what some of these
23 chemicals can do to a person and in many
24 instances they will do something different
25 to a different person, two different people.

1 My wife had an uncle and aunt, he
2 worked in the DL&W shops as a machinist
3 around asbestos. His wife died when she was
4 maybe 50 from lung cancer, never smoked a
5 day in her life, but she washed his clothes.
6 Uncle Earl, he died at 84 years old and it
7 was a lung cancer, once again, while he
8 worked in the DL& W shops, he also smoked
9 Palm-All cigarettes like a chimney and his
10 last wish was that he hoped to hell he
11 didn't live another year, so he got his
12 wish.

13 You know, it wasn't a sad death. I
14 mean, that was no issue, but the three
15 things I would like to know is what their
16 intent is from the sewer plant of Dunmore
17 because that's where that line runs and what
18 about Nay Aug. I certainly hope that they
19 don't plan to go through Nay Aug and do any
20 poisoning there, and if they've employed
21 tree and brush cutters my suggestion is
22 that, it's not a question, more people would
23 benefit from employment and you could see,
24 you know, there wouldn't be any possible
25 interesting affects, so that's what my point

1 of view on matter is.

2 I'm looking forward, I'll catch you
3 at the end of the meeting and get that
4 paperwork off of you and I'll check around
5 the website and stuff and see what I can
6 find out as far as their intent here and
7 what other towns have done because I have
8 seen people actually put signs out
9 forbidding them to spray even though they
10 had a right-of-way on their property, so
11 thank you and have a good night.

12 MR. MCGOFF: Other speakers?

13 MR. STUCKER: How are you doing,
14 Mr. Courtright?

15 MR. COURTRIGHT: Good, Jim, how are?

16 MR. STUCKER: Good. Well, I rode my
17 bike today, first time out of the building.
18 I went over to that place where they sell
19 mulch on Keyser Avenue and I priced the
20 scooters. They have electric ones.

21 MR. COURTRIGHT: I saw you there,
22 Jim, yeah.

23 MR. STUCKER: I'm thinking about --
24 mental health is going to get that money
25 from Obama. He is going to send us some

1 money.

2 MR. COURTRIGHT: Okay, Jim.

3 MR. STUCKER: I don't know what they
4 call it.

5 MR. COURTRIGHT: Okay.

6 MR. STUCKER: So what about the holes
7 over towards on Keyser Avenue. There is a
8 couple of holes that needs --

9 MR. COURTRIGHT: They are working on
10 the holes, Jim, we got lots of holes. We
11 got them working on it.

12 MR. STUCKER: Yeah. So everything
13 has been good this week.

14 MR. COURTRIGHT: Good. Very good,
15 Jim.

16 MR. STUCKER: So when you are going
17 to vote for Obama -- you going to vote for
18 Courtright? Not Courtright, Gary DiBileo?

19 MR. COURTRIGHT: We can't talk about
20 that.

21 MR. MCGOFF: We can't talk about who
22 we are going to vote for, okay? That's a
23 personal choice.

24 MR. COURTRIGHT: I'm going to vote
25 for me though.

1 MR. STUCKER: I don't like what
2 Mayor Doherty is doing. I hate what he is
3 doing.

4 MR. MCGOFF: We can't talk about who
5 we are voting for.

6 MR. STUCKER: He is the one that put
7 the signs in the river.

8 MR. MCGOFF: Thanks, Jim.

9 MR. STUCKER: I seen about 5 or 10 in
10 the river.

11 MR. COURTRIGHT: Okay, Jim.

12 MR. MCCLOE: Good evening. My name
13 is Brett McCloe, homeowner, Scranton
14 taxpayer, too bad she just left. Last week
15 Ms. Fanucci had made a statement that I
16 believe we can all agree with that we do
17 need new businesses in the downtown area to
18 generate tax revenues for the city and no
19 one can disagree with that, but with that
20 mind we need to recognize that our downtown
21 economy is a complex organism that demands
22 just another store, more than just another
23 place to spend money. It demands consumers.
24 The American dream of owning a business has
25 been severely trumped by the consumer's hope

1 that they can keep themselves and their
2 families heads above water. Unfortunately,
3 a terrible paradox comes into play.
4 Fiscally responsible consumers soon start to
5 add to the downturn of the economy.
6 Businesses get less traffic, money slows,
7 employees' hours get shortened, some get
8 laid off which leads to even more fiscal
9 responsibility and even more frugality until
10 the business or employee has to pack it up
11 altogether and move to greener pastures.

12 KOEZ's and various oppressive
13 taxations on businesses and property owners
14 only exacerbate the problem. As a waiter I
15 sometimes get caught up in this interesting
16 paradigm. I see employees of local
17 businesses that I haven't seen in awhile,
18 they sit at my table and it doesn't take
19 long before the question is asked by the
20 both of us, "Where have you been?"

21 Of course, the answer for both of
22 our question is, times are tough, not
23 realizing that in some small way our
24 individual micro-economies are effected by
25 each other's inability to spend as we once

1 did. With a retail megaplex to the north,

2 high end shopping to the south and the
3 increasing mobility of the citizens, what
4 does that leave for downtown Scranton?
5 Paper and party, bars, restaurants, legal,
6 medical, clerical and banking services. It
7 seems that poor county planning and the
8 Chamber of Commerce has literally sent the
9 consumers running for the hills that
10 surround our city leaving a weak central
11 core for retail. How do we solve this
12 problem? I don't know, but I think you have
13 to reexamine what they were thinking
14 20 years ago right up until today to find
15 that answer. It seems that the downtown
16 mall Cigna, Fleet and the Bank of America
17 and all of the other corporate businesses on
18 Montage Mountains have been placed in the
19 wrong spots. For instance, even though they
20 were built few years apart what would have
21 been the affect of putting the Steamtown
22 Mall on Montage Mountain and actually put
23 those trollies to use carrying citizens up
24 and down the mountain and have direct access
25 to Route 81, then put Fleet and Cigna and

64

1 the others on Lackawanna Avenue. Imagine

2 the amount of corporate magmatism that would
3 have brought to downtown Scranton and retail
4 power to Moosic not to mention the amount of
5 small shops, service orientated businesses
6 that would have popped up all over to
7 support them. For all of the people out
8 there who want Scranton happening, there it
9 went.

10 Well, enough of the could of, would
11 have, should haves, but we didn't's. I have
12 one thing while walking around downtown I
13 noticed, and it just -- and it got to me, is
14 there any way to take down some of those
15 "For Sale" signs that were on the sides of
16 the buildings and replace them with a little
17 purple flags that you have all over the
18 place that show everything, little flags
19 that have a different business thing or
20 something on there, and there has to be a
21 classier way to say "For sale" than to have
22 visitors and investors come to our city and
23 see those big ugly signs. It doesn't look
24 like opportunity, what it looks like is a
25 warning sign, okay. Thank you.

65

1 MS. FRANUS: Fay Franus, Scranton. I
2 just want a couple of answers to something

3 here, from what I understand when Kenny
4 McDowell ran for office Joe Pilchesky went
5 to Court and the Supreme Court said he was
6 allowed to run for office, but if elected he
7 would not be allowed to serve for at least
8 one year because he would be doing audits on
9 his own books so it's illegal, so my
10 question to you is this, does anybody up
11 there know if he is being in that office
12 right now illegally? Any of you know? I
13 mean, so many things happened in this city
14 that is against this law that people just
15 let it go by, like controller's not auditing
16 books for years, but nothing is ever done.

17 So I'm asking this question, is
18 Kenny McDowell in office illegally? From
19 what I understand, he is not supposed to be
20 holding office right now, and the only
21 person that could do anything about it is
22 District Attorney Jarbola, and from what I
23 also understand is that they are friends and
24 that's why he won't do anything about it.
25 Now, that's just hearsay, but then again,

66

1 Mr. McGoff, I'm just saying. I want
2 somebody to get me an answer, I want to know

3 the truth, is he supposed to be in office?
4 If he is not supposed to be in office the
5 law is the law is the law. If he is not to
6 supposed to be in office why is he in office
7 and if the district attorney is the only one
8 and he is not doing his job what could you
9 do to make sure that he does it?

10 MR. MCGOFF: It's -- I'm sorry. I
11 would say that that's something --

12 MS. FRANUS: Go ahead.

13 MR. MCGOFF: Just a quick answer,
14 that is something -- number one, I don't
15 know any reason why he shouldn't be holding
16 office. I don't know of anything that was
17 --

18 MS. FRANUS: You can't audit your own
19 books. You can't serve office for one year.

20 MR. MCGOFF: I think that they went
21 through that and that he was allowed to run.

22 MS. FRANUS: Yes, he was allowed to
23 run.

24 MR. MCGOFF: But I don't want to get
25 into it -- I don't know the law. I would

67

1 think that if you want an answer to that
2 question that you would have to go to the
3 county or to the District Attorney's Office

4 because I don't know that any of us are
5 fluent enough with that.

6 MS. FRANUS: Does Mr. Minora know
7 that?

8 MR. MCGOFF: But it's not within our
9 purview to deal with that. He is a
10 county -- he is a county employee at this
11 point in time.

12 MS. FRANUS: Okay. So let me ask
13 you this, supposed I find out that he can't,
14 do you have any idea where I would go if
15 District Attorney Jarbola does not want to
16 do anything about it?

17 MR. MCGOFF: I would assume that you
18 would start with the district attorney's
19 office and then the State Attorney General's
20 Office.

21 MS. FRANUS: After him?

22 MR. MCGOFF: Yes. I'm assuming. I
23 don't. Again, that would be something
24 that--

25 MS. FRANUS: Well, I just think this

1 is something that should be checked into
2 because I think this is definitely -- if
3 it's wrong he shouldn't be there. He is

4 done enough damage to this city as it is,
5 and I am ver surprised last week that
6 Mr. McGovern did not mention his name at all
7 in his presentation. There was no mention
8 of Kenny McDowell's name and the damage he
9 has done in this city. Thank God that woman
10 got up and spoke about it for once and, you
11 know, that's all. Thank you.

12 MR. MCGOFF: Anyone else?

13 MS. HUMPHRIES: Pacha, freta, salaam
14 aliekum. May the peace of Jesus Christ be
15 with you and bring everybody peace and
16 reconciliation here in this town and in this
17 country. My name is Phyllis Bernadette, to
18 the middle eastern people my name is Fatima
19 Yasmin, but Fatima for Our Lady of Fatima.
20 I was also given another name. I'm a
21 caranate in Bethlehem, Jerusalem and
22 Nazareth, my documents were taken many years
23 ago and the carnates of Nazareth gave me the
24 name Phyllis of Jesus of Mary. This is true
25 and true to the highest.

69

1 Pope Luigi VII condemned
2 indifference and religious relatively. He
3 put in according to Augusta in place the
4 doctrine of truth and charity of unity to

5 say the seed of Peter. There could be no
6 picking or choosing. To be a good Christian
7 or to be a good democrat you should be a
8 good Christian.

9 Years ago, I brought a holy statute
10 and I gave it to the police department, Our
11 Lady of Fatima, and in all my trials and
12 difficulties I was to look at everyone and
13 document everyone to be sent to the Holy
14 Father. This is a book that was given to me
15 when they were moving to the police
16 department and friends had said you can take
17 anything you want and I'm really truly a
18 bookaholic. I buy books, put them on the
19 side thinking that some day, I do hope that
20 they do build a library here for the
21 children, but I hope that they save that
22 library over there for historic and they
23 don't sell anything, that's number one.

24 In 106 of the law of Pennsylvania
25 and the criminal status, the general rule, a

70

1 offense defined by this time will be
2 sentenced to death or imprisonment or
3 unauthorized constitutes the crime, the
4 classic crimes are murder of the first

5 degree or second degree or third degree.
6 First degree murder of the unborn child;
7 second degree murder of the unborn child;
8 and third degree murder of the unborn child.

9 I gave you last week documents, and
10 it's scientific documents, I don't only
11 stand here for the unborn, I stand here for
12 the abused. I stand here for the people
13 that have died in silence all over the world
14 and I stand here to tell the perpetrators
15 God will reveal every one of them. I ask
16 everybody to pray and have peace in this
17 world and be a good parent, be a good mother
18 or father and sister or brother or aunt and
19 uncle and sister. Pray for our military,
20 and this point I have a meeting to go to,
21 but this is who I am and this is what I came
22 in the world to. There is four judgments.
23 This is the judgment now of the saints
24 before the coming of Jesus so pray and make
25 way for the Kingdom of God is at hand and

71

1 repent and read the gospel, thank you.

2 And I do forgive that man that
3 called me a bum, but I ask him not to do it
4 begin because next time he will go to jail.

5 MR. MCGOFF: Thank you, and you are

6 right. No one should call names. Anyone?

7 MS. SCHUMACHER: Good evening. Marie
8 Schumacher, resident and member of the
9 Taxpayers' Association. First, as it's up
10 for final passage tonight, 7-A would
11 authorize the contract for planning, design
12 and construction support services for Billy
13 Barrett playground. Now, our city is in
14 dire need of recreational facilities, but I
15 went to parks and recreation website and
16 there is no Billy Barrett playground listed,
17 meanwhile, the several hundred thousands
18 dollars that was set aside supposedly for
19 Robinson Park improvements that Mayor
20 Doherty promised in 2003 using money
21 allegedly set aside for parks from the
22 \$72 million bond issue floated in the summer
23 of 2002, six years is a long time to wait.

24 Next, because it's a \$600,000 issue,
25 is the agreement with BRT Ice for

72

1 redevelopment of the 800 block of Providence
2 Road? Last week I asked whether council had
3 sent the proposed agreement back to
4 Redevelopment Authority after tabling the
5 authorizing legislation other three years

6 ago, such the terms agreeable to council
7 would be made. Mrs. Gatelli informed me to
8 the effect that is it was not possible
9 because the Redevelopment Authority had
10 already executed the contract,
11 unfortunately, my time had expired so I
12 would now like to revisit the issue.

13 To refresh, the issue in quoting
14 from a Time-Tribune article in February 9,
15 2005, "Under the lease, the city is in
16 control over when that money will be repaid,
17 Carl Greco, Scranton Redevelopment Authority
18 solicitor said."

19 That is a quote. Further, the
20 contract says Mr. Burke must pay \$600,000
21 within 30 days of the DPW vacating the land
22 and the city completing the redevelopment
23 process. The process includes the city
24 planning commission certifying the land as a
25 redevelopment area, something that city

73

1 planner, Don King, assures me was
2 accomplished and the SRA itself verifies
3 that that was accepted on February 15, 2005,
4 and the Redevelopment Authority and the city
5 council approving a Redevelopment contract.

6 Now, and here is the clincher, on

7 April 15, 2000 -- excuse me, April 5, 2006,
8 the Scranton Redevelopment Authority
9 executed a resolution that authorized the
10 redevelopment contract with BRT Ice Limited
11 Partnership be entered into and forwarded to
12 the city council as required by the city --
13 by the Urban Redevelopment Law for review
14 and approval in regard to the property
15 located in the 800 block of Providence Road.

16 So, you see, city council clearly is
17 in a the driver's seat. So I will again ask
18 when city council will instruct the
19 Redevelopment Authority to draw up a
20 contract that meets the parameters of the
21 what taxpayers were told, that is, the
22 \$600,000 is due for payment in it's
23 entirety.

24 Next subject, back in December Judge
25 Minora entered a stop work order at Tripp

74

1 Park Redevelopment. Judge Minora held that
2 Northeastern Land Development was primarily
3 responsible for fixing the problems. Judge
4 Minora also said the city could be held
5 responsible for enforcing the subdivision
6 regulation. Since the 90 days Judge Minora

7 gave to report on a fix to the runoff
8 problem that was plaguing neighbors,
9 taxpaying neighbors I might add, I would
10 like to know whether or not Judge Minora had
11 approved a fix by the developer such that
12 the city and her taxpayers are off the hook?
13 Maybe Mrs. Gatelli can report on that in
14 motions.

15 Now, the apparent failure on the
16 city's part to enforce subdivision
17 regulations is a good segway to inquiring
18 about the request for proposals appearing in
19 the Times-Tribune for a city engineer. Is
20 this a replacement for Mr. Swanson or in
21 addition to the DPW staff? Also, why an RFP
22 and why not a hire?

23 Now, I will close my comments
24 tonight with the information and request. I
25 spoke to State Representative Bob Freeman's

75

1 staff in Harrisburg and they told me
2 Mr. Freeman -- may I finish this, sir? May
3 I? Thank you. Mr. Freeman will be
4 reintroducing legislation that would provide
5 state funding to municipalities to
6 compensate them for high levels of tax
7 exempt properties. I request council to pay

8 a motion tonight requesting our local
9 representatives Ken Smith and Kevin Murphy
10 to cosponser Mr. Freeman's legislation,
11 Scranton taxpayers need the help. Thank
12 you.

13 MR. UNGVARSKY: Good evening, City
14 Council. I'm Tom Ungvarsky, and I'm a
15 member of the Scranton and Lackawanna County
16 Taxpayers. Over the last couple of years we
17 have conducted interviews with candidates
18 running for office. We have interviewed
19 Congressman Kanjorski and Mayor Lou
20 Barletta. We interviewed Frank Andrew
21 Shimkus and Kevin Murphy. We interviewed
22 all three county commissioners along with
23 Mr. Cordaro and Evie Raflako-McNulty and
24 many others. We have never had a complaint
25 that we were unfair or asked the wrong kind

76

1 of questions or were rude.

2 Last week a council member said she
3 does not trust our organization. I think it
4 would have been befitting if she came and
5 answered the five questions along with
6 Mrs. Fanucci and proved us wrong.

7 MS. FANUCCI: I had my party that

8 night.

9 MR. UNGVARSKY: Thank you.

10 MS. FANUCCI: That's why I didn't
11 attend. I actually had somewhere to go.

12 MR. GERVASI: Good evening, city
13 council. My name is Dave Gervasi, I'm a
14 firefighter and resident in the City of
15 Scranton. I'm kind of flabbergasted here
16 tonight. We were told this afternoon by a
17 reporter from the Scranton Times something
18 similar to that, the mayor is now saying he
19 is not going to lay anyone off, he is not
20 going to close firehouses and he is not
21 going to close engine companies; is that
22 accurate in that letter?

23 MR. COURTRIGHT: It doesn't say
24 layoff.

25 MS. FANUCCI: It doesn't say layoff.

77

1 MR. GERVASI: Layoff.

2 MS. FANUCCI: It doesn't say
3 anything, but yea, just says engine houses
4 and -- yeah.

5 MR. GERVASI: Just to review what I
6 said last week, the mayor has stated over
7 and over and over the Recovery Plan says,
8 the Court order says he could to this and he

9 said it. In February he said, we are going
10 to build superstations. That means close
11 neighborhood firehouses and put them in
12 superstations. He said right after that,
13 right after he made the superstation thing
14 our president met with the city and Director
15 Hayes and Stu Renda, the business
16 administrator said they are going to close
17 Engine 4 and Engine 9. The next day the
18 mayor denied it and said they are not. The
19 day after that the director says, yes, we
20 have plans of closing Engine 4 and Engine 9,
21 and now today he is saying he is not going
22 to do anything.

23 MS. FANUCCI: Can I just ask, how
24 does this happen? Like, you know, you are
25 saying this, we are hearing that, I mean,

78

1 there is not one -- we haven't had a
2 consistent story yet.

3 MR. GERVASI: True.

4 MS. FANUCCI: You know what I mean?

5 MR. GERVASI: How do you think we
6 feel? We are the ones who are going to have
7 to work in this department when apparently
8 they don't have a plan, everyone is

9 contradicting each other on a daily basis,
10 but what I will tell you is this, there is
11 no possible mathematical way that he can do
12 what the Court order says if he is going to
13 reduce our staff whether it's through
14 attrition or layoffs or whatever.

15 There is no way he could run the
16 department the way it is right now without
17 closing firehouses. It's impossible. The
18 way the schedule runs with Kelly days built
19 in and everything else there is no way he
20 can do this. It's impossible to do. I
21 think this council has to sit down with our
22 union and we will show it to you in black
23 and white, in graphs and charts, and in
24 mathematically what he is saying can't
25 possibly be true.

79

1 MR. COURTRIGHT: Mr. Gervasi, if I
2 could interrupt you for a second.

3 MR. GERVASI: Sure.

4 MR. COURTRIGHT: I think what we need
5 is what we has asked for, the plan, what the
6 plan is.

7 MR. GERVASI: What's the plan?

8 MR. COURTRIGHT: We got that answer,
9 but we've got no plan and so I believe it

10 was Mr. Judge that spoke, I don't want to
11 use your time up, he said that Mr. Hayes he
12 has envelopes with different scenarios in it
13 and so I will wait until motions I'll ask
14 can we send a letter to see these scenarios
15 because we haven't seen anything and I don't
16 want to take up your time.

17 MR. GERVASI: Just one other point
18 I'd like to make because the vast majority
19 of this battle we have been having for seven
20 years is on public safety, on closure, on
21 layoffs, reducing staff and everything else.
22 If the mayor would put what he put in that
23 letter in writing for the length of our
24 contract we could probably settle 70 or
25 80 percent of what we have been fighting

80

1 for. We will have to work out some things
2 in health care and some of the other
3 squirmishes we have, but that would just
4 about put it to rest what we have been
5 saying for seven years.

6 So I would -- maybe if you can add
7 to that letter, tell him to put it in
8 writing and put it in our contract and
9 that's one less things we have to worry

10 about if that, in fact, what he is going to
11 do. I don't believe it because, I mean, it
12 is seven weeks away from an election and I'm
13 sure there is a lot of people probably
14 telling him not to close companies or
15 houses, but he said it. He is on record
16 saying it and now he is not saying. Like, I
17 just don't understand. I don't understand,
18 but please put that in. If you are going to
19 send him a letter, please tell him to put it
20 in writing to the firefighters, to the
21 union, we'll attach it our contract as a
22 memorandum of understanding, and that's a
23 whole bunch of stuff we are not going to
24 have to worry about from this point on.
25 Thank you very much.

81

1 MS: O'MALLEY: Good evening, city
2 council. How is everybody tonight?
3 Mr. McGoff, Mr. Courtright, Sherry,
4 Mrs. Evans, and Judy I'm back and it's been
5 two years since I have been here. It's a
6 long time, rough road, but I'm so happy to
7 tell you, the road is open.

8 MS. FANUCCI: Wow. Are you serious?

9 MS. O'MALLEY: Every one in the last
10 two years has seen me wherever I have had

11 leukemia, I got hurt at work and I was
12 diagnosed with leukemia. I'm much better
13 and I'm back, but, I mean it's been a rough
14 road. It's been a really rough road, but
15 you can go up to Maple Street and it is open
16 up to and including my property.

17 MR. COURTRIGHT: Great.

18 MS. O'MALLEY: I also want to know
19 that they are doing other water problems at
20 the beginning of Moltke Avenue, like as soon
21 as you make the turn and go in, they are
22 fixing it there, and at the very end of
23 Maple -- no, at the very end of Moltke when
24 you go up they are putting all new drains in
25 there, too, so it's not just mine, but all

82

1 of Moltke is being taken care of.

2 And I came here tonight to thank
3 Judy Gatelli because it's all her, along
4 with Jeff Brazil, and I got to say this as
5 much as it hurts, Mayor Chris Doherty. He
6 did it. He opened Maple Street. It's taken
7 a long, long, long time, but it's done, and
8 I can't thank you guys enough for putting up
9 with me, for my rantings and my ravings, my
10 carrying on, but I am now a taxpayer on land

11 I can use.

12 MS. FANUCCI: Wow. That's good.

13 Good for you.

14 MS. O'MALLEY: Thank you. One more
15 quick thing, Scranton Knights, as you know,
16 is having our annual night at the races,
17 please come, enjoy, have fun. I'm going to
18 work on this now to raise money for Scranton
19 Knights. Thank you again, everybody. Judy,
20 thank you so much and Jeff and Mayor
21 Doherty. Thank you, everybody.

22 MR. MCGOFF: Anyone?

23 MS. KRAKE: Good evening, Council.
24 My name is Nancy Krake. I'm very glad to
25 hear about the property being opened up, but

83

1 it does make me think that if every year
2 could only be an election year we'd have
3 property opened up, we'd have firehouses, it
4 would be wonderful.

5 I have a question for Attorney
6 Minora, is the lawsuit Mrs. Gatelli has
7 against a private citizen still active?

8 MR. MINORA: I'm not sure which one
9 you are referring to, there is a lot of
10 lawsuits floating around.

11 MS. KRAKE: Mrs. Gatelli has more

12 than one lawsuit against a private citizen?

13 MR. MINORA: There are a number of
14 lawsuits --

15 MR. MCGOFF: Mrs. Krake, I don't know
16 that this is a question that Attorney Minora
17 should be answering.

18 MS. KRAKE: I simply asked if it was
19 active. I didn't ask the specifics. I
20 apologize if that's --

21 MR. MCGOFF: Why don't you ask --

22 MS. GATELLI: He doesn't know
23 because he is not the attorney.

24 MS. KRAKE: I know he is the not the
25 attorney, I would not ask the attorney.

84

1 MR. MCGOFF: I just don't know why
2 the question is being asked of Attorney
3 Minora because it's -- he is not involved.

4 MS. KRAKE: Well, apparently you are
5 not going to have answer that, Attorney
6 Minora, they have giving you a lot of outs,
7 but I would respectfully ask you to answer
8 the question.

9 MR. MINORA: I don't need an out. I
10 don't know have the answer for you.

11 MS. KRAKE: That's fine. That's what

12 I would hear the truth. Thank you. I
13 appreciate that. I would like to say though
14 that I do believe frivolous lawsuits should
15 not be part of what the city does or this
16 council in an economy that's in such a
17 downturn. There is no reason to throw
18 taxpayer dollars away. We know Mrs. Gatelli
19 isn't shy to raise your real estate taxes
20 27 percent or impose huge fines which can
21 quadruple your taxes, your homeowners' taxes
22 when you can't afford to pay them on time,
23 and if Mayor Doherty gets another term and
24 if Councilpersons Gatelli and Fanucci who
25 support his policies of borrow, tax and

85

1 spend get additional turns we can be assured
2 for four more years of the same. I think
3 the real question here though is can the
4 City of Scranton and it's citizens survive
5 another four years of this, and
6 Mrs. Williams I believe unwittingly drove
7 that home beautifully earlier. All of the
8 businesses she named were thriving
9 longstanding businesses in the City of
10 Scranton, I should say for the most part
11 businesses she named, well before Mayor
12 Doherty became to office. Most, in fact, I

13 remember growing up here. The businesses
14 Mr. Hubbard names for the most part were
15 businesses that have come and gone during
16 Mayor Doherty's term. Thank you very much.

17 MR. SLEDENZSKI: Hello, Bill.

18 MR. COURTRIGHT: Hi, Chris.

19 MR. SLEDENZSKI: Hell, Judge.

20 MS. GATELLI: Chrissy.

21 MR. COURTRIGHT: Up a little bit.

22 MR. SLEDENZSKI: Judy, our first game
23 this week, you know?

24 MS. GATELLI: I know.

25 MR. SLEDENZSKI: Well, girls, good

86

1 luck. Thank you.

2 MR. ANCHERANI: Good evening. Nelson
3 Ancherani, First Amendment Rights.

4 Question: Does anyone know what you will do
5 when there is a deficit because we are not
6 getting the full 5.5 million that was
7 plugged into the budget from the zero
8 balance account found in the Single Tax
9 Office? That money has been sitting in that
10 account for a number of years and just
11 discovered last year. If we had a
12 5.5 million deficit that the money from the

13 tax office was going to plug, what kind of a
14 deficit will be claimed for 2010? Will the
15 claim be that we will have a 11 million
16 deficit for 2010 and if we have a 11 million
17 deficit where will that money come from?
18 Will you three, Mrs. Gatelli, Mr. McGoff and
19 Ms. Fanucci vote on another budget that
20 raises our taxes 25 percent? Will you raise
21 our taxes another 25 percent for 2011 when
22 we have another deficit or will you three
23 vote for borrowing instead?

24 Don't forget Mr. Cross from the PA
25 Economy League, local bankers and mayors

87

1 wanted two more 20 percent tax increases and
2 will you three vote to borrow more money to
3 put our long-term debt over the \$300 million
4 mark? The way the economy is the loans are
5 probably out so 20 percent tax increases are
6 the likely option. How will you three
7 justify voting on record budgets and raises
8 for favorites? How do you justify record
9 budgets when a police and fire unions are
10 getting the blame by the administration for
11 not being able to get it's financial
12 business in order when the police and fire
13 budgets remain static for the last seven

14 years?

15 As I said before, taxpayers bend
16 over and grab your ankles and kiss your
17 butts goodbye. Does anybody know why our
18 rates were raised 56 percent by the Sewer
19 Authority when with this year's budget we
20 will have paid over eight million in
21 leaseback payments plus the cost over four
22 million in constructing the building. This
23 is according to the expenditure budget for
24 items listed as OPERTFS debt service, sale
25 leaseback of DPW series 2004, 2005, since

88

1 2005. Does this mean that we taxpayers are
2 or have been paying twice? Does this mean
3 that the 56 percent rate hike was not needed
4 and since we, the taxpayers, are paying the
5 sale leaseback of the DPW through our taxes?
6 How much more will be needed to budget next
7 year for the leaseback? Does this mean that
8 we have paid over \$8 million for a DPW
9 building that we paid over four million for
10 a few short years ago? Again, like
11 Mrs. Evans says, it doesn't pass the smelly
12 test.

13 Again, does anyone know why

14 nondepartmental expenditures does not appear
15 in the pie chart as expenditures? This is
16 24 million rounded off, 24 million not
17 showing up on a pie chart. Why? Evidently,
18 it was omitted for a reason. Was it omitted
19 to make it appear that the police and fire
20 were made to look like they were responsible
21 for 49 percent of the budget when they are
22 only responsible for 35 percent?

23 The way to find that out is to go
24 through the budget, which I would venture to
25 guess that you three who voted for the

89

1 budget did not read or do the figures.
2 Mrs. Evans and Mr. Courtright did not vote
3 for the budget. Mrs. Evans submitted a
4 budget, but it was ignored by you three,
5 Mrs. Gatelli, Mrs. Fanucci and Mr. McGoff.

6 I asked the total of 17 questions in
7 the last few minutes, let's see how many of
8 them are answered. Thank you.

9 MR. MCGOFF: Anyone else? Mrs.
10 Evans?

11 MS. EVANS: Good evening. I think
12 I'm going to begin by answering a few of the
13 questions that were posed this evening and
14 then I'll continue along with my some

15 matters and motions that I had prepared.

16 First of all, a speaker asked what
17 has been place on the agenda or what
18 legislation has been written by council, and
19 just a few that came to my mind were as
20 follows: The oversight committee for ECTV,
21 the amendment on at least two occasions to
22 delinquent tax ordinance. I had also
23 created three budgets as well as one list of
24 cuts, legislation to lower the bidding
25 threshold from 20,000 to \$10,000. Sadly,

90

1 out of those pieces of legislation that I
2 had put forth, only one of all of those had
3 been adopted.

4 Someone asked earlier also about
5 Goodwill Industries, and I wanted to respond
6 that the speaker's additional questions were
7 given to the executive director of Goodwill
8 Industries and I am awaiting a response from
9 him, but in addition to that, and I'll
10 address this probably under citizens'
11 requests, Kay, I'm also going to ask for his
12 response once again, but add to that
13 questions concerning each phase of this
14 development project. Can he provide a

15 description of each of the phases of the
16 project.

17 Golf course money was also raised by
18 another speaker, and I would say that 1.5 of
19 the \$3 million was used by the majority
20 members of council to lower the realty
21 transfer tax, and I believe that would have
22 been two years ago. The additional or I
23 should say the remainder 1.5 million remains
24 in FNCRB in CD's collecting interest.

25 And again, in response to another

91

1 speaker's request based on breaking news
2 that the mayor will not close fire engine
3 companies and will not decrease manpower, I
4 move to send a letter to the mayor from
5 Scranton City Council requesting that a
6 memorandum of understanding is drafted
7 signed by the mayor and the union president,
8 Mr. Dave Schreiber, and added to the
9 Scranton Firefighters' contract on or before
10 May 1, 2009, and such document must state
11 that no firehouses, no engine companies will
12 close and that no reductions to staffing be
13 below current levels will be made, additions
14 can occur.

15 MR. COURTRIGHT: Second.

16 MR. MCGOFF: On the question? I
17 personally I'm not going to -- I don't feel
18 that I'm adequately prepared to vote on that
19 at this point in time since it's something
20 that was just brought up this evening. I
21 would like to have time to discuss it with
22 other members of council and to deem if it's
23 worthy to, you know -- if it is something
24 that we want to do. I don't think that we
25 should vote on this at on the spur of the

92

1 moment.

2 MS. FANUCCI: And I'm going to ask,
3 Amil, being the fact this is under contract
4 negotiation is this something that we are
5 actually even able to do because you can't
6 even find out what they're actually talking
7 about in the negotiations.

8 MR. MINORA: Well, we certainly can't
9 force the mayor to do it --

10 MS. EVANS: No, I'm just sending a
11 letter requesting that he draft. We are not
12 drafting it.

13 MR. MINORA: Right. I understand. I
14 mean, obviously you can send a letter, but
15 the net effect of it would be I don't know

16 is it part of his entire negotiating
17 strategy, how would he react to that? I
18 can't answer that. Having negotiated
19 contracts with the police and fire when I
20 was solicitor and at least when I was at the
21 negotiating table I wanted a package. I
22 didn't want to do this --

23 MS. FANUCCI: Piecemeal.

24 MR. MINORA: -- one thing at a time,
25 so that's my experience. That's what I'm

93

1 thinking any administration would think.
2 It's only the logical way to approach these
3 things, so can we send a letter? Yes, we
4 can send a letter.

5 MS. FANUCCI: Right.

6 MR. MINORA: Do I expect a result,
7 not from my experience.

8 MS. EVANS: Well, I'm just basing
9 this on the announcement made by the mayor
10 and I believe it's very prudent to seek a
11 memorandum of understanding because it
12 appears the mayor can't be counted as a man
13 of his word. There have been more than one
14 instances during his tenure when he has
15 reversed course. For example, this
16 situation where I'm closing the fire

17 stations and engine companies and then I'm
18 not, and you could say, Mr. Hayes and
19 Mr. Renda met with the union
20 representatives, but the mayor certainly had
21 to be well aware of what transpired at this
22 meeting because he is their boss. He hires
23 and fires Mr. Renda and Mr. Hayes, and I
24 would be certain that any statements made by
25 them were on direct order of the mayor.

94

1 And then we have, you know, the
2 statement that he would be the sixth
3 councilman. Well, the only time I have ever
4 seen him appear here is for swearing in
5 ceremonies and appointments of council
6 members. And, you know, he swore he would
7 be a fiscal conservative yet he has
8 increased the debt by four times --

9 MR. MCGOFF: We --

10 MS. EVANS: I'm on the question, and
11 so this is why now that he has been made the
12 statement and put it in writing to council I
13 believe now is the time before an election
14 occurs because I don't believe he can be
15 taken at his word. This is a wonderful
16 announcement, please don't misread what I'm

17 saying, I am very pleased by it, but I want
18 him to stand by it and not simply because
19 it's 2009 and an election cycle. I want
20 that to stand through 2014 regardless of who
21 is mayor.

22 And so I'm not going to withdraw the
23 motion I believe this the time for the
24 motion and it doesn't require discussion
25 with the administration or the mayor, this

95

1 is council and this is where it should be
2 discussed. We make a decision we would
3 either like the mayor to be held to a
4 statement or we don't care to make him stand
5 by his word. It's really either or and we
6 don't need outside --

7 MR. MCGOFF: It's not an either or.

8 MS. EVANS: Well, we don't need any
9 outside advice on this. We are elected
10 officials and I think we are all more than
11 capable of making educated decisions.

12 MR. MCGOFF: I agree, but at the same
13 time I would like to have an opportunity to
14 make an educated choice and it's not an
15 either or question.

16 MS. EVANS: Well, I'm basing this on
17 what the mayor provided us. I'm simply

18 asking him to put it in language in terms of
19 a memorandum of understanding that becomes
20 an addendum to a contract. If he truly
21 means what he said he will have no problem
22 doing this.

23 MS. FANUCCI: My problem is the
24 contract negotiations and the fact is that
25 you are, you know, you saying this and

96

1 piecemealing this is a wonderful thing, we
2 are all very happy, but that's something
3 that should be between the unions and the
4 mayor. If they want this then they should
5 show up there, they should all sit down and
6 get this done. I don't know --

7 MS. EVANS: No, I agree with what you
8 are saying, but then what I would say,
9 gentleman and ladies, these were empty
10 words. They mean nothing.

11 MS. FANUCCI: Well, wait a minute.

12 MS. EVANS: They are a campaign
13 promise.

14 MS. FANUCCI: So what. Janet --

15 MS. EVANS: I'm not saying your words
16 are empty --

17 MR. MCGOFF: Mr. Jackowitz, we are

18 trying to have a discussion.

19 MS. FANUCCI: But what I am saying is
20 you don't know that.

21 MS. EVANS: I'm saying the mayor's
22 words are empty.

23 MS. FANUCCI: How do you know that?

24 MS. EVANS: Well, we can send the
25 letter and find out.

97

1 MR. COURTRIGHT: Can I speak?

2 MS. EVANS: Sure.

3 MR. MCGOFF: We are on the question.

4 MR. COURTRIGHT: I think what Mrs.
5 Evans is saying is here is a letter that we
6 have gotten, that there is a statement made
7 to and she is looking to make sure that he
8 is held to his word. If I'm understanding
9 you correctly.

10 MS. EVANS: Yes.

11 MR. COURTRIGHT: That might be kind
12 of simple because that's the way I
13 understand it.

14 MS. EVANS: That's it.

15 MR. MCGOFF: Anyone else? All those
16 in favor signify by saying aye.

17 MS. EVANS: Aye.

18 MS. GATELLI: Aye.

19 MR. COURTRIGHT: Aye.

20 MR. MCGOFF: Opposed? No.

21 MS. FANUCCI: Aye.

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

24 MS. EVANS: Now, to another
25 unexpected issue, it really was wonderful

98

1 that the people were able to hear the other
2 side of the tax office saying saga tonight.
3 The major pieces of a puzzle that have been
4 missing for years, and I really want to
5 thank Mrs. Costanzo for coming here and
6 filling in those blanks and giving us the
7 missing pieces. That was why I had invited
8 you and another individual to council and I
9 had looked at budgets and traced them
10 through the years and I knew that those tax
11 collections figures had to be incorrect and
12 it was as simple as that and for what reason
13 I don't know. I guess I share your
14 frustration here. No one listened to me
15 either, but then lo and behold three months
16 later huge amounts, all of this money
17 discovered, and suddenly everyone believes
18 it.

19 I don't know why that is. I don't
20 have answers for why no one will believe
21 what I'm telling them because it's not
22 something that's a feeling or woman's
23 intuition, it's fact and figures and it
24 should have been addressed years ago and
25 there were people -- the reason I started

99

1 digging initially was because people came to
2 that podium and they talked about it and
3 they continue to talk about it because it
4 was something that just was never solved, it
5 didn't go away so I thought it's worth
6 investigating and that's all you had to do.

7 But here we are, and what I think is
8 even more surprising is that we have, you
9 know, a tax office that went over budget and
10 is using funds incorrectly, we have one to
11 two million dollars that's missing or I
12 don't know the correct terminology, but what
13 is appalling is that it's okay. It's all
14 okay. Everyone has been pardoned and the
15 apologists have done a superlative job, but
16 I have to wonder in private business would
17 this be permitted? Would the person charged
18 be held accountable and punished for that or
19 would the business simply say, "We hired the

20 wrong person. Gosh, it took us, I don't
21 know, five years to realize he is
22 incompetent and now we'll just let that go."

23 And that's exactly what's going on
24 and the only answer I can give any of you
25 from all of this is only in Scranton.

100

1 Now, council also received another
2 audit report since last week's meeting
3 according to Rossi & Sons, "Since the audit
4 timetable has been delayed by approximately
5 one month by the business administrator, the
6 audit completion date of May 31, 2009, is
7 not attainable. Further, seven items
8 necessary to the audit were not addressed in
9 Mr. Renda's response to the audit timetable
10 outline."

11 Also, as of March 24 the auditors
12 still had not received a response to the
13 first or second confirmation requests from
14 the Single Tax Office, and they would like
15 to know if Mr. Renda has requested an audit
16 completion date from the Sewer Authority,
17 Parking Authority, and Redevelopment
18 Authority. Thus, it seems history is
19 repeating itself yet again.

20 Nevertheless, I hope that the
21 administration and city authorities will get
22 their act together this year in order that a
23 city audit can be produced, admittedly not
24 by May 31, but before the next city budget
25 arrives.

101

1 Over the last few weeks, in fact, as
2 recently as last week Mrs. Fanucci requested
3 a detailed list of city employees' salaries,
4 health care copays, overtime, etcetera, and
5 I think that's a good idea. I was wondering
6 though will that list include the DPW
7 employees as well?

8 MS. FANUCCI: I asked for everyone.

9 MS. EVANS: Everybody. Okay, that's
10 good. I know I looked at the letter that
11 was sent out on your behalf, and I thought
12 it said everyone, but then --

13 MS. FANUCCI: All employees.

14 MS. EVANS: But later it was talking
15 specifically about firemen and police.

16 MS. FANUCCI: That's because only
17 firemen and police get arbitration awards so
18 it applied to that and also longevity pay,
19 only fire and police get that, so that was
20 why it is it was done a different way -- I'm

21 wrong? But I did ask that.

22 MS. EVANS: Well, we could probably
23 get the arbitration awards --

24 MS. FANUCCI: DPW gets them, so then
25 DPW gets them, all right? I did request all

102

1 employees regardless, all employees.

2 MS. EVANS: So I just want to make
3 sure we get all of that information on the
4 DPW because I know from the liquid fuels
5 account provided by the controller's office,
6 for example, that the DPW typically receives
7 a great amount of overtime particularly in
8 winter months for essentially snow removal,
9 and I have also noticed that within the last
10 few weeks the DPW is out on weekends
11 performing various jobs throughout city, and
12 that's wonderful news, we all need that.

13 However, I have been told that a
14 select number of employees are receiving
15 overtime on a regular basis for having
16 displayed certain candidates signs and for
17 having signed some elected officials
18 petitions for reelection that were
19 circulated at the DPW by a city employee. I
20 would like to keep an eye on that overtime

21 since I don't believe it's proper to receive
22 overtime for political purposes. I wouldn't
23 want to be put in that position at either of
24 my jobs, and so I wouldn't allow any city
25 employees to circulate petitions for me

103

1 because I think it places everyone involved
2 in a very uncomfortable position.

3 Next, Kay, I would like a list of
4 all of employees who received double
5 pensions at retirement which were given by
6 this administration since January 1, 2002.
7 It's a disgrace that taxpayers dollars were
8 wasted by forcing retirement which provided
9 health care costs and even double pensions
10 on top of that for some and then replacing
11 those positions with job creations and huge
12 management raises. It seems no meaningful
13 savings were realized from that mess since
14 both the city budget and the debt have so
15 significantly increased in the last eight
16 years.

17 Finally, citizens' requests:
18 Residents of Race Street report that garbage
19 has accumulated on one side of Heavy Duty
20 Parts, a business located in the 500 block
21 of Race. Further, residents complain that

22 trucks often idle and the fumes are
23 preventing them from outdoor property
24 maintenance and leisure activities. Please
25 send a letter to the owner and manager of

104

1 this business from city council requesting
2 that they address these problems.

3 A letter to DPW. I have noticed the
4 street cleaner is hard at work again this
5 year now that spring has arrived and that is
6 very beneficial to our residents, however, I
7 have also been informed that a neighboring
8 city's street are cleaned daily throughout
9 spring, summer and fall according to a
10 schedule of odd and even streets on
11 appointed days. Vehicles that are parked
12 improperly are ticketed and those cities
13 raise supplementary revenue as a result.
14 Residents of all sections of Scranton have
15 complained of the filthy road conditions for
16 the last several years and I would like to
17 see a regular street cleaning program
18 implemented city wide.

19 Also, please empty recycling bins
20 and garbage cans at Nay Aug.

21 A letter to Jeff Brazil: Please

22 complete the work at 1956 Myrtle Street.
23 The leak caused by an easement at this
24 address still has not been identified.
25 Consequently, another cave-in may occur in

105

1 the future. In addition, the concrete and
2 asphalt poured in the sink hole was never
3 sealed. As a result, the fill is chipping
4 away as evidenced by pieces found in the
5 homeowner's driveway. Please finish this
6 work properly so as to avoid further
7 problems.

8 Please obtain a report from Brian
9 Swanson regarding the request for a green
10 arrow on South Washington Avenue and Elm
11 Street which I submitted to weeks ago. He
12 was to determine a definite response last
13 week.

14 Next, what dollar amount was paid to
15 a Philadelphia firm for the financial report
16 of the Scranton Tax Office by the City of
17 Scranton?

18 And next, why does the city pay
19 liability insurance for the train at Nay
20 Aug? Is it leased to the amusement company
21 which operates children's rides at the park.

22 Why does the city pay liability

23 insurance for 800 Providence Road.

24 Why does the city pay liability
25 insurance for the South Side Complex? Now,

106

1 I know we had questioned the ownership of
2 that property within the last year to year
3 and a half and the response sent was that
4 this remains in litigation, although, I do
5 know that when activities are to be
6 scheduled at the complex you must receive
7 the permission of the University of
8 Scranton. I also know when during periods
9 of snow removal when snow needs to be
10 deposited somewhere in the city because it
11 can't be permitted to accumulate on the
12 streets or on resident's properties workers
13 have gone, even those who have subcontracted
14 by the city to the South Side Complex and
15 they have been denied access because it
16 purportedly is owned by the University of
17 Scranton. So I know I have received
18 responses in the past, but again, this is an
19 important issue. If we are paying liability
20 insurance then I think I am safe to assume
21 the city owns that property, but the
22 University insists they own the property and

23 if that is the case then they should be
24 paying for the insurance on the property.

25 A letter to Goodwill Industries, and

107

1 I mentioned that earlier I'm asking for the
2 responses to our previous correspondence
3 that included a list of citizens' questions
4 and I'm adding to that a specific
5 description of each of the phases of that
6 project, and that's it.

7 MR. MCGOFF: Mrs. Gatelli?

8 MS. GATELLI: I just have a few
9 things. I have the agreement from the Ice
10 Box and I'm going to have Attorney Minora
11 review it again. I know he does give me an
12 opinion on that \$600,000 if you want to
13 share it now or you would rather review it?

14 MR. MINORA: I'd like to take a look
15 at it again. I haven't seen it in quite a
16 few years, I'm going by memory.

17 MS. GATELLI: And it's interesting
18 that Kevin Murphy was the president of
19 council at the time and voted in favor of
20 it.

21 The other thing I would like to send
22 a letter to Mr. Seitzinger concerning 3244
23 Pittston Avenue. I went by the other day

24 and I noticed that now there is a "For Sale"
25 sign on it. It's been condemned for many

108

1 years, it's part of one of the properties
2 that a certain developer seems to be buying
3 up and then he doesn't fix them. I don't
4 want to say his name for fear of causing any
5 problems, but after I checked into this he
6 bought 13 more properties from the county,
7 so if we can also send a letter to Ron
8 Kolajeski in the Assessor's Office and, Kay,
9 I'll give you the name privately and see why
10 they are selling these properties to this
11 gentleman when he doesn't bother fix them up
12 after he buys them.

13 I voted about the firehouse because
14 I have always felt that way to keep our
15 firehouses open, and I know I tell you that
16 all the time that I marched with Connors all
17 around South Side and got the names and I
18 did believe in that, and I still believe in
19 that, and we had a South Side neighborhood
20 meeting last week and we took a vote about
21 the firehouses and it was unanimous that
22 they all wanted to keep the firehouses open,
23 so I am going to keep my word on that and

24 continue to vote to keep our firehouses
25 open, and I think that's all I have. Thank

109

1 you.

2 MR. MCGOFF: Mrs. Fanucci?

3 MS. FANUCCI: I have nothing at this
4 time. Thank you.

5 MR. COURTRIGHT: Yes. Kay, if I can
6 ask you, there were 1509 Court Street, it's
7 in the Tripp Park development in the rear of
8 that property there is a lot that hasn't
9 been sold yet and the owner is fearful that
10 this year as in past years when the grass
11 grows high nobody takes care of it and there
12 is all types of rodents being attracted
13 there and he has got a new home, and not
14 anyone whether new or not I don't blame him,
15 but we have been down this road before and I
16 am going to have to ask you again because in
17 all fairness to the people that live there
18 in the Tripp Park Development nothing has
19 been done, so I would ask if we could ask
20 the city solicitor to give me an explanation
21 as far as the developer's bond. I mean, I
22 know, and I have been told, but I would like
23 for her to put it in writing so I can give
24 it to the residents back there. It was

25

explained to me that the timeline had run

110

1 out and, therefore, we couldn't hold them to
2 that, but if she can give me something in
3 writing as far as the developer's bond, and
4 if we can also send something, it was
5 Mr. Parker in days gone by and he is long
6 gone, if we could ask Brian Swanson to let
7 me know what has happened to the punch list
8 that Mr. Parker had of all of the -- that we
9 were all aware of, of all of the problems up
10 there that haven't been resolved.

11 So if I can go get both of those
12 things in writing so, I can give those to
13 the residents up there, I think they feel
14 they have been forgotten, and one thing I
15 did try to explain to them this council we
16 don't have the power that some people think
17 we have to hold his feet to the fire. We
18 would like to, but I don't think there is
19 any one of us here that agreed with what
20 went on with this development, and I think
21 some of the people have the attitude you
22 know what, I don't know that I'm going to
23 stay here because nothing is getting done.
24 That's what they expressed to me anyway.

1 Tripp Park, believe me, we have not
2 forgotten about you and I think we're almost
3 as frustrated as they are at what's taken
4 place there, so if I can get those two
5 things answered in writing I would
6 appreciate that.

7 I can't remember the street address
8 Kay, but I gave you one for over in South
9 Scranton a woman had given me at Burger King
10 the other day, did we send that letter out?
11 Okay. Thank you.

12 And, boy, I hate to keep asking you
13 to send all these letters, I'm sorry,
14 alongside the Lackawanna Little League the
15 road is in very bad shape and it's heavily
16 traveled all the time because of the events
17 back there so we can ask them, I would ask
18 them to wait until -- I don't know if the
19 blacktop plants have opened up yet, but I
20 wouldn't want to see cold patch in there, if
21 they haven't opened up can we get the
22 regular hot -- if they can take care of
23 those holes there.

24 And I'd like to, am I saying her
25 name correctly is it Attorney Patterson?

1 Okay, I spoke to her, she called me today,
2 Lieutenant Glynn Thomas coupled with Tommy
3 Lee and myself there has been complaints in
4 the past about jake brakes and I don't know
5 if most people know what a jake brake is on
6 a vehicle, but it's the thing that makes a
7 whole lot of noise when they don't want to
8 use their regular brakes they hit the jake
9 brake and then it travels down and it makes
10 a tremendous amount of noise, but we don't
11 have an ordinance in the City of Scranton
12 referencing jake brakes. Lieutenant Thomas
13 and I think he was helped by Tommy Lee did a
14 tremendous amount of work, Abington has the
15 ordinance, they passed it onto me, and I
16 passed it onto Attorney Patterson and just
17 gave it to her yesterday and she got back to
18 me today so I thank her, she is pretty
19 efficient as far as I'm concerned in that
20 respect, and she will be reviewing it and
21 very possibly we could be seeing that
22 legislation within the next week or two so
23 we have a jake brake law here.

24 Lieutenant Thomas has gone through
25 PennDOT and they have identified the streets

1 that have the proper grade for that law and
2 if this council passed that all we would
3 need is signage put up by the DPW and would
4 be able to enforce that jake brake law.

5 And Mrs. Evans brought or made her
6 motion that luckily for us passed 3-2 and
7 I'm happy about that, but I would still like
8 to send a letter to Director Hayes if, in
9 fact, he does have the scenarios on what
10 they plan on doing I would certainly like
11 see them. I think the citizens of this city
12 would like to see what's going on and I
13 think if we're supplied those scenarios
14 maybe that would, you know, do away with all
15 of this speculation because sometimes
16 whatever the Times prints the people believe
17 and I think we all know it's not always
18 accurate. Sometimes purposely not accurate,
19 sometimes not on purpose, but I would love
20 to see those is scenarios ASAP and we can
21 give them to the citizens and then obviously
22 to the firefighters who lives will be
23 affected if, in fact, changes are made. I
24 think sometimes we forget they are people,
25 too, they have families, they have lives.

1 MS. EVANS: You could ask him in a
2 letter instead to just send us the results
3 of the traffic study when that occurs.

4 MS. GATELLI: Moosic and Harrison.

5 MR. COURTRIGHT: And I will call him.
6 He has been pretty good about getting back
7 to me, so I will ask him, but anyway, it
8 seems that we wanted a turn arrow in
9 everyone every direction possible now, so he
10 is going to ask PennDOT to do a study and
11 then we should get an answer, and one more
12 thing, a lot of people calling about stop
13 signs, again. It's not like it used to be
14 in the past where you could just throw up a
15 stop sign, a study has to be done and that
16 takes time. So if you ask one of us to see
17 about hanging a stop sign and you don't hear
18 for several months it's not because we
19 didn't ask, they have to do a study. They
20 just can't -- legally can't just throw up a
21 stop sign, and now that's all I have.

22 MS. EVANS: Wait, Mr. Courtright, I
23 spoke with Pat, and Pat told me to remind
24 you about is it Corporal Bachman and what he
25 did for her -- how she feels he really

1 saved her life.

2 MR. COURTRIGHT: Oh, yeah.

3 MS. EVANS: And she wanted you to
4 take care of that for her.

5 MR. COURTRIGHT: Yes, that -- I'm
6 sorry I forgot about that. When you are out
7 campaigning you are running into tons of
8 people, and that's where I spoke to her.
9 Corporal Bachman went above and beyond the
10 call of duty and this woman truly believes
11 that Corporal Bachman saved her life. I'm
12 going to ask, because I don't think it would
13 do it justice if I tried to remember
14 everything that she told me, I'm going to
15 ask -- I know Pat watches so, Pat, if you
16 can contact me, I see her now and again, and
17 maybe put something in writing what you
18 would like me to say about Corporal Bachman.

19 MS. EVANS: Well, she told me she did
20 send a letter to the mayor and to Chief
21 Elliott commending Corporal Bachman, but she
22 didn't know if he ever received a copy of it
23 and I think it was she was stopped by him as
24 she was driving because her brakes were on
25 fire.

1 MR. COURTRIGHT: Right, her brakes
2 were on fire. If he didn't pull her over
3 and tell her that her brakes were on fire
4 the car probably would have caught fire and
5 she would --

6 MS. EVANS: He evacuated her
7 immediately before that could happen.

8 MR. COURTRIGHT: And I don't know
9 that do we -- we had it last year, maybe
10 Mr. Gervasi can give me a nod, where we
11 acknowledge all of the public safety
12 individuals that have done -- we don't know
13 that anymore? Okay. But I think, you know,
14 he deserves some kind of credit maybe a
15 letter from the Director of Public Safety or
16 from the police chief. What I'll doing is
17 I'll call down and see if the chief did
18 receive that letter and ask him to, you
19 know, acknowledge Mr. Bachman. She was
20 very, very grateful, very grateful, and we
21 thank him for that. And that's it then.
22 Thank you.

23 MR. MCGOFF: Thank you. A number of
24 things. First, since Ms. Suetta is being
25 placated in some ways, I did look into the

1 Planet Aid clothing collection boxes that
2 she was asking about and there is no
3 legislation that regulates the placement of
4 those as long as they are on private
5 property. There is also no fee for placing
6 them. In speaking to Mr. Seitzinger, he
7 said he was aware of them, he was not aware
8 of the problems that were spoken about. He
9 was going to send out people from the office
10 to get the addresses or the places where
11 they were collecting and if there were any
12 problems such as any, you know, clothing
13 flowing out onto the streets or on the
14 sidewalks that they would then contact
15 Planet Aid and ask them to collect the
16 clothing from there and to maintain them
17 better and if there was no compliance then
18 they would look into some type of censuring
19 of them, but just the simple answer is that
20 there is no fee and there are no real
21 regulations other than standard ones for
22 being so far from the curb and off
23 sidewalks, whatever.

24 Second thing, some people were
25 speaking about Tripp Park, I just want to

1 remind everyone, because I think we did

2 mention it before that there is a meeting
3 being held -- or I don't know that it could
4 be called a meeting if Attorney Minora would
5 have a more proper term, but Judge Minora
6 will be speaking on that issue on April 6th
7 at 9:30 to I believe some residents of Tripp
8 Park about his order for, you know, what was
9 it permits --

10 MS. GATELLI: No permits at all.

11 MR. MCGOFF: I don't know if the
12 proper term would be --

13 MR. MINORA: Kay just showed me the
14 correspondence. I haven't seen the order,
15 obviously I haven't talked to him about it,
16 but from the correspondence the hearing is
17 on April 6. It is a hearing to review his
18 order to see whether or not it's going to be
19 modified. All of the parties have been
20 notified and I presume they will present
21 their arguments and evidence at that time
22 and they will either modify it or not based
23 on that evidence. So that's what the --

24 MS. GATELLI: Is someone going to go
25 to that hearing?

120

1 MR. MCGOFF: I was just going to say

2 I do plan on attending that and --

3 MS. GATELLI: If you go could you
4 also ask Judge Minora while you are there
5 about the case against Speicher and what,
6 you know, what status we'll be at with that
7 for the retention pond?

8 MR. MCGOFF: If possible.

9 MS. GATELLI: Because there was a
10 time frame --

11 MR. MCGOFF: I don't know if he is
12 going to take too many questions from --

13 MS. GATELLI: Well, we can send him a
14 letter. Are you willing to do that,
15 Mr. McGoff?

16 MR. MCGOFF: Yes. Yes. And the last
17 thing tonight I just wanted to speak on was
18 this whole question of firehouses and
19 firemen and contracts. It seems as though
20 we are quite intent on negotiating this
21 contract during city council meetings. We
22 get a number of, you know, people speaking
23 on it, we are told stories, some of which
24 seem to be true, some of which have some
25 truth, some that are pure speculation and

121

1 then we end up questioning the voracity of
2 people that are involved and tonight we are

3 here talking -- we heard people talking
4 about these proposed shift changes and
5 proposals to close and I just want -- I did
6 receive some information and I'm assuming
7 that from the correspondence that I have
8 received that it is truthful in nature. I
9 have a letter that dated January 28, a
10 letter from the administration to the
11 president of the firefighters requesting a
12 meeting to discuss the changes necessitated
13 by the Court decisions.

14 Also, a response to that letter was
15 sent or received on February 3. The union
16 response was that they would like more
17 information on specific proposals that were
18 going to be made: "We would request certain
19 accurate and truthful information depicting
20 the city's intents on restructuring the fire
21 department prior to any such meeting."

22 I also have a correspondence from
23 February 25, which was a draft of proposed
24 shift changes. We heard speakers say here
25 tonight that this was sent to, again, the

122

1 president of the local number 60 IAFF, a
2 draft of the shift changes that indicates

3 the number of firefighters that would be
4 used. On this one it's a total of 142. The
5 shifts seem to indicate that no companies or
6 no engines would be closed or taken out of
7 services, and this was, as I said,
8 essentially sent out the 25th of February.

9 A draft of that was also sent on
10 March 4 to the chief and assistant chief,
11 and again, the same draft with no closing
12 indicating, no closings of any kind and
13 also, again, no reduction in staff.

14 The final piece of correspondence is
15 from two days ago from March 27, a second
16 draft sent to the union, since no response
17 was received for a meeting to discuss the
18 shift changes, so for someone to come here
19 and say that there is -- that they have no
20 idea what these changes are going to be it
21 would seem to me that these have been on the
22 table or they -- or it was presented to the
23 union, you know, a month ago and requests to
24 discuss them with the union.

25 And I only bring this up because I

123

1 feel that we have taken on somehow the
2 responsibility of negotiating this contract,
3 that we are faced with dealing with stories,

4 and I know everybody claims to have the
5 truth. The truth of the matter is that this
6 is something that needs to be done between
7 the union representatives and the
8 administration and work there and not
9 using-- and I don't believe that city
10 council and city council meetings are the
11 place where this should be negotiated. I
12 believe that our meetings have been
13 subjected to, you know, these kind of
14 stories and we have been asked to do things
15 that involved us in negotiations and I think
16 that we -- I believe that we should -- that
17 it should be back to the unions and back to
18 the administration and let them work this
19 problem out until the satisfaction of, you
20 know, both parties, but not for city
21 council, and that is all I have. Thank you.

22 MS. EVANS: Mr. McGoff, did we all
23 get copies of that?

24 MR. MCGOFF: I can make them. I
25 just received them.

124

1 MS. EVANS: I know we have the one
2 copy we got today, what was the announcement
3 that was dated today that came late today.

4 MR. MCGOFF: Correct. I can make
5 copies.

6 MS. EVANS: Yeah, that would be
7 great because I -- you know, I'd love to see
8 that. I have never seen that and it's -- I
9 don't know it just -- it seems -- I'm
10 anxious to read it, but it seems like very
11 convenient timing to go hand and hand with
12 that announcement that was given to the five
13 of us, but none of the backup given to the
14 five of us.

15 MR. MCGOFF: I'm not going to get
16 into an argument over it. Mrs. Garvey.

17 MS. GARVEY: 5-B. FOR INTRODUCTION -
18 A RESOLUTION - AUTHORIZING THE MAYOR AND
19 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE
20 AND ENTER INTO MUNICIPAL SUPPLEMENTAL
21 ENGINEERING AGREEMENT NUMBER 041761-D WITH
22 BUCHART-HORN, INC. TO AMEND PART III OF THE
23 AGREEMENT TO COVER UNANTICIPATED ADDITIONAL
24 WORK NECESSARY TO CONTINUE SERVICES DURING
25 CONSTRUCTION AND AN OVERALL EXTENSION OF THE

125

1 LACKAWANNA AVENUE BRIDGE PROJECT FOR AN
2 ADDITIONAL COST OF \$22,906.67.

3 MR. MCGOFF: At this time I'll
4 entertain a motion that Item 5-B be

5 introduced into it's proper committee.

6 MR. COURTRIGHT: So moved.

7 MS. FANUCCI: Second.

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

11 MS. EVANS: Aye.

12 MS. FANUCCI: Aye.

13 MS. GATELLI: Aye.

14 MR. COURTRIGHT: Aye.

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

17 MS. GARVEY: SIXTH ORDER. NO
18 BUSINESS AT THIS TIME. SEVENTH ORDER. 7-A.
19 FOR CONSIDERATION BY THE COMMITTEE ON RULES
20 FOR ADOPTION - RESOLUTION NO. 115, 2009 -
21 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
22 CITY OFFICIALS TO EXECUTE AND ENTER INTO A
23 CONTRACT FOR PROFESSIONAL SERVICES WITH
24 THOMAS J. MCLANE AND ASSOCIATES INC. FOR
25 PRELIMINARY PLANNING, DESIGN, PREPARATION OF

126

1 CONSTRUCTION DOCUMENTS AND CONSTRUCTION
2 SUPPORT SERVICES FOR BILLY BARRETT
3 PLAYGROUND.

4 MR. MCGOFF: As Chairperson for the

5 Committee on Rules, I recommend final
6 passage of Item 7-A.

7 MR. COURTRIGHT: Second.

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

10 MS. MAGNOTTA: Mrs. Evans.

11 MS. EVANS: Yes.

12 MS. MAGNOTTA: Mrs. Gatelli.

13 MS. GATELLI: Yes.

14 MS. MAGNOTTA: Ms. Fanucci.

15 MS. FANUCCI: Yes.

16 MS. MAGNOTTA: Mr. Courtright.

17 MR. COURTRIGHT: Yes.

18 MS. MAGNOTTA: Mr. McGoff.

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

21 Motion to adjourn.

22 MR. COURTRIGHT: So moved.

23 MR. MCGOFF: Thank you.

24

25

127

1

2

3

4

C E R T I F I C A T E

5

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

12
13
14 CATHENE S. NARDOZZI, RPR
15 OFFICIAL COURT REPORTER
16
17
18
19
20
21
22
23
24
25