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02 SCRANTON CITY COUNCIL MEETING  
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08 Held:  
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09 Thursday, January 27, 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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01 CITY OF SCRANTON COUNCIL:

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03 MR. GARY DIBILEO, COUNCIL PRESIDENT

04

05 MS. JANET E. EVANS, VICE-PRESIDENT

06

07 MR. WILLIAM COURTRIGHT

08

09 MR. JOHN POCIUS

10

11 MR. ROBERT McTIERNAN

12

13 MARK WALSH, ESQUIRE, SOLICITOR

14

15 MR. JAY SAUNDERS, CITY CLERK

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17 MS. KAY GARVEY, ASSISTANT CITY CLERK

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01 MR. DIBILEO: Please stand for the

02 Pledge of Allegiance. Please remain standing for a

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

04 MS. GARVEY: Mr. McTiernan.

05 MR. McTIERNAN: Here.

06 MS. GARVEY: Mrs. Evans.

07 MS. EVANS: Here.

08 MS. GARVEY: Mr. Pocius.

09 MR. POCIUS: Here.

10 MS. GARVEY: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MS. GARVEY: Mr. DiBileo.

13 MR. DIBILEO: Here. Mr. Walsh, if

14 we can dispense with the reading of the minutes,

15 please.

16 MR. WALSH: Certainly. Third

17 order, 3-A, AGENDA FOR THE MUNICIPAL PENSION FUND

18 MEETING HELD ON WEDNESDAY, JANUARY 26, 2005.

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

21 MR. WALSH: 3-B, AGENDA FOR THE  
22 CITY OF SCRANTON ZONING BOARD HEARING TO BE HELD ON  
23 WEDNESDAY, FEBRUARY 9, 2005.

24 MR. DIBILEO: Are there any  
25 comments on 3-B? If not, received and filed.  
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01 MR. WALSH: 3-C, MINUTES OF THE  
02 COMPOSITE PENSION BOARD MEETING HELD ON WEDNESDAY,  
03 DECEMBER 15, 2004.

04 MR. DIBILEO: Are there any  
05 comments on 3-C? If not, received and filed.

06 MR. WALSH: 3-D, MINUTES OF THE  
07 FIREMEN'S PENSION COMMISSION MEETING HELD ON WEDNESDAY,  
08 DECEMBER 15, 2004.

09 MR. DIBILEO: Are there any  
10 comments on 3-D? If not, received and filed.

11 MR. WALSH: 3-E, MINUTES OF THE  
12 SCRANTON POLICE PENSION COMMISSION MEETING HELD ON  
13 WEDNESDAY, DECEMBER 15 2004.

14 MR. DIBILEO: Are there any  
15 comments on 3-E? If not, received and filed.

16 MR. WALSH: 3-F, MINUTES OF THE  
17 SCRANTON/LACKAWANNA HEALTH AND WELFARE AUTHORITY  
18 MEETING HELD ON THURSDAY, DECEMBER 16, 2004.

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

21 MR. WALSH: 3-G, PETITION FOR  
22 PERMIT PARKING IN THE 500 BLOCK OF MONROE AVENUE.

23 MR. DIBILEO: Are there any  
24 comments on 3-G? If not, received and filed.

25 MR. WALSH: 3-H, Clerk's notes.  
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01 MR. DIBILEO: Mr. Saunders, if you  
02 will, please.

03 MR. SAUNDERS: MR. DiBileo, the  
04 first thing I have is the Department of License and  
05 Inspection came to our office today and asked us if we  
06 can announce that snow removal, you have 24 hours to  
07 remove your snow.

08 If you have a problem, the elderly  
09 can't do that, you can let the license and inspection  
10 office know that, because they are out monitoring this  
11 and keeping a close eye on this.

12 The license inspection office is  
13 also looking for people that -- groups that may help  
14 out some of the elderly. If there's any groups out

15 there that do want to help the elderly, the number is  
16 348-4193, ask for Don McKeon or Jack Liptae.  
17 Councilman McTiernan asked about  
18 the HHC2-103 Third Armour Family Readiness Group. I  
19 think they're just calling it the Armour Family  
20 Readiness Group. I talked to Jennifer Lesh about  
21 that. They're actually asking for donations. I'll  
22 have more information this week about that.  
23 They were going to have a parade  
24 for the Army National Guard. They have 115 soldiers  
25 that are out there in the Watres Armory in Scranton.

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01 They should shortly be returning, and they're going to  
02 have a parade coming into Downtown Scranton when they  
03 come in, and they would like the city to help them as  
04 much as they possibly could and anybody else that could  
05 send donations in to them, I will have that address and  
06 more information on that next week.

07 Councilwoman Evans, the list of  
08 things that you had for us, I had no returns from any  
09 of those, except for the 901 Hampton Street, they said  
10 they had ordered those windows up, and they will -- one  
11 was removed, they will go back within the next two  
12 weeks and take care of that.

13 The other thing that we talked  
14 about is the cameras on the DPW trucks. I talked to  
15 Mr. Parker at length about that today. From City  
16 Council last week, they asked him about maybe possibly  
17 getting a grant to pay for it now and having the grant  
18 reimbursed.

19 He said he doesn't know the  
20 legalities of that. He's going to talk to Rob Farrell  
21 about that and see what he can do with that and get the  
22 ball rolling quicker than it is right now.

23 The last thing I have is, I spoke  
24 with Ralph Pappas today. He wanted me to let everybody  
25 know that the Sanderson Avenue bridge is open now, the  
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01 Amelia Street bridge is open, and also the Sanderson  
02 Avenue bridge will be closing when the weather breaks  
03 for some final touch-up on that, and that will be ready  
04 to stay open.

05 And he also said that demolition  
06 has taken place -- started taking place. Two houses  
07 are down in the flood zone down there and there will be  
08 more to come.

09 MS. EVANS: Excellent.

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

11 Mr. President.

12 MR. DIBILEO: Thank you,

13 Mr. Saunders. And you bring up the ordinance regarding  
14 the 24 hours in order to clean your sidewalks --

15 MR. SAUNDERS: Yes.

16 MR. DIBILEO: -- and this has come

17 up before, but I've noticed that the Lackawanna Avenue

18 bridge, the Linden Street bridge, it appears as though

19 the sidewalks on those bridges are really untouched and

20 that I've gotten a couple of calls on it, people,

21 pedestrians that normally travel that bridge are saying

22 that property owners have 24 hours to clean their

23 sidewalks, yet the city isn't cleaning their own

24 sidewalks that they're responsible for, and I'm talking

25 about the bridges, of course. Can you contact George

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01 Parker, please?

02 MR. SAUNDERS: I'll talk to

03 Mr. Parker about that tomorrow.

04 MR. COURTRIGHT: Mr. President, I

05 watched the DPW today trying to clear the sidewalk on

06 the Lackawanna Avenue bridge coming from West Scranton

07 to downtown, but it was solid ice. They weren't having

08 much success. You know, I think they need equipment

09 now because they waited so long. So, there was two

10 guys out there trying their best, but they weren't

11 making much headway.

12 MR. DIBILEO: I know that the

13 roads being cleared are obviously a top priority, but

14 then once they're taken care of, we need to get right

15 to the sidewalks on the bridges, and if you can ask him

16 for a response on that, please.

17 MR. SAUNDERS: I will do that.

18 MS. EVANS: Actually I have that

19 as part of my list of requests this week, because I,

20 too, got a number of Emails about it, so maybe that

21 will cover it.

22 MR. DIBILEO: Okay. Good. Thank

23 you.

24 MR. WALSH: Fourth order, citizen

25 participation.

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01 MR. DIBILEO: Okay. The first

02 person on our sign-in sheet is Andy Sbaraglia.

03 MR. SBARAGLIA: Andy Sbaraglia,

04 citizen of Scranton. Fellow Scrantonians, I was

05 wondering, does anybody have an update on the light

06 fixtures?

07 MR. DIBILEO: Let me ask

08 Mr. Saunders. We are going to have members --

09 representatives from MEM come in and speak to us

10 hopefully as soon as next week, Andy. Other than that,

11 do you have any information?

12 MR. SAUNDERS: No. I've talked to

13 Mr. Kearns about this, and in the recent weeks we've

14 been dealing with an issue over on Watson Street, and

15 I've talked to him about that issue and about coming

16 into a City Council meeting. He said he would let me

17 know this week if he's available for the following

18 week.

19 MR. DIBILEO: Thank you.

20 MR. SBARAGLIA: Does anybody

21 really, really check into how much money we're losing

22 by them delaying the purchase of them fixtures? We're

23 paying that loan out. We're certainly ain't saving

24 anything on our lighting because we don't own the

25 fixtures.

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01 So, obviously this is -- what it

02 was put to us, it was a win/win situation, but now it's

03 a loser, like most of these situations.

04 Okay. Janet, I asked if maybe you

05 can get a hold of that 10C loan for me to read, the

06 original. Did you have any luck?

07 MR. SAUNDERS: It's a 201C.

08 MS. EVANS: Uh-huh. He wanted --

09 MR. SAUNDERS: I've talked to the

10 B.A.'s office about that, they're going to get the

11 paperwork.

12 MR. SBARAGLIA: I would like to

13 read the original on some of them.

14 MS. EVANS: You'll get it.

15 MR. SBARAGLIA: Okay. Now I'm

16 going back a little in history. Two years ago,

17 approximately two years ago, when we decided to lease

18 our DPW site, notice I say lease, because we now lease

19 two sites, the old site and the new site, so we leased

20 out this site, and at that time the mayor said the new

21 DPW site would cost \$1.5 million, does anybody know

22 what that actual site actually cost?

23 I heard it was \$3.5, and that was

24 way over budget, but nobody ever asked any questions

25 why it was over budget, but here you stated that it

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01 would only cost \$1.5 million.

02 MR. DIBILEO: I'm aware of an

03 appraisal amount of roughly \$3 million, but I'm not  
04 aware what the exact cost of construction was.  
05 MR. SBARAGLIA: I heard \$3.5, but  
06 I don't know what it is, but anyway, it's a long way  
07 from the \$1.5 you said it would cost. And the worse  
08 part about it is it's costing us probably near \$15 or  
09 \$16 million when we paid off the interest on them two  
10 deals there.

11 Okay. Now, the original DPW site,  
12 of course we leased it, okay, and here it is in here,  
13 the lease is for \$600,000 for 99 years, and he has an  
14 option for 99 years of paying a dollar a year until he  
15 decides maybe he should buy it. But you got to be  
16 crazy.

17 Why would anybody buy something  
18 you have to pay all that tax on it when all they have  
19 to do is pay a dollar a year and lease it? And this is  
20 the story that goes with that site. And it's a sad  
21 state of affairs there, do you know what I mean?  
22 Originally, Mr. DiBileo, you voted  
23 no on it, and the paper does state that you did vote no  
24 on it, but I was at the meeting and I know you voted no  
25 on it. It wasn't a good deal for the city, no way in  
0012

01 heck.

02 Originally it was appraised at  
03 \$1.1 million, but I think the only offer they got on it  
04 was, according to the paper, was about \$600, less than  
05 that, I believe, no, \$400,000, \$400,000 the paper was  
06 quoted as saying.

07 But they had it reappraised, I  
08 guess, when this lease went through, and it went from  
09 \$1.1 million, depending what appraisal it was, down to  
10 \$600,000. They claimed that was a fair appraisal.

11 I'm not an appraiser, but I have  
12 doubts. That one appraiser put it at \$1.1 mill and  
13 another appraiser put it at \$600,000, depending what  
14 appraisal you got and who you know and so on.

15 But we're in a sad situation in  
16 this city. I was told that a lot of buildings inside  
17 the city was reappraised at significant lower values.  
18 We're going to lose millions.

19 Well, I won't get into it, but  
20 we're going to lose millions in this appraisal that was  
21 just done, I think they said in November.

22 MR. DIBILEO: Thank you. Andy, if  
23 I'm not mistaken, I believe the final version of that  
24 lease agreement included the fact that once the DPW

25 vacated that site for the new location, that the lessee  
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01 was, I believe, obligated to pay \$600,000.

02 And DPW is now vacated, and if I'm  
03 not mistaken, that \$600,000 should be coming to the  
04 city's way.

05 MR. SBARAGLIA: I think you made  
06 one little part in that agreement, it has to be an  
07 agreement between the Scranton Redevelopment Authority  
08 and the Ice Box before they would have to pay, and if  
09 they don't reach a mutual agreement, they go on for  
10 99 years for a buck.

11 MR. DIBILEO: Jay, can you find out  
12 what the status of that arrangement is, please? Thank  
13 you. Thank you Mr. Sbaraglia. Charlie Newcomb, Jr.

14 MR. NEWCOMB, JR.: Good evening,  
15 Council.

16 MR. DIBILEO: Good evening.

17 MR. NEWCOMB, JR.: First thing  
18 is, I don't know if anybody could send a message maybe  
19 to DPW, but there is only one block of it, Honesdale  
20 Street, it's the 400 block, it's between Meylert Avenue  
21 and Von Storch Avenue parallel to Green Ridge Street.  
22 They're having a problem there  
23 with snow removal. I understand they only got it  
24 removed -- I guess the plow went down the street one  
25 time.

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01 There's only a couple of houses  
02 that are on that street, but they're having a difficult  
03 time getting out of their driveway, and senior  
04 citizens live there and they can't go out and shovel  
05 more than they have to. So, if that's possible to give  
06 them a hand down there, I'd appreciate it.

07 MR. DIBILEO: Jay, could you follow  
08 up on that, please? Thank you.

09 MR. NEWCOMB, JR.: Did we get any  
10 answers to my questions regarding Nay Aug Park, a copy  
11 of the electric bill or anything?

12 MR. SAUNDERS: Not as of yet.

13 MR. NEWCOMB, JR.: Okay. Last  
14 year I asked the question regarding the Senior Center,  
15 when they were going to get money or if they were going  
16 to get any money regarding the CDBG grants, and I  
17 believe it was stated that they would get it before the  
18 end of the year, and we found out that it wasn't a  
19 calendar year until the end of December, is there any  
20 update on that, if they're going to get any money

21 within the next --  
22 MR. DIBILEO: Is anyone aware of --  
23 Mr. Saunders, are you aware of that? Can you look into  
24 it, please?  
25 MR. SAUNDERS: Is it CDBG grant  
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01 money?  
02 MR. NEWCOMB, JR.: That's what I'm  
03 under the understanding.  
04 MR. COURTRIGHT: I think what we  
05 said was, if we're talking about the same thing,  
06 Charlie, I think what we said was sometimes money  
07 becomes available, because maybe a grant was given to  
08 somebody and they weren't eligible or they couldn't  
09 meet the requirements, and then if there was any money  
10 left over, we were going to ask the administration if  
11 they could give it to the Senior Center. I believe  
12 that's what we said, isn't it?  
13 MR. DIBILEO: Yeah, that's right.  
14 MR. COURTRIGHT: So, we haven't  
15 been made aware of any money being available yet. I  
16 guess maybe we can ask the administration there if any  
17 money has come available as of yet.  
18 MR. NEWCOMB, JR.: Okay. And I  
19 know this doesn't -- this isn't referred to you, it's  
20 just a statement, I understand that we gave \$50,000 to  
21 the zoo up at Nay Aug Park that was originally supposed  
22 to go to the Cultural Center, and if you just take the  
23 pieces of the puzzle here and put them together, that  
24 Senior Center, as of yet, hasn't gotten any money  
25 regarding grants, but we gave \$50,000 to monkeys. You  
0016  
01 put the puzzles together and see where the priorities  
02 are in this city.  
03 Did we also find out regarding the  
04 subpoena topic, if we find out how many people we  
05 needed to vote on that, whether it was three or four?  
06 I think it would be, just my  
07 opinion, three, because it can't be vetoed on, but did  
08 we find that out by any chance?  
09 MS. EVANS: No.  
10 MR. COURTRIGHT: I think, Charlie,  
11 we had a whole lot of stuff going on this week, and I  
12 don't even think we addressed that, to be honest with  
13 you.  
14 MR. NEWCOMB, JR.: Okay. Oak  
15 Street, if you're coming down from the Expressway south  
16 onto the corner of Keyser Avenue and Oak Street south,

17 that intersection right there, I've noticed it, and it  
18 seems to be getting a lot worse, it's literally like  
19 rumble strips when you get to that intersection there,  
20 and it just seems like it's progressively getting  
21 worse. So, if we can send that down, I think that  
22 would be good. Somebody asked me to bring that up,  
23 also.

24 Is there any status on what's  
25 happening with the \$52 tax that was talked about here  
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01 before that the other municipalities have taken action  
02 on?

03 MR. DIBILEO: No. Last we  
04 discussed it, Charlie, was that we were going to  
05 address that at our budget time, which would be at the  
06 later part of this year, going to entertain that,  
07 possibly a reduction in the wage tax.

08 MR. NEWCOMB, JR.: So, the \$52  
09 wouldn't be in effect for this year then, it would  
10 possibly be for next year?

11 MR. DIBILEO: That's right.

12 MR. NEWCOMB, JR.: Okay. Also, I  
13 brought up the topic before regarding the garbage fee,  
14 if that could possibly be changed to a tax, because  
15 then at the end of the year you can include it in your  
16 property taxes when you do your income tax. I don't  
17 know if --

18 MR. McTIERNAN: We checked on  
19 that, Mr. Newcomb, and according to the information  
20 Mr. Saunders gave us, they're specific taxes that the  
21 State of Pennsylvania allows us to levy, and a garbage  
22 tax isn't one of them. That's just the information  
23 Mr. Saunders provided. I'm not expressing that to be  
24 the end of the discussion, but that's the information  
25 we were given.

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01 We also checked on the \$10 and \$15  
02 occupational privilege tax, and that is also stipulated  
03 by state law.

04 MR. NEWCOMB, JR.: Okay. So, it  
05 has to be the way it is then. Okay. Thank you for  
06 that.

07 Can we also, I know it's February  
08 or almost February, and it's quite cold and a lot of  
09 people are thinking about summer, and I understand that  
10 last year this Council tried to bring forth a free  
11 swimming for residents and it didn't get anywhere  
12 because of the Recreation Authority, and I guess

13 non-support from some Council, but I was wondering if  
14 we would be able to try that again, see if we can get  
15 anywhere.

16 If not, if we can continue the  
17 swim program with the donations that we got last year  
18 to try to continue that, because it seems to me that  
19 the whole issue that Mr. Spindler brought up regarding  
20 the deed seems to be getting prolonged as time goes on,  
21 and we're coming on February, so if we can do something  
22 to benefit this community for a change, I think it  
23 would be a very, very good thing.

24 MS. EVANS: Charlie, we haven't  
25 forgotten about the investigation into that deed, as  
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01 well as perhaps additional information. Mr. Walsh has  
02 been working on that now.

03 And, in fact, Attorney Walsh, do  
04 you have an update on that? Has the information been  
05 turned over to Attorney Kelly and Farrell?

06 MR. WALSH: I have the information  
07 right here, as a matter of fact, and I had the  
08 opportunity to discuss some of the information with  
09 Attorney Kelly.

10 As I may have indicated to some of  
11 the Council members, I did happen to get a hold of  
12 city atlas Plate 25, which is an old atlas plate, it's  
13 a map which has Lake Lincoln on it, which as maybe some  
14 of the older citizens know, was the predecessor to the  
15 park that's up there right now, to the swimming pool,  
16 and the area that composes that pool is composed of two  
17 deeds, it seems.

18 I happen to have what I believe to  
19 be those deeds here, and they speak in terms of a free  
20 and public park. Some people have asked questions  
21 about, well, you know, they've had concession stands  
22 and things have been sold from concessions.

23 I believe there are some places in  
24 some of these documents that allow for concessions. I  
25 think back in 1922, they may have allowed that. The  
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01 deeds I have here, one of them is 1894, and I don't  
02 believe the other one is too much more recent.

03 So, I have both of these. I spoke  
04 with Attorney Kelly about it, I told him what my  
05 thoughts were with respect to both deeds and the map.  
06 Obviously it's the Recreational Authority that will be  
07 imposing the charges, and these deeds will be in Paul's  
08 hands and the city's hands.

09 I have everything right here, and  
10 I'll make sure the Council members also get copies of  
11 these, as well.  
12 MR. DIBILEO: Is it your opinion,  
13 Mr. Walsh, that charging a fee is something that may be  
14 not allowed for, according to the deeds that you've  
15 researched?  
16 MR. WALSH: It may be not allowed  
17 for. That's exactly right. I mean, let me say this,  
18 again, I've recently gotten the rest of the pieces here  
19 in terms of what the deeds are, and to be quite honest  
20 with you, they aren't typed deeds, as many deeds are,  
21 so there's a lot of handwritten language on this, which  
22 I'm reviewing, but the bottom line is there is some  
23 restrictive language in the deeds.  
24 And, again, what I'm going to do  
25 is pass these deeds on to the city solicitor's office,  
0021  
01 as I said I would, I have everything here.  
02 But more importantly, pass them on  
03 to Mr. Kelly, who probably will be the attorney who  
04 will make the final decision, because it's his entity  
05 or his body that's going to be making the decision as  
06 to whether or not the fees are imposed.  
07 I believe he was given that  
08 authority and duty by his board to check into that.  
09 The only thing that we can do at this point is to make  
10 sure he has as much information as is possible.  
11 You know, he's a skilled lawyer, a  
12 good person, qualified professional, so I'll make sure  
13 he has these things.  
14 Again, you know, I won't pass  
15 judgment on it at this time, but to be quite honest, it  
16 appears that there's language in these deeds that quite  
17 frankly says that it's supposed to be a free and public  
18 park.  
19 If there's anything that happened  
20 more recently, I'm not in receipt of it. And I did  
21 have a qualified person search the deeds for me over  
22 the courthouse.  
23 So, again, just to answer your  
24 initial question, is there anything being done, it is;  
25 have we completed most of our research, we have; will  
0022  
01 all of that research be in the hands of the people who  
02 need it, it will, and will you be getting an answer,  
03 hopefully in the near future. Let's hope so.  
04 MS. EVANS: Charlie, this will be

05 decided one way or another by May 1. And should the  
06 outcome be negative, I guarantee you there will be swim  
07 passes again this summer, because this Council still  
08 sits at least through December 2005.

09 And I just think it's, you know, a  
10 good deal of work has gone into this on the part of a  
11 number of individuals, and, you know, some of the  
12 information that has been discovered may not even have  
13 been brought to light in terms of the administration;  
14 in other words, the administration may not have been  
15 aware that such deeds were even in existence when they  
16 set -- well, when they gave the recreation authority  
17 the power to set fees.

18 So, it very well may be that this  
19 is all new information for both the recreation  
20 authority and the administration, and hopefully we can  
21 see a turn of events.

22 MR. NEWCOMB, JR.: Very good.

23 Thank you. I didn't expect to hear that at all. I'm  
24 pleasantly surprised. And everybody that researched  
25 this to find that out needs to be commended, and I  
0023

01 guess Mr. Spindler, if it was him or whomever gave him  
02 the idea to come up here, to ask to research this deed  
03 needs to be commended also to give you guys the ball, I  
04 guess, to take it and go to get rolling with it.

05 So, very, very good news, I guess,  
06 and hopefully Mr. Kelly will have the same opinion that  
07 Mr. Walsh had. Thank you.

08 MR. DIBILEO: Thank you. Let me  
09 say this, also, that in our private caucus prior to you  
10 just arriving, Mrs. Evans, Mr. Walsh was sharing that  
11 information with a few of us, and he read an area of  
12 the deed that said that if that provision should be not  
13 adhered to, that the park would be -- the ownership of  
14 the park would revert back to the Weston Foundation.  
15 When I heard that, I realized  
16 that, you know, we would not want to risk losing Nay  
17 Aug Park; therefore, we have it -- we have to take it  
18 upon ourselves to turn this information over as soon as  
19 possible to Mr. Kelly, because if that part of the deed  
20 is being violated, we absolutely would want to maintain  
21 ownership of Nay Aug Park.

22 Thank you, Mr. Walsh, for checking  
23 that out and get that up to Mr. Kelly as soon as you  
24 can. Bob Bolus.

25 MR. BOLUS: Good evening, Council.

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01 Bob Bolus. Boy, it's nice to come here for a change  
02 and really hear some good news, to know that people who  
03 come here, like Les Spindler came out and raised an  
04 issue, and, you know, something has moved forward.  
05 Mr. Walsh, I commend you for doing  
06 the work you are doing, and, you know, this Council,  
07 you're doing it on behalf of the people that you  
08 represent, and it's really great to come up here and  
09 say that for a change.  
10 And I have to say thank you, I'm  
11 sure, on behalf of everybody that may get an  
12 opportunity to go back to Lake Lincoln. And I remember  
13 Lake Lincoln when I was growing up as a child. I'm  
14 giving my age away now.  
15 One of the issues tonight is on  
16 East Mountain Lake. I don't know if anybody watched  
17 the news tonight, well, I have part ownership in the  
18 lake, as well as the city and another couple people  
19 around the side, and someone went on there with a  
20 snowplow and plowed the lake, made a sweep around.  
21 So, you know, people over the  
22 years have driven vehicles on there, you know, even  
23 though we say don't go on the lake and, you know, some  
24 people went on.  
25 Unfortunately today a gentleman in  
0025  
01 the area said, Jeez, it's plowed, maybe, you know, take  
02 a ride on the lake. And fortunately for him he's alive  
03 tonight, because his vehicle is totally submerged in  
04 East Mountain Lake.  
05 But we all think it's a shallow  
06 lake, it's at least 8 foot deep is where he went in.  
07 He's near the shore side, because the lake is to  
08 capacity. And we'll be doing the recovery on it  
09 tomorrow.  
10 But what I'd like to ask  
11 Council tonight is that maybe with this warning that we  
12 have tonight, is that we barricade this in some form  
13 that you can't drive your vehicle in there.  
14 This is the issue we raised with  
15 kids with ATVs, riding on there, having fun, thinking  
16 it's a joke, not respecting the rights of other people.  
17 This could have been a kid on an  
18 ATV, that's how weak the ice is, and nobody would have  
19 ever seen him and we would have had a tragedy on the  
20 lake today.  
21 So, maybe this is a warning we  
22 should heed today that the city gets involved and we

23 barricade this even on the dam side that you cannot  
24 drive a vehicle. We'll post it. People on there with  
25 their ATVs will get cited. They don't belong there.

0026

01 So, I will ask Council to make a  
02 motion, entertain something that we really do this  
03 tonight, because it's a really scary thought tonight to  
04 think this happened in our backyard, and I think it was  
05 an eye opener for all of us.

06 I would like to move on here.

07 We've had issues with South Side being cleaned up and  
08 more police protection over there, but I think what the  
09 mayor has forgotten, there are other sections of the  
10 city.

11 We have West Side, we have

12 East Side, we have all over, and we have people that  
13 live in this whole city, so you can't just single out  
14 one area, for whatever that reason that that

15 redevelopment may be.

16 Maybe it's South Side Complex

17 related, whatever the purpose is, I think our focus has  
18 to be the whole City of Scranton. After all, there are  
19 senior citizens and people who live here.

20 I've raised issues about KOZs,

21 non-profits. We have to increase the tax base. The  
22 mayor knows it, but he's skirting the issue. He waived  
23 the fee that we could have had extra money here, but  
24 yet he wants to borrow \$4 million; in other words, he  
25 wants to take from the people and give to the friends,

0027

01 the political allies and those out of the area, and

02 it's wrong.

03 And we got to remember that. The

04 mayor was elected by the people to represent the

05 Scranton people, not the surrounding communities, and I

06 think he's lost sight of that, and so has part of his

07 administration.

08 We've got to remember, we have

09 senior citizens in this town. Look at the cost of

10 heating oil, \$1.84, \$1.94 a gallon. Just the cost of

11 living here now has gone out of sight.

12 How do we tell these people, your

13 pension is gone, your pay is gone, and at 70 years old,

14 go back and find a job to keep your home.

15 So, we have to start doing it. He

16 wants to buy used police cars. Look at the size of the

17 city. As I said last week, he pays more money to Carl

18 Greco than the President of the United States gets, and

19 that's an absurdity, that here's a man that runs the  
20 country, gets less than Carl Greco. That's pretty good  
21 in a 70,000 population city.

22 He wants to buy used police cars  
23 to put our cops, our asset that protects us in a used  
24 police car. He should hang his head in shame to think  
25 that that's what we've got to do with our police force.

0028

01 You may as well go out and buy  
02 horse and carriages and let our fire department go with  
03 old pumpers. I mean, where are we heading?  
04 We're not going forward. This  
05 mayor and his administration have taken us backwards,  
06 but he's making sure the animals at Nay Aug eat and eat  
07 very well, but our cultural center suffers. He made  
08 all this money at the light show, and all the other  
09 issues he's done.

10 You know, let's start taking care  
11 of the people. He put in Scranton, Restoring The  
12 Pride, I think we have to change it to Scranton  
13 Restoring Its Principle.  
14 I mean, we have a lot of catchy  
15 slogans in the town, Lackawanna Wonderful and all these  
16 thing, but nobody is coming here to live.  
17 And, gentlemen, tonight we have to  
18 make a decision where we're really heading, and let's  
19 worry about the seniors and the people in Scranton.  
20 That's our priority. Thank you.

21 MR. DIBILEO: Thank you,

22 Mr. Bolus.

23 MR. COURTRIGHT: I was going to  
24 wait until motions and comments to say this, but  
25 Mr. Bolus brought it up, so, if I may, I would just  
0029

01 like to take a few minutes to say this.

02 I'm not going to quote

03 Mr. Gervasi, because I can't remember exactly how he  
04 says it, but many times he comes up here and he says  
05 they say those darn public safety people are to blame  
06 for everything.

07 Well, tonight they weren't those

08 darn public safety people. They went up there and they  
09 rescued this guy out of that lake. We had people from  
10 Rescue 1, Truck 2, Engine 10 and the assistant chief,  
11 that they couldn't get him out with the bucket.

12 They put a ladder, I believe,

13 across the lake. And, you know, no regard to their own  
14 safety, they went out there and got this guy. So, I

15 think this time, Mr. Gervasi, they're not those darn  
16 public safety guys.

17 I think everybody was just darn

18 happy they were there. And if I get any more

19 information on it, next week I'll certainly bring it to

20 you. And I think we're lucky they were there for this

21 gentleman's sake. That's all I have. Thank you,

22 Mr. President.

23 MR. DIBILEO: Thank you,

24 Mr. Courtright. Yeah, I echo what you said, thank God

25 they were able to rescue this gentleman and were up

0030

01 there fast enough to do so. We thank them for that.

02 MR. BOLUS: I was there today, and

03 to watch what our fire department did there today is

04 unbelievable. I mean, they went out and they took the

05 risk with the training they did, and that's why I'm

06 complaining to the mayor about that these are our

07 assets. But when somebody's life was in jeopardy

08 today, they put theirs on the line to rescue someone in

09 that lake today, and they are to be commended, and I

10 was standing there watching the whole thing.

11 And they will be there tomorrow,

12 we're doing the recovery, so our people don't get in

13 trouble when they're out on that ice. So, they are a

14 heck of a team.

15 MR. DIBILEO: Thank you. Possibly

16 Mr. Gervasi might be able to fill us in more if he

17 takes some time to talk to us tonight. Thank you. Jim

18 Stucker.

19 MR. STUCKER: How are you doing?

20 I had some guy, I don't know who he was -- I have

21 another problem, we have ice in the alleyway off of

22 Moosic Street, they're not plowing our alleyways, both

23 of them, both sides of the street, Moosic Street,

24 they're not plowing both sides.

25 MS. EVANS: Jim, I've received

0031

01 over the last week, well, particularly this week

02 numerous complaints about allies and courts that

03 haven't been plowed, so certainly you're not the only

04 one, but I have included it in my list for this week,

05 okay?

06 MR. STUCKER: I want to know why

07 it ain't plowed every day. I mean, I seen plows going

08 up Moosic Street every day with the plows. They're

09 plowing everybody else's.

10 MS. EVANS: Well, actually, no.

11 The courts and allies, many of them were not plowed,  
12 but I think one of the other Council persons said it  
13 well earlier tonight, that, you know, the streets are  
14 the first priority --

15 MR. STUCKER: The state --

16 MS. EVANS: -- the main streets,  
17 and I think the DPW has to be commended for the work  
18 that they've done, and I know that, like we mentioned  
19 earlier, the fact that some of the sidewalks and  
20 bridges hadn't been --

21 MR. STUCKER: Moosic bridge, the  
22 sidewalk is -- both sides got snow this high on it.

23 MS. EVANS: But there's a pathway.

24 MR. STUCKER: There's no path.

25 MS. EVANS: There's no path?

0032

01 MR. STUCKER: No path at all.

02 MS. EVANS: I thought earlier this  
03 evening you told me that there was a walking space?

04 MR. STUCKER: Not on the sidewalk  
05 or nowhere. There's a sidewalk along the side of the  
06 wall. That's all I -- they didn't shovel. They didn't  
07 do that at all. They always do it every year. This  
08 year they ain't do it.

09 MS. EVANS: Well, you know, we've  
10 had a difficult week.

11 MR. STUCKER: I've walked across  
12 there tonight, it was hard with the cars coming and --

13 MS. EVANS: Oh, I'm sure it is,  
14 but you know we've had a very difficult week  
15 temperature-wise and multiple snowfalls, and I know the  
16 DPW has been out working very hard.

17 And I'll tell you, there have been  
18 times when, like Mr. Courtright, I've seen DPW workers  
19 using shovels on the walkways on these bridges. They  
20 don't even have snow blowers, and it's been in frigid  
21 temperatures.

22 So, I, you know, as I mentioned  
23 earlier, had this on my list of requests, but I think  
24 we all have to be cognizant of the fact of, you know,  
25 the priority during a snowfall.

0033

01 MR. STUCKER: I have my own snow  
02 blower, and I always do everybody else's sidewalk, too.

03 MS. EVANS: That's great.

04 MR. STUCKER: On Moosic Street.

05 MS. EVANS: That's very kind of  
06 you. Okay. Some guy, I don't know who he was, I don't

07 know who he was, he called me up, they said they got a  
08 guy from South Side with my scooter, different colors  
09 yellow, blue, green, all different colors. They had a  
10 guy with a dope addict, he was a dope addict, he had  
11 dope around. And they said they mentioned Jay Saunders  
12 and Courtright, that's what the guy was telling me on  
13 the phone.

14 MR. DIBILEO: They think Jay and  
15 Bill have your scooter, Jim?

16 MR. STUCKER: I don't know.

17 MR. COURTRIGHT: I don't have your  
18 scooter.

19 MR. SAUNDERS: No.

20 MR. DIBILEO: I'm only joking  
21 about that. Well, that's going to have to be looked  
22 into, Jim. We have to find that darn scooter.

23 MR. STUCKER: What about that  
24 Mayor Doherty? I never got the money for that. I have  
25 a problem on that. I want to know what the story is on  
0034

01 that.

02 MR. STUCKER: Jim, like I said at  
03 a couple of previous meetings, that's something we  
04 can't talk about here. If you have any other problems  
05 that we can help you with, we'd be happy to try to.

06 MR. STUCKER: Okay. We have  
07 another problem, too, on Moosic Street. At my house,  
08 we have a gas line got all full of ice on it. I had to  
09 call the fire company, called the police and the fire  
10 company. They called the fire company, the fire  
11 company came out, then the gas company came out and got  
12 the ice off it.

13 The landlord is supposed to be the  
14 maintenance guy. I don't know what he's up to. He  
15 probably don't care about the ice on the gas lines, so  
16 they had to go out there and chop yesterday, all  
17 right? Now, we have our garbage being picked up.

18 MR. DIBILEO: Okay. Thank you,  
19 Jimmy. Regina Yetkowskas.

20 MS. YETKOWSKAS: Regina Yetkowskas  
21 Scranton resident and taxpayer. When Mr. Doherty was  
22 elected mayor, he was given a mandate to put his  
23 platform into effect, irrespective as to whether his  
24 election victory was by 1 percent or 45 percent.

25 The only purpose of the mandate  
0035

01 size is to generally predict how easy and how soon the  
02 mayor's platform will go into effect.

03 Examination of the print media's  
04 articles on Mayor Doherty's 2001 campaign show he ran  
05 on the platform to restore the pride.  
06 It is a general phrase whose  
07 contents probably struck a friendly nerve in Scranton's  
08 voters; however, further examination shows  
09 Candidate Doherty was not required to tell the public  
10 exactly what he intended to do as mayor to restore the  
11 pride.  
12 If at any time he would specify  
13 what he meant by his catchy platform slogan, he could  
14 then be held to deliver on his promises.  
15 Like a true politician,  
16 Mr. Doherty did not volunteer that important  
17 information. This was the people's fatal error,  
18 because Mayor Doherty was then free to alone determine  
19 what elements were to be included in his platform  
20 restore the pride and in what priority they were to be  
21 put into effect.  
22 From watching and listening to the  
23 persons who appeared at this podium over the past three  
24 years, they believe restore the pride means more and  
25 better city services, reduction in taxes, fiscal  
0036  
01 responsibility from watching and in general to improve  
02 the people's standard of living.  
03 On the other side of the coin from  
04 seeing what Mr. Doherty actually did over the past  
05 three years, he interprets restore the pride to mean  
06 sell and lease city assets for little or no revenue, do  
07 not communicate directly with City Council or the  
08 people, and overspend and borrow Scranton into the  
09 largest deficit and debt service cost in Scranton's  
10 history.  
11 When Mr. Doherty was sworn in as  
12 mayor in 2002, he could have led Scranton in one of two  
13 directions or a combination of them, first, the mayor  
14 could have provided more and better streets, more and  
15 better fire and police protection, and, yes, improved  
16 parks, but not to the exclusion of everything else;  
17 second, Mr. Doherty could have devoted his  
18 administration to produce, not false, but truthful  
19 budgets with the goal of making Scranton a financially  
20 sound and debt-free city.  
21 A sound financial city would  
22 enable the mayor to eventually reduce the income and  
23 property taxes and garbage fees. This would ease the  
24 financial burden on all residents, and especially

25 Scranton's elderly population who live on a fixed  
0037  
01 income.  
02 A sound financial city would  
03 improve the quality of life, hopefully halt Scranton's  
04 population from leaving for the suburbs and bring new  
05 working families into Scranton to increase the tax  
06 base.  
07 Rather than lead Scranton in  
08 either one of the two paths, it was regularly reported  
09 over time that Mayor Doherty chose to restore the pride  
10 with his own three-part approach.  
11 They were, No. 1, to spend million  
12 of dollars solely for the park system and very little  
13 money for anything else; No. 2, to sell or lease KOZ  
14 land, construct buildings and garages for companies and  
15 individuals who contributed to his campaign under terms  
16 which excuse them from paying any taxes or rents for  
17 many years; No. 3, to borrow money to pay current bills  
18 because taxes and the giveaways brought insufficient  
19 money into the city.  
20 I read in the newspaper that one  
21 could tell the mayor's yearly operating budgets were  
22 false just by looking at their revenue side. The  
23 article said the reason Mr. Doherty's operating budgets  
24 were false is because whoever prepared them knew he  
25 overestimated the revenue to be received by the city.  
0038

01 In my opinion, the overestimated  
02 revenue allowed the mayor to engage in deficit spending  
03 each year. I just have two paragraphs, may I finish?  
04 MR. DIBILEO: Go on and finish  
05 your thought. Mr. Doherty knows all of this. He is a  
06 graduate accountant. He was the finance chairman while  
07 serving on City Council. He has the knowledge and  
08 experience to do better for the people.  
09 He must do better, because if he  
10 continues to sell, lease, borrow and spend, Scranton  
11 will surely sink deeper in debt. People will continue  
12 to leave the city, no one will want to move into  
13 Scranton, and as the recent newspaper article said, all  
14 economic activity will come to a virtual halt.  
15 There may be nothing left but bankruptcy. I'll stop  
16 here and continue next week with my presentation.  
17 Thank you.  
18 MR. DIBILEO: Thank you, Regina.  
19 Lee Morgan.  
20 MR. MORGAN: Good evening,

21 Council.

22 MR. DIBILEO: Good evening.

23 MR. MORGAN: I'd like to start by

24 saying that last week I discussed starting holding --

25 starting to hold meetings, and I'd like to announce  
0039

01 that the first meeting is going to be at the

02 Hill Neighborhood Association on February 12 between

03 ten and two o'clock.

04 Anybody who cannot attend that,

05 and it is handicapped accessible, so everybody can

06 understand that, anybody is welcome to come there, but

07 meetings are going to -- I intend to contact all the

08 rest of the city neighborhood groups to try to hold

09 meetings in their particular neighborhood groups.

10 But if anyone feels that they

11 would like to send a letter to the Hill Neighborhood at

12 419 Prescott Avenue and put that in care of myself, we

13 want their ideas.

14 I think -- I still go back to what

15 I said last week, I think that the Council made a very

16 flawed decision when it decided not to use its power of

17 subpoena. I think that that is the major problem that

18 confronts this city. We have tools, but they're just

19 not being used.

20 I really can't see any reason why

21 that wasn't immediately taken out and used. I mean,

22 you can see last week when Sara Hailstone was here,

23 and, Mrs. Evans, you were talking to her, and she said,

24 Well, you'd have to request that information.

25 So, really what we have here is we

0040

01 have gridlock. We have one serfdom facing another

02 serfdom, and in reality what's happening here is, the

03 residents of this city are suffering.

04 I mean, you've got the senior

05 citizens center in downtown Scranton, you can't get

06 money. And when you really look at the long-range

07 projections of debt at the federal government, they're

08 talking about \$850 billion down from \$2.1, but when

09 they changed those numbers, they don't count the \$1.1

10 billion for Social Security, and they don't count the

11 money the President wants to spend in Iraq and

12 Afghanistan, they want to take the whole -- most of the

13 borrowing off budget, off line.

14 I mean, you can see what is

15 happening here. We're talking about buying used police

16 cars here, we're talking about the mayor not sharing

17 his ideas. We're actually still discussing a flawed  
18 recovery plan that had no revenue stream.  
19 I mean, we're sitting here and we  
20 borrowed tons of money to do a paving program. When  
21 you look at the city streets here, I really can't tell  
22 you there's been much of an improvement.  
23 What we're doing is we're either  
24 taking city assets and we're transferring them to the  
25 school district, we're transferring them back, or else  
0041  
01 we're doing the loans.  
02 The gentleman who sat here with  
03 Sara Hailstone, you know, it doesn't take a rocket  
04 science to figure what's going on here. He's getting  
05 paid \$60,000 to line customers up to loan them money  
06 over an extended period of time, instead of 15 years,  
07 maybe 30, and you can understand the amount of profit  
08 that his company is going to make, and we're paying him  
09 \$60,000 a year to do it.  
10 I mean, it doesn't -- what does it  
11 take to figure that out? You can see the erosion of  
12 city services. When I was a child in this city, DPW  
13 used to come around, they were by the National Bakery  
14 on Capouse Avenue. Now, they had a little hole in the  
15 wall. They used to come out. They used to put your  
16 cans out on the curb for you. At night you'd hear them  
17 moving the cans out. They'd take your garbage, and off  
18 they'd go.  
19 Here we can't even implement a  
20 complete recycling program. I mean, the city is  
21 definitely broken, and we need answers. And I think  
22 the people have these answers, and I think the people  
23 need not to be afraid to come forward and say what they  
24 believe.  
25 And if we have to field new  
0042  
01 candidates for any position, whether it's the  
02 School District, Council, the Mayor, we can do it, but  
03 we have to stick together. We can't be splintered off  
04 in, you know, all these different groups.  
05 I mean, and that's basically  
06 what's happened to the neighborhood groups to some  
07 degree at one time, because when the big debate was  
08 running in the city about the construction of the new  
09 school -- now, anybody who knows about the new school  
10 knows it wasn't built at the right capacity, the site  
11 wasn't safe, there's three abandon mines under that  
12 building, two of them having nothing holding the

13 ceilings up.  
14 The Department of Education and  
15 everybody else said, Well, go ahead, you can build it  
16 there, but we can't guarantee it'll stay on site.  
17 Everybody was aware of that, but yet still we  
18 constructed it there, but we didn't worry about buying  
19 textbooks then. We only started worrying about that  
20 later.  
21 And now when you take a look now,  
22 the school district is saying, Well, maybe we should do  
23 something about nepotism and hiring, where in the last  
24 meeting they talked about hanging a sign so people  
25 could tell where the new school was.

0043

01 I think our priorities are way  
02 out. We're borrowing a ton of money, we're getting no  
03 return for it, and the people with access are living  
04 extremely well, and the people without access are  
05 suffering.  
06 And my other point is this, we  
07 have an opportunity to build a small business incubator  
08 in this city, we didn't do that. We built an  
09 enterprise zone and we put a college in there.  
10 So, really, how are we trying to  
11 change the fabric of this society by creating jobs and  
12 employment? I mean, evidently we can't create jobs any  
13 cheaper than the Chinese at \$.15 an hour. But goodness  
14 gracious, you can't live in the city on less than \$10  
15 an hour, and these people are suffering.  
16 We've got to do something, and  
17 borrowing isn't the way to go. So, I hope everybody  
18 come to the Hill Neighborhood Association, and let's  
19 make the changes necessary. Thank you.

20 MR. DIBILEO: Thank you,

21 Mr. Morgan. Erik Johnson.

22 MR. JOHNSON: Good evening, City  
23 Council, Lisa and staff. Bill Courtright, I had a  
24 two-hour conversation with my son the other night, and  
25 he told me to personally give you a congratulations on

0044

01 the MOPAC, I think it's a state commission from  
02 municipal police training.

03 MR. COURTRIGHT: Right.

04 MR. JOHNSON: And he said you did  
05 a good job on training him being number one in the  
06 class, and he said you gave him the reward, and he says  
07 he's loves his job as a policeman in Wilkes-Barre, and  
08 his co-workers say that he's a gentle big policeman,

09 but only provoked when a violator gets aggressive.

10 MR. COURTRIGHT: Tell him I said

11 thank you, Erik. He was an excellent student.

12 MR. JOHNSON: And the police and

13 firemen are doing a real great job here in Scranton,

14 and the DPW did a marvelous, real great job with the

15 snow removal during the storm. They do need credit for

16 this, absolutely.

17 And it's being done better this --

18 in this administration than it did in the last

19 administration. I have to admit that, all right?

20 That's the truth.

21 Here are some of the quotations I

22 hear and see from our elderly and low-income Scranton

23 residents. The cost of living is getting worse with

24 puny and meager Social Security raise and rise and cost

25 of heating.

0045

01 Gas and oil that seems to go up

02 every other day, plus the new tax on heating gas, which

03 is unjustified, because it hurts the low income and

04 elderly more than the well financial residents, plus

05 rising costs of electricity, food and health and

06 property insurance.

07 If you are on Social Security or

08 even not able to work, they need to find a job to hold

09 on to their property, their home.

10 Elderly residents are frightened

11 about the 48 percent in Council property taxes. They

12 are telling me they are giving up on their homes.

13 Scranton has a good portion of senior citizens who have

14 either sold their homes or have left it to the sheriff

15 to sell, many with mortgages without the high -- with

16 the high upkeep, plus high and frightened higher

17 property taxes to come will force many more to abandon

18 their homes.

19 Most of the buyers -- most of them

20 will be buyers and groups that will be from out of town

21 and they are buying at a low price. It's very

22 deceiving to the thought of elderly residents losing

23 their homes after paying for their homes and property

24 taxes for 30 or more years to these so-called people,

25 outsiders and wealthy buyers.

0046

01 It's a fact that the only way for

02 a local government to raise revenue is to raise real

03 estate tax rates and will jump at the chance to tax

04 anything besides property tax.

05 Prediction, though, Lackawanna  
06 county tax sale lists will look like a magazine  
07 compare -- it will have more properties to sell than  
08 the list for the realtors. Will the local governments  
09 keep lowering the tax boom on grandma and grandpa who  
10 is struggling to hang on to their house.  
11 Property owners have had enough.  
12 You buy the home, you pay the mortgage, you think you  
13 own it, but in reality, thanks to the property taxes  
14 and heating costs, you're renting it off to the county.  
15 A commuter tax is a polar  
16 imitation of raising the cap on local income tax, but  
17 at least it's also taxing its fair share from people  
18 who commute outside Scranton who works in Scranton.  
19 Local governments need more  
20 options and property owners need a break. There also  
21 was a case of an elderly retired lady on the TV local  
22 news which her heating gas was shut off by our  
23 so-called compassionate gas company.  
24 If it were not for her real  
25 compassionate neighbors, she would have died from  
0047  
01 freezing in her own home. Yes, there is a deep freeze  
02 going on, and it's time to raise prices on heating gas  
03 and oil, which is for survival.  
04 Again I say, all property owners  
05 need a break, which was promised to them by the county  
06 and state officials before they were even elected.  
07 God bless and my prayers goes to  
08 the 37 brave Marines that lost their lives in Iraq  
09 yesterday. Also, all the remaining U.S. Armed Forces  
10 fighting in Iraq and Afghanistan. Thank you very much.  
11 MR. DIBILEO: Thank you, Erik.  
12 Appreciate that. Mr. Ozo.  
13 MR. OZO: Good evening, everybody.  
14 MR. DIBILEO: Good evening.  
15 MS. EVANS: Hello.  
16 MR. OZO: I'm a business owner in  
17 the city. I don't actually live here, but I'm getting  
18 more involved in the city right now.  
19 I'm here to talk about what the  
20 problem is, but maybe we should put in each other to  
21 find solutions for the people that can actually make  
22 the solutions work.  
23 Right now I'm saying that to say  
24 this. I'm putting together a plan to buy and restore  
25 blighted properties around the city, which is a lot,  
0048

01 but I'm running into a problem right now to find the  
02 list and the list of the owners. I don't know how to  
03 contact them.

04 So, if there's any way I can get  
05 the list through the city, the mayor's office, the  
06 courthouse, wherever I could get the list from to find  
07 the owners, that will help me greatly.

08 And, once again, if everybody  
09 could, like, put together a plan how to make things  
10 better, because it's on us. If things go on, people  
11 can just go away, but everybody is not going to move  
12 away from the city.

13 So, I want to put it on each other  
14 to find solutions to the problems they bring up. Thank  
15 you.

16 MR. DIBILEO: Thank you very much.

17 Thank you very much.

18 MR. SAUNDERS: Mr. President, the  
19 list, he could obtain that list from Fanea Blackwell,  
20 she's down at OECD. She works with the Vacant  
21 Property Review Committee, and she will have a list of  
22 that.

23 If you want to leave your number  
24 with Kay, I'll get you Fanea's number tomorrow.

25 MR. DIBILEO: Thank you. That's it  
0049

01 for the sign-in sheet. Any other speakers?

02 MR. McANDREW: Larry McAndrew,  
03 Scranton resident, taxpayer. Good evening, Council. I  
04 see that Mr. Walsh left the room. I just wanted to  
05 thank him, and I want to say thanks again to  
06 Mr. Spindler for bringing this out about Nay Aug Park.

07 I think finally we're all agreeing  
08 on one issue here. What is stated in that deed, that  
09 says free and clear about the swimming.

10 Whether Mayor Doherty was aware of  
11 it or not, that's not the issue here. The issue here  
12 is the responsibility of what was done here.

13 I hope that this coming summer all  
14 children, young and old, senior citizens, and so forth  
15 that go to Nay Aug Park, can use that swim facility  
16 free. That's enough said on that.

17 It was also brought up tonight,  
18 Mr. Lee Morgan brought up an important issue, and this  
19 goes out to a silent majority, we, the people, our  
20 government, we must attend this meeting.

21 We must start taking more active  
22 and get involved here. We need your ideas. We need

23 changes in this city. We need candidates that's going  
24 to be responsible to do the right thing for this city,  
25 to bring industry in here to support our tax base to  
0050

01 make it a better environment to live. Thank you.

02 MR. DIBILEO: Thank you,

03 Mr. McAndrew. Dave Gervasi.

04 MR. GERVASI: Good evening, ladies

05 and gentlemen. My name is Dave Gervasi, I am a city

06 resident and a spokesman for the firefighters union.

07 It was brought up earlier, things,

08 like, what happened today up at Mountain Lake, things

09 like that don't surprise me. I really, really

10 appreciate you, Mr. Courtright, and even Mr. Pocius,

11 who I never really agree with too much, always brings

12 up if some city employees does something well.

13 I don't think these people even

14 want recognition, it's our job. I'm proud of the

15 people that I work with every day. I see what they do

16 every day, and that's why it hurts you when the

17 newspaper or the mayor or other people try to demonize

18 city employees.

19 You know, you call us, we're

20 there. You know, we don't discriminate whether you're

21 black or white, rich or poor, male or female, young or

22 old, you call us, you have a problem, we come and we

23 take care of it.

24 And that's not only the fire

25 department. I personally fought a fire with a refuse

0051

01 worker one morning that was just there to help us out.

02 The police always have our backs, whatever we do. And

03 frankly, having a city without the clerical workers,

04 the city wouldn't run.

05 I appreciate it when you bring up

06 nice things like that, because I think this is the only

07 place people actually find out good things about city

08 employees, and I really appreciate that.

09 There's been a lot of talk about

10 when the uniform unions are going to get together with

11 the mayor and finally settle a contract.

12 I had an opportunity last night to

13 be at one of our state association meetings, and we had

14 it down in Easton. I knew I had a lot of the

15 information to begin with, but a new thing just came

16 up.

17 You know, I want the people of the

18 City of Scranton to know that we're not the only people

19 that are Act 47, in distressed -- and being the only  
20 distressed municipality, there has been numerous. I  
21 believe 22 so far since the Act was passed.  
22 I want to just give you some brief  
23 information about what happened in some of the other  
24 towns. Johnstown has been distressed just about as  
25 long as Scranton has. They never really had to go to  
0052  
01 arbitration, they never really had to fight with their  
02 administration.  
03 And until their last recovery plan  
04 where some of Scranton's language ended up in it, and  
05 thank God for their mayor and Council that were not  
06 going to let happen what happened in Scranton, have  
07 this polarization between the administration and their  
08 workers and have the city divided over these issues.  
09 They worked it out, and their  
10 administration told their plan coordinator to go back  
11 and re-write the plan.  
12 As a matter of fact, don't even  
13 re-write the plan. Negotiate a contract and make the  
14 plan reflect what you've negotiated.  
15 And the firemen and the police  
16 there gave some concessions, but they got a decent  
17 contract with a cost of living raise, a fair contract.  
18 Nobody got anything extraordinary.  
19 Chester, Pennsylvania, just north  
20 of Philadelphia, has been distressed for quite a while.  
21 They never went to arbitration. They negotiated each  
22 and every contract.  
23 Wilkes-Barre, who is probably in  
24 the worse financial condition now than Scranton was at  
25 its worse time, their fire department just negotiated a  
0053  
01 seven-year contract with cost of living raise.  
02 They had made some concessions so  
03 that it would be good for the city, and their mayor is  
04 struggling, struggling when he inherited such a  
05 horrendous debt. That place was a mess, and he's  
06 working together with their employees to get the city  
07 out of that mess.  
08 Allentown, who has one foot in the  
09 door for Act 47, their fire department just received a  
10 seven-year contract with a cost of living raise. They  
11 made a few concessions that was palatable to the city.  
12 They worked it out. They were in arbitration, and they  
13 already had the deal made before arbitration was over.  
14 So, I just want you to understand

15 that this fighting over Act 47 and recovery plans,  
16 Scranton is not the norm, Scranton is the exception to  
17 the rule.

18 There's only one other town in the  
19 state right now that is having the same trouble we are,  
20 and that is Pittsburgh. Pittsburgh tried to work out  
21 their problems in the past.

22 The mayor in Pittsburgh said the  
23 biggest problem they had was tax exempts, non-profit  
24 organizations. I believe the number was 37 percent of  
25 all the land in Pittsburgh.

0054

01 And years ago they put a lot of  
02 money into their downtown and they neglected their  
03 neighborhoods, and the people left because crime was  
04 going up and blight was going up, even though the  
05 downtown was a jewel, and their tax base was eroding  
06 and they started falling apart again.

07 Well, Pittsburgh right now is in  
08 their second court case fighting their recovery plan,  
09 because, frankly, their recovery plan, I think they  
10 just carbon copied and changed Scranton to Pittsburgh  
11 and threw it at their employees.

12 So, this recovery plan, and I  
13 remember Charlie Waters, the first two recovery plans  
14 we had, we worked things out. We negotiated contracts  
15 under them, we kept within the framework of the  
16 recovery plans.

17 And you can knock the last  
18 administration, but the last administration, we had a  
19 lot of problems with a lot of things that the last  
20 administration was doing, we took them to court to  
21 settle and straighten out a lot of the bleeding that  
22 was going on in this town.

23 One thing the last administration  
24 didn't do what this administration does is, they  
25 weren't mean. This administration wrote this recovery  
0055

01 plan, not Pennsylvania Economy League.

02 And Charlie Waters even said it in  
03 the paper that this is basically their plan. We were  
04 just there to provide oversight and support.

05 So, I want everyone to know that  
06 this fight that's going on -- and we brought a lot of  
07 these things to light to the last Council and we  
08 brought it to light to the mayor, and it's just it's my  
09 way or the highway.

10 And we are the exception to rule.

11 They perverted the intent of Act 47 in this town, the  
12 recovery plan is disgusting, and now it's causing the  
13 same chaos in Pittsburgh, because the same language we  
14 have in ours is in Pittsburgh's now.

15 And it doesn't have to be, it  
16 really doesn't have to be. And that's all I have to  
17 say. Thank you for your time and the opportunity to  
18 speak.

19 MR. DIBILEO: Thank you,  
20 Mr. Gervasi. And I'd like to just say again, a job  
21 well done to the members of your firefighter group that  
22 saved that gentleman's life today and anyone else from  
23 the city that helped or any citizens. Are there any  
24 other speakers? Chrissy, you got your hand up?

25 MR. SLEDZINSKI: Jay, I got a  
0056

01 complaint for you tonight, Buddy. For you, only for  
02 you. You know that bridge I use, Jay, coming down the  
03 street from there, that big hole, somebody is going to  
04 fall and break their neck in that hole down there. Will  
05 you take care of that tomorrow for me? Hi,  
06 Mike Marichak.

07 MR. DIBILEO: Thank you, Chris.  
08 Chris, let me say that you look beautiful tonight. I  
09 never saw you with a tie on. You look pretty sharp.  
10 Anyone else? Mr. Walsh.

11 MR. WALSH: 5-A, Motions.

12 MR. DIBILEO: Mr. McTiernan, do  
13 you have any motions or comments?

14 MR. McTIERNAN: Nothing at this  
15 time. Mr. President.

16 MR. DIBILEO: Thank you,  
17 Mr. McTiernan. Mrs. Evans, any motions or comments?

18 MS. EVANS: Yes. Attorney Walsh,  
19 what is the status on the campaign finance reform  
20 ordinance?

21 MR. WALSH: I have obtained a lot  
22 of that research, and I've put it in everybody's  
23 mailbox, all of the Council people, I've placed it all  
24 in their mailboxes.

25 So, what I wanted to do is allow  
0057

01 the Council members review current articles, current  
02 case law and other proposed ordinances before making a  
03 concrete decision.

04 Because as I had said, I'm more  
05 than happy to accommodate the Council, but I think it's  
06 important that the Council understand all aspects of

07 the requested legislation.  
08 For that reason, it's my  
09 understanding that I'm to investigate it first, and in  
10 so doing, what I've done has gotten a lot of the  
11 information and now have supplied it to all the Council  
12 members.  
13 I anticipate the Council members  
14 will probably review all of the information that I've  
15 provided, it's probably well over 150 pages, and then  
16 we will be able to speak in the caucus about that.  
17 I will, of course, continue to  
18 obtain additional information on the legislation  
19 concerning political caps.  
20 Also, I have had phone conferences  
21 with some of the other municipalities who've looked at  
22 this issue. So, I will continue to keep the Council  
23 informed and provide them with information so that if  
24 indeed this is drafted, they can make an informed  
25 decision.

0058

01 MS. EVANS: And I'd like you to  
02 provide Council, as well, with your recommendation on  
03 what the proper avenue would be for us to pursue.

04 MR. WALSH: Not a problem.

05 MS. EVANS: Thank you. And, Jay,  
06 I'd like the budget to actual report for January 2005  
07 for next week's meeting of February 3, please.

08 I also have a number of citizens'  
09 requests for the week of January 20 to 27. A letter to  
10 Mr. Hayes regarding vehicles. Cleanup of an abandoned  
11 lot on Hampton Street. And a very important one at the  
12 corner of Lafayette Street and Bromley Avenue, an  
13 abandoned lot, and neighbor there, Helen, tells me that  
14 though the neighbors had kept that lot up on their own  
15 for quite a while, everyone is of an age now that  
16 they're no longer able to do so, but what is happening  
17 now unfortunately is that a new neighbor is parking  
18 trucks on that lot, so we do want to look into that.

19 Also an update on the road salt  
20 supply. What we talked about earlier tonight, plowing  
21 in courts and allies and sidewalks on bridges, and a  
22 particular request to plow Peaquest Drive, Park Drive  
23 and Montgomery Drive.

24 If no action is taken on your  
25 complaints, I ask citizens to contact me at  
0059

01 [www.jantettomkoevans.com](http://www.jantettomkoevans.com), for updates.  
02 And for citizens calling regarding

03 cars being plowed in by the DPW, Mr. Parker has  
04 provided a reply. When crews plow snow in the winter,  
05 their job is to clear the streets for safe passage of  
06 traffic. Every house on every street gets snow plowed  
07 to the side of the road in front of the property.  
08 So, I believe our understanding of  
09 that is this is a uniform policy of plowing and no one  
10 is selectively plowed in. It's happening to many, many  
11 individuals, and I know it's happened in fact at my own  
12 residence, but I think it's probably up to all of us  
13 then to just take it from there.  
14 Also with regard to the cameras on  
15 DPW trucks, recently a plaque honoring the men who've  
16 died in the line of DPW service to this city was  
17 installed at the new DPW, and certainly that was a very  
18 well-deserved recognition, but there appears to be  
19 adequate space on that plaque for additions.  
20 I would never want to see one more  
21 name added to that plaque, and that is why these  
22 cameras are so vitally important, and so I ask  
23 Mr. Parker to purchase these cameras now, please.  
24 And just one final note, in  
25 response to a speaker who commented earlier this  
0060  
01 evening that the city is made of two serfdoms,  
02 specifically that of the mayor and that of City  
03 Council, Council has reached out to the mayor countless  
04 times, whether by letter, by phone, by invitation to  
05 Council, as I said, the occasions are too numerous now  
06 to recall, but the mayor doesn't respond.  
07 What's even more significant, I  
08 believe, is the fact that the mayor doesn't speak to  
09 the people, whether by means of returned phone calls or  
10 public meetings.  
11 Council, on the other hand, I  
12 feel, communicates often and well with people of the  
13 city by phone, through Emails and through our  
14 attendance at public meetings and events.  
15 I think it's very easy to say that  
16 the solution to all of this is communication between  
17 these two serfdoms, shall we say; however, if you are  
18 not on board with the mayor's agenda, then you will not  
19 engage in gracious and fruitful dialogue with the  
20 mayor.  
21 And I'm just going to cite one  
22 example that I believe the speaker also mentioned.  
23 Senior citizens centers who did not receive funding, I  
24 think it's important, as well, for everyone to

25 understand that their funding from the county was cut  
0061

01 this year, and that is why they are in desperate need  
02 of consideration by this city, yet the mayor gave them  
03 no consideration.

04 And, you know, that is not  
05 something I feel City Council must shoulder in terms of  
06 blame. The mayor made those decisions. And another  
07 speaker tonight mentioned the Genesis Wildlife Center  
08 was obviously a greater priority than our senior  
09 citizens.

10 Well, I can't respond to that,  
11 because I did not make that decision. The mayor made  
12 that decision, so he must respond. But, you know, I  
13 thought it was very important that we just clear this  
14 up once and for all, that it's not a failure on the  
15 part of City Council to reach out to the mayor. The  
16 failure lies with the mayor who refuses to respond.  
17 That's all.

18 MR. DIBILEO: Thank you,  
19 Mrs. Evans. Mr. Pocius, any motions or comments?

20 MR. POCIUS: Yes, Mr. President.  
21 I have one motion. I had to run out and get my stuff,  
22 I left it on the cabinet, but I came right at the end  
23 and, I'd like to make a motion, I think we just  
24 received and filed 3-G, but I would like to make a  
25 motion that we send this petition for permit parking  
0062

01 down to the Borough of Police Traffic Division for  
02 report and recommendation back to Council, so if it's  
03 necessary, the law department can draw up the proper  
04 ordinance. I think that's the proper procedure,  
05 Mr. Walsh. So, that's a motion.

06 MS. EVANS: I'll second it.

07 MR. WALSH: You should do it by  
08 motion, that's right.

09 MR. POCIUS: That's the way the or  
10 ordinance reads to set this up.

11 MR. DIBILEO: Okay. We have a  
12 motion on the floor and a second. On the question?

13 All those in favor, signify by saying aye.

14 MR. McTIERNAN: Aye.

15 MS. EVANS: Aye.

16 MR. POCIUS: Aye.

17 MR. COURTRIGHT: Aye.

18 MR. DIBILEO: Aye. Opposed? The  
19 ayes have it.

20 MR. POCIUS: I thank you for

21 that. Secondly, I'd like to offer my congratulations  
22 to all of the members of the Department of Public  
23 Works. That was a truly tremendous effort last week,  
24 and I just can speak for where I live, we were plowed  
25 on Saturday and Sunday, our garbage and recycling was  
0063

01 picked up on Monday, which is, to me, a superhuman  
02 effort, given the circumstances of what went on.

03 I know it's a pet peeve of

04 everybody when their car gets plowed in, but it's only

05 a suggestion, and there's really no way you can do it,

06 but if there's any chance of getting your car off the

07 street during, you know, if you anticipate a heavy

08 storm, whether there's a parking lot available at your

09 church or something like that, at least -- or

10 somewhere, it makes cleanup a lot easier.

11 We don't really have a -- and it

12 would be -- it would take a lot of time and effort to

13 put in some type of plan that could be enforced about

14 odd and even and everything else, because it has to be

15 enforced, and you're talking towing cars and moving

16 things, which is a superhuman effort, and that may not

17 be in the picture.

18 But with a little cooperation at

19 times, maybe it can make life a little easier for the

20 residents. You know, you get 12 inches of snow, where

21 are you going to put it. And the main thing is to keep

22 the streets open for not only the people that have to

23 go to work, but for public safety vehicles and

24 ambulances and fire trucks and police cars and

25 deliveries and so on.

0064

01 But, again, it was a marvelous

02 job, they put in a tremendous amount of time. Near

03 exhaustion at times, you know, being out in the trucks.

04 They're a very good department. They're proud of their

05 new building, they're proud of the way they're

06 operating, and I just give them a pat on the back for a

07 job well done. That's all. Thank you, Mr. President.

08 MR. DIBILEO: Thank you,

09 Mr. Pocius. And I'll totally agree. I'm sure

10 everybody else will, too, that the Department of Public

11 Works really rises to the occasion when we have the

12 type of weather event that we have.

13 MR. POCIUS: Very talented

14 individuals the way they can plow and cinder and other

15 things, too. They can install pipe now and basins. I

16 mean, pave and patch. They're -- prior to the storm, I

17 actually saw a pothole patching crew out on Cherry  
18 Street in South Side trying to cold patch some holes  
19 before the storm. So, they're out there doing the job  
20 that they're paid to do, and I think they're proud of  
21 it when they get the job done, and I know we're proud  
22 of them.

23 MR. DIBILEO: I totally agree with  
24 you. Thank you very much, Mr. Pocius. Mr. Courtright,  
25 any motions or comments?

0065

01 MR. COURTRIGHT: Just one item,  
02 MR. DiBileo. I believe tonight they're going to be  
03 celebrating a coach of West Scranton's Basketball,  
04 Jack Lyons, his 400th win. So, I just want to  
05 congratulate him and say a job well done. That's all I  
06 have.

07 MR. DIBILEO: Thank you very  
08 much. That's a good point. That's a great job by  
09 Coach Lyons. 400 wins is certainly quite a milestone,  
10 and not many coaches end up reaching that plateau.  
11 Great coach and a great individual, too.

12 MR. POCIUS: Coach Lyons and  
13 myself graduated high school the same year, and I won't  
14 let that out, but we go back a long way together.

15 MS. EVANS: And he coached my son  
16 who played for him when he coached boys basketball at  
17 Scranton High School, the varsity team. And now  
18 actually my son works with him in coaching and prepares  
19 the young wipersnappers to move up to varsity level  
20 with Jack. So, yeah, he's a fantastic coach, a  
21 fantastic individual. Congratulations, Jack.

22 MR. DIBILEO: Thank you,  
23 Mrs. Evans. Mr. Saunders, did you have something?

24 MR. SAUNDERS: If you'd like to  
25 bring him in for a proclamation.

0066

01 MS. EVANS: Yes, by all means.

02 MR. SAUNDERS: Kay or myself will  
03 contact Coach Lyons and see if we can bring him in. I  
04 think you will have to make a motion to that effect.

05 MS. EVANS: I'll make the motion.

06 MR. McTIERNAN: Second.

07 MR. DIBILEO: Okay. We have a  
08 motion on the floor and a second to bring  
09 Mr. Lyons in for a proclamation. On the question?  
10 All those in favor, signify by saying aye.

11 MR. McTIERNAN: Aye.

12 MS. EVANS: Aye.

13 MR. POCIUS: Aye.

14 MR. COURTRIGHT: Aye.

15 MR. DIBILEO: Aye. Opposed? The

16 ayes have it, 5-0. Let's do it. Thank you. Was that  
17 all you had?

18 MR. COURTRIGHT: Yes.

19 MR. DIBILEO: I just had two quick

20 comments that I wanted to mention. Again, I want to  
21 thank Mr. Walsh for his research he did involving the  
22 deed at Nay Aug Park, very good job. And as somebody  
23 said, Mr. Spindler, who brought the whole notion right  
24 here to our meeting at our podium.

25 And for the people that say

0067

01 nothing good comes from our audience participation,  
02 boy, I would say that that would be completely wrong,  
03 especially in a situation like this, because, of  
04 course, the last thing we want to do would be to lose a  
05 valuable asset that we have in Nay Aug Park. So,  
06 thanks again.

07 I just found it pretty interesting

08 when I read in the newspaper that our good friends to

09 the east, the Borough of Dunmore, is actually

10 considering putting in a bid to buy the golf course

11 that was going to be built by the Borough of Dickson

12 city, because as we all know, Dunmore, like Scranton,

13 is in desperate need of new sources of revenue, and

14 it's going to be interesting to follow that and to see

15 if that actually happens, because, you know, it seems

16 to me that just that notion that Dunmore is even

17 talking about the possibility of buying that golf

18 course seems to makes Scranton's decision to sell our

19 golf course a very questionable move. So, we'll have

20 to see -- follow that story. And that's all I have

21 under motions and comments.

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

23 INTRODUCTION - AN ORDINANCE - SALE OF TAX DELINQUENT

24 PROPERTY AT 2126 JACKSON STREET, SCRANTON,

25 PENNSYLVANIA, TO GREGORY GULA AND CARLENE GULA, 2122

0068

01 JACKSON STREET, SCRANTON, PENNSYLVANIA, 18504 FOR THE

02 SUM OF \$3,000.00.

03 MR. DIBILEO: At this time I'll

04 entertain a motion that Item 5-B be introduced into its

05 proper committee.

06 MR. POCIUS: So moved.

07 MR. COURTRIGHT: Second.

08 MR. DIBILEO: On the question?

09 All those in favor, signify by saying aye.

10 MR. POCIUS: Aye.

11 MR. McTIERNAN: Aye.

12 MS. EVANS: Aye.

13 MR. COURTRIGHT: Aye.

14 MR. DIBILEO: Aye. Opposed? The

15 ayes have it and so moved.

16 MR. WALSH: 5-C, FOR INTRODUCTION

17 - AN ORDINANCE - AMENDING THE ADMINISTRATIVE CODE OF

18 THE CITY OF SCRANTON, AS CODIFIED SECTION 6-13 -

19 APPROPRIATION, OTHERWISE REFERRED TO AS ARTICLE VI,

20 SECTION 602-APPROPRIATION, WITHIN FILE OF THE COUNCIL

21 NO. 66, 1984, AN ORDINANCE, AS AMENDED, AND WITHIN FILE

22 OF COUNCIL NO. 29, 1994, AN ORDINANCE, THEREBY AMENDING

23 FILE OF THE COUNCIL NO. 195, 2003 TO THE EXTENT IT IS

24 INCONSISTENT HEREWITH.

25 MR. DIBILEO: At this time I'll

0069

01 entertain a motion that Item 5-C be introduced into its

02 proper committee.

03 MS. EVANS: So moved.

04 MR. COURTRIGHT: Second.

05 MR. DIBILEO: On the question?

06 MS. EVANS: Yes. This legislation

07 merely changes fund transfers to their status prior to

08 July 2003, when the prior Council railroaded several

09 pieces of legislation across this desk in order to

10 handcuff a new Council.

11 I think it represents one small

12 step toward an increased system of checks and balances

13 and our tax dollars, and I certainly hope the mayor

14 doesn't veto this legislation and continue his policy

15 of obstructing checks and balances.

16 MR. DIBILEO: Thank you. Anyone

17 else on the question? I'll just add here that I think

18 that, you know, when you're borrowing money to pay your

19 bills, you need to be more conservative with your

20 finances and your dollars, and I think this legislation

21 does that.

22 You know, I don't think that the

23 speed of which you transfer money is the issue here,

24 but as much as it would be the appropriateness and the

25 transferring of the money.

0070

01 And I talked to Roseann Novembrino

02 this week, city controller, and she has no problem

03 whatsoever with Councilmatic action involving these

04 transfers.

05 And this legislation, as  
06 Mrs. Evans says, takes us back 18 months, at which time  
07 that was the way things were handled as far as the  
08 transferring of money interdepartmentally.  
09 So, I voted against changing it  
10 then 18 months ago, and I'll vote in favor of putting  
11 it back to the way it was 18 months ago tonight.  
12 Anyone else on the question? All those in favor of  
13 introduction, signify by saying aye.  
14 MS. EVANS: Aye.  
15 MR. COURTRIGHT: Aye.  
16 MR. DIBILEO: Aye. Opposed?  
17 MR. McTIERNAN: No.  
18 MR. POCIUS: No.  
19 MR. DIBILEO: By a 3-2 vote, motion  
20 carries.  
21 MR. WALSH: 5-D, FOR INTRODUCTION  
22 - A RESOLUTION - AUTHORIZING THE EXTENSION OF THE SEWER  
23 LINES TO INCLUDE NINE (9) RESIDENTIAL UNITS ON RIPPLE  
24 STREET WHICH CURRENTLY HAVE ON-LOT SEWAGE AND TO  
25 AUTHORIZE THE CONNECTION OF THIS SEWER EXTENSION TO THE  
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01 EXISTING SEWER LINE AT THE INTERSECTION OF RIPPLE  
02 STREET AND CEDAR AVENUE.  
03 MR. DIBILEO: At this time I'll  
04 entertain a motion that Item 5-D be introduced into its  
05 proper committee.  
06 MR. POCIUS: So moved.  
07 MR. COURTRIGHT: Second.  
08 MR. DIBILEO: On the question?  
09 MS. EVANS: Yes. I met with the  
10 residents of Ripple Street back in October of 2004, and  
11 they were very anxious to have their homes connected to  
12 the sewer line, so I'm very happy for them that at last  
13 this work will be approved and hopefully completed this  
14 spring.  
15 MR. DIBILEO: Thank you. Anyone  
16 else on the question? If not, all those in favor  
17 of introduction, signify by saying aye.  
18 MR. McTIERNAN: Aye.  
19 MS. EVANS: Aye.  
20 MR. POCIUS: Aye.  
21 MR. COURTRIGHT: Aye.  
22 MR. DIBILEO: Aye. Opposed? The  
23 ayes have it and so moved.  
24 MR. WALSH: Sixth order. There is  
25 no sixth order business at this time. Seventh order.  
0072

01 7-A, FOR CONSIDERATION BY THE COMMITTEE ON FINANCE -  
02 FOR ADOPTION - FILE OF COUNCIL NO. 100, 2005 - AMENDING  
03 FILE OF COUNCIL NO. 231, 2003, AN ORDINANCE ENTITLED  
04 GENERAL CITY OPERATING BUDGET 2004 BY TRANSFERRING  
05 \$85,000.00 FROM ACCOUNT NO. 01.401.15230.4299 (TAN  
06 SERIES A) TO THE ACCOUNTS LISTED BELOW TO PROVIDE  
07 FUNDING TO COVER EQUIPMENT RENTAL AND PROFESSIONAL  
08 SERVICES.

09 MR. DIBILEO: What's the  
10 recommendation of the chairperson for the committee on  
11 finance?

12 MS. EVANS: As chair for the  
13 committee on finance, I recommend final passage of  
14 Item 7-A.

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: Mrs. Evans.

21 MS. EVANS: Yes.

22 MS. GARVEY: Mr. Pocius.

23 MR. POCIUS: Yes.

24 MS. GARVEY: Mr. Courtright.

25 MR. COURTRIGHT: Yes.

0073

01 MS. GARVEY: Mr. DiBileo.

02 MR. DIBILEO: Yes. I hereby

03 declare Item 7-A legally and lawfully adopted.

04 MR. WALSH: 7-B, FOR CONSIDERATION

05 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR

06 ADOPTION - FILE OF COUNCIL NO. 101, 2005 - AMENDING

07 FILE OF THE COUNCIL NO. 101 OF 1989 CREATING A

08 COMMITTEE FOR THE DESIGNATION AND CERTIFICATION OF

09 PROPERTY AS BLIGHTED, AND THE ACQUISITION AND

10 DISPOSITION OF SUCH PROPERTY TO BE KNOWN AS THE VACANT

11 PROPERTY REVIEW COMMITTEE TO INCLUDE A FIFTH MEMBER TO

12 THE COMMITTEE, NAMELY THE CITY PLANNER.

13 MR. DIBILEO: What's the

14 recommendation of the chairperson for the committee on

15 community development?

16 MR. McTIERNAN: Mr. President, as

17 chairperson for the committee on community development,

18 I recommend final passage of Item 7-B.

19 MR. POCIUS: Seconded.

20 MR. DIBILEO: On the question?

21 Roll call, please, Kay.

22 MS. GARVEY: Mr. McTiernan.

23 MR. McTIERNAN: Yes.

24 MS. GARVEY: Mrs. Evans.

25 MS. EVANS: Yes.

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01 MS. GARVEY: Mr. Pocius.

02 MR. POCIUS: Yes.

03 MS. GARVEY: Mr. Courtright.

04 MR. COURTRIGHT: Yes.

05 MS. GARVEY: Mr. DiBileo.

06 MR. DIBILEO: Yes. I hereby

07 declare Item 7-B as amended legally and lawfully

08 adopted.

09 MR. WALSH: 7-C, FOR CONSIDERATION

10 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

11 RESOLUTION NO. 123, 2005 - APPROVING AND AUTHORIZING A

12 MORTGAGE SUBORDINATION AGREEMENT IN FAVOR OF NORTH PENN

13 BANK, CONCERNING A CITY COMMERCIAL INDUSTRIAL LOAN WITH

14 GJK RESTAURANT GROUP, INC. (GJK), WHICH IS TO BE

15 EXECUTED. (ATTACHED).

16 MR. DIBILEO: What's the

17 recommendation of the chairperson for the committee on

18 finance?

19 MS. EVANS: As chair for the

20 committee on finance, I recommend final passage of

21 Item 7-C.

22 MR. POCIUS: Seconded.

23 MR. DIBILEO: On the question?

24 Roll call, please, Kay.

25 MS. GARVEY: Mr. McTiernan.

0075

01 MR. McTIERNAN: Yes.

02 MS. GARVEY: Mrs. Evans.

03 MS. EVANS: Yes.

04 MS. GARVEY: Mr. Pocius.

05 MR. POCIUS: Yes.

06 MS. GARVEY: Mr. Courtright.

07 MR. COURTRIGHT: Yes.

08 MS. GARVEY: Mr. DiBileo.

09 MR. DIBILEO: Yes. I hereby

10 declare Item 7-C legally and lawfully adopted.

11 And seeing no further business, I'll entertain a motion

12 that we adjourn.

13 MS. EVANS: I'll make that motion

14 we adjourn.

15 MR. POCIUS: Second it.

16 MR. DIBILEO: We're adjourned.

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18 (MEETING WAS ADJOURNED.)

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01 CERTIFICATE

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.

07 \_\_\_\_\_  
08 LISA M. GRAFF, RPR  
08 OFFICIAL COURT REPORTER

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