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02 SCRANTON CITY COUNCIL MEETING
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08 Held:
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09 Thursday, January 20, 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 (Arrived where noted.)

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 stand for the

02 Pledge of Allegiance. Please remain standing for a

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

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. I understand

14 Mr. Walsh is going to be a little late this evening,

15 Mr. Saunders, so if you would dispense with the reading

16 of the minutes, please.

17 MR. SAUNDERS: Third order. 3-A,

18 APPLICATIONS AND DECISIONS RENDERED BY THE ZONING

19 HEARING BOARD HELD JANUARY 12, 2005.

20 MR. DIBILEO: Are there any
21 comments on 3-A? If not, received and filed.

22 MR. SAUNDERS: Fourth order -- or,
23 no, how could I forget, clerk's notes.

24 MR. DIBILEO: Yes. You can't
25 forget clerk's notes.

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01 MR. SAUNDERS: Mr. President,
02 Charlie Newcomb had asked in the past numerous times
03 about the Gibbons Firm, about the contract, the annual
04 contract with the SRA. Their annual contract's for
05 \$55,000.

06 In defense of Billy Shane, he has
07 sent that answer up to me before in the past, and I did
08 look it up, and I did find it. That is my mistake for
09 not reporting that a little earlier.

10 The second thing I want to talk
11 about tonight is the Grow Scranton Fund. Last week we
12 had some questions raised, I believe it was by Andy,
13 about what is the Grow Scranton Fund and how do people
14 know about it.

15 The OECD office actually puts a
16 booklet out, it's in the mayor's office and it's in
17 some other businesses that describes some of the funds
18 and some of the things they're doing down there.

19 I will request that it's up to the
20 City Council office for next week's meeting. The
21 Grow Scranton Fund ranges from \$25,000 to a million
22 dollars. Loans could be used for real estate,
23 renovation of the premises that the business is on, to
24 buy inventory, machinery, equipment, working capital.
25 It could be used for new business and/or old business
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01 and the like.

02 And if you want to know about
03 that, OECD is your contact point, and their number is
04 348-4216.

05 The last thing I have is the
06 letter to the DPW about the arbitration. That letter
07 has been sent out. I don't have an answer back on that
08 as of yet.

09 And Councilwoman Evans had given
10 me some things. Due to some people not being in the
11 office this week, we didn't actually get to -- get all
12 the answers for these things, but next week we will
13 have the answers for you.

14 MS. EVANS: Thank you.

15 MR. SAUNDERS: That's all I have,

16 Mr. President.

17 MR. DIBILEO: Thank you,

18 Mr. Saunders.

19 MR. SAUNDERS: Fourth order,

20 citizen participation.

21 MR. DIBILEO: Thank you. Prior to

22 calling up the first speaker, I'd like to just remind

23 all speakers to please refrain from making remarks of a

24 personal nature, please keep remarks related to city

25 business and please be mindful of our time constraints

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01 by not exceeding five minutes.

02 With that said, our first speaker

03 is Andy Sbaraglia.

04 MR. SBARAGLIA: Andy Sbaraglia,

05 citizen of Scranton. Fellow Scrantonians, I requested

06 information on the Scranton Grant, which is free money,

07 not loans or this or that, but free, because there was

08 a lawyer that got \$180,000 to fix up his building as a

09 grant, and I was wondering if this grant is available

10 to all of the citizens of the City of Scranton because

11 a lot of the citizens were flooded out. That was the

12 information I requested.

13 I was told by Janet Evans that it

14 may be available on the website, if not, I can always

15 go down to OECD and actually get it out, because a lot

16 of people probably are eligible for these grants, and

17 since it's free money, I'd like to see the citizens of

18 Scranton get it, if it is available.

19 Okay. Another subject. I

20 mentioned all this money in the Dunmore Bank, okay?

21 Now, I didn't want you to think I was speaking out of

22 my hat, but if anybody wants to look at this, they can

23 look at this. These are actually the loans and the

24 legislation that set up these loans.

25 MR. COURTRIGHT: Andy, I missed

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01 the caucus with Leonard Kresefski this evening, so I

02 wasn't able to ask him, but I'm going to ask --

03 MS. EVANS: We discussed it.

04 MR. COURTRIGHT: Did he give us an

05 answer?

06 MS. EVANS: Yes. There is an

07 account, he believes, in Fidelity Bank, and it's an

08 escrow. Thank you.

09 MR. SBARAGLIA: It's like \$37

10 million?

11 MS. EVANS: An escrow account that
12 will help to cover the payments -- the remaining
13 payments over a seven to eight year period on a prior
14 bond issue. It is earning interest.

15 Mr. Kresefski says it's quite
16 minimal, however, I did request the interest rate and
17 the dollar amount of interest earned since the money
18 was originally placed in that escrow account at
19 Fidelity.

20 (WHEREUPON, Attorney Walsh arrived.)

21 MR. SBARAGLIA: I'd like just one
22 more request, can you get the original loan agreement
23 for this 201-C loan?

24 MS. EVANS: Okay.

25 MR. SBARAGLIA: And he 201-A loan,
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01 because he said it wasn't redeemable. And if he look
02 at the interest rates on this C loan, you see it's
03 quite interesting. You start off with, like, over a
04 million dollars in two payments, and it goes all the
05 way down. And when you add all these things up, that
06 money, of course, on interest is lost, there's nothing
07 you can do about it, that's gone with the wind.

08 But when you go through everything
09 that went through with that, I didn't do it for you,
10 but I did it for me, it came out to be, like, over
11 \$37 million that was deposited up in that bank.

12 And like I said before, it was
13 into an escrow account and it was a payoff the 201-CNA
14 loan, like I stated, over up to 11 years. And I asked
15 you at that time when you wanted to borrow money,
16 whether you could have tapped into them funds sitting
17 up in that bank in Dunmore being that you had so many
18 years to go on them.

19 MS. EVANS: Did you mean tap into
20 the interest or the actual escrow account?

21 MR. SBARAGLIA: The escrow account
22 if you could have, but --

23 MS. EVANS: From what

24 Mr. Kresefski said tonight, I don't believe that would
25 have been possible. This is locked in until -- it's
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01 fully locked in until the bonds are called in seven to
02 eight years from now.

03 MR. SBARAGLIA: Yeah, 2011, to be
04 exact.

05 MS. EVANS: So, we wouldn't have
06 been able to touch those accounts.

07 MR. SBARAGLIA: But like I said
08 before, I'm not sure whether these bonds could have
09 been called. He said no --
10 MS. EVANS: He said no.
11 MR. SBARAGLIA: -- he didn't know.
12 I know that, he told me that before, but I'd like to
13 read them for myself, because for some reason or other,
14 things that are said aren't necessarily so.
15 MS. EVANS: I'll get those loan
16 agreements for you.
17 MR. SBARAGLIA: Another thing, as
18 you know, this fund that's coming up, this guy that
19 wants this consultant fee, I would have felt a lot
20 better if he also had a contract with the City of
21 Dickson City, because they got a lot of building going
22 on up there.
23 Everybody and their brother wants
24 to go up there, and the only way we can get people to
25 come to Scranton is give them a free ride, and that's a
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01 shame that we have one area that's booming like crazy
02 and we get to have a restaurant, maybe three employees.
03 If you looked at some of these
04 deals that went through, it's not the greatest. I
05 thank you.
06 MR. DIBILEO: Thank you, Andy.
07 Raymond Lyman.
08 MR. LYMAN: Raymond Lyman. I
09 wasn't here the last couple of weeks because I was
10 intimidated from the powers that be by nasty phone
11 calls and threatening letters telling me not to come
12 here. And we had to have our phone number changed.
13 And I said that -- I said that I wasn't going to take
14 it anymore, I was not going to take this harassment,
15 so --
16 MR. DIBILEO: Ray, sorry to stop
17 you there, but just for the record, you know, last time
18 you were here you called me a name, and none of those
19 threatening phone calls were from me, because if you
20 think --
21 MR. LYMAN: I know it wasn't you.
22 MR. DIBILEO: I know you called me
23 a Casa, whatever that was, but I didn't make any of
24 those threats.
25 MR. LYMAN: No, no, no, no. It
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01 was -- these were -- these were real nasty. These were
02 real nasty people, and I know it was higher up. And

03 I'm not mentioning names, because I'll be sued, and
04 that's enough to say about that.
05 Now, my friend -- I go over and
06 talk to my friend and he had a problem with, you know,
07 NCC, and he got a, you know, he pays his garbage, his
08 city tax, you know, every year, and they said that he
09 didn't pay for four years and they said that he owed
10 for \$3,535.85, and he started screaming.
11 And so, he hired a lawyer, took
12 them to a magistrate and he sued them, and showed the
13 receipts that he paid and got a settlement from them.
14 Now, he's asking the city -- the Council to get rid of
15 these people, because this is ridiculous to charge a
16 man that was already paid for every year that always
17 pays and they keep making mistakes.
18 And this is not just this one guy,
19 but they're always making mistakes on everybody. And
20 you had them here and they lied. You had the lady
21 sitting right there, I remember, because I was sitting
22 over there, and she lied.
23 MR. DIBILEO: Well, we can't say
24 that people are lying, Ray.
25 MR. LYMAN: Well, she said that we
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01 don't make mistakes and we don't call and say that they
02 don't harass people, send threatening letters.
03 He actually told me that they sent
04 him a threatening letter that they'll take him to a
05 magistrate. And he even showed me the letter, they'll
06 take him to a magistrate. And he actually took them to
07 a magistrate and he sued them first.
08 MR. COURTRIGHT: Ray, you know,
09 we're going to be coming up on the garbage bill again,
10 and I'm sure there's going to be some mistakes. I
11 just --
12 MR. LYMAN: And I heard that
13 Chris Doherty is going to raise the garbage fee again.
14 MR. COURTRIGHT: Well, I don't
15 know about that.
16 MR. LYMAN: Well, that's what I
17 heard in his, what was it, 2005 budget or something.
18 MR. COURTRIGHT: I didn't see
19 raising a garbage fee there.
20 MR. LYMAN: Well, that's what I
21 heard, Bill Courtright, wasn't it, Janet, that it was
22 supposed to go up?
23 MR. DIBILEO: It's at the same
24 level.

25 MS. EVANS: No, I hadn't heard
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01 that, Ray.
02 MR. LYMAN: Wasn't it supposed to
03 go up to \$200 or something? That's what it was
04 supposed to go up to.
05 MR. DIBILEO: It could be a rumor.
06 I don't know.
07 MR. COURTRIGHT: But what I wanted
08 to say, I'm sure there's going to be --
09 MR. LYMAN: And I have just one
10 more question before I leave.
11 MR. COURTRIGHT: Okay. Go ahead.
12 MR. LYMAN: Now, after the
13 Tsunami, now, this is what I was told, that
14 Mayor Doherty gave \$100,000 to the famine relief, this
15 is what I heard. Now, can you look into this? I don't
16 know if this is true or not.
17 MR. DIBILEO: Of his own money?
18 MR. LYMAN: City of Scranton's.
19 MR. DIBILEO: I don't think he
20 could have done that. He could have given his own
21 money, but --
22 MR. LYMAN: Well, this is what I
23 heard, because --
24 MR. DIBILEO: All right. We'll
25 check it out.
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01 MR. LYMAN: Well, I don't know if
02 it's true or not. This is what I was told.
03 MR. DIBILEO: All right. We will
04 try to find out. Thanks, Ray.
05 MR. LYMAN: Out of city money. I
06 don't know if it's true or not because there were some
07 people that was squawking that if it's true, if he gave
08 that money, if it's true or not.
09 MR. DIBILEO: Yeah, I think we
10 would have probably had to have a vote on that, so it's
11 probably not true.
12 MR. LYMAN: Would you have a vote
13 on that or -- because you said that the mayor could
14 control the money and he can spend that money without
15 your permission. He spent millions of dollars up at
16 that Nay Aug and you can't control him.
17 MR. DIBILEO: All right. Thanks,
18 Ray. We'll check it out.
19 MR. COURTRIGHT: Mr. President, if
20 I can just continue. I'm sure that there's going to be

21 some mistakes with the garbage fee, and I think if you
22 have a problem, Nancy, you're here from the treasurer's
23 office, okay, many people had problems last year, and I
24 went down the treasurer's office and Nancy and all the
25 other girls in there were very helpful to me.

0015

01 If we couldn't straighten it out
02 there, maybe two or three occasions I went back to NCC
03 and I spoke to John Catulla and we got it straightened
04 out.

05 They've changed the letter that
06 the send out or they were going to change it, they told
07 me, to make it be a little bit softer. They felt that
08 maybe we wouldn't be able to collect as much money with
09 a softer letter, and I said, Well, I was still in favor
10 of a softer letter, so I think the letter that will
11 come out won't be quite as harsh this year. I haven't
12 seen it.

13 So, I would just recommend if you
14 have a problem, if you come into the treasurer's
15 office, they're very helpful. And then if you have a
16 problem, maybe you can speaking with John Catulla and
17 try to get it straightened out.

18 Hopefully it won't be as severe
19 this year as last year. And, again, I believe the
20 letter that's going to be sent out if you do not pay
21 your garbage fee is going to be a little less offensive
22 than the one last year.

23 MS. EVANS: If I can just add one
24 thought to that. Last year when I had visited NCC, as
25 well, and spoken with the manager, he indicated in
0016

01 addition that they would begin taping phone calls,
02 because I do recall that their phone manner was less
03 than desirable last year, and I had made that request,
04 that the telephone calls by taped, and he had agreed to
05 do so.

06 And now that the garbage bills
07 will be shortly forthcoming, I'm hoping to see those
08 friendlier -- people-friendlier letters, and I will be
09 checking on phone calls to see if indeed they've been
10 taped and see if I might listen to some of them.

11 MR. DIBILEO: Thank you. Thank
12 you, Mr. Courtright and Mrs. Evans. I want to welcome
13 Mr. Walsh, who was a little bit late this evening. I
14 just want to say that Mr. Saunders did an excellent job
15 in your absence.

16 MR. WALSH: He told me so.

17 MR. DIBILEO: Yeah. And he's
18 telling you the truth, because he was really good at
19 it. Les Spindler.
20 MR. SPINDLER: Good evening,
21 Council. Les Spindler.
22 MR. DIBILEO: Good evening.
23 MR. SPINDLER: Last week I brought
24 up a problem I've had a long time about my sidewalks
25 being flooded when it rains, and, Mr. DiBileo, you
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01 asked Mr. Saunders to talk to Mike Luciani, I was
02 wondering if anything was heard about that.
03 MR. DIBILEO: Yeah. Let me ask --
04 MR. SAUNDERS: We sent a letter
05 out on that. It's too soon to get a letter back from
06 him.
07 MR. DIBILEO: Nothing back yet.
08 MR. SPINDLER: Because I still
09 say, I mean, I don't think I should be responsible for
10 that problem which the city created.
11 MR. DIBILEO: Right.
12 MR. SPINDLER: Something else,
13 last week Mr. Saunders answered a question about a
14 problem a friend of mine had, is Mr. Vaughn, on
15 Merrifield Avenue, and he said he sent letters out, and
16 it would be four to six months later or something.
17 This man has been calling DPW for
18 two years, and now he has to wait four to six months.
19 This man is a heart transplant patient.
20 MR. SAUNDERS: Les, I didn't say
21 four to six months, I said that some of the letters
22 that Mrs. Evans had sent out it took four to six months
23 to get responses back on them. And this letter, I sent
24 it out. I don't know how long it will be back in.
25 MR. SPINDLER: Oh, okay. Well,
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01 think, like I said, this man, he tried for two years
02 and called DPW and couldn't get an answer. I think
03 Mr. Parker should personally go up there and look at
04 the problem.
05 To call for two years now, he
06 couldn't even get a phone call answer, I think it's
07 ridiculous.
08 MR. DIBILEO: Whatever you can do,
09 Mr. Saunders, to try to speed it up.
10 MR. SAUNDERS: I've been in
11 contact with this gentleman about that problem, and I
12 explained to him the problem. He seemed very satisfied

13 that the letter was sent out on Council's behalf for
14 him. You know, I don't think he was pressing the
15 issue. I think he's --

16 MR. SPINDLER: I spoke to
17 Mr. Vaughn. Okay. Next thing. Have we heard anything
18 from Attorney Kelly about him looking into the deed for
19 Nay Aug? I haven't asked that question in a long time.

20 MR. DIBILEO: Let me ask Mr. Walsh
21 if he has any information on that.

22 MR. WALSH: I have a lot of
23 additional information that I've found that I'm
24 providing Attorney Kelly with. I have not heard back
25 from him. I called his office, and I think he was out
0019

01 of town on a hearing, but I do anticipate supplying him
02 with the information that I've retrieved in speaking
03 with him.

04 So, to answer your question, no,
05 but to further answer it, yes, I'm sure I'll be
06 speaking with Attorney Kelly in the very near future.

07 MR. SPINDLER: I don't know what
08 is taking so long. He's had that deed for months.
09 Obviously he hasn't taken the right reading course yet.
10 Thank you.

11 MR. DIBILEO: Thank you.
12 Bob Bolus.

13 MR. BOLUS: Good evening, Council.
14 Bob Bolus.

15 MR. DIBILEO: Good evening.

16 MR. BOLUS: It's nice to be back
17 again. I've had some things out of the area, and I was
18 only able to catch a couple parts of the meeting on
19 tape, and it's business as usual.

20 But I would like to thank Janet
21 for showing up Christmas Day, I know it's a little late
22 in the season right now, the volunteers and the people
23 that did attend to make this Scranton with a heart.
24 I would like to thank both you and
25 Bill, also, for recommending a proclamation for
0020

01 whatever it was for, the kind words and everybody
02 else's kind words. Again, I'd like to just say thank
03 you.

04 But my issue tonight that I really
05 want to talk about is -- I've been hearing a lot about
06 intimidations, about keeping people from speaking.
07 Well, no one knows better than me what intimidations
08 are and how they're attempted to stop people from

09 speaking. After all, I was
10 arrested here for speaking. And why was I arrested?
11 Because it was to shut me up because people didn't want
12 to hear what we had to say.
13 And the District Attorney went
14 full board to see that I was pushed as far as they
15 could push it, but we know the end resolve, it was
16 dismissed and that was the end of it.
17 But the same DA won't push people
18 that stole from my company, took checks and cashed
19 them, signed their own names to them and went out and
20 cashed them, because the witness that cashed them is
21 the witness the DA needs to use, but it's not credible
22 enough for a person to say this is the one who gave me
23 the checks, but we get people out of jail every day
24 saying they said this for witnesses.

25 So, you can see the intimidation,
0021

01 how far it reaches. We saw the intimidation of people
02 that came here. Wayne Beck; Joe Clifford, never came
03 back, he was intimidated, told not to come or he would
04 be sued; Chris Phillips; the Newcombs, Mary Ann Wardell
05 and others that don't come here any more because for
06 whatever reasons.

07 Well, I'm an employer. Me. I
08 don't have a boss to tell me what to do, so I come
09 here. My boss can't tell me stay out of here or
10 whatever. But guess what? We've watched the judicial
11 punishment that I've taken.

12 I lost my pardon that I was going
13 for because I got arrested at Council, and I was told
14 by an anonymous phone call that I don't have many
15 friends in Scranton that made phone calls to deter the
16 board of pardons for doing something.

17 But we know how intimidation
18 works, I'm still here. I may never see a pardon, but
19 that's okay. I still have my rights, and they're the
20 rights of the people.

21 We saw the Sunshine Act. We saw
22 what Mr. Pocius did with the Sunshine Act. And we're
23 going to win that. We already won it, because the
24 judge told us we shouldn't be there. The intimidation.

25 Tried to sanction us with Chris Doherty's campaign
0022

01 finances.

02 The police officer, Amy Martin
03 that was involved, the city hammered her. She didn't
04 get the proper treatment. She just about walks now.

05 These are the intimidations of politics in this city.
06 The right to speak, we were
07 challenged with that. But we won that. We're all able
08 to come her, as candidates in the past could, because
09 we stood up and spoke. And we'll win the one that's
10 before the court now on the violation of the
11 Sunshine Act.
12 Terry Henning from the
13 Newspaper Association is involved, the Civil Right
14 Liberties are involved, and we're going to win this and
15 we're going to reverse what was wrong and we're going
16 to go back to square one, and I'm going to take pride
17 in that because you didn't intimidate us, no matter who
18 you are politically, we're going to get justice.
19 We saw the golf course go. We
20 could have had people speak. Yeah, we didn't get the
21 proper signatures with the proper notary that day, but
22 they were all there the in courtroom.
23 The judge had the right to change
24 that and allow the people to speak and be notarized,
25 there was no secret, and save the golf course, because
0023
01 we know where it went, but we didn't see the money go
02 help the people. But it's intimidation on everyone.
03 We saw sanctions on Chris Doherty
04 because I raised issues about his campaign finances
05 because it wasn't filed timely.
06 Well, I went through a living heck
07 over what went on there. Driver's license wasn't good,
08 voter's registration wasn't good. You name it,
09 whatever I supplied wasn't good enough to prove my
10 residency in the city.
11 I had to run for mayor here, but
12 we weren't intimidated. Sanctions were dropped and we
13 move forward. But that question still remains to be
14 answered, Did Chris Doherty take money from a
15 corporation and then pay it back, and that question
16 will be answered, because it wasn't on the merits of
17 the case, it was on time. But it's intimidation.
18 We look on the caps. Janet,
19 you're absolutely right, go for the caps on whoever is
20 running, because we won't have this problem. Go after
21 the KOZs and the non-profits.
22 Let the money from Nay Aug's
23 Christmas show take care of the animals and give it to
24 the cultural center. That's where our cultural is, our
25 culture is supposed to be.
0024

01 You know, President Bush got a new
02 limousine to use today, but ironically he only runs the
03 country. That's all he got.
04 MR. DIBILEO: Mr. Bolus.
05 MR. BOLUS: But Carl Greco makes
06 more money in the City of Scranton than the
07 President of the United States, and President Bush has
08 got to give the limousine back in four years.
09 MR. DIBILEO: Mr. Bolus, I need to
10 ask you to wrap it up.
11 MR. BOLUS: I will wrap it up in a
12 second, Gary. It's been a while since I've been here
13 and I just had a few things that went on, if I may.
14 I saw the Hill last week donated a
15 dog, there's no mention in the Times about it. It's
16 something credible to the city.
17 Mr. Hickey is representing
18 Mr. Pocius and Hazzouri on the pension funds, the
19 Home Rule Charter tells us we have to give it back. I
20 don't think that should be Mr. Hickey's job.
21 I want to know where the money is
22 coming from and who's paying the fees, but it should go
23 back to the Doherty administration when his father was
24 there, who received benefits and a pension and everyone
25 subsequent after that.
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01 That is money this Council should
02 go for to be returned back here because you're not
03 entitled to it. That's why we have a Home Rule
04 Charter.
05 And last, I listen to Dave
06 Gervasi, and I keep listening to the he said/they said
07 issue between the fire department and the mayor. You
08 know, let them come here now, and I'm saying this in
09 front of Dave and everyone else, and the mayor, come
10 here now, let us judge the truth about he said/they
11 said, where the benefits and everything lies.
12 I don't want to hear any more
13 stories out of school. Let's hear the truth right now,
14 because we the people have the right to do the judging,
15 and no more of this back-door games. If we're going
16 to move Scranton, let's move it the right way. Thank
17 you very much.
18 MR. DIBILEO: Thank you.
19 Lee Morgan.
20 MR. MORGAN: Good evening,
21 Council.
22 MR. DIBILEO: Good evening.

23 MR. MORGAN: I just have a couple
24 of questions on issues that have come before Council
25 previously, and I'd like to know, has there been any
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01 movement towards a playground program in this city as
02 of yet?

03 MR. DIBILEO: Does anybody --

04 MR. MORGAN: Is there any reason
05 why that can't be successful? Is there a road block or
06 is there a lack of communication?

07 MS. EVANS: I don't think it's a
08 lack of communication. Perhaps the school district --
09 I really shouldn't be speaking for them, you should be
10 asking them yourself, but as I indicated early last
11 summer or late spring, they offer a myriad of
12 opportunities in a variety of locations that include
13 quite an age range, and that may be, you know, part of
14 the, let's say, I don't want to call it lack of
15 enthusiasm, but, you know, let's say lack of excitement
16 because so much is currently offered, even during the
17 school year; isn't that so?

18 MR. MORGAN: Another question I
19 have is, Is there any chance that the pool, the fee for
20 the swimming pool, is going to be repealed by this
21 Council?

22 MR. DIBILEO: There's always a
23 chance, Lee, sure.

24 MR. MORGAN: I mean, we're asking
25 attorneys to tell us what the deed says, and in all
0027

01 reality what really matters is the taxpayers here pay a
02 tax. And as you watch government function now, you
03 just see things disappear slowly. A lot of them you
04 don't notice. And it's just -- it points to the fact
05 of possibly a lack of priorities being in the right
06 place.

07 And, you know, we have a gentleman
08 who comes here and talks about a \$60,000 fee with OECD,
09 and, well, that's okay, and then we had a lady who
10 spoke last week about how the slides were there in the
11 '50s, I wasn't aware of that.

12 So, I mean, you know, it just
13 comes down to the Council and the mayor putting their
14 priorities in order, and I think that the most
15 important thing is the people, and I just think that
16 this city has really lost focus on what is important.

17 MS. EVANS: Lee, if I might, I
18 think Council has its priorities in order. We tried

19 very hard to repeal those swimming fees. That power
20 lies solely within the jurisdiction of the Scranton
21 Recreation Authority, they were empowered by the
22 current administration, and for the time being, they
23 must be the ones to repeal that, and it was Council who
24 got the ball rolling on donations for free swim passes;
25 otherwise, I don't believe you would have seen that
0028

01 come to pass.

02 I believe that Council, or at
03 least members of City Council, are still very adamant
04 about the swimming fees at Nay Aug and would very much
05 like to see that done away with.

06 So, you know, I -- at least in
07 that particular category, I really take umbrage at
08 being lumped in with the mayor.

09 MR. MORGAN: The one last question
10 I have is, and then I have a follow-up to this
11 question, but what actually in this Council's opinion
12 is the condition of the city financially?

13 MR. DIBILEO: Well, when you need
14 to borrow money to balance your budget --

15 MS. EVANS: You're in bad shape.

16 MR. DIBILEO: -- to the tune of
17 about \$8 millions, the way I count it, it can't be the
18 best.

19 MR. MORGAN: Okay. Could I ask
20 one more follow-up question and then I walk away from
21 the podium? How come this Council has never used its
22 power of subpoena to get answers to questions instead
23 of trying to congeal people to come and answer
24 questions, instead of using a power that is at your
25 disposal?

0029

01 And I have never once in my whole
02 lifetime seen Council use that power, and I think that
03 that's the one tool you really have. Because even
04 Nixon couldn't beat a subpoena.
05 I mean, it's time to really start
06 wielding that axe. And I'd just like to see that
07 happen, because, you know, we had a previous Council we
08 want to change, we have this Council, but really to be
09 honest, I mean, I appreciate a lot of the things that
10 Council has done, and I have no major beefs with
11 Council, I'll say that right up front, but I think a
12 lack of commitment to using a tool that's going to give
13 you answers is a major problem here.

14 And we seem to be begging all the

15 time for answers, and the people in this city need
16 answers, because as you know, the income level is
17 dropping like a rock in this city. And, I mean, you
18 can see this by legislation, 2.2 percent to sell your
19 property and run. I mean, and I just think subpoena is
20 the way to go, and I would like to know if anybody can
21 tell me why that tool hasn't been used and if it will
22 be used. Thank you.

23 MR. DIBILEO: Thank you,

24 Mr. Morgan. Erik Johnson.

25 MR. JOHNSON: Good evening,
0030

01 City Council, and Lisa and staff.

02 MR. DIBILEO: Good evening.

03 MR. JOHNSON: I apologize last

04 week for leaving my hat on while the meeting was going

05 on. I don't think it's proper to leave your hat on.

06 Economic war on low income fixed

07 income and the elderly citizens of Scranton and

08 elsewhere.

09 The Scranton economic motor could

10 stall. The Washington administration officially

11 mentioned wasteful as the reason for its plan to

12 dismantle community development plans operated by the

13 Department of Housing And Urban Development. The \$4.7

14 billion block grants are vital to the cities like

15 Scranton that are financial strapped.

16 Scranton Block Grant funds are

17 vital in helping the city to rebuild structure,

18 foundations, improvements and scores of millions of

19 dollars in new construction to the revival of the

20 city's park systems and other projects.

21 In Scranton, this program is not

22 indeed wasteful or inefficient. The program with

23 administration of costs is far below HUD's allowed

24 maximums. So, U.S. Representative Paul Kanjorski, Don

25 Sherwood, Senator Specter and Senator Santorum better

0031

01 get on this subject with many mayors of the cities to

02 fight and work to preserve this important vital U.S.

03 program.

04 It's also nice to know that there

05 are human people such as the advocates fighting the

06 wealthy gas companies' proposed bill supporting by

07 Governor Rendell that the gas companies can terminate

08 and turn off your heat and gas or oil of the elderly

09 fixed income and low income pays that are struggling to

10 pay for the higher tax and raised prices of heating

11 bills that are especially being rated as of now during
12 our deep freeze weather.
13 Even if you are paying some of the
14 high bill, you are able to catch up during the summer.
15 They would not let you do this anymore. I'm, for one,
16 have always caught up by May and June.
17 Most Scrantonians favor a commuter
18 tax, as they tell me, and the Municipal Job Tax could
19 help out for expenses of the police and fire
20 departments.
21 Also, we are concerned, when will
22 the administration and city unions start talking
23 again? Wasn't it contract time a long time ago?
24 The clock is running for the mass exodus of homes being
25 turned over to the banks and wealthy buyers from the
0032
01 fixed income and elderly residents.
02 There's no relief from the legal
03 gambling laws and county taxes. By next year their
04 homes will be taken away from them. Then that's when
05 relief will come to the wealthy buyers who sell the
06 elderly and low income American Dream. It's an
07 economic war against the elderly and low income
08 citizens of Lackawanna County and possibly the whole
09 country, which will divert back to the wealthy
10 landowners and poverty stricken people without even a
11 roof over their heads.
12 More people in shelters are
13 homeless. That's what we seem to vote for anymore,
14 poverty and rumors of war in Iran, North Korea, along
15 with Iraq, not counting the only justified war that
16 should be in Afghanistan.
17 Also, we need to pray for our
18 troops over there in Iraq and after Afghanistan. They
19 are really doing a great job for us. And whether
20 they -- it's a back-door draft anyway.
21 On the block of 1521
22 Farr Street when there's a snow storm, I got a call
23 last night from Linda Pfeiffer's Aunt Shirley, and she
24 says that it's never cindered, and it's hazardous to
25 drive. And I also -- it's near Dorothy Street and near
0033
01 the recreation park. Also, I think there's a
02 magistrate office there, too, on Farr Street. And, you
03 know, when there's a storm and all that, you know, if
04 it's an ice, also, they seem to have a lot of problems
05 on that street. Could someone take note of that?
06 MS. EVANS: Yes.

07 MR. JOHNSON: -- and have that
08 taken care of, okay?
09 MS. EVANS: Yes.
10 MR. JOHNSON: I have a lot of
11 residents call me and ask me, you know, they say you're
12 doing a good job, you know? They like what I'm saying,
13 so keep on coming here. God bless you all. Thank
14 you.
15 MR. DIBILEO: Thank you, Erik.
16 MS. EVANS: Thank you.
17 MR. DIBILEO: Mr. Saunders, can
18 you look into the cindering on Farr Street, please?
19 Thank you. Charlie Newcomb.
20 MR. NEWCOMB, JR.: Good evening,
21 Council.
22 MR. DIBILEO: Good evening.
23 MR. NEWCOMB, JR.: First I need to
24 commend Mrs. Evans on your motion that you made last
25 week to make the caps on the election
0034
01 contribution/reform, in my opinion, I guess we'll call
02 it.
03 I wasn't here in the beginning of
04 the meeting, but, Mr. Saunders, I think you said the
05 Gibbons Firm was at \$55,000?
06 MR. SAUNDERS: \$55,000 annually.
07 MR. NEWCOMB, JR.: And that's just
08 a flat fee.
09 MR. SAUNDERS: Flat fee.
10 MR. NEWCOMB, JR.: Okay. So, if
11 we do basic math, I guess \$55,000, I guess, times four
12 years, that's \$220,000 for four years.
13 I guess another question would be,
14 What do they do for that money? What consulting do
15 they do for \$220,000?
16 Did we receive, another question
17 that I asked, any numbers for Nay Aug Park or a copy of
18 the electric bill for the Christmas lights? I know I
19 asked that a couple of weeks ago.
20 MR. DIBILEO: Mr. Saunders.
21 MR. SAUNDERS: No, I didn't get
22 that yet.
23 MR. NEWCOMB, JR.: Okay. Thank
24 you. I also asked a question last week regarding a
25 legal question, if we were paying Attorney Hickey, the
0035
01 city was paying Attorney Hickey or if Mr. Pocius or
02 Mr. Hazzouri was paying Mr. Hickey privately, did we

03 find an answer to that at all?
04 MR. DIBILEO: Jay, do you have
05 anything on that or Mark?
06 MR. WALSH: I don't believe that
07 there's being anything -- that there is anything
08 additionally being paid to Mr. Hickey, other than the
09 salary he has for the city.
10 And with respect to that suit, I
11 think it's a private suit, also, although the city may
12 be a party to the suit, I don't think there's anything
13 extra being spent out of the city coffers.
14 And as a matter of fact, Charlie,
15 I think I tried to answer that question, but you may
16 have left a little bit early. I tried to give you that
17 answer before you left.
18 MR. NEWCOMB, JR.: Okay. Thank
19 you. Last year, I don't know if anybody recalls, a
20 neighbor of mine stood at this podium, Mrs. Grant, and
21 she told you a story of how she had to witness myself
22 do CPR on her husband for 20 minutes plus.
23 At that time while she stood here
24 at this podium she was promised by City Council that
25 her husband did not die in vein. It's going to be
0036
01 coming up on a year anniversary of losing her husband
02 and myself a witness to that situation.
03 After we listened to the records
04 at Comm Center, it was indeed over the time that the
05 paper had said of eight minutes.
06 I sat down with the fire
07 department last year and I was given numbers from the
08 EMS system, and as you all know, there was a very
09 informational caucus that was done here last year where
10 you found out that the fire department was very willing
11 to do this system.
12 You have your hands tied, but the
13 administration doesn't. So, I would like to know if
14 it's possible, because I don't get anywhere with this
15 administration, to be perfectly honest with you, they
16 don't like me, so I want to know if it will be possible
17 if Council can send a letter to the mayor, I know one
18 was already sent last year, asking why this isn't in
19 effect.
20 And I don't want to hear the
21 answer because we don't have union contracts, because
22 that is not acceptable to somebody that had to witness
23 me do CPR on their husband for over 20 minutes.
24 MR. DIBILEO: Charlie, that

25 actually was something that Mr. Courtright and I
0037

01 discussed last week. I told him that I thought one of
02 the most valuable things we tried to do last year was
03 to help implement the quick response system, which
04 would have members of the fire department respond to
05 emergencies, in addition to the ambulance coming.
06 And in most cases, fire department
07 personnel could possibly be there quicker than an
08 ambulance, because as we know, sometimes it takes quite
09 a length of time for the ambulance to arrive.

10 And I was very disappointed when
11 that could not have taken place last year, and the
12 answer was because of the contract negotiations. The
13 fire department is, I know, is still willing to do that
14 without any further fee.

15 They're paid a salary and they'd
16 like to have that remain the same and they're willing
17 to add that as an extra bonus. Have you found anything
18 out, Mr. Courtright?

19 MR. COURTRIGHT: I didn't want to
20 take up all your time, Charlie, but we sat at this
21 table right here, Director Hayes, Chief Davis, members
22 of the fire union, and we all thought it was a go, and
23 then that answer had come back to us.

24 And like you said, our hands are
25 tied. I can't force the mayor to do something he
0038

01 doesn't want to do. But I hope the letter has gone out
02 already. Jay is not here. I believe about a week and
03 a half ago I asked him to send out a letter, Kay, I
04 don't know if you know or not, over to the Comm Center,
05 and I asked for several reports, if they were capable
06 of generating these reports for me.

07 I'm doing a little legwork with
08 somebody, and when I get all the information back,
09 it's -- because I'm still getting reports from people
10 that the response time isn't what it should be.

11 MR. NEWCOMB, JR.: So am I.

12 MR. COURTRIGHT: So, one of the
13 reports I'm asking for is going to show me that, you
14 know, for a fact. I asked for an entire year of last
15 year's reports.

16 And once I get this information
17 back, I'm going to put it together, and there might be
18 another avenue that we could explore that would get a
19 quicker response time to the citizens.

20 I don't want to bring it up now,

21 because it might not be possible, so I'd like to have
22 my facts in order before I say anything, and if I come
23 up with something that would help the people of the
24 City of Scranton, then I will send it down to the
25 administration again and see if they're willing to do
0039

01 that.

02 It's a little bit different than
03 what we discussed, but at this particular time I have
04 no control over -- I would have liked to have seen that
05 thing work, but it just --

06 MR. NEWCOMB, JR.: Yeah, we all
07 would.

08 MR. COURTRIGHT: I guess it wasn't
09 meant to be. When I get the information and I get my
10 facts in order -- actually there's one individual from
11 a fire department that has sent me letters and has been
12 in contact with me, because he's very concerned about
13 it, the same as you are, so it might take me a little
14 while, but I just don't want to jump the gun and I
15 don't want to say I can do something I can't do.

16 So, when I get the information,
17 I'll present it, probably to the fire department see
18 if it's acceptable to them, they know much more about
19 it than I do, and if everybody thinks it's a good idea,
20 I'll send it to the administration, and hopefully
21 they'll think the same. So, it might take a little
22 bit, but I'm trying.

23 MR. NEWCOMB, JR.: Thank you. One
24 quick comment on that, I don't want to phrase it wrong
25 here, but with reports, because I got reports from them
0040

01 that weren't right, and how we actually got the right
02 time was we actually had to go listen to those horrific
03 tape with a stopwatch to find out the true meaning of
04 how long the dispatch was.

05 MR. COURTRIGHT: I've got to
06 believe that they'll give me --

07 MR. NEWCOMB, JR.: I'm not saying
08 that they're -- but I'm just saying that it's -- I
09 guess the way I want to say it, it's difficult to read
10 the reports, I guess.

11 MR. COURTRIGHT: Yeah. And I'm
12 willing to have somebody help me with that that's much
13 more versed in it than I am, because I don't really
14 know much about it at all.

15 MR. NEWCOMB, JR.: If I can just
16 have another minute or so.

17 MR. DIBILEO: Yeah, go ahead. We

18 took some of your time.

19 MR. NEWCOMB, JR.: I understand

20 last year that an audit was done, I believe it was

21 Rossi & Rossi, was the name of the firm, that sat here

22 and gave us answers, was that of the authorities or was

23 that just for the city and itself? Does anybody know?

24 MR. DIBILEO: I believe it's just

25 the city.

0041

01 MR. NEWCOMB, JR.: Okay. And was

02 that published in the newspaper by any chance?

03 MR. SAUNDERS: No, it was not

04 published in the newspaper.

05 MR. NEWCOMB, JR.: Okay. I am

06 just going to read real quick two lines from

07 Section 313, and what I'm basically asking for is if we

08 can do an audit of the authorities, as well as the

09 city.

10 It states very clearly in the

11 Home Rule Charter under the section for annual

12 independent post audit, that it is to be done by a

13 certified public accountant who has no private interest

14 in the fiscal affair of the city government or its

15 elected or appointed officers.

16 So, what I'm asking for is if we

17 get an audit done, to get it done from outside of

18 Scranton, go to Philadelphia, go to Delaware, go to New

19 York, go wherever, but don't get it done with people

20 within this city anywhere that have any political ties

21 whatsoever.

22 The last line of that section

23 says, A summary of the fiscal affairs shall be

24 published in the local newspaper by May 31 of each

25 year. So, according to the Home Rule Charter, it

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01 states that the annual public audit should be in the

02 newspaper every year so the people can see what their

03 money is being spent on.

04 So, Lee Morgan had said before the

05 power of subpoena, and this is a good question, why

06 don't we use the power of subpoena? The mayor won't

07 come in here, why don't we use that power of subpoena

08 to get him in here?

09 I would like before I step down

10 from this podium somebody to make a motion to do a

11 complete audit of all the authorities in this city. I

12 don't care how much money it costs.

13 If we can put millions of dollars
14 into Nay Aug Park, I would like us to pay a public
15 accountant to find out where our money is going and
16 where it is being spent.
17 So, I would appreciate, and I'm
18 asking for somebody to make a motion, to do an audit of
19 all the authorities within this city and publish it in
20 the newspaper so the people of this city truly know
21 what is going on. Would that be possible for anybody
22 to make a motion to do an audit?
23 MR. DIBILEO: Mr. Walsh, am I --
24 is he here?
25 MR. SAUNDERS: No. But before you
0043
01 go into that, audits are done on all of the
02 authorities.
03 MR. NEWCOMB, JR.: Certified.
04 MR. SAUNDERS: Certified audits
05 done by -- we have copies in our office that you're
06 welcome to. Now, the other side of that is you're
07 asking for someone outside of the city.
08 MR. NEWCOMB, JR.: Right.
09 MR. SAUNDERS: Murphy-Dougherty
10 does the SRA, I believe. You know, I think they're all
11 local companies. So, before they actually went into
12 that, they are done, they are certified public
13 accountants that do them, but they are local companies.
14 MR. NEWCOMB, JR.: Well, then I'm
15 asking for somebody outside the city to do this so we
16 can truly get what our numbers are. Not saying that
17 their numbers are fudged, but I would like to know from
18 a third-party who has no political interest in this
19 city whatsoever what our numbers are truly about.
20 And that is a good question, how
21 come we don't use our power of subpoena? Why can't we
22 use it? Why don't we use it? Does anybody know? Can
23 we use it?
24 MS. EVANS: Uh-huh.
25 MR. NEWCOMB, JR.: Why don't we?
0044
01 MS. EVANS: There has to be
02 support for it.
03 MR. NEWCOMB, JR.: So you need at
04 least three council members to do it or four to
05 subpoena? Good thing to think about.
06 MS. EVANS: Yeah, that's a very
07 good question whether it requires three or four, since
08 it's never been implemented, to my knowledge.

09 MR. DIBILEO: Thank you, Charlie.

10 MR. NEWCOMB, JR.: Thank you.

11 MR. DIBILEO: I'd like to thank

12 Mr. Courtright for taking the initiative that he did
13 regarding this quick response system and trying to come
14 up with a way to possibly implement that, because since
15 our conversation a couple of weeks ago, I really didn't
16 know that you had done that, and I want to thank you
17 for it.

18 You know, that is something that
19 really will help the people of the city and it
20 literally could and probably will save lives if we can
21 get a response quicker than an ambulance in cases of
22 emergency, heart attacks, choking, whatever the case
23 may be.

24 Some of us in this room have
25 firsthand experience with the response of ambulances
0045

01 just since last year, and some of them are very
02 negative, very negative, very tragic. So, thank you
03 for that, Mr. Courtright. Keep us posted on that.

04 Larry McAndrew.

05 MR. McANDREW: Larry McAndrew,
06 Scranton resident taxpayer. Good evening, Council.

07 MR. DIBILEO: Good evening.

08 MR. McANDREW: I want to first
09 start off by just thanking Mrs. Evans for last
10 week's -- starting a motion about these caps. This is
11 very important.

12 MS. EVANS: I agree.

13 MR. McANDREW: This is very
14 important. We don't need any candidate, any elected
15 official, that has to show favoritism, that has to give
16 out contracts because of what an individual, a business
17 or what corporation's money has done for this person.
18 I hope that our Home Rule Charter
19 says it's okay to do this, to put these caps in. If
20 not, I think it should be amended. This is very
21 important here.

22 Also last week's Council meeting,
23 Mr. Lee Morgan brought out that we're forming
24 committees. We want to organize. This also is
25 important.

0046

01 I think that the young and the
02 old, all citizens of Scranton, should be involved with
03 their government. It's we, the people, it's our
04 government. We have to make decisions. We have to get

05 our ideas out.
06 Keep your eyes open, keep your
07 ears listening for the near future. This has to be
08 done and it has to be done right. That's all I have to
09 say on that.
10 I was listening to the caucus
11 earlier this evening, and the director, my
12 understanding, has been here three years in her
13 capacity here, and looking at Mayor Doherty's budget, I
14 believe she's being paid over \$57,000. She has an
15 assistant, who is a director, this person is getting
16 another \$47,000 pay, and this person also got an
17 increase on \$5,000, according to this budget. This
18 includes the \$47,000 all total. The raise was \$5,000.
19 My question to you is this, If
20 this person has been in this position for three years,
21 I don't think we need any outside consultants paying
22 them \$60,000 to get contracts, when it's her
23 responsibility to do this. Enough said on that.
24 The name Cameron Moore,
25 President of the Northeastern Pennsylvania Alliance,
0047
01 spoke recently here in Plains, which is down by
02 Wilkes-Barre.
03 This regional economic development
04 organization was the first in this area, and what he
05 said is this area needs more growing up to do. People
06 have said to him that we could do much better here,
07 that we can't be patting ourselves on the back saying
08 what improvements were done in the last few years and
09 how great a job we are doing.
10 We are competing with other areas
11 of the state and this nation that knows this stuff,
12 that has done this stuff ten, twenty years ago. It's
13 about time Scranton, Pennsylvania gets caught up.
14 Mayor Doherty, are you listening? I thank you.
15 MS. EVANS: That concludes the
16 list of speakers for this evening on the sign-in
17 sheet. If anyone else cares to address Council, you
18 may do so at this time.
19 MR. DAVIS: Good evening, ladies
20 and gentlemen. My name is Dave Gervasi, I'm a city
21 resident and the spokesman for the firefighters union.
22 There was a lot of stuff talked
23 about here tonight. I just want to make a few comments
24 on each of them.
25 Mr. Bolus mentioned that myself
0048

01 and our negotiating committee and the mayor should sit
02 here in front of the public and talk about, because,
03 you know, he said, they said, you know, nobody really
04 knows what is going on.

05 I want Mr. Bolus to know that
06 during the referendum campaign, I mean, I'm not an
07 educated man, I don't have a college degree, I'm just a
08 fireman, and I offered to debate the mayor at a public
09 forum on Channel 61, or anywhere else they wanted to
10 put it, to talk about the different parts of the
11 recovery plan, and I had no fear in doing that.

12 And I also went to the last
13 City Council, who we used to call rubber stampers,
14 because that's what they were, and I just asked them
15 really nicely at a few of the meetings, like, you know,
16 can we just all sit down together, because the mayor is
17 not really talking about a lot of these things that are
18 in the recovery plan, and we have a lot of questions
19 about it, and can we just ask the mayor in front of
20 Council if, you know, we'd like to hear his answers.

21 And of course they refused to do that, too.
22 So, I just want Bob to know that I
23 will be willing at any time to sit with the mayor at
24 any time in a public forum and debate the issues.
25 I also want you to know, too, I
0049

01 mean, some people know me, some people that do know me
02 would know that I'm telling you the truth right now, I
03 take my job serious, and I represent 150 families, so I
04 have to be very careful with what I say up here.

05 At times I'll speak as a citizen
06 or as myself and I'll give my opinion on what I think
07 is going on, but when I give you numbers from this
08 podium, you can bank on them, they're the truth and
09 they're factual.

10 Because if I'm here on live TV
11 representing 150 families and I lie, they can come back
12 and haunt me, and I can't do that in the position I'm
13 in.

14 There's another talk just a little
15 while ago about, you know, it seems like Council can't
16 get things done and people are waiting for answers and
17 they're waiting for this, they're waiting for that.

18 Well, if I was the mayor and I
19 wanted to my put agenda through and I lost my majority
20 on Council, probably the first thing I would do is cut
21 a few people from your staff so that way -- I mean,
22 this is a part-time job frankly for all of you. All of

23 you are very busy professionals, and you guys can't be
24 here, you know, 24-7 researching every little thing
25 that goes on in the budget, every dime that's spent.

0050

01 So, to me, to really cut your legs
02 off, I would probably eliminate a few people from your
03 office. When your solicitor comes in, I'd probably pay
04 him half of what I paid the last guy that was doing
05 everything for me, no matter good or bad or right or
06 wrong, and maybe knock his incentive down a little bit.
07 I'm not saying that Mr. Walsh
08 would do that, I know Mr. Walsh since we were in fifth
09 grade, and he gives 100 percent of everything he ever
10 did, mostly on the football field.
11 I mean, that's what I would do if
12 I want to get my agenda across completely. So, you
13 know, what happened? They knocked off a couple people
14 in your thing, they cut the salary of your solicitor.
15 So, it puts the restraints on this Council to get a lot
16 of things done and know exactly what is going on, and
17 it's probably impossible to actually figure out what is
18 going on all the time.
19 So, I mean, I just wanted the
20 public to know that, that I know, you know, they're
21 frustrated, I know this Council gets very frustrated at
22 times, and there's a reason for it. The mayor
23 deliberately did that so that you couldn't keep up on
24 everything. And politically, smart move on his part.
25 I don't like it, but smart move on his part.

0051

01 The QRS was brought up again, the
02 quick response system. Just to kind of get in the
03 mayor's head a little bit again, if I was in
04 negotiations with the fire department, and there's been
05 a long history, I mean, nobody knows I'm lying about
06 this, everything you see in the paper is usually
07 negative about us, we can't do this, we can't do that,
08 the city is broke, we're borrowing money because those
09 darn uniformed unions.
10 Well, briefly, we are not going to
11 accept a recovery plan that has illegalities in it and
12 goes against Pennsylvania labor law, we are not going
13 to sit back because -- this man is a temporary steward
14 of the city.
15 He's not an expert in fire, he's
16 not an expert in safety, and all we ask since the
17 beginning was tell us what you would like to do. We
18 negotiated the last four contracts and gave major

19 concessions because they were open and honest with us
20 and said, can we do this, can we do that, we need the
21 money.

22 Even though it was for
23 mismanagement, it wasn't our fault, it was for
24 mismanagement, and we did the right thing. This has
25 been from day one, here is the recovery plan, take it
0052

01 or leave it.

02 We're not negotiating it, we're
03 not changing it, we're not doing anything. And all we
04 said in the beginning was, there's things that we
05 cannot accept.

06 You're not going to make a deal
07 with anyone if it violates labor laws, if it violates,
08 as far as I'm concerned, ethics. And until we get
09 those answers, there's nothing we can really do to get
10 a contract, other than to go to arbitration. And, you
11 know, we're going to see the result of that really
12 soon.

13 Just a brief comment on your
14 caucus you had before. I mean, this is my opinion, and
15 I'm not speaking as the fire spokesman, correct me if
16 I'm wrong, we hired a company for \$60,000 to do, which
17 was my understanding, to do the same things that the
18 staff of OECD should be doing; fair to say?

19 MS. EVANS: Yes.

20 MR. DAVIS: Mr. Doherty took
21 office, now, the guy said that they do training, but it
22 takes so long because there's so many things that they
23 have to know. Did we need -- did this administration
24 not remove two or three of the people that did that for
25 all those years that actually put the mall together,
0053

01 they got rid of them and hired new people that didn't
02 know what they're doing, but now it's going to take
03 years to train these people and that's why we need a
04 consultant; is that fair to say? Okay. Then they said
05 people come in for money and -- may I finish?

06 MR. DIBILEO: Yeah, finish your
07 thought.

08 MR. GERVASI: People come in for
09 money to start new businesses, and they said they do
10 industrial, commercial, they have been here for three
11 years now, they do industrial, commercial and small
12 business to help get these together, economic
13 development, and they mention five small restaurants,
14 which, by the way, they're all good restaurants, but

15 industrial, commercial, they got five small restaurants
16 to come into the city and help them out in three years
17 with this consulting firm. I didn't hear them mention
18 anything else.
19 The part that really scared me was
20 when they said, People come in looking for money, and
21 the majority of them come in looking for money, and if
22 they can't get financing from a, we're the bank, too.
23 So, we hire a guy -- pay a guy to become a consultant
24 to do OECD's work, then when they come in and you need
25 financing, the guy that we hired that has the inside
0054

01 information on where the money is and what we can do
02 and what the plans are and all the inside stuff, he's
03 going to loan you money and he's going to give it to
04 you for a long period of time.

05 I mean, it sounds like a loan
06 shark to me. I don't understand. I mean, this is
07 weird. I think you should find out what they're
08 charging in interest on these loans and how you
09 actually get here, other than going to the bank and the
10 bank will refer them to you if the bank won't give you
11 money. That's unbelievable.

12 I mean, I think you should really
13 look into that. It sounds -- I'm not going to say it.
14 I'm just going to say -- it got my attention when they
15 were speaking. And if this guy is so good, maybe we
16 should get rid of all of OECD and leave two secretaries
17 there to help this guy run OECD. One or the other.

18 Why do we need both?

19 MR. DIBILEO: Thank you,

20 Mr. Gervasi.

21 MR. DAVIS: You're welcome.

22 MS. KRAKE: Good evening, Council.

23 My name is Nancy Krake.

24 MR. DIBILEO: Good evening.

25 MS. KRAKE: A lot of things

0055

01 happened at the two caucus meetings, so hopefully next
02 week I'll have more questions, but I do have a few
03 right now.

04 The first caucus meeting that was
05 with Len Kresiefski, Mrs. Evans asked, Where is the
06 money that was collected at the pools deposited into?
07 And Mr. Kresiefski said that it was brought into the rec
08 authority.

09 And I, for one, was never aware

10 that we had audits of the rec authority that

11 Mr. Saunders just mentioned, so I would really like to
12 see a copy of that audit.

13 MR. SAUNDERS: I don't know if the
14 rec authority has been audited, since it's just been
15 put into place, but all the other authorities have been
16 audited.

17 MS. KRAKE: So, will we have an
18 audit of the rec authority this year and will it be
19 published in the paper by May 31?

20 MR. SAUNDERS: I'm sure we will.

21 MS. KRAKE: Yes, we will?

22 MR. SAUNDERS: I don't know that
23 for sure, but I think by the Home Rule Charter they
24 have to do that.

25 MR. DIBILEO: Jay, why don't you
0056

01 find out if that will be the case?

02 MS. KRAKE: I think that will be
03 fascinating reading, since I'm also curious that
04 someone -- a very experienced retiree mentioned, I was
05 wondering if those people were bonded who were
06 collecting the money.

07 The other thing I would like to
08 mention is, Mr. Courtright was mentioning about the
09 garbage fees, and right now in the treasurer's office,
10 we are collecting the delinquent city real estate bills
11 for 2004, and we will have them in our office until
12 March 31.

13 After March 31, they will be
14 turned over to NCC, and then they add another 25
15 percent. So, if at all possible, if a person can make
16 any payment, it will reduce their bill. So, I hope
17 that people will be able to either maybe call us or
18 find out if there's anything they can pay.

19 NDC that was here tonight and the
20 director of ever OECD made it very plain who and what
21 they are about. NDC not only collects \$60,000 a year
22 in fees for work, that Mrs. Evans pointed out is
23 available for free from the NEPA Alliance, they also
24 provide loans, that Mr. Gervasi just mentioned, that
25 are available through any bank, but then NDC wouldn't

0057

01 make any money on them.

02 I hope they're paying the
03 mercantile tax if they've made any money in Scranton,
04 not only on their fee that they charge, but if they
05 provided any loans to selected businesses and profited
06 by that. Perhaps we can look into that.

07 I don't know that they're so
08 forthcoming in any of that information, but apparently
09 we have a lot of information available, so maybe we
10 will be getting some of that.
11 Actually, and they also never
12 really said that they provided any of these loans, only
13 that they were available, that they had the ability to
14 do so and that's what made us need them so badly, so
15 that was also very interesting.
16 They're very capable of doing it,
17 but I didn't hear them mention anyone that they've done
18 it for, unless they were just being discreet because
19 they're negotiating it right now.
20 Ms. Hailstone must have forgotten
21 the consultants Dougherty Murphy & Company, because I
22 believe, Mrs. Evans, you asked her?
23 MS. EVANS: Yes.
24 MS. KRAKE: And didn't she say,
25 no, she didn't have any other consultants?
0058
01 MS. EVANS: Exactly.
02 MS. KRAKE: Wow, she mustn't need
03 them either. She doesn't even remember them. That was
04 only a week ago. It's incredible.
05 Those consultants, by the way,
06 replaced very capable union workers who made a heck of
07 a lot less. PEL and NDC seem to be very similar in the
08 way we always need them. You know, we're never going
09 to be able to get rid of them.
10 Dougherty and Murphy and
11 Leventhal, I believe, are doing some of the housing
12 work now. Maybe that's one reason that Ms. Hailstone
13 didn't recall them. I know she's not too interested in
14 providing the low income loans. And that's all I have
15 for this evening. I hope to have more questions by
16 next week. Thank you.
17 MR. DIBILEO: Thank you. Are
18 there any other speakers? If not, Mr. Walsh.
19 MR. WALSH: 5-A, Motions.
20 MR. DIBILEO: Mr. McTiernan, do
21 you have any motions or comments?
22 MR. McTIERNAN: Just a comment,
23 Mr. President. I received a letter from an
24 organization based out of the Watres Armory, and they
25 are called the Armor Family Readiness Group, and
0059
01 they're a non-profit support groups made of sons,
02 daughters, wives, girlfriends, parents and in-laws of

03 soldiers of the 115 Army National Guard Unit, which is
04 currently in Iraq.
05 They are scheduled to return home
06 within the next month or so, but due to the fluid
07 situation in Iraq, that is not able -- we're not able
08 to determine a date.
09 The support group is asking if
10 City Council can assist them in any way to provide an
11 honorable welcome home from their service, so I'm going
12 to ask Mr. Saunders if he would take the lead on this
13 to see if there's any way City Council can help them.
14 They're looking for donations to
15 sponsor a portion of this event, and they are hoping to
16 have a parade for the returning soldiers. We're
17 hoping, according to this letter, to have police and
18 fire escort, if indeed the City Council and the
19 administration concur, and there are names and
20 addresses of contact personnel. So, if I can give this
21 to Mr. Saunders, I would appreciate it. Thank you.
22 And that's all I have, Mr. President. Thank you.
23 MR. DIBILEO: Thank you,
24 Mr. McTiernan. Thanks, Mr. Saunders, for helping out
25 on that. Mrs. Evans, motions or comments?

0060

01 MS. EVANS: First I'd like to
02 recognize an individual who does high-quality work and
03 who is very dedicated to her job. Thanks to Linda, the
04 first floor of City Hall often sparkles and leaves a
05 very good impression on visitors, and she works with
06 Perry, another wonderful employee who was commended
07 last week by Mr. Courtright.
08 I'd also like to thank
09 Mr. Gene Reed, who is responsible for having the one
10 way sign rehung on Plum Place. I think it's very
11 important to commend all of our city employees for
12 their dedication and hard work, despite obstacles that
13 are sometimes placed in their paths; for example, Neil,
14 a clerk in Council's office was highly instrumental in
15 eliminating the number of abandoned vehicles on our
16 streets, and I thank him sincerely for his assistance;
17 however, this week he was told by a police officer that
18 they are no longer allowed to run license plate checks
19 for Neil per orders from the police chief.
20 It's very hard to eliminate blight
21 when you're restricted by the administration. I really
22 wish people would work together to get the job done and
23 set aside any type of differences.
24 I know the police department is

25 quite busy and they're overworked, but if they don't
0061

01 run the plate checks and get these vehicles off the
02 street, I don't know who can.

03 In the second half of 2003, many
04 pieces of legislation were railroaded through Council
05 by the former lame-duck Council in preparation for the
06 arrival of new Council persons; for example, CDBG
07 allocations were made six months earlier than in prior
08 years, and in July 2003, legislation was passed that
09 returned to the business administrator the discretion
10 to move money between accounts within a department
11 without Council approval.

12 I would like to return the control
13 or oversight of financial transfers to City Council as
14 an added measures of checks and balances.

15 As finance chair, I have witnessed
16 such a flurry of transfers in the final months of 2004,
17 it's very difficult to track them. Also, PEL meeting
18 summaries are slow in coming and monthly budget to
19 actual reports were never provided, though they will be
20 in the future.

21 In the midst of what's been called
22 a financial crunch or a fiscal crisis that includes
23 borrowing and the sale of assets and cutting cops and
24 ignoring potential revenue sources, and in the face of
25 bigger and bigger budgets each year, which contain a
0062

01 good deal of fat, we need more, not less fiduciary
02 control; therefore, I move to direct our Council
03 solicitor to draft an ordinance to return to city
04 Council the final approval to move money between
05 accounts within a department.

06 MR. COURTRIGHT: I'll second it.

07 MR. DIBILEO: We have a motion on
08 the floor and a second. On the question? On the
09 question, let me say that when this came up in July of
10 2003, to change the process of having Council not be a
11 part of transferring money within a department, I voted
12 against that, I thought that taking those extra steps
13 were worth it, and I think that it only makes sense in
14 a time where we are borrowing to balance our budget, in
15 a time where requested information isn't that
16 forthcoming at times, it just seems to make more sense
17 that we take all precautionary measures to keep an eye
18 on our dollars and cents.

19 MS. EVANS: And I just wanted to
20 add that Mr. Kresefski himself indicated that this will

21 not slow the process down in his office by changing the
22 or ordinance in this manner -- whereby creating, I
23 should say, an ordinance of this type.

24 MR. DIBILEO: Anyone else on the
25 question?

0063

01 MR. POCIUS: Yes. Having served
02 as a former finance chairman and worked under both
03 situations, this has gone back and forth, the system
04 that is working right now is working, because basically
05 Mr. Kresefski explained to us, you cannot transfer from
06 salaries and the benefit portions without an ordinance
07 into what we call the lower half of the lines.

08 What we're talking about is, take
09 DPW, transfer from parts to tires or tires to gas or to
10 cinders or to anti-skid or whatever, it could be as
11 simple as something like \$198 has to be maybe read
12 three times in the ad placed in the paper, and I think
13 that's going to be cumbersome.

14 We receive reports every week as
15 they come down for these interdepartmental, not
16 interdepartmental, but departmental transfers, and they
17 are all on the lower lines, as we say. So, I just
18 don't -- why fix something if it's working, and I think
19 it's working.

20 MR. DIBILEO: Let me say one more
21 thing. If I'm not mistaken, during the four years that
22 Mayor Doherty was Councilman Doherty and chairman of
23 finance, things worked under that system.

24 MS. EVANS: Uh-huh.

25 MR. DIBILEO: And if things were
0064

01 so bad, why wouldn't he have asked as finance chairman
02 that this has to be change? It worked under that
03 system for him, I think it should work under that
04 system now. I voted against it then, and I'll vote in
05 favor of sending things back to the way they were now.

06 MS. EVANS: And we had, as part of
07 our earlier discussion, noted that in fact, and
08 Mr. Kresefski agreed with this assumption, and it is
09 merely an assumption, I don't have any facts on which
10 to base this, but that this particular ordinance has
11 been amended and then returned to its original format
12 numerous times throughout the years, and it was my
13 belief that occurred because oversight or an additional
14 system of checks and balances was necessary during a
15 particular administration, and Council needed to
16 exercise those checks and balances over the budget, and

17 when it wasn't essential, then of course it was
18 changed.
19 But I feel it is quite essential,
20 and it obviously was done after an election, as I said,
21 by a lame-duck Council in an attempt to put an obstacle
22 before City Council, so that Council would find it that
23 much more difficult to keep its eyes on your tax
24 dollars. And every dollar counts, at least in my house
25 it does, and I'm sure it does in yours, too.

0065

01 So, that is why I've proposed it,
02 and I am hoping that my fellow Council members will
03 consider it seriously.

04 MR. DIBILEO: Anyone else on the
05 question? If there's no further questions, can I ask
06 for a roll call vote on this, Mr. Walsh?

07 MR. WALSH: Certainly, you can ask
08 for a roll call vote.

09 MR. DIBILEO: Let's get a roll
10 call vote, Kay, on this, please.

11 MS. GARVEY: Mr. McTiernan.

12 MR. McTIERNAN: No.

13 MS. GARVEY: Mrs. Evans.

14 MS. EVANS: Yes.

15 MS. GARVEY: Mr. Pocius.

16 MR. POCIUS: No.

17 MS. GARVEY: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MS. GARVEY: Mr. DiBileo.

20 MR. DIBILEO: Yes. By a 3-2 vote,
21 motion carries. Thank you.

22 MS. EVANS: Thank you.

23 Mr. Walsh, do you have any update on the, well,
24 whether we want to call it campaign contribution
25 reforms or election campaign control ordinances?

0066

01 MR. WALSH: Certainly. Yes, I do.

02 In fact, I have hundreds of pages which I am going to
03 give to the Council members that they can read some of
04 it. I know I passed one, I think, article to you
05 earlier this evening, but I have a lot more articles,
06 and some of those other articles tackle the issue
07 differently.

08 So, the answer to your question

09 is, yes, I have a lot of literature, I'll make sure all
10 the Council members get that literature so everybody
11 can be up to snuff on exactly what this issue involves
12 and what the legal implications are.

13 I'm holding right now, I think
14 this is about 200 pages right here, and I'll make sure
15 that everybody gets that so they have their reading
16 material, and then perhaps at the caucus next week, if
17 people have any questions, they can answer those
18 questions, and I'll continue to research the issue, as
19 well.

20 MS. EVANS: And please with great
21 haste.

22 MR. WALSH: Yes.

23 MS. EVANS: I see no reason why
24 the City of Scranton can't impose contribution limits
25 for elections conducted within the jurisdiction of the
0067

01 City of Scranton.
02 Such limits are made in response
03 to public concern about corruption or the appearance of
04 corruption brought about when candidates for elective
05 office accept large contributions.
06 Public service should be just
07 that, public service, rather than a means for
08 individuals or companies to financially benefit from
09 favoritism.
10 Big money and public service, in
11 my opinion, don't mix well, and so I intend to pursue
12 this legislation, whether I must amend a Home Rule
13 charter or a municipal code, whether I must take this
14 to a public vote and have it placed on the ballot for
15 the people of Scranton to decide so that I can make the
16 proper amendments and present those ordinances, but I
17 think its time has certainly come, and I've tried in
18 other ways to address these situations; for example,
19 the case of the no-bid contracts, and I've met with no
20 success, and I believe that this type of legislation
21 can go a long way to address those concerns, for one.
22 And I think in the long-run it's going to save
23 taxpayers money, because for once you really will know
24 when you go the lowest responsible bid.

25 MR. DIBILEO: Mrs. Evans, would
0068

01 you care to make a motion to that effect to direct
02 Mr. Walsh to do that regarding --

03 MS. EVANS: To draft the
04 ordinance?

05 MR. DIBILEO: To have him
06 investigate that and draft it upon finding out if it's
07 legal.

08 MS. EVANS: We did that last week.

09 MR. DIBILEO: We voted on it last
10 week?

11 MS. EVANS: Yes.

12 MR. WALSH: I believe that I'm
13 investigating it now, that's why I have all of this
14 literature, and I'll make sure that everybody has that
15 literature in hand, as well.

16 MS. EVANS: It was a 4-1 vote.

17 MR. DIBILEO: Thank you.

18 MS. EVANS: That's all I have.

19 MR. DIBILEO: Thank you,

20 Mrs. Evans. Mr. Pocius, any motions or comments?

21 MR. POCIUS: Mr. President, I have
22 nothing at this time. Thank you.

23 MR. DIBILEO: Thank you.

24 Mr. Courtright, motions or comments.

25 MR. COURTRIGHT: Yes,
0069

01 Mr. President. A couple issues. Jay, I wasn't able to
02 get to you during the week, maybe you can help me out
03 with them. West Pass Street, several calls. Evidently
04 I haven't gotten an opportunity to get up there, some
05 severe, severe potholes, if somebody could just take a
06 quick look at that and try to rectify the problem.
07 Olive Street at Capouse Avenue has
08 been a sore spot for the longest time. Why it's not
09 fixed? I don't know. But on Olive and Capouse, on
10 Olive Street heading west, I've experienced those
11 potholes myself, to the tune I thought I lost my tire.
12 I would ask if the DPW could
13 really as soon as possible get down there and do
14 something with those holes before we have some maybe --

15 MS. EVANS: Did you say West Pass?

16 MS. EVANS: West Pass, yes. I
17 have been asking about that for months.

18 MR. COURTRIGHT: Oh, okay. I'm
19 sorry. I didn't --

20 MS. EVANS: No, no, I'm so glad
21 you are, too. Perhaps between the two of us now it
22 might happen.

23 MR. COURTRIGHT: Let's hope so.

24 MS. EVANS: They might have double
25 trouble.

0070

01 MR. COURTRIGHT: All right. I got
02 a call from a grocery store in the area, a well-known
03 grocery store, I'm not going to say their name, and
04 they wanted to call me and to congratulate and to

05 praise our police department.

06 There was a nun, I believe, that
07 was shopping in a grocery store, and two girls stole
08 her purse. The security called the Scranton Police
09 Department, and I guess they got there in record time,
10 very, very fast. They were able to catch the girls,
11 arrest them, find the purse, retrieve the purse and
12 have it all back to the individual, the nun, within an
13 hour, I believe. So, it was an extremely well-done
14 job.

15 And I'd just like to mention their
16 names. I think the primary police officers were
17 John Hallock and Mr. Guida, and Sergeant Butkowski
18 assisted in that, and I believe Officer Joe Holland.
19 And I think there's two officers from Taylor, but I
20 only got the one officer's name, I think his last name
21 is Waters, he assisted the Scranton Police Department,
22 also. So, an extremely well-done job, and I'd like to
23 commend them for that.

24 And one last thing, this past
25 Friday, you know, a voluntary evacuation down the
0071

01 Plot Section, and I happen to be down there, is it
02 Brown Avenue, is that where I was at, I'm not -- I
03 couldn't remember the name, but on Brown Avenue, they
04 were getting the brunt of it again, and I happened to
05 get a hold of Chief Davis and asked him if he could
06 come down there and take a look at it, maybe they could
07 pump it out, and he had said he had been there already,
08 but I asked if he could go back and just explain to the
09 people what could be done.

10 He sent the assistant chief within
11 minutes to meet with me, and then he went down to
12 explain to those people what could or could not be
13 done, so I just wanted to thank the assistant chief and
14 Chief Davis for helping out those people down there.
15 That's all I have. Thank you.

16 MR. DIBILEO: Thank you,
17 Mr. Courtright. That was a close call last week with
18 the rains we had and the melting of the snow and the --
19 I went down there and was picked up by Joe Cottone, who
20 was driving around, and he took me over behind his
21 building, and the water was literally right at the top.
22 Another inch and it would have been coming over into
23 his property, so that was -- we got lucky on that one.
24 And a great job by the officers that you mentioned.
25 Last week I had mentioned that I

0072

01 had talked to a host of various organizations involving
02 the new Emergency Municipal Services Tax and possibly
03 implementing that at the same time in conjunction with
04 a slight reduction in our wage tax, and I ended up
05 speaking to a couple of the people I had mentioned
06 since last week.
07 And Senator Bob Mellow called me
08 the following day, we had three different conversations
09 that day, and also I spoke to Fred Reddick, who called
10 me back from the Pennsylvania Economy League, and they
11 both concurred that this is probably best to be taken
12 up at budget time in conjunction with the whole budget
13 process.
14 I only wish that I had thought of
15 that idea myself a few weeks ago, but I think, again,
16 we were more concerned with trying to eliminate the
17 need for \$4 million worth of borrowing, which we
18 achieved, but were unable to get passed.
19 I have yet to hear back from
20 Mayor Doherty, who I had mentioned I had put in a call
21 to. So, again, I assume, but I can't confirm, that
22 he's for lowering the wage tax.
23 Also, Mrs. Evans mentioned her
24 name, last week we had mentioned Perry. Perry is a
25 young man who does a great job here cleaning City Hall,
0073
01 and it was probably a little irresponsible for us to
02 mention Perry without mentioning the one and only other
03 person that cleans City Hall and does also an excellent
04 job, and that's Linda Peratano.
05 And she didn't ask us to mention
06 her name, but it hit me afterwards, and I think it hit
07 all of us actually that we shouldn't go without
08 mentioning her name, if we're going to mention, you
09 know, one of the two people that do such a great job.
10 So, our thanks go out to Linda Peratano.
11 I spoke to Lela Malone, who you
12 all know probably as the wife of Mr. Malone, who was
13 killed last year when a garbage truck backed up and
14 somehow he ended up underneath it, and she's very
15 concerned, as are many members of DPW, regarding the
16 implementation of cameras, installation of cameras
17 being put on all of the garbage trucks, on all of the
18 trucks actually.
19 She asked me to look into it
20 because she's been unable to reach George Parker, and
21 she asked me if I could actually mention what is
22 happening.

23 And I talked to George Parker, and
24 he told me that currently six trucks have the cameras
25 on them that the city paid for, but that the remaining
0074

01 eight trucks, they're seeking a grant to get the money
02 for camera installation on those and that it could take
03 a couple of months.

04 Probably not going to make her
05 happy. I think all of DPW would wish that all the
06 trucks had the cameras, but they don't quite all have
07 them yet, but hopefully we will have that happen as
08 soon as possible, and our thanks to George for trying
09 to work on that to try to make it happen as soon as
10 possible.

11 MS. EVANS: Mr. DiBileo, might it
12 be possible, because I know what Mrs. Malone is saying,
13 and I've been requesting updates on these video cameras
14 now for quite a while, as Jay knows, would it be
15 possible for Mr. Parker to purchase -- I understand
16 that three new pack masters are on the way, so I would
17 agree that it's ludicrous to place cameras on an old
18 truck that will no longer be in use, but for those
19 trucks that are still in service, couldn't those
20 cameras be purchased, and then if the funds are
21 received from the state, they could be used to
22 reimburse the purchase of those cameras so that they
23 could go on now?

24 MR. DIBILEO: That may be
25 possible. Would you, Mr. Saunders, request that of him
0075

01 and see if it's possible?

02 MR. SAUNDERS: I will do that.

03 MR. DIBILEO: Okay. We'll look
04 into it. Thank you. And the last thing I want to
05 mention, and this is really not our job, and I just
06 want to mention, I talked to Mr. Walsh and Mr. Saunders
07 during the meeting, you know, it's very cold outside
08 last week, this past week and the upcoming days, the
09 temperature is very low and frigid out there, you know,
10 and I'm sure that there's people out there without
11 heat, and there may be some people without heat that
12 really don't know where to turn and who to talk to and
13 what can they do about it, and, you know, you just want
14 to make sure that nobody is going to be injured or
15 killed God forbid because of that condition, and
16 Mr. Walsh or Mr. Saunders both mentioned that they know
17 there's an agency that people can contact, they're not
18 aware of the name of it, I'm not aware of the name of

19 it, possible somebody up here might be, but if we can
20 ask people if they happen to see the show and happen to
21 be in that position, if they can just call us, we'll
22 get that name and number tomorrow for anybody that
23 needs to make a phone call regarding a dangerous
24 situation with no heat. Call the City Council office,
25 348-4113, 348-4113, and we'll get you in the direction
0076

01 of some help. And if anybody has any other
02 information, and if not, that's the best we can do for
03 now. Next week maybe we'll have more information we
04 can pass along, but call us at tomorrow if you have
05 to. That's all I have. Mr. Walsh.

06 MR. WALSH: 5th order. 5-B, FOR
07 INTRODUCTION - A RESOLUTION - APPROVING AND AUTHORIZING
08 A MORTGAGE SUBORDINATION AGREEMENT IN FAVOR OF NORTH
09 PENN BANK, CONCERNING A CITY COMMERCIAL INDUSTRIAL LOAN
10 WITH GJK RESTAURANT GROUP, INC. (GJK), WHICH IS TO BE
11 EXECUTED. (ATTACHED).

12 MR. DIBILEO: At this time I'll
13 entertain a motion that Item 5-B be introduced into its
14 proper committee.

15 MR. POCIUS: So moved.

16 MR. COURTRIGHT: Second.

17 MR. DIBILEO: On the question?

18 All those in favor of introduction, signify by saying
19 aye.

20 MR. POCIUS: Aye.

21 MR. McTIERNAN: Aye.

22 MS. EVANS: Aye.

23 MR. COURTRIGHT: Aye.

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

0077

01 MR. WALSH: Sixth order. 6-A,
02 READING BY TITLE - FILE OF COUNCIL NO. 100. 2005 - AN
03 ORDINANCE - AMENDING FILE OF COUNCIL NO. 231, 2003, AN
04 ORDINANCE ENTITLED GENERAL CITY OPERATING BUDGET 2004
05 BY TRANSFERRING \$85,000.00 FROM ACCOUNT NO.
06 01.401.15230.4299 (TAN SERIES A) TO THE ACCOUNTS LISTED
07 BELOW TO PROVIDE FUNDING TO COVER EQUIPMENT RENTAL AND
08 PROFESSIONAL SERVICES.

09 MR. DIBILEO: You've heard reading
10 by title of Item 6-A. What is your pleasure?

11 MR. POCIUS: Mr. President, I move
12 that Item 6-A pass reading by title.

13 MR. COURTRIGHT: Second.

14 MR. DIBILEO: On the question?

15 All those in favor, signify by saying aye.

16 MR. McTIERNAN: Aye.

17 MR. POCIUS: Aye.

18 MS. EVANS: Aye.

19 MR. COURTRIGHT: Aye.

20 MR. DIBILEO: Aye. Opposed? The

21 ayes have it and so moved.

22 MR. WALSH: 6-B, READING BY TITLE

23 - FILE OF COUNCIL NO. 101, 2005 - AN ORDINANCE -

24 AMENDING FILE OF THE COUNCIL NO. 101 OF 1989 CREATING A

25 COMMITTEE FOR THE DESIGNATION AND CERTIFICATION OF

0078

01 PROPERTY AS BLIGHTED, AND THE ACQUISITION AND

02 DISPOSITION OF SUCH PROPERTY TO BE KNOWN AS THE VACANT

03 PROPERTY REVIEW COMMITTEE TO INCLUDE A FIFTH MEMBER TO

04 THE COMMITTEE, NAMELY THE CITY PLANNER.

05 MR. DIBILEO: You've heard reading

06 by title of Item 6-B. What is your pleasure?

07 MR. POCIUS: Mr. President, I move

08 that 6-B passes reading by title.

09 MR. COURTRIGHT: Second.

10 MR. DIBILEO: On the question?

11 MS. EVANS: Wasn't this committee

12 already created? Aren't they up and running?

13 MR. COURTRIGHT: Yeah, they're

14 just adding somebody to it, right?

15 MR. POCIUS: Mr. Saunders sits on

16 the committee. You told me, Jay, that sometimes you

17 are having a tough time getting a quorum?

18 MR. SAUNDERS: Yeah. There's four

19 members on that committee and --

20 MR. POCIUS: I sat on this

21 committee years and years ago when it was first

22 started. I don't know if I sat on it as president of

23 Council at that time or was I the chairman of the

24 planning commission, but I remember when this first

25 started up in '89, so it would have been after that,

0079

01 but --

02 MR. DIBILEO: So they're adding

03 the city planner.

04 MR. POCIUS: Yeah. It's a very

05 qualified person for this. He sits there as advisory

06 right now, right, Jay? He kind of comes to the

07 meetings sometimes and he's advisory on some of this

08 stuff?

09 MR. SAUNDERS: Yes.

10 MR. DIBILEO: If there's no

11 further questions, all those in favor signify by saying
12 aye.

13 MR. McTIERNAN: Aye.

14 MS. EVANS: Aye.

15 MR. POCIUS: Aye.

16 MR. COURTRIGHT: Aye.

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

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

20 FOR CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR

21 ADOPTION - FILE OF COUNCIL NO. 92, 2005 - AMENDING FILE

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

23 AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON

24 THE TRANSFER OF REAL PROPERTY SITUATE WITHIN THE CITY

25 OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF

0080

01 EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS

02 AND IMPOSING DUTIES UPON CERTAIN PERSONS, AND PROVIDING

03 PENALTIES, BY IMPOSING THE RATE OF THE REALTY TRANSFER

04 TAX AT 2.2% FOR CALENDAR YEAR 2005.

05 MR. DIBILEO: What's the

06 recommendation of the chairperson for the committee on
07 finance?

08 MS. EVANS: As chair for the

09 committee on finance, I recommend final passage of

10 Item 7-A.

11 MR. POCIUS: Seconded.

12 MR. DIBILEO: On the question?

13 Roll call, please, Kay.

14 MS. GARVEY: Mr. McTiernan.

15 MR. McTIERNAN: Yes.

16 MS. GARVEY: Mrs. Evans.

17 MS. EVANS: Yes.

18 MS. GARVEY: Mr. Pocius.

19 MR. POCIUS: Yes.

20 MS. GARVEY: Mr. Courtright.

21 MR. COURTRIGHT: Yes.

22 MS. GARVEY: Mr. DiBileo.

23 MR. DIBILEO: Yes. I hereby

24 declare Item 7-A legally and lawfully adopted.

25 MR. WALSH: 7-B, FOR CONSIDERATION

0081

01 BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF

02 COUNCIL NO. 93, 2005 - AMENDING FILE OF THE COUNCIL

03 NO. 7, 1976 ENTITLED AN ORDINANCE (AS AMENDED) IMPOSING

04 A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE YEAR 1976

05 AND ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN

06 CERTAIN OCCUPATIONS AND BUSINESSES THEREIN; PROVIDING

07 FOR ITS LEVY AND COLLECTION AND FOR THE ISSUANCE OF
08 MERCANTILE LICENSES; CONFERRING AND IMPOSING POWERS AND
09 DUTIES UPON THE TAX COLLECTOR OF THE CITY OF SCRANTON;
10 AND IMPOSING PENALTIES, BY IMPOSING THE MERCANTILE
11 LICENSE TAX AT 1 MILL FOR CALENDAR YEAR 2005.

12 MR. DIBILEO: What's the
13 recommendation of the chairperson for the committee on
14 finance?

15 MS. EVANS: As chair for the
16 committee on finance, I recommend final passage of
17 Item 7-B.

18 MR. POCIUS: Seconded.

19 MR. DIBILEO: On the question?
20 Roll call, please.

21 MS. GARVEY: Mr. McTiernan.

22 MR. McTIERNAN: Yes.

23 MS. GARVEY: Mrs. Evans.

24 MS. EVANS: Yes.

25 MS. GARVEY: Mr. Pocius.

0082

01 MR. POCIUS: Yes.

02 MS. GARVEY: Mr. Courtright.

03 MR. COURTRIGHT: Yes.

04 MS. GARVEY: Mr. DiBileo.

05 MR. DIBILEO: Yes. I hereby
06 declare Item 7-B legally and lawfully adopted.

07 MR. WALSH: 7-C, FOR CONSIDERATION
08 BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF
09 COUNCIL NO. 94, 2005 - AMENDING FILE OF THE COUNCIL
10 NO. 8, 1976, ENTITLED AN ORDINANCE (AS AMENDED)
11 PROVIDING FOR THE GENERAL REVENUE BY IMPOSING A TAX AT
12 THE RATE OF 2 MILL UPON THE PRIVILEGE OF OPERATING OR
13 CONDUCTING BUSINESS IN THE CITY OF SCRANTON AS MEASURED
14 BY THE GROSS RECEIPTS THEREFROM; REQUIRING REGISTRATION
15 AND PAYMENT OF THE TAX AS CONDITION TO THE CONDUCTING
16 OF SUCH BUSINESS; PROVIDING FOR THE LEVY AND COLLECTION
17 OF SUCH TAX; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS
18 AND RECORDS; CONFERRING POWERS AND DUTIES UPON THE TAX
19 COLLECTOR; AND IMPOSING PENALTIES, BY IMPOSING THE
20 BUSINESS PRIVILEGE TAX AT THE RATE OF 1 MILL FOR
21 CALENDAR YEAR 2005.

22 MR. DIBILEO: What's the
23 recommendation of the chairperson for the committee on
24 finance?

25 MS. EVANS: As chair for the
0083

01 committee on finance, I recommend final passage of
02 Item 7-C.

03 MR. POCIUS: Seconded.
04 MR. DIBILEO: On the question?
05 Roll call, please.
06 MS. GARVEY: Mr. McTiernan.
07 MR. McTIERNAN: Yes.
08 MS. GARVEY: Mrs. Evans.
09 MS. EVANS: Yes.
10 MS. GARVEY: Mr. Pocius.
11 MR. POCIUS: Yes.
12 MS. GARVEY: Mr. Courtright.
13 MR. COURTRIGHT: Yes.
14 MS. GARVEY: Mr. DiBileo.
15 MR. DIBILEO: Yes. I hereby
16 declare Item 7-C legally and lawfully adopted.
17 MR. WALSH: 7-D, FOR CONSIDERATION
18 BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF
19 COUNCIL NO. 95, 2005 - AMENDING FILE OF THE COUNCIL NO.
20 9, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) ENACTING
21 AND IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON
22 INDIVIDUALS FOR THE PRIVILEGE OF ENGAGING IN AN
23 OCCUPATION WITHIN THE CORPORATE LIMITS OF THE CITY OF
24 SCRANTON, BY IMPOSING THE OCCUPATIONAL PRIVILEGE TAX OF
25 FIFTEEN (\$15.00) DOLLARS FOR RESIDENTS AND TEN (\$10.00)
0084
01 DOLLARS FOR NON-RESIDENTS FOR CALENDAR YEAR 2005.
02 MR. DIBILEO: What's the
03 recommendation of the chairperson for the committee on
04 finance?
05 MS. EVANS: As chair for the
06 committee on finance, I recommend final passage of Item
07 7-D.
08 MR. POCIUS: Seconded.
09 MR. DIBILEO: On the question?
10 MR. McTIERNAN: Mr. President, I'd
11 just like to thank Mr. Saunders. Last week I had some
12 questions on what is now 7-D and 7-F, and he did some
13 research for me, and I want to thank him for that.
14 That's all.
15 MR. DIBILEO: If there's no
16 further questions, roll call, please.
17 MS. GARVEY: Mr. McTiernan.
18 MR. McTIERNAN: Yes.
19 MS. GARVEY: Mrs. Evans.
20 MS. EVANS: Yes.
21 MS. GARVEY: Mr. Pocius.
22 MR. POCIUS: Yes.
23 MS. GARVEY: Mr. Courtright.
24 MR. COURTRIGHT: Yes.

25 MS. GARVEY: Mr. DiBileo.

0085

01 MR. DIBILEO: Yes. I hereby

02 declare Item 7-D legally and lawfully adopted.

03 MR. WALSH: 7-E, FOR CONSIDERATION

04 BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF

05 COUNCIL NO. 96, 2005 - AMENDING FILE OF THE COUNCIL NO.

06 11, 1976, ENTITLED AN ORDINANCE (AS AMENDED) ENACTING,

07 IMPOSING A TAX FOR GENERAL REVENUE PURPOSES IN THE

08 AMOUNT OF 2% ON EARNED INCOME AND NET PROFITS ON

09 PERSONS, INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO

10 ARE RESIDENTS OF THE CITY OF SCRANTON, OR NON-RESIDENTS

11 OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES

12 PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF

13 SCRANTON, REQUIRING THE FILING OF RETURNS BY TAXPAYERS

14 SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO COLLECT THE

15 TAX AT SOURCE; PROVIDING FOR THE ADMINISTRATION,

16 COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND

17 IMPOSING PENALTIES FOR THE VIOLATIONS, BY IMPOSING THE

18 WAGE TAX AT 2.4% ON EARNED INCOME FOR THE YEAR 2005 FOR

19 RESIDENTS.

20 MR. DIBILEO: What's the

21 recommendation of the chairperson for the committee on

22 finance?

23 MS. EVANS: As chair for the

24 committee on finance, I recommend final passage of Item

25 7-E.

0086

01 MR. POCIUS: Seconded.

02 MR. DIBILEO: On the question?

03 Roll call, please.

04 MS. GARVEY: Mr. McTiernan.

05 MR. McTIERNAN: Yes.

06 MS. GARVEY: Mrs. Evans.

07 MS. EVANS: Yes.

08 MS. GARVEY: Mr. Pocius.

09 MR. POCIUS: Yes.

10 MS. GARVEY: Mr. Courtright.

11 MR. COURTRIGHT: Yes.

12 MS. GARVEY: Mr. DiBileo.

13 MR. DIBILEO: Yes. I hereby

14 declare Item 7-E legally and lawfully adopted.

15 MR. WALSH: 7-F, FOR CONSIDERATION

16 BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF

17 COUNCIL NO. 97, 2005 - AMENDING FILE OF THE COUNCIL

18 NO. 17, 1994 ENTITLED AN ORDINANCE (AS AMENDED)

19 AUTHORIZING THE GOVERNING BODY OF THE CITY OF SCRANTON

20 TO ENACT A WASTE DISPOSAL AND COLLECTION FEE FOR THE

21 PURPOSE OF RAISING REVENUE TO COVER THE WASTE DISPOSAL
22 AND COLLECTION COSTS INCURRED BY THE CITY OF SCRANTON
23 FOR THE DISPOSAL AND COLLECTION COSTS INCURRED BY THE
24 CITY OF SCRANTON FOR THE DISPOSAL OF REFUSE, BY
25 IMPOSING A WASTE DISPOSAL AND COLLECTION FEE OF \$178.00
0087

01 FOR CALENDAR YEAR 2005.

02 MR. DIBILEO: What's the

03 recommendation of the chairperson for the committee on
04 finance?

05 MS. EVANS: As chair for the

06 committee on finance, I recommend final passage of Item
07 7-F.

08 MR. POCIUS: Seconded.

09 MR. DIBILEO: On the question?

10 Roll call, please.

11 MS. GARVEY: Mr. McTiernan.

12 MR. McTIERNAN: Yes.

13 MS. GARVEY: Mrs. Evans.

14 MS. EVANS: Yes.

15 MS. GARVEY: Mr. Pocius.

16 MR. POCIUS: Yes.

17 MS. GARVEY: Mr. Courtright.

18 MR. COURTRIGHT: Yes.

19 MS. GARVEY: Mr. DiBileo.

20 MR. DIBILEO: Yes. I hereby

21 declare Item 7-F legally and lawfully adopted.

22 MR. WALSH: 7-G, FOR CONSIDERATION

23 BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF

24 COUNCIL NO. 98, 2005 - AMENDING FILE OF THE COUNCIL

25 NO. 100, 1976, ENTITLED AN ORDINANCE (AS AMENDED)

0088

01 LEVYING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR

02 1977, BY SETTING THE MILLAGE FOR THE YEAR 2005.

03 MR. DIBILEO: What's the

04 recommendation of the chairperson for the committee on
05 finance?

06 MS. EVANS: As chair for the

07 committee on finance, I recommend final passage of

08 Item 7-G.

09 MR. POCIUS: Seconded.

10 MR. DIBILEO: On the question?

11 Roll call, please, Kay.

12 MS. GARVEY: Mr. McTiernan.

13 MR. McTIERNAN: Yes.

14 MS. GARVEY: Mrs. Evans.

15 MS. EVANS: Yes.

16 MS. GARVEY: Mr. Pocius.

17 MR. POCIUS: Yes.
18 MS. GARVEY: Mr. Courtright.
19 MR. COURTRIGHT: Yes.
20 MS. GARVEY: Mr. DiBileo.
21 MR. DIBILEO: Yes. I hereby
22 declare Item 7-G legally and lawfully adopted.
23 MR. WALSH: 7-H, FOR CONSIDERATION
24 BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF
25 COUNCIL NO. 99, 2005 - SALE OF TAX DELINQUENT PROPERTY
0089
01 AT 2609 JACKSON STREET, SCRANTON, PENNSYLVANIA, TO
02 ARTHUR WILLIAMS, 1522 N. KEYSER AVENUE, SCRANTON,
03 PENNSYLVANIA, 18504, FOR THE SUM OF \$6,800.00.
04 MR. DIBILEO: What's the
05 recommendation of the chairperson for the committee on
06 finance?
07 MS. EVANS: As chair for the
08 committee on finance, I recommend final passage of Item
09 7-H.
10 MR. POCIUS: Seconded.
11 MR. DIBILEO: On the question?
12 Roll call, please, Kay.
13 MS. GARVEY: Mr. McTiernan.
14 MR. McTIERNAN: Yes.
15 MS. GARVEY: Mrs. Evans.
16 MS. EVANS: Yes.
17 MS. GARVEY: Mr. Pocius.
18 MR. POCIUS: Yes.
19 MS. GARVEY: Mr. Courtright.
20 MR. COURTRIGHT: Yes.
21 MS. GARVEY: Mr. DiBileo.
22 MR. DIBILEO: Yes. I hereby
23 declare Item 7-H legally and lawfully adopted.
24 MR. POCIUS: Prior to reading 7-I,
25 Mr. President, I will be abstaining on any action on
0090
01 this thing tonight, 7-I.
02 MR. DIBILEO: Yes.
03 MR. WALSH: 7-I, FOR CONSIDERATION
04 BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION
05 NO. 119, 2005 - AUTHORIZING THE MAYOR AND OTHER
06 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO
07 SUPPLEMENTAL ENGINEERING AGREEMENT NUMBER 041508-B
08 SUPPLEMENT C WITH CECO ASSOCIATES, INC. TO AMEND THE
09 AGREEMENT FOR ADDITIONAL CONSTRUCTION INSPECTION
10 SERVICES COSTS OF \$10,235.82 FOR THE ONGOING EAST
11 MARKET STREET BRIDGE IMPROVEMENT PROJECT.
12 MR. DIBILEO: As chairperson for

13 the committee on rules, I recommend final passage of
14 Item 7-I.

15 MS. EVANS: Second.

16 MR. DIBILEO: On the question?

17 Roll call, please.

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: Abstain.

24 MS. GARVEY: Mr. Courtright.

25 MR. COURTRIGHT: Yes.

0091

01 MS. GARVEY: Mr. DiBileo.

02 MR. DIBILEO: Yes. I hereby

03 declare Item 7-I legally and lawfully adopted.

04 MR. WALSH: 7-J, FOR CONSIDERATION

05 BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION

06 NO. 120, 2005 - AUTHORIZING THE MAYOR AND OTHER

07 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A

08 CONTRACT FOR INSURANCE WITH HARIE INSURANCE EXCHANGE,

09 NATIONAL CASUALTY AND PHILADELPHIA INSURANCE COMPANY

10 FOR CITY INSURANCE COVERAGES FOR THE YEAR 2005.

11 MR. DIBILEO: As chairperson for

12 the committee on rules, I recommend final passage of

13 Item 7-J.

14 MR. POCIUS: Seconded.

15 MR. DIBILEO: On the question?

16 MR. COURTRIGHT: Mr. President, on

17 the question I have two questions. Last week I asked,

18 and I know Mr. Walsh is doing a tremendous amount of

19 work for us this week, and I don't know if you got an

20 opportunity to look into this, I just thought it

21 peculiar that they already got the contract and now

22 we're going to vote on it. Did you find out if that's

23 proper or not or you didn't have an opportunity to do

24 that?

25 MR. WALSH: Yes. Let me explain

0092

01 exactly what the story is here. Basically I believe

02 that they went out and tried to get quotes. The year

03 expired, obviously we couldn't start the new year

04 without any sort of insurance coverage or we would have

05 been in trouble, so typically what happens is the

06 insurance company will write up a rider, which is sort

07 of a window insurance policy to cover us interim until

08 we accept the new contract.

09 Without doing that, we'd be left
10 without any insurance. I guess the question would be
11 that how do we pay for that, and I think what would
12 happen is it'd probably be payed prorata for that
13 window coverage if we didn't take on their company by
14 vote today or whether we had to pay them at all.
15 I did have an opportunity to speak
16 to Mr. Kresefski, who is very informative on this
17 issue, and indicated that the deal that we have this
18 year is we're paying less than we were paying last
19 year.
20 But to answer your question, it
21 was a rider that was issued to cover the interim period
22 during which we otherwise would have had no insurance.
23 MR. COURTRIGHT: Okay. Thank you.
24 And just, I'm trying not to beat this to death, but
25 maybe I can ask Mr. DiBileo, because this is his field
0093
01 of expertise, would it be common in your industry to
02 just use one broker?
03 I can't get by that. I'm sorry to
04 keep bringing it up, but would you say that's a common
05 thing to just use one broker?
06 MR. DIBILEO: Well, of course it's
07 always the business owner's prerogative to use one
08 broker or to put it out to bid so to speak.
09 And I'll give you an example, just
10 two weeks ago I was involved in a situation where a
11 local successful large business owner chose to put his
12 insurance out to bid, and he called four brokers, and I
13 was lucky enough to be one to have the opportunity to
14 bid, and actually another broker involved was the
15 city's broker of record, the Noles Agency, and two
16 others, so all four of us used our best company at our
17 best price, neither the Noles Agency or myself were
18 first, but we weren't last either, came right in the
19 middle there, but that's an example of how that
20 business owner chose to use four brokers that he chose,
21 as opposed to one broker. And that's his money that
22 he's spending, so he has that prerogative, of course,
23 to do it or not do it.
24 In my opinion, in this case this
25 isn't the mayor's money; therefore, all the more reason
0094
01 to seek the lowest bid so to speak, but, then again, as
02 the mayor might tell you, he's the mayor and he made
03 his decision.
04 MR. COURTRIGHT: And I just want

05 to make it know, I have absolutely -- I'm sure the
06 Noles Group is excellent, and I have nothing against
07 them at all, I just thought if they would -- if there
08 was a couple other ones, maybe, just possibly maybe, I
09 understand it's a lower rate than it's been before and
10 that was in the past, and I appreciate that, I just
11 hope that the next time around maybe we can consider
12 using more than one broker and just trying to get the
13 best deal, and that's the last you'll hear from me on
14 it. Thank you.

15 MR. DIBILEO: Thank you. And I
16 just want to say before getting off this subject that
17 the individuals involved in these companies that are
18 now representing us are of the highest caliber, and I
19 have the utmost respect for them, and I mean nothing
20 negatively when I make my comments regarding this
21 topic, and, also, I would never even think about
22 becoming involved in the process myself, because it
23 would be a conflict of interest to do so, and I don't
24 talk about this subject for that reason at all.

25 MS. EVANS How much money did we
0095

01 save this year?

02 MR. DIBILEO: It could be in the
03 neighbor of \$40,000 and some thousand dollars.

04 MR. COURTRIGHT: From last year.

05 I believe it's \$45. Jay, do I --

06 MR. McTIERNAN: \$44,982.

07 MR. WALSH: I have the backup on
08 that, I believe.

09 MR. COURTRIGHT: Well, I'm
10 grateful for that. Maybe that wouldn't have even
11 occurred had we not pushed in that direction, but, you
12 know, the prior year, we were, I believe, \$330,000
13 over. And, you know, the \$40, let's say, \$45,000 still
14 leaves us at a real sizeable loss here that I think we
15 may well have saved if we'd been able to do what we
16 asked to do months ago well before the expiration date.

17 MR. DIBILEO: Anyone else on the
18 question? If not, 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.

0096

01 MR. COURTRIGHT: Yes.
02 MS. GARVEY: Mr. DiBileo.
03 MR. DIBILEO: Yes. I hereby
04 declare Item 7-J legally and lawfully adopted.
05 MR. WALSH: 7-K, FOR CONSIDERATION
06 BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION
07 NO. 121, 2005 - RE-APPOINTMENT OF DAVID V. PHANEUF,
08 1812 ACADEMY STREET, SCRANTON, PENNSYLVANIA, 18504, AS
09 A MEMBER OF THE SCRANTON LACKAWANNA HEALTH & WELFARE
10 AUTHORITY. MR. PHANEUF'S TERM EXPIRED ON DECEMBER 31,
11 2004 AND HIS NEW TERM WILL EXPIRE ON DECEMBER 31, 2009.
12 MR. DIBILEO: As chairperson for
13 the committee on rules, I recommend final passage of
14 Item 7-K.
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.
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01 MS. GARVEY: Mr. DiBileo.
02 MR. DIBILEO: Yes. I hereby
03 declare Item 7-K legally and lawfully adopted.
04 MR. WALSH: 7-L, FOR CONSIDERATION
05 BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION
06 NO. 122, 2005 - RE-APPOINTMENT OF JERRY WEINBERGER,
07 ESQUIRE, 611 NORTH WEBSTER AVENUE, SCRANTON,
08 PENNSYLVANIA, 18510, AS A MEMBER OF THE SCRANTON
09 LACKAWANNA HEALTH & WELFARE AUTHORITY.
10 MR. WEINBERGER'S TERM EXPIRED ON DECEMBER 31, 2004 AND
11 HIS NEW TERM WILL EXPIRE ON DECEMBER 31, 2009.
12 MR. DIBILEO: As chairperson for
13 the committee on rules, I recommend final passage of
14 Item 7-L.
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.
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01 MS. GARVEY: Mr. DiBileo.
02 MR. DIBILEO: Yes. I hereby
03 declare Item 7-L legally and lawfully adopted.
04 Seeing no further business on the agenda, I'll
05 entertain a motion that we adjourn.
06 MS. EVANS: So moved.
07 MR. COURTRIGHT: Second.
08 MR. DIBILEO: We're adjourned.
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10 (MEETING WAS ADJOURNED.)

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01 C E R T I F I C A T E

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

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08 LISA M. GRAFF, RPR

08 OFFICIAL COURT REPORTER

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