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02 SCRANTON CITY COUNCIL MEETING

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08 Held:

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09 Thursday, April 7, 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

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05 MS. JANET E. EVANS, VICE-PRESIDENT

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07 MR. WILLIAM COURTRIGHT

08

09 MR. JOHN POCIUS

10

11 MR. ROBERT McTIERNAN

12

13 MR. MARK WALSH, ESQUIRE, SOLICITOR

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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.

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

16 MR. WALSH: Certainly. Third

17 order. 3-A this evening will be clerk's notes.

18 MR. DIBILEO: Mr. Saunders,

19 please.

20 MR. SAUNDERS: Mr. President, last
21 week, maybe two weeks ago, Mr. McTiernan talked about
22 the status of the Village of Tripp Park and where it's
23 at and what can we do about it.
24 Well, Attorney Walsh and myself
25 sat down with George Parker, Ray Hayes, Rob Farrell and
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01 Bill Fiorini to discuss the situation and where they
02 are with the punch list and where they're at with the
03 detention or retention pond.
04 They said that the developer is
05 work towards fixing all of those problems and moving
06 forward with the punch list.
07 I don't think it's too far in the
08 distant future of having a final read up there of the
09 punch list and find out if the streets are going to be
10 dedicated back to the city.
11 They will not be dedicated back to
12 the city, and Mr. Parker was very clear about this,
13 they will not be dedicated back to the city and they
14 will not take them over unless that punch list is
15 totally followed.
16 They are going to sit down and
17 talk with the developer and make sure that all of these
18 things are in order and ready to go sometime in the
19 near future.
20 Also, last week on the our agenda
21 we had a transfer of money from neighbor policing CDBG
22 money. This week it is not on the agenda. It will be
23 in sixth order when it returns.
24 We spoke, Attorney Walsh and
25 myself, spoke to representatives from OECD,
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01 Sara Hailstone and Kevin Wilson. They said that the
02 \$55,000, which was in question, if we could actually
03 transfer that money under social services and be under
04 the caps.
05 They ran the numbers on that and
06 they said that we are safe and we could do that. The
07 only problem that they had with us doing this ordinance
08 is that we have to advertise it out, have a public
09 hearing.
10 So, just to fit their guidelines,
11 they have certain guidelines on how they do their
12 ordinances and regulate how they regulate it, and that
13 will be on the agenda.
14 We do have to schedule a public
15 hearing and then wait 30 days and then put it into

16 sixth order again.

17 MR. DIBILEO: Very good.

18 MR. SAUNDERS: And Attorney Walsh

19 just brought to that to my attention, we don't have to

20 do that with other ordinances that we read. Like

21 tonight we have in seventh order some CDBG money that's

22 being transferred around. OECD handles that. They do

23 that, they advertise it out and have a public hearing

24 or public comment on that from their office before they

25 present it to us. So, this is actually done from a

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01 different angle, but it's all proper, everything is

02 good and we're ready to go with it.

03 MR. DIBILEO: Good. I know,

04 Mr. Walsh, prior to this week you had been in

05 conversations with people from OECD involving this

06 legislation before it was written; is that correct?

07 MR. WALSH: Yes, that's accurate.

08 Both myself and Mr. Saunders and the office was very

09 accommodating, very professional. Mr. Saunders and I

10 both spoke by speaker phone with an individual from the

11 office, and I believe after the potential problem

12 arose, that Mr. Saunders again contacted the office,

13 and that's where he came to this resolution with

14 Ms. Hailstone and Mr. Wilson, who my understanding is,

15 they were very helpful to him.

16 MR. DIBILEO: Thanks for being

17 thorough on that. We want to make sure we're

18 procedurally correct in getting this help with the

19 police officers.

20 MR. WALSH: And I believe

21 Mr. Saunders is the person to be credited with the

22 procedure that he mentioned earlier, because he's the

23 person that spoke with that office, OECD, and he's the

24 one that learned that procedure, because I had

25 questioned it a little bit. He had given us that

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01 procedure.

02 So, really although he'd like to

03 give me some of the credit, I think it's both he and

04 our assistant clerk, Kay Garvey, who did a lot of work

05 on that. So, I don't want to take credit for that when

06 they did the work.

07 MR. DIBILEO: Oh, good. Well,

08 thank you Jay and Kay, too. Appreciate that very

09 much.

10 MR. SAUNDERS: Mr. President, the

11 last thing I have tonight is, I do have to bring this

12 up, because I didn't get to talk to you about
13 this in caucus, Mr. Richard Noto had talked to yourself
14 about the Lake Scranton situation with the no parking
15 on Snook or Seymore, I believe, I'll have to check that
16 in the back, that is a process.

17 I sent everything out, I am
18 talking to all the people I have to talk to about that
19 situation, how we do that and what we can do about
20 that. So, I will update you on that, not next week,
21 the following week. I will have a more clearance
22 answer by then.

23 MR. DIBILEO: Okay. Good. I

24 appreciate that. Thank you.

25 MR. SAUNDERS: That's all I have,
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01 Mr. President.

02 MR. DIBILEO: Thank you.

03 MR. WALSH: Fourth order, citizen

04 participation.

05 MR. DIBILEO: Okay. The first
06 person on the sign-in sheet is Regina Yetkowskas.
07 Regina is not here, so Andy Sbaraglia.

08 MR. SBARAGLIA: No, it's not that
09 she's not here, she just asked me to tell you that she
10 will speak a little later. I guess she wants to get
11 some of her thoughts on paper, so forth and so on.

12 MR. DIBILEO: Okay. Andy
13 Sbaraglia, citizen of Scranton. Fellow Scrantonians, I
14 was second on the list. I'm glad you were able to get
15 this \$55,000, but let's look at where this other block
16 money is going.

17 Whereby the elimination of slums
18 and blight in the central city business district, in
19 particular the 500 block of Lackawanna Avenue is an
20 activity for which \$250,000 was committed, and you have
21 to go and cry for \$55,000, plus these other little
22 things that you got on the agenda with this fixing
23 these old buildings, which is probably committed to 500
24 Lackawanna Avenue, too.

25 I mean, we're talking about near a
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01 half a million dollars and three pieces of
02 legislation. Well, let's see. No, \$390,000, and three
03 pieces of legislation, and you come and have to go and
04 apply for \$55,000.

05 Gentlemen, these block grants are
06 for the citizens of Scranton, all of Scranton, not just
07 a certain area of Scranton.

08 It's really terrible that you
09 would consider spending so much money on these
10 buildings that you call blighted.
11 But the question is, Who owns
12 these buildings? How long have they been blighted?
13 Have they been blighted all the time? And they're the
14 reason these buildings are blighted because of the
15 owners.
16 You have to look into these
17 things. Are these buildings even up to par on taxes
18 before we start pouring thousands and thousands of
19 dollars into it? That's another thing you have to look
20 at to make sure these buildings are on our tax rolls
21 and are current in our taxes before you hand out the
22 keys to the city to this man.
23 Like I stated before, I realize he
24 don't own all the properties down there, because I know
25 there's a club down there and Bueno Pizza. Now, I
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01 don't know if he owns the rest of the line down there,
02 I have no way of knowing, or even how long he had these
03 buildings. Nobody ever looked into all of this
04 information.
05 It's just too bad you councilmen
06 are just part-time. I understand that you all have
07 other businesses to run and you can't really get into
08 all of these little nitty and gritty little pieces of
09 legislation and backgrounds.
10 I applaud you for what you can do,
11 but that's one thing you should look at. Before you
12 start handing out money, to make sure these people are
13 at least current in their taxes.
14 It's a shame that you would pour
15 thousands and thousands of taxpayers' money into a
16 project, and the man isn't at least up on his taxes.
17 That's a must. That should be done before you give any
18 of these grants out. You should check the tax status
19 and you should also check on the rolls down there at
20 the county courthouse to see what these things are
21 assessed at.
22 You may be pouring \$10 million or
23 \$20 million into a project, where the whole project,
24 the buildings are only worth \$5 million, because I
25 doubt if any kind of these buildings are worth anything
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01 much above that. And that's for a whole block of
02 buildings.
03 That's another thing, if you

04 really want to go forward with the city, you should
05 think forward, not refix these old buildings.
06 We have a whole area down where
07 Bittenbender's is that's historic. We don't need
08 historic buildings throughout the city, we need
09 progressive buildings.
10 And mainly you should actually be
11 looking into actually trying to create jobs somewhere
12 in the area.
13 You've got a building -- the
14 Holiday Inn, which the mayor says he's thinking about
15 knocking it down, it's the Holiday Inn where they had
16 the nursing home. It actually was the old Holiday Inn
17 Annex that was built.
18 Now that, building is solid
19 concrete, reenforced concrete up and down, because I
20 helped build it. I know what went into that building.
21 Now, that building is a beautiful
22 building. I think it can be saved, rather than tear it
23 down. Now, somewhere along the line you should try to
24 market that building.
25 Because like I say, solid concrete
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01 buildings are there for a lifetime. It takes a lot to
02 knock one of them things down.
03 And that thing has so many rooms
04 in it. Like I said, it was an old hotel -- yeah, it
05 was a hotel or whatever you want to call it is what it
06 was when it was built. They turned it into a nursing
07 home and so forth, but the mayor has all intentions of
08 knocking it down.
09 And like I said before, that's a
10 beautiful building. That one you should try to keep,
11 because that's only 40 years old. That's not even like
12 the one you're going to spend all this money on all
13 these buildings on Lackawanna Avenue that are 105 years
14 old. They're all wood constructed, and you and I both
15 know wood deteriorates after years.
16 Now, you commit this money for
17 this project. I don't know why or what have you or
18 what so forth, but at least if you're going to commit
19 the money, let's make sure they are on the tax rolls,
20 current tax rolls, or they're not using money that they
21 could be using from their own pockets to redo these
22 buildings.
23 Like I said before, this is
24 America. We give a helping hand, which I am willing to
25 give anyone, but I don't believe in giving them an open

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01 bank account, and that's what we're doing. I thank
02 you.

03 MR. DIBILEO: Thank you,

04 Mr. Sbaraglia. And just for your information and the
05 public's information, this piece of legislation that
06 you're referring to, like most legislation, is
07 generated by the administration that we're acting upon,
08 and nothing that we personally wrote ourselves, for
09 whatever that's worth, but we appreciate your comments
10 on that. Thank you. Helen cook.

11 MS. COOK: Good evening, City

12 Council. I'm Helen Cook, and I live in Green Ridge in
13 the Plot Section, and we were flooded again last
14 weekend, as you well know.

15 I did meet yesterday with some

16 people from the Scranton Sewer Authority to find out
17 exactly what the problem is in the Plot, because it
18 definitely last week was not the river.

19 The problem down there seems to be

20 the water coming in from the sewer lines, and that's
21 what is flooding the 2100 block of Brown Avenue, the
22 four and five of Depot, the 600 block of Bate Street
23 and the 2300 block of Shawnee Avenue.

24 And of course the firefighters

25 were all back again on Sunday with their pumps pumping
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01 out the basements of all of those houses on the streets
02 I just mentioned.

03 So, upon talking with the Sewer

04 Authority people yesterday, one of my neighbors came
05 out with me, and as we all feel, the river has to be
06 dredged, because where the pipe is coming into Brown
07 Avenue and Race Street, it's at a lower level where the
08 river is and that's what is bringing it all in through
09 the sewer system.

10 So, they can build their levees 12

11 feet high all around there, and if the river water
12 isn't going to come over, which it isn't over 12 feet
13 of those levees, then it's naturally going to come back
14 up again through the sewers.

15 So, it makes no difference with

16 those levees because of the 12 feet. And I see by the
17 paper the other morning, that that isn't going to be
18 done because the bids aren't out yet, so it won't be
19 done for probably another three years.

20 I don't know that we can wait that

21 long, because if this is going to happen every time it

22 rains, because it's raining out now and we're under
23 another flood watch tonight, and it gets to be not
24 funny anymore.

25 I don't know how much longer we
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01 can put up with this. And of course again we had the
02 same problem we had in September, six months ago, too
03 many sightseers coming down through the Plot.

04 And they did come down between
05 three and four o'clock in the morning, they were still
06 coming to see water. I wish these people would go on
07 vacation to the shore if they're that interested in
08 water, because we're tired of them.

09 MS. EVANS: So, the Plot was not
10 blocked off?

11 MS. COOK: No. There were one set
12 of barricades at Amelia and Depot, but that doesn't
13 stop people. They move them, and they like to drive
14 through water, which means then they have to call a
15 fire truck to get the people out of their cars.

16 And I believe they did that with
17 about six vehicles throughout the whole area last
18 weekend. Maybe they should start charging these people
19 to get them out of those cars, because this is
20 ridiculous.

21 If you see water in a roadway
22 that's up over a curb or onto the sidewalk, why would
23 you go through that water? That's a little stupid.

24 But we just can't keep these
25 sightseers out of the Plot area. I don't understand
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01 people coming to see your grief with all this water.
02 Because it's just mud. Because
03 when it leaves, that's all is on your street is just
04 thick mud.

05 But if only somehow we can get
06 that river dredged, because that's really what it
07 needs, not the 12 foot levees, which we won't get for
08 another three or four years.

09 And, again, we did have police
10 down there on Saturday night, and they were evacuating
11 homes, and Mr. Courtright was down there on Sunday with
12 Mr. DiBileo and they saw what was going on with the
13 firemen pumping them out.

14 Thank goodness for our
15 firefighters, because I don't know what we would do
16 without them. Thank you very much.

17 MR. COURTRIGHT: Mr. President, if

18 I may, as Mr. DiBileo knows, I spoke with Ralph Pappas
19 today and I asked him if dredging the river at that
20 particular stop that you were talking about would be a
21 possibility, and he said he would certainly look into
22 it.

23 And then while I am speaking on
24 it, another question was asked of me when I was down
25 there on Saturday, was there plans of a pumping station
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01 being installed in that particular area, and he said as
02 far as he knows, no.

03 So, he'll look into seeing about
04 having it dredged, and as far as a pump station, he's
05 not aware of any being put in down there. So, a little
06 information for you.

07 MR. DIBILEO: Thank you,

08 Mr. Courtright. Thank you, Helen. Regina, would you
09 like to come up now?

10 MS. YETKOWSKAS: Thank you.

11 Regina Yetkowskas. Last week when I appeared at this
12 podium, I intended to inform the public of ten
13 questions the voters should ask when they go into the
14 voting booth.

15 My five minutes was up when I
16 finished only nine questions, so I will start today's
17 presentation with the last intent question.

18 My next question for the voters

19 is, What is the total amount of money Mr. Doherty
20 borrowed during his term in office?

21 Why won't Mr. Doherty give the

22 people an accounting as to where the money was
23 borrowed, what interest the city pays for the borrowed
24 money and how it was spent?

25 The Doherty administration's
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01 secrecy on all financial matters shows he failed in
02 this department. Now to discuss the local newspapers,
03 their slant on the coming election and more of
04 Doherty's financial failures, which made for large
05 debts.

06 The Tribune reported on March 9,

07 that the battle lines are now drawn for the primary
08 election. The Tribune said, and I quote, He,

09 Mr. Doherty made headway on economic development luring

10 Southern Union's corporate headquarters to Lackawanna

11 Avenue shepherding the Ice Box Sports and Retail

12 Complex across from the Scranton High School and

13 completing construction on the new department of public

14 works complex, among other projects.

15 Still in the quote the Tribune

16 said the mayor also made progress on upgrading the

17 city's parks, particularly Nay Aug Park, which saw

18 installation of a water slide, renovation of the Davis

19 Trail and major landscaping improvements, end of

20 quote.

21 I make three points from this

22 newspaper article: First, we Scrantonians recognize

23 that the Tribune article praised Mr. Doherty. It is

24 what the Tribune did not say in the article that leads

25 me to believe that the Tribune is part of Mr. Doherty's

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01 other rubberstamp team.

02 My reason is because the Tribune

03 did not mention one word of the costs Mr. Doherty

04 incurred and debts he piled on the people so he can

05 claim the so-called accomplishment.

06 In my opinion, the Tribune article

07 was not complete, fair or objective, because it omitted

08 the fact that Scranton will receive absolutely no taxes

09 from the Ice Box Sports Complex for 99 years.

10 Mr. Sbaraglia stood at this podium

11 and reported this fact a number of times. This is

12 another financial failure on Mr. Doherty's part.

13 Scranton will receive no taxes for

14 approximately ten years from Southern Union's building,

15 which is located in a high-tax area in Central City,

16 and obviously Scranton will receive no revenue from the

17 other projects the Tribune mentioned; in other words,

18 Mr. Doherty spent large amounts of money on these

19 projects with no money coming into the city.

20 Also, the taxpayers must split the

21 bills for fire and police protection and other public

22 services for these buildings, while Doherty takes the

23 credit.

24 Mr. Doherty cannot claim these

25 projects improve the people's quality of life or

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01 security or safety. The only thing Mr. Doherty

02 accomplished with these projects was to saddle the

03 people with more and bigger debt.

04 If the Tribune reporter first

05 looked at the printed accomplishments through the eyes

06 of a Scranton voter and bill payer, I doubt that the

07 reporter would call the projects accomplishments for

08 Mr. Doherty.

09 Mr. Doherty should have used, not

10 all, but large amounts of the money he received from
11 his sales of city assets and otherwise to help the
12 people. He could have reduced the garbage tax, he
13 could have reduced the wage tax, he could have done
14 much, much more to improve the streets in Scranton. He
15 could have saved much money to help Scrantonians, in
16 that he should not have forced a large number of city
17 employees into early retirement.

18 When Mr. Doherty did this, the
19 city was required to pay retirement pay to those who
20 retired and the pay of the employee who replaced the
21 retirees. Now the city paid double.
22 Mr. Doherty also obligated the
23 city to pay 100 percent of the retired employee's
24 Cadillac health insurance premiums for the remainder of
25 their lives.

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01 This is a blank check whose cost
02 goes up 10 to 20 percent each year. Apparently that
03 big bill -- apparently that big yearly bill doesn't
04 mean anything to the administration, because the people
05 paid the bill, but it does show the mayor again failed
06 to help the city and its people obtain relief on
07 high-cost financial matters. Thank you.

08 MR. DIBILEO: Thank you.

09 Bob Bolus. Mr. Bolus, before you speak, I just wanted
10 to say, Regina made a comment regarding something being
11 tax free for 99 years, and I think that the Ice Box is
12 tax free for just ten years, but the lease that they
13 were under previously was one dollar a year for
14 99 years, but I don't think it's related to the tax
15 freedom time period, for whatever it's worth. Go
16 ahead, Mr. Bolus.

17 MR. BOLUS: Hi. Bob Bolus. Just
18 to follow up on Regina, I had a question when I was
19 listening to her. I know where the Ice Box is situated
20 itself is KOZ, because it was the former
21 Spreagan-Headwood property, but was the former DPW
22 complex KOZ?

23 Now, we know the Ice Box is, but
24 did we ever designate the DPW area a KOZ?

25 MR. DIBILEO: Mr. Courtright --
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01 MR. BOLUS: I don't know if it is.
02 You know, I don't recall if it was ever made a KOZ
03 property.

04 MR. DIBILEO: I'm not certain.

05 MR. BOLUS: I know we gave the

06 Ice Box an easement, I don't know, 10 foot, 20 foot or
07 whatever it was a long time ago, but did we
08 incorporate the whole property as a KOZ?
09 MR. DIBILEO: I'm not certain,
10 Mr. Bolus.
11 MR. BOLUS: If we can get that
12 answer, I think it may benefit from us from a tax base
13 that we may have some money sitting out there that
14 we're not paying attention to.
15 MR. DIBILEO: I see Mr. Saunders
16 shaking his head.
17 MR. SAUNDERS: I believe it is.
18 In the last round of KOZs, we did make that KOZ, but I
19 will check that and make that certain.
20 MR. BOLUS: If you would. I don't
21 recall that ever being designated as a KOZ, but, you
22 know, with a lot of things going on, we may have missed
23 it. But it may be a point of interest.
24 Mr. Courtright, I saw in the paper
25 where you had a lot of fun trying to get information
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01 for six months, and the individual saying, Call me on
02 the telephone.
03 Well, what part of I can't read a
04 letter didn't he understand? I mean this is bad that
05 people get a letter and they ignore this Council.
06 I mean, we're here to try and run
07 a city, and it takes six months to get somebody from
08 the SRA to respond. Maybe you have to have someone
09 interpret the letter for them, I don't know, but it's
10 kind of ironic that he wouldn't even make a ridiculous
11 statement like that, that he knew about it but didn't
12 bother to contact Council.
13 Which brings up a lot of other
14 issues that I want to try and touch on here tonight. I
15 brought up about the maintenance fee, and I don't know
16 what stage we are in that right now, but I believe we
17 need to really look, whether it's a maintenance fee or
18 a fee of sorts that's going to take care of the city
19 residents, not Doherty's corporate America.
20 You know, if we do this, we're
21 going to give the citizens of this city what they're
22 entitled to, and that's increasing the tax base and the
23 increasing the tax rate.
24 He gave away the commuter tax,
25 whatever way we want to call it, somebody is not paying
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01 to come here, but we're supporting them. And

02 Chris Doherty did that.
03 You know, last week he addressed a
04 commencement exercise with a bunch of students. I just
05 only hope that when he was there, he didn't talk about
06 how he spends money in the city, because then I think
07 we'd have a whole classroom full of deficit spenders
08 coming out of there, and we don't need any more of
09 that.
10 What we need to do here, and the
11 Times had it during the week, there's a co-op in
12 Western Pennsylvania where a bunch of cities and
13 municipalities are joining in to buy fuel.
14 What is wrong with this
15 administration not looking into that avenue, joining
16 with the county and other counties and other places
17 where we can cut our costs?
18 I means, these are blatant
19 mistakes and ignoring because we're handing this guy
20 millions and millions of dollars, and we have no
21 credibility coming back.
22 We ask questions, we don't get
23 answers. We look to the administration to lead this
24 city, and we've taken a downhill stroke.
25 Yeah, there's buildings going up
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01 and everybody is saying Scranton is moving forward,
02 maybe a building going up is moving it forward, but the
03 deficit we're going is going backwards and we're going
04 deeper and deeper and deeper. And we need to stop
05 this.
06 And the reason I brought up issues
07 last week regarding campaigning finances, under
08 Section 312 of the Home Rule Charter, and this, I'm
09 sure, Council is aware of, May investigate into the
10 affairs of the city and the conduct of any office,
11 legislative or otherwise, or anybody that's in that
12 legislative body or administrative body, any party.
13 You could issue subpoenas, it's black and white, for
14 the purpose, and I repeat this, of finding if there's a
15 problem here.
16 Not that Council can enforce a
17 penalty, it's that Council needs to be the
18 investigative body at this juncture, and then anything
19 we find that's wrong, turn over to the proper
20 enforcement authorities.
21 It's under Section 1633, or we
22 could call it PS -- or 25 PS, Section 32.53, it's about
23 campaign finances.

24 And the reason I brought this up
25 is there's a question over Mr. Doherty's campaign
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01 finances. And I gave it to every member here at
02 Council last week, and the issue I have with that, it's
03 up to this Council to see if there was wrongdoing. And
04 it's legal to do. Did Mr. Doherty take money from a
05 corporation and ignore everyone out there?
06 We went to court, but it was not
07 on a factual issue, it was basically a procedural
08 issue, so that fact never came out.
09 But if he's doing this in his own
10 corporation, and there are penalties for it, and next
11 week I'll give you more detail and more information as
12 to what this Council can do and should do regarding the
13 campaign finances of the mayor from the last election,
14 and I'll tell you what he's going to do in this
15 election and he's hiding from this city, and it's your
16 duty to do that. Thank you.

17 MR. DIBILEO: Thank you,

18 Mr. Bolus. Fran Vutnoski.

19 MS. VUTNOSKI: Good evening,
20 Council. I'm Fran Vutnoski from Scranton, North Main
21 Avenue, one of the people that has the lawsuit to stop
22 the sale of the complex by the University of Scranton.
23 Well, I had to come here tonight
24 just to talk a little bit about this article that was
25 in the paper, Lawsuit Keeps The Sports Complex In
0027

01 Limbo. What a headline that I have to read.
02 You know, I really wish I was
03 reading The Boys Of Summer back again playing at the
04 South Side Complex. And this picture is great, it
05 makes it look like the South Side Complex is beautiful.
06 Well, it's not.

07 This administration has done
08 nothing to take care of these fields or to help the
09 ballplayers whatsoever, as far as I'm concerned.
10 A little bit of background was the
11 University of Scranton wanted to purchase the field
12 when the previous Council was here, and that was
13 McCormick, Gilhooley, Murphy and Hazzouri and
14 Mr. DiBileo, but he was totally excluded from
15 everything.

16 We went behind there in that back
17 room back there and had our little closed-door dealings
18 going on, which with the league presidents,
19 Bob Scopelliti, Mr. Hickey, Mr. Saunders was there, and

20 of course Mr. DiBileo was totally excluded from this.
21 And if he was there, I think he would have been there
22 for us, just like Mrs. Evans, Mr. DiBileo and
23 Mr. Courtright have been right along, and we thank you
24 for that.
25 They want to sell the Complex to
0028
01 the University of Scranton. The paper says \$1.15
02 million, that's wrong. It was \$1.5 million, it was
03 supposed to be sold for.
04 Well, I personally went to Chris
05 Phillips. He was an umpire and a paralegal at the time
06 and I asked him if he could help me. What could I do?
07 He said, You can file a lawsuit. I said, Okay, great.
08 Paul Walker is my attorney, and I
09 want to thank him very much. He spends many hours
10 helping and going on and on. And people don't realize
11 this, but we have been through the court system since
12 this lawsuit started.
13 We started out going to court
14 before Judge Walsh. The lawsuit went on and on and on.
15 It's still in place. It's absolutely still in place.
16 I want the people -- people out here, even in this
17 audience, think that the lawsuit is done. It's not.
18 We have oral arguments coming up
19 in June. I don't know if we will win or we will lose,
20 but I just hope that people remember, this is a
21 dedicated field, dedicated to the
22 Honorable William T. Schmidt, and I can't believe that
23 maybe someday Mayor Doherty would want his name on
24 something and they dedicate it to him, and how about if
25 we just erase that?
0029
01 You know, I don't think he would
02 like that, and I don't think the Schmidt family likes
03 it, and none of us really like it.
04 Anyway, I want to tell you about
05 two weeks ago on March 21, we met -- the league, I
06 should say, we, meaning the league presidents, met with
07 Bob Scopelliti, Morris Jackson and Ryan McGowan, and
08 all the league presidents and a couple people from
09 baseball organizations.
10 Well, we had a little -- we went
11 over our schedules where we can play. Of course, you
12 know, people want to play at the Complex. There's not
13 enough hours in the day. We play at six o'clock at
14 night. We need the lights.
15 You know, we don't have enough

16 field with lights to have all the leagues. So, you
17 know, we try to split it up, we try to be fair.
18 In the meantime Mr. Scopelliti
19 told us there that we would be using Green Ridge Field
20 as an alternative to the South Side Complex. And I
21 think reading between the line here in this article, in
22 other words, if we lose this lawsuit in June, on
23 June 1, on June 2, they'll have us shoved over
24 Green Ridge, but they don't intend to put any lights
25 over there for us, because they said that the lawsuit
0030
01 is holding up getting the lights.
02 That isn't true. Mayor Doherty
03 already took \$700,000 from the University of Scranton
04 and spent it up at Nay Aug Park, and another \$300,000
05 is still owed for landscaping, or maybe even \$350, so
06 that puts us in the hole. So, that leaves us with
07 nothing to pay for lights.
08 Scopelliti is trying to say in
09 order to put up lights we need \$70,000. Well, you
10 already spent our money before you even had it. And
11 \$70,000, what do they have gold rims, these lights on
12 them?
13 There's no way. These little
14 league fields have lights all the time. They don't
15 spend that kind of money. What's wrong with taking the
16 poles down from the South Side Complex, if we had to go
17 to Green Ridge, take the poles, take the lights and put
18 them over there.
19 The University of Scranton told me
20 in front of maybe 12 other people, and it's the honest
21 to God truth, when we thought it was a done deal, that
22 I could have the poles and the lights. When they own
23 them, I could have them.
24 I had a flatbed ordered ready to
25 take those poles and lights away, so don't tell me that
0031
01 you can't take those poles and put them at another
02 field, if we lose our lawsuit.
03 But what we're really looking for,
04 they promised us a brand new state of the art softball
05 field with lights.
06 Now Mr. Scopelliti said, I have
07 all my ducks in a row, two weeks ago when we had this
08 meeting. And we said, What do you mean, ducks in a
09 row? That's his express.
10 He said, Oh, we're going to build
11 an access road into the Green Ridge Teener Field, an

12 access road. We're going to put dirt in the infield.
13 There's a, like, a refreshment stand building there,
14 we're going to fix it up, we're going to make sure you
15 have bathrooms, we're going to pave the parking lot,
16 we're going to put lights in for you.
17 All of a sudden this article comes
18 out, we can't get lights, they're going to throw us
19 over there. And what? I mean -- if I could just have
20 one more second.
21 MR. DIBILEO: Sure.
22 MS. VUTNOSKI: What I want to say,
23 too, is whether you realize this or not, the kids go
24 and they play soccer at South Side or maybe baseball at
25 South Side or whatever, the softball players, we rent
0032
01 the fields, we don't go on there for free.
02 Every single team has to pay to
03 good on the field. Last year I ran a tournament, a
04 softball tournament for charity, and I still had to pay
05 for the field, even though I run three softball leagues
06 and I pay for every single team separately.
07 Even if the team plays in three
08 different leagues, they get paid, the city gets paid
09 for those three teams in three separate leagues. So, I
10 mean, we're paying for it and we get no services in
11 return.
12 And I just want to say, Please, if
13 there is anything that anybody can do, if anyone can
14 talk to anybody, please, try to stop this, you know,
15 because it's not going to end here.
16 Rockwell Field is a mess. I spoke
17 to several people up there. There's only 20 homes
18 affected up there, and half of them said they would be
19 willing to let us have lights up there, because it
20 would curb a lot of the vandalism.
21 And I don't believe Mr. Scopelliti
22 that he talked to the residents in Green Ridge about
23 the field, because he also said he talked to the people
24 in Sloan three years ago, because they tried to give us
25 the Sloan Teener Field, and we said, No, we're not
0033
01 taking fields off kids. We want an adult softball
02 field.
03 MR. DIBILEO: Fran.
04 MS. VUTNOSKI: Please. I'm sorry.
05 Thank you.
06 MR. DIBILEO: Thank you.
07 Les Spindler.

08 MR. SPINDLER: Good evening,
09 Council, Les Spindler. Once again I have to come here
10 and clear myself of false accusations made last week.
11 Mr. Pocius, months ago you made a
12 statement that it may look like you aren't paying
13 attention, but you hear every that's said. Well,
14 obviously that is not true, because last week you
15 accused me of saying something I didn't say.
16 You do a good job of twisting the
17 truth for your political agenda. You said I made
18 reference to some kid from California who was your
19 nephew.
20 Well, all you have to do is look
21 at the tape or the minutes of the meeting and it will
22 prove that I said nothing about some kid from
23 California.
24 I did mention your nephew, but it
25 was in no way disrespectful to him or the troops. I
0034
01 respect the troops. I was there when they came home to
02 greet them.
03 Also, my comments were directed
04 towards you and not towards your nephew, as you
05 suggested.
06 Again, if you doubt what I'm
07 saying, just watch the tape, the proof is right there.
08 And here is what I said, I'm going to read it word for
09 word now. Now, is everybody paying attention now?
10 What I said was, It was okay for
11 Mr. Pocius to ready a letter about his nephew from
12 California which had absolutely nothing to do with city
13 business, but when one of us says something he doesn't
14 like, he thinks we should be stopped. Did I say
15 anything about some kid from California? I don't think
16 so.
17 MR. DIBILEO: Les, let me say
18 that --
19 MR. SPINDLER: Gary, I have the
20 floor here, okay? You have your time to talk at the
21 end.
22 MR. DIBILEO: Hold on. Don't
23 erase this time from Mr. Spindler. Les, as you know,
24 we talked during the week after last week's meeting,
25 and I did say last week that I didn't hear exactly what
0035
01 you said, and it was my intention to listen to the tape
02 again, unfortunately that didn't happen, so I can't sit
03 here and say that you said anything disrespectful.

04 All I knew is that a soldier's mom
05 got her feelings hurt over comments you made.
06 MR. SPINDLER: She was wrong in
07 done that. I said nothing disrespectful.
08 MR. DIBILEO: I am hoping that it
09 was just a misunderstanding. I hope we can put this
10 behind us. We all want to get along here.
11 MR. SPINDLER: I was totally
12 humiliated. I have more to read here. Can I go on?
13 MR. DIBILEO: Sure. But I don't
14 want you to think that anybody is accusing you of
15 anything.
16 MR. SPINDLER: Well, Mr. Pocius
17 did. He was dead wrong. And as far as your sister is
18 concerned, I didn't run out of here, as you suggested.
19 I walked like I always walk.
20 Why should I stay and get
21 confrontational with a stranger who is yelling
22 hysterically at me? I did the smart thing, I walked
23 away.
24 Also, I was told by a police
25 officer that your sister coming down here and yelling
0036
01 at me was harassment.
02 Lastly, when you make accusations
03 towards someone, you better make sure you have the
04 facts, because when you falsely excuse people of saying
05 something, that's slander, and that's against the law.
06 That's all I have to say on that subject.
07 Now I have something to say about
08 Super Saturday, which we didn't have last week because
09 of the rain. How convenient in all the other years of
10 this administration, we never had a Super Saturday.
11 Now that it's election time, we're
12 going to have all the potholes filled. And today Mayor
13 Doherty comes out and we're going to have streets
14 paved. What a miracle. It's election time, we're
15 going to have all the work done. That's all I have to
16 say about that.
17 I come here every spring -- every
18 spring I come here and comment on Euclid Avenue from
19 Main Avenue just about up to the new Trip Park
20 Development. I don't know if anybody drives up that
21 way, it's like a garbage dump.
22 I say this every spring, and
23 nothing is ever done. There's garbage, there's tires
24 all over, which West Nile virus, mosquitoes could make
25 nests in, nothing is ever done.

0037

01 Can we see if something can be
02 done about that this year? The last three or four
03 years, nothing has been done. It's like a dump. If
04 you don't believe me, you can go take a ride up there.

05 MR. DIBILEO: Is it off the
06 Hawthorne Street area?

07 MR. SPINDLER: It's from Main
08 Avenue all the way back to the new development.

09 MR. COURTRIGHT: We sent people
10 there last year, didn't we, Jay?

11 MR. SAUNDERS: Last year,
12 Mr. Spindler, you complained about it last year.

13 MR. SPINDLER: Well, they must
14 have forgot about the tires, because they're still all
15 there.

16 MR. SAUNDERS: They did go up
17 there two times last year, they cut back the -- the
18 first complaint was about the fire hydrant that was
19 covered up, they cut that back, you can see that, then
20 the second complaint was about the garbage, they sent
21 somebody up there for that. If they didn't do that
22 good of a job, we'll send them back up this year.

23 MR. SPINDLER: Thank you.

24 MR. DIBILEO: Thank you.
25 Brian Kennedy.

0038

01 MR. KENNEDY: Good evening,
02 members of council and thank you for listening to me
03 this evening.

04 MR. DIBILEO: Good evening.

05 MR. KENNEDY: The reason I'm here
06 tonight is one major problem, one minor problem. The
07 first major problem I have is like the young lady
08 before with the flooding; however, the problem I have
09 is not for myself, it's for my grandmother, who lives
10 in the Keyser Valley Section of Scranton.

11 The Keyser Valley Section, for
12 those of you who don't know, has a pumping station
13 that's ineffective and outdated.

14 This past storm, as six months
15 ago, it flooded. Myself and my family maintained pumps
16 in her basement both borrowed and begged from neighbors
17 to use for three and a half days straight to save her
18 basement and her stuff.

19 This is an going problem that's
20 been ongoing since the pump was installed there, I
21 believe, in the '50s.

22 I do want to thank Gary and Janet
23 for coming down when we called you to look at the
24 damage to see what was there.

25 Just a few questions I have
0039

01 regarding the pumping station and why it floods, the
02 first question I have is, what amount of government
03 money has been put into the pumping station and where
04 has it been used?

05 I understand this question has
06 been asked before, and never answered. I, as a
07 taxpayer, would like to see it answered and would like
08 to know where the money has gone to.

09 Second, the lady also said about
10 barricades, I was there up all night on Friday night
11 into Saturday morning talking with the firemen, as well
12 as pumping out the basement, and they dropped off four
13 barricades, two on one road, one on another road, and
14 two little orange cones on Jackson Street.

15 Jackson Street is a main artery
16 through West Scranton through Keyser Valley. Firemen
17 were almost hit, the hoses were run over two or three
18 times, and my car was almost hit because people ignored
19 them because there's one barricade stopping a major
20 road.

21 There should have been more
22 barricades. There should have been two to three
23 barricades, as well as flashing lights there to warn
24 motorists that the road was closed.

25 Another question I have for
0040

01 Council or anyone else who can help me, how many pumps
02 does the City of Scranton own and where are they
03 located at?

04 Every time we try to get an answer
05 as to how can we get a pump, the answer was, We don't
06 know where they're at, they're being used. Nobody can
07 tell me how many there were, where they're being used
08 at. I heard four different conflicting responses as to
09 where they're being used.

10 I also like to know why we were
11 unable to get one until Saturday morning at noon. I do
12 understand the people in the Plot Section. There was a
13 larger number of homes. My grandmother's area, there's
14 two or three homes that get flooded, and the Plot
15 Section does have a larger degree of flooding, but who
16 decides when and where gets a pump? Everybody pays
17 their taxes, there should be a fair assessment in help

18 as needed.

19 Second, the damages that are done
20 every single time it floods, and it's a problem, like I
21 said, that has been ongoing, from her basement to her
22 hot water heater to her furnace.
23 In the past we've replaced her
24 furnace two or three times, her hot water heater has
25 been replaced two or three times.

0041

01 Thankfully we have a good neighbor
02 who has helped us out with fixing out hot water heater.
03 This time we were able to save it, but the damages are
04 consistent every time that it rains heavy.
05 A couple of things that I have
06 that I feel that the city can do for her and for the
07 residents back there, the first thing is taxes. They
08 pay taxes. Their property is worth nothing.
09 Is there any way, and I don't know
10 who to look into it, whether it's yourself or the
11 Doherty administration, can't she get a reduction for
12 her taxes or an elimination, because it's technically a
13 flood zone and there's a pumping station there.
14 And the pumping station is
15 ineffective in its inability to handle heavy rains that
16 cause her property damage and her basement to flood
17 every time that it rains heavy.
18 Also some short-term solutions is
19 a tax reduction, and also I spoke with Gary before the
20 meeting, and he told me that himself and Mr. Courtright
21 had met with my brother and my aunt, Mary Alice Burke
22 from Keyser Valley, as well as Mr. Parker from the
23 city, to form an immediate response to the rain
24 flooding.
25 From when I spoke with my brother,

0042

01 he told me that they were looking into things as far as
02 having a pump truck available as soon as it rains, as
03 well as the person in charge of the station.
04 Basically I would just like to see
05 the area cleaned up and fixed. I understand the
06 undertaking for building a new pumping station isn't
07 cost-effective, because it floods two or three homes,
08 but it's something, even if they can clean it or put in
09 larger pipes to make the one there currently more
10 effective.
11 And long-term solutions, of
12 course, would be replacing or repairing the pumping
13 station, and a bigger problem, too, is the water

14 drainage from West Mountain down is inadequate.
15 I'd like to see studies done to
16 the infrastructure to hopefully make it so it can
17 handle the water. That's what I have with the pumping.
18 The second thing I have is with a
19 pothole in my neighborhood, I live up in the Saint Ann
20 area of West Scranton, I've been calling Mr. Parker on
21 a phone number, my neighbors have been calling him,
22 we've made over 45 calls. There's potholes from
23 Wolf Court to Bryn Mawr Street and Dartmouth Street to
24 St. Ann's. They go about 3 feet wide and about a foot
25 and a half deep.

0043

01 We've made repetitive calls and
02 they keep telling us, We'll get to it. I would like to
03 see them get to it. And I understand now that the
04 weather is nicer and they're out patching potholes, I
05 would like to see them done. I appreciate any help you
06 can give me. Thank you.

07 MR. DIBILEO: Thank you, Brian.

08 We certainly understand your frustration and your
09 grandmother's frustration, Mrs. Kennedy, and also
10 Sandy Zangardi and Pete Iacavazzi, and those are the
11 three houses that continually over and over sustain a
12 lot of damage.

13 Janet and I, as you said, were
14 there Sunday morning. And Mary Alice Burke is very
15 knowledgeable through the years of the history of that
16 pumping station, so my suggestion was, well, let's get
17 her together with a couple of us Councilpersons and
18 George Parker, and your family came along, and
19 Sandy Zangardi, Mary Alice, and you were at work today,
20 so Bill Courtright came along, only two of us can get
21 together without advertising it, and we did meet with
22 George Parker today.

23 It turns out that the situation up
24 at Briggs Street not being cleaned, what do you call
25 that area up on Briggs Street, a lot of water came down
0044

01 from the Briggs Street area, because that was backed
02 up, and it's like a dam or a levee-type situation, and
03 extra water came down.

04 You shouldn't have had that much
05 water, but George Parker is very aware of the
06 situation. They're going to try to make immediate
07 corrections to it, and in the meantime if something
08 should happen, and God forbid tonight, we're going to
09 get you help right away while the work is being done,

10 and hopefully we'll get that pumping station totally
11 replaced some day, sooner rather than later.

12 MR. KENNEDY: I would just like to
13 see it in writing as far as who to contact so we could
14 have it in writing as to the city employee stating
15 something will be and it will be done when we make a
16 phone call to the right person.

17 MR. DIBILEO: We'll request that.

18 Thank you.

19 MR. KENNEDY: Thank you.

20 MR. DIBILEO: Jimmy Stucker.

21 MR. STUCKER: How are you doing,

22 Mr. DiBileo?

23 MR. DIBILEO: Hi, Jim. How are

24 you?

25 MR. STUCKER: Good. I heard

0045

01 about my friend from Parrott Avenue the other day
02 they're going to work next, this year or next year,
03 they're going to work on the courthouse, they're going
04 to remodel it.

05 MR. DIBILEO: Okay.

06 MR. STUCKER: So, my buddy is
07 going to be there, Pat, is going to be there working on
08 it. He's not working now, so he's laid off. He got
09 hurt.

10 MR. DIBILEO: So, Pat is going to

11 be working, that's good.

12 MR. STUCKER: Yeah. So, on Moosic

13 Street, we need something down there to stop the water.

14 We need drains. We only got two on each side on

15 Green Ridge, and the two are pretty blocked up. We

16 need somebody down there to clean them.

17 MR. DIBILEO: Jay, could you help

18 Jimmy out with that situation?

19 MR. STUCKER: I will do that.

20 MR. DIBILEO: Okay.

21 MR. STUCKER: Our alley didn't get

22 fixed yet, our holes. The weather is going to be nice

23 now.

24 MR. DIBILEO: As you might have

25 heard earlier, Jim, this coming Saturday is being

0046

01 referred to as Super Saturday for fixing potholes, and
02 hopefully your alley that you have a problem with will
03 be first on the list --

04 MR. STUCKER: Okay.

05 MR. DIBILEO: -- Saturday morning.

06 So, I hope that it gets done.
07 MR. STUCKER: Up on the Carbondale
08 Highway, right, I know you probably don't have nothing
09 to do with that, right at the light at the mall, where
10 you're coming out of the mall, there's a hole about
11 this big right at the light, underneath the light,
12 right in the middle of the road there's a hole about
13 that big around.
14 MR. DIBILEO: The only problem is,
15 that's Dickson City, Jim.
16 MR. STUCKER: Yeah.
17 MR. DIBILEO: Okay.
18 MR. STUCKER: I'm getting another
19 scooter.
20 MR. DIBILEO: Are you?
21 MR. STUCKER: I'm getting another
22 one, a new one.
23 MR. DIBILEO: Good.
24 MR. STUCKER: I'm waiting for my
25 rent rebate coming.
0047
01 MR. DIBILEO: Good for you, Jim.
02 Good luck with it. Don't lose this one.
03 MR. STUCKER: No. It's going to
04 be in the house.
05 MR. DIBILEO: Handcuff yourself to
06 that scooter.
07 MR. STUCKER: Yeah, yeah. I'll be
08 there to see you Sunday.
09 MR. DIBILEO: Okay.
10 MR. STUCKER: What time does it
11 start?
12 MR. DIBILEO: Five o'clock, Jim.
13 MR. STUCKER: Five?
14 MR. DIBILEO: Yeah.
15 MR. STUCKER: Okay.
16 MR. DIBILEO: Thank you.
17 MR. STUCKER: All right.
18 MR. DIBILEO: Erik Johnson.
19 MR. JOHNSON: Good evening, City
20 Council and Lisa and staff. Erik Johnson, taxpayer,
21 Scranton.
22 MR. DIBILEO: Good evening.
23 MR. JOHNSON: It was brought to my
24 attention on North Washington Avenue customers of
25 Deemer's Office Supply and Ross Jewelers have no
0048
01 parking in front of their business store for

02 momentarily shopping for no more than ten minutes.
03 If they do, they are ticket, even
04 if the suppliers for Deemer's and Ross Jewelers have
05 been ticketed, too, even if they have a drop-off, you
06 know, sometimes they go in there and they're ticketed.
07 There's room for two cars, but
08 it's -- if they -- if anybody parks there, they would
09 be ticketed. So, if there's any chance that this could
10 be brought up to someone's attention.
11 MR. DIBILEO: What is there now,
12 Erik? Is it a --
13 MR. JOHNSON: In front of Deemer's
14 Office Supply.
15 MR. DIBILEO: It's no parking
16 right there in front of Deemer's?
17 MR. JOHNSON: Well, there's not
18 even a sign that says no parking, also, but there is --
19 but if they do park there, they get a ticket.
20 MR. DIBILEO: Jay, can you look
21 into it?
22 MR. JOHNSON: It's before you make
23 a right-hand turn.
24 MR. SAUNDERS: I believe that's a
25 turn lane.
0049
01 MR. JOHNSON: Pardon?
02 MR. SAUNDERS: I believe that's a
03 turn lane there.
04 MR. JOHNSON: Yeah, but the turn
05 lane runs back there too far, you know. I mean, this
06 is what they claim.
07 MR. SAUNDERS: I can check with
08 Mr. Parker on that.
09 MR. JOHNSON: Could you check on
10 that?
11 MR. SAUNDERS: I believe that's a
12 turn lane.
13 MR. DIBILEO: See if it goes back
14 too far.
15 MR. JOHNSON: All right. I told
16 him I'll bring it up for him. Also, I see a reason for
17 the city federal community development block grant
18 program to add \$55,000 to the neighborhood police
19 patrol that was cut off by the economic development
20 contract budget that once was there.
21 There should be an investigation
22 whether there is enough money -- room to add \$55,000
23 for the safety our neighborhoods. That's not asking

24 too much. Okay.

25 And all our hearts and prayers go

0050

01 to the passing and mourning of Pope John Paul II, The
02 Great. He will always be remembered and described as
03 in a common Latin phrase, *dao gratista and omnibus and*
04 *pro bono*, given of himself without prejudice for
05 freedom of oppressions of the world.

06 All this he represented and

07 accomplished without an army of force but with a
08 blossom that bloomed into many fruits of freedom and
09 religious rights from eastern Europe fall of communist.

10 He had such an impact to the four

11 corners of the world and an olive branch of peace. May

12 God bless him for being such a man. We thank God for

13 all the things he did good and all the ways that seemed

14 impossible to an incredible possible good works and

15 miracles of love, freedom and spirit to all the people

16 in the world.

17 Also, what he accomplished along

18 with President Reagan and Gorbachev, 24 countries were

19 freed from communist. A total population of

20 approximately 583,124,000, including Russia, which was

21 called the Communist Soviet Union. No longer is

22 communist today. I thank you for letting me speak.

23 MR. DIBILEO: Thank you, Erik.

24 Thank you. Lee Morgan.

25 MR. MORGAN: Good evening,

0051

01 Council. The first thing I have is that I hope that

02 Mr. Phillips and Fran, I hope they don't abandon the

03 fight to save the South Side Sports Complex, and I

04 really honestly think a lot more could have been done

05 to save the Complex from a lot of different parties,

06 and I really don't think it was done.

07 And when you look at the

08 South Side Sports Complex, it has two restrooms, it has

09 a concession area, it has everything, and really

10 there's no excuse for us to be worrying about moving

11 lights anywhere else.

12 The only thing that it comes down

13 to is somebody has to give the University of Scranton

14 its \$700,000 and tell them the deal is done.

15 And I really find it troubling

16 that something that's a dedicated park has to be fought

17 out in a court of law, when the federal government or

18 the state government didn't come in here and straighten

19 this administration out right from the start.

20 The other thing I'd like to say
21 is, Mrs. Cook was talking about flooding in the Plot,
22 now, I'm not exactly sure what diameter of pipe they're
23 talking about that this river is backing up into, but I
24 think it would behoove the Scranton Sewer Authority or
25 whoever is responsible for this problem to look into
0052

01 an electronic check valve that only allows liquids to
02 go in one direction.
03 And evidently if the valve closes
04 no matter how high the river gets, it can't back up
05 into people's basements.
06 We're talking about also KOZs and
07 a lot of other things, and I just have to say that we
08 have to admit to ourselves and everyone else that this
09 city has been luted for over fifty years.
10 We have pumping stations that
11 don't work, supposedly we're going to have a great big
12 plan to go out on Saturday and half-heartedly fix
13 potholes.

14 Well, that was the same gimmick
15 that was tried with the last council, and we're going
16 to spend, no matter how much money it takes, we're
17 going to go out, we're going to do it.
18 But the big problem is, it's never
19 done correctly. First you have to square the pothole,
20 okay, then you have to put tar in it, then you have to
21 figure out the depth and you have to put binder in it
22 to bring it up to a certain height, and then you have
23 to put finish over the top and seal it with tar.
24 And then, you know what, when it
25 rains or any other elements hit it, it doesn't get
0053

01 washed out. But to throw this cold patch in the
02 ground, you might as well just open the window over
03 there and toss out, because that's what we've been
04 doing for decades here.
05 I also think that Mr. Bolus has
06 some very legitimate ideas, because I think, and like I
07 had stated last week, you know, I'm troubled that this
08 Council has not used its time power of subpoena.
09 Now, I watched Mr. Pocius say that you
10 had some information, sir, that information was being
11 passed to you about the financial state of this city,
12 that you receive information from time to time, and
13 then I watched Mr. Courtright say that he hoped that it
14 didn't come to the point where we actually had to do
15 that okay?

16 Mrs. Evans seemed to want to move
17 forward with the idea of a subpoena, and I have to say
18 that we actually have no ideas what kind of financial
19 shape this city is in.

20 The power of subpoena should have
21 been used a long time ago. It should be used today.
22 It should be brought up for a vote. And I honestly
23 think, Mrs. Evans, you should put it on the floor and
24 see if you have a second, and let all these councilmen
25 stand where they stand, okay?

0054

01 It has nothing to do with election
02 time. The people in this city have a right to know
03 where this city is financially. You can get no
04 answers. If any one of the councilmen on this Council
05 can tell me how much every single one the authorities
06 in this city owns, then we don't need the power of
07 subpoena.

08 If you can tell me how much money
09 did that the city owes to the state and grant money
10 that is misspent to the federal government, then, you
11 know what, we don't need the power of subpoena.

12 If you can tell me whether the
13 mayor's campaign was legitimately ran without money it
14 shouldn't have received, then we don't need the power
15 of subpoena.

16 But the truth of the matter is, we
17 do need it, we need it now, we can't change this city
18 until we make some very, very tough choices.

19 And some people may say, well, I
20 really don't like that idea, but we got 80,000 people
21 here who want this city saved.

22 We have a tax structure that's
23 just a complete burden, we have people losing their
24 properties, but yet still we elect public officials to
25 make the hard choices, and they won't come up to the
0055

01 plate and make them. They push it off to somebody
02 else, and somebody else is going to do it.

03 Well, somebody else hasn't done it
04 for 40 or 50 years, and that's why when you listen to
05 Scranton Times write articles about population drops,
06 that's why, they're fleeing over taxation, nepotism and
07 a whole host of other problems, because this Council
08 has to come forward and fulfill its leadership role
09 that it has.

10 And I'd just like to say that you
11 have nothing to fear, because we look to you for

12 answers and we hope we get some. Thank you.

13 MR. DIBILEO: Thank you,

14 Mr. Morgan. Fred Budzinski.

15 MR. BUDZINSKI: Fred Budzinski,

16 Jermyn Apartments. The Scranton Times a while back had

17 a picture of the court between Jermyn Apartments and

18 the garage. There's a recess there, a walkway, it's

19 all broken up.

20 After the heavy rain, it

21 collected, and it was about 8 inches wide, 25 feet deep

22 going into the streetway.

23 A while back a retired priest in

24 the Jermyn fell down, that's a fact, look into that

25 one, and somebody had to pick him up.

0056

01 Then there's some old women that

02 don't want to walk across there to go to Penn Avenue to

03 the Senior citizen center, they don't want to walk

04 across the street. And when you get up in age, you get

05 absent-minded. And God forbid if one of them walk into

06 the traffic and get hurt. It could happen.

07 We had two accidents on

08 Luzerne Street, I believe, and we had one up there on

09 North Main Avenue, and if that should happen, I think

10 the city is liable, liable, a lawsuit will be filed.

11 Also we got four people in

12 wheelchairs and they are afraid to go down across that

13 walkway there. Also there's a business that came to

14 town just recently along that court, it's a skin care

15 soap and cosmetic store, and he was talking to me and

16 said, Jeez, I wish something would be done about this.

17 And they just got in there downtown. So, so much for

18 that.

19 Now, I have a book here, Scranton

20 1940. Now, back in the '40s, '50s and '60s, we had

21 four grocery stores, one in the 200 block of

22 Wyoming Avenue, you had a Giant, Acme, A & P, and we

23 all know the Moheegan down on North Washington Avenue,

24 and no apartments.

25 Now we got no grocery stores, and

0057

01 from the 200 block of Wyoming Avenue, we got nine

02 apartments, approximately over 1200 apartments. Of

03 course, you got the University with a few thousand

04 students.

05 Now, next to the bank on Wyoming

06 Avenue and Spruce, go down two stores, there's an empty

07 building there. That would be a nice grocery store,

08 and I think that would be a win/win situation, and that
09 would be the spark, the spark of downtown I hear so
10 much talk about that could stimulate.

11 There's two banks on each corners,
12 there's Arby's is empty, John's is empty, and will all
13 the activity going on there, I think they could be
14 reoccupied.

15 Also, when a couple goes downtown
16 to one of them shops in the Steamtown, the other one
17 could go one block and shop for the groceries. I would
18 think if there's any grocers looking, I'd jump on that.
19 You got a win/win situation there. Thank you.

20 MR. DIBILEO: Thank you, Fred.

21 Jay, Fred asked about the short alley between the
22 Jermyn Apartments and the parking garage, that there's
23 a new business there, could you have that looked at,
24 please? All right. Thank you, Fred. That's it for
25 the sign-in sheet. Anyone else?

0058

01 MS. HALPIN-MEDALLIS: Good
02 evening. I'm Grace Halpin-Medallis, I'm a city
03 taxpayer, resident. First of all, I want to thank
04 Mr. McTiernan, I contacted him on Saturday night
05 regarding flooding up on Pear Street, and
06 Mr. McTiernan came up, and basically you seemed
07 appalled by what you observed up there.

08 The reason -- I didn't plan on
09 coming here tonight. The reason why I'm here tonight
10 is when you open the meeting, you talked about the
11 Tripp Park Development, and you stated that certain
12 things were going to be done, we're having a problem
13 which initially started with the Tripp Park
14 Development, but it's now the city's problem.

15 MR. SAUNDERS: Grace, before you
16 go into that, I'll explain that. Mr. Walsh and myself
17 did discuss that with Mr. Parker about the overflow
18 from the Tripp Park -- for Council's sake here I'll --
19 there's a detention pond on the bottom of Tripp Park
20 that runs down through a wooded area into a basin.
21 Gaynor Cawley, I do believe, issued a
22 grant from the state to have that work done. That work
23 was done up at that area last year. The first time we
24 saw that problem, it was the worse thing I ever seen.
25 Mr. McTiernan said this week it was the worse thing

0059

01 he's ever seen.

02 I talked to Mr. Parker about this,

03 he said that the problem there is that there's runoffs

04 above or beside that catch basin for that to -- the
05 extra water to get caught up in that area, and also
06 debris getting stuck in there.
07 But he said some of the extra
08 runoffs were actually removed from there. So, what
09 that does, it doesn't give that water any place to go,
10 so it just spills over the top.
11 MS. HALPIN-MEDALLIS: Well, I'm
12 sure we'll debate that, because we filed a lawsuit
13 today in court. I initially came in here and tried to
14 handle this.
15 Being that I was a former city
16 employee, and in a polite way, because of the
17 precarious situation I was in.
18 Not only was I a city employee, I
19 was an injured employee, Workers' Comp. employee, and
20 now my home was being threatened by the development.
21 So, we did call Mr. McTiernan, he
22 came down, he did see it, it was outrageous on Saturday
23 night.
24 I called Mr. Parker's home, I
25 spoke with his wife, I also had called them -- I now
0060
01 call their home, I called them during Hurricane Ivan
02 and stated, You need to get into the city, we're being
03 flooded here, okay?
04 This is a situation that the city
05 took on, okay, with the developer and it's threatened
06 our neighborhood, and that's uncalled for and I'm not
07 going to tolerate that.
08 And any engineering student first
09 year at Lehigh would say, This is a deplorable
10 situation if you went up there.
11 Gaynor Cawley is the only one who
12 assisted the neighbors here. He received a grant, they
13 put some rock up there, they put concrete there, they
14 put a trash fence.
15 Because we received continued
16 flooding, Department of Environmental Protection, they
17 came up. I mean, everything is being washed down,
18 tires and whatever. It's against the law, and no one
19 is going anything about it.
20 It's been photographed, it's
21 completely documented all along. The city hasn't
22 maintained it. If they go up there tomorrow, which I'm
23 sure they will, I mean, it's already photographed, you
24 know, as of today, the fence which was installed was
25 hit by a DPW truck during the snow removal and the

0061

01 basin was caved in within three months, that doesn't
02 look good in our neighborhood.
03 But anyway, we filed today in
04 court. We will have a hearing before Magistrate --
05 this is my second hearing in court. We filed, we went
06 to court October 31, 2003, before Judge Nealon, who
07 ordered them to fix that, and they received the funds
08 from Gaynor Cawley.
09 We have another hearing
10 May 27. The city will probably get the papers tomorrow
11 before Judge Nealon at ten o'clock in the morning. But
12 our house is sandbagged up there.
13 We didn't have this problem and
14 we're not going to continue to, you know -- we were
15 promised. We -- I was called in the mayor's office, my
16 husband and I, we sat down, they had a had a short-term
17 plan, a long-term plan, and nothing has been done
18 there. And we can't keep going out at three o'clock in
19 the morning and having our property, garages flooded,
20 and another person right into their home.
21 We have a beautiful home. We put
22 our savings into our home, and it's just -- we're not
23 going to tolerate it. I think we waited long enough as
24 a reasonable person.
25 And I'm sorry that I'm doing that

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01 with the city residents, you know, but we've tried to
02 handle it that way. And I'm sure if you went up there,
03 you would be appalled at how it looked.
04 The other issue, if I could just
05 talk about, Mr. President, for one minute.
06 MR. DIBILEO: Sure. Go ahead.
07 MS. HALPIN-MEDALLIS: My other
08 issue, I don't think anybody, as I stated in my
09 opening, which I didn't plan on doing, but I am an
10 injured worker with the City of Scranton, I did read
11 the article in the paper through the Scranton Times,
12 and I'm not going to bash the Scranton Times, my father
13 was a writer for the Scranton Times and we were very
14 proud of him and the paper, but they don't have the
15 whole story.
16 Workers' Comp. costs are high.
17 It's not just from the injured worker, it's with wages
18 and medical bills, it's also from the legal fees, and
19 there is not one city employee who tried harder than me
20 to rectify my situation.
21 Three weeks after I was called in

22 on the flood situation, my bills were stopped being
23 paid by Workers' Comp., the city, okay?
24 So, I wrote a letter with my
25 approvals from the insurance company for my spinal
0063
01 injuries, neck and back injuries. I tried every way
02 with human resources, with the mayor's office, with the
03 medical reports, with the approvals, I even sent it
04 down to the Doherty Law Firm who handles the
05 Workers' Comp. for the city.
06 So, again, I have Council for a
07 flood situation, I now have Council for the Workers'
08 Comp. to get that straightened out. So, I've done what
09 I can.
10 I thought that I had enough
11 paperwork. I mean, they've been paying the medical
12 bills and then they stopped, then they were turned over
13 to Aetna, and they charged my health insurances with
14 the city. And I tried to do that, because I knew that
15 the union -- I tried to do it on my own without the
16 union's assistance.
17 The union was looking into getting
18 payment back on Blue Cross or Aetna on the health
19 insurance, and Aetna found out, they reviewed the bills
20 and then they sent me to another -- a Rawlings
21 Corporation.
22 So, you know, my home was being
23 threatened on a flood situation, and then my finances
24 are being threatened for no reason at all on a
25 Workers' Comp. situation.
0064
01 So, I just want to let you know
02 hopefully both situations will be handled fairly, and
03 that's all that people ask.
04 MR. DIBILEO: Thank you.
05 MS. HALPIN-MEDALLIS: Thank you.
06 Sorry for taking so much time.
07 MR. DIBILEO: No problem, Grace.
08 I hope both situations get taken care of, like you
09 said, and I know you've been going through a lot with
10 the flooding situation. I was there a couple of years
11 ago, and it hasn't gotten any better, and hopefully it
12 will get taken care of.
13 MR. GERVASI: Good evening, ladies
14 and gentlemen. My name is Dave Gervasi, city
15 employee. Just a few things I just want to touch on
16 tonight. I just want to let the people know that are
17 experiencing some of this flooding, I would like to

18 thank Mrs. Cook for the kind words, because we know it
19 and people that need us know it, that when you call the
20 fire department, we're there to help.

21 I want to apologize to some of the
22 people that if maybe we could not get there in a timely
23 manner with a pump, there's only so many pumps to go
24 around.

25 I have to give this administration
0065

01 some credit, there were a bunch of pumps bought a few
02 years ago, but as we use them, they fall into
03 disrepair.

04 And I believe it was a few months
05 ago, one of our guys on D shift, Mr. Chris Kohut, he's
06 a firefighter, he's a very good mechanic, and he
07 actually got, I think, four or five extra ones going,
08 he fixed them on his own, because we have a need for
09 them every time it rains. Especially -- I mean,
10 East Mountain is another area where you don't hear much
11 about flooding, but their cellars get flooded all the
12 time up there.

13 But we do what we could. We're
14 trying to do what we could. Our budget has been
15 slashed. A lot of those federal dollars don't go into
16 our budget anymore, because there's other priorities, I
17 guess. But, you know, we are doing the best we could.
18 Mr. Sbaraglia, who I like to
19 listen to, Mr. Sbaraglia does a lot of research on
20 different things that are going on in the city, and he
21 usually talks about finance, city finances and where
22 the money is going, and, you know, he made a statement
23 tonight about one project that's going on on Lackawanna
24 Avenue and why all this money is going to this one
25 person and all things like that, well, I have some
0066

01 information.
02 He said that, you know, he can't
03 get any answers why certain monies go to certain
04 people. Well, this goes back to the statement I made
05 for years here about the Doherty administration, that,
06 you know, the newspaper likes to talk about other
07 government entities having contributors getting
08 everything, but you never see anything about that about
09 this administration, of course, but I have some
10 information on that project that they're talking
11 about.

12 There's a building owned by one of
13 the principals of the owners of this building downtown,

14 I think everyone remembers in the paper where there was
15 a big effort to quickly move OECD out of city hall, the
16 third floor of city hall. I know I've mentioned this
17 before. This all kind of ties together on the things
18 that go on in this administration.

19 There was a problem, personnel
20 didn't have enough room and the law department didn't
21 have enough room, and we had to get OECD out of there
22 so we could make room for those other departments.

23 Well, it's my understanding that
24 rent was paid from the federal government to the city
25 for utilizing that third floor area, but we had to get
0067

01 out of there because we had to expand the other
02 offices.

03 Well, that was two years ago, and
04 if you happen to take a walk before you leave here
05 tonight up to third floor, it's completely empty, it's
06 growing mold. Nothing has happened there in two years.

07 So, was that the truth that they
08 put in the paper, the reason why they had to do that?
09 Well, maybe not.

10 Where I'm getting to is, we moved
11 OECD to a building a block and a half away. That
12 building, they started renting there. Now, the
13 building makes the rent. I believe it's, correct me if
14 I'm wrong, \$4200 a month rent OECD pays that private
15 building, that we had to get out of here really quick,
16 but I don't believe it was true.

17 Well, there was also UDAG money
18 that was used that I believe normally goes to little
19 leagues and things like that, but they got all new
20 sidewalks around that building also, and that kind of
21 surprise me. I heard there was federal money going
22 into the sidewalks around that private building
23 downtown, and the same principal who owns that building
24 got a \$10 million grant to do facades and store fronts
25 down on Lackawanna Avenue in the one -- I forget what
0068

01 block it is.

02 And I sat here at a meeting and I
03 saw a doctor come up to this podium a while ago and
04 say, you know, I own one of those buildings, and it
05 sounds like a really great idea, but nobody ever told
06 me.

07 So, how did the government give
08 him a grant, what was the tie in? Well, I got kind of
09 curious and I looked in the mayor's campaign

10 contributions, and that principal gave the mayor \$6,000
11 and a campaign contribution. So, go figure. Play to
12 play? You decide. And there's a lot more than that.
13 I also was here on, I believe it
14 was November or early December of last year, and this
15 is when the big controversy was going on with whether
16 you should give the mayor \$4 million in borrowing
17 because he needed it to finish out the year. I guess,
18 Mrs. Evans, did they ever use that for anything that
19 you know of?

20 MS. EVANS: Not that I'm aware of,
21 no.

22 MR. GERVASI: Well, I made a
23 statement that, and I'm sorry, I didn't want to
24 embarrass anyone, but I said, Boy, that sounds an awful
25 lot like a nice paving program just before the May
0069

01 primary, at the time I said six months from now, and
02 I'm just curious if that money was going to go there.

03 And it seems like this

04 administration like to tell -- the South Side Complex,
05 they said they didn't use any money on Wolf Block, we
06 didn't use any city dollars to go to Wolf Block to
07 lobby to get that law changed, but apparently they
08 did.

09 And the South Side Complex is
10 gone, they spent the deposit. There's \$450,000 -- I
11 believe \$450,000 more spent on that pond that they
12 built up there.

13 So, our South Side Complex is
14 gone. We don't even have the money for it yet, but he
15 spent it, and now we have a reflection pond instead of
16 that ballfield.

17 I mean, it's just -- I'm going to
18 wrap up. It's just a matter of the mayor says a lot of
19 things, and it doesn't exactly happen that way, and
20 then when things you think are very good, when you
21 start digging into it, you realize it seems to be pay
22 to play. I wish everybody knew these facts. Thanks
23 for the opportunity.

24 MS. EVANS: Just one more thing I
25 wanted to dovetail onto that, we have been asked to
0070

01 approve TANS series A and TANS series B for the amounts
02 of \$4 million and \$5 million.

03 And at the time, again, this is
04 going back to budget time, I was very opposed to the
05 \$5 million, wanted it lowered to \$4 million, but

06 because there were many circumstances surrounding the
07 borrowing of that money, that appeared to make it very
08 impractical to lower that amount at the time, and it
09 seemed that there was a great urgency concerning that
10 money, you know, that we couldn't take the time to
11 advertise again, we couldn't take the time to run it
12 through a bank again.

13 MR. GERVASI: That's what
14 happened.

15 MS. EVANS: And actually when you
16 check the budget to actual expenditures for 2005, at
17 least as of February 28, because I haven't seen the
18 March report yet, that money remains untouched. So,
19 there's an additional million dollars available.

20 MR. GERVASI: So, I guess the
21 payless paydays and this is a crisis was not exactly
22 true.

23 MS. EVANS: It would appear that
24 way.

25 MR. GERVASI: I thought so. Thank
0071

01 you.

02 MR. DIBILEO: Thank you,
03 Mr. Gervasi.

04 MR. NEWCOMB, JR.: Good evening,
05 Council. First I would like to thank everybody for
06 their prayers and the phone calls for my father on his
07 recent surgery. He's doing very well. He will be home
08 tomorrow.

09 I wasn't here for three weeks so
10 I'd like to know, did the mayor come to any meetings
11 while I was gone? Did I miss any excitements?
12 I came home to see all these new
13 big yard signs telling me who our mayor is. I don't
14 know, it doesn't make sense.

15 There has been talk here tonight
16 and in the paper yesterday and before here that if you
17 want an answer, pick up the telephone. Well, as we all
18 know, I've been trying to get a hold of different
19 departments for different questions, and I give up, so
20 I come here.

21 Like everybody knows, last year I
22 made this QRS system a personal mission of mine. I
23 call the mayor's office when I got back in town to ask
24 why this man won't implement this QRS system. Still
25 have yet to get a phone call.

0072

01 So, myself, one of the 76,000-plus

02 bosses of this mayor can't get an answer, so maybe I'm
03 asking you, Mr. Pocius or Mr. McTiernan, you seem to be
04 able to get a hold of this mayor.
05 All due respect, can you honestly
06 ask this guy to either return my phone calls that I've
07 been leaving for a year about this QRS system or to
08 send something to Council about this QRS system?
09 The union said they were willing
10 to do this, Ray Hayes said they're willing to do this,
11 the county said it would be great for Scranton to have
12 a QRS system. It falls in the mayor's lap. We can't
13 get any answers.
14 Maybe you can get an answer for
15 us. I don't know, but I can't get a response, and it
16 doesn't seem to me that Mrs. Evans and Mr. DiBileo or
17 Mr. Courtright can get a hold of the mayor, so maybe
18 you could or someone else. It's very irritating.
19 Please, restore my pride, give me a call back.
20 Before I left I asked about,
21 Mr. Courtright, about the money for AEDs, did you ever
22 find out anything, if we could use that UDAG money or
23 anything for that?
24 MR. COURTRIGHT: No, Charlie. Did
25 I send a letter over on that? I think I did. I don't
0073
01 remember. I don't remember. I'll check. You did ask
02 the question, and I don't even recall if I asked it.
03 So, I apologize. I'll check into it.
04 MR. SAUNDERS: I believe you did.
05 Are you talking about the AEDs?
06 MR. COURTRIGHT: Yeah, I think I
07 spoke to Chief Elliot about that, and I think he said
08 we weren't allowed to use it for that. I'm not sure.
09 I'll find out for sure, I asked him and I forgot. I'm
10 sorry.
11 MR. NEWCOMB, JR.: Okay. It was
12 brought up also before I went away that a dog
13 ordinance, did we find out anything about that, if it
14 was changed or updated?
15 MR. DIBILEO: We're going to look
16 into that and actually have the animal protection
17 person come in. Bill McGuire is going to come to a
18 caucus meeting and we're going to have him give some
19 input, because he requested to do so.
20 MR. NEWCOMB, JR.: And anything
21 regarding Nay Aug Park with the deed? Did we get
22 anything from the Recreation Authority or the solicitor
23 regarding that?

24 MR. DIBILEO: Mr. Walsh, do you
25 have any information on that?
0074

01 MR. WALSH: We did get a letter
02 from the attorney for the Recreational Authority. We
03 have not gotten any reply from the city solicitor;
04 however, Mr. Saunders and myself met with the city
05 solicitor just the other day. He's indicated that he
06 does have the request. He wanted simply to speak to
07 the mayor before he answered question.

08 So, he's going to let us know
09 whether the request will be answered one way or the
10 other, so we will be able to report to you on that.

11 MR. NEWCOMB, JR.: So, another
12 question is, since it's April and it's 70 degrees
13 today, and in May, I think the pools open up on
14 Memorial Day, if we can't get an answer in two weeks,
15 can we use the power of subpoena to get these people in
16 here and answer our questions? Could we finally
17 implement this?

18 How long have we been waiting,
19 since November to finally settle this? I think it's
20 really -- I think what is going to happen is the kids
21 are going to be suffering again and paying \$5.00,
22 because I think pass the buck is going on here with
23 upstairs. I don't know, ask the mayor, do this, do
24 that. Can we use the power of subpoena?

25 MS. EVANS: Mr. Walsh, I'm sorry
0075

01 to interrupt, I just have one question, undoubtedly I
02 didn't listen carefully, Mr. Farrell said he wants to
03 speak with the mayor concerning the deed or -- in other
04 words, we had requested his position on the deed for
05 that Nay Aug Park, now is he discussing his position
06 with the mayor or is he discussing with the mayor
07 whether he is able to respond to us?

08 MR. WALSH: I believe his position
09 was that he answers to the mayor, so therefore he
10 wouldn't want to give an opinion before speaking with
11 the mayor, because the mayor would be the person that
12 he basically would be providing a service for.
13 I think he looks at the mayor as
14 the person that would be his supervisor and the person
15 he answers to, so therefore he felt he should speak to
16 the mayor before he actually gives an opinion.
17 I believe I state that clearly in
18 what my understanding was. I think Mr. Saunders was
19 there with me when he was saying that.

20 So, I asked him if he would do
21 that and then I would speak with him again just to make
22 sure we get that.

23 In terms of the Recreational
24 Authority, everybody is already aware of the fact that
25 the Recreational Authority has, of course, answered the
0076

01 question through their solicitor. I believe they've
02 voted and sent us a letter on what their thought was
03 with respect to the deeds.

04 Again, I think that the Council
05 took the proper procedure in having a motion passed,
06 then I think the motion was probably filed with the
07 city clerk requesting a legal opinion from the law
08 department.

09 I believe that's within the rules
10 of Council which were passed by resolution. I believe
11 they're passed by resolution every year, and I know
12 they were passed by resolution this year.

13 So, again, I pointed that out to
14 the city solicitor, who I think was well aware of it
15 anyway, and he said he would get back to me. On that,
16 I intend on calling him again this week and seeing what
17 the situation is.

18 MS. EVANS: Well, I would -- I'm
19 assuming here, but it seems, or at least perhaps the
20 implication might be, that he would be requesting
21 permission to reply to us. I hope it's certainly not a
22 situation whereby he's asking what the mayor's opinion
23 on the deed is --

24 MR. WALSH: No, I think what --

25 MS. EVANS: -- or asking the mayor
0077

01 what his opinion on the deed should be, worse yet.

02 MR. WALSH: No. Let me say this,
03 I think that because the Home Rule Charter or the
04 Administrative Code sets forth the mayor as his
05 supervise --

06 MS. EVANS: No, I do understand
07 that, the mayor hired him, the mayor can fire him, and
08 he answers to --

09 MR. WALSH: Council actually hires
10 him.

11 MS. EVANS: -- the mayor, I
12 understand that. So, that's why I'm assuming here
13 he's asking the mayor if he can respond to us.

14 MR. WALSH: I would assume that
15 that's what he meant, but I would say this, as well, I

16 mean, the opinion of the city solicitor would be a
17 legal opinion, and obviously, you know, the mayor
18 wouldn't be competent to render a legal opinion, to the
19 best of my knowledge, so therefore he would rely upon
20 the solicitor, who was the head of the legal
21 department.

22 Again, a solicitor is appointed by
23 the mayor with the consent of the Council. I believe
24 that that's the way the administrative code reads. I
25 believe it further reads that he serves the city.

0078

01 I believe that's the exact language. It doesn't say
02 the he serves any particular officer of the city, but
03 rather the city.

04 But the mayor is indeed his
05 supervisor, so the better side of prudence dictates
06 that he does speak with the mayor, so hopefully he'll
07 do that this week and he'll speak to me also and I'll
08 have a good story for everybody.

09 MS. EVANS: I understand. Yes, I
10 understand the position he is in.

11 MR. DIBILEO: Thank you,
12 Mr. Walsh.

13 MR. NEWCOMB, JR.: To me, if you
14 read between the lines, it sounds like the mayor will
15 give his opinion as far as what happens at Nay Aug
16 Park, I don't know.

17 The mayor can't answer to us, so
18 why does anybody have to go to him for legal opinion?
19 He won't answer to you, you're another branch of
20 government that's supposed to look over to him.

21 So, I think a good way to get an
22 answer is, make a motion or do something to stop the
23 five-dollar fee, and I guarantee you, you'll have
24 legislation in front of you next week vetoing that
25 power or vetoing that piece of legislation. There's a
0079

01 good way to get an answer.

02 Make a motion tonight to stop the
03 five-dollar fee, it will be in the front page of the
04 paper tomorrow, and you'll have legislation in front of
05 you in three weeks with a veto.

06 And then with political season
07 coming up, we'll actually see who is for the children
08 and youth of this town. Thank you.

09 MR. DAVIS: My name is Jim Davis.

10 To those up at the Lackawanna County Prison, I received
11 the letter from Lackawanna County Voter Registration,

12 and you can call them and get this information
13 yourself. Take down this number, 963-6737. Talk to
14 your social worker up there and have him call for you.
15 Now, there's a new circular that
16 just came out, and the name of it is, Voting Rights of
17 Convicted Felons, Convicted Misdemeanants and Pre-Trial
18 Detainees.
19 It tells who can vote either by
20 absentee ballot or if you're in halfway houses, etc.,
21 etc. It's a long document, I can't read it all here.
22 So, I'm asking you to talk it over
23 among yourselves, send for it, get a copy of it, and
24 thank you for asking me to do it for you. I don't mind
25 at all. That's number one.

0080

01 I played phone tag this week with
02 Jay Saunders, and the reason for it was every weekend,
03 every Sunday, I take a trip to the old Tech/Central
04 Plots. They go all the way down to Ash Street, which
05 is down where Wendy's is.
06 And I got to Wyoming Avenue at
07 Wendy's on Ash Street, I saw these beautifully striped
08 lines painted for crosswalks for the kids in front of
09 Prep, and I said, Well, how come these lines -- how
10 come these lines are kept up so well, when all the
11 other lines on Wyoming Avenue -- and I think a lady
12 came here last week asking for lines so the kids can
13 cross coming from the intermediate school.
14 On Wyoming Avenue and Washington
15 Avenue from Ash Street on to Mulberry Street, there's
16 no lines, they're all -- and we know that the traffic
17 on both Wyoming Washington is so bad, that it's going
18 to tear up the lines.
19 So, there must be someone in the
20 safety department or something, and this is --
21 Mr. Courtright, this is your area, now, I think this is
22 a safety hazard, but I know with all the problems we
23 have in the city with all the flooding and everything
24 else, I was given the date of March the 12th, as being
25 the date when they were going to start redoing the

0081

01 lines, but the only line that was painted on
02 March 12, was the green line.
03 Now, the kids are coming out of
04 school, they're not -- I went to the intermediate
05 school and I asked the principal there, what percentage
06 of the kids walk as adverse to use the bus system from
07 the school? And she said there's about 85 percent of

08 the students there are actually bussed.
09 So, that means that 35 percent of
10 those students that are walking back and forth, walking
11 either home down to the Plot or up to the Hill Section
12 or wherever they might go, but they need those
13 restrictions, they need that safety.
14 I call it a safety measure so they
15 could stay within the lines and not get hit and not get
16 hurt, because they're only 6th, 7th and 8th graders,
17 and you know their minds are not always on what they're
18 doing, but the lines will help.
19 I don't know. I asked Jay today
20 or Mr. Saunders today on the telephone, I asked through
21 somebody else, because I couldn't get to Jay. Who did
22 the lines down at Prep? Jay, did you get a chance to
23 find this out?
24 MR. SAUNDERS: I would imagine the
25 DPW did it. I didn't get your message today, but I
0082
01 would imagine DPW. That's the only one that would
02 possibly work on --
03 MR. DAVIS: Prep did not do it?
04 MR. SAUNDERS: I don't think
05 they're capable you putting those lines down. You
06 can't just go out and spray paint those lines down.
07 That's the work of DPW.
08 MR. DAVIS: Okay. I don't know
09 when they were painted, but they look awful brand new.
10 I asked -- my second question was, did you check with
11 DPW? When are they going to do the rest of the lines
12 on Washington Avenue and Wyoming Avenue from Ash Street
13 to Vine Street, when is that going to be done?
14 MR. SAUNDERS: I'll certainly send
15 a letter down to them and ask them. I can't --
16 MR. DAVIS: You can't pick up the
17 phone?
18 MR. COURTRIGHT: They said weather
19 permitting. That's the answer we get, when the weather
20 permits, they will paint the lines.
21 MR. DAVIS: And this weather
22 doesn't permit it?
23 MR. COURTRIGHT: I don't know.
24 I'm just telling you what I was told, weather
25 permitting.
0083
01 MR. DAVIS: But they told us
02 March 12.
03 MR. COURTRIGHT: I don't -- nobody

04 ever told me March 12. I --
05 MR. DAVIS: They said it right
06 here.
07 MR. COURTRIGHT: Who did?
08 MR. SAUNDERS: They said in a
09 letter, they did not say March 12, they said --
10 MR. DAVIS: They did say
11 March 12.
12 MR. SAUNDERS: They said after
13 March 12, when the weather is -- they are permitted to
14 do this due to the weather, they will start doing these
15 things.
16 I don't think they marked
17 March 12 as their date, but I will certainly check on
18 that. I will pick up the phone and I'll call them and
19 I'll do that.
20 MR. DIBILEO: Thank you, Jay.
21 Yeah, we'll check into it.
22 MR. DAVIS: We need the lines.
23 Okay. Second point, register to vote. Be educated
24 voters and exercise your right for equality can be
25 yours, ours, is a message that I'm giving out to
0084
01 minorities, the poor, to the downtrodden and those that
02 have stopped voting, those who don't care about voting.
03 Believe me, it's your one form of
04 empowerment that you still have. You may not have
05 money, but you do have the right to vote. You may not
06 have Cadillacs and you may not have enough food to eat
07 or the kids may not have the best clothing, but what
08 you can do is perhaps ensure their tomorrow, is to vote
09 for the right people at the right time.
10 I don't know who the right people
11 are, that's something that you're going to have to
12 become, you're going to have to become an educator
13 voter.
14 Okay. Number three,
15 Mr. McTiernan, last week I saw you at the school board
16 meeting, and I meant to say something to you, but I
17 noticed at the end of the meeting last week here you
18 mentioned that an honorary mention be given to Scranton
19 High's Basketball team, both boys and girls, and I was
20 so happy to hear that.
21 That is the first time since I've
22 been coming here that I heard something that is going
23 to be given to the boys of Scranton High School,
24 because these kids, they play ball with their utmost,
25 and they don't get the best marks.

0085

01 Every time I see them, I say,
02 Well, why ain't you studying? I don't have time to
03 study. I've got to go to practice, I've got to do
04 this.
05 Wait a minute, woa, woa, woa. If
06 you've got to put that much time into practice, maybe
07 you shouldn't be playing basketball. Maybe it's time
08 to stop being a gladiator, because you're not going to
09 go to college because of your playing ball.

10 MR. DIBILEO: Thanks, Jim. We did talk
11 about the proclamation. It's coming up in the very
12 near future, the next couple of weeks.

13 MR. SAUNDERS: Yeah. I have to
14 reach out to Bob Coleman from Scranton High School.
15 The Scranton JV and the Scranton Varsity basketball
16 teams will be in here, also a swimmer from Scranton.

17 MR. DIBILEO: Thank you, Jim.

18 That's coming up.

19 MR. DAVIS: Thank you. There was
20 a question --

21 MR. DIBILEO: Jim, it's beyond the
22 -- it's pretty far beyond the five minutes.

23 MR. DAVIS: Wow. Have a good one.

24 MR. DIBILEO: Thank you. Chris
25 just handed us the schedules for West Scranton High
0086

01 School baseball schedule for varsity and junior
02 varsity. Thank you, Chris.

03 MR. SLEDINZKI: You're welcome,
04 Gar. Paul *****, you're a bum.

05 MR. DIBILEO: Chrissy. Chris, I
06 know you're joking, but, you know, you can't say that
07 in the future, all right? I know he's an old friend of
08 yours, Chris. Nancy.

09 MS. KRAKE: Good evening. My name
10 is Nancy Krake. And I have one suggestion, perhaps if
11 we don't get an answer on the pools, we can make a date
12 for all the citizens in the City of Scranton to meet at
13 Nay Aug Park on opening day with a copy of the deeds in
14 our hands to all go for a swim.

15 The first night Councilman
16 Gary DiBileo sat as Council President, he vowed to have
17 Council meetings in this chamber, in this chamber only,
18 even if the mayor erected scaffolding all around them.
19 This Council's majority also
20 brought many televised caucuses, which allowed the
21 citizens at large to see the true nature of many

22 legislative decisions. Obviously they have nothing to
23 hide. And that is open government.

24 Three councilpersons which --

25 first I need to verify this, your budget did lower the
0087

01 wage tax, correct?

02 MR. DIBILEO: Our amended budget

03 actually did not, Nancy. We discussed it after the

04 fact. The amended budget was mainly in an attempt to

05 eliminate the need for the \$4 million of extra borrowed
06 money.

07 Once that was vetoed, talked about

08 the EMS tax and could that be used for lowering the

09 wage tax in the near future, which will be discussed.

10 MS. KRAKE: It will be discussed

11 in the future, but your proposals were to lower that.

12 You had the people, the work families in mind.

13 MR. DIBILEO: We talked about it,

14 yes.

15 MS. KRAKE: The mayor did veto

16 your budget which was aimed directly at working

17 families. He really dropped the ball on that. He's

18 very willing to give tax free KOZ property to big

19 businesses, but apparently didn't care enough for

20 working families of Scranton.

21 Logically lowering any taxes for

22 the working people would have encouraged anyone who may

23 have been employed by these KOZ business to live in the

24 City of Scranton, not just over the city limits to

25 avoid those taxes.

0088

01 Brilliant call by all these

02 alleged consultants. Lowering these taxes would mean

03 more city residents paying and less need to beat the

04 money out of current taxpayers.

05 The mayor certainly isn't going to

06 ask for money from non-pro-fits, and KOZs are out. So,

07 that leaves retirees and working families holding the

08 bag.

09 Now that it's election time, I did

10 hear that the mayor is doing a survey. Well, that's

11 four years too late. Perhaps he'll feign concern for

12 the citizens now that it's affecting him directly.

13 Janet Evans, Gary DiBileo, and

14 Bill Courtright did naturally what this mayor is

15 learning to do the hard way, listen to the people.

16 The obscene profits of these

17 businesses and so-called non-profits tells us where

18 this mayor's allegiances lie. Tax cuts to the rich,
19 not to working families.
20 I've stated many times what he did
21 with the money from clerical worker layoffs, millions
22 to administrative jobs, consultants, and \$400,000-plus
23 annually for non-negotiated pensions, nothing to
24 benefit the citizens of our town.

25 I would like to see Scranton move
0089

01 forward finally. Maybe our next mayor will bring
02 families back, back to good jobs and safe and clean
03 neighborhoods. These are basic human needs that all
04 people desire and deserve. Thank you.

05 MR. DIBILEO: Thank you,

06 Mrs. Krake. Before Larry speaks, Jim Davis was talking
07 about crosswalks, and I meant to say after he was done
08 speaking that the most knowledgeable crosswalk safety
09 person I know is a former employee of the city that
10 worked tirelessly on those crosswalks every year,
11 Sam Curmaci, and he told me just last week, he said,
12 The time is coming up where we would be doing the
13 crosswalks now.

14 So, hopefully we are getting
15 close. We're beyond that March 12th date, and we'll
16 get to the crosswalks very soon.

17 MR. McANDREW: Good evening,

18 Council, Larry McAndrew. Mr. Courtright, I want to
19 congratulate you. Since October, you've haven't been
20 working on getting the administration to get an answer
21 to get one of your questions. It took you six months,
22 but you did get an answer.

23 I think the time has come now, as

24 Mr. Morgan and other people that the podium spoke
25 tonight, that we don't have much of a choice here.

0090

01 This mayor has to come here and he has to answer to the
02 taxpayers, to the citizens of Scranton. It's time for
03 subpoena power. There's no ands, ifs or buts. If you
04 have the authority to do this, it must be done.

05 There's no other way out of this.

06 When Mr. Walsh gives out the

07 conversation tonight that administration has to answer
08 to the mayor, instead of responding to what the
09 citizens want, subpoena power is needed here. We need
10 answers. Now is the time, election is coming, it's

11 around the corner, get this mayor in here. Find out
12 what is going on. Thank you.

13 MS. STULGIS: I'm Ann Marie

14 Stulgis, a resident of the city and president of the
15 Fraternal Order of Police. First thing I'd like to
16 mention is, we heard a lot of talk this hearing about
17 the flood and about the barricades, and we are all
18 aware of Mr. Parker taking credit for the fine job he
19 did with getting the barricades out there, except DPW
20 didn't put up the barricades, they weren't available to
21 put out the barricades, and the Scranton Police put out
22 the barricades.

23 In fact, our police officer on Car
24 18 put the barricades out, and he couldn't get any
25 cooperation to find the barricades, that's why there
0091

01 weren't that many out there. No one seemed to know
02 where the barricades were.

03 He did a lot of searching. He
04 went to a whole bunch of different places and finally
05 ended up getting the bulk of what he was able to locate
06 in the Cordaro building on Electric Street.

07 And by the way, that's really not
08 a police officer's job to put out barricades, and he
09 was injured putting out the barricades and ended up
10 missing a few days' work because of that injury.

11 Also, several months ago after
12 many years, you people hired a health care consultant,
13 Segal, and the reason for the hiring of Segal was a
14 response to an arbitration filed by the unions to help
15 cut health care costs.

16 Well, the city evidently has
17 been paying Segal for the last several months, but we
18 still haven't had a health care meeting. We were
19 scheduled to have one about two months ago, and Segal
20 had to cancel because the city wasn't able to provide
21 them with any paperwork or had failed to provide them
22 with any paperwork in order for Segal to do an analysis
23 to help cut health care costs.

24 We still didn't have one. And the
25 big problem and the reason for all this is because the
0092

01 union said what the city was doing was dumping
02 work-related injury costs into the private medical
03 insurance, of which we pay half of all increases out of
04 our pockets.

05 It was a scam. We insisted it was
06 going on. We went to arbitration. The arbitrator
07 agreed; hence, three years later we get Segal hired.

08 Well, the problem is still going
09 on. We recently had a city employee who had to have

10 emergency surgery due to a work-related incident. A
11 \$37,000 hospital bill was just paid by our private
12 insurance because PMA refused to pay it as a
13 work-related injury, even though he got hurt on the job
14 and went immediately to the hospital while he was still
15 at work.
16 So, this stuff is still going on.
17 Nobody seems to be doing anything about it, and we keep
18 hearing how the unions are causing the city to be
19 distressed. Mismanagement is causing the city to be
20 distressed.
21 We also had heard a lot this
22 evening about potholes. I would venture to say that 25
23 to 30 percent of all potholes in the City of Scranton
24 originally started as pave cuts.
25 If you drive down the street
0093
01 you'll notice, most of the pave cuts are sunk and they
02 form potholes.
03 We have a pave cut inspector whose
04 job it is to go out and make sure that the utilities
05 repair these pave cuts and keep them in good shape.
06 That's not happening.
07 And I hate to tell you, but we all
08 keep hearing how distressed the City of Scranton is and
09 how much it costs to pave things.
10 Well, I don't think we have a
11 water company that's distressed, and I don't think we
12 have a gas company that's distressed, and they're
13 responsible for many of these pave cuts, and I think
14 that to save the taxpayers money, we ought to make them
15 step up and pay their fair share, too, and keep the
16 roads in the shape that they should be in.
17 Last, but certainly not least --
18 oh, no, I do want to ask if you people can do a large
19 favor for me, I understand that the city plans to
20 within the next six months close two firehouses, one
21 up, I believe it's on North Main Avenue, the second one
22 I have had confirmed as being Engine 15 up on
23 Ash Street.
24 Now, as a Hill Section resident,
25 that greatly upsets me. We don't need to close that
0094
01 firehouse. And I'm only grateful that I'm not, in
02 addition to being a Hill Section resident, I'm glad I'm
03 not a Bunker Hill resident, because if you live in
04 Bunker Hill, you better hope Dunmore comes to fight
05 your fire, because the closest one is going to be down

06 in Central City, and that's a bit of a jaunt
07 considering how fast fire spreads.
08 So, I'd appreciate it if maybe
09 somebody could verify that, but I think you're going to
10 find out that within the next three to four months,
11 both of those fire houses intend to be closed. That's
12 why the city's refusing to do any repairs on them.
13 Now, the police car situation. I
14 was assured several months ago that within three to
15 five weeks, we would have six new marked Impalas, so I
16 didn't complain about police cars. Well, months later,
17 we still don't have those police cars.
18 Today I went down to the roll call
19 room and I checked how many police cars we had down
20 there, we had nine patrol cars and one patrol wagon. I
21 can't tell you if all of them were worrying, I can only
22 tell you that there were nine patrol cars and one
23 patrol wagon. This was while the shift was in roll
24 call, so there's no doubt that all the cars were in.
25 Of those nine patrol cars and one
0095

01 patrol wagon, six of them had mileage well in excess of
02 100,000 miles, with one being up as high 150,000
03 miles. That's really not very safe for patrol cars.
04 If that isn't enough to convince
05 you that the situation is very bad with the condition
06 of our police cars, how many of you are aware that
07 within the last two weeks a police officer was taken to
08 the Community Medical Center emergency room while he
09 was on duty, was treated for carbon monoxide poisoning
10 because of the condition of the patrol car and missed
11 two days work?

12 I understand that the problem, the
13 city is well aware of the problem, because the car has
14 been taken out of service several times, it's something
15 to do with the head gasket and a bolt breaking off and
16 falling into the head and blocking things up, and I'm
17 not a mechanic, this is just what I was told, and that
18 it needs some type of machinery to fix it that costs a
19 lot of money.

20 So, what is happening is the city
21 is doing a quick-fix and not really preventing the
22 problem. This is serious when our police officers are
23 forced to operate equipment that causes carbon monoxide
24 poisoning and lands them in an emergency room while
25 they're on duty. I think it speaks a lot for what this
0096

01 administration thinks of its employees.

02 MR. DIBILEO: Thank you. Jay, can
03 you get an answer immediately on that situation
04 involving the carbon monoxide poisoning of a police
05 officer?
06 MR. SAUNDERS: Okay.
07 MR. DIBILEO: Okay. Try to have
08 that to us for next week for sure, okay? Anyone else
09 like to speak? If not --
10 MR. WALSH: 5-A, motions.
11 MR. DIBILEO: Mr. McTiernan, do
12 you have any motions or comments tonight?
13 MR. McTIERNAN: Nothing at this
14 time, Mr. President.
15 MR. DIBILEO: Thank you.
16 Mrs. Evans, motions or comments?
17 MS. EVANS: Yes. First I'd like
18 to ask for everyone's prayers for a young man, Tim
19 Hopkins, who passed away a few days ago and for his
20 family and friends, was well. Also, your prayers for
21 Mr. Newcomb, Sr., who had surgery this week.
22 Now, on Saturday evening I
23 received a frantic phone call from residents of Keyser
24 Valley concerning flooding on Merrifield Avenue, then I
25 promptly called Mr. Hayes to report the emergency.
0097
01 Early Sunday morning I visited the
02 Plot, Brown Avenue, Race Street, Shawnee and Bates and
03 Lower Green Ridge, where I witnessed the destruction
04 brought from weekend heavy rainfall.
05 The people of these sections of
06 Scranton have suffered from two floods within six
07 months. The good news is that the Plot and
08 Bulls Head will eventually benefit from a \$55 million
09 flood project that should be able to protect their
10 properties; however, no attempt has been made to help
11 Merrifield Avenue.
12 Residents are hit by flooding each
13 time the other sections of town flood, but there's no
14 permanent solution offered for them.
15 They have only a pump station,
16 which for various reasons has failed to do its job time
17 and time again, thus, firefighters pump out the area
18 after each episode.
19 Meanwhile, as was mentioned
20 tonight, the foundations of those homes on that block
21 are deteriorating. These home are damaged and the
22 owners can't relocate. Who would buy such houses,
23 houses that are located frequently almost in the middle

24 of a small lake?

25 Therefore, I'd like to ask

0098

01 Mr. Parker about the feasibility of an engineering
02 study to provide both long and short-term solutions for
03 the people of Merrifield Avenue.

04 Also, I would request in writing
05 precisely what will be done to address the situation in
06 terms of an immediate flooding problems. I'll put that
07 in the form of a motion.

08 I move that Council send a letter
09 to Mr. Parker drafted by Solicitor Walsh to request his
10 recommendation regarding an engineering study of the
11 Merrifield area of Keyser Valley to prevent future
12 flooding, and also to request in writing what will be
13 done to address the situation immediately.

14 MR. POCIUS: Second.

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

17 MR. POCIUS: Just on the question,
18 I had a conversation with Mr. Parker this afternoon,
19 was concerned about the situation myself, and he has no
20 problem with putting his, as the lawyers say, Mark,
21 memorialize his short and long-term plans.
22 He told me he was searching, and I
23 was trying to see if we had it anywhere in our files,
24 because sometimes we do get studies, but there was a
25 study done in '99, concerning that specific area by
0099

01 Bukarthorn. I think he's going to try to get his hands
02 on that as a base for this study.

03 He had some short-term plans as
04 far as cleaning the inlets regrading and getting some
05 of the muck out of certain things.

06 And there's a series of things
07 that I don't want to get into right now that he's
08 investigating about different areas of water that
09 shouldn't be coming into that drainage area that is, so
10 I think your motion is well taken, and I think talking
11 with Mr. Parker, he told me he had no problem with
12 memorializing any of his short or long-term plans for
13 us. So, I'm going to support it.

14 MS. EVANS: Thank you.

15 MR. DIBILEO: Thank you. Also,
16 it's a good idea to get everything in writing. And
17 from Sunday's conversation, the best time for the
18 people involved was going to be a late morning meeting.
19 As I said earlier, that actually

20 ended up occurring today. Mr. Parker is working on the
21 situation both long-term and short-term, needing that
22 report that Mr. Pocius mentioned from Bukarthorn, and
23 I'm in favor of this, also, because we want to get that
24 in writing from Mr. Parker to help these people out.

25 MR. COURTRIGHT: Mr. President, I
0100

01 would just like to thank Mary Alice Burke, because she
02 brought it to the attention that there was a study done
03 in '99. I don't think anybody was aware of it.

04 I'm pretty sure at the meeting Mr.

05 Parker said he wasn't aware of it, so that gives him a
06 starting point. So thanks to Mary Alice Burke for the
07 hard work that she did on this.

08 MR. DIBILEO: Yeah. And I want to

09 thank Mr. Parker for meeting with the neighbors like he
10 did and for Mary Alice to giving us all the history of
11 that pumping station to help Mr. Parker come up with a
12 solution. Anyone else on the question? All those in
13 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 and so moved.

20 MS. EVANS: I'm also quite pleased

21 to read in the newspaper that the city purchased three
22 new DPW trucks at a cost of \$332,247. This money is
23 well spent, because it will provide good services for
24 the people of Scranton and enable the DPW to put a full
25 fleet of trucks on the road for the first time in a

0101

01 long time.

02 And as was mentioned earlier,

03 Pothole Super Saturday has been rescheduled to this

04 Saturday, April 9, weather permitting. Please remember
05 to call the DPW or the pothole hotline to get your
06 potholes on the list.

07 I also read in this week's

08 newspaper that the South Side Complex is open for

09 public use effective April 2005, and I was very pleased
10 to learn that response at last.

11 In the last year I've sent ten

12 letters to the administration regarding the South Side

13 Complex, half about the Schmidt dedication sign and

14 half about the use of this facility and the

15 construction of a comparable complex.

16 Now, as people have talked about
17 earlier this evening, this was and still is a dedicated
18 field, and since we have sat on Council, we've
19 dedicated, I believe, two streets in honor of two very
20 great men who resided in the city of Scranton, and
21 let's say 20 years down the road an administration of
22 the future decides to remove those signs, how will the
23 families of those individuals feel, how will the
24 children of those men feel?

25 And that's precisely the situation

0102

01 for the family of Mayor Schmidt, and yet request after
02 request for a period of a year has gone unanswered.

03 Why didn't the administration

04 answer these questions? It's not Janet Evans asking

05 these questions, it's the people asking these

06 questions. The people want to know, not Janet Evans.

07 I don't make up questions to waste

08 everyone's time. I'm asking the questions that the

09 people of the city tell me to ask. There is no

10 acceptable legitimate excuse to ignore ten letters.

11 I was elected by the people.

12 Mr. DiBileo, Mr. McTiernan, they were elected by the

13 people, just as was the mayor of this city.

14 Now, the people are demanding

15 equal representation, and there is no mandate of which

16 I am aware to withhold information from Council

17 members.

18 I have several requests for this

19 week, and I also apologize to the many people who have

20 Emailed me in the last week. I have been actively on

21 the campaign trail, and as a result, unable to respond

22 promptly to your Emails.

23 And, again, I do apologize and I

24 will answer each and every one of them. Please just

25 bear with me temporarily.

0103

01 And the requests are numerous, and

02 these are basically requests that have been made as I

03 have travelled the streets of the city and met the

04 people of various areas.

05 First, paint the traffic lanes at

06 South Washington and Hickory Street and

07 South Washington and East Elm Street. And I think all

08 of us that travel that area know how dangerous that is.

09 Next, no parking signs were

10 erected in the 100 block of North Cabrini across the

11 street from St. Joseph's Malkeit Church. The church

12 goers have very few parking spaces as it is, but now
13 they cannot park in that area in order to attend church
14 services on Saturday and Sunday.

15 In fact, the priest of the church
16 informed me that he was the very first individual to be
17 ticketed for parking there. So, I'm asking that the
18 signs be altered to include exceptions for Saturday and
19 Sunday services.

20 At 1920 North Washington Avenue, a
21 sewer grate is filled to the top and blocking water
22 flow. The resident has made numerous calls and nothing
23 has happened.

24 The 1800 block of Church Avenue,
25 which is a one-way street. Traffic has been speeding
0104

01 in the opposite direction, and I know I've brought this
02 up on several previous occasions, however, now that the
03 Providence Square project has begun, traffic is
04 severely tied up in that area; hence, many people are
05 using Church Avenue as the shortcut in the wrong
06 direction, so they are requesting the residents and the
07 members of the Weston Park Association that a sign, a
08 very large sign indicating one way traffic be placed at
09 least temporarily at that location as the Providence
10 Square project continues.

11 Pave Mary Lane. The firehouse
12 from the top of East Mountain to Mountain Lake, there's
13 a great deal of trash that has accumulated there,
14 particularly beer bottles and alcoholic beverages.

15 The East Mountain residents wish
16 to know if and when the police dirt bike will be used
17 in their area again. They also want to know the status
18 of the completion of the East Mountain Road project.

19 There is a house at 552 Birch
20 Street that was condemned on 3305, and residents of
21 that area wish to know when the tenants will be leaving
22 or else the owner of the building will be making the
23 necessary repairs.

24 Also, pave the 500 block of Wales
25 Street, which has never been paved and looks like a war
0105

01 zone. Speeding on Mary Street in Bangor Heights.

02 A pothole at 1370 Penn Avenue and
03 Gibson Street between North Washington and
04 Wyoming Avenue.

05 The corner of Lafayette and North
06 Cameron, please bring the road up to level, install a
07 curb. There are two homes that are being flooded there

08 during every rainfall, not just flooding conditions.
09 And finally, in the 300 block of
10 South Decker Court behind Walgreen's, people are double
11 parking in a very narrow court and residents of that
12 area would like that addressed. And that's all I have.
13 Thank you.
14 MR. DIBILEO: Thank you,
15 Mrs. Evans. Jay, do you have all that?
16 MS. EVANS: No. I have all that
17 for you, Jay. Fortunate for you.
18 MR. SAUNDERS: It's fortunate we
19 have a videotape of this meeting.
20 MS. EVANS: No, I make you your
21 own copy, you know that.
22 MR. DIBILEO: I didn't see him
23 making any notes over there.
24 MS. EVANS: That's because I have
25 him spoiled now.
0106
01 MS. SAUNDERS: Yes, you do.
02 MR. DIBILEO: Thank you.
03 Mr. Pocius, do you have any motions or comments?
04 MR. POCIUS: Yes, I do. I have a
05 few comments and one motion.
06 First comment being just for the
07 public, Wyoming Avenue will be paved this year by
08 PennDOT, it's a state highway, and it will be paved all
09 the way from Spruce Street to Green Ridge Street.
10 And normally when they do these
11 higher-type of paving projects, they address all the
12 markings on the road, so hopefully Wyoming Avenue will
13 be brought up to speed once this project is done and
14 we'll have the crosswalks and the arrows and so on and
15 so forth.
16 So, that was told to me, because I
17 happened to talk to the inspector who is going to be in
18 charge from a previous project, not Ceko, but I was
19 involved with the county, and he gave me that.
20 I said, Where are you going next?
21 He said, Wyoming Avenue. So, that will be somewhat of
22 an inconvenience while it's happening, as it normally
23 does, but it will be a permanent improvement once it's
24 done.
25 I, too, would like to -- I did
0107
01 have a conversation with Chief Davis, and I, too, would
02 like to commend the fire department.
03 He gave me the copies of the --

04 what houses were pumped out, and actually they pumped
05 out 43 houses, which is an outstanding accomplishment
06 by the fire department, and that's a very good thing.
07 Different places, I mean, throughout the city, so, it's
08 here and they did a fine job.

09 Now, there was a comment made
10 about what's happening on the third floor, there's bids
11 out right now for a renovation package for the third
12 floor, and I think that's going to house the human
13 resources office, so those bids are due on the 22nd of
14 April in the controller's office, so that is what is
15 happening up there.

16 And now for my motion, I did a
17 more -- this problem has been very -- kind of like a
18 little thorn underneath my finger, this whole railroad
19 deal on Luzerne Street and kind of the nonchalant
20 attitude or the cavalier attitude of the railroad
21 company.

22 So, I did some more checking, and
23 I received a call from Joe Stroke, who was the --
24 besides sharing duties as the pavement design engineer
25 for PennDOT, this local district, he is also the
0108

01 railroad crossing coordinator.
02 He said to me that this is a very,
03 very simple process to file a complaint. I received a
04 copy of the form. It's made for the average citizen to
05 fill this out. It's available online. He couldn't
06 exactly tell me what website, you'd have to go through
07 PUC or whatever you can probably find it, but he was
08 kind enough to fax me down a copy.

09 So, what I would like to do is
10 make a motion that Scranton City Council through our
11 city clerk, being the complantee, because it was a
12 Council thing, it needs the official signator, what
13 would you say, signator for City Council here, that the
14 City Council file this complaint with the PUC, and I
15 took the liberty to kind of fill it out in language
16 that I think we can understand.

17 So, my motion is to -- this could
18 be out of here tomorrow basically and mailed out to the
19 PUC, and probably even faxed down, Jay, or whatever.

20 So, my motion is that we allow
21 City Council file this complaint using Jay Saunders as
22 the point person for this situation on Luzerne Street.

23 MS. EVANS: Second.

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

0109

01 MR. POCIUS: Just on the question.

02 This will take me one second to read. Item 3 is, What
03 is the nature of your complaint? Failure of Reading,
04 Blue Mountain and Northern Railroad Company to comply
05 with order entered December 28, 1987 at docket No. 1,
06 and I won't go into the number, more particularly
07 Item 21 found at Page 9.

08 Reading, Blue Mountain and
09 Northern Railroad is not complying with flag person,
10 and I put in parens daylight or lighted lantern
11 nighttime requirements causing a public safety hazard
12 to the traveling public both vehicular and pedestrian.

13 And the fourth question, that's
14 it, what do you want us to do? My response would be,
15 Enforce order as it pertains to Item 21, and direct and
16 order Reading, Blue Mountain and Northern Railroad to
17 comply with Item 21. That's what basically -- in
18 agreement?

19 MR. COURTRIGHT: Yes.

20 MS. EVANS: And I do agree with
21 you. We should be looking to save money here. Why
22 should the city be responsible for spending additional
23 monies, when we have those who are in violation of the
24 law and they should be forced to live up to those
25 stipulations, and the city shouldn't have to shoulder
0110

01 those additional costs.

02 MR. POCIUS: And like I said, from
03 my conversations with other people, the county operator
04 Delaware Lackawanna uses flag persons constantly at
05 their crossings. You see them on South Washington
06 Avenue down by the mall, they use them on Lackawanna
07 Avenue.

08 Talking to other people in the
09 railroad industry, this is standard practice. If it's
10 in the order, it's not a big deal, so I think enough
11 said.

12 But, Jay, I'm going to give you
13 all my paperwork, but I think you should supply Council
14 with the final documents so we all have a copy of this
15 for our records, okay?

16 MR. SAUNDERS: Yes, I will.

17 MR. DIBILEO: Thank you. Not only
18 has it been a thorn in our side, but obviously a very
19 serious safety condition that has to be addressed.
20 So many people have said that
21 they've had near misses down there with trains, and

22 we've got to get something down right away. And thank
23 you for doing that, Mr. Pocius. Anyone else on the
24 question? All those in favor, signify by saying aye.

25 MR. McTIERNAN: Aye.

0111

01 MS. EVANS: Aye.

02 MR. POCIUS: Aye.

03 MR. COURTRIGHT: Aye.

04 MR. DIBILEO: Aye. Opposed? The

05 ayes have it and so moved.

06 MR. POCIUS: Jay, I'm going to

07 give this to Kay right now. I have blank copies. You

08 can make copies and then, you know, have it typed in so

09 it looks more professional than my printing.

10 MR. SAUNDERS: Okay. I'll take

11 care of that.

12 MR. DIBILEO: Is that it, Mr.

13 Pocius?

14 MR. POCIUS: Yes, that's all.

15 MR. DIBILEO: Thank you.

16 Mr. Courtright, do you have any motions or comments?

17 MR. COURTRIGHT: Just a couple

18 quick things. I'd like to thank Laura Ardito, who

19 helped myself out this past weekend on something I was

20 doing, and the chief of police called me today, I

21 believe it was.

22 He was out of town all week, so I

23 couldn't get answers to some of the questions that we

24 had in writing, but he called me and gave me the

25 answers verbally, which I said is fine, and I believe

0112

01 he's going to put them in writing later on.

02 Just to try to explain it to you

03 as briefly and as easily as possible, one of the

04 questions brought up about the CommD cops, you know,

05 how many are we down and why are we down and what not.

06 Because we were on the phone, we

07 didn't go into detail, but I could tell you that the

08 CommD cops, all the requirements have been met, and in

09 the next couple of weeks they will be back on the

10 street.

11 The answers to the other

12 questions, actually Dave Elliott asked me, Bill, what

13 were the other questions? I was in my car when he

14 called me. I didn't have the list of question in front

15 of me.

16 He was in his car, so he's going

17 to give me all the other answers, but I think that was

18 the main question that we had is, you know, when will
19 we get these CommD cops back on the street? He said in
20 the next couple of weeks that should take place.

21 And when he give me the other few
22 questions that we had answered, I will be happy to give
23 that to everybody next week.

24 A lot of things brought up about
25 the pool, and that's been a concern of mine from the
0113

01 beginning, I think as everybody knows, and I think
02 Mr. DiBileo last week thought that it would be a good
03 idea if the residents of the City of Scranton didn't
04 have to pay at all to swim in the pools.

05 And I agree with that, also, and I
06 thought maybe, Bob, I don't know, I guess maybe I
07 should have asked you in the back, I know you were
08 looking to do some type of tiered system, have you
09 gotten anywhere with that? Where do we stand with
10 that?

11 MR. McTIERNAN: I haven't heard
12 from the Rec. Authority.

13 MR. COURTRIGHT: All right. So,
14 hopefully Bob will have some information for us
15 shortly, hopefully it will be sooner than later. And
16 that's all I have, Mr. President. Thank you.

17 MR. DIBILEO: Thank you very much,
18 Mr. Courtright. Yeah, I certainly hope that the
19 Recreation Authority could, you know, consider free
20 swimming this year for city residents and have
21 non-residents pay a fee, because it seems as though,
22 you know, with your tax dollars, you should be getting
23 something, and I think free swimming should be one
24 thing that's included for your tax dollars.

25 And even children, I think,
0114

01 outside of the city should swimming for free. It
02 should be adults outside the city who aren't paying the
03 taxes should be paying a fee, I think, to swim.

04 With all the flooding this
05 weekend, a lot of frustrated people. We talked about
06 Merrifield Avenue, we talked about what is going on
07 there to correct that situation for the immediate time
08 frame and down the road in the future, but also with
09 the Plot section.

10 Jay, can we ask Mr. Parker to
11 include a status of the sewer backup situation down
12 there? Is that going to take place at the time that
13 the levee project will be completed, or is that

14 something that's going to occur sooner or after the
15 levee project is done?
16 Because it seems like
17 Brown Avenue is going really hammered with the sewer
18 backup situation. I know that school district
19 Tom Gilbride, who has a 6, 7 foot basement was
20 completely right up to his level of entering his first
21 floor area.
22 So, you'd like to say he got
23 lucky, but then in a way with the sewer backup, if that
24 was a corrected, he probably wouldn't have gotten
25 anything in his basement.

0115

01 And there wasn't a whole lot that
02 we can do down there, but, you know, the fire
03 department was able to really help out with all that
04 needed to be done with the pumping out of the basement.
05 So, as Mr. Pocius said, you have
06 to give credit to the fire department and everyone else
07 that helped out, DPW workers and police and everyone
08 else with the city. So, we want to thank them.
09 Hawthorne Street, you know, we
10 haven't talk about Hawthorne Street in a long time, but
11 with all the heavy rainy, I guess they got a lot of
12 water still coming down their street, and a couple
13 people that live on Hawthorne Street would like to
14 get -- I'd like to ask for them the status of, you
15 know, where we stand with the retention pond or is it
16 called a detention pond that is supposed to be going in
17 over there.

18 MR. SAUNDERS; Every time I say it
19 I say retention or detention, I'm not exactly sure what
20 that is.
21 We discussed that with Mr. Parker,
22 also, that in the last developer's agreement that was
23 mentioned as a part of it, that this retention or
24 detention pond would be completed.
25 As of today, that has not been

0116

01 completed. I talked to the Mike Scoff, he's one of, I
02 guess, co-developers up there, he said they're in the
03 process of doing that.
04 So, at this point nothing has been
05 done. I drive up that street every day. The street is
06 still torn to shreds on Hawthorne Street, they're still
07 receiving water.
08 MR. DIBILEO: I do know that the
09 developer, just for the public's information, the

10 developer, who is required to build that detention or
11 retention pond, would instead, if it's not actually
12 needed, would instead pay for the widening of the road
13 down Hawthorne, would pay for the curbs on Hawthorne,
14 would pay for the sidewalks down Hawthorne Street.
15 So, whatever Mr. Parker feels is
16 more appropriate for that street, he's willing to do.
17 It would be nice if we can actually get both done, but
18 I know he's required to pay for the retention/detention
19 pond, but he'll do the other if so need be, for
20 whatever it's worth.
21 Maybe we can ask him for an update
22 on that, Mr. Parker, please.
23 MR. SAUNDERS: I think they're
24 going to ask for the detention pond.
25 MR. DIBILEO: Okay.

0117

01 MR. SAUNDERS: Because they wanted
02 to hook the sewer lines right into -- I'm not sure of
03 the name of the street, on the bottom of Hawthorne
04 Street there. They said the sewer lines will not be
05 able to handle that much water. It would blow the
06 sewer line out.
07 The city is committed --
08 Councilman Courtright, I do believe that the city has
09 committed to you that they were going to fund the curbs
10 and the sidewalk for Hawthorne Street. We talked to
11 Bill Fiorini about that.

12 MR. COURTRIGHT: That was a year
13 ago.

14 MR. SAUNDERS: Yeah.

15 MR. COURTRIGHT: That poor lady up
16 there is getting pounded. So, maybe we could ask him
17 to step it up, huh?

18 MR. DIBILEO: Mrs. Liska has been
19 asking for a long time, so I appreciate that. And the
20 last thing I have is, last year at this time I was
21 requested by the Nonnenberg Family if I would announce
22 a benefit that was brand new at the time at, this time
23 last year, and I don't get asked to, you know, to read
24 many announcements, and I said I would.
25 And they said that it really

0118

01 helped. They said that, you know, the Channel 61
02 broadcast really helped their benefit. And if you
03 don't mind, they asked me again this year, and I want
04 to help them out again, if I can.
05 Let me just read what I have here,

06 The Martin A. Nonnenberg Tragedy Fund was founded in
07 January 2004, by a group of caring people.
08 Martin A. Nonnenberg passed away
09 in a tragic accident at the young age of 10.
10 Throughout his short life, Martin excelled in education
11 and had a passion for sports.
12 Life teaches us that most families
13 and loved ones that suffer a tragic event never truly
14 recover. Families are split up, siblings get lost in
15 life and need support. The list of hardships go on and
16 on.
17 The founders of this memorial are
18 survivors of this tragic event that took Martin's live
19 on October 7, 1994. Realizing they are part of a very
20 elite group of people involved in a tragedy, they grew
21 strong, close and have a new respect for life.
22 The Martin A. Nonnenberg Tragedy
23 Fund will host its second annual event to help families
24 cope with tragedy in our community.
25 On April 30, 2005, there will be a
0119
01 three-point shoot-out for children ages 9 to 18. All
02 ages are welcome to participate in other activities.
03 This event will take place at the
04 Holy Rosary Hall on Market Street in North Scranton.
05 Last year's event was an overwhelming success and went
06 on to support nine families through the Christmas
07 holidays.
08 All proceeds will be put into a
09 tragedy fund to be distributed to families in our
10 community who are suffering from tragedies.
11 Your business name will be on a
12 free T-shirt that each participant will receive and
13 that could be visited at the
14 MartinNonnenber3pointshootout.com.
15 Thank you, the Nonnenbergs. So,
16 we certainly hope that they have another good benefit
17 to memorialize their son Martin and to help needy
18 families in our community.
19 And as a matter of fact, you
20 mentioned it earlier, Martin's young brother, who is
21 just graduating from Scranton High, is as super swimmer
22 and he went to the state tournament and did very well,
23 and we're actually going to bring him in to read a
24 proclamation for him on his behalf, and Martin is his
25 older brother. So, that's all I have under fifth
0120
01 order.

02 MR. WALSH: Fifth order. 5-B, FOR
03 INTRODUCTION - AN ORDINANCE - AMENDING FILE OF
04 COUNCIL NO. 73, 1999, ENTITLED, AN ORDINANCE
05 AUTHORIZING THE MAYOR AND OTHER Aphrophilus OFFICIALS
06 OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY ACTIONS
07 TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR COMMUNITY
08 PLANNING AND DEVELOPMENT PROGRAMS TO BE FUNDED UNDER
09 THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM,
10 HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM AND
11 EMERGENCY SHELTER GRANT (ESG) PROGRAM, BY CHANGING THE
12 PURPOSE OF PROJECT NO. 99-87,
13 ACQUISITION/REHABILITATION NEIGHBORHOOD HOUSING
14 SERVICES.

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

18 MR. POCIUS: So moved.

19 MR. COURTRIGHT: Second.

20 MR. DIBILEO: On the question?

21 All those in favor, signify by saying aye.

22 MR. McTIERNAN: Aye.

23 MS. EVANS: Aye.

24 MR. POCIUS: Aye.

25 MR. COURTRIGHT: Aye.

0121

01 MR. DIBILEO: Aye. Opposed? The
02 ayes have it and so moved.

03 MR. WALSH: 5-C, FOR INTRODUCTION
04 - AN ORDINANCE - APPROVING THE TRANSFER OF A RESTAURANT
05 LIQUOR LICENSE IN THE NAME OF DEFAZIO'S RISTORANTE,
06 INC., 143 COUNTRY CLUB ESTATES, GOULDSBORO,
07 PENNSYLVANIA, THORNHURST TOWNSHIP, LICENSE NO. R-21270
08 TO TASTE OF ITALY OF SCRANTON, LLC FOR USE AT
09 208 MEADOW AVENUE, SCRANTON, PENNSYLVANIA, 18505 AS
10 REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

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

14 MR. POCIUS: So moved.

15 MR. COURTRIGHT: Second.

16 MR. DIBILEO: On the question?

17 All those in favor, 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. POCIUS: Mr. President, at
25 this time I'd like to make a motion that we hold a
0122
01 public hearing on Item 5-C, that meeting to be held
02 next Thursday, which I think is April 14 at 6:45 p.m.
03 in Council chambers and authorize Mr. Saunders to
04 advertise said meeting in the local paper.
05 MR. COURTRIGHT: Second.
06 MR. DIBILEO: We have a motion on
07 the floor and a second. On the question?
08 MR. WALSH: And of course on the
09 question, Mr. President, would be either the public or
10 the Council obviously.
11 MR. DIBILEO: Yes, public will
12 have a chance to speak.
13 MR. WALSH: Right. But on the
14 motion when you say on the question, the public can
15 comment on it, as well as the Council.
16 MR. POCIUS: Absolutely.
17 MR. DIBILEO: Sure. Okay.
18 If there's no further questions, all those in favor,
19 signify by saying aye.
20 MR. McTIERNAN: Aye.
21 MS. EVANS: Aye.
22 MR. POCIUS: Aye.
23 MR. COURTRIGHT: Aye.
24 MR. DIBILEO: Aye. Opposed? The
25 ayes have it and so moved.

0123
01 MR. WALSH: 5-D, FOR INTRODUCTION
02 - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER
03 APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON TO
04 EXECUTE AND ENTER INTO A CONTRACT WITH BEYER-BARBER
05 COMPANY FOR ACTUARIAL VALUATION SERVICES FOR THE CITY'S
06 COMPOSITE PENSION PLANS; SAID CONTRACT SHALL BE FOR THE
07 PERIOD COMMENCING APRIL 1, 2005 AND ENDING
08 MARCH 31, 2010.
09 MR. DIBILEO: At this time I'll
10 entertain a motion that Item 5-D be introduced into its
11 proper committee.
12 MR. POCIUS: So moved.
13 MR. COURTRIGHT: Second.
14 MR. DIBILEO: On the question?
15 All those in favor, signify by saying aye.
16 MR. McTIERNAN: Aye.
17 MS. EVANS: Aye.
18 MR. POCIUS: Aye.
19 MR. COURTRIGHT: Aye.

20 MR. DIBILEO: Aye. Opposed? The

21 ayes have it and so moved.

22 MR. WALSH: 5-E, FOR INTRODUCTION -

23 A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

24 APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON TO

25 EXECUTE AND ENTER INTO A CONTRACT BETWEEN THE CITY OF
0124

01 SCRANTON AND THOMAS J. ANDERSON & ASSOCIATES, INC., FOR

02 CONSULTING PENSION ADMINISTRATOR FOR THE COMPOSITE

03 PENSION FUND COMPRISED OF THE PENSION PLANS FOR THE

04 POLICE, FIRE AND NON-UNIFORM EMPLOYEES FOR THE PERIOD

05 OF APRIL 1, 2005 THROUGH MARCH 31, 2010.

06 MR. DIBILEO: At this time I'll

07 entertain a motion that Item 5-E be introduced into its

08 proper committee.

09 MR. POCIUS: So moved.

10 MR. COURTRIGHT: Second.

11 MR. DIBILEO: On the question?

12 All those in favor, signify by saying 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: Sixth order. 6-A,

20 READING BY TITLE - FILE OF COUNCIL NO. 122, 2005 -

21 AN ORDINANCE - AUTHORIZING THE TRANSFER OF A PARCEL OF

22 LAND ACQUIRED BY THE CITY THROUGH THE FLOOD CONTROL

23 PROJECT TO JOAN M. AND ANTHONY SKUTNICK AS PARTIAL

24 COMPENSATION FOR THE ACQUISITION OF A PORTION OF THEIR

25 PROPERTY FOR THE LACKAWANNA RIVER FLOOD CONTROL
0125

0125

01 PROJECT.

02 MR. DIBILEO: You've heard reading

03 by title of Item 6-A. What is your pleasure?

04 MR. POCIUS: Mr. President, I move

05 that Item 6-A pass reading by title.

06 MR. COURTRIGHT: Second.

07 MR. DIBILEO: On the question?

08 All those in favor, signify by saying aye.

09 MR. McTIERNAN: Aye.

10 MR. POCIUS: Aye.

11 MS. EVANS: Aye.

12 MR. COURTRIGHT: Aye.

13 MR. DIBILEO: Aye. Opposed? The

14 ayes have it and so ordered.

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

16 FILE OF COUNCIL NO. 123, 2005 - AN ORDINANCE -
17 AUTHORIZING THE TRANSFER OF A PARCEL OF LAND ACQUIRED
18 BY THE CITY THROUGH THE FLOOD CONTROL PROJECT TO
19 FLORENCE SAWYER AS PARTIAL COMPENSATION FOR THE
20 ACQUISITION OF A PORTION OF HER PROPERTY FOR THE
21 LACKAWANNA RIVER FLOOD CONTROL PROJECT.

22 MR. DIBILEO: You've heard reading
23 by title of Item 6-B. What is your pleasure?

24 MR. POCIUS: Mr. President, I move
25 that Item 6-B pass reading by title.

0126

01 MR. COURTRIGHT: Second.

02 MR. DIBILEO: On the question?

03 All those in favor, signify by saying aye.

04 MR. McTIERNAN: Aye.

05 MR. POCIUS: Aye.

06 MS. EVANS: Aye.

07 MR. COURTRIGHT: Aye.

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

10 MR. WALSH: 6-C, READING BY TITLE

11 - FILE OF COUNCIL NO. 124, 2005, AN ORDINANCE -

12 AUTHORIZING THE TRANSFER OF A PARCEL OF LAND ACQUIRED
13 BY THE CITY THROUGH THE FLOOD CONTROL PROJECT TO SUSAN
14 HOLZMAN AND VIVIAN DERR AS PARTIAL COMPENSATION FOR THE
15 ACQUISITION OF A PORTION OF THEIR PROPERTY FOR THE
16 LACKAWANNA RIVER FLOOD CONTROL PROJECT.

17 MR. DIBILEO: You've heard reading
18 by title of Item 6-C. What is your pleasure?

19 MR. POCIUS: Mr. President, I move
20 that Item 6-C pass reading by title.

21 MR. COURTRIGHT: Second.

22 MR. DIBILEO: On the question?

23 All those in favor, signify by saying aye.

24 MR. McTIERNAN: Aye.

25 MR. POCIUS: Aye.

0127

01 MS. EVANS: Aye.

02 MR. COURTRIGHT: Aye.

03 MR. DIBILEO: Aye. Opposed? The
04 ayes have it and so moved.

05 MR. WALSH: 6-D, READING BY TITLE

06 - FILE OF COUNCIL NO. 125, 2005 - AN ORDINANCE -

07 DESIGNATING CERTAIN PARKING IN THE ONE HUNDRED BLOCK OF
08 CEDAR AVENUE ON THE WESTERLY SIDE, THIRTY (30) MINUTE
09 PARKING, WHERE SUCH PARKING IS CURRENTLY DESIGNATED
10 FIFTEEN (15) MINUTE PARKING.

11 MR. DIBILEO: You've heard reading

12 by title of Item 6-D. What is your pleasure?

13 MR. POCIUS: Mr. President, I move

14 that Item 6-D pass reading by title.

15 MR. COURTRIGHT: Second.

16 MR. DIBILEO: On the question?

17 All those in favor, signify by saying aye.

18 MR. McTIERNAN: Aye.

19 MR. POCIUS: Aye.

20 MS. EVANS: Aye.

21 MR. COURTRIGHT: Aye.

22 MR. DIBILEO: Aye. Opposed? The

23 ayes have it and so moved.

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

25 FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY
0128

01 DEVELOPMENT - FOR ADOPTION - FILE OF COUNCIL NO. 116,

02 2005 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

03 OFFICIALS OF THE CITY OF SCRANTON TO APPROVE THE

04 DISBURSEMENT OF URBAN DEVELOPMENT ACTION GRANT

05 REPAYMENT FUNDS, IN AN AMOUNT NOT TO EXCEED \$75,000, TO

06 ASSIST IN FUNDING PROJECT NO. 05-132, THE HISTORIC

07 PRESERVATION REVOLVING LOAN PROGRAM.

08 MR. DIBILEO: What's the

09 recommendation of the chairperson for the committee on

10 community development?

11 MR. McTIERNAN: As the chairperson

12 for the committee on community development, I recommend

13 final passage of Item 7-A.

14 MR. POCIUS: Seconded.

15 MR. DIBILEO: On the question?

16 Roll call, please, Kay.

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.

0129

01 MR. DIBILEO: Yes. I hereby

02 declare Item 7-A as amended legally and lawfully

03 adopted.

04 MR. WALSH: 7-B, FOR CONSIDERATION

05 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR

06 ADOPTION - FILE OF COUNCIL NO. 117, 2005 - AMENDING

07 FILE OF COUNCIL NO. 68, 2004, ENTITLED, AN ORDINANCE

08 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS
09 OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY ACTIONS
10 TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR COMMUNITY
11 PLANNING AND DEVELOPMENT PROGRAMS TO BE FUNDED UNDER
12 THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM,
13 HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM AND
14 EMERGENCY SHELTER GRANT (ESG) PROGRAM, BY TRANSFERRING
15 \$65,000.00 FROM PROJECT NO. 96-204, THE MICROENTERPRISE
16 REVOLVING LOAN PROGRAM, TO PROSPECT NO. 05-132 THE
17 HISTORIC PRESERVATION REVOLVING LOAN PROGRAM.

18 MR. DIBILEO: What's the
19 recommendation of the chairperson for the committee on
20 community development?

21 MR. McTIERNAN: As chairperson for
22 the committee on community development, I recommend
23 final passage of Item 7-B.

24 MR. POCIUS: Seconded.

25 MR. DIBILEO: On the question?

0130

01 Roll call, please, Kay.

02 MS. GARVEY: Mr. McTiernan.

03 MR. McTIERNAN: Yes.

04 MS. GARVEY: Mrs. Evans.

05 MS. EVANS: Yes.

06 MS. GARVEY: Mr. Pocius.

07 MR. POCIUS: Yes.

08 MS. GARVEY: Mr. Courtright.

09 MR. COURTRIGHT: Yes.

10 MS. GARVEY: Mr. DiBileo.

11 MR. DIBILEO: Yes. I hereby

12 declare Item 7-B as amended legally and lawfully
13 adopted.

14 MR. WALSH: 7-C, FOR CONSIDERATION

15 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR
16 ADOPTION - FILE OF COUNCIL NO. 118, 2005 -

17 AMENDING FILE OF COUNCIL NO. 135 OF 2003, ENTITLED, AN

18 ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE

19 OFFICIALS OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY

20 ACTIONS TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR

21 COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS (AS

22 AMENDED) TO BE FUNDED UNDER THE COMMUNITY DEVELOPMENT

23 BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT PARTNERSHIP

24 (HOME) PROGRAM AND EMERGENCY SHELTER GRANT (ESG)

25 PROGRAM, BY TRANSFERRING \$13,350.41 FROM PROJECT NO.

0131

01 01-005.8 LACKAWANNA LITTLE LEAGUE AND \$20,000.00 FROM

02 PROJECT NO. 02-005.8 LACKAWANNA LITTLE LEAGUE FOR A

03 TOTAL AMOUNT OF \$33,350.41 TO PROJECT NO. 03-05.22

04 NORTH SCRANTON LITTLE LEAGUE.

05 MR. DIBILEO: What's the

06 recommendation of the chairperson for the committee on
07 community development?

08 MR. McTIERNAN: As the chairperson

09 for the committee on community development, I recommend
10 final passage of Item 7-C.

11 MR. POCIUS: Seconded.

12 MR. DIBILEO: On the question?

13 Just on the question, this money being transferred is
14 not needed by Lackawanna Little League. They are
15 unfunded projects, projects that have been completed,
16 and the money is needed for North Scranton Little
17 League. If there's no further questions, roll call,
18 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.

0132

01 MR. COURTRIGHT: Yes.

02 MS. GARVEY: Mr. DiBileo.

03 MR. DIBILEO: Yes. I hereby

04 declare Item 7-C legally and lawfully adopted.

05 MR. WALSH: 7-D, FOR CONSIDERATION

06 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR

07 ADOPTION - FILE OF COUNCIL NO. 119, 2005 - AMENDING

08 FILE OF COUNCIL NO. 205, 2003 ENTITLED AN ORDINANCE

09 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS

10 OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY ACTIONS

11 TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR COMMUNITY

12 PLANNING AND DEVELOPMENT PROGRAMS TO BE FUNDED UNDER

13 THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM,

14 HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM AND

15 EMERGENCY SHELTER GRANT (ESG) PROGRAM, BY CHANGING THE

16 PURPOSE OF PROJECT NO. 04-253, ELIMINATION OF SLUMS AND

17 BLIGHT IN THE CENTRAL BUSINESS DISTRICT.

18 MR. DIBILEO: What's the

19 recommendation of the chairperson for the committee on
20 community development?

21 MR. McTIERNAN: As the chairperson

22 for the committee on community development, I recommend
23 final passage of Item 7-D.

24 MR. POCIUS: Seconded.

25 MR. DIBILEO: On the question?

0133

01 Roll call, please, Kay.

02 MS. GARVEY: Mr. McTiernan.

03 MR. McTIERNAN: Yes.

04 MS. GARVEY: Mrs. Evans.

05 MS. EVANS: Yes.

06 MS. GARVEY: Mr. Pocius.

07 MR. POCIUS: Yes.

08 MS. GARVEY: Mr. Courtright.

09 MR. COURTRIGHT: Yes.

10 MS. GARVEY: Mr. DiBileo.

11 MR. DIBILEO: Yes. I hereby

12 declare Item 7-D as amended legally and lawfully
13 adopted.

14 Before we adjourn, there's another

15 benefit that's occurring Saturday night that I really

16 don't have a lot of details on, it's involving a

17 benefit for Mr. Calpin. And, Mr. Pocius, do you have

18 any -- it's at St. Joe's in Minooka.

19 MR. POCIUS: St. Joseph's

20 Parish Center, 312 Davis Street. That's actually the

21 address of the rectory, but it's in the 300 block of

22 Davis Street. I think it starts around six o'clock. I

23 think the requested donation is \$10. I think it's

24 going to go 6 to 9, 6 to 10.

25 MR. DIBILEO: Yeah, another very

0134

01 good benefit to consider this weekend, Saturday night

02 at St. Joe's.

03 Seeing no further business on the

04 agenda, I'll entertain a motion we adjourn.

05 MS. EVANS: So moved.

06 MR. COURTRIGHT: Second.

07 MR. DIBILEO: We're adjourned.

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09 (MEETING WAS ADJOURNED.)

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01 CERTIFICATE

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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 _____
08 LISA M. GRAFF, RPR

08 OFFICIAL COURT REPORTER

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