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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, July 14, 2009

LOCATION:

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

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

- MR. ROBERT MCGOFF, PRESIDENT
- MS. JUDY GATELLI, VICE-PRESIDENT
- MS. JANET E. EVANS
- MS. SHERRY FANUCCI
- MR. WILLIAM COURTRIGHT
- MS. KAY GARVEY, CITY CLERK
(Not present)
- MR. NEIL COOLICAN, ASSISTANT CITY CLERK
- MR. AMIL MINORA, SOLICITOR

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

3 MR. MCGOFF: Roll call, please.

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Here.

6 MR. COOLICAN: Mrs. Gatelli.

7 MS. GATELLI: Here.

8 MR. COOLICAN: Ms. Fanucci.

9 MS. FANUCCI: Here.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MR. COOLICAN: Mr. McGoff.

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

15 MR. MINORA: APPLICATIONS AND
16 DECISIONS RENDERED BY THE ZONING HEARING
17 BOARD HELD ON JULY 8, 2009.

18 MR. MCGOFF: Are there any comments?
19 If not, received and filed. I would like to
20 say that once again we are going to change
21 the order as we did last week and allow
22 citizens' participation on agenda items
23 first and then we will move to Fifth Order.
24 Any announcements from council?

25 MS. EVANS: Yes. Please remember in

1 your prayers this week Mr. Tom Lagrail, my
2 good friend who took a serious fall and is
3 hospitalized in Thomas Jefferson University
4 Hospital. This elderly gentleman has
5 volunteered at St. Ann's Novena for more
6 years that I can remember and in all weather
7 he has walked from his home in Taylor to St.
8 Ann's to faithfully serve the basilica and
9 it's people. I hope that Tom gets well very
10 soon and he will be sorely missed at this
11 summer's Novena.

12 There will be a free swim this
13 Sunday, July 19, 2009, from 12 noon until of
14 6:00 p.m. at Nay Aug. This includes the
15 slide and swimming for children 15 and
16 under. That's this Sunday free swimming at
17 Nay Aug for children 15 and under.

18 The annual nine-day solemn novena to
19 St. Ann will be conducted this Friday,
20 July 17 through Sunday, July 26, at ST.
21 Ann's Basilica in West Scranton. This
22 magnificent basilica is one of very few in
23 the nation and it's annual Novena draws
24 visitors from throughout Pennsylvania and
25 our neighboring original states. The annual

1 novena is an inspirational comforting
2 experience for many area residents each July
3 and we warmly welcome everyone to our city.
4 That's all.

5 MS. GATELLI: I just have a few
6 announcements. First, I'd like everyone to
7 keep in their prayers a very special person,
8 Attorney Mark McGrath, who passed away. His
9 sister works at city hall, Judy McGrath, and
10 I would like to express council's
11 condolences to the family and friends. He
12 was a wonderful, kind person and I'm sure he
13 is with the angels right now.

14 The second thing I have is I got a
15 message from one of my neighbors that
16 children were circulating in the Connell
17 Park area asking for donations for Connell
18 Park. There is no such drive going on, so I
19 would like to alert the neighbors in this
20 area not to give to children saying they are
21 asking for money for Connell Park. There is
22 no such drive going on.

23 The last thing is, you know, our
24 former reporter, Stacy Brown, was a good
25 friend of Michael Jackson for better or for

1 worse, but he coauthored a book called "The
2 Man Behind the Mask," and I spoke to Paul
3 over at Outrageous and he was so kind as to
4 let us use the Anthology Book Store and next
5 Tuesday evening, the 21st, from 6 to 8,
6 Stacy will be signing his books in the
7 Anthology Book Store, so everyone is welcome
8 and certainly invited to be there, and
9 that's all I have. Thank you, Mr. McGoff.

10 MS. FANUCCI: Today is very special
11 day, ECTV, our own Anthony, who runs the
12 cameras back there, it's his 21st birthday,
13 and I just want to say Happy Birthday on
14 behalf of council, Anthony.

15 MS. EVANS: Happy birthday.

16 MR. MCGOFF: Fourth order. Citizens'
17 participation on agenda items. Anyone?

18 MR. SBARAGLIA: Andy Sbaraglia,
19 citizen of Scranton. Fellow Scrantonians,
20 on your agenda items 5-D, there is 60 spaces
21 being vacated by this city for the
22 university of Scranton, parking spaces.
23 They say 28 meters, but actually a lot of
24 them are double meters so they add up, so it
25 added up to 60. Does anybody know how much

7

1 revenue the city is going to lose over them

2 parking spaces?

3 MR. MCGOFF: I don't have a number on
4 that.

5 MS. FANUCCI: I did have an exact
6 number, I can tell had you it was very low.
7 I believe it was under like \$1,000 a year --
8 for a year and a half worth of the revenue,
9 but also remember because it's the
10 University it's only part-time. The
11 students aren't here all summer, so you
12 weren't making revenue all year like you
13 would at a downtown meter.

14 MR. SBARAGLIA: But there is
15 businesses along that road that people park
16 to use.

17 MS. FANUCCI: Right. Yeah. No
18 doubt.

19 MR. SBARAGLIA: So they are no longer
20 going to be parking spaces, no longer going
21 to be available apparently for them unless
22 they have their own? But I guess you saw
23 all looked into that and the master plans
24 when they come forward all of these great
25 ideas, and they said they are putting new

1 turning lanes, I can see it. As long as

2 they don't change actually the distance
3 between one curb and the other curb because
4 you are talking about sidewalks expansion of
5 sidewalks.

6 Now, I hope they are not expanding
7 onto the roadway, but expanding on their own
8 property and, of course, our common
9 property.

10 MS. FANUCCI: Andy, I don't know how
11 you feel about the street, but I feel that
12 anything to slow down traffic on Mulberry
13 Street, you know, instead of the way it's
14 been running.

15 MR. SBARAGLIA: I'm not saying that.
16 I'm not saying the safety issues --

17 MS. FANUCCI: No, I was --

18 MR. SBARAGLIA: I'm just saying that
19 this is also used --

20 MS. SCHUMACHER: Marie Schumacher,
21 city resident, member of the Taxpayers'
22 Association. I believe I have the correct
23 one as 5-D authorizing revision of the
24 existing traffic signals. I am very
25 definitely opposed to this. If you will --

9

1 many of you will recall that the zoning
2 commission as a condition of the mini-mart

3 at Meadow and River Street said that a
4 traffic signal had to be put in within two
5 to three years of following the opening.
6 That never happened and when I followed up
7 Mr. Parker told me it was because of the now
8 infamous timing, traffic timing, that it was
9 tied in there. You get off 81 and come down
10 throughout city and they couldn't -- they
11 couldn't do anything with the timing until
12 all of this timing -- the whole thing was
13 finished.

14 Well, if they couldn't make it an
15 exception for the residents of East Mountain
16 I don't think we should make an exception
17 for the University of Scranton. I think it
18 would be a great time to use this as an
19 impetus to get the city off their butts, and
20 we have already had one extension of that
21 ten-year project, to do the timing and
22 change the lights in the city. If you will
23 recall at the end of last year that had to
24 be -- toward the end of last year that had
25 to be extended because the ten-year grant

10

1 had expired and still nothing is happening.
2 The only thing that's happened is we keep

3 funneling money down to a contractor in
4 Allentown I believe it is for study after
5 study and we get nothing.

6 I was cat sitting over the weekend
7 and you go down Mulberry Street and you stop
8 at every single signal and it's ridiculous.
9 That timing study should be done and this
10 Mulberry Street should be part of it. Do I
11 get three minutes on each, each item?

12 MR. MCGOFF: No.

13 MS. SCHUMACHER: You are kidding?

14 MR. MCGOFF: Three minutes on the
15 agenda.

16 MS. SCHUMACHER: Total?

17 MR. MCGOFF: Yes.

18 Ms. SCHUMACHER: Okay, I'll speak to
19 the agenda items later then. Thank you.

20 MR. MCGOFF: Thank you. Anyone else?

21 MR. DOBRZYN: Good morning, Council.
22 Dave Dobrzyn, local resident, member of the
23 taxpayers. I'd like to talk about 5-G here.
24 Awhile back I had an idea about some of
25 these closed churches and so forth, and I

11

1 think instead of tearing them down they
2 should look for a community purpose for
3 them. They would make a great source of

4 community halls and so forth.

5 And on 5-I I certainly hope that
6 some kind of construction could result from
7 nearly three-quarters of a million dollars
8 instead of another study that comes up with
9 a bunch of unattainable goals that really
10 don't go anywhere, and so I'll catch you
11 later. Thank you.

12 MR. MCGOFF: 5-B, please.

13 MR. MINORA: 5-B. FOR INTRODUCTION -
14 AN ORDINANCE - TO LIMIT THE TURNING MOVEMENT
15 FOR TRAFFIC TRAVELING SOUTHWEST TOWARD
16 MULBERRY STREET FROM THE 400 BLOCK OF
17 HITCHCOCK COURT, COSTELLO COURT, AND MAHON
18 COURT TO RIGHT TURN MOVEMENT ONLY.

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

22 MR. COURTRIGHT: So moved.

23 MS. FANUCCI: Second.

24 MR. MCGOFF: On the question?

25 MR. COURTRIGHT: On the question --

12

1 I'm sorry, Mrs. Evans. I was here Thursday
2 to look for the agenda, I was here Friday to
3 look for the agenda and this -- I don't know

4 when they sent this down, but it had to be
5 sometime after Friday and I wasn't here
6 yesterday, so I'm just reading it now. I'll
7 vote to move it into the next order, but I
8 got to read this. There is a lot of stuff
9 here that I haven't even had an opportunity
10 to look at, so it's an ordinance and it has
11 three readings, I'll vote to move it ahead,
12 but like I said, I don't know when they sent
13 this down. I was here Thursday and Friday,
14 it wasn't here either day unless they sent
15 it down late in the day Friday.

16 MS. GATELLI: It has to be here by
17 4:00.

18 MR. COURTRIGHT: Supposed to be here
19 by 10:00 Thursday, you know.

20 MS. EVANS: Thursday at sundown.

21 MR. COURTRIGHT: I mean, I'm here
22 Thursday looking for an agenda and I'm here
23 Friday, I thought I had everything, but
24 there is an awful lot of information in here
25 and it appears to me what they are looking

13

1 to do is just so the people when they coming
2 out they don't cross the double lane to make
3 it a little safer, but I will vote to move
4 it ahead, but I got to look at this before I

5 make my final vote.

6 MR. MCGOFF: Mrs. Evans?

7 MS. EVANS: Three ordinances today,
8 5-B, 5-C and D seek city council approval
9 for the benefit of the University's Mulberry
10 Street scape project and, for the record, I
11 favor any measures that improve pedestrian
12 and safety -- or rather traffic safety. At
13 the same time, however, I learned that the
14 University intends to install improvement
15 lighting on select blocks in the Hill
16 Section where student housing is located.
17 Longtime homeowners and taxpayers of these
18 Hill Section blocks were notified by letter
19 regarding the light installations which will
20 be placed in front of taxpayers' homes. In
21 fact, one homeowner reports that the
22 University will place two streetlights in
23 front of her home.

24 Some residents state that the city
25 streetlights currently in place provide more

14

1 than sufficient lighting and are very upset
2 that the University has the authority to do
3 this to their homes and shine these period
4 lights into their homes throughout the

5 nighttime hours. When homeowners contacted
6 the mayor's office, they were told to call
7 the University of Scranton. I understand
8 the University's intentions are positive in
9 that it hopes to provide lighting to
10 increase safety and beautify it's
11 surrounding campus, however, I am very
12 worried by the lack of concern for Scranton
13 homeowners and taxpayers demonstrated by the
14 University, likely the largest nonprofit in
15 our city. I believe the University has the
16 obligation to sit down with the neighbors,
17 listen to their concerns and address them
18 appropriately.

19 I will vote to introduce these
20 measures today, but I am asking that the
21 University talk to it's residential
22 neighbors and solve this issue. So, Neil, I
23 would like a letter sent to Father Pilarz
24 requesting a meeting between University
25 officials and the residents of the 300 block

15

1 of North Irving Avenue regarding the effects
2 of period lighting on their homes.

3 Now, if that situation can be
4 satisfied prior to the final reading of
5 these ordinances, then I will be approving

6 them. However, if this meeting does not
7 take place and if the homeowner's concerns
8 are not addressed, then I will not be
9 approved these measures.

10 MS. GATELLI: I didn't get a chance
11 either to peruse the material, but my
12 impression was that it was a Mulberry Street
13 project, so I don't know anything about --

14 MS. EVANS: That was mine also.

15 MS. GATELLI: -- North Irving Avenue
16 getting lights.

17 MS. EVANS: Six blocks of Mulberry
18 Street from Jefferson to North --

19 MS. GATELLI: To Webster.

20 MS. EVANS: However, residents on the
21 avenues that are closely located to Mulberry
22 Street received these letters hand-delivered
23 from the University of Scranton saying that
24 lighting was going to be installed on their
25 properties, and they were naturally --

16

1 MS. GATELLI: Not on Mulberry.

2 MS. EVANS: No, on their properties
3 and they were very upset by that because
4 they are not opposed to the project, but
5 they are opposed to having lights shining

6 into their homes all night.

7 MS. FANUCCI: Right, maybe what they
8 can do what they did with the city lights
9 which is have like a type of dimmer a night
10 where it really just goes down and it's more
11 of a-- you know, not so bright and probably
12 won't be a deterrent to them so maybe that
13 could be something to talk about it the.

14 MS. EVANS: That well could be an
15 answer, but the University needs to sit down
16 with those people and explain what their
17 intentions are.

18 MS. FANUCCI: Right.

19 MS. EVANS: And then address the
20 concerns of those residence because they are
21 taxpayers.

22 MS. GATELLI: And if they don't want
23 the lights, I know a lot of people that
24 would like them.

25 MS. FANUCCI: Yeah.

17

1 MS. GATELLI: Most people
2 neighborhood people want lighting. I find
3 that very strange that neighborhood people
4 wouldn't lighting. I wish I had four more
5 on my street. I do, I find that really
6 unusual, but --

7 MS. EVANS: I don't know that I'd
8 want it in front of my home, but --

9 MS. GATELLI: Oh, I'd want it front
10 of my home.

11 MS. EVANS: -- shining in all
12 evening.

13 MS. GATELLI: Well, you put the
14 blinds down. It deters crime. It's proven
15 to deter crime.

16 MR. MCGOFF: We are on 5-B.

17 MS. GATELLI: But they should be
18 considered, I agree with you there.

19 MR. MCGOFF: All those in favor
20 signify by saying aye.

21 MS. EVANS: Aye.

22 MS. FANUCCI: Aye.

23 MS. GATELLI: Aye.

24 MR. COURTRIGHT: Aye.

25 MR. MCGOFF: Aye. Opposed? The

18

1 ayes have it and so moved.

2 MR. MINORA: 5-C. FOR INTRODUCTION -
3 AN ORDINANCE --

4 MR. MCGOFF: I'm sorry, Attorney
5 Minora, do we need to make a motion --

6 MR. MINORA: Yes.

7 MR. MCGOFF: I know it was just
8 introduced, there is a possibility that a
9 public hearing would be needed if, in fact,
10 this were to move forward so at this point
11 in time I guess tentatively I'll make a
12 motion that we schedule a public hearing for
13 5-B on July 28 at 9:45.

14 MR. COURTRIGHT: Second.

15 MR. MCGOFF: And authorize the city
16 clerk to place the necessary ad.

17 MR. COURTRIGHT: Second.

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

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MS. GATELLI: Aye.

23 MR. COURTRIGHT: Aye.

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

19

1 MR. MINORA: That's all right. 5-C.
2 FOR INTRODUCTION - AN ORDINANCE -
3 ESTABLISHING "NO PARKING" ZONES ALONG THE
4 SOUTHERLY AND NORTHERLY SIDES OF MULBERRY
5 STREET (S.R. 3027) FOR TURNING LANES AT
6 DESIGNATED INTERSECTIONS BETWEEN JEFFERSON
7 AVENUE AND NORTH WEBSTER AVENUE, AS MORE

8 PARTICULARLY DESCRIBED ON THE PLAN ATTACHED
9 HERETO, TO ALLOW FOR SAFE SITE DISTANCE AS
10 MANDATED BY THE PENNSYLVANIA DEPARTMENT OF
11 TRANSPORTATION.

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

15 MR. COURTRIGHT: So moved.

16 MS. FANUCCI: Second.

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

19 MS. EVANS: Aye.

20 MS. FANUCCI: Aye.

21 MS. GATELLI: Aye.

22 MR. COURTRIGHT: Aye.

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

25 MR. MINORA: 5-D. FOR INTRODUCTION -

20

1 AN ORDINANCE - AUTHORIZING REVISION OF THE
2 EXISTING TRAFFIC SIGNALS ALONG MULBERRY
3 STREET (S.R. 3027) FROM THE INTERSECTION OF
4 MULBERRY STREET AND JEFFERSON AVENUE TO THE
5 INTERSECTION OF MULBERRY STREET AND NORTH
6 WEBSTER AVENUE FOR THE UNIVERSITY OF
7 SCRANTON MULBERRY STREET STREETScape

8 PROJECT.

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

12 MR. COURTRIGHT: So moved.

13 MS. FANUCCI: Second.

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

16 MS. EVANS: Aye.

17 MS. FANUCCI: Aye.

18 MS. GATELLI: Aye.

19 MR. COURTRIGHT: Aye.

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

22 MR. MINORA: 5-E. FOR INTRODUCTION -
23 AN ORDINANCE - AMENDING FILE OF COUNCIL NO.
24 129 OF 1995, (AS AMENDED), ENTITLED
25 "ESTABLISHING FINES TO BE IMPOSED FOR THE

21

1 ACTIVATION OF AN ALARM DEVICE WHICH IS
2 DETERMINED TO BE A FALSE ALARM BY THE POLICE
3 DEPARTMENT; AUTHORIZING THE ADMINISTRATION
4 AND ENFORCEMENT OF SAID FINES; AND
5 PRESCRIBING PENALTIES FOR VIOLATIONS", BY
6 CHANGING CERTAIN SECTIONS TO ALLOW FOR THE
7 IMPROVED ADMINISTRATION OF THE ORDINANCE,
8 SPECIFICALLY SECTIONS 1D. AND 1E.; SECTION

9 2; SECTION 3; SECTION 4; SECTION 6 AND
10 SECTION 7.

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

14 MR. COURTRIGHT: Second.

15 MR. MCGOFF: On the question?

16 MR. COURTRIGHT: On the question,
17 Mr. McGoff, I think since we have all been
18 here that we have all heard that there is
19 not enough police officers and I think we
20 all agree we would all like to see more
21 here. This ties them up an awful lot, false
22 alarms, so maybe if we start -- we are
23 supposed to fine the people in the past, it
24 just isn't happening, and this makes it a
25 little bit easier so maybe if we start

22

1 fining some people they won't be tied up in
2 all these false alarms if they can go to the
3 real crime.

4 MR. MCGOFF: All those in favor
5 signify by saying aye.

6 MS. EVANS: Aye.

7 MS. FANUCCI: Aye.

8 MS. GATELLI: Aye.

9 MR. COURTRIGHT: Aye.

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

12 MR. MINORA: 5-F. FOR INTRODUCTION -
13 AN ORDINANCE - AUTHORIZING THE MAYOR AND
14 OTHER APPROPRIATE CITY OFFICIALS TO
15 DESIGNATE \$4,999.52 FROM PROJECT NO. 09-
16 400.41 REPAYMENTS OF URBAN DEVELOPMENT
17 ACTION GRANTS (UDAG), FOR THE PURCHASE AND
18 INSTALLATION OF TEN (10) BIKE RACKS ON CITY
19 OWNED PROPERTY.

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

23 MR. COURTRIGHT: Second.

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

23

1 MS. EVANS: Aye.

2 MS. FANUCCI: Aye.

3 MS. GATELLI: Aye.

4 MR. COURTRIGHT: Aye.

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

7 MR. MINORA: 5-G. FOR INTRODUCTION -
8 AN ORDINANCE - AUTHORIZING THE MAYOR AND
9 OTHER APPROPRIATE CITY OFFICIALS TO ENTER

10 INTO AN AGREEMENT BETWEEN THE MOST REVEREND
11 JOSEPH F. MARTINO, D.D., BISHOP OF THE
12 DIOCESE OF SCRANTON, PENNSYLVANIA, TRUSTEE
13 FOR THE FORMER HOLY CROSS CONGREGATION, AND
14 ITS PRESENT SUCCESSOR CONGREGATION, ST.
15 PATRICK'S PARISH SCRANTON, PENNSYLVANIA AND
16 THE CITY OF SCRANTON, APPROVING AND
17 AUTHORIZING THE TRANSFER OF THE REAL ESTATE
18 AND IMPROVEMENTS LOCATED AT 5TH AVENUE AND
19 BROADWAY STREET IN THE CITY OF SCRANTON TO
20 THE CITY OF SCRANTON AND TO EXECUTE ANY AND
21 ALL OTHER DOCUMENTS NECESSARY FOR THE
22 CLOSING OF THIS TRANSACTION.

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

24

1 MR. COURTRIGHT: So moved.

2 MS. FANUCCI: Second.

3 MR. MCGOFF: On the question?

4 MS. EVANS: The agreement proposed in
5 this ordinance between the Scranton Diocese
6 and the city calls for the demolition of
7 Holy Cross Church within 120 days. I
8 learned this morning the purpose of such is
9 to create a parking lot to facilitate Holy

10 Cross Hall and this, indeed, I believe is a
11 beneficial measure, but knowing that there
12 are countless blighted structures littered
13 throughout our city, many of which were
14 burned in fires and continue to be ignored
15 year after year and the city at the same
16 time intends to demolish a blight free
17 structure and absorb the costs of
18 demolition, and I believe a distressed city
19 can ill afford to incur this cost.

20 Further, if the city retains the
21 ownership, which appears to be the case, of
22 this parcel of land, the city is then
23 responsible financially for the insurance of
24 the property. I would ask that if, indeed,
25 this is owned by the Diocese --

25

1 MR. COURTRIGHT: I found out that it
2 is not. There is an association Holy Cross
3 Association, that the property was deeded
4 over to them, the Holy Cross Hall itself, so
5 there is an organization that has the deed
6 to Holy Cross Hall.

7 MS. EVANS: And will that
8 organization be paying the liability
9 insurance?

10 MR. COURTRIGHT: That --

11 MS. EVANS: I know the Little
12 Leagues and football organizations have to
13 carry insurance in.

14 MR. COURTRIGHT: Yeah, that I don't
15 know. I don't know. I hadn't gotten that
16 far. The phone actually rang giving me that
17 information when we got on the floor here so
18 I didn't want to stand out in the hallway
19 talking on the phone, but it is Holy Cross
20 Organization that owns the hall.

21 MR. MCGOFF: Perhaps between now and
22 next week we can -- I can get the
23 information and find out what the intent is.

24 MS. EVANS: I'd appreciate that
25 because I don't believe the city should be

26

1 absorbing all of these costs.

2 MR. COURTRIGHT: I have one fear, and
3 maybe people think it's silly, but if in
4 fact the city tears it down and they pave
5 the lot then it becomes the city's property,
6 I wouldn't want to see a year or two down
7 the road be sold to somebody for a dollar or
8 something like that. I would like to see in
9 the legislation if it's sold at some point
10 in time it's sold for at least the cost of

11 the demolition and the improvements on that
12 property. It's a nice piece of property and
13 it's going to be a considerable amount of
14 money to tear it down and I'm not against
15 that because I'm a fan of Holy Cross Hall,
16 and they do need parking down there, it's
17 rough trying to park down there. They have
18 produced a lot of good basketball teams, I
19 think we all know that down there.

20 MS. EVANS: Yes.

21 MR. COURTRIGHT: If in the future
22 it's going to be sold to somebody I'd like
23 to see it be sold for what it cost to
24 demolish it and make the improvements. I
25 don't know if, Neil, maybe we can ask the

27

1 law department if that's possible to have
2 that included in the ordinance for future
3 sale of it --

4 MR. MCGOFF: Any subsequent sale
5 would come before council again, would it
6 not? I would believe.

7 MS. GATELLI: Yes, because it's city
8 property.

9 MR. COURTRIGHT: Yeah, but I won't be
10 here probably.

11 MS. EVANS: No, I agree with

12 Mr. Courtright.

13 MR. COURTRIGHT: I hope not. No.

14 MS. EVANS: I would like the attempt
15 made to include in the agreement that upon
16 any sale of the property the city would be
17 reimbursed for the costs of demolition and
18 improvements to that parcel.

19 MS. FANUCCI: Actually, Amil, can we
20 do that? Is that something we are capable
21 of doing?

22 MR. MINORA: Well, certainly a city
23 of capable of asking for a price for it's
24 property. I'm honestly not sure that it
25 makes legal sense to include it in an

28

1 agreement via sale from the Diocese to the
2 city, that the city will sell it to somebody
3 else for a certain amount at this stage.

4 MS. FANUCCI: I see.

5 MR. MINORA: In other words, what
6 does the Diocese have to do or care after
7 they have deeded it over to us what the
8 price is going to be. I understand the
9 point of trying to protect the money, I'm
10 not just not sure this is the place.

11 MR. COURTRIGHT: How about a separate

12 piece of legislation in addition to this one
13 stating that in the future --

14 MS. EVANS: Well, that's the sale.

15 MR. MINORA: That's what it would
16 take to sell it, a separate piece of
17 legislation. So, in other words, you would
18 just be duplicating legislation saying we
19 are going to have legislation saying we are
20 not going to sell it unless our costs are
21 recouped, and then you are going to have a
22 separate piece of legislation saying we are
23 selling it and it's going to have a price on
24 it.

25 MR. COURTRIGHT: And the council

29

1 would have to --

2 MR. MINORA: Does that mean they
3 cannot sell it for anymore than that? You
4 get into a lot of questions. It's certainly
5 a good idea and a smart thing to try and
6 recoup all of our money, that I agree with,
7 I'm just not sure right now and in this
8 place is the time to do it. A separate
9 piece of legislation maybe, but I don't
10 know --

11 MS. EVANS: Could you look into a
12 separate piece of legislation in that I'm

13 just trying prepare for the future. It's
14 very possible that with the decision
15 concerning the South Side Complex and the
16 future of the Salvation Army building there
17 could well be the creation of a University
18 satellite campus in that area, and again, I
19 would really hate to see that property going
20 for a dollar to a nonprofit that barely
21 contributes financially to this city, so I
22 think it's wise to be protected beforehand
23 regardless of, you know, which council is
24 seated and which mayor is serving.

25 MR. MINORA: I'll ask Attorney

30

1 Patterson to prepare something for us to
2 look at. I'd have to look at it first. On
3 the down side, if it's not done properly --

4 MS. FANUCCI: Oh, well, now I can
5 only pay what the demolition costs were not
6 a lot more.

7 MS. EVANS: I think you can easily
8 fashion the language --

9 MR. MINORA: That's what I want to
10 see.

11 MS. EVANS: -- to solve that saying,
12 "It will be sold for at least the amount of

14 entertain a motion that Item 5-H be
15 introduced into it's proper committee.

16 MR. COURTRIGHT: So moved.

17 MS. FANUCCI: Second.

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

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MS. GATELLI: Aye.

23 MR. COURTRIGHT: Aye.

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

32

1 MR. MINORA: 5-I. FOR INTRODUCTION -
2 A RESOLUTION - RATIFYING THE ACTIONS OF THE
3 OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT
4 AND OTHER APPROPRIATE CITY OFFICIALS
5 APPLYING FOR AN ENERGY EFFICIENCY AND
6 CONSERVATION BLOCK GRANT THROUGH THE UNITED
7 STATES DEPARTMENT OF ENERGY'S NATIONAL
8 ENERGY TECHNOLOGY LABORATORY IN THE AMOUNT
9 OF \$718,500.00, AND IF THE GRANT APPLICATION
10 IS SUCCESSFUL, AUTHORIZING THE MAYOR AND
11 OTHER APPROPRIATE CITY OFFICIALS TO ACCEPT
12 THE GRANT, AND TO COORDINATE AND DISBURSE
13 THE GRANT FUNDS TO IMPLEMENT THE ENERGY

14 EFFICIENCY PROJECTS OUTLINED IN SAID GRANT
15 APPLICATION.

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

19 MR. COURTRIGHT: So moved.

20 MS. FANUCCI: Second.

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

23 MS. EVANS: Aye.

24 MS. FANUCCI: Aye.

25 MS. GATELLI: Aye.

33

1 MR. COURTRIGHT: Aye.

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

4 MR. MINORA: 5-J. FOR INTRODUCTION -
5 A RESOLUTION - TO ACCEPT OWNERSHIP,
6 MAINTENANCE OF, AND RESPONSIBILITY FOR A
7 RETAINING WALL TO BE BUILT BY THE
8 COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF
9 TRANSPORTATION AS PART OF THE KEYSER AVENUE
10 PROJECT ADJACENT TO THE SOUTH SIDE OF GLINKO
11 STREET AND TO EXECUTE AND ENTER INTO THE
12 RETAINING WALL OWNERSHIP AND MAINTENANCE
13 AGREEMENT NO. 04M035 BETWEEN THE
14 COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF

15 TRANSPORTATION ("COMMONWEALTH") AND THE CITY
16 OF SCRANTON ("MUNICIPALITY").

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

20 MR. COURTRIGHT: So moved.

21 MS. FANUCCI: Second.

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

24 MS. EVANS: Aye.

25 MS. FANUCCI: Aye.

34

1 MS. GATELLI: Aye.

2 MR. COURTRIGHT: Aye.

3 MR. MCGOFF: Aye. Opposed? The
4 ayes have it and so moved.

5 MR. MINORA: 6-A. NO BUSINESS AT THIS
6 TIME. 7-A. FOR CONSIDERATION BY THE
7 COMMITTEE ON COMMUNITY DEVELOPMENT - FOR
8 ADOPTION - RESOLUTION NO. 161, 2009
9 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
10 CITY OFFICIALS TO ENTER INTO A CONTRACT WITH
11 THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT
12 OF COMMUNITY AND ECONOMIC DEVELOPMENT
13 ("DCED") FOR THE COMMUNITY CONSERVATION AND
14 EMPLOYMENT PROGRAM CONTRACT NUMBER

15 C000043365 TO RECEIVE A \$20,000.00 GRANT TO
16 MAKE UPGRADES TO BATTAGLIA FIELD'S PARKING
17 LOT.

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

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

24 MR. COURTRIGHT: Second.

25 MR. MCGOFF: On the question? Roll

35

1 call, please?

2 MR. COOLICAN: Mrs. Evans.

3 MS. EVANS: Yes.

4 MR. COOLICAN: Mrs. Gatelli.

5 MS. GATELLI. Yes.

6 MR. COOLICAN: Ms. Fanucci.

7 MS. FANUCCI: Yes.

8 MR. COOLICAN: Mr. Courtright.

9 MR. COURTRIGHT: Yes.

10 MR. COOLICAN: Mr. McGoff.

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

13 MR. MINORA: 7-B. FOR CONSIDERATION
14 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -
15 FOR ADOPTION - RESOLUTION NO. 162, 2009

16 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
17 CITY OFFICIALS TO ENTER INTO A CONTRACT WITH
18 THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT
19 OF COMMUNITY AND ECONOMIC DEVELOPMENT
20 ("DCED") FOR THE COMMUNITY CONSERVATION
21 EMPLOYMENT PROGRAM CONTRACT NUMBER
22 C000043366 TO RECEIVE A \$25,000.00 GRANT FOR
23 THE PURCHASE AND INSTALLATION OF A GAZEBO
24 AND RELATED SITE WORK AT ORCHARD STREET
25 PLAYGROUND (CONNORS PARK).

36

1 MR. MCGOFF: What is the
2 recommendation of the Chair for the
3 Committee on Community Development?

4 MS. FANUCCI: As Chairperson for the
5 Committee on Community Development, I
6 recommend final passage of Item 7-B.

7 MR. COURTRIGHT: Second.

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

10 MR. COOLICAN: Mrs. Evans.

11 MS. EVANS: Yes.

12 MR. COOLICAN: Mrs. Gatelli.

13 MS. GATELLI: Yes.

14 MR. COOLICAN: Ms. Fanucci.

15 MS. FANUCCI: Yes.

16 MR. COOLICAN: Mr. Courtright.
17 MR. COURTRIGHT: Yes.
18 MR. COOLICAN: Mr. McGoff.
19 MR. MCGOFF: Yes. I hereby declare
20 Item 7-B legally and lawfully adopted.
21 MR. MINORA: 7-C. FOR CONSIDERATION
22 BY THE COMMITTEE ON RULES - FOR ADOPTION -
23 RESOLUTION NO. 163, 2009 - APPOINTMENT OF
24 THELMA WHEELER, 1001 JACKSON STREET,
25 APARTMENT 303, SCRANTON, PENNSYLVANIA,

37

1 18504, AS A MEMBER OF THE BOARD OF THE
2 SCRANTON HOUSING AUTHORITY. MS. WHEELER
3 WILL FILL THE UNEXPIRED TERM OF BOARD MEMBER
4 JANE MCCARTHY WHO PASSED AWAY ON JUNE 15,
5 2009. MS. WHEELER'S TERM WILL EXPIRE ON
6 SEPTEMBER 27, 2013.

7 MR. MCGOFF: As Chair for the
8 Committee on Rules, I recommend final
9 passage of 7-C.

10 MR. COURTRIGHT: Second.

11 MR. MCGOFF: On the question? Roll
12 call, please?

13 MR. COOLICAN: Mrs. Evans.

14 MS. EVANS: Yes.

15 MR. COOLICAN: Mrs. Gatelli.

16 MS. GATELLI. Yes.

17 MR. COOLICAN: Ms. Fanucci.
18 MS. FANUCCI: Yes.
19 MR. COOLICAN: Mr. Courtright.
20 MR. COURTRIGHT: Yes.
21 MR. COOLICAN: Mr. McGoff.
22 MR. MCGOFF: Yes. I hereby declare
23 Item 7-C legally and lawfully adopted.
24 MR. MCGOFF: We will now return to
25 citizens' participation on nonagenda items

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1 or agenda items, and much to the chagrin of
2 my council members we will have allow five
3 minutes speaking time. Andy Sbaraglia.
4 MR. SBARAGLIA: Andy Sbaraglia,
5 citizen of Scranton. Fellow Scrantonians, I
6 co-chaired the Kids Swim Free Program at Nay
7 Aug and we are holding it on Sunday the
8 19th, we will have a free swim up there like
9 Janet said so there is no really going into
10 depth other than saying thousands of kids
11 have been allowed to swim up there under
12 this program. It's just too bad you don't
13 put a swimming pool up there for the kids in
14 that section of the city because Nay Aug was
15 their swimming pool, but I guess maybe after
16 November.

17 Okay, the simple things of 5-G I
18 guess it is, the church. They would have to
19 pay tax on that land. If the city took it
20 over it still would be tax free. Instead of
21 generating anything for the city you are
22 taking it away. Nothing surprises me with
23 this council though. I really wonder how
24 you would really think about the citizens.
25 We have to wait all of the way until

39

1 November before we are going to get some
2 really citizens participation in this
3 council. After that point the people who
4 were not elected will become lame duck and
5 there is laws covering lame duck.

6 I believe in democracy. I fought or
7 democracy, well, I shouldn't say I really
8 fought, I served for democracy. Most of you
9 people up here have never served in the
10 military. Most you ever did was either
11 school, be nursing or whatever, but I served
12 my country.

13 MR. MCGOFF: Excuse me, I find that
14 very insulting. I though my service as a
15 teacher was --

16 MR. SBARAGLIA: It was meant to be
17 insulting.

18 MR. MCGOFF: I think that you are
19 insulting anyone who is in the teaching
20 profession by saying that.

21 MR. SBARAGLIA: I don't care what
22 you --

23 MR. MCGOFF: I do care.

24 MR. SBARAGLIA: Okay, then take it as
25 a thing, but you insult me by sitting up

40

1 there and not believing in democracy.

2 MR. MCGOFF: I did not insult you in
3 any way.

4 MR. SBARAGLIA: You do. Anyway you
5 try to regulate this council --

6 MR. MCGOFF: You're extremely rude,
7 Mr. Sbaraglia in saying that.

8 MR. SBARAGLIA: You are rude and I
9 can't wait until November where I don't have
10 to see you where you are. Thank you.

11 MS. FANUCCI: You weren't elected
12 Mr. Sbaraglia, remember that. The people up
13 here were elected by people in this city.
14 Whether or not you like it, you ran and were
15 not elected so the voice is that people are
16 respecting at least some of the people up
17 here. I find you very ignorant and the sad

18 part is you don't know what it is you don't
19 know.

20 MS. GATELLI: And just for the record
21 I'm going to be here until December 31 or
22 January 7 or whatever. I don't intend to go
23 anywhere, Mr. Sbaraglia, and I volunteered
24 28 years of my life for my neighborhood, so
25 I find that insulting, too. There is people

41

1 sitting up here that haven't lived here
2 28 years, so I find that very insulting.
3 You do for your neighborhood what I did for
4 mine and then you can insult me.

5 MS. FANUCCI: Delusions of grandeur,
6 sir.

7 MR. MCGOFF: Excuse me. All right.
8 William Needham.

9 MR. NEEDHAM: Good morning, Council.
10 I'm here with the same problem I have been
11 dealing with for I don't know how long. I'd
12 like to thank Mrs. Evans for getting the
13 message to Mr. Courtright. Mr. Courtright,
14 did you notify anybody from --

15 MR. COURTRIGHT: Yes, the people on
16 the first shift and the second shift I
17 notified. The gentleman on the first shift
18 who has been going by, he knew exactly what

19 I was talking about because he had been
20 there before. People on the second shift
21 said they would do the best they could.
22 Probably not what you want to hear, but the
23 second shift is they are going from call to
24 call to call. They said when, you know, if
25 they have an opportunity they will certainly

42

1 go over and check it out. I haven't spoke
2 to anybody on the third shift yet or the
3 D-shift.

4 MR. NEEDHAM: Because I have been
5 doing this myself just to protect my
6 property.

7 MR. COURTRIGHT: I understand.

8 MR. NEEDHAM: I've been taken my
9 vehicle and parking it in my driveway and
10 watching it because of the things that are
11 going on in that neighborhood, and I tried
12 every avenue down the line to do it starting
13 with the top cop in the city, Mr. Hayes. He
14 just -- it was like water over a duck's back
15 with them. He sent me to Tommy Oleski who
16 did nothing. Tommy Oleski did nothing. You
17 call him, this is the 21st century, cell
18 phones, he don't return calls. He don't do

19 nothing. I spoke to the mayor, I called the
20 mayor's confidential secretary, nothing.

21 MR. COURTRIGHT: The officer on the
22 day shift he has gone by there on several --
23 I don't want to say his name over the air,
24 but he has gone by there. He was well aware
25 of when I told him the block and I told him

43

1 there was a row house there he -- they were
2 aware of where I was talking about and they,
3 you know. He has a little bit more time
4 than the guy on the second shift, but they
5 are spread a little thin so they said as
6 often as they could they would patrol that
7 street.

8 MR. NEEDHAM: When you have to take
9 your wife out of your residence because of
10 what's going on in the neighborhood, it's
11 bad.

12 MR. COURTRIGHT: I'm going to speak
13 to the beat officer there maybe he can go
14 down there.

15 MR. NEEDHAM: And them COM-D cops,
16 now, when you had them they were patrolling
17 Pittston and Cedar Avenue, we're in the
18 middle of the block, they can't come up off
19 of Cedar Avenue because of monetary

20 reasoning, you know, they put them in low to
21 moderate income areas.

22 MR. COURTRIGHT: No, I believe your
23 area might still be in his beat, I got to
24 speak to him.

25 MR. NEEDHAM: When the OECD cops

44

1 patrolled they didn't come off the street.
2 They wouldn't come off Pittston or Cedar
3 area. They were told stay in low to
4 moderate income areas, but I'm not living up
5 in Montage Mountain.

6 MR. COURTRIGHT: I know.

7 MR. NEEDHAM: I mean, the things
8 that's going on over there, and the mayor he
9 did nothing about it. I had him over there.
10 He did nothing about it.

11 MR. COURTRIGHT: Yeah, I'll speak to-
12 officers again. You know, in all honesty
13 they are trying to do the best they could
14 just to -- we got a lot of calls in this
15 city.

16 MR. NEEDHAM: What we need -- this is
17 what we need, we need to get the contracts
18 for the firemen and the policeman settled.
19 Public safety should be a priority number

20 one in any city or any borough or any
21 township and without them you don't have it.
22 Get the contracts settled, this are well
23 overdue. We need more police on the road
24 and if we need vehicles let's get them.

25 Let me ask this, you are the chair

45

1 of public safety, up there at the Skyview
2 there is a police car and a policeman there
3 24/7, who is paying for that?

4 MR. COURTRIGHT: Skyview does.

5 MR. NEEDHAM: Skyview.

6 MR. COURTRIGHT: Skyview pays for
7 that.

8 MR. NEEDHAM: Well, why do they have
9 our police up there?

10 MR. COURTRIGHT: They pay them extra.

11 MS. GATELLI: Extra duty.

12 MR. NEEDHAM: I mean, you know, if
13 you got it up there you should, you know --
14 they're paying for it?

15 MR. COURTRIGHT: That's private.

16 That's being paid for privately.

17 MR. NEEDHAM: It's private property.

18 MS. GATELLI: They hire them
19 privately.

20 MR. COURTRIGHT: That would like if

21 you wanted to hire one you would be able to,
22 you would just have to pay. I'm not saying
23 to do that, I'm just explaining.

24 MR. NEEDHAM: Well, over there, and
25 the police -- I've got complaints and police

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1 reports coming out of my ears.

2 MR. COURTRIGHT: I know.

3 MR. NEEDHAM: Insurance for property
4 damages. Now I got another almost \$4,000
5 for a window, they have to take the whole
6 window out and repaint the whole side of
7 house, you know what I'm saying?

8 MR. COURTRIGHT: I know. I feel very
9 sorry for you. I'm doing the very best I
10 could. They're just a little shorthanded I
11 think.

12 MR. NEEDHAM: On the police, yeah.
13 Right. Now, if you call to respond I call
14 the state police.

15 MR. COURTRIGHT: I don't think they
16 will respond.

17 MR. NEEDHAM: Oh, you can get them.
18 Ray Hayes will tell you know, but you are
19 still a citizen of the Commonwealth of
20 Pennsylvania. If they come and they respond

21 you have to sign a waiver and it goes back
22 to the city. You know you are going to
23 catch hell, but you can do it, but when it
24 come to my wife I'm going to protect her to
25 the bottom line.

47

1 MR. COURTRIGHT: I agree with you.

2 MR. NEEDHAM: And, I mean, it's --
3 you know, if the police don't come, you
4 know, what you are supposed to do?

5 MR. COURTRIGHT: I have your address
6 written right here.

7 MR. NEEDHAM: Yeah. They only have
8 so many police, they only have so many cars,
9 I know that. I know that. And then, you
10 know, they get these incident reports, they
11 are all malicious mischief and criminal
12 mischief of the property, \$900 for one
13 thing. It's got to stop. It's got to stop.

14 MR. COURTRIGHT: I'll try again.
15 I'll speak to them again.

16 MR. NEEDHAM: I mean, and I even
17 tried to catch a cop, you know what I mean?
18 Go down on another someplace where I think
19 I'll see one and see if he can come over.
20 It's terrible. You can't sleep and boom
21 boxes playing all night. It's just

22 terrible. Thank you.

23 MR. COURTRIGHT: You are welcome.

24 MR. MCGOFF: William Bradiken. David
25 Dobrzyn.

48

1 MR. DOBRZYN: Good morning once
2 again, Council, Dave Dobson, resident of
3 Scranton and member of the Taxpayers'. We
4 got a little off here a couple of minutes
5 ago, but I also would like to express any
6 concern of the city incurring expenses and
7 once again we are tearing down buildings
8 that really some other purpose should be
9 found for them other than community centers
10 or apartment housing or whatever, but I
11 personally feel it's terrible and I
12 certainly don't want to see year after year
13 the city paying somebody else's bills.

14 Now, I'd like to talk briefly about
15 PPL Roseland project. There is meetings
16 going on all over the area about this
17 project. Now, there is a few issues here:
18 One, is that it's going to detract from the
19 natural beauty of the landscape and so
20 forth; two, is that be the residents of
21 Pennsylvania and PPL customers are paying

22 for it; and three, it's that it may be part
23 of a larger agenda to improve the grid to
24 shift power back and forth, however, if it's
25 for somebody else in some other state I must

49

1 object to paying for it and I see no
2 purpose -- no reason why I should pay for
3 it.

4 So I think we should try to towards
5 the fall here have PPL meetings with PUC and
6 get some of these issues out into the open
7 because it will effect you and when you are
8 paying the big bill and you have done
9 nothing then don't complain about it.

10 On recycling and trash removal, this
11 is for me. I have a paid bill here from
12 2009, and all my prior bills are paid, at
13 least three times in the last eight weeks
14 the recycling people have not picked up my
15 recycling. I have 42 steps to my front
16 porch. Remember my house?

17 MS. EVANS: Yes.

18 MR. DOBRZYN: Okay. When Janet was
19 campaigning she had to -- she had to pack a
20 lunch to get up there. But anyway, I'd
21 really -- and Saturday morning I got up
22 early and I went out on the porch and I seen

23 a guy kind of look over and scoot out of
24 there, and it's not acceptable. I'll write
25 my phone number down here for Neil, and I

50

1 don't expect anybody to come up here to my
2 house and take it out, but I would like to
3 see it every week. There is no
4 tiggerdoodles in the stuff, I do really a
5 good job on trying to recycle and I'm not
6 very strong on it, and it really grabs me
7 because a lot of people I see recyclables in
8 the trash, well, I watch a lot of science
9 documentaries and stuff, I don't bother with
10 regular television and political
11 documentaries and so forth, and there is
12 technicians and scientists working on
13 machines to turn plastic bottles back into
14 diesel fuel, so it's something to consider.

15 We can't have this where things are
16 being thrown out improperly in the wrong
17 garbage, and also if I were to start
18 depositing that in the garbage from what I
19 understand there is an ordinance against
20 that also, so then I'm breaking the law by
21 just trying to keep my house clean of
22 whatever.

23 And now on another subject, I don't
24 know if you people read the Friday Times,
25 and we're probably kicking a dead horse a

51

1 little bit, but there was a big article on
2 KOZ's and their lack of effectiveness, so I
3 certainly hope that you read -- you probably
4 did, I'll give you that much credit.

5 And a mention was made of our roads
6 downtown last week, I wasn't here. Thursday
7 night I hit a pothole and three hours later,
8 about four miles later, forget the three
9 hours, my transmission blew up, so maybe
10 I'll call Janet's husband and ask him for a
11 little advice. I have a transmission coming
12 to put it in, but I think it did fracture
13 something inside of the transmission. It
14 was down on Washington Avenue at the
15 shopping center there. And by the way,
16 almost everything that I buy is in town. I
17 spend almost every dollar in town inside of
18 Scranton borders, but if that type of stuff
19 keeps happening how am I going to shop in
20 Scranton.

21 MR. MCGOFF: Anyone else?

22 MR. ELLMAN: Hello, Council. Good
23 morning. I could see everyone says "Here he

24 goes again." Well, Ronnie Ellman, still a
25 taxpayer and member of the association. You

52

1 know, I spoke last week that I feel I have
2 certain duties and one of them was to speak
3 out against the evils of Chris Doherty. I'm
4 going to read this, I won't take all day.
5 When someone messes my money it makes my
6 most irritable like most people and that's
7 all that's been happening here year after
8 year. Every time someone asks where our
9 money went Chris Doherty says it's in the
10 parks, this is your park system and yada,
11 yada, yada, you know, these are -- the parks
12 are for you and your children and blah,
13 blah, it never ends. But now we see that
14 the parks are going up to that the highest
15 bidder, except the city didn't get the
16 checks, they probably went into someone's
17 home because they are certainly -- we are
18 not benefiting by giving away our South Side
19 Complex and Nay Aug and it's not going to
20 stop. It's a deplorable, despicable
21 situation that Doherty just he got away with
22 a little bit and he just keeps on shoveling
23 down our throats.

24

You know, after all of the fanfare

25

and promises about opening the zoo again, to

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1

me it's a little zoo, it wasn't ideal, but

2

it was there and it was ours, it was just

3

another venture of Doherty's worth the risk

4

because he got away with closing it and now

5

he is giving it away. You know, it's --

6

like I said, it won't stop unless you people

7

to something to stop him. I don't know,

8

it's just terrible. It really just tests my

9

tolerance level having to deal with what you

10

read in the paper every day. You know,

11

let's just examine in black and white about

12

the zoo.

13

First we get this concerned citizen

14

writing letters how deplorable conditions

15

are and then it's immediately closed.

16

Mr. Doherty said we don't have the \$50,000

17

to support him. This went on and on and

18

gave them just a few days to get rid of all

19

of these animals, the whole scenario just --

20

it just didn't pass your smell test, you

21

know, and there was money collected for that

22

zoo. What happened to it? I never heard

23

anyone mention about the collections for it.

24

Well, after the concerned bimbo no

25

one mentioned that she was on the board of

54

1 Lackawanna College. See, that had nothing
2 to do with her, I'm sure it just -- with her
3 closing it, then the college moves in, the
4 plans for the zoo fit there to a "T", just
5 exactly the buildings they want to an inch.
6 Nothing had to be touched. You know, the
7 remodeling it was for them, all along. Like
8 I said, this was premeditated. All of a
9 sudden the \$50,000 was found they have an
10 overnight loan. If anybody here bought a
11 house you don't get a loan, it takes a month
12 or two. Overnight they have a loan you
13 know, why doesn't somebody investigate all
14 of this. This is our property he gave away.
15 Let him give away his house over there on
16 Washington if he wants to give something
17 away.

18 I just got a bunch of notes here.
19 Now I'm just getting all disgusted with it.
20 It's just -- just signs of graft and
21 corruption every time you turn around in
22 this administration. You three people were
23 elected to represent us, not to show no
24 loyalty and friendship to the mayor which is

25

how it turned out, you know. You are not

55

1

for us. It's -- and while I think of it,

2

I'll get off the subject because to me Chris

3

Doherty is an absolute disgrace to the

4

people of this city. I don't know how he

5

can show his face in public. I saw him in

6

morning and, I don't know, all dressed up in

7

his suit and telling how great he is,

8

patting himself on the back again.

9

I would like to change the subject

10

where Mr. Burke got the \$50,000 bribe money

11

he offered whether it come out of his pocket

12

or whether it was the city's money he was

13

going to give back to the city, I never saw

14

where it came from.

15

And why can't you just put a lien on

16

that property you are talking about, you

17

know, the church property if you have to

18

tear down the building?

19

MR. MINORA: We are going to own it.

20

We would be liening ourselves.

21

MR. ELLMAN: Because you would have

22

a lien if it's ever sold.

23

MR. MCGOFF: Any others?

24

MR. ELLMAN: I got one other thing,

25

just take a second, the Smith house has been

1 standing year after year and nobody touches
2 it about tearing it down. I got a house
3 behind me that adjoins my property, been
4 there for years, nobody does it. Every time
5 I hear about something torn down or repaired
6 it's in South Side. We are supposed to get
7 sidewalks and streets on North Main Avenue,
8 they never -- you know, the money just went
9 someplace else. It wasn't spent on our
10 street. Thank you. You mad at me? Yes,
11 you are. I can see it.

12 MS. FANUCCI: No, I would never be
13 mad at you.

14 MR. ELLMAN: You won't wink at me
15 today, you're mad at me.

16 MS. FANUCCI: I still love you and
17 you know it.

18 MR. MCGOFF: Anyone else?

19 MR. UNGVARSKY: Good morning, city
20 council. I'm Tom Ungvarsky, and I'm a
21 member of the Scranton/Lackawanna County
22 Taxpayers. In April of '07 there was
23 several articles in our Scranton Times
24 concerning Wall Street West how they were
25 going to come here and develop. The

1 articles mainly concerned Seacoast, a
2 limited liability corporation. The state
3 had given them \$250,000 and city council
4 voted another \$70,000 to them. I asked Mrs.
5 Fanucci twice some information about them, I
6 never received it. I asked Mr. McGoff twice
7 about it, and the one day he told me out in
8 the hall that Seacoast was located at 123
9 Wyoming Avenue in the Diversified Building.
10 I went to Diversified building three
11 different times, talked to workers that were
12 there, no one had ever heard of Seacoast from
13 New York City.

14 In the mean time, I had -- this is
15 over a period of a year, in the mean time, I
16 had looked them up on the website. There
17 was nothing about Scranton. I called, they
18 knew nothing or would not give me any
19 information about Scranton. I asked the
20 Chamber of Commerce, they knew nothing about
21 it. I asked the Times, they knew nothing
22 about it. No one seemed to know where
23 Seacoast was located. I filed a
24 Right-to-Know. Mr. Stu Renda gave me very
25 limited information on it. I have appealed

1 the case. I will probably hear something on
2 it tomorrow. I should say that they will be
3 decide what to do tomorrow and whenever I
4 hear about it.

5 I think it's time that city council
6 started looking into some of the loans that
7 they have passed, and I'd like to read off a
8 few of them for you, if I may. The first
9 one is -- excuse me, I have trouble reading,
10 is Jefferson Associates. They received
11 \$250,000 back in May of '04. This is from
12 -- excuse me a minute, from Caper, which is
13 put out by OECD, they received \$250,000,
14 they have zero employees.

15 The next one is Pisano, I'm sorry,
16 it is a produce company, I'm sorry, I have
17 trouble reading, they also received
18 \$250,000. They received it in the sixth
19 month of '05, they have zero jobs.

20 The next one is 321 Development
21 Company, they also received a quarter of a
22 million dollar. They have zero employees;
23 and the last one is Ed and Chris Pisano, I
24 shouldn't say the last one. The last one I
25 have listed here for \$250,000, is Ed and

1 Chris Pisano, they also received \$250,000
2 and they have zero employees.

3 I have the articles and a copy of
4 the contract for Seacost, I have all of the
5 communications from Mr. Stu Renda and from
6 the appeals board. If any member of City
7 Council would like to sit down with me and
8 go through it, because there are at least 37
9 violations of the contract and if any member
10 of city council would like to sit down with
11 me and go through this I would be very happy
12 to do so. I think it's time we started
13 looking into these loans that we are giving
14 out and perhaps recouping some of the money
15 that we are giving.

16 MR. MCGOFF: Anyone else?

17 MS. SCHUMACHER: Marie Schumacher.
18 5-G on today's agenda is setting a terrible
19 precedent. Jumping a property to the head
20 of the list is just very dangerous. We have
21 many properties awaiting demolition for
22 years that are true public safety issues. I
23 know there is one up at the corner of
24 Wheeler Avenue and I believe it's Pine
25 Street and there is one across from the -- I

1 don't know what the name of nursing home
2 there on Cedar Avenue, Pennswood, even
3 though I visit there a lot, they tore one
4 building down and not another, but
5 underlying the precedent that you are
6 setting, first of all, you are kicking the
7 taxpayers where it hurts the most. There
8 seems to be nothing that you will not do for
9 nonprofits and for nontaxpaying entities,
10 but when it comes to the taxpayers the heck
11 with them.

12 The administrative code of the city
13 says: Capital budgets on or about June 1
14 each year the mayor shall submit the program
15 to city council.

16 Later on it says, "If a cash deficit
17 develops these are the items that should be
18 looked at to be put on hold."

19 Now, where is the capital budget?
20 Six weeks passed. Has anybody followed up
21 to find out what's going on with the capital
22 budget? These are capital items and the
23 purpose of a capital budget is to have some
24 order and know what you are doing. Now, we
25 have 7-A and B on today's agenda. If the

1 capital budget was properly done you could
2 see what was being planned in the city for
3 the next six years and how it fit in, but
4 here you continue to allow the mayor to
5 piecemeal things. We don't know, how much
6 more is going to be spent on Battaglia
7 field? How much more is going to be spent on
8 Connor's Park? Is this the end of it or
9 will it go on forever?

10 This project, 7-G is a capital
11 project, you are buying property. You are
12 paving, that's a capital project, and what's
13 the precedent? How many properties are on
14 the demolition? How are they prioritized?
15 Who decides them. I mean, you need to get
16 ahold of the capital budget and you need to
17 stop approving anything that is not on the
18 capital budget even if it's paid for by
19 somebody else. If it's properly done you
20 have the total budget and you show who paid
21 for that if it wasn't the city taxpayers.
22 You have got to get it under control. It is
23 way out of control.

24 Now, 5-I on today's agenda also
25 wants to buy a boiler for the Silkman House

1 Library on North Main Avenue in Scranton.
2 Not a problem with that except that it is
3 city-owned, it's occupied by the LCRA which
4 believe is the National -- or the Lackawanna
5 County Corridor Recreation Association, are
6 they a Scranton entity? Again, another
7 nonprofit. Are they paying rent to the
8 city? Are we paying to insure this building
9 that's occupied by somebody else?

10 I mean, come on, Folks. We are in
11 deep doo-doo, and we keep all of these
12 freebies for the people who don't pay taxes
13 and you know who is down at the bottom of
14 the list, the taxpayers, and it's not right.

15 Mr. Ungvarsky just brought up some
16 of the CDBG loans that haven't produced and
17 it causes me to wonder, what about the UDAG
18 and EZ outcomes? How many of those have you
19 approved over the last many years? I have a
20 list at home, I didn't bring it with me, but
21 how do we find out about what happens to
22 those loans? We give money here, we give
23 money there. At least on the CDBG's we get
24 something. We don't always believe them. I
25 mean, I don't believe that 102 jobs exist at

1 the Lackawanna garage, probably six at the

2 most if you have two a shift, so I don't
3 always believe the statistics, but when they
4 put down zero I believe them, and how do we
5 find out who -- what are the outcome and
6 what are investments with these UDAG and ES
7 money, what did it produce? Did it do any
8 good?

9 And then next I note there is a SAPA
10 meeting coming up on Thursday night and I
11 hope to see all of you, yeah, I'm sure you
12 find it, Mrs. Fanucci, very funny that I
13 care about the taxpayers and you have to
14 write notes about me.

15 MS. FANUCCI: What are you talking
16 about that you're so paranoid?

17 MS. SCHUMACHER: I have the --

18 MS. FANUCCI: I'm sitting here
19 discussing with Mr. --

20 MS. SCHUMACHER: I have the floor.
21 Thank you.

22 MS. FANUCCI: Well, then don't issue
23 a warning to me when you have no idea what
24 is going on up here or anywhere else for
25 that matter.

1 MS. SCHUMACHER: The SAPA meeting has

2 a banner across the street, I'll complete my
3 sentence if I may. I hope to see all of you
4 there. It very definitely affects the City
5 of Scranton and I think this is the only
6 public meeting that's planned and for those
7 who are interested a copy of the plan is up
8 at the Albright library. I would hope that
9 you would take a chance to review it and
10 come to the meeting on Thursday night.
11 Thank you.

12 MR. MCGOFF: Mrs. Evans?

13 MS. EVANS: Good morning. Today's
14 agenda resurrects specific concerns. The
15 city should halt it's give-aways to
16 nonprofits because they fail to pay their
17 fair shares to a deficit ridden host city.
18 The Recovery Plan itself called for the
19 aggressive collection of payments in lieu of
20 taxes from nonprofits and in yet another
21 violation of the Recovery Plan the
22 administration failed to do so. Rather, it
23 enjoys a warm and cozy relationship as well
24 as a seat on the board of trustees by a
25 family member and brazenly agrees that the

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1 university's constant expansion and campus
2 beautifications are a wonderful substitute

3 for payments in lieu of taxes. Yet, the
4 administration has no problem raising the
5 people's taxes.

6 Next, I wish to report that council
7 received no response from District Attorney
8 Jarbola to it's request for an investigation
9 of the Single Tax Office and Mr. McDowell's
10 term as Scranton Tax Collector. Neil,
11 please send a second request to the DA and
12 include a request for a response on or
13 before Friday, July 24, 2009.

14 I also want to report that
15 Mr. Renda, business administrator, never
16 provided the financial and health care
17 information regarding all city management
18 employees which I requested for the last
19 four months clearly demonstrating the lack
20 of administrative cooperation that certain
21 council members face from more than one
22 department head. Unionized employee's
23 reports were received well over two months
24 ago but this management information seems to
25 be sheltered.

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1 Next, we recently learned of the
2 state of police and firefighter contract

3 negotiations. The obstinance and audacity
4 of this administration to continue legal
5 battles against public safety workers for
6 eight years is a slap in the face to
7 Scranton taxpayers. Rather than settling
8 contracts and providing improved services,
9 the administration uses your taxes for
10 highly paid law firms and courtroom battles.

11 I stated several months ago that the
12 mayor would continue this fight to the
13 Supreme Court and allow DCED to make an
14 example, a legal precedent, of our city.
15 Does the city -- or excuse me, does the
16 state pay for eight years worth of multiple
17 attorney's fees? Absolutely not. They want
18 Scrantonians to pay for this while having
19 the audacity to demand a 75 percent tax
20 increase against the citizens of Scranton.
21 It is a sin to have wasted tax dollars for
22 eight years while spending and borrowing
23 spiraled out of control without a word from
24 PEL and DCED.

25 It seems impossible now to balance

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1 the enormous debt amassed in Scranton in the
2 last years in conjunction with an equally
3 long series of court battles and contract

4 violations. This madness should have ended
5 years ago and anyone who truly cared for
6 this city and it's people would never allow
7 such wasteful legal costs and city debt to
8 grow to nearly insurmountable unprecedented
9 heights.

10 Enough is enough. It is time to
11 concentrate on new revenue sources and the
12 hardline collection of payments in lieu of
13 taxes from city nonprofits. If the
14 nonprofits were targeted as firmly as the
15 city unions, the city coffers would be full,
16 the structural deficit could very well be
17 erased, and the need for large tax increases
18 eliminated.

19 Finally, I have some citizens'
20 requests for the week. Send an inspector to
21 429-31 Prescott Avenue to investigate a
22 dumpster located on the side of this
23 multi-unit dwelling. The overflowing
24 dumpster is emptied biweekly, attracts
25 insects and rodents and carries an

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1 unbearable stench. Mr. Seitzinger has been
2 aware of this and other problems at this
3 property since 2008, yet none have been

4 addressed. Please take of care of this
5 ASAP.

6 For the last five years the
7 residents of Cooper Avenue and Ward Place
8 have continuously requested the paving of
9 both of these streets and their requests
10 have fallen on deaf ears at the DPW. In the
11 last few months a series of large holes have
12 opened at one end of Cooper Avenue. As I
13 attended the ICC church picnic last weekend
14 I noticed that the alley behind the church
15 had been newly paved for this event, and I
16 was very pleased to see this, but I can't
17 understand why DPW management continues to
18 ignore Cooper Avenue and Ward Place.
19 Taxpayers deserve services for their taxes,
20 all taxpayers.

21 Sometimes I think certain requests
22 are not addressed by DPW management because
23 I have made them. I hope this is not the
24 case since these are not Janet Evans'
25 requests, these are complaints and problems

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1 of our taxpayers who pay employee's salaries
2 and deserve services and I want to see this
3 problem solved this summer and I will be
4 driving by checking on it.

5 The animal control officer who is
6 employed part-time by the city is in dire
7 need of a van. Currently she operates a
8 used pickup truck from which animals can
9 easily escape. I recall that a previous
10 officer had a city van for use during
11 working hours. With council's agreement, I
12 would like a van or other appropriate
13 vehicle provided to the animal control
14 officer. We have over \$8,000 in UDAG monies
15 which were allocated for the purchase of
16 bike racks in today's agenda. I believe
17 this is a more pressing issue which merits
18 immediate attention.

19 Council requests the June and
20 July 2009 to date PEL summaries and an
21 update on the progress of the revised or new
22 recovery plan from PEL, and that's it.

23 MR. MCGOFF: Mrs. Fanucci?

24 MS. FANUCCI: Yes, I'm going to agree
25 with Mrs. Evans on the talk and bargaining

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1 talks for our contracts. Obviously, if both
2 parties put in the money we would not be in
3 the -- in any need for money in our city, we
4 would actually be probably making lots of

5 money, so on both ends I think both parties
6 have spent way more than they should have.

7 Also, it's my belief that a
8 34 percent pay increase was offered at the
9 last sitdown and was denied. I myself would
10 have loved to be offered 34 percent increase
11 in my pay, so this battle will continue and
12 it will continue to the end, as I stated
13 from day one. People -- this is not just
14 about the city, it's about the unions, also,
15 and both are battling it out and will
16 continue to do so until the Court's decide
17 which I obviously believe is a sad thing
18 because we have seen what has happened so
19 far with some of the health care situations,
20 but this is not going to end and it won't
21 end and has nothing to do with the city or
22 the state, it has to do with both parties
23 because when you can't sit down on either
24 end and negotiate there will be no
25 negotiations. So as always there is three

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1 sides to every story.

2 I also would like to speak on some
3 of the loans that were brought up tonight --
4 today. We do check on those. We check on
5 them a lot. When a zero -- when they say

6 zero employees, a lot of times that loan has
7 been closed out and fulfilled and that
8 company is not existing. I know the Pisano
9 project has not even started yet, they did
10 not hire anybody as of right now, so they do
11 not have employees. The other two I will
12 check into, but I know for a fact that the
13 state and the city, I mean, they have to
14 keep that in check. Every three months they
15 have to send reports on that, and I believe
16 as far as our last check was probably two
17 months ago, everyone was up-to-date on their
18 loan payments with our city from years and
19 years past. I'm glad that you have a paper,
20 I have that also, but years and years past
21 everyone is up-to-date as of right now, so
22 any loan that has been given out we are
23 receiving the amount of money we are
24 supposed to be receiving. That program is
25 working and it is working well and I am

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1 proud that people in this city are putting
2 their faith in us and still deciding to open
3 businesses here and taking risks with us and
4 are fulfilling their obligations to the city
5 and to the state as well, and that is all I

6 have.

7 MR. COURTRIGHT: I'm just going to
8 piggyback on some of the requests from DPW,
9 it's been at least four months I have been
10 asking about Forest Glenn, and they are not
11 just potholes it's a safety hazard. I have
12 no idea why they are not responding. People
13 in Fawnwood are paying some of the highest
14 taxes in the city and now they have to go to
15 go door to door and get a petition to get
16 the road fixed, something is wrong
17 somewhere. So, Neil, I hate to do this to
18 you, but can we send another letter to
19 Mr. Brazil and ask them if they are going to
20 fix that road? I'm not going to go through
21 the whole spiel again, I have been doing it
22 for four months.

23 Also, Neil, Crisp Avenue, I have
24 asked the Kay the last couple of meeting to
25 find out from Brian Swanson where we are

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1 with that bridge, that's extremely important
2 to a lot of people. We will be going on
3 recess now in two weeks and could you just
4 ask him to give me a response in writing
5 before next week so the people that live in
6 that area will know?

7 You know, I have gotten away from
8 congratulating people that have done a good
9 job in the city, I try to do that all of the
10 time and I got away from that a little bit
11 because of some of the turmoil I guess we
12 have had every week, but this past week I
13 want to congratulate the Scranton police
14 officers, there was an individual wanted out
15 of the Philadelphia area that had a woman
16 detained in one of the housing projects in
17 this area against her will. Our SOG team
18 lead my Lieutenant Crofton were up there
19 getting ready to circle the building when
20 Officer Mike Costanzo and Ray Kelly
21 discovered that the gentleman was in another
22 building and they apprehended him without
23 any incident, so I'd just like to
24 congratulate them for that.

25 And maybe something un popular, but

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1 the church being torn down and the city
2 paying for it at this point as far as I'm in
3 favor for it because if it's going to be
4 used for a parking lot for Holy Cross
5 basketball I think it's a good thing. We
6 spend money and lot of things in my opinion

7 worthwhile in this city, but I think this is
8 worthwhile. People from all of over the
9 area play there and it's really difficult to
10 park down there and every time I drive by
11 there I'm a little bit afraid because, you
12 know, there are kids playing there and
13 they're running, they run out the door and
14 they're running across the street to get to
15 the front of the car or whatever. So if, in
16 fact, it's going to be for Holy Cross Hall I
17 would be happy to see that done. I
18 understand what Mr. Minora said about maybe
19 the legislation, but possibly I won't be
20 here when and if it's ever sold. I would
21 like to leave her knowing that we are going
22 to get our money's worth and not get shafted
23 on the cost of tearing it down and paving
24 it, and that's all I have. Thank you.

25 MR. MCGOFF: I have nothing. Motion

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1 to adjourn.

2 MR. COURTRIGHT: So moved.

3 MR. MCGOFF: Thank you for your
4 participation.

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6

7

8 ability.

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CATHENE S. NARDOZZI, RPR

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OFFICIAL COURT REPORTER

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