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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, July 21, 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  
(Not present)

MS. SHERRY FANUCCI

MR. WILLIAM COURTRIGHT

MS. KAY GARVEY, CITY CLERK

MR. NEIL COOLICAN, ASSISTANT CITY CLERK

MR. JOHN WILLIAMS, SOLICITOR

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

3 MR. MCGOFF: Roll call, please.

4 MR. COOLICAN: Mrs. Evans. Mrs.  
5 Gatelli.

6 MS. GATELLI: Here.

7 MR. COOLICAN: Ms. Fanucci.

8 MS. FANUCCI: Here.

9 MR. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Here.

11 MR. COOLICAN: Mr. McGoff.

12 MR. MCGOFF: Here. Let the record  
13 reflect that Mrs. Evans notified counsel  
14 that she would not be attending today. She  
15 is I believe either on her way or in New  
16 York at the birth of her daughter's baby.

17 And also let the record reflect that  
18 attorney John Williams is substituting for  
19 Amil Minora as solicitor. Thank you.  
20 Dispense with the reading of the minute.  
21 Third Order.

22 MS. GARVEY: 3-A. MINUTES OF THE  
23 COMPOSITE PENSION BOARD MEETING HELD ON JUNE  
24 24, 2009.

25 MR. MCGOFF: Are there any comments?

1 . If not, received and filed.

2 MS. GARVEY: That's it for Third  
3 Order.

4 MR. MCGOFF: Thank you. Any  
5 announcements from council?

6 MS. GATELLI: I just have several.  
7 The first thing, I would ask for you to have  
8 a motion of reflection. As you know, we  
9 have had a fire this morning in West  
10 Scranton and at least one child has died.  
11 Mr. Courtright told me that he thinks a  
12 second child has died, so please let's bow  
13 our heads and pray for those children and  
14 for their families.

15 (A moment of reflection was  
16 observed.)

17 MS. GATELLI: Thank you. Also, there  
18 will be a book signing this evening, Stacy  
19 Brown was the coauthor of a book about  
20 Michael Jackson and the Anthology Bookstore  
21 is having a signing tonight from 6 to 8.  
22 It's free and there will be some light  
23 refreshments.

24 I mentioned last week about children  
25 in the Connell Park area going door-to-door

1 collecting money for Connell Park. I  
2 mentioned that that was not true and please  
3 do not give to the children that are  
4 claiming to collect money. On Saturday  
5 evening on my way home, I saw the children  
6 on a doorstep and I questioned them and I  
7 called the police. Of course, they ran, but  
8 nonetheless, I did observe them going  
9 door-to-door, so I don't know if Jeremy can  
10 get it in the paper. I did say it at the  
11 meeting, but apparently a lot of people  
12 don't watch 61 and didn't hear it, so if we  
13 can get it in the paper that it is not true  
14 and it is a scam in the Connell Park area  
15 for people not to give. There is no drive  
16 going on for Connell Park.

17 Also, neighborhood police patrols, I  
18 would just like to get a list of the  
19 neighborhoods that have police patrols. I  
20 have been getting some complaints from my  
21 neighborhood that they don't see a beat cop,  
22 so I would like to know the status of the  
23 beat cops by next week being that's it's our  
24 last meeting.

25 And the last thing I have is I'm

1 saying some of this now, Mr. McGoff, because  
2 you know I work and I can't stay until the  
3 end, so if you will indulgence me for a few  
4 moments. I would like to send a letter to  
5 the district attorney, I have spoken to him  
6 concerning the matter, but I'd like a letter  
7 sent to him, the Liquor Control Enforcement  
8 Office and Mr. Seitzinger and Mr. Wallace  
9 concerning Tom and Jerry's. It is a  
10 nightclub. There is activity only on  
11 weekends. They have a sign in the window  
12 that they have food from 4:30 and every time  
13 I stop at 4:30 there is no one there and the  
14 door is locked. It is a nightclub at night  
15 causing some police disturbances. From what  
16 I understand the police were there last  
17 weekend twice, so I'd like everyone alerted  
18 to that fact and for something to be done as  
19 soon as possible concerning Tom and Jerry's,  
20 and that's all I have. Thank you.

21 MR. COURTRIGHT: Mr. McGoff, just  
22 one more thing about the tragedy on the Hyde  
23 Park Avenue fire. I was told possibly a  
24 second child died and there is two more  
25 maybe injured, but I can't confirm it, but

1 they are telling me that possibly Patrolman

2 Gilman put a ladder up on the roof and saved  
3 a woman, so that's a good thing, and if I  
4 get further information I'll let you know  
5 about it, but definitely a tragedy and  
6 there's still people injured and as  
7 Mrs. Gatelli said if you can just pray for  
8 them, a tragedy from all of those people  
9 from the same family, and that's all I have.  
10 Thank you.

11 MR. MCGOFF: Anyone else? Once  
12 again, we will be speaking on agenda items  
13 first. Anyone wishing to speak on agenda  
14 items at this time?

15 MR. SBARAGLIA: Andy Sbaraglia,  
16 citizen of Scranton. Fellow Scrantonians, I  
17 want to speak a little on this 6-E, the  
18 tearing down of the beautiful church down  
19 there on Broadway. It's no longer a church,  
20 I know. The windows have been stripped out,  
21 probably the pews, too, but the main thing  
22 is this building now is going on the tax  
23 rolls. Once a church is no longer a church  
24 it becomes just a building like any other  
25 building in the city, and it goes on the tax

1 rolls, so if you are talking about a minimum

2 sale of the city it's not a minimum sale to  
3 the city, it's a tax revenue, too. The  
4 church, as you know, is exempt on churches,  
5 but once they leave the church they are no  
6 longer a part of the church when they close  
7 it down or decertify it or whatever  
8 terminology they use.

9 The second thing is the mayor in his  
10 wisdom, he does a lot of business with the  
11 Catholic churches, his holdings does a lot  
12 of business with the Catholic Church. I  
13 remember the Boys Club closing. I didn't  
14 see the mayor come forward and say we are  
15 going to keep this open for the basketball  
16 that was played at the West Side Boys Club.  
17 No, he was mum. This to me is sort of a  
18 conflict of interest. If his business  
19 wasn't within the Catholic Church, a lot of  
20 his business wasn't within the Catholic  
21 Church, maybe I would lean toward it, but  
22 what he did up there in west side shows you  
23 there is lot of different things going on  
24 than meets the eye.

25 I love a level playing field, and

9

1 this project does not consist of a level  
2 playing field. There is too many ends that



3 are in it. It's just ashamed that it's such  
4 a beautiful building. It should have been  
5 on the historic register. It's a beautiful,  
6 beautiful building. No way is it  
7 dilapidated or anything like it. But like I  
8 said before, what's in the mayor's mind I  
9 know not, but I know there is lot of  
10 different aspects to it besides the kid's  
11 basketball. Thank you.

12 MR. SHOKARE: Good morning council  
13 President and member of the council. My  
14 name is Carol Shokare regarding agenda item  
15 6-E, and I have been requested by Mr. Bob  
16 Bolus to read the following letters, he is  
17 out of town and regrets that he cannot  
18 present them himself.

19 The letter was dated July 17, 2009:  
20 Dear Council President Robert McGoff and  
21 honorable members of Scranton City Council,  
22 enclosed you will find a copy of a letter  
23 that I have hand-delivered to Mr. James  
24 Early regarding the proposed transfer of  
25 Holy Cross Church to the City of Scranton.

10

1 Please take note of my offer to purchase the  
2 property for \$25,000 as is from the Diocese

3 of Scranton, thereby generating transfer  
4 taxes to the city and placing the property  
5 on the city tax rolls in the future. I  
6 believe that this offer by me is a  
7 beneficial result for both the Diocese and  
8 the City of Scranton. It is your duty to  
9 increase whenever possible the tax base of  
10 the City of Scranton, thereby decreasing the  
11 tax rate for the city residents. My intent  
12 is to enhance the quality of life and the  
13 general neighborhood by removing this  
14 magnificent structure from the blighted  
15 list. Respectfully, Bob Bolus."

16 The attached letter was dated  
17 July 17, 2009. It was addressed to James B.  
18 Early, Chancellor. Dear Mr. Early, I read  
19 in the Scranton Times that the Scranton  
20 Diocese and St. Patrick's Church is  
21 considering transferring Holy Cross Church  
22 to the City of Scranton in the near future.  
23 It is also my understanding that the Diocese  
24 will not be receiving any monies for this  
25 transfer and the property will be

11

1 perpetually taken off the tax rolls. The  
2 city is planning to raze the building  
3 utilizing taxpayers' monies and city

4 employees and to put in a paved city-owned  
5 public parking lot.

6           Considering these factors as a city  
7 resident, I am offering the Diocese \$25,000  
8 for the property as is putting it on the tax  
9 rolls, therefore, increasing the tax base to  
10 reduce the taxes for the residents of the  
11 city of Scranton. Closing can take place  
12 immediately. Respectfully, Bob Bolus.  
13 Thank you.

14           MR. MILLER: Good morning, Council.  
15 Doug Miller, Scranton. As you know, it's  
16 been awhile since I have been here so I  
17 wasn't aware of the procedure here, but I  
18 found out earlier that you had allotted only  
19 three minutes for agenda items. I kind of  
20 found that a little odd being that this is  
21 why we conduct these meetings to conduct  
22 city business, therefore, you know, we need  
23 to provide the residents of the city with  
24 the adequate time to address the legislation  
25 that we discuss --

12

1           MS. GATELLI: Mr. Miller, just for  
2 the record, they now get eight minutes to  
3 speak before council.

4 MS. FANUCCI: Right.

5 MS. GATELLI: They get three and  
6 five, so we have actually increased the  
7 amount of time, and it is being done because  
8 I am working and my colleagues didn't want  
9 to have the meetings at night. I was  
10 willing to come at night and they wanted to  
11 keep it in the day, so I can't stay here for  
12 the full amount because I am working, so  
13 they accommodated me, but in actuality you  
14 are getting eight minutes to speak whereas  
15 you only had five before.

16 MS. FANUCCI: The sad thing is you  
17 just used one of the them talking about the  
18 fact, so why don't you keep going.

19 MR. MILLER: Well, no, because it is  
20 important and maybe the five minutes should  
21 have went towards the agenda items because  
22 that's more important, that's why we conduct  
23 these meetings. I don't think it's a  
24 laughing matter to be honest with you.

25 MS. FANUCCI: Well, you can talk

13

1 three minutes after.

2 MR. MILLER: I would just like to  
3 respond to Agenda Item 6-D briefly regarding  
4 spending \$5,000 for bike racks. I just

5 wanted to know if anyone can clarify what  
6 these bike racks would be for, is it a city  
7 park?

8 MS. GATELLI: For people that ride  
9 bicycles we will have them placed to lock  
10 their bikes. It was a request from the  
11 Biker's Association, if that's the name of  
12 it, that they take bikes to work now to save  
13 gas, etcetera, and they don't have bike  
14 racks for people to keep their bikes.

15 MR. MILLER: Thank you. And also  
16 I'd like to respond to Agenda Item 6-E and  
17 the previous speaker, a few statements were  
18 made. We have two offers for the Holy Cross  
19 Church. The city's, which is a dollar, MR.  
20 Bolus', which is \$24,999 more. I find it  
21 truly ashamed that this council would approve  
22 a deal that has absolutely no business being  
23 discussed or even considered. What's even  
24 more of a shame is the fact that the Diocese  
25 would want to turn down a \$25,000 offer to

14

1 purchase the property and to put it back on  
2 the tax rolls. You would rather tear down a  
3 piece of architectural history and replace  
4 it with a parking lot that would generate no

5 revenue to the city whatsoever, although you  
6 were willing to put one heck of a burden on  
7 the residents of this city. You know, I  
8 find it -- I really find it odd that the  
9 Diocese -- that a Diocese that has had to  
10 close churches and had to consolidate  
11 schools due to financial struggles would  
12 turn down such an offer. You know,  
13 apparently they must be doing much better  
14 than we all thought. You know, I'd suggest  
15 that maybe in the future we shouldn't put  
16 another dime in the basket since they are  
17 doing pretty good.

18 You know, to say that this church  
19 has become blighted just because a few tiles  
20 fell down, I mean, it's ridiculous. I mean,  
21 if some tiles fell from the cathedral would  
22 we deem that blight and tear that down?

23 I understand the parking problem,  
24 however, they have survived over 50 years  
25 with the current situation and I truly

15

1 believe that this council if you wanted to  
2 you could look to alternative plans and I  
3 think we need to. You have that right as  
4 the legislative body to do that.

5 Now, we can't continue to use and

6 abuse the residents of this city, and as we  
7 know the demolition is estimated to cost  
8 over \$70,000, and you are bleeding them for  
9 every penny and it's got to stop. Everyone  
10 should also note that in the Commonwealth of  
11 Pennsylvania all real estate transactions  
12 are not final until they are in writing, so  
13 basically all we have here is a verbal  
14 agreement until you were to approve this  
15 legislation.

16 MR. MCGOFF: Thank you, Mr. Miller.

17 MR. MILLER: So I'm asking counsel  
18 today to do your duty as you were elected to  
19 do and table this legislation. The Diocese  
20 claims they have been trying to sell this  
21 piece of property for over three years so  
22 what's another month. You have a real  
23 chance to get a developed piece of property  
24 back on the tax rolls generating more  
25 revenue for this city and we've heard --

16

1 MR. MCGOFF: Mr. Miller --

2 MR. MILLER: -- a lot about  
3 developers recently --

4 MR. MCGOFF: Your time --

5 MR. MILLER: --well, here's a chance

6 since it's all about --

7 MR. MCGOFF: Mr. Miller, I'm asking  
8 you to stop.

9 MR. MILLER: --taking chances -- I  
10 have a few more thoughts, please?

11 MR. MCGOFF: You can come back to the  
12 podium.

13 MR. MILLER: We've heard a lot about  
14 development -- this about agenda items.

15 MR. MCGOFF: Excuse me, you are out  
16 of order.

17 MR. MILLER: We've heard a lot about  
18 developers recently, well, here's a chance  
19 since it's all about taking chances in the  
20 city, this is --

21 MR. MCGOFF: Apparently you have no  
22 respect for the --

23 MR. MILLER: -- an issue about the  
24 taxpayers generating revenue for the city,  
25 so please table this and put the people

17

1 first. Thank you.

2 MR. QUINN: Ozzie Quinn, Scranton  
3 Taxpayers' Association. Mr. McGoff, could  
4 you just take my name off of the general  
5 speaking.

6 MR. MCGOFF: Sure.



7 MR. QUINN: I have a mistake with  
8 that, I have to leave. I want to speak  
9 about there is a lot of things on here in  
10 regard to the Community Development Block  
11 Grants and loans, and I want to talk about  
12 the tax base, you know, and the fact is that  
13 last year the Community Development Block  
14 Grant, OECD approved and council approved  
15 \$625,000 under the Vacant Property Review  
16 Committee to the SRA to fix up condemned  
17 houses, and I haven't heard anything about  
18 that, you know, and I don't know if those  
19 funds are over there, if they ever completed  
20 a house. And the fact is that under the  
21 Right to Know graciously the Housing  
22 Authority and the Lackawanna County Housing  
23 Authority did not give me any problems with  
24 the request I asked like the city does, you  
25 know, and they immediately gave me under the

18

1 five-day notice the information.

2 The Housing Authority has 754  
3 applications for housing. Now, this is for  
4 the poor, you know. And here we have  
5 \$625,000 sitting over there, nothing being  
6 done. I may be wrong. Also, the county has

7 1,019 applications totaling 1,773  
8 applications for housing. Now, without any  
9 housing rehab in the neighborhoods for leaky  
10 roofs, heating units that are defunct,  
11 electrical problems and whatnot, you know,  
12 we got to do something about the tax base  
13 and whatnot and the Taxpayers' Association  
14 is going to have the -- have the Luzerne  
15 County Taxpayers' Association president at  
16 our meeting to discuss reassessment, and I  
17 don't know what the county is going to be  
18 doing, okay, in regards to reassessment.  
19 But, you know, we have a long waiting list  
20 for poor people that want to have housing  
21 and with the recession I'm told people are  
22 not leaving the units to find housing unless  
23 there is new housing out there. Thank you.

24 MS. SCHUMACHER: Marie Schumacher.  
25 I'd like to start with 7-A, again, the

19

1 timing changes should be part of the overall  
2 city grant for the timing of traffic  
3 signals. If the taxpaying residents of East  
4 Mountain must wait for the timing project to  
5 receive the long promised signal at Meadow  
6 and River Street, the nontax paying  
7 University of Scranton should also be put in

8 that same cue.

9 7-C, does anyone know yet whether we  
10 are collecting rents for the -- at the  
11 Sillman House, the former library where we  
12 want to put in a new boiler? I brought that  
13 up last week, maybe somebody could address  
14 that in motions. On 5-C, the approval of  
15 the OECD lease. Last year council passed a  
16 motion to bring OECD back to city hall where  
17 the city would benefit from the rent when  
18 the current lease expires.

19 However, the city did not respond to  
20 the RFP which I believe was defective in  
21 that it was issued only seven days prior to  
22 the close and prior to the Fourth of July  
23 weekend. This lease should be for one year  
24 only so the new majority will have the  
25 option to both fill empty city hall space

20

1 and receive revenues.

2 5-D. Why is this coming to council  
3 now at the end of July when the effective  
4 date was 4-6-09? Was this position  
5 advertised and is the candidate certified?

6 5-F. Excuse me, 5-E. The question  
7 of public safety Holy Cross, I believe just

8 from Optics the spires on that building are  
9 less of a public safety hazard than the  
10 structure on top of city hall and I believe,  
11 as I stated last week, there are a lot of  
12 very dangerous buildings, one across from  
13 Sibio's on Main Street, the one across from  
14 Pennswood Manor, all around the city there  
15 are dangerous properties waiting for  
16 demolition, and I do not think Holy Cross  
17 should be at the top of the list.

18 5-F. I question the scope of the  
19 statement of work. I was told all Scranton  
20 brownfields were originally given KOZ status  
21 so why must we may again to have brownfields  
22 identified which is one of the tasks under  
23 this contract?

24 Another task is health monitoring.  
25 In what manor can this be accomplished under

21

1 the federal HIPAA rules?

2 6-B. I don't believe it is fair to  
3 the Mulberry Street businesses to not  
4 continue providing on-street parking. If we  
5 can put parking meetings at hospitals, why  
6 not at the University? See you later.

7 MR. MCGOFF: Anyone else? 5-B.

8 MS. GARVEY: 5-B. FOR INTRODUCTION -

9 A RESOLUTION - AUTHORIZING THE MAYOR AND  
10 OTHER APPROPRIATE CITY OFFICIALS FOR THE  
11 CITY OF SCRANTON TO ENTER INTO A LOAN  
12 AGREEMENT AND MAKE A LOAN FROM THE COMMUNITY  
13 DEVELOPMENT BLOCK GRANT PROGRAM, PROJECT NO.  
14 150.24 IN AN AMOUNT NOT TO EXCEED \$50,000.00  
15 TO MARTINI GRILL, LLC TO ASSIST AN ELIGIBLE  
16 PROJECT.

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

20 MR. COURTRIGHT: So moved.

21 MS. FANUCCI: Second.

22 MR. MCGOFF: On the question.

23 MR. COURTRIGHT: On the question,  
24 Mr. McGoff, it might be in the backup, but  
25 I've got to be honest with you, I didn't get

22

1 to read it all, I want to look in and see if  
2 -- I'm being told that possibly the loans is  
3 forgiven?

4 MS. GARVEY: Yes, it is.

5 MR. COURTRIGHT: After a certain  
6 period of time.

7 MS. GARVEY: After three years.

8 MR. COURTRIGHT: What, if all of the

9 criteria is met?

10 MS. GARVEY: Yes, the job creation  
11 has been met.

12 MR. COURTRIGHT: Okay.

13 MR. MCGOFF: Anyone else? All those  
14 in favor signify by saying aye.

15 MS. FANUCCI: Aye.

16 MR. COURTRIGHT: Aye.

17 MR. MCGOFF: Aye. Opposed?

18 MS. GATELLI: No.

19 MR. MCGOFF: The ayes have it --

20 MS. GATELLI: No.

21 MR. MCGOFF: -- and so moved.

22 MS. GARVEY: 5-C. FOR INTRODUCTION -  
23 A RESOLUTION - AUTHORIZING THE MAYOR AND  
24 OTHER APPROPRIATE CITY OFFICIALS FOR THE  
25 CITY OF SCRANTON TO EXECUTE AND ENTER INTO A

23

1 LEASE WITH SCRANTON LIFE REALTY CO., INC. TO  
2 PROVIDE OFFICE SPACE FOR THE CITY OF  
3 SCRANTON OFFICE OF ECONOMIC AND COMMUNITY  
4 DEVELOPMENT.

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

8 MR. COURTRIGHT: So moved.

9 MS. FANUCCI: Second.

10 MR. MCGOFF: On the question?

11 MR. COURTRIGHT: On the question  
12 once again, I'd like to see it here in city  
13 hall, for whatever reason it's not here I  
14 don't know, but as I looked into this I  
15 don't know if there was an RFP or it was an  
16 actual bid put out, but there was two;  
17 correct?

18 MS. GARVEY: Yes.

19 MR. COURTRIGHT: And they happened  
20 to be the lesser of the two. Was it a bid,  
21 Kay, or RFP?

22 MS. GARVEY: RFP.

23 MR. COURTRIGHT: I'm not going to say  
24 the name of the other company, but this  
25 company is the lesser of the two.

24

1 MR. MCGOFF: Anyone else? All those  
2 in favor of introduction signify by saying  
3 aye.

4 MS. FANUCCI: Aye.

5 MS. GATELLI: Aye.

6 MR. COURTRIGHT: Aye.

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

9 MS. GARVEY: 5-D. FOR INTRODUCTION -

10 RESOLUTION - APPOINTMENT OF BRUCE MILLER,  
11 609 RACE STREET, SCRANTON, PENNSYLVANIA,  
12 18509, TO THE POSITION OF ASSISTANT ZONING  
13 OFFICER OF THE CITY OF SCRANTON, EFFECTIVE  
14 APRIL 6, 2009.

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

18 MR. COURTRIGHT: So moved.

19 MS. FANUCCI: Second.

20 MR. MCGOFF: On the question?

21 MR. COURTRIGHT: On the question  
22 again, sorry to bring this up, but just so  
23 you know a lot of times I vote for  
24 introduction just to move it ahead and that  
25 doesn't mean I'm going to vote for it later

25

1 on, as I did, you know, I just voted "yes"  
2 for these two here that doesn't mean I'm  
3 going to vote next week, but maybe we can  
4 ask, I know Mrs. Schumacher talked too fast  
5 for me to write down everything, she asked  
6 about this, but maybe we can get some of  
7 those questions answered because I think we  
8 actually ran the last guy through the  
9 ringer, all right, that got appointed to  
10 this position, so if we can get some of



11 those answers, you know, why it says April 6  
12 and we are voting it on now and I believe  
13 what the qualifications were. I don't know  
14 this individual and I'm sure --

15 MR. MCGOFF: I received from Mark  
16 Seitzinger a brief bio of Mr. Miller and  
17 also the copy of the duties and powers of  
18 the zoning officer, and I'll make it  
19 available to members of council.

20 MR. COURTRIGHT: Fine. That's good  
21 then, Kay, he has got it here already, so  
22 one less thing for you to do.

23 MS. GATELLI: I believe, just for the  
24 record maybe if Attorney Williams can find  
25 out from Attorney Minora, but I don't

26

1 believe that if we say "no" to an  
2 appointment they don't get hired. We do not  
3 hire people in the City of Scranton, that is  
4 the mayor's prerogative to hire who he sees  
5 fit for a position. We are only concurring.  
6 I don't believe that our vote has anything,  
7 just as people that are appointed to boards  
8 it's only a concurrence. He does not need  
9 our approval to hire people, and I'd like  
10 that investigated, please, Attorney

11 Williams. We are a legislative body. We do  
12 not hire or fire. That's all I have.

13 MR. MCGOFF: All those in favor of  
14 introduction signify by saying aye.

15 MS. FANUCCI: Aye.

16 MS. GATELLI: Aye.

17 MR. COURTRIGHT: Aye.

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

20 MS. GARVEY: 5-E. FOR INTRODUCTION -  
21 A RESOLUTION - AUTHORIZING ANY AND ALL  
22 APPROPRIATE CITY OFFICIALS TO EXECUTE AND  
23 ENTER INTO A PERMIT AGREEMENT WITH THE  
24 COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF  
25 TRANSPORTATION TO APPLY FOR THE HIGHWAY

27

1 OCCUPANCY PERMITS REQUIRED TO CONSTRUCT THE  
2 MULBERRY STREET STREETScape PROJECT AND  
3 AUTHORIZING ANY AND ALL APPROPRIATE CITY  
4 OFFICIALS TO EXECUTE AND ENTER INTO AN  
5 INDEMNIFICATION AGREEMENT WITH THE  
6 UNIVERSITY OF SCRANTON TO INDEMNIFY THE CITY  
7 FROM ANY LIABILITY WITH RESPECT TO VEHICULAR  
8 TIRE DAMAGE CAUSED BY THE USE OF GRANITE  
9 CURBING WITH A ROUNDED LEADING EDGE IN THE  
10 UNIVERSITY'S MULBERRY STREET STREETScape  
11 PROJECT.

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

15 MR. COURTRIGHT: Second. So moved,  
16 I'm sorry. I'm trying to read this  
17 qualification.

18 MS. FANUCCI: Second.

19 MR. MCGOFF: Multi-tasking. On the  
20 question?

21 MS. FANUCCI: Second.

22 MR. MCGOFF: On the question?

23 MR. COURTRIGHT: On the question  
24 again, I think, and again, there is just so  
25 much here, I think that the University is

28

1 paying for this on their own, for the study,  
2 I believe that's the case. I will find out  
3 for sure. Do we know that they are?

4 MR. WILLIAMS: Yes. They are paying  
5 for it.

6 MR. COURTRIGHT: They are paying for  
7 their own study that's why it's getting done  
8 before some of the other ones, so I don't  
9 know if that might answer your question  
10 there, Mrs. Schumacher, about Meadow Avenue  
11 and that. I'm all for the Meadow Avenue

12 one, too, it's --

13 MS. GATELLI: I was told by PennDOT  
14 that that Meadow Avenue light is not coming  
15 at all. They determined that it doesn't  
16 need a lot there.

17 MR. COURTRIGHT: They put it at River  
18 Street, I believe.

19 MS. GATELLI: So if they are going  
20 to waiting for that light I think they are  
21 going to be waiting a long time.

22 MR. COURTRIGHT: So once again the  
23 University is paying for this, that's how  
24 it's getting done so quickly.

25 MR. MCGOFF: All those in favor of

29

1 introduction signify by saying aye.

2 MS. FANUCCI: Aye.

3 MS. GATELLI: Aye.

4 MR. COURTRIGHT: Aye.

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

7 MS. GARVEY: 5-F. FOR INTRODUCTION -  
8 A RESOLUTION - AUTHORIZING THE MAYOR AND  
9 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE  
10 AND ENTER INTO ON BEHALF OF THE CITY OF  
11 SCRANTON A PROFESSIONAL SERVICES AGREEMENT  
12 WITH DUFFIELD ASSOCIATES, INC. TO UNDERTAKE

13 INVENTORY OF BROWNFIELD SITES WITHIN THE  
14 CITY.

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

18 MR. COURTRIGHT: So moved.

19 MS. FANUCCI: Second.

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

23 MS. FANUCCI: Aye.

24 MS. GATELLI: Aye.

25 MR. COURTRIGHT: Aye.

30

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

3 MS. GARVEY: SIXTH ORDER. 6-A.  
4 READING BY TITLE - FILE OF COUNCIL NO. 74,  
5 2009 - AN ORDINANCE - TO LIMIT THE TURNING  
6 MOVEMENT FOR TRAFFIC TRAVELING SOUTHWEST  
7 TOWARD MULBERRY STREET FROM THE 400 BLOCK OF  
8 HITCHCOCK COURT, COSTELLO COURT, AND MAHON  
9 COURT TO RIGHT TURN MOVEMENT ONLY.

10 MR. MCGOFF: You have heard reading  
11 by title of Item 6-A, what is your pleasure?

12 MR. COURTRIGHT: I move that Item 6-A

13 pass reading by title.

14 MS. GATELLI: Second.

15 MR. MCGOFF: On the question?

16 MR. COURTRIGHT: On the question,  
17 through all of these things that are going  
18 to be coming up from Mulberry Street as far  
19 as the traffic is concerned, I know I myself  
20 looked at a lot of -- on my own during the  
21 week and then we just had the University in  
22 here, there is a whole host of information  
23 about the traffic patterns and what's going  
24 to happen and what's not going to happen. I  
25 think for me to go over everything that I

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1 have learned on my own and that I learned  
2 today would take a great deal of time, so if  
3 anybody has any questions on them feel free  
4 to call me or stop me afterwards. I'll go  
5 over everything with you here, but I did  
6 look into all of this and then the  
7 University people were here today and I  
8 asked some more questions, so I just think  
9 it would take a great deal of time for me to  
10 explain everything to you about all of the  
11 traffic patterns here.

12 MS. GATELLI: I would just like to  
13 add to that that everything that's been

14 brought before us has been approved by  
15 PennDOT. They are the experts on traffic  
16 and the way traffic should flow. That is an  
17 emergency route for hospitals, all of that  
18 has been taken in consideration when PennDOT  
19 approved of these particular studies. These  
20 courts going only one-way in my opinion  
21 makes Mulberry Street much safer when you  
22 have exiting from courts going in both  
23 directions it's very dangerous on a busy  
24 street and Mulberry Street is very busy, as  
25 you all know, so that's all I have to add to

32

1 Mr. Courtright.

2 MR. MCGOFF: And I'll do it now  
3 rather than later, just make note that I  
4 believe there were seven representatives  
5 from the University of Scranton that came to  
6 caucus this morning to explain the project  
7 and to answer any questions that we have may  
8 have had. All those in favor signify by  
9 saying aye.

10 MS. FANUCCI: Aye.

11 MS. GATELLI: Aye.

12 MR. COURTRIGHT: Aye.

13 MR. MCGOFF: Aye. Opposed? The

14 ayes have it and so moved.

15 MS. GARVEY: 6-B. READING BY TITLE -  
16 FILE OF COUNCIL NO. 75, 2009 - AN ORDINANCE-  
17 ESTABLISHING "NO PARKING" ZONES ALONG THE  
18 SOUTHERLY AND NORTHERLY SIDES OF MULBERRY  
19 STREET (S.R. 3027) FOR TURNING LANES AT  
20 DESIGNATED INTERSECTIONS BETWEEN JEFFERSON  
21 AVENUE AND NORTH WEBSTER AVENUE, AS MORE  
22 PARTICULARLY DESCRIBED ON THE PLAN ATTACHED  
23 HERETO, TO ALLOW FOR SAFE SITE DISTANCE AS  
24 MANDATED BY THE PENNSYLVANIA DEPARTMENT OF  
25 TRANSPORTATION.

33

1 MR. MCGOFF: You have heard reading  
2 by title of Item 6-B, what is your pleasure?

3 MR. COURTRIGHT: I move that Item 6-B  
4 pass reading by title.

5 MS. FANUCCI: Second.

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

8 MS. FANUCCI: Aye.

9 MS. GATELLI: Aye.

10 MR. COURTRIGHT: Aye.

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

13 MS. GARVEY: 6-C. READING BY TITLE -  
14 FILE OF COUNCIL NO. 76, 2009 - AN ORDINANCE-



15 AMENDING FILE OF COUNCIL NO. 129 OF 1995,  
16 (AS AMENDED), ENTITLED "ESTABLISHING FINES  
17 TO BE IMPOSED FOR THE ACTIVATION OF AN ALARM  
18 DEVICE WHICH IS DETERMINED TO BE A FALSE  
19 ALARM BY THE POLICE DEPARTMENT; AUTHORIZING  
20 THE ADMINISTRATION AND ENFORCEMENT OF SAID  
21 FINES; AND PRESCRIBING PENALTIES FOR  
22 VIOLATIONS", BY CHANGING CERTAIN SECTIONS TO  
23 ALLOW FOR THE IMPROVED ADMINISTRATION OF THE  
24 ORDINANCE, SPECIFICALLY SECTIONS 1D. AND  
25 1E.; SECTION 2; SECTION 3; SECTION 4;

34

1 SECTION 6 AND SECTION 7.

2 MR. MCGOFF: You have heard reading  
3 by title of Item 6-C, what is your pleasure?

4 MR. COURTRIGHT: I move that Item 6-C  
5 pass reading by title.

6 MS. FANUCCI: Second.

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

9 MS. FANUCCI: Aye.

10 MS. GATELLI: Aye.

11 MR. COURTRIGHT: Aye.

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

14 MS. GARVEY: 6-D. READING BY TITLE -

15 FILE OF COUNCIL NO. 77, 2009 - AN ORDINANCE-  
16 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
17 CITY OFFICIALS TO DESIGNATE \$4,999.52 FROM  
18 PROJECT NO. 09- 400.41 REPAYMENTS OF URBAN  
19 DEVELOPMENT ACTION GRANTS (UDAG), FOR THE  
20 PURCHASE AND INSTALLATION OF TEN (10) BIKE  
21 RACKS ON CITY OWNED PROPERTY.

22 MR. MCGOFF: You have heard reading  
23 by title of Item 6-D, what is your pleasure?

24 MR. COURTRIGHT: I move that Item 6-D  
25 pass reading by title.

35

1 MS. FANUCCI: Second.

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

4 MS. FANUCCI: Aye.

5 MS. GATELLI: Aye.

6 MR. COURTRIGHT: Aye.

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

9 MS. GARVEY: 6-E. READING BY TITLE -  
10 FILE OF COUNCIL NO. 78, 2009 - AN ORDINANCE-  
11 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
12 CITY OFFICIALS TO ENTER INTO AN AGREEMENT  
13 BETWEEN THE MOST REVEREND JOSEPH F. MARTINO,  
14 D.D., BISHOP OF THE DIOCESE OF SCRANTON,  
15 PENNSYLVANIA, TRUSTEE FOR THE FORMER HOLY

16 CROSS CONGREGATION, AND ITS PRESENT  
17 SUCCESSOR CONGREGATION, ST. PATRICK'S PARISH  
18 SCRANTON, PENNSYLVANIA AND THE CITY OF  
19 SCRANTON, APPROVING AND AUTHORIZING THE  
20 TRANSFER OF THE REAL ESTATE AND IMPROVEMENTS  
21 LOCATED AT 5TH AVENUE AND BROADWAY STREET IN  
22 THE CITY OF SCRANTON TO THE CITY OF SCRANTON  
23 AND TO EXECUTE ANY AND ALL OTHER DOCUMENTS  
24 NECESSARY FOR THE CLOSING OF THIS  
25 TRANSACTION.

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1 MR. MCGOFF: You have heard reading  
2 by title of Item 6-E, what is your pleasure?

3 MR. COURTRIGHT: I move that Item 6-E  
4 pass reading by title.

5 MS. FANUCCI: Second.

6 MR. MCGOFF: On the question?

7 MR. COURTRIGHT: On the question, I  
8 received a phone call from Mr. Bolus last  
9 night and I discussed this with him and he  
10 was hoping that we would table this, and I  
11 told him I didn't know what the feelings  
12 would be for the other members of council,  
13 but my thought was this, if we are table it  
14 then next week it would not be in the final  
15 order. I know, you know, it would be

16 another month and some people say what's  
17 another month.

18 I'm going to vote to pass it today  
19 and, Kay, I would ask this, I'm being told  
20 that the Diocese of Scranton will not sell  
21 the property to Mr. Bolus. I'd like to hear  
22 that firsthand from somebody, like if  
23 they -- I'd really to see it in writing, if  
24 the Diocese would give me that in writing.  
25 If not, if someone from the Diocese would

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1 call me and tell me that, that they are not  
2 going to sell it to him because to me that's  
3 important. If they are not going sell it to  
4 him, then they are not going to sell it to  
5 him. If they are interested in selling it  
6 to them if the Diocese of Scranton says that  
7 they will sell that property to Mr. Bolus  
8 then I would will vote against this  
9 legislation, but if they are saying they are  
10 not going to sell it to them then I don't  
11 have a whole lot of choice I don't think,  
12 but I'd just like to know from mine other  
13 than someone telling me. Either have  
14 someone from the Diocese calling me, but I  
15 would really prefer if someone from the  
16 Diocese would give me something in writing.

17                   MR. MCGOFF: I'd just like to add a  
18                   little bit of history. The sale of the  
19                   church has been -- or it's been on the  
20                   market for a number of years and there was  
21                   no action taken by anyone to purchase the  
22                   church. The Diocese was becoming  
23                   increasingly concerned with the condition of  
24                   the building and also with paying insurance  
25                   and other costs associated with the

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1                   building. While it was on the market,  
2                   discussions had been taking place between  
3                   the City and the Diocese waiting to see if,  
4                   in fact, somebody was willing to purchase  
5                   the building.

6                   It came to a point in negotiations  
7                   apparently the pastor who was in charge of  
8                   Holy Cross wanted to finalize some things  
9                   before he was transferred, and so the  
10                  movement and the negotiations with the city  
11                  became more prominent and the city agreed to  
12                  what's before us now.

13                  In speaking with when -- when  
14                  Mr. Bolus -- when I was made aware of  
15                  Mr. Bolus' intent, I contacted the Finance  
16                  Office at the Diocese, Mr. Jim Quinn who is

17 the chief finance officer for the Diocese,  
18 told me that they were not entertaining  
19 Mr. Bolus' offer, that they were committed  
20 to the agreement that they had made with the  
21 city.

22 I further investigated and found out  
23 that the Chancellor of the Diocese, James  
24 Early, had spoken with the mayor and had  
25 conveyed to him the same thing, that they

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1 were not entertaining the offer from  
2 Mr. Bolus and that they were wanted to move  
3 forward with the agreement with the City,  
4 and that is the information that I have been  
5 able to receive.

6 And to -- I will again, Kay, I'll  
7 save you the phone call or whatever, I will  
8 again attempt to contact either Mr. Early or  
9 Mr. Quinn and have them put that, you know,  
10 just a brief note to council that that is  
11 their intent. All those in favor signify by  
12 saying aye.

13 MS. FANUCCI: Aye.

14 MS. GATELLI: Aye.

15 MR. COURTRIGHT: Aye.

16 MR. MCGOFF: Aye. Opposed? The  
17 ayes have it and so moved. Prior to Seventh

18 Order, I'd like to make a motion to appoint  
19 Mr. Courtright as temporary chair for public  
20 works.

21 MS. GATELLI: Second.

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

24 MS. FANUCCI: Aye.

25 MS. GATELLI: Aye.

40

1 MR. COURTRIGHT: Aye.

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

4 MS. GARVEY: I think we need a  
5 clarification for 7-A as well from last week  
6 when it was 5-D.

7 MR. MCGOFF: I'm sorry, I forgot  
8 about that. We are going to -- I'd like to  
9 make a motion to amend 7-A to a resolution  
10 rather than an ordinance. It was written in  
11 last week as -- that is the end of my motion  
12 to change that.

13 MS. GATELLI: Second.

14 MR. MCGOFF: The reason for doing it  
15 is that last week it was put in as an  
16 ordinance, that was a mistake, and we are  
17 just, you know, changing the word from

18 ordinance to resolution. Second to the  
19 motion?

20 MS. GATELLI: I seconded it.

21 MR. MCGOFF: I'm sorry. On the  
22 question? All those in favor signify by  
23 saying aye.

24 MS. FANUCCI: Aye.

25 MS. GATELLI: Aye.

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1 MR. COURTRIGHT: Aye.

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

4 MS. GARVEY: SEVENTH ORDER. 7-A.  
5 FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC  
6 SAFETY FOR ADOPTION - RESOLUTION NO. 164,  
7 2009 -AUTHORIZING REVISION OF THE EXISTING  
8 TRAFFIC SIGNALS ALONG MULBERRY STREET (S.R.  
9 3027) FROM THE INTERSECTION OF MULBERRY  
10 STREET AND JEFFERSON AVENUE TO THE  
11 INTERSECTION OF MULBERRY STREET AND NORTH  
12 WEBSTER AVENUE FOR THE UNIVERSITY OF  
13 SCRANTON MULBERRY STREET STREETScape  
14 PROJECT.

15 MR. MCGOFF: What is the  
16 recommendation of the Chair for the  
17 Committee on Public Safety?

18 MR. COURTRIGHT: As Chairperson for



19 the Committee on Public Safety, I recommend  
20 final passage of Item 7-A.

21 MS. FANUCCI: Second.

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

24 MR. COOLICAN: Mrs. Evans. Mrs.  
25 Gatelli.

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1 MS. GATELLI: Yes.

2 MR. COOLICAN: Ms. Fanucci.

3 MS. FANUCCI: Yes.

4 MR. COOLICAN: Mr. Courtright.

5 MR. COURTRIGHT: Yes.

6 MR. COOLICAN: Mr. McGoff.

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

9 MS. GARVEY: 7-B. FOR CONSIDERATION  
10 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
11 RESOLUTION NO. 165, 2009 - AUTHORIZING THE  
12 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS  
13 TO EXECUTE AND ENTER INTO A COLLECTIVE  
14 BARGAINING AGREEMENT WITH LOCAL LODGE 2305  
15 OF THE INTERNATIONAL ASSOCIATION OF  
16 MACHINISTS AND AEROSPACE WORKERS IN  
17 ACCORDANCE WITH THE TERMS AND PROVISIONS OF  
18 A MEMORANDUM OF UNDERSTANDING DATED JUNE 12,

19 2009 AND RATIFIED BY THE MEMBERSHIP.

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

23 MR. COURTRIGHT: Second.

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

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1 MR. COOLICAN: Mrs. Evans. Mrs.  
2 Gatelli.

3 MS. GATELLI: Yes.

4 MR. COOLICAN: Ms. Fanucci.

5 MS. FANUCCI: Yes.

6 MR. COOLICAN: Mr. Courtright.

7 MR. COURTRIGHT: Yes.

8 MR. COOLICAN: Mr. McGoff.

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

11 MS. GARVEY: 7-C. FOR CONSIDERATION  
12 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -  
13 FOR ADOPTION - RESOLUTION NO. 166, 2009 -  
14 RATIFYING THE ACTIONS OF THE OFFICE OF  
15 ECONOMIC AND COMMUNITY DEVELOPMENT AND OTHER  
16 APPROPRIATE CITY OFFICIALS APPLYING FOR AN  
17 ENERGY EFFICIENCY AND CONSERVATION BLOCK  
18 GRANT THROUGH THE UNITED STATES DEPARTMENT  
19 OF ENERGY'S NATIONAL ENERGY TECHNOLOGY

20 LABORATORY IN THE AMOUNT OF \$718,500.00, AND  
21 IF THE GRANT APPLICATION IS SUCCESSFUL,  
22 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
23 CITY OFFICIALS TO ACCEPT THE GRANT, AND TO  
24 COORDINATE AND DISBURSE THE GRANT FUNDS TO  
25 IMPLEMENT THE ENERGY EFFICIENCY PROJECTS

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1 OUTLINED IN SAID GRANT APPLICATION.

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

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

8 MR. COURTRIGHT: Second.

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

11 MR. COOLICAN: Mrs. Evans. Mrs.  
12 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-C legally and lawfully adopted.

21 MS. GARVEY: 7-D. FOR CONSIDERATION  
22 BY THE COMMITTEE ON PUBLIC WORKS - FOR  
23 ADOPTION - RESOLUTION NO. 167, 2009 - TO  
24 ACCEPT OWNERSHIP, MAINTENANCE OF, AND  
25 RESPONSIBILITY FOR A RETAINING WALL TO BE

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1 BUILT BY THE COMMONWEALTH OF PENNSYLVANIA  
2 DEPARTMENT OF TRANSPORTATION AS PART OF THE  
3 KEYSER AVENUE PROJECT ADJACENT TO THE SOUTH  
4 SIDE OF GLINKO STREET AND TO EXECUTE AND  
5 ENTER INTO THE RETAINING WALL OWNERSHIP AND  
6 MAINTENANCE AGREEMENT NO. 04M035 BETWEEN THE  
7 COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF  
8 TRANSPORTATION ("COMMONWEALTH") AND THE CITY  
9 OF SCRANTON ("MUNICIPALITY").

10 MR. MCGOFF: What is the  
11 recommendation of the temporary Chair on  
12 Public Works?

13 MR. COURTRIGHT: As temporary chair  
14 for the Committee on Public Works, I  
15 recommend final passage of Item 7-D.

16 MS. FANUCCI: Second.

17 MR. MCGOFF: On the question? Roll  
18 call, please?

19 MR. COOLICAN: Mrs. Evans. Mrs.  
20 Gatelli.

21 MS. GATELLI: Yes.  
22 MR. COOLICAN: Ms. Fanucci.  
23 MS. FANUCCI: Yes.  
24 MR. COOLICAN: Mr. Courtright.  
25 MR. COURTRIGHT: Yes.

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1 MR. COOLICAN: Mr. McGoff.  
2 MR. MCGOFF: Yes. I hereby declare  
3 Item 7-D legally and lawfully adopted. At  
4 this time, we will return to citizens'  
5 participation on city matters. Andy  
6 Sbaraglia.  
7 MR. SBARAGLIA: Andy Sbaraglia. Andy  
8 Sbaraglia, citizen of Scranton. Fellow  
9 Scrantonians, the next meeting we should  
10 have one, two, three, four, five pieces of  
11 legislation on the agenda for passage. They  
12 are all ordinances. We had two readings on  
13 it, now we are coming to the third, but that  
14 second reading that you had you found out  
15 new information, especially from Mr. Bolus.  
16 Now, why the Diocese is dragging their heels  
17 about selling a property, I know not, but I  
18 do know there is a lot of rumors going about  
19 that the University also has eyes on this  
20 property for later and that sort of sets the

21 stage for what's going on.

22 When you vote on something, three  
23 minutes is never going to be enough to even  
24 get into this stuff or five minutes or  
25 whatever have you, but even five minutes

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1 wasn't enough, but three is ludicrous.  
2 These ordinances that you are going to pass  
3 has profound affects on the city and the  
4 future of the city. I know not why the  
5 curbs that they are using pose a danger to  
6 tires, but I assume somewhere, somehow or  
7 some way it came up. If these curbs are put  
8 on city property, I don't know, maybe the  
9 city does have some liability with it.  
10 Anything put on -- actually, the sidewalks  
11 are city property so it's all city property.  
12 If you trip on their sidewalk, that's the  
13 city's -- well it's actually the people that  
14 own it plus the city if it's deteriorating  
15 or something like that, but it's all city  
16 property, that's why we are going through  
17 all of this.

18 Now, I wasn't there for your caucus  
19 with the University, but I can tell you from  
20 what I seen in the backup legislation and  
21 the things that I read it would take a heck

22 of a long time to comprehend everything that  
23 was there and answer all the questions.  
24 It's just too bad you didn't bring it on 61  
25 or ask them to do it, put it on 61 and

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1 explain every aspect of the project. That's  
2 what 61 is for and you would eliminate a lot  
3 of these questions.

4 Now, you mentioned, too, that you  
5 were all elected. True, you were all  
6 elected, I wasn't, but I was willing to  
7 serve for free. Now, you don't have to, but  
8 I was willing because I figured your  
9 position up there is something you should do  
10 for the city, okay? I funded my own  
11 campaign, and the reason I funded my own  
12 campaign is that I didn't want anybody to  
13 come up to me and say, "You're voting on a  
14 piece of legislation because they gave you  
15 money."

16 You brought this up, Mrs. Fanucci,  
17 or I wouldn't have even mentioned it because  
18 all of them years I didn't mention it, but  
19 you said you brought it up again. I believe  
20 the position you sit there is a position of  
21 honor. I do believe in it. Just like going

22 in the service, to me that's a duty. It's a  
23 duty of all Americans, all male Americans,  
24 too, I'm a little on the female side, I  
25 would say that, but I believe all males

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1 should serve. It's just too bad the  
2 government in Washington don't see it that  
3 way, but it used to be sort of that, way but  
4 no more. When I went to high school  
5 everyone says, "Do your service for the  
6 country and then go onto college."

7 Well, I did my service in the  
8 country and when I came back I got a job in  
9 the elevator industry and put all of my time  
10 there, but I lived in Scranton all of that  
11 time and I paid my taxes in Scranton all  
12 that time and I didn't look for anything  
13 other than what I earned.

14 I do believe that this council as it  
15 works is not the best, okay? That's my  
16 opinion, my personal opinion. I believe you  
17 could have done a lot better, but I stick  
18 with the voters. The voters put you in and  
19 if we had a recall down there in Harrisburg  
20 maybe things could have been changed, but  
21 it's fine. As the law stands, you are going  
22 to go all of the way to the end and there is



23 nothing we can do about it. I just hope  
24 that you do the least amount of damage to  
25 the city as you can because everything you

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1 do lives long after you. The garages that  
2 we have that you built all that they  
3 improved so forth and so on are going to  
4 collapse. We are not going to be able to  
5 afford them. The parking meters that you so  
6 moved around and removed and so forth and so  
7 on are all hocked in order to use their bank  
8 under another agreement. Thank you.

9 MR. MCGOFF: Mr. Quinn left. I don't  
10 believe that the other people that signed  
11 Carol Shakair is still here and Doug Miller.  
12 No one here? Marie Schumacher.

13 MS. SCHUMACHER: Marie Schumacher. I  
14 have a question on the new parking garage, I  
15 distinctly remember this was to be an  
16 L-shaped structure accessible from both  
17 North Washington Avenue and Spruce Street.  
18 However, it appears the Spruce Street access  
19 portion is not being constructed. Has this  
20 portion been cancelled or is it a -- if it's  
21 a phase project what are the start and  
22 completion dates for the next phase? And

23 also, is that project within it's budget?

24 Now, I have asked about this before,  
25 the Tobyhanna Credit Union has staked out a

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1 private parking lot, at least if you believe  
2 the sign, in the 300-block of Franklin  
3 Avenue. Now the county assessor records do  
4 not show Tobyhanna Credit Union as owning  
5 any property in this block. Shouldn't the  
6 taxpayers be receiving revenue for this  
7 parking lot if it's being used by Tobyhanna  
8 Credit Union and they don't own it?

9 This is a personal issue, Seymour  
10 Avenue has a sign that actually faces a  
11 bunch of trees. If you go up or down I  
12 guess south on 307, on the right-hand side  
13 is Seymour Avenue which isn't exactly a  
14 90-degree angle, but it's close, but sort of  
15 across the way but up a little further south  
16 is Leslie Drive which comes in at an angle,  
17 but there is a sign that is posted square on  
18 307 perpendicular that probably can be read  
19 my chipmunks and squirrels and all kinds of  
20 critters, but actually not by traffic coming  
21 up 307 or down 307. What it says is that  
22 access to Seymour Avenue is restricted to --  
23 truck traffic is restricted to deliveries.

24                   However, there has been a parade ever since  
25                   East Mountain Road has been redone, and I

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1                   don't think East Mountain Road was  
2                   constructed for heavy traffic and heavy  
3                   vehicles, but there has been a constant  
4                   parade of trucks, most of them or a majority  
5                   of them coming from Moscow excavating  
6                   companies and they come down and sometimes  
7                   when it's excessive I hop in the car and I  
8                   go down to see where they are making a  
9                   delivery or pickup and find they are merely  
10                  using that as a shortcut to get onto 81.

11                  MR. MCGOFF: Can I just say, take  
12                  whatever time you need again, is that a  
13                  state sign, a PennDOT sign that's -- or is  
14                  it the city?

15                  MS. SCHUMACHER: It's not  
16                  identified.

17                  MR. MCGOFF: It's not identified.

18                  MS. SCHUMACHER: I'll take look an  
19                  e-mail you with you.

20                  MR. MCGOFF: I drive by there every  
21                  day, too, I just don't notice the sign.

22                  MS. SCHUMACHER: Well, it's hard to  
23                  notice it because, as I say, it's not

24 tilted. They really need two, one for  
25 coming up and one for coming down.

53

1 MR. MCGOFF: I'll take a look and  
2 I'll try to find out whose responsibility  
3 that sign is.

4 MS. SCHUMACHER: Okay. I mean, I  
5 know the police aren't going to enforce it,  
6 they are too short-handed as they are, but  
7 it really is just totally being used as an  
8 access road by all kinds of heavy vehicles  
9 for access to 81 and it's getting just a  
10 little annoying.

11 Also, oh, I left it back there, I do  
12 have, and Mr. Minora is not here today, but  
13 I did go to the Redevelopment Authority and  
14 again back on the Ice Box and it does appear  
15 from what I learned at the Redevelopment  
16 Authority and what the resolution that never  
17 made it to the agenda three years ago makes  
18 clear is the ball to collect that \$600,000  
19 is definitely in city council's court. I  
20 have no idea why that was never put on and  
21 why that resolution was never put on the  
22 agenda, but we are missing out.

23 That one did alter the agreement  
24 such that the \$600,000 wasn't given in a

25 lump sum. It was I think \$30,000 over

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1 20 years.

2 MS. FANUCCI: Right, and Mrs. Evans  
3 went to open that, she didn't think it was  
4 enough at the time, so that's why we tabled  
5 it at the time. That was the whole -- she  
6 didn't believe that that was enough money.  
7 She wanted the \$600,000 in one lump sum and  
8 that's why they walked away and they had  
9 every right to do so.

10 MS. SCHUMACHER: Well, the ball is in  
11 your court obviously, and that is money and  
12 that brings up the hole in the budget. I  
13 have know that on many items we are ahead,  
14 particularly on the wage tax of prior years,  
15 however, the amount of wage taxes to be  
16 collected this year was raised significantly  
17 over the prior year, I believe some  
18 20 percent, so I think that we still have a  
19 hole in the budget even at most if the  
20 trends hold you are going to be still -- you  
21 are going to get maybe a one and a half  
22 million dollars more out of the wage tax,  
23 but not enough to fill that hole in the  
24 budget from the single tax office, and so I

1 to be filled. Thank you. I'll hold the  
2 rest for next week. Thank you.

3 MR. MCGOFF: Thank you. Larry  
4 Hewitt.

5 MR. HEWITT: Good morning, Council,  
6 Larry Hewitt. First off, I'd like to give  
7 my sympathies to the family of that  
8 nine-year-old child and possibly a second  
9 child who passed away in this fire early  
10 this morning. Billy, maybe this is directed  
11 towards you since you are acting in public  
12 works and in terms of public safety,  
13 yesterday about 10:00, 10:30, while garbage  
14 was being picked up in front of my house  
15 some of the garbage men, two of the garbage  
16 men dumped some hedge clippings on the road  
17 and I caught them and I said, "Hey," I said  
18 "You know, you dropped some clippings," I  
19 said, "How about picking that up?"

20 They said, "We don't have shovels."

21 I said, "Well, then pick it up with  
22 your hands."

23 Their response? "No."

24 I said, "So you telling me you  
25 dumped that and you are not going to pick

1                   that up?"

2                   "Call such and such a number. Call  
3                   a lawyer."

4                   Now you know what? I live with my  
5                   mother and father, we pay our taxes, \$178  
6                   for a garbage fee and you mean to tell me  
7                   that they couldn't pick up a small pile of  
8                   clippings? Now, I have a picture of it on  
9                   my phone. Can I approach to show you,  
10                  Billy?

11                  (Mr. Hewitt approaches council.)

12                  MR. COURTRIGHT: All right. You want  
13                  to give me the date on the time and I'll  
14                  check into it?

15                  MR. HEWITT: It was yesterday about  
16                  10, 10:30. I did not get the number of the  
17                  truck. I called DPW three times.

18                  MR. COURTRIGHT: You live on Slater,  
19                  right?

20                  MR. HEWITT: Yes. The second time I  
21                  called I said to the man, "Where is the guys  
22                  that picked up this pile," I said, "because  
23                  I am not picking it up."

24                  I said, like I said, \$178 tax fee or  
25                  garbage fee and they couldn't simply pick up

1 a small -- now you just saw the picture of  
2 it. They couldn't pick that up?

3 MS. FANUCCI: I think the problem  
4 here, and I'm going to speak just on  
5 ordinancewise, if it's not bagged and the  
6 lid is not on by rights anything that falls  
7 out on the way in doesn't have to be. I  
8 mean, I'm just telling you, don't shoot the  
9 messenger, but by rights they probably don't  
10 have to if it's not -- if it's not in right  
11 or if it's too, you know, and plus it's not  
12 a -- it's biodegradable, also; correct?

13 But the thing is that I heard, and  
14 I'm going to tell you that this story had  
15 already come down the pike from two  
16 neighbors on the block saying that the  
17 approach was the problem, not the problem  
18 itself, and I don't think what happened or  
19 what transpired there, but my belief is that  
20 it was not a good situation under any  
21 circumstances, and when you get down to the  
22 heart of the matter, let's -- I mean, this  
23 is a DPW versus firemen or --

24 MR. HEWITT: No, no. I'm not a  
25 fireman.



1 MS. FANUCCI: I'm saying as far as  
2 the community was concerned on the block as  
3 far as people were calling in, but it was  
4 witnessed not to be a very nice request or  
5 exchange and I think that might be the  
6 problem, and I'm not sure, I wasn't there  
7 nor do I -- you know, there is three sides  
8 to every story.

9 MR. HEWITT: Just for the record, I  
10 am not a Scranton fireman.

11 MS. FANUCCI: Okay. Well, that's  
12 what I got on the block. I don't know who  
13 is or who isn't, I'm telling you what -- the  
14 report I got was that it was between two  
15 city employees.

16 MR. HEWITT: I am not a Scranton  
17 firemen. Now, a neighbor had mentioned to  
18 me, because I do have "Keep your firehouse  
19 open" sign that may be why. Now, I'm  
20 thinking, I'm hoping that's not the reason.  
21 I'm hoping that's not the case.

22 MS. FANUCCI: My belief was the case  
23 was the way it was approached to be asked to  
24 be done was the problem.

25 MR. HEWITT: Are you speaking of

1                   yesterday's --

2                   MS. FANUCCI: I'm speaking of -- yes,  
3                   of the grass.

4                   MR. HEWITT: So you know about this?

5                   MS. FANUCCI: I had already heard  
6                   about this from two neighbors on the block.

7                   MR. HEWITT: On my block?

8                   MS. FANUCCI: Yes.

9                   MR. HEWITT: Okay. Well --

10                  MS. FANUCCI: I didn't know it was  
11                  you, I didn't know who it was. It was a --  
12                  you know, I had no idea who was the problem  
13                  or what had happened, but I knew something  
14                  had transpired that was not very nice.

15                  MR. HEWITT: Now, like I said, I  
16                  asked them nicely to pick it up, they said,  
17                  "No, we don't have shovels."

18                  I said, "Well, just pick it up by  
19                  hand."

20                  "Oh, well, call such and such a  
21                  number."

22                  I said, "Don't worry about it, I  
23                  will call such and such a number," and then  
24                  I got, "Oh, well, call a lawyer."

25                  MS. FANUCCI: When you called DPW

1                   that's they said, "Call a lawyer."

2                   MR. HEWITT: No, this discussion was  
3 going on with the two guys on the back of  
4 the truck.

5                   MR. MCGOFF: Mr. Hewitt, just to  
6 hopefully -- someone will look into it.

7                   MS. FANUCCI: Yeah, we'll look into  
8 it.

9                   MR. MCGOFF: No matter what the  
10 circumstances were, obviously behavior was  
11 unacceptable, you know, whatever the case  
12 may have been, okay, I'm just saying we'll  
13 look in it for you and try to make it more  
14 amicable --

15                   MS. FANUCCI: Yeah, I didn't know it  
16 was you --

17                   MR. MCGOFF: We'll try to make it a  
18 more amicable situation.

19                   MR. HEWITT: And like I said,  
20 Mr. McGoff, \$178 for a garbage fee and all  
21 they had to do is just pick it up.

22                   MR. MCGOFF: I understood, and  
23 that's what I said, we'll try to take care  
24 of the situation.

25                   MR. HEWITT: And, like I said, I

1 called three times and they said -- the  
2 second time I called they told me that they  
3 were -- the guy was amazed, like, "Oh, they  
4 didn't go out there?"

5 MS. FANUCCI: Did they send someone  
6 out after that?

7 MR. HEWITT: No, they did not, and I  
8 told them, I said, "You have until the end  
9 of the day before I go to council."

10 MR. MCGOFF: Okay. Like I said, we  
11 will look into it for you. Thank you.

12 MR. HEWITT: Well, I appreciate it  
13 because you know what, it's going to stay  
14 there because I feel --

15 MR. COURTRIGHT: It's still there?

16 MR. HEWITT: It's still there. It's  
17 still there, Billy.

18 MR. MCGOFF: It will taken care of.

19 MR. COURTRIGHT: I'll make sure it's  
20 picked up today if I have to pick it up  
21 myself, all right?

22 MR. HEWITT: Like I had, I didn't  
23 come here to cause any trouble between --  
24 I'm not a Scranton firemen, I do have a sign  
25 but --

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MS. FANUCCI: Okay.

MR. MCGOFF: Okay.

MR. HEWITT: Just so you know.

Billy, should I leave my name and stuff with Neil?

MR. COURTRIGHT: I know where you live. When the meeting is over I'll call, I'll make sure somebody comes out there and picks it up and try to get the story straight.

MR. HEWITT: Okay. Thank you very much.

MR. COURTRIGHT: No problem.

MR. HEWITT: Thank you for your time.

MR. MCGOFF: Michael Lapalla.

MR. LAPALLA: Good morning, I guess it's still morning. My name is Michael Lapalla, and I'm a resident of Northwest Scranton. I volunteered for the last couple of years for the CEO lunch food program that gives lunches to youth that get lunch during the school year, but not during the summer. This year I was stationed at Fellows Park and I was talking to some of the parents there about the park that's in dismal shape,

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as you can see by the photos. All of the

2 other parks in the city are in pretty decent  
3 shape, especially Collins Park with all of  
4 the work they have done up there, it's  
5 fabulous, my mother-in-law lives right down  
6 the street, we go up there a lot, but at  
7 Fellows Park it's pretty shoddy.

8 MR. COURTRIGHT: Excuse me, could you  
9 just hold his time? Didn't they just fix  
10 all of this? They didn't just go down there  
11 and fix it?

12 MR. LAPALLA: As you can see, they  
13 haven't done a thing except the sidewalks.  
14 Some of the drops off the sidewalk are  
15 anywhere from six inches to about 12 inches.  
16 It's on Main Avenue, it drops probably about  
17 a foot.

18 MR. COURTRIGHT: Again, hold his time  
19 I don't know want to take his time. How  
20 recent is this?

21 MR. LAPALLA: That's from this  
22 morning.

23 MR. COURTRIGHT: I was under the  
24 impressions -- I drive by it all the time.  
25 I know we put a lot of money into this

1 because I was on council when we authorized

2 the money to go in there.

3 MR. LAPALLA: I mean, that's the  
4 least of the concerns of the parents there.  
5 As you can see that one abandoned home, that  
6 lower level, and I think it's about eight  
7 feet to that second window, the youth get in  
8 there and I guess they have been taunting  
9 the other youth in the area saying we are  
10 going to haunt you, we're going to put you  
11 in there and all that good stuff, that's not  
12 a good thing, but, I mean, especially right  
13 next to a park I believe that that's  
14 something that should be taken care of, not  
15 tomorrow, but definitely in the near future,  
16 something that should be addressed.

17 As you can see on the right there is  
18 the post, I believe it's the electrical work  
19 to the lamp that shows off the flag pole and  
20 that wiring that holds to the post has  
21 exposed the wiring. It has brushed off the  
22 rubber.

23 MR. COURTRIGHT: Exposed electrical  
24 wiring?

25 MR. LAPALLA: Yes. I just noticed

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1 that this morning, but I don't know if it's  
2 live or not because the lamp is busted off

3                   anyhow, so it doesn't stand up straight, and  
4                   it's not -- it's mostly from the youth that  
5                   are in that area that are damaging the park,  
6                   but it's still -- it's very nice park. It's  
7                   a great location for all of those families  
8                   and there is a lot of families in that area  
9                   especially -- now, if you look at the  
10                  playground area there is no mulch, there is  
11                  no safety fill around that area, it's all  
12                  dirt and rocks. When I would stop there  
13                  feeding the youth there was a girl -- well,  
14                  a little baby about a year old was on the  
15                  slide and she just fell flat, but there is  
16                  nothing to catch her. Of course, she was  
17                  crying and everything like that, but there  
18                  is definitely -- if you are scraping the  
19                  leaves off the trees the branches and stuff  
20                  like that's good enough mulch to put down to  
21                  get rid of the dirt and the rocks that are  
22                  down there.

23                         If you look at the sidewalks down  
24                         there it's glass ridden, beer can ridden,  
25                         trash everywhere. It's not a very nice

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1                   little park. It's a great location, but  
2                   it's just not well-kempt.



3 MR. COURTRIGHT: I'll be there this  
4 afternoon.

5 MR. LAPALLA: That's great.

6 MR. COURTRIGHT: I go by there all  
7 of the time.

8 MR. LAPALLA: Because I talked to the  
9 parents about it and they didn't know who to  
10 go to and everything, they couldn't come  
11 here, so I said I would come there on their  
12 behalf and just bring it and see what  
13 happens and so I will be coming back to just  
14 keep up for them and the area.

15 MR. COURTRIGHT: Thanks. Thanks for  
16 coming.

17 MR. LAPALLA: Absolutely. Oh, yeah,  
18 one other thing. If you do sell -- if it  
19 does go to the -- or the church sells it to  
20 the city, the parking lot, at least make it  
21 a meter. Why don't you put it a meter?  
22 Make some type of money off it, if it's not  
23 going go to Bob Bolus for the \$25,000 so you  
24 can't make some tax off -- why don't you put  
25 meters in there and make some type of money

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1 off of it at least because I know that  
2 parking is a nuisance every time I go down  
3 that avenue. When it's parking on

4 basketball night and they are coming --

5 MR. COURTRIGHT: Tough.

6 MR. LAPALLA: Yeah, they are coming  
7 out of every angle to park somewhere, but at  
8 least if you make it a meter parking you can  
9 get some funding out of it somehow.

10 MR. COURTRIGHT: Thank you.

11 MR. LAPALLA: Thank you.

12 MR. MCGOFF: Thank you, Mr. Lapalla.  
13 That was last of the sign-ins.

14 MS. O'MALLEY: Barbara O'Malley, city  
15 resident. Before I start my prepared  
16 remarks I can't help but notice the lack of  
17 council people here. I understand  
18 Mrs. Evans has a family issue, Mrs. Gatelli  
19 had to leave because of work, is that my  
20 understanding, and the format of the council  
21 meetings has changed to accommodate working  
22 schedules and I think that that holds true  
23 for the public as well and I really think  
24 that this format needs to be looked at in  
25 the future because it's interesting, I

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1 pulled out report to the community by  
2 Scranton Tomorrow. This was "Forging the  
3 Future", a process that we started 10 years

4 ago, and under efficient government and  
5 taxes it lists as a primary outcome,  
6 "Encourage citizen involvement in the  
7 political and government process."

8 And again, I don't think scheduling  
9 the meeting of Scranton city council at 10  
10 a.m. in the morning encourages citizen's  
11 involvement in the political and government  
12 process of our city.

13 As also part of the forging the  
14 future, I was involved in the homes housing  
15 and neighborhoods KPA, and I'm actually  
16 going to be speaking about homes,  
17 neighborhoods and housing today.

18 The headline in the Scranton Times  
19 on July 17 edition read: "Scranton to raze  
20 church." It seemed like a foregone  
21 conclusion. "According to the report Mayor  
22 Doherty intends to step in and rid the  
23 neighborhood of a blighted building."

24 A blighted building, Holy Cross  
25 church. A noble act if the building was

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1 actually blighted. As a city resident who  
2 lived next to a blighted property for a  
3 decade, I am only too familiar with blight,  
4 and I'm not alone in this.

5                   Unfortunately, Scrantonians all over  
6                   the city are familiar with the blight that  
7                   encroaches on their neighborhoods.

8                   According to the United States  
9                   Department of Housing and Urban Development  
10                  Neighborhood Stabilization Program this is  
11                  the definition of blight: A structure is  
12                  blighted when it exhibits objectively  
13                  determinable signs of deterioration  
14                  sufficient to constitute a threat to human,  
15                  health, safety, and public welfare.

16                  It doesn't mention parking lots or a  
17                  need for a parking lot. Say what you want  
18                  about the Diocese of Scranton, I was highly  
19                  skeptical that they would let a property  
20                  they owned deteriorate to the point of being  
21                  blighted. I drove over to Holy Cross  
22                  Church, one look at the building confirmed  
23                  that this is not a blighted property.  
24                  Architecturally it is a magnificent  
25                  structure.

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1                   The mayor states that federal block  
2                   money intended for removal of blighted  
3                   properties will be used for the project.  
4                   Clearly, Holy Cross Church is not blighted.

5 So I believe any attempt to use federal  
6 blight removal funds for this project would  
7 constitute fraud.

8 There are way too many blighted  
9 properties in Scranton that legitimately  
10 qualify for these funds. The \$50,000 plus  
11 the mayor intends to tap to create a parking  
12 lot could help remove true neighborhood  
13 eyesores that have languished on the city's  
14 demo list for years. I urge council to take  
15 the responsible step and not approve the  
16 sale of Holy Cross Church and subsequent  
17 OECD funding. I truly do not see how you  
18 can justify spending this money to build a  
19 parking lot.

20 Mrs. Fanucci, I don't know what the  
21 note is you just wrote to Mr. Courtright,  
22 but I found it a little distracting.

23 MS. FANUCCI: You can read your stuff  
24 and I can do my job, it's okay.

25 MS. O'MALLEY: Pardon me?

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1 MS. FANUCCI: You can read what you  
2 are doing --

3 MS. O'MALLEY: I think your job is  
4 listening to citizen input.

5 MS. FANUCCI: I was listening to you.

6 MS. O'MALLEY: And writing little  
7 notes --

8 MS. FANUCCI: I can work, ask  
9 questions and listen to you.

10 MS. O'MALLEY: That's fine.

11 MS. FANUCCI: It's called  
12 multi-tasking, but go ahead.

13 MS. O'MALLEY: So my question is how  
14 do the council members who are still left in  
15 the meeting, Mr. McGoff, Mr. Courtright and  
16 Mrs. Fanucci, justify that building as being  
17 blighted? Do you really feel that that's a  
18 blighted building, and it's been stated that  
19 the reason it's coming down is to create a  
20 parking lot. Is it a structure that is  
21 blighted when it exhibits objectively  
22 determinable signs of deterioration  
23 sufficient to constitute a threat to human  
24 health, safety and public welfare. Thank  
25 you.

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1 MS. FANUCCI: I'll leave the answer  
2 in a note for you.

3 MR. MCGOFF: Please. Mr. McCloe.

4 MR. MCCLOE: Good morning. My name  
5 is Brett McCloe, Scranton taxpayer. I want

6 to kind of -- I watched the meetings last  
7 week and I want to thank Mrs. Evans and/or  
8 any of you who voted or wanted to look into  
9 possibly drafting some type of resolution or  
10 legislation, you know, to stop the wholesale  
11 exploitation and giving away of every square  
12 inch of our city's assets to nontaxable  
13 organizations. I think if it followed  
14 through that this will be a great first step  
15 in establishing a foundation based on the  
16 needs of the people not the needs of the  
17 event or the prestige of an entity.

18 What I mean by that is when you read  
19 news articles and hear from people or  
20 officials how great it will be for the hall  
21 to have additional parking by tearing down  
22 what they call a blighted structure, I say  
23 great, do it, but not at taxpayers' expense.  
24 Taxpayers should not foot the bill for this  
25 demolition, even those who would ask for and

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1 expect taxpayers to pay for this when pulled  
2 to the side as an individual I believe you  
3 will find that most will speak as citizens  
4 and demand some type of reciprocation for  
5 the city. I'm quite sure we are all aware  
6 of nontaxable institutions that have bought

7 land from private owners and took land off  
8 the tax rolls only to be sold for profit to  
9 another nontaxable entity. Although it's  
10 probably legal, I think it's highly immoral  
11 and highly unethical to deny the citizens of  
12 this city taxable assets, especially when I  
13 heard about Mr. Bolus possibly wanting to  
14 buy it, he would be paying taxes on it.

15 So I took a drive up to that church,  
16 also, and I parked the car on the street and  
17 I parked in front of a white car and I got  
18 out to take a look at the building. When I  
19 went back to my car I noticed the bumper  
20 sticker on the car in front of me, and it  
21 was kind of weird because it was just hit me  
22 and it says, "Well, what would Jesus do?"

23 But it blew my mind for a second,  
24 but it got me thinking, and it hit me when I  
25 was driving home and there is a passage,

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1 it's called Matthew 22, Verse 21, where  
2 Jesus says, "Render unto Caesar what is due  
3 Caesar, render unto God what it due God."

4 As with so many verses in the Bible,  
5 the Koran, the Tora or any other religious  
6 text, this versus is open to so many



7 interpretations that it would be impossible  
8 to discuss them all in five minutes, and I  
9 don't think it's appropriate to discuss God,  
10 but I will discuss Caesar and those who  
11 should render. To me, Caesar is not Mayor  
12 Doherty or our local state or federal  
13 governments. If Caesar is not the  
14 University of Scranton or the Lackawanna  
15 College, whose aspirations of greatness  
16 depend on how much property they can take  
17 off the tax rolls.

18 True power of any democracy lies in  
19 the hands of it's citizenry, so in a sense  
20 we are Caesar. We have the power, we the  
21 citizens deserve our due. We cannot allow  
22 religious and academic institutions who bear  
23 little, if any, resemblance to a nonprofit  
24 organization, to position themselves as real  
25 estate brokers of tax exempt properties in

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1 this city. We cannot allow politicians to  
2 pass around the collection plate to citizens  
3 of this city who pay so much and profit so  
4 little in order to fund the ambitions of  
5 multi-million dollar institutions. In fact,  
6 it is they who should render unto our  
7 collections.

8 I'm not quite sure how I would ask  
9 you to vote on this. I just think that, you  
10 know, we are worth more than just giving  
11 away everything, you know. Good times are  
12 good times, but cash we all -- this city  
13 needs it, and that's all I have to say.  
14 Thank you.

15 MR. SLEDENZSKI: I'm the last one.  
16 Hello, Bill.

17 MR. COURTRIGHT: Hi, Chris.

18 MR. SLEDENZSKI: Billy, how's that  
19 (unintelligible.)

20 MR. COURTRIGHT: Pardon? The Billy  
21 man?

22 MR. MCGOFF: Mrs. Fanucci.

23 MS. FANUCCI: I only have two things  
24 to speak on. The sale of Holy Cross, I  
25 understand the problems that are in front of

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1 us. The fact is if they are not willing to  
2 sell the building to anyone else and they  
3 decided this that is their right.  
4 Mr. Bolus' intent is probably a good one,  
5 and I don't think any of us would want to  
6 say that they wouldn't want anything to stay  
7 on the tax rolls, we certainly would, but

8 the fact is that Holy Cross -- the Diocese  
9 will do what's good -- what they believe is  
10 good for them, which if they feel the  
11 parking lot is needed then that's what they  
12 want to see that used -- you know, being  
13 adapted to what they feel they need.

14 I don't know what it is we can do.  
15 I mean, do you block a sale of something and  
16 still have it sit there for another two  
17 years because they refuse to use it for, you  
18 know, the other intent. I don't know. I  
19 don't know, but I definitely am going to  
20 look into it more to see what we can find  
21 out. I feel the same way as Bill. If they  
22 plan on not -- if that's their only choice  
23 because that's all they want then that sort  
24 of ties our hands, too, and it doesn't  
25 matter what we think. They are the ones in

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1 charge, they are the ones who are selling  
2 it, it is their property, so, you know, you  
3 have to think of it that I way also, but I  
4 think we will probably look into that  
5 further this week.

6 Also, I want to speak on the DPW and  
7 what transpired there. I feel that the city  
8 is beyond a battleground right now. You

9 know, regardless of what happens out there  
10 people will make little mistakes in life,  
11 and to make it into such a big mistake is  
12 the problem. You know, I think the way that  
13 we approach people constantly and get what  
14 we deserve out of that approach or what we  
15 setup for ourselves is exactly what happens.  
16 When you approach somebody in a manner where  
17 you are totally attacking and you are always  
18 in the right and they are always in the  
19 wrong you get exactly what transpires which  
20 is, you know, a stalemate over grass  
21 clippings which is so ridiculous to me.

22 Mrs. O'Malley, you probably  
23 understand yourself, because you have  
24 created this problem here with me in  
25 council, you come up here, you have a

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1 problem with me writing a note to Bill which  
2 is funny, but a few months ago it was okay  
3 to say you were going to push me down the  
4 steps over an agenda item. You get what --  
5 you know, you reap what you sow. As far as  
6 I'm concerned, I believe that you act purely  
7 on emotion and emotion takes over your  
8 thinking and when that happens in life then,

9                   you know, I need to tune out and actually  
10                   just do the job and not worry about personal  
11                   matters.

12                   Personally, if I did not want to  
13                   listen to you I would have lots of reasons  
14                   not to, but I choose to actually listen to  
15                   what you have to do say even though evidence  
16                   proves otherwise that I probably should not.  
17                   So I was listening to what you had to say,  
18                   do I agree with it? Probably not, but I  
19                   still listen.

20                   And I'm going to say the same thing  
21                   to Andy Sbaraglia who came up with his  
22                   wonderful speech today. Yes, he did serve  
23                   his country. Does that -- you know, I would  
24                   never take that away from anybody, I think  
25                   that's amazing, but for some reason when

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1                   people have difference in opinion they  
2                   believe their opinion is the only opinion,  
3                   so instead of understanding that everyone's  
4                   visions are different, everyone's views are  
5                   different and everyone has the same passion  
6                   and has the same ideas for their passion and  
7                   wants to see things go the way they want, it  
8                   ends up to be a line in the sand.

9                   You know, we had speakers a few

10 weeks say, okay, yeah, you guys lost on  
11 council so you are done. Yeah. How about  
12 they accept that, but they don't accept that  
13 the mayor won. Double-handed sword always,  
14 you know, double-edged sword. Nobody wants  
15 to realize that it has to be one entity  
16 working together regardless of who, what or  
17 where you are going to get no where and the  
18 goal isn't the end to actually make this  
19 place better regardless of how you believe  
20 it should be at the end or how I feel it  
21 should be at the end. The whole idea is to  
22 make it a better place and just because my  
23 ideas are different than yours and your  
24 ideas are different than mine doesn't mean  
25 that anyone's are -- nobody is on the wrong

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1 track. If it works out at the end the track  
2 was right and that's what we need to work  
3 toward.

4 Quite frankly, I'm sick of rehashing  
5 this election for four years and another  
6 four years after that. I think it's  
7 nonproductive. I believe that all it does  
8 it spawn more hate definitely within this  
9 room and just because you don't understand

10 why we need to have a meeting at 10:00 in  
11 the morning or while it's not prudent for  
12 you, there are a lot of people who actually  
13 would rather come at 10:00 in the morning  
14 than come at 7:00 at night because there is  
15 a lot of people out there who actually can't  
16 come at 7:00 at night, so stop looking at  
17 views just in your way and in your world and  
18 look at them in everyone else's. That would  
19 probably be the best thing you can do for  
20 the city.

21 Also, there are tons and tons of  
22 places for everyone to volunteer, so instead  
23 of spending months and months getting notes  
24 ready to come to council to attack, spend  
25 some time out there with the people and see

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1 what it is to make Scranton better and do  
2 something more productive than coming here  
3 and looking for reasons to complain. Look  
4 for reasons to move on and do more work and  
5 better our city and that in itself will be  
6 the biggest gift you can give to the city.  
7 Thank you.

8 MR. COURTRIGHT: Kay, I'll give you  
9 my copy of this picture when the meeting is  
10 over, I think we need to do two things if we

11           could right after the meeting. This house,  
12           the DPW has to get out there and board that  
13           up I think immediately. It's right next to  
14           Fellows Park there and so maybe we can --  
15           when we get done with the meeting and talk  
16           to Mr. Seitzinger and more importantly is I  
17           can't tell real well from this picture, but  
18           it does look like they got an exposed  
19           electrical wire there, so I think they need  
20           to get there today. I will go there myself  
21           this afternoon after the meeting, and then  
22           maybe we can make a call to Mr. Dougher for  
23           the nonemergent things such as the mulch and  
24           that. I think they can rectify that, but  
25           those are the things that need to be done

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1           today, especially this exposed wire we can't  
2           have that when we got kids down there.

3                       Several years ago we gave quite a  
4           bit of money to there and I haven't gotten  
5           down and walked through the park, I drive by  
6           all the time and there are new sidewalks,  
7           but I don't think that ate up all the money  
8           we gave. We were supposed to get new  
9           playground equipment and everything there,  
10          so I will speak with Mr. Dougher about that,



11 but these two items, I'll give this picture  
12 when I'm done, maybe we can call right after  
13 the meeting.

14 I will call down to the foreman from  
15 the DPW and make sure that the grass  
16 clippings get picked up today. We don't  
17 want that to fester any longer.

18 Last week there was a gentleman  
19 here, again I had spoke to him about Nay Aug  
20 Park on the Fourth of July and he was here  
21 again about the 400 block of Pear Street. I  
22 did talk to the people from the other  
23 shifts, they said as best they could they  
24 would continue to drive by the 400 block of  
25 Pear Street and if they could help you out

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1 they certainly would. I spoke to people  
2 from all the three shifts now, officers.

3 There is a big, big problem, a huge  
4 problem at the Novembrino Pool in West  
5 Scranton, fights and drug arrests there  
6 every single day, sometimes two and three  
7 times a day, and I just want to thank  
8 Officer Jill Foley, she is really doing the  
9 best she could down there with what  
10 resources she has. Mr. Munley, Patrolman  
11 Munley is there with her sometimes and

12 Officer Ray Kelly. We've got a huge problem  
13 there and they are doing the best they could  
14 to keep a handle on it so I just want to  
15 thank them for all they're doing there  
16 because there are some children and family  
17 members that need that pool and it's not  
18 fair to them what's going on down there, and  
19 it's got to be rectified, so I'm exploring  
20 other avenues, but until we can get  
21 something else done there I just want to  
22 thank those officers for what they are  
23 doing.

24 Finally, the DPW has fixed the road.  
25 They dug it up just liked I asked on Forest

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1 Glenn Drive, I have been asking for four  
2 months, I come down the road one day and  
3 there they were jackhammering it up, so I  
4 want to thank them for finally fixing that  
5 for me, I certainly appreciate it and not  
6 just for myself, but for everybody in the  
7 area.

8 I'm going to take a little different  
9 spin on the Holy Cross thing. I never  
10 really spoke to Mary Theresa Patterson, the  
11 solicitor for the city, on a lengthy basis.

12 I was up there the other day on a very  
13 serious issue and a sidebar was Holy Cross  
14 and while we were in a conversation with an  
15 individual in her room, there was three of  
16 us in there and another person on the other  
17 end, and while they were talking it must  
18 have jumped in her mind. She asked me about  
19 what I had mentioned here about legislation  
20 if the -- this was before Mr. Bolus made his  
21 offer, I wasn't aware and nobody was aware  
22 of it at the table, he hadn't made the offer  
23 at the time, but she asked what type of  
24 legislation I was interested so that if, in  
25 fact, that parking lot which we thought was

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1 going to be a parking lot, whether it is or  
2 not now I don't know, but if it was a  
3 parking lot if was sold that the city would  
4 recoup at least the cost of the demolition  
5 of the building and the cost of the paving  
6 of the parking lot. So I don't know if she  
7 is working on that, but she did ask what I  
8 was interested in knowing about it, but we  
9 were in a very serious discussion about  
10 something else so it kind of got put to the  
11 side.

12 I do want to say this, this is my

13 first dealing with her and I believe she was  
14 extremely professional and dedicated to her  
15 job. Like I said, first dealing I had with  
16 her, so I'll speak to her again about the  
17 legislation if, in fact, it does get sold or  
18 deeded over to the city. She indicated to  
19 me that she thinks something like that could  
20 be done, some type of legislation like that  
21 could be created.

22 MR. MCGOFF: And just to -- I did  
23 speak to her and she told me that if, in  
24 fact -- as you said, if, in fact, the city  
25 takes ownership of that property they

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1 already have started to draw up legislation  
2 that will put limitations or requirements on  
3 the resale and then it would be presented to  
4 us at the appropriate time.

5 MR. COURTRIGHT: So if, in fact, it  
6 goes through, and whether it does or not I  
7 don't know, but if it does I would like to  
8 see that and I'm glad to that she is working  
9 on that. Someone mentioned about, I forget  
10 who it was, mentioned about if somebody gave  
11 us a donation that, you know, we are more  
12 apt to help them out. I don't know if it's

13 just me, but I have been here six years and  
14 I've got to be honest with you, no one that  
15 has donated to my campaign has ever asked me  
16 to vote one way or another, and if they did  
17 I would hurry up and walk away. You know, I  
18 don't feel like being arrested for anybody,  
19 so I have never been approached by anybody.  
20 I don't get large donations, but no one has  
21 ever approached me to do that and I don't  
22 think anybody up here would jeopardize  
23 themselves by being bought off by a  
24 donation. I think that would be a stupid  
25 thing to do.

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1 And now the University of Scranton,  
2 I had two children that went to the  
3 University of Scranton, I have one that's  
4 there now, and I don't agree with all that  
5 they do, I do think that the University of  
6 Scranton is a tremendous asset to this city.  
7 I don't agree with the fact that they are  
8 eating up all the tax base and we are not  
9 getting anything in return and I would like  
10 to see them give us more in lieu of taxes of  
11 what they do, so I did ask a lot questions  
12 about this project that's going on there and  
13 I am in favor of it, and that will probably

14 make some people upset, but I think this  
15 project is a good thing.

16 I asked about the turning lanes and  
17 if you are coming out a port on Mulberry  
18 Street and say, for instance, somebody on  
19 Mulberry Street is heading east, if somebody  
20 is coming out of a court on the right-hand  
21 side of the road they are making them take a  
22 right-hand turn so they can't cross a double  
23 lane which in my opinion is better than what  
24 we have now for safety. They are having a  
25 turning lane, so if you are going east say,

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1 for instance, on Mulberry Street and you  
2 want to turn left onto Quincy, there will be  
3 a turning lane, which we don't have now, you  
4 know, we on our own go around the car, but  
5 there will be a designated turning lane and  
6 it will 100 feet before the intersection.

7 I asked about the parking meters  
8 because I'm not a fan of the University of  
9 Scranton taking any more money off of this  
10 city than what they have, and the estimated  
11 amount if every meter was occupied all the  
12 time even when school is not in session  
13 still assuming they would have been occupied

14 it was approximately \$4,000 a year.

15 I believe they said there would be  
16 three phases of the project for the  
17 University of Scranton, the transfer fees  
18 for those three phases on what I would say  
19 would be a conservative side will be  
20 approximately \$300,000. Permit fees, I'm  
21 sorry, permit fees, so that in that respect  
22 kind of offsets it, and I know for certain  
23 people no matter what if it was the  
24 University of Scranton they are against it,  
25 and I'm not just -- that's just not me, I'm

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1 not for anything just because it's one  
2 person or one entity or another, this  
3 particular project I think is a good  
4 project, I will be voting for it, but I did  
5 ask a lot of questions and I got answers  
6 that were sufficient.

7 There is a woman that was concerned  
8 about lighting. They went to the woman's  
9 house and all questions were answered for  
10 her to her satisfaction, I believe she will  
11 be receiving less lighting into her home  
12 than she was prior to this project taking  
13 place. They are just some of the things we  
14 discussed back there and I did ask a lot of

15 questions and I think it's a good thing.  
16 It's probably going to look gorgeous  
17 because, let's face it, anything the  
18 University of Scranton does they pretty much  
19 do first class. They've got lots of money  
20 over there, so all my questions were  
21 answered and all of the questions that I  
22 could think of that the public asked me to  
23 ask I asked and were answered.

24 So I am in favor of that project,  
25 and I will be voting "yes" for that, and I

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1 believe that's all I have. Thank you.

2 MR. MCGOFF: Just very briefly, and I  
3 can't believe that nobody else has used the  
4 line, but I have waited two weeks, some  
5 people want to make this appear that the  
6 sale of -- or taking over of Holy Cross is,  
7 and again, I'm paraphrasing, is tearing down  
8 paradise and putting up a parking lot, but  
9 is it a blighted building? Certainly the  
10 Diocese thought it was or thinks that it is  
11 in a condition such that they can't take  
12 care of it. The city in some ways I'm sure  
13 considers it blighted, it is abandoned.  
14 There is no activities taking place there.



15 The building itself is gutted. There is no  
16 intent to do anything to improve the  
17 building on the part of the Diocese and the  
18 only thing that can happen to that building  
19 if it stays under Diocesan ownership is that  
20 it will get worse.

21 With that said, as far as I know the  
22 neighbors, people in that neighborhood are  
23 not opposed to the building coming down.  
24 Many of them look forward to the possibility  
25 of relieving the parking situation in that

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1 area. It will improve the neighborhood  
2 going from a building that is becoming into  
3 disrepair and putting something that's more  
4 open, open up the neighborhood a little bit,  
5 relieve some of the parking situations for  
6 Holy Cross hall, and in total the intent is  
7 to benefit the neighborhood.

8 You know, whether you agree that  
9 that is happening, again, I guess it's open  
10 to interpretation whether you feel that this  
11 is going to be a benefit to the neighborhood  
12 or not. Will it remove a property from the  
13 tax rolls? Yes. But, again, there is a  
14 balance that's needed. Does one offset the  
15 other and I think in -- at least in my eyes

16 in voting it's not voting on something  
17 that's immoral or a conspiracy or anything  
18 else, it's just in balancing the assets that  
19 could be gained from taking over this  
20 property and the liabilities from, you know,  
21 leaving it, I feel that it's something that  
22 is if not needed at least beneficial,  
23 overall beneficial to the neighborhood and  
24 to the city.

25 And with that said, you know, it

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1 will be in Seventh Order next week and we  
2 may find out some more information during  
3 the course of it between now and then, but  
4 there is no one here that is involved in  
5 this any type of conspiracy to, you know,  
6 cheat the taxpayers in this way. I think we  
7 all you know, vote for things you know,  
8 depending upon how we feel it is a benefit  
9 to the city and certainly this is no  
10 different. And with that, motion to  
11 adjourn?

12 MR. COURTRIGHT: So moved.

13 MR. MCGOFF: Thank you for your  
14 participation and see you next week.

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C E R T I F I C A T E

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I hereby certify that the proceedings and

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evidence are contained fully and accurately in the

6

notes of testimony taken by me at the hearing of the

7

above-captioned matter and that the foregoing is a true

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and correct transcript of the same to the best of my

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ability.

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CATHENE S. NARDOZZI, RPR  
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