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02 SCRANTON CITY COUNCIL MEETING  
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08 Held:  
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09 Thursday, January 13, 2005  
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11 Time:  
12 7:00 p.m.  
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14 Location:  
15 Council chambers  
15 Scranton City Hall  
16 340 North Washington Avenue  
16 Scranton, Pennsylvania  
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23 Lisa M. Graff, RPR

24 Court Reporter

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0002

01 CITY OF SCRANTON COUNCIL:

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03 MR. GARY DIBILEO, COUNCIL PRESIDENT

04

05 MS. JANET E. EVANS, VICE-PRESIDENT

06

07 MR. WILLIAM COURTRIGHT

08

09 MR. JOHN POCIUS

10

11 MR. ROBERT McTIERNAN

12

13 MARK WALSH, ESQUIRE, SOLICITOR

14

15 MR. JAY SAUNDERS, CITY CLERK

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17 MS. KAY GARVEY, ASSISTANT CITY CLERK

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01 MR. DIBILEO: Please rise for the

02 Pledge of Allegiance. Please remain standing for a

03 short prayer. Kay, can we have a roll call, please?

04 MS. GARVEY: Mr. McTiernan.

05 MR. McTIERNAN: Here.

06 MS. GARVEY: Mrs. Evans.

07 MS. EVANS: Here.

08 MS. GARVEY: Mr. Pocius.

09 MR. POCIUS: Here.

10 MS. GARVEY: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MS. GARVEY: Mr. DiBileo.

13 MR. DIBILEO: Here.

14 Mr. Walsh, if we can dispense with the reading of the  
15 minutes, please.

16 MR. WALSH: Certainly,

17 Mr. President. There is no third order business this

18 evening, except for clerk's notes, so I call clerk's

19 notes.

20 MR. DIBILEO: Mr. Saunders,

21 please.

22 MR. SAUNDERS: Mr. President, I am

23 going to start off by once again reading the city's

24 website, which is [www.scrantonpa.gov](http://www.scrantonpa.gov). I want to give

25 you some updates on that what we are doing, Council is  
0004

01 doing on their web page.

02 The minutes from our Council

03 meetings will be up and running on our website, also

04 the agendas. The agendas will be posted the day before

05 the meetings. Once they're available, they'll be

06 posted.

07 The minutes, as Lisa gets them to

08 us, we will put them up.

09 Another thing we are doing for the

10 website, we are digital imaging all of our ordinance

11 and resolutions, and they will be up on the website

12 hopefully more sooner than later, but they will be up

13 there.

14 They're searchable, I mean, so you

15 can actually take a look at the ordinances and

16 resolutions that the city has from your house.

17 The next thing we have is 630

18 East Elm Street. I received a letter back from

19 Mr. Parker on that. I believe Councilwoman Evans

20 talked about this at 630, East Elm Street, it's about a

21 sewer line.

22 MS. EVANS: Uh-huh.

23 MR. SAUNDERS: He said it's not a

24 sewer line, it's a storm water pipe and that it is not

25 a dangerous and unhealthy situation at the time, but

0005

01 they will get to this as soon as they could.

02 MS. EVANS: Will you keep track of

03 that, please, Mr. Saunders, because it actually does

04 present a dangerous situation, in that it's constantly

05 leaking causing icy condition for pedestrians and

06 vehicles.

07 MR. SAUNDERS: I will send that

08 back out, those comments.

09 MS. EVANS: Thank you.

10 MR. SAUNDERS: We discussed,

11 Councilman McTiernan and Councilwoman Evans talked

12 about Olive Street and Capouse Avenue, the problem in

13 this area that was overgrown, the wall was falling

14 down, I received a call from DPW that that has been

15 taken care of, the debris has been cleared out of the  
16 way and also the wall has been fixed.  
17 1524 Muncy Avenue, the pipe is  
18 caved in in the backyard, this is Mr. Zumo's property.  
19 MS. EVANS: Yes.  
20 MR. SAUNDERS: The response back  
21 from DPW is that is on private property and that is the  
22 owner's responsibility on that.  
23 850 Capouse Avenue, garbage not  
24 being picked up, the neighbors were complaining.  
25 Everything has been picked up and cleaned up and that  
0006  
01 area is in good shape.  
02 MS. EVANS: On 840 Capouse?  
03 MR. SAUNDERS: 850.  
04 MS. EVANS: 850, okay.  
05 MR. SAUNDERS: We also sent a  
06 letter down as to the bridge over North Main Avenue  
07 near Euclid Street, needs general cleanup, and that has  
08 been done.  
09 Councilwoman Evans, we went over  
10 -- at your request, we went over some of the requests  
11 that you've had for the past year, we viewed all of the  
12 things that you have asked.  
13 Some I will go over with you  
14 quickly. The potholes on Watson Street, we requested  
15 that 11/18/04, we haven't gotten a response back yet.  
16 Paving the intersection of Penn  
17 and Olive Street, 8/5/04, we haven't gotten a response  
18 back yet on that.  
19 Potholes in the 700 of Bergen  
20 between Birch and Willow, we sent that out last week,  
21 we haven't had a response back yet on that. We sent  
22 that out three weeks ago, I'm sorry, 12/28.  
23 Pothole on the corner of South  
24 Main Avenue and 1100 block of Hampton Street, sent that  
25 out, haven't gotten a response back on that.  
0007  
01 Potholes in the 100, 200 block of  
02 Mary Lane. 9/20/04, that was sent out. No response  
03 back yet on that.  
04 Apghar Place, pavement on Apghar  
05 Place, we sent out letters on 6/9/04, 8/5/04, 10/25/04,  
06 and also 9/14/04. Nothing back yet on that.  
07 The weeds overgrown or the weeds  
08 on East Gibson Street, the 400 block, we sent a letter  
09 to Mr. Parker on 12/28, nothing back on that.  
10 The tree removal on Capouse and

11 Green Ridge Street, we did get a response back on that.  
12 The trees are marked and the next year coming forward  
13 they will remove them.

14 MS. EVANS: Next year?

15 MR. SAUNDERS: Yeah, when the  
16 weather is --

17 MS. EVANS: 2006?

18 MR. SAUNDERS: No, when the  
19 weather breaks in '05.

20 MS. EVANS: Well, the trees were  
21 marked in late spring. It's taken quite a while. And  
22 I have to say frankly, this is not the fault of  
23 City Council, nor is it the fault of the City Council  
24 Clerk or anyone in his office, because they follow my  
25 directives very well, but I think it is inexcusable  
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01 that you can be sending letters, some of them since  
02 March of 2004, and June of 2004, and yet you're still  
03 waiting for these problems to be solved.

04 Whether they're potholes, whether  
05 they're clearing overgrown lots, whether it's water  
06 runoff, whether it's cutting down dead trees that cause  
07 or pose a safety hazard, you know, we're waiting eight  
08 to ten months for simple things, and it really makes  
09 one ask what is actually being done in place of the  
10 services that the people pay for and pay for very well  
11 through their tax dollars.

12 So, Jay, I would like you to  
13 pursue each and every one of those requests, even the  
14 ones that came from last March until they are  
15 satisfactorily completed.

16 MR. SAUNDERS: Okay. We'll resend  
17 those letters out, and I'll make some calls on them.

18 MS. EVANS: Thank you.

19 MR. SAUNDERS: The last one that I  
20 didn't mention that there has been some action on is  
21 Audobon School, the no parking signs around there, Pat  
22 McMullen from the DPW has gone up there and talked to  
23 the principal at Audobon and is working with them on  
24 getting the signs where they want, and there's some  
25 questions up there with the parking meters, and  
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01 hopefully that will be done shortly.

02 MS. EVANS: Very good.

03 MR. SAUNDERS: The last thing I  
04 have, Mr. President, is the Christmas trees. DPW has,  
05 I talked to Donny Davis from the DPW today, the  
06 recycling coordinator, that there's been a lot of

07 questions about this and how come it's happening like  
08 this.

09 The DPW has now five drop-off

10 points for the Christmas trees. The reason for the  
11 drop-off points is if you are sick of looking at your  
12 Christmas trees, as we get so many calls in the City  
13 Council, if you are sick of looking at your Christmas  
14 tree sitting in front of your house, there's drop-off  
15 points, and I'll read them in a second to you. There's  
16 a drop-off point so you don't have to deal with that.

17 There will be curbside pickup,

18 they just don't know when they are going to get to it.

19 Is it going to be this week, next week, or a month from  
20 now. They're leaving you an option here.

21 The pickup spots will be the 600

22 block of Arthur Avenue, the deadend near Nay Aug Park,

23 Crowley Park, which is on the last block of North

24 Washington Avenue near Marywood University,

25 Rockwell Avenue Park, which is on Rockwell Avenue,  
0010

01 South Side Complex, and also Tripp Park, the missy

02 league, behind there is Bullwear Avenue or Street, I'm

03 not 100 percent sure, but behind there they will be

04 accepting.

05 You will see signs that will tell

06 you exactly where to drop them off and then they will

07 recycle them from that point.

08 But they will be picking them up

09 curbside, but also they have drop-off points for your

10 convenience. That's all I have, Mr. President.

11 MR. COURTRIGHT: Jay, how are the

12 people going to know when to put them out in front of  
13 of their house?

14 MR. SAUNDERS: I have that

15 information, also.

16 MR. COURTRIGHT: Well, could you

17 give that to us?

18 MR. SAUNDERS: January 18, that

19 will start, and at that point you can start using the

20 drop-off points.

21 MR. COURTRIGHT: You can put it

22 out in front of your house January 18?

23 MR. SAUNDERS: You can put it out

24 in front of your house right now, it's just --

25 MS. EVANS: They're out there.

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01 MR. COURTRIGHT: Yeah, I understand

02 that, but when do they plan on starting to pick them up

03 from out in front of the houses?  
04 MR. SAUNDERS: They don't have an  
05 exact date on that. He said it could be a week, two  
06 weeks, three weeks when they get to that.  
07 MR. COURTRIGHT: Okay.  
08 MR. SAUNDERS: That's all I have,  
09 Mr. President.  
10 MR. DIBILEO: Thank you. Thank  
11 you, Mr. Saunders.  
12 MR. WALSH: Fourth order, citizen  
13 participation.  
14 MR. DIBILEO: Thank you,  
15 Mr. Walsh. Prior to calling up the first speaker, I  
16 just three requests of speakers, please, to please  
17 refrain from making remarks of a personal nature, keep  
18 your remarks related to city business, and be mindful  
19 of our time constraints and those of others by keeping  
20 your remarks to no more than five minutes, and that is  
21 greatly appreciated. And first speaker is Regina  
22 Yetkowskas.  
23 MS. YETKOWSKAS: Regina  
24 Yetkowskas, Scranton resident and taxpayer. I appeared  
25 before this Council last week to present my  
0012  
01 observations on the current administration, but was  
02 unable to complete my presentation because of time  
03 restraints.  
04 My purpose this evening is to  
05 complete my observations on the Doherty  
06 administration. I hope that what I say will be  
07 considered by City Council in their future  
08 deliberations on Mayor Doherty's spend and borrow  
09 conduct.  
10 Last week I concluded on the  
11 subject of the stalemate between City Council and the  
12 mayor. Now, to proceed. I see a majority of City  
13 Council is prepared to contest the mayor's spend and  
14 borrow actions, but cannot override his veto on large  
15 money items and budgets.  
16 Unfortunately I believe the way we  
17 are going, Scranton will be in a much worse financial  
18 condition than now before the mayor is stopped. At  
19 that point, I suggest it will be absolutely necessary  
20 for whomever is then mayor to institute the payless  
21 paydays, layoffs and a more severe raise in taxes than  
22 the Lackawanna County commissioners put into effect for  
23 2005.  
24 I see serious problems for

25 Scranton citizens in the near future if City Council  
0013

01 does not stop Scranton's dash towards

02 self-destruction.

03 I read the mayor constantly claims

04 all will be well with a true balanced budget and debt

05 service paid regularly when he is free to implement the

06 recovery plan.

07 In the meantime, I see the city's

08 cost of arbitration with the police and firemen unions

09 is very expensive so far, and continues to increase.

10 I am informed in the newspaper

11 that whichever side loses, they will appeal the

12 arbitrator's decision to the courts. I see the appeal

13 process will take at least two more years with more

14 large amounts of money spent before this case ends.

15 So far the only thing I do not see

16 is the mayor's claim that if he is totally successful

17 in the arbitrations and court decisions how the

18 application of the recovery plan will solve all of

19 Scranton's financial problems.

20 He should point to the articles

21 and paragraphs in the recovery plan that will save

22 money and how much they will save.

23 As one who is not an accountant, I

24 see there will continue to be big annual deficits,

25 because the mayor's budget figures on income and

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01 spending are not accurate.

02 Finally n the continuing question

03 of whether the city -- finally on the continuing

04 question of whether the city can charge for entrance to

05 the swimming complex and the use of the waterslide at

06 Nay Aug Park, I offer these facts: I read in the paper

07 and saw on Channel 61 that the land was given to

08 Scranton so long as it remained a free and public open

09 park forever and for no other use, intent or purpose

10 whatsoever.

11 I let the lawyers decide the legal

12 effect of this; however, history shows there were and

13 are private concessions in Nay Aug Park for which

14 people must pay to use or eat.

15 In the past, other than the

16 private concessions when Scranton as a city did

17 anything in Nay Aug Park, it was always free. Examples

18 of my statement are, No. 1, Scranton always provided

19 men's and ladies' locker rooms in the summer which

20 people undressed, dressed, took showers and were

21 furnished with private baskets for their belongings,  
22 all free; No. 2, in the winter, the city provided  
23 heated locker rooms for men and women with private  
24 baskets for their belongings, while the people ice  
25 skated on Lake Lincoln, all free; No. 3, in the 1930s  
0015  
01 through the 1950s, and possibly the 1960s, the city had  
02 two waterslides in Lake Lincoln every summer.  
03 There was a large and high  
04 waterslide in the deeper water for any person to use  
05 while at Lake Lincoln. There was a smaller and lower  
06 waterslide in the shallow water for youngsters to use  
07 while at Lake Lincoln. The city erected and dismantled  
08 both slides each year.  
09 Most important, for all the times  
10 the city operated the locker rooms and waterslides, it  
11 never charged anyone any money for their use. And how  
12 about the always free zoo, playgrounds, tennis courts,  
13 picnic areas and museum?  
14 I hope to return to this podium at  
15 some point time in the reasonably near future after  
16 further research is completed. Thank you.  
17 MR. DIBILEO: Thank you, Regina.  
18 Andy Sbaraglia.  
19 MR. SBARAGLIA: Andy Sbaraglia,  
20 citizen of Scranton. Fellow Scrantonians, Council,  
21 too, as Scrantonians, I wanted to ask some questions  
22 about the Scranton Grant. I notice we now have a  
23 Scranton Grant, does anybody tell you how you apply for  
24 the Scranton Grant?  
25 MR. DIBILEO: What is it, Andy?  
0016  
01 MR. SBARAGLIA: The Scranton  
02 Grant.  
03 MR. DIBILEO: The Scranton Grant?  
04 MR. SBARAGLIA: Uh-huh.  
05 MR. DIBILEO: I'm not familiar  
06 with that.  
07 MR. SBARAGLIA: Well, your  
08 legislation gave \$100,000 and some to this lawyer's  
09 office when they gave that building to fix it, and they  
10 called it the Scranton Grant.  
11 MR. DIBILEO: Is that the name of  
12 it?  
13 MR. SBARAGLIA: That's what they  
14 called it. I wonder how do you apply for it.  
15 MR. SAUNDERS: I believe that's  
16 through OECD. That's an OECD project.

17 MR. SBARAGLIA: And we call it the  
18 Scranton -- that means some of these people that were  
19 flooded have the opportunity to apply for any of these  
20 grants to fix their homes or so forth like that, or is  
21 this only for certain individuals?  
22 MR. SAUNDERS: Yeah, I think you'd  
23 have to go to OECD and discuss that with them. I don't  
24 know what the rules and regulations are, but I know  
25 it's an OECD project.

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01 MR. SBARAGLIA: Well --

02 MR. DIBILEO: Jay, can you try to  
03 get information for Andy on that?

04 MR. SAUNDERS: Yeah.

05 MR. SBARAGLIA: It'd be nice to  
06 know because a lot of people did get flooded, and it  
07 would be nice to know that there's money available to  
08 help -- well, like, this person is getting money to fix  
09 their building up there, we gave him, and not even a  
10 transfer we payed for the old building and --

11 MR. DIBILEO: The director of the  
12 Office of Economic and Community Development, Sara  
13 Hailstone, is scheduled to be here next week on another  
14 matter that we'll be voting on, and possibly we can ask  
15 her that question next week for you.

16 MR. SBARAGLIA: I would, because  
17 the people that were flooded, this is one of the things  
18 we can do. We had the opportunity when you came up  
19 with the other grants, where the OECD money was going,  
20 but you only had \$168,000 that you put in for  
21 renovation, and you had, like, a half a million for new  
22 homes.

23 When I asked you why couldn't you  
24 sort of swap this over and give these people a break  
25 that got flooded, there must be a way to help them

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01 other than what the government, because I don't know if  
02 the government money covered all their problems,  
03 because I heard that the flood this time was even worse  
04 than the last one.

05 MR. DIBILEO: We'll try to ask her  
06 that next week.

07 MR. SBARAGLIA: Now, I did a  
08 little homework on your proposal to bring in that \$52  
09 occupational privilege tax, and I went over some of the  
10 figures.

11 A single person earning \$18,000 a  
12 year is the breakoff point. If you earn more, you are

13 going to come out ahead. If you earn less, you're  
14 going to get nailed, a slight increase, depending how  
15 much you actually earn, but that's the breakoff point.  
16 The only advantage to the city is  
17 the out of towners. Even if you make \$50,000, I think  
18 I figured it out to be, like, \$23 to a plus, you are  
19 going to get it if you were in the city, but the out of  
20 towners -- the brunt is going to fall on the out of  
21 towners. They're going to get an increase from \$10,  
22 like you said, up to \$52, which is a \$42 increase.

23 MR. DIBILEO: That's the direct  
24 result, if it were to be implemented, but I would like  
25 to say that indirectly, I think both residents and  
0019

01 non-residents would benefit by Scranton having an  
02 overall lower wage tax, because it's going to hopefully  
03 generate more people moving into the city adding to the  
04 pot, the tax pot, and therefore saving people in the  
05 long-run.

06 MR. SBARAGLIA: Gentlemen, nobody  
07 is going to move in here for a \$22 saving, I can't tell  
08 you that right off.

09 MR. DIBILEO: It's a step in the  
10 right direction, Andy. I mean --

11 MR. SBARAGLIA: That's all it is,  
12 and it's a baby step.

13 MR. DIBILEO: Nobody -- but every  
14 step in the right direction has to take that first  
15 step.

16 MR. SBARAGLIA: The main step in  
17 the right direction is spending. You must curb  
18 spending. You must do whatever you can to curb  
19 spending. You must give away Council fees, you must  
20 check every dollar we have in the bank to see if it's  
21 getting the maximum amount that we're allowed to get,  
22 it's to look at things.

23 I wish you'd look into that bank  
24 in Dunmore where we have all that millions sitting to  
25 see what we're actually getting out of that thing. I  
0020

01 don't know if you remember, well, you should remember,  
02 Gary, I think you were on Council, I think it was the A  
03 and C bond they combined and put up in the bank in  
04 Dunmore to be paid off over the next eight to ten  
05 years, I believe it was, I don't know if we're getting  
06 a penny interest on that --

07 MR. COURTRIGHT: Andy, can I ask  
08 you a question? I know several times you said we have

09 millions of dollars in the bank in Dunmore, and I'm not  
10 quite sure what you're referring to, could you  
11 enlighten me there?

12 MR. SBARAGLIA: Sure. I don't  
13 have the thing in front of me, but I will give you sort  
14 of a synopsis on it.

15 Originally back when we borrowed  
16 the \$72 million, we borrowed money to pay off a loan  
17 that had to be paid off down the line ten years, but we  
18 borrowed all the money to pay off that loan. We took  
19 that money and we placed it in this bank in Dunmore,  
20 and it sits up there in this bank in Dunmore, and they  
21 will pay off the loan for the next eight years, I  
22 believe.

23 When I asked in the beginning they  
24 said it was a junk bond. Well, I haven't looked at the  
25 original paperwork on the original loans to see if it  
0021

01 was a junk bond, because the interest they were paying  
02 on that loan off the top was enormous. If we could  
03 have paid off that loan, we could have saved like \$10  
04 or \$15 million, but we borrowed all the money, plus the  
05 interest.

06 MR. COURTRIGHT: And the question  
07 that you're asking us is what?

08 MR. SBARAGLIA: Exactly what we're  
09 getting out of it. We're going to pay off the loan  
10 through.

11 MR. COURTRIGHT: So, maybe, Jay,  
12 maybe we can ask Mr. Kresefski to explain that to us,  
13 because I know Andy has brought it up on more than one  
14 occasion, I wasn't quite sure what you were talking  
15 about.

16 MR. SBARAGLIA: And that's what  
17 interest we're getting on this loan. I mean, if we're  
18 getting 1 percent on a loan, even though we did borrow  
19 the money at a low rate at that time, I think it was,  
20 like, 5 percent or something like that. I wish  
21 you would check into it, though.

22 MR. COURTRIGHT: I think  
23 Mr. Kresefski would be happy to answer that for us.  
24 Jay, if you can answer ask him that, I'd appreciate it.

25 MR. SBARAGLIA: Okay. Thank you.  
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01 MR. COURTRIGHT: Thank you.

02 MR. DIBILEO: Thank you, Andy.

03 Les Spindler.

04 MR. SPINDLER: Good evening,

05 Council. Les Spindler. I couldn't make it here last  
06 week, so I would like to wish everybody a happy,  
07 healthy new year.

08 MR. DIBILEO: Thank you. Same to  
09 you.

10 MR. SPINDLER: The first thing I  
11 want to talk about is a problem I have, I brought it up  
12 before the last Council.

13 A few years ago they put in -- I  
14 live on a corner lot, they put in the handicap  
15 accessible corners, every time it rains or snows, all  
16 the water from the streets collects on my sidewalks.  
17 After that storm last Thursday, I  
18 had three inches of water on my sidewalks, I couldn't  
19 get out my front door. Now, maybe over a year ago  
20 Mike Luciani did come up and look at it, and he says  
21 the only thing we can do is actually raise my sidewalks  
22 up.

23 But the corner should have been  
24 sloped out into the street, they're sloped coming down  
25 into my sidewalks. I mean, it's a problem the city  
0023

01 made, and I don't think I should be responsible to pay  
02 thousands of dollars to have my sidewalks raised up.  
03 I'm a taxpayer. They are city  
04 owned sidewalks. I don't think it should be my  
05 problem. Now, when they get flooded in the winter when  
06 it freezes, I have a skating rink outside my house.  
07 So, people can fall, sue me, and it's not a problem I  
08 created, the city created the problem.

09 MR. DIBILEO: Jay, Les said that  
10 Mr. Luciani was out there, would you ask him if he has  
11 any feedback from that visit over a year ago?

12 MR. SPINDLER: And this was over a  
13 year ago, and Mike said, All right, I'll get back to  
14 you on this, and he never did.

15 MR. SAUNDERS: Les, can you leave  
16 your address with Kay so I know where we're talking  
17 about?

18 MR. SPINDLER: Okay.

19 MR. SAUNDERS: Thanks.

20 MR. SPINDLER: Okay. Next thing,  
21 the last meeting I was at was a few meetings ago, I  
22 brought up a problem a friend of mine had about -- it  
23 was in back of his house on Merrifield Avenue and  
24 Dewy Avenue, and I know he spoke to Mr. Saunders, and  
25 I'm wondering, Jay, if you heard anything about Robert  
0024

01 Vaughn, you spoke to him?

02 MR. SAUNDERS: Yeah, I spoke to

03 him about that. I told him that the letter has been

04 sent out and I'm just waiting for a response. And as

05 you saw before, it could be four to six months, that

06 was the average on some of the things.

07 So, I don't think that's going to

08 happen overnight, but the letter has been sent out.

09 MR. SPINDLER: Okay. I'll let him

10 know. Another thing, I think it was back in the

11 summertime I brought up what I thought was a very

12 dangerous intersection and at North Washington and

13 Marion, and Mr. Saunders said they were doing a traffic

14 study on it, has there been any word on that?

15 MR. SAUNDERS: There was a traffic

16 study done on that. They sent their -- they checked

17 the accidents that occurred there. A traditional

18 traffic study they did up there, and they think that

19 everything is all right.

20 The site distance from the stop

21 signs was all right, the accident reports weren't high.

22 That's the report that --

23 MR. SPINDLER: To me, it doesn't

24 make any sense. To me, the stop sign should be on

25 Washington Avenue where you look up and down.

0025

01 You go up Marion, you come to the

02 stop sign, then you go past the stop, sign there's

03 another street coming over. I think it's ridiculous,

04 but what are you going to do? All right. Thank you.

05 MR. DIBILEO: Thanks, Les. Jay, let

06 us know what Mr. Luciani might have to say about his

07 visit out there. Erik Johnson.

08 MR. JOHNSON: Good evening, City

09 Council, Lisa, and staff.

10 MR. DIBILEO: Good evening, Erik.

11 MR. JOHNSON: Erik Johnson,

12 Scranton. Explanatory meaning of facts. Gary DiBileo,

13 I meant to ask you last week, does the occupational

14 privilege tax or the municipal emergency job tax mean

15 the same thing as we speakers and citizens call the

16 commuter tax?

17 MR. DIBILEO: No.

18 MR. JOHNSON: It does not?

19 MR. DIBILEO: The answer is no.

20 The commuter tax was something that was abolished years

21 ago. The occupational tax is something different than

22 that.

23 MR. POCIUS: And the municipal  
24 emergency job tax is different from the commuter tax?

25 MR. DIBILEO: Yes, that's right.

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01 MR. JOHNSON: It is? Oh, I  
02 apologize to think that you were otherwise --

03 MR. DIBILEO: I mean, anyone can  
04 correct me if I'm wrong, but I believe that they are  
05 not --

06 MR. WALSH: It is different. The  
07 commuter tax is a different tax than the EMS tax.

08 MR. JOHNSON: Because I thought I  
09 was getting the runround or furtively in a manner and  
10 demeanor by you, Gary. But I apologize, I'm wrong, and  
11 you are right.

12 MR. DIBILEO: I'm glad you brought  
13 it up, because it should be noted that this is not a  
14 commuter tax.

15 MR. JOHNSON: People are thinking  
16 that it is a commuter tax.

17 MR. DIBILEO: And it And it  
18 absolutely is not.

19 MR. JOHNSON: All right. Thanks.  
20 Thank you very much. But anyway, I brought it up weeks  
21 ago on behalf of our Scranton citizens that it would be  
22 a good idea to bring back the commuter tax, and after  
23 it was said last week, it was a shame that it wasn't  
24 amended in the city budget of 2005.

25 The commuter -- well, the job tax  
0027

01 by a new state law allows city boroughs and towns to  
02 increase the municipal tax up to \$52, if the money is  
03 earmarked for property tax reduction, road work, oh,  
04 and, yes, let's not forget the police and firemen  
05 emergency services.

06 A certain person like to convey  
07 this in a furtively way, manner or demeanor. Anyway, we  
08 need the job tax now, not next year or we need also the  
09 commuter tax installed, otherwise we may have to take  
10 out another loan at the end of next year.

11 Also, there should be concern  
12 about replacing tax money that was earmarked for  
13 specific purposes.

14 The property taxpayers of fixed  
15 incomes are not at all excited about the new legal  
16 gambling law that's supposed to help lower property  
17 taxes by maybe 2006. Because by the time the 48  
18 percent increase county taxes and raise of the utility

19 bills, such as heating, gas and oil, electric and  
20 others kick in this year 2005, the fixed income will  
21 lose the American dream, their house to foreclosure to  
22 the banks and wealthy buyers that are going to buy the  
23 foreclosed houses.  
24 The elderly low income who worked  
25 all their young lives paying most of the mortgages all  
0028  
01 will lose their to the wealthier buyers and banks.  
02 Instead of political petition polls, there is a more  
03 important economic poll, people unable to afford  
04 necessary health care.  
05 MR. JOHNSON: There was a  
06 conversation between the two of us, so I don't want to  
07 be taxed by that time. Health care, 53 from 37  
08 percent, not enough money for retirement, 50 percent up  
09 from 37 percent, losing their homes, 35 percent up from  
10 26 percent, losing their jobs, 32 percent up from 26  
11 percent, being able to maintain their standard of  
12 living, 40 percent up from 29 percent.  
13 The Scranton property owners need  
14 to be thankful that the city and school taxes will not  
15 be increased for the year 2005. School board still has  
16 \$1,500,000 for new school textbooks.  
17 Thank you, Bob Bolus, for the  
18 Christmas dinner and takeouts on Christmas Day. Others  
19 and myself would have had no hot cooked Christmas meal.  
20 I will never forget your generosity and care you gave  
21 to me and 2000 others.  
22 God Bless our troops in Iraq and  
23 Afghanistan and hope that the war ends soon so all can  
24 come back safe. Thank you very much. Erik Johnson.  
25 MR. DIBILEO: Thank you, Erik.  
0029  
01 Bob Neveroski.  
02 MR. NEVEROSKI: Robert Neveroski,  
03 304 Prescott Ave., Scranton. Members of Council,  
04 ladies and gentlemen, I asked a question the week  
05 before last, to lose the arbitration case of DPW, what  
06 did it cost in attorney fees, did we ever find out?  
07 MS. EVANS: I don't believe.  
08 MR. NEVEROSKI: Okay.  
09 MR. SAUNDERS: No, that --  
10 MS. EVANS: You did?  
11 MR. SAUNDERS: Actually that's  
12 another letter we sent out and didn't get anything back  
13 on that yet.  
14 MR. NEVEROSKI: Okay. During the

15 course of the summer, I had run into Police Officer  
16 McEntire, who got the new police dog, and he had told  
17 me at the time he was going to get that dog, and a  
18 little history of the Hill Neighborhood Association, we  
19 had bought three general purpose dogs for the city, we  
20 bought the city a drug dog, Hobbs, and we bought the  
21 county Raven.  
22 And Raven is still on duty, and we  
23 understand Hobbs is up at the Housing Authority still  
24 working. We had bought through the generosity of Gene  
25 Barrett, a bicycle, and Tommy Hashem, the owner of Good  
0030  
01 Fellas, he had bought a bicycle.  
02 So, when I talked to Officer  
03 McEntire, I told him the Hill would like to donate a  
04 couple dollars for the purchase of his dog, not for the  
05 purchase, but a couple dollars towards it, and he said  
06 he would appreciate it, but to get in touch with  
07 Chief Elliot.  
08 So, I ran into Chief Elliot and I  
09 said we would like to donate a couple dollars, and the  
10 city said the city would be very happy to have it. So,  
11 I put a little fundraiser around the Hill, and we got  
12 \$500 that we come up with, I approached Mr. Hashem, the  
13 owner of Good Fellas, and he generously donated \$300.  
14 So, I would like at this time, and  
15 told the chief I had the money, but I'm unable to make  
16 it down City Hall and I forgot about it, so I figure  
17 the best thing to do is come down and get it into the  
18 pipeline.  
19 So, if it's okay with you,  
20 Mr. DiBileo, I'd like to present the city two checks  
21 for \$800.  
22 MR. DIBILEO: Absolutely, Bob.  
23 Thank you very much. I would say that Kay is the one  
24 to hang onto these. Kay, can I turn them over to you?  
25 MR. NEVEROSKI: Always a pleasure  
0031  
01 to take money, right?  
02 MR. DIBILEO: That's right.  
03 Appreciate it very much. Send our thank you to the  
04 entire Hill Neighborhood Association, Bob. Appreciate  
05 that.  
06 MR. POCIUS: Mr. President, I  
07 think later on under motions we should make a motion to  
08 accept those donations. I think we have to accept the  
09 donation through a motion of council. We can do it --  
10 anyone can do it later, okay, officially accept it?

11 MR. DIBILEO: Very good. Thank  
12 you. Larry McAndrew.  
13 MR. McANDREW: Larry McAndrew,  
14 Scranton resident. Good evening, Council.  
15 MR. DIBILEO: Good evening.  
16 MR. McANDREW: Larry McAndrew,  
17 Scranton resident.  
18 MR. DIBILEO: Good evening.  
19 MR. McANDREW: First off, I'd like  
20 to say last week I left this Council meeting with a  
21 positive attitude. I thank Mr. Courtright for his  
22 suggestion on trying to find a way to get grants for  
23 our police department and maybe to help out our fire  
24 department, I think that's great.  
25 Also, President DiBileo, I think  
0032  
01 your ideas of lowering the wage tax is outstanding.  
02 Any way we could have money raised, additional revenue  
03 come into this city is an asset.  
04 MR. DIBILEO: I agree, yes.  
05 MR. McANDREW: I also want to say  
06 I read in this morning's paper about our Mayor Doherty.  
07 An article was said about the quality of life here in  
08 Scranton and about Nay Aug Park, how he wants to make  
09 that a 12-month a year park.  
10 I say to Mr. Doherty, I suggest  
11 you just make it three months. Those three months are  
12 June, July and August, when our children are out of  
13 school and want to use that pool. Make it free. There  
14 should be no charge at all.  
15 In this article I read this  
16 morning, Mr. Doherty is congratulating corporations and  
17 businesses have raised almost \$100,000 for the lights  
18 at Nay Aug Park.  
19 If these businesses could do this,  
20 they also could raise money to help pay off that  
21 waterslide. Make this waterslide free for our  
22 children.  
23 Also, last week at this meeting  
24 there was a gentleman here, his name is Michael, I  
25 don't recall his last name, he gave a suggestion, the  
0033  
01 suggestion was to look into alternatives to bring  
02 industry into here.  
03 This is what we need, people, this  
04 is what this city needs. We need to increase our tax  
05 base. We need to increase our population. I suggest  
06 that Mayor Doherty focus in on doing this in his

07 remaining time as administrator at the present time, I  
08 suggest that Council work and cooperate with him, I  
09 suggest that our state legislators, our state  
10 representatives, our chamber of commerce, and all  
11 others get involved and take up this man's suggestion.  
12 This is the way of the future.

13 This is the way to go. If  
14 Allentown has a possibility of doing this, getting in  
15 this industry, why not Scranton, PA? Thank you.

16 MR. DIBILEO: Thank you,  
17 Larry. Very well said. Lee Morgan.

18 MR. MORGAN: Good evening,  
19 Council.

20 MR. DIBILEO: Good evening.

21 MR. MORGAN: I think the first  
22 thing I'd like to concentrate is the \$52 fee, the tax,  
23 the new tax the city is going to enact probably  
24 sometime in the near future, if it decides to do so.  
25 The best thing to do with that tax

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01 is to spread it out, at least that would be my  
02 recommendation for a tax of that type.  
03 I think the most productive use of  
04 that tax would be to take \$20 of it and put it to  
05 long-range debt so we can pay our debt down, I'd take  
06 another \$20 of it, and I'll go six for the playground  
07 program, six for senior citizens centers, and the other  
08 \$20, I would use to use whatever the \$15 and \$10 was  
09 originally used for by the city, whatever the  
10 occupational privilege tax actually funded, and that  
11 way you'd actually have an increase in revenue, even as  
12 you were paying down debt and furnishing services to  
13 the senior citizens, like the craftsmen center and  
14 maybe enhance the youth program in the summer, and I  
15 think it would be a very productive thing for the city  
16 to do.

17 The other thing is we're talking  
18 about having five different drop-off points for  
19 Christmas trees in the city, and I was under the  
20 understanding that the city had its own chipper; is  
21 that true? Does the city still have a chipper?

22 MR. SAUNDERS: Yes.

23 MR. MORGAN: Then why don't we  
24 have the chipper go out and go through the neighborhoods  
25 and just take the trees and chip them as they go along,  
0035

01 and when they fill the chipper truck up, take them down  
02 to the recycling center and dump them?

03 MR. SAUNDERS: That's actually  
04 what they're doing at those drop-off points, they're  
05 chipping them there and taking them to the recycling  
06 center.

07 MR. MORGAN: I think that's a good  
08 idea, but I also by the same token believe the chipper  
09 truck can run through the neighborhoods and just map  
10 out the city, and if the garbage collection on a  
11 certain place in Scranton is on Monday, send the  
12 chipper truck behind it, and that way what you're doing  
13 is you are taking care of the problem, and at the end  
14 of the day, send the chipper truck to the drop-off  
15 point, and then just chip all the trees up and take  
16 them right to the recycling center, and it's done.

17 I mean, instead of -- you know,  
18 you have to realize you're asking people to put trees  
19 where, in their car or in their pickup truck and then  
20 you're asking them to drop them off at a drop-off  
21 point, and that is a good idea, but the chipper has  
22 wheels on it, and I can't understand why we wouldn't  
23 want to do that, because the same thing would get done.

24 I mean, you ask residents to pile  
25 all their leaves up, and they sit there and they sit  
0036

01 there and they sit there, I mean, when in all reality  
02 what you have to do is you have to get the piece of  
03 equipment out and get started, and it might take a  
04 month to get all those trees.

05 But you know something, it will  
06 get done, and I think that that's important is that you  
07 begin a task and you finish it, and that's what's  
08 important. The time frame isn't always the most  
09 important thing. It's just progress.

10 And the other thing I'd like to  
11 say is that myself and a couple other interested  
12 individuals plan to hold a public meeting in the city  
13 somewhere, probably sometime in February to try to find  
14 out what the residents, not what we think, not the  
15 people who come to Council all the time, okay, because  
16 everyone knows what we think, okay, I mean, you know,  
17 like it or not like it, but to go out and find out what  
18 every person in the City of Scranton believes is the  
19 right direction to take this city.

20 Because elections are coming,  
21 Council is going to be up for election, the mayor is  
22 going to be up for election soon, and I think it's  
23 important to find out what the average city resident  
24 believes the problems are and what they think the

25 solutions are, and then what we would like to do is we  
0037

01 would like to do something like the  
02 University of Scranton does, maybe at the new high  
03 school, to invite all the candidates to come in and  
04 take questions from the audience with no, you know, no  
05 real format. We're not going to give anybody an  
06 opportunity to know what the answer to the question is,  
07 it's just going to be a free-flowed thing where  
08 somebody is going to ask a question and then you give  
09 it the best answer you can.

10 And the format will be open to the  
11 mayor and anybody else who wants to go. And I think  
12 that's important, because we come here week after week  
13 after week and we present the same issues a lot of  
14 times, because there's been no solutions to the  
15 problems that confront this city.

16 When you even take a look at this  
17 .2 percent wage tax decrease, that was done before, and  
18 it was brought up to 2.4, and such an anemic decrease  
19 in the tax is irrelevant. The tax has to completely go  
20 away, it has to go to zero.

21 We have to do something with the  
22 mercantile tax, we have to find new answers to old  
23 problems, and maybe the residents in this city have  
24 some answers, and that's what we have to look to.

25 Because when he look to the  
0038

01 problems, we know who to tax, but the problem is  
02 everybody is leaving, properties aren't selling. I  
03 mean, we're even charging 2.2 percent to transfer your  
04 property to get out of here.

05 I mean, you know, we've got to  
06 find a new direction, and I hope to see you Councilmen  
07 and anybody else interested in higher office at that  
08 meeting. Thank you.

09 MR. DIBILEO: Thank you,  
10 Mr. Morgan. Thank you. That's it for the sign-in  
11 sheet. Any other speakers?

12 MR. GERVASI: Good evening, ladies  
13 and gentlemen. My name is David Gervasi, I'm a  
14 firefighter with the City of Scranton and a city  
15 resident.

16 MR. DIBILEO: Good evening.

17 MR. GERVASI: I should be brief  
18 tonight. A friend of mine called me, he's a fellow  
19 firefighter, and asked me if I saw the show on  
20 Channel 61 called Conversations with Chris Doherty. A

21 few statements were made by the mayor on that show, so  
22 I just want anybody that saw that show to not believe  
23 it. I'm going to actually give you some facts and the  
24 truth on the statement he made.

25 If you're not familiar with that  
0039

01 show, I like to call it the Chris Doherty Scripted  
02 Public Relations Show, is what I like to call it,  
03 because that's what it seems to be.  
04 He made a statement, they talked  
05 about -- they got on the subject of overtime in the  
06 different departments in the City of Scranton, and he  
07 made a statement that since the DPW settled their  
08 contract under the recovery plan, everything is really  
09 good there and they made moves to lower overtime in the  
10 police department, and that's really good, but they  
11 still have to do something about the fire department's  
12 overtime.

13 Now, when you listen to his  
14 statements -- as a matter of fact, he even went on to  
15 say that at any given time a third of the firefighters  
16 that are on duty are on overtime.

17 Well, that's entirely not true.

18 Actually there's not a shred of truth in that  
19 statement, it's completely wrong. If that was the  
20 cases, as a member of my union brought up to me, our  
21 overtime budget would be \$2.9 million, if that was the  
22 case, and it was a little over \$400,000, \$407,314.71,  
23 to be exact. So, that was completely misleading, the  
24 statement he made.

25 He went on to say -- when you are  
0040

01 done watching that show, he went on to say that the  
02 city still has to implement the recovery plan, and as  
03 soon as we get this darn fire department, you know, in  
04 order, and we have the management rights to do it, it  
05 will be all nice and peachy, just like the DPW and  
06 everything else.

07 Here's the rest of the story. In  
08 2003, the fire department expended \$516,947.85 on  
09 overtime. In 2004, last year, It was reduced by  
10 \$109,633.14. So, the astronomical price of overtime in  
11 the fire department isn't exactly what he leads you to  
12 believe it is.

13 The other thing was he blamed the  
14 overtime in the fire department on the structure of the  
15 fire department's contracts because he can't do  
16 anything about it because he has no control whatsoever

17 over anything.  
18 Maybe I should remind him of the  
19 1992 recovery plan, where we didn't ask for overtime,  
20 and Mayor Connors didn't ask for overtime. The  
21 Pennsylvania Economy League said, This is awful drastic  
22 and awful but we want to knock off 50 firefighters from  
23 your department.  
24 We accepted it, because it was  
25 through attrition, we figured once and for all it's  
0041  
01 enough money to save the city. Through mismanagement,  
02 that didn't exactly happen in hindsight, but they knew  
03 they couldn't close firehouses because of the public  
04 safety concerns and response times, they knew they  
05 didn't want to reduce any way that we have our  
06 responses, and what they did was is they tapped in  
07 \$500,000 for overtime to properly man our vehicles  
08 safely.  
09 So, I just want to remind the  
10 mayor that we didn't ask for overtime, it was forced on  
11 us on a recovery plan.  
12 Like I said before, the other  
13 thing when they said, you know, the mayor now has  
14 control of DPW, he has the overtime implemented on  
15 them, shoved it down their throat, now he has control  
16 and everything is really good, and one of the reasons  
17 why he had to do that is because of the astronomical  
18 costs of overtime.  
19 Well, I just got some city  
20 documents here, the final documents from the 2004  
21 budget. Since Mayor Doherty took over control over  
22 DPW, last year, 2004, the traffic maintenance  
23 department was \$2,685 over budget on overtime; the  
24 parks and recreation department was \$5,607 over budget  
25 on overtime; parks/other, I know exactly what that  
0042  
01 means, I think that means because he has control, he  
02 could pull refuse employees and highway employees in to  
03 do his pet projects at Nay Aug, they were \$104,132.53  
04 over budget on overtime; the refuse department, because  
05 he pulled those people to do his pet projects at Nay  
06 Aug got behind on garbage, and those guys had to work  
07 on Saturdays to catch up, that department was  
08 \$84,555.55 over budget on overtime, and the highway  
09 department was \$64,603.58 over budget on overtime.  
10 So, it seems when  
11 Mayor Doherty gets control with the recovery plan and  
12 he's supposed to save money, it's not exactly how it

13 turns out.  
14 The reason why he says those  
15 things in these programs is just his attempt to  
16 continue to ridicule the public safety employees and to  
17 deflect the attention from his frivolous spending in  
18 a nutshell.  
19 He can talk all he wants. It  
20 doesn't exactly work out, because the facts show it  
21 doesn't work out what he's saying.  
22 And just one more point about Nay  
23 Aug Park, I had an interesting conversation with a  
24 relative of mine. He was driving by Nay Aug Park and  
25 he saw two of his friends from Dunmore that were  
0043  
01 walking, and he just stops and says, Hey, how you  
02 doing?  
03 He hadn't seen them in a week.  
04 And they said, Oh, we come up here every day. This  
05 park is absolutely gorgeous. We walk here every day,  
06 we come up every day, and if there's anything going on  
07 here, we come here ever day. And they said, We can't  
08 believe how nice it is. And they said, But thank God  
09 we live in Dunmore and that we don't have to pay for  
10 it. Thank you very much.  
11 MR. DAVIS: Jim Davis. There has  
12 been a wealth of information here tonight. The young  
13 lady who got up first and gave you a full rundown of  
14 what the city needs, how it can move, how it can  
15 change, right to the very last guy that was here.  
16 There's a lot of intelligence  
17 against on both sides of the aisle, and it behooves to  
18 us to understand it. My problem is, I don't understand  
19 this 6-D.  
20 Now, you said we don't have a  
21 commuters tax, and I'm saying that if my daughter or my  
22 son goes out and works at McDonald's and has to spend  
23 \$15 of that in a tax being a resident, am I wrong when  
24 I say that \$10 for the resident and \$15 for a  
25 non-resident?  
0044  
01 Now, there's no sliding fee to  
02 this? In other words, if you make \$500a week, as  
03 adverse to \$100 a week or \$150 a week, you're still  
04 going to lose the same amount of money? Does that make  
05 sense?  
06 MR. DIBILEO: Yeah. That tax has  
07 no relation to the amount of money that someone would  
08 earn, it's a flat fee, Jim. It's \$10 for non-residents

09 that live outside the city but work in the city, and  
10 it's \$15 for residents of the city that live here and  
11 work here, and it's regardless of how much money is  
12 earned by the individual. And it's --

13 MR. DAVIS: But it doesn't seem  
14 fair. You're still hurting the little guy. The guy  
15 who doesn't have the college degree, the guy who  
16 doesn't have the income, but yet he's supporting just  
17 as many children at home, he's trying to pay rent on  
18 the same property as everybody else, but it seems as  
19 though we keep hurting the person that doesn't make  
20 that much.

21 MR. DIBILEO: Jim, do you realize  
22 that that's an annual fee?

23 MR. DAVIS: Yes.

24 MR. DIBILEO: Yeah. Okay.

25 MR. DAVIS: It doesn't matter if  
0045

01 it's an annual fee or if it's --

02 MR. DIBILEO: Right. Okay. I  
03 wasn't sure if you were aware of that.

04 MR. DAVIS: For a kid, it's a fee.

05 MR. DIBILEO: There's no income  
06 exemption? Is it \$12,000 on the occupational  
07 privilege?

08 MR. SAUNDERS: No, I believe it's  
09 \$1,000. It's very minimal in comparison.

10 MR. DAVIS: So, there is an income  
11 exemption?

12 MR. SAUNDERS: Yeah. But it's  
13 minimal compared to the new emergency municipality  
14 services.

15 MR. DAVIS: In other words, those  
16 that make less than \$10,000?

17 MR. SAUNDERS: I believe it's  
18 \$1,000.

19 MR. DAVIS: A \$1,000?

20 MR. SAUNDERS: If you earn --

21 MR. DAVIS: Less than \$1,000 a  
22 year?

23 MR. SAUNDERS: -- less than \$1,000  
24 a year, you're exempt from that.

25 MR. DAVIS: Less than \$1,000 a  
0046

01 year?

02 MR. SAUNDERS: A year.

03 MR. DAVIS: Are you serious?

04 Okay. I think we have to go back and do some homework.

05 Maybe we need more. It doesn't seem right. It really  
06 doesn't seem real.  
07 But the trickle down theory is in  
08 place. And I realize that it's voodoo economics, it's  
09 a trickle down theory, the whole thing comes to the  
10 very same thing again where the bottom people or the  
11 people at the bottom of the realm are the ones that are  
12 going to be paying through the nose or receiving less  
13 through the nose.  
14 It's time for maybe be a  
15 revolution, maybe it's time for us to talk about  
16 changing things around here.  
17 I'm not a complainer, I don't like  
18 to complain, I don't like to get up here and complain  
19 about the situation as it stands, and I haven't used  
20 the word racism in an awful long time, but I keep  
21 finding out that everything that flows downward has us  
22 at the bottom of the barrel, jobs, education, etc.,  
23 etc., etc.  
24 I have the kids from the  
25 Progressive Center go out and just canvas Boscov's to  
0047  
01 find out how many employees they have there and how  
02 many of those employees are minorities, not how many  
03 spend their money there, but how many people are  
04 employees there. The number is horrible. And they're  
05 computing them now and I'll bring them into you next  
06 week. I'll give you the actual figures.  
07 The kids are starting to wonder,  
08 Should I go there and spend my money? What are my  
09 possibilities of getting a job there? What are the  
10 possibilities of my brother or my sister or my parent  
11 getting a job at somewhere like Boscov's? So, thank  
12 you very much. I got done right on time.  
13 MR. DIBILEO: Thank you, Jim.  
14 MR. NEWCOMB, JR.: Good evening,  
15 Council. Charlie Newcomb. Some people were shocked to  
16 see me here this evening, but like I stated last week,  
17 the intimidation doesn't go over very well to me  
18 personally, but hopefully it won't be taken out on  
19 people that are close to me.  
20 So, I'm just going to ask, I  
21 guess, a bunch of questions and tone it down a little.  
22 First, to say, I guess, Mrs. Evans, you're pretty luck  
23 to have to wait four or five months for questions,  
24 because I've been waiting 15 months for one in  
25 particular, and I was wondering if you got any response  
0048

01 on that, Mr. Saunders, regarding the Gibbons Firm.  
02 MR. SAUNDERS: That question has  
03 been sent down, if I'm not mistaken, Kay, three times.  
04 Three times, no answer.  
05 MR. NEWCOMB, JR.: Okay. Then I  
06 have full intentions tomorrow to follow all legal  
07 ramifications to get an answer, because for anybody --  
08 well, you probably all know there's called Right To  
09 Know Act, and these people on the other end of the  
10 phone know me by my first name, because I call and ask  
11 them a lot of questions, and it was the woman that I  
12 spoke to when I had called about this particular  
13 question before and stated how I can't get an answer.  
14 She said, I get calls here often, but it seems to be  
15 that people in your government don't like to give  
16 answers to questions, so we'll continue on that  
17 legally.  
18 The \$178 garbage fee has always  
19 been a controversial issue with people throughout the  
20 city. Personally I think a per bag fee would be fair,  
21 because people who live in apartment buildings can put  
22 out a lot more garbage than a person that lives by  
23 themselves or maybe two or three family with a couple  
24 bags.  
25 So, I understand that something  
0049  
01 has to be charged, but would it be possible to change  
02 this from a fee to a tax so at the end of the year when  
03 you do your taxes, you can put it under -- you can  
04 possibly write it off?  
05 Would that be possible to do so  
06 maybe it wouldn't be as hard in the pocket, I guess to  
07 sum it all up, to pay it, if you know you're able to  
08 write it off on your taxes at the end of the year, like  
09 you do with your property tax and so on?  
10 Regarding the \$52 fee for  
11 residents and non-residents, like it was said here  
12 before, currently non-residents pay \$10 and residents  
13 pay \$15, so if you look at just that part of it with  
14 the \$10 and \$15, it seems like the people that live in  
15 the city that pay the 3.4 percent wage tax are getting  
16 hit harder in the pocket than the people that live  
17 outside the city and pay 1 percent or a little bit  
18 more.  
19 So, that doesn't make sense either  
20 that once again we're getting hit harder, and I  
21 understand that it's been on the books for a long time,  
22 but if you're going to -- if you can't do anything

23 with the \$52 fee, if you come at dead halt, change  
24 that. It's only \$5, but it's the principle of the idea  
25 that why should I live in the city and pay more than  
0050

01 people that work in the city that live outside when  
02 they pay a lower wage tax than I do?  
03 I would also like to thank  
04 everyone for their kind words of encouragement and  
05 gratitude from what I had stated here last week  
06 regarding intimidation from powers that be trying to  
07 silence people that come to this podium.  
08 I ran into, maybe just because it  
09 happened, but it seemed to me this week that more  
10 people contacted me to encourage the type of forum that  
11 happens here, and I guess this next election people are  
12 going to be really, really, really come out in numbers,  
13 I hope, and show the force of what happens.  
14 And finally the last question I  
15 had regarding -- I saw in the newspaper regarding the  
16 pension issue, it's just a question, because I'm not  
17 attacking anybody, would be, Is the city paying that  
18 bill when they -- when Mr. Hickey keeps appealing it  
19 all the time?

20 Is the taxpayers getting foot with  
21 that bill or is that being a personal bill? I just  
22 want to know if we're getting foot with that bill of  
23 the lawyer fees regarding the pension issue.

24 MR. DIBILEO: Mr. Walsh, are you  
25 familiar with the answer to that question?  
0051

01 MR. WALSH: Charlie, would you  
02 repeat your question?

03 MR. NEWCOMB, JR.: Regarding the  
04 pension regarding Mr. Pocius and Mr. Hazzouri, I read  
05 in the newspaper this week that it stated that they're  
06 going to appeal the judge's opinion of objection, and I  
07 just want to know, Are the taxpayers paying that bill  
08 for Mr. Hickey to appeal his decision?

09 MR. WALSH: I don't know in what  
10 capacity he's serving as lawyer in that particular  
11 case, so not knowing that, I wouldn't be able to answer  
12 your question. I can find that out.

13 MR. NEWCOMB, JR.: I guess then  
14 another question, I guess, would be, Is he serving as  
15 representing the city or is he representing them  
16 privately as clients, I guess would be another question  
17 to ask?

18 MR. WALSH: Exactly. And I don't

19 know the answer to that.

20 MR. NEWCOMB, JR.: All right.

21 MR. DIBILEO: Perhaps you can try

22 to find out, Jay. Thank you.

23 MR. NEWCOMB, JR.: Thank you.

24 MS. KRAKE: Good evening. My name

25 is Nancy Krake.

0052

01 MR. DIBILEO: Good evening.

02 MS. KRAKE: I was wondering if

03 Council has set a time to meet with the director of

04 OECD concerning the consultants.

05 MR. DIBILEO: Next week, Nancy.

06 MS. KRAKE: It's next week?

07 MR. DIBILEO: Probably six

08 o'clock. We haven't set the time, but generally it's

09 six o'clock.

10 MS. KRAKE: And that will be a

11 caucus meeting then?

12 MR. DIBILEO: That will be right

13 here in public caucus.

14 MS. KRAKE: And in caucus, I know

15 that citizens don't participate and Council asks the

16 questions.

17 MR. DIBILEO: Yeah.

18 MS. KRAKE: I was wondering if

19 Council would be kind enough to ask if the \$60,000, I

20 believe was the cost of the consultants or whatever

21 exactly it was, if we do not use that for them, is that

22 money then available to the citizens of Scranton

23 through OECD grants or whatever?

24 MR. DIBILEO: I see Mrs. Evans

25 writing the question down.

0053

01 MS. KRAKE: Thank you very much.

02 And actually, What are the costs of the consultants

03 that she has on board right now, so we can know how

04 much of that is being taken away from what's available.

05 It was kind of hard to hear everyone trying to decide

06 where this CDBG money went. It would be nice if we can

07 have all the money that's there available for

08 everyone. Thank you.

09 MR. DIBILEO: You're welcome.

10 MS. KRAKE: The single tax office,

11 which collects the current year taxes for Lackawanna

12 County, apparently the City of Scranton administrators

13 have declared them distressed. I don't know if anyone

14 else knows this, but it's true.

15 Just in time for their negotiation  
16 of the union workers contract. The city's labor lawyer  
17 is sending a letter to the Pennsylvania Economy League  
18 to ask them to verify that they fall under its plan.  
19 I wonder if the tax collector,  
20 Kenny McDowell, is aware that he's under the  
21 Pennsylvania Economy League's alleged recovery plan per  
22 the city's negotiating team.  
23 I don't know, Mrs. Evans, if you  
24 should start to worry if you're going to be next.  
25 Apparently this team is just, you know, looking for new  
0054  
01 venues to inflict their ridiculous recovery plan upon.  
02 I'm sure no one else wants any  
03 more of this recovery plan. All the mayor's borrow and  
04 spend style, it's a pretty scary thing, so I just want  
05 to make everyone aware of what is going on in the  
06 single tax office.  
07 And I have a suggestion, maybe the  
08 next time you send a letter from Council, you should  
09 sign a different name. Thank you.  
10 MR. DIBILEO: Thank you.  
11 MS. LASKE: Good evening, Council.  
12 Before I get to what I have here, I'd like to talk  
13 about one other thing, because when I get to this, I  
14 might not be able to.  
15 On December 19, I was down the  
16 mall with my son, I'm not going to mention what store,  
17 my five-year-old son, and he had split his head open in  
18 one of the stores, and they told us to take him to  
19 CMC.  
20 Now, my son smashed through a  
21 glass display case. He split the back of his head  
22 open, and they told us to go to CMC.  
23 Well, we left mall at eight  
24 o'clock. I did not get into CMC until a quarter of  
25 nine, and that was with me having my four-ways on and  
0055  
01 that is with me beeping my horn hysterically.  
02 I do want to thank the one woman  
03 that did let me out, because, you know, I think they  
04 thought I was a crazy woman, but I had to get my son up  
05 there, and I actually, I hope I don't get a ticket for  
06 this, but I actually went down a one-way street to get  
07 away from the traffic, because the traffic was all the  
08 way down to Turkey Hill.  
09 So, I cut down a one-way street.  
10 I made sure it was safe. I went down that way to run

11 into a roadblock. I had to cut back down where the  
12 garage is. I got out into traffic after getting out of  
13 my car and telling them that my son was bleeding, that  
14 I had to get him into the emergency room.  
15 I then backed my car into the  
16 emergency room, because I didn't want to wait any  
17 longer than I had to.  
18 So, what I'm suggesting, I have  
19 nothing against the lights at Nay Aug, they're nice,  
20 whatever, I think they're a waste, but a lot of people  
21 enjoy them, I think they need to find another route in,  
22 either the way they come out, let them go in that way  
23 and let them come down that way, I think that would be  
24 a lot easier, because the hospital, you have to go up  
25 to get there, so that is what I would suggest if maybe  
0056  
01 next year you can reroute them down somewhere else.  
02 Because my son, I mean, he could  
03 have bled to death. He had to get staples in the  
04 back -- all the way across the back of his head, so  
05 it's a safety issue.  
06 And I'm going to try to get  
07 through this. I want to thank everybody for praying  
08 for my baby. And, Janet, I really want to thank you so  
09 much, because that message that you left me on my  
10 phone, I kept it. And every time I feel like I just  
11 can't go on, I just press that play button and I listen  
12 to it.  
13 And this is who you're praying  
14 for, this is my son, this is Jacob. And he has to go  
15 to Geisinger on the 20th, and I don't know what the  
16 outcome is going to be. I'm hoping everything is okay,  
17 but I don't know. I don't know at this point.  
18 I'm sorry, but I just wanted to  
19 thank everybody for -- you know, I don't care if  
20 anybody likes me, you know, I don't care if the mayor  
21 likes me or whatever, but, please, don't take it out on  
22 my son. Please, he needs every prayer that's out  
23 there.  
24 I would appreciate it. Like I  
25 said, I don't care if anybody likes me, I don't, but if  
0057  
01 I could trade my life for him right now, I would.  
02 Thank you so much.  
03 MS. EVANS: We're still praying  
04 for him, Judy, every day.  
05 MS. LASKE: Thank you so much.  
06 You don't know what it meant to me, you know. I don't

07 know if you got my card with his picture in it.  
08 MS. EVANS: Yes, I did.  
09 Thank you very much.  
10 MS. LASKE: Thank you so much.  
11 MS. EVANS: And your beautiful  
12 letter, too. Thank you. And you just stay strong.  
13 MS. LASKE: Thank you.  
14 MR. DIBILEO: Thank you, Judy. Our  
15 thoughts are prayers are with Jacob, and we wish him  
16 all the best. If there's no further speakers.  
17 MR. WALSH: 5-A, motions.  
18 MR. DIBILEO: Mr. McTiernan, do  
19 you have any motions or comments at this time?  
20 MR. McTIERNAN: Just reiterating  
21 the thanks to Mr. Neveroski and the Hill Neighborhood  
22 Association and Mr. Hashem from Good Fellas regarding  
23 their donation. Thank you very much. I have family  
24 members that live in the Hill, and that's a good thing  
25 that you've done. Thank you. That's all,  
0058  
01 Mr. President.  
02 MR. DIBILEO: Thank you,  
03 Mr. McTiernan. Mrs. Evans, motions or comments?  
04 MS. EVANS: Thank you. And I echo  
05 Mr. McTiernan's statements, an outstanding organization  
06 led by outstanding individuals who always rise to the  
07 occasion in the city.  
08 May 17, 2005, Primary Election Day  
09 is fast approaching. Although Pennsylvania finance  
10 rules largely focus on reporting requirements, they do  
11 not address contributions, unlike other locations  
12 throughout the nation who either have done so or are in  
13 the process of doing so.  
14 Caps on campaign giving are  
15 exercised in Baltimore, where both individual and  
16 packed contributions are limited to \$4,000 per election  
17 cycle and Cleveland, where potential contributions are  
18 limited to a maximum \$1,000 in packs at \$2,000.  
19 Here in Pennsylvania, Philadelphia  
20 has been working on such legislation. Beginning in  
21 2003, they would like to cap individual giving at  
22 \$1,000 per election cycle and packs at \$5,000.  
23 In December 2004, Pittsburgh  
24 Councilman, William Paduto, introduced legislation to  
25 cap individual contributions at \$2,000 per four-year  
0059  
01 election cycle and \$4,000 per packs.  
02 Very persuasive in our city is an

03 attitude that city government operates on a pay to play  
04 system. The larger the campaign contribution, the  
05 larger the contract, KOZ appointment or salary plum  
06 that one will receive.

07 To halt these rumors, and in some  
08 cases actual occurrences of pay to play, there must be  
09 legislation created by Council to cap campaign  
10 contributions to city campaigns for Mayor, Council and  
11 Controller.

12 I would propose a \$1,000 cap on  
13 individual contributions and a \$2,000 cap on political  
14 action committees, such as unions, law firms and other  
15 political candidates, etc.

16 There would be no limit, however,  
17 on a candidate personal contribution to his or her own  
18 campaign. Further, if an individual firm or company  
19 contributes to any city office campaign; that is,  
20 specifically Mayor, Council or Controller, they will be  
21 prohibited from receiving contracts with the city  
22 during that four-year election -- during that four-year  
23 election cycle.

24 I believe caps are good government  
25 measures which provide safeguards against no-bid  
0060

01 contracts, unnecessary job creations and unqualified  
02 candidates for employment, all of which stand to  
03 squander taxpayer dollars.

04 Therefore, I move that an  
05 ordinance be created by Council solicitor to cap  
06 individual campaign contributions at \$1,000 and pack  
07 campaign contributions at \$2,000 per four-year election  
08 cycle. This ordinance will not limit a candidate's  
09 personal contributions to his or her own campaign.  
10 Further, this ordinance shall apply to the Mayor,  
11 Council and Controller and shall take effect  
12 immediately upon Council's approval. I so move.

13 MR. COURTRIGHT: I'll second it.

14 MR. DIBILEO: We have a motion on  
15 the floor and a second. On the question? On the  
16 question, Mr. Walsh?

17 MR. WALSH: Yes. I wasn't able to  
18 write everything down, but I'm sure Kay over there, who  
19 is working diligently with that pen was able to get  
20 most of that motion down, but essentially you're asking  
21 that I try and draft something that goes with what  
22 you've just spoken about, and of course it would have  
23 to come before the body; is that correct?

24 MS. EVANS: Uh-huh.

25 MR. DIBILEO: Mr. Walsh, is this  
0061

01 something that's within the purview of our authority?

02 MR. WALSH: That's what I'd have

03 to check. I do know that what Councilwoman Evans said

04 about Philadelphia is true, they did attempt to draft

05 legislation to impose caps. I don't believe it was

06 ever introduced down there, but my suggestion, if I'm

07 given this duty, is to contact Philadelphia and get the

08 information that they used in formulating the ordinance

09 that they made but did not introduce.

10 We can also find out what other

11 discussion took place on these types of ordinances

12 throughout different municipalities in Pennsylvania.

13 So, I think initially it should be

14 an information gathering session to find this

15 information, and then what I can do is report back to

16 the board on all the information that I get.

17 I think that would be the best way

18 to carry out exactly what the motion is asking for, at

19 least at this time.

20 MS. EVANS: I agree with what

21 you're saying, and I would like the research done, and

22 if you might also contact Pittsburgh --

23 MR. WALSH: Certainly.

24 MS. EVANS: -- to learn the end

25 result of their December discussions, which purportedly

0062

01 were overshadowing budget matters at that time.

02 But the mere fact that, you know,

03 this has been developed by other Councils and proposed

04 by other Councils and voted upon by our Councils, I

05 would, I think, fairly safely assume that this Council

06 can do so, also.

07 So, I'm not going to table the

08 motion or withdraw the motion, I would like you, as I

09 said, to conduct that research, but in addition to

10 that, I would also like you to prepare the ordinance.

11 MR. WALSH: Certainly.

12 MR. DIBILEO: Anyone else on the

13 question?

14 MR. POCIUS: I have no problem

15 with looking into it, but I think we should get some

16 formal legality to it before we go rushing off and

17 preparing an ordinance really.

18 I mean, it's a legal thing. Why

19 should we do something that's really not in our powers?

20 You mentioned Philadelphia, Philadelphia has laws that

21 govern Philadelphia by itself. They have a different  
22 Council setup, they have a way different setup than us,  
23 so I have no problem with looking into it, but I think  
24 it's a little premature to just to rush out and say  
25 draft up an ordinance, when we don't know if it's  
0063

01 within our powers to do so, we governed by any state  
02 laws or anything else that actually governs this. It's  
03 just a comment really. This the first I heard it  
04 tonight, so I had no chance to even, you know --

05 MR. DIBILEO: Wasn't that part of  
06 your motion, Mrs. Evans?

07 MR. POCIUS: No, her motion was to  
08 draft it up, if I'm not mistaken. You can read it  
09 back, Lisa. That's what it was. It wasn't to look  
10 into it, it was to draft it.

11 MS. EVANS: Well, I'm not opposing  
12 looking into it, but I would also like it drafted,  
13 because I don't want to conduct a lengthy investigation  
14 that would cause this legislation to bypass the primary  
15 election.

16 I'm looking to put this into place  
17 so that it's operational prior to this primary  
18 election. And, you know, the end -- or rather my  
19 ultimate intent here is to provide a degree, a uniform  
20 degree of fairness for businesses and individuals  
21 within the city, and also to save money for the  
22 citizens of Scranton.

23 MR. DIBILEO: Yeah. We certainly  
24 wouldn't want to do anything illegal, so that will be  
25 part of what Mr. Walsh does, I'm sure. And I think  
0064

01 what Mrs. Evans is saying is she doesn't want it drawn  
02 out. She would like it to be effective, if it were to  
03 be effective, for this upcoming election season, which  
04 happens to be May 17.

05 MS. EVANS: Yes.

06 MR. DIBILEO: Okay. I'll be in  
07 favor of this. Overly large campaign contributions can  
08 sometimes lead to conflicts of interest, and we  
09 certainly don't want that happening. Anyone else on  
10 the question?

11 MR. DIBILEO: We have a motion on  
12 the floor and a second. All those in favor, signify by  
13 saying aye.

14 MR. McTIERNAN: Aye.

15 MS. EVANS: Aye.

16 MR. COURTRIGHT: Aye.

17 MR. DIBILEO: Aye. Opposed?  
18 MR. POCIUS: No.  
19 MR. DIBILEO: By a 4-1 vote, the  
20 ayes have it and so moved.  
21 MS. EVANS: Kay, I have another  
22 list for you this evening. 901 Hampton Street, a  
23 condemned house needs boarding up; 513 Cayuga Street, a  
24 letter to DPW about a snowplowing problem; a letter to  
25 the police department about quads traveling on city  
0065  
01 streets; a status report on the South Side Complex  
02 will, it be ready for use in April or has the city  
03 located an alternate complex for use beginning in April  
04 2005; are there cameras on DPW trucks yet; were the  
05 remainder of cameras purchased, and then I'll add to  
06 it, again, the costs of the DPW arbitration.  
07 And I also wanted to recognize  
08 Mr. Jack Liptai, once again, for spotting an abandoned  
09 vehicle behind 936 Capouse, which was, in fact, a  
10 stolen car.  
11 He had made this report to the  
12 police, and after their investigation, they were able  
13 to pick that up in 24 hours. I would also suggest,  
14 though, with the number of abandoned vehicles that are  
15 located in the Hill Section, that the office of  
16 inspections and the police department vigorously pursue  
17 their role in either the towing of such vehicles or at  
18 least getting these vehicles off the street. And  
19 that's all I have. Oh, just one, I'm sorry.  
20 MR. DIBILEO: DIBILEO: Sure.  
21 MS. EVANS: And I just wanted to  
22 say, today and always, I love you, Mother. It's her  
23 birthday.  
24 MR. DIBILEO: Happy Birthday,  
25 Mrs. Tomko. Thank you, Mrs. Evans. Mr. Pocius,  
0066  
01 motions or comments?  
02 MR. POCIUS: Yeah, one quick  
03 motion right here, as we discussed before. I make a  
04 motion that we accept the gifts totalling \$800 as  
05 presented by the Hill Neighborhood Association and  
06 Good Fellas Pizza, would that be correct?  
07 MR. COURTRIGHT: I'll second it.  
08 MR. DIBILEO: We have a motion on  
09 the floor and a second. On the question?  
10 Just again, just to thank the great people of the  
11 Hill Neighborhood Association, Good Fellas Pizza, Gene  
12 Barrett, I think you mentioned, also. Are we missing

13 anyone else?

14 MR. NEVEROSKI: Tom Hashem from

15 Good Fellas.

16 MR. DIBILEO: Yes. Tom Hashem

17 from Good Fellas. So, that was very generous of

18 everyone.

19 MR. POCIUS: Is that the correct

20 motion? Is that who the two checks came from, one from

21 the Hill Neighborhood and one from Good Fellas, Bob?

22 MR. NEVEROSKI: \$500, Mr. Pocius,

23 from the members of the Hill and Mr. Hashem, \$300.

24 MR. POCIUS: So it's correct.

25 Thank you.

0067

01 MR. DIBILEO: \$500, members of the

02 Hill Neighborhood Association; \$300 from Mr. Hashem,

03 owner of Good Fellas Pizza. Bob, we have a motion and

04 a second to accept the \$500 offered to the city by the

05 Hill Neighborhood Association and, also \$300 from

06 Mr. Tom Hashem, owner of Good Fellas Pizza and, do you

07 have any questions on that?

08 MR. McTIERNAN: No.

09 MR. DIBILEO: Okay. All those in

10 favor, signify by saying aye.

11 MR. McTIERNAN: Aye.

12 MS. EVANS: Aye.

13 MR. POCIUS: Aye.

14 MR. COURTRIGHT: Aye.

15 MR. DIBILEO: Aye. Opposed? 5-0

16 vote, motion passes and we appreciate that. Thank you.

17 MR. POCIUS: I really don't have

18 anything else this evening. That's all, Mr. President.

19 Thank you.

20 MR. DIBILEO: Thank you,

21 Mr. Pocius. Mr. Courtright, motions or comments?

22 MR. COURTRIGHT: Yes, Mr.

23 President. I received this letter a couple weeks back,

24 and it somehow got lost. I'm sorry about that. It's

25 from Reverend Katherine Simmons, and I'm just going to

0068

01 read a portion of it.

02 I'm writing to you about all the

03 officers assigned to this complex. They are by far the

04 most respectful and considerate young men and women

05 I've met in the police department.

06 You should be very proud of these

07 young individuals, especially Officer Joe Foley.

08 Evidently Officer Foley and some other officers showed

09 up at a Christmas party, what's written here, with two  
10 huge bags of toys and a third bag with teddy bears for  
11 the children, so it was greatly appreciated by them.  
12 And Reverend Simmons goes on to  
13 say, Officer Joe Foley, Officer Mike Albert and Derrick  
14 Green are our ideas of today's heroes. So, thank you  
15 for their support and their effort.  
16 On a not so happy note, over the  
17 last week quite a few calls, because of what I had  
18 brought up in the past about some problems over in the  
19 West Scranton area, and some people have said to me, we  
20 feel like we're being slighted over here in West Side,  
21 we hear you bring up Dale Avenue, yet no answers on  
22 Dale Avenue.  
23 The Fawnwood Driving Range, I got  
24 three calls on that. There's a hole in the road, it's  
25 not a pothole, it's some type of hole. I've been  
0069  
01 asking for about four months now to try to get this  
02 fixed.  
03 What I personally witnessed twice  
04 this past week cars going off the road, because when  
05 two vehicles hit that spot at the same time, there's  
06 just not enough room because of the hole.  
07 One went off towards the driving  
08 range and one went off on the other side of the road.  
09 And I just don't know what else to tell you people. We  
10 are certainly trying.  
11 I don't think there's anybody on  
12 this Council that's slighting West Side. Three of us  
13 live in West Side, and John's formerly from West Side,  
14 so we're sending out letters, as Jay said.  
15 I don't know what else to do.  
16 We'll just keep sending the letters and hope that  
17 something gets done. It's not that we don't care.  
18 We're trying, just not having much luck.  
19 Mrs. Evans brought up last week  
20 about the police cars. I had gone to see  
21 Director Hayes on several occasions, I kept missing  
22 him. He left me a message yesterday, I believe it was,  
23 and I hope I'm correct with the figures.  
24 I believe he said that in the next  
25 several weeks we will receive seven used police cars.  
0070  
01 Would we have liked new? Yes. But evidently we can't  
02 afford new right now, so seven used police cars, which  
03 I believe he said with a very good warranty on them, a  
04 then a transport vehicle, a brand new transport

05 vehicle, which some people might call a paddy wagon.  
06 So, we are getting some relief and  
07 there is money allocated. I hope we get more relief  
08 throughout the year, because it's sorely needed. So,  
09 as the information comes in on that, I'll forward it to  
10 everyone.

11 A woman in South Side that Kay so  
12 kindly spoke to two or three times on the phone for me  
13 today, she has a parking problem, and the police  
14 department, they were on their way over to help you,  
15 ma'am.

16 You said you watch all the time,  
17 so hopefully you're listening. I don't want to say  
18 your name on the air, I'll just say your first name,  
19 it's Pat, and there was a pretty bad accident downtown  
20 where a truck took out some utility polls or lighting  
21 polls, and the officers were tied up, and I do not  
22 think they were able to get there this afternoon,  
23 possibly coming there on this shift.

24 If not, I'm sure they will take  
25 care of your problem tomorrow. So, Kay did not lie to  
0071

01 you, she told you the truth. We just had a little bit  
02 of a problem there.

03 And one last thing, always try to  
04 congratulate any employee that does a good job. Last  
05 week a friend of mine came in from out of town that I  
06 only see once a year, and he wanted to see what city  
07 council looked like, so I brought him over here and the  
08 door was open, and I don't know how to pronounce  
09 Perry's name correctly, so I'm just going to say Perry,  
10 the gentleman that cleans in here all time, he was in  
11 here cleaning, and I'm telling you, he was in the  
12 little holes on that wood over there cleaning up.

13 He's doing an excellent job. So,  
14 my hat's off to this guy. He's one of the best workers  
15 I have ever seen in this city. And, Perry, keep it up.  
16 You're doing a great job. And that's all I have,  
17 Mr. President.

18 MR. DIBILEO: Thank you,  
19 Mr. Courtright. That's a great point that you bring  
20 up. Perry is a terrific employee, as are all the  
21 employees in this building, but, yeah, you do see him  
22 working very hard at what he does, and it's nice to see  
23 him when you come in this building. He's a friendly  
24 face that's going to give you a nice hello and sit down  
25 and make some conversation at times. So, we

0072

01 appreciate all that he does.  
02 Last week I made a motion, and it  
03 passed unanimously, to have City Council investigate  
04 the possibility of implementing the new, I'll call it,  
05 EMS tax, the emergency and municipal services tax,  
06 while at the same time in conjunction with that, but  
07 separate, possibly shave some of our wage tax off our  
08 current high rate, the city's portion of the wage tax.  
09 The total, of course, is 3.4 percent. The city's  
10 portion of that is 2.4 percent.  
11 Most other municipalities right  
12 around us and touching us are 1 percent. And as I said  
13 last week, over the course of many years, I think our  
14 neighbors have indirectly benefited from our high  
15 Scranton wage tax and we've seen population diminish  
16 over the years, and in many cases, our city residents  
17 end up moving just outside our borders to save 2.4  
18 percent in their wages.  
19 Sometimes you can't blame them,  
20 but it's recognized by this City Council as being our  
21 biggest problem, and I think we made that very clear  
22 last week by making the motion and passing it the way  
23 we did.  
24 This week I spent a substantial  
25 amount of time working on gathering information on the  
0073  
01 possibility of proposing this idea, and I just want to  
02 go down a list of people that I've spoken to, most of  
03 them at length.  
04 I spoke to Georgia Earp, from the  
05 Governor's Center For Local Government Services, she's  
06 with the Department of Community and Economic  
07 Development, I spoke to Amy Sturges, the Director of  
08 Governmental Affairs with The Pennsylvania League of  
09 Cities, Jack Gardener, the Executive Director of the  
10 Pennsylvania League of Cities, Charlie Waters, Recovery  
11 Plan Coordinator with the Pennsylvania Economy League,  
12 I have a call into Fred Reddick, also with the  
13 Department of Community and Economic Development in  
14 Harrisburg, but we've yet to speak, but I just called  
15 him today, so I don't blame him for not being back in  
16 touch with me yet, also today I've tried to reach  
17 Senator Mellow to explore this idea with him, and that  
18 also was just today.  
19 The first call I made was to  
20 Mayor Doherty himself, and that was the day after our  
21 meeting last Thursday. Last Friday I called the  
22 mayor's office and spoke to his secretary, Earnest, and

23 I've yet to hear back from the mayor, but I'm assuming  
24 that he also is in favor of lowering the wage taxes,  
25 like all of City Council is.

0074

01 Now, here is what I've come to  
02 find out. The EMS tax is somewhat restricted in how it  
03 can be used, but I wanted to give it everything we had  
04 to find out for sure, and that's why I talked to so  
05 many different people.  
06 Everyone believes that it's the  
07 governor's intention to help out municipalities in the  
08 state, and some of the uses for the tax are fire,  
09 police, roads, we need all of that, and a reduction of  
10 property taxes, we can certainly use that, too, but our  
11 property taxes in this city are in line with bordering  
12 communities, but our wage taxes are way out of line  
13 with our neighboring communities, so the fact that wage  
14 taxes are not specifically mentioned in the legislation  
15 may be because not everyone is in Scranton's position.  
16 I believe we have the second highest wage tax in the  
17 State of Pennsylvania.

18 But as I said last week, our  
19 neighboring communities are our partners, they would  
20 only benefit by Scranton prospering more than it is.  
21 They will only go downhill if Scranton were to go  
22 downhill financially, and God forbid were to go  
23 bankrupt.

24 So, I think that we would all  
25 benefit if this concept were to be implemented. But  
0075

01 one thing that they all said to us, that they all said  
02 to me was that they don't recommend legally that it be  
03 done or not be done, but they do recommend to get an  
04 opinion from your solicitor.

05 Mark and I had numerous  
06 conversations this week, and I kept him abreast of  
07 every one that I've talked to and what they had to  
08 say. I know that all of us up here support this idea  
09 of implementing the EMS tax, and at the same time  
10 shaving two-tenths of one percent off our wage tax.  
11 Scranton residents certainly can't  
12 afford any higher taxes, and they would have to be  
13 involved in the EMS tax. But the wage tax would offset  
14 their increase.

15 Well, Mark, let me ask you this,  
16 could you formally give us an opinion, a  
17 recommendation, on how to proceed with this?

18 MR. WALSH: Certainly. I'd be

19 happy to. Initially, I probably should just describe  
20 exactly what we're dealing with here. What we're  
21 dealing with is the wage tax, and everybody in Scranton  
22 who pays a wage tax knows exactly what I'm talking  
23 about, it's a very burdensome tax, but we're talking  
24 about a completely separate tax, which is called the  
25 EMS tax, which is an abbreviation for emergency  
0076

01 municipal services tax.

02 When this idea was initially  
03 brought up by yourself, Mr. DiBileo, I have to confess,  
04 nobody was happier than I am, because I think that  
05 would add money to everybody's pay, including my own,  
06 so that would have been the long lost raise that I  
07 never got, so I would have been happy with that, you  
08 know, that decrease in the wage tax, but there are  
09 problems.

10 I think everybody that you spoke  
11 with was very knowledgeable with respect to government,  
12 and secondly, very knowledgeable with respect to both  
13 of these taxes.

14 The EMS tax, which was not imposed  
15 in the City of Scranton, or rather not amended and not  
16 implemented in the City of Scranton basically would  
17 increase at the pleasure of the local government what  
18 was the occupational tax, to \$52, that would increase  
19 the non-residents from \$10 to \$52, and the residents  
20 from \$15 to \$52.

21 I know it was not the intent of  
22 the Council to raise the tax, but rather to see whether  
23 or not it was a mechanism through which the wage tax  
24 could be decreased.

25 Unfortunately the act itself  
0077

01 specifically designates what could be done. Initially  
02 the money from the EMS could be used right in the act  
03 for very specific purposes. One of those is police,  
04 fire and emergency services, another one is for road  
05 construction and/or maintenance, and a third is for a  
06 reduction of property taxes, and this tax is exclusive  
07 in the sense that those are the only things that you  
08 can do with it.

09 So, to lower the wage tax and at  
10 the same time impose the EMS tax, I don't believe would  
11 be a good idea, and that's my opinion.

12 I do commend you, however, for  
13 attempting to low that wage tax, and, you know, it's  
14 tough to come up with novel ideas, because sometimes

15 people will say, Well, the novel idea that you came up  
16 with couldn't be implemented, what are you doing?  
17 Well, it's comforting to know  
18 that, you know, at least people try to do things to  
19 reduce tax. I mean, I guess sometimes you just have to  
20 turn your back on the crowd to conduct the orchestra.  
21 You know, you just have to turn your back on any sort  
22 of, you know, people that may be displeased when you're  
23 trying to do things which are good.  
24 But the long and short of it is, I  
25 do agree with the entities that you've talked to, I do  
0078  
01 agree that it would not be a smart thing for you to do  
02 in the manner in which it was proposed.  
03 I believe next year when we're  
04 doing our budget, if it's the pleasure of both the  
05 mayor, who's the executive branch, and the legislative  
06 branch, which is the Council, to try and implement an  
07 EMS tax in order to take care of certain appropriations  
08 which I've just discussed, it may be a good idea to do  
09 that.  
10 But long and short of it is again,  
11 Mr. President, that I agree with the people you've  
12 spoken to, and it would not be a good idea to do it in  
13 the manner that we spoke of.  
14 Mr. DiBileo, as long I'm being  
15 verbose, could I make one additional comment?  
16 MR. DIBILEO: Sure.  
17 MR. WALSH: Mr. Newcomb had asked  
18 a question, and I don't want to go a week without  
19 answering his question, because I was able to look into  
20 that a little more, he asked whether or not a suit that  
21 was involving the pension was costing taxpayers money,  
22 and I think it's a private suit, so I don't believe  
23 that it is, and I don't want to let that go a week with  
24 people thinking that that's costing the City of  
25 Scranton financial distress or causing us to spend more  
0079  
01 money, so I just want to be specific on that, as well.  
02 That's my understanding. Thank you.  
03 MR. DIBILEO: Thank you,  
04 Mr. Walsh. That recommendation and that opinion is  
05 something actually that was mentioned by a couple of  
06 the individuals that I spoke to.  
07 They said that if we were doing  
08 this in conjunction with our overall budget, it  
09 probably would be a better way to try to make this an  
10 occurrence.

11 So, I'd like to say now this past  
12 budget season, we did talk about implementing the EMS  
13 tax, but I think the focus of at least three members of  
14 the Council was to eliminate the need for borrowing any  
15 money, and that was the \$4 million of borrowed money  
16 that was in the mayor's budget. I think that was the  
17 focus this year.

18 I think next year the focus has to  
19 be finding a way to lower this wage tax. I think it  
20 should be our number one priority. And I just would  
21 like to say that this concept we have now we should try  
22 to implement as we work on the 2006 budget come this  
23 coming November, and I'll work with the mayor and  
24 anyone else all of Council to try to make that happen.

25 MR. COURTRIGHT: I just, you know,  
0080

01 I just want to applaud you for trying to lower the  
02 taxes. It definitely needs to be done. And even  
03 though, you know, we are not able to implement it now,  
04 I hope you don't stop looking for other ways to reduce  
05 that wage tax, because that, I think you said it right,  
06 it's our number one nemesis, and I'm all for putting  
07 that in next year's budget. But I thank you for  
08 trying. You get an A for trying there. Thank you.

09 MR. DIBILEO: Thank you very much.

10 You're welcome. And I think what we did last week, I  
11 think this Council, you know, took that first step,  
12 because nothing has been done with the wage tax in a  
13 number of years, and I think we took the first step by  
14 unanimously voting to try to lower it last week.

15 It's going to unfortunately have  
16 to wait a few months before we can make that be a  
17 reality. And that's all I have under motions.

18 MR. WALSH: Fifth order. 5-B, FOR

19 INTRODUCTION - AN ORDINANCE - AMENDING FILE OF COUNCIL  
20 NO. 231, 2003, AN ORDINANCE ENTITLED GENERAL CITY  
21 OPERATING BUDGET 2004 BY TRANSFERRING \$85,000.00 FROM  
22 ACCOUNT NO. 01.401.15230.4299 (TAN SERIES A) TO THE  
23 ACCOUNTS LISTED BELOW TO PROVIDE FUNDING TO COVER  
24 EQUIPMENT RENTAL AND PROFESSIONAL SERVICES.

25 MR. DIBILEO: At this time I'll  
0081

01 entertain a motion that Item 5-B be introduced into its  
02 proper committee.

03 MR. POCIUS: So moved.

04 MR. COURTRIGHT: Second.

05 MR. DIBILEO: On the question? All  
06 those in favor, signify by saying aye.

07 MR. McTIERNAN: Aye.  
08 MS. EVANS: Aye.  
09 MR. POCIUS: Aye.  
10 MR. COURTRIGHT: Aye.  
11 MR. DIBILEO: Aye. Opposed? The ayes  
12 have it and so moved.  
13 MR. WALSH: 5-C, FOR INTRODUCTION  
14 - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 101  
15 OF 1989 CREATING A COMMITTEE FOR THE DESIGNATION AND  
16 CERTIFICATION OF PROPERTY AS BLIGHTED, AND THE  
17 ACQUISITION AND DISPOSITION OF SUCH PROPERTY TO BE  
18 KNOWN AS THE VACANT PROPERTY REVIEW COMMITTEE TO  
19 INCLUDE A FIFTH MEMBER TO THE COMMITTEE, NAMELY THE  
20 CITY PLANNER.

21 MR. DIBILEO: At this time I'll  
22 entertain a motion that Item 5-C be introduced into its  
23 proper committee.

24 MR. POCIUS: So moved.

25 MR. COURTRIGHT: Second.

0082

01 MR. DIBILEO: On the question? All  
02 those in favor, signify by saying aye.

03 MR. McTIERNAN: Aye.

04 MS. EVANS: Aye.

05 MR. POCIUS: Aye.

06 MR. COURTRIGHT: Aye.

07 MR. DIBILEO: Aye. Opposed? The ayes  
08 have it and so moved.

09 MR. POCIUS: Mr. Walsh, prior to  
10 reading 5-D, I had a letter prepared, I was going to  
11 fax it up notifying the Council, I will fax it up  
12 tomorrow for the record, okay, but I will be abstaining  
13 on this piece of legislation this evening, okay?

14 MR. WALSH: Thank you.

15 MR. POCIUS: I've been  
16 memorializing it in a letter, but I got busy  
17 today and it's probably still sitting on my desk, so I  
18 will fax it up tomorrow for the record. I'm sorry.  
19 Okay?

20 MR. WALSH: No problem.

21 5-D, FOR INTRODUCTION - A RESOLUTION - AUTHORIZING THE  
22 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE  
23 AND ENTER INTO SUPPLEMENTAL ENGINEERING AGREEMENT  
24 NUMBER 041508-B SUPPLEMENT C WITH CECO ASSOCIATES, INC.  
25 TO AMEND THE AGREEMENT FOR ADDITIONAL CONSTRUCTION  
0083

01 INSPECTION SERVICES COSTS OF \$10,235.82 FOR THE ONGOING  
02 EAST MARKET STREET BRIDGE IMPROVEMENT PROJECT.

03 MR. DIBILEO: At this time I'll  
04 entertain a motion that Item 5-D be introduced into its  
05 proper committee.  
06 MR. COURTRIGHT: So moved.  
07 MR. DIBILEO: We'll hold for a  
08 second. We have a motion on the floor to introduce  
09 5-D, Mr. McTiernan. Would you like to second?  
10 MR. McTIERNAN: Yes, second.  
11 MR. DIBILEO: Okay. We have a  
12 motion on the floor and a second. On the question?  
13 This is indeed an existing ongoing contract and  
14 project, Mr. Pocius, the East Market Street bridge  
15 project. If there's no further questions,  
16 All those in favor, signify by saying aye.  
17 MR. McTIERNAN: Aye.  
18 MS. EVANS: Aye.  
19 MR. COURTRIGHT: Aye.  
20 MR. DIBILEO: Aye. Opposed?  
21 MR. POCIUS: I abstain.  
22 MR. DIBILEO: By a 4-0 vote, one  
23 abstention, motion carries.  
24 MR. WALSH: 5-E, FOR INTRODUCTION  
25 - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER  
0084  
01 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A  
02 CONTRACT FOR INSURANCE WITH HARIE INSURANCE EXCHANGE,  
03 NATIONAL CASUALTY AND PHILADELPHIA INSURANCE COMPANY  
04 FOR CITY INSURANCE COVERAGES FOR THE YEAR 2005.  
05 MR. DIBILEO: At this time I'll  
06 entertain a motion that Item 5-E be introduced into its  
07 proper committee.  
08 MR. POCIUS: So moved.  
09 MR. COURTRIGHT: Second.  
10 MR. DIBILEO: On the question?  
11 MS. EVANS: Yes. Probably two  
12 months ago, perhaps more, I had asked that the  
13 insurance broker be put out to bid, I asked that the  
14 mayor would do so, evidently this did not occur.  
15 I'm naturally quite disappointed  
16 in that, because I feel that we've missed an  
17 opportunity, once again, to save money potentially;  
18 however, I understand the importance of insurance and  
19 liabilities, and the city obviously cannot be  
20 jeopardized by any type of possibility of a lack of  
21 insurance, so I will vote for this, but I did want to  
22 just voice that disappointment in the situation.  
23 MR. DIBILEO: Thank you, Mrs.  
24 Evans. It should be noted here that this insurance

25 coverage that we're voting on this evening actually  
0085

01 went into force on January 1, so it's actually already  
02 in place, it's coming to us for a vote after the fact,  
03 and at this time, you know, to vote against something  
04 like this could jeopardize the insurance coverage. We  
05 certainly wouldn't want to do that, but at the same  
06 time, we did ask the mayor if he would consider putting  
07 the insurance out on the open market extensively and  
08 see if money can be saved.

09 MR. COURTRIGHT: Mr. President, I  
10 didn't necessarily say it needed to go out to bid,  
11 which would have been nice if it did, but I understand  
12 it's a professional service, but I would have like to  
13 see other brokers to have an opportunity to put in a  
14 quote on it, and that didn't happen, but Mr. DiBileo  
15 just brings up a point that raises a question in my  
16 mind, he's saying this took effect January 1, how does  
17 this take effect without us voting on it? Is that  
18 possible? Can I ask Mr. Walsh?

19 MR. DIBILEO: I would refer to  
20 Mr. Walsh.

21 MR. COURTRIGHT: Can you research  
22 that? I thought we had to vote on it before it can  
23 take effect. Yes or no or you don't know yet?

24 MR. WALSH: I don't know what the  
25 contract says with respect to Harie, I don't know  
0086

01 whether or not it extends past the date that was on the  
02 past contract, I don't know that, because I haven't  
03 seen the contract and I haven't reviewed all of the  
04 documents with respect to this motion, obviously  
05 because I wasn't asked to, but I don't have the answer  
06 to your question.

07 MR. COURTRIGHT: Right. I was  
08 wondering could you look at it, because I'm wondering  
09 why are we voting on it then if it's already in place,  
10 you know?

11 MR. WALSH: I think you would have  
12 to approve the contract, I think you have to vote on  
13 it, but I think Jay and I could both check and see what  
14 the story is and the answer to your question.

15 MR. COURTRIGHT: Right. I just  
16 don't know how it can be in place legally if we didn't  
17 vote on it, and if you can research that for me, I'd  
18 appreciate it.

19 MR. WALSH: Okay.

20 MR. DIBILEO: Thank you. Any

21 other questions?

22 MR. POCIUS: Just quickly to read

23 from the body of the ordinance, it says that the  
24 insurance broker, Noles, priced insurance coverage for  
25 the city with multiple companies to obtain quotes;  
0087

01 whereas, the quote from Harie Insurance Exchange was  
02 less than last year for property, inland, equipment,  
03 and so on and so forth; whereas, in the above line the  
04 other responding companies declined to submit quotes;  
05 whereas, for public officials and law enforcement, the  
06 quote from National Casualty was \$44,982 less than last  
07 year, and less than the other responding companies; and  
08 whereas, the quote from Philadelphia Insurance Company  
09 was nearly the same as last year, according to the  
10 premium comparison attached.

11 And maybe, Bill, this was dated

12 the 30th, and we just -- this is when the proposal was  
13 submitted to the city, so it maybe should have been  
14 done for our first meeting, but, you know, there is  
15 some backup in the thing and there's costs comparisons.  
16 I didn't get a chance to look at them.

17 MR. COURTRIGHT: Yeah, I did read  
18 that.

19 MR. WALSH: I'm aware of those. I

20 think that that's true. It probably should have been  
21 put down on the first. I'm aware of what you're saying  
22 when the bids and everything came in and some people, I  
23 guess, didn't, not the bids, but the proposals. So,  
24 why it wasn't put on the first week, I don't know.

25 MR. COURTRIGHT: All right. If  
0088

01 you can just check that out, I would appreciate that.

02 MR. WALSH: Sure.

03 MR. COURTRIGHT: Thank you.

04 MR. DIBILEO: If there's no  
05 further questions, all those in favor, signify by  
06 saying aye.

07 MR. McTIERNAN: Aye.

08 MS. EVANS: Aye.

09 MR. POCIUS: Aye.

10 MR. COURTRIGHT: Aye.

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

13 MR. WALSH: 5-F, FOR INTRODUCTION

14 - A RESOLUTION - RE-APPOINTMENT OF DAVID V. PHANEUF,

15 1812 ACADEMY STREET, SCRANTON, PENNSYLVANIA, 18504, AS

16 A MEMBER OF THE SCRANTON LACKAWANNA HEALTH & WELFARE

17 AUTHORITY. MR. PHANEUF'S TERM EXPIRED ON DECEMBER 31,  
18 2004 AND HIS NEW TERM WILL EXPIRE ON DECEMBER 31, 2009.

19 MR. DIBILEO: At this time I'll  
20 entertain a motion that Item 5-F be introduced into its  
21 proper committee.

22 MR. POCIUS: So moved.

23 MR. COURTRIGHT: Second.

24 MR. DIBILEO: On the question?

25 MR. POCIUS: It's Phaneuf.

0089

01 MR. WALSH: Is it Phaneuf?

02 MR. POCIUS: Dave Phaneuf.

03 MR. WALSH: I apologize to

04 Mr. Phaneuf then.

05 MR. POCIUS: He's a reappointment.

06 He's on for some years. He's a fine gentleman. He

07 worked for a local banking institution and he expressed

08 an interest to be reappointed and he's doing a fine job

09 over there.

10 MR. WALSH: I took a gamble at the

11 pronunciation there.

12 MR. WALSH: I'm not trying to

13 criticize you, Mark. It is. You know, it's a

14 different spelling.

15 MR. DIBILEO: All those in favor of

16 introduction, signify by saying aye.

17 MR. McTIERNAN: Aye.

18 MS. EVANS: Aye.

19 MR. POCIUS: Aye.

20 MR. COURTRIGHT: Aye.

21 MR. DIBILEO: Aye. Opposed? The ayes

22 have it and so moved.

23 MR. WALSH: 5-G, FOR INTRODUCTION

24 - A RESOLUTION - RE-APPOINTMENT OF JERRY WEINBERGER,

25 ESQUIRE, 611 NORTH WEBSTER AVENUE, SCRANTON,

0090

01 PENNSYLVANIA, 18510, AS A MEMBER OF THE SCRANTON

02 LACKAWANNA HEALTH & WELFARE AUTHORITY.

03 MR. WEINBERGER'S TERM EXPIRED ON DECEMBER 31, 2004 AND

04 HIS NEW TERM WILL EXPIRE ON DECEMBER 31, 2009.

05 MR. DIBILEO: At this time I'll

06 entertain a motion that Item 5-G be introduced into its

07 proper committee.

08 MR. POCIUS: So moved.

09 MR. COURTRIGHT: Second.

10 MR. DIBILEO: On the question? All

11 those in favor, signify by saying aye.

12 MR. McTIERNAN: Aye.

13 MS. EVANS: Aye.

14 MR. POCIUS: Aye.

15 MR. COURTRIGHT: Aye.

16 MR. DIBILEO: Aye. Opposed? The ayes  
17 have it and so moved.

18 MR. WALSH: Sixth order.

19 MR. POCIUS: If there's no

20 problems, I'll make a motion at this time that we read

21 all the taxing ordinances at once and do one motion,

22 because there will be no amendments, Mr. President.

23 MR. DIBILEO: Yes. That would be

24 the same thing we did last week.

25 MR. POCIUS: I'll make a motion

0091

01 allowing Mr. Walsh to read 6-A through 6-G, the taxing

02 ordinances, and would do one motion to pass them all by

03 title.

04 MR. COURTRIGHT: Second.

05 MR. DIBILEO: Motion on the floor

06 and a second. On the question? All those in favor,

07 signify by saying aye.

08 MR. McTIERNAN: Aye.

09 MS. EVANS: Aye.

10 MR. POCIUS: Aye.

11 MR. COURTRIGHT: Aye.

12 MR. DIBILEO: Aye. Opposed? The ayes

13 have it and so moved.

14 MR. WALSH: 6-A, READING BY TITLE

15 - FILE OF COUNCIL NO. 92, 2005, AN ORDINANCE - AMENDING

16 FILE OF COUNCIL NO. 6, 1976 ENTITLED AN ORDINANCE (AS

17 AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON

18 THE TRANSFER OF REAL PROPERTY SITUATE WITHIN THE CITY

19 OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF

20 EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS

21 AND IMPOSING DUTIES UPON CERTAIN PERSONS, AND PROVIDING

22 PENALTIES, BY IMPOSING THE RATE OF THE REALTY TRANSFER

23 TAX AT 2.2% FOR CALENDAR YEAR 2005.

24 6-B, READING BY TITLE - FILE OF

25 COUNCIL NO. 93, 2005 - AN ORDINANCE - AMENDING FILE OF

0092

01 THE COUNCIL NO. 7, 1976, ENTITLED AN ORDINANCE (AS

02 AMENDED) IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS

03 FOR THE YEAR 1976 AND ANNUALLY THEREAFTER UPON PERSONS

04 ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN;

05 PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE

06 ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND

07 IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF

08 THE CITY OF SCRANTON; AND IMPOSING PENALTIES, BY

09 IMPOSING THE MERCANTILE LICENSE TAX AT 1 MILL FOR  
10 CALENDAR YEAR 2005.  
11 6-C, READING BY TITLE - FILE OF  
12 COUNCIL NO. 94, 2005 - AN ORDINANCE - AMENDING FILE OF  
13 THE COUNCIL NO. 8, 1976, ENTITLED AN ORDINANCE (AS  
14 AMENDED) PROVIDING FOR THE GENERAL REVENUE BY IMPOSING  
15 A TAX AT THE RATE OF 2 MILL UPON THE PRIVILEGE OF  
16 OPERATING OR CONDUCTING BUSINESS IN THE CITY OF  
17 SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM;  
18 REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS  
19 CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING  
20 FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING  
21 SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING  
22 POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING  
23 PENALTIES, BY IMPOSING THE BUSINESS PRIVILEGE TAX AT  
24 THE RATE OF 1 MILL FOR CALENDAR YEAR 2005.

25 6-D, READING BY TITLE - FILE OF  
0093

01 COUNCIL NO. 95, 2005 - AN ORDINANCE - AMENDING FILE OF  
02 THE COUNCIL NO. 9, 1976, ENTITLED "AN ORDINANCE (AS  
03 AMENDED) ENACTING AND IMPOSING A TAX FOR GENERAL  
04 REVENUE PURPOSES ON INDIVIDUALS FOR THE PRIVILEGE OF  
05 ENGAGING IN AN OCCUPATION WITHIN THE CORPORATE LIMITS  
06 OF THE CITY OF SCRANTON, BY IMPOSING THE OCCUPATIONAL  
07 PRIVILEGE TAX OF FIFTEEN (\$15.00) DOLLARS FOR RESIDENTS  
08 AND TEN (\$10.00) DOLLARS FOR NON-RESIDENTS FOR CALENDAR  
09 YEAR 2005.

10 6-E, READING BY TITLE - FILE OF  
11 COUNCIL NO. 96, 2005 - AN ORDINANCE - AMENDING FILE OF  
12 THE COUNCIL NO. 11, 1976, ENTITLED AN ORDINANCE (AS  
13 AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL REVENUE  
14 PURPOSES IN THE AMOUNT OF 2% ON EARNED INCOME AND NET  
15 PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS AND  
16 BUSINESSES WHO ARE RESIDENTS OF THE CITY OF SCRANTON,  
17 OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK  
18 DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN  
19 THE CITY OF SCRANTON, REQUIRING THE FILING OF RETURNS  
20 BY TAXPAYERS SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO  
21 COLLECT THE TAX AT SOURCE; PROVIDING FOR THE  
22 ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID  
23 TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS, BY  
24 IMPOSING THE WAGE TAX AT 2.4% ON EARNED INCOME FOR THE  
25 YEAR 2005 FOR RESIDENTS.

0094

01 6-F, READING BY TITLE - FILE OF  
02 COUNCIL NO. 97, 2005 - AN ORDINANCE - AMENDING FILE OF  
03 THE COUNCIL NO. 17, 1994 ENTITLED AN ORDINANCE (AS  
04 AMENDED) AUTHORIZING THE GOVERNING BODY OF THE CITY OF

05 SCRANTON TO ENACT A WASTE DISPOSAL AND COLLECTION FEE  
06 FOR THE PURPOSE OF RAISING REVENUE TO COVER THE WASTE  
07 DISPOSAL AND COLLECTION COSTS INCURRED BY THE CITY OF  
08 SCRANTON FOR THE DISPOSAL AND COLLECTION COSTS INCURRED  
09 BY THE CITY OF SCRANTON FOR THE DISPOSAL OF REFUSE, BY  
10 IMPOSING A WASTE DISPOSAL AND COLLECTION FEE OF \$178.00  
11 FOR CALENDAR YEAR 2005.

12 6-G, READING BY TITLE - FILE OF  
13 COUNCIL NO. 98, 2005 - AN ORDINANCE - AMENDING FILE OF  
14 THE COUNCIL NO. 100, 1976, ENTITLED AN ORDINANCE (AS  
15 AMENDED) LEVYING GENERAL AND SPECIAL TAXES FOR THE  
16 FISCAL YEAR 1977, BY SETTING THE MILLAGE FOR THE YEAR  
17 2005.

18 MR. DIBILEO: You've heard reading  
19 by title of Item 6-A, 6-B, 6-C, 6-D, 6-E, 6-F and 6-G.  
20 What is your pleasure?

21 MR. POCIUS: Mr. President, I move  
22 that 6-A through 6-G pass reading by title.

23 MR. COURTRIGHT: Second.

24 MR. DIBILEO: On the question?

25 MR. McTIERNAN: Mr. President, can  
0095

01 I just ask one question before seventh order?

02 MR. DIBILEO: Certainly.

03 MR. McTIERNAN: Mr. Saunders, if I

04 can ask a favor for you, for Item 6-D, could you get me  
05 some backup regarding the legislation covering item 6-D  
06 and Item 6-F? Specifically I'm looking for the  
07 governing of the setting of those rates and whether or  
08 not that the disposal and collection fee can be changed  
09 to a tax, and I'm not suggesting a motion, I'm just  
10 asking for some additional backup, please.

11 MR. SAUNDERS: Okay.

12 MR. McTIERNAN: Thank you. That's  
13 all, Mr. President.

14 MR. DIBILEO: Thanks,

15 Mr. McTiernan. Anyone else on the question? All those  
16 in favor, signify by saying aye.

17 MR. McTIERNAN: Aye.

18 MS. EVANS: Aye.

19 MR. POCIUS: Aye.

20 MR. COURTRIGHT: Aye.

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

23 MR. WALSH: 6-H, READING BY TITLE

24 - FILE OF COUNCIL NO. 99, 2005 - AN ORDINANCE - SALE OF  
25 TAX DELINQUENT PROPERTY AT 2609 JACKSON STREET,  
0096

01 SCRANTON, PENNSYLVANIA, TO ARTHUR WILLIAMS,  
02 1522 N. KEYSER AVENUE, SCRANTON, PENNSYLVANIA, 18504,  
03 FOR THE SUM OF \$6,800.00.

04 MR. DIBILEO: You've heard reading  
05 by title of Item 6-H. What is your pleasure?

06 MR. POCIUS: Mr. President, I move  
07 that Item 6-A passes reading by title.

08 MR. COURTRIGHT: Second.

09 MR. DIBILEO: On the question?

10 All those in favor, signify by saying aye.

11 MR. McTIERNAN: Aye.

12 MR. POCIUS: Aye.

13 MS. EVANS: Aye.

14 MR. COURTRIGHT: Aye.

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

17 MR. WALSH: Seventh order. 7-A,

18 FOR CONSIDERATION BY THE COMMITTEE ON RULES -

19 FOR ADOPTION - RESOLUTION NO. 117, 2005 - APPROVING THE

20 TERMS AND CONDITIONS OF THE CONTRACT BETWEEN THE CITY

21 OF SCRANTON AND WALLACE ROBERTS & TODD, LLC A PLANNING

22 AND DESIGN FIRM, AND AUTHORIZING THE MAYOR AND OTHER

23 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO

24 THE CONTRACT TO RETAIN WALLACE ROBERTS & TODD, LLC

25 PLANNING AND DESIGN FIRM, TO PREPARE A REDEVELOPMENT

0097

01 STRATEGY FOR THE CEDAR AVENUE AREA OF SOUTH SCRANTON.

02 TOTAL COST NO TO EXCEED \$25,000.00.

03 MR. DIBILEO: As chairperson for

04 the committee on rules, I recommend final passage of  
05 Item 7-A.

06 MR. POCIUS: Seconded.

07 MR. DIBILEO: On the question? On

08 the question, I just want to say that Wayne Evans, I'm

09 not sure if Wayne Evans holds a title within the

10 South Side Neighborhood Association or the Scranton

11 Renaissance Center, but he came to speak to us in our

12 private caucus this evening and gave us some of the

13 background on this legislation, and all I can say is

14 that we all look forward to a new and improved Cedar

15 Avenue and hopefully a new and improved all of

16 South Scranton section of town, and hopefully this will

17 help us in that direction. If there's no further

18 questions, roll call, please, Kay.

19 MS. GARVEY: Mr. McTiernan.

20 MR. McTIERNAN: Yes.

21 MS. GARVEY: Mrs. Evans.

22 MS. EVANS: Yes.

23 MS. GARVEY: Mr. Pocius.  
24 MR. POCIUS: Yes.  
25 MS. GARVEY: Mr. Courtright.  
0098  
01 MR. COURTRIGHT: Yes.  
02 MS. GARVEY: Mr. DiBileo.  
03 MR. DIBILEO: Yes. I hereby  
04 declare Item 7-A legally and lawfully adopted.  
05 MR. WALSH: 7-B, FOR CONSIDERATION  
06 BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION  
07 NO. 118, 2005 - RE-APPOINTMENT OF MARY ELIZABETH  
08 MOYLAN, 1421 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA,  
09 18505, AS A MEMBER OF THE CITY PLANNING COMMISSION. MS.  
10 MOYLAN'S CURRENT TERM EXPIRES ON DECEMBER 31, 2004 AND  
11 HER NEW TERM WILL EXPIRE ON DECEMBER 31, 2008.  
12 MR. DIBILEO: As chairperson for  
13 the committee on rules, I recommend final passage of  
14 Item 7-B.  
15 MR. POCIUS: Seconded.  
16 MR. DIBILEO: On the question?  
17 Roll call, please, Kay.  
18 MS. GARVEY: Mr. McTiernan.  
19 MR. McTIERNAN: Yes.  
20 MS. GARVEY: Ms. Evans.  
21 MS. EVANS: Yes.  
22 MS. GARVEY: Mr. Pocius.  
23 MR. POCIUS: Yes.  
24 MS. GARVEY: Mr. Courtright.  
25 MR. COURTRIGHT: Yes.  
0099  
01 MS. GARVEY: Mr. DiBileo.  
02 MR. DIBILEO: Yes. I hereby  
03 declare Item 7-B legally and lawfully adopted.  
04 Seeing no further business on the agenda, I'll  
05 entertain a motion that we adjourn.  
06 MR. COURTRIGHT: So moved.  
07 MS. EVANS: Second.  
08 MR. DIBILEO: We're adjourned.  
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10 (MEETING WAS ADJOURNED.)  
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CERTIFICATE

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the hearing of the above cause and that this copy is a correct transcript of the same to the best of my ability.

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LISA M. GRAFF, RPR  
OFFICIAL COURT REPORTER

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